

In the Environment Court of New Zealand
at Auckland

I mua i te Kōti Taiao o Aotearoa
I te rohe o Tāmaki Makaurau

ENV-2020-AKL-000133

under: the Resource Management Act 1991

in the matter of: an appeal pursuant to clause 14(1) of the First Schedule
to the Resource Management Act 1991

between: **Kāinga Ora – Homes and Communities**
Appellant

and: **Whangarei District Council**
Respondent

Notice of Transpower New Zealand Limited's wish to be party to
proceedings

Dated: 4 August 2020

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NOTICE OF TRANSPOWER NEW ZEALAND LIMITED'S WISH TO BE PARTY TO PROCEEDINGS

Section 274, Resource Management Act 1991

- To** The Registrar
Environment Court
Auckland
- 1 Transpower New Zealand Limited (*Transpower*) wishes to be a party to appeal ENV-2020-AKL-000133 by Kāinga Ora – Homes and Communities (*Kāinga Ora*) against parts of the decision of Whangarei District Council (*Council*) on the Urban and Services Plan Changes to the Whangarei District Plan (*Plan Changes*).
 - 2 Transpower made a submission and a further submission about the subject matter of these proceedings.
 - 3 Transpower is also a person who has an interest in the proceedings that is greater than the public generally, in that it is the State Owned Enterprise that plans, builds, maintains, owns and operates New Zealand's electricity transmission network - the National Grid. The need to operate, maintain, develop and upgrade the electricity transmission network is a matter of national significance under the National Policy Statement for Electricity Transmission 2008 (*NPSET*).
 - 4 Transpower is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.
 - 5 Transpower is interested in the parts of the proceedings that relate to *DGD-P2 - Incompatible Land Uses and Reverse Sensitivity* and *DGD-P5 - Sustainable Infrastructure*.
 - 6 Transpower is interested in the issues raised by the appeal that may affect its ability to operate, maintain, develop and upgrade the National Grid.
 - 7 Transpower opposes the relief sought because:
 - 7.1 The relief sought does not result in the most appropriate provisions in terms of section 32 of the RMA;
 - 7.2 The Plan Changes must give effect to the NPSET, including by, to the extent reasonably possible, managing activities to avoid reverse sensitivity effects on the electricity transmission network and ensuring that operation, maintenance, upgrading and development of the electricity transmission network is not compromised (Policy 10).
 - 7.3 The Plan Changes must give effect to the Northland Regional Policy Statement (*RPS*). Policy 5.1.3 of the RPS requires the avoidance of reverse sensitivity effects of new subdivision, use and development on regionally significant infrastructure.

7.4 The Network Utilities Chapter of the Whangarei District Plan specifically addresses Policy 10 of the NPSET (including through Policy NTW.1.3(5)). The provisions in the District Growth and Development Chapter must not create the potential for conflict with those provisions.

8 Transpower agrees to participate in mediation or other alternative dispute resolution of the proceedings.

Signed for and on behalf of Transpower New Zealand Limited by its solicitors and authorised agents Chapman Tripp



Luke Hinchey
Partner
4 August 2020

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