

BEFORE THE ENVIRONMENT COURT
AUCKLAND REGISTRY

ENV-2024-AKL-000146

I MUA I TE KOOTI TAIAO O AOTEAROA
KI TAMAKI MAKAUURAU

In the Matter of the Resource Management Act 1991 (**Act**)

And

In the Matter of an appeal under section 174 of the Act

Between Lendich Construction Limited

Appellant

And

New Zealand Transport Agency Waka Kotahi

Respondent

**Notice of Intention on behalf of Kumeu Central Limited to be a Party to
Proceedings under s 274 of the Act**

Dated 2 August 2024

Jeremy Brabant
Barrister
Level 4, Vulcan Building Chambers
PO Box 1502, Shortland St
Auckland City
021 494 506
Email: jeremy@brabant.co.nz

To: The Registrar
Environment Court
Auckland

1. Kumeu Central Limited (**KCL**) gives notice that it wishes to be a party to the following appeal:

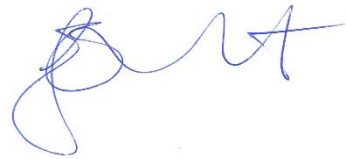
Lendich Construction Limited v New Zealand Transport Agency Waka Kotahi (ENV-2024-AKL-000146).

2. KCL:
 - a. Made a submission on the North-Western Strategic Network: Rapid Transit Corridor Notice of Requirement S3 (**NOR S3**); and
 - b. Has an interest in the proceeding that is greater than the interest the general public has as:
 - i. KCL owns land at 102 – 104 Main Road, Kumeu located on the corner of Putaki Drive and Main Road and extending through to adjoin Papatupu Lane which are subject to NOR S3.
 - ii. KCL has appealed against the same or similar NOR S3 conditions the subject of this appeal and therefore has a direct interest in the relief sought.
 - iii. As an appellant and affected landowner, KCL will be directly affected by amendments to the NOR S3 conditions arising from the appeal.
 - iv. The appeals engage with the same or similar substantive matters and are likely to be case managed together.
3. KCL is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.
4. KCL is interested in the entirety of the appeal to the extent that the relief sought could:

- a. Impact the KCL land either directly or as a consequence of any amendment to the designation boundary; and
 - b. Result in amendments to conditions which:
 - i. KCL has appealed directly; and/or
 - ii. Affect all landowners subject to NOR S3.
5. KCL generally supports the relief sought to the extent that Lendich Construction Limited's relief is the same or similar to KCL as:
- a. It will promote the sustainable management of natural and physical resources;
 - b. Will achieve the efficient use and development of natural and physical resources;
 - c. Is the most appropriate way to achieve the purpose of the RMA;
 - d. Satisfies the requirements of s 171 of the RMA;
 - e. Gives effect to the relevant high order planning documents; and
 - f. Appropriately avoid, remedy, or mitigate adverse effects on the environment.

6. KCL agrees to participate in mediation or other alternative dispute resolution of the appeal.

Signature: **Kumeu Central Limited** by its authorised agent:



Jeremy Brabant

Date: 2 August 2024

Address for service: Jeremy Brabant / Shannon Darroch
PO Box 1502, Shortland St
Auckland

Mobile: 021 494 506 / 021 077 8497

Email: jeremy@brabant.co.nz
shannon@brabant.co.nz

Advice

If you have any questions about this notice, contact the Environment Court in Auckland.

