

**IN THE ENVIRONMENT COURT
CHRISTCHURCH REGISTRY**

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

ENV-2025-CHC-000131

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

BETWEEN **BULLER DISTRICT COUNCIL**
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:

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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 District Council 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 sections 308C or 308CA of the RMA.
3. GDC is interested in all the proceedings, save the relief to amend the extent of the coastal environment overlay in the Buller District, as that relief does not relate to the Grey District.
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 supports the relief sought as set out in the table in Appendix 1 (attached).
6. GDC's reasons for supporting a relief where specified in Appendix 1 are:
 - (a) the relief will promote the sustainable management of natural and physical resources within the Grey District, and is therefore consistent with Part 2 and other provisions of the RMA;
 - (b) the relief will meet the reasonably foreseeable needs of future generations;
 - (c) the relief will enable the social, economic and cultural wellbeing of the people of the Grey District;
 - (d) the relief will facilitate the efficient use and development of natural and physical resources;
 - (e) the relief will avoid, remedy or mitigate actual or potential adverse effects on the environment;
 - (f) the relief is 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 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 further notes that where similar relief is sought by other appellants (including GDC), consistency between the other similar appeals is supported.
8. 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).

Alternative dispute resolution

9. 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 Buller District Council

#	TTPP Provisions	Relief sought by the appellant	Grey District Council's position	Further Reasons for Grey District Council's Position
1.	NOISE-R3.1(iii)	<p>Amend N-P2 to recognise existing lawful activities.</p> <p>Amend N-R3.1(iii) as follows:</p> <p><i>Acoustic Insulation Requirement for New or Altered Buildings for Use by a Sensitive Activity</i></p> <p>.....</p> <p>2. <i>Any new or altered habitable room and/or space used for sleeping within 20m of the edge of the carriageway must be designed, constructed and maintained to achieve vibration limits not exceeding 0.3mm/s (Class C criterion Maximum Weighted Velocity, Vw 95);</i></p>	Support	For the reasons given by the appellant and by GDC in its own notice of appeal in relation to NOISE-R3.
3.	NOISE-R3.2 NOISE-R3.3	<p>Amend N-R3.2 and N-R3.3 as follows:</p> <p>2. 100<i>40m of the edge of tracks of any railway line except for the Hokitika line where any new or altered habitable room used for a sensitive activity and/or space used for sleeping :...</i></p> <p>3. 60<i>40m of the edge of the tracks of any railway line, except for the Hokitika line, where any new or altered habitable room and/or space used for sleeping must be designed, constructed and maintained to achieve vibration limits not exceeding 0.3mm/s (Class C criterion Maximum Weighted Velocity, Vw,95)....</i></p> <p>And any consequential amendments to N-R3.2(iii) and N-R3.3 to reflect the change to N-R3.2 and N-R3.3 (including but not limited to</p>	Support	<p>For the reasons given by the appellant and by GDC in its own notice of appeal in relation to NOISE-R3.</p> <p>GDC prefers for the noise control boundary to be reduced to 40m as sought by Buller District Council in the first instance, and in the alternative to 60m (should 40m not be accepted by the court) as sought by GDC in its own appeal.</p>

		an exclusion for the Westport line in those rules on the same basis as presently provided for the Hokitika line in N R3.2).		
4.	NOISE-P2 and NOISE-R3 (general)	Amend N-P2 and N-R3.1(iii) as detailed above at 1(A).	Support	For the reasons given by the appellant and by GDC in its own notice of appeal.
5.	Plan Structure	Remove the provisions relating to natural hazard mitigation structures (NH-R2, NH-R3, NH-R4 and NH-R8) from the Natural Hazards Chapter and insert into the Infrastructure Chapter. Make any consequential amendments to NH objectives and policies, for instance NH-O5, NH-P3, NH-P9, and NH-P12, to ensure alignment with the repositioning of the above rules into the Infrastructure Chapter.	Support	For the reasons given by the appellant.
6.	Overview Chapter NH	Insert the following text into the Natural Hazards Chapter: <i><u>The Natural Hazards Chapter contains the objectives, policies and rules for managing Natural Hazard Mitigation Structures – the Area Specific Provisions (Zone Chapters) do not apply to Natural Hazard Mitigation Structures. The Overlay chapters and other District Wide rules do apply where relevant.</u></i> Insert consequential amendments into the Zone Chapters. Insert consequential amendments to the General Approach - Te Huarahi Whānui Chapter: <i><u>The Infrastructure, Energy, Transport, Natural Hazards, Subdivision and Temporary Activities Chapters operate slightly differently to the rest of the Plan. If you are undertaking any activities relating to infrastructure, energy, transport, Natural Hazard Mitigation Structures, or are wanting to undertake any temporary activities or subdivide your property, you should start by looking at those chapters first.</u></i> <i><u>These chapters will then refer you to other chapters, as required. The Area Specific Provisions (Zone Chapters) do not apply to the Energy, Transport, and Infrastructure and Natural Hazards Chapters, and the provisions of the Infrastructure Chapter do not apply to Energy Activities.</u></i>	Support	For the reasons given by the appellant.

