Te Tai o Poutini Plan Committee Meeting
12 November 2026
9.00AM
Grey District Council, Tainui St, Greymouth
Livestreamed on YouTube
@westcoastregionalcouncil5171

AGENDA

9.00am	Welcome and Apologies	**Chair**
	Conflict of Interest Register and Declaration	
	Confirm previous Minutes of 15 October 2026	
	Matters Arising	
9.10am	Update – Appeals Process	**Legal Advisor**
9.20am	Update – Resource Management Reform	**Principal Planner** **Legal Advisor**
9.40am	Report – Variation 3 Recommendation to Proceed to Notification	**Principal Planner**
	Supplementary Report - Variation 3 Recommendation to Proceed to Notification	
9.50am	Report -Acoustic Requirements in Te Tai o Poutini Plan	**Principal Planner**
10.00am	Financial Report to 30 September 2026	**Project Manager**
10.10am	Confirm Confidential Minutes of 24 September and 15 October 2026	**Project Manager**
10.20am	Meeting ends	

TTPP Committee Meetings for 2027	**Time**	**Venue**
To be advised		

MINUTES OF MEETING OF TE TAI O POUTINI PLAN COMMITTEE HELD ONLINE 15 OCTOBER 2026

Present

Mayor H. Lash (WDC), Cr. A. Gibson (GDC), Chair C. Smith (WCRC) R. Williams (Chairman), Cr. G. Maitland (WDC), Kaiwhakahaere Tumahai (Ngāti Waewae), Cr. P. Rutherford (BDC alternate), Cr. L. Webb (BDC), Cr. A. Cassin (WCRC), Cr. J. O'Connor (GDC alternate)

In attendance

Matt Smith (WCRC), Darryl Lew (WCRC), Jo Armstrong (TTPP Project Manager), Simon Bastion (BDC), Doug Bray (WCRC), Chu Zhao (WCRC), J), Michael McEnaney (GDC), Lois Easton (TTPP), Olivia Anderson (WDC), Alice Balme (Wynn Williams)

Welcome

Chair Williams welcomed attendees

Apologies

Mayor Russell (BDC), Kaiwhakahaere Madgwick (Makaawhio), Mayor Gibson (GDC)

Moved (Chair Williams/Cr. Gibson)

That the apologies be accepted *Carried*

Chair Williams acknowledged the passing of Graeme Neylon to Cr. Webb.

The Chair explained that discussion on the final agenda paper "Implications of 2026 Resource Management Reform" would be undertaken in a public excluded session to maintain legal professional privilege.

Conflict of Interest Declaration

None raised

Confirm minutes of the previous meeting held on 24 September 2026

Moved (Cr. Maitland/ Cr. Cassin)

That the minutes of the meeting held on 24 September 2026 are confirmed.

Carried

Matters arising from previous meetings

None raised.

Report – Variation 3

Ms Easton explained that some matters expected to form part of Variation 3 have been mediated on, and consent orders from the Environment Court are expected which could resolve these matters. She explained that resolving these matters through the current appeals process would be faster than including them in Variation 3. An update will be brought to the next meeting.

Moved (Mayor Lash/Cr. Webb)

1. *That the Committee receive the report.*

Carried

Update – Appeals Mediation and Hearings Process

Mrs Armstrong reported that the Positions Subcommittee met for the last time on 24 September to set positions on the final two topics, Landscapes and Zones.

Ms Balme then explained the mediation processes currently underway including mediation meetings and direct discussions with parties which can result in resolution of appeals points between appellants/parties and TTPP Committee, withdrawal of appeals points by the appellant or unresolved points being set down for hearing or for further direct discussion where parties are amenable.

Mrs Armstrong commented that the majority of appeal points at the last set of mediations have been resolved, and that these changes have been made to the online Plan, reducing time and costs for staff and Plan users.

Ms Balme said that consent orders for Noise and the Introduction and General Provisions topics had just been issued by the Court. Mayor Lash and Councillor Gibson expressed ongoing concerns about rules relating to the rail corridor and wondered if they had missed the opportunity to make some changes now the consent order has been made.

Ms Easton explained that the mediations and resulting consent orders are only for matters raised in appeals, and that TTPP Committee could decide to make changes through the plan change process.

Chair Williams asked that the next update identify topics where the process is concluded, and what steps are being taken after mediation on topics not fully resolved.

Moved (Kw. Tumahai/Chair Smith)

1. *That the Committee receive this item.*

Carried

Report – Current and Projected Costs

Chair Williams welcomed Matt Smith, WCRC General Manager Regulatory and Policy, to the meeting.

Mr Smith reported on the current expenditure for TTPP and explained that projected costs for the mediation process of $220,000 per month are based on the costs incurred for the process over the first two months of the 2027 financial year.

Mr Smith said that the total expenditure through to the end of the hearing of appeals is estimated at $12.12M plus the cost of interest on the loan.

The loan is estimated to reach approximately $7.57M, and the interest on this amount is estimated to cost around $3M over 15 years. The total expenditure and interest is estimated to be approximately $15.12 million.

