



18 August 2026

Via email: [REDACTED]

Dear [REDACTED]

Buller Plateaux Continuation Project – Fast-track Approvals Act 2024 Application

Section 30(3)(b) Notice under the Fast-track Approvals Act 2024

1. Thank you for your email dated 6 August 2026 providing notice under Section 30(2) of the Fast-track Approvals Act 2024 (**FTA**) that Bathurst Coal Limited, Bathurst Resources Limited, BT Mining Limited and Buller Coal Limited (together, **Bathurst**) will be seeking an approval described in Section 42(4)(a) of the FTA for the Buller Plateaux Continuation Project.
2. From your notice, we understand that the application relates to the land identified within the land use consent boundary shown in **Appendix 1** and described in the records of title provided with your notice.
3. In accordance with Section 30(3)(b) of the FTA we advise that there are no existing resource consents authorising the same or similar activities within the project area to which Section 124C(1)(c) or Section 165ZI of the Resource Management Act 1991 would apply if the approval were sought by way of a resource consent under that Act for the land shown in **Appendix 1**.
4. In reaching this position, Council has relied on the following information;
 - (a) West Coast Regional Council consent records.
 - (b) Lane Neave Memorandum: *Section 30 – Application to BT's Existing Resource Consents*, dated 6 August 2026.
 - (c) Updated Bathurst Resource Ltd document: *Table of known consented water takes held by other parties within and downstream of BPCP area*, undated.
 - (d) Affected Person's Approval Form regarding the Buller Plateaux Continuation Project (BPCP): Signed by Buller Electricity Ltd, undated.

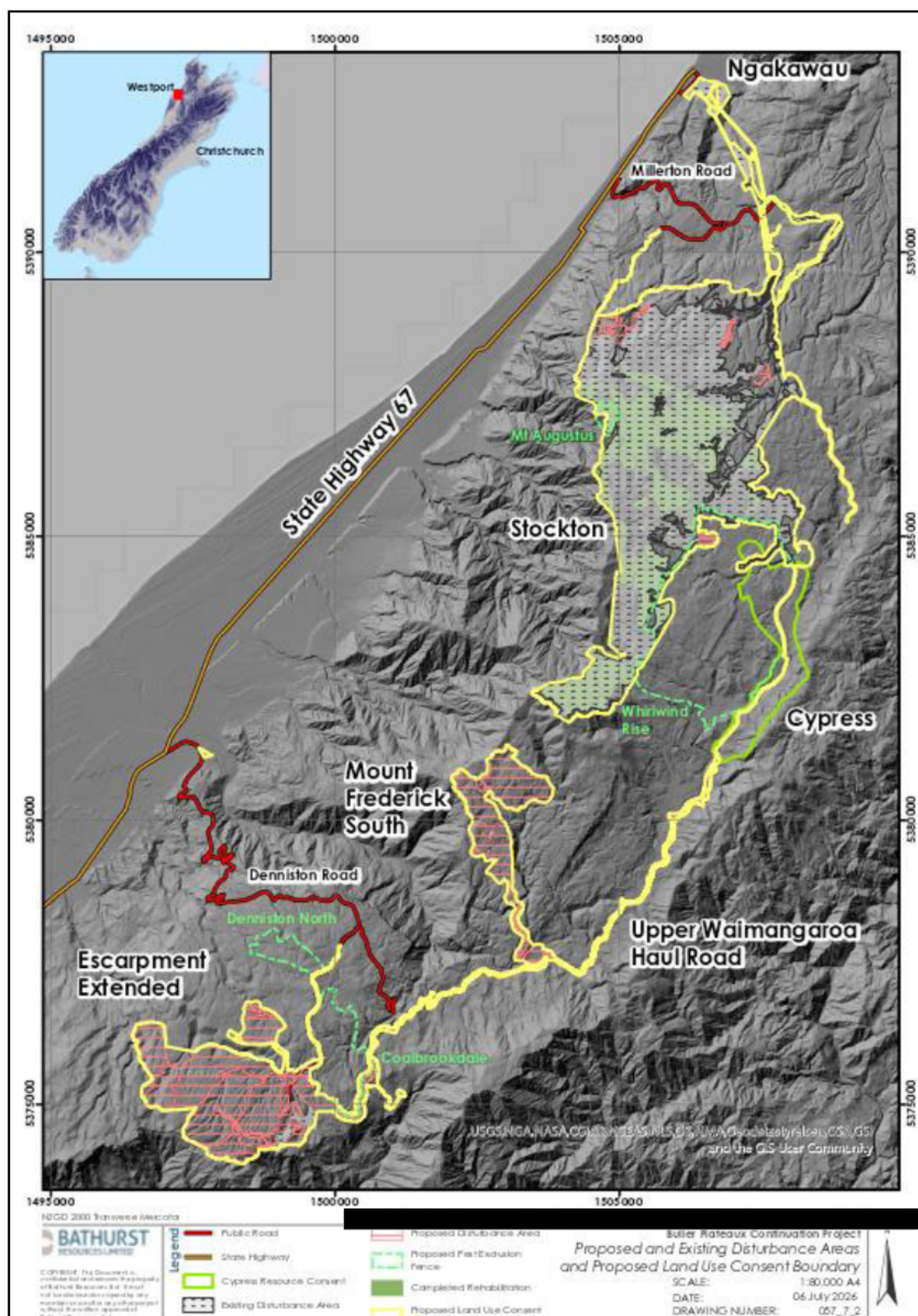
5. As acknowledged in the information presented to Council, there are existing resource consents authorising surface water and groundwater takes, use, damming or diversion from various catchments and sub catchments.
6. Of particular relevance to the Section 30(3)(b) assessment are existing consents held by:
 - (a) Buller Electricity Ltd (RC8149-30; RC08149-31) and The Treasury or ARB Holdings (RC10018-6; RC10018-7; RC10018-8; RC08149/21-29; RC10018/3-5 and 9) for various surface water and groundwater takes and use from the Ngākawau catchment in relation to a planned hydroelectric power scheme within the northern part of the Project Area; and
 - (b) Kawatiri Energy Limited (RC03332/1 – RC03332/11) for surface water takes and use from the Whareatea River in relation to an existing hydroelectric power scheme; and
 - (c) Rockies Mining Limited (RC10055/5 and RC10055-6) for surface water takes and use and groundwater takes, use, damming, or diversion from the Millerton catchment associated with an existing mining operation.
7. The Affected Person's Approval Form signed by Buller Electricity Ltd provides evidence of engagement between the two parties and support in its entirety for the BPCP by Buller Electricity Ltd.
8. Advice received from Lane Neave outlined that the priority mechanisms in Section 30 (and Section 124C of the RMA) would not be triggered in the scenario where there is resource competition. This is because there are robust measures proposed by the BPCP to ensure the availability of resources so that there will be no derogation of existing resource consents. These measures include monitoring and adaptive management to ensure any unanticipated allocation-related effects are identified and addressed if they arise.
9. On this basis, Council considers that Section 124C of the RMA will not be triggered and there are no existing consents which will be impacted as set out in Section 30 of the FTA.
10. If you have any queries or require clarification on the information provided, please contact me on [REDACTED] or at [REDACTED]

