

**IN THE ENVIRONMENT COURT OF NEW ZEALAND
CHRISTCHURCH REGISTRY**

**I TE KŌTI TAIAO O AOTEAROA
ŌTAUTAHI ROHE**

**ENV-2025-CHC-000103
ENV-2025-CHC-000104
ENV-2025-CHC-000108
ENV-2025-CHC-000117
ENV-2025-CHC-000122
ENV-2025-CHC-000133
ENV-2025-CHC-000136
ENV-2025-CHC-000139**

UNDER the Resource Management Act 1991 (RMA)
IN THE MATTER of appeals under clause 14 of Schedule 1 of the RMA
against decisions of the Te Tai o Poutini Plan Committee
on the Te Tai o Poutini Plan

(Continued next page)

**MEMORANDUM OF COUNSEL ON BEHALF OF TE TAI O POUTINI PLAN
COMMITTEE REGARDING FURTHER PARTICULARS
17 April 2026**

Respondent's Solicitor
PO Box 323 QUEENSTOWN 9348
Tel +64 3 379 7622
Fax +64 3 379 2467

WYNN WILLIAMS

Solicitor: A H Balme / T M Ellis
(alice.balme@wynnwilliams.co.nz /
tracey.ellis@wynnwilliams.co.nz)

BETWEEN

BIRCHFIELD COAL MINES LIMITED

NEW ZEALAND COAL AND CARBON LIMITED

TĀIKO CRITICAL MINERALS LIMITED

FOREST AND BIRD PROTECTION SOCIETY

GROUNDSWELL NEW ZEALAND

WESTPOWER LIMITED

COATES & OTHERS

TRANSPower NEW ZEALAND LIMITED

Appellants

AND

TE TAI O POUTINI PLAN COMMITTEE

Respondent

AND

BATHURST RESOURCES LIMITED & BT MINING LIMITED and others listed in Appendix C

Section 274 parties

MAY IT PLEASE THE COURT

1 This memorandum of counsel is filed on behalf of Te Tai o Poutini Plan Committee (**TTPP Committee**) seeking further particulars for specified appeals against the TTPP Committee's decision on the Te Tai o Poutini Plan (**TTPP**).

Background

2 Counsel for the TTPP Committee has identified a number of appeals where the parts of the TTPP that are challenged or the relief being sought by appellants is unclear.

3 Counsel has corresponded with most of the relevant appellants seeking further particulars.

4 Some of the responses from the appellants have assisted the TTPP Committee to better understand the appeals and the relief being sought. Counsel seeks directions that this information is provided to all parties interested in a particular appeal. The relevant appeals, the further information requested and the further information that has been provided are summarised in **Appendix A** to this memorandum.

5 In other cases, no further information has been provided in response to counsels' requests, or the information that has been provided does not adequately clarify the relief being sought.

6 In addition, since corresponding with appellants and in preparation for mediation, counsel have identified further appeal points where the relief sought is unclear. Counsel has not corresponded with appellants on these further appeal points, but seeks directions nonetheless given that mediation is commencing shortly.

7 In these cases, counsel seeks directions that the appellants be required to provide further particulars for their appeals. The relevant appeals and the further particulars that counsel are seeking are summarised in **Appendix B** to this memorandum.¹

¹ Note that some appeals appear in both Appendix A and Appendix B. This occurs where the appellants have provided some further clarification or information that counsel consider should be shared with the Court and other parties, but there remain appeal points where the relief sought is unclear and counsel seek further particulars.

- 8 A consequence of the unclear relief is that it is difficult for the TTPP Committee to identify what parts of the TTPP are beyond challenge and should therefore be treated as operative under section 86F of the RMA. It has also been difficult to allocate appeal points to the appropriate topics for the purpose of mediation and to populate position papers in advance of any appeals being set down for mediation.
- 9 This memorandum addresses the requirement for appeals to set out specific and clear relief, the jurisdiction of the Environment Court to require further particulars and the orders sought.

Requirement for appeals to be specific and jurisdiction for directions on further particulars

- 10 The Environment Court has recognised the need for specificity of plan appeals, distilling the following principles from Planning Tribunal decisions:
- (a) It is imperative to spell out specifically in an appeal the relief sought, so that the evidence and the Court's attention can be focused on the scope of the inquiry.²
 - (b) It is not for the Court to unravel what an appellant seeks.³
 - (c) Appellants need to come prepared to make a positive contribution by specifying what they claim should be in the planning instrument in place of that which is challenged.⁴
- 11 Further, the Environment Court Practice Note 2023 states that every notice of appeal must:⁵
- (a) clearly identify the specific decision which is the subject of the proceeding;
 - (b) give full and clear particulars of the grounds or reasons relied on; and

² *Vernon v Thames-Coromandel District Council* [2017] NZEnvC 2 at [14b], citing *Fletcher Forest Ltd v Taumarunui County Council* (1983) 11 NZTPA 233.

³ *Vernon v Thames-Coromandel District Council* [2017] NZEnvC 2 at [14c], citing *Fasher v Taupo County Council* Decision W59/85 (PT).

⁴ *Vernon v Thames-Coromandel District Council* [2017] NZEnvC 2 at [14d], citing *McCrary v Great Barrier Island County Council* Decision A50/87 (PT).

⁵ Environment Court of New Zealand Practice Note 2023 at [4.1a].

- (c) give precise details of the relief sought.
- 12 Further particulars may be required for the fair and efficient administration of an appeal.
- 13 Section 279 of the RMA gives an Environment Court Judge sitting alone the power to regulate its proceedings. The general power under section 279(1)(a) to make an order in the course of proceedings provides jurisdiction for the Court to make directions as to further particulars.

Appeals where directions on further particulars are sought

- 14 Counsel seeks directions relating to further particulars for the following appeals.

Birchfield Coal Mines Limited (ENV-2025-CHC-103)

Further particulars requested

- 15 Counsel for the TTPP Committee wrote to the Birchfield Coal Mines Limited (**BCML**) on 16 January 2026 seeking further particulars in relation to the following appeal points:
- (a) HH – M4;
 - (b) Rural Zones Overview;
 - (c) That the TTPP be amended to ensure all land owned and occupied by BCML is able to be used for mineral extraction, ancillary and associated activities and is not unnecessarily restricted by unreasonable overlays, zones and provisions - seeking confirmation of the specific land this appeal point relates to and the relief sought;
 - (d) That mapping errors and general inconsistencies be rectified - seeking specification of the errors and inconsistencies being referred to;
 - (e) The specific mapping changes sought as a consequence to the changes sought to Schedule Four: Significant Natural Areas and Schedule Five: Outstanding Natural Landscapes; and
 - (f) The changes sought to the TTPP generally, rather than in relation to specific provisions - seeking specification of the particular provisions in the TTPP of concern.

