

8. RMA APPROVALS

8.1 INTRODUCTION

Section 43(3)(a) of the FTAA sets out that a substantive application must, for an approval for a resource consent, include the information required by clauses 5 to 9 of Schedule 5 of the FTAA. This part of the application identifies the necessary resource consents to authorise the BPCP that would otherwise be applied for under the RMA.

The other approvals sought as part of the substantive application that relate to concessions, wildlife permits, a general archaeological authority, complex freshwater fisheries activities, and mining permits are addressed in **Chapters A.10 to A.15** of the FTAA.

8.2 OVERVIEW OF RESOURCE CONSENT APPROVALS BEING SOUGHT UNDER THE FTAA

In respect of the resource consents sought under the RMA through the FTAA, Bathurst is seeking approval to authorise activities associated with the construction, operation, rehabilitation and closure of the BPCP, as described in **Chapter A.4**, under the relevant provisions of the district plans, regional plans and National Environmental Standards (“**NES**”). Therefore, Bathurst seeks approval for all consents associated with the activities outlined in this document, including any activity not identified in the following sections of this report, that falls within the scope of the described Project.

The BPCP has been considered against the rules and regulations of the following statutory planning documents:

- > Buller District Plan (“**BDP**”);³³
- > Te Tai o Poutini Plan – Decisions Version (“**TTPP**”);
- > West Coast Regional Council: Regional Land and Water Plan (“**RLWP**”);
- > West Coast Regional Council: Regional Air Quality Plan (“**RAQP**”);
- > Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (“**NES-F**”);
- > Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations (“**NES-CS**”);

³³ The BDP only applies to those parts of TTPP which have been appealed and are not deemed operative.

- > Resource Management (National Environmental Standards for Storing Tyres Outdoors) Regulations 2021 (“**NES-STO**”); and
- > Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (“**NES-ETA**”).

The tables in the following sections set out the approvals related to district and regional consents under the RMA. Activities that are identified as permitted activities, as determined by the rules and standards of the BDP, TPP and various regional plans administered by the West Coast Regional Council (“**WCRC**”) are identified in **Appendix 8.A**.

A summary of the overall status of the BPCP under the RMA is presented at the end of this analysis.

8.3 STOCKTON

The Stockton mine includes existing mining operations and associated coal handling and processing activities authorised under the Stockton CML and two ACMLs. These licences also provide for supporting infrastructure, including the CHPP, the Aerial Ropeway, and the Ngākawau Rail Loadout.

As discussed in **Chapter A.1**, the primary driver of the FTAA application is the expiry of the land use authorisations under these licences on 31 March 2027. Beyond this date, RMA approvals are required to authorise the working of the remaining resources and to provide for rehabilitation that will not have been completed as of 31 March 2027.

Mining activities requiring regional council approvals (e.g. water takes, diversions, discharges, etc.) are not covered by the CML and ACML and are authorised via a number of existing resource consents. Most of these consents are tied to the CML and ACML and begin to expire from 2026.³⁴ This includes existing consents relating to critical water management and infrastructure that enable AMD treatment in accordance with the Deed of Commitment held with the Crown. RMA approvals are required to authorise the existing water management infrastructure and all mining and associated activities requiring regional council approval beyond the life of the existing approvals.

New mining areas beyond Stockton are also proposed under the BPCP. The future mining areas at Stockton are primarily in the Millerton block, which will provide access to additional coal resources and support the ongoing management of underground fires and a reduction in AMD treatment generation associated with the removal of historic underground workings.

³⁴ An overview of existing approvals is included in **Appendix 8.B** of the application.

RMA approvals for all mining and rehabilitation activities in these new mining areas are also required.

The Stockton Mine has an established network of infrastructure that will be utilised for the BPCP, including administration, security, maintenance, storage, utilities, and coal handling and processing facilities. Existing buildings and infrastructure constructed under the CMLs and ACMLs do not require further authorisation either under the RMA or the Building Act. However, land use consents are required to use the buildings after 31 March 2027 when the CML and ACMLs expire.

Resource consents are also required for new mining activities at Stockton, including providing for extended mining areas in the north of the Stockton Mine, additional excavating activity in the A Drive Borrow Pit for the construction of the UWHR and capping material for rehabilitation, an updated water management system for the Millerton area, and the development of additional Coal Fines Storage Facilities.

Two pest-free exclusion areas are also proposed on the Stockton Plateau. These are named Mt Augustus and Whirlwind Rise. The Mt Augustus pest exclusion fenced area is located at the western extent of the Stockton Plateau, and the Whirlwind Rise exclusion fenced area is located on the eastern extent of the Stockton Plateau. RMA approvals for these pest-free exclusion areas are also required.

8.3.1 Buller District Plan

The activity status and land use consents relating to the BDP and section 9 of the RMA required to authorise activities occurring in the existing and future Stockton mining areas (including the CHPP, Ngākawau Rail Loadout and the aerial ropeway) are set out in Table 8-1 below. The most restrictive activity status is **non-complying**.

However, consent is also required as a **discretionary activity**,³⁵ under Regulation 11 of the NES-CS for soil disturbance in the existing Stockton mining area, and for soil disturbance associated with the decommissioning and remediation of all contaminated areas following closure of the mine.

Consent is also required as a **discretionary activity** under Regulation 45D of the NES-F for vegetation clearance, earthworks and land disturbance within, or within a 100m set-back from a natural inland wetland, and for the take, use, diversion or damming of water within, or

³⁵ A consent may instead be required for a controlled activity under Regulation 9 of the NES-CS if a Detailed Site Investigation (DSI) is prepared and states that the soil contamination does not exceed the applicable standards in Regulation 7, or a restricted discretionary activity under Regulation 10 of the NES-CS if a DSI is prepared and states that the soil contamination exceeds the applicable standards in Regulation 7.

within 100m set-back of a natural inland wetland, and for discharges of water into water within, or within a 100m set back of a natural inland wetland with respect to future Stockton mining areas.³⁶

Consent is also required as a **discretionary activity** under Regulation 71 of the NES-F for the placement, alteration, extension or replacement of culverts in the beds of rivers which intercept the proposed pest-free exclusion fenced areas.

Note: The Buller District is currently operating under two District Plans – the operative BDP (2000) and the decisions version of TTPP (2025). Greater weight will now be given to TTPP provisions. However, the provisions in the operative BDP that relate to parts of TTPP under appeal (and not yet operative) cannot yet be disregarded. The land use rules in the operative BDP relevant to the activities subject to this application are therefore considered below.

Table 8-1: Activity status and BDP land use consents required for Stockton

Activity	Relevant rules and activity status	Comment
STOCKTON		
All land use activities associated with the existing Stockton mine plus proposed new future Stockton mining areas from 1 April 2027 when the existing CML 37-150 and ACMLs 37-150-3 expire, including:	Mining ³⁷ and incidental earthworks are a Restricted Discretionary activity under Rule 5.3.2.4.3.	The existing and future Stockton mining areas are in the Rural zone under the BDP. The CML for Stockton was issued in 1990 (and backdated to 1987) prior to the enactment of the RMA and Crown Minerals Act. There are also ACMLs (37-150-2 and 37-150-3) for the Ngākawau Rail Loadout, the Aerial Ropeway and part of the 2-5 haul road.
> The use and maintenance of all existing mining and infrastructure areas and buildings (e.g. the Stockton CHPP and the, McCabes CFSF) and the construction, use and maintenance of all new mining and	Any other land use activity that is not mining or incidental earthworks in the Rural zone (i.e. processing operations such as those undertaken at the CHPP and the construction and	These licences continue to authorise mining and

³⁶ Natural inland wetland vegetation groups have been identified across the Stockton and Denniston Plateau (Ecological Solutions 2026). Vegetation clearance, earthworks and land disturbance activities and take, use, damming, diversion and discharge activities will be undertaken within, or within a 100m set-back of these natural inland wetlands, requiring approval under Regulation 45D of the NES-F.

³⁷ Mining is defined in the BDP as ‘any activity which involves the taking, winning, or extraction by whatever means, of a mineral existing in its natural state in land, or a chemical substance from that mineral, for the purpose of obtaining the mineral or chemical substance, including quarrying. Mining also includes prospecting and exploration activities where these are not allowed as permitted, controlled or restricted discretionary activities in the District Plan’.

Activity	Relevant rules and activity status	Comment
infrastructure areas and associated buildings; > A-Drive Borrow Pit Extension; > Four helicopter landing sites (primarily used to mobilise exploration drill rigs into inaccessible areas, occasional staff and emergency use and for drone survey and weed spraying); > Bulk explosives storage and use; > Ancillary infrastructure and access type activities; > Exploration and prospecting and all ancillary activities; > Drilling activities for other purposes including geotechnical and blasting; > Coal extraction, handling, processing and washing and all associated ancillary activities; > Coal stockpiling; > Construction, maintenance and use of haul roads; > Overburden (waste rock) placement (NAF, PAF, HAF); > Storage of topsoil and other materials; > Vegetation clearance and soil stripping, including with respect to the extended mining areas and the	maintenance of the Mt. Augustus and Whirlwind pest free exclusion areas etc) is a Discretionary activity under Rule 5.3.2.3.1. Indigenous vegetation clearance and incidental earthworks exceeding 5ha per site in total over a three-year period is a Restricted Discretionary activity under Rule 5.3.2.4.4. Activities within 25 m of a wetland > 0.5 ha and activities within 10 m of any river or stream with an average bed width of > 3 m are Discretionary activities in accordance with Table 5.7 (Rural Zone standards) of the BDP. The destruction of any historic/cultural item listed in Part 14 of the BDP is a Non-complying activity under Rule 7.9.1.2.	rehabilitation activities until they expire on 31 March 2027. Any further mining and rehabilitation activities beyond this date require new land use consents (Rules 5.3.2.4.3, 5.3.2.3.1 and 5.3.2.4.4). Historic heritage and archaeological sites scheduled for protection in Part 14 of the BDP are also located within the existing and future Stockton mining areas. These are the Electric Tramway (Loco Line) – BDP L28/109 and NZAA L28/80; the Mine Creek Settlement – BDP L28/106 and NZAA L28/17; and Jorgen’s Drive – BDP L28/105 and NZAA L28/16. The Project will result in the destruction (or partial destruction) of: > A small portion of the Tramway (125m of ‘B’ tunnel and associated underground mine workings);³⁸ > Approximately half of the Mine Creek Settlement and Infrastructure site (which has already been partly destroyed),³⁹ including the

³⁸ The Electric Loco Line was constructed after 1900. Accordingly, there is no statutory requirement for Bathurst to apply for an archaeological Authority under the HNZPTA before commencing construction and mining. It is, however, listed in the BDP Schedule of Historic Buildings and Sites (No. 109, coal tramway); therefore, resource consent is required to impact on this site.

³⁹ Authority No 2009/327 was granted by Heritage NZ to Solid Energy Ltd to destroy the remains of the historic Mine Creek infrastructure and settlement site by opencast mining with conditions requiring archaeological recording, investigation, sampling, analysis and reporting. As Authority No. 2009/327 has expired, an

Activity	Relevant rules and activity status	Comment
construction, maintenance and use of the fenced Mt. Augustus and Whirlwind pest-free exclusion areas; > Construction of ELFs; > Progressive reshaping, reprofiling and rehabilitation, including VDT (storage for these stockpiles is also proposed), topsoil spreading, native planting and site decommissioning; > Car parking (light vehicles and heavy vehicles) for employees, contractors, deliveries and visitors; > Use of workshops, storage sheds, laydown areas and an emergency response team facility; > Electrical services and transmission, including a 33/11 kVA substation; > Administration facilities, including offices, bath house, ablutions and stores; > Mobile staff crib huts with ablution facilities and potable water source; > Maintenance area for fleet including warehousing and service bays for mine equipment; > Tyre changing and stores facilities for heavy mobile machinery; > Medical and nursing facilities; > Emergency response building; > Vehicle wash bays and workshops equipped with sediment sumps and oily water separators;	Signs in the Rural zone are a Discretionary activity under Rule 7.7.7.	remains of the powerhouse complex and other possible unrecorded subsurface archaeological remains, and destroy underground workings associated with the Mine Creek East Mine that date from the late 19th century; > The Mine Creek ventilation flue; > Approximately half of the length (350m) of Jorgen's Drive; and > Underground mine workings, i.e. Mine Creek East Mine, B tunnel and 3rd West Extended Mine. The destruction of these historic heritage sites requires approval under Rule 7.9.1.2. With respect to indigenous vegetation clearance, approximately 1,841 ha of indigenous vegetation has already been disturbed in the existing Stockton mining area. A further 31.3 ha of indigenous vegetation clearance and incidental earthworks are proposed in the remainder of the Project area over the next 16 years.

archaeological Authority is being re-applied for under the FTA to cover the Mine Creek Settlement and Infrastructure site (L28/17) and any pre-1900 underground mine workings associated with the Mine Creek (East) Mine for existing planned disturbance (as at 1 April 2027) and planned disturbance (following 1 April 2027) as part of the BPCP Stockton Project sub-area.

Activity	Relevant rules and activity status	Comment
> Water management and treatment facilities; > Site security (e.g. Fencing, gates and signage); > Use of generators as part of mining operations, including part of the Water Treatment plant; > Nighttime lighting (fixed floodlighting and mobile lighting towers); > Refuse Transfer Station; > Dust Suppression; > Signage (e.g. advisory signs to meet legislative requirements such as health and safety legislation, public safety or wayfinding) and temporary signs (e.g. for construction sites); > Collection of potable water (in rainwater tanks); and > Coal stockpiling and dust suppression.		For this reason, a resource consent for indigenous vegetation clearance is required (Rule 5.3.2.4.4). Existing buildings were constructed under the CMLs and ACMLs and do not require further authorisation either under the RMA or the Building Act. However, consent is required to use the buildings after 31 March 2027 when the CML and ACMLs expire.
The storage and use of hazardous substances, including fuel farm infrastructure and automated fuel management systems associated with existing and future mining areas.	Discretionary activity under Rule 6.4.2.7.	The storage and use of hazardous substances associated with existing mining areas, as well as the establishment and operation of future Stockton mining areas, is expected to comply with the Controlled activity standards in Rule 6.3 of the BDP, except in relation to the requirement for all sites where hazardous substances are stored, used loaded or unloaded to be sealed, bundled and roofed or covered (Rule 6.3.1.2). Liquid hazardous substances are stored in bunded areas. However, not all areas are sealed. Refuelling areas

Activity	Relevant rules and activity status	Comment
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adjacent to the bulk diesel tanks are unsealed, and mining machinery is refuelled in situ. For this reason, a resource consent for the storage and use of hazardous substances is required as a Discretionary activity (Rule 6.4.2.7).

NGĀKAWAU RAIL LOADOUT

All land use activities currently authorised by the existing ACML 37-150-3 post 31 March 2027, including the ongoing use, maintenance and rehabilitation of rail loadout infrastructure at Ngākawau at mine closure, including: > Engineering workshop for maintenance and repairs of coal handling plant and equipment, pumps and facilities, and fabrication of new plant and equipment; > Electrical workshop and stores facility; > Stores and warehouse facility for fixed plant; > Tubshop for servicing, repairs and maintenance of aerial tubs; > Sample preparation and coal laboratory facility for analysis of samples; > Light vehicle workshop for servicing and WoF's for the light vehicle fleet; > Weighbridge and weighbridge office; > Laydown area for equipment; > Helicopter landing area; > Water treatment plant for treating and managing site water run-off; and	Operational noise from nighttime rail loadout operations is a Discretionary activity under Rule 7.1.1. Vibration occurring outside the hours of 07:00 to 20:00 hours weekdays and 09:00 to 16:00 hours on weekends and public holidays is a Discretionary activity under Rule 5.2.6.5.1. Coal stockpiles are visible from a public road, which is a Non-complying activity under Rule 7.9.1.2.	The Ngākawau Rail Loadout is in the Industrial zone. The existing ACMLs continue to authorise mining and rehabilitation activities at the Ngākawau Rail Loadout, Aerial ropeway, Mine Creek and the 2-5 Haul Road until they expire on 31 March 2027. Any further mining (or ancillary mining) and rehabilitation activities beyond this date require new land use consents. Existing buildings were constructed under the CMLs and ACMLs and do not require further authorisation either under the RMA or the Building Act. However, consent is required to use the buildings after 31 March 2027 when the CML and ACMLs expire. Night-time coal processing and maintenance operations at Ngākawau are predicted to comply with the night-time noise limit at all residential receivers. However, when train loadout operations occur during the early night-time period, noise limits
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Activity	Relevant rules and activity status	Comment
> Offices and training/meeting room.		may be exceeded at five dwellings on Doyle Street and Tyler Road on Sundays and Saturday evenings, when the more stringent 45 dB LA10 'nighttime' noise limit in Rule 7.8.1 applies, requiring approval under Rule 7.1.1.
The storage and use of hazardous substances.	Discretionary activity under Rule 6.4.2.7.	The storage and use of hazardous substances is expected to comply with the Controlled activity standards in Rule 6.3 of the BDP, except in relation to the requirement for all sites where hazardous substances are stored, used loaded or unloaded to be sealed, bundled and roofed or covered (Rule 6.3.1.2). Liquid hazardous substances are stored in bunded areas. However, not all areas are sealed. Refuelling areas adjacent to the bulk diesel tanks are unsealed, and in-situ refuelling of mining machinery occurs. For this reason, a resource consent for the storage and use of hazardous substances is required as a Discretionary activity (Rule 6.4.2.7).
AERIAL ROPEWAY		
All land use activities and infrastructure currently authorised by the existing ACMLs 37-150-3 and 37-150-02 post 31 March 2027, including the ongoing use, maintenance and rehabilitation of infrastructure of the aerial ropeway at mine closure, including:	Earthworks undertaken to maintain vehicle access to the aerial ropeway towers for operational and tower maintenance purposes are incidental to a mining	The aerial ropeway is in the Rural zone. The existing ACMLs continue to authorise mining and rehabilitation activities at the Ngākawau Rail Loadout, Aerial ropeway, Mine Creek and the 2-5 Haul Road until they expire on 31

Activity	Relevant rules and activity status	Comment
> Aerial ropeway (track ropes and haul ropes); > Aerial boxes; > Aerial towers; > Mobile plant access for maintenance and rope change-outs; > Cut and dropped ropes (which will be removed at mine closure); > Vehicle access; and > Earthworks and vegetation clearance to maintain vehicle access, operational clearances and where towers may need to be removed or replaced for operational or safety reasons or for operational rope and tower maintenance purposes.	activity and as such are a Restricted Discretionary activity under Rule 5.3.2.4.3.	March 2027. Any incidental earthworks or rehabilitation activities beyond this date require new land use consents. The aerial ropeway was first established in the 1950s, prior to any planning rules requiring consent coming into force. On this basis, the aerial ropeway can continue to operate on its site, provided it remains in a form that is the same or of similar character, intensity, and scale, pursuant to existing use rights under the RMA. Existing buildings were constructed under the CMLs and ACMLs and do not require further authorisation either under the RMA or the Building Act. However, consent is required to use the buildings after 31 March 2027 when the CML and ACMLs expire.

8.3.2 Te Tai o Poutini Plan

105 The activity status and land use consents relating to TTPP and section 9 of the RMA required to authorise activities occurring within the existing and future Stockton mining areas (including the Ngākawau Rail Loadout and aerial ropeway) are set out in **Table 8-2** below. The most restrictive activity status is **non-complying**.

110 **Note:** Now that all appeals have been received on TTPP, the Plan is partially operative. Parts of TTPP that have not been appealed are now considered operative, and these rules replace the corresponding provisions in the BDP. The TTPP rules relevant to the activities subject to this application are set out below.

Table 8-2: Activity status and TTPP land use consents required for Stockton

Activity	Relevant rules and activity status	Comment
STOCKTON		
All land use activities associated with existing and future Stockton mining areas post 31 March 2027 when the existing CML 37-150 and ACML 37-150 -2 and 37-150-3 expire, including: > Existing and new mining and infrastructure areas (e.g. the Stockton CHPP, administration area, McCabes CFSF, and the development of three additional CFSF); > A-Drive Borrow Pit Extension; > Development of three additional CFSFs; > Four helicopter landing sites (primarily used to mobilise exploration drill rigs into inaccessible areas and occasional staff and emergency use and for drone survey and weed spraying); > Bulk explosives storage and use; > Ancillary infrastructure and access type activities; > Drilling activities for purposes including, geotechnical, exploration and blasting; > Coal extraction, handling, processing and washing; > Coal stockpiling;	In the BCZ, mineral extraction and processing and ancillary activities are a Restricted Discretionary activity under Rule BCZ-R5. In the OSZ, mineral extraction activities are a Discretionary activity under Rule OSZ-R19. In the GRUZ, mineral extraction activities are a Discretionary activity under Rule GRUZ-R25. In the NOSZ, mineral extraction (which includes ancillary activities such as earthworks, rehabilitation works, distribution of mineral products and ancillary structures and vehicle movements and access to and from and between the mineral extraction and ancillary sites) is a Non-complying activity under Rule NOSZ-R18. Indigenous vegetation clearance outside of Significant Natural Areas (“SNA”) is a	Most existing and future Stockton mining areas are in the BCZ. However, small areas of the existing and future Stockton mining areas are in the Open Space Zone (“OSZ”), General Rural zone (“GRUZ”) and the Natural Open Space Zone (“NOSZ”).⁴¹ Rule BCZ-R5 applies to any ancillary activities, buildings, structures and infrastructure required to enable the mineral prospecting, exploration, extraction or processing activities in future mining areas (i.e. mining activities that are not currently lawfully established), and associated closure and rehabilitation activities; and all earthworks associated with the mineral extraction and ancillary activities. With respect to SNA’s, Stockton is not currently mapped as a SNA in TTPP. The EclA (Ecological Solutions, 2026a) confirms that the vegetation in the proposed mining areas meets the significance criteria set out in Appendix 1 of the RPS, and the RPS directs that all areas meeting one or more of these criteria are treated as SNAs,

⁴¹ Only the Stockton mine gate and haul road are located in the NOSZ.

