

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

**Notice of Intention on behalf of Van Den Brink 652 Limited to be a Party to
Proceedings under s 274 of the Act**

Dated 23 April 2024

Jeremy Brabant

Barrister

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To: The Registrar
Environment Court
Auckland

1. Van Den Brink 652 Limited (**VDB**) 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. VDB:
 - 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. VDB 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, VDB 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. VDB is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.
4. VDB is interested in parts of the appeal relating to NoR 2 to the extent that the relief sought could:
 - a. Impact the VDB land either directly or as a consequence of any amendment to the designation boundary; and

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

Signature:

Van Den Brink 652 Limited by its authorised agent:



Jeremy Brabant

Date:

23 April 2023

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Advice

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