Yours sincerely,

[REDACTED]

[REDACTED]

Group Manager – Regulatory & Policy
West Coast Regional Council



Appendix 2: Known water takes within and downstream of BPCP area

Surface Water Takes*

Catchment	Consent or reference	Consent holder	Type	Response
Waimangaroa	RC-2016-0135-01	Mavero Investment Limited	Water bottling-plant, permit to take and use groundwater (gold ore mining) Groundwater take and use – coastal plain, Waimangaroa	Outside project footprint, can continue to be fully exercised concurrently as FTA application
	RC01281/1	Buller District Council	Surface water take from Conns Creek for the purposes of community water supply	Outside project footprint, can continue to be fully exercised concurrently as FTA application
	RC-2016-0109-05	BBC Excavation Limited	Surface water take from the Waimangaroa River for alluvial gold mining within MP 53398	Outside project footprint, can continue to be fully exercised concurrently as FTA application
	RC-2016-0109-06	BBC Excavation Limited	Groundwater take for alluvial gold mining within MP 53398	Outside project footprint, can continue to be fully exercised concurrently as FTA application

Ngākawau	Certificate of Compliance 2016-0001-01	South Torea Street, Water Society Incorporated	Granity, community water supply (surface water take)	Outside project footprint, can continue to be fully exercised concurrently as FTA application
	RC12034-1	South Granity Water Board	Granity, community water supply (surface water take)	Outside project footprint, can continue to be fully exercised concurrently as FTA application
	PA120005-1	S & C Rendle	Domestic water take	Outside project footprint, can continue to be fully exercised concurrently as FTA application
	RC08149/21-29	ARB Holdings Ltd	Various water takes in relation to hydro scheme from the St Patrick, Darcy, Mangatini, Mine, Granity, Plover, Fly and T31 Streams and Weka, Sandy, Upper Mine, Mangatini and AJ Creeks and their tributaries as well as from the Mt William reservoir and Weka reservoir	Monitoring and adaptive management (including conditions of consent) are proposed to ensure any unanticipated allocation-related effects are identified and addressed if they arise
	RC10018/3-5 and 9	ARB Holdings Ltd	Various water takes in relation to hydro scheme from the St Patrick Stream, T35 Stream, T31 Stream, Ford Creek and their unnamed tributaries, Mangatini sump and surface watercourses within the scheme area	Monitoring and adaptive management (including conditions of consent) are proposed to ensure any unanticipated allocation-related effects are identified and addressed if they arise

