

BEFORE THE ENVIRONMENT COURT
WELLINGTON

ENV-2018-WLG-008

IN THE MATTER

of an appeal under
Clause 14 of the First
Schedule of the
Resource Management
Act 1991

BETWEEN

**Maypole
Environmental Limited**
Appellant

AND

**Kapiti Coast District
Council**
Respondent

NOTICE OF INTENTION BY THE DIRECTOR-GENERAL OF
CONSERVATION TO BE A PARTY TO PROCEEDINGS

Dated: 16 February 2018

Department of Conservation

Solicitor acting: Katherine Anton

Email: kanton@doc.govt.nz

Telephone: 0274275900

Our ref: 5419233

Notice of person's wish to be party to proceedings
Section 274, Resource Management Act 1991

To The Registrar
 Environment Court
 P O Box 5027
 Wellington 6145

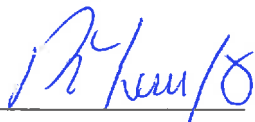
1. I, Lewis Sanson, Director-General, Department of Conservation, wish to be a party to the following proceedings:

ENV-2018-WLG-008 dated 24 January 2018 being an appeal by **Maypole Environmental Limited** on the decisions of Kapiti Coast District Council in relation to the proposed Kapiti Coast District Plan.

2. I am a person who made a submission in the previous proceedings on the same matter and have an interest greater than the general public, specifically regarding conservation values and the implementation of the New Zealand Coastal Policy Statement 2010 (NZCPS).
3. I am not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.
4. I am interested in part of the proceedings. The parts of the proceedings I am interested in are:
- 4.1. Objectives 2.2, 2.9,
 - 4.2. Policies 3.11-3.16 (now numbered 3.7-3.11)
 - 4.3. The removal of overlays and notations
5. I am interested in the following particular issues:
- 5.1. Amendments to the objectives and policies as well as the removal of overlays which may result in the Plan no longer giving effect to the requirements of the RMA, including section 6, and the NZCPS, including Policy 15.
6. I conditionally oppose the relief sought (regarding objectives and policies) for the following reasons:
- 6.1. Amendments to these objectives and policies could hinder the ability of the Council to manage adverse effects on the values present. These provisions in the plan provide protection for biodiversity and coastal values, including outstanding natural features and landscapes.
- I oppose the relief sought (regarding overlays) for the following reasons:
- 6.2. Removal of overlays is likely to hinder the ability of the Council to manage adverse effects on the values present, unless an assessment has been undertaken to determine that the overlays are no longer required. DOC is not aware of such an assessment being completed. These overlays acknowledge the presence of values and enable their protection.

6.3. As an example, the identification of coastal hazard areas in the coastal environment, and an assessment of the hazard risk (over 100 years) is a requirement of Policy 24 of the NZCPS. It is likely that at least some aspects/values of the Ngarara site should be considered as being within the coastal environment and therefore this policy would apply. Removal of hazard notation on the site also has the potential to work against the direction set in s6(h) of the RMA which requires that the management of significant risks from natural hazards be recognised and provided for as a matter of national importance.

7. I agree to participate in mediation or other alternative dispute resolution of the proceedings.



Reg Kemper
Director, Lower North Island

Acting pursuant to delegated authority on behalf of the Director-General of Conservation

16 February 2017

Address for Service of person wishing to be a party:

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