

Notice of person's wish to be party to proceedings

Pursuant to [Section 274](#), Resource Management Act 1991

To:

Case Manager: Gerritsen, Jennifer [Jennifer.Gerritsen@justice.govt.nz]

Ref Number: ENV-2020-WLG-000008

Judge BP Dwyer - Mediations

Environment Court | Wellington Registry

L 5 Wellington District Court Building|

49 Ballance Street

PO Box 5027, 6140 | DX SX10044 | Wellington

DDI: +64 4 918 8334 | Ext 58334 | Fax: +64 4 918 8303the Registrar

Environment Court

Wellington.

We, the Springvale Whenua Development Combined Hapū, wish to be a party to the following appeal:

- *An appeal lodged by ROBERT O'KEEFE AND LINDA O'KEEFE V WHANGANUI DISTRICT COUNCIL the parties to the proceedings lodged pursuant to section 174 of the Resource Management Act in respect of a notice of requirement for a designation for a storm water network swale, road and shared pathway at Springvale, Whanganui.*

Springvale Whenua Development Combined Hapū were not served with a copy of the notice of this appeal however were made aware of it by a council officer. The date that this was conveyed verbally to Springvale Whenua Development Combined Hapū was 30 March 2020. The date that the notice of the appeal is 12 March 2020.

Springvale Whenua Development Combined Hapū is:

- *a person who made a submission about the subject matter of the proceedings.*

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

Springvale Whenua Development Combined Hapū are interested in all the proceedings.

Springvale Whenua Development Combined Hapū are interested in the following particular issues:

- the potential adverse effects that would arise if the appeal were to be granted and the notice of requirement were declined,
- the need to ensure that storm water is proactively managed by having an open swale the entire length of the proposed works within Springvale and curb side treatment of storm water before it enters into Whanganui District Council's reticulated system and then to discharge into Te Awa Tupua – the Whanganui River,

- the necessity of including maatauranga maaori tikanga and kawa practices in the management of the effects on the environment in the treatment of storm water. Arising from the re-zoned area at Springvale,
- the need to ensure that no adverse effects occur that would compromise the health and well-being of Te Awa Tupua - the Whanganui River, and
- thereby being contrary to provisions of both the Resource Management Act 1991 and Te Awa Tupua Act 2017.

Springvale Whenua Development Combined Hapū oppose the relief sought because—

- it would render the proposed residential development without adequate storm water control and treatment measures, roading or shared pathways,
- The lack of adequate and appropriate storm water control and treatment mechanisms would interrupt the connectivity between the water bodies from Lake Mokoia (Lake Westmere) to Te Awa Tupua - the Whanganui River,
- The environmental outcomes of granting the appeal would be inconsistent with Whanganui District Council's purpose under section 10(1)(b) the Local Government Act to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future by rendering the area rezoned for Residential Development with saturated soils, and as such
- The appeal is contrary to sections 5, 6, and 7 of the Resource Management Act.

Springvale Whenua Development Combined Hapū agree to participate in mediation or other alternative dispute resolution of the proceedings.

Signature of person wishing to be a party

Date 01 April 2020

Address for service of person wishing to be a party:

Telephone: 021 2115 1256

Fax/email: beryl@heeni-investment.co.nz

Contact person: Beryl Miller - Administrator for Springvale Whenua Development Combined Hapū

P O Box 5046

Whanganui 4501

Note to person wishing to be a party

You must lodge the original and 1 copy of this notice with the Environment Court within 15 working days after—

- the period for lodging a notice of appeal ends, if the proceedings are an appeal; or
- the decision to hold an inquiry, if the proceedings are an inquiry; or
- the proceedings are commenced, in any other case.

Your right to be a party to the proceedings in the court may be limited by the trade competition provisions in [section 274\(1\)](#) and [Part 11A](#) of the Resource Management Act 1991.

The notice must be signed by you or on your behalf.

You must serve a copy of this notice on the relevant local authority and the person who commenced the proceedings within the same 15 working day period and serve copies of this notice on all other parties within 5 working days after that period ends.

However, you may apply to the Environment Court under [section 281](#) of the Resource Management Act 1991 for a waiver of the above timing or service requirements (see [form 38](#)).