

Before the Panel Convener

Under the

Fast-track Approvals Act 2024

And

In the Matter of

an application to expand coal mining activities on the Buller Plateaux through the continuation of existing mining operations and expansion into new areas

**Memorandum of Counsel on behalf of
Bathurst Resources Limited, BT
Mining Limited, Buller Coal Limited
and Bathurst Coal Limited**

Dated: 20 August 2026

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RICHMOND
CHAMBERS

MAY IT PLEASE THE PANEL CONVENER

1. We act for Bathurst Resources Limited, BT Mining Limited, Buller Coal Limited and Bathurst Coal Limited (together, **Bathurst**) in relation to the Buller Plateaux Continuation Project (**BPCP**), a listed project included in Schedule 2 of the Fast-track Approvals Act 2024 (**FTA**).
2. The BPCP seeks approvals for the continuation of the existing and approved mines, the development of new mining areas, the construction and operation of a haul road connecting new mining areas with existing processing facilities at Stockton Mine, and various consequential amendments being required to integrate the project with certain approvals for another existing mine on the Buller Plateaux.
3. Bathurst's intention is for the full application to be filed with the Environmental Protection Authority (**EPA**) on Friday, 21 August 2026 (**Application**). We note that the Application is approximately 15,000 pages in total. It is our expectation that a redacted version of the Application will be available for the EPA by close of business Monday 24 August 2026.
4. To be of assistance to the Panel Convener's next steps in terms of Expert Panel appointment and that Panel's commencement, Bathurst wishes to signal early its preliminary view on timing of decision, and timing for the next procedural steps.

Proposed Decision Timeframe Sought

5. Counsel have received instructions from Bathurst that it would agree to a decision-making timeframe of 160 working days. This timeframe is sought given the scale of the BPCP and to provide for what Counsel consider to be important processes for issue narrowing and resolution, including informal topic workshopping, expert conferencing and conditions workshops. While all such steps are a matter for the Expert Panel, Counsel anticipate time for topic-based hearing processes would also be of assistance, and have therefore allowed time for these processes to occur.

Proposed Timeframe for Conferences and Site Visit

6. Counsel acknowledge that the EPA must undertake completeness and post-lodgement steps (and any potential request for further information) and also undertake its competing applications and existing consents check.

7. Subject to the EPA undertaking that process and confirming acceptance of the Application, Counsel respectfully suggest the following indicative dates for the next two procedural steps:
 - (a) Convener Conference between 7 and 9 October 2026 (inclusive).
 - (b) Expert Panel's Project Overview Conference and potential site visit by Expert Panel in one of the weeks commencing 16 or 23 November 2026. (Counsel expect that the Conference itself would take 1-2 days, leaving 2-3 days for a site visit, and providing for some reserve days in the event of poor weather).
8. Counsel hope that this early indication of process matters is of assistance to the Panel Convener. Counsel are also preparing a more detailed breakdown of procedural steps and estimated dates and propose to provide this to the Panel Convener through the EPA once the Application has been formally accepted.

Two handwritten signatures in blue ink. The first signature is 'Bal Matheson' and the second is 'Joshua Leckie'.

Bal Matheson KC / Joshua Leckie / Charlotte Coyle

Counsel for Bathurst Resources Limited, BT Mining Limited, Buller Coal Limited and Bathurst Coal Limited