Activity	Relevant rules and activity status	Comment
> Water collection and storage for use in processing and washing of coal;	Discretionary activity under Rule ECO-R10. ⁴⁰	irrespective of whether they have been formally mapped.
> Overburden placement (NAF, PAF, HAF);	Earthworks within the riparian margin of a river, lake or wetland are a	However, only the Schedule 2 Wetland (at ESE) qualifies as a SNA under the NPS-IB, ⁴² the RPS and TTPP. ⁴³
> Construction, maintenance and use of haul roads;	Discretionary activity under Rule NC-R4.	As detailed above, historic
> Vegetation clearance and soil stripping, including with respect to the construction and maintenance of the fenced Mt. Augustus and Whirlwind pest free exclusion areas;	Structures within the riparian margin of a river, lake or wetland are a Discretionary activity under Rule NC-R5.	heritage sites within Stockton are scheduled for protection in Schedule 14 of the BDP.
> Construction of ELFs;	Operational noise from	However, none of these historic heritage sites are scheduled for protection in Schedule One:
> Progressive reshaping, reprofiling, drainage paths and rehabilitation, including VDT (storage for these stockpiles is also proposed) topsoil spreading, native planting and site decommissioning;	daytime and nighttime coal, handling, processing and maintenance activities in the OSZ and NOSZ may not meet the permitted activity standards, requiring resource consent for a	<i>Historic Heritage Items and Areas</i> , of TTPP. As such, the rules in the Historic Heritage (Ngā Tuku Ihotanga) chapter of TTPP do not apply.
> Plant nursery;	Restricted discretionary activity under Rule NOISE-R8.	With respect to indigenous vegetation clearance, approximately 1,841 ha of indigenous vegetation has already been disturbed in the existing Stockton mining area. A

⁴⁰ Except where it is associated with the construction and maintenance of the Mt. Augustus and Whirlwind pest free exclusion areas, which is a permitted activity (see Appendix 8.A of the FTA).

⁴² The NPS-IB defines SNA as:

(a) any area that, after the commencement date, is notified or included in a district plan as an SNA following an assessment of the area in accordance with Appendix 1; and

(b) any area that, on the commencement date, is already identified in a policy statement or plan as an area of significant indigenous vegetation or significant habitat of indigenous fauna (regardless of how it is described); in which case it remains as an SNA unless or until a suitably qualified ecologist engaged by the relevant local authority determines that it is not an area of significant indigenous vegetation or significant habitat of indigenous fauna.

⁴³ The RPS definition of SNA requires areas to be assessed in accordance with the criteria listed in Appendix 1 or 2 and mapped in a regional or district plan as a SNA [*emphasis added*]. Since TTPP was developed under the RPS, it should have included mapping in accordance with the RPS direction. However, SNAs were not mapped in TTPP, as this was deferred as a result of the direction given by the NPS-IB. Therefore, whilst the proposed mining areas contain ecologically significant vegetation, they do not qualify as a SNA.

Activity	Relevant rules and activity status	Comment
infrastructure and automated fuel management systems); > Car parking (light vehicles and heavy vehicles) for employees, contractors, deliveries and visitors; > Workshops storage sheds, laydown areas and an emergency response team facility; > Electrical services, transmission lines and a 33/11 kVA substation; > Administration facilities, including offices, bath house, ablutions and stores; > Maintenance area for the maintenance of fleet including warehousing and service bays for mine equipment; > Tyre changing and stores facilities for heavy mobile machinery; > Medical and nursing facilities; > Emergency response buildings; > Mobile staff crib huts with ablution facilities and potable water source; > Vehicle wash bays and workshops equipped with sediment sumps and oily water separators; > Water management and treatment facilities; > Site security (e.g. Fencing, gates and signage);	Fences, walls or retaining walls more than 2m above ground level are a Restricted Discretionary activity under Rules GRUZ-R23 and OSZ-R1. High trip generating transport activities are a Restricted discretionary activity under Rule TRN-R13. Signs are a Restricted Discretionary activity under Rule SIGN-R19 (with respect to signs in the NOSZ and OSZ).	further 31.3 ha of indigenous vegetation clearance and incidental earthworks is proposed in the remainder of the project area over the next 16 years. For this reason, a resource consent for indigenous vegetation clearance is required (Rule ECO-R10). The proposed Mt. Augustus and Whirlwind Rise pest-free exclusion fences are between 1.8m and 2m tall and therefore comply with Rule GRUZ-R2, OSZ-R2, ECO-R6, and GRUZ R6. However, retaining walls greater than 2m in height (that are not associated with a conservation activity)⁴⁴ may require construction of the UWHR, requiring approval under Rule GRUZ-R23 and OSZ-R1. A resource consent under Rule TRN-13 is required, as vehicle movements at Stockton exceed the high trip generating activity thresholds identified in Table TRN 7 of TTPP (as confirmed by Stantec in Table 5.1 of the ITA (2025). Vehicle movements might also trip the high-generating activity thresholds if coal is trucked out of the Plateau via Millerton Road in the event of

⁴⁴ TTPP definition of *Conservation Activity* means: the use of land and/or buildings for any activity undertaken for the purposes of maintaining, protecting and/or enhancing the natural, historic and/or ecological values of a natural or historic resource. It includes ancillary activities and activities which assist to enhance the public's appreciation and recreational enjoyment of the resource.

Activity	Relevant rules and activity status	Comment
> Use of generators as part of mining operations, including part of the Water Treatment plant; > Nighttime lighting (fixed floodlighting and mobile lighting towers); > Refuse Transfer Station; > Dust Suppression; and > Collection of potable water (in rainwater tanks).		an outage of the aerial ropeway, or if the UWHR cannot be used. Existing buildings were constructed under the CMLs and ACMLs and do not require further authorisation either under the RMA or the Building Act. However, consent is required to use the buildings after 31 March 2027 when the CML and ACMLs expire.
The construction of natural hazard mitigation structures on land and in the riparian margins of rivers, lakes and wetlands, including: > Gabion and revetments; > Retaining walls (for hazard mitigation purposes); > Bunds; > Weirs; > Spillways; > Rock fall/boulder roll protection structures; and > The mechanical fixing of rocks in situ and the associated re-contouring of slopes and land.	Discretionary activity under Rule NH-R8 and Restricted Discretionary activity under Rule NC-R3.	
NGĀKAWAU RAIL LOADOUT		
All land use activities and infrastructure currently authorised by the existing ACML 37-150-3 post 2027, including the ongoing use, maintenance and rehabilitation of infrastructure at mine closure, including:	Mineral extraction and processing are a Restricted Discretionary	The existing ACMLs continue to authorise mining and rehabilitation activities at the Ngākawau Rail Loadout, Aerial ropeway, Mine Creek and the 2-5 Haul Road until they expire on 31 March 2027. Any further mining (or ancillary mining) and

Activity	Relevant rules and activity status	Comment
> Engineering workshop for maintenance and repairs of coal handling plant and equipment, pumps and facilities, and fabrication of new plant and equipment; > Electrical workshop and stores facility; > Stores and warehouse facility for fixed plant; > Tubshop for servicing, repairs and maintenance of aerial tubs; > Sample preparation and coal laboratory facility for analysis of samples; > Light vehicle workshop for servicing and WoF's for the light vehicle fleet; > Weighbridge and weighbridge office; > Laydown area for equipment; > Helicopter landing area; > Water treatment plant for treating and managing site water run-off; > Offices and training/meeting room; > Operational lighting; > Coal stockpiling and loading; and > Train operations.	activity under Rule BCZ-R5.⁴⁵ Operational noise from nighttime coal, handling, processing and maintenance and rail loadout activities is a Restricted Discretionary activity under Rule NOISE-R8. High-trip generating transport activities are a Restricted Discretionary activity under Rule TRN-R13. Artificial outdoor nighttime lighting at the Coal Handling Facility is a Restricted Discretionary activity under Rule LIGHT R-6.	rehabilitation (mine closure) activities beyond this date require new land use consents. The Ngākawau Rail Loadout is in the BCZ and partly located inside the Coastal Environment area Overlay (“CEO”) (but outside the Outstanding Coastal Environment Area “OCEA”). Restricted discretionary activities (under Rule BCZ-R5) include any ancillary activities, buildings, structures and infrastructure required to enable the mineral prospecting, exploration, extraction or processing activities in future mining areas (i.e. mining activities that are not currently lawfully established), and associated rehabilitation (mine closure) activities; and all earthworks associated with the mineral extraction and ancillary activities. The existing light spill at the boundary of the residential properties on the opposite side of Dole Street exceeds the night-time limit of 1 lux under Rule LIGHT 4, at the boundary of nos. 36 & 49 Dole Street. The maximum value measured being 1.4 lux, requiring approval as a Restricted Discretionary activity under Rule LIGHT-R6.

⁴⁵ This Rule is applicable to rehabilitation / closure activities and any activities that are not currently lawfully established.

Activity	Relevant rules and activity status	Comment
		Normal day-time coal processing, maintenance and rail loadout operations at Ngākawau are predicted to comply with the day-time noise limit at all residential receivers. However, the TTPP Settlement Zone limit of 50 dB may be breached at weekends and public holidays at two locations on Doyle Street requiring approval under Rule NOISE – R8. Existing buildings were constructed under the CMLs and ACMLs and do not require further authorisation either under the RMA or the Building Act. However, consent is required to use the buildings after 31 March 2027 when the CML and ACMLs expire.
Light spill from fixed and mobile lighting at the Ngākawau CHF.	Restricted Discretionary activity under Rule LIGHT- R6.	The only measurable light spill from the Ngākawau CHF is at the property boundaries of 36 and 49 Dole Street. The maximum light spill measured was 1.4 lux which exceeds the 1 lux limit (Rule LIGHT R4).
AERIAL ROPEWAY		
All land use activities and infrastructure currently authorised by the existing ACMLs 37-150-3 and 37-150-02 post 2027, including the ongoing use, maintenance and rehabilitation of infrastructure at mine closure, including: > Aerial ropeway (track ropes and haul ropes);	Mineral extraction activities in the GRUZ are a Discretionary activity under Rule GRUZ-R25. In the event an aerial ropeway tower must be replaced, this will require resource consent as a Discretionary activity	The majority of the Aerial ropeway is in the BCZ. However, a small area of the Aerial ropeway is in an ONL (TTPP reference ONL-51) and some small sections of the associated maintenance road extend into the GRUZ.

Activity	Relevant rules and activity status	Comment
> Aerial boxes; > Aerial towers; > Mobile plant access for maintenance and rope change-outs; > Cut and dropped ropes (which will be removed at mine closure); > Vehicle access; > Earthworks and vegetation clearance to maintain vehicle access and where towers may need to be removed or replaced for operational or safety reasons or for operational rope and tower maintenance purposes.	under Rule NFL-R15 (but only if the aerial tower is in the ONL).	The existing ACMLs continue to authorise mining and rehabilitation activities at the Ngākawau Rail Loadout, Aerial ropeway, Mine Creek and the 2-5 Haul Road until they expire on 31 March 2027. Ancillary mining activities beyond this date are a Permitted activity (Rule BCZ-R2). Further, the aerial ropeway was first established in the 1950s, prior to any planning rules requiring consent coming into force. On this basis, the aerial ropeway can remain on its site provided it remains in a form which is the same or similar character, intensity and scale pursuant to existing use rights.

115 8.3.3 West Coast Regional Land and Water Plan

The activity status and regional consents relating to the RLWP under sections 9, 13, 14 and 15 of the RMA required to authorise activities occurring within the existing and future Stockton mining areas are set out in Table 8-3 below. Consents for most of the water-related activities at Stockton have been grouped into four key areas as follows:

- 120
- > Millerton;
 - > Mangatini;
 - > St Patricks; and
 - > Waimangaroa.

125 The proposed approach for these water related activities is to have one overarching consent for each of the four areas, which will contain separate permits to authorise each individual

activity for the area.⁴⁶ These four areas have been utilised as they roughly align with the underlying hydrological catchments and sub-catchments (with the exception of the Millerton Area) and reflect distinct functional areas of water management within Stockton, making the permits more readily relatable to the effects assessments for the BPCP, which have been undertaken on the same basis. This will enable one set of general conditions for each functional area, with specific conditions provided for each permit, if necessary.

Consents required for activities that are not necessarily aligned to these four distinct hydrological areas are grouped into broader areas as follows:

- > Stockton-wide;
- > Ngākawau Rail Loadout; and
- > Aerial ropeway.

While each individual permit required for Stockton is identified for completeness, there are opportunities to bundle similar permits within each area to streamline the total number of permits required within overarching consents.⁴⁷ However, separate consents will be required for discharges to water and land where discharges enter the receiving environment at separate locations.

In summary, new consents and / or consent renewals are sought for most water-related activities at Stockton. The activities authorised by existing long-term consents (that are out of scope for the FTA) generally relate to:

- > The take, use and discharge of water for fire suppression purposes within the Millerton historic underground workings;
- > The impoundment of water within the Syncline Adit part of the Millerton historic underground workings;
- > The discharge of water from the Millerton Adit Pump Station to the MG Quarry Sump; and
- > Existing permanent surface water diversions within the Millerton Area (related to Rockies West Mining Block);
- > The discharge of water and contaminants (coal fines) to land at the McCabe's CFS; and

⁴⁶ Similar to the approach used for the Cypress Mine in RC03175 and the Escarpment Mine Project in RC10193 (as opposed to an individual consents for each activity within the Stockton Mine which currently totals over 100).

⁴⁷ For example, bundling the various water permits to impound water within different sumps into one water permit to impound water within the broader Millerton, Mangatini or McCabe's Treatment Systems.

- > The discharge of water and contaminants from the Cypress Haul Road (between Cypress Mine Site and Stockton 2-5 Haul Road).

In addition, for the purposes of this assessment, most of the watercourses within Stockton are not considered to be natural watercourses and are instead artificial / modified watercourses that have a conveyance or drainage channel function. As such, consents are generally not sought to disturb the beds of watercourses or install structures in the beds of watercourses (e.g. sumps). The exceptions to this relate to the Whirlwind Mussel Shell Reactor (“**MSR**”) located in the bed of Whirlwind Stream and the installation of pest-exclusion fences (including associated culverts) in the beds of various watercourses.

It is also noted that various water-related activities are permitted under the RLWP. This includes various small sumps and sediment control devices, the discharge of surface run-off from rehabilitated landforms and the stockpiling of materials (including gravel, sand, rock, soil and coal).

The tables below set out each individual water-related resource consent (water or discharge permit) determined to be required for the ongoing operation, maintenance, rehabilitation and eventual closure of the Stockton Mine.

The most restrictive activity status is **Discretionary**.

Table 8-3: Activity status and RLWP related consents required for Stockton

Activity	Relevant Rules	Comment
MILLERTON		
The use of land (RMA s9(2))		
Land disturbance, including disturbance within riparian margins associated with the construction and maintenance of water management infrastructure, vegetation clearance, overburden removal, coal extraction, engineered landform formation and rehabilitation throughout the Millerton Area of Stockton Mine.	Vegetation disturbance and earthworks outside of Schedule 1 and 2 wetland ⁴⁸ is a Discretionary activity under Rule 16.	Activities covered by Coal Mining Licence (CML) 37150 which expires in 2027. The Millerton area includes parts of Rudolph catchment, Twins catchment, Granity catchment and Ngākawau catchment (Mine sub-catchment).

⁴⁸ The Stockton mine is not in a Schedule 1 or 2 wetland.

Activity	Relevant Rules	Comment
To stockpile shellfish shells in circumstances where contaminants may enter water throughout the Millerton Area of Stockton Mine.	Discretionary activity under Rule 91.	
To take, use, dam and divert water (RMA s14)		
To divert surface water run-off from within the Millerton Mine Block to various water management infrastructure (including in-pit and ex-pit sumps) for treatment purposes.	Discretionary activity under Rule 58.	These existing diversions are authorised by RC09028/1 which relates to diversion of mine water from active pit to Mangatini WTP / LDP and Duncan's Sump. While this consent expires in 2044 it is no longer fit for purpose, so a new consent is being sought. New diversions are also required for some mine areas. The diversion of contaminated and uncontaminated natural runoff is only permitted (under Rule 51) if the diversion of runoff is from an area no greater than 20 hectares. The Millerton Mine Block is more than 20 hectares and as such approval is required (under Rule 58).
To divert surface water run-off from within the Millerton Mine Block to various water management infrastructure (including in-pit and ex-pit sumps) for treatment purposes.	Discretionary activity under Rule 58.	Millerton Mine Block is located within Twins catchment, Granity catchment and Ngākawau catchment (Mine sub-catchment).
To divert surface water (headwaters of Granity Stream) from the Granity catchment to the MW16 Sump via constructed drains, sumps and pumps.	Discretionary activity under Rule 58.	MW16 Sump is part of the Millerton Treatment System which is located within the Ngākawau catchment (Mine sub-catchment).
To divert surface water (headwaters of Granity Stream) from the Granity	Discretionary activity under Rule 58.	

Activity	Relevant Rules	Comment
catchment to Miller Stream via constructed drains, sumps and pumps.		
To divert surface water (headwaters of Twins Stream) from the Twins catchment to the Rockies East Sump via constructed drains, sumps and pumps.	Discretionary activity under Rule 58.	Rockies East Sump is part of the Millerton Treatment System, which is located within the Granity catchment.
To divert surface water (headwaters of Mine Creek) from the Ngākawau catchment (Mine sub-catchment) to Mumm's Sump via pumps.	Discretionary activity under Rule 58.	Mumm's Sump is part of the Mangatini Treatment System, which is located within the Ngākawau catchment (Mangatini sub-catchment).
To divert surface water from Millerton historic underground workings in the Ngākawau catchment (Mine sub-catchment) to the Mangatini Stream upstream of Mangatini Sump via the Millerton Adit Pump Station for treatment purposes.	Discretionary activity under Rule 58.	The activity is already authorised by RC10255/1, which authorises the taking of water from the "syncline adit", and RC09028/3 (Millerton Mine Consent), which relates to diversion of 'stormwater' to Mangatini Stream upstream of Mangatini Sump. Both consents do not expire until 2044. However, a new consent is sought to ensure it is fit for purpose (Bathurst is instead seeking to divert water to the broader Mangatini Treatment System). A section of Mangatini Stream is modified and is part of the Mangatini Treatment System, which is located within the Ngākawau catchment (Mangatini sub-catchment).
To take and use groundwater associated with the removal of overburden and coal during active mining, and as needed for highwall	Restricted Discretionary activity under Rule 56.	Most overburden removal and active mining will be undertaken within the Millerton Mine Block. Millerton Area includes parts of Rudolph catchment, Twins

Activity	Relevant Rules	Comment
dewatering, throughout the Millerton area of Stockton Mine.		catchment, Granity catchment and Ngākawau catchment (Mine sub-catchment). The take of groundwater may exceed 2,000 litres per second and 50,000 litres per day (Rule 44) and as such, it is conservatively assumed a resource consent is required under Rule 56.
To take and use water from building roofing (crib huts, workshops, offices, station loading facilities) for ablutions water supply throughout the Millerton area of Stockton Mine.	The take and use of stormwater runoff is not expressly provided for in the RLWP and as such requires approval for a Discretionary activity pursuant to s87B of the RMA.	Applies to all expected roof structures where water will be captured and stored in storage tanks across the catchment. For the Millerton Area this includes No.5 Station and Security Gate with a total roof surface area of 503 m² and an accompanying tank size of 81,350 litres. Millerton Area includes parts of Rudolph catchment, Twins catchment, Granity catchment and Ngākawau catchment (Mine sub-catchment).
To take and use water from Millerton Mine Block in-pit sumps for process water to support mining and associated activities.	Discretionary activity under Rule 59.	Proposed take and use is primarily for drilling and dust suppression purposes however Bathurst seeks flexibility to take and use the water for other ancillary mining activities. The size of the catchment upstream of the Millerton Mine Block exceeds 50 hectares (Rule 50) and as such, it is conservatively assumed a resource consent is required under Rule 59.
To take and use up to 150 l/s of water from watercourses, sumps and ponds in the Millerton Area for	Discretionary activity under Rule 59.	The proposed approach is for one water take for the Millerton Area with maximum take volumes specified for each watercourse. The proposed takes are primarily

Activity	Relevant Rules	Comment
process water to support mining and ancillary activities. This includes: > The take and use of up to 50 l/s of water from Granity Stream; > The take and use of up to 50 l/s of water from Miller Stream; and > The take and use of up to 50 l/s of water from Mine Creek.		for drilling purposes, but a consent which provides some operational flexibility is required.
To impound water and contaminants within in-pit and ex-pit lakes and sumps during active mining for water management purposes in the Millerton block.	Discretionary activity under Rule 59.	Covers active mining in the Rockies, Hope Lyons and Millerton Mine Blocks and various smaller sumps and ponds across Millerton Area that are not specifically named and identified. Millerton Mine Block is located within Twins catchment, Granity catchment and Ngākawau catchment (Mine sub-catchment).
To impound water within Hope Lyons Sediment Sump for water management and treatment purposes.	Discretionary activity under Rule 59.	The activity is authorised by RC89038 (Water Right 890237), which authorises “damming above discharge point into Granity Stream” (i.e. Hope Lyons Sediment Sump). The Water right expires in 2027. Hope Lyons Sediment Sump is only during the current mining period, as shown on process flow diagrams included in Chapter A.4. Hope Lyons Sediment Sump is part of the Millerton Treatment System – potential to bundle all sumps into one water permit to impound water within the Millerton Treatment System.

