IN THE ENVIRONMENT COURT
AT CHRISTCHURCH

I TE KŌTI TAIAO O AOTEAROA
KI ŌTAUTAHI

Decision No. [2026] NZEnvC 272

IN THE MATTER	of the Resource Management Act 1991
AND	appeals under clause 14 of the First Schedule of the Act
BETWEEN	SCENIC HOTEL GROUP LIMITED
	(ENV-2025-CHC-102)
	and others listed at Appendix A
	Appellants
AND	TE TAI O POUTINI PLAN COMMITTEE
	Respondent

Environment Judge K G Reid – sitting alone under s279 of the Act

In Chambers at Christchurch

Date of Consent Order: 14 October 2026

CONSENT ORDER

A: Under s279(1)(b) RMA,[1] the Environment Court, by consent, orders that:

(1) the appeals are allowed to the extent that the changes shown in

[1] Resource Management Act 1991.

Appendix B are made to the Te Tai o Poutini Plan;

(2) Topic 8: Scenic Visitor Zone and Topic 9: Settlement Zone remain open; and

(3) the appeals are to remain open.

B: Under s285 RMA, there is no order as to costs.

REASONS

Introduction

[1] These proceedings concern appeals by Scenic Hotel Group Limited, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio and Te Rūnanga o Ngāi Tahu, and Federated Farmers of New Zealand Incorporated (Federated Farmers), against the decision of the Te Tai o Poutini Plan Committee on the Te Tai o Poutini Plan (TTPP).

Agreement reached

[2] I have read and considered the consent memorandum of the parties dated 17 September 2026 which proposes to resolve the following provisions of the TTPP that are subject to appeal:

(a) SVZ – R5;

(b) SETZ – R4;

(c) SETZ – R5;

(d) SETZ – R22;

(e) SETZ – R23; and

(f) SETZ – R26.

[3] These appeal points have been allocated to Topic 8: Scenic Visitor Zone and Topic 9: Settlement Zone.

[4] Scenic Hotel Group's appeal points on SVZ – R1 (allocated to Topic 8) and SETZ – R2 (allocated to Topic 9) remain open.

SVZ – R5

[5] Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio and Te Rūnanga o Ngāi Tahu sought amendment to the matters of discretion for SVZ – R5 to replace "Effects on Poutini Ngāi Tahu Cultural values" with "Effects on Poutini Ngāi Tahu values".

[6] The parties agree to this change and that "Cultural" should be deleted from SVZ – R5(d) in order to achieve consistent terminology in respect of effects on Poutini Ngāi Tahu values throughout the TTPP.

SETZ – R22, SETZ – R26 and SETZ – R4

[7] Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio and Te Rūnanga o Ngāi Tahu sought to change the activity status of Papakāinga that breaches the permitted activity status in the Settlement Zone from discretionary to restricted discretionary. Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio and Te Rūnanga o Ngāi Tahu sought that SETZ – R22 be amended to include Papakāinga, and Papakāinga be deleted from SETZ – R26.

[8] The parties agreed to these changes. As a consequential amendment, SETZ – R4 is also to be updated so that the activity status where compliance is not achieved is Restricted Discretionary.

[9] SETZ – R26 was also appealed by Federated Farmers. Federated Farmers sought that the title of SETZ – P26 be amended to replace "Agricultural, Horticultural and Pastoral activities" with "Agricultural, Pastoral and Horticultural activities".

[10] The parties agree this change sought by Federated Farmers in order to

achieve consistent use of this defined term throughout the TTPP.

SETZ – R5

[11] Federated Famers sought that the title of SETZ – R5 be amended to replace "Agricultural, Horticultural and Pastoral activities" with "Agricultural, Pastoral and Horticultural activities".

[12] The parties agree this change sought by Federated Farmers in order to achieve consistent use of this defined term throughout the TTPP.

[13] There was one other appeal point on SETZ – R5 by Federated Farmers which was allocated to Topic 18: Mineral Extraction. Federated Farmers has withdrawn its other appeal point on SETZ – R5, meaning this provision can now be resolved.

SETZ – R23

[14] Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio and Te Rūnanga o Ngāi Tahu sought an additional matter of discretion to be added to SETZ – R23 for "Effects on Poutini Ngāi Tahu values".

[15] The parties agree to this additional matter of discretion being added to SETZ – R23.

Other relevant matters

[16] The following parties gave notice of an intention to become interested parties to the appeals under s274 RMA, and have signed the memorandum setting out the relief sought:

(a) Bathurst Resources Limited and BT Mining Limited;
(b) Buller District Council;

(c) Director-General of Conservation;

(d) Federated Farmers;

(e) Royal Forest and Bird Protection Society of New Zealand Incorporated; and

(f) Westpower Limited.

[17] Ridgeline 3 Investments Limited withdrew its interest in the Topic 8 and Topic 9 appeal points prior to mediation.

[18] The consent memorandum records the parties' assurances that all matters proposed for the court's endorsement fall within the court's jurisdiction and conform to the relevant requirements and objectives of the Act including, in particular, Pt 2.

[19] No party seeks costs, all parties agreeing that costs should lie where they fall.