Chair Williams thanked Mr Smith for an excellent report.

Cr. Gibson said that costs had snowballed and had become unaffordable. Chair Williams responded that this was the first estimate of forecast costs received in eight years and he did not know where the urban myth of a $5 million had arisen. He said that TTPP Committee had approved every budget, financial report and expenditure request over that time, and felt that

costs had been extremely carefully controlled. Chair Williams concluded that the costs are entirely the outcome of the planning process.

Cr. Maitland suggested the benefits of this expenditure were minimal, but Cr Rutherford said that no one should be surprised as required processes like TTPP all come with this level of cost.

Chair Smith understood the comments of Cr.s Maitland and Gibson, but concurred with Cr. Rutherford and Chair Williams, saying this is a legal obligation, and the process must be followed through to its conclusion. He acknowledged that it is extremely difficult to accurately estimate costs in these processes.

Mayor Lash thought everyone was right, Committee members are concerned about the cost implications, but you can't turn the clock back, and must find the path forward to mitigate costs.

Cr Cassin agreed it was unfortunate that an unfounded budget had been reported in the media, and that it is hard to measure the cost/benefit against a required process which has a legal imperative.

Kw. Tumahai remembered that the $5M arose from a discussion about applying for additional funding from Development West Coast. This was never set as a total budget for the project. Kw. Tumahai thanked Mr Smith for the report and said the explanation about loan interest was useful and gave him some comfort. He felt the best thing for TTPP Committee to do now is to lobby parliament to be abe to transfer TTPP into the new planning regime.

Chair Smith agreed, saying they must advocate and be diligent to maximise the ability and capacity to move TTPP, and to benefit from all the work done to date.

Mr Lew said that every council has similar concerns and he sympathises with the costs needing to be borne by a small community. The root issue is the process that must be followed.

Cr. Maitland agreed about the cost disparity for a small ratepayer base and suggested seeking Central Government funding support.

Chair Williams concluded the discussion by saying this is the creation of an asset on which a loan could be funded over the lifetime of the Plan.

Moved (Chair Williams/Kw. Tumahai)

1. *That the Committee receive the report.*
2. *That the Committee note the projected total TTPP expenditure of $12.12 million and projected loan funding of approximately $7.57 million.*

3. *That the Committee note the estimated additional financing cost of approximately $3 million over a 15-year repayment period, resulting in an estimated total cost of approximately $15.12 million.*

Carried

Financial Report to 31 August 2026

Chair Williams recommended the report be taken as read if there were no questions. None were received.

Moved (Cr. Webb/Cr. O'Connor)

1. *That the Committee receive the report.*

Carried

Notice of Motion to Exclude the Public

A motion to exclude the public was presented

Moved (Chair Williams/Kw. Tumahai)

That the public is excluded from discussion on the Technical Update – Implications of 2026 Resource Management Reform, to enable the TTPP Committee to receive and consider confidential legal advice which may result in the disclosure of information where withholding the information is necessary to maintain legal professional privilege.

Carried

The meeting returned to a public forum at 2.40pm

Moved (Chair Smith/Cr. Rutherford)

1. *That the Committee receive the report – Implications of 2026 Resource Management Reform*

Carried

Chair Williams thanked everyone for their attendance.

Meeting ended at 2.41pm.

Te Tai o Poutini PLAN
A combined district plan for the West Coast

Prepared for: Te Tai o Poutini Plan Committee

Prepared by: Jo Armstrong, Project Manager

Date: 12 November 2026

Subject: Appeals Mediation and Hearings Process Update

SUMMARY

This report provides information on the current state of the appeals mediation and hearings process on Te Tai o Poutini Plan (TTPP).

RECOMMENDATION

1. That the TTPP Committee receive this item.

REPORT

1. An update of the current state of the TTPP appeals mediation and hearings process will be provided at each TTPP Committee meeting until the Plan is fully operative.

2. The report includes:

    a. A summary of the topics for which the TTPP Positions Subcommittee has set positions;
    b. An outline of direct discussions between the TTPP team and parties;
    c. An update on the progress of mediations; and
    d. Any update on any other significant developments in response to appeals since the last report.

Resolution of appeals

3. Since the last update report:

a. Appeal points have been withdrawn by (see a full list of withdrawn appeal points in **Appendix A**):

    i. Groundswell;
    ii. Buller Conservation Group;
    iii. Westpower;
    iv. George Coates; and
    v. Tauranga Bay Holdings Limited.

b. Counsel for the TTPP Committee is in without prejudice discussions with the parties to progress draft consent documents for some appeal points for the following appeals:

    i. Murray Stewart;
    ii. Scenic Hotel Group Limited;
    iii. Gordon Bradley;
    iv. Russell Robinson; and
    v. Barnabas Young.

