

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

To the Registrar

Environment Court

Auckland, Wellington, and Christchurch

We, New Zealand Coal and Carbon Ltd (submitter S472), appeal against a decision (*or part of a decision*) of the Te Tai O Poutini Plan Committee established under the Local Government Reorganisation Scheme (West Coast Region) Order 2019 <https://gazette.govt.nz/notice/id/2019-go2872> to deliver a combined district plan for Buller District Council, Grey District Council, Westland District Council on the following Plan:

- Te Tai O Poutini Plan (TTPP)

We made a submission on that Plan.

We are not a trade competitor for the purposes of [section 308D](#) of the Act.

We are directly affected by an effect of the subject of the appeal that—

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

We received notice of the decision on 10 October 2025

The decision was made by the Te Tai O Poutini Plan Committee (see above).

The decision (*or part of the decision*) that I am appealing against is:

- The notified decisions of the Te Tai O Poutini Plan in their entirety, in order to seek this Plan to be more enabling for mineral prospecting, exploration, extraction and ancillary activities, across the Buller, Grey and Westland Districts.
- Without limiting that generality, including:
 - those matters raised in our submission to the TTPP;
 - the Parts of the TTPP that relate to, or effect, mineral prospecting, exploration, extraction and ancillary activities;
 - the specifics outlined below in this notice under the relief sought; and
 - the following Parts of the notified TTPP decisions:

Part 1

➤ General Approach

- Information to be submitted with resource consents:

➤ Relationships between spatial layers

- Mineral Extraction Zone

- Rural Zone Descriptions
- Open Space and Recreation Zone Descriptions
 - Natural Open Space Zone
 - Open Space Zone
- Overlays
- Definitions
 - Ancillary Activity
 - Area of Significant Indigenous Biodiversity
 - Biodiversity Compensation
 - Biodiversity Offset
 - Effects Mitigation or Management Hierarchy
 - Existing Use Rights
 - Indigenous Biodiversity
 - Indigenous Vegetation Clearance
 - Net Gain
 - Significant Natural Area
 - Wetland
- National Direction Instruments
 - National Policy Statements and New Zealand Coastal Policy Statement
 - National Environmental Standards

Part 2

- Strategic Objectives
 - Mineral Extraction
 - Natural Environment
- Natural Environment Values
 - Eco-systems and Indigenous Biodiversity
 - Natural Character and Margins of Waterbodies.
 - Natural Features and Landscapes

Part 3

- Zones

- Open Space and Recreation Zones
- Natural Open Space Zone (**NOSZ**)
- Open Space Zone (**OSZ**)
- Rural Zones
- General Rural Zone
- Mineral Extraction Zone (**MINZ**)

Part 4

➤ Schedules

- Schedule Four: Significant Natural Areas
- Schedule Five: Outstanding Natural Landscapes
- Appendix Seven: Mineral Extraction Management Plan Requirements.
- Appendix Thirteen: Principles and Process for Significant Natural Area Identification
- Appendix Fourteen: Principles and Processes for Biodiversity Offsetting
- Appendix Fifteen: Principles and Processes for Biodiversity Compensation

➤ Maps and Overlays

The reasons for the appeal are as follows:

- The TTPP notified decisions do not provide for mineral extraction to occur across all relevant zones, including the NOSZ and OSZ zones and within SNAs, ONLs and ONFs. Nor does it take into account the existence of mineral extraction (including mineral prospecting and mineral exploration) and its ancillary activities within these zones or areas including their future expansion.
- Mineral extraction and ancillary activities occurs in the Rural and Open Space Zones including the Natural Open Space Zone.
- Mineral extraction has a functional and operational need in terms of its location.
- The decisions do not provide adequate context of the importance of mineral prospecting, exploration and extraction to the social, cultural and economic wellbeing of the people and communities of the West Coast.
- The original intent (and subsequently extent) of the Mineral Extraction Zone has not followed through the Plan process including in the zone inclusions and maps.
- The intent of the Plan was to provide an enabling framework for economic development, including mineral extraction, while balancing environmental protections.
- The move of the plan towards protectionism (e.g. the use of the word “protect” applying to all of the environment and not just those parts that are considered significant or outstanding).
- The SNAs, ONLs and ONFs identification process.

