

Form 7

Notice of appeal to Environment Court against decision on proposed policy
statement or plan or change or variation

Clause 14(1) of Schedule 1, Resource Management Act 1991

To the Registrar
Environment Court
Christchurch

I, Murray Andrew Stewart appeal against a decision (*or* part of a decision) of Te Tai Poutini Plan committee on the following plan:

Proposed Te Tai Poutini Plan.

I made a submission on that plan. I am not a trade competitor for the purposes of section 308D of the Act.

I received notice of the decision on 10th October 2025.

The decision was made Te Tai O Poutini Plan Committee.

The part of the decision that I am appealing against is:

- Outstanding Natural Landscapes and how the boundaries for the ONLs were allocated for ONL 27 and 28 and

The reasons for the appeal are as follows:

My submission highlighted our preference for the ONL boundary to be shifted to the DOC land boundary in order to enable us to access rock for river protection and to continue to farm our land without undue restrictions. I also highlighted that the maps were out of date and did not reflect the current land conditions. I acknowledge the West Coast Landscape Report by Brown, March 2022, which recommended that boundaries were set at the bush pasture margin.

This report led to some changes of the ONLs affecting those in the Taramakau Valley and in particular relation to ONL 27 & 28. These affect land which is owned by our family.

The final plan shows changes to the ONLs which appear to have been applied in an inconsistent manner, and this forms the basis of further appeal.

In regards to ONL27, the line has been moved to the western side of Old Christchurch Road which releases Harris Swamp and the forest covered hillside. The ONL boundary and DOC boundaries are not aligned. Furthermore, it has been extended into the bed of the Taramakau River flats and has captured developed pasture on freehold land. Further east along Otira Highway the line drawn does not match either the freehold/DOC boundary nor the bush pasture margin.

ONL 28 appears to be applied in the same inconsistent manner where the ONL line does not meet the freehold boundary nor the bush pasture line. Our stand is that the ONL boundary be consistently applied, and be aligned with the freehold/DOC boundaries. This would allow for farming activities to continue unhindered and with a clear margin that everyone understands.

I seek the following relief:

That the boundary of
ONL 27 and 28 be
removed from my
property and taken back to
the boundary of
Department of
Conservation land.

I attach the following documents* to this notice:

- (a) a copy of my submission *or* further submission (with a copy of the submission opposed or supported by my further submission):
- (b) a copy of the relevant decision (*or* part of the decision):
- (c) any other documents necessary for an adequate understanding of the appeal:

(d) a list of names and addresses of persons to be served with a copy of this notice.

*These documents constitute part of this form and, as such, must be attached to both copies of the notice lodged with the Environment Court. The appellant does not need to attach a copy of a regional or district plan or policy statement. In addition, the appellant does not need to attach copies of the submission and decision to the copies of the notice served on other persons if the copy served lists these documents and states that copies may be obtained, on request, from the appellant.

Date: 08/12/2025

Signature of appellant:
(*or* person authorised to sign
on behalf of appellant)

Address for service of appellant:
746 Taramakau Settlement Road
RD1 Kumara 7875
Telephone: 037369829
Email: maairstewart@xtra.co.nz

Contact person: Murray Andrew Stewart

Note to appellant

Appeals other than in relation to freshwater planning instruments

You may appeal only if—

- you referred in your submission or further submission to the provision or matter that is the subject of your appeal; and
- in the case of a decision relating to a proposed policy statement or plan (as opposed to a variation or change), your appeal does not seek withdrawal of the proposed policy statement or plan as a whole.

The Environment Court, when hearing an appeal relating to a matter included in a document under section 55(2B) of the Act, may consider only the question of law raised.

Appeals in relation to freshwater planning instruments

You may appeal only if—

- you addressed in your submission or further submission the provision or matter that is the subject of your appeal; and
- the relevant regional council rejected a recommendation of the freshwater hearings panel and decided an alternative solution which resulted in—
 - (a) the provision or matter being included in the freshwater planning instrument; or

- (b) the provision or matter being excluded from the freshwater planning instrument.

If a regional council decides to reject a recommendation of the freshwater hearings panel that is outside the scope of submissions, you may appeal to the Environment Court in respect of that decision or the alternative solution proposed by the council if you made a submission.

Notes for all appeals

Your right to appeal may be limited by the trade competition provisions in Part 11A of the Act.

You must lodge the original and 1 copy of this notice with the Environment Court within 30 working days of being served with notice of the decision to be appealed. The notice must be signed by you or on your behalf. You must pay the filing fee required by regulation 35.

You must serve a copy of this notice on the local authority that made the decision and on the Minister of Conservation (if the appeal is on a regional coastal plan), within 30 working days of being served with a notice of the decision.

You must also serve a copy of this notice on every person who made a submission to which the appeal relates within 5 working days after the notice is lodged with the Environment Court.

Within 10 working days after lodging this notice, you must give written notice to the Registrar of the Environment Court of the name, address, and date of service for each person served with this notice.

However, you may apply to the Environment Court under section 281 of the Act for a waiver of the above timing or service requirements (*see* form 38).

Advice to recipients of copy of notice of appeal

How to become party to proceedings

You may be a party to the appeal if you made a submission or a further submission on the matter of this appeal.

To become a party to the appeal, you must,—

- within 15 working days after the period for lodging a notice of appeal ends, lodge a notice of your wish to be a party to the proceedings (in form 33) with the Environment Court and serve copies of your notice on the relevant local authority and the appellant; and
- within 20 working days after the period for lodging a notice of appeal ends, serve copies of your notice on all other parties.

Your right to be a party to the proceedings in the court may be limited by the trade competition provisions in section 274(1) and Part 11A of the Act.

You may apply to the Environment Court under section 281 of the Act for a waiver of the above timing or service requirements (*see* form 38).

**How to obtain copies of documents relating to appeal*

The copy of this notice served on you does not have attached a copy of the appellant's submission and (*or or*) the decision (*or part of the decision*) appealed. These documents may be obtained, on request, from the appellant.

*Delete if these documents are attached to copies of the notice of appeal served on other persons.

Advice

If you have any questions about this notice, contact the Environment Court in Auckland, Wellington, or Christchurch.

Schedule 1 form 7: replaced, on 3 September 2020, by regulation 7(3) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2020 (LI 2020/180).