Mediation

4. In **Appendix B**, we set out an update on the progress of each of the TTPP mediation topics.
5. Mediations in October included:
    a. Topic 30: Coastal Environment;
    b. Topic 26: Rural;
    c. Topic 28: Subdivision;
    d. Topic 31: Natural Character and the Margins of Waterbodies; and
    e. Topic 24: Natural Hazards.
6. The Committee has (or will) file reporting memoranda with the Court on all of the above topics. Where appeal points are agreed as a result of mediation, consent documents will be filed where those appeal points are able to be resolved at that time.
7. Where appeal points are no longer pursued by a party at mediation, these appeal points will be withdrawn as part of the consent documents for that topic. These appeal points are not included in Appendix A as it would not be efficient to repeat these here, though numerous appeal points are being resolved in this way.
8. Mediation in November will include:
    a. Topic 32: Natural Features and Landscapes; and
    b. Topic 33: Ecosystems and Indigenous Biodiversity.

Other developments

9. Since the last update, the Court has issued consent orders in relation to:
    a. Topic 2: Commercial Zone;
    b. Topic 3: Future Urban Zone;
    c. Topic 4: Māori Purpose Zone;
    d. Topic 5: Residential Zones;
    e. Topic 8: Scenic Visitor Zone;
    f. Topic 9: Settlement Zone;
    g. Topic 13: Introduction and General Provisions;
    h. Topic 14: Cross Plan;
    i. Topic 15: Strategic Directions; and
    j. Topic 21: Noise.

10. When consent orders are issued by the Court, they are made available on the TTPP website. Staff make the ordered changes to TTPP and arrange for them to be published online. There is a table on the website showing details of the consent orders and this is updated to show the date when the changes go live. The table is available here: Consent Orders - Te Tai o Poutini Plan | West Coast District Plan

Appendix A – Appeal points withdrawn

1. The following appeal points have been withdrawn (with updates since the last report shown in blue):

Appellant	Appeal point	Comments
Appeal Points Withdrawn[1]		
Buller Conservation Group	A27.2 inconsistent usage of the term "site" throughout TTPP	Confirmed by Court
Buller Conservation Group	A27.1 provide a contents page in PDF and online versions of TTPP	Confirmed by Court
WMS Group (HQ) Limited	A14.5 (as it relates to ECO-O4, ECO-O5, ECO-P5, ECO-P6, ECO-R8 and ECO-R11 only) relating to specific recognition of operational and functional need of activities to be located in an area and removal of restrictive wording	Confirmed by Court Note this is a partial withdrawal of this appeal point in relation to certain provisions only
Birchfield Coal Mines Limited	A4.38 add mineral extraction zone to transport overview as transport is an ancillary activity to most / all mineral extraction activities	Confirmed by Court
New Zealand Coal and Carbon Limited	All appeal points except for: • A3.45 and A3.46 relating to Maps, SEC 39 SO11207 TWN OF ROA BLK II MAWHERANUI SD (Valuation ID 2543020700) and SEC 48 SO 11207 BLK II MAWHERANUI SD: the relief sought is an amendment (reduction) to the Settlement Zone at Roa township so it does not overlap with the MINZ and the Roa Mine access road and/or yard area. • A3.39 and A3.52 relating to Schedule 4, Significant Natural Areas, BLA-P002 Mt Davy: the relief sought is the removal of the Roa	Confirmed by Court

[1] This means that this appeal point is no longer under appeal by the specified appellant. The provision that the appeal point relates to may still be under appeal by other parties.

	Mining Company Ltd mining permits and licence from BLA-P002 Mt Davy. • A3.37 relating to NOSZ - R18: the relief sought is to change the activity status from non-complying to discretionary. • A3.21 relating to ECO - R10 4.a.: the relief sought is to amend this provision, so it is consistent with the December 2025 amendments to the National Policy Statement for Indigenous Biodiversity.	
Royal Forest and Bird Protection Society of New Zealand Incorporated	A30.36 regarding ENG – R16 Construction of Distribution Lines not meeting Permitted Activity Standards seeking to ensure that permitted activity rules appropriately protect indigenous vegetation.	Withdrawal filed with the Court. Awaiting confirmation of the withdrawal from the Court.
Royal Forest and Bird Protection Society of New Zealand Incorporated	A30.76 regarding Natural Character and the Margins of Waterbodies Chapter Overview seeking that overview section is amended to ensure that it is consistent with the balance of the chapter.	Withdrawal filed with the Court. Awaiting confirmation of the withdrawal from the Court.
Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio and Te Rūnanga o Ngāi Tahu	A34.30 regarding ASW - R4 (Installation of Structures on the Surface of Natural Waterbodies) and clarifying that the rule only applies to recreational whitebaiting.	Confirmed by Court
Royal Forest and Bird Protection Society of NZ Inc	A30.44 regarding the Transport Overview and amendments sought to ensure the that the overview is consistent with the rest of the chapter.	Confirmed by Court
Royal Forest and Bird Protection Society of NZ Inc	A30.45 regarding TRN - O2 and the replacement of “minimise”	Confirmed by Court

