

Memorandum on Completeness and Scope

File	FTAA-2608-1279
Application	Buller Plateaux Continuation Project
To	[REDACTED]
From	[REDACTED]
Date	23 September 2026
Subject	Assessment whether the application complies with section 46(2) of the Fast-track Approvals Act 2024

Purpose

1. The purpose of this memo is to assist you in making your decision on whether the Buller Plateaux Continuation Project application, lodged by Bathurst Coal Limited, Bathurst Resources Limited, BT Mining Limited, and Buller Coal Limited (the Applicant), received by the Fast-track Team on 24 August 2026 complies with the requirements of section 46(2) of the Fast-track Approvals Act 2024 (**the Act**).

Decision-maker

2. You have delegated authority to make the decision under section 46 of the Act under the instrument of delegation dated 31 March 2026.

Conflict of interest

3. I confirm that I do not have any conflict of interest in this matter that would prevent me making this assessment.

The application

4. For projects listed in Schedule 2 of the Act and referred projects, authorised persons may lodge a substantive application for approvals available under the Act.
5. The Application is a listed project.

6. The Application was lodged on 24 August 2026. The EPA must, in consultation with the relevant administering agencies and relevant consent authorities, decide whether this substantive application complies with section 46 of the Act by 14 September 2026, which is within 15 working days of the lodgement of the application (but may be longer where the EPA has requested further information from the applicant under section 46(2B)).
7. This application was subject to three further information requests therefore the date by which the EPA must make a decision under 46 is **23 September 2026**.
8. As set out in more detail below, the EPA must decide whether the application is complete and either:
 - Notify the Panel Convener they can set up an expert consenting panel to make a decision on the application (if complete and within scope); or
 - return it to the person who lodged it (if incomplete and/or not within scope).

Project and Scope

9. The project is described in Schedule 2 of the Act as:

Expand coal mining activities on the Buller Plateaux through the continuation of existing mining operations and expansion into new areas to enable the extraction of, approximately, an additional 20 million tonnes of coal over 25 years, and all activities associated with the existing and proposed mining activities, including—

- *construction and use of roads, rail, and related transportation infrastructure, including the Upper Waimangaroa haul road*
- *water management*
- *treatment of historic and future acid mine drainage, including construction of infrastructure required for that process*
- *biodiversity and heritage enhancement, including pest and predator control activities and pest exclusion fenced areas*
- *management of fly rock*
- *rehabilitation and closure of existing mining areas and proposed mining areas*

10. The approximate geographical location is identified in Schedule 2 of the Act as:

The Stockton Plateau and Denniston Plateau (together being the Buller Plateaux) and at Ngakawau, together with associated areas for off-site monitoring locations, transport and laydown corridors, and biodiversity enhancement.

11. The application relates solely to the listed project because the application is for the continuation and expansion of coal mining activities on the Buller Plateaux. This includes associated mining infrastructure, transport, water management, acid mine drainage (AMD) treatment, biodiversity enhancement, rehabilitation, closure and residual effects management activities. It is proposed as a

single integrated project intended to enable the extraction of approximately 20 million tonnes of coal and comprises:

- reauthorisation and continuation of existing Stockton mining operations;
- development of the Escarpment Extended (ESE) and Mount Frederick South (MFS) mining areas;
- operation of the Upper Waimangaroa Haul Road (UWHR) and associated transport infrastructure;
- integration of the Cypress area and associated approvals;
- use of existing and new mining and supporting infrastructure; and
- associated water management, AMD treatment, biodiversity enhancement, rehabilitation, closure and environmental management measures.

12. The application comprises five interrelated sub-areas, being Stockton, Escarpment Extended, Mount Frederick South, Upper Waimangaroa Haul Road and Cypress, which are proposed to operate as a single coordinated mining project across the Buller Plateaux. All sub-areas fit within the geographical description in Schedule 2 of the Act.
13. The application specifically acknowledges that some activities occur outside the core mining sub-areas but characterises them as integral components of the listed project rather than separate projects. This appears consistent with the Schedule 2 geographical description, which expressly includes off-site monitoring locations, transport corridors and biodiversity enhancement areas.
14. The application includes a range of environmental management, biodiversity enhancement, heritage enhancement, rehabilitation, closure and infrastructure activities. While some of these activities are not specifically identified in the Schedule 2 project description, they appear to be ancillary to, or consequential upon, the continuation and expansion of mining activities and are expressly contemplated by elements of the listed project description relating to water management, acid mine drainage treatment, biodiversity and heritage enhancement, and rehabilitation and closure. The application therefore appears to relate solely to the listed project.

Fast-track consenting application process

Legislative context

15. The EPA must decide, in consultation with relevant administering agencies and consent authorities, whether the substantive application complies with section 46(2) of the Act. A substantive application complies with section 46(2) of the Act, if the application:
 - complies with sections 42, 43 and 44;
 - relates solely to a listed project or a referred project;

- the EPA considers that, on the face of the application, the project does not appear to involve an ineligible activity; and
 - any fee, charge, or levy payable under the Fast-track Approvals (Cost Recovery) Regulations 2025 (the Regulations) in respect of the application is paid.
16. The EPA may request further information from the applicant under section 46(2A) for the purposes of determining whether the application is complete and within scope.

Section 42 Requirements

17. Section 42 of the Act states that an authorised person may lodge a substantive application for the project, 1 substantive applications for each stage of a project if the Minister has determined that the project may proceed in stages (either under s 21(1)(a) or s 37A). Section 42(4) lists the approvals that may be sought under the Act.
18. This application has been lodged by Bathurst Coal Limited, Bathurst Resources Limited, BT Mining Limited, and Buller Coal Limited (collectively Bathurst). These parties are the authorised person under the Act as they are listed in Schedule 2 of the Act as the authorised parties.
19. The approvals being sought are:
- an approval described in section 42(4)(a), (c) or (d) (resource consent, certificate of compliance or designation);
 - an approval described in section 42(4)(e) (concession), **checklist D1**;
 - an approval described in section 42(4)(h) (wildlife approval), **checklist E**;
 - an approval described in section 42(4)(i) (archaeological authority), **checklist F**;
 - an approval described in section 42(4)(j) (complex freshwater fisheries approval), **checklist G**;
 - an approval described in section 42(4)(l) (access arrangement), **checklist I**;
 - an approval described in section 42(4)(n) (mining permit), **checklist I1** (for mineral);
20. All of the above listed approvals are of the type set out in section 42(4) of the Act
21. For each of the approvals sought, the authorised person who is proposed to hold the approvals sought would be eligible to apply for any corresponding approval under a specified Act.

Section 43 Requirements

22. Section 43 of the Act sets out the requirements for a substantive application. The substantive application was lodged in the form and manner approved by the EPA. Assessment of section 43 requirements is included at Appendix 1.

Section 44 Requirements

23. Section 44 of the Act requires that the information provided by the applicant under section 43 must be specified in sufficient detail to satisfy the purpose for which it is required. Assessment of section 44 sufficiency is included at Appendix 1.
24. In assessing the sufficiency of information provided by the applicant, we rely on the information provided to us through consultation with each relevant administering agency and consent authority, as summarised in Appendix 2.
25. As set out in more detail in Appendix 2, many agencies consulted have advised that the information required by section 44 is provided in **sufficient** detail to satisfy the purpose for which it is required.
26. The exception to the above statement is the Department of Conservation (DOC) who advise the information required by section 44 is provided in **insufficient** detail to satisfy the purpose for which it is required. DOC's commentary has been included in the tables within Appendix 1 and is published alongside this memorandum.

Ineligibility

27. The EPA needs to decide whether it considers that, on the face of the application, the project does not appear to involve an ineligible activity, as defined in section 5 of the Act. As the EPA has to consider this on the face of the application, the EPA is only able to consider information contained in the application materials.
28. The list of ineligible projects includes activities:
 - on land returned under a Treaty settlement, on identified Māori Land, on Māori customary land, on land set apart as Māori reservation, or in a customary marine title or protected customary rights area without written permission from the rights holder;
 - on Māori customary land, or land set apart as Māori reservation under Part 17 of Te Ture Whenua Māori Act 1993;
 - in a customary marine or protected customary rights area without written agreement from the rights holder/group;
 - within an aquaculture settlement area without the required authorisation;
 - activities that would be prevented under section 165J, 165M, 165Q, 165ZC, or 165ZDB of the RMA (which deal with occupation of space in the common marine and coastal area); or
 - that require permissions on national reserves (or reserves vest in another person) held under the Reserves Act 1977 ; or
 - on land listed under clauses 1 to 11 or 14 of Schedule 4 of the Crown Minerals Act 1991 (and clauses 12 and 13 for mining activities).
 - That are prohibited under the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012, or section 15B or 15C the Resource Management Act 1991.

- That relate to decommissioning under the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012
- That are undertaken for the purposes of an offshore renewable energy project.

29. I consider that, on the face of the application, the project does not appear to involve an ineligible activity.

Notification by applicant

30. Pre-lodgement requirements for a listed project require the applicant to notify in writing the persons and groups referred to in section 29(1)(aa). The persons and groups notified have 20 working days to respond from the date of the notice. The applicant must not lodge their substantive application until each 20-working day period has elapsed.
31. However, if consultation with persons and groups specified in section 29 began prior to the amendments to the FTAA coming into force then schedule 1, clause 11 applies wherein the previous version of section 29 applies to the application.
32. Consultation records within the Application began in late 2024, making the previous section 29 applicable to this Application. There is evidence of consultation with all groups listed in the previous section 11, meeting the requirements of section 29(1)(a).
33. The Applicant has also satisfied the new Act section 29(1)(aa) by notifying each party in writing of the Application. These letters were sent between 11 May and 15 May 2026 and can be found within document F.06 of the Application. The Application was lodged on 24 August 2026, making the 20 working day timeframe for notification met.
34. Pre-lodgement requirements for an access arrangement include satisfying section 29(1)(b) of the Act. This clause requires the applicant to serve a notice of each owner and occupier of the land of the applicant's intention to obtain an access arrangement.¹ Information to satisfy this clause is presented in document F.06 of the application. The letters themselves were not sufficient to convince that section 29(1)(b) had been met.
35. This topic was part of the request for further information sent to the Applicant which can be found in Appendix 3. The response satisfies that information in section 29(1)(b) of the Act was provided to both LINZ and DOC prior to lodgement of the Application.

Fees and levies

36. The EPA has received all fees, charges and levies payable by the applicant under the Regulations for the substantive application as follows:
 - Application fee in the sum of \$250,000 plus GST;
 - Levy in the sum of \$140,000 plus GST.

¹ See section 59(1) and (2) of the Crown Minerals Act 1991 - [Crown Minerals Act 1991 | New Zealand Legislation](#)

Consultation

37. I have consulted with and considered consultation responses from the following relevant administering agencies and relevant consent authorities:

- Buller District Council and West Coast Regional Council:
 - i. an approval described in section 42(4)(a) (resource consent)
 - ii. an approval described in section 42(4)(b) (change or cancellation of resource consent condition)
- The Department of Conservation for:
 - i. an approval described in section 42(4)(e) (concession)
 - ii. an approval described in section 42(4)(h) (Wildlife Act wildlife approval)
 - iii. an approval described in section 42(4)(l) (access arrangement)
 - iv. an approval described in section 42(4)(j) (complex freshwater fisheries activity approval);
- Heritage New Zealand Pouhere Taonga for an approval described in section 42(4)(i) (archaeological authority);
- Toitū Te Whenua Land Information New Zealand for an approval described in section 42(4)(l) (access arrangement);
- The Ministry of Business, Innovation and Employment for
 - i. an approval described in section 42(4)(n) (mining permit).

38. A summary of the consultation is included as Appendix 2.

Requests for further information

39. I requested further information from the applicant under section 46(2A) on **3 September 2026** in relation to the Applications three mining permit approvals. The applicant responded with the information on **9 September 2026**, within the 20- working timeframe afforded by section 46(2B).

40. A follow up request to the one above was sent on **16 September 2026**. This was to clarify information provided by the Applicant in response to the request for information. This request was responded to on **18 September 2026** which is within the 20-working timeframe afforded by section 46(2B). [REDACTED]

41. I sent a second request for further information from the applicant under section 46(2A) on **11 September 2026** in relation to matters concerning:

- a. Consultation requirements under section 29 of the Act;
- b. applications for access arrangements
- c. applications for concessions;
- d. the application for a wildlife act approval;

- e. applications for complex freshwater fisheries approvals.
- 42. The applicant responded with the information on **18 September 2026** within the 20- working timeframe afforded by section 46(2B). A full copy of the request and response can be found in Appendix 3.

Assessment of compliance for each section of each application form

- 43. I have assessed the application materials against the relevant checklists in the prescribed application form. Each assessment is contained within the appropriate approval checklist. These are included in Appendix 1 for ease of reference.
- 44. My view is that **the application does not comply** with section 46 of the Act and should be returned to the applicant with written reasons for returning the application.
- 45. The aspects of the application that do not comply are as follows:

The following information is incomplete:

- i. **Clause 2(1)(f) of Schedule 7 (Wildlife Approval)** states:

state how the methods proposed to be used to conduct the actions specified under paragraph (b) will ensure that best practice standards are met:

As discussed in Checklist E, the Applicant has not provided a statement as to how the methods it proposes to use will ensure that best practice standards are met in relation to lizards.

- ii. **Clause 3(f) of Schedule 11 (Access Arrangements)** states:

in the case of an application where the land in question is a reserve managed by a local authority, confirmation that the local authority has provided written agreement for the activity to be undertaken on the reserve.

