

**IN THE ENVIRONMENT COURT
CHRISTCHURCH REGISTRY**

**I MUA I TE KŌTI TAIAO O AOTEAROA
KI ŌTAUTAHI**

ENV-2025-CHC-000125

IN THE MATTER OF an appeal under clause 14 of Schedule 1 and section
274 of the RMA

BETWEEN **BULLER CONSERVATION GROUP**

Appellant

AND **TE TAI O POUTINI PLAN COMMITTEE**

Respondent

NOTICE BY GREY DISTRICT COUNCIL OF WISH TO BE A PARTY TO PROCEEDINGS

Dated: 2 February 2026

Presented for filing by:

Corcoran French
74 Armagh Street, Christchurch Central 8013
PO Box 13001, Christchurch 8141

Telephone: (03) 379 4660
Email: geraldine@cflaw.co.nz
jonathon@cflaw.co.nz
Solicitor: Geraldine Biggs
Jonathon Sylvester

NOTICE BY GREY DISTRICT COUNCIL OF WISH TO BE A PARTY TO PROCEEDINGS

To: The registrar at the Environment Court, Christchurch
And to: The Appellant
And to: The Respondent

Grey District Council (**GDC**) wishes to be a party to an appeal by Buller Conservation Group against the decision of the Te Tai o Poutini Committee on the proposed Te Tai o Poutini Plan (**TTPP**).

Nature of interest

1. GDC is a local authority under the Resource Management Act 1991 (**RMA**).
2. GDC is not a trade competitor for the purposes of section 308C or 308CA of the RMA.
3. GDC is interested in part of the proceedings. The parts of the proceedings that GDC is interested in are those that apply within the Grey District and relate to the following chapters of the TTPP as particularised in Appendix 1 (attached):
 - (a) Part 1 – General Site (usage of the term “site”);
 - (b) ECO – Ecosystems and Indigenous Biodiversity;
 - (c) NFL – Natural Features and Landscapes;
 - (d) SUB – Subdivision;
 - (e) CE-Coastal Environment;
 - (f) EW-Earthworks;
 - (g) LIGHT – Light
 - (h) GRUZ – General Rural Zone;
 - (i) FUZ – Future Urban Zone;
 - (j) MINZ – Mineral Extraction Zone;
 - (k) Any other parts of the appeal that are affected by or related to the above.
4. GDC is interested in the following particular issues:
 - (a) ensuring that the TTPP is workable for GDC as a local authority and that it assists GDC in carrying out its functions under the RMA; and

- (b) ensuring the TTPP recognises that:
 - (i) The West Coast has a unique environment, that is characterised by about 85% of land in the region managed by the Department of Conservation. This unique context means that appropriate use and development, particularly in the remaining areas, needs to be enabled to provide for the region's social, economic and cultural wellbeing.
 - (ii) The Grey District needs sustainable infrastructure and services that enable communities to be thriving, resilient and connected.
 - (iii) The TTPP should enable the use and development of natural and physical resources while ensuring protections are appropriate for the West Coast.
 - (iv) The TTPP should not create pressures on affordability of housing, farming, industry and infrastructure, as well as other developments and uses through disproportionate or unworkable standards for development and use in the region.
 - (v) The West Coast region is highly susceptible to the impacts of climate change and natural hazards, which require ensuring the protection of infrastructure and development.

Relief sought

- 5. GDC opposes the relief sought as specified in Appendix 1.
- 6. GDC's reasons for opposing a relief where specified in Appendix 1 are:
 - (a) the relief will not promote the sustainable management of natural and physical resources within the Grey District, and is therefore inconsistent with Part 2 and other provisions of the RMA;
 - (b) the relief will not meet the reasonably foreseeable needs of future generations;
 - (c) the relief will not enable the social, economic and cultural wellbeing of the people of the Grey District;
 - (d) the relief will not facilitate the efficient use and development of natural and physical resources;