Further particulars provided

- 16 BCML responded with some additional information on 5 February 2026.
- 17 After considering that response, counsel requested that BCML provide a schedule of land to better understand the following matters:
- (a) That the TTPP be amended to ensure all land owned and occupied by BCML is able to be used for mineral extraction, ancillary and associated activities and is not unnecessarily restricted by unreasonable overlays, zones and provisions; and
 - (b) The specific mapping changes sought as a consequence to the changes sought to Schedule Four: Significant Natural Areas and Schedule Five: Outstanding Natural Landscapes.
- 18 A schedule of land was provided by BCML on 5 March 2026.
- 19 The further information that has been provided by BCML to clarify their appeal in response to the requests by counsel for the TTPP Committee is summarised in **Appendix A** attached to this memorandum. Counsel consider that sharing this information would assist the Court and other parties to the appeal to understand the relief being sought.

Further particulars still sought

- 20 Counsel consider that BCML has not yet provided adequate information to clarify the relief sought in respect of:
- (a) Rectifying mapping errors and general inconsistencies; and
 - (b) Seeking changes to the TTPP generally, rather than in relation to specific provisions.
- 21 Since corresponding with BCML, counsel have identified a further appeal point where the relief sought is unclear:
- (a) Ecosystems and Biodiversity Topic Chapter: All provisions in this chapter should be reconsidered against any new legislation/policy, which is expected to be provided prior to appeals reaching hearing stage.
- 22 BCML has not provided any information on the specific changes they are seeking as part of this appeal point.

- 23 The further particulars that counsel continues to seek from BCML in order to understand the relief that is being sought are summarised in **Appendix B** attached to this memorandum.

Directions sought

- 24 Counsel for the TTPP Committee seeks the following directions in relation to the BCML appeal:
- (a) That BCML be required to provide the information as summarised in **Appendix A** to the Court and all parties to the BCML appeal; and
 - (b) That BCML be required to provide the further particulars as summarised in **Appendix B**.

Tāiko Critical Minerals Limited (ENV-2025-CHC-108)

Further particulars requested

- 25 Counsel for the TTPP Committee spoke to counsel for Tāiko Critical Minerals Limited (**Tāiko**) on 16 January 2026 seeking further clarification in relation to the following appeal points:
- (a) The rezoning sought for the Tāiko mining permit area on the Barrytown flat to MINZ (requesting a map confirming the extent of the zoning appeal, as the map from Tāiko's submission is difficult to cross-reference); and
 - (b) The requested removal of all or part of added significant natural areas sought for the mining permit area on the Barrytown Flats (requesting a map of the relevant areas, particularly the parts of PUNP001 referred to).

Further particulars provided

- 26 Counsel for Tāiko provided an image of MP 60785 extracted from New Zealand Petroleum & Minerals on 23 March 2026 and clarified that the area Tāiko seeks to be rezoned to MINZ is the area covered by MP 60785, and likewise Tāiko seeks removal of PUNP001 from within that area.
- 27 The further information that has been provided by Tāiko to clarify their appeal in response to the request by counsel for the TTPP Committee is summarised in **Appendix A** attached to this memorandum. Counsel

consider that sharing this information would assist the Court and other parties to the appeal to understand the relief being sought.

Directions sought

28 Counsel for the TTPP Committee seeks the following directions in relation to the Tāiko appeal:

- (a) That Tāiko be required to provide the information as summarised in **Appendix A** to the Court and all parties to the Tāiko appeal.

Westpower Limited (ENV-2025-CHC-000133)

29 The appeal by Westpower Limited (**Westpower**) is generally difficult to understand as it refers to their original submission and further submissions. Where the TTPP provisions that were the subject of those submissions have been modified, Westpower has not updated their references to the provisions included in the decisions version of the TTPP. It is therefore difficult to understand which provision of the TTPP Westpower is appealing. Counsel have identified specific questions below, but note other matters requiring clarification may arise in the course of mediation.

Further particulars requested

30 Counsel for the TTPP Committee wrote to Westpower on 16 January 2026 seeking further particulars in relation to the following appeal points:

- (a) Activities on the surface of water (ASW-R8) – it is not clear which submission point it wishes to be adopted by way of relief sought;
- (b) CE - R6 – the further submission relied on for relief does not provide specific relief sought;
- (c) Definitions - Indigenous Vegetation Clearance – the relationship between the relevant further submission and reasoning in the appeal is not clear enough to understand the relief sought;
- (d) Definitions - Biodiversity Compensation and Biodiversity Offsetting – it is not clear whether the appeal is seeking deletion or new definitions;
- (e) Definitions - Area of Significant Indigenous Biodiversity - the relationship between the relevant further submission and

reasoning in the appeal is not clear enough to understand the relief sought;

- (f) Definitions - Significant Natural Area - the relationship between the relevant further submission and reasoning in the appeal is not clear enough to understand the relief sought;
- (g) ECO - Ecosystems and Indigenous Biodiversity Overview – the relevant submission point refers to a need to “review outcomes of provisions” which leaves the relief sought on appeal unclear;
- (h) ENG - R11, R12, R13 and R14 - the further submission relied on for relief does not provide specific relief sought and refers to apparent duplication;
- (i) FC - Financial Contributions Overview – the further submission relied on for relief does not provide specific relief sought;
- (j) HH - Historic Heritage Overview – as the submission opposed in the further submission referred to was not adopted it is unclear what relief is being sought;
- (k) HH – P10 – it is unclear whether the appeal opposes the inclusion of this policy in the TTPP;
- (l) NH – P9 – the further submission relied on for relief does not provide specific relief sought;
- (m) Natural Hazards Rules – the submission seeks to continue to encourage and provide for the continued distribution of electricity to the community and Westpower’s other activities associated with this as regionally significant infrastructure, but does not specify the changes to the rules that are sought; and
- (n) Climate Change and Resilience (CCR – P7) – it is unclear whether the appeal opposes the inclusion of this policy in the TTPP.

Further particulars provided

- 31 Counsel for Westpower responded on 13 February 2026 and provided a table setting out additional information for each of the above points.
- 32 This further information that has been provided by Westpower is summarised in **Appendix A** attached to this memorandum. Counsel

consider that sharing this information would assist the Court and other parties to the appeal to understand the relief being sought.