As discussed in Checklist I, the Applicant has not provided confirmation that the local authority has provided written agreement for the activity to be undertaken on the reserve.

Appendix 1: Assessment of section 44 sufficiency

My assessment of the application materials is set out in the relevant checklists below:

CHECKLIST A – Resource consent, change to or cancellation of a resource consent

Clause, Schedule 5	Information required for an approval described in section 42(4)(a) (resource consent) and/or section 42(4)(b) (change or cancellation of resource consent), Clauses 5-8 of Schedule 5	Application Reference	EPA
5(1)(a)	A description of the proposed activity	A.04 Chapter 04 - Project Description, entire chapter, page 262-337.	Yes, as described.
5(1)(b)	A description and map of the site at which the activity is to occur, including whether the site is within or adjacent to— (i) a statutory area (as defined in the relevant Treaty settlement Act); or (ii) ngā rohe moana o ngā hapū o Ngāti Porou (as defined in section 11 of the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019); or (iii) a protected customary rights area under the Marine and Coastal Area (Takutai Moana) Act 2011	A.03 Chapter 03 – Existing Environment, Section 3.2.1, page 92-96 and Section 3.4.2, page 195-202. A.09 Chapter 09 – RMA Approvals – Statutory Assessment, Section 9.16.3,	Yes, as described. BDC and WCRC also confirm the project site is not within or adjacent to any area described in 5(1)(b)(i)-(iii).

		page 830. D.01 – Disturbance Areas and LUC Boundary (057_7_2).	
5(1)(c)	Confirmation that the consent application complies with section 46(2)(a), (b), and (d); being: • section 42; and • sections 43 and 44; and • relates solely to a listed project or a referred project; and • any fee, charge, or levy payable under regulations in respect of the application is paid.	A.09 Chapter 09 - RMA Approvals - Statutory Assessment, Section 9.2, page 722-723.	Yes, as described.
5(1)(d) and 5(6)	The full name and address of— (i) each owner of the site and of land adjacent to the site; and (ii) each occupier of the site and of land adjacent to the site whom the applicant is able to identify after reasonable inquiry; If the applicant is not able to supply the name and address of the owner and each occupier of the site and of land adjacent to	A.03 Chapter 03 – Existing Environment, Section 3.5.7, page 238-257, H.1, pages 1-8, 72-85, 108-112	Yes, as described.

	the site because the land is Māori land in multiple ownership, the applicant must include a statement to that effect (clause 5(6)).	and H.2, pages 1-5, 18-26.	
5(1)(e)	A description of any other activities that are part of the proposal to which the consent application relates	A.04 Chapter 04 – Project Description, entire chapter, page 262-337	Yes, as described.
5(1)(f)	A description of any other resource consents, notices of requirement for designations, or alterations to designations required for the project to which the consent application relates	A.08 Chapter 08 – RMA Approvals, Sections 8.2-8.7, page 610-721	Yes, as described. WCRC notes minor substantive matters to be resolved in its assessment. These are not considered completeness or sufficiency concerns. No notices of requirement for designations, or alterations to designations required for the application.
5(1)(g)	An assessment of the activity against sections 5, 6 and 7 of the Resource Management Act 1991	A.09 Chapter 09 – RMA Approvals – Statutory Assessment, Section 9.3, page 724-738	Yes, as described.

5(1)(h) (and also clauses 5(2) and 5(3))	An assessment of the activity against any relevant provisions in any of the following documents: • a national environmental standard: • other regulations made under the Resource Management Act 1991: • a national policy statement: • a New Zealand coastal policy statement: • a regional policy statement or proposed regional policy statement: • a plan or proposed plan: • a planning document recognised by a relevant iwi authority and lodged with a local authority. This assessment must include an assessment of the activity against the requirements set out in clause 5(3) of Schedule 5 being: • any relevant objectives, policies or rules in the documents listed; and • any requirement, condition, or permission in any rules in any of those documents; and • any other requirements in any of those documents.	A.09 Chapter 09 – RMA Approvals – Statutory Assessment, Sections 9.7 – 9.16, page 765- 836	Yes, as described. Also included in document A.09A – Relevant Statutory Provisions.
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5(1)(i)	Information about any Treaty settlements that apply in the area covered by the consent application, including— (i) identification of the relevant provisions in those Treaty settlements; and (ii) a summary of any redress provided by those settlements that affects natural and physical resources relevant to the project or project area	A.09 Chapter 09 – RMA Approvals – Statutory Assessment, Section 9.16.3, page 830	Yes, as described.
5(1)(j)	A list of any relevant customary marine title groups, protected customary rights groups, ngā hapū o Ngāti Porou (where an application is within, adjacent to or directly affecting ngā rohe moana o ngā hapū o Ngāti Porou), or applicants under the Marine and Coastal Area (Takutai Moana) Act 2011;	n/a	N/A
5(1)(k)	Any conditions that the applicant proposes for the resource consent.	Part E (entire Part, Sections 01-09).	Yes, as described.
5(1)(l)	if a notice under section 30(3)(b) or (5) has been received,— (i) a copy of that notice showing that it was received within the time frame specified in section 30(6)(b); and (ii) if a notice has been received under section 30(5), any more up-to-date information that the applicant is aware	Part F – Consultation (F.07 – Responses to Letters).	Yes, as described and within the timeframe specified. WCRC, in response to its s46 consultation request from the EPA has confirmed the letter dated 18 August 2026 remains accurate as of 24 August 2026.

	of about the existing resource consent referred to in the notice.		
5(4)(a)	An assessment of the activity's effects on the environment that includes the information required by clause 6.	A.06 Chapter 06 – Assessment of Environmental Effects, entire chapter, page 402-543.	Yes, as described.
5(4)(b)	An assessment of the activity's effects on the environment that covers the matters specified in clause 7.	A.06 Chapter 06 – Assessment of Environmental Effects, entire chapter, page 402-543.	Yes, as described.
6	(1) The assessment of an activity's effects on the environment must include the following information: (a) an assessment of the actual or potential effects on the environment: (b) if the activity includes the use of hazardous installations, an assessment of any risks to the environment that are likely to arise from such use:	A.06 Chapter 06 – Assessment of Environmental Effects a) A.06 Chapter 06 – Assessment of	6(1)(a) – Yes as described and incorporated within technical assessments and peer reviews included in the application. 6(1)(b) – Yes, as described and within document G.13.

	(c) if the activity includes the discharge of any contaminant, a description of— (i) the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and (ii) any possible alternative methods of discharge, including discharge into any other receiving environment; (d) a description of the mitigation measures (including safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effect of the activity; (e) identification of persons who may be affected by the activity and any response to the views of any persons consulted, including the views of iwi or hapū that have been consulted in relation to the proposal; (f) if iwi or hapū elect not to respond when consulted on the proposal, any reasons that they have specified for that decision; (g) if the scale and significance of the activity's effects are such that monitoring is required, a description of how the effects will be monitored and by whom, if the activity is approved:	Environmental Effects, entire chapter, page 402-543. b) A.06 Chapter 06 – Assessment of Environmental Effects, Section 6.16, page 514-518. c) A.06 Chapter 06 – Assessment of Environmental Effects, Sections 6.5, page 428-450, Section 6.16, page 450-455, Section Section 6.16, page 514-518 and Section 6.18,	6(1)(c) – Yes, as described with a summary of information provided on page 402 of A.06. 6(1)(d) – Yes, as described. 6(1)(e) – Yes, as described and present in F.01. 6(1)(f) – N/A. 6(1)(g) – Yes, as described. 6(1)(h) – N/A.
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	(h) an assessment of any effects of the activity on the exercise of a protected customary right.	page 520-525. A.05 Chapter 05 – Application Approach and Structure, Section 5.4, page 372-401. d) A.06 Chapter 06 – Assessment of Environmental Effects, Section 6.21, page 536- 543; A.07 Chapter 07 – Management and Monitoring of Effects, entire chapter, page 544-609. e) A.06 Chapter 06 – Assessment of	
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		Environmental Effects, Section 6.4, page 426-427; A.05 Chapter 05 – Application Approach and Structure, Section 5.3, page 361-372; F.03 Affected Party Approvals. f) A.06 Chapter 06 – Assessment of Environmental Effects, Section 6.4, page 426-427; A.05 Chapter 05 – Application Approach and Structure,	
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		Section 5.3, page 361-372. g) A.07 Chapter 07 – Management and Monitoring of Effects, entire chapter, page 544-609 h) N/A - There are no protected customary rights identified in the Project Area.	
7	The assessment of an activity's effects on the environment must cover the following matters: (a) any effect on the people in the neighbourhood and, if relevant, the wider community, including any social, economic, or cultural effects:	a) A.06 Chapter 06 – Assessment of Environmental Effects, Section 6.3.1, page 409-	(a) – Yes, as described. (b) – Yes, as described, also detailed in technical reports lodged with the application. (c) – Yes, as described.

(b) any physical effect on the locality, including landscape and visual effects: (c) any effect on ecosystems, including effects on plants or animals and physical disturbance of habitats in the vicinity: (d) any effect on natural and physical resources that have aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations: (e) any discharge of contaminants into the environment and options for the treatment and disposal of contaminants: (f) any unreasonable emission of noise: (g) any risk to the neighbourhood, the wider community, or the environment through natural hazards or hazardous installations.	412, Section 6.3.2, page 412-417, Section 6.4, page 426-427. b) A.06 Chapter 06 – Assessment of Environmental Effects, Section 6.11-6.14, page 500-512 and Section 6.20, page 532-536. c) A.06 Chapter 06 – Assessment of Environmental Effects, Sections 6.6-6.7, page 450-485. d) A.06 Chapter 06 – Assessment of	(d) – Yes, as described. (e) – Yes, as described. (f) – Yes, as described. (g) – Yes, as described.
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		Environmental Effects, entire chapter, page 402-543. e) A.06 Chapter 06 – Assessment of Environmental Effects, Sections 6.5-6.6, page 428-455, Section 6.18, page 520-525. f) A.06 Chapter 06 – Assessment of Environmental Effects, Section 6.12, page 503-505. g) A.06 Chapter 06 – Assessment of	
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		Environmental Effects, Section 6.10, page 497-500.	
5(5)(a)	If a permitted activity is part of the proposal to which the consent application relates, a description that demonstrates that the activity complies with the requirements, conditions, and permissions for the permitted activity (so that a resource consent is not required for that activity under section 87A(1) of the Resource Management Act 1991)	A.08 Appendix 8.A – RMA Approvals - Permitted Activity Assessment, full appendix, page 1-41.	Yes, as described.
5(5)(b)	If the activity is to occur in an area that is within the scope of a planning document prepared by a customary marine title group under section 85 of the Marine and Coastal Area (Takutai Moana) Act 2011 or the environmental covenant prepared by ngā hapū o Ngāti Porou under section 19 of the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019, an assessment of the activity against any resource management matters set out in that document	N/A	N/A
5(5)(c)	If the activity is to occur in an area that is taiāpure-local fishery, a mātaihai reserve, or an area that is subject to bylaws made	N/A	N/A

	under Part 9 of the Fisheries Act 1996, an assessment of the effects of the activity on the use or management of the area.		
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CHECKLIST D1 – Concession

Clause, Schedule 6	Information required for an approval described in section 42(4)(e) (concession), clause 3 of Schedule 6	Application Reference (Name of document, section and page)	EPA
3(1)(a)	A description of the proposed activity	A.04 Chapter 04 – Project Description; A.10 Chapter 10 – Conservation Act and Reserves Act, Section 10.2, pages 839-840 and Section 10.3, pages 851 – 891.	Yes, as described. The Applicant confirmed in response to RFI2 that eight concessions are sought, a full summary being present in Table 10-1 of document A.10.
3(1)(b)	A description, maps, and GPS co-ordinates identifying the places where the proposed activity will be carried out (including the classification of those places, the ownership and	A.10 Chapter 10 – Conservation Act and Reserves Act, Section 10.3, pages 851 – 891.	Yes, as described.

	management arrangements, and, if applicable, the name, of the places)		
3(1)(c)	Information about whether the project could reasonably be undertaken in another location, or in another conservation area or another part of the conservation area, where the potential adverse effects would be significantly less	A.10 Chapter 10 – Conservation Act and Reserves Act, Section 10.2, pages 841 – 842.	Yes, as described.
3(1)(d)	In the case of an application for: • a concession that would otherwise be applied for under the Conservation Act 1987, section 14AA of the Wildlife Act 1953, or section 49 of the National Parks Act 1980; or • a concession as defined in section 2(1) of the Reserves Act 1977 that would otherwise be applied for under section 59A of that Act; information about the extent to which the project is consistent with: (i) the relevant conservation management strategy and conservation management plan; (ii) any conservation management strategies or conservation management plans that have been co-authored, authored, or approved by a Treaty settlement entity.	A.09 Chapter 09 – RMA Approvals – Statutory Assessment; A.10 Chapter 10 – Conservation Act and Reserves Act, Section 10.4, pages 892 – 901.	3(1)(d)(i) – Yes, as described. DOC notes that there is not an assessment against section 3.4 of the CMS (Heritage). The Applicant has provided information about the extent the project is consistent with relevant management strategies and plans (CGP and CMS). 3(1)(d)(i) does not state every individual clause within the strategies or plans needs to be analysed to sufficiently meet this section. Therefore, I find the applicant's information sufficient. 3(1)(d)(ii) – N/A

3(1)(e)	In the case of an application for a lease, licence, permit, or easement in respect of a reserve other than a Crown-administered reserve, information about the extent to which the project is consistent with any management plan approved under section 41 of the Reserves Act 1977	N/A - Bathurst is seeking only licences that do not grant an interest in the land.	N/A
3(1)(f)	Information about the extent to which the project is in keeping with the purposes for which the land is held, status, ownership and administration	A.10 Chapter 10 – Conservation Act and Reserves Act, Section 10.2, pages 842 – 843 and Section 10.4.5 896 – 901.	Yes, as described.
3(1)(g)(i)	A description of the potential effects (positive and negative) of the proposed activity	A.06 Chapter A0.6 – Assessment of Environmental Effects, entire chapter, pages 402 – 543; and A.10 Chapter 10 – Conservation Act and Reserves Act, Section 10.5, pages 901 – 907.	Yes, as described.

