

**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 **STEVE AND SOFIA NUICH TRUSTEE LIMITED**
Section 274 Party

SECTION 274 NOTICE OF STEVE AND SOFIA NUICH TRUSTEE LIMITED

DATED 2 AUGUST 2024



Andrew Braggins
Director
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Postal: The B:Hive
72 Taharoto Road
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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. Steve and Sofia Nuich Trustee Limited (“Nuich”) 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. Nuich is a person who has an interest in the proceedings that is greater than the interest that the general public has because Nuich owns 29 Meryl Avenue, Kumeu, which is affected by NoR HS and S3 to the extent that the Huapai Station is in NoR S3. Therefore, changes to the NoRs to resolve the Appellant’s appeal could impact Nuich.
3. Nuich also made a submission on the subject matter of the proceedings and has filed its own appeal, which raises similar issues.
4. Nuich generally supports the Appellant in this appeal on the grounds set out in the notice of appeal by the Appellant.
5. Nuich is not a trade competitor for the purposes of section 308C or 308CA of the RMA.
6. Nuich 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. Nuich generally supports the Appellant in this appeal on the basis that any relief granted to the Appellant does not adversely impact Nuich because the NoRs have significant adverse environmental effects that need to be properly considered and evaluated against the relevant policy and legal framework.
8. Nuich wishes to be heard in this appeal. Nuich 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 Steve and Sofia Nuich Trustee Limited

ADDRESS FOR SERVICE OF SECTION 274 PARTY

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

AND TO: Future-Kumeu Incorporated (the Appellant)

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