Further particulars still sought

- 33 Following consideration of Westpower's response, counsel for the TTPP Committee remain of the view that the appellant has not provided adequate information to clarify the relief sought in respect of:
- (a) CE – R6;
 - (b) Definitions – Indigenous Vegetation Clearance;
 - (c) Definitions – Biodiversity Compensation;
 - (d) Definitions – Biodiversity Offsetting;
 - (e) Definitions – Area of Significant Indigenous Biodiversity;
 - (f) Definitions – Significant Natural Area;
 - (g) ECO - Ecosystems and Indigenous Biodiversity Overview;
 - (h) ENG – R12, R13 and R14: Amend as per further submission;
 - (i) Rules for Natural Hazard Mitigation Structures: Continue to provide for electricity distribution as RSI. Create a rule framework that allows for maintenance and repair of existing natural mitigation structures as upgrades that do not increase the footprint or height of the structure by more than 10% as a permitted activity; and
 - (j) CCR – P7.
- 34 Since corresponding with Westpower, counsel for the TTPP Committee have also identified the following further appeal points where the relief sought is unclear:
- (a) Natural Hazards Whole Chapter: That Westpower's previous submission points in the overall Plan submission and previous notification of Variation 2 be retained;
 - (b) NH – R5, R6, R7, R 8, R9, R15, R18 and R24: Amendments are sought such that any activities related to energy, infrastructure, or network utilities are not impacted;
 - (c) Subdivision Chapter - New Rules: In relation to deleted SUB-R8, a new subdivision rule similar to new SUB-R13, ie "Subdivision to

create allotments in the national grid subdivision, and Distribution Line Corridor” an subsequent amendments , i.e. definition of SDL corridor. With regard to the new Rule SUB-R8, all usual matters of control as in other subdivision rules, including amendments sought by Westpower to those rules, unless those other subdivision rules also apply in which case an advice note should be added to say that relevant zone/topic subdivision rules must also be complied with;

- (d) Financial Contributions Whole chapter: Further Submission supported in part the submission seeking the deletion of all pTTPP provisions relating to the taking of financial contributions on land use consents for management of effects, including (but not limited to): FC-O1 (part) FC-O2 FC-P1 (part) FC-P2 (part) FC-P6 FC-P7 FC-R1 (part) FC-R2 (part) FC-R12;
- (e) Coastal Environment Whole Chapter: Ensure provisions adequately recognise the importance of these activities and infrastructure to the community and the environment within which they must locate or traverse. This includes providing for the maintenance and enhancement of the generation and supply of renewable energy, including new activities, to enable communities;
- (f) Coastal Environment Chapter Overview: As sought in original submission including in relation to appeal points above regarding identification and recognition of infrastructure in identifying and mapping the coastal environment under the “Approach to managing the coastal environment” and “Natural Character, Landscape and Natural Features” sections;
- (g) Definitions – Coastal Environment: As sought in submission, including mapping the urban area as these areas may include parts of other zones from the perspective of the infrastructure networks that need to be included;
- (h) Natural Character and the Margins of Waterbodies Whole Chapter: Ensure appropriate recognition and provision for the existing energy activities and infrastructure located within them. Ensure provisions adequately recognise the importance of these activities and infrastructure to the community and the environment within which they must locate or traverse. This includes providing for the

maintenance and enhancement of the generation and supply of renewable energy, including new activities, to enable communities;

- (i) Natural Character Rules: Restricted Discretionary Status for a wider range of activities;
- (j) NC – R5: Amend heading: “Indigenous ... Permitted or Controlled Activity Rules.”;
- (k) Natural Features and Landscapes Topic – Schedule Five: Ensure identification of outstanding natural features and landscapes appropriately recognise and provide for the existing energy activities and infrastructure located within them;
- (l) Outstanding Natural Landscape Overlay: Ensure identification of outstanding natural features, landscapes character (including high natural character) appropriately recognise and provide for the existing energy activities and infrastructure located within them;
- (m) Natural Features and Landscapes Whole Chapter: Ensure provisions adequately recognise the importance of these activities and infrastructure to the community and the environment within which they must locate or traverse. This includes providing for the maintenance and enhancement of the generation and supply of renewable energy, including new activities, to enable communities;
- (n) NFL – R6: Amend as sought in further submissions; and
- (o) Ecosystems and Biodiversity Whole Chapter: Ensure existing energy activities and infrastructure within ecosystems and areas of indigenous biodiversity are appropriately recognised and provided for.

35 The further particulars that counsel continue to seek from Westpower in order to understand the relief that is being sought are summarised in **Appendix B** attached to this memorandum.

Directions sought

36 Counsel for the TTPP Committee seeks the following directions in relation to the Westpower appeal:

- (a) That Westpower be required to provide the information as summarised in **Appendix A** to the Court and all parties to the Westpower appeal; and

- (b) That Westpower be required to provide the further particulars as summarised in **Appendix B**.

New Zealand Coal and Carbon Limited (ENV-2025-CHC-000104)

Further particulars requested

- 37 Counsel for the TTPP Committee wrote to New Zealand Coal and Carbon Limited (**NZCC**) on 16 January 2026 seeking further particulars in relation to the following appeal points:
- (a) General Approach: Information to be submitted with resource consents;
 - (b) Relationships Between Spatial Layers - Amendment to the following sections:
 - (i) Mineral Extraction Zone;
 - (ii) Rural Zone Descriptions;
 - (iii) Open Space and Recreation Zone Descriptions - Natural Open Space Zone, Open Space Zone;
 - (iv) Overlays;
 - (c) Zones: Rural Zones and General Rural Zone;
 - (d) Maps: Include all area of mineral permits within MINZ – seeking confirmation whether this appeal point extends only to NZCC mineral permits or whether it refers to all mineral permits and provision of information on these mineral permits and the areas they cover;
 - (e) Maps: Amend (reduce) Settlement Zone at Roa township so it does not overlap with the current Roa Mine access road and/or yard area – seeking confirmation of whether this is the same as ‘SEC 39 SO11207 TWN OF ROA BLK II MAWHERANUI SD (Valuation ID 2543020700) and SEC 48 SO 11207 BLK II MAWHERANUI SD Zoning’ (referred to elsewhere in its appeal) or whether there are other parcels of land involved in relation to this appeal point;
 - (f) Removal of the word “avoid” – noting that “avoid” is used in a significant number of provisions in the TTPP, including in policies as part of “avoid, remedy, mitigate” and seeking confirmation

whether NZCC is concerned about all uses of the word “avoid” in the TTPP, or whether it is actually concerned with its use in only some provisions or in some ways; and

- (g) The ‘general relief sought’ that does not specify the provisions to which it relates – seeking specification of the particular provisions in the TTPP that NZCC is concerned about.