3(1)(g)(ii)	A description of any actions that the applicant proposes to take to avoid remedy, mitigate, offset or compensate for any adverse effects of the proposed activity	A.07 Chapter A.07 – Management and Monitoring of Actual and Potential Environmental Effects, entire chapter, pages 544 – 609.	Yes, as described. DOC notes many insufficiencies with the actions proposed by the applicant and considers the information provided to be incomplete. A full breakdown of these proposed insufficiencies can be found in Appendix 1 of DOC's section 46 consultation response. This clause specifically references a description of actions the <u>applicant</u> proposes. This description of actions can be found in A.07 of the application. On that basis, I find this clause complete.
3(1)(g)(iii)	A description of details of the type of concession for which the applicant is applying	A.10 Chapter A.10 – Conservation Act and Reserves Act, Section 10.3, pages 851 - 891 and Appendix 10.A – 10.H, entire documents.	Yes, as described, the application is for licences only. DOC notes: <i>"The applicant states it is applying for licences. However, no detail is provided regarding how it will manage public access issues within proposed concession areas for</i>

			<i>health and safety, security and other reasons. This includes structures forming part of the aerial ropeway at Stockton and Ngakawau, the footprint beneath the aerial ropeway, the pest exclusion fence structures and the areas within those fences. These details are important to determine the most appropriate concession type.”</i> The issues raised by DOC are not of a nature that can be considered when considering completeness of the information provided by the applicant. The applicant has met the requirements of this clause by providing the detail they are applying for licences (and providing information on each licence sought).
3(1)(h)	A statement of the proposed duration of the concession and the reasons for the proposed duration	A.10 Chapter A.10 – Conservation Act and Reserves Act, Section 10.2, pages 843 – 845.	Yes, as described. Concessions range in term from 30-60yrs, with two tied to the term of resource consents sought.

3(1)(i)	Relevant information relating to the applicant, including any information relevant to their ability to carry out the proposed activity (including whether the applicant or any company director, trustee, partner, or anyone else involved with the application has been convicted of any offence or has any current criminal charges pending before a court)	A.01 Chapter A.01 – Project Wide Overview, entire chapter, pages 19 – 68.	No reference was initially found in the application answer this clause. DOC also notes: “<i>The Application does not contain information regarding convictions or charges.</i>” This section was questioned in RFI2, the Applicant confirmed: “<i>Chapter A.9 expressly discloses historic regulatory compliance matters involving entities within the Bathurst Group, including infringement notices, abatement notices and a conviction associated with mining activities..... Given the breadth of the wording in clause 3(1)(i), Bathurst has interpreted the provision as being directed toward matters reasonably capable of informing the assessment of the applicant's ability to carry out the proposed activity and has disclosed information on that basis in the Chapters noted above.</i>” Upon further review, we accept that the information provided in
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			document A.09 sufficiently answers this clause.
3(1)(j)	If applying for a lease, a licence granting an interest in land, or an easement, (i) reasons for the request; and (ii) sufficient information to satisfy the panel that, in terms of clause 7 (criteria for assessment of application for concession), it is appropriate under section 81(decisions on approvals sought in substantive application) to grant the lease, licence, or easement (as the case may be)	N/A - Bathurst is seeking only licences that do not grant an interest in the land.	N/A
3(1)(k)	Full details of any consultation undertaken with relevant iwi and with reserve owners and managers	A.05 Chapter A.5 – Application Approach and Structure, Section 5.3.2, pages 362 – 372; A.10 Chapter A.10 – Conservation Act and Reserves Act Section 10.6, pages 907 - 909; F.01 BPCP Stakeholder and Community Engagement Report, entire report.	Yes, as described.

3(1)(l)	Information about financial and legal liabilities and obligations associated with the land	A.01 Chapter A.;1 – Project Wide Overview, entire chapter, pages 19 - 68; A.02 Chapter A.02 – Mining Overview, entire chapter, pages 69 - 91; A.03 Chapter A.03 – Existing Environment, entire chapter, pages 92 - 261; A.10 Chapter A.10 – Conservation Act and Reserves Act, Section 10.2, pages 845 – 846.	Yes, as described. DOC notes: <i>“The land is subject to a complex regulatory framework which includes obligations extending beyond existing mining operations. These documents have not been provided. The most effective way to identify associated legal and financial obligations would be to provide copies of all existing authorities currently in operation, along with a detailed summary provided by the applicant that identifies its existing legal and financial obligations relating to rehabilitation, mitigation, offsetting and environmental compensation for activities on the land, and further identifies those environmental obligations that are intended to endure under the BPCP. Statements about existing obligations and liabilities are scattered throughout the application and are of a nature</i>
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			<i>so vague they are not sufficient to enable assessment.”</i> Information about financial and legal liabilities and obligations associated with the land is provided in the application. Differences of opinion between the Applicant and DOC regarding the identification and display of financial and legal liabilities is a matter for the Panel to consider once appointed.
3(1)(m)	In the case of an application for a lease, licence, permit, or easement in respect of a reserve other than a Crown-administered reserve, where the reserve is owned or managed by a local authority, confirmation that the local authority has provided written agreement for the activity to be undertaken on the reserve	N/A	N/A
3(1)(n)	Confirmation that the applicant has written agreement from the holder of a right of first refusal or right of offer or return to waive that right for the purposes of any lease proposed in the application if—	A.10 Chapter A.10 – Conservation Act and Reserves Act, Section 10.2, page 846.	Yes, as Described.

	(i) the proposed lease would be for a term (including any renewals) that will or is likely to be more than 50 years; and (ii) the granting of the lease would trigger the right of first refusal or right of offer or return.		
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CHECKLIST E – Wildlife approval

Clause, Schedule 7	Information required for an approval described in section 42(4)(h) (Wildlife Act approval), clause 2 of Schedule 7	Application Reference	EPA
2(1)(a)	Specify the purpose of the proposed activity	A.11 Chapter 11 – Wildlife Act Approvals, Section 11.4, page 928-929.	Partially answered, as described. Also referenced and in Section 11.2.2 of A.11 Chapter 11 (p. 919-920). DOC notes: <i>“While the purpose of the activities is clear for the proposed 25-year mine development period, the application requests a 60-year WAA term. It is unclear what activities would be</i>

			<i>carried out after the first 25 years, and therefore whether the purpose of the activities are sufficiently described for the full 60-year term.”</i> This clause was queried in RFI2. The answer can be seen on pages 13-14 of the Applicants response to further information. With this information received, I believe the Applicant has sufficiently addressed this clause.
2(1)(b)	Identify the actions the applicant wishes to carry out involving protected wildlife and where they will be carried out (whether on or off public conservation land)	A.11 Chapter 11– Wildlife Act Approvals, Section 11.5, page 929-932.	Yes, as described. Location is detailed as “anywhere within the BPCP” this includes PCL. Also referenced and in Part G of the application documents which includes the Lizard/Avifauna/Powelliphanta Snail Management Plans. DOC notes each subject group is insufficient in detail to satisfy this clause:

			Avifauna: <i>“Proposed remediation of habitat loss for kiwi involves creating artificial burrows and shelters, but the detail on artificial burrows is insufficient. The specific release locations for translocated weka have not been identified and are proposed to be determined later.”</i> Lizards: <i>“Interim relocation sites are not identified. Actions (but not where they will be carried out) adequately outlined for lizards.”</i> Snails: <i>“Actions are listed, but key locations are missing or too broad. The application does not identify the location of temporary weka-proof fences, receiving sites for vegetation direct transfer (VDT) containing snails, or receiving sites for snails salvaged by hand. A detailed soil and snail movement plan is also missing. This is needed because the proposal involves moving salvaged snails and VDT sods to unspecified</i>
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			<i>locations, which risks mixing genetically distinct populations.”</i> <i>Other invertebrates: “The application identifies vegetation direct transfer and broader habitat rehabilitation measures that may benefit non-snail protected invertebrates, but does not clearly identify any species-specific actions proposed for protected non-snail invertebrates.”</i> I believe that locations are sufficiently addressed in the application. The global wildlife authority sought allows for more generalised locational data to be provided to meet this clause. This general data is also backed by specific maps locating each species.
2(1)(c)	An assessment of the activity and its impacts against the purpose of the Wildlife Act	A.11 Chapter 11 – Wildlife Act Approvals, Section 11.7, page 933-934	Yes, as described.

		and Section 11.15, page 959-962.	
2(1)(d)	List protected wildlife species known or predicted to be in the area and, where possible, the numbers of wildlife present and numbers likely to be impacted	A.11 Chapter 11 – Wildlife Act Approvals Sections 11.2.3-11.2.5, page 921-925 and 11.7, page 933-934.	Partially, as described. Avifauna – yes. Lizards – yes. Invertebrates – no. DOC notes: <i>“Aside from Powelliphanta, two species of protected invertebrates are known to exist in the Denniston Plateau: Helm’s stag beetle (Geordorcus helmsi) and giant wētā (Deinacrida broughi). Wildlife approval is sought for Helm’s stag beetle. Numbers affected are not identified.”</i> This clause was queried in RFI2 in relation to the information provided for protected invertebrates. This was answered in Attachment 2 to the RFI. With receipt of the additional

			information, I now consider the information sufficiently addressed.
2(1)(e)	An outline of impacts on threatened, data deficient, and at-risk wildlife species (as defined in the New Zealand Threat Classification System)	A.11 Chapter 11 – Wildlife Act Approvals, Section 11.7, page 933-934.	Yes, as described. Also referenced in Part G of the application documents which includes the Lizard/Avifauna/Powelliphanta Snail Management Plans. DOC notes a lack of detail on specific impacts of multiple species. DOC's full commentary can be found in Appendix 3 of its s46 consultation. The issues identified by DOC relate to matters of substance as opposed to completeness and primarily concern a difference of interpretation. This does not disallow this clause from being answered in sufficient detail to satisfy completeness.
2(1)(f)	A statement of how the methods proposed to be used to conduct the actions involving protected wildlife will ensure that best practice standards are met	A.11 Chapter 11– Wildlife Act Approvals, Section 11.8, page 934-944.	Avifauna, yes as described. Invertebrates, yes as described.

			Lizards, no. A.11 (page 934) states: <i>“Lizard management will be undertaken in accordance with ‘Key principles for lizard salvage and transfer in New Zealand’ (DOC, 2019).”</i> However, G.04 (page 16) states: <i>“No matter the level of effort applied and despite our understanding that DOC considers >80% of lizards salvaged to constitute best practice, this cannot feasibly be achieved for this Project. In contrast we expect only a small proportion of lizards (< 1%) will be feasibly salvaged from the Project disturbance area.”</i> This clause was queried in RFI2. The Applicant has confirmed the statement made in A.11 (page 934) should be read with the words <i>“where it is technically feasible to do so.”</i> As set out in Appendix 2, DOC’s consultation response was that it did not recommend that the EPA
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			find this clause to be complete, noting (amongst other matters) that the guidance on best practice does not include a sentiment stating, <i>“to the extent that is technically capable of implementation”</i>; and <i>“The caveat “where it is technically feasible to do so” provides no additional confidence that best practice will be met”</i>. Considering all material provided from the applicant on this matter, and taking into account DOC’s consultation responses, I do not consider the requirements of this clause to be met. There is no statement about how the methods proposed to be used will ensure that best practice standards are met.
2(1)(g)	A description of the methods to be used to safely, efficiently, and humanely catch, hold, or kill the animals and identify relevant animal ethics processes:	A.11 Chapter 11– Wildlife Act	Partially, as described. Also referenced in Part G of the application documents which includes the

		Approvals, Section 11.8, page 934-944.	Lizard/Avifauna/Powelliphanta Snail Management Plans. DOC notes: <i>“Snails: The application describes methods for hand salvage, temporary holding, handling, transport and release, but does not provide enough information on animal ethics processes. Information is missing on ethics considerations for permanently marking a large proportion of the surviving population for capture-mark-recapture (CMR) monitoring. Information is also missing on ethics considerations for the large number of snails expected to be killed and not salvaged by hand or VDT.</i> <i>Other Invertebrates: The application does not describe how terrestrial invertebrates (other than snails) will be managed except potential transfer by VDT. There is no mention of invertebrates (other than snails)</i>
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			<i>in the Wildlife Act authorisation Technical Report (Feb 2026). ”</i> This clause was queried in RFI2. The Applicants response and associated attachment satisfy completeness of this clause for protected invertebrates.
2(1)(h)	A statement of the location or locations in which the activity will be carried out, including a map (and GPS co-ordinates if available)	A.11 Chapter 11 – Wildlife Act Approvals, Section 11.9, page 944-948. D.17 – Wildlife Act Authority (386_1).	Yes, as described. Species-specific locations can be found in their associated management plans in Part G. DOC notes: <i>“The exact release sites of removed weka have not been identified except that they will be within 5-10km of where they have been removed. There is ambiguity in where kiwi will be released. The Avifauna Management Plan does not mention kiwi being transferred to fenced enclosures, yet the fencing plan (B.06) does. This is important to understand as fencing will affect</i>

