

In the Environment Court of New Zealand
Christchurch Registry

I Mua I Te Kōti Taiao O Aotearoa
Ōtautahi Rohe

ENV-2025-CHC-

Under the Resource Management Act 1991 (**Act**)

In the matter of an appeal under clause 14(1) of the First Schedule of the Act
against a decision on the proposed Te Tai o Poutini Plan

Between **Stephen Maurice Tranter and Pauline Elizabeth Tranter**
Appellants

And **Te Tai o Poutini Plan Committee**
Respondent

Notice of Appeal

8 December 2025

Appellant's solicitors:

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TO: The Registrar
Environment Court
Christchurch

- 1 Stephen Maurice and Pauline Elizabeth Tranter (**the Tranters**) appeal against a decision (**the Decision**) of Te Tai o Poutini Committee on the Proposed Te Tai o Poutini Plan (**TTPP**).
- 2 The Tranters made a submission and further submission on Variation 2 to the TTPP (Submission #727; Further Submission #249).
- 3 The Tranters are not a trade competitor for the purpose of section 308D Resource Management Act 1991.
- 4 The Tranters received notice of the Decision on or about 10 October 2025.
- 5 The decision was made by Te Tai o Poutini Plan Committee (**Committee**).

Decision appealed

- 6 The Tranters appeal:
 - (a) The decision on coastal hazard mapping as it relates to land legally described as Lot 2 DP 19666; Lot 1 DP 19733; and Part Section 9 Block IV Kawatiri Survey, located at 427-429 Utopia Road, Westport (the **Land**).

Reasons for the appeal

Background

- 7 The Tranters own approximately 11.96 hectares of land, located at 427-429 Utopia Road, Westport, shown below in Figure 1.



Figure 1: The Tranter land

- 8 In 2005 the Land was purchased by the Tranters, with the intention to subdivide and develop in future. There were no known erosion or flooding issues identified at the time of purchase.
- 9 Parts of the Land are now subject to serious erosion which the Tranters consider do not result from natural, coastal factors but instead are due to human activity in the vicinity of the Land, including due to the action and inaction of Buller District Council and West Coast Regional Council:
 - (a) Development of land created by the northern drift of the Orowaiti River;
 - (b) Creation and extension of the Tiphead;
 - (c) Public access on the beach frontage, including vehicle and people movements;
 - (d) Insufficient flood protection works. Cut through is required at the Orowaiti to control the river mouth and maintain it;
 - (e) Activities on neighbouring land, including extensive groynes/rock work installed nearby; gold mining on the beach frontage; and the restricted flow of the adjacent creek by the Lake Rochefort Hydro operation.

Coastal hazard mapping

- 10 The coastal hazards maps in the TTPP as notified (the **Notified map**) are shown in figure 2 below. The Notified map shows a Coastal Severe overlay over the northern part of the Land.

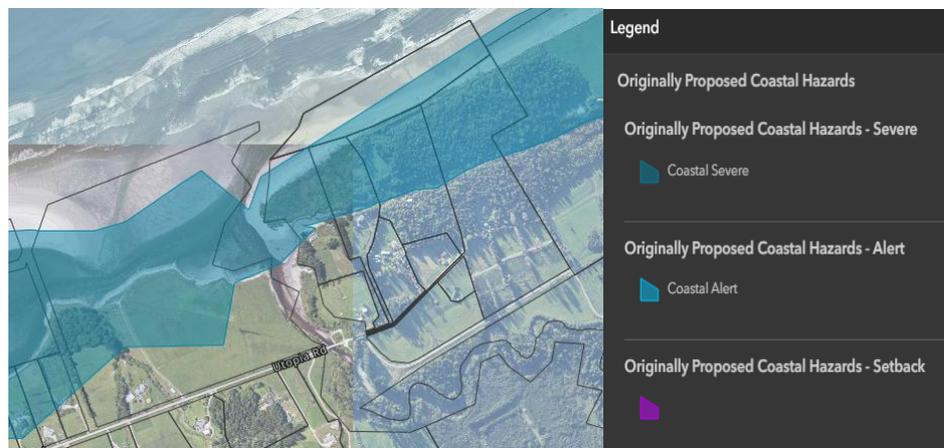


Figure 2: Coastal hazards map, TTPP as notified

- 11 In November 2024, Variation 2 was renotified and included revised coastal hazard maps based on updated modelling (**the V2 mapping**), shown in figure 3 below. The V2 mapping shows a significant expansion of the Coastal Hazards Variation Severe overlay (boundary shown in blue highlight), which now covers the majority

of the Land. The Coastal Hazards Variation Alert overlay is shown over small parts of the Land.¹