Further particulars provided

- 38 NZCC responded on 11 February 2026 and provided a table setting out additional information in relation to the points identified above.
- 39 After considering that response, counsel for the TTPP Committee wrote to NZCC on 4 March 2026 requesting further information on the following:
- (a) The removal of the word “avoid” – noting again that “avoid” is used in a significant number of provisions in the TTPP including in policies as part of “avoid, remedy, mitigate”, attaching a list of these policies and seeking identification of which of provision NZCC intend to challenge in their appeal; and
- (b) Maps: Inclusion of all minerals permits within the MINZ – seeking provision of the information referred to regarding NZCC and related company minerals permits/licences and ancillary activities.
- 40 NZCC responded by way of email on 12 March 2026 and provided clarification on the “avoid” point and offered to provide the maps requested. Further correspondence between NZCC and counsel for the TTPP Committee followed.
- 41 On 30 March 2026, NZCC filed with the Court and served on the TTPP Committee a memorandum somewhat refining its appeal point in relation to seeking removal of the word “avoid”. On the same day, NZCC advised counsel for the TTPP Committee, in relation to their appeal point on inclusion of all minerals permits within the MINZ, that the current MINZ includes all NZCC and its related companies’ minerals permits/licenses and ancillary activities.
- 42 This further information that has been provided by NZCC is summarised in **Appendix A** attached to this memorandum. Counsel consider that

sharing this information would assist the Court and other parties to the appeal to understand the relief being sought.

Further particulars still sought

- 43 After considering the NZCC responses, counsel for the TTPP Committee continue to be of the view that NZCC has not provided adequate information to clarify the relief sought in respect of:
- (a) Relationships Between Spatial Layers;
 - (b) Maps: Including all area of mineral permits within MINZ – given that NZCC has clarified that the current MINZ includes all NZCC and its related companies’ minerals permits/licenses and ancillary activities (as referred to in paragraph 41 above), it is unclear to counsel what relief NZCC is now seeking in relation to the MINZ maps;
 - (c) Removal of the word “avoid” - while NZCC have somewhat refined the relief that they are seeking in relation to use of the word ‘avoid’ (as referred to in paragraph 41 above), this is subject to continuing to seek relief throughout the TTPP; and
 - (d) Seeking changes to the TTPP generally, rather than in relation to specific provisions.
- 44 Since corresponding with NZCC, counsel for the TTPP Committee have also identified further appeal points where the relief sought is unclear:
- (a) Natural Character Rules: NC Rules Provide for mineral extraction;
 - (b) Definitions – Wetland, Biodiversity Compensation, Biodiversity Offset, Indigenous Biodiversity, Net Gain, Significant Natural Area and Area of Significant Indigenous Biodiversity: Amend definitions, including:
 - (i) consistency throughout the TTPP;
 - (ii) TTPP provisions consistent with national direction documents, their impending amendments, and legislative reform;
 - (iii) RMA, National Planning Standards etc;
 - (iv) provision for mineral extraction and related activities.

- 45 The further particulars that counsel continue to seek from NZCC in order to understand the relief that is being sought are summarised in **Appendix B** attached to this memorandum

Directions sought

- 46 Counsel for the TTPP Committee seek the following directions in relation to the NZCC appeal:
- (a) That NZCC be required to provide the information as summarised in **Appendix A** to the Court and all parties to the NZCC appeal; and
 - (b) That NZCC be required to provide the further particulars as summarised in **Appendix B**.

Groundswell New Zealand (ENV-2025-CHC-000122)

Further particulars requested

- 47 Counsel for the TTPP Committee wrote to Groundswell New Zealand (**Groundswell**) on 16 January 2026 seeking further particulars in relation to the following appeal point:
- (a) The relief sought that all policies, rules and consequential planning mechanisms that arise from Section 6 of the RMA be removed – seeking specification of the particular policies, rules or topics that Groundswell are concerned with.

Further particulars provided

- 48 Groundswell responded on 22 January 2026 that the appeal relates to the failings of section 6 as a whole.

Further particulars still sought

- 49 Counsel for the TTPP Committee do not consider that sufficient particulars have been provided in relation to this appeal point.
- 50 The further particulars that counsel continue to seek from Groundswell in order to understand the relief that is being sought are summarised in **Appendix B** attached to this memorandum

Directions sought

- 51 Counsel for the TTPP Committee seeks the following directions in relation to the Groundswell appeal:

- (a) That Groundswell be required to provide the further particulars as summarised in **Appendix B**.

Coates & others (ENV-2025-CHC-000136)

Further particulars requested

52 Counsel for the TTPP Committee wrote to George Coates on behalf of Nikau Deer Farm Limited on 16 January 2026 seeking further particulars in relation to the following appeal point:

- (a) The relief sought that the rules and mapping or restrictions on private land that comes out of section 6 of the RMA be removed – seeking specification of the particular policies, rules or topics that Mr Coates is concerned with.

Further particulars provided

53 Mr Coates responded on 21 January 2026. Further correspondence between Mr Coates and counsel for the TTPP Committee followed. Mr Coates confirmed that his appeal covered all section 6 matters.

Further particulars still sought

54 Counsel for the TTPP Committee do not consider that sufficient particulars have been provided in relation to this appeal point.

55 The further particulars that counsel continue to seek from Mr Coates in order to understand the relief that is being sought are summarised in **Appendix B** attached to this memorandum

Directions sought

56 Counsel for the TTPP Committee seeks the following directions in relation to Mr Coates' appeal:

- (a) That Mr Coates be required to provide the further particulars as summarised in **Appendix B**.

Forest and Bird Protection Society (ENV-2025-CHC-000117)

Further particulars sought

57 Since corresponding with appellants and in preparation for mediation, counsel have identified appeal points relating to the appeal by the Royal Forest and Bird Protection Society of New Zealand (**Forest and Bird**) where the relief sought is unclear, as follows:

- (a) ENG – R16 Construction of Distribution Lines not meeting Permitted Activity Standards: Ensure that permitted activity rules appropriately protect indigenous vegetation;
 - (b) Coastal Environment Chapter Overview: The overview section is amended to ensure that it is consistent with the balance of the chapter and provides guidance as to the scope and application of the chapter. The exact amendments will depend on how the appeal points from Forest & Bird and other parties are resolved.
 - (c) Natural Character and the Margins of Waterbodies Chapter Overview: The overview section is amended to ensure that it is consistent with the balance of the chapter. The exact amendments will depend on how the appeal points from Forest & Bird and other parties are resolved.
- 58 Counsel have not corresponded with Forest and Bird on these appeal points, but seek directions nonetheless given that mediation is commencing shortly.
- 59 The further particulars that counsel seek from Forest and Bird in order to understand the relief that is being sought are summarised in **Appendix B** attached to this memorandum.

Directions sought

- 60 Counsel for the TTPP Committee seek the following directions in relation to Forest and Bird's appeal:
- (a) That Forest and Bird be required to provide the further particulars as summarised in **Appendix B**.