			<i>kiwi territories and access to forested foraging areas.”</i> Location information has been provided to a sufficient level to satisfy this clause within Part G, A.11 and D.17. Further detailed locational information may be requested by the Panel when appointed if appropriate.
2(1)(i)	A statement of whether authorisation is sought to temporarily hold or relocate wildlife	A.11 Chapter 11 – Wildlife Act Approvals, Section 11.10, page 948-949.	Yes, as described.
2(1)(j)	A list of all actual and potential wildlife effects (adverse or positive) of the proposed activity, including effects on the target species, other indigenous species, and the ecosystems at the site	A.11 Chapter 11 – Wildlife Act Approvals, Section 11.11, page 949-951.	Yes, as described.
2(1)(k)	Where adverse effects are identified, state what methods will be used to avoid and minimise those effects, and any offsetting or compensation proposed to address unmitigated adverse effects (including steps taken before the project begins, such as surveying, salvaging, and relocating protected wildlife)	A.11 Chapter 11 – Wildlife Act Approvals, Section 11.12, page 951-956.	For avifauna, lizard species, and snails this section is addressed as described. The only mention of methods in relation to Stag Beetles is: “Any Helm’s Stag Beetles found during

			works will also be captured and relocated via VDT to appropriate translocation sites” (page 46, A.11). The description and methods of VDT included in document G.01 contain no mention of any protected invertebrates except for snails. I don’t believe this is sufficient for this species. DOC also notes: <i>“The application does not clearly describe what measures, if any, are proposed to avoid, minimise, remediate, offset or compensate adverse effects on non-snail protected invertebrates, including Helm's stag beetle.”</i> This clause was queried in RFI2. The Applicants response, primarily with Attachment 2 of the RFI detailed methods to be used for protected invertebrates. I now consider this sufficient for completeness.
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2(1)(l)	A statement of whether the applicant or any company director, trustee, partner, or anyone else involved with the application has been convicted of any offence under the Wildlife Act	A.11 Chapter 11 – Wildlife Act Approvals, Section 11.13, page 956-957.	Yes, as described.
2(1)(m)	A statement of whether the applicant or any company director, trustee, partner, or anyone else involved with the application has any current criminal charges under the Wildlife Act pending before a court	A.11 Chapter 11 – Wildlife Act Approvals, Section 11.13, page 956-957.	Yes, as described.
2(1)(n)	Provision of proof and details of all consultation, including with hapū or iwi, on the application specific to wildlife impacts	A.11 Chapter 11 – Wildlife Act Approvals, Section 11.14, page 957-959. A.05 Chapter 05 – Application Approach and Structure Section 5.3.4.2, page 356. F.01 – BPCP Stakeholder and Community Engagement Report.	Proof of consultation with iwi is included as described. There is not specific reference to the application specific to wildlife impacts. Consultation summary in F.01 for iwi says "Bathurst and its predecessors have a long standing working relationship with Ngāti Waewae. Following initial consultation, Ngāti Waewae provided a Cultural Impact Assessment (CIA) that will be submitted with the application. This CIA addresses iwi values, and summarises any impacts on these values, along with

			recommendations that it considers are relevant for the panel to consider. Consultation and engagement are anticipated to continue throughout the application, mine development, and operational phases of the project and then through into mine closure and relinquishment." DOC notes: <i>"The application contains evidence of engagement with councils and iwi/hapū. The level of engagement specific to Wildlife Act matters is unclear."</i> This clause was queried in RF12. The Applicant's response and associated Attachment 3 has helped to satisfy the assessment of this clause. Further the CIA (B.36), although not directly discussing wildlife, does, however, include reference to the fact iwi were provided with ecological reports relating to the proposal (see Appendix 2). This constitutes the
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			bare minimum to assess the clause as complete.
2(1)(o)	Provision of any additional written expert views, advice, or opinions the applicant has obtained concerning their proposal	A.11 Chapter 11 – Wildlife Act Approvals, Section 11.2, Table 11-2, page 913-914. Full technical reports, management plans and peer reviews provided in Parts B, C and G.	Addressed as sufficient expert views, advice, or opinions are provided throughout the technical reports and management plans. Not obviously addressed at section 11.2. Section 11.15.3 (p. 962) says "The information requirements of clauses 2(1)(a)-(o) are methodically addressed from Sections 11.4 to 11.15 of this substantive application."

CHECKLIST F – Archaeological authority

Clause, Schedule 8	Information required for an approval described in section 43(3)(i) Archaeological Authority	Application Reference	EPA
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2(1)(a)	a legal description of the land or, if one is not available, a description that is sufficient to identify the land to which the application relates	A.03 Chapter 03 – Existing Environment, Section 3.5.7, page 238-257. H.01 and H.02 Affected and Adjacent Landholders.	Yes, as described.
2(1)(b)	the name of the owner of the relevant land, if the applicant is not the owner of the land	A.03 Chapter 03 – Existing Environment, Section 3.5.7, page 238-257. H.01 and H.02 Affected and Adjacent Landholders.	Yes, as described.
2(1)(c)	proof of consent, if the owner of the relevant land has consented to the proposed activity	A.12 Chapter 12 – Heritage Approvals, Section 12.1, page 964.	Yes, as described. Bathurst is relying on Access Arrangement Applications with DOC and LINZ to determine consent from the relevant landowner in certain locations. Although not proof of

			consent this suffices for completeness.
2(1)(d)	confirmation that the application complies with section 42 , 43, and 44 of the Act	A.12 Chapter 12 – Heritage Approvals, Section 12.1, page 964-965.	Yes, as described.
	confirmation that the application relates solely to a listed project or a referred project	A.12 Chapter 12 – Heritage Approvals, Section 12.1, page 964-965.	Yes, as described.
	any fee, charge, or levy payable under regulations in respect of the application is paid.	A.12 Chapter 12 – Heritage Approvals, Section 12.1, page 964-965.	Yes, as described.
2(1)(e)	a description of each archaeological site to which the application relates and the location of each site	A.12 Chapter 12 – Heritage Approvals, Section 12.3, page 973-984.	Yes, as described.
2(1)(f)	a description of the activity for which the authority is sought	A.12 Chapter 12 – Heritage Approvals,	Yes, as described.

		Section 12.4, page 984-985.	
2(1)(g)	a description of how the proposed activity will modify or destroy each archaeological site	A.12 Chapter 12 – Heritage Approvals, Section 12.6, page 986-993.	Yes, as described.
2(1)(h)	except in the case of an approval described in section 44(b) of the HNZPT Act, an assessment of— (i) the archaeological, Māori, and other relevant values of the archaeological site in the detail that is appropriate to the scale and significance of the proposed activity and the proposed modification or destruction of the archaeological site; and (ii) the effect of the proposed activity on those values	A.12 Chapter 12 – Heritage Approvals, Section 12.6, page 86-993 and Section 12.8.1, page 994-995.	Yes, as described.
2(1)(i)	a statement as to whether consultation with tangata whenua, the owner of the relevant land (if the applicant is not the owner), or any other person likely to be affected— (i) has taken place, with details of the consultation, including the names of the parties and the tenor of the views expressed; or	A.12 Chapter 12 – Heritage Approvals, Section 12.8, page 994-995. A.05 Chapter 05 – Application Approach and Structure, Section 5.3, page 361-372.	Yes, as described. Consultation undertaken with Te Rūnanga o Ngāti Waewae.

	(ii) has not taken place or been completed, with the reasons why consultation has not occurred or been completed (as applicable).	F.01 – BPCP Stakeholder and Community Engagement Report. F.03 – Affected Party Approvals.	
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CHECKLIST G – Complex freshwater fisheries approval

Clause, Schedule 9	Information required for an approval described in section 42(4)(j) (complex freshwater fisheries approval), clause 3 of Schedule 9	Application Reference	EPA
3(a)	in relation to the structure and any fish facility: (i) a description of the type of structure or fish facility: (ii) the dimensions of the structure or fish facility: (iii) the design of the structure or fish facility: (iv) the placement of the structure or fish facility: (v) the water flows: (vi) the operating regime	A.13 Chapter 13 - Freshwater Fisheries and Dispensations, Section 13.3.1, 13.3.1.1, 13.3.1.3, 13.3.1.3, 13.3.1.4, pages 1005-1021.	The application is for approvals that would ordinarily be sought under Regulation 42 (12 culverts) and dispensations ordinarily sought under Regulation 43 (water diversions, culverts associated with pest exclusion fences, and 47 culverts associated with an access road). Section 13.3 of A.13 provides an overview.

			Section 13.3.1.2 provides figures that show the placement of structures, and Section 13.3.1 in Tables 13-1, 13-2 and 13-3, Figures 13-3 to 13-7, and the supporting technical reports listed in Section 13.1. DOC notes: <i>“The general purpose and design methodology for clean-water diversion drains are described, but information is lacking to identify the individual structures and assess how each structure would provide for or impede fish passage.”</i> This clause was queried in RF12. The Applicants response and associated attachments satisfy completeness of this clause. There are further design related matters that DOC has raised concerns about in relation to this clause. I believe these are matters to be referred to a Panel and do not impede this clause from being found complete.
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3(b)	the freshwater species and values present (with particular focus on threatened, data-deficient, and at-risk species as defined in the New Zealand Threat Classification System)	A.13 Chapter 13 - Freshwater Fisheries and Dispensations, Section 13.3.1.1, page 1007	This information is present in the application, as described. Species and value discussions are also detailed in B.08, B.50, and G.05.
3(c)	the water quality and quantity in the surrounding habitat (at the proposed structure location, upstream and downstream)	A.13 Chapter 13 - Freshwater Fisheries and Dispensations, Section 13.3.1.1, page 1008	Yes, as described and present across B.08, B.50 and G.05. DOC notes: <i>“Extensive project-wide and catchment-scale water-quality and hydrological information is provided. However, clause 3 requires information at each proposed structure location and upstream and downstream. Structure-specific water quality, water quantity and habitat information is not provided for the full set of culverts or clean-water diversions.”</i> I believe the application includes information on water quality and quantity in sufficient detail to satisfy this clause. Proposed

			locational data of where the full set of culverts and clean-water diversions is provided and associated water quality information aligns with these (albeit broad) locations.
3(d)	how the passage of fish will be provided for or impeded	A.13 Chapter 13 - Freshwater Fisheries and Dispensations, Section 13.3.1 to 13.3.3, pages 705-728, and Section 13.3.1.4 pages 1018-1021	Partially, as described. DOC notes: <i>“The pest exclusion fence culverts and clean water diversions rely on broad assumptions or future investigation. Although some detail is provided in the Aquatic Ecology Management Plan which states that New Zealand Fish Passage Guidelines will be followed for culverts, the A13.B complex freshwater fisheries conditions proposed by the applicant do not require adherence to the management plans or guidelines.”</i> This clause was queried in RFI2. The Applicant’s response to RFI2 and associated attachments sufficiently

			answer this clause. DOC had no further notes on this section in the second round of consultation.
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CHECKLIST I – Access arrangements

Clause, Schedule 11	Information required for an approval described in sections 42(4)(l) or (m), clause 3 of Schedule 11	Application Reference	EPA
3(a)	a copy of the relevant permit under the Crown Minerals Act 1991 (if a permit has been granted under that Act):	A.15 Chapter A.15 – Crown Minerals Act - Access Arrangements, Appendix 15.A, entire appendix.	Yes, as described. Permits detailed in A.15A: 41810, 41515, 51279, 60138. Other AAs rely on the 3x new permits sought as part of the application documents.
3(b)	a clear map or plan of the application area with GPS co-ordinates:	A.15 Chapter A.15 – Crown Minerals Act - Access Arrangements, Figures 15-1 to 15-21.	Yes, as described. Also present in summary at D.20 (Access Arrangements being Sought).

3(c)	a document identifying the areas of conservation land located within the application area, its classification, and an assessment against its purpose:	A.10 Chapter A.10 – Conservation Act and Reserves Act, Section 10.4.5, pages 896-901; A.15 Chapter A.15 – Crown Minerals Act - Access Arrangements, Section 15.4.4, pages 1073-1011.	Yes, as described. Classifications include stewardship land, ecological areas, ecological reserves.
3(d)	a description of the proposal, including –	see below	
	(i) the application area, including location and features (for example, water courses, roads, and amenities):	A.01 Chapter A.01 – Project Wide Overview, entire chapter, pages 19-68; A.04 Chapter A.04 – Project Description, entire chapter, pages 262-337; A.14 Chapter A.14 – Crown Minerals Act Approvals – Mining	Yes, as described. DOC notes unclear mapping of heritage sites. This does not prevent sufficiency being met for this clause.

		Permits, pages 1036-1054; A.15 Chapter A.15 – Crown Minerals Act - Access Arrangements, Section 15.4.4, pages 1073-1011.	
	(ii) a summary of proposed activities (including type of prospecting, exploration, or mining methods, duration, and scale of activity):	A.01 Chapter A.01 – Project Wide Overview, entire chapter, pages 19-68; A.04 Chapter A.04 – Project Description, entire chapter, pages 262-337; A.14 Chapter A.14 – Crown Minerals Act Approvals – Mining Permits, entire chapter, pages 1036-1054; A.15 Chapter A.15 – Crown Minerals Act - Access Arrangements,	Yes, each access arrangement and its proposed activities is summarised in A.15 (pages 1074-1101). Duration links directly to mining permit duration which is provided with those applications. The information provided is sufficient to address this clause.