- The West Coast Regional Policy Statement has not been amended in line with national direction and higher order documents which has now seen the TTPP developed in line with outdated documents.
- Higher order documents have been subject to amendment during the course of the Plan development, and are subject to further amendments, including:
 - National Policy Statement for Indigenous Biodiversity
 - National Policy Statement for Freshwater Management
 - National Environmental Standards for Freshwater.
- The government has also issued instructions to cease the identification of new Significant Natural Areas until the Resource Management Act reforms are passed. This Plan does not provide for this pause.
- The continuation of the Plan process while significant legislative reform has been signalled as imminent exposes all parties to unnecessary time and cost given the knowledge that the Plan will require immediate amendment.
- Inconsistencies within the TTPP itself.
- Overall, we do not consider that the TTPP achieves the purpose of the RMA. It fundamentally fails to recognise use and development within the district, its people and communities and their economic and social wellbeing and prosperity. At the same time it fails to recognise, and properly assess and apply, the myriad of natural areas across the district which must, the context of which must be recognised, with use and development enabled, for the wellbeing of people and communities.

We seek the following relief:

- General relief sought is for the TTPP to appropriately recognise and be more enabling for the economic and social wellbeing and prosperity of the districts and mineral prospecting, exploration, extraction and ancillary activities, across the Buller, Grey and Westland Districts.
- And without limiting that generality,
 - The TTPP is amended to include provisions that provide for a consenting pathway (and access to the effects management hierarchy) for mineral prospecting, exploration, extraction and ancillary activities, including within the NOSZ and OSZ zones and within SNAs, ONLs and ONFs.
 - The consenting pathway needs to start in the Part 2 strategic direction section (with stronger directions for mining / mineral extraction / ancillary activities) and appropriate pathways through the many protection provisions and then permeate the plan. Part 2 requires considerable amendment to enable economic and social wellbeing of the districts and establish an appropriate consenting pathway for mining extraction activities in particular.
 - The Mineral Extraction objectives and policies need to be strengthened and effective pathways through the natural and environmental values section, with appropriate controls implemented in the general district wide matters.
 - Mapping amendments and corrections, including SNAs and ONLs.
 - The intent and extent of the Mineral Extraction Zone as in the notified TTPP version is reinstated (with corrections).

- Remove blanket protectionism, including of the natural character of the whole environment, as opposed to parts of the environment that are significant.
- Review SNA, ONL, ONF and natural character identification process and identified sites in Schedules 4, 5 and 6.
- Appendices 13 (SNA identification), 14 (biodiversity offsetting) and 15 (biodiversity compensation) as well as Appendix 7 (Mineral Extraction Management Plan Requirements).
- Correct inconsistencies throughout the TTPP.
- Remove the word “avoid”.
- The TTPP is consistent with relevant higher order documents and legislative reform.
- The specific provisions outlined in the attached non-exhaustive relief table.

We attach the following documents to this notice:

- (a) copy of our submission.
- (d) a list of names and addresses of persons to be served with a copy of this notice in accordance with the direction in paragraph [12(b)] and Appendix 1 of the Environment Court's decision dated 6 October 2025 (2025] NZEnvC 325).

The following persons will be served with a copy of this notice: the TTPP Committee and every person who submitted on NZCC's submission.

NZCC sees merit in and is willing to attend mediation/s on this appeal.

