

**In the Environment Court of New Zealand
Auckland Registry**

**I Te Koti Taiao O Aotearoa
Ki Tamaki Makaurau**

ENV-2023-AKL-000184

Under the Resource Management Act 1991 (the Act)

In the matter of an appeal under clause 14(1) of Schedule 1 of the Act against decisions of the Kaipara District Council on Private Plan Change 81

Between **Te Raranga a Te Kuihi Trust**
Appellant

And **Kaipara District Council**
Respondent

And **Dargaville Racing Club Incorporated**
Applicant

Notice of intention by New Zealand Transport Agency Waka Kotahi to be a party to the proceedings under section 274 of the Act

Dated 12 December 2023

大成 DENTONS KENSINGTON SWAN

18 Viaduct Harbour Avenue P +64 9 379 4196
Private Bag 92101 F +64 9 309 4276
Auckland 1142 DX CP22001

Solicitor: Christina Sheard/ Louise Espin
E christina.sheard@dentons.com/ louise.espin@dentons.com

To The Registrar
 Environment Court
 Auckland

1 New Zealand Transport Agency Waka Kotahi (NZTA) wishes to be a party to the following proceedings:

ENV-2023-AKL-000184 Te Raranga A Te Kuihi Trust v Kaipara District Council and Dargaville Racing Club Incorporated against the decision to approve the Private Plan Change 81 – Trifecta Development Area (Dargaville Racecourse) (the *Application*).

2 NZTA submitted on the Application when publicly notified by Kaipara District Council in September 2022.

3 NZTA has a particular interest in the proceedings because the Application site interfaces with the intersection of State Highway 14 (SH14) and Awakino Point North Road (Intersection). NZTA is the road controlling authority for the state highway network adjacent to and with which the Private Plan Change will connect. NZTA therefore has a direct interest in those elements of the Application that may impact on the performance (through safety, efficiency or effectiveness) of the Intersection, SH14 and the state highway network generally.

4 NZTA is not a trade competitor for the purposes of sections 308C or 308CA of the Act.

5 NZTA is interested in part of the proceedings. In particular, NZTA is interested in the aspects of the appeal that relate to the Intersection, including one of the following reasons for appeal:

“Waka Kotahi identifies a need for changes to made to the intersection to accommodate increase in traffic”.

6 NZTA partially supports the appeal insofar as the Appellant’s relief allows for an outcome that will improve the safety and function of the Intersection. In particular, being a party to the proceedings will allow NZTA to:

- a be involved in any decisions regarding the form, function and design of Intersection, and effects on the state highway network;
- b ensure that the Court is fully informed of the Application’s potential effects on the Intersection and SH14, if those are not otherwise addressed in evidence for the Applicant; and

- i participate in discussions about any potential changes to the Application that may impact on the safe, efficient or effective operation of SH14.
- 7 NZTA agrees to participate in mediation or other alternative dispute resolution of the proceedings.

Dated 12 December 2023



Christina Sheard
Counsel for New Zealand Transport Agency Waka Kotahi

Address for service of New Zealand Transport Agency Waka Kotahi:
Dentons Kensington Swan
Private Bag 92101
Auckland 1142
Telephone: 09 375 1185

Email: christina.sheard@dentons.com
Contact person: Christina Sheard
Email: louise.espin@dentons.com
Contact person: Louise Espin

Names and addresses of persons to be served with a copy of this notice:

Dargaville Racing Club Incorporated
c/o Sarah Shaw
PO Box 4146
Kamo 0141

Email: sarah@sarahshaw.co.nz

Kaipara District Council
c/o Warren Bangma
Private Bag 92518
Auckland

Email: warren.bangma@simpsongrierson.com

Te Raranga A Te Kuihi Trust
c/o Delilah Parore-Southon
Te Houhanga Marae
Station Rd
Dargaville 0310

Email: tekuihi@outlook.co.nz