- (e) the relief will not avoid, remedy or mitigate actual or potential adverse effects on the environment;
 - (f) the relief is not the most appropriate way to achieve the purpose of the RMA and/or objectives of the TTPP in terms of section 32 of the RMA;
 - (g) the relief will not ensure the TTPP is workable for GDC as a local authority and that it assists GDC in carrying out its functions under the RMA; and
 - (h) the further specific reasons where set out in Appendix 1 (without limiting the general reasons above).
7. GDC's reasons for conditionally opposing a relief are set out in Appendix 1. Where GDC has conditionally opposed a relief, GDC may revisit its position and support the relief if the matters signalled in Appendix 1 are addressed by the appellant (to GDC's satisfaction). GDC, however, reserves the right to oppose the relief for the general reasons set out at paragraph 6.

Alternative dispute resolution

8. GDC agrees to participate in mediation or other alternative dispute resolution of the proceedings.

Dated: 2 February 2026:



G A Biggs / J C Sylvester
Counsel for Grey District Council

This document is filed by Jonathon Cameron Sylvester, solicitor for Grey District Council of the firm Corcoran French, Lawyers. The address for service is at 74 Armagh Street, PO Box 13-001, Christchurch, Phone: (03) 379 4660. Documents for service on Grey District Council may be left at the address for service or may be:

- (a) Posted to the solicitor at PO Box 13001, Christchurch 8141; or
- (b) Emailed to jonathon@cflaw.co.nz as long as they are contemporaneously emailed to geraldine@cflaw.co.nz.

Advice

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

Appendix 1: Grey District Council's interest in the appeal of the Buller Conservation Group

#	TTPP Provisions	Relief sought by the appellant	Grey District Council's position	Further Reasons for Grey District Council's Position
1.	Part 1 - General Contents	Provide a Contents page in PDF and online versions.	GDC is not interested in this part of the proceeding.	
2.	Part 1 -General Site	Usage of the term, 'site'. (e.g. ECO:R1.5, EW:R3,R4,R5, OSZ:R10, GRUZ:R3, R10, SETZ:R15, FUZ:R9,) Require more consistency of its sometimes reference to 'property', 'allotment'	Conditionally Oppose	The relief sought is generalised. Further particulars are required. GDC may revisit its position if further particulars and specific wording are provided (satisfactory to GDC).
3.	Part 1 - Interpretation: Definitions Riparian margin	Increase riparian margin width from 10 to 15 metres for large rivers.	GDC is not interested in this part of the proceeding.	
4.	Part 2 - Land-based Production or Hazardous Substances	There needs to be guidance around agrichemicals. Waikato District Council has a good guidance in its district plan	GDC is not interested in this part of the proceeding.	
5.	Part 2 - ECO General	Ecosystem services need to be acknowledged	Oppose	
6.	Part 2 - ECO P8	There needs to be more recognition of cumulative effects than only P8	Oppose	
7.	Part 2 - ECO R2:4(iv)	Wording inconsistent with NC R1(iii)	Oppose	
8.	Part 2 - ECO R3	Needs to say, 'It is a maximum of <u>20 m²</u> 25m² per linear 200 metre length of riparian margin;'	Oppose	