Transpower New Zealand Limited (ENV-2025-CHC-000139)

Further particulars sought

- 61 Since corresponding with appellants and in preparation for mediation, counsel have identified an appeal point relating to the appeal by Transpower New Zealand Limited (**Transpower**) where the relief sought is unclear, as follows:
- (a) Ecosystems and Biodiversity Rules: Transpower seeks broad drafting changes to ensure these rules are structured to work as intended and provide clarity. Transpower is willing to engage in

mediation and/or discussions on drafting options to achieve these outcomes.

62 Counsel have not corresponded with Transpower on these appeal points, but seek directions nonetheless given that mediation is commencing shortly.

63 The further particulars that counsel seek from Transpower in order to understand the relief that is being sought are summarised in **Appendix B** attached to this memorandum.

Directions sought

64 Counsel for the TTPP Committee seek the following directions in relation to Transpower's appeal:

- (a) That Transpower be required to provide the further particulars as summarised in **Appendix B**.

Summary of orders sought

65 Counsel for TTPP Committee respectfully seek orders that:

- (a) appellants be required to file with the Court and serve the other parties with the further particulars provided to the TTPP Committee as summarised in **Appendix A** by 8 May 2026; and
- (b) appellants be required to file with the Court and serve the TTPP Committee and other parties with the further particulars as set out in **Appendix B** by 8 May 2026.

Dated this 17th day of April 2026



.....
A H Balme / T M Ellis
Solicitor for Respondent

Appendix A – Further particulars requested and provided by the appellant to the TTPP Committee

| Appellant | Further particulars requested by the TTPP Committee in correspondence to appellant | Summary of further particulars provided by the appellant to the TTPP Committee | Directions sought |
|-------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Birchfield Coal Mines Limited (ENV-2025-CHC-000103)</p> | <p>The TTPP Committee sought further particulars from BCML in relation to the following appeal points:</p> <ul style="list-style-type: none"> (a) HH – M4; (b) Rural Zones Overview; (c) That the TTPP be amended to ensure all land owned and occupied by BCML is able to be used for mineral extraction, ancillary and associated activities and is not unnecessarily restricted by unreasonable overlays, zones and provisions. Please confirm the specific land to which this appeal point relates and the relief sought; (d) Mapping errors and general inconsistencies are rectified. Please specify the errors and inconsistencies that you are referring to; (e) The specific mapping changes sought as a consequence to the changes sought to Schedule | <p>Table with BCML responses to request, as provided to TTPP Committee on 5 February 2026.</p> <p>Schedule of land, as provided to TTPP Committee on 5 March 2026.</p> | <p>That BCML provide copies of the table of responses to the further particulars sought and schedule of land (as provided to counsel for the TTPP Committee) to the Court and to the other parties to BCML’s appeal.</p> |

| | | | |
|--|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|
| | <p>Four: Significant Natural Areas and Schedule Five: Outstanding Natural Landscapes; and</p> <p>(f) The changes sought to the TTPP generally, rather than in relation to specific provisions. We would be assisted if you could please specify the particular provisions in the TTPP that you are concerned about in relation to these points.</p> <p>The TTPP Committee then sought the following additional further clarification in response to BCML's response:</p> <p>(a) That the TTPP be amended to ensure all land owned and occupied by BCML is able to be used for mineral extraction, ancillary and associated activities and is not unnecessarily restricted by unreasonable overlays, zones and provisions.</p> <p>(i) As per your response dated 5 February 2026, please provide the schedule of BCML land referred to.</p> <p>(b) The specific mapping changes sought as a consequence to the changes sought to Schedule</p> | | |
|--|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|

| | | | |
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| | <p>Four: Significant Natural Areas and Schedule Five: Outstanding Natural Landscapes.</p> <p>(i) As per your response 5 February 2026, please provide the schedule of land for these areas.</p> | | |
| <p>Tāiko Critical Minerals Limited (ENV-2025-CHC-000108)</p> | <p>The TTPP Committee sought further particulars from Tāiko in relation to the following appeal points:</p> <p>(a) The rezoning sought for the Tāiko mining permit area on the Barrytown flat to MINZ. We would be assisted if you could provide a map confirming the extent of the zoning appeal (as the map from Tāiko's submission is difficult to cross-reference); and</p> <p>(b) The requested removal of all or part of added significant natural areas sought for the mining permit area on the Barrytown Flats. Please provide a map of the relevant areas, particularly the parts of PUNP001 referred to.</p> | <p>Map of MP 60785 showing the area Tāiko seeks to be rezoned to MINZ and the area from which Tāiko seeks removal of PUNP001, as provided to the TTPP Committee on 23 March 2026.</p> | <p>That Tāiko provide a copy of MP 60785 (as provided to counsel for the TTPP Committee) to the Court and the other parties to Tāiko's appeal.</p> |
| <p>Westpower Limited (ENV-</p> | <p>The TTPP Committee sought further particulars from Westpower in relation to the following appeal points:</p> | <p>Table showing response to each matter for which further</p> | <p>That Westpower provide a copy of the table showing</p> |

