

**Before the Environment Court  
At Christchurch  
I Mua I te Kōti Taiao  
Otautahi Rohe  
ENV-2025-**

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

**In the matter** of an appeal under clause 14(1) of the First Schedule  
of the RMA

**Between** **Westpower Limited**  
**Appellant**

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

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**Notice of Appeal**

**Date:** 8 December 2025

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**Stephen Quinn**  
Barrister

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**To:** The Registrar  
Environment Court  
Christchurch

- 1 Westpower Limited (**Westpower**) appeals against parts of the decision of the Te Tai o Poutini Plan Committee (**TTPP Committee**) in respect of the Proposed Te Tai o Poutini Plan (**TTPP**). The TTPP Committee was established to develop a new combined proposed plan for the Buller, Grey and Westland District Councils and the West Coast Regional Council.
- 2 Westpower made submissions and further submissions on the Proposed Plan.<sup>1</sup>
- 3 Westpower is not a trade competitor for the purposes of section 308D of the Resource Management Act 1991 (**RMA**).
- 4 The TTPP committee made the Decision on the TTPP on 24 September 2025. Public notice of the Decision was made on 10 October 2025. The Court has granted a waiver for appeals to be filed by 8 December 2025.

#### **Parts of the Decision that are appealed**

- 5 Westpower made submissions that covered all aspects of the TTPP. Westpower participated in the TTPP Committee hearings and expert conferencing.
- 6 Westpower also made various further submissions in response to the submissions made by a number of other submitters.
- 7 Of the matters that Westpower submitted on, it now appeals against those aspects of the Decision where its submissions or

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<sup>1</sup> Submission dated 11 November 2022; and various Further Submissions dated 17 July 2023.

further submissions have not been accepted in full. The appeal points accordingly affect the most parts of the TTPP.

- 8 The specific appeal points covered by this appeal, and relief sought, are attached as tables appended to this notice of appeal at Appendix 1.

### **Reasons for appeal**

- 9 The reasons for this appeal include that the Decision:
  - 9.1 Will not promote the sustainable management of the region covered by the TTPP and will not achieve the purpose of the RMA.
  - 9.2 Is contrary to Part 2 of the RMA.
  - 9.3 Does not represent the most appropriate way of exercising the functions of each Council, having regard to the efficiency and effectiveness of other reasonably practicable options, and are therefore not appropriate in terms of section 32 and other provisions of the RMA.
- 10 Without limiting the generality of the above, Westpower's appeal against the Decision that takes account of the following factors:
  - 10.1 It is seeking more enabling rules, as previously existed in the Grey District before the TTPP was notified;
  - 10.2 The approach reflected in the TTPP was to adopt the most prohibitive rules from Buller and use that as template for the whole region;
  - 10.3 Westpower has operated for 100 years supplying power to the West Coast, and operates regionally significant infrastructure;

- 10.4 The effect of the TTPP will require more time and cost for Westpower to secure consents to supply power and day to day work, meaning that electricity will cost more;
- 10.5 Some rules of the TTPP have effect immediately, without the opportunity for the appeal process to run its course;
- 10.6 Westpower considers that the process has been rushed, at significant cost, and contrary to the government's proposed legislative reforms;
- 10.7 Westpower seeks to provide affordable electricity to consumers, and not have unnecessary additional costs imposed;
- 10.8 Storms and weather events in recent times mean higher than usual faults have been experienced. Westpower seeks to restore power quickly without unnecessary regulatory hoops;
- 10.9 While this appeal addresses the provisions of the TTPP appealed in detail, an alternative option for consideration is for the TTPP to be repealed in its entirety; and
- 10.10 The proposed NPS–EN and NES–ENA provisions are enabling. Section 44A of the RMA requires that rules in plans must not be more restrictive than a NES, and must give effect to an NPS (section 55). The TTPP timing is contrary to those current reviews due to be released in the first half of 2026, and the TTPP will need to be subsequently amended to achieve consistency.

## **Relief sought**

- 11 Westpower seeks the relief as outlined in the table under each appeal point in Appendix 1. It also seeks:
  - 11.1 Such further or consequential relief, or other amendments to these or other provisions considered appropriate and necessary to address the Westpower's concerns.
  - 11.2 Costs in respect of this appeal.

## **Documents**

- 12 Westpower attaches the following documents to this notice:
  - 12.1 Appendix 1: Tables showing the appeal points covered by this appeal, and relief sought.
  - 12.2 Appendix 2: A copy of its submissions on the TTPP.
  - 12.3 Appendix 3: A copy of Westpower's further submissions on the TTPP.
  - 12.4 The relevant Decision of the TTPP Committee may be obtained on request from the Appellant.
  - 12.5 Appendix 4: A list of the names and addresses of persons to be served with a copy of this notice, as modified in accordance with the Court directions dated 6 October 2025.

**Date:** 8 December 2025



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Stephen Quinn/ Lisa Leyland  
Counsel for Westpower Limited

This document is filed by Stephen Quinn, Barrister for the Appellant.

The address for service on the Appellant is at:

Capital Chambers  
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Documents for service on the Appellant may be:

- left at the above address for service, or
- posted to the solicitor at PO Box 10048, Wellington 6143, or
- emailed to [stephen.quinn@capitalchambers.co.nz](mailto:stephen.quinn@capitalchambers.co.nz)