		Section 15.4.4, pages 1073-1101.	
	(iii) a statement of the objectives of any Act under which the land is administered:	A.01 Chapter A.01 – Project Wide Overview, entire chapter, pages 19-68; A.04 Chapter A.04 – Project Description, entire chapter, pages 262-337; A.10 Chapter A.10 – Conservation Act and Reserves Act, Section 10.4, pages 892 – 901; A.15 Chapter A.15 – Crown Minerals Act - Access Arrangements, entire chapter, pages 1055-1101.	Yes, as described. Primarily included in A.10 Conservation Act and Reserves. <i>MBIE notes section 10.4.5 pages 896 901 provides a description of the DOC and LINZ land for the proposed concession applications. MBIE notes that the DOC administered land descriptions of the land is provided but the objectives of any Act under which the land is administered is not clear. MBIE recommends the EPA consult with DOC and LINZ as the land administering agencies.</i> Consultation with DOC and LINZ was completed.
	(iv) any policy statement, management strategy, or management plan of the Crown that applies in relation to the land:	A.01 Chapter A.01 – Project Wide Overview, entire	Yes, as described – 10.4.3 and 10.4.4 (page 893-901 of A.10) DOC notes:

		chapter, pages 19-68; A.04 Chapter A.04 – Project Description, entire chapter, pages 262-337; A.10 Chapter A.10 – Conservation Act and Reserves Act, Section 10.4, pages 892 – 901; A.14 Chapter A.14 – Crown Minerals Act Approvals – Mining Permits, pages 736-754; A.15 Chapter A.15 – Crown Minerals Act - Access Arrangements, Section 15.4, pages 1064 - 1101.	<i>“Document A.10 does not identify Heritage section 3.4 of the CMS or the Policy for Government Management of Cultural Heritage Places.”</i> This section was part of RFI2, and the Applicant confirmed that the Policy for Government Management of Cultural Heritage Places <i>‘is not directly applicable to the assessment’</i> of the Application. The CMS was detailed in the Application, and the Applicant confirmed in response to the RFI that section 3.4 was relevant to the Application and provided a description as to why. I believe this section is satisfied sufficiently.
	(v) details of any resource consents and concessions held or applied for, or intended applications in relation to the application area:	A. 08 Chapter A.08 – RMA Approvals Tables, entire chapter, pages 610 – 721; A.10 Chapter	Yes, as described. DOC notes: <i>“Copies of existing approvals haven’t been provided, other than the CMLs and proposed RMA conditions. DOC is unable to</i>

		A.10 – Conservation Act and Reserves Act, entire chapter, pages 839-909.	<i>identify all existing legal obligations/arrangements without this information.”</i> Existing approvals and their interaction with the application are found in A.08B. In my view all approvals are referenced in the application documentation and many of them are being applied for under (or incorporated within) the FTAA Application.
	(vi) in the case of an application under section 42(4)(l), a statement of the direct net economic and other benefits of the proposed activities in relation to which the access arrangement is sought:	A.01 Chapter A.01 – Project Wide Overview, Section 1.5, pages 35, 36, 38 and 39 and Section 1.10 pages 57-61; A.04 Chapter A.04 – Project Description, Section 4.1, page 262 - 263; A.15 Chapter A.15 – Crown Minerals Act - Access Arrangements, entire chapter,	Not explicitly in relation to the access arrangement. However, economic benefits are discussed in the technical reports described for the existing Mining operations (B.45, B.46, and B.47) and discussed for the extension / continuation applications in B.34 AIGIS Economic Impact Assessment, B.35 AIGIS Social Impact Assessment. This clause was queried in RFI2. The Applicants response to RFI2 provided confirmation that the direct net economic benefits were

		pages 1055-1101; B.45 Stockton MP Application Technical Report, entire document; B.46 Mount Frederick South MP Application Technical Report, entire document; and B.47 Sullivan MP Application Technical Report, entire document.	addressed in the application package as a whole. Although I consider that a direct statement consistent with this clause would be cleaner, I cannot find the clause insufficient or incomplete on that basis. I would note that a Panel may ask for this to be split out if particular elements were of concern (as highlighted by consultation with DOC), however this is not a matter that can be considered during completeness.
	(vii) in the case of an application under section 42(4)(m), the interests of the owner of the mineral, or of any person to whom the owner of the mineral has granted any rights in relation to the mineral, in obtaining access to that mineral:	A.01 Chapter A.01 – Project Wide Overview, Section 1.5, pages 35, 36, 38 and 39 and Section 1.10 pages 57-61; A.04 Chapter A.04 – Project Description, Section 4.1, page 262 - 263; A.15 Chapter A.15 – Crown	N/A – pg32 of A.01 states: “All the coal on the Buller Plateaux is Crown-owned, and the right to mine that coal is via mining permits and coal mining licences issued under the Crown Minerals Act 1991 (“CMA”) or its predecessor legislation (Coal Mines Act 1979).” Therefore, this section does not apply as all Access Arrangements

		Minerals Act - Access Arrangements, entire chapter, pages 1055-1101; B.45 Stockton MP Application Technical Report, entire document; B.46 Mount Frederick South MP Application Technical Report, entire document; and B.47 Sullivan MP Application Technical Report, entire document.	are sought under 42(4)(l) of the FTAA.
3(e)	an assessment of the environment, including –	see below	
	(i) a description of the existing natural environment in and around the application area (including flora, fauna, aquatic life, and landscape):	A.03 Chapter A.03 – Existing Environment, entire chapter, pages 92-261; A.15 Chapter A.15 – Crown	Yes, as described. DOC notes this clause is not answered in sufficient detail regarding vegetation, flora, fauna. A description of the existing natural

		Minerals Act - Access Arrangements, Section 15.4.4, pages 1073-1101.	environment is provided. This is sufficient to satisfy this clause.
	(ii) a description of any historic, cultural, and archaeological sites within the application area (position and significance):	A.03 Chapter A.03 – Existing Environment, entire chapter, pages 92-261; A.15 Chapter A.15 – Crown Minerals Act - Access Arrangements, Section 15.4.4, pages 1073-1101.	Yes, as described – primarily within A.03. DOC notes that this section is insufficient: <i>“Heritage</i> • <i>Maps are unclear and inconsistent, making analysis difficult.</i> • <i>Insufficient info on Koranui: as permission is sought to destroy part of fully intact Koranui mine & incline site (L29/14), it is not sufficient to state that additional features may be present. More detailed site surveys are required to support any application for damage. Similar for the Taipo Mine.</i> • <i>Although some areas have been re-surveyed, complete, up-to-date reassessment of all heritage areas</i>

			<i>does not appear to have been carried out.”</i> These matters raised point to the merits of the information present and not the sufficiency of it. I believe DOC’s statements are matters that the Panel can consider but are not relevant to the completeness stage of the project.
	(iii) a description of the social environment in and around the application area (including scenic qualities, recreation facilities, and their use):	A.03 Chapter A.03 – Existing Environment, entire chapter, pages 92-261; A.15 Chapter A.15 – Crown Minerals Act - Access Arrangements, Section 15.4.4, pages 1073-1101.	Yes, as described.
	(iv) an assessment of the effects that proposed activities will have on the environment described in subparagraph (i), both while the activities are taking place and after their completion:	A.06 Chapter A.06 – Assessment of Environmental Effects, entire chapter, pages 402-	Yes, as described. DOC notes many concerns with sufficiency of this clause and finds it incomplete. Full details can be

		543; A.15 Chapter A.15 Crown Minerals Act - Access Arrangements, Section 15.4.4, pages 1073-1101.	found in Appendix 2 of DOC's section 46 response to the EPA. An assessment of effects has been provided by the Applicant; this is present as is described. Many of the concerns DOC raises relate to merit-based arguments and are not legislatively tied. In my opinion none of the concerns raised by DOC in relation to this clause would fail it on sufficiency or completeness but are matters for the Panel to consider once appointed.
	(v) an outline of consultation undertaken, including full details of consultation with relevant iwi:	A.15 Chapter A.15 – Crown Minerals Act - Access Arrangements, Section 15.4.3, pages 772-773; F.01 BPCP Stakeholder and Community Engagement Report, entire report.	Yes, as described. Full consultation details included in F.01 (pages 50-52). DOC notes: <i>“Record provided of Bathurst’s consultation methods, however there is no record of what information was shared with iwi to inform their Cultural Impact Assessment.”</i>

			A high-level overview of all consultation (including with iwi) is present in F.01. The information does include detail of evidence that was shared with iwi, and I believe it is in enough detail to satisfy this clause.
	(vi) a description of the proposed safeguards and mitigation measures to be put in place (for example, proposed rehabilitation, water management, management of flora and fauna and cultural or historic sites, and the way in which risks will be managed):	A.15 Chapter A.15 – Crown Minerals Act - Access Arrangements, Appendix 15.B, all pages; A.07 Chapter A.07 – Management and Monitoring of Actual and Potential Environmental Effects, entire chapter pages 544-609; all condition documents provided in Part E, E.01 – E.09.	Yes, as described. Primarily in A.07 and its associated management plans and condition sets (G.01-G.26 – management plans; E.01-E.09 - conditions). DOC notes this section is insufficient in detail. Full details can be found in Appendix 2 of DOC's section 46 response to the EPA. A description of proposed safeguards and mitigations has been provided in the application. Many of DOC's claims are matters for a Panel to consider once appointed.

	(vii) information about financial and legal liabilities and obligations associated with the land:	A.01 Chapter A.01 – Project Wide Overview, entire chapter, pages 19-68; A.04 Chapter A.04 – Project Description, Sections 4.4 and 4.10, pages 264-337; A.07 Chapter A.07 – Management and Monitoring of Actual and Potential Effects, Section 7.2, pages 560-609; A.14 Chapter A.14 – Crown Minerals Act Approvals – Mining Permits, pages 1036-1054; Chapter A.15 – Crown Minerals Act - Access Arrangements, entire chapter, pages 1055-1101;	Legal and crown liabilities details included as described. No specific mention of financial liabilities found other than acceptance of bond (A.15B1 – A.15B8). DOC notes: <i>“Very little information is provided about existing financial and legal liabilities and obligations of the applicant arising from existing resource consent conditions, access arrangements, concessions and wildlife approvals. These existing documents provide a range of obligations relating to rehabilitation, compensation and offsetting (including financial obligations) associated with the land. Details of these particular obligations are required to assess the extent to which the applicants’ proposed effects management package is additional to, or is less than, its existing legal obligations.</i>
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			<i>The Project Overview states that "A trust is also being proposed that will enable funds to be gathered to ensure compensation obligations, such as the fenced areas, endure post mining cessation."</i> <i>The proposal does not provide adequate detail regarding:</i> <i>• Whether the trust is adequately funded to achieve the intended outcomes.</i> <i>• What the financial model is.</i> <i>• Who carries liability if the trust becomes insolvent.</i> <i>• How long compensation measures are expected to remain active.</i> <i>• Whether governance arrangements provide DOC with oversight or approval rights.</i> <i>• How the trust interacts with rehabilitation bonds and other financial assurance mechanisms.</i>
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			DOC also notes issues relating to the Bond letter and conditions lodged with the application. The bond concerns are not directly relevant to the sufficiency of this clause and instead will be passed onto the Panel. This clause was queried in RF12. An overview and detailed additions regarding the financial liabilities was included in the Applicants response. The detail provided is sufficient to satisfy this clause.
3(f)	in the case of an application where the land in question is a reserve managed by a local authority, confirmation that the local authority has provided written agreement for the activity to be undertaken on the reserve.	Chapter A.15 – Crown Minerals Act - Access Arrangements, Section 15.4, pages 1064 - 1101.	This clause was initially noted as N/A by the applicant; there is a statement on page 1059 of A.15: all land is Crown Land and administered by DOC or LINZ. However, DOC notes: “<i>Maps for Access Arrangement A.15B6 show Ngākawau–Hector Recreation Reserve, which is controlled and managed by Buller DC, but is Crown land. The landholder bundle identifies Section 13 Block I</i>

			<i>Ngākawau SD as Crown recreation reserve land intersected by the project. It lists the Ngākawau Hector Recreation Reserve, Lot 1 DP 3961, as adjacent, but contains no Council approval. (H.01 Affected and adjacent landowners bundle 2). The Buller District Council Heads of Agreement covers Council-owned roads and only records agreement in principle. The copy appears undated and unsigned, and it doesn't expressly approve activities on either reserve parcel. (F.02 BDC Heads of Agreement)."</i> This clause was queried in RF12. The response from the Applicant in RF12 confirmed the overlap and proffered a Licence to Occupy to satisfy the clause. This document is a written agreement from the Ngākawau-Hector Reserve Board on behalf of the local authority; however, it does not in itself satisfy
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			clause 3(f) for the following reasons: • The license to occupy does not demonstrate that the local authority (or its agent/representative) has provided written agreement for the activities described in the Application to be undertaken. • The license to occupy makes no reference to what the Applicant intends to do on the land. • The statement of the Applicant in response to RF12 does not provide reassurance that there is <u>written agreement for the activity to be undertaken on the reserve.</u> • The license to occupy pre-dates the application by
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			approximately seven years. It would be difficult to conclude without specific reference to the Applicant's activities, therefore, that it could provide specific written agreement to the activities now proposed by the Applicant. In my view, this clause is not satisfied upon the information available in the application and from the response to RF12.
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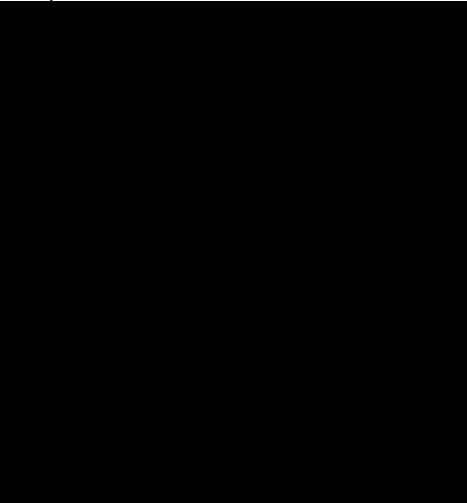
CHECKLIST I1 – Mineral mining permit

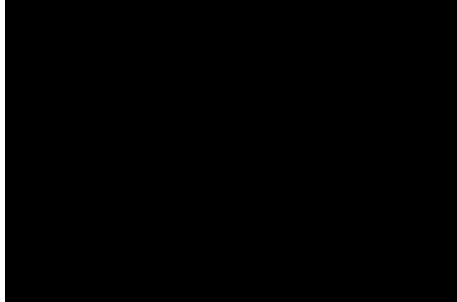
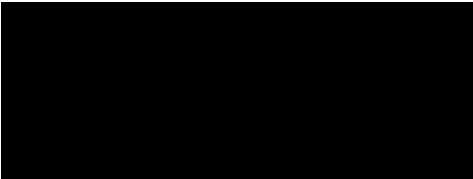
Clause, Schedule 11	Information required for an approval described in section 42(4)(n) (mining permit), clause 16 of Schedule 11	Application Reference	EPA
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16(a)	Information that would be required to be supplied under the Crown Minerals Act 1991, regulations, or minerals programmes made under that Act if the application for the permit were made under that Act	A.14 Chapter A.14 – Crown Minerals Act - Mining Permits, Section 14.4.3, pages 1048-1054; B.45 Stockton MP Application Technical Report, entire document; B.46 Mount Frederick South MP Application Technical Report, entire document; and B.47 Sullivan MP Application Technical Report, entire document.	N/A – information included in tables below.
16(b)	Statements of confirmation that the application complies with each of the criteria set out in sections 42(4)(n) and (11)	B.45 Stockton MP Application Technical Report, entire document; B.46 Mount Frederick South MP Application	Yes, as described. This information is covered in the below tables.

