

Form 33

Notice of person's wish to be party to proceedings

Section 274, Resource Management Act 1991

To the Registrar
 Environment Court
 Auckland, Wellington, and Christchurch

We, of Waa Rata Estate, wish to be a party to the following proceedings:

- ENV-2018-WLG-021; *or*
- Royal Forest and Bird Protection Society of New Zealand Incorporated appeal to Kapiti Coast District Council decisions on the Proposed District Plan.

We are a person who made a submission (327 and further submission) about the subject matter of the proceedings.

We are not a trade competitor for the purposes of [section 308C](#) or [308CA](#) of the Resource Management Act 1991.

We are interested in all of the proceedings.

We are interested in the following particular issues and oppose the relief sought for the reasons outlined below:


We are interested in the following particular issues raised by the appeal	We oppose the relief sought because:
<p>We wish to be party to all the matters covered in the Natural Environment Chapter 3, including related objectives in Chapter 2, and definitional matters in Chapter 1 as addressed in the appeal of the Royal Forest and Bird Protection Society of New Zealand. This includes the specific matters listed below and any similar or consequential relief.</p>	<p>The appeal would not promote the sustainable management of natural and physical resources in a way that would enable every day farming, forestry and residential operations of rural properties, including the ability to look after indigenous vegetation without undue compliance costs.</p>
<ul style="list-style-type: none"> • Amendments to Definitions of: <ul style="list-style-type: none"> ○ 'Indigenous vegetation' ○ 'Modification' and 'Trimming' 	<p>Oppose relief sought by Forest and Bird as it:</p> <ul style="list-style-type: none"> • would inappropriately widen the definition of indigenous vegetation to include plants that amongst other things are established for primary production purposes and amenity values • is unclear what definitional change the appeal seeks for trimming and modification, creating uncertainty for every day users of

We are interested in the following particular issues raised by the appeal	We oppose the relief sought because:
<ul style="list-style-type: none"> • Reinstatement of (and amendment of some of) Proposed District Plan policies: <ul style="list-style-type: none"> ○ 3.1 'Ecosystem Services' ○ 3.2 'Identification of sensitive natural features' ○ 3.7 'Subdivision and Sensitive Natural Features' ○ 3.8 'Cumulative effect' 	<p>the Plan</p> <p>Oppose relief sought by Forest and Bird as it:</p> <ul style="list-style-type: none"> • would create policy complexity, inconsistency and duplication of matters that are appropriately covered elsewhere in decisions on the District Plan of Kapiti Coast District Council
<ul style="list-style-type: none"> • Amendments to Policy 3.1 Protection • Amendments to Policy 3.8 Management Approach to Biodiversity Protection 	<p>Oppose relief sought by Forest and Bird as:</p> <ul style="list-style-type: none"> • the District Plan policies as decided by Kapiti Coast District Council are appropriate • Policy 3.8 provides an appropriate framework to guide the management approach to biodiversity including pest management • broadening the scope of the policies would increase the impact on every day working activities in the rural environment
<ul style="list-style-type: none"> • Amendments to Rule 3A.1.4 trimming or modification of indigenous vegetation 	<p>Oppose relief sought by Forest and Bird as:</p> <ul style="list-style-type: none"> • the exemptions for Rural Hills Zone as decided by Kapiti Coast District Council are appropriate given the extent of biodiversity provisions in that area and the need to enable pest management and other farm/forestry activities • it would be inappropriate to widen the application of rules to areas of indigenous vegetation that would impact farm/forestry or household operations, imposing greater costs on these activities and creating disincentives for stewardship activities
<ul style="list-style-type: none"> • Amendments to Rule 3A.1.8 Earthworks in all areas and Rule 3A.2.1 Earthworks not permitted by 3A1.8 	<p>Oppose relief sought by Forest and Bird as:</p> <ul style="list-style-type: none"> • increasing the level of restriction is excessive given the role of earthworks in every day farm/forestry activities including provision of access for pest management
<ul style="list-style-type: none"> • Amendments to Rule 3A.2.2 Modification of indigenous vegetation in scheduled areas • Amendments to Rule 3A.3.1 – Trimming or modification of indigenous vegetation in scheduled areas • Amendments to Rule 3A.3.4 Earthworks not complying with permitted activity 	<p>Oppose relief sought by Forest and Bird as:</p> <ul style="list-style-type: none"> • it is appropriate to enable removal of dead material as part of standard farm/forestry and household operations; and • increasing the level of restriction creates excessive regulation given the provisions that already apply to these activities and extensive areas within the district

We are interested in the following particular issues raised by the appeal	We oppose the relief sought because:
<ul style="list-style-type: none"> • Reinstatement of Proposed District Plan Rules: <ul style="list-style-type: none"> ○ 3A.3.3 – Subdivision of land containing indigenous vegetation ○ 3A.4.2 – Modification of indigenous vegetation that does not meet previous rule standards. 	Oppose relief sought by Forest and Bird as: <ul style="list-style-type: none"> • the decisions of the Kapiti Coast District Council are appropriate • reinstating deleted provisions is not effective or efficient and does not promote the sustainable management of natural and physical resources under the Resource Management Act 1991
<ul style="list-style-type: none"> • Amendments to Rule 3A.3.8 - Trimming or modification of indigenous vegetation outside urban area that does not meet 3A.1.4 	Oppose relief sought by Forest and Bird as: <ul style="list-style-type: none"> • Matters listed already provide extensive areas of discretion to be considered in carrying out the purpose of the Resource Management Act 1991

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


 MARIAN SMITH


 P D Stroud

.....
 Signature of person wishing to be a party
 (or person authorised to sign
 on behalf of person wishing to be a party)

..... 11 / 2 / 18
 Date

Address for service of person wishing to be a party: 149 Terrace Road, Reikorangi, RD1
 Kapiti 5391
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 Contact person: Marian Smith