

**IN THE ENVIRONMENT COURT
AT AUCKLAND**

ENV-2024-AKL-000067

**I MUA I TE KOOTI TAIAO O AOTEAROA
TĀMAKI MAKĀURAU**

IN THE MATTER of the Resource Management Act 1991
(the “RMA”)

AND

IN THE MATTER of an appeal under s174 of the RMA in
relation to notice of requirement “NoR
4a”: Bus Rapid Transit - SH20/20B
Interchange to Orrs Road for the Airport
to Botany Bus Rapid Transit Project

BETWEEN

WIRI OIL SERVICES LTD

Appellant

AND

AUCKLAND TRANSPORT

Respondent

**NOTICE OF CHANNEL TERMINAL SERVICES LTD’S WISH TO BE PARTY TO
PROCEEDINGS**

19 April 2024

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1. Channel Terminal Services Ltd (“CTS”) wishes, pursuant to s274 of the RMA, to be a party to the appeal by Wiri Oil Services Ltd (“WOSL” and the “WOSL Appeal”) against part of the decision by Auckland Transport on notice of requirement “NoR 4a”: Bus Rapid Transit - SH20/20B Interchange to Orrs Road for the Airport to Botany Bus Rapid Transit Project.
2. CTS has an interest in the proceedings that is greater than the interest the general public has:
 - (a) Channel Infrastructure NZ Ltd (formerly named Refining NZ) operates the Marsden Point liquid fuel import terminal. CTS, a wholly-owned subsidiary of Channel Infrastructure NZ Ltd, owns and operates the Ruakaka to Auckland Pipeline (“RAP”), a 170km high-pressure pipeline which transmits liquid fuels from the Marsden Point terminal to the Auckland region and beyond. The RAP was first commissioned in 1985. It is buried along almost its entire length. Regular, premium, diesel and Jet A1 aviation fuel are transported down the RAP. It provides the vast majority of Auckland’s road transport fuel, and all of Auckland International Airport’s aviation fuel, and can transmit over 400,000 litres of product an hour.
 - (b) CTS is the RMA requiring authority responsible for the RAP designations in the Auckland Unitary Plan (Operative in Part).¹ CTS also holds easements over each property through which the RAP traverses.
 - (c) Within the Airport to Botany Bus Rapid Transit Project area, the RAP shares a trench with a second pipeline, operated by WOSL, which transmits jet fuel from the Wiri Oil Terminal (being the end terminus of the RAP) to Auckland International Airport (the “WAP”).²
 - (d) The RAP, and the WAP, are nationally significant infrastructure and are critically important to the national economy. They form an essential part of the network for the transmission and distribution of petroleum throughout the upper North Island.³

¹ In Auckland, the RAP is subject to Designations 6500 (applying generally to more rural areas in the north of the city) and 6501 (applying generally to more urban areas in the south of the city).

² The WAP is protected by Designation 9700 and other legal mechanisms, as described in the WOSL Appeal.

³ CTS is deemed to be a “lifeline utility” under the Civil Defence Emergency Management Act 2002.

- (e) The Airport to Botany Bus Rapid Transit Project will in part take place on land traversed by the RAP and the WAP.⁴ If not managed appropriately, the Project works have the potential to seriously adversely impact the ongoing safe and efficient operation, maintenance, and upgrading of the RAP and WAP.
 - (f) Evidence was presented on behalf of CTS at the hearing for the Airport to Botany Bus Rapid Transit Project.
3. CTS is not a trade competitor for the purposes of section 308C or 308CA of the RMA.
 4. The WOSL Appeal relates to a single condition regarding a Network Utility Management Plan.⁵ CTS is interested in the WOSL Appeal in its entirety.
 5. CTS is interested in ensuring that the impacts of the Airport to Botany Bus Rapid Transit Project on the RAP are appropriately managed.
 6. CTS supports the relief sought by WOSL for the reasons set out in WOSL's notice of appeal.
 7. CTS agrees to participate in mediation or other alternative dispute resolution of the proceedings.

CHANNEL TERMINAL SERVICES LTD by its solicitors,
ChanceryGreen:



CH Simmons / SJ Mutch
19 April 2024

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⁴ In some sections, the WOSL Appeal incorrectly references the RAP designation numbers. In the area of the Airport to Botany Bus Rapid Transit Project, the relevant RAP designation is Designation 6501; and the WAP designation is Designation 9700.

⁵ Condition 26. The WOSL Appeal incorrectly refers to condition number 28.

To: The Registrar at the Environment Court in Auckland

And to: Wiri Oil Services Ltd

And to: Auckland Transport

And to: Auckland Council