

**THE ENVIRONMENT COURT  
AT AUCKLAND**

**ENV-2022-AKL-066**

**I MUA I TE KOOTI TAIAO  
TĀMAKI MAKAURAU ROHE**

**IN THE MATTER** of the Resource Management Act 1991

**AND**

**IN THE MATTER** of an appeal under Clause 14(1) First Schedule of the RMA in relation to the decision of the Waikato District Council on the Proposed Waikato District Plan

**BETWEEN** **Ports of Auckland Ltd**

**Appellant**

**AND** **Waikato District Council**

**Respondent**

**NOTICE OF PERSON WISHING TO BE PARTY TO PROCEEDINGS**

**TO:** The Registrar  
Environment Court  
Auckland

1. The Northgate Developments Ltd and Northgate Industrial Park Ltd (“Northgate”) gives notice of its intention to become a party to the appeal by Ports of Auckland Ltd (the “Appellant” or “POAL”) against certain parts of the decision by Waikato District Council (“WDC”) on the Proposed Waikato District Plan (“PWDP”).
2. Northgate made a submission on the PWDP relating to the provisions that were to apply to the industrial land at Horotiu which is described in the PWDP decisions as being the Horotiu Industrial Park Precinct (HIPP). Northgate’s submission sought amendments to the PWDP to ensure that the applicable performance standards that apply to the HIPP aligned with those in the Operative Waikato District Plan (“OWDP”), including a permitted height level not exceeding 25 metres for the site and 15 metres for 90% of the site.

3. The Commissioners confirmed that the rule should read not exceeding 25 metres for the site and 15 metres for 90% of the site, however, the Decision version of the PWDP now reads 5 metres over 90% of the site. The Appellant has appealed this matter, seeking that the 5m be reinstated to 15m as determined acceptable in the Commissioners Decision Report 21 for the Industrial Zone.
4. Northgate has an interest in the appeal that is greater than the interest the general public has. Northgate is the majority developer of the HIPP.
5. Northgate is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.
6. Northgate is only interested in the POAL appeal as it relates to the height matter.
7. WRAL supports the relief sought by the Appellant in the notice of appeal on the basis that the relief sought by the Appellant:
  - (a) is consistent with the purpose and principles of the RMA;
  - (b) promotes the sustainable management of natural and physical resources and in particular the development expectations for the HIPP;
  - (c) will enable people to provide for their social and economic wellbeing; and
  - (d) the relief sought is consistent with sound resource management practices for height limits within industrial zones.
8. Northgate agrees to participate in mediation or other alternative dispute resolution of the proceedings.

**NORTHGATE INDUSTRIAL PARK LTD AND NORTHGATE DEVELOPMENTS LTD** by its authorised agents Bloxam Burnett & Olliver:



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Kathryn Drew

21 March 2022  
C/- Kathryn Drew  
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**And to:** Waikato District Council

**And to:** The Appellant