		Technical Report, entire document; and B.47 Sullivan MP Application Technical Report, entire document.	
16(c)	Section 37 allows the information for a mining permit application to be submitted to the chief executive of MBIE prior to submitting the substantive application. Confirm whether the information was provided to the chief executive under section 37 and If YES, provide details of any differences between the information provided for the purposes of section 37 and the information being provided in the substantive application.	A.14 Chapter A.14 – Crown Minerals Act - Mining Permits, entire chapter, pages 1036-1054; B.45 Stockton MP Application Technical Report, entire document; B.46 Mount Frederick South MP Application Technical Report, entire document; and B.47 Sullivan MP Application Technical Report, entire document.	N/A  

Section 42(11)	Information required under section 42(11)	Document Reference	EPA
(a)	the approval is sought for 1 or more deposits of 1 or more minerals	A.14 Chapter A.14 – Crown Minerals Act - Mining Permits, entire chapter, pages 1036-1054; B.45 Stockton MP Application Technical Report, entire document; B.46 Mount Frederick South MP Application Technical Report, entire document; and B.47 Sullivan MP Application Technical Report, entire document.	Yes, as described. 

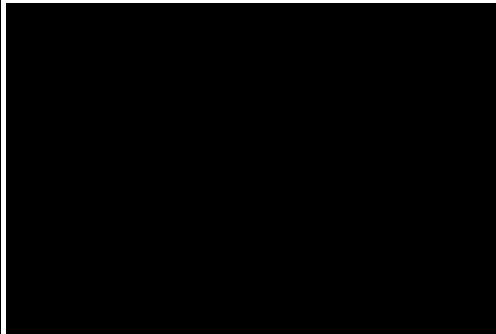
(b)	the applicant holds exploration permits or existing privileges that— (i) apply to those minerals; and (ii) have more than 3 months before they expire	A.14 Chapter A.14 – Crown Minerals Act - Mining Permits, entire chapter, pages 1036-1054; B.45 Stockton MP Application Technical Report, entire document; B.46 Mount Frederick South MP Application Technical Report, entire document; and B.47 Sullivan MP Application Technical Report, entire document.	Yes, as described. 
(c)	the area of land for which the approval is sought is within, or the same as, the area of land to which those exploration permits or existing privileges apply	A.14 Chapter A.14 – Crown Minerals Act - Mining Permits, entire chapter, pages 1036-1054; B.45 Stockton MP Application	This section was subject to an informal further information request on 25 August 2025; the information was provided in full on 27 August in the form of GIS Shape Files. These files in combination

		Technical Report, entire document; B.46 Mount Frederick South MP Application Technical Report, entire document; and B.47 Sullivan MP Application Technical Report, entire document.	with the application documents satisfy completeness of this clause. 
(d)	the application proposes that those exploration permits or existing privileges be surrendered in relation to the area of land over which the approval is sought	A.14 Chapter A.14 – Crown Minerals Act - Mining Permits, entire chapter, pages 1036-1054; B.45 Stockton MP Application Technical Report, entire document; B.46 Mount Frederick South MP Application Technical Report, entire document;	

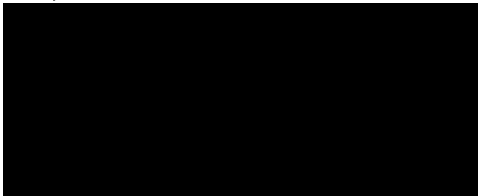
		and B.47 Sullivan MP Application Technical Report, entire document.	
(e)	the proposed term of the approval is no more than 40 years	A.14 Chapter A.14 – Crown Minerals Act - Mining Permits, entire chapter, pages 1036-1054; B.45 Stockton MP Application Technical Report, entire document; B.46 Mount Frederick South MP Application Technical Report, entire document; and B.47 Sullivan MP Application Technical Report, entire document.	Yes, seeking 40 years for all three permits.  

(f)	granting the approval would not be prevented by any of sections 25(6) and (7) and 30(8) of the Crown Minerals Act 1991 if the approval were applied for under that Act	A.14 Chapter A.14 – Crown Minerals Act - Mining Permits, entire chapter, pages 1036-1054; B.45 Stockton MP Application Technical Report, entire document; B.46 Mount Frederick South MP Application Technical Report, entire document; and B.47 Sullivan MP Application Technical Report, entire document.	This clause was queried in RFI 1. The information provided in response to RFI 1 satisfied this clause.
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Clause, Pt 3, Schedule 2, CMA Regs	Information that would be required under Part 3 of Schedule 2 of the Crown Minerals (Minerals Other than Petroleum) Regulations 2007 (CMA Regs) as required in clause 16(a) of Schedule 11 of the Act	Document Reference	EPA
1AA	The particulars of the person who is responsible for the application.	A.14 Chapter A.14 – Crown Minerals Act - Mining Permits, entire chapter, pages 1036-1054; B.45 Stockton MP Application Technical Report, entire document; B.46 Mount Frederick South MP Application Technical Report, entire document; and B.47 Sullivan MP Application Technical Report, entire document.	Yes, present as described (A.14).

1	A statement of the technical qualifications and financial resources of the applicant.	A.14 Chapter A.14 – Crown Minerals Act - Mining Permits, entire chapter, pages 1036-1054; B.45 Stockton MP Application Technical Report, entire document; B.46 Mount Frederick South MP Application Technical Report, entire document; and B.47 Sullivan MP Application Technical Report, entire document.	 This clause was queried in RFI 1 and RFI 3.
2	If the application is on behalf of 2 or more persons, an explanation of each person's interest in the permit (including the percentage of the share of the permit that each person will hold).	A.14 Chapter A.14 – Crown Minerals Act - Mining Permits, entire chapter, pages 1036-1054; B.45 Stockton MP Application	N/A – each permit is sought by one party. The applicant of each permit does differ.

		Technical Report, entire document; B.46 Mount Frederick South MP Application Technical Report, entire document; and B.47 Sullivan MP Application Technical Report, entire document.	
2A	If the application is on behalf of 2 or more persons, the proposed permit operator.	A.14 Chapter A.14 – Crown Minerals Act - Mining Permits, entire chapter, pages 1036-1054; B.45 Stockton MP Application Technical Report, entire document; B.46 Mount Frederick South MP Application Technical Report, entire document;	N/A – each permit is sought by one party. The applicant of each permit does differ.

		and B.47 Sullivan MP Application Technical Report, entire document.	
2B	The area of land to which the application relates (in hectares or square kilometres).	A.14 Chapter A.14 – Crown Minerals Act - Mining Permits, entire chapter, pages 1036-1054; B.45 Stockton MP Application Technical Report, entire document; B.46 Mount Frederick South MP Application Technical Report, entire document; and B.47 Sullivan MP Application Technical Report, entire document.	Yes, as described. 
2C	A statement that allows the [panel] to form a view as to whether the proposed permit operator has, or is highly likely to have, by	A.14 Chapter A.14 – Crown Minerals Act -	Yes, as described.

	the time the relevant work in any granted permit is undertaken, the capability and systems that are likely to be required to meet the health and safety requirements of all specified Acts for the types of activities proposed under the permit	Mining Permits, entire chapter, pages 1036-1054; B.45 Stockton MP Application Technical Report, entire document; B.46 Mount Frederick South MP Application Technical Report, entire document; and B.47 Sullivan MP Application Technical Report, entire document.	
3	A map of the permit area (as defined in Regulations 4 and 5 of the CMA Regs).	A.14 Chapter A.14 – Crown Minerals Act - Mining Permits, entire chapter, pages 1036-1054; B.45 Stockton MP Application Technical Report, entire document;	Yes, as described.

		B.46 Mount Frederick South MP Application Technical Report, entire document; and B.47 Sullivan MP Application Technical Report, entire document.	
4	The applicant's estimates of total in-ground resources.	A.14 Chapter A.14 – Crown Minerals Act - Mining Permits, entire chapter, pages 1036-1054; B.45 Stockton MP Application Technical Report, entire document; B.46 Mount Frederick South MP Application Technical Report, entire document; and B.47 Sullivan MP Application	Yes, as described.

		Technical Report, entire document.	
4A	A report that sets out the evidence for a mineable mineral resource or exploitable mineral deposit sufficient to support a mining permit that includes— (a) estimates of the mineable mineral resource or exploitable mineral deposit,— (i) which may include inferred, indicated, and measured resources or deposits and probable and proved reserves or deposits; and (ii) which, for an application for a Tier 1 mining permit, must be made in accordance with the Canadian National Instrument, the JORC Code, or the South African Code; and (b) a map showing the size and location of the resource or deposit; and (c) a description of the geology of the resource or deposit; and (d) if applicable, a description of the type of coal and its properties.	B.45 Stockton MP Application Technical Report, entire document; B.46 Mount Frederick South MP Application Technical Report, entire document; and B.47 Sullivan MP Application Technical Report, entire document.	Yes, as described.
4B	The following information to accompany the estimates prepared under item 4A(a)(ii):	B.45 Stockton MP Application Technical Report,	Yes, as described.

	(a) documentation on input data, methodology, quality control, and validation of the resource or deposit; and (b) a spatial definition of the areas to which the figures in the estimates apply; and (c) a statement of the criteria used to determine the estimates; and (d) a statement of whether the estimates are made on the basis of a scoping, pre-feasibility, or feasibility study, or on some other specified basis.	entire document; B.46 Mount Frederick South MP Application Technical Report, entire document; and B.47 Sullivan MP Application Technical Report, entire document.	
5	A statement of the proposed work programme that provides an overview of how the permit area will be worked that includes— (a) the size, nature, extent, and siting of the proposed mining operations; and (b) the proposed mining methods to be used; and (c) the proposed mining and production schedule; and (d) the expected production and long-term mining scheme for the mineable resource; and (e) the proposed start date for production; and	B.45 Stockton MP Application Technical Report, entire document; B.46 Mount Frederick South MP Application Technical Report, entire document; and B.47 Sullivan MP Application	Yes, as described.

	(f) any proposed prospecting or exploration work in relation to the permit area; and (g) the proposed expenditure under the permit; and (h) if applicable, the point of valuation for royalty purposes.	Technical Report, entire document.	
6	The applicant's mining feasibility studies, which include mine design, scheduling and production, resource recovery, and economic viability.	B.45 Stockton MP Application Technical Report, entire document; B.46 Mount Frederick South MP Application Technical Report, entire document; and B.47 Sullivan MP Application Technical Report, entire document.	Yes, as described. 
7	A report on the project economics of the operation. In particular, the report must include the financial viability, technical	B.45 Stockton MP Application Technical Report,	This clause was queried in RFI 1 and RFI 3.

	constraints, and proposed level of expenditure in relation to the scale and extent of the proposed operations.	entire document; B.46 Mount Frederick South MP Application Technical Report, entire document; and B.47 Sullivan MP Application Technical Report, entire document.	
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8	For an application for a Tier 1 mining permit, a report on any alternative mine development plans that have been identified, which must include details of the projected ultimate recovery of the resource under each plan and a statement as to why these options have not been pursued	B.45 Stockton MP Application Technical Report, entire document; B.46 Mount Frederick South MP Application Technical Report, entire document; and B.47 Sullivan MP Application Technical Report, entire document.	Yes, as described.
9	For an application for a Tier 1 mining permit for minerals other than gold or silver, or for a permit in relation to an area offshore, a report stating the ownership of the minerals (commonly known as a Land Mineral Status Report).	B.45 Stockton MP Application Technical Report, entire document; B.46 Mount Frederick South MP Application Technical Report, entire document; and B.47 Sullivan MP Application	Yes, described in Appendix 9 of all three permit documents.

