

BEFORE THE ENVIRONMENT COURT  
AUCKLAND REGISTRY

ENV-2024-AKL-000056

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** BPG Developments Limited

**Appellant**

**And**

Auckland Transport

**Respondent**

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**Notice of Intention on behalf of Chalmers Property Limited to be a Party to  
Proceedings under s 274 of the Act**

**Dated 23 April 2024**

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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. Chalmers Properties Limited (**CPL**) gives notice that it wishes to be a party to the following appeal:

BPG Developments Limited v Auckland Transport (ENV-2024-AKL-000056)

The appeal by **BPG DEVELOPMENTS LIMITED (BPG)** under s 174 of the Act against parts of the decision by Auckland Transport (**AT**) to confirm Notice of Requirement 2 – Auckland Airport to Botany Rapid Transit Project – Rongomai Park to Puhinui Station (**NoR 2**).

2. CPL:
  - a. Made a submission on NoR 2; and
  - b. Has an interest in the proceeding that is greater than the interest the general public has as:
    - i. CPL has appealed against the same or similar NoR 2 conditions the subject of this appeal and therefore has a direct interest in the relief sought.
    - ii. As an appellant and affected landowner, CPL will be directly affected by amendments to the NoR 2 conditions arising from the BPG appeal.
    - iii. The appeals engage with the same substantive matters and are likely to be case managed together.
3. CPL is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.
4. CPL is interested in parts of the appeal relating to NoR 2 to the extent that the relief sought could:
  - a. Impact the CPL land either directly or as a consequence of any amendment to the designation boundary; and

- b. Result in amendments to conditions which:
    - i. CPL has appealed directly; and
    - ii. Affect all landowners subject to NoR 2.
5. CPL generally supports the relief sought to the extent that BPG's relief is the same or similar to CPL 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. CPL agrees to participate in mediation or other alternative dispute resolution of the appeal.

**Signature:**

**Chalmers Property Limited** by its authorised agent:



**Jeremy Brabant**

**Date:**

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23 April 2023

**Address for service:** Jeremy Brabant / Shannon Darroch  
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*Advice*

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