

**COPY**

**IN THE ENVIRONMENT COURT  
AT WELLINGTON**

**ENV-2017-WLG-**

**IN THE MATTER** of **AN APPEAL PURSUANT TO CLAUSE 14 OF THE FIRST  
SCHEDULE TO THE RESOURCE MANAGEMENT ACT 1991**

**BETWEEN** K & K Bayley, Totara Hastings Ltd, Rimu Holdings Ltd and the  
Bayley Family Trust  
Appellants

**A N D** **HASTINGS DISTRICT COUNCIL**  
Respondent

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**NOTICE OF APPEAL**

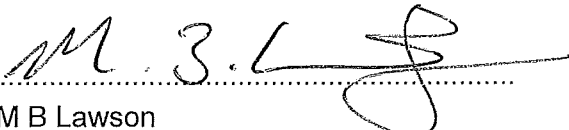
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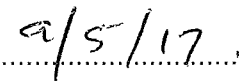
To The Registrar  
Environment Court  
Wellington

1. K & K Bayley, Totara Hastings Ltd, Rimu Holdings Ltd and the Bayley Family Trust (the Appellants) appeal against part of the decision of the Hastings District Council on Variation 2 to the Hastings District Plan.
2. The Appellants made submissions on variation 1 to the Hastings District Plan.
3. The Appellants are not trade competitors for the purposes of Section 308D of the Resource Management Act 1991.
4. The Appellants received notice of the decision on 27 March 2017.
5. The decision was made by the Hastings District Council.
6. The part of the Respondents decision that the Appellant's are appealing is in relation to issue 8 which requires a 50m minimum separation between vehicle crossings.
7. The reasons for the appeal are as follows:
  - (a) While the rezoning of the Omahu Industrial zone is supported, the amendment sought by way of this appeal are necessary to allow better sustainable management of natural and physical resources.
  - (b) The changes sought better integrate existing development into the district Plan provisions and better align the Plan with existing activities.
  - (c) Having no restriction on separation distances between entranceways allows sharing or accessways between adjacent sites and better provides for sites to be serviced with exits and entrances.
  - (d) The changes sought provide for the more efficient use of resources.
8. The Appellants seek the following relief:
  - (a) Issue 8: That the Appellants submissions be accepted and the need for separation distances between entrances be removed from the Omahu Industrial area.

9. I attach the following documents to this notice:

- (a) a copy of the submitter's submissions and further submissions.
- (b) a copy of the relevant part of the Respondents decision.
- (c) a list of names and addresses of persons to be served with a copy of this notice.

  
.....  
M B Lawson  
Solicitor for the appellants

  
.....  
Date

Address for service of Lawson Robinson Limited, 73 Raffles Street, Napier 4110  
appellant: (P O Box 45 Napier 4140)

Telephone: 06 833-5012

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Contact person: Matthew Lawson

#### **Advice to recipients of copy of notice of appeal**

##### *How to become party to proceedings*

You may be a party to the appeal if you made a submission on the matter of this appeal and you lodge a notice of your wish to be a party to the proceedings (in Form 33) with the Environment Court within 30 working days after this notice was lodged with the Environment Court. You may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing requirements (*see* Form 38).

##### *\* How to obtain copies of documents relating to appeal*

The copy of this notice served on you does not attach a copy of the appellant's submission and (*or or*) the decision (*or or*) the decision (*or part of the decision*) appealed. These documents may be obtained, on request, from the appellant.

\* Delete if these documents are attached to copies of the notice of appeal served on other persons.

##### *Advice*

If you have any questions about this notice, contact the Environment Court Unit of the Department for Courts in Auckland, Wellington, or Christchurch.