

**BEFORE THE ENVIRONMENT COURT OF NEW ZEALAND  
AT AUCKLAND**

**ENV-2016-AKL-000196**

**UNDER** the Local Government (Auckland Transitional Provisions) Act 2010 (**LGATPA**)

**AND** the Resource Management Act 1991 (**RMA**)

**IN THE MATTER** of an appeal under s156(1) LGATPA against a decision of the Auckland Council on a recommendation of the Auckland Unitary Plan Independent Hearings Panel on the proposed Auckland Unitary Plan

**BETWEEN** **WEILI YANG, ZHI LI and JING NIU**

**Appellant**

**AUCKLAND COUNCIL**

**AND** **Respondent**

---

**SECTION 274 NOTICE ON BEHALF OF THE ROYAL FOREST & BIRD PROTECTION  
SOCIETY OF NEW ZEALAND INCORPORATED**

**Dated: 7 October 2016**

---

---

ROYAL FOREST AND BIRD PROTECTION SOCIETY OF NEW ZEALAND INCORPORATED

Solicitors Acting: Sally Gepp  
PO Box 266  
Nelson  
Ph: 021558241

Peter Anderson  
PO Box 2516  
Christchurch  
Ph: 021 2866992

Email: [s.gepp@forestandbird.org.nz](mailto:s.gepp@forestandbird.org.nz) [p.anderson@forestandbird.org.nz](mailto:p.anderson@forestandbird.org.nz)

## SECTION 274 NOTICE

**To: The Registrar  
Environment Court  
PO Box 7147  
Wellesley Street  
AUCKLAND 101**

1. The Royal Forest and Bird Protection Society of New Zealand Incorporated ('Forest & Bird') wish to be a party to the following proceedings being an appeal regarding the proposed Auckland Unitary Plan ("Unitary Plan") lodged under s 156(1) of the Act:

*Weili Yang, Zhi Li and Jing Niu v Auckland Council – ENV-2016-AKL-000196*

2. Forest & Bird:
  - a. made a submission (number 4848) and further submission (number 3003) on the matters included in this appeal; and/or
  - b. has an interest greater than the public generally in the subject matter of the appeal.
3. Forest and Bird is not a trade competitor for the purposes of section 308D of the Resource Management Act 1991.
4. Forest and Bird is interested in all aspects of the appeal.
5. Forest and Bird oppose the relief sought in the appeal, for the following reasons:
  - a. The relief sought is contrary to the purpose of the RMA and does not give effect to relevant objectives and policies of the Regional Policy Statement ("RPS") section of the Unitary Plan, including the protection of significant biodiversity and outstanding natural landscapes.
  - b. The development proposed in the Independent Hearing Panels (Hearing Panel) recommendation would adversely affect the Long Bay- Okura Marine Reserve which provides habitat for a number of threatened and sensitive marine species and is rated as an outstanding natural landscape ("ONL" and Significant Ecological Area- Level 1).
  - c. The scale and intensity of the development within the Okura catchment provided for under the Hearing Panel's recommendations would also adversely affect the Long Bay Regional Park and the Okura Scenic Reserve (including those areas of each rated as ONL).

- d. Extension of the Rural Urban Boundary is contrary to policy 11, 13 and 15 of the New Zealand Coastal Policy Statement.
  - e. Extension of the Rural Urban Boundary would be contrary to s 6(a)(b)(c) and (d) and s7(a)(b)(c) and (f) of the RMA.
  - f. The decision of the respondent better aligns with the Long Bay Structure Plan including areas identified as unsuitable for development.
6. Forest and Bird agree to participate in mediation regarding these proceedings.

**Dated 07 October 2016**



---

**S Gepp / P Anderson**

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

This document is filed by **Sally Gepp and Peter Anderson**, solicitors for the Royal Forest & Bird Protection Society of New Zealand Incorporated

**ADDRESS FOR SERVICE:**

c/o Sally Gepp  
Forest & Bird Protection Society of New Zealand Incorporated  
PO BOX 266  
Nelson  
New Zealand

[s.gepp@forestandbird.org.nz](mailto:s.gepp@forestandbird.org.nz) / [p.anderson@forestandbird.org.nz](mailto:p.anderson@forestandbird.org.nz)