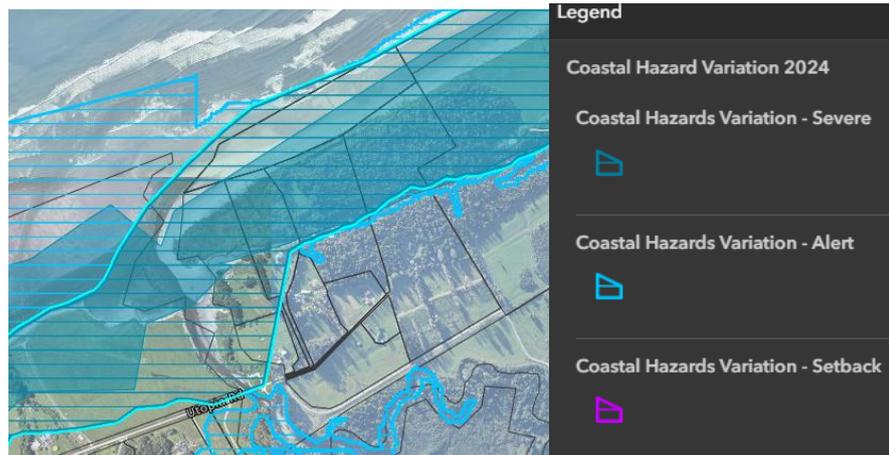


Figure 3: Coastal hazards map, Variation 2

- 12 In their submission the Tranters opposed the changes proposed to the coastal hazards mapping primarily on the basis that the erosion is man made. They also expressed concern about the reliability of the data on which the coastal hazard overlays were based.

The Committee's Decision

- 13 The Decision of the Committee adopts the recommendation of the IHP contained in Recommendation Report 14: Natural Hazards (including Variation 2, Coastal Hazards) Ngā Mōreareatanga Aotūroa.
- 14 The Decision is to reject all submissions seeking the deletion or reduction in coastal hazard mapping.² The outcome of this Decision is to approve the V2 mapping. The Hazard Overlays are also renamed, with the Coastal Hazards Severe overlay renamed as the Coastal Erosion and Inundation Hazard overlay.³
- 15 The TTPP Decisions Version map is shown in figure 4 below.

¹ North eastern part of Part Section 9 Block IV Kawatiri SD; Eastern part of Lot 2 DP 19666.

² Recommendation Report 14 at [267]