7.	Rule NH-R4	<p>Amend NH-R4 to reinstate permitted activity status for Natural Hazard Mitigation Structures constructed by a Statutory Agency, subject to appropriate standards (e.g., an engineer's report), consistent with the Notified Version.</p> <p>Make consequential amendments to all zone provisions to provide for a permitted activity pathway in line with NH-R4.</p> <p>Make any consequential amendments to ensure alignment with the Natural Hazards Chapter, Coastal Environment rules, and Natural Character and Margins of Waterbodies Chapter.</p> <p>In the alternative, delete NH-R4.3:</p> <p><i>It is accompanied by an assessment undertaken by a Chartered Professional Engineer confirming that the natural hazard mitigation structure does not increase the natural hazard risk to other properties or any other lawfully established natural hazard mitigation structure, and this assessment is provided to the relevant District Council 10 working days prior to works commencing.</i></p>	Support	For the reasons given by the appellant and by GDC in its own notice of appeal.
8.	EW-R1	<p>Amend EW-R1.8 as follows:</p> <p><i>EW - R1 Earthworks General Standards</i></p> <p><i>All permitted activities must comply with the following relevant standards</i></p> <p>.....</p> <p>8. <i>Rule EW-R1 does not apply to earthworks associated with mineral extraction, mineral exploration, or mineral prospecting, or Natural Hazard Mitigation Structures constructed by a Statutory Agency.</i></p>	Support	For the reasons given by the appellant and by GDC in its own Notice of Appeal.
9.	LIGHT R5	Delete bullet 4 from LIGHT R5 heading, as follows:	Support	For the reasons given by the appellant and by GDC in its notice of appeal.

		<p>Artificial Outdoor Lighting in the NOSZ - Natural Open Space Zone or SETZ - PREC3 - Coastal Settlement Precinct <u>which are also within the following and in locations within:</u></p> <ul style="list-style-type: none"> • Outstanding Coastal Natural Character Overlay (Schedule Eight); • Outstanding Natural Landscapes Overlay (Schedule Five); • Outstanding Natural Features Overlay (Schedule Six); or • A distance of 15 kilometres landward of the coastal marine area. 		
10.	ECO-R1.1(iii)	<p>Delete ECO-R1.1(iii), as follows:</p> <p>iii. The indigenous vegetation clearance will not occur in an area of land within category one or two of the Threatened Environment Classification; and</p> <p>Make any consequential amendments to ECO-R9.1(d), CE R12.1(b), CE-R13(b), CE-R15(k) and CE-R16.1(g) as necessary.</p>	Support	For the reasons given by the appellant.
11.	Coastal Environment Overlay	<p>Amend the Coastal Environment Overlay by removing the urban area of Westport and moving the boundary in other areas from north of Westport to Karamea to be closer to the Coastal Marine Area.</p> <p>Amend the extent of the Coastal Environment Overlay within inland areas of Carters Beach, Little Wanganui, and Karamea to be closer to the Coastal Marine Area.</p> <p>Remove the extent of the Coastal Environment overlay south of the Westport township, including at Carters Beach, and north of Punakaiki.</p>	GDC is not interested in this part of the proceeding.	GDC has no interest in the relief sought on this ground as it relates to the extent of the Coastal Environment Overlay in locations within the Buller District.
12.	CE-R4.2(c)(i)	<p>Amend Rule CE-R4.2(c)(i) as follows:</p> <p><i>c. The gross ground floor area is:</i></p>	Support	For the reasons given by the appellant and also by GDC in its own notice of appeal.

		I. <i>A maximum of 200300m² per building for new buildings</i>		
13.	Various	Additional generalised relief (relevant to the parts of the proceeding that GDC is interested in) where amended wording for the provisions is not specified.	Conditionally oppose	GDC is generally supportive of consequential relief consistent with its position. It 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.