		Technical Report, entire document.	
10	A statement as to whether the proposed mining operations are in accordance with good industry practice.	B.45 Stockton MP Application Technical Report, entire document; B.46 Mount Frederick South MP Application Technical Report, entire document; and B.47 Sullivan MP Application Technical Report, entire document.	Yes, as described.
11	A statement on any other matter the applicant considers relevant to support the application.	B.45 Stockton MP Application Technical Report, entire document; B.46 Mount Frederick South MP Application Technical Report, entire document;	N/A - not required for completeness assessment.

		and B.47 Sullivan MP Application Technical Report, entire document.	
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CHECKLIST J – Listed project information requirements

Section, Fast-track Approvals Act	Information required for a substantive application under section 43(2) and section 13(4)	Application Reference	EPA
13(4)(a)	a description of the project and the activities it involves	A.01 Chapter 01 - Project Wide Overview - Section 1.2, pages 22-25 ,Section 1.8, pages 45-55. A.04 Chapter 04 - Project Description - Pages 262-337.	Yes, as described.

13(4)(c)	information to demonstrate that the project does not involve any ineligible activities (other than activities that may be the subject of a determination under section 23 or 24)	A.01 Chapter 01 - Project Wide Overview - Section 1, page 56.	Yes, as described.
13(4)(d)	a description or map of the whole project area that identifies its boundaries in sufficient detail to enable consideration of the referral application	A.01 Chapter 01 - Project Wide Overview - Section 1, page 21 and 24.	Yes, as described.
13(4)(e)	the anticipated commencement and completion dates for construction activities (where relevant)	A.04 Chapter 04 - Project Description - Section, 4.3, Pages 264	Yes, as described.
13(4)(f)(i)	a statement of whether the project is planned to proceed in stages and, if so an outline of the nature and timing of the stages	A.04 Chapter 04 - Project Description - Section, 4.3, Pages 264	Yes, as described.
13(4)(h)	a description of the anticipated and known adverse effects of the project on the environment and the significance of those adverse effects	A.06 Chapter A.06 – Assessment of Environmental Effects, pages 402-543.	Yes, entire chapter as described.

13(4)(i)	a statement of any activities involved in the project that are prohibited activities under the Resource Management Act 1991	A.01 Chapter A.01 – Project Wide Overview (no prohibited activities are being applied for), pages 19-68.	N/A – no prohibited activities applied for.
13(4)(j)	a list of the persons and groups the applicant considers are likely to be affected by the project, including— (i) relevant local authorities: (ii) iwi authorities and groups that represent hapū that are parties to relevant Mana Whakahono ā Rohe or joint management agreements: (iii) other relevant iwi authorities: (iv) relevant Treaty settlement entities: (v) relevant protected customary rights groups and customary marine title groups: (vi) ngā hapū o Ngāti Porou, if the project area is within or adjacent to, or the project would directly affect, ngā rohe moana o ngā hapū o Ngāti Porou: (vii) relevant applicant groups under the Marine and Coastal Area (Takutai Moana) Act 2011:	A.05 Chapter A.05 – Application Approach and Structure, entire chapter, pages 338 - 401; F.01 BPCP Stakeholder and Community Engagement Report, entire report; F.03 Affected Party Approvals.	Yes, as described.

	(viii) persons with a registered interest in land that may need to be acquired under the Public Works Act 1981:		
13(4)(k)	a summary of— (i) the consultation undertaken for the purposes of section 29 and any other consultation undertaken on the project with the persons and groups referred to in paragraph (j); and (ii) how the consultation has informed the project:	A.05 Chapter A.05 – Application Approach and Structure, Section 5.3, pages 361-372; F.01 BPCP Stakeholder and Community Engagement Report, entire report.	Information relevant to section 29(1)(a) and (aa) is sufficiently contained with the Application. Requirements to satisfy section 29(1)(b) do not appear to be met. This section was queried in RFI2 and further consultation was conducted with LINZ and DOC. The Applicant and LINZ believe this section was completed sufficiently, DOC does not. I believe the pre-lodgement consultation detailed by the Applicant and described in response to RFI2 satisfies completeness of this section.
13(4)(ka)	a summary of how any responses provided to the notification under section 29(1)(aa) have informed the project	A.05 Chapter A.05 – Application Approach and Structure, Section	Yes, as described. This section is sufficiently answered and was not directly relevant to the application as consultation with all parties

		5.3, pages 361-372; F.01 BPCP Stakeholder and Community Engagement Report, entire report.	described in the application began prior to the FTAA amendments coming into force and therefore schedule 1 clause 11 of the FTAA applies.
13(4)(l)	a list of any Treaty settlements that apply to the project area, and a summary of the relevant principles and provisions in those settlements	A.09 Chapter A.9 – RMA Approvals – Statutory Assessment, Section 9.16.3, page 830.	Yes, as described.
13(4)(m)	a description of any processes already undertaken under the Public Works Act 1981 in relation to the project	N/A	N/A
13(4)(n)	a statement of any relevant principles or provisions in the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019	N/A	N/A
13(4)(o)	information identifying the parcels of Māori land, marae, and identified wāhi tapu within the project area	N/A	N/A – Statement in A.12 acknowledging that no wāhi tapu sites have been identified in the project footprint.
13(4)(p)	a statement of whether the applicant is seeking a determination under section 23 and, if so, an assessment of	N/A	N/A

	the effects of the activity on the relevant land and on the rights and interests of Māori in that land		
13(4)(q)	a statement of whether the applicant is seeking a determination under section 24(2) and, if so, a description of— (i) the scale and adverse effects of the existing electricity infrastructure; and (ii) how, if at all, that scale or those adverse effects are anticipated or known to change as a result of the maintenance, upgrading, or continued operation of the infrastructure	N/A	N/A
13(4)(r)	a statement of whether the applicant is seeking a determination under section 24(4) and, if so,— (i) a description of every alternative site considered by the applicant (or, if the referral application is lodged by more than 1 person, any of those persons) for the construction and operation of the new electricity lines (the activity); and (ii) for each alternative site considered,— (A) a statement of the anticipated and known financial cost of undertaking the activity; and	N/A	N/A

	(B) a description of the anticipated and known adverse effects of undertaking the activity; and (C) a description of the anticipated and known financial cost and practicality of available measures to avoid, remedy, mitigate, offset, or compensate for the anticipated and known adverse effects of the activity; and (D) a description of any issues (including financial cost) that would make it impractical to undertake the activity on the site; and (E) an assessment of whether it would be reasonable and practical to undertake the activity on the site, taking into account the matters referred to in subparagraphs (A) to (D) and any other relevant matters		
13(4)(s)	a description of the applicant's legal interest (if any), or if the application is lodged by more than 1 person, the legal interest of any of those persons) (if any), in the land on which the project will occur, including a statement of how that affects the applicant's ability to undertake the work	A.01 Chapter A.01 – Project Wide Overview, pages 19-68.	Yes, as described. Primarily on pages 25-26.
13(4)(t)	an outline of the types of consents, certificates, designations, concessions, and other legal authorisations (other than contractual authorisations or the proposed approvals) that the	A.01 Chapter A.01 – Project Wide	Yes, as described. Also present in A.03 (section 3.4.3, page 202).

	applicant considers are needed to authorise the project, including any that the applicant considers may be needed by someone other than the applicant	Overview, Section 1.8, pages 45-55.	
13(4)(u)	whether any activities that are involved in the project, or are substantially the same as those involved in the project, have been the subject of an application or a decision under a specified Act and,— (i) if an application has been made, details of the application: (ii) if a decision has been made, the outcome of the decision and the reasons for it:	N/A	This section was queried in RF12 due to commentary received from DOC during consultation. The Applicant responded (see pages 1-2 of RF12 response) detailing previous applications for access arrangements and resource consents. Upon the information available, this section has been answered sufficiently.
13(4)(v)	a description of whether and how the project would be affected by climate change and natural hazards	A.06 Chapter A.06 – Assessment of Environmental Effects, pages 402-543.	Yes, as described.
13(4)(w)	if the application is lodged by more than 1 person, a statement of the proposed approval to be held by each of those persons	A.01 Chapter A.01 – Project Wide Overview, pages 19-68.	Yes, as described (page 47-55 of A.01).

13(4)(x)	a summary of compliance or enforcement actions (if any), and the outcome of those actions, taken against the applicant (or if the application is lodged by more than 1 person, any of those persons) under a specified Act	A.09 Chapter A.09 – RMA Approvals - Statutory Assessment, Section 9.5.5, page 748.	Yes, as described.
13(4)(y)	Please provide the information specified below for the relevant approval(s) sought. This is the information specified in the relevant schedule.		
13(4)(y)(i), clause 2 of Schedule 5	Resource consent or designation (a) an assessment of the project against— (i) any relevant national policy statement; and (ii) any relevant national environmental standards; and (iii) if relevant, the New Zealand Coastal Policy Statement; and	A.09 Chapter A.09 – RMA Approvals – Statutory Assessment, pages 722-838.	Yes, as described (section 9.7 of A.09)
	(b) in relation to any proposed approval that is a resource consent, whether, to the best of the applicant’s knowledge, there are any existing resource consents of the kind referred to in section 30(3)(a).	A.09 Chapter A.09 – RMA Approvals – Statutory Assessment, pages 722-838.	Present in application but not as described – Primarily within A.03 and F.07.

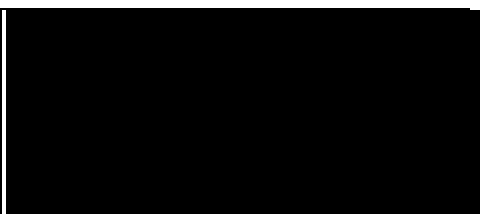
13(4)(y)(ii), clause 3 of Schedule 5	Change or cancellation of resource consent condition The information to be provided under section 13(4)(y)(ii) is information about whether and how the change or cancellation of the condition is material to the implementation or delivery of the project.	A.09 Chapter A.09, Section 9.6, Pages 759 - 765; A.08C, entirety of Appendix 8.C.	Yes, as described. BDC also notes: “<i>The application provides sufficient information on the proposed changes to the Cypress Mine consent conditions (RC030164) and the effects of those changes to satisfy the relevant requirements of clauses 5-9.</i>”
13(4)(y)(iii), clause 4 of Schedule 5	Certificate of compliance The information required to be provided under section 13(4)(y)(iii) is information that shows the activity that the certificate of compliance is intended to cover can be done lawfully in the particular location without a resource consent. Include information that shows that the activity that the certificate of compliance is intended to cover can be done lawfully in the particular location without a resource consent.	N/A	N/A
13(4)(y)(iv), clause 2 of Schedule 6	Concession (1) The information in subclause (2) is required to be provided under section 13(4)(y)(iv) if a proposed concession includes a lease and— (a) the lease would be for a term (including any renewals) that will or is likely to be more than 50 years; and	A.10 Chapter A.10 – Conservation Act and Reserves Act, Section 10.2, page 846.	Yes, as described. The Applicant is only seeking licences.

	(b) the granting of the lease would trigger a right of first refusal or a right of offer or return. (2) Confirmation that the applicant has written agreement from the holder of the right of first refusal or right of offer or return to waive that right for the purposes of the proposed lease.		
13(4)(y)(v), clause 23 of Schedule 6	Land exchange (1) The information required to be provided under section 13(4)(y)(v) is (a) - (e) below: (a) a description of both land areas proposed for exchange (for example, maps showing areas and location, addresses, and legal descriptions where possible:	N/A	N/A
	(b) the financial value of the land proposed to be acquired by the Crown:	N/A	N/A
	(c) a brief description of the conservation values of both pieces of land, including an explanation of why the exchange would benefit the conservation estate: <i>Guidance note: This must include an explanation of why the exchange would benefit the conservation estate; and details of anything registered or noted for conservation</i>	N/A	N/A

	<i>purposes on the record of title for the land to be acquired by the Crown (clause 23(1A) of Schedule 6)</i>		
	(d) if the land exchange would trigger a right of first refusal or a right of offer or return, confirmation that the applicant has written agreement from the holder of the right of first refusal or right of offer or return that the holder has agreed to waive that right for the purpose of the land exchange:	N/A	N/A
	(e) confirmation by the applicant that no part of any land to be exchanged by the Crown is – (i) land listed in Schedule 4; or (ii) a reserve declared to be a national reserve under section 13 of the Reserves Act 1977	N/A	N/A
13(4)(y)(vi), clause 4A of Schedule 5	Standard freshwater fisheries activity approval (4A) The information required to be provided under section 13(4)(y)(vi) is the following: (a) whether an in-stream structure is proposed (including formal notification of any dam or diversion structure) and the extent to which the proposed structure may impede fish passage; and (b) whether any fish salvage activities are proposed.	N/A	N/A

13(4)(y)(via), clause 2 of Schedule 9	Complex freshwater fisheries activity approval (2) The information required to be provided under section 13(4)(y)(via) is the following: (a) whether an in-stream structure is proposed (including formal notification of any dam or diversion structure) and the extent to which this may impede fish passage; and (b) whether any other complex freshwater fisheries activities are proposed.	A.13 Chapter 13 - Freshwater Fisheries and Dispensations - Section 13.3.1, pages 1005-1021 Section 13.2.2, page 1022, Section 13.3.3, page 1028	Yes, as described.
13(4)(y)(vii), clause 2 of Schedule 10	Marine consent (1) The information required to be provided under section 13(4)(y)(vii) is— (a) information about whether the Minister of Conservation is an affected person:	N/A	N/A
	(b) additional information about whether the applicant has already made an application for a consent under the EEZ Act in relation to the project, and, if so,— (i) details of any application made; and (ii) the decisions made on that application; and	N/A	N/A

	(iii) information about the matters that the Minister may consider under section 22(6):		
	(c) additional information (in a summary form) about compliance or enforcement action taken against the applicant by the EPA under the EEZ Act.	N/A	N/A
13(4)(y)(viii), clause 2 of Schedule 11	Access arrangement (1) Confirmation that the applicant has complied with section 29 (for the purposes of section 13(4)(y)(viii)).	F.06 - entire document	As above, this section was queried in RFI2. The confirmation is now accepted for completeness.