9.	Part 2 - ECO R6	<p>1. there needs to be more restrictions around fencing</p> <p>2. retrieval of windblown timber should not be a permitted activity</p>	Oppose	
10.	Part 2 - NC R1	There needs to be more constraints on permitted earthworks in riparian margins, including more restrictions around fencing in riparian margins	GDC is not interested in this part of the proceeding.	
11.	Part 2 - NFL R11	<p>Mineral Extraction in the Buller Coalfield Zone and</p> <p>Mineral Extraction Zone within an Outstanding Natural Landscape described in Schedule Five: Activity Status Restricted Discretionary should be discretionary</p>	<p>GDC is not interested in the relief as it relates to the BCZ.</p> <p>GDC opposes the remainder of the relief.</p>	
12.	Part 2 - SUB General	In any subdivision with reticulated services allowance should be made for composting toilets.	GDC is not interested in this part of the proceeding.	
13.	Part 2 - SUB O5	Esplanade reserves and strips created through subdivision contribute to the protection of natural values <u>character</u> and Poutini Ngāi Tahu values provide natural hazard mitigation, support good water quality and provide for public access to and along waterbodies and the coastal marine area.	GDC is not interested in this part of the proceeding.	
14.	Part 2 - SUB P1	d. Protects areas of significant indigenous biodiversity, outstanding natural features and landscapes, cultural values, areas of historic heritage and natural character of the coastal environment, <u>wetlands, and lakes and rivers and their margins</u> ;	Oppose	
15.	Part 2 - SUB R3	<p>Matters of control are:</p> <p>f. Protection of outstanding natural features and landscapes, areas of significant indigenous biodiversity, historic heritage, sites and areas of significance to Māori, archaeological sites, natural</p>	GDC is not interested in this part of the proceeding.	

		character of the coastal environment <u>wetlands, and lakes and rivers and their margins</u> , or any other identified features;		
16.	Part 2 - SUB R4	Matters of control are: c. Protection of outstanding natural features and landscapes, areas of significant indigenous biodiversity, historic heritage, sites and areas of significance to Māori, archaeological sites, natural character of the coastal environment, <u>wetlands, and lakes and rivers and their margins</u> , or any other identified features;	GDC is not interested in this part of the proceeding.	
17.	Part 2 - SUB P6	e. In unmodified areas of the c Coastal environment unless adverse effects on the natural character of the coastal environment can be avoided, remedied or mitigated ;	Oppose	
18.	Part 2 - SUB R5	This is not within an area of: (i) Outstanding Natural Landscape as identified in Schedule Five; (ii) Outstanding Natural Feature as identified in Schedule Six; (iii) Sites of Historic Heritage as identified in Schedule One; (iv) Any Flood Susceptibility, Flood Plain, Land Instability, Coastal Alert or Coastal Tsunami Hazard Overlay; (v) <u>unmodified coastal environment</u>	Oppose	
19.	Part 2 - SUB - R6	This is not within an area of: (i) Outstanding Natural Landscape as identified in Schedule Five; (ii) Outstanding Natural Feature as identified in Schedule Six;	GDC is not interested in this part of the proceeding.	

		(iii) Sites of Historic Heritage as identified in Schedule One; (iv) <u>iv unmodified areas</u>		
20.	Part 2 - ASW R2	<p>Include the following, which is a transfer from the Buller District Plan</p> <p>BDC Plan</p> <p>4.4.14.6.1. <i>There be no provision for motorised craft use on:</i></p> <ul style="list-style-type: none"> • <i>Lake Christobel</i> • <i>Lake Hanlon</i> • <i>Kohaihai River</i> <p>4.4.14.6.2. <i>In the following water bodies, the use of motorised water craft with an engine capacity of less than 5 horse power is permitted:</i></p> <ul style="list-style-type: none"> • <i>Lake Daniells</i> • <i>Punakaiki River: upstream of the road bridge.</i> • <i>Pororari River: upstream of the road bridge.</i> • <i>Otomahana Lagoon</i> • <i>Orowaiti River: upstream of the rail bridge.</i> • <i>Okari: upstream of the road bridge.</i> 	GDC is not interested in this part of the proceeding.	
21.	Part 2 - CE R4	<p>1. These are not located within:</p> <p>(i) <u>1</u> The Outstanding Coastal Environment Area</p>	Oppose	