27 November 2025

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



On behalf of New Zealand Coal and Carbon Limited

Telephone: 021819405

Email: jill@nzcoal.com

Contact person: Jill Young

NEW ZEALAND COAL & CARBON LTD – TTPP APPEAL : ATTACHED NON-EXHAUSTIVE RELIEF TABLE (IN ADDITION TO THAT IN THE APPEAL NOTICE)

TTPP SECTION	TTPP PROVISION	SPECIFIC RELIEF SOUGHT
<p>Part 1 - Interpretation - Definitions</p>	<p>Ancillary Activity. Area of Significant Indigenous Biodiversity. Biodiversity Compensation. Biodiversity Offset. Effects Management or Mitigation Hierarchy. Existing Use Rights. Indigenous Biodiversity. Indigenous Vegetation Clearance. Net Gain. Significant Natural Area. Wetland.</p>	<p>Amend definitions, including:</p> <ul style="list-style-type: none"> - consistency throughout the TTPP; and - TTPP provisions consistent with national direction documents, their impending amendments, and legislative reform; and - RMA, National Planning Standards etc; and - provision for mineral extraction and related activities.
<p>Part 1 – National Direction Instruments – National Policy Statements</p>	<p>NPS-IB NPS-FM</p>	<p>TTPP provisions consistent with national direction documents, their impending amendments and legislative reform.</p>

Part 1 – National Direction Instruments – National Environmental Standards	NES-F	TPPP provisions consistent with national direction documents, their impending amendments and legislative reform.
Part 2 - Strategic Direction - MIN Mineral Extraction	MIN-P1	Add NOSZ and/or confirm that “Open Space Zones” includes the NOSZ.
Part 2 - Strategic Direction - MIN Mineral Extraction	MIN-P5	Revert to the wording of the notified Draft TPPP. But, question the use of the word “avoid”.
Part 2 - Strategic Direction - NENV Natural Environment	NENV-O1	Remove the need to “protect” from ‘all’ of the natural character.
Part 2 - Strategic Direction - NENV Natural Environment	NENV-P1	Question ability to identify the “areas”.
Part 2 - Strategic Direction - NENV Natural Environment	NENV-P2b.	Insert “Mineral Extraction”
Part 2 - Natural Environment Values - ECO Ecosystems and Indigenous Biodiversity	ECO-O1	Revert to original wording of ECO-4 (which has now become ECO-01) OR remove the tests of “no overall loss” and “at least no overall reduction”. Question application of objective to all indigenous biodiversity as opposed to that which is significant, especially in the context of national direction documents or their impending amendments.
Part 2 - Natural Environment Values - ECO Ecosystems and Indigenous Biodiversity	ECO-O2	Revert to the original wording in draft TPPP.
Part 2 - Natural Environment Values - ECO Ecosystems and Indigenous	ECO-P1	Ensure correct reference to national direction documents or their impending amendments.

Biodiversity		
Part 2 - Natural Environment Values - ECO Ecosystems and Indigenous Biodiversity	ECO-P2a.	Revert to the wording of the notified Draft TPPP OR delete the words after “ .. lawfully established activity”.
Part 2 - Natural Environment Values - ECO Ecosystems and Indigenous Biodiversity	ECO-P3	Update test under ECO-P3b. to reflect national direction documents or their impending amendments.
Part 2 - Natural Environment Values - ECO Ecosystems and Indigenous Biodiversity	ECO-P7	Revert to the original wording in draft TPPP.
Part 2 - Natural Environment Values - ECO Ecosystems and Indigenous Biodiversity	ECO-P8	Update tests (i.e. matters listed) to reflect national direction documents or their impending amendments.
Part 2 - Natural Environment Values - ECO Ecosystems and Indigenous Biodiversity	ECO-R6	Support and retain: <ul style="list-style-type: none"> - Permitted activity status for MINZ (i.e. #12) but with MINZ amendments to include all mineral permit areas. - Restricted Discretionary or Discretionary Status where compliance not achieved.
Part 2 - Natural Environment Values - ECO Ecosystems and Indigenous Biodiversity	ECO-R7	Support and retain Discretionary Status where compliance not achieved.
Part 2 - Natural Environment Values - ECO Ecosystems and Indigenous Biodiversity	ECO-R10	Standard 4 and adverse effects management consistency with national direction documents