Christmas Creek (West of Whareatea)	RCN98369-3	David Elworthy	Surface water take for water supply Micro hydro	Outside project footprint, can continue to be fully exercised concurrently as FTA application
Whareatea River	RC03332/1 – RC03332/11	Kawatiri Energy Limited	Hydro energy	Monitoring and adaptive management (including conditions of consent) are proposed to ensure any unanticipated allocation-related effects are identified and addressed if they arise
Deadman's Creek (West of Whareatea)	RC12231/1	Amelia Cook	Water take from Deadmans Creek for hydro electricity generation	Outside project footprint, can continue to be fully exercised concurrently as FTA application
Waimangaroa (downstream of state highway)	RC-2015-0161 – RC-2015- 0161-01	Martin Joseph Syron	Groundwater potable water supply	Outside project footprint, can continue to be fully exercised concurrently as FTA application
Millerton	RC10055/5	Rockies Mining Limited	Surface water take and use within MP52661	Monitoring and adaptive management (including conditions of consent) are proposed to ensure any unanticipated allocation-related effects are identified and addressed if they arise

* Details obtained from Hydrology Report prepared by Mine Waste Management and West Coast Regional Council records

Groundwater Takes**

Primary purpose / Held by	Consent number	Duration	Description	Response
Hydropower / Buller Electricity Ltd	RC08149-30	2010 – 2045	To take groundwater seepage as a result of de-watering during tunnel construction.	Affected Party Approval provided by BEL. Monitoring and adaptive management (including conditions of consent) are proposed to ensure any unanticipated allocation-related effects are identified and addressed if they arise
	RC08149-31	2010 – 2045	To take groundwater seepage from the Project's tunnels and reservoirs for use in the Weka and Mt William storage reservoirs.	Affected Party Approval provided by BEL. Monitoring and adaptive management (including conditions of consent) are proposed to ensure any unanticipated allocation-related effects are identified and addressed if they arise
Hydropower / The Treasury or ARB Holdings	RC10018-6	2012 – 2047	To take and use groundwater seepage within the Mid-St Pat's reservoir footprint, the T35 reservoir footprint and the T31 diversion channel associated with the operation of the hydro scheme.	Monitoring and adaptive management (including conditions of consent) are proposed to ensure any unanticipated allocation-related effects are identified and addressed if they arise

	RC10018-7	2012 - 2047	To take and use groundwater during construction works within the scheme area, including seepage during earthworks.	Monitoring and adaptive management (including conditions of consent) are proposed to ensure any unanticipated allocation-related effects are identified and addressed if they arise
	RC10018-8	2012 - 2047	To take and use groundwater as a result of de-watering during construction works within the scheme area including for dewatering of the dam structures, T31 weir, any buried pipelines and power station footprints.	Monitoring and adaptive management (including conditions of consent) are proposed to ensure any unanticipated allocation-related effects are identified and addressed if they arise
Mining / Rockies Mining Ltd	RC10055-6	2012 - 2047	To take, use, dam or divert ground water within MP52661.	Monitoring and adaptive management (including conditions of consent) are proposed to ensure any unanticipated allocation-related effects are identified and addressed if they arise

***Table obtained from Groundwater Report prepared by GHD*



Te Rūnanga o NGĀI TAHU

17 August 2026

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Email: [REDACTED]

Tēnā koe [REDACTED]

Buller Plateaux Continuation Project – Listed project under Schedule 2 of the Fast Track Approval Act 2024 – Comments from Te Rūnanga o Ngāi Tahu

This letter is provided on behalf of Te Rūnanga o Ngāi Tahu (Te Rūnanga) in response to your letter dated 18 May 2026 relating to the application by Bathurst Coal Limited, Bathurst Resources Limited, BT Mining Limited and Buller Coal Limited (together Bathurst) under the Fast Track Approvals Act 2024 (Fast Track Act), (the Project).

Te Rūnanga was created under the Te Rūnanga o Ngāi Tahu Act 1996 as the tribal servant, protecting and advancing the collective interests of the iwi. Te Rūnanga encompasses five (5) primary hapū being and 18 Papatipu Rūnanga, who uphold mana whenua and mana moana for their rohe. Mana whenua are the only people who can describe the values and aspirations for their wāhi tapu and wāhi taonga. Te Rūnanga is responsible for managing, advocating for and protecting the rights and interests inherently held by Ngāi Tahu whānui as mana whenua.