	with "avoid, remedy or mitigate in accordance with the Natural Environment and District Wide chapters of this Plan."	
Westpower Limited	A32.123 regarding removing the non-complying activities section from HH – R10 as it is a discretionary activity.	Withdrawal filed with Court. Awaiting confirmation of the withdrawal from the Court.
Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio and Te Rūnanga o Ngāi Tahu	A34.33 regarding reinstating the notified version of BCZ – O2 (replace "manages" with "minimises").	Confirmed by Court
Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio and Te Rūnanga o Ngāi Tahu	A34.34 regarding replacing "managing" with "minimising" in clause e in BCZ – P4.	Confirmed by Court
Buller Conservation Group	A27.23 regarding outdoor artificial light requirements in LIGHT – R3.	Confirmed by Court.
WMS Group (HQ) Limited	A14.17 regarding retaining the notified version of LIGHT – R1 with the amendments sought in WMS' original submission.	Confirmed by Court.
WMS Group (HQ) Limited	A14.18 regarding retaining the notified version of LIGHT – R2 with the amendments sought in WMS' original submission.	Confirmed by Court.
WMS Group (HQ) Limited	A14.19 regarding retaining the notified version of LIGHT – R3 with the amendments sought in WMS' original submission.	Confirmed by Court.
Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio and Te Rūnanga o Ngāi Tahu	A34.2 regarding amending TTPP chapters to always show the Te Reo Māori name before the English name when dual naming is used (this matter was corrected under clause 16).	Confirmed by Court.
Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio and Te Rūnanga o Ngāi Tahu	A34.1 regarding amending all references in the TTPP to 'Aotearoa' to 'Aotearoa me Te Waipounamu (South Island)' (this matter was corrected under clause 16).	Confirmed by Court.
Groundswell New Zealand	Withdrew its appeal in full.	Confirmed by Court.

Ridgeline 3 Investments Ltd	Withdrew its appeal, except for the appeal points resolved at mediation and those that relate to SASM-R7.	Confirmed by Court.
Buller Conservation Group	A27.20 regarding adding unmodified areas to CE – R4 and A27.21 regarding adding one storey to CE – R5.	Confirmed by Court.
Westpower Limited	A32.112, A32.113, A32.114, A32.115 and A32.116 regarding financial contributions.	Confirmed by Court.
Buller Conservation Group	A27.10 seeking that NFL – R11 be discretionary.	Confirmed by Court.
George Coates	A28.6 regarding the time allocation being per year in NFL – R6 and A28.28 .	Topic 32 – 20 October
Tauranga Bay Holdings Limited	Withdrew its appeal in full.	Confirmed by Court.
Buller Conservation Group	A27.3 on the definition of riparian margin.	Topic 31 6 November

Appendix B – Status update for mediation topics

Topic	Stage	Comments
Topic 1: Hazardous Substances and Contaminated Land	Resolved in full by consent order.	A consent order was issued by the Court on 24 September 2026 to resolve all the appeal points in this topic. The changes made include adding reference to the Health and Safety at Work (Hazardous Substances) Regulations 2016 in the Overview and amendments to the Overview and GRUZ – R1 regarding agrichemicals.
Topic 2: Industrial Zones	Subject to direct discussions.	The only appeal allocated to this topic is Mr Bradley's appeal. The parties to Mr Bradley's appeal are pursuing direct discussions on this appeal and the CMP Kokiri Limited appeal. The parties are due to report to the Court seeking directions for filing of consent documents or a further reporting memorandum by 16 November 2026.
Topic 2: Commercial Zones	Resolved in full by consent order.	A consent order was issued by the Court on 21 October 2026. The changes made include inserting advice notes and new matters of discretion regarding applicants consulting with Te Rūnanga o Ngāti Waewae or Te Rūnanga o Makaawhio on Poutini Ngāi Tahu design principles.
Topic 3: Future Urban Zone	Resolved in full by consent order.	A consent order was issued by the Court on 21 October 2026. The changes amended the Overview regarding indigenous biodiversity.
Topic 4: Māori Purpose Zones	Resolved in full by consent order.	A consent order was issued by the Court on 21 October 2026. The change made relates to consistent use of the term "Agricultural, Pastoral and Horticultural Activities".
Topic 5: Residential Zones	Resolved in full by consent order.	A consent order was issued by the Court on 21 October 2026. The change made replaced "areas of significant biodiversity" with "areas of significant indigenous biodiversity".
Topic 6: Port Zone	Resolved in full by consent order.	A consent order was issued by the Court on 25 September 2026. The changes involved minor wording changes to Port Zone provisions. Part of the appeal on PORTZ – R1 was moved to Topic 14 and resolved by the consent order issued on 20 October 2026.
Topic 7: Earthworks	Consent documents filed with Court	Consent documents were filed with the Court on 28 October 2026 seeking to resolve all but one of