Biodiversity		or their impending amendments. Activity status where compliance not achieved: N/A for standard 3 also.
Part 2 - Natural Environment Values - ECO Ecosystems and Indigenous Biodiversity	ECO-R12	Delete.
Part 2 - Natural Environment Values - NC Natural Character and the Margins of Waterbodies	NC-O1	Revert to the original wording in draft TTPP.
Part 2 - Natural Environment Values - NC Natural Character and the Margins of Waterbodies	NC-P2	Revert to the original wording in draft TTPP for the introductory wording and f. Add mineral extraction to the list.
Part 2 - Natural Environment Values - NC Natural Character and the Margins of Waterbodies	NC-rules	Provide for mineral extraction.
Part 2 - Natural Environment Values - NFL Natural Features and Landscapes	Overview	Add reference to mineral extraction un relation to regionally significant activities.
Part 2 - Natural Environment Values - NFL Natural Features and Landscapes	NFL-O1	Revert to the original wording in draft TTPP.
Part 2 - Natural Environment Values - NFL Natural Features and Landscapes	NFL-P2	Revert to the original wording in draft TTPP. Add mineral extraction to list.

Part 2 - Natural Environment Values - NFL Natural Features and Landscapes	NFL-P3	Revert to the original wording in draft TTPP.
Part 2 - Natural Environment Values - NFL Natural Features and Landscapes	NFL-P4	At end change “maintained” back to “not adversely affected”.
Part 3 - Zones - Open Space and Recreation Zones - OSRZ Open Space and Recreation Zones	OSRZ-P1	Insert “generally” after the word “should”.
Part 3 - Zones - Open Space and Recreation Zones - OSRZ Open Space and Recreation Zones	OSRZ-P2	Insert mineral extraction.
Part 3 - Zones - Open Space and Recreation Zones - OSRZ Open Space and Recreation Zones	OSRZ-P9	Introductory wording – revert to the original wording in draft TTPP. At f. insert “and functional or operational need”.
Part 3 - Zones - Open Space and Recreation Zones - OSRZ Open Space and Recreation Zones	OSRZ-P15b.	Delete.
Part 3 - Zones - Open Space and Recreation Zones - OSRZ Open Space and Recreation Zones	New OSRZ-P22	Insert the wording of OSRZ-P9, but as amended so that the introductory wording reverts to the original wording in draft TTPP, into the policies for Natural Open Space Zone as a new policy i.e. OSRZ-P22
Part 3 - Zones - Open Space and Recreation Zones - OSRZ Open Space and Recreation Zones	New OSRZ-P23	Insert the wording of OSRZ-P15 into the policies for Natural Open Space Zone as a new policy i.e. OSRZ-P23

Part 3 - Zones - Open Space and Recreation Zones – NOSZ Natural Open Space Zone	Overview	Insert that mineral extraction occurs within this zone and on public conservation land.
Part 3 - Zones - Open Space and Recreation Zones – NOSZ Natural Open Space Zone	NOSZ-R18	Delete and instead replace with a rule that has Discretionary status for Mineral Prospecting, Minerals Exploration and Mineral Extraction, including their ancillary activities.
Part 3 - Zones – Special Purpose Zones – MINZ Mineral Extraction Zone	MINZ-R1	3. increase 3 months to 12 months.
Part 4 – Appendices – Schedules – Schedule Four: Significant Natural Areas	BLA-P002 Mt Davey	Ensure that SNA does not encroach onto MINZ or area of mineral permits or related activities.
Part 4 – Appendices – Schedules – Schedule Five: Outstanding Natural Landscapes	ONL33	Ensure that ONL does not encroach onto MINZ or area of mineral permits or related activities.
Part 4 – Appendices – Schedules – Schedule Five: Outstanding Natural Landscapes	ONL40 Paparoa Range	Ensure that ONL does not encroach onto MINZ or area of mineral permits or related activities.
Part 4 – Appendices – Schedules – Schedule Five: Outstanding Natural Landscapes	ONL41 Paparoa Range	Ensure that ONL does not encroach onto MINZ or area of mineral permits or related activities.
Part 4 – Appendices – Schedules – Schedule Five: Outstanding Natural Landscapes	ONL42 Paparoa Range	Ensure that ONL does not encroach onto MINZ or area of mineral permits or related activities.