³ Recommendation Report 14 at page 194

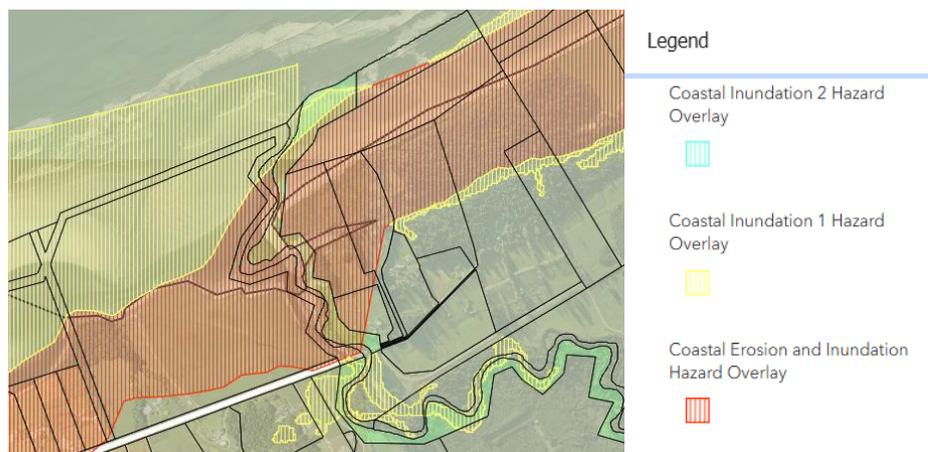


Figure 4: TTPP Decisions Version map

- 16 The reasons given for the Decision are that the NIWA coastal hazard modelling meets best practice and national guidance; adopts a sound method for district scale modelling; that site specific scale modelling is time and cost prohibitive; adopts appropriate (required or recommended) sea level rise parameters and timeframe; that vertical land movement is uncertain and should not be factored into the modelling; that the NIWA modelling is largely supported by the Tonkin and Taylor peer review.⁴
- 17 The Tranter's appeal the Decision for the following reasons:
- The coastal hazard mapping imposes unreasonable constraints on landowners and will not address the causes of erosion which are man made;
 - There has been no site specific coastal hazard assessment. The broader approach taken to modelling for the overlays is inconsistent with the risk based approach in the TTPP Natural Hazards objectives and policies;
 - Vertical land movement has not been factored into the coastal hazard modelling;
 - The 100-year timeframe for coastal hazard modelling is inappropriate. Inadequate consideration has been given to the ability to impose shorter timeframes, consistent with the New Zealand Coastal Policy Statement (**NZCPS**) and MfE guidance;⁵
 - There has been inadequate consultation and insufficient time provided for affected parties to seek professional advice and technical reviews of complex coastal hazard modelling;

⁴ Recommendation Report 14 at [263]

⁵ MfE Coastal Hazards and Climate Change Guidance, 2024; Policies 24 and 25, New Zealand Coastal Policy Statement.

- (f) The Decision is inconsistent with the NZCPS, the West Coast Regional Policy Statement (**WCRPS**) and MfE guidance.⁶
- 18 Excluding the Land from the coastal hazard overlays is the most appropriate outcome and will:
- (a) Assist the Council in carrying out its statutory duties under the Resource Management Act 1991 (RMA) including the integrated management of the effects of the use and development of land;
 - (b) Give effect to the NZCPS;
 - (c) Give effect to the WCRPS;
 - (d) Achieve the objectives of the TTPP;
 - (e) Meet the requirements of section 32 of the RMA; and
 - (f) Promote the sustainable management of natural and physical resources in accordance with Part 2 of the RMA.

Relief sought

- 19 The Tranters seek the following relief:
- (a) Reject the Decision as it relates to the Land;
 - (b) Exclude the Land from the coastal hazard overlays;
 - (c) Such other additional, alternative or consequential relief to address the matters raised in this appeal.
- 20 The Tranters agree to participate in Court assisted mediation.

⁶ MfE Coastal Hazards and Climate Change Guidance, 2024.

Attachments

- 21 The following documents are attached to this notice of appeal:
- (a) Appendix A – A copy of the submission and further submission;
 - (b) Appendix B – A copy of the Decision;
- 22 It is recorded that no persons are required to be served with a copy of this notice as there are no submissions on this appeal point.

Dated 8 December 2025



Jo Appleyard / S Schulte
Counsel for the Appellant

This document is filed by Jo Appleyard, solicitor for the Appellant, of the firm Anderson Lloyd. The address for service of the Appellant is Floor 2, The Regent Building, 33 Cathedral Square, Christchurch 8011.

Documents for service on the filing party may be left at that address for service or may be:

- (a) posted to the solicitor at PO Box 13831, Christchurch 8141; or
- (b) left for the solicitor at a document exchange for direction to DX Box WX10009 Christchurch; or
- (c) transmitted to the solicitor by fax to + 64 3 379 0039; or
- (d) emailed to the solicitor at jo.appleyard@al.nz | sarah.schulte@al.nz.

Appendix A – A copy of the submission and further submission

Appendix B – A copy of the [Decision](#)