	seeking to resolve most appeal points. Unresolved appeal point of Tāiko Critical Minerals Limited with further reporting.	the appeal points in this topic. We are waiting for a response from the Court. Key changes sought relate to clarifying how the earthworks rules relate to mineral extraction, changing the permitted earthworks limit in EW-R4 and making reference to functional need or operational need and benefits of some activities. The unresolved appeal point relates to the definition of earthworks, which is linked to mineral extraction appeal points. A further reporting date to align with mediation of Topic 33: ECO has been granted for this appeal point.
Topic 8: Scenic Visitor Zone	Partially resolved by consent order. Unresolved appeal point of Scenic Hotel Group with further reporting.	A consent order was issued on 14 October 2026 resolving all other appeal points in this topic, making changes relating to consistent use of "Effects on Poutini Ngāi Tahu values". Scenic Hotel Group's appeal point is unresolved and is subject to direct discussions with a further reporting date of 6 November 2026.
Topic 9: Settlement Zone	Partially resolved by consent order. Unresolved appeal point of Scenic Hotel Group with further reporting.	A consent order was issued on 14 October 2026 resolving all other appeal points in this topic, making changes to the activity status for Papakāinga not meeting the permitted activity standards, consistent use of the term "Agricultural, Pastoral and Horticultural Activities" and consistent use of "Effects on Poutini Ngāi Tahu values". Scenic Hotel Group's appeal point is unresolved and is subject to direct discussions with a further reporting date of 6 November 2026.
Topic 10: Temporary Activities	Resolved in full by consent order.	A consent order was issued on 22 September 2026. The changes relate to deletion of the part of the Overview stating that the rules in the chapter do not apply to energy and infrastructure activities, expanding matters of discretion to include operational or functional need and consistent use of "Effects on Poutini Ngāi Tahu values".
Topic 11: Historic Heritage	Partially resolved by consent order.	As a result of mediation, agreement was reached on all but three appeal points in relation to historic heritage.

	Unresolved appeal points subject to further reporting.	A consent order was issued on 23 September 2026 in relation to the resolved appeal points. These changes included adding consideration of technical locational, functional or operational constraints or requirements of energy activities, providing for regionally significant infrastructure and including the Chasm Creek Walkway in Schedule One. The unresolved appeal points are subject to further reporting alongside the unresolved appeal points from topics 18, 19 and 20.
Topic 12: Notable Trees	Resolved in full by consent order.	A consent order was issued on 14 July 2026. The changes relate to adding a new policy regarding regionally significant infrastructure and energy activities and providing for removal where there is functional or operational need.
Topic 13: Introduction and General Provisions	Partially resolved by consent order. Consent documents filed with Court seeking to partially resolve further appeal points.	Mediation of Topic 13 was split across two separate mediations due to availability constraints. A consent order was issued on 14 October 2026 resolving all of the appeal points allocated to Topic 13 (Part 1). This largely relates to changes to various definitions and glossary terms. Consent documents were filed with the Court on 27 October 2026 in relation to Topic 13 (Part 2), seeking to resolve appeal points relating to updating references to national direction. We are waiting for a response from the Court. The only appeal points on Topic 13 that are not agreed relate to the definition of Wetlands. These appeal points were moved to Topic 31: Natural Character and the Margins of Waterbodies.
Topic 14: Cross Plan	Partially resolved by consent order. Partially subject to further reporting and direct discussions.	A consent order was issued on 20 October 2026 resolving some of the appeal points on this topic. The changes relate to air quality, consistent use of “wastewater treatment facilities”, site coverage and consistent use of “Poutini Ngāi Tahu values”. Some appeal points could not be resolved by consent, even where agreement was reached, as other related appeal points were still unresolved. Several appeal points allocated to this topic remain unresolved, including broad appeal points

		retained by appellants for scope. A further reporting date of 12 February 2027 has been granted for these appeal points. The Committee and parties are pursuing direct discussions on other unresolved appeal points which have their own further reporting dates.
Topic 15: Strategic Directions	Partially resolved by consent order. Partially subject to further reporting and direct discussions.	A consent order was issued on 22 October 2026 resolving some of the appeal points on this topic. The changes include those in relation to energy activities and regionally significant infrastructure, and consistent use of the term "Agricultural, Pastoral and Horticultural Activities". Several appeal points on the objectives and policies and the primacy of the strategic directions chapter are unresolved. The parties have been pursuing direct discussions on the primacy issue.
Topic 16: Light	No changes agreed as a result of mediation. Subject to direct discussion.	No changes were agreed as a result of mediation of this topic, however, direct discussions have been progressed on LIGHT – R5. There is a further reporting date after mediation of Topic 33: ECO.
Topic 17: Energy	Mediation has not yet occurred.	
Topic 18: Mineral Extraction	Partially agreed through mediation. Unresolved appeal points subject to further reporting.	As a result of mediation, the parties agreed to relief in relation to some appeal points allocated to Topic 18. Consent documents were filed with the Court on 21 August 2026. The Court has sought further information from the parties before making the changes sought. Obtaining this further information is being progressed. The unresolved appeal points are subject to further reporting alongside the unresolved appeal points from topics 11, 19 and 20.
Topic 19: Mineral Extraction – Buller Coalfield Zone Subtopic	Unresolved appeal points subject to further reporting.	As a result of mediation, agreement was not reached on any appeal points allocated to this topic. The unresolved appeal points are subject to further reporting alongside the unresolved appeal points from topics 11, 18 and 20.
Topic 20: Mineral Extraction – Mineral Extraction Zone Subtopic	Partially resolved by consent order.	As a result of mediation, one appeal point was resolved regarding rezoning land at Giles Creek. A consent order was issued on 21 September 2026 to resolve that appeal point.

