

Form 7

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

*Clause 14(1) of Schedule 1, Resource Management Act 1991*

**To** the Registrar  
Environment Court  
Auckland, Wellington, and Christchurch

I, Lyn McIntosh, appeal against a decision of the Te Tai o Poutini Plan Committee on the Te Tai o Poutini Plan.

I made a submission on that plan (submitter S469).

I am not a trade competitor for the purposes of section 308D of the Act.

I received notice of the decision on 10 October 2025.

The decision was made by Te Tai o Poutini Plan Committee.

The decision that I am appealing against is: The TTPP Committee rejected my submission to have SASM 120 removed off a parcel of land being PT Res 146.

The reasons for the appeal are as follows:

- 1) Inadequate consultation, inaccurate advice, and misleading information.  
I was provided with inadequate consultation, flawed advice, and incorrect and misleading information from the West Coast Regional Council and TTPP Committee during the plan development and consultation process. These two organisations have a legal duty of care to act fairly, provide me with accurate information, and to meaningfully engage with affected landowners during the TTPP consultation process. Instead, they expressly advised me that SASM 120 had been incorrectly mapped over my farm and the map would be amended to exclude my property including title PT Res 146. The Decision Report issued by the hearing committee failed to reflect this advice, resulting in procedural unfairness and a breach of legitimate expectations.
- 2) Incorrect spatial extent of SASM 120 relative to its identified values.  
SASM 120 has been identified as a waterway-specific cultural site, being the Totara Lagoon. The cultural values identified for SASM 120 relate to the waterbody itself, and not to the adjacent farmland. Mapping the SASM over adjoining farmland is inconsistent with the stated values, and is not supported by evidence.
- 3) Failure of the Hearing Committee to engage with submission points.  
The Decision Report issued by the hearing committee gave little regard to my submission and failed to address my concerns. Key concerns—including mapping accuracy, evidence of cultural values, consultation failures, and property-use impacts—were either overlooked or dismissed without adequate reasoning.
- 4) Relevance of impending replacement resource management legislation.  
The Government has announced that new legislation will replace the RMA and will place a greater emphasis on private property rights in the resource-management system. While

transition provisions will determine the extent to which the new legislation applies, I believe this is a relevant contextual consideration when assessing whether the mapping and either the mapping and rules proposed for SASM 120 are justified, proportionate, and consistent with the direction of national policy reform.

I seek the following relief:

- 1) that SASM 120 be removed entirely from my property, being PT Res 146; or alternatively,
- 2) that the boundary of SASM 120 be amended so that it is confined back to the water body boundary of the Totara Lagoon and does not extend over the adjoining farmland.
- 3) Such further or consequential relief as necessary to address the concerns raised in my appeal.

Date: 15 December 2025

Lyn McIntosh

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Contact person: Lyn McIntosh

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**Note to appellant**

*Appeals other than in relation to freshwater planning instruments*

You may appeal only if—

- you referred in your submission or further submission to the provision or matter that is the subject of your appeal; and
- in the case of a decision relating to a proposed policy statement or plan (as opposed to a variation or change), your appeal does not seek withdrawal of the proposed policy statement or plan as a whole.

The Environment Court, when hearing an appeal relating to a matter included in a document under section 55(2B) of the Act, may consider only the question of law raised.

*Appeals in relation to freshwater planning instruments*

You may appeal only if—

- you addressed in your submission or further submission the provision or matter that is the subject of your appeal; and
- the relevant regional council rejected a recommendation of the freshwater hearings panel and decided an alternative solution which resulted in—
  - (a) the provision or matter being included in the freshwater planning instrument; or

- (b) the provision or matter being excluded from the freshwater planning instrument.

If a regional council decides to reject a recommendation of the freshwater hearings panel that is outside the scope of submissions, you may appeal to the Environment Court in respect of that decision or the alternative solution proposed by the council if you made a submission.

*Notes for all appeals*

Your right to appeal may be limited by the trade competition provisions in Part 11A of the Act.

You must lodge the original and 1 copy of this notice with the Environment Court within 30 working days of being served with notice of the decision to be appealed. The notice must be signed by you or on your behalf. You must pay the filing fee required by regulation 35.

You must serve a copy of this notice on the local authority that made the decision and on the Minister of Conservation (if the appeal is on a regional coastal plan), within 30 working days of being served with a notice of the decision.

You must also serve a copy of this notice on every person who made a submission to which the appeal relates within 5 working days after the notice is lodged with the Environment Court.

Within 10 working days after lodging this notice, you must give written notice to the Registrar of the Environment Court of the name, address, and date of service for each person served with this notice.

However, you may apply to the Environment Court under section 281 of the Act for a waiver of the above timing or service requirements (*see* form 38).

**Advice to recipients of copy of notice of appeal**

*How to become party to proceedings*

You may be a party to the appeal if you made a submission or a further submission on the matter of this appeal.

To become a party to the appeal, you must,—

- within 15 working days after the period for lodging a notice of appeal ends, lodge a notice of your wish to be a party to the proceedings (in form 33) with the Environment Court and serve copies of your notice on the relevant local authority and the appellant; and
- within 20 working days after the period for lodging a notice of appeal ends, serve copies of your notice on all other parties.

Your right to be a party to the proceedings in the court may be limited by the trade competition provisions in section 274(1) and Part 11A of the Act.

You may apply to the Environment Court under section 281 of the Act for a waiver of the above timing or service requirements (*see* form 38).

*\*How to obtain copies of documents relating to appeal*

The copy of this notice served on you does not have attached a copy of the appellant's submission and (*or or*) the decision (*or part of the decision*) appealed. These documents may be obtained, on request, from the appellant.

\*Delete if these documents are attached to copies of the notice of appeal served on other persons.

*Advice*

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

Schedule 1 form 7: replaced, on 3 September 2020, by regulation 7(3) of the Resource Management (Forms, Fees, and Procedure) Amendment Regulations 2020 (LI 2020/180).