

**BEFORE THE ENVIRONMENT COURT
CHRISTCHURCH REGISTRY**

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

ENV-2025-CHC-000117

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of an appeal under clause 14(1) of Schedule 1 to the Act

AND

IN THE MATTER of s 274 of the Act

BETWEEN **THE ROYAL FOREST AND BIRD PROTECTION
SOCIETY OF NEW ZEALAND INCORPORATED**

Appellant

AND

TE TAI O POUTINI PLAN COMMITTEE

Respondent

BULLER DISTRICT COUNCIL'S WISH TO BE A PARTY TO PROCEEDINGS
2 February 2026

FLETCHER VAUTIER MOORE
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TO: The Registrar
Environment Court
Christchurch

1. Buller District Council (**BDC**) wishes to be a party to the following proceedings:

*The Royal Forest and Bird Protection Society of New Zealand Inc. v
Te Tai o Poutini Plan Committee*

2. BDC made a submission about the subject matter of the proceedings.
3. BDC has an interest in the proceedings that is greater than the interest that the general public has because BDC:
 - 3.1. Is the territorial authority responsible for administering and implementing Te Tai o Poutini Plan (**TTPP**) within the Buller District; and
 - 3.2. Has statutory responsibility for the functions set out at s 31 RMA (excluding any functions that have been transferred to Te Tai o Poutini Plan Committee).
4. BDC is not a trade competitor for the purposes of ss 308C or 308A Resource Management Act 1991.
5. BDC is interested in all of the proceedings.
6. BDC is interested in the following particular issues:
 - 6.1. The Ecosystems, Natural Character and Waterways, Coastal Environment and Indigenous Biodiversity Chapter;
 - 6.2. Relief sought in respect to zoning provisions and mapping including deletion of the Buller Coafield Zone and the Mineral Extraction Zone and all related provisions;
 - 6.3. Relief sought in respect of General District Wide Matters including earthworks and lighting; and

- 6.4. Administration of TTPP.
7. BDC opposes the relief sought because:
 - 7.1. The relief sought seeks to rebalance parts of TTPP at the expense of enabling appropriate use and development, in a manner that goes beyond what is required by the Resource Management Act 1991 and relevant higher-order planning instruments;
 - 7.2. The decision version already provides an appropriate framework for the protection of indigenous biodiversity and natural character values;
 - 7.3. The relief sought would undermine the integrated way TTPP objectives balance protection of indigenous biodiversity and natural character values with the enabling of appropriate use and development of resources;
 - 7.4. Aspects of the relief sought would introduce significantly more restrictive activity statuses and threshold limits for land management, infrastructure and development activities, with limited additional environmental benefit and with the potential to create unnecessary administrative complexity and cost burdens for the Council and plan users;
 - 7.5. The relief sought to delete the Buller Coalfield Zone and Mineral Extraction Zone and rezone that land to the General Rural Zone or Natural Open Space Zone would represent a fundamental restructuring of TTPP that is not appropriate to pursue during an appeal and risks undermining the coherent, effects-based management of mineral extraction activities in the Plan;
 - 7.6. It is important that TTPP be administratively convenient and effective. As the territorial authority responsible for administering TTPP, BDC has an interest in the relief that could impact the drafting and implementation of TTPP. BDC

opposes any relief that results in inconsistencies or unintended consequences, including by making the Plan administratively inconvenient or ineffective;

7.7. Any relief granted should be the most appropriate way to achieve the purpose of the Act, give effect to the relevant National Policy Statements and West Coast Regional Policy Statement and support and provide for a sustainable and strong Buller District and wider West Coast Region. The relief sought does not achieve these outcomes; and

7.8. The relief sought is not the most appropriate, effective and efficient approach to achieve the objectives.

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

Dated: 2 February 2026



CP Thomsen / AA Yardley
Counsel for Buller District Council

This notice was filed by **CHRISTOPHER PAUL THOMSEN**, solicitor for the party of the firm Fletcher Vautier Moore. The address for service of the above-named party is at the offices of Fletcher Vautier Moore, Solicitors, Level 1, 201 Queen Street, Richmond, Nelson.

Documents for service on the party may be:

- a) Posted to the solicitor at Fletcher Vautier Moore, Solicitors, PO Box 90, Nelson 7040; or
- b) Sent by email to both cthomsen@fvm.co.nz and ayardley@fvm.co.nz.

Advice

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