

Curriculum Vitae

Kate Barry-Piceno

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Education:

- 2014 Post Graduate Certificate in Governance and Strategic Leadership,
University of Waikato
- 1994 Masters of Law, University of California, Berkeley
(Majors -International Environmental and Administrative Law)
- 1992 Bachelor of Laws, University of Auckland
- 1992 Bachelor of Arts, University of Auckland
(Majors – English and Education)

Expertise:

20 years Governance experience acting as board member/trustee/ director. This has included for national organisations such as Surf Life Saving New Zealand and other not for profit organizations such as New Zealand Garden and Arts Fest, Resource Management Law Association, Tauranga Environment Centre.

25 years' legal experience specialising in local government, resource management, property law and employment issues, including litigation representation.

Extensive experience assisting with private and public companies' management and board's development of business strategies and policy:

- Environmental Law and regulations
- Employment and OSH matters
- MBIE and building disputes

- Governance issues and responsibilities
- Parliamentary Select Committee submissions and Central Government Policy lobbying
- Property developments and Building Act, compliance matters
- Commercial/industrial development
- Public Works Act
- Environmental statutory Risk and compliance, prosecution defense
- Public and Administrative Law
- Unit Titles Body Corporate committee disputes, cross-lease issues
- Land and property law matters

Experience:

- High Court appeals including judicial review, Environment Court, District Court, Employment Relations Authority matters;
- mediation and arbitration
- Acted for companies and individuals on various matters including:
 - Acting for horticultural and farming companies on matters such as defence of environmental prosecutions, consents and appeals re horticultural frostfans, spraying, workers accommodation, zoning
 - Commercial, Industrial and Residential developments in the Bay of Plenty (Rotorua and Tauranga), Hamilton, Taupo, Coromandel and Auckland Areas;
 - Plan Review and zoning appeals to Auckland, Hamilton, Western Bay, Rotorua Lakes and Tauranga District and various Regional Councils.
 - Marine aquaculture farms;
 - Designations against Councils/NZTA;
 - Declaration proceedings;
 - SHA's;
 - Commercial and retail development appeals
 - Restricted coastal activities.
 - Defence of environmental prosecutions by Councils and Historic Places Trust
 - Coastal Plan references against Regional Council.
 - Rural, residential and unit title subdivisions.
 - Frost fans and gunclubs and other noise or odour emitting industries.
 - Major private plan changes for industrial, residential and marine parks.
- Legal representative for various private entities, trusts and commercial companies regarding appeals in Environment, District, High Court and Court of appeal regarding matters such as RMA prosecution defence, land acquisition, subdivision, plan changes, property developments and property disputes.
- Acted for a number of Bay of Plenty Maori entities such as Whakatohea Trust board and negotiations and consultation with local hapu and Iwi Authorities in relation to cultural matters affecting land, water and aquaculture interests.
- Legal representation for private clients in relation to negotiations, mediations and litigation in both NZ and USA.
- legal and strategic advice to School Boards, Incorporated Societies, Charitable Trusts, and Religious institutions on Policy, property, growth, governance, employment, health and safety matters.

Examples of relevant legal Representation and advice:

- Bluehaven Holdings Limited (2009 – current) Commercial and residential Developments in Wairakei Urban Growth Area, Papamoa East, Hamilton.
- Metalco-2018-current- Solid Waste operations-consents and compliance defence
- Happy Valley Milk Nutrition-(2017-current) legal representation to obtain consents for \$280 million dairy factory in Otorohanga, to be listed on ASX;
- Catholic Diocese of Hamilton (2010-current_- legal representation for new and existing integrated schools in Tauranga, Rotorua and Hamilton. Various litigation regarding school buildings, roll-growth, development contributions.
- Classic Developments NZ Limited, Classic Builders, CBC Construction (2007-current) -legal advisor on various development projects throughout Bay of Plenty, Taupo and Auckland;
- Hounsell Holdings-(2016-current)-land rezoning matters in the North and South Waikato;
- Perrys Group (2018-current)-Te Awa Lakes plan change and Horotui West plan reviews.
- Porters Group(2012-2020) –Strategic and legal representation, Industrial, commercial and residential developments and Plan Review appeals in Hamilton and Te Rapa.
- Kiwifruit NZ-(2020) legal agent for Auckland lawyers on local appeal;
- Aquaculture NZ(2016) submissions and appeals on aquaculture provisions in Bay of Plenty Regional Plan.
- Seeka Kiwifruit (1998-2008) - RMA , horticultural matters.
- Bay of Plenty Iwi and Maori Trust Boards (Whakatohea Aquaculture development in Opotiki joint venture development with Sealord, Maori aquaculture settlement claims – 2011 negotiations, Motiti Island issues and settlements with Rena Shipping company Costamare).
- Carrus Corporation -2021 -Parton Rd Land Ltd-land development
- Te Puke private plan change -70ha industrial plan change(2008- 2010.)
- Tauriko Business Park IMF New Zealand Limited (2006-2015) – Private plan change for 300 ha industrial and retail park, development of various stages.
- Heybridge Developments (2006-2008) - Marine Park plan changes and consent appeals.
- Sealord New Zealand/Eastern Sea Farms (2002-2010) - Eastern Sea Farms and Bay of Plenty Mussels marine farms.

