



ENVIRONMENT COURT OF NEW ZEALAND

26 February 2021

BY EMAIL (as per the Council's submitter list), and **BY POST** (where no email address provided)

Dear Submitter

ENV-2021-AKL-000014 – Kristin School Charitable Trust

Topic: An application for a direct referral to the Environment Court in relation to a resource consent for Kristin School to enable the use of the Bass Road access to serve the school

The Environment Court has received an application for a direct referral from Kristin School Charitable Trust on the above matter. The direct referral means that there will be no hearing of the resource consent application before the Council. The only hearing will be before the Environment Court at a place and time yet to be decided. The Environment Court has received a list of those persons who have made submissions to the Council and you are one of them.

If you wish to participate in any mediation, hearing or other Environment Court process, you will need to become a party to this proceeding under section 274 of the Resource Management Act 1991. If you become a party, you will be entitled to give evidence yourself, or to call other witnesses, make submissions, and cross examine other parties' witnesses. As a party, you will have to comply with Environment Court directions and timetables. If the issue of costs arises, the Environment Court may order you to pay a contribution to the costs of another party or the Crown. You can find out more about the Environment Court's procedures on the Environment Court's website <https://www.environmentcourt.govt.nz/> or you can contact me. The advice that Environment Court staff can give you about how to proceed is limited, however, and you should consider seeking professional advice before becoming a party to the proceeding.

If you do wish to become a party to this proceeding, please complete and return the **attached** form (Form 33 – section 274 notice) **by 5:00pm on 12 March 2021**. (The form can be downloaded from the Environment Court's website at <https://www.environmentcourt.govt.nz/forms-fees/>. If you are receiving this correspondence by post, I have included a hard copy of Form 33, which provides a format for you to follow — as you will see, the hard copy is not intended to be written upon but, rather, completed electronically; in which case, it is suggested that you download a copy from the link above or email me to request a copy.) You will also need to serve, preferably by email otherwise by post, a copy of your section 274 notice on Kristin School Charitable Trust and Auckland Council within that same time frame (contact details overleaf). Any section 274 notice received by the Environment Court after the deadline will not entitle the submitter to become a party to the proceedings unless an application under section 281 of the Act is made, and subsequently granted, to waive the statutory time frame within which to file and serve the section 274 notice. There is no fee for lodging a section 274 notice to join this proceeding. Please retain a copy of your completed section 274 notice (Form 33).

You may wish to present a joint case with other parties who raise similar issues.

I have also **attached** a copy of information for submitters produced by the Ministry for the Environment, and a Decision of the Environment Court.

If you do not wish to become a party to this proceeding, **do not** complete and return a section 274 notice (Form 33). If you do not wish to become a party to this proceeding, the submission you have already lodged with Auckland Council will still be read and considered by the Environment Court. However, you will receive no further communication from the Environment Court apart from a copy of the final decision.

Please direct future correspondence on this matter to **Liz Rolph** as Case / Hearing Manager and quote the Environment Court's reference number.

Yours faithfully



Trent Grace
Case Manager

For and on behalf of

Liz Rolph
Case / Hearing Manager
ENVIRONMENT COURT
Direct dial phone: (09) 916 9014
E-mail address: liz.rolph@justice.govt.nz

Copied by email to:

Kristin School Charitable Trust	Auckland Council
c/- Marija Batistich / Kirsty Dibley Tompkins Wake PO Box 2543 Auckland 1140 marija.batistich@tompkinswake.co.nz kirsty.dibley@tompkinswake.co.nz	c/- Jim Stabback / Christian Brown Auckland Council Private Bag 92300 Auckland 1142 jim.stabback@aucklandcouncil.govt.nz christian.brown@aucklandcouncil.govt.nz