

In the Environment Court
At Christchurch

ENV-2025-CHC-110

I te Kōti Taiao o Aotearoa
Ki Ōtautahi

Under the Resource Management Act 1991 (**RMA**)

In the matter of an appeal under clause 14(1) of Schedule 1 and section 274 of the RMA

Between **FEDERATED FARMERS OF NEW ZEALAND INCORPORATED**

Appellant

And **TE TAI O POUTINI PLAN COMMITTEE**

Respondent

**NOTICE OF TE RŪNANGA O NGĀTI WAEWAE, TE RŪNANGA O MAKAAWHIO AND
TE RŪNANGA O NGĀI TAHU WHO WISH TO BECOME A PARTY TO PROCEEDINGS**

Dated: 2 February 2026

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To: The Registrar
Environment Court
Christchurch

Introduction

1. Te Rūnanga o Ngāti Waewae and Te Rūnanga o Makaawhio (collectively referred to as **Poutini Ngāi Tahu**) and Te Rūnanga o Ngāi Tahu (**TRoNT**) wish to be a party to an appeal made by Federated Farmers of New Zealand Incorporated (**Appellant**) against parts of the Te Tai o Poutini Plan Committee (**TTPP Committee**) decision on the Proposed Te Tai o Poutini Plan (**TTPP**).
2. Poutini Ngāi Tahu and TRoNT made a submission about the subject matter of the proceeding. Poutini Ngāi Tahu and TRoNT either made a submission on the relevant provisions appealed, or the appeal points concern the same subject matter and issues that are prevalent throughout its submissions.
3. Poutini Ngāi Tahu and TRoNT also have an interest that is greater than the interest of the general public, as mana whenua of the land that is subject to the TTPP and for the reasons set out in its Notice of Appeal, ENV-2025-CHC-134, at [6] to [12].
4. Poutini Ngāi Tahu and TRoNT are not trade competitors for the purposes of 308C or 308CA of the RMA.

Interest in proceedings

5. The parts of the proceedings that Poutini Ngāi Tahu and TRoNT seek to join, its position on those appeals, and the reasons for that position are set out in **Appendix A**.
6. More generally where the relief is opposed, the relief:
 - (a) Will not promote the sustainable management of natural and physical resources, and will not achieve the purpose of the RMA, in that it:

- (i) fails to sustain the potential of natural and physical resources to meet the reasonably foreseeable needs of future generations;
 - (ii) does not safeguard the life-supporting capacity of air, water, soil, and ecosystems; and
 - (iii) fails to appropriately avoid, remedy, or mitigate adverse effects of activities on the environment;
- (b) Is contrary to Part 2 of the RMA, including sections 6(e), 7 and 8;
 - (c) Is not the most appropriate way to achieve the purpose of the RMA, as required under section 32 of the RMA; and
 - (d) Does not properly give effect to direction in relevant national instruments.

7. Poutini Ngāi Tahu and TRoNT agrees to participate in mediation or other alternative dispute resolution of the proceedings.

DATED 2 February 2026



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Appendix A – Poutini Ngāi Tahu and Te Rūnanga o Ngāi Tahu appeal position

