

**IN THE ENVIRONMENT COURT OF NEW ZEALAND
AUCKLAND REGISTRY**

**I TE KŌTI TAIAO O AOTEAROA
TĀMAKI MAKĀURAU ROHE**

ENV-2024-AKL-000156

UNDER The Resource Management Act 1991 ("RMA")

IN THE MATTER of an appeal under section 174 of the Resource Management Act 1991 in relation to the four Notices of Requirement for the North West Project being, NoR S2 – SH16 Main Road, NoR S3 – Rapid Transit Corridor, NoR KS – Kumeū Rapid Transit Station, NoR HS – Huapai Rapid Transit Station

BETWEEN **FUTURE-KUMEU INCORPORATED**
Appellant

AND **WAKA KOTAHĪ NEW ZEALAND TRANSPORT AGENCY (NZTA)**
Respondent

AND **ATLAS CONCRETE LIMITED**
Section 274 Party

SECTION 274 NOTICE OF ATLAS CONCRETE LIMITED

DATED 2 AUGUST 2024



Andrew Braggins
Director
Phone: 021 662 249
Email: andrew@telawyers.co.nz
Postal: The B:Hive
72 Taharoto Road
Takapuna 0622

TO: The Registrar of the Environment Court, Auckland

AND TO: Waka Kotahi NZ Transport Agency (the Respondent)

AND TO: Future-Kumeu Incorporated (the Appellant)

AND TO: Auckland Council (the relevant local authority)

1. Atlas Concrete Limited (“Atlas”) wishes to be a party to the following proceeding:
 - (a) ENV-2024-AKL-000156 - Future-Kumeu Incorporated v Waka Kotahi New Zealand Transport Agency. This proceeding is an appeal against four Notices of Requirement (“NoR”) issued by NZTA:
 - (i) NoR S2 – SH16 Main Road;
 - (ii) NoR S3 – Rapid Transit Corridor;
 - (iii) NoR KS – Kumeū Rapid Transit Station; and
 - (iv) NoR HS – Huapai Rapid Transit Station.
2. Atlas is a person who has an interest in the proceedings that is greater than the interest that the general public has because Atlas owns 282 and 292 Main Road, Kumeu, and will be affected by any decisions on the NoRs which address matters raised in the relief sought by the Appellant.
3. Atlas also made a submission on the subject matter of the proceedings, which raises similar issues.
4. Atlas generally supports the Appellant in this appeal on the grounds set out in the notice of appeal by the Appellant.
5. Atlas is not a trade competitor for the purposes of section 308C or 308CA of the RMA.
6. Atlas is interested in all of the proceeding and in particular the following issues:
 - (a) NOR footprint;
 - (b) Assessment of alternatives;

- (c) Lapse periods;
 - (d) Conditions.
7. Atlas generally supports the Appellant in this appeal on the basis that any relief granted to the Appellant does not adversely impact Atlas because the NoRs have significant adverse environmental effects that need to be properly considered and evaluated against the relevant policy and legal framework.
 8. Atlas wishes to be heard in this appeal. Atlas agrees to attend mediation or other alternative dispute resolution of the proceedings.

Dated at AUCKLAND this 2nd day of August 2024



A W Braggins
Counsel for Atlas Concrete Limited

ADDRESS FOR SERVICE OF SECTION 274 PARTY

Andrew Braggins, Director
The Environmental Lawyers Limited

Email: andrew@telawyers.co.nz

Phone: 021 66 22 49

Post Level 4
The B:Hive
72 Taharoto Road
Smales Farm, Takapuna
Auckland 0622

TO: The Registrar of the Environment Court, Auckland
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AND TO: Future-Kumeu Incorporated (the Appellant)
AND TO: Auckland Council (the relevant local authority)