Activity	Relevant Rules	Comment
To impound water within Hope Lyons Pump Sump for water management and treatment purposes.	Discretionary activity under Rule 59.	The activity is authorised by RC89038 (Water Right 890237), which authorises “damming above discharge point into Granity Stream” (i.e. Hope Lyons Pump Sump). The Water right expires in 2027. Hope Lyons Pump Sump is only during the current mining period, as shown on the process flow diagrams in Chapter A.4. Hope Lyons Pump Sump is part of the Millerton Treatment System – with potential to bundle all sumps into one water permit to impound water within the Millerton Treatment System.
To impound water within Hope Lyons Fire Suppression Sump for fire suppression purposes.	Discretionary activity under Rule 59.	The activity is authorised by RC89038 (Water Right 890237), which authorises “damming above discharge point into Granity Stream” (i.e. Hope Lyons Fire Suppression Sump). The Water right expires in 2027. Hope Lyons Fire Suppression Sump is only during the current mining period, as shown on the process flow diagrams in Chapter A.4. Hope Lyons Fire Suppression Sump is part of the Millerton Treatment System – with potential to bundle all sumps into one water permit to impound water within the Millerton Treatment System.
To impound water within Hope Lyons Sump for water management and treatment purposes.	Discretionary activity under Rule 59.	The activity is authorised by RC89038 (Water Right 890237) which authorises “damming above discharge point into Granity Stream” (i.e. Hope Lyons Sump). The Water right expires in 2027.

Activity	Relevant Rules	Comment
		Hope Lyons Sump is only used during the end-of-mining and closure periods, as shown on the process flow diagrams in Chapter A.4. Hope Lyons Sump is part of the Millerton Treatment System – with potential to bundle all sumps into one water permit to impound water within the Millerton Treatment System.
To impound water within Hope Lyons West Sump for water management and treatment purposes.	Discretionary activity under Rule 59.	Hope Lyons West Sump is one of the smaller sumps that exceeds the maximum permitted volume of 20,000 m ³ in the RLWP.
To impound water within Twins Sump for water management and treatment purposes.	Discretionary activity under Rule 59.	The activity is authorised by RC89038 (Water Right 890237), which authorises “damming above discharge point into Granity Stream”. The Water right expires in 2027. Twins Sump is part of the Millerton Treatment System – with the potential to bundle all sumps into one water permit to impound water within the Millerton Treatment System.
To impound water within Rockies East Sump for water management and treatment purposes.	Discretionary activity under Rule 59.	The activity is authorised by RC89038 (Water Right 890237) which authorises “damming above discharge point into Granity Stream” (i.e. Rockies East Sump). The Water right expires in 2027 – a replacement consent has been sought under the RMA, however that will be superseded by FTAA approvals.

Activity	Relevant Rules	Comment
		Rockies East Sump is part of the Millerton Treatment System – with the potential to bundle all sumps into one water permit to impound water within the Millerton Treatment system.
To impound water within Granity North Sump for water management and treatment purposes.	Discretionary activity under Rule 59.	The activity is authorised by RC89038 (Water Right 890237) which authorises “damming above discharge point into Granity Stream” (i.e. Granity South Sump). The Water right expires in 2027. Granity South Sump is part of Millerton Treatment System – with the potential to bundle all sumps into one water permit to impound water within the Millerton Treatment System.
To impound water within Miller Sump for water management and treatment purposes.	Discretionary activity under Rule 59.	Miller Sump is part of the Millerton Treatment System – with the potential to bundle all sumps into one water permit to impound water within the Millerton Treatment System.
To impound water within MW16 Sump for water management and treatment purposes.	Discretionary activity under Rule 59.	MW16 Sump is part of the Millerton Treatment System – with the potential to bundle all sumps into one water permit to impound water within the Millerton Treatment System.
To impound water within Rockies North Sump for water management and treatment purposes.	Discretionary activity under Rule 59.	Rockies North Sump is one of the smaller sumps that exceeds the maximum permitted volume of 20,000 m ³ in the RLWP.
To impound water within Mine Creek Dam for water management and treatment purposes.	Discretionary activity under Rule 59.	Mine Creek Dam is one of the smaller sumps that exceeds the

Activity	Relevant Rules	Comment
		maximum permitted volume of 20,000 m ³ in the RLWP.
To impound water within Millerton East Check Dams for water management and treatment purposes.	Discretionary activity under Rule 59.	Millerton East Check Dams are smaller sumps that exceed the maximum permitted volume of 20,000 m ³ in the RLWP.
To impound water within Loop Road Check Dam for water management and treatment purposes.	Discretionary activity under Rule 59.	Loop Road Check Dam is a smaller sump that exceeds the maximum permitted volume of 20,000 m ³ in RLWP.
Discharges to land and water (RMA s15(1)(a) and (b))		
To discharge water and contaminants to water associated with break-in land disturbance activities in the: > Millerton Mine Block to Twins Stream; > Mine Block to Granity Stream; > Millerton Mine Block to Miller Stream; and > Millerton Mine Block to Mine Creek.	Discretionary activity under Rule 71.	Applies to discharges of water associated with the break-in Phase until all necessary sumps are constructed. Separate consents for discharges to each watercourse are required.
To discharge clean surface water run-off associated with clean water diversions around active mining areas in the Millerton Mine Block to Twins Stream, Granity Stream, Miller Stream and Mine Creek.	Discretionary activity under Rule 71.	A discharge permit is only required in the Millerton Mine Block if the diversion of clean water around active mining areas is proposed. Discharge permits are not required for Mangatini and St Patricks Areas as these areas are already modified, and all diverted water is treated prior to discharge.
To discharge water and contaminants from mining and mining-related activities (including in-pit and ex-pit sumps, rehabilitated	Discretionary activity under Rule 71.	Applies to runoff of any clean or mine-impacted water not conveyed to the Millerton Treatment System

Activity	Relevant Rules	Comment
landforms and haul roads) in the Twins catchment to Twins Stream.		from mining in the Millerton, Rockies and Hope Lyons areas.
To discharge water and contaminants from mining and mining-related activities (including in-pit and ex-pit sumps, rehabilitated landforms and haul roads) in the Granity catchment to Miller and Granity Streams.	Discretionary activity under Rule 71.	Discharges to Granity Stream are authorised by RC89038 (Water Right 890229), which authorises stormwater discharges up to 29,375,000 l/s per day into Granity Stream. The Water right expires in 2027. Discharges to Miller Stream are authorised by RC09028/13, which authorises discharges of water and contaminants from underground workings to Miller Stream. The consent does not expire until 2044 but will be renewed to align expiry dates. Applies to runoff of any clean or mine-impacted water not conveyed to the Millerton Treatment System from mining in the Millerton, Rockies and Hope Lyons areas. Applies to the discharge of surface water to Granity Stream and discharges of surface water from underground workings to Miller Stream.
To discharge water and contaminants from mining and mining-related activities (including in-pit and ex-pit sumps, rehabilitated landforms and haul roads) in the Ngākawau catchment (Mine sub-catchment) to Mine Creek.	Discretionary activity under Rule 71.	Applies to runoff of any clean or mine impacted water not conveyed to the Millerton Treatment System from mining in the Millerton, Rockies and Hope Lyons areas.
To discharge water and contaminants from Hope Lyons Sump to Granity Stream (via a spillway).	Discretionary activity under Rule 71.	Hope Lyons Sump is part of the Millerton Treatment System.

Activity	Relevant Rules	Comment
To discharge water and contaminants from Twins Sump to Twins Stream (via a spillway).	Discretionary activity under Rule 71.	Twins Sump is part of the Millerton Treatment System.
To discharge water and contaminants from Rockies East Sump to Granity Stream (via a spillway during operations and directly upon mine closure).	Discretionary activity under Rule 71.	Rockies East Sump is part of the Millerton Treatment System.
To discharge water and contaminants from Rockies North Sump to land (via a spillway) where it may enter Granity Stream.	Discretionary activity under Rule 71.	Rockies North Sump is part of the Millerton Treatment System.
To discharge water and contaminants from Granity North Sump to Granity Stream (via a spillway during operations and directly upon mine closure).	Discretionary activity under Rule 71.	Granity North Sump is part of the Millerton Treatment System.
To discharge water and contaminants from Granity South Sump to Granity Stream (via a spillway during operations and directly upon mine closure).	Discretionary activity under Rule 71.	Granity South Sump is part of the Millerton Treatment System.
To discharge water and contaminants from Miller Sump to Miller Stream (via a spillway during operations and directly upon closure).	Discretionary activity under Rule 71.	Miller Sump is part of the Millerton Treatment System.
To discharge water and contaminants (treated mine water) from MW16 Sump to Mine Creek (via a bypass and spillway structure and directly during both operations and mine closure).	Discretionary activity under Rule 71.	MW16 Sump is part of the Millerton Treatment System. The discharge of contaminants will include low density solids.
To discharge water and contaminants (filter bed	Discretionary activity under Rule 71.	

Activity	Relevant Rules	Comment
supernatant) from filter beds to Mine Creek.		
To discharge water and contaminants to land from sediment retention ponds adjacent to the 2-5 Haul Road where it may enter Mine Creek.	Discretionary activity under Rule 71.	Covers discharges to watercourses outside the Stockton Mine Area. Discharges to Mine Creek are captured by the MC1 monitoring site.
To discharge water and contaminants to land from sediment retention ponds adjacent to the 2-5 Haul Road where it may enter Rome Stream.	Discretionary activity under Rule 91.	Covers discharges to watercourses outside the Stockton Mine Sub-Area. Discharges to Rome Stream are captured by the NR monitoring site.
To discharge water and contaminants to land from sediment retention ponds adjacent to the 2-5 Haul Road where it may enter Sandy Creek.	Discretionary activity under Rule 91.	The activity is authorised by RC89038 (Water Right 890229) which authorises stormwater discharges up to 51,840,000 l/s per day into several watercourses (including Sandy Creek). The Water right expires in 2027. Applies to discharges to watercourses outside the Stockton Mine Sub-Area. Discharges to Sandy Creek are captured by the NR monitoring site.
To discharge water and contaminants to land from sediment retention ponds adjacent to the 2-5 Haul Road where it may enter Weka Creek.	Discretionary activity under Rule 91.	Applies to discharges to watercourses outside the Stockton Mine Sub-Area. Discharges to Weka Creek are captured by the NR monitoring site.
To discharge water and contaminants from Hope Lyons Sediment Sump to land (via a decant pipeline and spillway) where it may enter Granity Stream.	Discretionary activity under Rule 91.	Discharges to Granity Stream are authorised by RC89038 (Water Right 890229) which authorises stormwater discharges up to 29,375,000 l/s per day into Granity

Activity	Relevant Rules	Comment
		Stream. The Water Right expires in 2027.
To discharge water and contaminants from Loop Road Check Dam to land (via a spillway) where it may enter Mine Creek.	Discretionary activity under Rule 91.	Loop Road Check Dam is a smaller sump that requires consent under the RLWP to impound and discharge water.
To discharge water and contaminants from Millerton East Check Dams to land (via a spillway) where it may enter Mine Creek.	Discretionary activity under Rule 91.	Millerton East Check Dams are smaller sumps that require consent under the RLWP to impound and discharge water.
To discharge water and contaminants from Miller Sump to Miller Stream (via a spillway during operations and directly upon closure).	Discretionary activity under Rule 71.	Miller Sump is part of the Millerton Treatment System.
To discharge water and contaminants (treated mine water) from MW16 Sump to Mine Creek (via a bypass and spillway structure and directly during both operations and mine closure).	Discretionary activity under Rule 71.	MW16 Sump is part of the Millerton Treatment System. The discharge of contaminants will include low-density solids.
To discharge water and contaminants to land associated with temporary drilling activities throughout the Millerton Area of Stockton Mine.	Discretionary activity under Rule 91.	The activity is authorised by RC05145/2, which authorises discharges of water containing drilling cuttings to land. The consent expires in 2027. Applies to any drilling associated with exploration, investigation or monitoring activities. Discharges of water and contaminants to land associated with drilling are conservatively assumed to not meet all permitted activity conditions in Rule 82.

Activity	Relevant Rules	Comment
To discharge water and contaminants to land where it may enter water associated with engineered landform construction and rehabilitation and the operation of filter beds within mined pits and ex-pit areas throughout the Millerton Area of Stockton Mine.	Discretionary activity under Rule 91.	Includes deposition of overburden, sediment, fill material, low density solids and sludge/slops within ELFs (and containment cells within ELFs) to land. The Millerton Area includes parts of Rudolph catchment, Twins catchment, Granity catchment and Ngākawau catchment (Mine sub-catchment).
To discharge water and contaminants (supernatant and seepage water) from the filter bed to land at Millerton Mine Block.	Discretionary activity under Rule 91.	Applies to discharges of water and contaminants from the filter bed to Millerton Mine Pit.
To discharge water and contaminants to land from sediment retention ponds adjacent to the Station 5 Loading Facility where it may enter Mine Creek	Discretionary activity under Rule 91.	
MANGATINI		
The use of land (RMA s9(2))		
Land disturbance associated with the construction and maintenance of water management infrastructure, vegetation clearance, overburden removal, coal extraction, engineered landform formation and rehabilitation throughout the Mangatini Area of Stockton Mine.	Vegetation disturbance and earthworks outside of Schedule 1 and 2 wetlands are a Discretionary activity under Rule 16.	The activity is authorised by Coal Mining Licence (CML) 37150, which expires in 2027. The Mangatini area is within part of the Ngākawau catchment (Mangatini sub-catchment).
To take, use, dam and divert water (RMA s14)		
To divert clean surface water run-off within the Mangatini Area around active mining areas in the Mangatini East Pit.	Discretionary activity under Rule 58.	Mining in the Mangatini East Pit is a new activity.

Activity	Relevant Rules	Comment
To divert surface water run-off from within the Mangatini Area to various water management infrastructure (including in-pit and ex-pit sumps) for treatment purposes.	Discretionary activity under Rule 58.	The Mangatini Area is within the Ngākawau catchment (Mangatini sub-catchment).
To divert surface water (headwaters of Mangatini Stream) to Mangatini East Sump.	Discretionary activity under Rule 58.	The Mangatini East Sump will be in place at the end of mining. The Mangatini East Sump is part of the Mangatini Treatment System which is located within the Ngākawau catchment (Mangatini sub-catchment).
To take and use groundwater associated with the removal of overburden and coal during active mining, and as needed for highwall dewatering, throughout the Mangatini Area of Stockton Mine.	Restricted Discretionary activity under Rule 56.	Applies to groundwater dewatering for any potential mining activities with most overburden removal and active mining occurring in the Millerton Area.
To take and use up to 350 l/s of water from watercourses, sumps and ponds in the Mangatini Area for process water to support mining and ancillary activities. This includes: > The take and use of up to 150 l/s of water from Mangatini Stream.	Discretionary activity under Rule 57.	Most takes are new activities, with the take from Mangatini Stream for dust suppression along 2-5 Haul Road authorised by RC08126, which authorises the take and use of water from various sources (sumps, ponds, etc.) within the Plover Stream, Fly Creek, and Mangatini Stream catchments. The Consent expires in 2028. The proposed approach is one water take for the Mangatini Area with maximum take volumes specified for each watercourse (not sumps). The takes are for a range of purposes, including (but not limited to): > Take and use water from MG15 Sump for process water at

Activity	Relevant Rules	Comment
		LDP1 and for dust suppression purposes; > Take and use water from Ford Creek #3 and #4 Sump for process water at LDP1 (backup for main take from MG15 Sump); > Take and use water and contaminants (i.e. low-density solids) from Mangatini Sump for use at the Millerton filter beds in the Ngākawau catchment (Mine sub-catchment); and > Take and use water from Mangatini Stream for dust suppression along the 2-5 Haul Road. <i>Note: the existing take from MG15 Sump has not required consent to-date as water remains in the catchment and is only used at LDP1 as an interim step while conveyed between sumps. Consent is now sought on a conservative basis.</i> <i>Note: a take consent for filter beds is required as water is transferred from the Mangatini catchment to the Millerton catchment.</i>
To impound water and contaminants (including coal fines) within an existing Coal Fines Storage Facility (A18 CFS).	Discretionary activity under Rule 59.	The activity is authorised by RC89038 (Water Right 890240), which authorises “damming above discharge point into Mangatini Stream”. The Water right expires in 2027. It is understood that A18 CFS is not proposed to receive any further coal fines (and a discharge consent

Activity	Relevant Rules	Comment
		is not required), but a water permit for ongoing impoundment is required.
To impound water and contaminants within in-pit and ex-pit lakes, sumps and ponds for water management purposes in the Mangatini Area of the Stockton Mine Sub-Area.	Discretionary activity under Rule 59	The activity is authorised by RC89038 (Water Right 890240) which authorises “damming above discharge point into Mangatini Stream”. The Water right expires in 2027. Applies to various smaller sumps and ponds across the Mangatini Area that will exceed permitted conditions for damming that are not specifically named and identified.
To impound water within: > Ford Creek #3 and #4 Sump; > MG15 Sump; > Mangatini Quarry Sump; > Mumm’s Sump; > 4WP2 Sump; > Mangatini Sump; and > Duncan’s Sump for water treatment and supply purposes.	Discretionary activity under Rule 59.	These sumps are all part of the Mangatini Treatment System. The damming of water in the Mangatini sump is authorised via RC07229/5, which authorises the damming of mine water in the Mangatini Stream catchment (noting all consent conditions only relate to Mangatini Sump). The consent expires in 2028. The damming of water in Duncan’s Sump is authorised by RC07007/1, which authorises the damming of mine water in the Mangatini Stream catchment (relates to Duncan’s Sump). The consent expires in 2028. The damming of water in the other sumps is authorised by RC89038 (Water Right 890240) which authorises “damming above discharge point into Mangatini Stream”. The Water right expires in 2027.

Activity	Relevant Rules	Comment
		Ford Creek #3 and #4 Sump, MG15 Sump, MG Quarry Sump, Mumms Sump, 4WP2 Sump and Mangatini Sump are part of the Mangatini Treatment System – with potential to bundle all sumps into one water permit to impound water within the Mangatini Treatment System. Duncan's Sump is not part of the Mangatini Treatment System.
To impound water within Mangatini East Sump for water treatment purposes.	Discretionary activity under Rule 59.	Damming water within the Mangatini East Sump is a new activity requiring consent. Mangatini East Sump will be in place at the end of mining. Mangatini East Sump is part of the Mangatini Treatment System which is located within the Ngākawau catchment (Mangatini sub-catchment).
To impound water within R6 Sump for water management and treatment purposes.	Discretionary activity under Rule 59.	The activity is authorised by an existing consent and is being renewed. The R6 Sump is one of the smaller sumps that exceeds the maximum permitted volume of 20,000 m ³ in the RLWP.
To impound water within: > WE12 Sump; > Campbells #2 Sump; and > Campbells #3 Sump. For water management and treatment purposes.	Discretionary activity under Rule 59.	The activity is authorised by RC89038 (Water Right 890240), which authorises “damming above discharge point into Mangatini Stream”. The Water right expires in 2027. These sumps are smaller sumps that exceed the maximum permitted volume of 20,000 m³ in the RLWP.
To impound water within the Coal Handling Processing Plant Infeed	Discretionary activity under Rule 59.	Coal Handling Processing Plant Infeed Ponds are smaller sumps that exceed the maximum

Activity	Relevant Rules	Comment
Ponds for water management and treatment purposes.		permitted volume of 20,000 m ³ in the RLWP.
To impound water within: > Ford Creek #1; > Ford Creek #2; and > Ford Creek #3 For water management and treatment purposes	Discretionary activity under Rule 59.	These sumps are smaller than the maximum permitted volume of 20,000 m ³ in the RLWP.
Discharges to land and water (RMA s15(1)(a) and (b))		
To discharge water and contaminants (treated mine water) from MG Quarry Sump and Mumm's Sump to Mangatini Stream (via a bypass structure).	Discretionary activity under Rule 71.	The activity is authorised by RC89038 (Water Right 890229), which authorises stormwater discharges up to 51,840,000 l/s per day into several watercourses (including Mangatini Stream). The Water right expires in 2027. MG Quarry Sump and Mumm's Sump are part of the Mangatini Treatment System.
To discharge water and contaminants (treated mine water) from Mangatini Sump to Mangatini Stream (via a decant structure).	Discretionary activity under Rule 71.	The activity is authorised by RC07229/6 and RC07229/7, which authorise the discharge of treated stormwater from Mangatini Sump to Mangatini Stream. The additional LDS component of the discharge is covered by RC06206, which authorises discharges of treated water and LDS from the Lime Dosing Plant to Mangatini Stream. Both consents expire in 2028. Mangatini Sump is part of the Mangatini Treatment System. The discharge of contaminants includes low-density solids.

