

**IN THE ENVIRONMENT COURT OF NEW ZEALAND
CHRISTCHURCH REGISTRY**

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

ENV-2025-CHC-000101
and all other file numbers as listed
in Appendix A attached to this
memorandum

UNDER the Resource Management Act 1991 (RMA)

IN THE MATTER of appeals under clause 14 of Schedule 1 of the RMA
against decisions of the Te Tai o Poutini Plan Committee
on the Te Tai o Poutini Plan

BETWEEN **CHORUS NEW ZEALAND LIMITED** and all other
appellants as listed in **Appendix A** attached to this
memorandum

Appellants

**MEMORANDUM OF COUNSEL FOR TE TAI O POUTINI PLAN COMMITTEE
REGARDING SECOND REVISED MEDIATION TIMETABLE
28 May 2026**

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AND

TE TAI O POUTINI PLAN COMMITTEE

Respondent

MAY IT PLEASE THE COURT

- 1 This memorandum seeks directions on behalf of Te Tai o Poutini Plan Committee (**TTPP Committee**) in relation to the mediation timetable for appeals on Te Tai o Poutini Plan (**TTPP**). It follows two recent memoranda on behalf of the TTPP Committee regarding mediation following the Court's decision to defer mediations:
- (a) Memorandum of counsel for TTPP Committee regarding revised mediation timetable dated 15 May 2026; and
 - (b) Memorandum of counsel for TTPP Committee regarding mediation start date dated 20 May 2026. The directions sought in that memorandum were granted on 21 May 2026,¹ with the effect that mediations of TTPP appeals can begin from 30 June 2026.
- 2 Following further consideration and communications with the Court's Mediations Manager, counsel for the TTPP Committee has prepared the second revised mediation timetable, attached to this memorandum as **Appendix B**.

Second revised mediation timetable

- 3 The second revised mediation timetable is identical to the revised mediation timetable filed on 15 May 2026, with the following exceptions:
- (a) The proposed mediation dates for Topic 18: Mineral Extraction and Topic 20: Mineral Extraction: Mineral Extraction Zone Subtopic have been swapped, with Topic 18 now proposed to be mediated from 13 to 17 July 2026 and Topic 20 now proposed to be mediated from 4 to 7 August;
 - (b) Counsel for the TTPP Committee proposes that the Mineral Extraction appeal points from Topic 15: Strategic Directions are mediated on the first day of mediations for Topic 18: Mineral Extraction on 13 July 2026. A copy of the relevant mineral extraction appeal points from Topic 15: Strategic Directions is attached to this memorandum as **Appendix C**; and

¹ Minute of the Environment Court dated 21 May 2026 at [4].

- (c) Mediation of Topic 15: Strategic Direction in the week of 24 August has been amended to occur on 24 to 27 August (rather than 25 to 28 August).

Directions sought

- 4 The TTPP Committee respectfully seeks the following directions (in substitution for the directions sought in its memorandum dated 15 May 2026):
 - (a) a direction confirming the second revised mediation timetable set out in Appendix B of this memorandum and that this replaces the original mediation timetable;
 - (b) that all other directions in the Commissioner's Minute dated 20 April 2026 in relation to mediations are confirmed; and
 - (c) that leave is granted to any party to seek other (or amended) directions.

Dated this 28th day of May 2026



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A H Balme / T M Ellis
Solicitor for Respondent

Appendix A – List of Appellants

- (ENV-2025-CHC-000101) Chorus New Zealand Limited & others
- (ENV-2025-CHC-000102) Scenic Hotel Group Limited
- (ENV-2025-CHC-000103) Birchfield Coal Mines Limited
- (ENV-2025-CHC-000104) New Zealand Coal and Carbon Limited
- (ENV-2025-CHC-000105) Young
- (ENV-2025-CHC-000107) CMP Kokiri Limited
- (ENV-2025-CHC-000108) Tāiko Critical Minerals Limited
- (ENV-2025-CHC-000110) Federated Farmers of New Zealand
- (ENV-2025-CHC-000111) Director-General of Conservation
- (ENV-2025-CHC-000112) Westland District Council
- (ENV-2025-CHC-000113) Robinson
- (ENV-2025-CHC-000114) Haddock Group Properties Limited
- (ENV-2025-CHC-000115) Tauranga Bay Holdings Limited
- (ENV-2025-CHC-000116) Te Kinga Estates Limited
- (ENV-2025-CHC-000117) Forest and Bird Protection Society
- (ENV-2025-CHC-000118) WMS Group (HQ) Limited
- (ENV-2025-CHC-000119) Robinson
- (ENV-2025-CHC-000120) Tranter & others
- (ENV-2025-CHC-000121) Bathurst Resources Limited
- (ENV-2025-CHC-000122) Groundswell New Zealand
- (ENV-2025-CHC-000123) Manawa Energy Limited
- (ENV-2025-CHC-000124) KiwiRail Holdings Limited
- (ENV-2025-CHC-000125) Buller Conservation Group
- (ENV-2025-CHC-000126) Bradley
- (ENV-2025-CHC-000127) Stewart
- (ENV-2025-CHC-000128) McIntosh

