

**IN THE ENVIRONMENT COURT
AT CHRISTCHURCH**

ENV- 2026-CHC-000046

**I MUA I TE KOOTI TAIAO
KI ŌTAUATAHI**

IN THE MATTER	of an appeal under Clause 14 of the First Schedule of the Resource Management Act 1991
AND IN THE MATTER	of the proposed Timaru District Plan
BETWEEN	THE DIRECTOR-GENERAL OF CONSERVATION Appellant
AND	TIMARU DISTRICT COUNCIL Respondent

**NOTICE OF INTENTION OF THE ROYAL FOREST AND BIRD PROTECTION SOCIETY OF
NEW ZEALAND INCORPORATED TO BE A PARTY TO APPEAL PROCEEDINGS**

26 May 2026

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:

The Director-General of Conservation v Timaru District Council
ENV-2026-CHC-46.

2. Forest & Bird made a submission and further submission on the matters included in the appeal.
3. Forest & Bird also has an interest greater than the public generally by virtue of being:
 - a. New Zealand's largest nature conservation non-government organisation with about 70,000 members and supporters; and
 - b. active in RMA processes for many years to achieve improved outcomes for nature conservation.
4. The Environment Court has accepted Forest & Bird's interest as being greater than the public generally for the purposes of s 274, in that it is 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 [30]).
5. Forest & Bird is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.
6. Forest & Bird is interested in the relief sought by the Director-General of Conservation with respect to: Activities on the Surface of Water, Rules ASW-R4, ASW-R5 and ASW-R6 (being the entirety of the relief sought in the Director-General's appeal).

7. Forest & Bird supports this relief as it:
 - a. is consistent with Part 2 of the RMA;
 - b. recognises and provides for the protection of significant habitat for indigenous species, notably endemic braided river birds;
 - c. is consistent with the Council's function under 31(1)(b)(iii) to control the effects of the use of land for the purpose of the maintenance of indigenous biodiversity;
 - d. gives effect to higher order planning instruments;
 - e. represents best resource management practice; or
 - f. any combination of the above matters.

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

Dated: 26 May 2026



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Incorporated

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