Activity	Relevant Rules	Comment
To discharge water and contaminants from Duncan's Sump to Mangatini Stream (via a spillway).	Discretionary activity under Rule 71.	The activity is authorised by RC07007/3, which authorises the intermittent discharge of contaminated mine water from Duncan's Sump to Mangatini Stream. The consent expires in 2028. Duncan's Sump is not part of the Mangatini Treatment System as it is not actively used for treatment and can be surrendered separately if it is no longer required.
To discharge water and contaminants from Mangatini East Sump to Mangatini Stream (via a spillway during operations and directly upon closure).	Discretionary activity under Rule 71.	The Mangatini East Sump will be in place at the end of mining. The Mangatini East Sump is part of the Mangatini Treatment System which is located within the Ngākawau catchment (Mangatini sub-catchment).
To discharge water and contaminants to land from sediment retention ponds adjacent to the 2-5 Haul Road where it may enter: > Sandy Creek > Mangatini Stream > Ford Creek; and > Rome Stream.	Discretionary activity under Rule 91.	Applies to discharges to watercourses outside the Stockton Mine Area. Separate consents are required for discharges to each watercourse.
To stockpile shellfish shells in circumstances where contaminants may enter water throughout the Mangatini Area of Stockton Mine.	Discretionary activity under Rule 91.	
To discharge water and contaminants to land associated with temporary drilling activities	Discretionary activity under Rule 91.	The activity is authorised by RC05145/2, which authorises discharges of water containing

Activity	Relevant Rules	Comment
throughout the Mangatini Area of Stockton Mine.		drilling cuttings to land. The Consent expires in 2027. Applies to any drilling associated with exploration, investigation or monitoring activities. Discharges of water and contaminants to land associated with drilling are conservatively assumed to not meet all permitted activity conditions in Rule 82 of the RLWP.
To discharge water and contaminants to land where it may enter water associated with engineered landform construction and rehabilitation within mined pits and ex-pit areas throughout the Mangatini Area of Stockton Mine.	Discretionary activity under Rule 91.	Includes discharge of sediment, fill material, low-density solids and sludge/slops within ELFs (and containment cells within ELFs) to land.
To discharge water and contaminants to land from Mangatini East Sump where it may enter Mangatini Stream.	Discretionary activity under Rule 91.	The Mangatini East Sump will be in place at the end of mining. The Mangatini East Sump is part of the Mangatini Treatment System which is located within the Ngākawau catchment (Mangatini sub-catchment).
To discharge water and contaminants to land from Campbells #2 Sump (via a spillway) where it may enter T35 Creek.	Discretionary activity under Rule 91.	Campbells #2 Sump is a smaller sump that requires consent under the RLWP to impound and discharge water.
To discharge water and contaminants to land from Campbells #3 Sump (via a spillway) where it may enter Ford Creek.	Discretionary activity under Rule 91.	
To deposit overburden material and waste rock containing potentially acid-forming material, and the	Discretionary activity under Rule 91.	The deposition of overburden material and waste rock from the Cypress Mine Area, the Stockton

Activity	Relevant Rules	Comment
associated discharge of contaminants to land from the overburden material and waste rock, from the Cypress Mine and UWHR to land into Webb Pit.		Mine overburden disposal area (Webb Pit) is authorised by RC03175/17(i), which expires in 2027. The quantity of overburden and waste rock from the UWHR will be up to 50 kbcm.
To discharge water and contaminants to land from sediment retention ponds adjacent to the 2-5 Haul Road where it may enter T35 Creek.	Discretionary activity under Rule 91.	This applies to discharges to watercourses outside the Stockton Mine Area.
ST PATRICKS		
The use of land (RMA s9(2))		
Land disturbance, including disturbance within riparian margins associated with the construction and maintenance of water management infrastructure, vegetation clearance, overburden removal, coal extraction, engineered landform formation and rehabilitation throughout the St Patricks Area of Stockton Mine.	Vegetation disturbance and earthworks outside of Schedule 1 and 2 wetlands are a Discretionary activity under Rule 16.	The St Patricks area is within the Ngākawau catchment (St Patricks sub-catchment).
The use of beds of lakes and rivers (RMA s13)		
N/A		
To take, use, dam and divert water (RMA s14)		
To divert surface water run-off from within the St Patricks Area to various water management infrastructure (including in-pit and ex-pit sumps) for treatment purposes.	Discretionary activity under Rule 58.	St Patricks is within the Ngākawau catchment (St Patrick's sub-catchment).

Activity	Relevant Rules	Comment
To divert surface water from sections of T31 Stream, T35 Stream and Fly Creek associated with Campbell's Overburden Site.	Discretionary activity under Rule 58.	While the diversion has been constructed, a consent is still required as the diversion captures water from an existing hardstand area that discharges runoff.
To divert surface water from Fly Creek to the McCabe's Settling Ponds via an existing weir structure.	Discretionary activity under Rule 58.	The McCabe's Settling Ponds are part of McCabe's Treatment System. <i>Note: The existing weir in Fly Creek is authorised by RC-2019-0076-01 and does not require reconsenting.</i>
To take and use groundwater associated with the removal of overburden and coal during active mining, and as needed for highwall dewatering, throughout the St Patricks Area of Stockton Mine.	Restricted Discretionary activity under Rule 56.	This relates primarily to A-Drive CFS#1, #2 and #3, with most overburden removal and active mining in the Millerton Area of Stockton Mine.
The take and use of up to 400 l/s of water from sumps and ponds in the St Patricks Area for process water to support mining and ancillary activities. This includes the take and use of water from the No.1 North Dam and the SN14 Pit Lake.	Discretionary activity under Rule 57.	Most takes are authorised by RC08126 which authorises the take and use of water from various sources (sumps, ponds etc.) within Plover Stream, Fly Creek and the Mangatini Stream catchments. The take and use of up to 37 l/s is proposed for coal processing purposes, and up to 13 l/s for office, workshop, firefighting and truck wash purposes. The consent expires in 2028. The take of surface water for drilling activities is authorised by RC05145, which expires in 2027. The proposed approach is one water take for the St Patricks Area with maximum take volumes specified for each watercourse (in this case there are no direct takes from watercourses). Takes for a

Activity	Relevant Rules	Comment
		range of purposes are proposed, including (but not limited to): > The take and use water from the No.1 North Dam for process water at Lime Dosing Plant 2 (LDP2) and Coal Handling Processing Plant (CHPP) and for firefighting water in the Stockton Offices and Workshop; > The take and use water from A-Drive Sump for process water at LDP2 and CHPP and for dust suppression purposes; and > The take and use water from the Bath House Dam for firefighting water in the Bath House Offices and water supply for drilling activities. <i>Note: LDP2 returns water to the St Patricks catchment while firefighting water is considered a net take not returned to catchment (only used on an exceptions basis).</i> <i>Note: the proposed take and use of water from the No.1 North Dam for water cart filling is part of the Cypress Consents and is therefore outside of the scope of this FTA Application. RC03175/6 already provides for the 100 l/s take sought.</i>
To impound water within the No. 1 North Dam for water, management, treatment and supply purposes.	Discretionary activity under Rule 59.	
To impound water and contaminants within in-pit and ex-pit lakes and sumps during active mining for water	Discretionary activity under Rule 59.	Applies to active mining in the A-Drive Mine Block and various smaller sumps and ponds across

Activity	Relevant Rules	Comment
management purposes in the St Patricks Area of Stockton Mine.		the St Patricks Area (including Lake Cummings).
To impound water and contaminants (including coal fines) within three Coal Fines Storage Facilities, being the A-Drive CFS#1 and new A-Drive CFS #2 and A-Drive CFS #3).	Discretionary activity under Rule 59.	
To impound water and contaminants within the SN14 Pit Lake for water management and supply purposes.	Discretionary activity under Rule 59.	
To impound water and contaminants (including coal fines) within an existing Coal Fines Storage Facility (McCabe's CFS).	Discretionary activity under Rule 59.	
To impound water within: > A-Drive Sump; > McCabe's Settling Ponds > McCabe's Sump > Sump D; and > The Bath House Dam for water management, treatment and supply purposes.	Discretionary activity under Rule 59.	These sumps, ponds and dams are all part of the McCabe's Treatment System.
To impound water within N-NELF Sump for water management and treatment purposes.	Discretionary activity under Rule 59.	The N-NELF Sump is one of the smaller sumps that exceeds the maximum permitted volume of 20,000 m ³ in the RLWP.
To impound water within McCabe's #4 Sump for water management and treatment purposes.	Discretionary activity under Rule 59.	The activity is authorised by RC89038 (Water Right 890239), which authorises "damming above discharge point into Fly Creek". The Water right expires in 2027. The McCabe's #4 Sump is a smaller sump that exceeds the maximum

Activity	Relevant Rules	Comment
		permitted volume of 20,000 m ³ in the RLWP.
To impound water within Water Tower #2 Sump for water management and treatment purposes.	Discretionary activity under Rule 59.	The activity is authorised by RC89038 (Water Right 890239), which authorises “damming above discharge point into Fly Creek”. The Water right expires in 2027. The Water Tower #2 Sump is a smaller sump that exceeds the maximum permitted volume of 20,000 m³ in the RLWP.
To impound water within Water Tower #3 Sump for water management and treatment purposes.	Discretionary activity under Rule 59.	The activity is authorised by RC89038 (Water Right 890239), which authorises “damming above discharge point into Fly Creek”. The Water right expires in 2027. Water Tower #3 Sump is a smaller sump that exceeds the maximum permitted volume of 20,000 m³ in the RLWP.
To impound water within Lake Cumming for water management and treatment purposes.	Discretionary activity under Rule 59.	The activity is authorised by RC89038 (Water Right 890239), which authorises “damming above discharge point into Fly Creek”. The Water right expires in 2027.
To impound water within A-Drive East Sump for water management and treatment purposes.	Discretionary activity under Rule 59.	The activity is authorised by RC89038 (Water Right 890239), which authorises “damming above discharge point into Fly Creek”. The Water right expires in 2027. The A-Drive East Sump is a smaller sump that exceeds the maximum permitted volume of 20,000 m³ in the RLWP.

Activity	Relevant Rules	Comment
To impound water within C-Drive Sump for water management and treatment purposes.	Discretionary activity under Rule 59.	The activity is authorised by RC89038 (Water Right 890239), which authorises “damming above discharge point into Fly Creek”. The Water right expires in 2027. The C-Drive Sump is a smaller sump that exceeds the maximum permitted volume of 20,000 m ³ in the RLWP.
To impound water within Z9 Sump for water management and treatment purposes.	Discretionary activity under Rule 59.	The Z9 Sump is a smaller sump that exceeds the maximum permitted volume of 20,000 m ³ in the RLWP.
To impound water within Herbert #2 Sump for water management and treatment purposes.	Discretionary activity under Rule 59.	The Herbert #2 Sump is a smaller sump that exceeds the maximum permitted volume of 20,000 m ³ in the RLWP.
Discharges to land and water (RMA s15(1)(a) and (b))		
To discharge water and contaminants from mining and mining-related activities (including in-pit and ex-pit sumps, No.1 North Dam and site haul roads) in the St Patricks Area to Plover Stream.	Discretionary activity under Rule 71.	
To discharge water and contaminants from mining and mining-related activities (including in-pit and ex-pit sumps, rehabilitated landforms and site haul roads) in the St Patricks Area to Fly Creek.	Discretionary activity under Rule 71.	Applies to active mining in the A-Drive Mine Block.
To discharge water and contaminants (treated mine water) from McCabe’s Sump and Sump D to Fly Creek (via direct discharge and a bypass structure).	Discretionary activity under Rule 71.	The McCabe’s Sump and Sump D are part of the McCabe’s Treatment System. The discharge of contaminants includes low-density solids.

Activity	Relevant Rules	Comment
To discharge water and contaminants from Lake Cummings to a tributary of Fly Creek (via a spillway).	Discretionary activity under Rule 71.	
To discharge water and contaminants from Bath House Dam to T35 Stream (via a spillway).	Discretionary activity under Rule 71.	Water is initially discharged into T35 Stream before eventually entering St Patricks Stream.
To discharge water and contaminants from McCabe's #4 Sump to Fly Creek via a decant pipeline and spillway.	Discretionary activity under Rule 71.	Activity is authorised by RC89038 (Water Right 890229), which authorises stormwater discharges up to 51,840,000 l/s per day into several watercourses (including Fly Creek). Both consents expire in 2027. The McCabe's #4 Sump is a smaller sump that requires consent under the RLWP to impound and discharge water.
To discharge water and contaminants (including coal fines) from the CHPP to land at three new Coal Fines Storage Facilities (A-Drive CFS#1, CFS #2 and CFS #3).	Discretionary activity under Rule 91.	
To discharge water and contaminants to land from sediment retention ponds adjacent to the 2-5 Haul Road where it may enter T35 Stream.	Discretionary activity under Rule 91.	Applies to discharges to watercourses outside the Stockton Mine Sub-Area.
To discharge water and contaminants to land from sediment retention ponds adjacent to Coles Way Road where it may enter Fly Creek.	Discretionary activity under Rule 91.	Applies to discharges to watercourses outside the Stockton Mine Sub-Area. Discharges to Fly Creek are captured by the S16 monitoring site.

Activity	Relevant Rules	Comment
To discharge water and contaminants to land from sediment retention ponds adjacent to Mt Fredericks Haul Road where it may enter Plover Stream.	Discretionary activity under Rule 91.	Applies to discharges to watercourses outside the Stockton Mine Sub-Area. Discharges to Plover Stream are captured by the S16 monitoring site.
To discharge water and contaminants from N-NELF Sump to land (via a decant pipeline and spillway) where it may enter Plover Stream.	Discretionary activity under Rule 91.	The N-NELF Sump is a smaller sump that requires consent under the RLWP to impound and discharge water.
To discharge water and contaminants from A-Drive East Sump to land (via a spillway) where it may enter Plover Stream.	Discretionary activity under Rule 91.	The A-Drive East Sump is a smaller sump that requires consent under the RLWP to impound and discharge water.
To discharge water and contaminants from C-Drive Sump to land (via a spillway) where it may enter Plover Stream.	Discretionary activity under Rule 91.	The C-Drive Sump is a smaller sump that requires consent under the RLWP to impound and discharge water.
To discharge water and contaminants to land associated with temporary drilling activities throughout the St Patricks Area of the Stockton Mine Sub-Area.	Discretionary activity under Rule 91.	The activity is authorised by RC05145/2, which authorises discharges of water containing drilling cuttings to land. The Consent expires in 2027. Applies to any drilling associated with exploration, investigation or monitoring activities within the Stockton Mine Sub-Area. Discharges of water and contaminants to land associated with drilling are conservatively assumed to not meet all permitted activity conditions in Rule 82 of the RLWP.
To discharge water and contaminants to land where it may	Discretionary activity under Rule 91.	Includes discharges of sediment, fill material, low density solids and

Activity	Relevant Rules	Comment
enter water associated with engineered landform construction and rehabilitation within mined pits and ex-pit areas within the St Patricks Area of the Stockton Mine Sub-Area.		sludge/slops within ELF's (and containment cells within ELF's) to land.
To discharge alkaline reagents to land where it will enter Fly Creek upstream of the Fly Creek Weir.	Discretionary activity under Rule 91.	
To discharge water and contaminants (supernatant and seepage water) from the McCabe's filter bed to land in the St Patricks Area of the Stockton Mine Sub-Area.	Discretionary activity under Rule 91.	
To deposit overburden material and waste rock containing potentially acid-forming material, and the associated discharge of contaminants to land from the overburden material and waste rock, from the Cypress Mine Area and Upper Waimangaroa Haul Road Area to land throughout the St Patricks Area of Stockton Mine.	Discretionary activity under Rule 91.	
To discharge water and contaminants to land where it may enter water associated with engineered landform construction and rehabilitation within mined pits and ex-pit areas within the St Patricks Area of Stockton Mine.	Discretionary activity under Rule 91.	Includes discharge of sediment, fill material, low density solids and sludge/slops within ELF's (and containment cells within ELF's) to land. St Patricks Area is within Ngākawau catchment (St Patricks sub-catchment).
To discharge water and contaminants to land associated with temporary drilling activities throughout the St Patricks Area of Stockton Mine.	Discretionary activity under Rule 91.	Applies to any drilling associated with exploration, investigation or monitoring activities within Stockton Mine Area. It is assumed that discharges of water and contaminants to land

Activity	Relevant Rules	Comment
		associated with temporary drilling activities will meet the permitted activity standards in Rule 82. St Patricks Area is within Ngākawau catchment (St Patricks sub-catchment).
To stockpile shellfish shells in circumstances where contaminants may enter water throughout the St Patricks Area of Stockton Mine.	Discretionary activity under Rule 91.	St Patricks Area is within Ngākawau catchment (St Patricks sub-catchment).
WAIMANGAROA		
The use of land (RMA s9(2))		
Land disturbance, including disturbance within riparian margins associated with the construction and maintenance of water management infrastructure, vegetation clearance, overburden removal, coal extraction, engineered landform formation and rehabilitation throughout the Waimangaroa Area of Stockton Mine	Vegetation disturbance and earthworks outside of Schedule 1 and 2 wetland is a Discretionary activity under Rule 16.	The Waimangaroa area is within the Waimangaroa catchment.
To stockpile shellfish shells in circumstances where contaminants may enter water throughout the Waimangaroa Area of Stockton Mine.	Discretionary activity under Rule 91.	The Waimangaroa Area is within the Waimangaroa catchment.
The use of beds of lakes and rivers (RMA s13)		
To place and maintain the Whirlwind Mussel Shell Reactor and polishing pond within the bed of Whirlwind Stream.	To use, erect, reconstruct, place, alter, extend, remove or demolish any structure or part of any structure in, on, under or over the bed of any river outside of a Schedule 1 or 2	

Activity	Relevant Rules	Comment
	wetland is a Discretionary activity under Rule 35.	
To take, use, dam and divert water (RMA s14)		
To divert surface water (headwaters of Whirlwind and Herbert Streams) from the Waimangaroa catchment to the No.1 North Dam via constructed drains.	Discretionary activity under Rule 58.	The activity is authorised by RC06287, which relates to diverting mine water from the upper catchments of various streams (including Whirlwind and Herbert Streams) into the Ngākawau catchment. The consent expires 2028. The No.1 North Dam is located within Ngākawau catchment (St Patricks sub-catchment). Diversion consent requires renewal, as while they are permanent diversions, the existing consent (Condition 14) requires the diverted water to be returned to the original watercourse.
To take and use groundwater from existing open pits, and as needed for highwall dewatering, across the Waimangaroa Area of the Stockton Mine Sub-Area.	Restricted Discretionary activity under Rule 56.	Applies to the Z9 Pit Area until backfill and rehabilitation activities are complete. Most overburden removal and active mining is in the Millerton catchment.
To impound water within the Whirlwind Mussel Shell Reactor polishing pond for water treatment purposes.	Discretionary activity under Rule 59.	There is potential to bundle all permits required for the Whirlwind MSR into one consent.
To impound water within Whirlwind Sump for water management and treatment purposes.	Discretionary activity under Rule 59.	The Whirlwind Sump is a smaller sump that exceeds the maximum permitted volume of 20,000 m3 in the RLWP.

Activity	Relevant Rules	Comment
Discharges to land and water (RMA s15(1)(a) and (b))		
To discharge water and contaminants from the Whirlwind Mussel Shell Reactor polishing pond to Whirlwind Stream.	Discretionary activity under Rule 91.	
To discharge shellfish shells to land where it may enter water at the Whirlwind Mussel Shell Reactor.	Discretionary activity under Rule 91.	The activity is authorised by RC11138/1 which authorises discharges of shellfish shells to land. The Consent does not expire until 2046, but a new consent is being sought to ensure it is fit for purpose and expires at the same time as the other consents. There is potential to bundle all permits required for the Whirlwind MSR into one consent.
To discharge water and contaminants to land associated with temporary drilling activities throughout the Waimangaroa Area of the Stockton Mine Sub-Area.	Discretionary activity under Rule 91.	The activity is authorised by RC05145/2, which authorises discharges of water containing drilling cuttings to land. The consent expires in 2027. Applies to any drilling associated with exploration, investigation or monitoring activities within the Stockton Mine Sub-Area. <i>Note: the discharge of water and contaminants to land associated with drilling is conservatively assumed to not meet all permitted activity conditions in Rule 82 of the Regional Land and Water Plan.</i> Waimangaroa Area is within the Waimangaroa catchment.
To deposit overburden material and waste rock containing potentially acid-forming material, and the associated discharge of	Discretionary activity under Rule 91.	Waimangaroa Area is within the Waimangaroa catchment.

Activity	Relevant Rules	Comment
contaminants to land from the overburden material and waste rock, from the Cypress Mine Area and Upper Waimangaroa Haul Road Area to land throughout the Waimangaroa Area of Stockton Mine.		
To discharge water and contaminants to land associated with temporary drilling activities throughout the Waimangaroa Area of Stockton Mine.	Discretionary activity under Rule 91.	Covers any drilling associated with exploration, investigation or monitoring activities within Stockton Mine. <i>Note: It is assumed that discharges of water and contaminants to land associated with temporary drilling activities will meet the permitted activity standards in Rule 82.</i>
STOCKTON-WIDE		
The use of land (RMA s9(2))		
N/A		
The use of beds of lakes and rivers (RMA s13)		
N/A		
To take, use, dam and divert water (RMA s14)		
N/A		
Discharges to land and water (RMA s15(1)(a) and (b))		
Discharges of sewage effluent into thirteen existing on-site wastewater treatment systems ("OWTS").	Discretionary activity under Rule 91.	The combined volume of sewage effluent discharged into the thirteen existing OWTS exceeds the permitted activity standard of 2000 l / day (the approximate combined volume of sewage effluent discharged to land is 8,000 l / day), plus an additional 4,600 l / week of sewage effluent will be discharged

Activity	Relevant Rules	Comment
		into the Bathhouse Office Complex to provide for the disposal of sewage from septic tanks and crib huts from MFS and the UWHR. As such, the discharges do not meet the permitted activity standards of Rule 79 and are therefore a discretionary activity (Rule 91).
To discharge vehicle washdown water to land	Discretionary activity under Rule 91.	
Disposal of water treatment byproduct (i.e. residual flocculant) onto land associated with the closure of the Stockton mine.	Discretionary activity under Rule 91.	
Discharges of flocculants and other alkaline agents (e.g. limestone or NaOH) into sediment retention ponds to manage sediment and AMD effects on water during the construction and operation of future mining areas.	Discretionary activity under Rule 91.	
Discharges of hydrocarbon soils into containment cells prior to disposal off site.	Discretionary activity under Rule 91.	
Discharges of firefighting foam to land where it may enter water.	Discretionary activity under Rule 91.	Resource consent is required for situations where annual testing of firefighting equipment mounted on mobile equipment is undertaken at Stockton.
Disposal of sludge from the WTP into geofabric dewatering bags which will be placed into ELF before being removed off site.	Discretionary activity under Rule 91.	

