

**IN THE ENVIRONMENT COURT  
AT AUCKLAND**

**ENV-2024-AKL-000065**

**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** **AUCKLAND INTERNATIONAL  
AIRPORT LIMITED**

**Appellant**

**AND** **AUCKLAND TRANSPORT**

**Respondent**

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

**24 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 Auckland International Airport Ltd (ENV-2024-AKL-000065) (“AIAL” and the “AIAL Appeal”) against parts 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).<sup>1</sup> 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 Wiri Oil Services Ltd, which transmits jet fuel from the Wiri Oil Terminal (being the end terminus of the RAP) to Auckland International Airport (the “WAP”).<sup>2</sup>
  - (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.<sup>3</sup>

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<sup>1</sup> 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).

<sup>2</sup> The WAP is protected by Designation 9700 and other legal mechanisms.

<sup>3</sup> 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. 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. CTS is interested in the AIAL Appeal in its entirety. The AIAL Appeal has partly overlapping relief to the Wiri Oil Services Ltd appeal (ENV-2024-AKL-000067) (the "WOSL Appeal") to which CTS is a party. The subject matter of the AIAL Appeal (which includes recognition, protection and integrated management of pre-existing network utilities/designations within the footprint of NoR 4a) is important to CTS, as a requiring authority with responsibility for the RAP.
  5. CTS supports in principle the relief sought by AIAL for the reasons set out in AIAL's notice of appeal (to the extent that this relief is consistent with the WOSL Appeal and CTS's s274 notice on the WOSL Appeal). 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 agrees to participate in mediation or other alternative dispute resolution of the proceedings.

**CHANNEL TERMINAL SERVICES LTD** by its solicitors,  
ChanceryGreen:



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CH Simmons / SJ Mutch  
24 April 2024

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**To:** The Registrar at the Environment Court in Auckland

**And to:** Auckland International Airport Ltd

**And to:** Auckland Transport

**And to:** Auckland Council

**And to:** Wiri Oil Services Ltd