IN THE ENVIRONMENT COURT AT AT CHRISTCHURCH

ENV-2026-CHC-000048

I TE KOTI TAIAO O AOTEAROA KI ŌTAUTAHI

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of an appeal under clause 14(1) of the First Schedule of the Act and pursuant to Section 274 of the Act

BETWEEN **THE ROYAL FOREST AND BIRD PROTECTION SOCIETY OF NEW ZEALAND INCORPORATED – WELLINGTON BRANCH**

Appellant

AND **TIMARU DISTRICT COUNCIL**

Respondent

NOTICE OF FEDERATED FARMERS OF NEW ZEALAND INCORPORATED'S WISH TO BE PARTY TO PROCEEDINGS

27 May 2026

FEDERATED FARMERS OF NEW ZEALAND

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TO: The Registrar of the Environment Court at Christchurch

AND TO: The Royal Forest and Bird Protection Society of New Zealand Incorporated (**Appellant**), and Timaru District Council (**Respondent**).

1. Federated Farmers of New Zealand Incorporated (**Federated Farmers**) gives notice pursuant to section 274 of the Resource Management Act 1991 (**RMA**) that it wishes to be a party to the following proceedings:

   The Royal Forest and Bird Protection Society of New Zealand Incorporated – Wellington Branch v Timaru District Council ENV-2026-CHC-000048 (**Appeal**).

2. Federated Farmers made a submission (submitter number 182) and further submission (further submitter number 182) about some of the subject matter of the proceedings.

3. Federated Farmers otherwise has an interest in the proceedings that is greater than the interest that the general public has. The subject matter of the proceedings directly impacts the ability of farmers to use their land. Federated Farmers is a primary sector organisation that represents the interests of farmers and rural communities.

4. Federated Farmers is not a trade competitor for the purposes of section 308C or 308CA of the RMA.

5. Federated Farmers is interested in the parts of the proceedings relating to appeal points 1, 13, 14, 15, 16, 17, 18, 20, 21, 23, 24 and 32.

6. Federated Farmers oppose the relief sought because:

   Ecosystems and indigenous biodiversity

   (a) Removing the "intensive" threshold from the definition of "over-grazing/trampling" means ordinary grazing is no longer

distinguished from other grazing practices. create uncertainty and inconsistency within the ECO rules framework.

(b) Renaming of policy ECO-P1 from “Assessment and identification of significant indigenous biodiversity” to “Assessment and identification of Significant Natural Areas” (**SNA**) is inaccurate and potentially circular. Areas are not identified as SNA until the assessment process is complete, and not all assessed areas will necessarily qualify as SNAs. The notified wording more appropriately reflects the purpose of the policy.

(c) Proposed new policy ECO-PX would introduce uncertainty by effectively extending SNA-style policy protection to areas that have not been identified and scheduled as SNA through the Plan process. This is inconsistent with the structured identification approach anticipated by the National Policy Statement for Indigenous Biodiversity 2023 (**NPS-IB**) and risks creating an indeterminate “holding” status for land that may or may not ultimately qualify as an SNA.

(d) Proposed amendments to policy ECO-P2 and rule ECO-R1 are not entirely consistent with provision for maintenance of improved pasture in the NPS-IB;

(e) Replacing “farming practices” with “grazing of improved pasture” in policy ECO-P2 fails to recognise other legitimate farming practices included within the list of activities. Adding a requirement “and where the values of SNAs are protected” sets an unrealistically absolute threshold that is inconsistent with a permitted activity framework allowing limited vegetation clearance. The relief sought would create uncertainty as to what level of effect on SNA values is acceptable and may undermine the intended operation of the rule.

(f) Removing “except as provided for in ECO-P2” from policy ECO-P8 inappropriately removes the ability to undertake any indigenous vegetation clearance in the coastal environment as a permitted activity, which is disproportionate to likely effects.

(g) The proposed addition of “areas of indigenous vegetation that provide habitat for Threatened, At Risk or locally uncommon species” in ECO-P3 introduces a broad and uncertain habitat-based trigger into a policy otherwise directed toward identifiable landscape and landform characteristics. Matters relating to habitat for Threatened, At Risk, or locally uncommon species are more appropriately addressed through the SNA framework.

(h) The proposed addition of a requirement to “manage adverse effects on long-tailed bats both within and outside the Overly” to ECO-P5 creates uncertainty as to the spatial extent of the policy and risks introducing an open-ended management framework not supported by mapped identification. The relief sought also shifts the policy from habitat-based protection to an open-ended species-based effects test, which is not supported by the mapped overlay approach adopted in the Plan.

Natural character, features and landscapes

(i) “Where practicable” is a well-understood planning term that appropriately recognises technical, operational, and functional constraints. Replacing it with “where possible” in policy NATC-P4 introduces unnecessary ambiguity and a potentially higher and less certain threshold.

(j) Better recognising natural character in the coastal environment through proposed amendments to policy NFL-P4 and addition of new policy NFL-P5 (and inclusion as a matter of discretion in various CE rules) is inconsistent with the structure of the PDP. As

stated in the NFL chapter introduction, “Provisions related to the preservation of the natural character of the coastal environment are included in the Coastal Environment Chapter”.

Coastal Environment

(k) The PDP is structured such that all relevant district-wide, overlay, and zone provisions apply concurrently. Accordingly, where infrastructure activities occur within the Coastal Environment, Coastal Environment provisions already apply. The addition of a standalone matters of discretion relating to “effects on the coastal environment” is therefore unnecessary and risks duplication and inconsistency within the plan framework.

(l) Limiting the number of buildings in rule CE-R4 is an inefficient and arbitrary method of managing effects within the Coastal Environment. The proposed restriction would disproportionately constrain larger sites, irrespective of the scale or effects of development, and duplicates controls already provided through the underlying zone provisions. Further, the proposed 10-year restriction appears directed at managing the rate of development rather than the effects of development itself.

(m) Deleting rule CE-R7 is unnecessary as the Coastal Environment and ECO chapters already provide an integrated framework for managing land disturbance effects. The amended new rule CE-R7 proposed by the appellant introduces arbitrary thresholds that are not clearly justified and risks duplication and inconsistency with existing provisions.

7. Federated Farmers agrees to participate in mediation or other alternative dispute resolution of the proceedings.

Frances Casey
Policy Advisory/Resource Management Solicitor

Dated: 27 May 2026

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Advice

If you have any questions about this notice, contact the Environment Court in Auckland, Wellington, or Christchurch.