Landscapes		
Part 4 – Appendices – Schedules – Schedule Five: Outstanding Natural Landscapes	ONL49	Ensure that ONL does not encroach onto MINZ or area of mineral permits or related activities.
Part 4 – Appendices – Appendices – Appendix Seven: Mineral Extraction Management Plan Requirements		Delete and instead use consent conditions.
Part 4 – Appendices – Appendices – Appendix Thirteen: Principals and Process for Significant Natural Area Identification		Delete. Consistency with national direction documents or their impending amendments.
Part 4 – Appendices – Appendices – Appendix Fourteen: Principals for Biodiversity Offsetting		Delete or amend. Consistency with national direction documents or their impending amendments.
Part 4 – Appendices – Appendices – Appendix Fifteen: Principals for Biodiversity Compensation		Delete or amend. Consistency with national direction documents or their impending amendments.
Maps	Map of Roa township area	Amend (reduce) Settlement Zone at Roa township so it does not overlap with the current Roa Mine access road and/or yard area.
Maps		Associated changes as noted above in relation to SNAs and ONLs.

Map	Map # 45 (Grey District)	Remove the overlap of the Precinct from the Mineral Extraction Zone (MINZ) for SEC 39 SO11207 TWN OF ROA BLK II MAWHERANUI SD (Valuation ID 2543020700) and SEC 48 SO 11207 BLK II MAWHERANUI SD (Valuation ID 2543020701).
Maps	MINZ	Include all area of mineral permits within MINZ.

Te Tai o Poutini Plan Proposed Plan

Submission form

Have
your
say!

Te Tai o
Poutini Plan
Proposed
Plan

We need your feedback. We want to hear from you on the proposed Te Tai o Poutini Plan. What do you support and what would you like changed? And why? It is just as important to understand what you like in the Proposed Plan as what you don't. Understanding everyone's perspectives is essential for developing a balanced plan.

Your details:

First name: Jill Surname: Young

Are you submitting as an individual, or on behalf of an organisation? Individual Organisation

Organisation (if applicable): New Zealand Coal & Carbon Ltd

Would you gain an advantage in trade competition through this submission? Yes No

If you **could** gain an advantage in trade competition through this submission please complete the following:

I am /am not directly affected by an effect of the subject matter of the submission that (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition.

Postal address: PO Box 2341, Christchurch 8140

Email: jill@nzcoal.com Phone: (03) 339 9300

Signature: [Handwritten Signature] Date: 10 November 2022

Your submission:

The specific provisions of the proposal that my submission relates to are:

- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> Strategic Direction | <input checked="" type="checkbox"/> Energy Infrastructure and Transport | <input checked="" type="checkbox"/> Hazards and Risks |
| <input checked="" type="checkbox"/> Historical and Cultural Values | <input checked="" type="checkbox"/> Natural Environment Values | <input checked="" type="checkbox"/> Subdivision |
| <input checked="" type="checkbox"/> General District Wide Matters | <input checked="" type="checkbox"/> Zones | <input checked="" type="checkbox"/> Schedules |
| <input checked="" type="checkbox"/> Appendices | <input checked="" type="checkbox"/> General feedback | |

All submitters have the opportunity to present their feedback to Commissioners during the hearings process. Hearings are anticipated to be held in the middle of 2023. Please indicate your preferred option below:

I wish to speak to my submission I do not wish to speak to my submission

If others make a similar submission, would you consider presenting a joint case with them at a hearing?

Yes, I would consider presenting a joint case No, I would not consider presenting a joint case

Public Information - all information contained in a submission under the Resource Management Act 1991, including names and addresses for service, becomes public information. The content provided in your submission form will be published to the Te Tai o Poutini Plan website and available to the public. It is your responsibility to ensure that your submission does not include any personal information that you do not want published.

