

**IN THE ENVIRONMENT COURT
AT AUCKLAND**

**I TE KŌTI TAIAO O AOTEAROA
KI TAMAKI MAKAU**

Decision [2024] NZEnvC 096

IN THE MATTER OF

objections under ss 23(2) and 24 of
the Public Works Act 1981

BETWEEN

ZHINENG ZHOU

(ENV-2023-AKL-000187)

PAERATA 5 FARMS LIMITED

(ENV-2023-AKL-000188)

Objectors

AND

MINISTER FOR STATE OWNED
ENTERPRISES

Respondent

Court: Environment Judge J A Smith sitting alone under s 279 of the
RMA

Hearing: On the papers
Last case event: 30 April 2024

Date of Decision: 1 May 2024

Date of Issue: 1 May 2024

DETERMINATION OF THE ENVIRONMENT COURT

A: The objections are recorded as withdrawn.

B: There are no issues as to costs.



REASONS

Introduction

[1] On 10 November 2023, Zhineng Zhou filed an objection to a notice to take land at 41 Waihoehoe Road, Drury, Auckland for railway purposes for the Drury Central Railway Station Project.

[2] On 10 November 2023 Paerata 5 Farms Limited filed an objection to a notice to take land at 412 Sim Road, Pukekohe, Auckland for railway purposes for the Drury Central Railway Station Project.

Case management

[3] Directions were put in place for exchange of memoranda setting out the parties' positions. The parties then agreed a process for resolving the objections. The parties undertook independent negotiations.

Withdrawals

[4] By joint memorandum dated 22 April 2024, the Court was advised that Paerata 5 Farms Limited discontinues the proceedings.

[5] By joint memorandum dated 30 April 2023, the Court was advised Zhineng Zhou discontinues the proceedings.

[6] Leave is not required to withdraw proceedings under the Public Works Act 1981. Section 24 PWA provides:

- (11) Any objection filed under section 23 may be withdrawn by the objector at any time before the court makes its report and findings under this section.
- (12) Where the objection is withdrawn by the objector pursuant to subsection (11), the court shall not be obliged to make a report and findings under this section.

Outcome

[7] The objections are recorded as withdrawn.

[8] The parties confirm there are no issues as to costs and accordingly there is no order as to costs.



J A Smith
Environment Judge