	Unresolved appeal points subject to further reporting.	The unresolved appeal points are subject to further reporting alongside the unresolved appeal points from topics 11, 18 and 19.
Topic 21: Noise	Partially resolved by consent order. Unresolved appeal point of Mr Bradley subject to direct discussions.	A consent order was issued on 14 October 2026 resolving some of the appeal points allocated to this topic. The changes included adding functional or operational need and benefits of the works, replacing rural production with primary production and amending NOISE-R3 to clarify how the acoustic insulation and vibration standards apply to new or altered buildings. The only unresolved appeal point is from Mr Bradley's appeal, which is being pursued by direct discussions as discussed above. Other appeal points on NOISE-R5 cannot be resolved by consent order while Mr Bradley's appeal point is unresolved.
Topic 22: Infrastructure	Resolved in full by consent order.	A consent order was issued on 24 September 2026 resolving all the appeal points on this topic. The changes relate to using "avoided, remedied or mitigated" rather than "minimised", recognising the benefits of infrastructure, considering operational or functional need and managing reverse sensitivity effects on the full range of infrastructure activities.
Topic 23: Transport	Resolved in full.	There was only one appeal point remaining in this topic, which was agreed to be transferred to Topic 18: Mineral Extraction. No unresolved appeal points remain in Topic 23 due to this appeal point being moved.
Topic 24: Natural Hazards	Partially agreed through mediation.	Mediation of Topic 24 occurred on 22 and 23 October 2026. As a result of mediation, agreement was reached on some appeal points allocated to this topic. Consent documents will be filed for these appeal points in due course. The unresolved appeal points include appeal points where the parties have agreed to pursue direct discussions and further report to the Court.

Topic 25: Open Space and Recreation Zones	Mediation has not yet occurred.	
Topic 26: Rural Zones	Partially agreed through mediation.	Mediation of Topic 26 occurred on 6 October 2026. As a result of mediation, agreement was reached on all appeal points allocated to this topic apart from one appeal point. Consent documents will be filed for the resolved appeal points in due course.
Topic 27: Sites and Areas of Significance to Māori	Consent documents have been prepared to resolve some of the appeal points allocated to Topic 27. The remaining appeal points are subject to further reporting and direct discussions.	Consent documents have been prepared to resolve the agreed appeal points. We are currently waiting on signatures before filing with the Court. We have indicated to the Court that we will file on 6 November 2026. There are several appeal points that remain unresolved, including Westpower's appeal points, Manawa's appeal points and Ridgeline's appeal points on SASM-R7. The parties are required to report to the Court by 13 November 2026 in respect of those appeal points. A further reporting date was also granted for Groundswell's appeal. However, Groundswell has since withdrawn its appeal.
Topic 28: Subdivision	Agreed through mediation.	Mediation of Topic 28 occurred on 7 and 8 October 2026. As a result of mediation, agreement was reached on all appeal points allocated to this topic. Consent documents will be filed for the resolved appeal points in due course.
Topic 29: Activities on the Surface of Water	Resolved in full by consent order.	A consent order was issued on 23 September 2026 resolving all the appeal points allocated to this topic. The changes relate to recognition of the benefits of activities on the surface of water, providing for energy and infrastructure activities with a functional or operational need to locate there and to add to the waterbodies protected in ASW-R2.
Topic 30: Coastal Environment	Partially agreed through mediation.	Mediation of Topic 30 occurred from 29 September to 2 October 2026. As a result of mediation, agreement was reached on some appeal points allocated to this topic. Consent documents will be filed for these appeal points in due course.

		The unresolved appeal points include appeal points where the parties have agreed to pursue direct discussions and further report to the Court.
Topic 31: Natural Character and the Margins of Waterbodies	Partially agreed through mediation.	Mediation of Topic 31 occurred on 20 and 21 October 2026. As a result of mediation, agreement was reached on some appeal points allocated to this topic. Consent documents will be filed for these appeal points in due course.
Topic 32: Natural Features and Landscapes	Partially agreed through mediation	Mediation of Topic 32 occurred on 5 November. As a result of mediation, agreement was reached on some appeal points allocated to this topic and consent documents will be filed for those appeal points in due course.
Topic 33: Ecosystems and Indigenous Biodiversity	Mediation has not yet occurred.	
Topic 34: Zones – Maps and Specific Site Zones	Mediation has not yet occurred.	

Prepared for: Te Tai o Poutini Plan Committee

Prepared by: Lois Easton, Principal Planner and Alice Balme, Legal Counsel

Date: 12 November 2026

Subject: Technical Update – Implications of 2026 Resource Management Reform

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SUMMARY

This report updates the Committee on the newly enacted Planning Act 2026 and Natural Environment Act 2026 and some high-level considerations in terms of the implications for Te Tai o Poutini Plan (TTPP). It follows a preliminary report in October 2026 and provides more detail on the forward implications for TTPP.