Activity	Relevant Rules	Comment
NGĀKAWAU RAIL LOADOUT		
The use of land (RMA s9(2))		
N/A		
The use of beds of lakes and rivers (RMA s13)		
N/A		
To take, use, dam and divert water (RMA s14)		
N/A		
Discharges to land and water (RMA s15(1)(a) and (b))		
Discharges of sewage effluent into four existing OWTS.	Discretionary activity under Rule 91.	The combined volume of sewage effluent discharged into the four existing OWTS at Ngākawau complies with the permitted activity standard of 2000 L/day (the approximate combined volume of sewage effluent discharged to land is 1,780 L/day). However, at least two of the OWTS are primary systems (septic tanks to boulder holes), potentially without outlet filter(s). As such, the effluent quality from these OWTS is conservatively assessed as not meeting the permitted activity standards in Rule 79 as follows: > BOD5 not greater than 20 mg/litre; > Suspended solids not greater than 30 mg/litre; > Faecal coliforms not more than 1000/100 mls.

Activity	Relevant Rules	Comment
		The discharges are therefore assessed as a discretionary activity (Rule 91).
AERIAL ROPEWAY		
The use of land (RMA s9(2))		
N/A		
The use of beds of lakes and rivers (RMA s13)		
N/A		
To take, use, dam and divert water (RMA s14)		
N/A		
Discharges to land and water (RMA s15(1)(a) and (b))		
The cutting and dropping of aerial ropes onto land.	Discretionary activity under Rule 91.	

8.3.4 West Coast Regional Air Quality Plan

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The activity status and regional consents relating to the RAQP⁴⁹ under section 15(2)(b) and (2A)(b) of the RMA required to authorise activities occurring within the existing and future Stockton mining areas (including the Ngākawau Rail Loadout and the Aerial ropeway) are set out in **Table 8-4** below. The most restrictive activity status is **discretionary**.

⁴⁹ The RAQP is currently under review.

Table 8-4: Activity status and RAQP related consents required for Stockton

Activity	Relevant rules and activity status	Comment
Discharges to Air (RMA section 15(1)(c) / (2)(b) / 15(2A)		
STOCKTON		
Discharges of contaminants to air (primarily dust and products of combustion).	Discretionary activity under Rule 16.	These discharges of contaminants to air are currently authorised via RC965002 (which expires in 2027). The proposed discharges of contaminants to air could potentially comply with the permitted activity standards in Rule 5 of the RAQP. However, out of an abundance of caution, consent is being sought for the discharge of contaminants into air under Rule 16.
NGĀKAWAU RAIL LOADOUT		
Discharges of contaminants to air (primarily dust and products of combustion).	Discretionary activity under Rule 16.	These discharges of contaminants to air are currently authorised via RC965002 (which expires in 2027). The proposed discharges of contaminants to air could potentially comply with the permitted activity standards in Rule 5 of the RAQP. However, out of an abundance of caution, consent is being sought for the discharge of contaminants into air under Rule 16.
AERIAL ROPEWAY		
N/A		

180 8.4 UPPER WAIMANGAROA HAUL ROAD

The UWHR is approximately 15km long and will connect the ESE and MFS sub-areas to the Stockton boundary and existing haul roads, providing an essential link between all the

Project sub-areas and eliminating the need for heavy machinery and trucks to utilise the public road network.

185 Where possible, the proposed alignment uses existing access roads and previously cleared areas to minimise the disturbance footprint. Widening and straightening of the road will be required where the route follows existing 4WD tracks. Approximately 4 km of the haul road alignment traverses previously undisturbed ground, comprising 1 km adjacent to ESE and 3 km connecting the haul road to Cypress mining operations in the north.

190 8.4.1 Buller District Plan

The activity status and land use consents required under the BDP and section 9 of the RMA to authorise activities associated with the construction, use, maintenance, and partial rehabilitation of the existing and future UWHR are set out in **Table 8-5** below. The most restrictive activity status is **Discretionary**.

195 However, consent is also required as a **discretionary activity**⁵⁰ under Regulation 11 of the NES-CS for soil disturbance associated with the narrowing and remediation of the UWHR upon mine closure.

200 Consent is also required as a **discretionary activity** under Regulation 45D of the NES-F for vegetation clearance, earthworks and land disturbance within, or within a 100m set-back from a natural inland wetland, and for the take, use, diversion or damming of water within, or within 100m set-back of a natural inland wetland, and for discharges of water into water within, or within a 100m set back of a natural inland wetland.

205 Consent is also required as a **discretionary activity** under Regulation 71 of the NES-F for the placement, alteration, extension or replacement of culverts in the beds of rivers which intercept the UWHR.

Consent is also required as a **discretionary activity** under Regulation 57 of the NES-F for the reclamation⁵¹ (permanent loss) of headwater streams.

⁵⁰ A consent may instead be required for a controlled activity under Regulation 9 of the NES-CS if a Detailed Site Investigation (DSI) is prepared and states that the soil contamination does not exceed the applicable standards in Regulation 7, or a restricted discretionary activity under Regulation 10 of the NES-CS if a DSI is prepared and states that the soil contamination exceeds the applicable standards in Regulation 7.

⁵¹ Reclamation is defined in the National Planning Standards 2019.

Table 8-5: Activity status and BDP land use consents required for UWHR

Activity	Relevant rules and activity status	Comment
All land use activities associated with the construction use, maintenance and rehabilitation of the UWHR, including:	The construction of the UWHR is a Discretionary activity under Rule 5.3.2.3.1.	The UWHR is in the Rural zone of the BDP.
> Removal of overburden;	Indigenous vegetation clearance and incidental earthworks exceeding 5ha per site in total over a three-year period is a Restricted Discretionary activity under Rule 5.3.2.4.4.	In the Rural zone, mining and incidental earthworks require approval under Rule 5.3.2.4.3.
> Earthworks and indigenous vegetation clearance to construct a haul road connecting ESE and MFS to Cypress South Pit haul road;		The construction of the haul road involves earthworks which are not directly associated with 'mining', and as such, they are not captured by Rule 5.3.2.4.3. Rather, the UWHR is being constructed to provide access to mining areas. As such, these earthworks require approval under Rule 5.3.2.3.1.
> Constructing replacement bridges to meet required design criteria;	Activities within 25 m of a wetland > 0.5 ha and activities within 10 m of any river or stream with an average bed width of > 3 m is a Discretionary activity in accordance with Table 5.7 (Rural Zone standards) of the BDP.	With respect to indigenous vegetation, approximately 44.8 ha of indigenous vegetation clearance and incidental earthworks is required to construct the UWHR.
> Mobile /temporary staff crib huts with portable ablution facilities for use during the construction of the UWHR;	Signs in the Rural zone are a Discretionary activity under Rule 7.7.7.	For this reason, a resource consent for indigenous vegetation clearance is required (Rule 5.3.2.4.4).
> Earthworks and vegetation clearance to upgrade existing roads to provide for its use as part of the UWHR;		The following historic heritage sites will be impacted by the UWHR:
> Stripping and stockpiling of soil and slash material;		> Iron Bridge Mine;
> Earthworks and vegetation clearance to construct the UWHR under existing Transpower 110 kV power lines (x3 locations);		> Beggs Outcrop; and
> Earthworks and vegetation clearance associated with the construction and maintenance of gates, crossings, signage and intersections;		> Cooks Lease Area.
> Removal of coal uncovered during construction;		However, these sites are not scheduled for protection in Part 14 of the BDP.

Activity	Relevant rules and activity status	Comment
> Cartage of fill material for road base and surfaces from other locations (Escarpment ESE and Stockton mine areas); > Cartage of fill material to other locations for disposal purposes (Escarpment and Stockton mine areas); > Water management infrastructure, including sediment control sumps and ponds, culverts, bridges, diversion drains and channels; > Development of laydown and staging areas; > Ongoing use and maintenance of the UWHR for hauling of coal and mining related materials and use by other mine related vehicles and equipment; > Construction and use of sediment ponds along the UWHR; > Signage (e.g. advisory signs to meet legislative requirements such as health and safety legislation, public safety or wayfinding) and temporary signs (e.g. for construction sites); > Drilling activities within the UWHR footprint for geotechnical purposes; and > Use of Geosynthetic Clay Liners within larger fill areas along the UWHR.		

Activity	Relevant rules and activity status	Comment
Rehabilitation of the UWHR, including: > Earthworks associated with forming, removal of infrastructure and shaping final landforms; > Topsoil spreading over landforms; > Planting of native vegetation; and > Narrowing of haul road.	Rehabilitation of the UWHR is an integral component of mining and incidental earthworks, which are a Restricted Discretionary activity under Rule 5.3.2.4.3.	At the cessation of coal haulage operations, there will be a reduction in the road footprint by reducing the road width to a single lane light vehicle track or biking track, with road shoulders re-profiled and planted in appropriate native vegetation.

8.4.2 Te Tai o Poutini Plan

The activity status and land use consents relating to TTPP and section 9 of the RMA required to authorise activities associated with the construction, use, maintenance and partial rehabilitation of the existing and future UWHR are set out in **Table 8-6** below.

The most restrictive activity status under TTPP is **non-complying**.

Table 8-6: Activity status and TTPP land use consents required for UWHR

Activity	Relevant rules and activity status	Comment
All land use activities associated with the construction, use, maintenance and rehabilitation of the UWHR, including:	In the OSZ, mineral extraction ⁵² is a Discretionary activity under Rule OSZ-R19.	The majority of the UWHR is in the OSZ. However, the UWHR also passes through the BCZ and the GRUZ.
> Removal of overburden;	In the GRUZ, mineral extraction is a	The UWHR also encroaches into the ONL overlay (TTPP reference ONL-
> Earthworks and indigenous vegetation clearance to		

⁵² According to TTPP, mineral extraction includes the storage and distribution of mineral products and includes ancillary activities such as earthworks, landscaping and rehabilitation works, stormwater and wastewater treatment facilities together with ancillary buildings and structures, maintenance and repair, vehicle movements and access within to and from and between the mineral extraction and ancillary sites.

Activity	Relevant rules and activity status	Comment
construct a haul road connecting ESE and MFS to Cypress South Pit haul road; > Mobile /temporary staff crib huts with portable ablution facilities for use during the construction of the UWHR; > Constructing replacement bridges to meet required design criteria; > Earthworks and vegetation clearance to upgrade existing roads to provide for its use as part of the UWHR; > Stripping and stockpiling of soil and slash material; > Earthworks and vegetation clearance to construct the UWHR under existing Transpower 110 kV power lines (x3 locations); > Earthworks and vegetation clearance associated with the construction and maintenance of gates, crossings, signage and intersections; > Removal of coal uncovered during construction; > Cartage of fill material for road base and surfaces from	Discretionary activity under Rule GRUZ-R25. In the BCZ, activities ancillary to lawfully established mineral extraction and processing are a Permitted activity under Rule BCZ-R2. However, the UWHR will provide access to new mining areas (that are not lawfully established) and is ancillary to mineral extraction and processing activities. The UWHR also covers an area of indigenous vegetation greater than 5000m² in an area containing significant indigenous biodiversity. As such, it requires resource consent for a Restricted Discretionary activity under Rule BCZ-R5. Resource consent for a Non-complying activity is required for that part of the UWHR which encroaches into the	49)⁵³ and an area scheduled for protection in Schedule One of TTPP (the Denniston historic area). In the BCZ, permitted activities include the maintenance and operation of all roads, parking, buildings, coal haul road, aerial ropeway, water treatment facilities, railway loadout areas and structures that are lawfully established. A resource consent for activities ancillary to mineral extraction (such as indigenous vegetation clearance, fences and walls greater than 2m in height, buildings, structures and earthworks) is required for the future UWHR under Rules BCZ- R2, BCZ-R5, ECO-R10, GRUZ-R23, GRUZ-R25 and NFL-R15. The south-western section of the UWHR and the Coalbrookdale pest-free enclosure fence cross the Denniston Historic Area (HH5 and ARCH5), which is scheduled for protection in Schedule One and Schedule 1B of TTPP. However, the UWHR and the pest-free enclosure fence are not expected to impact any known archaeological or historic heritage feature.⁵⁴ Notwithstanding, it is possible that unrecorded subsurface archaeological sites may be exposed

⁵³ The UWHR alignment has been designed to largely avoid the ONL. Notwithstanding, a small portion of the UWHR footprint overlaps the ONL overlay. On this basis, approvals are being sought for earthworks, vegetation clearance and associated land disturbance activities associated with the construction, use, maintenance and rehabilitation of the UWHR in the ONL.

⁵⁴ Such as the early settlement and coal mining remains at Burnett's Face and Coalbrookdale and the surface remains of the Iron Bridge Mine (L29/98) and Kiwi Mine.

Activity	Relevant rules and activity status	Comment
other locations (Escarpment ESE and Stockton mine areas); > Cartage of fill material to other locations for disposal purposes (Escarpment and Stockton mine areas); > Water management infrastructure, including sediment control sumps and ponds, culverts, bridges, diversion drains and channels; > Development of laydown and staging areas; > Ongoing use and maintenance of the UWHR for hauling of coal and mining related materials and use by other mine related vehicles and equipment; > Earthworks associated with forming, removal of infrastructure and shaping final landforms; > Topsoil spreading over landforms; > Planting of native vegetation; and > Narrowing of haul road.	National Grid Yard under Rule ENG-R20. Indigenous vegetation clearance outside a SNA is a Discretionary activity under Rule ECO-R10. Fences, walls or retaining walls more than 2m above ground level are a Restricted Discretionary activity under Rules GRUZ-R23 and OSZ-R1. Earthworks and mineral extraction within an ONL are a Discretionary activity under Rule NFL-R15. Earthworks in an area included in Schedule One are a Discretionary activity under Rule HH-R9 and the demolition or destruction of a historic heritage item in a historic area identified in Schedule One is a Non-complying activity under Rule HH-R10.	and impacted along the southwestern section of the UWHR, given the proximity of the late 19th century mining and settlement remains within the Denniston Historic Area. As such, approval to undertake earthworks (and the potential demolition or destruction of a historic heritage site) within the Denniston Historic Heritage Area associated with the construction of the UWHR (and the Coalbrookdale pest-free fence) is required (Rules HH-R9 and HH-R10). With respect to indigenous vegetation, indigenous vegetation clearance and incidental earthworks is required to construct the UWHR. For this reason, a resource consent for indigenous vegetation clearance is also required for the UWHR (Rule ECO-R10). The proposed Coalbrookdale pest-free exclusion fences are between 1.8m and 2m tall and therefore comply with Rule GRUZ-R2, OSZ-R2 and ECO-R6. However, retaining walls greater than 2m in height (that are not associated with a conservation activity) may be required to construct the UWHR, requiring approval under Rule GRUZ-R23 and OSZ-R1. With respect to the rehabilitation of the UWHR, at the cessation of coal haulage operations, there will be some reduction in the road footprint where heavy vehicle access is no longer required. In these areas,

Activity	Relevant rules and activity status	Comment
		pavement width will be reduced to a single lane light vehicle track or biking track, with road shoulders re-profiled and planted in appropriate native vegetation. Rehabilitation of the UWHR is captured by the definition of <i>mineral extraction</i> , requiring approval under Rules OSZ-R19, GRUZ-R25 and BCZ-R5.
Earthworks, Buildings and Structures within the riparian margins of a river, lake or wetland.	Earthworks, Buildings and Structures within the riparian margins of a river, lake or wetland are a Discretionary activity under Rules NC-R4 and NC-R5.	
The construction of natural hazard mitigation structures on land and in the riparian margins of rivers, lakes and wetlands, including: > Gabion and revetments; > Retaining walls (for hazard mitigation purposes); > Bunds; > Weirs; > Spillways; > Rock fall/boulder roll protection structures; and The mechanical fixing of rocks in situ and the associated re-contouring of slopes and land.	Discretionary activity under Rule NH-R8 and Restricted Discretionary activity under Rule NC-R3.	

8.4.3 West Coast Regional Land and Water Plan

220

The activity status and regional consents relating to the RLWP under sections 9, 13, 14 and 15 of the RMA required to authorise the activities associated with the construction, use, maintenance and partial rehabilitation of the existing and future UWHR are set out in **Table 8-7** below. The most restrictive activity status is **discretionary**.

Table 8-7: Activity status and RLWP related consents required for UWHR

Activity	Relevant Rules and Activity Status	Comment
The use of land (RMA s9(2))		
Installation and use of culverts along the UWHR.	Culverts outside a Schedule 2 wetland not complying with the permitted activity standards are a Discretionary activity under Rule 35 and culverts inside a Schedule 2 wetland not complying with the permitted activity standards are a Discretionary activity under Rule 36.	It is conservatively assumed that some culverts may not meet all the permitted activity standards in Rule 23.
Earthworks to construct clean water diversion(s).	Vegetation disturbance and earthworks outside of Schedule 1 and 2 wetland is a Discretionary activity under Rule 16 and vegetation disturbance and earthworks inside a Schedule 2 wetland is a Discretionary activity under Rule 17.	
Land disturbance associated with site establishment, construction and maintenance of water management infrastructure, vegetation clearance, cut and fill and rehabilitation along	Vegetation disturbance and earthworks outside of Schedule 2 wetland is a Discretionary activity under Rule 16 and vegetation disturbance	

Activity	Relevant Rules and Activity Status	Comment
the length of the Upper Waimangaroa Haul Road.	and earthworks inside a Schedule 2 wetland is a Discretionary activity under Rule 17.	
Activities in the bed of Rivers (RMA s13)		
To place, maintain and replace culverts in various Waimangaroa River tributaries and lowpoints along the length of the UWHR.	Culverts outside a Schedule 2 wetland not complying with the permitted activity standards are a Discretionary activity under Rule 35 and Culverts inside a Schedule 2 wetland not complying with the permitted activity standards are a Discretionary activity in accordance with Rule 36.	It is conservatively assumed that some culverts may not meet all the permitted activity standards in Rule 23.
To take, use, dam and divert water (RMA s14)		
Taking / diversion of road surface runoff to sediment ponds.	Discretionary activity under Rules 57 and 58	
Diversion of surface runoff along and under the UWHR via culverts	Discretionary activity under Rule 58	
To divert clean water within the Waimangaroa River catchment, away from the UWHR footprint (permanent diversion).	Discretionary activity under Rule 58	
To divert various Waimangaroa River tributaries to enable to culvert installation works during the construction of the UWHR (temporary diversion).	Discretionary activity under Rule 58	

Activity	Relevant Rules and Activity Status	Comment
To dam water in various sediment control devices along the length of the UWHR.	Damming water outside a Schedule 2 wetland not complying with the permitted activity standards is a Discretionary activity under Rule 35 and damming water inside a Schedule 2 wetland not complying with the permitted activity standards is a Discretionary activity under Rule 36.	
To divert surface water from various watercourses within the Waimangaroa catchment away from the UWHR footprint.	Discretionary activity under Rule 58.	Refer to the report in Part B.11 for details on culvert locations. <i>Appendix 2 of BRL (2026) Characterisation of Culverts for koura Passage</i>
To temporarily divert surface water from various tributaries of the Waimangaroa River to enable culvert installation works associated with the construction of the UWHR.	Discretionary activity under Rule 58.	Temporary construction-related diversion that does not involve the transfer of water from one watercourse or catchment to another. It is conservatively assumed that the temporary diversions may not meet all the permitted activity standards of Rule 47.
Discharges to land and water (RMA s15(1)(a) and (b))		
Use of Geosynthetic Clay Liners within larger fill areas along the UWHR	Discretionary activity under Rule 91.	
Discharge to land of fill material within low points of the UWHR	Discretionary activity under Rule 91.	

Activity	Relevant Rules and Activity Status	Comment
footprint during the construction of the UWHR.		
Discharge of water and contaminants to the Waimangaroa River catchment during the construction of the UWHR (temporary).	Discretionary activity under Rule 71.	
Discharge of water and contaminants to the Waimangaroa River from sediment control devices along the length of the UWHR during road operations (permanent).	Discretionary activity under Rule 71.	
Discharges of flocculants and other alkaline agents (e.g. limestone or NaOH) to manage sediment and AMD effects on water during the construction and operation of the UWHR.	Discretionary activity under Rule 91.	
To discharge water and contaminants (sediment) to various watercourses within the Waimangaroa River catchment during the construction of the Upper Waimangaroa Haul Road.	Discretionary activity under Rule 71.	Temporary discharge during construction activities only.
To discharge water and contaminants (sediment) from various sediment retention ponds along the length of the Upper Waimangaroa Haul Road to the Waimangaroa River and its associated tributaries and the Cascade River.	Discretionary activity under Rule 71.	Permanent discharge for the duration of mine operations when UWHR will be in active use. Discharges will occur into the Waimangaroa and Cascade catchments (refer to the ESCPLDA for details in Part G).
To discharge cleanfill to land where it may enter water at low points along the length of the Upper Waimangaroa	Discretionary activity under Rule 91.	

Activity	Relevant Rules and Activity Status	Comment
Haul Road as part of road construction activities.		
To discharge contaminants (engineered liners, asphalt and gravel etc) to land where it may enter water associated with the construction of the Upper Waimangaroa Haul Road.	Discretionary activity under Rule 91.	
To discharge water and contaminants to land where it may enter water associated with blasting activities to construct the Upper Waimangaroa Haul Road.	Discretionary activity under Rule 91.	Covers use of ANFO for blasting of historic underground workings and general blasting activities (including any fly rock) to construct UWHR.

