

BEFORE THE ENVIRONMENT COURT

ENV-2018-WGL-00014

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

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

AND

IN THE MATTER of section 274 of the RMA

BETWEEN **HERITAGE NEW ZEALAND POUHERE TAONGA**

Appellant

AND

KAPITI COAST DISTRICT COUNCIL

Respondent

**NOTICE OF MAYPOLE ENVIRONMENTAL LIMITED'S
WISH TO BE PARTY TO PROCEEDINGS**

Dated: 16 February 2018

Solicitors on Record

GREENWOOD ROCHE
SOLICITOR — JOHN GREENWOOD

PO Box 25501, Wellington 6146
P 04 494 8503 F 04 494 8501 E john@greenwoodroche.com

Counsel

R A MAKGILL
BARRISTER

PO Box 77-037, Mt Albert, Auckland 1350
P 09 815 6750 E robert@robertmakgill.com

To: the Registrar of the Environment Court at Wellington

And to: the Appellants

And to: Kapiti Coast District Council

Maypole Environmental Limited (**Maypole**) wishes to be a party to appeal by Heritage New Zealand Pouhere Taonga (**ENV-2018-WGL-00014**) against decisions of the Kapiti Coast District Council on the proposed Kapiti Coast District Plan (**PDP**).

Nature of interest

1. Maypole made a submission and further submissions on the PDP on the subject matter of the Appeal.¹ Maypole presented evidence and submissions at the PDP hearing.
2. Maypole has an interest in land and buildings zoned residential within the Ngarara Zone. Development within this area is subject to Chapter 10 Heritage provisions (Wāhanga Rua) of the PDP that have been appealed.
3. Maypole is not a trade competitor for the purposes of sections 308C or 308CA of the Resource Management Act 1991 (**RMA**).

Extent of interest and reasons

4. Maypole is interested in the appeal in its entirety.
5. In particular, the Appellant considers the permitted and controlled activity rules listed for Wāhanga Rua and Wāhanga Tora do not provide adequate protection for waahi tapu sites and areas, particularly from land disturbance, and do not support the objectives and policies of the PDP for waahi tapu. The Appellant seeks land disturbance with Wāhanga Rua, and Wāhanga Tora sites and areas be a restricted discretionary activity, and deletion of permitted activity Rules 10A.1.6 and 10A.1.7 and the inclusion of land disturbance as a new Clause b) in Rules 10A.3.6 and 10A.3.7.
6. Maypole opposes the relief sought by the Appellant which has direct effects on the development of parts of the Ngarara Farm within the Ngarara Zone.

¹ Submission 263; Further Submission 125

The proposed amendments to the rules do not achieve the sustainable management of natural and physical resources as required by the RMA.

7. Maypole seeks that the appeal is rejected and the Council's decision for those parts of the PDP is retained.
8. Maypole agrees to participate in mediation or other alternative dispute resolution of the proceedings.

Dated this 16th February 2018



Robert Makgill
Counsel for Maypole Environmental Limited

Counsel's address for service:

Robert Makgill
Barrister – Environmental, Natural Resources and Public Law
PO Box 77-037
Mt Albert
AUCKLAND 1350

Telephone No: (09) 815 6750
Email: robert@robertmakgill.com
Web: www.robertmakgill.com

Instructing solicitor's address for service:

John Greenwood
Greenwood Roche
PO Box 25501
WELLINGTON 6146
Telephone No: (04) 494 8503

Fax No: (04) 494 8501
Email: john@greenwoodroache.com
Web: www.greenwoodroache.com

Advice

If you have any questions about this notice, contact the Environment Court in Wellington.