

**IN THE ENVIRONMENT COURT
AT CHRISTCHURCH**

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

ENV-2025-CHC-000102

IN THE MATTER of the Resource Management Act 1991
("the RMA")

AND

IN THE MATTER of an appeal under clause 14 of the First
Schedule of the RMA against the
decision of Te Tai o Poutini Plan
Committee on the Proposed Te Tai o
Poutini Plan

BETWEEN **BIRCHFIELD COAL MINES LIMITED**

Appellant

AND **TE TAI O POUTINI PLAN COMMITTEE,
A DULY CONSTITUTED JOINT
COMMITTEE OF BULLER, GREY, AND
WESTLAND DISTRICT COUNCILS**

Respondent

**NOTICE BY MANAWA ENERGY LIMITED OF WISH TO BE PARTY TO
PROCEEDINGS**

2 February 2026

Solicitors acting:

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TO: The Registrar of the Environment Court at Christchurch

INTRODUCTION

1. Manawa Energy Limited (“Manawa Energy”) wishes to be a party to the appeal by Birchfield Coal Mines Limited (the “Appeal” and the “Appellant”) against decisions of Te Tai o Poutini Plan Committee on the Proposed Te Tai o Poutini Plan (“Proposed TTPP”).
2. Manawa Energy made a submission¹ on the Proposed TTPP, including on provisions relating to the subject matter of the Appeal.
3. Manawa Energy also has an interest in the Appeal that is greater than the interest the general public has. Manawa Energy owns approximately 510MW of hydroelectricity generation assets throughout New Zealand which consist of 38 hydro-electric power stations across 25 individual schemes. In the West Coast Region, Manawa Energy owns and operates the Arnold power station, and the Dillmans, Kaniere Forks/McKaysCreek, and Wahapo hydro-electric power schemes, which are all connected to the local distribution network. Given its activities in the West Coast Region, Manawa Energy has a direct interest in many of the provisions of the Proposed TTPP, including provisions raised in the Appeal.
4. Manawa Energy is not a trade competitor for the purpose of section 308C or 308CA of the RMA.

INTEREST IN THE APPEAL

5. Manawa Energy is interested in those parts of the Appeal that relate to:
 - (a) the following Definitions:
 - i. biodiversity compensation;
 - ii. biodiversity offset;
 - iii. effects management hierarchy;
 - iv. energy activity;
 - v. the ‘existing use right’ aspect of the term ‘lawfully established’;
 - vi. indigenous biodiversity;
 - vii. wetland;
 - (b) CCR-O2;

¹ Submission #438 dated 28 October 2022.

- (c) NENV-01, NENV-02, NENV-03, and NENV-04;
- (d) the ENG chapter; and
- (e) the ECO chapter.

POSITION ON RELIEF SOUGHT

6. Manawa Energy opposes the relief sought in the Appeal relating to the above on the basis set out by Manawa Energy in its submission and at the Council hearings on the Proposed TTPP, and because it will not appropriately recognise and provide for renewable electricity generation (“REG”) activities. In addition, the above relief sought:
- (a) does not promote the sustainable management of resources, and does not achieve the purpose of the RMA
 - (b) is contrary to Part 2 and other provisions of the RMA;
 - (c) does not represent the efficient use and development of natural and physical resources;
 - (d) does not manage natural and physical resources in a manner that enables the community to provide for its social and economic wellbeing;
 - (e) will not meet the reasonably foreseeable needs of future generations;
 - (f) does not give effect to relevant provisions of higher order planning documents, including the National Policy Statement for Renewable Electricity Generation 2011; and
 - (g) does not represent the most appropriate means of exercising the Council’s functions and is therefore not appropriate under s32 and other provisions of the RMA.

MEDIATION

7. Manawa Energy agrees to participate in mediation or other alternative dispute resolution in respect of the proceedings.

MANAWA ENERGY LIMITED by its solicitors:



J Welsh / S Mutch / I Fowler
ChanceryGreen

2 February 2026

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To: The Registrar at the Environment Court at Christchurch

And to: TTPP Committee

And to: The Appellant