

In the Environment Court
At Christchurch

ENV-2025-CHC-136

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 **NIKAU DEER FARM LIMITED**

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

**SIMPSON
GRIERSON**

Sarah Scott / Oscar Wilson
T: +64 3 968 4018 / +64 3 924 3503
sarah.scott@simpsongrierson.com
oscar.wilson@simpsongrierson.com
PO Box 874 Christchurch

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 Nikau Deer Farm Limited (**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



Sarah Scott / Oscar Wilson
Counsel for Te Rūnanga o Ngāti
Waewae, Te Rūnanga o Makaawhio
and Te Rūnanga o Ngāi Tahu

Address for service of interested party:

Simpson Grierson
151 Cambridge Terrace
PO Box 874
Christchurch

Attention: Sarah Scott / Oscar Wilson

Telephone: +64-3-968 4018

Email: sarah.scott@simpsongrierson.com / oscar.wilson@simpsongrierson.com

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

PROVISION	APPELLANT RELIEF (SHOWN IN <u>UNDERLINED</u> AND STRUCK THROUGH BLACK FONT)	POUTINI NGĀI TAHU AND TRONT POSITION ON RELIEF AND REASONS
Sites & Areas of Significance to Maori (SASM) SASM-R4	Remove any private land from SASM – T4.	Oppose Removal of private land would compromise the protection of SASMs that hold significant importance to Poutini Ngāi Tahu, and would not give effect to Part 2 of the RMA.
Sites & Areas of Significance to Maori (SASM) SASM-R6	Remove any private land from SASM – T4.	Oppose Noting that there may be a typo in the relief sought, as Table T6 relates to Rule SASM-R6 not Table T4, Poutini Ngāi Tahu and TRoNT opposes the premise of this relief, noting that removing private land would undermine the protection of the SASM which the rule seeks to provide and would not give effect to Part 2 of the RMA.
Mapping Sites & Areas of Significance to Maori (SASM) SASM-33	Remove SASM-33 map from Appellant’s property or better define map and values to be protected.	Oppose in part SASM-33 Pakiroa Beach is a former kainga site, so is sensitive to Poutini Ngāi Tahu. The rule includes permitted activity rules for vegetation clearance and earthworks. Poutini Ngāi Tahu is open to discussing the boundaries of the SASM.
Natural Character & the Margins of Waterbodies (NC) NC-R1 (amount of earthworks)	Remove rivers and wetland reference from the rule, making rule only apply to earthworks within riparian margin of a lake. NC - R1 Earthworks within the Riparian Margin of a River , Lake or Wetland Activity Status Permitted 1. Where this is outside of any Significant Natural Area identified in Schedule Four, and for: i. Fence lines; or ii. Maintenance, operation, minor upgrade and repair of network utilities, regionally significant infrastructure or renewable electricity generation activities; or iii. New network utilities and regionally significant infrastructure where these are underground and located within a formed legal road or attached to an existing bridge; or iv. Connections to wastewater, stormwater and reticulated network utility systems and underground energy and infrastructure connections; or v. Installation of an environmental monitoring and extreme weather event monitoring facility; or vi. Maintenance and repair of lawfully established structures; or	Oppose Removing rivers and wetland references from the rule means it only applies to earthworks within riparian margin of a lake. Removal of river margins and wetlands means activities within the rule will not be authorised under this rule and would default to the discretionary rule.

PROVISION	APPELLANT RELIEF (SHOWN IN <u>UNDERLINED AND STRUCK THROUGH BLACK FONT</u>)	POUTINI NGĀI TAHU AND TRONT POSITION ON RELIEF AND REASONS
	<ul style="list-style-type: none"> vii. The construction of parks facilities, parks furniture or public access points within an Open Space and Recreation Zone; or viii. The establishment of a river crossing point up to 3m <u>16m</u> wide; or ix. Poutini Ngāi Tahu activities; x. Activities on Māori Purpose Zoned land or Site or Area of Significance to Māori in Schedule Three and is undertaken in accordance with an Iwi/Papatipu Rūnanga Management Plan; or xi. Maintenance and repair of lawfully established natural hazard mitigation structures; or xii. New natural hazard mitigation structures and upgrading of existing natural hazard mitigation structures undertaken by a statutory agency or their authorised contractor acting on its behalf; or xiii. Arable, horticultural or pastoral farming use where this is lawfully established at 14 July 2022; and <ul style="list-style-type: none"> 1. The amount of earthworks is not greater than 25m³ per 200m length of Riparian Margin; and 2. All earthworks stockpiles are located outside of the Riparian Margin of the waterbody. 	
Definitions	Definition of a river be changed to something like the definition of a wide river for stock exclusion rules.	Oppose
Wetland, River (in relation to NC-R1)	<p>Or remove rivers from this rule.</p> <p>The definition of a wetland to only include significant natural wetlands (SNW) included in the WCRC plan.</p> <p>The WCRC clearly stated at the time of creating these SNW's that they do not want buffers around them. Therefore, the logical thing is to remove wetlands from this rule.</p>	Definitions apply across the entire plan, not just for this rule. Both definitions are defined in the RMA and Planning Standards.