

**BEFORE THE ENVIRONMENT COURT
AT CHRISTCHURCH**

**I MUA I TE KOOTI TAIAO O AOTEAROA
ŌTAUTAHI ROHE**

ENV-2024-CHC-30

IN THE MATTER

**of an appeal under Clause
14 of Schedule 1 of the
Resource Management Act
1991**

AND IN THE MATTER

**of the non-freshwater parts
of the Proposed Otago
Regional Policy Statement
2021**

BETWEEN

**Cain Whānau
Appellant**

AND

**Otago Regional Council
Respondent**

**NOTICE OF INTENTION BY THE ROYAL FOREST AND
BIRD PROTECTION SOCIETY OF NEW ZEALAND INCORPORATED**

Dated 5 June 2024

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 following proceedings:
 - a. ENV-2024-CHC-30 *Cain Whānau v Otago Regional Council*
2. Forest & Bird made a submission and further submission on the Proposed Otago Regional Policy Statement.
3. Forest & Bird is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.
4. Forest & Bird has an interest greater than the public generally as an incorporated society with a well-known role in the protection of indigenous biodiversity.¹
5. Forest & Bird is interested in the proceeding insofar as it concerns:
 - a. MW-P4 and the relief seeking to remove clause 2 and insert the drafting, including and along the lines of: “To avoid any doubt in the case of an actual or potential conflict with any other provision(s) in this PORPS, MW-P4 shall take priority.”
 - b. MW-M5(4).
6. Forest & Bird **partially opposes** the relief. In particular, where it may conflict with provisions containing environmental bottom lines supported by Forest & Bird or where Forest & Bird has sought relief seeking clearer environmental bottom lines. The amendments sought are broad and could have broad ranging adverse effects on indigenous biodiversity values.
7. Forest & Bird agrees to participate in mediation or other alternative dispute resolution of the proceeding.

¹ See *Marlborough District Council v Burkhart Fisheries Ltd* [2018] NZEnvC 26 at [31].

Dated: 5 June 2024



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Incorporated

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