		<p>(ii) <u>ii unmodified areas</u></p> <p>under</p> <p>a. These are:</p> <p>Buildings and structures (etc)</p>		
22.	Part 2 - CE R5	<p>In all other zones:</p> <p>(iv) The maximum height above ground level is for any building or structure <u>one storey and less than is 7m</u></p>	Oppose	
23.	Part 2 - EW Overview	<p>The scope and scale of earthworks range from large bulk earthworks, which can alter the landform, topography and <u>drainage hydraulics</u>, to small and discrete areas of works most often associated with minor development.</p>	Oppose	
24.	Part 2 - LIGHT R3	<p>Outdoor artificial lighting must not exceed the following vertical light levels:</p> <p>(i) 7.00am — 10.00pm: 10 Lux; and</p> <p>(ii) 10.00pm — 7.00am: 2 Lux</p> <p>Relief: revert to original levels of</p> <p>(i) 7.00am — 10.00pm: <u>2</u> Lux; and</p> <p>(ii) 10.00pm — 7.00am: <u>1</u> Lux;</p>	Oppose	
25.	Part 2 - LIGHT R5	<p>There needs to be further discussion around lighting within a distance of 15km of the coastal marine area.</p>	Oppose (to the extent that the relief conflicts with GDC's own appeal on this rule).	GDC notes its own appeal in relation to Light R5. GDC considers its own appeal points reflect the appropriate amendment to this rule.

26.	Part 3 - General	Air quality affects land issues and should be addressed in Part 3 of this plan. Domestic/ residential air quality control has been handed over to district councils from the West Coast regional council. It at least needs to be mentioned as an issue of concern (which it should be in a region with no restrictions on domestic emissions.)	GDC is not interested in this part of the proceeding.	
27.	Part 3 - GRUZ R10	This rule is too lenient. The Buller District Plan 5.3.2.1.4 has prospecting as a permitted activity where activities are limited to 150mm diameter drillhole per ha and 50 linear meters per ha for sampling with explosives. Then the site must be restored to original condition. Otherwise, it is a controlled activity. Also 5.3.2.1.4.2. These restrictions need to move over into this Plan.	Oppose	
28.	Part 3 - GRUZ R11	No more than 20,000m3 of material is excavated within a calendar year or Land disturbance is limited to no more than 3ha at any one time per site on which the activity is occurring; Relief sought: 20,000m3 is more than the regional Land and water plan allows. It should also be restricted to <u>'per site or 4ha, whichever is larger'</u>	Oppose	GDC notes its own appeal in relation to GRUZ-R11 and considers that its appeal points reflect the appropriate amendment to this rule.
29.	Part 3 - GRUZ R17	Location restrictions have been removed from the Decision version and need to be reinstated. This rule should also be discretionary rather than restricted discretionary.	Oppose	
30.	Part 3 - BCZ General	This chapter needs to be deleted. It is far too enabling of coal extraction to the detriment of the natural environment and other matters.	GDC is not interested in this part of the proceeding.	
31.	Part 3 - BCZ R1	Buller District Plan rules around mineral prospecting and exploration need to be moved into this plan.	GDC is not interested in this part of the proceeding.	

32.	Part 3 - FUZ General	FUZ needs a further policy that restricts development in areas of indigenous biodiversity and natural character.	Oppose.	
33.	Part 3 - MINZ R1	<ol style="list-style-type: none"> 1. There needs to be restrictions on area of disturbance, as in the Buller District Plan. 2. There needs to be mention of stockpiling of vegetation prior to rehabilitation. 3. The site is progressively rehabilitated as far as practicable to its <u>original</u> condition prior to the activity occurring, with rehabilitation being completed no more than three months after Mineral Prospecting or Mineral Exploration ceases. <p>the above directive does not make sense; wording needs to be re-arranged.</p>	Oppose	
34.	Schedule 1	<p>Include:</p> <p>Arch record L28/36: the railway heritage at the Chasm Creek Walkway</p>	GDC is not interested in this part of the proceeding.	
35.	Various	Additional generalised relief relevant to the parts of the proceeding that GDC is interested in sought by the appellant where amended wording for the provisions is not specified	Conditionally oppose	GDC is unable to support relief in general and unspecified terms but may revisit its position if specific wording (satisfactory to GDC) is provided during the appeal process.