

**IN THE ENVIRONMENT COURT
AT CHRISTCHURCH**

ENV-2018-CHC - 243

IN THE MATTER

of an appeal pursuant to clause 14
of the First Schedule of the
Resource Management Act 1991

BETWEEN

**DIRECTOR-GENERAL OF
CONSERVATION**
Appellant

AND

DUNEDIN CITY COUNCIL
Respondent

**NOTICE OF THE ROYAL FOREST AND BIRD PROTECTION SOCIETY OF NEW
ZEALAND INCORPORATED'S WISH TO BE PARTY TO PROCEEDINGS**
31 January 2019

To: The Registrar
Environment Court
Christchurch

1. The Royal Forest and Bird Protection Society of New Zealand Incorporated ('Forest & Bird') wishes to be a party to the appeal by the Director General of Conservation ("the Appellant") reference **ENV-2018-CHC-243** against decisions of the Dunedin City Council ("the Respondent") on the Proposed Dunedin City District Plan.
2. Forest and Bird is not a trade competitor for the purposes of section 308C of the Resource Management Act 1991.
3. Forest and Bird submitted on the subject matter of the proceedings.
4. Forest and Bird is interested in all of the proceeding.
5. The particular issues that Forest & Bird is interested in are:
 - a. Policy 10.2.3.2 to delete the exemptions for indigenous vegetation clearance in the Outstanding Natural Coastal Character and High Natural Coastal Character overlay zones.
 - b. Rule 10.3.2Aa(ii) to delete provision for indigenous vegetation clearance for the erection of fences from always being considered as a small scale activity.
 - c. Rule 10.3.3 (d) to delete provision for indigenous vegetation clearance for the erection of fences within wetlands identified as an Area of Significant Biodiversity Value and any coastal environment mapped area or any wetland in the rural, rural residential and recreation zones.
 - d. The deletion of Rule 10.3.2.A (xii) which provides for clearance of Manuka forest affected by Manuka blight.
 - e. Deletion of Rule 10.3.2.A(a)(v)(1) and amendment of Rule 10.3.2.A(a)(v)(2) (Note the drafting error in the marked up plan it should be Rule 10.3.2A (a) (iv) 1 and 2).and any consequential changes arising from or concerning the appeal.
6. Other than as set out below, Forest & Bird supports the relief sought by the appellant, because the relief will ensure that indigenous vegetation clearance is

controlled in order to protect areas of Significant Biodiversity Values and maintain indigenous biodiversity. New fences, and removal of blighted Manuka vegetation have the potential to degrade indigenous biodiversity and areas of outstanding natural features, outstanding and high natural coastal character and areas with natural coastal character.

7. Forest and Bird opposes the provision for the construction of 3m wide tracks outside of ASBV's, ONF's ONCCs, HNCCs and NCCs to be treated as small scale vegetation clearance. The Appellant's relief seeks to amend or delete provisions Forest and Bird supported in its submissions and/or the provisions appealed overlap with Forest and Bird's own appeal.
8. Forest & Bird agrees to participate in mediation or other alternative dispute resolution of the proceedings.

Dated 31 January 2019



Sally Gepp

Counsel for the Royal Forest and Bird Protection Society of New Zealand Inc

Address for Service

Royal Forest and Bird Protection Society of New Zealand Inc.
PO Box 266 Nelson 7040
Solicitor acting: Sally Gepp
021 558 241
s.gepp@forestandbird.org.nz