

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

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

ENV-2024-AKL-000156

UNDER the Resource Management Act 1991 ("the Act")

IN THE MATTER of an appeal under section 174 of the Act 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-KUMEŪ INCORPORATED**
Appellant

AND **WAKA KOTĀHI NEW ZEALAND TRANSPORT AGENCY**
Respondent

**NOTICE OF THE NATIONAL TRADING COMPANY OF NEW ZEALAND'S WISH TO BE A
PARTY TO PROCEEDINGS**

2 AUGUST 2024

**ELLIS GOULD
LAWYERS
AUCKLAND**

**REF: Daniel Sadler (dsadler@ellisgould.co.nz)
Alex Devine (adevine@ellisgould.co.nz)**

**Level 31 Vero Centre
48 Shortland Street, Auckland
Tel: 09 307 2172
PO Box 1509, DX CP22003
AUCKLAND**

**NOTICE OF THE NATIONAL TRADING COMPANY OF NEW ZEALAND'S WISH TO BE A
PARTY TO PROCEEDINGS**

THE NATIONAL TRADING COMPANY OF NEW ZEALAND LIMITED (“NTC”) gives notice under section 274 of the Resource Management Act 1991 (“**RMA**”) that it wishes to be a party to the appeal ENV-2024-AKL- 000156 (“**Appeal**”) by Future Kumeū Incorporate (“**Future Kumeū**”) against the decision of Waka Kotahi New Zealand Transport Agency to confirm the following Notices of Requirement:

- (HS) Huapai Rapid Transit Station;
- (KS) Kumeū Rapid Transit Station;
- (S2) Alteration to designation 6766 State Highway 16 Main Road Upgrade (“**NoR S2**”); and
- (S3) Rapid Transit Corridor.

1. NTC made a submission about the subject matter of the proceedings.
2. NTC also has an interest in the proceeding that is greater than the interest the general public has because:
 - (a) It has also appealed¹ against the same or similar NoR S2 conditions that are the subject of the Appeal and therefore has a direct interest in the relief sought.
 - (b) As an appellant and owner of a site affected by NoR S2², NTC has the potential to be directly affected by amendments to the NoR S2 conditions arising from the Appeal.
3. NTC is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991. In any event, NTC is directly affected by an effect of the subject of the Appeal that:
 - (a) Adversely affects the environment; and

¹ ENV-2024-AKL-000152.

² 108, 110 and 128 Main Road, Kumeū.

- (b) Does not relate to trade competition or the effects of trade competition.
4. NTC is interested in the aspects of the proceedings which relate to NoR S2 and any aspects which have the potential to have implications for NTC's site, including but not limited to those aspects relating to assessment of alternatives, lapse periods and flood mitigation.
 5. NTC generally supports the relief sought by Future Kumeū (to the extent it is consistent with the relief sought by NTC's appeal and does not compromise NTC's interests) for the reasons set out in the Appeal.
 6. NTC agrees to participate in mediation or other alternative dispute resolution of the proceedings.

DATED this 2nd day of August 2024

THE NATIONAL TRADING COMPANY OF NEW ZEALAND by its solicitors and duly authorised agents Ellis Gould



Daniel Sadlier / Alex Devine

ADDRESS FOR SERVICE: The offices of Ellis Gould, Solicitors, Level 31, Vero Centre, 48 Shortland Street, PO Box 1509. Auckland 1140, DX CP22003, Auckland. Telephone: 09 306 1075. **Attention:** Daniel Sadlier (dsadlier@ellisgould.co.nz) and Alex Devine (adevine@ellisgould.co.nz).

Copy to: Waka Kotahi NZ Transport Agency

And: The Appellant

Advice

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