225

8.4.4 West Coast Regional Air Quality Plan

The activity status and regional consents relating to the RAQP under section 15(2)(b) and (2A)(b) of the RMA required to authorise the activities associated with the construction, use, maintenance and partial rehabilitation of the existing and future UWHR are set out in **Table 8-8** below. The most restrictive activity status is **discretionary**.

230

Table 8-8: Activity status and RAQP related consents required for UWHR

Activity	Relevant rules and activity status	Comment
Discharges to Air (RMA section 15(1)(c) / (2)(b) / 15(2A)		
Discharges of contaminants to air (primarily dust and products of combustion) associated with the construction, use, maintenance, and rehabilitation of the UWHR.	Discretionary activity under Rule 16	The proposed discharges of contaminants to air could potentially comply with the permitted activity standards in Rule 5 of the RAQP. However, out of an abundance of caution, consent is being sought for the discharge of contaminants into air under Rule 16.

8.5 MOUNT FREDERICK SOUTH

MFS is a new opencast mining area with initial mining through old underground workings dating back to the late 1800s. MFS will be accessed from the proposed UWHR, with a haul road constructed to enable access to the MFS mine area.

The key features of the BPCP within MFS include:

- > Establishment of the main site access road, including a bridge crossing over Deep Stream and culvert crossing of the Waimangaroa;
- > Development of an infrastructure area, water treatment facilities and supporting haul roads between mine elements;
- > Construction of two main pits – East Pit and West Pit;
- > Development of ELFs for overburden placement, and provision for backfilling pit voids;
- > Establishment of a coal stockpile transfer area;
- > Implementation of site-wide water management system, including sumps, culverts, diversion drains, channels, and treatment facilities;
- > Undertaking of exploration drilling, production drilling, blasting, and coal extraction from the East and West pits;
- > Wildlife and mining relic search and relocation, vegetation and soil stripping, VDT, stockpiling, and geochemical waste rock characterisation to support pit development;
- > Rehabilitation of disturbed areas, including reprofiling, soil and VDT, native planting, and site decommissioning;
- > Ongoing site maintenance activities, including access road upkeep, revegetation, weed and pest control, drainage, and passive treatment system management;
- > Site compliance monitoring covering water quality, aquatic environments, and terrestrial flora and fauna; and
- > Coal transport, stockpiling, and rehandling activities.

RMA approvals for all mining and rehabilitation activities in these new mining areas are required.

8.5.1 Buller District Plan

The activity status and land use consents relating to the BDP and section 9 of the RMA required to authorise activities occurring in MFS are set out in **Consent is** also required as a

discretionary activity under Regulation 57 of the NES-F for the reclamation (permanent loss) of approximately 17km of headwater streams (across MFS and ESE).

Table 8-9 below. The most restrictive activity status is **non-complying**.

265 However, consent is also required as a **discretionary activity**⁵⁵ under Regulation 11 of the NES-CS for soil disturbance associated with the decommissioning and remediation of all contaminated areas following closure of MFS.

270 Consent is also required as a **discretionary activity** under Regulation 45D of the NES-F for vegetation clearance, earthworks and land disturbance within, or within a 100m set-back from a natural inland wetland, and for the take, use, diversion or damming of water within, or within 100m set-back of a natural inland wetland, and for discharges of water into water within, or within a 100m set back of a natural inland wetland.

Consent is also required as a **discretionary activity** under Regulation 71 of the NES-F for the placement, alteration, extension or reconstruction of several culverts in the beds of rivers.

275 Consent is also required as a **discretionary activity** under Regulation 57 of the NES-F for the reclamation (permanent loss) of approximately 17km of headwater streams (across MFS and ESE).

Table 8-9: Activity status and BDP land use consents required for MFS

Activity	Relevant rules and activity status	Comment
All land use activities associated with the construction, operation, closure and rehabilitation of the MFS sub- area, including:	Mining and incidental earthworks in the Rural zone are a Restricted Discretionary activity under Rule 5.3.2.4.3.	The MFS sub-area is in the Rural zone.
> Site access road construction, maintenance and use, including a bridge crossing Deep Stream and a culvert crossing in the Waimangaroa river;	Indigenous vegetation clearance and incidental earthworks exceeding 5ha per site in total over a three-year period is a Restricted Discretionary	There is a scheduled historic heritage site located within MFS. This is the Koranui Mine and Incline (BDP Schedule 14.1 Historic Places – L29/122 and also recorded as L29/14 in the NZAA ArchSite database). The underground workings of Koranui Mine will be destroyed, requiring approval under Rule 7.9.1.2.

⁵⁵ A consent may instead be required for a controlled activity under Regulation 9 of the NES-CS if a Detailed Site Investigation (DSI) is prepared and states that the soil contamination does not exceed the applicable standards in Regulation 7, or a restricted discretionary activity under Regulation 10 of the NES-CS if a DSI is prepared and states that the soil contamination exceeds the applicable standards in Regulation 7.

Activity	Relevant rules and activity status	Comment
> Mobile staff crib room with ablution facilities and potable water source; > Development and use of water management infrastructure, including sumps (including East Pit main sump), culverts, diversion drains (including above East Pit), channels, pipes and a pipeline to convey water back to Stockton for treatment at the McCabes Facility and a water treatment plant (“WTP”); > Development of an infrastructure area and supporting haul road between mine elements; > Development of operational and non-operational mining areas (the two main operational pits are referred to as East Pit and West Pit); > Prospecting and exploration; > Signage (e.g. advisory signs to meet legislative requirements such as health and safety legislation, public safety or wayfinding) and temporary signs (e.g. for construction sites); - Exploration drilling and blasting activities.; > Coal extraction and processing; > Coal transfer and stockpiling;	activity under Rule 5.3.2.4.4. Activities within 25 m of a wetland > 0.5 ha and activities within 10 m of any river or stream with an average bed width of > 3 m is a Discretionary activity in accordance with Table 5.7 (Rural Zone standards) of the BDP. The destruction of any historic/cultural item listed in Part 14 of the BDP is a Non-complying activity under Rule 7.9.1.2. Signs in the Rural zone are a Discretionary activity under Rule 7.7.7.	An extensive area of the Taipo Mine (surface mining remains and all underground workings) will also be destroyed. However, the Taipo Mine is not scheduled for protection in Schedule 14 of the BDP and as such its destruction does not require approval under Rule 7.9.7.2. With respect to indigenous vegetation clearance, approximately 175.4 ha of indigenous vegetation clearance and incidental earthworks is proposed in MFS over the next 16 years. For this reason, a resource consent for indigenous vegetation clearance is required (Rule 5.3.2.4.4). The proposed water management and treatment facilities at MFS consist of several smaller sheds, buildings, tanks and structures, which, collectively, exceed a GFA of 500m². However, not one building exceeds 500m². These facilities therefore meet the permitted activity standards for buildings in the Rural zone.

Activity	Relevant rules and activity status	Comment
> Overburden placement (NAF, PAF, HAF); > Blasting; > Open pit mining operations; > Connections with the UWHR; > Vegetation clearance and soil stripping; > Wildlife and mining relic search and relocation; > Geochemical waste rock characterisation to support pit development; > Construction of ELFs for overburden placement, alkaline agents (i.e. limestone) and provision for backfilling pit voids; > Progressive reshaping, reprofiling and rehabilitation, including VDT (storage for these stockpiles is also proposed), topsoil spreading, native planting and site decommissioning; > Maintenance activities, including access road maintenance, revegetation, weed and pest control and drainage and passive treatment system management; > Storage and use of hazardous substances (including a double skinned, self-bunded 60,000 l fuel tank in the coal stockpile area);		

Activity	Relevant rules and activity status	Comment
> Car parking (light vehicles and heavy vehicles); > Site security (e.g. Fencing and gates); > Use of generators as part of mining operations, including part of the Water Treatment plant; > Fixed and mobile lighting; > Storage of water for water management, operations and treatment purposes; > Dust Suppression; and > Collection of potable water (in rainwater tanks).		
The storage and use of hazardous substances	Discretionary activity under Rule 6.4.2.7.	

280 8.5.2 Te Tai o Poutini Plan

The activity status and land use consents relating to TTPP and section 9 of the RMA required to authorise the activities occurring in MFS are set out in **Table 8-10** below.

The most restrictive activity status under TTPP is **discretionary**.

Table 8-10: Activity status and TTPP land use consents required for MFS sub-area

Activity	Relevant rules and activity status	Comment
All land use activities associated with the construction, operation, closure and rehabilitation of the MFS sub-area, including:	Mineral extraction activities in the OSZ are a Discretionary activity under Rule OSZ-R19.	MFS is located in the OSZ. A small area of MFS (East Pit) is also in an ONL (TTPP reference ONL-50).
> Site access road construction, maintenance and use, including a	Indigenous vegetation clearance outside a SNA is	

Activity	Relevant rules and activity status	Comment
- bridge crossing Deep Stream and a culvert crossing in the Waimangaroa river; > Mobile staff crib huts with ablution facilities and potable water source; > Development and use of water management infrastructure, including sumps (including East Pit main sump), culverts, diversion drains (including above East Pit), channels, pipes and a pipeline to convey water back to Stockton for treatment at the McCabes Facility and a water treatment plant ("WTP"); > Development of an infrastructure area and supporting haul road between mine elements; > Development of operational and non-operational mining areas (the two main operational pits are referred to as East Pit and West Pit); > Prospecting and exploration; > Drilling; > Coal extraction and processing; > Coal transfer and stockpiling; > Overburden placement (NAF, PAF, HAF); > Blasting; > Open pit mining operations;	a Discretionary activity under Rule ECO-R10. Earthworks within the riparian margin of a river, lake or wetland are a Discretionary activity under Rule NC-R4. Structures within the riparian margin of a river, lake or wetland are a Discretionary activity under Rule NC-R5. Earthworks and mineral extraction within an ONL outside of the BCZ and Mineral Extraction zone are a Discretionary activity under Rule NFL-R15. Operational noise from daytime and nighttime coal, handling, processing and maintenance activities in the OSZ may not meet the permitted activity standards, requiring resource consent for a Restricted Discretionary activity under Rule NOISE-R8.	The Koranui Mine and Incline is scheduled for protection in Part 14 of the BDP (Schedule 14.1 Historic Buildings and Sites - L29/122). However, the site is not included in Schedule One of TTPP. The Taipo Mine is not included in Schedule One of TTPP. Approvals under the heritage chapter of TTPP with respect to the Koranui Mine and Incline and the Taipo Mine are therefore not required.⁵⁶ With respect to indigenous vegetation clearance, approximately 175.4 ha of indigenous vegetation clearance and incidental earthworks is proposed in MFS over the next 16 years. For this reason, a resource consent for indigenous vegetation clearance is required (Rule ECO-R10).

⁵⁶ However, the remains of the Koranui Mining area are pre-1900 and as such are an archaeological site as defined within the HNZPTA.

Activity	Relevant rules and activity status	Comment
> Connections with the UWHR; > Vegetation clearance and soil stripping; > Wildlife and mining relic search and relocation; > Geochemical waste rock characterisation to support pit development; > Construction of ELF's for overburden placement, alkaline agents (i.e. limestone) and provision for backfilling pit voids; > Progressive reshaping, reprofiling and rehabilitation, including VDT (storage for these stockpiles is also proposed), topsoil spreading, native planting and site decommissioning; > Maintenance activities, including access road maintenance, revegetation, weed and pest control and drainage and passive treatment system management; > Storage and use of hazardous substances (including a double skinned, self-bunded 60,000 l fuel tank in the coal stockpile area); > Helicopter landing area (which will be used until the MFS access road is operational, after which it will primarily be for emergency use, drone survey and weed spraying); > Car parking (light vehicles and heavy vehicles); > Site security (e.g. Fencing and gates);		

Activity	Relevant rules and activity status	Comment
> Use of generators as part of mining operations, including part of the Water Treatment plant; > Fixed and mobile lighting; > Storage of water for water management, operations and treatment purposes; > Dust Suppression; and > Collection of potable water (in rainwater tanks).		
Earthworks, Buildings and Structures within the riparian margins of a river, lake or wetland.	Earthworks, Buildings and Structures within the riparian margins of a river, lake or wetland are a Discretionary activity under Rules NC-R4 and NC-R5.	
The construction of natural hazard mitigation structures on land and in the riparian margins of rivers, lakes and wetlands, including: > Gabion and revetments; > Retaining walls (for hazard mitigation purposes); > Bunds; > Weirs; > Spillways; > Rock fall/boulder roll protection structures; and The mechanical fixing of rocks in situ and the associated re-contouring of slopes and land	Discretionary activity under Rule NH-R8 and Restricted Discretionary activity under Rule NC-R3.	

8.5.3 West Coast Regional Land and Water Plan

The activity status and regional consents relating to the RLWP required to authorise the activities occurring in MFS are set out in **Table 8-11** below. The most restrictive activity status is **discretionary**.

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Table 8-11: Activity status and RLWP related consents required for MFS sub-area

Activity	Relevant Rules and activity status	Comment
The use of land (RMA s9(2))		
To place and maintain a culvert in the bed of a tributary of Billo Stream.	The placement of culverts outside a Schedule 2 wetland not complying with the permitted activity standards is a Discretionary activity under Rule 35.	Required in association with the formation of a haul road to gain access to the East Pit. It is conservatively assumed that the culvert may not meet all the permitted activity standards in Rule 23.
To place and maintain box culverts in the bed of the Waimangaroa River.	The placement of culverts outside a Schedule 2 wetland not complying with the permitted activity standards is a Discretionary activity under Rule 35.	Required to gain access to the MFS Mine area as part of establishing the MFS Access Road. It is conservatively assumed that the culverts may not meet all the permitted activity standards in Rule 23.
To place and maintain culverts in the bed of Deep Stream associated with the construction of the Mount Fredericks South Access Road.	The placement of culverts outside a Schedule 2 wetland not complying with the permitted activity standards is a Discretionary activity under Rule 35.	Required as part of establishing the MFS Access Road. It is conservatively assumed that the culverts may not meet all the permitted activity standards in Rule 23.
To place and maintain a bridge across Deep Stream.	Bridges outside a Schedule 2 wetland not complying with the permitted activity standards are a Discretionary activity under Rule 35.	Required as part of establishing the MFS Access Road. It is conservatively assumed that the bridge may not meet all the permitted activity standards in Rule 23.

Activity	Relevant Rules and activity status	Comment
To place and maintain an intake structure within the Waimangaroa River.	The placement of structures outside a Schedule 2 wetland not complying with the permitted activity standards are a Discretionary activity under Rule 35.	
To place and maintain an outfall structure and secondary bypass structure within the Waimangaroa River to discharge water and contaminants from the Mount Fredericks South water treatment plant.	The placement of structures outside a Schedule 2 wetland not complying with the permitted activity standards are a Discretionary activity under Rule 35.	
Land disturbance associated with the construction of various clean water diversion channels throughout the Mount Fredericks South Mine	Discretionary activity under Rule 16.	
Land disturbance within the riparian margins and riverbeds of various watercourses throughout the Mount Fredericks South Mine associated with the establishment of culverts and discharge / outfall structures.	Discretionary activity under Rule 16.	
Land disturbance within the riparian margins of Deep Stream associated with the construction and maintenance of a bridge.	Discretionary activity under Rule 16.	
To take, use, dam and divert water (RMA s14)		
To divert surface water (a tributary of Billo Stream) to enable culvert installation works within the tributary of Billo Stream during the	Discretionary activity under Rule 58.	Temporary construction related diversion that does not involve transfer of water from one watercourse or catchment to another.

Activity	Relevant Rules and activity status	Comment
construction of an access road to the East Pit.		
To divert surface water (the Waimangaroa River) to enable box culvert installation works within the Waimangaroa River during the construction of the Mt. Fredericks South Access Road.	Discretionary activity under Rule 58.	Temporary construction related diversion that does not involve transfer of water from one watercourse or catchment to another.
To divert surface water from various watercourses within the Waimangaroa catchment around the East Pit to Deep Stream and associated tributaries via constructed drains.	Discretionary activity under Rule 58.	Diversions only undertaken during active water treatment phase (not during construction phases). Also covers diversion of water around East Pit to Billo Stream as it is a tributary of Deep Stream.
To divert surface water (headwaters of a tributary of the Waimangaroa River) around the West Pit via constructed drains to the water treatment plant prior to discharge into the Waimangaroa River.	Discretionary activity under Rule 58.	
To divert surface water runoff (headwaters of Deep Stream) to ex-pit sumps and ponds within the Mt Fredericks South Mine Area.	Discretionary activity under Rule 58.	Relates to diversion of surface water alongside MFS Access Road to ponds in Water Treatment Infrastructure Area during construction phase.
To take and use groundwater associated with the removal of overburden and coal during active mining, and as needed for highwall dewatering, throughout the Mount Fredericks South Mine.	Restricted Discretionary activity under Rule 56.	Groundwater taken may be used for dust suppression purposes. MFS Mine Area is within the Waimangaroa catchment.
To take and use surface water from the Waimangaroa River and	Discretionary activity under Rule 57.	Water take is only required during construction phases and refers to

Activity	Relevant Rules and activity status	Comment
unnamed sumps/sediment retention ponds for use at portable water treatment plants and for dust suppression and ancillary purposes throughout the Mount Fredericks South Mine.		water taken for a portable water treatment plant near the coal stockpile area and West Pit. MFS Mine Area is within the Waimangaroa catchment.
To take and use surface water from the Waimangaroa River for dust suppression and ancillary purposes throughout the Mount Fredericks South Mine.	Discretionary activity under Rule 57.	Water take is proposed during the active treatment phase. MFS Mine Area is within the Waimangaroa catchment.
To impound water within various sediment retention ponds alongside the Mount Fredericks South Access Road for water management, operations and treatment purposes.	Discretionary activity under Rule 59.	
To impound water within portable water treatment plant sedimentation ponds for water treatment purposes throughout the Mount Fredericks South Mine.	Discretionary activity under Rule 59.	
To impound water within the Mount Fredericks South water treatment plant (including polishing pond and surge pond) for water treatment purposes.	Discretionary activity under Rule 59.	
To impound water within the East Pit Sump for water management, operations and treatment purposes.	Discretionary activity under Rule 59.	
To impound water within the West Pit Sump for water management, operations and treatment purposes.	Discretionary activity under Rule 59.	

Activity	Relevant Rules and activity status	Comment
To impound water within multiple, progressive in-pit lakes and sumps during active mining for water management and treatment purposes in the Mount Fredericks South Mine.	Discretionary activity under Rule 59.	
To impound water within MSR polishing ponds for water treatment purposes throughout the Mount Fredericks South Mine.	Discretionary activity under Rule 59.	
To impound water within constructed tarns as part of rehabilitation activities throughout the Mount Fredericks South Mine.	Discretionary activity under Rule 59.	
Discharges to land and water (RMA s15(1)(a) and (b))		
To discharge water and contaminants associated with break-in land disturbance activities in the East and West Pits to Deep Stream and its tributaries.	Discretionary activity under Rule 71.	Covers discharges of water associated with the break-in/construction phase until all necessary sumps are constructed.
To discharge clean surface water associated with the clean water diversions around the East Pit to Deep Stream.	Discretionary activity under Rule 71.	
To discharge water and contaminants from mining and mining-related activities (including the East and West Pit Sumps, ex-pit ELF's and haul roads) in the Mount Fredericks South Mine to Deep Stream.	Discretionary activity under Rule 71.	MFS Mine Area is within the Waimangaroa catchment.
To discharge water and contaminants from mining and mining-related activities (including	Discretionary activity under Rule 71.	

Activity	Relevant Rules and activity status	Comment
the coal stockpile pad and runoff from sediment retention ponds alongside the Mount Fredericks South Access Road and other haul roads) to the Waimangaroa River.		
To discharge water and contaminants from various sediment retention ponds/sumps within the Mount Fredericks South Mine to Deep Stream via spillway structures.	Discretionary activity under Rule 71.	Refers to discharges from several sumps/ponds to Deep Stream during construction and operations.
To discharge water and contaminants from sediment retention ponds/sumps within the Mount Fredericks South Mine to the Waimangaroa River via a spillway structure.	Discretionary activity under Rule 71.	
To discharge water and contaminants from portable water treatment plants to the Waimangaroa River.	Discretionary activity under Rule 71.	Discharge is only required during construction phases and refers to the taking of water for a portable water treatment plant near West Pit.
To discharge water and contaminants from portable water treatment plants to Deep Stream.	Discretionary activity under Rule 71.	Discharge is only required during construction phases and refers to taking water for the portable water treatment plant near the coal stockpile area.
To discharge water and contaminants from the Mount Fredericks South water treatment plant (via polishing ponds and a bypass structure) to the Waimangaroa River.	Discretionary activity under Rule 71.	Refers to the operational water treatment plant; discharge is only required during the active treatment phase.
To discharge water and contaminants from MSR polishing	Discretionary activity under Rule 71.	

Activity	Relevant Rules and activity status	Comment
ponds throughout the Mount Fredericks South Mine to Deep Stream.		
To discharge water and contaminants to land from sediment retention ponds adjacent to the Mount Fredericks South Access Road where it may enter Deep Stream.	Discretionary activity under Rule 91.	
To discharge water and contaminants to land from sediment retention ponds adjacent to the Mount Fredericks South Access Road where it may enter the Waimangaroa River.	Discretionary activity under Rule 91.	
To discharge water and contaminants (sediment) to land where it may enter water during site establishment works for the Mount Fredericks South Mine, including the construction of water management infrastructure, vegetation clearance, overburden removal and the construction of the Mount Fredericks South Access Road.	Discretionary activity under Rule 91.	
To discharge water and contaminants to land where it may enter water associated with in-pit and ex-pit engineered landform construction and rehabilitation throughout the Mount Fredericks South Mine.	Discretionary activity under Rule 91.	Includes deposition of overburden (i.e. waste rock and other material that may otherwise be unsuitable for use as a result of its engineering properties), sediment, fill material, low density solids within ELF's (and containment cells within ELF's) to land.

