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**IN THE ENVIRONMENT COURT  
AT CHRISTCHURCH REGISTRY**

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

**ENV-2025-CHC-**

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<b>IN THE MATTER</b>	of an appeal under Clause 14 of Schedule 1 of the Resource Management Act 1991
<b>AND IN THE MATTER</b>	of the proposed Timaru District Plan
<b>BETWEEN</b>	<b>THE ROYAL FOREST AND BIRD PROTECTION SOCIETY OF NEW ZEALAND INCORPORATED</b>
	<b>Appellant</b>
<b>AND</b>	<b>TIMARU DISTRICT COUNCIL</b>
	<b>Respondent</b>

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**NOTICE OF INTENTION TO BE A PARTY TO THE PROCEEDINGS ON BEHALF OF  
THE MINISTER OF DEFENCE**

**26 May 2026**

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**To** The Registrar  
Environment Court  
Christchurch

1. The Minister of Defence (**Minister**) gives notice under section 274 of the Resource Management Act 1991 (**RMA**) of his wish to be a party to the following proceedings:

ENV-2025-CHC-

An appeal by the Royal Forest and Bird Protection Society of New Zealand Inc. (**Forest & Bird**) against decisions made on the proposed Timaru District Plan (the **proposed plan**).

**(the Appeal)**

2. Among other things, through the Appeal Forest & Bird seek to amend Part 2 District Wide Matters ASW Activities on Surface of Water (row 26, Table 1 of Forest & Bird's Notice of Appeal dated 6 May 2026 refers).
3. The Minister, through the New Zealand Defence Force (**NZDF**), made a submission<sup>1</sup> about the subject matter of the appeal (submitter #151).
4. The Minister has an interest in the Appeal greater than the interest of the general public, as the Minister has the power of control of the NZDF under the Defence Act 1990. The NZDF is tasked with defence of New Zealand and is used to provide public services or assist the civil power in time of emergency.<sup>2</sup> Accordingly, the NZDF must be able to undertake operations in the Timaru district, including undertaking Temporary Military Training Activities and activities for defence purposes, to carry out its statutory functions under the Defence Act 1990.
5. The Minister is not a trade competitor for the purposes of sections 308C or 308A of the Act.
6. The Minister has an interest in part of the Appeal.
7. The Minister is interested in the parts of the Appeal relating to the

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<sup>1</sup> 7 December 2022.

<sup>2</sup> Defence Act 1990, ss 5 and 9.

following:

- 7.1 Provisions relating to the use of motorised craft on the surface of the Timaru District's rivers (including AWS-P2 and AWS-R2 PER-8 of the proposed Plan).
8. The Minister opposes the relief sought on appeal for the following reasons:
  - 8.1 The relief sought is not the most appropriate way to achieve the purpose of the RMA;
  - 8.2 The relief sought is not the most appropriate way to achieve the objectives of the proposed Plan;
  - 8.3 The relief sought is not necessary to give effect to the National Policy Statement for Indigenous Biodiversity and the Canterbury Regional Policy Statement;
  - 8.4 The relief sought does not appropriately enable the NZDF to undertake temporary military training activities and defence activities to carry out its statutory functions and meet defence purposes under the Defence Act. It is necessary that NZDF can carry out those activities as permitted activities; and
  - 8.5 Any combination of the above matters.
9. The Minister agrees to participate in mediation or other alternative dispute resolution of the proceedings.

26 May 2026



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A W M Britton  
Counsel for the Minister of Defence

The Minister's address for service is:

Crown Law, Level 2, Justice Centre, 19 Aitken Street, Wellington 6011.

Documents may be left at this address for service or may be:

- a) posted to the solicitor at PO Box 2858, Wellington 6140; or
- b) left for the solicitor at a document exchange for direction to DX SP20208, Wellington Central; or
- c) emailed to the solicitor at [andrew.britton@crownlaw.govt.nz](mailto:andrew.britton@crownlaw.govt.nz) provided that the documents are also emailed to [rebecca.davies@nzdf.mil.nz](mailto:rebecca.davies@nzdf.mil.nz).