(ENV-2025-CHC-000129) Boyd & others

(ENV-2025-CHC-000130) Grey District Council

(ENV-2025-CHC-000131) Buller District Council

(ENV-2025-CHC-000133) Westpower Limited

(ENV-2025-CHC-000134) Te Runanga o Makaawhio & others

(ENV-2025-CHC-000135) Johnston

(ENV-2025-CHC-000136) Coates & others

(ENV-2025-CHC-000138) Ridgeline 3 Investments Limited

(ENV-2025-CHC-000139) Transpower New Zealand Limited

Appendix B – Second revised mediation timetable

Key:

- Mediation days are shown in **blue**
- Dates for the TTPP Committee to serve position papers on other parties (for their population) are shown in **green**
- Dates for parties to serve the populated position paper on all other parties shown in **orange**

April 2026

Mon	Tue	Wed	Thu	Fri	Sat	Sun
		1	2	3 Good Friday	4	5
6 Easter Monday	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25 Anzac Day	26
27 Anzac Day Observed	28	29	30			

May 2026

Mon	Tue	Wed	Thu	Fri	Sat	Sun
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29 Topic 22: Committee position paper due	30	31

June 2026

Mon	Tue	Wed	Thu	Fri	Sat	Sun
1 Kings Birthday	2	3 Topics 29 and 10: Committee position paper due	4 Topics 23 and 11: Committee position paper due	5	6	7
8	9	10	11 Topic 18: Committee position paper due	12	13	14
15 Topic 22: Party position paper due	16	17 Topics 29 and 10: Party position paper due	18 Topics 23 and 11: Party position paper due	19 Topic 19: Committee position paper due	20	21
22	23	24	25 Topic 18: Party position paper due	26	27	28
29	30 Topic 22: INF - Infrastructure					

July 2026

Mon	Tue	Wed	Thu	Fri	Sat	Sun
		1 Topic 22: INF - Infrastructure	2 Topic 29: ASW Topic 10: Temporary activities	3 Topic 23: Transport Topic 11: Historic heritage Topic 20: Committee position paper due Topic 19: Party position paper due	4	5
6	7	8	9	10 Matariki	11	12
13 Topic 18: Mineral Extraction (plus relevant mineral extraction appeal points from Topic 15: Strategic Directions)	14 Topic 18: Mineral Extraction	15 Topic 18: Mineral Extraction Placeholder mediations: Committee position paper due	16 Topic 18: Mineral Extraction	17 Topic 18: Mineral Extraction Topics 16 and 21: Committee position paper due	18	19

20 Topic 20: Party position paper due	21 Topic 19: Mineral Extraction: Buller Coalfield Zone Subtopic	22 Topic 19: Mineral Extraction: Buller Coalfield Zone Subtopic	23 Topic 19: Mineral Extraction: Buller Coalfield Zone Subtopic	24 Topic 15: Committee position paper due	25	26
27	28	29 Placeholder mediations: Party position paper due	30	31 Topics 16 and 21: Party position paper due		

August 2026

Mon	Tue	Wed	Thu	Fri	Sat	Sun
					1	2
3	<p>Topic 20: Mineral Extraction: Mineral Extraction Zone Subtopic</p> <p>Topic 14: Committee position paper due</p>	Topic 20: Mineral Extraction: Mineral Extraction Zone Subtopic	Topic 20: Mineral Extraction: Mineral Extraction Zone Subtopic	<p>Topic 20: Mineral Extraction: Mineral Extraction Zone Subtopic</p> <p>Topic 15: Party position paper due</p>	8	9
10			<p>Placeholder for topics not resolved through direct discussions</p> <p>REMOTE</p>	<p>Placeholder for topics not resolved through direct discussions</p> <p>REMOTE</p> <p>Topic 27: Committee position paper due</p>	15	16
17	<p>Topic 16: Light and Topic 21: Noise</p> <p>Topic 14: Party position paper due</p>	Topic 16: Light and Topic 21: Noise	Topic 16: Light and Topic 21: Noise	21	22	23

