

BEFORE THE ENVIRONMENT COURT
AUCKLAND REGISTRY

ENV-2024-AKL-000137

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 Viscount Investment Corporation Limited

Appellant

And

Auckland Transport

Respondent

**Notice of Intention on behalf of GR & CC McCullough Trustee 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
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Auckland City
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To: The Registrar
Environment Court
Auckland

1. GR & CC McCullough Trustee Limited (**MTL**) gives notice that it wishes to be a party to the following appeal:

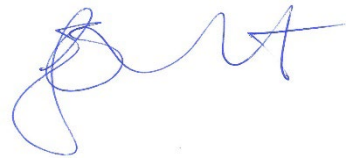
Viscount Investment Corporation Limited v Auckland Transport (ENV-2024-AKL-000137)

2. MTL:
 - a. Made a submission on the North-West Local Network: Alteration to Designation 1437 Hobsonville Road Notice of Requirement W5 (**NOR W5**); and
 - b. Has an interest in the proceeding that is greater than the interest the general public has as:
 - i. MTL owns 403 and 403A Hobsonville Road, Hobsonville which are subject to NOR W5.
 - ii. MTL has appealed against the same or similar NOR W5 conditions the subject of this appeal and therefore has a direct interest in the relief sought.
 - iii. As an appellant and affected landowner, MTL will be directly affected by amendments to the NOR W5 conditions arising from this appeal.
 - iv. The appeals engage with the same or similar substantive matters and are likely to be case managed together.
3. MTL is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.
4. MTL is interested in the entirety of the appeal to the extent that the relief sought could:

- a. Impact the MTL land either directly or as a consequence of any amendment to the designation boundary; and
 - b. Result in amendments to conditions which:
 - i. MTL has appealed directly; and/or
 - ii. Affect all landowners subject to NOR W5.
5. MTL generally supports the relief sought to the extent that Viscount Investment Corporation Limited's relief is the same or similar to MTL 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. MTL agrees to participate in mediation or other alternative dispute resolution of the appeal.

Signature: **GR & CC McCullough Trustee Limited** by its authorised agent:



Jeremy Brabant

Date: 2 August 2024

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Advice

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