

**In the Environment Court
I Mua I Te Kōti Taiao O Aotearoa
Auckland Registry
Tāmaki Makaurau Rohe**

ENV-2025-AKL-000037

Under the Resource Management Act 1991 and in the matter of an application
under Section 274 of the Act

Between **ACGR Old Pine Limited**
Appellant

And **New Zealand Transport Agency – Waka Kotahi**
Respondent

**Notice of Auckland Transport's wish to be party to
proceedings**

6 March 2025

BELL GULLY

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To: The Registrar
Environment Court
Auckland

1. Auckland Transport wishes to be a party to *ENV-2025-AKL-000037 – ACGR Old Pine Limited v New Zealand Transport Agency – Waka Kotahi* under section 274 of the Act (the **Appeal**).
2. Auckland Transport has an interest in the proceedings that is greater than the interest of the general public. The North Project (the **Project**) is one of the projects undertaken by Te Tupu Ngātahi Supporting Growth Alliance (**Te Tupu Ngātahi**), a collaboration between Auckland Transport and New Zealand Transport Agency Waka Kotahi (**NZTA**). The purpose of Te Tupu Ngātahi is to investigate, plan and designate land for more than 70 transport projects to support urban growth in Auckland over the next 30 years.
3. There are 13 notices of requirement for the Project which include the following notices subject to these proceedings:
 - (a) NoR 1: New Rapid Transit Corridor between Albany and Milldale; and
 - (b) NoR 3: New Pine Valley East Station and Associated Facilities.
4. NZTA and Auckland Transport have worked together to prepare and lodge the notices of requirement and presented a joint case before the Hearing Commissioners appointed by Auckland Council. The North Auckland transport network has been developed as an integrated network where the state highway and rapid transit corridors are developed and will operate alongside the arterial network operated by Auckland Transport.
5. Auckland Transport's involvement in any appeals relating to NZTA's notices of requirement for the Project will ensure that its interest in the success of the overall Project will be better represented. Auckland Transport also considers its involvement will assist with efficient resolution of the issues on appeal, some of which involve challenges to conditions that have been developed jointly with NZTA and applied across the whole Te Tupu Ngātahi programme of work.

6. Auckland Transport is not a trade competitor for the purposes of section 308C or 308A of the Act.
7. Auckland Transport is interested in all of the proceedings and wishes to be heard on the Appeal in its entirety.

Auckland Transport's position on the proceedings

8. Auckland Transport opposes the relief sought, including for the following reasons:
 - (a) Auckland Transport considers the effects on ACGR Old Pine Limited can be adequately mitigated by the comprehensive condition set for the Project, in particular, the mitigation measures contemplated by the suite of management plans provided for in those conditions;
 - (b) Auckland Transport considers that the alternatives assessment process undertaken to support the Project was appropriate, robust, transparent and replicable;
 - (c) Auckland Transport considers that the Project and the extent of the designation boundary for NoR 1 and NoR 3 is reasonably necessary to achieve the Project objectives; and
 - (d) Advance acquisition relates to a separate statutory process.
9. Auckland Transport agrees to participate in mediation or other alternative dispute resolution of the Appeal.



N Garvan / M Gribben / M Exton
Counsel for Auckland Transport
6 March 2025

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Advice

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