Want to know more?

www.tppp.nz

0508 800 118



Te Tai o Poutini
PLAN

A combined district plan for the West Coast

12 Hazeldean Road
PO Box 2341
Christchurch 8140, New Zealand
Ph: (03) 3399300



10 November 2022

Te Tai o Poutini Plan

Via email: info@tppp.nz

ATTENTION : Proposed Te Tai o Poutini Plan, Submission

NEW ZEALAND COAL & CARBON LTD : SUBMISSIONS ON THE PROPOSED TE TAI O POUTINI PLAN

New Zealand Coal & Carbon Ltd (NZCC) encompasses three mining companies: Roa Mining Company Ltd, Francis Mining Co. Ltd and New Creek Mining Ltd. All of our mining operations are based on the West Coast, where we have conducted business since 1982.

NZCC's submissions on the proposed Te Tai o Poutini Plan (TTPP) are contained in the following pages and the TTPP provided submission form is attached at the end.

A handwritten signature in blue ink, appearing to read 'Jill Young', is positioned above the typed name.

Jill Young
General Manager, Technical Services
for New Zealand Coal & Carbon Ltd

Attached: TTPP provided submission form

NEW ZEALAND COAL & CARBON LTD : SUBMISSIONS ON THE PROPOSED TE TAI O POUTINI PLAN

SOME GENERAL SUBMISSIONS

1. This submission covers all of the proposed Te Tai o Poutini Plan (TPPP), and in particular those provisions which affect New Zealand Coal & Carbon Ltd (NZCC), its subsidiaries and businesses.
2. Relief sought:
 - 2.1 We seek any and all relief required to give effect to the matters raised in this submission, including as affected by introduced national environmental standards and national policy statements. Relief sought specifically includes but is not limited to the relief sought as outlined in this submission.
 - 2.2 Alternative, consequential, or necessary additional relief to give effect to the matters raised in this submission and to address any matters affected by introduced national environmental standards and national policy statement.
3. We wish to ensure that the significance of mineral prospecting, exploration and extraction activities to the West Coast Region **are expressly recognised** and that these activities are able to operate efficiently and effectively (and in a way which their functional and operational needs are recognised), including through securing resource consents as appropriate. We **seek and support** the provision of a consenting pathway and access to the effects management (or mitigation) hierarchy for our current and future activities.
4. We **support** the inclusion of Mineral Extraction Strategic Objectives and a Mineral Extraction Zone (MINZ), including its provisions, as well as the enabling provisions for mineral prospecting, exploration and extraction activities throughout the TPPP.
5. We **oppose in part** the Significant Natural Areas (SNA) and Outstanding Natural Landscapes (ONL) overlays.

We understand the intent with the overlays were to exclude those areas containing existing activities. These need to be amended to exclude the full extent of existing, lawfully established and/or approved areas of activity. These overlays and the provisions in relation to these will apply to mineral extraction activities both within and outside of the Mineral Extraction Zone. We seek a consenting pathway and access to the effects management hierarchy for our current and future activities such that they are not unnecessarily restricted.

NEW ZEALAND COAL & CARBON LTD : SUBMISSIONS ON THE PROPOSED TE TAI O POUTINI PLAN

SOME SUBMISSIONS IN RELATION TO SPECIFIC PROVISIONS

TTPP SECTION	TTPP PROVISION	SUPPORT or OPPOSE	DECISION SOUGHT	REASON
Definitions	Earthworks	Oppose in part.	<p>Insert at the end of the definition an exclusion, or provide similar relief.</p> <p>Suggested wording is <i>“This excludes earthworks associated with mineral prospecting, exploration and extraction activities.”</i></p>	Earthworks are part of mineral prospecting, exploring and extraction activities and as such would be addressed by those associated Rules.
Definitions	Mineral Extraction and Processing	Support with changes.	Insert “, to and between” after the words “access within”.	<p>On the ground access is not limited to that within a site and provision is required for access to and between sites, be they exploration, mine or ancillary.</p> <p>For example, there may be an off (mine) site water treatment or mineral handling facility that is linked via an access road. In numerous cases mine sites are land locked and have access roads to them.</p> <p>These all form part of the mineral extraction activities.</p>
MIN	MIN-O1 to MIN-O4 and MIN O6	Support.	Support MIN-O1 to MIN-O4 and MIN-O6 and the words at the bottom of the table in relation to the strategic objectives.	
NENV	NENV-O3	Oppose in part.	At item b. insert <i>“and activities”</i> after the words <i>“infrastructure”</i> .	Activities other than infrastructure are located or may need to be located in these areas.

