

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

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

ENV-2024-AKL-000157

UNDER section 274 of the Resource Management Act 1991

IN THE MATTER of an appeal under section 174 of the Resource Management Act 1991 in relation to the Notice of Requirement for KS – Kumeū Rapid Transit Station.

BETWEEN **FBL PROPERTIES LIMITED**

Appellant

AND **NEW ZEALAND TRANSPORT AGENCY WAKA
KOTAHI (NZTA)**

Respondent

**NOTICE OF FUTURE-KUMEU INCORPORATED WISH TO BE PARTY TO
PROCEEDINGS
S274, RESOURCE MANAGEMENT ACT 1991
1 August 2024**

NZEnviro ◆ **Law**

Phone 027 2459942
Address 83 Howell Avenue
Hamilton, 3216
New Zealand

Counsel Acting:
Joan Forret
(joan.forret@nzenviro.law)

NOTICE OF PERSON'S WISH TO BE PARTY TO PROCEEDINGS

Section 274, Resource Management Act 1991

To The Registrar
Environment Court
Auckland

Future-Kumeu Incorporated gives notice under section 274 of the Resource Management Act 1991 ("RMA") that it wishes to be a party to the appeal ("Appeal") by **FBL Properties Limited** against the decision of the respondent on the proposed decision on the notices of requirement for:

- (a) Kumeū Rapid Transit Station ("KS");
(Designation)

2 Future-Kumeu Incorporated made a submission about the subject matter in the designation hearing.

Trade competition

3 Future-Kumeu Incorporated is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.

The Proceedings

4 Future-Kumeu Incorporated is interested in all of the proceedings.

Particular Issues

5 Future-Kumeu Incorporated is interested in the following particular issues:

- (a) location of the proposed routes;
- (b) the assessment of alternatives;
- (c) the lapse periods; and
- (d) the conditions for flooding related to the Designations.

Relief sought:

6 Future-Kumeu Incorporated supports the relief sought by FBL Properties Limited for the following reasons:

- (a) The NoR incorporating the KS is inconsistent with the objectives and policies of the relevant planning documents, including the Unitary Plan and the Regional Policy Statement (RPS);
- (b) The current KS designation fails to facilitate the sustainable management of natural and physical resources and does not adequately address the reasonably foreseeable needs of future generations. Moreover, the designations contravene the provisions of Part 2 of the RMA;
- (c) The NoR does not adequately address the reasonably foreseeable needs of future generations;
- (d) The NoR does not support the social, economic, and cultural well-being of the Auckland community.
- (e) The designations collectively will result in significant adverse environmental effects;
- (f) There is inadequate mitigation of flooding; and
- (g) The twenty-year lapse period for the Designation is unreasonable and imposes undue burdens on landowners, resulting in planning blight.

Dispute resolution

- 7 Future-Kumeu Incorporated agrees to participate in mediation or other alternative dispute resolution of the proceedings.



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Joan Forret

Solicitor for Future-Kumeu Incorporated

Date: 01/08/2024

Address for service of Person wishing to be a Party

Joan Forret

027 2459942 Joan.forret@nzenviro.law

NZEnviro Law

83 Howell Avenue, Riverlea, Hamilton 3216, New Zealand

Note to person wishing to be a party

You must lodge the original and 1 copy of this notice with the Environment Court within 15 working days after–

- the period for lodging a notice of appeal ends, if the proceedings are an appeal; or
- the decision to hold an inquiry, if the proceedings are an inquiry; or
- the proceedings are commenced, in any other case.

Your right to be a party to the proceedings in the Court may be limited by the trade competition provisions in section 274(1) and Part 11A of the Resource Management Act 1991. The notice must be signed by you or on your behalf.

You must serve a copy of this notice on the relevant local authority and the person who commenced the proceedings within the same 15 working day period and serve copies of this notice on all other parties within 5 working days after that period ends.

However, you may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing or service requirements (see form 38).

Advice

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