Orders

[20] The court makes this order under s279(1) RMA, by consent rather than as a decision or determination on the merits under s297.

[21] The court understands, for present purposes, that all relevant parties to the proceeding have executed the memorandum requesting the orders.

[22] Based on the information provided, the court is satisfied that the orders will promote the purpose of the RMA. Accordingly, the appeal is allowed to the extent that the changes shown in Appendix B are made to the Te Tai o Poutini Plan.



K G Reid
Environment Judge

Appendix A – List of Appellants and Section 274 Parties

Topic 8: Scenic Visitor Zone

Appellants

(ENV-2025-CHC-000102) Scenic Hotel Group Limited

(ENV-2025-CHC-000134) Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio and Te Rūnanga o Ngāi Tahu

Section 274 Parties

Buller District Council

Westpower Limited

Topic 9: Settlement Zone

Appellants

(ENV-2025-CHC-000102) Scenic Hotel Group Limited

(ENV-2025-CHC-000110) Federated Farmers of New Zealand Incorporated

(ENV-2025-CHC-000134) Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio and Te Rūnanga o Ngāi Tahu

Section 274 Parties

Bathurst Resources Limited and BT Mining Limited

Buller District Council

Director-General of Conservation

Federated Farmers of New Zealand Incorporated

Royal Forest and Bird Protection Society of New Zealand Incorporated

Westpower Limited



Appendix B – Changes to the TTPP

Where provisions are amended, additions are shown in underline and deletions are shown in ~~strikethrough~~.

Amend SVZ – R5 as follows:

Commercial, Visitor and Worker Accommodation, Residential, Recreational, Conservation Activities and Buildings, Community Facilities and Emergency Service Facilities not Meeting Permitted Activity Standards

Activity Status Restricted Discretionary

Where:

1. This is in the Punakaiki SVZ - Scenic Visitor Zone; and
2. Indigenous vegetation clearance is proposed as part of the activity; and
3. All other performance standards for Rule SVZ - R1 are complied with.

Discretion is restricted to:

a. Design, height, bulk and location of buildings and structures;
b. Carparking, vehicle and pedestrian access;
c. Extent of indigenous vegetation clearance;
d. Effects on Poutini Ngāi Tahu ~~Cultural~~ values;
e. Effects on natural character and landscape values; and
f. Effects on biodiversity and wildlife values.

Advice Note:

The provisions in this rule in relation to indigenous vegetation clearance in the Punakaiki Scenic Visitor Zone are in addition to the requirements in the Ecosystems and Indigenous Biodiversity Chapter.

Amend SETZ-R4 as follows:

SETZ – R4 Papakāinga Developments

…

Activity status where compliance not achieved: Restricted Discretionary

Amend rule SETZ-R5 as follows:

SETZ–R5	**Agricultural, Pastoral and Horticultural ~~and Pastoral~~ Activities, Recreational Activities and Conservation Activities**

…

Amend SETZ – R22 as follows:

SETZ - R22 Community Facilities, Educational Facilities, Emergency Service Facilities, Papakāinga Developments and Retirement Homes not meeting Permitted Activity Standards

Activity Status Restricted Discretionary

Discretion is restricted to:

a. Design and location of buildings;

b. Size and height of buildings;

c. Vehicle movements and access;

d. Design and location of parking and access;

e. Measures to mitigate landscape effects;

f. Any requirement for financial contributions;

g. Methods of water supply, wastewater and stormwater treatment and disposal;

h. Hours of operation;

i. Acoustic and noise management requirements; and

j. Loss of privacy to adjoining sites;

k. Character and amenity of the surrounding area; and

l. Within the Westport Radio Mast EM Overlay, any requirements to mitigate the risk of electromagnetic coupling, including during the construction phase.

Activity status where compliance not achieved: N/A

Amend SETZ – R23 to read:

SETZ - R23 Rural Industry

Activity Status Restricted Discretionary

Where:

1. This is not in the SETZ - PREC3- Coastal Settlement Precinct;
2. There is no INZ - Industrial Zoned site of sufficient size to accommodate the activity within 10km of the proposed site; and
3. All performance standards for Rule SETZ - R2 are complied with.

Discretion is restricted to:

a. Design and location of buildings;

b. Design and location of parking and access;

c. Measures to mitigate landscape effects;

d. Hours of operation;

e. Vehicle movements;

f. Any requirement for financial contributions;

g. Methods of water supply, wastewater and stormwater treatment and disposal;

h. Management of odour, noise, light and dust; ~~and~~

i. Acoustic and noise management requirements~~.~~; and

j. Effects on Poutini Ngāi Tahu values.

Activity status where compliance not achieved: Discretionary

Amend SETZ - R26 as follows:

SETZ - R26 Residential Activities and Residential Buildings, Buildings and Sites - Design, Conservation, Recreational, Agricultural, Pastoral and Horticultural ~~and Pastoral~~ Activities~~, Papakāinga Developments~~ , Minor Structures, Relocated Buildings and Buildings not meeting Permitted or Restricted Discretionary Activity Rules in relation to Performance Standards in Rules SETZ - R1 or SETZ - R2 or SETZ - R4

Activity Status Discretionary

Activity status where compliance not achieved: N/A