13(4)(y)(ix), clause 15 of Schedule 11	Mining permit (1) For the purposes of section 13(4)(y)(ix), the information is— (a) a copy of the relevant exploration permit or existing privilege to be exchanged for a mining permit that entitles the holder to mine a Crown owned mineral: (b) the name and contact details of the proposed permit participants and the proposed permit operator: (c) a proposed work programme for the proposed permit, which may comprise committed work, committed or contingent work, or both: (d) evidence of the technical or financial capability of the proposed permit holder to comply with and give proper effect to the work programme: (e) information about the proposed permit holder's history of compliance with mining or similar permits and their conditions: (f) the proposed date on which the substantive application is intended to be lodged: (g) if the authorised person proposes to provide information under section 37, the date on which the person intends to provide that information:	A.14 Chapter A.14 – Crown Minerals Act - Mining Permits, Section 14.4.3, pages 1036-1054; B.45 Stockton MP Application Technical Report, entire document; B.46 Mount Frederick South MP Application Technical Report, entire document; and B.47 Sullivan MP Application Technical Report, entire document.A.14 Chapter A.14 – Crown Minerals Act - Mining Permits, Section 14.4.3, pages 1036-1054; B.45 Stockton MP Application	
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	(h) the proposed duration of the permit: (i) if the proposed approvals include a mining permit for petroleum,— (i) a map of the area over which the mining permit application is intended to be made, the area in which the surrender of an exploration permit or existing privileges is proposed (which must be same area as the area over which the mining permit application is intended to be made), and the extent of the resource to which the development plan relates: (ii) the resources and reserves relating to the project, estimated in accordance with the Petroleum Resources Management System: (iii) a high-level overview of the following: (A) the proposed field development plan: (B) the proposed date for the commencement of petroleum production: (C) the economic model for the project: (D) the proposed duration of the proposed mining permit: (E) decommissioning plans:	Technical Report, entire document; B.46 Mount Frederick South MP Application Technical Report, entire document; and B.47 Sullivan MP Application Technical Report, entire document.	
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	(j) if the proposed approvals include a mining permit for minerals other than petroleum,— (i) a map of the area over which the mining permit application is intended to be made, the area in which the surrender of an exploration permit or existing privileges is proposed (which must be same area as the area over which the mining permit application is intended to be made), and the extent of the resource and reserves to which the development plan relates: (ii) for minerals other than gold or silver, a report or statement confirming the ownership of the minerals targeted: (iii) whether the application will be for a Tier 1 or Tier 2 permit: (iv) an estimate of the mineral resources and reserves relating to the project, including a summary on acquisition of the data and the data underpinning the estimate (such as information on sample locations, grade, and geology): (v) an indicative mine plan: (vi) a high-level overview of the following: (A) the proposed mining method:		
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	(B) the proposed date for the commencement of mining and estimated annual production: (C) the economic model for the project: (D) the status of or anticipated timing for completing any prefeasibility or feasibility studies: (E) the proposed methods for processing mined material and handling and treating waste: (F) anticipated plans for mine closure and rehabilitation. (2) For the purpose of subclause (1)(j)(iv), for a Tier 1 permit application the resources and reserves relating to the project are to be estimated in accordance with a recognised reporting code such as JORC or NI 43-101.		
43(2)(b)	if the project is planned to proceed in stages,— (i) an outline of the nature and timing of the stages; and (ii) a statement of whether a separate substantive application is to be lodged for each of the stages; and	A.01 Chapter A.01 – Project Wide Overview, pages 19-68; A.04 Chapter A.44 – Project	Yes, as described. One substantive application is sought.

	(iii) an explanation of how each stage meets the criteria in section 22:	Description, Section 4.3, pages 263-264.	
43(2)(c)	the information that the applicant provided to the Minister when applying to have the project listed as a listed project and an explanation of how the substantive application is within the scope of the listed project.	A.01 Chapter A.01 – Project Wide Overview, pages 19-68	This information was not provided with the lodged Application and was queried in RFI2. The Applicant responded with a link to the MfE webpage containing the information provided when the listed project was applied to be referred. Assessed as complete.

Appendix 2: Consultation Summary

The following agencies were consulted with to inform the assessment of the application for completeness. Each agency was requested to confirm whether the application documentation provided by the EPA regarding the proposal as provided by the applicant meets the requirements of sections 42 and 43 of the Act and is provided in sufficient detail to satisfy the purpose of the Act in accordance with section 44 of the Act.

1. Consultation with Buller District Council as the relevant consent authority for the following approvals under the Resource Management Act 1991:

- Resource consent (section 42(4)(a) of the Act)
- Change or cancellation of resource consent condition (section 42(4)(b) of the Act)

A response was received from Buller District Council (BDC) on 28 August 2026. In summary, BDC considers the application adequately addresses requirements of sections 42, 43 and 44 of the Act.

The full response can be found: [BDC](#)

2. Consultation with West Coast Regional Council as the relevant consent authority for the following approvals under the Resource Management Act 1991:

- Resource consent (section 42(4)(a) of the Act)
- Change or cancellation of resource consent condition (section 42(4)(b) of the Act)

A response was received from West Coast Regional Council (WCRC) on 31 August 2026. In summary, WCRC considers the application adequately addresses requirements of sections 42, 43, and 44 of the Act.

The full response can be found: [WCRC](#)

3. Consultation with the Department of Conservation as the administering agency for the following Acts:

- Concession that would otherwise be applied for under the Conservation Act 1987 (section 42(4)(e) of the Act)
- An approval, a dispensation, or an authorisation under the Freshwater Fisheries Regulations 1983 or the Conservation Act 1987 in respect of a complex freshwater fisheries activity (section 42(4)(j) of the Act)
- A wildlife approval as defined in clause 1 of schedule 7 of the Act (section 42(4)(h) of the Act)

- An initial access arrangement or a variation to an existing access arrangement that would otherwise be applied for under section 61 of the Crown Minerals Act 1991 (section 42(4)(l) of the Act)
- An access arrangement that would otherwise be applied for under section 61B of the Crown Minerals Act 1991 or a variation to an access arrangement granted under that section (section 42(4)(m) of the Act).

A response was received from DOC on 2 September. Further consultation with DOC occurred following receipt of RFI 2 from the Applicant, this can also be found in the folder below.

DOC's consultation documents can be found: [DOC](#)

In summary, DOC does not find the Application to be complete or adequately address the requirements of sections 42, 43, and 44 of the Act.

4. Consultation with the Heritage New Zealand Pouhere Taonga as the administering agency for an archaeological authority under the Heritage New Zealand Pouhere Taonga Act 2014 (section 42(4)(i)).

A response was received from Heritage New Zealand on 31 August 2026. The response can be seen below:



Competing Interests and Completeness check for project under the Fast Track Approvals Act 2024

Buller Plateaux Continuation Project, FTAA-2608-1279

Contact Details	
Organisation Name	Heritage New Zealand Pouhere Taonga (HNZPT)
Contact person	HNZPT Fast-track Team
Contact Number	(04) 470 8053
Email	fasttrack@heritage.org.nz

Introduction

1. On 24 August 2026, Bathurst Resources Limited, BT Mining Limited, Buller Coal Limited and Bathurst Coal Limited (the Applicant) lodged a substantive application for the Buller Plateaux Continuation Project (the Project) with the Environmental Protection Agency (EPA).
2. On 24 August 2026 the EPA requested feedback regarding completeness to determine whether the substantive application complies with section 46(2) of the FTA Act.
3. HNZPT has also undertaken a check for competing applications to assist in determining if there are any competing applications or existing resource consents under section 47 of the FTA Act.

Completeness Check

4. HNZPT confirms that all documentation has been provided that is required for an archaeological authority application.

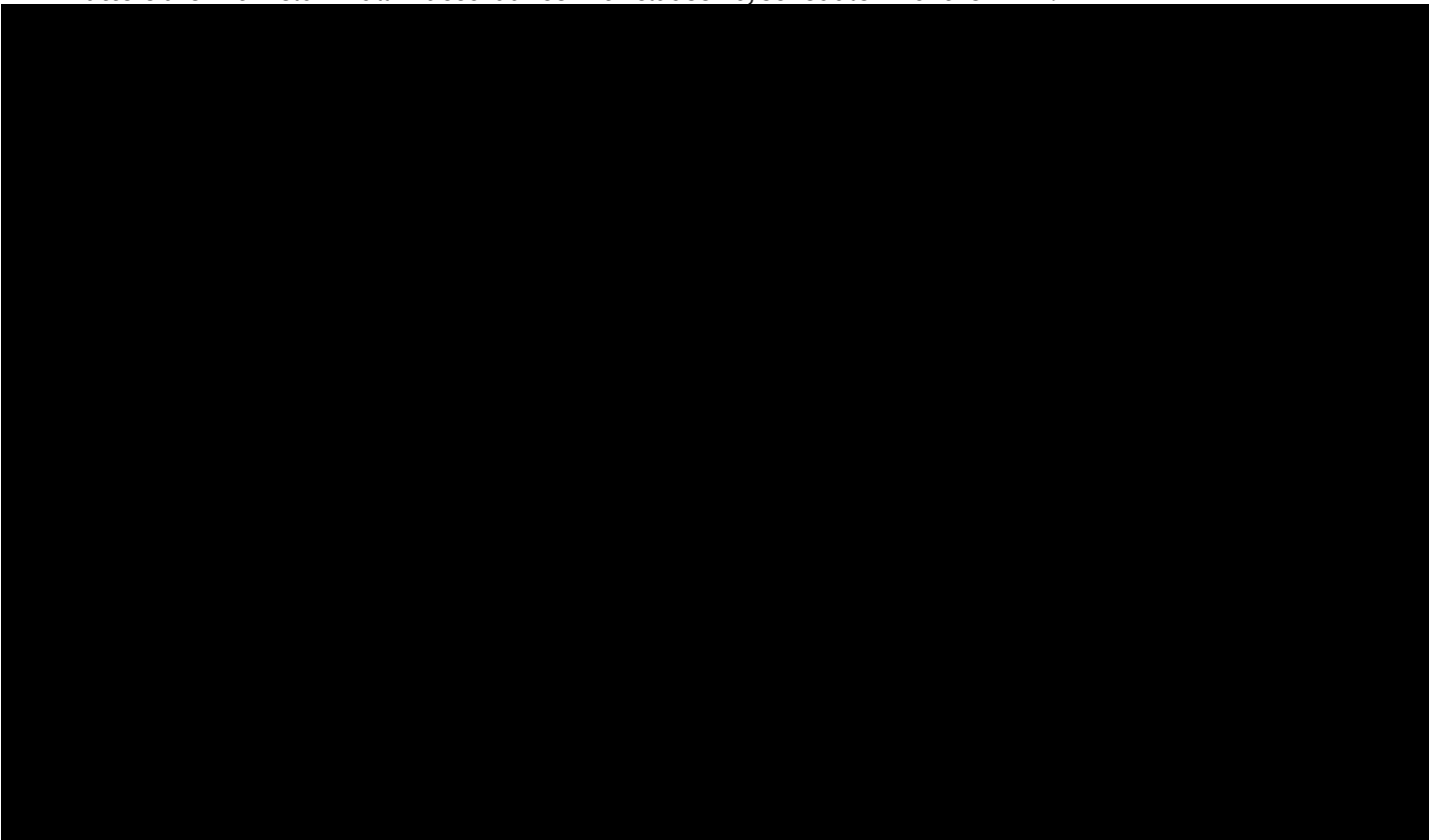
Competing Interests Check

5. HNZPT confirms that there are no current competing archaeological authority applications under the Heritage New Zealand Pouhere Taonga 2014 Act that relate to the same activity and site.

5. **Consultation with the Ministry of Business, Innovation, and Employment** as the administering agency or the following approvals under the Crown Minerals Act 1991:

- A mining permit that would otherwise be applied for under [section 23A](#) of the Crown Minerals Act 1991 (section 42(4)(n) of the Act).

We received a response to our request for consultation under the Act from MBIE on 31 August 2026. The response and all associated communications with MBIE and the Applicant on Mining Permit matters are withheld in full in accordance with clause 26, schedule 11 of the FTAA.



Appendix 3: Further information requests and responses

I sent three further information requests to the applicant during under section 46(2B) of the Act. The requests and responses are set out below.

Request for Further Information 1:

- Date sent: 3 September 2026
- Topic: Mining Permits
- Date of response: 9 September 2026

This request and its response are withheld in full in accordance with clause 26, schedule 11 of the Fast-track Approvals Act 2024.

Request for Further Information 2:

- Date sent: 11 September 2026
- Topic: section 43(2) of the Act requirements, matters in relation to access arrangements, matters in relation to concessions, matters in relation to Wildlife Act approvals, and matters in relation to complex freshwater fisheries approvals.
- Date of response: 18 September 2026

The second RFI and its response are available to view online here:

<https://www.fasttrack.govt.nz/projects/buller-plateaux-continuation/reports-and-advice>

Request for Further Information 3:

- Date sent: 16 September 2026
- Topic: Mining Permit clarifications
- Date of response: 18 September 2026

This request and its response are withheld in full in accordance with clause 26, schedule 11 of the Fast-track Approvals Act 2024.