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| <p>2025-CHC-000133)</p> | <ul style="list-style-type: none"> (a) Activities on the surface of water (ASW-R8) – it is not clear which submission point you wish to be adopted by way of relief sought. (b) CE - R6 – the further submission relied on for relief does not provide specific relief sought. (c) Definitions - Indigenous Vegetation Clearance – the relationship between the relevant further submission and reasoning in the appeal is not clear so as to understand the relief sought. (d) Definitions - Biodiversity Compensation and Biodiversity Offsetting – it is not clear whether the appeal is seeking deletion or new definitions. (e) Definitions - Area of Significant Indigenous Biodiversity - the relationship between the relevant further submission and reasoning in the appeal is not clear so as to understand the relief sought. (f) Definitions - Significant Natural Area - the relationship between the relevant further submission and reasoning in the appeal is not clear so as to understand the relief sought. | <p>particulars were sought, as provided to the TTPP Committee on 13 February 2026.</p> | <p>its response to the further particulars sought (as provided to counsel for the TTPP Committee) to the Court and to the other parties to Westpower's appeal.</p> |
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| | <p>(g) ECO - Ecosystems and Indigenous Biodiversity Overview – the relevant submission point refers to a need to “review outcomes of provisions” which leaves the relief sought on appeal unclear.</p> <p>(h) ENG - R11, R12, R13 and R14 - the further submission relied on for relief does not provide specific relief sought and refers to apparent duplication.</p> <p>(i) FC - Financial Contributions Overview – the further submission relied on for relief does not provide specific relief sought.</p> <p>(j) HH - Historic Heritage Overview – as the submission opposed in the further submission referred to was not adopted it is not clear what Westpower is seeking as relief through this appeal.</p> <p>(k) HH – P10 – it is unclear whether the appeal opposes the inclusion of this policy in the TTPP.</p> <p>(l) NH – P9 – the further submission relied on for relief does not provide specific relief sought.</p> | | |
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| | <p>(m) Natural Hazards Rules – the submission seeks to continue to encourage and provide for the continued distribution of electricity to the community and Westpower’s other activities associated with this as regionally significant infrastructure, but does not provide specific detail in relation to changes to the rules requested to do so.</p> <p>(n) Climate Change and Resilience (CCR – P7) – it is unclear whether the appeal opposes the inclusion of this policy in the TTPP.</p> | | |
| <p>New Zealand Coal and Carbon Limited (ENV-2025-CHC-000104)</p> | <p>The TTPP Committee sought further particulars from NZCC in relation to the following appeal points:</p> <p>(a) General Approach: Information to be submitted with resource consents;</p> <p>(b) Relationships Between Spatial Layers - Amendment to the following sections</p> <ul style="list-style-type: none"> i. Mineral Extraction Zone ii. Rural Zone Descriptions | <p>Table of clarification by NZCC, as provided to the TTPP Committee on 11 February 2026.</p> <p>Memorandum to Environment Court on behalf of New Zealand Coal and Carbon dated 30 March 2026 (in relation to the “avoid” point).</p> | <p>That NZCC provide copies of the table of clarifications, memorandum to the Environment Court and email to counsel for the TTPP Committee clarifying the MINZ mapping appeal point to the Court and to the</p> |

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| | <p>iii. Open Space and Recreation Zone Descriptions - Natural Open Space Zone, Open Space Zone</p> <p>iv. Overlays</p> <p>(c) Zones: Rural Zones and General Rural Zone;</p> <p>(d) Maps: Include all area of mineral permits within MINZ. Please confirm whether this appeal point extends only to NZ Coal and Carbon Limited mineral permits or whether it refers to all mineral permits. Please provide information on these mineral permits and the areas they cover;</p> <p>(e) Maps: Amend (reduce) Settlement Zone at Roa township so it does not overlap with the current Roa Mine access road and/or yard area. Please confirm whether this is the same as 'SEC 39 SO11207 TWN OF ROA BLK II MAWHERANUI SD (Valuation ID 2543020700) and SEC 48 SO 11207 BLK II MAWHERANUI SD Zoning' (referred to elsewhere in your appeal) or whether</p> | <p>Email to counsel for TTPP Committee clarifying position regarding appeal point seeking inclusion of all minerals permits within the MINZ dated 30 March 2026.</p> | <p>other parties to NZCC's appeal.</p> |
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| | <p>there are other parcels of land involved in relation to this appeal point;</p> <p>(f) Removal of the word “avoid”. We note that “avoid” is used in a significant number of provisions in the TTPP, including in policies as part of “avoid, remedy, mitigate”. Are you able to confirm whether you are concerned about all uses of the word “avoid” in the TTPP, or whether you are actually concerned with its use in only some provisions or in some ways; and</p> <p>(g) The ‘general relief sought’ that does not specify the provisions to which it relates. We would be assisted if you could please specify the particular provisions in the TTPP that you are concerned about in relation to these points.</p> <p>The TTPP Committee then sought the following additional further clarification in response to NZCC’s response:</p> <p>(a) The removal of the word “avoid”. “Avoid” is used in a significant number of provisions in the TTPP,</p> | | |
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| | <p>including in policies as part of “avoid, remedy, mitigate”. We have attached a list of these policies at Appendix 1.</p> <p>(i) It would assist us if you are able to identify which of these provisions you intend to challenge in your appeal, so that we can assist the community with understanding which provisions of the TTPP are beyond challenge.</p> <p>(b) Maps: Inclusion of all minerals permits within the MINZ.</p> <p>(ii) As offered in your response, please can you provide the information referred to regarding NZCC and related company minerals permits/licences and ancillary activities.</p> | | |
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Appendix B – Further particulars still sought

| Appellant | Relevant appeal point(s) | Further particulars sought | Reasons |
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| <p>Birchfield Coal Mines Limited (ENV-2025-CHC-000103)</p> | <p>Mapping errors and general inconsistencies are rectified.</p> | <p>Specification of the mapping errors and inconsistencies that BCML are seeking to be rectified.</p> | <p>BCML has provided some further clarification regarding some mapping errors and inconsistencies, but the relief sought remains general and it is not possible for the Committee to respond meaningfully.</p> |
| | <p>Appealed against the TTPP in its entirety, in order to seek this Plan to be more enabling for mineral prospecting, exploration and extraction (including ancillary activities) across the Buller, Grey and Westland Districts.</p> | <p>Specification of the particular provisions in the TTPP that BCML are concerned about in relation seeking that the TTPP be more enabling for mineral prospecting,</p> | <p>BCML has stated that it is seeking the inclusion of objectives and policies throughout all chapters that recognise and provide for mineral extraction and ancillary activities to occur throughout the West Coast. There is still a lack of clarity regarding which</p> |

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| | | exploration and extraction generally. | provisions are under appeal in relation to this appeal point and what changes are sought. |
| | All provisions in the Ecosystems and Biodiversity Topic chapter should be reconsidered against any new legislation/policy, which is expected to be provided prior to appeals reaching hearing stage. | Specification of the relief sought in relation to the Ecosystems and Biodiversity Topic chapter in relation to new legislation/policy. | BCML has sought changes to the Ecosystems and Biodiversity Topic chapter to reflect new legislation/policy. It is unclear what specific changes BCML seek here. |
| Westpower Limited (ENV-2025-CHC-000133) | CE – R6 | Specification of the relief sought in relation to this provision. | The further submission relied on for relief does not provide specific relief sought. |
| | Definitions – Indigenous Vegetation Clearance | Specification of the relief sought in relation to this definition. | The relationship between the relevant further submission and reasoning in the appeal is not clear enough to understand the relief sought. |

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| | Definitions – Biodiversity Compensation | Specification of the relief sought in relation to this definition. | It is not clear whether the appeal is seeking deletion or new definitions. |
| | Definitions – Biodiversity Offsetting | Specification of the relief sought in relation to this definition. | It is not clear whether the appeal is seeking deletion or new definitions. |
| | Definitions – Area of Significant Indigenous Biodiversity | Specification of the relief sought in relation to this definition. | The relationship between the relevant further submission and reasoning in the appeal is not clear so as to understand the relief sought. |
| | Definitions – Significant Natural Area | Specification of the relief sought in relation to this definition. | The relationship between the relevant further submission and reasoning in the appeal is not clear enough to understand the relief sought. |
| | ECO - Ecosystems and Indigenous Biodiversity Overview | Specification of the relief sought in relation to the Overview. | The relevant submission point refers to a need to “review outcomes of provisions” which |

