

**IN THE ENVIRONMENT COURT  
AT CHRISTCHURCH  
I TE KŌTI TAIAO O AOTEAROA  
KI ŌTAUTAHI**

**Decision No. [2025] NZEnvC 372**

IN THE MATTER of the Resource Management Act 1991

AND of an application for waivers and directions under s281 of the Act

BETWEEN TE TAI O POUTINI PLAN COMMITTEE

(ENV-2025-CHC-88)

Applicant

Court: Environment Judge K G Reid  
Hearing: In Chambers sitting alone under s279 of the Act  
Last case event: 7 November 2025  
Date of Decision: 18 November 2025  
Date of Issue: 18 November 2025

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**DECISION OF THE ENVIRONMENT COURT ON APPLICATION  
FOR WAIVERS/DIRECTIONS**

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A: The application for waivers and directions by Royal Forest and Bird Protection Society of New Zealand Inc in relation to the proposed Te Tai o Poutini Plan is granted.

**REASONS**

**Introduction**

[1] The Te Tai o Poutini Plan Committee (TTPP Committee) was established



to develop a new combined proposed plan for the Buller, Grey and Westland District Councils and the West Coast Regional Council.

[2] On 6 October 2025 the court issued a decision<sup>1</sup> granting a number of waivers and directions in relation to any potential appeals to the proposed Te Tai o Poutini Plan (TTPP). The focus of the waivers and directions was to streamline the process for filing appeals and s274 notices and to make case management directions. Leave was reserved for any party, appellant or s274 party to apply for further (or other) directions.

[3] On 7 November 2025 Royal Forest and Bird Protection Society of New Zealand Inc (Forest & Bird) applied under s281 for waivers and directions in relation to the timeframe for filing an appeal and s274 notices on the TTPP, as well as in relation to the filing of the subsequent case management memorandum.

### **Application for waiver and directions**

[4] The appeal period will close on or about 24 November 2025, with the s274 period ending on or about 15 December 2025. Forest & Bird seeks the following waivers and directions under s281 of the Act:

- (a) a waiver of the requirement on Forest & Bird to file any appeal on the TTPP by 24 November 2025, and a direction that any appeal by Forest & Bird is to be filed by 8 December 2025 (an extension of 10 working days);
- (b) a waiver of the requirement on any other party to file any s274 notices on any appeal by Forest & Bird on the TTPP by 15 December 2025, and a direction that any s274 notices by Forest & Bird are to be filed by 19 January 2026 (an extension of 10 working days);
- (c) a waiver of the requirement on Forest & Bird to file any s274 notices on other parties' appeals on the TTPP by 15 December 2025, and a

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<sup>1</sup> *Te Tai Poutini Plan Committee* [2025] NZEnvC 325.

direction that any s274 notices by Forest & Bird are to be filed by 19 January 2026 (an extension of 10 working days).

[5] If the court grants the waivers and directions sought above, Forest & Bird submits that for reasons of natural justice and practicality, the waivers and directions should be extended to all prospective appellants and s274 parties.

[6] An extension is also sought to the court's direction that the TTPP Committee file a case management memorandum within four weeks of the s274 period closing, on 2 February 2026. Forest & Bird seeks a direction that this memorandum also be delayed by 10 working days until 16 February 2026.

***Grounds for waivers and directions***

[7] Forest & Bird seeks the waiver and directions on the following grounds:

- (a) Forest & Bird is working through the TTPP Committee's decisions to make a careful assessment as to whether to bring an appeal. However, counsel and in-house planning availability has been limited in the period since the decisions were notified, and is extremely limited in the period from now until the appeal deadline of 24 November 2025 due to existing Environment Court commitments and extended sick leave;
- (b) the TTPP is a complex plan, covering a large geographical area and several significant resource management issues;
- (c) the TTPP attracted a significant number of submissions and further submission points; and
- (d) no prejudice will be caused by the extensions sought. Further, with the Christmas shutdown imminent, case management steps will not commence until the new year. In those circumstances, a delay of two weeks will not cause undue prejudice to any party.

### Position of other parties

[8] Parties were directed to file any opposition to the application by Forest & Bird by 12 November 2025. No response from any party was received within that timeframe.

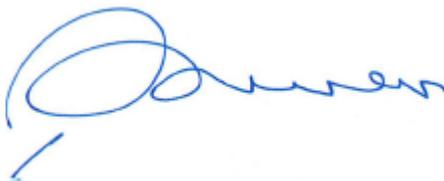
### Directions and waivers

[9] On the grounds advanced in Forest & Bird's application, and exercising the power granted to me under s281 of the RMA, I direct:

- (a) the date for any submitter to file an appeal is extended to **Monday 8 December 2025** (an extension of 10 working days);
- (b) the date for any party to file a notice to join any appeal under s274 is extended to **Monday 19 January 2026** (an extension of 10 working days); and
- (c) the date for TTPP to file the first case management memorandum is extended to **Monday 16 February 2026** (an extension of 10 working days).

[10] The court is satisfied no party will be unduly prejudiced in the making of these waivers and directions as they apply to all submitters, potential appellants and potential s274 parties.

[11] Leave is reserved for any party, appellant or s274 party to apply for further (or other) directions.



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**K G Reid**  
**Environment Judge**

