

File ref: FTAA-2502-1014

7/03/2025

Anne Brewster
Stevenson Mining Limited

s 9(2)(a)

Dear Anne Brewster

Decision on compliance of application for Te Kuha Coal project with section 14(2) of the Fast-track Approvals Act 2024

On 21 February 2025, you lodged an application for fast-track referral for **Te Kuha Coal** project with the Ministry for the Environment (MfE) under the Fast-track Approvals Act 2024 (the Act).

MfE is responsible for determining whether referral applications are compliant with section 14(2) of the Act. For an application to be compliant with section 14(2), the following criteria must be met:

- The application must comply with the requirements for referral applications in section 13 of the Act;
- MfE must consider that the project may be capable of satisfying the criteria in section 22 of the Act, and does not appear to involve an ineligible activity; and
- all fees and charges payable under regulations in respect of the application must have been paid.

MfE has determined that your application does not comply with the requirements in section 14 (2) of the Act for the following reasons:

1. Section 13(3)(a) – requirement that the applicant must be eligible to apply for any corresponding approval under a specified Act. For an application for an access arrangement, this includes the holder of the relevant mining permit which for this application is Rangitira Development Limited.
2. Section 13(4)(b) – requirement to provide an explanation of how the project meets the criteria in section 22. This includes a requirement to demonstrate how referring the project to the fast-track approvals process would facilitate the project, including by enabling it to be processed in a more timely and cost-effective way than under normal processes. For this application this section should address the fact that access to, and mining of some 130ha of the site can only be approved under the CMA and outside the FTA's process
3. Section 13(4)(k) – requirement to consult on the project with local authorities and administering agencies. This includes consulting with Buller District Council, the Ministry for the Environment, Ministry for Business, Innovation and Employment, and the Department of Conservation

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4. Section 13(4)(k) – requirement to consult on the project with relevant iwi authorities. This includes consulting Te Runanga o Ngai Tahu
5. Section 13(4)(l) – requirement to list any Treaty settlements that apply to the project area, and a summary of the relevant principles and provisions in those settlements.
6. Section 13(4)(t) – requirement to provide an outline of the types of consents, certificates, designations, concessions, and other legal authorisations (other than contractual authorisations or the proposed approvals) that the applicant considers are needed to authorise the project, including any that the applicant considers may be needed by someone other than the applicant. This includes access arrangements under the Crown Minerals Act 1991 over land that is not owned or administered by the Crown, and approval to undertake works within the extent of a designation, if relevant (KiwiRail).
7. Section 13(4)(y) – requirement to provide, for an approval described in section 42(4)(l) or (m) (access arrangement), the information specified in clause 2 of Schedule 11. This includes the requirement to provide confirmation that the applicant has complied with section 59(1) and 59(2) of the Crown Minerals Act.

In addition, MfE has concluded under section 14(2)(b)(i) that the application does not satisfy the criteria in section 22 of the Act as it is not clear how referring the project to the fast-track approvals process would facilitate the project, including by enabling it to be processed in a more timely and cost-effective way than under normal processes.

In accordance with section 14(5) of the Act, the referral application is deemed noncompliant, and the application must be returned to the applicant.

Should you intend to prepare and lodge a new referral application for this project we recommend you contact the fast-track referrals team to discuss your application prior to lodging at the following email address referral@fasttrack.govt.nz.

If you choose to lodge a new application for this project, it will be treated as a new application in accordance with section 14(6)(a) of the Act.

Cost recovery

Under Regulation 5 of the Fast-track Approvals (Cost Recovery) Regulations 2025 you are liable for actual and reasonable costs incurred in processing your application. If the actual and reasonable costs are less than the application fee paid, then the Environmental Protection Authority (EPA) may issue you with a refund. Alternatively, if the actual and reasonable costs exceed the application fee, then the EPA may seek further fees from you. The EPA will provide you with information to advise you on this and can be contacted through the email address or phone number below.

Under Regulation 7, the EPA has discretion in whole or in part, for waiver or a refund of the levy. Further guidance is provided on the Fast-track website under '[Fees, charges and cost recovery](#)'. This discretion includes, amongst other things, if you intend to submit a new application for substantially the same project as a previous application. I recommend you contact the EPA to discuss any potential waiver prior to you submitting a new application.

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Fast-track referrals are administered on behalf of the Minister for Infrastructure by
The Ministry for the Environment | PO Box 10362 | Wellington 6143, New Zealand | NZBN: 9429041908853

If you have any queries about this letter or need assistance, please email contact@fasttrack.govt.nz or phone 0800 FASTRK (0800 327 875).

Yours sincerely

A handwritten signature in black ink, consisting of a large, stylized loop followed by a horizontal stroke that tapers to the right.

Ilana Miller
General Manager, Delivery and Operations