NEW ZEALAND COAL & CARBON LTD : SUBMISSIONS ON THE PROPOSED TE TAI O POUTINI PLAN

SAMS	SAMS-R15 (amended provisions)	Oppose in part.	Change the activity status of these rules from Non-Complying to Discretionary.	<p>The MINZ and it's activities would get captured by the SPZ zone inclusion as well as mineral prospecting, exploration and extraction activities in the zones included within RURZ and OSRZ.</p> <p>We would welcome the provision of a discretionary activity status which would enable a consenting pathway and access to the effects management hierarchy, thereby allowing for a case by case consideration of the activity and the SAMS together with the mitigation and/or protection required.</p>
ECO	ECO-O2	Oppose in part.	Insert at end " <i>or if not where adverse effects can be mitigated</i> ".	Provide for mitigation where this is possible.
ECO	ECO-P2	Oppose in part.	At item e. insert at end " <i>or where adverse effects can be mitigated</i> ".	Provide for mitigation where this is possible.
ECO	ECO-P6	Oppose in part.	Delete the word "avoid".	Using the word avoid may prevent the use of the effects management hierarchy, given the case law definition of this, and/or be inconsistent with the Regional Policy Statement.
ECO	ECO-P7	Oppose in part.	At item b. insert the word " <i>/or</i> " after the words "protection and".	In practice management alone can also lead to the desired outcome. This ties into ECO-P8.
ECO	ECO-R7	Support in part.	Support the Discretionary activity status of ECO-R7.	
NFL	NFL-O1	Support in part.	Support providing for " <i>use and development</i> ".	

NEW ZEALAND COAL & CARBON LTD : SUBMISSIONS ON THE PROPOSED TE TAI O POUTINI PLAN

NFL	NFL-P2	Support in part.	Support ability to remedy, mitigate or offset effects of activities within ONLs and ONFs.	
NFL	NFL-P5	Support in part.	Support e.	
NFL	NFL-R15	Support in part.	Support the Discretionary activity status of NFL-R15.	
NFL	NFL-R15	Oppose in part.	In the heading insert “Controlled” after the word “Permitted”.	Appears to be a drafting error as no flow on from Controlled rules.
EW	EW-R8	Support in part.	Support the Restricted Discretionary activity status of EW-R8.	
OSRZ	OSRZ-O1	Oppose in part.	Insert “where possible” after the word “should”.	Not all activities in these zones will “complement” and provision is required where this doesn’t occur.
OSRZ	OSRZ-P9	Support in part.	Support f.	
OSRZ	OSRZ-P14	Oppose in part.	Delete b.	Mineral extraction may not be provided for in the management plan referenced at b.
OSRZ	new OSRZ-P21	Oppose in part.	Insert wording of OSRZ-P14 as a new OSRZ P21 under Natural Open Space Zone BUT: <ul style="list-style-type: none"> • <u>change</u> the words OSZ-Open Space Zone to NOSZ-Natural Open Space Zone; and • <u>delete</u> b. 	Mineral extraction activities also occur in the NOSZ – Natural Open Space Zone. Mineral extraction may not be provided for in the management plan referenced at b.
NOSZ	NOSZ-R16	Oppose in part.	Change Rule status from Non-Complying to Discretionary.	Some land within the NOSZ is currently used for mineral extraction. We request a consenting pathway and access to

