

**BEFORE THE ENVIRONMENT COURT
AT AUCKLAND
I MUA I TE KOOTI TAIAO O AOTEAROA
ŌTAUTAHU ROHE**

ENV-2019-ACK-000308 & 310

IN THE MATTER of appeals under s 120 of the Resource
Management Act 1991

BETWEEN **WESTON LEA LIMITED**
Appellant / Applicant

AND **DIRECTOR-GENERAL OF CONSERVATION**
Appellant

AND **HAMILTON CITY COUNCIL**
Respondent

SECTION 274 NOTICE BY THE ROYAL FOREST AND BIRD PROTECTION SOCIETY

OF NEW ZEALAND INCORPORATED

December 2019

Royal Forest and Bird Protection Society of New Zealand Inc.
PO Box 2516
Christchurch 8140
Ph 03 9405525
Solicitor acting: William Jennings

SECTION 274 NOTICE

TO: The Registrar
Environment Court
AUCKLAND

1. The Royal Forest and Bird Protection Society of New Zealand Incorporated (“Forest & Bird”) wishes to be a party to both the appeals:
 - a. Weston Lea Limited v Hamilton City Council (ENV-2019-AKL-310); and
 - b. The Director-General of Conservation v Hamilton City Council (ENV-2019-AKL-308).
2. These two appeals were filed in respect of the Hamilton City Council’s decision to grant Weston Lea Ltd’s consent applications (11.2018.6695.01 & 10.2018.9853.01) for subdivision and land use to create a residential subdivision known as Amberfield.
3. Forest and Bird:
 - a. Made a submission; or
 - b. Has an interest greater than the public generally as an incorporated society with a well-known role in the protection of indigenous biodiversity (see *Marlborough District Council v Burkhart Fisheries Ltd* [2018] NZEnvC 26 at [31]); or
 - c. Has an interest greater than the public generally by virtue of being active in resource management processes for many years to achieve improved outcomes for nature conservation; or
 - d. Any of the above.
4. Forest and Bird is not a trade competitor for the purposes of section 308C or 308D of the Resource Management Act 1991.
5. Forest and Bird’s interest, position and reasons are set out in Table 1 below.

6. Forest and Bird agrees to participate in mediation or other alternative dispute resolution of the proceedings.

Dated December 2019



William Jennings
Counsel for Royal Forest and Bird Protection Society of New Zealand Inc.

Address for service of person wishing to be a party:

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Advice

If you have any questions about this notice, contact the Environment Court in Auckland, Wellington or Christchurch

Table 1 – Details of section 274 party interest

Appellant	Provision	Oppose/ Support	Reasons
Director-General of Conservation	All parts of the appeal	Support	<p>The relief sought is in accordance with sound resource management practices and is consistent with Part 2 of the Resource Management Act 1991.</p> <p>The relief sought assists in ensuring that the adverse effects from the subdivision and land use development on the environment and indigenous biodiversity (i.e. long-tailed bats) are appropriately addressed.</p>
Weston Lea Ltd	All parts of the appeal	Oppose	<p>The relief sought is not in accordance with sound resource management practices and is inconsistent with Part 2 of the Resource Management Act 1991.</p> <p>The consent conditions do not adequately address the adverse effects of the subdivision and land use development on the environment, namely the adverse effects on long-tailed bats.</p>