24 Topic 15: Strategic Direction	25 Topic 15: Strategic Direction	26 Topic 15: Strategic Direction	27 Topic 15: Strategic Direction	28 Topic 27: Party position paper due	29	30
31 Topic 30: Committee position paper due						

September 2026

Mon	Tue	Wed	Thu	Fri	Sat	Sun
	1	2 Topic 14: Cross Plan	3 Topic 14: Cross Plan	4 Topic 14: Cross Plan	5	6
7 Placeholder for topics not resolved through direct discussions REMOTE Topic 24: Committee position paper due	8 Placeholder for topics not resolved through direct discussions REMOTE Topic 26: Committee position paper due	9 Topic 28: Committee position paper due	10	11	12	13
14 Mid-day start Topic 27: SASM - Sites and Areas of Significance to Māori Topic 30: Party position paper due	15 Topic 27: SASM - Sites and Areas of Significance to Māori	16 Topic 27: SASM - Sites and Areas of Significance to Māori	17 Topic 27: SASM - Sites and Areas of Significance to Māori (1-5pm only)	18 Topic 27: SASM - Sites and Areas of Significance to Māori (4pm finish)	19	20

21 Topic 31: Committee position paper due Topic 24: Party position paper due	22 Topic 26: Party position paper due	23 Topic 28: Party position paper due	24	25	26	27
28	29 Topic 30: CE - Coastal Environment	30 Topic 30: CE - Coastal Environment				

October 2026

Mon	Tue	Wed	Thu	Fri	Sat	Sun
			1 Topic 30: CE - Coastal Environment	2 Topic 30: CE - Coastal Environment Topic 32: Committee position paper due	3	4
5 Topic 31: Party position paper due	6 Topic 24: Natural Hazards	7 Topic 24: Natural Hazards Topic 26: Rural	8 Topic 28: SUB - Subdivision	9 Topic 28: SUB - Subdivision	10	11
12	13	14	15	16 Topic 33: Committee position paper due Topic 32: Party position paper due	17	18
19	20 Topic 31: Natural Character and the Margins of Waterbodies	21 Topic 31: Natural Character and the Margins of Waterbodies	22 Topic 31: Natural Character and the Margins of Waterbodies	23 Topic 31: Natural Character and the Margins of Waterbodies	24	25

26 Labour Day	27	28	29	30	31	
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November 2026

Mon	Tue	Wed	Thu	Fri	Sat	Sun
						1
2 Topic 34: Committee position paper due Topic 33: Party position paper due	3 Topic 32: NFL - Natural Features and Landscapes	4 Topic 32: NFL - Natural Features and Landscapes	5 Topic 32: NFL - Natural Features and Landscapes	6 Topic 32: NFL - Natural Features and Landscapes	7	8
9	10	11	12	13 Topic 25: Committee position paper due	14	15
16 Topic 34: Party position paper due	17 Topic 33: Ecosystems and Indigenous Biodiversity	18 Topic 33: Ecosystems and Indigenous Biodiversity	19 Topic 33: Ecosystems and Indigenous Biodiversity	20 Topic 33: Ecosystems and Indigenous Biodiversity	21	22
23	24	25	26	27 Topic 25: Party position paper due	28	29

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December 2026

Mon	Tue	Wed	Thu	Fri	Sat	Sun
	1 Topic 34: Zones - Maps and Specific Site Zone	2 Topic 34: Zones - Maps and Specific Site Zone	3 Topic 34: Zones - Maps and Specific Site Zone	4 Topic 34: Zones - Maps and Specific Site Zone	5	6
7	8	9	10	11	12	13
14 Topic 25: OSRZ - Open Space and Recreation Zones Topic 17: Committee position paper due	15 Topic 25: OSRZ - Open Space and Recreation Zones	16 Topic 25: OSRZ - Open Space and Recreation Zones	17	18	19	20
21	22	23	24	25 Christmas Day	26 Boxing Day	27
28	29	30	31			