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| | | | leaves the relief sought on appeal unclear. |
| | ENG – R12, R13 and R14: Amend as per further submission | Specification of the relief sought in relation to these rules. | The further submission relied on for relief does not provide specific relief sought and refers to apparent duplication. |
| | Rules for Natural Hazard Mitigation Structures: Continue to provide for electricity distribution as RSI. Create a rule framework that allows for maintenance and repair of existing natural mitigation structures as upgrades that do not increase the footprint or height of the structure by more than 10% as a permitted activity | Specification of the relief sought in relation to these rules. | The submission seeks to continue to encourage and provide for the continued distribution of electricity to the community and Westpower's other activities associated with this as regionally significant infrastructure, but does not provide specific detail in relation to changes to the rules requested to do so. |

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| | CCR – P7 | Specification of the relief sought in relation to this provision. | It is unclear whether the appeal opposes the inclusion of this policy in the TTPP. |
| | Natural Hazards Whole Chapter: That Westpower's previous submission points in the overall Plan submission and previous notification of Variation 2 be retained | Specification of the relief sought in relation to this chapter. | The Natural Hazards chapter was substantially redrafted as a result of submissions and decisions. The linkage between the original submissions/further submissions and changes now sought is not clear. |
| | NH – R5, R6, R7, R 8, R9, R15, R18 and R24: Amendments are sought such that any activities related to energy, infrastructure, or network utilities are not impacted | Specification of the relief sought in relation to these rules. | Westpower generally sought in their submissions that energy activities not be impacted by the natural hazard rules. It is not clear that they are impacted by these rules or what wording change they |

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| | | | want as a consequence of the appeal. |
| | <p>Subdivision Chapter - New Rules: In relation to deleted SUB-R8, a new subdivision rule similar to new SUB-R13, ie "Subdivision to create allotments in the national grid subdivision, and Distribution Line Corridor" an subsequent amendments , ie definition of SDL corridor. With regard to the new Rule SUB-R8, all usual matters of control as in other subdivision rules, including amendments sought by Westpower to those rules, unless those other subdivision rules also apply in which case an advice note should be added to say that relevant zone/topic subdivision rules must also be complied with</p> | <p>Specification of the relief sought in relation to SUB – R8.</p> | <p>Complete relief sought for Rule SUB – R8 is unclear.</p> |
| | <p>Financial Contributions Whole chapter: Further Submission supported in part the submission seeking the deletion of all pTTPP provisions relating to the taking of financial contributions on land use consents for management of</p> | <p>Specification of the relief sought in relation to this chapter.</p> | <p>It is not clear from the appeal what is sought (including whether this is reinstatement of the provisions or something else).</p> |

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| | effects, including (but not limited to): FC-O1 (part) FC-O2 FC-P1 (part) FC-P2 (part) FC-P6 FC-P7 FC-R1 (part) FC-R2 (part) FC-R12 | | |
| | Coastal Environment Whole Chapter: Ensure provisions adequately recognise the importance of these activities and infrastructure to the community and the environment within which they must locate or traverse. This includes providing for the maintenance and enhancement of the generation and supply of renewable energy, including new activities, to enable communities | Specification of the relief sought in relation to this chapter. | It is not clear what further changes to the chapter are sought beyond the specific matters detailed in the appeal in relation to specific provisions. |
| | Coastal Environment Chapter Overview: As sought in original submission including in relation to appeal points above regarding identification and recognition of infrastructure in identifying and mapping the coastal environment under the “Approach to managing the coastal environment” and “Natural | Specification of the relief sought in relation to the overview. | It is not clear what specific changes to the overview are sought in this appeal point. |

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| | Character, Landscape and Natural Features” sections | | |
| | Definitions – Coastal Environment: As sought in submission, including mapping the urban area as these areas may include parts of other zones from the perspective of the infrastructure networks that need to be included | Specification of the relief sought in relation to this definition. | This appeal point is not clear. The coastal environment is defined as the area shown on the maps as the Coastal Environment. |
| | Natural Character and the Margins of Waterbodies Whole Chapter: Ensure appropriate recognition and provision for the existing energy activities and infrastructure located within them. Ensure provisions adequately recognise the importance of these activities and infrastructure to the community and the environment within which they must locate or traverse. This includes providing for the maintenance and enhancement of the generation and supply of renewable energy, including new activities, to enable communities | Specification of the relief sought in relation to this chapter. | It is not clear what further changes to the chapter are sought beyond the specific matters detailed in the appeal in relation to specific provisions. |

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| | <p>Natural Character Rules: Restricted Discretionary Status for a wider range of activities</p> | <p>Specification of the relief sought in relation to the changes sought to these rules and the relevant activity.</p> | <p>The appellant has provided no information on specific activities they are seeking a Restricted Discretionary status.</p> |
| | <p>NC – R5: Amend heading: “Indigenous ... Permitted or Controlled Activity Rules.”</p> | <p>Specification of the relief sought in relation the current decisions version of NC – R5.</p> | <p>These changes refer to the proposed Plan rule title so changes sought to the Decision Plan are not clear. Indigenous vegetation clearance is managed in the Ecosystems and Indigenous Biodiversity Chapter.</p> |
| | <p>Natural Features and Landscapes – Schedule Five: Ensure identification of outstanding natural features and landscapes appropriately recognise and provide for the existing energy activities and infrastructure located within them</p> | <p>Specification of the relief sought in relation this schedule.</p> | <p>It is not clear what specific relief is sought from this appeal point.</p> |

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| | <p>Outstanding Natural Landscape Overlay: Ensure identification of outstanding natural features, landscapes character (including high natural character) appropriately recognise and provide for the existing energy activities and infrastructure located within them</p> | <p>Specification of the relief sought in relation this overlay.</p> | <p>It is not clear what specific relief is sought from this appeal point.</p> |
| | <p>Natural Features and Landscapes Whole Chapter: Ensure provisions adequately recognise the importance of these activities and infrastructure to the community and the environment within which they must locate or traverse. This includes providing for the maintenance and enhancement of the generation and supply of renewable energy, including new activities, to enable communities</p> | <p>Specification of the relief sought in relation to this chapter.</p> | <p>It is not clear what further changes to the chapter are sought beyond the specific matters detailed in the appeal in relation to specific provisions.</p> |
| | <p>NFL – R6: Amend as sought in further submissions</p> | <p>Specification of the relief sought in relation to this rule.</p> | <p>It is not clear what specific changes to the rule are sought in this appeal point.</p> |