PROVISION	APPELLANT RELIEF (SHOWN IN <u>UNDERLINED AND STRUCK THROUGH</u> BLACK FONT)	POUTINI NGĀI TAHU AND TRONT POSITION ON RELIEF AND REASONS
Definitions	Federated Farmers seek that:	Oppose as currently proposed
Mineral Extraction	<p>(a) the definitions of Mineral Extraction, Mineral Exploration and Mineral Prosecting are amended to include the statement <i>“This does not include a farm quarry.”</i>; and</p> <p>(b) amendments are made to the Proposed Plan provisions below, to ensure reference to mining and quarrying terminology is accurate, precise and consistent:</p> <ul style="list-style-type: none"> • mining and quarrying / quarrying and mining: definition of “less hazard sensitive activity”, rule EW-R6, policy SASM-P10, OSZ overview, GRUZ overview, GRUZ-R1, and RLZ overview • mining activities: rules OSZ-R10, GRUZ-R10, RLZ-R10, and SETZ-R15 • mineral extraction and quarrying: rule SASM R7 • quarries, including farm quarries and mineral extraction activities: rule SASM-R7 • aggregate extraction and mineral extraction (as per the NPS-IB): policies ECO-P3, ECO-P8, and rule ECO-R10, and for which the former term is undefined • farm quarries: definition of a “agricultural, pastoral and horticultural activity”, rules SASM R7, SASM-R11, SASM-R15, SASM-R19, OSZ R11, policy RURZ-P22, rules RLZ-R1, and SETZ-R5 • 	<p>In terms of (a), Poutini Ngāi Tahu and TRoNT are not opposed to additional wording the appellant requests as the SASM rules differentiate between mineral extraction and farm quarries. It is, however, critical that quarries that are not farm quarries are captured and included somewhere within the definitions. It will need to be made clear if quarrying was to be regulated by the mineral extraction rules.</p> <p>For the SASM chapter, in terms of (b):</p> <ul style="list-style-type: none"> • For SASM-P10 which refers to mineral extraction and quarrying, the policy may need to be amended to include a specific reference to ‘farm quarries’ as separate to other quarries. • For SASM-R7 which refers to ‘quarries, including farm quarries and mineral extraction activities’, quarries which are not farm quarries will need to be clearly defined in the Plan. It is not clear whether they are to be included within mineral extraction definition. • For SASM-R7, SASM-R15 & SASM-R19, the rule titles all refer to ‘quarries, including farm quarries, and mineral extraction. It was intended that all quarries, including farm quarries, were to be considered under these rules.
Definitions	Federated Farmers seek the term “high value soils” in rule SUB-R6 be replaced with the term “highly productive land”.	<p>Oppose</p> <p>Neither term is defined in the TTPP. It is unclear which definition is sought to be changed, however there is the potential for a new or amended definition to impact the following rules (beyond SUB-R6):</p> <p>Impacts the Highly Productive Land Precinct, LBPP-O1, SUB-O2, SUB-P6, SUB-R6, SUB-S1, RURZ-01, RURZ-P6, GRUZ- PREC5, and GRUZ-R3</p> <p>If a definition is required, the definitions of Highly Productive Land in the NPS-HPL (amended Dec 2025) is recommended.</p>
Definitions Wastewater treatment facilities	Federated Farmers seek that amendments are made to ensure reference to various different terms for wastewater treatment facilities, identified in the Proposed Plan provisions below, are replaced with the defined term “wastewater treatment facilities”:	<p>Support</p> <p>Wastewater was identified in submissions and evidence as an important cultural issue. Any amendments need to be clear that it addresses Poutini Ngāi Tahu values within the changes.</p>

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	<ul style="list-style-type: none"> community wastewater treatment: policy CMUZ P12 community wastewater treatment facility: rules GRUZ-R1, and SETZ-R2 community... wastewater networks rule GRZ-R1 wastewater treatment infrastructure: GRUZ PREC1 wastewater treatment plants: rule SASM-R17, and policy RESZ-P16 wastewater treatment plants and land disposal areas: policy RURZ-P18. 	<p>Notably, there are currently some consistency issues, with the decisions version making the change within SASM-P10 but not SASM-R17</p>
<p>Natural Landscapes (NFL)</p> <p>NFL-P2</p>	<p>Policy NFL-P2 be amended as follows:</p> <p>Provide for activities within outstanding natural landscapes describe in Schedule Five and outstanding natural features described in Schedule Six where they maintain the values that contribute to a natural feature or landscape being outstanding and are for:</p> <p>...</p> <p>(g) Operation, maintenance and upgrading of existing lawfully established network infrastructure and regionally significant infrastructure;</p> <p>(h). New <u>infrastructure and</u> renewable electricity generation activities where there is a functional need to be located in these areas;</p>	<p>Oppose</p> <p>Fed Farmers is concerned that there is no longer recognition for new or upgraded private water and drainage infrastructure, with a functional or operational need to be located in outstanding natural areas.</p> <p>Poutini Ngāi Tahu and TRoNT are concerned about mining extraction infrastructure in terms of it being made out to be all new infrastructure. These are sensitive areas and some of the ONL are also SASMs.</p> <p>Infrastructure is also a significantly wider term than RSI which will mean a much wider scope of activities may impact the values of NFL.</p>
<p>Coastal Environment</p> <p>CE-P4</p>	<p>Policy CE-P4 be amended as follows:</p> <p>Provide for primary production activities within areas of outstanding and high natural character, outstanding natural landscapes and outstanding natural features within the coastal environment where:</p> <p>a. These are existing lawfully established activities and associated lawfully established buildings and structures; or</p> <p>b. The use <u>maintains or appropriately manages</u> effects on protects the elements, patterns or processes that contribute to the outstanding or high natural character values; and</p> <p>While:</p> <p>c. <u>avoiding significant</u> adverse effects on outstanding natural character, outstanding natural landscapes and outstanding natural features are avoided.; and</p> <p><u>d. recognising the contribution of existing and long-established primary production activities to the elements, patterns and processes of the natural character, landscape and features.</u></p>	<p>Oppose</p> <p>Poutini Ngāi Tahu and TRoNT oppose the request to make the rule more enabling for farming within ONL/ONF and the removal of the protection aspect.</p>