

**BEFORE THE ENVIRONMENT COURT  
CHRISTCHURCH REGISTRY**

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

**ENV-2025-CHC-000103**

**IN THE MATTER** of the Resource Management Act 1991

**AND**

**IN THE MATTER** of an appeal under clause 14(1) of Schedule 1 to the Act

**AND**

**IN THE MATTER** of s 274 of the Act

**BETWEEN** **BIRCHFIELD COAL MINES LTD**

Appellant

**AND** **TE TAI O POUTINI PLAN COMMITTEE**

Respondent

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**BULLER DISTRICT COUNCIL'S WISH TO BE A PARTY TO PROCEEDINGS**

2 February 2026

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Solicitor: Chris Thomsen

**TO:** The Registrar  
Environment Court  
Christchurch

1. Buller District Council (**BDC**) wishes to be a party to the following proceedings:

*Birchfield Coal Mines Ltd v Te Tai o Poutini Plan Committee*

2. BDC made a submission about the subject matter of the proceedings.
3. BDC has an interest in the proceedings that is greater than the interest that the general public has because BDC:
  - (a) Is the territorial authority responsible for administering and implementing Te Tai o Poutini Plan (**TTPP**) within the Buller District; and
  - (b) Has statutory responsibilities for integrated land use planning, infrastructure provision, and the management of environmental effects associated with mineral extraction and associated activities.
4. BDC is not a trade competitor for the purposes of ss 308C or 308A Resource Management Act 1991.
5. BDC is interested in all of the proceedings.
6. BDC is interested in the following particular issues:
  - (a) Provisions of TTPP relating to mineral prospecting, exploration and extraction activities;
  - (b) Pleaded errors in the planning maps;
  - (c) Proposed amendments to definitions, schedules, appendices and planning maps that may have implications for the integrated and consistent implementation of TTPP, including across chapters; and
  - (d) The administration of TTPP.

7. BDC is neutral on the relief sought because:
- (a) BDC recognise the importance of mineral exploration and extraction to the economic and social fabric of the Buller District and wider West Coast Region and acknowledges that such activities may be appropriate where supported by robust policy direction and environmental safeguards;
  - (b) BDC would not oppose any relief that corrects errors in the planning maps, provided they can be shown to be an effective and efficient way to achieve the objectives of TTPP;
  - (c) Any relief granted should not result in inconsistencies or unintended consequences across the Plan; and
  - (d) It is important that TTPP be administratively convenient and effective. As the territorial authority responsible for administering TTPP, provided any changes do not compromise delivery of TTPP on this basis, and subject to the pleadings above, BDC would not oppose the relief sought.
8. BDC agrees to participate in mediation or other alternative dispute resolution of the proceedings.

Dated: 2 February 2026



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**CP Thomsen / AA Yardley**  
Counsel for Buller District Council

This notice was filed by **CHRISTOPHER PAUL THOMSEN**, solicitor for the party of the firm Fletcher Vautier Moore. The address for service of the above-named party is at the offices of Fletcher Vautier Moore, Solicitors, Level 1, 201 Queen Street, Richmond, Nelson.

Documents for service on the party may be:

- a) Posted to the solicitor at Fletcher Vautier Moore, Solicitors, PO Box 90, Nelson 7040; or
- b) Sent by email to both [cthomsen@fvm.co.nz](mailto:cthomsen@fvm.co.nz) and [ayardley@fvm.co.nz](mailto:ayardley@fvm.co.nz).

*Advice*

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