January 2027

Mon	Tue	Wed	Thu	Fri	Sat	Sun
				1 New Year's Day	2 Day after New Year's Day	3
4 Day after New Year's Day observed	5	6	7	8	9	10
11	12	13	14	15	16	17
18 Topic 17: Party position paper due	19	20	21	22	23	24
25	26	27	28	29	30	31

February 2027

Mon	Tue	Wed	Thu	Fri	Sat	Sun
1	2 Topic 17: Energy	3 Topic 17: Energy	4 Topic 17: Energy	5 Topic 17: Energy	6 Waitangi Day	7
8 Waitangi Day observed	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28

Appendix C – Mineral extraction appeal points from Topic 15: Strategic Directions

Row	Provision	Appellant, appeal points	Section 274 parties	Relief sought by Appellant
Mineral extraction				
1.	Deleted Objectives	Birchfield Coal Mines A4.31	Grey District Council Birchfields Ross Mining BRM Developments New Zealand Minerals Council Westpower Bathurst Resources Forest and Bird DOC Poutini Ngāi Tahu Tāiko Critical Minerals Tasman Mining Buller District Council	Reinstate the notified plan Strategic Objectives MIN O2 - O6
2.	Deleted Objectives	Tāiko Critical Minerals A9.4	Manawa Energy Federated Farmers Poutini Ngāi Tahu Grey District Council Birchfield Coal Mines NZ Minerals Council Tasman Mining Westpower Forest and Bird Buller District Council Bathurst Resources DOC	MIN-P1 – MIN-P5 Delete and retain MIN-O2 – MIN-O6 as notified in the TTPP as objectives, incorporating changes requested by Tāiko in original submission 493 (page 12 of S493). Further express recognition required that offsetting and compensation are appropriate ways to manage effects.
3.	Deleted Objectives	WMS Group A14.3	Bathurst Resources Grey District Council Birchfield Coal Mines DOC Tāiko Critical Minerals Hardie Pacific Forest and Bird Poutini Ngāi Tahu Westpower Tasman Mining Buller District Council	MIN-P1 – MIN-P5 Delete and retain MIN-O2 – MIN-O6 as notified in the TTPP as objectives, incorporating changes requested by WMS in original submission 599 (page 24 of 2599). Further express recognition required that offsetting and compensation are appropriate ways to manage effects
4.	MIN – O1	Birchfield Coal Mines A4.30	Grey District Council Birchfields Ross Mining BRM Developments New Zealand Minerals Council Westpower Bathurst Resources Forest and Bird DOC Tāiko Critical Minerals Tasman Mining	Amend Mineral Extraction Strategic Objective MIN O1: MIN - O1 <u>Support the</u> use and development of Te Tai o Poutini/the West Coast's mineral resources while <u>also avoiding duplication of regulation across agencies and managing adverse effects on the environment.</u>

Row	Provision	Appellant, appeal points	Section 274 parties	Relief sought by Appellant
			Buller District Council	
5.	MIN – P5	Bathurst Resources A31.1	John Caygill Birchfield Coal Mines DOC Buller District Council Tāiko Critical Minerals New Zealand Minerals Council Westpower Tasman Mining Forest and Bird Grey District Council Poutini Ngāi Tahu	Amend MIN-P5 as follows: a <u>To the extent that is practicable,</u> avoid, remedy or mitigate adverse effects of mineral extraction activities on the West Coast/ Te Tai o Poutini's significant natural and cultural features... b <u>Where it is not practicable, due the functional or operational needs of the mineral extraction and associated activities to avoid, remedy or mitigate adverse effects of mineral extraction activities,</u> ensure the adverse effects are <u>offset, compensated or addressed through ecological benefits.</u>
6.	MIN – P1	Forest and Bird A30.12	Grey District Council WMS Group Tāiko Critical Minerals Birchfield Coal Mines Tasman Mining Federated Farmers Westpower Buller District Council Bathurst Resources	Delete MIN-P1
7.	MIN – P1	Birchfield Coal Mines A4.32	Grey District Council Birchfields Ross Mining BRM Developments New Zealand Minerals Council Westpower Bathurst Resources Forest and Bird Tāiko Critical Minerals Tasman Mining Buller District Council	Amend MIN - P1 MIN - P1 Enable mineral extraction and ancillary activities which support it, specifically through a Buller Coalfield Zone, and Mineral Extraction Zone, and provide for these activities in appropriate locations within the Rural Zones, and Open Space Zones, and Natural Open Space Zones.