Notwithstanding its statutory status as the representative voice of Ngāi Tahu whānui, Te Rūnanga o Ngāi Tahu will work together with Ngāti Waewae and Te Rūnanga o Ngāi Tahu accepts and respects the rights of individuals and Papatipu Rūnanga to make their own responses as representatives of mana whenua. On this basis, in relation to the Project, Te Rūnanga looks to Ngāti Waewae in relation to ensuring that mana whenua views are incorporated into the Project.

Ngāti Waewae have been engaging with Bathurst and the expectation of Te Rūnanga is this will continue to enable mana whenua to provide comments that inform the substantive application in accordance the Fast Track Act.

Ngā mihi

[REDACTED]

Chief Executive Officer – Te Rūnanga o Ngāi Tahu

Cc: [REDACTED] Chair Te Rūnanga o Ngāti Waewae

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Website: www.ngaitahu.iwi.nz

[REDACTED]

From: [REDACTED]
Sent: Wednesday, 19 August 2026 6:57 pm
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Follow up on Buller Plateaux Continuation Project

Kia ora [REDACTED]

Ngā mihi for your considered response and for taking the time to review the information that I sent through to you relating to the Buller Plateaux Continuation Project.

We acknowledge your advice that the project area falls outside Te Kupenga a Kuia and have noted that no further engagement is requested in relation to this continuation project.

We are grateful for the opportunity to have shared information on the project and appreciate your acknowledgement of the work undertaken to date.

Thank you for responding and providing clarity regarding Ngāti Kuia's rohe and interests.

Nāku noa, nā

[REDACTED]

From: [REDACTED]
Sent: Friday, 14 August 2026 10:08 am
To: [REDACTED]
Subject: RE: Follow up on Buller Plateaux Continuation Project

CAUTION: This email originated from outside the organisation. Check the sender address and only open links or attachments if you know the content is safe. If in doubt, forward to support@megabyte.co.nz

Kia ora [REDACTED]

Thank you for taking the time to share the information regarding the Buller Plateaux Continuation Project. I appreciate receiving the project overview and the detailed background on the proposed continuation of mining activities across the Buller Coal Plateaux.

It was useful to gain an understanding of the scale of the proposal, the anticipated economic and employment benefits, the environmental management approach, and the cultural considerations that have been identified through the assessment process. I also appreciate the overview of the engagement undertaken with iwi and other stakeholders to date.

As the project area sits outside of Te Kupenga a Kuia, our rohe and area of interest, we do not require any further engagement on this proposal. However, we appreciate being informed and thank you for providing us with the opportunity to review the information.

Aku mihi



[REDACTED]
Pou Waho | Taiao Operations Lead
Te Rūnanga o Ngāti Kuia Trust

[REDACTED] | T: [REDACTED]
www.ngatikuia.iwi.nz



From: [REDACTED]
Sent: Saturday, 8 August 2026 10:25 am
To: [REDACTED]; [REDACTED]
Subject: RE: Follow up on Buller Plateaux Continuation Project

Kia Ora [REDACTED]

Apologies for my delay in coming back to you. Please see attached the information that we discussed that you wished to receive to be able to determine if Te Rūnanga o Ngāti Kuia would like to continue to engage on the Buller Plateaux Continuation Project.

Information on the Cultural Impact Assessment (completed by Te Rūnanga o Ngāti Waewae) has also been included.

Please let me know if you have any questions. I look forward to hearing from you.

Ngā mihi, nā

[REDACTED]

From: [REDACTED]
Sent: Thursday, 16 July 2026 12:01 pm
[REDACTED]
Subject: Follow up on Buller Plateaux Continuation Project

Kia Ora [REDACTED]

Thankyou for sending your reply email to my CEO [REDACTED] last week and taking my call this morning. I appreciate you outlining in further detail the specific project information that you would like to receive to be able to determine if you would like to have further engagement on the Buller Plateaux Continuation Project.

I discussed that Bathurst has sought to engage with Ngāti Kuia as the Fast Track Approvals Act specifies consultation should be completed with those iwi with treaty settlement interests, (which is an additional requirement to the Resource Management Act). We determined this FTAA requirement in April this year thus the joint Bathurst / Te Rūnanga o Ngāti Waewae letter we sent through in April.

We have sought to consult with all Te Tau Ihu in addition to West Coast Regional Council Mana Whakahono ā Rohe participants Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae and Te Rūnanga o Makaawhio. It is another FTAA legal requirement for consultation to cover all Mana Whakahono ā Rohe participants if one exists thus this extended our formal project consultation also to Te Rūnanga o Makaawhio in whose takiwā we do not operate. We will share with you the outcomes of iwi consultation to date as you have requested.

I noted that you would like to receive:

- Brief summary of the project
- Maps of the relevant areas including the footprint
- Summary of iwi engagement completed to date.

We will gather this information and send through to you in the next few days. If you would like to change your mind at any time to receive an online project briefing I would be happy to arrange.

Be back in touch soon.

Ngā mihi, nā