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| | Ecosystems and Biodiversity Whole Chapter: Ensure existing energy activities and infrastructure within ecosystems and areas of indigenous biodiversity are appropriately recognised and provided for. | Specification of the relief sought in relation to this chapter. | It is not clear what further changes to the chapter are sought beyond the specific matters detailed in the appeal in relation to specific provisions. |
| New Zealand Coal and Carbon Limited (ENV-2025-CHC-000104) | Maps: Include all area of mineral permits within MINZ. | Clarification of the relief now sought in relation to this appeal point. | NZCC has not provided the maps sought but has confirmed that the current MINZ includes NZCC and its related companies' minerals permits/licenses and ancillary activities. Counsel seek that further information be provided to clarify the relief now sought in relation to this appeal point. |
| | Remove the word "avoid". | Specification of the relief sought in relation to this appeal point, and whether NZCC is concerned with | The memorandum on behalf of NZCC dated 30 March 2026 provides helpful information specifying provisions and |

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| | | all uses of the word avoid or only certain provisions or in certain ways i.e. its use in “avoid, remedy, mitigate” | chapters or sections that it is interested in, but this specification remains subject to seeking broad relief throughout the TTPP. Further clarity is sought on the specific provisions of concern. |
| | Appealed against the notified decisions of the TTPP in their entirety, in order to seek this Plan to be more enabling for mineral prospecting, exploration, extraction and ancillary activities, across the Buller, Grey and Westland Districts. | Specification of the particular provisions in the TTPP that NZCC is concerned about. | NZCC has provided some further clarification regarding this appeal point in its response, but there remains a lack of clarity regarding the specific provisions affected by that relief. |
| | Relationships Between Spatial Layers | Specification of the relief sought in relation to the Relationships Between Spatial Layers | The appellant has provided no information on the specific changes they are seeking. |

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| | Natural Character Rules: NC Rules: Provide for mineral extraction | Specification of the relief sought in relation to these rules. | The appellant has provided no information on specific changes they are seeking. |
| | <p>Definitions – Wetland, Biodiversity Compensation, Biodiversity Offset, Indigenous Biodiversity, Net Gain, Significant Natural Area and Area of Significant Indigenous Biodiversity: Amend definitions, including:</p> <ul style="list-style-type: none"> (a) consistency throughout the TTPP; and (b) TTPP provisions consistent with national direction documents, their impending amendments, and legislative reform; and (c) RMA, National Planning Standards etc; and <p>provision for mineral extraction and related activities.</p> | Specification of the relief sought in relation these definitions. | The appellant has provided no information on specific changes they are seeking. |

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| <p>Groundswell New Zealand (ENV-2025-CHC-000122)</p> | <p>All objectives, policies, rules, mapping and any other planning mechanisms that arise out of, or relate to, section 6 of the RMA</p> <p>This includes but is not limited to:</p> <ul style="list-style-type: none"> • Coastal environment • High Coastal natural character (HCNC) • Outstanding Coastal natural character (OCNC) • Outstanding natural landscapes (ONL) • Outstanding natural features (ONF) • Significant natural areas (SNA) • Natural character and margins of waterbodies • Significant areas and sights to Maori (SASM) • Wetlands • Historic Heritage | <p>Specification of particular objectives, policies or rules that the appellant is concerned with in relation to this appeal point.</p> | <p>It is clear that the appellant considers the TTPP is not required to give effect to section 6 of the RMA. However, while the appellant is entitled to frame their appeal in broad terms, it is not possible to determine from the appeal document exactly what parts of the plan are subject to challenge and whether the appellant seeks that the provisions be deleted or amended in some way.</p> |
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| | <ul style="list-style-type: none"> • Notable Trees • Natural Hazards | | |
| Coates & others (ENV-2025-CHC-000136) | Remove the rules and mapping on private land that come out of section 6 of the RMA. This includes NC/ONL/SASM/SNA and riparian margins. | Specification of particular objectives, policies or rules that the appellant is concerned with in relation to this appeal point. | As above, it is clear that the appellant considers the TTPP is not required to give effect to section 6 of the RMA. However, while the appellant is entitled to frame their appeal in broad terms, it is not possible to determine from the appeal document exactly what parts of the plan are subject to challenge and whether the appellant seeks that the provisions be deleted or amended in some way. |

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| Forest and Bird Protection Society (ENV-2025-CHC-000117) | ENG – R16 Construction of Distribution Lines not meeting Permitted Activity Standards: Ensure that permitted activity rules appropriately protect indigenous vegetation. | Specification of the relief sought in relation to ENG – R16. | It is not clear what relief is sought here. The provisions in the Ecosystems and Biodiversity chapter apply. This rule is a Discretionary Activity. |
| | Coastal Environment Chapter Overview: The overview section is amended to ensure that it is consistent with the balance of the chapter and provides guidance as to the scope and application of the chapter. The exact amendments will depend on how the appeal points from Forest & Bird and other parties are resolved. | Specification of the relief sought in relation to this overview. | It is not clear what specific changes to the overview are sought in this appeal point. |
| | Natural Character and the Margins of Waterbodies Chapter Overview: The overview section is amended to ensure that it is consistent with the balance of the chapter. The exact amendments will depend on how the | Specification of the relief sought in relation to this overview. | It is not clear what specific changes to the overview are sought in this appeal point. |

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| | appeal points from Forest & Bird and other parties are resolved. | | |
| Transpower New Zealand Limited (ENV-2025-CHC-000139) | Ecosystems and Biodiversity Rules: Transpower seeks broad drafting changes to ensure these rules are structured to work as intended and provide clarity. Transpower is willing to engage in mediation and/or discussions on drafting options to achieve these outcomes. | Specification of the relief sought in relation to these rules. | It is not clear what further changes to the chapter are sought beyond the specific matters detailed in the appeal in relation to specific provisions. |

Appendix C – Section 274 parties to the relevant appeals

Bathurst Resources Limited & BT Mining Limited

Birchfield Coal Mines Limited

Birchfields Ross Mining Limited

BRM Developments Ltd

Buller District Council

Buller Electricity Limited

Chorus New Zealand Limited

Director-General of Conservation

Federated Farmers of New Zealand

Grey District Council

KiwiRail Holdings Limited

Manawa Energy Limited

New Zealand Coal and Carbon Limited

New Zealand Minerals Council

Royal Forest and Bird Protection Society of New Zealand
Incorporated

Spark New Zealand Trading Limited

Tasman Mining Limited

Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio and Te
Rūnanga o Ngāi Tahu

Tāiko Critical Minerals Limited

Transpower New Zealand Limited

Westpower Limited

WMS Group (HQ) Limited