

BEFORE THE ENVIRONMENT COURT

ENV-2018-WGL-00021

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 **ROYAL FOREST AND BIRD PROTECTION
SOCIETY OF NEW ZEALAND INCORPORATED**

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

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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 Royal Forest and Bird Protection Society of New Zealand Incorporated (**ENV-2018-WGL-00021**) 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 Rules 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 part of the proceedings that relates to:
 - (a) **Definitions:** Indigenous Vegetation, Trimming, Modifications.
 - (b) **Chapter 3 Natural Environment:** policies and rules relating to Biodiversity, Earthworks, Subdivision, Trimming, Network Utilities
 - (c) **Chapter 5 Living Zone & Chapter 6 Working Zone:** rules relating to location of buildings relevant to scheduled sites.
5. The appellant seeks either reinstatement of policies and rules deleted, or changes to activity status of activities relating to significant biodiversity; indigenous vegetation; subdivision and earthworks; and buildings in

¹ Submission 263; Further Submission 125

Scheduled Areas. The relief includes more restrictive rules for earthworks and for trimming indigenous vegetation in scheduled areas.

6. Maypole considers the amendments and relief sought in the Appeal:
 - (a) Fail to achieve the sustainable management of the natural and physical resources required under the RMA, and in particular the sustainable management of land zone for urban development in the Ngarara Zone;
 - (b) Are contrary to Part 2 of the RMA, in that it will not enable social, economic and cultural wellbeing;
 - (c) Are not appropriate in terms of s32 of the Act;
 - (d) Do not give effect to national, regional and district planning objectives and policies;
 - (e) Are inconsistent with the grounds and relief sought as set out in Maypole's Notice of Appeal.
7. Maypole opposes the relief sought, and 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

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Advice

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