NEW ZEALAND COAL & CARBON LTD : SUBMISSIONS ON THE PROPOSED TE TAI O POUTINI PLAN

NOSZ	NOSZ-R16	Oppose in part.	Insert Mineral Prospecting and Exploration into the heading of the rule.	the effects management hierarchy, which the discretionary status would provide, thereby allowing for a case by case consideration of the activity We also note the other robust regulatory mechanisms in place for some land held in this zone, for example an access arrangement with the Department of Conservation.
OSZ	OSZ-R11	Oppose in part.	Under 3. increase the timeframe to 1 year.	Some drill programs go for longer than 3 months so may not be practical to rehabilitate in this timeframe.
OSZ	OSZ-R22	Support in part.	Support the Discretionary activity status of OSZ-R22.	
OSZ	OSZ-R22	Oppose in part.	Insert Mineral Prospecting and Exploration into the heading of the rule.	
RURZ	RURZ-05	Support.	Support.	
RURZ	RURZ-P18 to P25	Support in part.	Support Mineral Extraction policies.	
GRUZ	GRUZ-R11	Oppose in part.	Under 3. increase the timeframe to 1 year.	Some drill programs go for longer than 3 months so may not be practical to rehabilitate in this timeframe.

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GRUZ	GRUZ-R32	Support in part.	Support the Discretionary activity status of GRUZ-R32.	
MINZ	MINZ	Support.	Support the provision of a Mineral Extraction Zone (MINZ).	
MINZ	Overview	Support with changes.	3 rd para, 2 nd sentence : <ul style="list-style-type: none"> • delete “is from three different” and insert “includes the”. • delete “and includes” and insert “of”. 	There are a number of other authorisations not listed which are applicable so a broader reference would be more appropriate.
MINZ	MINZ-O1 to O2	Support.	Support.	
MINZ	MINZ-P1 to P8	Support.	Support.	
MINZ	MINZ-R1	Support with changes.	At Item 2. increase the timeframe to 1 year.	Some drill programs go for longer than 3 months so may not be practical to rehabilitate in this timeframe.
MINZ	MINZ- R2	Support with changes.	At Item 2. a. delete “coal mining licence or resource consent” and insert “existing authorisations”.	Matters contained in Appendix 7 may also be covered by a number of other authorisations, not just those currently identified, so this provision requires broadening.
MINZ	MINZ- R2	Support with changes.	At Item 2. a. with respect to the Mineral Extraction Management Plan (Appendix 7) insert an Advice Note to say something along the lines of ... “this process of certification is not to relitigate matters rather to check that what is required is there”.	Potential issues of overlap, conflicts and re-litigation of matters already settled. We understand the intent to be that these matters are addressed and not duplicated or re-litigated.
MINZ	MINZ-R2	Support with	At Item 6. Insert “or evidence that the bond is in place with another regulatory authority or land	There are instances where the land administrator or another regulator is the primary holder of the

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		changes.	<i>administrator</i> ".	bond, e.g. Department of Conservation or Regional Council. This avoids unnecessary duplication of bonds.
MINZ	MINZ-R3	Support with changes.	At Item 4. increase the heavy vehicle movement to 100. At Item 6. Insert <i>"or evidence that the bond is n place with another regulatory authority or land administrator"</i> .	There are instances where the land administrator or another regulator is the primary holder of the bond, e.g. Department of Conservation or Regional Council.
MINZ	MINZ-R6	Support.	Support.	
MINZ	MINZ-R7	Support.	Support MINZ-R7 and the Restricted Discretionary activity status of MINZ-R7.	
Schedule 9	Roa Mine Blackball and Rajah Mine Blackball	Support with changes.	Add under the "Authorisation Mechanism" for both of these mines resource consent numbers GDC resource consent 1422/06, GDC building consent 989139 and WCRC resource consents RC06166, RC10075 and RC01/92.	An omission in drafting of the TTPP.
Map	Map # 45 (Grey District)	Oppose in part.	Remove the overlap of the Precinct from the Mineral Extraction Zone (MINZ) for SEC 39 SO11207 TWN OF ROA BLK II MAWHERANUI SD (Valuation ID 2543020700) and SEC 48 SO 11207 BLK II MAWHERANUI SD (Valuation ID 2543020701).	A mapping error seems to have occurred with the Precinct and overlaps the Mineral Extraction Zone (MINZ) and its existing activities. This should match the zoning boundary which abuts the MINZ in that area.