- Frasers Papamoa (2005-2014) - Comprehensive large scale residential/commercial urban development, OIA acquisition advice.
- Guardian Healthcare (2005-2008) - Consents/development contributions for retirement villages throughout New Zealand.
- Tauranga Bridge Marina – 2015-current– various consent and plan appeals.
- Opotiki District Council (2006-2007) - Harbour Access project, landfill.
- IMF New Zealand (Westfield) - Industrial/commercial plan changes/development.
- Papamoa Business Park (2005-2008) - Various subdivision and land use development applications for commercial land.
- Papamoa Junction (2005-2008) - Various land use and stormwater consent applications for commercial land.
- Manor Group Holdings (2005-2008) - Plan change appeals, consents for retirement villages, Public Works issues.
- Waitaki District Council (2004-2005) - Facilitator and Community Consultant for Meridian Energy's Project Aqua.
- Grasshopper Properties (2004) – The Lakes Residential Development Representation Plan Change 30, Environment Court appeal (settled by consent order).
- White Pine Holdings – Waimea (2003-2005) – Sandhurst and Oceania Subdivision consents/appeals/enforcement proceedings.
- Tauranga City Council (2003) - Baywave Aquatic Centre consent.
- Port of Tauranga (1997-2003) - Industrial Relations, OSH, collective bargaining, Coastal Marine Activity consents, dredging and stormwater, Regional Council Coastal Plan and Tauranga City Council District Plan submissions and appeals.
- Telecom New Zealand (1998-1999) - Consents for cell towers and infrastructure “roll outs.”
- Waste Management New Zealand (1998-1999) - Whitford landfill designation/consents.
- Ardmore Airport (1998) - Zoning to expand commercial activities.
- Woolworths NZ (1998-1999) - Various consents for supermarkets in Katikati, Whangarei and Auckland.
- Sylvia Park (1998-1999) – Represented Woolworths NZ Limited opposing commercial development and plan change.

Publishing/Presentations:

- Sub-Editor of the Ecology Law Quarterly Law School Journal, UC Berkeley (1993);
- Editing articles/case summaries for Butterworths New Zealand (Chapman Tripp 1998-99);
- Property Investor Magazine, 2012
- NZPI Conference speaker 2012 – Coastal Hazards and Property Development
- RMLA National Conference Workshop presenter 2014 and 2015.
- 2009 MfE – Presenter on MfE workshop panel for RMA 2009 amendments

Employment History:

2003 - Present	Barrister and Managing Company Director of KBP Lawyer Ltd, Mauao Legal Chambers, Prince Ave, Tauranga
2009 - 2011	Part-time University of Waikato Law School Tutor Administrative Law/Judicial Review <i>Tutor</i>
2000 - 2003	Associate, Holland Beckett, Barristers & Solicitors, Tauranga <i>Resource Management/Local Government/Maritime Law/Commercial Law/ Employment Law</i>
1998 - 2000	Senior Solicitor, Chapman Tripp Sheffield & Young, Barristers & Solicitors, Auckland <i>Resource Management/Local Government Law team</i>
1997 - 1998	Solicitor, Holland Beckett, Barristers & Solicitors, Tauranga <i>Civil Litigation/Resource management/Commercial/Property Law</i>
1994 - 1996	Litigation Attorney - Sare & Cherry Law Offices, South Lake Tahoe, California, USA <i>Civil Litigation/Resource Management/ Administrative Law/Trusts</i>

Governance/Board Roles:

2017- current	Surf Life Saving New Zealand National Board director
2015 - 2017	Omanu Beach Surf Club Board, deputy chair, Director Communications
2010 - 2015	RMLA National Committee, National Executive (secretary 2011- 2013, treasurer 2013-2015)
2013 - 2014	Bay of Plenty Law Society Council

- 2005- 2013 Chair of NZ Garden & Art Festival Trust (2005-2013)
- 2001 - 2001 Founding Trustee for Tauranga Environment Centre & Advisory Service

Awards:

- 2012 NZ Law Awards, Winner Barrister of the Year category; and Winner, Resource Management and Environment Law category
- 2011 Runner-up, NZ Law Awards, Resource Management and Environment Law Category

Finalist, NZ Law Awards, Legal Services to Community
- 2009 Winner, NZ Law Awards, Resource Management, Environmental Law legal counsel “excellence in client service” category

Other:

- 2014 Level one Bronze Lifeguard, First Aid
- 2005 - 2013 RMA Independent Commissioner (MFE Accreditation, including 2008 update course)
- 1999 Tauhara Advanced Mediation Workshop for Mediators
- 1998 LEADR Mediator Training in Resource Management Disputes
- 1997 Tauranga Community College, Te Reo Maori Language class
- 1994 Passed California Bar Exam to meet requirements to practice law in the USA
- 1992 -1993 New Zealand Government Youth Ambassador - International Ship for World Youth programme (*hosted by Japanese Government*)

Current Memberships:

- NZ Bar Association
- NZ Institute of Directors
- New Zealand Planning Institute (Affiliate Member)
- Resource Management Law Association
- New Zealand Law Society
- New Zealand Surf Life Saving