RECOMMENDATIONS

1. That the Committee receive the report.
2. That work be undertaken to identify parts of the TTPP that do not comply with the excluded effects provisions of section 104 (1A) of the Resource Management Act 1991 and report back to the Committee.

Lois Easton

Principal Planner

INTRODUCTION

1. Reform of the Resource Management Act 1991 (RMA) planning framework has been underway for some years and has now culminated in the enactment of two pieces of legislation to replace the RMA – the Planning Act 2026 and the Natural Environment Act 2026 (the new Acts).
2. These two Acts received royal asset on 30 September 2026 and the Transition Period commenced on 30 October 2026.

THE TRANSITION PERIOD

1. The new Acts do not immediately repeal the RMA. The RMA will continue to be in effect until the end of the Transition Period.
2. The Transition Period sets out how consenting will be undertaken under the RMA during the transition period and provides a timeline for development of new Council plans required under the Acts – the Spatial Plan and the Natural and Built Environment Plan and Land Use Plan.
3. The new system will not take effect all at once. Day-to-day consenting, plan administration and enforcement will continue under the RMA during a transition period. Discrete changes have been made to the RMA to "switch on" some elements of the new system, most notably excluding some types of effects from consideration.
4. The Transition Period will end on a date specified by the Minister. This will be when the new Acts, and the plans made under the new Acts, will apply instead of the RMA (and plans prepared under the RMA). This will be when regional spatial plans have been decided and land use plans and natural environment plan have been notified.
5. Plan making under the RMA can continue such as private plan changes and planning processes already far enough through the process (like TTPP in its appeals process).
6. Of immediate concern to the Committee is whether it wishes to review the alignment of TTPP with some specific requirements as a result of the discrete amendments to the RMA under the Planning Act 2026.
7. Section 104 (1A) of the RMA now specifies that a range of matters can no longer be considered in relation to resource consents
    - For residential activities (except in relation to the protection of historic heritage).
        - the area of glazing;
        - the presence or absence of balconies;
        - the outdoor living space;
        - the internal layout;
        - the size of a residential unit;
        - the size of landscaped areas (except in relation to permeability);
    - negative effects of development on trade competition, including on competing providers of input goods and services;
    - effects on retail distribution;
    - in relation to a project;
        - any lack of demand for the project; or
        - the fact that the project is not financially viable;
    - the type of residents to be housed in a new development; and
    - views from private property.
8. Only some of these matters are currently included in TTPP. The RMA now provides that Councils **may** amend their district plans to remove requirements for these out-of-scope activities.
9. The three district councils are currently addressing the requirements of this RMA amendment through their resource consent processes, however the Committee has the option to also amend Te Tai o Poutini Plan to delete or modify any provisions that do not meet the requirements.
10. This could assist the three Councils with consent administration so they do not have to make a case-by-case assessment of whether the provisions or parts of the provisions should be disregarded each time.

11. A new section 76A of the RMA allows the Committee, during the transition period, to amend provisions in TTPP without using the process in Schedule 1 of the RMA (i.e. no notification or submission periods required). This includes removing provisions relating to matters specified in section 104(1A) or modifying them to the extent necessary to ensure those matters specified no longer apply or are no longer considered.
12. The ability to modify the plan under section 76A only applies to provisions of the TTPP that are operative. For now, it only applies to **rules** in the TTPP that are treated as operative under section 86F of the RMA (i.e. where no submissions or appeals were made against the rule or where all appeals have been resolved). It cannot be used in relation to objectives and policies (as they cannot be treated as operative until the TTPP is made operative by the Committee under schedule 1 of the RMA).
13. This is a similar process to how Minor Errors are being amended under Clause 16 of the RMA Schedule One.
14. The amendments to the RMA during the transition period also include an amendment to section 76 of the RMA requiring that a district rule must not require a resource consent for an activity solely because it relates to a matter specified in section 104(1A) of the RMA. The Committee will need to be aware of this requirement when reaching agreements at mediation and when filing consent documents with the Court.
15. The Transition Period and what happens after it is summarised in the graphic below:

TRANSITION PERIOD from 30 October 2026	FROM THE SPECIFIED TRANSITION DATE new system operative from 'specified transition date', expected to be in 2030
Certain effects removed from the scope of the RMA for district land use activities and must be disregarded. Transitional consenting requirement takes effect through amendments to the RMA. Councils implement the new requirements through their consenting processes and practices. District councils can remove these effects from district plans, without an RMA Schedule 1 (plan change) process. From 1 January 2028, automatic exemptions to the RMA 'plan stop' will cease, and RMA plan changes are only possible with an exemption from the Minister. Draft regional spatial plans notified the later of 30 June 2028 or 9 months after the national policy direction is issued under each Act. Decisions required within 9 months of notification. Within 9 months of decisions on regional spatial plan, all proposed natural environment plans and land use plans within the region must be notified. Proposed plans cannot have legal effect or become operative during the transition period (RMA remains in force).	From the 'specified transition date', the RMA will cease to apply (except for in relation to applications that are already in train) and the new planning system becomes the primary framework for decision-making. Applications are assessed under the system in place at the time the application was made. Rules in the notified proposed plans will have legal effect from the 'specified transition date', and the RMA will cease to apply (except for applications already in train). Plan provisions that would otherwise already be operative, become operative from the 'specified transition date'. The new system is in place; regional spatial plans are adopted, and decisions are made on proposed natural environment plans and land use plans (if not already during the transition period). Other plan processes under the new Acts such as plan changes and reviews can be undertaken.

