

**BEFORE THE ENVIRONMENT COURT
CHRISTCHURCH REGISTRY**

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

ENV-2025-CHC-000118

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 **WMS GROUP (HQ) LIMITED**

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
LAWYERS
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NELSON 7040

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Solicitor: Chris Thomsen

TO: The Registrar
Environment Court
Christchurch

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

WMS Group (HQ) Limited 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 responsibilities for integrated land use planning, infrastructure provision, and the management of environmental effects associated with mineral extraction and associated activities.
4. BDC is not a trade competitor for the purposes of ss 308C or 308A Resource Management Act 1991.
5. BDC is interested in part of the proceedings.
6. BDC is interested in the following particular issues:
 - 6.1. Provisions of TTPP relating to mineral prospecting, exploration and extraction activities;
 - 6.2. The extent to which the amendments sought to objectives, policies, rules, zones and overlays appropriately balance enabling mineral extraction and associated activities with the management of adverse effects on ecosystems, natural character, landscapes, the coastal environment, and amenity values;

- 6.3. Rezoning of WMS Group mining area at Cape Foulwind; and
 - 6.4. The administration of TTPP.
7. BDC opposes the relief sought because:
 - 7.1. The appeal seeks rezoning of existing and proposed mining areas at Cape Foulwind to Mineral Extraction Zone;
 - 7.2. BDC supports the decisions version and the reasoning of the same. Any expansion of the Appellant's mining activities in the relevant area should be assessed on a case-by-case basis pursuant to the provisions of the decisions version zoning (General Rural Zone).
8. BDC is neutral on the rest of the relief sought because:
 - 8.1. BDC recognise the importance of mineral exploration and extraction to the economic and social fabric of the Buller District and wider West Coast Region and acknowledges that such activities may be appropriate where supported by robust policy direction and environmental safeguards;
 - 8.2. Any relief granted should not result in inconsistencies or unintended consequences across the Plan;
 - 8.3. It is important that the TTPP be administratively convenient and effective. As the territorial authority responsible for administering the TTPP, provided any changes do not compromise delivery of the TTPP on this basis, and subject to the pleadings above, BDC would not oppose the relief sought.
9. BDC agrees to participate in mediation or other alternative dispute resolution of the proceedings.

Dated: 2 February 2026

A handwritten signature in blue ink, appearing to be 'CP Thomsen / AA Yardley', written in a cursive style.

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.