

Form 33

Notice of person's wish to be party to proceedings

Section 274, Resource Management Act 1991

To the Registrar
Environment Court
Wellington

The Waikanae Beach Residents Society Incorporated (the Society), wish to be a party to the following proceedings:

S. Cunningham and Others v KCDC Court number ENV-2018-WLG-000011

The Society has an interest in the proceedings that is greater than the interest that the general public has. The members are residents of Waikanae Beach (a condition of membership) and may be directly or indirectly affected by the outcomes of the appeal. Being a party to the above appeal fits within the purposes of the Society.

3.1 The purposes of the Society are to:

- (a) To take such steps as are necessary to preserve and protect the special character enjoyed by the Waikanae Beach Community and ensure that the Waikanae Beach Community continues to be a wonderful place to live, where the residents thrive in a relaxed beach community with its high amenity values; especially within the ambit of the Old Waikanae Beach Preservation Society.
- (b) To make representations to Councils and any other relevant bodies concerning Waikanae Beach
- (c) To undertake scientific, legal and other research relating to the coastline and Waikanae Beach.
- (d) To make representations, gather evidence and make submissions concerning any Hearing, Regional/District Plans or Draft Regional/District Plans.
- (e) To take any appropriate legal or other action required to further the objectives of the Society
- (f) Do anything necessary or helpful to the above purposes.

3.2 Pecuniary gain is not a purpose of the Society.

The Society are not a trade competitor for the purposes of section 308C of the Resource Management Act 1991.

The Society are directly affected by effects of the subject of the appeal that—

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

The Society is interested in all the proceedings.

The Waikanae Beach Residents Society Incorporated (formed 5 February 2016) supported the Appellants' submission through the chairpersons submission to the district plans hearings.

The Society is interested in and supports the appellants concerns regarding the following particular issues raised by the appellants:

1. *The rejection of the Appellants' submission that the Waikanae Olde Beach area (as defined by the plan annexed to the Appellants' submission and more generally described as bounded by Huiawa Street, Ono Street, Waimea Road and the beach reserve) be rezoned to Beach Residential Zone.*
2. *The Respondent failed in its fundamental obligation under the s74 and s32 of the Act to properly consider the characteristics of the Waikanae Olde Beach area.*
3. *All evidence produced by the Appellants' and the Respondent, and the Respondent's own "Choosing Futures" community outcome documentation reviewed and reaffirmed by the Respondent in June 2012) supported that the Waikanae Olde Beach area was an area of special character worthy of a Beach Residential zoning.*
4. *The Waikanae Beach Residents Society Incorporated (formed 5 February 2016) supported the Appellants' submission.*

The Society consults its members on joining as to their concerns which highlighted that preservation of the special character of Waikanae Beach was their main concern. This was further confirmed by a later general survey of Waikanae beach residents. The Society also wish to note these concerns within the context of the development and completion of the new State Expressway One through Waikanae and the off ramp at Waikanae beach, and the consequences of this development on the future beach character. Further, the Kapiti Coast District Council initiated and has completed a Waikanae Beach Future Directions process to establish community views on the future vision for and development of Waikanae Beach. The Future Directions document supported maintaining the character of Waikanae beach and the zoning of the beach as beach residential (Our Future Waikanae Beach, March 2017 enclosed). The Kapiti Coast District Council in 2017 supported a further character assessment of the Waikanae Beach area, which reaffirmed and presented in more detail the character assessment features (Waikanae Beach Character study by Urban Perspectives Ltd October 2017 enclosed). This document is supported by the Waikanae Beach Residents Society Incorporated and has been noted by the Waikanae Community Board on before being passed on the Kapiti Coast District Council.

The Society agree to participate in mediation or other alternative dispute resolution of the proceedings.

Gerald Rys

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Signature of person authorised to sign
on behalf of Waikanae Beach Residents Society Incorporated

5/2/2018

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Date

Address for service of person wishing to be a party:

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Contract person: Gerald Rys, Chairperson, Waikanae Beach Residents Society Incorporated