16. The Acts anticipate that the Transition Period is until late 2030, however this assumes that all the very tight deadlines placed on government and councils are met with no delay. As was outlined in the October report to this Committee, delays to these deadlines can be anticipated.

CONSENTING DURING THE TRANSITION PERIOD

17. The process for obtaining a resource consent or designation does not materially change during the Transition Period; the key difference will be the timing of the application. Resource consent applications lodged before the Transition Period will be processed under the RMA as it currently stands. Applications lodged during the Transition Period will be processed under the RMA as it stands at the time of the application, including any amendments already in effect (such as the narrowing of effects that can be considered under the RMA).
18. Once the Acts are in full force, resource consents granted under the RMA will carry over as equivalent permissions under the new regime, on the same conditions.

PLAN CHANGES

19. "Plan stop" requirements for district plans continue during the Transition period. The Committee is able to make Plan Changes/Variations that give effect to the new National Policy Statement for Natural Hazards, but all other Plan Changes/Variations require approval from the Minister for RMA reform – in the same way that the Committee has already gained approval for Variation 3.
20. From 1 January 2028 no private plan changes will be able to be accepted (these have been able to continue under "plan stop") unless the Minister grants an exception. The current restriction or "plan stop" for council plan changes will continue past the original cut-off date of 31 December 2027 to the specified transition date.

PLANNING TRIBUNAL

21. A new Planning Tribunal will be established as a division of the Environment Court, but it will commence on a date set by Order in Council. Once operating, it is intended to have a role during the transitional consenting period and provide a lower-level review pathway for specified procedural and consenting decisions, including further information requests, interpretation of consent conditions and process disputes. Further details on the establishment of the new Planning Tribunal will be available in the future.

NATIONAL POLICY DIRECTION

22. The National Policy Direction (NPD) sits at the top of the planning system hierarchy.
23. It indicates where national standards will complement the framework provided through legislation. Spatial Plans, National Standards, Land Use Plans and Natural Environment Plans are lower in the hierarchy and must implement the National Policy Direction. This is similar to how things have worked under the RMA, however the government has indicated it is seeking a lot more standardisation and that plan provisions for some aspects will be nationally determined. Unfortunately this means that some more enabling aspects of TTPP are likely to be lost as national standardisation will be undertaken to suit the environment of more "typical" parts of New Zealand.
24. The Ministry of Cities, Environment, Regions and Transport (MCERT) has released a draft "illustrative" NPD to provide an early view of how the goals of the new planning system could be translated into national policy direction. The illustrative NPD covers a similar range of matters to that within existing RMA National Direction, however the Resources and Primary Production sections place greater emphasis on economic opportunities. Requirements for Councils to identify significant natural resources such as Significant Natural Areas and Outstanding Natural Landscapes remain.

BUILDING DIGITAL AND DATA FOUNDATIONS

25. RMA reform envisages a much more digital approach to planning systems, building on the requirements (that TTPP currently meets) in the current National Planning Standards for e-plans and maps.
26. The Government is undertaking further work to build and hold planning and mapping data at a national scale and this is intended to underpin the future planning system.
27. The initial focus of this work is building datasets to help support regional spatial planning and the current work programme is summarised below.

What's happening now

Data standards and investments: progressing to support regional spatial planning.

E-planning platform and federated data management: planning under way to support more consistent, accessible planning information.

Future work: e-consenting capability and system performance monitoring.

Why this matters

Better data and digital tools will help support:

- **Better-informed** spatial planning focussed on growth and change
- **Clearer visibility** of infrastructure needs, development pressures and environmental constraints
- A **more consistent** planning system
- **Clearer visibility** of system performance over time

NEXT STEPS

28. During the Transition Period the has the option of undertaking an analysis of the Plan and removing the provisions in relation to residential buildings that no longer apply under Section 104 (1A) of the RMA.
29. This would assist the three Councils in their implementation of the TTPP, and potentially make the consenting process slightly less complex.
30. TTPP staff would need to review the Plan provisions and come back to the Committee with a list of changes which then could be made by a Committee resolution. This is not a mandatory requirement however, and the Committee could choose to leave this matter to be dealt with by the Councils through the consenting process.

The Committee will also need to be aware of the new requirement that a rule must not require a resource consent for an activity solely because it relates to a matter specific in Section 104(1A) of the RMA.