Activity	Relevant Rules and activity status	Comment
To stockpile shellfish shells in circumstances where contaminants may enter water throughout the Mount Fredericks South Mine.	Discretionary activity under Rule 91.	
To discharge shellfish shells to land where they may enter water at multiple MSRs throughout the Mount Fredericks South Mine.	Discretionary activity under Rule 91.	
Discharges of flocculants and other alkaline agents (e.g. limestone or NaOH) into on-site sediment retention ponds to manage sediment and AMD effects on water during break-in activities.	Discretionary activity under Rule 91.	
Discharges of hydrocarbon soils into land (containment cells) prior to disposal off site.	Discretionary activity under Rule 91.	
Disposal of sludge from WTP into geofabric dewatering bags which will be placed into ELF before being removed off site.	Discretionary activity under Rule 91.	
To discharge vehicle washdown water to land.	Discretionary activity under Rule 91.	

8.5.4 West Coast Regional Air Quality Plan

The activity status and regional consents relating to the RAQP under section 15(2)(b) and (2A)(b) of the RMA required to authorise the activities occurring in MFS are set out in **Table 8-12** below. The most restrictive activity status is **discretionary**.

Table 8-12: Activity status and RAQP related consents required for MFS sub-area

Activity	Relevant rules and activity status	Comment
Discharges to Air (RMA section 15(1)(c) / (2)(b) / 15(2A)		
Discharges of contaminants to air (primarily dust and products of combustion)	Discretionary activity under Rule 16.	The proposed discharges of contaminants to air could potentially comply with the permitted activity standards in Rule 5 of the RAQP. However, out of an abundance of caution, consent is being sought for the discharge of contaminants into air under Rule 16.

8.6 ESCARPMENT EXTENDED

300 The ESE Project sub-area is located on the Denniston Plateau. This Project sub-area includes the existing consented Escarpment Mine (noting most of the consents for this expired in October 2025 and an application for renewal for ongoing care and maintenance of this site has been lodged), a proposed extension into the adjacent mining areas covered by Mining Permits (MP) MP51279 and MP60138, and the Sullivan Coal Mining Licence (CML 305 37161).

The key features of the BPCP within the ESE sub-area include:

- > Open pit mining operations;
- > Activities associated with mineral resource investigation, exploration and environmental monitoring;
- 310 > Activities associated with water management;
- > Construction, operation and maintenance of a gatehouse/admin office area, access roads, power, central infrastructure area, coal haulage infrastructure area (CHIA) and a bulk explosives plant and high explosives magazine; and
- > Use of the Waimangaroa Storage Yard.

315 Two pest-free exclusion areas are also proposed on the Denniston Plateau. These are named Denniston North and Coalbrookdale. The Denniston North pest-free exclusion area

is located on the northern edge of the ESE sub-area, and the Coalbrookdale pest-free exclusion area is located on the eastern edge of the ESE sub-area.⁵⁷

8.6.1 Buller District Plan

320 The activity status and land use consents relating to the BDP and section 9 of the RMA required to authorise activities occurring in ESE (including the Waimangaroa storage yard), is set out in **Table 8-13** below. The most restrictive activity status is **non-complying**.

325 Resource consent for a **restricted discretionary activity** is also required under Regulation 14 of the NES-STO for the outdoor storage of approximately 1,800 m³ of tyres in the Coal Haulage Infrastructure Area and the Central Infrastructure Area at ESE.

Any consents required under the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (“**NES-ETA**”) to upgrade the existing power lines at Mt Rochfort will be applied for separately by the line operator.

330 Consent is also required as a **discretionary activity**⁵⁸ under Regulation 11 of the NES-CS for soil disturbance associated with the decommissioning and remediation of all contaminated areas following closure of ESE.

335 Consent is also required as a **discretionary activity** under Regulation 45D of the NES-F for vegetation clearance, earthworks and land disturbance within, or within a 100m set-back from a natural inland wetland, and for the take, use, diversion or damming of water within, or within 100m set-back of a natural inland wetland, and for discharges of water into water within, or within a 100m set back of a natural inland wetland.

Consent is also required as a **discretionary activity** under Regulation 57 of the NES-F for the reclamation (permanent loss) of approximately 17km of headwater streams (across MFS and ESE).

⁵⁷ The Coalbrookdale pest free exclusion area also encroaches into the UWHR project sub-area. However, an assessment of the RMA approvals required for the pest free exclusion areas is only included in the ESE sub-area approvals tables, given its proximity to the ESE sub-area.

⁵⁸ A consent may instead be required for a controlled activity under Regulation 9 of the NES-CS if a Detailed Site Investigation (DSI) is prepared and states that the soil contamination does not exceed the applicable standards in Regulation 7, or a restricted discretionary activity under Regulation 10 of the NES-CS if a DSI is prepared and states that the soil contamination exceeds the applicable standards in Regulation 7.

Table 8-13: Activity status and BDP land use consents required for ESE

Activity	Relevant rules and activity status	Comment
ESE		
All land use activities associated with the construction, operation, closure and rehabilitation of the ESE sub-area, including:	Mining and Incidental earthworks are a Restricted Discretionary activity under Rule 5.3.2.4.3	The ESE sub-area is in the Rural zone. With respect to mining and incidental earthworks activities, the Council's discretion is restricted to the matters in 5.3.2.4.3.1-5.3.2.4.3.14 of the BDP.
> Access road construction/upgrades including construction of a reinstated access track to the Mt Rochfort repeater;	Indigenous vegetation clearance and incidental earthworks exceeding 5ha per site in total over a three-year period is a Restricted Discretionary activity under Rule 5.3.2.4.4.	With respect to indigenous vegetation clearance, approximately 502.9 ha of indigenous vegetation clearance and incidental earthworks is proposed in ESE over the next 16 years.
> Open pit mining operations;		
> Haul road construction, maintenance and use;	Activities within 25m of a wetland > 0.5ha and activities within 10m of any river or stream with an average bed width of > 3 m is a Discretionary activity in accordance with Table 5.7 (Rural Zone standards) of the BDP.	For this reason, a resource consent for indigenous vegetation clearance is required (Rule 5.3.2.4.4).
> Development of operational and non-operational mining areas;		
> Prospecting and exploration;		
> Drilling activities for purposes including geotechnical, exploration, blasting and coal extraction;	The mine production and mine contractor workshop buildings are a Non-complying activity under Rule 7.9.1.2 owing to their gross floor area.	The proposed workshop buildings have a gross floor area ("GFA") of 1250m ² , which breaches the 1000m ² (discretionary activity) standard for buildings in the Rural Zone (as set out in Table 5.7).
> Electrical infrastructure and transmission lines;		
> Coal extraction, processing and/or washing;		Several buildings in the proposed infrastructure areas also have a GFA greater than 500m ² , requiring resource consent under Rule 5.3.2.3.1.
> Coal stockpiling;		
> Overburden placement (NAF, PAF, HAF);	Several buildings (which are either located at the Central Infrastructure Area, CHIA or Bulk Explosives Plant) also require resource consent for a Discretionary activity under Rule 5.3.2.3.1. These buildings are:	The GFA of these buildings range from 600m ² -800m ² .
> Blasting;		
> Connections with the UWHR;		The proposed water management and treatment facilities consist of several

Activity	Relevant rules and activity status	Comment
> Vegetation clearance and soil stripping, including with respect to the construction and maintenance of the fenced North Denniston and Coalbrookdale pest free exclusion areas; > Construction of ELFs; > Progressive reshaping and rehabilitation, including VDT (storage for these stockpiles also needed); > The establishment and operation of four new infrastructure areas as follows: • Gatehouse / Admin office; • Central Infrastructure Area; • Coal Haulage Infrastructure Area; and • Bulk explosives plant and high explosives magazine. > Mobile staff crib huts with ablution facilities and potable water source; > Tyre Storage Areas; > Car parking (light vehicles and heavy vehicles); > Workshops and other ancillary support and staff facilities; > Maintenance of equipment including mining fleets; > Vehicle washdown; > Water management and treatment facilities;	> Mine ops, dispatch and bathhouse building; > Washdown equipment; > Warehouse Building; > Tyre bay building; > Bulk explosives – main shed; > Coal haulage wash down; and > Coal haulage workshop. New lines, and associated support structures for conveying electricity and new electricity utility buildings or any extension or upgrade of buildings associated existing substations are a Discretionary activity under Rules DA.1 and DA.2. Any other land use activity that is not mining or incidental earthworks in the Rural zone (i.e. the construction and operation of the North Denniston and Coalbrookdale pest free exclusion areas etc) is a Discretionary activity under Rule 5.3.2.3.1. Signs in the Rural zone are a Discretionary activity under Rule 7.7.7.	smaller sheds, buildings, tanks and structures. Collectively, they exceed a GFA of 500m². However, not one building exceeds 500m². These facilities therefore meet the permitted activity standards for buildings in the Rural zone.

Activity	Relevant rules and activity status	Comment
> Site security (e.g. Fencing, gates and signage); > Use of generators as part of mining operations, including part of the Water Treatment plant; > Fixed and mobile lighting; > Refuse Transfer Station; > Dust Suppression; > Signage (e.g. advisory signs to meet legislative requirements such as health and safety legislation, public safety or wayfinding) and temporary signs (e.g. for construction sites); > Collection of potable water (in rainwater tanks); and > Upgrade mains power from Transpower Mt Rochfort Supply.		
Development and use of the Central Infrastructure Area, laydown areas and the Waimangaroa Storage Yard.	Discretionary activity under Rule 5.3.2.3.1.	
The storage and use of hazardous substances, including fuel farm infrastructure and bulk explosive storage sites.	Discretionary activity under Rule 6.2.7.	
Helicopter landing area.	Permitted activity under Rule 7.8.3.3.	Helicopter operations are permitted by the BDP providing noise does not exceed the limits in Table 1 of New Zealand Standard 6807:199. Compliance with this standard

Activity	Relevant rules and activity status	Comment
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is expected to be met as confirmed in the acoustic assessment prepared by Marshall Day (2026).

8.6.2 Te Tai o Poutini Plan

The activity status and land use consents relating to TTPP and section 9 of the RMA required to authorise the activities occurring in ESE (including the Waimangaroa storage yard) are set out in **Table 8-14** below.

The most restrictive activity status under TTPP is **discretionary**.

Table 8-14: Activity status and TTPP land use consents required for ESE sub-area

Activity	Relevant rules and activity status	Comment
ESE		
All land use activities associated with the construction, operation, closure and rehabilitation of the ESE sub-area, including:	Mineral extraction and processing and ancillary activities in the BCZ are a Restricted Discretionary activity under Rule BCZ-R5.	The ESE mining area is in both the BCZ and the OSZ.
> Access road construction/upgrades including construction of a re-instated access track to the Mt Rochfort repeater;	Mineral extraction activities in the OSZ are a Discretionary activity under Rule OSZ-R19.	A small area of ESE (at the southern end) also encroaches into an ONL overlay (TTPP reference ONL-41). ⁵⁹
> Open pit mining operations;	Indigenous vegetation clearance within a SNA is a	Permitted activities in the BCZ (under Rule BCZ-R2) include the maintenance and operation of all roads, parking, buildings, coal haul road, aerial ropeway,

⁵⁹ The ESE disturbance area is north of the Paparoa ridgeline, and it is the ridgeline which is taken to be the actual ONL boundary. The ESE disturbance area will not intrude over the ridgeline, and the ONL forest vegetation (southern rātā-mixed beech-podocarp-broadleaved forest) will remain largely intact [RMMLA, 2026]. Notwithstanding, approvals for earthworks, vegetation clearance and associated land disturbance activities associated with the construction, operation, closure and rehabilitation of the ESE sub-area in the ONL are being sought on the basis that the proposed disturbance footprint overlaps the ONL overlay (albeit to a very minor extent).

Activity	Relevant rules and activity status	Comment
> Haul road construction, maintenance and use;	Discretionary activity under Rule ECO-R10.	water treatment facilities, railway loadout areas and structures in the BCZ that are lawfully established.
> Development of operational and non-operational mining areas;	Earthworks within the riparian margin of a river, lake or wetland are a Discretionary activity under Rule NC-R4.	Rule BCZ-R5 applies to any ancillary activities, buildings, structures and infrastructure required to enable the mineral prospecting, exploration, extraction or processing activities in future mining areas (i.e. mining activities that are not currently lawfully established), and associated rehabilitation (mine closure) activities; and all earthworks associated with the mineral extraction and ancillary activities.
> Prospecting and exploration;	Structures within the riparian margin of a river, lake or wetland are a Discretionary activity under Rule NC-R5.	
> Drilling activities for purposes including geotechnical, exploration, blasting and coal extraction;	Earthworks and mineral extraction within an ONL outside of the BCZ and Mineral Extraction zone are a Discretionary activity under Rule NFL-R15.	
> Electrical infrastructure and transmission lines;		
> Coal extraction, processing and/or washing;		
> Coal stockpiling;		
> Overburden placement (NAF, PAF, HAF);	Operational noise from daytime and nighttime coal, handling, processing and maintenance activities in the OSZ may not meet the permitted activity standards, requiring resource consent for a Restricted Discretionary activity under Rule NOISE-R8.	With respect to indigenous vegetation clearance, approximately 502.9 ha of indigenous vegetation clearance and incidental earthworks is proposed in ESE over the next 16 years. For this reason, a resource consent for indigenous vegetation clearance is required (Rule ECO-R10).
> Blasting;		
> Connections with the UWHR;		
> Vegetation clearance and soil stripping;		
> Construction of ELFs;		
> Progressive reshaping and rehabilitation, including VDT (storage for these stockpiles also needed);	Operation, maintenance, repair and upgrading of distribution lines is a Restricted Discretionary activity under Rule ENG-R12.	Minor road upgrades are required for Burnetts Face, Denniston Road and Whareatea Road with the latter on crown land. Maintenance and upgrading of existing transport infrastructure within the existing transport corridor is permitted under TRN-R2 (see Appendix 8.A).
> The establishment and operation of four new infrastructure areas as follows:	Signs are a Restricted Discretionary activity under Rule SIGN-R19 (with respect to signs in the OSZ).	
• Gatehouse / Admin office;		
• Central Infrastructure Area;	High trip generating transport activities are a Restricted	

Activity	Relevant rules and activity status	Comment
• Coal Haulage Infrastructure Area; and • Bulk explosives plant and high explosives magazine. > Tyre Storage Areas; > Development and use of the Central Infrastructure Area laydown areas and the Waimangaroa Storage Yard; > The storage and use of hazardous substances, (including fuel farm infrastructure) and bulk explosive storage sites; > Helicopter landing areas; > Car parking (light vehicles and heavy vehicles); > Workshops and other ancillary support or staff facilities; > Mobile staff crib huts with ablution facilities and potable water source; > Maintenance of equipment including mining fleets; > Vehicle washdown; > Water management and treatment facilities; > Site security (e.g. Fencing, gates and signage); > Use of generators as part of mining operations, including part of the Water Treatment plant; > Fixed and mobile lighting;	Discretionary activity under Rule TRN-R13.	Approval to undertake earthworks (and the potential demolition or destruction of a historic heritage site) within the Denniston Historic Heritage Area associated with ESE (and the North Denniston and Coalbrookdale pest free exclusion area) is required (Rules HH-R9 and HH-R10). Electricity Transmission Lines do not pass over the ESE sub-area. As such, the TTPP rules related to National Grid Yard requirements do not apply to ESE.

Activity	Relevant rules and activity status	Comment
> Refuse Transfer Station; > Dust Suppression; > Collection of potable water (in rainwater tanks); and > Upgrade mains power from Transpower Mt Rochfort Supply.		
The construction of natural hazard mitigation structures on land and in the riparian margins of rivers, lakes and wetlands, including: > Gabion and revetments; > Retaining walls (for hazard mitigation purposes); > Bunds; > Weirs; > Spillways; > Rock fall/boulder roll protection structures; and > The mechanical fixing of rocks in situ and the associated re-contouring of slopes and land	Discretionary activity under Rule NH-R8 and Restricted Discretionary activity under Rule NC-R3.	

8.6.3 West Coast Regional Land and Water Plan

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The activity status and regional consents relating to the RLWP required to authorise the activities occurring in ESE (including the Waimangaroa storage yard) are set out in **Table 8-15** below. The most restrictive activity status of the consents required is a **discretionary activity**.

Table 8-15: Activity status and RLWP related consents required for ESE sub-area

Activity	Relevant Rules and activity status	Comment
ESE		
The use of land (RMA s9(2))		
Earthworks and land disturbance activities associated with all mining and ancillary activities at ESE sub-area, including site establishment, construction and maintenance of water management infrastructure, vegetation clearance, overburden removal, coal extraction, engineered landform formation and rehabilitation.	Earthworks and associated vegetation disturbance outside a Schedule 2 wetland are a Discretionary activity under Rule 16 and earthworks and associated vegetation disturbance inside a Schedule 2 wetland are a Discretionary activity under Rule 17.	ESE Mine is located within the Whareatea, Rapid and Cascade catchments. ESE and parts of the Denniston North and Coalbrookdale pest free exclusion areas are within a Schedule 2 wetland (RLWP reference NGAP051 - Denniston Plateau). Any earthworks or vegetation disturbance within a Schedule 2 wetland is a discretionary activity unless it is for the purposes of: > Installing, maintaining, repairing or removing a monitoring device; > Constructing, maintaining or repairing any boardwalk; > Maintaining or repairing a pathway; > Erecting, replacing maintain or repairing a fence, pipe, line or cable; or > Maintaining or repairing any network utility structure.
Land disturbance within the riparian margins and riverbeds of various watercourses through the Escarpment Extended Mine	Discretionary activity under Rule 17.	ESE is located within the Whareatea, Rapid and Cascade catchments.

Activity	Relevant Rules and activity status	Comment
associated with the establishment of culverts and discharge / outfall structures.		
Earthworks and land disturbance activities associated with the construction of the Denniston North and Coalbrookdale pest free exclusion areas.	Discretionary activity under Rule 17.	
Earthworks to construct clean water diversion(s).	Discretionary activity under Rule 17.	
Activities in the bed of Rivers (RMA s13)		
Disturbance of Conglomerate Stream during construction operations, including:	Discretionary activity under Rule 36.	
> Capturing of the stream through a pipeline to divert water back to its original catchment; and > Construction of a new channel across the top of the in-pit landform back to the original catchment.		
To place and maintain discharge outfalls (pipes) within the bed of the Whareatea River.	Discretionary activity under Rule 36.	
To place and maintain discharge outfalls (pipes) within the bed of V8 Creek.	Discretionary activity under Rule 36.	
To place, maintain, extend, and remove structures in, or under the bed of various waterbodies throughout ESE; excavate, drill, tunnel or disturb the bed of waterbodies, deposit substances in	Discretionary activity under Rule 36.	ESE and parts of the Denniston North and Coalbrookdale pest free exclusion areas are within a Schedule 2 wetland (RLWP)

Activity	Relevant Rules and activity status	Comment
or under the bed of waterbodies and reclaim or drain the bed of a waterbody as required to enable the construction, operation, closure and rehabilitation of the ESE Mine and the construction and maintenance of the Denniston North and Coalbrookdale pest free exclusion fences.		reference NGAP051 - Denniston Plateau). Any earthworks or vegetation disturbance within a Schedule 2 wetland is a discretionary activity unless it is for the purposes of: > Installing, maintaining, repairing or removing a monitoring device; > Constructing, maintaining or repairing any boardwalk; > Maintaining or repairing a pathway; > Erecting, replacing maintain or repairing a fence, pipe, line or cable; or > Maintaining or repairing any network utility structure. The works to be undertaken may not meet all the permitted activity standards in Rules 22-25 of the RLWP,⁶⁰ and as such are assessed as a discretionary activity under Rule 36.
To enter or pass across the bed of waterbodies throughout ESE; and damage, destroy, disturb or remove any plant or the habitat of such plants or of animals in, on, under, or over the bed of a waterbody associated with the construction,	Discretionary activity under Rule 17.	

⁶⁰ There are more stringent standards with respect to structures in, on, under and over the beds of rivers where they are within a Schedule 2 wetland, as is the case for ESE.

Activity	Relevant Rules and activity status	Comment
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operation and rehabilitation of the ESE Mine and the construction and maintenance of the Denniston North and Coalbrookdale pest free exclusion areas.

To take, use, dam and divert water (RMA s14)

Water permits for the damming, diversion, take, use and reclamation of surface water (including wetlands) during construction activities and mining operations, including, but not limited to:

- > Clean water diversions around active mining areas to V62 Stream, Whareatea River and V37 Creek;
- > Continued diversion of Trent Stream to the headwaters of the Whareatea River;
- > Diversion of some of the headwaters and tributaries of the Whareatea River into the Cascade Stream via V8 and V37 Creek;
- > Diversion of surface water run-off from within the ESE pit to the WTP surge pond / ex pit seal for treatment;
- > Taking of ground and surface water to use for construction or operational purposes, including for washdown areas, water treatment plant, dust control;
- > Take and use of groundwater associated with the removal of

Discretionary activity under Rules 57, 58 and 59, and, with respect to the take of groundwater, a **Restricted Discretionary activity** under Rule 56.

