

In the Environment Court of New Zealand  
Christchurch Registry

I Mua I Te Kōti Taiao O Aotearoa  
Ōtautahi Rohe

**ENV-2025-CHC-000101, 102,  
103, 104, 105, 107, 108, 110,  
111, 112, 113, 114, 115, 116,  
117, 118, 119, 120, 121, 122,  
123, 124, 125, 126, 127, 128,  
129, 130, 131, 133, 134, 135,  
136, 138 and 139**

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Under	the Resource Management Act 1991 (the Act)
In the matter of	an appeal under clause 14(1) of the First Schedule of the Act on a decision on the proposed Te Tai o Poutini Plan
Between	<b>Chorus New Zealand Limited &amp; Others</b>  Appellant/s  <b>Te Tai o Poutini Plan Committee</b>  Respondent

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**Joint Memorandum of Counsel relating to Mediation Schedule**

19 May 2026

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## May it please the Court

- 1 This memorandum is filed on behalf of Bathurst Resources Limited and BT Mining Limited, Birchfield Coal Mines Ltd, Birchfields Ross Mining Ltd, BRM Developments Ltd, Tāiko Critical Minerals Limited, Tasman Mining Limited and The New Zealand Minerals Council (**Parties**) in relation to the Memorandum of Counsel for Te Tai o Poutini Plan Committee regarding Revised Mediation Timetable dated 15 May 2026.
- 2 The Parties agree with the intention of the Respondent to minimise the impact to parties by utilising the existing mediation weeks as much as possible, but consider that when mediation commences that the Strategic Directions Chapter should be mediated first. In particular, the Parties consider that the Mineral Extraction strategic objectives and policies should be mediated prior to the three Mineral Extraction topics, and other flow on topics like light and noise.
- 3 Some of the Parties' appeals seek the reinstatement of the notified wording requiring objectives and policies of the plan to be interpreted in a way that is consistent with the Strategic Directions. Even putting aside this relief, the Strategic Directions set out the key matters for the region, and set the scene for the district planning landscape. It is not appropriate for the strategic directions to be retrofitted subsequently.
- 4 If it is considered appropriate by the Court, and in order to facilitate this, the Parties are agreeable to the Strategic Directions mediation being set down in the first Mineral Extraction topic mediation (Topic 20, 14 – 17 July) and this mediation being rescheduled.
- 5 The Parties consider this is a relatively small disruption to the mediation schedule and, given the importance of the Strategic Directions topic, is appropriate.
- 6 For completeness, it is noted that this memorandum focuses on the main interests of the Parties and does not consider the other topics that are also currently scheduled prior to the Strategic Directions such as Infrastructure and Transport.
- 7 The Parties are happy to work with the Respondent to address these concerns.

Dated 19 May 2026



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Christina Sheard / Josh Pierson

Counsel for Bathurst Resources Limited and BT Mining Limited



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Phil McKinnel  
For Birchfield Coal Mines Ltd



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Paul Birchfield  
For Birchfields Ross Mining Ltd



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Andrew Birchfield  
For BRM Developments Ltd



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Alex Booker / Kelsey Barry  
Counsel for Tāiko Critical Minerals Limited and Tasman Mining Limited

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Jeremy Harding  
The New Zealand Minerals Council

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Phil McKinnel  
For Birchfield Coal Mines Ltd

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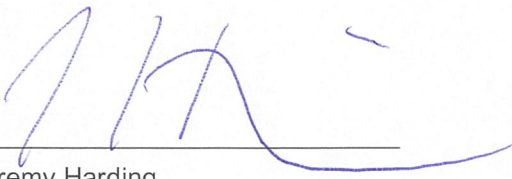
Paul Birchfield  
For Birchfields Ross Mining Ltd

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Andrew Birchfield  
For BRM Developments Ltd

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Alex Booker / Kelsey Barry  
Counsel for Tāiko Critical Minerals Limited and Tasman Mining Limited



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Jeremy Harding  
The New Zealand Minerals Council