

**ENVIRONMENT COURT OF NEW ZEALAND  
I MUA I TE KOOTI TAIAO O AOTEAROA  
AUCKLAND REGISTRY**

**ENV-2020-AKL-000109**

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

**IN THE MATTER** of an appeal under clause 14(1) of  
Schedule 1 of the Act

**BETWEEN** **NORTHPORT LIMITED**

**Appellant**

**AND**

**WHANGAREI DISTRICT  
COUNCIL**

**Respondent**

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**MEMORANDUM OF COUNSEL FOR THE APPELLANT**

**Dated 18 February 2021**

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**TO** the Registrar of the Environment Court at Auckland:

1. Northport Limited filed an Amended Notice of Appeal on 15 December 2020 in respect of the decision of the Whangarei District Council on Plan Change 144.
2. A Second Amended Notice of Appeal is now filed and served in order to:
  - a) Attach a map showing the Inner and Outer Control Boundaries;
  - b) Amend the wording in paragraphs 9 and 10 to reflect that:
    - i. It is the measurement symbols contained in the 'New Zealand Standard 6809: 1999 Acoustics – Port Noise management and land use planning' that must be implemented in the District Plan; and
    - ii. Adoption of the Port Noise Standard is considered best practice in port noise management;
  - c) Incorporate other minor consequential amendments.



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Tangiwai Jade Baker  
(Counsel for Northport Limited)