

**BEFORE THE ENVIRONMENT COURT
AT AUCKLAND**

**I MUA I TE KŌTI TAIAO
TĀMAKI MAKAURAU ROHE**

ENV-2020-AKL-000132

UNDER the Resource Management Act 1991 ("**RMA**")

IN THE MATTER of an appeal under cl 14 of Sch 1 to the RMA

BETWEEN **NEW ZEALAND TRANSPORT AGENCY**

Appellant

A N D **WHANGAREI DISTRICT COUNCIL**

Respondent

**NOTICE OF NORTHPOWER LIMITED'S WISH TO BE A PARTY TO
PROCEEDINGS**

5 AUGUST 2020

Barker & Associates Limited

REF: David Badham

**Unit 18A 16-24 Commerce Street,
Whangarei 0110**

P: 0212031034

E: davidb@barker.co.nz

PO Box 37

Whangarei 0140

**NOTICE OF NORTHPOWER LIMITED'S WISH TO BE A PARTY TO
PROCEEDINGS**

TO: The Registrar
Environment Court
Auckland

NORTHPOWER LIMITED ("**Northpower**") gives notice of its wish to be a party to the Appeal ENV-2020-AKL-000132 by the New Zealand Transport Agency ("**The Appeal**") against parts of the decision of Whangarei District Council ("**WDC**") on the Urban and Services Plan Changes ("**Plan Changes**") to the Whangarei District Plan.

1. Northpower made a submission¹ and further submission² about the subject matter of these proceedings.
2. Northpower is also a person who has an interest in the proceedings that is greater than the public generally, as it owns the electricity distribution and ultra-fast broadband networks in the Whangarei and Kaipara districts, which are considered by the Northland Regional Policy Statement ("**RPS**") as regionally significant infrastructure.
3. Northpower is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.
4. Northpower is interested in the parts of the proceedings that relate to *DGD-P16 – New Regionally Significant Infrastructure* and *DGD-P17 – Managing Adverse Effects of Existing Regionally Significant Infrastructure*.
5. Northpower is interested in the issues raised by the Appeal that may affect its ability to operate, maintain, develop and upgrade the electricity distribution and ultra-fast broadband networks in the Whangarei District.

¹ Primary Submission No. 127.

² Further Submission No. X381.

6. Northpower supports the relief sought and wishes to be a party to the proceedings to ensure that:
 - 6.1 A fair and balanced assessment is allowed for new regionally significant infrastructure, including for major upgrades to existing regionally significant infrastructure.
 - 6.2 A full range of management tools are able to be considered, as well as any constraints that limit the design and location of the activity and the extent to which adverse effects can be practicably reduced.
 - 6.3 The Plan Changes adequately give effect to the regionally significant infrastructure provisions in the RPS.
 - 6.4 The drafting of DGD-P16 and DGD-P17 does not give rise to any policy gaps in relation to significant infrastructure upgrading activities.
7. Northpower agrees to participate in mediation or other alternative dispute resolution of the proceedings.

DATED this 5th day of August 2020

NORTHPOWER LIMITED by its
planner and duly authorised agent
Barker & Associates



David Badham

ADDRESS FOR SERVICE: The offices of Barker & Associates Limited, Planners,
Unit 18A 16-24 Commerce Street, Whangarei 0110, PO Box 37, Whangarei 0140
Telephone: 0212031034. **Attention:** David Badham, davidb@barker.co.nz.

COPY TO: The Appellant

AND TO: Whangarei District Council

AND TO: Section 274 Parties