Process flow diagrams note that impacted water may be diverted and discharged for limited time during construction of the water infrastructure controls (e.g. channels, sumps and pumping stations) prior to water being directed to Pit 3 Pit Lake and Ex-Pit Seal.

Water is being diverted from the Whareatea catchment to the Cascade catchment as a result of being captured and collected in the ESE Pit.

Activity	Relevant Rules and activity status	Comment
overburden and coal during active mining and as needed for highwall dewatering; > Taking and/or impounding of water via sumps and underdrains during mining operations and diversion of water to treatment facilities; > Use of roadside drains to divert surface water to the ex-pit seal location; > Diversion of mine affected water (via a network of drains and cleanable settling sumps) into the WTP; > Construction and ongoing use of the North Whareatea Sump; > Damming of water following closure of the A-Drive Borrow Pit; > Impounding of water and/or tailings post closure within pits, and sumps; > Construction and use of Passive WTPs, including taking of surface and groundwater to be treated through these systems and subsequent treated water discharges.		
To take and use water from the WTP polishing pond for dust suppression and ancillary water use purposes.	Discretionary activity under Rule 57.	
To take and use water from Pit 3 Pit Lake and Lake Brazil for operation of a portable water treatment plant	Discretionary activity under Rule 57.	

Activity	Relevant Rules and activity status	Comment
during construction activities and ancillary uses during operations.		
To dam water within the water treatment plant surge pond (the ex-pit seal) for water management purposes.	Discretionary activity under Rule 59.	
To impound water within the WWH, ESC, NSUL, CON and BVE Mussel Shell Reactor polishing ponds for water treatment purposes.	Discretionary activity under Rule 59.	
To dam water within the water treatment plant polishing pond for water management, operations and treatment purposes.	Discretionary activity under Rule 59.	
To dam water within multiple MSR polishing ponds (during passive treatment).	Discretionary activity under Rule 59.	
To impound water within Pit 3 Pit Lake for water treatment purposes at the temporary portable water treatment plant.	Discretionary activity under Rule 59.	Damming activity only required during construction phase until water treatment plant and polishing ponds for active treatment phase is established.
To impound water within Lake Brazil for water management, operations and treatment purposes.	Discretionary activity under Rule 59.	
To impound water within multiple, progressive in-pit and ex-pit lakes and sumps during active mining for water management purposes throughout the Escarpment Extended Mine.	Discretionary activity under Rule 59.	Covers various smaller sumps and sediment retention ponds across the ESE Mine that may not comply with the permitted activity standards in Rule 24.

Activity	Relevant Rules and activity status	Comment
To impound water within a sediment retention pond for water management purposes.	Discretionary activity under Rule 59.	
To impound water within constructed tarns as part of rehabilitation activities.	Discretionary activity under Rule 59.	Consent needing to create permanent ecological feature and will not intend to require reconsenting.
Discharges to land and water (RMA s15(1)(a) and (b))		
Discharge permits to discharge water and contaminants (including mussel shells (acid reducing neutralists) and other water treatment products including flocculants and other alkaline agents (e.g. limestone or NaOH) to manage sediment and AMD effects on water) to land where contaminants may enter water in the following receiving environments: > Whareatea River; > V62 Stream (Whareatea catchment); > Rapid Stream; > Burnett Stream; > V8 Stream (Cascade catchment); and > V37 Stream (Cascade catchment).	Discretionary activity under Rule 91.	A separate consent is required for discharges to each catchment.
To discharge water and contaminants into water including sediment (and other contaminant)-laden discharges, treated, clean or bypass water during break-in land disturbance activities in the	Discretionary activity under Rule 71.	Covers discharges of water and sediment (i.e. impacted waters) associated with break-in phase until all necessary water infrastructure controls are constructed (i.e. diversion

Activity	Relevant Rules and activity status	Comment
Escarpment Extended Pit to the following receiving environments: > Whareatea River; > V37 Creek; > V8 Stream; > Rapid Stream; > Burnett Stream; and > V62 Creek.		channels, sumps and pumping stations). Separate consents are required for discharges into each watercourse.
To discharge water and contaminants from mining and mining-related activities (including in-pit and ex-pit sumps, rehabilitated landforms and site haul roads) to: > Whareatea River; > V62 Steam; > V37 Creek; and > V8 Creek.	Discretionary activity under Rule 71.	Covers runoff of any clean or impacted water not conveyed to the water treatment plant surge pond from mining in the Escarpment Extended Pit. Separate consents are required for discharges to each watercourse.
To discharge water and contaminants from the Escarpment Extended Pit to the V62 Stream (via a spillway / bypass structure).	Discretionary activity under Rule 71.	Bypass / spillway discharge will occur during active mining phase only.
To discharge surface water run-off associated with clean water diversions around active mining areas in the Escarpment Extended Pit to: > Whareatea River; > V37 Creek; > V62 Stream; and > V8 Creek.	Discretionary activity under Rule 71.	Separate consents are required for discharges to each watercourse.

Activity	Relevant Rules and activity status	Comment
To discharge water and contaminants from various sediment retention ponds throughout the Escarpment Extended Mine to the Whareatea River.	Discretionary activity under Rule 71.	
To discharge water and contaminants to land from various sediment retention ponds throughout the Escarpment Extended Mine (including adjacent to haul roads) where it may enter: > Whareatea River; > V62 Stream; > Rapid Stream; and > V8 Creek, V37 Creek and their unnamed tributaries.	Discretionary activity under Rule 91.	
To discharge water and contaminants from the WTP polishing pond to the Whareatea River via a spillway structure.	Discretionary activity under Rule 71.	Remainder of water not pumped from the polishing pond to V8 Creek (i.e. above 40 l/s) discharged to Whareatea River.
To discharge water and contaminants from the WTP surge pond / ex-pit seal to V8 Creek (via a spillway / bypass structure).	Discretionary activity under Rule 71.	V8 Creek is located within the Cascade catchment. Discharges via a spillway will only occur if capacity is exceeded during active treatment phase.
To discharge water and contaminants from the WTP polishing pond to V8 Creek (via pumping).	Discretionary activity under Rule 71.	Water will be pumped from the polishing pond to V8 Creek at a rate of up to 40 l/s.

Activity	Relevant Rules and activity status	Comment
To discharge water and contaminants from the NSUL engineered landform to Rapid Stream (via a bypass structure).	Discretionary activity under Rule 71.	Discharge from the NSUL ELF is during the active treatment phase only.
To discharge water and contaminants from the C6 Sump within the Escarpment Extended Pit to V37 Creek (via a spillway structure).	Discretionary activity under Rule 71.	
To discharge sewage effluent into constructed sand beds at the following infrastructure areas: > Gatehouse / admin office Area. > Central Infrastructure Area. > Coal Haulage infrastructure Area. > Bulk explosives sites –Bulk Explosives Plant and Magazine	Discretionary activity under Rule 91.	The proposed discharges of sewage effluent into the specifically designed secondary system at the Central Infrastructure Area exceeds 2000 L per day, and the combined volume of sewage effluent discharged into sand beds at the Gatehouse / admin office area, coal haulage infrastructure area and bulk explosives site exceeds 14,000 l / week. As such, the discharges do not meet the permitted activity standards under Rule 79 and are therefore a discretionary activity (Rule 91).
Discharge permits to discharge water and contaminants to land, including: > The disposal of sludge material from the WTP into ELF or purpose built containment cells; > Disposal of material cut in the construction of the UWHR to land (ELF);	Discretionary activity under Rule 91.	

Activity	Relevant Rules and activity status	Comment
> Discharge of polymers; and > Discharge of water from mobile water carts for dust suppression purposes, including on the use of roads and coal stockpiles.		
Discharge water and contaminants to land from multiple MSR polishing ponds including: > WWH MSR polishing pond to the Whareatea River; > ESC MSR polishing pond to the Whareatea River; > NSUL MSR polishing pond to Rapid Stream; > CON MSR polishing pond to V62 stream and V37 Creek (via pumping); and > BVE MSR polishing pond to V8 Creek.	Discretionary activity under Rule 71.	The largest MSR (MSR #4) will manage seepage from the Sullivan and Whareatea pits and surrounding ELFs, with smaller MSRs positioned to service the remaining pit areas. MSRs become operational during passive treatment phase (except ESC MSR).
Discharge of mussel /shellfish shells to land from the: > WWH and ESC MSR where it may enter the Whareatea catchment; > NSUL MSR where it may enter water within the Rapid Stream catchment; and > CON and BVE MSR where it may enter water within the Cascade catchment.	Discretionary activity under Rule 91.	MSRs become operational during passive treatment phase (except ESC MSR).
Discharges of hydrocarbon soils into containment cells prior to disposal off site.	Discretionary activity under Rule 91.	

Activity	Relevant Rules and activity status	Comment
To deposit waste rock containing potentially acid-forming material, and the associated discharge of contaminants to land from the waste rock, from the UWHR to land throughout the Escarpment Extended Mine.	Discretionary activity under Rule 91.	
To discharge vehicle washdown water to land.	Discretionary activity under Rule 91.	
To discharge water and contaminants to land where it may enter water associated with engineered landform construction and rehabilitation within the Escarpment Extended Pit and ex-pit areas throughout the Escarpment Extended Mine.	Discretionary activity under Rule 91.	
Waimangaroa Storage Yard		
The use of land (RMA s9(2))		
N/A		
Activities in the bed of Rivers (RMA s13)		
N/A		
To take, use, dam and divert water (RMA s14)		
N/A		
Discharges to land and water (RMA s15(1)(a) and (b))		
To discharge vehicle washdown water to land.	Discretionary activity under Rule 91.	

8.6.4 West Coast Regional Air Quality Plan

The activity status and regional consents relating to the RAQP under section 15(2)(b) and (2A)(b) of the RMA required to authorise the activities occurring in ESE are set out in **Table 8-16** below. The most restrictive activity status is **discretionary**.

Table 8-16: Activity status and RAQP consents required for ESE sub-area

Activity	Relevant Rules	Comment
Discharges to Air (RMA section 15(1)(c) / (2)(b) / 15(2A))		
Discharges of contaminants to air (primarily dust and products of combustion) associated with the construction, operation, closure and rehabilitation of ESE sub-area.	Discretionary activity under Rule 16	The proposed discharges of contaminants to air could potentially comply with the permitted activity standards in Rule 5 of the RAQP. However, out of an abundance of caution, consent is being sought for the discharge of contaminants into air under Rule 16.

8.7 CYPRESS MINE

The Cypress Mine is located on the Stockton plateau between Mt Augustus in the west and Mt William Range in the east, including the catchments of the upper Waimangaroa River and St Patrick Stream. Cypress Mine is accessed from the Stockton Mine via a 3.7 km haul road and is divided into two areas: Cypress North and Cypress South, which are linked by an access road.

Cypress Mine is fully operational with existing infrastructure and resource consents in place to support mining and associated activities. Mining operations are largely integrated with the adjacent Stockton Mine.

The BPCP intersects portions of the Cypress Mine, including those areas originally set aside to meet the Cypress Mine's biodiversity compensation requirements. In addition, the alignment of the UWHR traverses the Cypress Mine. While the UWHR was not specifically anticipated under the Cypress Mine consents, its alignment generally follows or connects into existing internal roading corridors within the Cypress Mine operational area.

As outlined in **Chapter 06** of the FTA, Bathurst is also proposing, as part of the overall Residual Effects Package, to relocate snail habitat transferred by VDT from the Cypress Mine area into an approximately 13ha pest exclusion fence area built along the western edge of

the Cypress Mine. This fence is adjacent to the proposed Whirlwind Rise pest exclusion fence.

Experience from the implementation of the Cypress Mine compensation measures has demonstrated limitations in achieving the intended ecological outcomes. In particular, predator control efforts alone have not been sufficient to protect *Powelliphanta* snail populations, with predation by species such as weka continuing to constrain population recovery. As such, the continuation of the Cypress Mine compensation package in its current form is unlikely to achieve the original objective of a statistically significant increase in snail abundance.

In response, Bathurst is proposing to incorporate the Cypress Mine compensation obligations into a revised, landscape-scale approach to biodiversity management across the Plateaux. This approach aligns with the original intent of the Cypress Mine consents and improves the likelihood of achieving meaningful ecological outcomes through a more integrated and effective management framework.

This includes the establishment of a series of pest exclusion fenced areas, including one targeting red tussock habitat that has already been transferred via VDT as part of the Cypress operations. This fence will be established as soon as practicable after the BPCP's approval.

These fenced areas will complement broader predator control measures and provide refugia where vulnerable species, such as *Powelliphanta* snails, can persist and recover.

The integration of the Cypress Mine compensation measures into the BPCP enables alignment of biodiversity management across all Project sub-areas, ensuring that measures are implemented at an appropriate ecological scale rather than on a fragmented, site-by-site basis. This approach supports a comprehensive and coordinated pest management regime across the Plateaux, which is considered necessary to achieve the intended biodiversity outcomes and to better give effect to the objectives of the Cypress consents.

To this end, Bathurst seeks to vary the relevant Cypress consent conditions and obtain new approvals where required to enable these activities and lead to more effective outcomes, with enhanced requirements integrated into all approvals sought. The variations being sought to the existing Cypress Mine conditions are outlined in **Appendix 8.C**. In addition to the section 127 approval being sought, the Cypress fence triggers additional RMA approvals as outlined below:

- > All land use activities associated with the construction and maintenance of the proposed fenced pest-free exclusion area under the BDP⁶¹ and TTPP.⁶²
- > Earthworks and land disturbance activities associated with the construction of the proposed fenced pest-free exclusion area.⁶³
- 415 > To place, maintain, extend, and remove structures in, or under the bed of various waterbodies and excavate, drill, tunnel or disturb the bed of waterbodies, deposit substances in or under the bed of waterbodies and reclaim or drain the bed of a waterbody as required to enable the construction and maintenance of the proposed fenced pest-free exclusion area.⁶⁴
- 420 > To enter or pass across the bed of waterbodies and damage, destroy, disturb or remove any plant or the habitat of such plants or of animals in, on, under, or over the bed of a waterbody associated with the construction of the fenced pest-free exclusion area.

8.8 SUMMARY OF RESOURCE CONSENT REQUIREMENTS

A summary of the resource consents required for the BPCP under each of the relevant statutory planning documents is provided in the following sections. The RMA approvals package includes land use consents, regional water permits, discharge permits, and air discharge permits for mining and rehabilitation activities beyond the expiry of Bathurst's existing mining licences, and for future mining areas, ancillary mining infrastructure, vegetation clearance, earthworks, rehabilitation, rail loadout operations, pest-exclusion fencing and related land use effects.

A significant number of water-related regional approvals are required under the RLWP, for diversions, takes, damming, impoundment, discharges to land and water, treatment

⁶¹ Buller District Plan:

Indigenous vegetation clearance and incidental earthworks exceeding 5ha per site in total over a three-year period is a **Restricted Discretionary activity** under Rule 5.3.2.4.4.

Activities within 25m of a wetland > 0.5ha and activities within 10m of any river or stream with an average bed width of > 3 m are a **Discretionary activity** in accordance with Table 5.7 (Rural Zone standards) of the BDP.

Any other land use activity that is not mining or incidental earthworks in the Rural zone (i.e. the construction and operation of the proposed pest-free exclusion area) is a **Discretionary activity** under Rule 5.3.2.3.1.

⁶² Indigenous vegetation clearance outside a SNA is a **Discretionary activity** under Rule ECO-R10.

Earthworks within the riparian margin of a river, lake or wetland are a **Discretionary activity** under Rule NC-R4.

Structures within the riparian margin of a river, lake or wetland are a **Discretionary activity** under Rule NC-R5.

⁶³ WCRC RLWP:

Discretionary activity under Rule 17.

⁶⁴ The works may not meet all the permitted activity standards in Rule 20 of the RLWP, and as such are assessed as a **Discretionary activity** under Rule 35.

435 systems, sumps, ponds, ELFs and closure/rehabilitation activities, which are intended to be grouped into functional/catchment-based packages, including Millerton, Mangatini, St Patrick's and Waimangaroa.

The national environmental standards add targeted additional approvals, particularly for freshwater/wetland effects under the NES-F, contaminated soil disturbance under the NES-CS and for the storage of tyres outdoors under the NES-STO.

8.8.1 Buller District Plan

440 Based on the analysis set out in Table 8-1, Table 8-5, Table 8-9 and

Table 8-13 of this rules assessment, the following resource consents are required under the District Plan:

- > Land use consents are required for ongoing and future mining-related land use activities, including use and maintenance of existing mine infrastructure and buildings, new mining areas, coal handling and processing activities, overburden placement, vegetation clearance, rehabilitation, pest-exclusion fencing, hazardous substances, signage and activities near wetlands/waterbodies. Consents are also required for Ngākawau Rail Loadout activities and some aerial ropeway-related earthworks/maintenance activities. Overall, these activities are either a **restricted discretionary** or **discretionary** activity.
- > However, approvals for **non-complying** activities are also required for:
 - > the destruction (or partial destruction) of:
 - the Tramway (125m of 'B' tunnel and associated underground mine workings);
 - approximately half of the Mine Creek Settlement and Infrastructure site (which has already been partly destroyed), including the remains of the powerhouse complex and other possible unrecorded subsurface archaeological remains;
 - the Mine Creek ventilation flue;
 - approximately half of the length (350m) of Jorgen's Drive; and
 - underground mine workings i.e. Mine Creek East Mine, B tunnel, 3rd West Extended Mine and Koranui Mine.
 - > Coal Stockpiles at the Ngākawau Rail Loadout which are visible from a public road; and
 - > Mine production and mine contractor workshop buildings at ESE (owing to their gross floor area).

In summary, applying the bundling principle, the overall activity status for establishing the BPCP under the District Plan is a **non-complying activity**.

8.8.2 Te Tai o Poutini Plan

Based on the analysis set out in Table 8-2, Table 8-6, Table 8-10 and Table 8-14 of this rules assessment, the following resource consents are required under TTPP:

- > Land use consents are required for mineral extraction, processing and ancillary activities across relevant zones, including future mining areas, earthworks, indigenous vegetation clearance, natural character/riparian margin works, structures, noise,

transport, signage, lighting, rail loadout operations, and some aerial ropeway-related activities. Natural hazard mitigation structures also require approval. Overall, these activities are either **restricted discretionary** or **discretionary** activities.

- > However, approvals for **non-complying** activities are also required for:
 - > mineral extraction activities in the NOSZ Zone;
 - > encroachment of the UWHR into the National Grid Yard;
 - > earthworks in an area included in Schedule One (historic heritage areas); and
 - > the demolition or destruction of a historic heritage item in a historic heritage area.

In summary, applying the bundling principle, the overall activity status for establishing the BPCP under TTPP is a **non-complying activity**.

8.8.3 West Coast Regional Council: Regional Land and Water Plan

Based on the analysis set out in Table 8-3, Table 8-7, Table 8-11 and Table 8-15 of this rules assessment, the following resource consents are required under the RLWP:

- > Regional consents (water and discharge permits) are required for land disturbance, vegetation disturbance, earthworks, water takes and use, groundwater takes, diversions, damming/impoundment, discharges to land and water, water management infrastructure, sediment retention ponds, treatment systems, coal fines storage facilities, drilling discharges, ELFs, overburden placement, and mine water discharges. These are grouped around key functional/catchment areas including Millerton, Mangatini, St Patrick's, Waimangaroa, Stockton-wide, Ngākawau Rail Loadout and the aerial ropeway.

In summary, the overall activity status for establishing the BPCP under the RLWP is a **discretionary activity**.

8.8.4 West Coast Regional Council: Regional Air Quality Plan

Based on the analysis set out in Table 8-4, Table 8-8, Table 8-12 and Table 8-16 of this rules assessment, the following resource consents are required under the RAQP:

- > Air discharge permits are required where mining, coal handling/processing, stockpiling, vehicle movements, earthworks, overburden handling, rehabilitation, dust suppression and related activities may discharge contaminants, particularly dust, to air in breach of the limits in the RAQP as a **discretionary activity** under the RAQP.

8.8.5 Resource Management (National Environmental Standards for Freshwater) Regulations 2020

- 505 Based on the analysis set out in Sections 8.3.1, 8.4.1, 8.5.1 and 8.6.1 of this rules assessment, the following resource consents are required under the NES-F:
- > Consent is required for vegetation clearance, earthworks, land disturbance, take/use/diversion/damming of water, and discharges within or near natural inland wetlands under Regulation 45D as a **discretionary activity**.
 - 510 > Consent is also required for the placement and maintenance of culverts in riverbeds, including as part of the construction and use of the UWHR, water management infrastructure, water diversions and box culverts to gain access to the MFS mine area as part of the establishment of the MFS access road, and as part of the construction of pest-exclusion fencing under Regulation 71 as a **discretionary activity**.
 - 515 > Consent is also required for the reclamation (permanent loss) of headwater streams across the MFS, ESE and the UWHR Project sub-areas under Regulation 57 as a **discretionary activity**.

8.8.6 Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations

- 520 Based on the analysis set out in Sections 8.3.1, 8.4.1, 8.5.1 and 8.6.1 of this rules assessment, the following resource consents are required under the NES-CS:
- > Consent is required for soil disturbance associated with the decommissioning and remediation of all contaminated areas as a **discretionary activity** under Regulation 11 of the NES-CS.

8.8.7 Resource Management (National Environmental Standards for Storing Tyres Outdoors) Regulations 2021

- 525 Based on the analysis set out in Section 8.6.1 of this rules assessment, a resource consent is required to store tyres outdoors at ESE as a **restricted discretionary activity** under the NES-STO.

8.9 OVERALL ACTIVITY STATUS

- 530 Applying the bundling principle, the overall status of the BPCP is a **non-complying activity**.