14. CROWN MINERALS ACT APPROVALS APPLICATION – MINING PERMITS

14.1 INTRODUCTION

The purpose of the BPCP is to provide access to additional mining areas across the Buller Plateaux, to process coal using existing infrastructure, and to reconsent the authorised Stockton Mine, thereby sustaining Bathurst's export coal operations for up to 25 years, and furthermore authorising ongoing, monitoring, rehabilitation and management of residual effects.

In addition to consents and permits required for the BPCP being sought under the Resource Management, Wildlife, Conservation, Fisheries and Heritage Acts, as detailed in **Chapter A.1 – Project Overview**, approvals are required under the CMA.

The CMA approvals required for the BPCP are addressed in two Chapters: this **Chapter A.14 – Crown Minerals Act Approvals – Mining Permits**, and **Chapter A.15 – Crown Minerals Act Approvals – Access Arrangements**. These Chapters are intended to be read together (and alongside Chapters A.1–A.7). References to other, more specific Chapters are included where relevant and form part of these applications for mining permits. A full description of the Project and Project Site is provided in **Chapter A.4 – Project Description**, which explains the basis for the approvals sought.

Section 43(3)(m) of the Fast-track Approvals Act 2024 (FTAA) requires a substantive application for a mining permit to include the information specified in clause 16 of Schedule 11. This Chapter provides a high-level overview of those requirements and identifies where detailed supporting information is provided, primarily in the Mining Permit Application technical documents attached in **Part B** of this substantive application as documents **B.45, B.46** and **B.47.**

Accordingly, this **Chapter A.14 – Crown Minerals Act Approvals – Mining Permits** outlines the relevant mining permit requirements under the CMA, summarises the existing licences and permits held by Bathurst, and describes the permits and authorisations being sought. This Chapter is intended as a summary only and should be read alongside technical documents **B.45, B.46** and **B.47**, which contain the detailed application material necessary to fulfil this part of the application information requirements.

14.1.1 Description of the Proposal

Bathurst is proposing, as part of the BPCP, to apply for mining permits and associated access arrangements to enable mining activities across the Buller Plateaux to be continued

past the expiration of the current permits. Three mining permits are sought, as described in **Table 14-1** below.

Table 14-1: Mining Permits Sought as Part of the BPCP

Mining Permit Sought	Applicant	Description	Expiration of Permit
Stockton CML Replacement	BT Mining Limited	New mining permit sought as a replacement of CML 37 150 and ACML 31 750-02, which expire on 31 March 2027.	31 March 2027
Mount Frederick South	Buller Coal Limited	New mining permit sought as subsequent permit from within Exploration Permit 61 157.	15 July 2030
Sullivan CML Replacement	Bathurst Coal Limited	New mining permit sought as a replacement of CML 37 161 and ACMLs 37 161-2 and 37 161-3, which expire on 31 March 2027.	31 March 2027

To facilitate mining activities within mining permit areas (both existing and those sought), and where Bathurst is not the landowner, a total of seven access arrangements are required. These are detailed in **Chapter A.15 - Crown Minerals Act - Access Arrangements.**

Activities located outside the mining permit areas, but on Crown land administered by DOC, will require concessions. The applications and supporting information for those concessions are provided in **Chapter A.10 - Conservation Act and Reserves Act**.

14.2 MINING PERMITS UNDER THE CROWN MINERALS ACT

Under section 43(3)(m) of the Fast-track Approvals Act 2024 (FTAA), the application is required to provide the information that would otherwise be required for a mining permit application under the CMA, associated regulations, and relevant mineral programmes, and to demonstrate that the statutory criteria for the fast-track mining permit pathway are met.

This aligns with Schedule 3, Part 2 of the Crown Minerals (Minerals Other than Petroleum) Regulations 2007, which sets out the information required to accompany applications for Tier 1 and Tier 2 mining permits.

Table 14-2 below summarises, at a high level, how the information requirements are addressed in this application and identifies where more detailed supporting material is provided.

55 **Table 14-2: Information Requirements for Mining Permits**

Requirement	Response / Where Addressed
Applicant, permit participant, operator and responsible-person details	Addressed in Section 14.4.3 and provided in detail in the mining permit application documents attached to this substantive application as documents B.45, B.46 and B.47.
Permit area, maps, land status and existing authorisations	Sections 14.3–14.4, Figures 14-1 to 14-6, Table 14-1, and in the mining permit application documents attached to this substantive application as documents B.45, B.46 and B.47.
Resource, geology, coal quality, mineability and resource-estimation basis	Addressed in Sections 14.4.3.1 – 14.4.3.3 and detailed in the mining permit application documents attached to this substantive application as documents B.45, B.46 and B.47.
Work programme, mining method, production schedule, expenditure, feasibility and economics	Addressed in Sections 14.4.3.1 – 14.4.3.3, supported by Chapter A.1 – Project Wide Overview, and detailed in the mining permit application documents attached to this substantive application as documents B.45, B.46 and B.47.
Health, safety, environmental capability, good industry practice and other supporting matters	Addressed in the mining permit application documents attached to this substantive application as documents B.45, B.46 and B.47, with cross-references to Chapters A.1, A.4, A.10 and A.15.
Confirmation of compliance with section 42(4)(n) and section 42(11)	Addressed in the mining permit application documents attached to this substantive application as documents B.45, B.46 and B.47.
Differences between section 37 information and section 43(3)(m) information (if applicable)	Addressed through the application material and in the mining permit application documents attached to this substantive application as documents B.45, B.46 and B.47.
Particulars of the person responsible for the application	Provided in the mining permit application documents attached to this substantive application as documents B.45, B.46 and B.47.

Requirement	Response / Where Addressed
Technical qualifications and financial resources of the applicant	Provided in the mining permit application documents attached to this substantive application as documents B.45, B.46 and B.47.

Overall, the information summarised above demonstrates that the proposed mining permits are supported by defined coal resources, feasible and appropriately staged work programmes, and suitably qualified and resourced operators. Detailed technical, operational, environmental and economic information is provided in the mining permit application documents (attached to this substantive application as documents B.45, B.46 and B.47), which collectively confirm that the applications meet the requirements of the CMA framework and the FTAA pathway.

14.3 EXISTING CROWN MINERALS ACT APPROVALS

Under the CMA, Bathurst holds two active coal mining licences along with their ancillary licences, three mining permits and associated access arrangements and one exploration permit across the Project area. Each authorisation is held by one of the subsidiary companies that comprise Bathurst; however, as the mine operator (under the Health and Safety at Work Act 2015) in relation to the licences and permits, Bathurst is ultimately responsible for undertaking the work programme associated with each permit.

The permits held across the Project area are shown in **Figure 14-1** below and are described in **Table 14-3** below. A description of each permit is provided in **Sections 14.3.1 to 14.3.3** below.

As described in **Table 14-3** below, Bathurst is seeking replacement permits where the existing permits are due to expire in the next five years and for the remaining permits, with expiration dates beyond 2040, to be retained for ongoing use until their expiration.

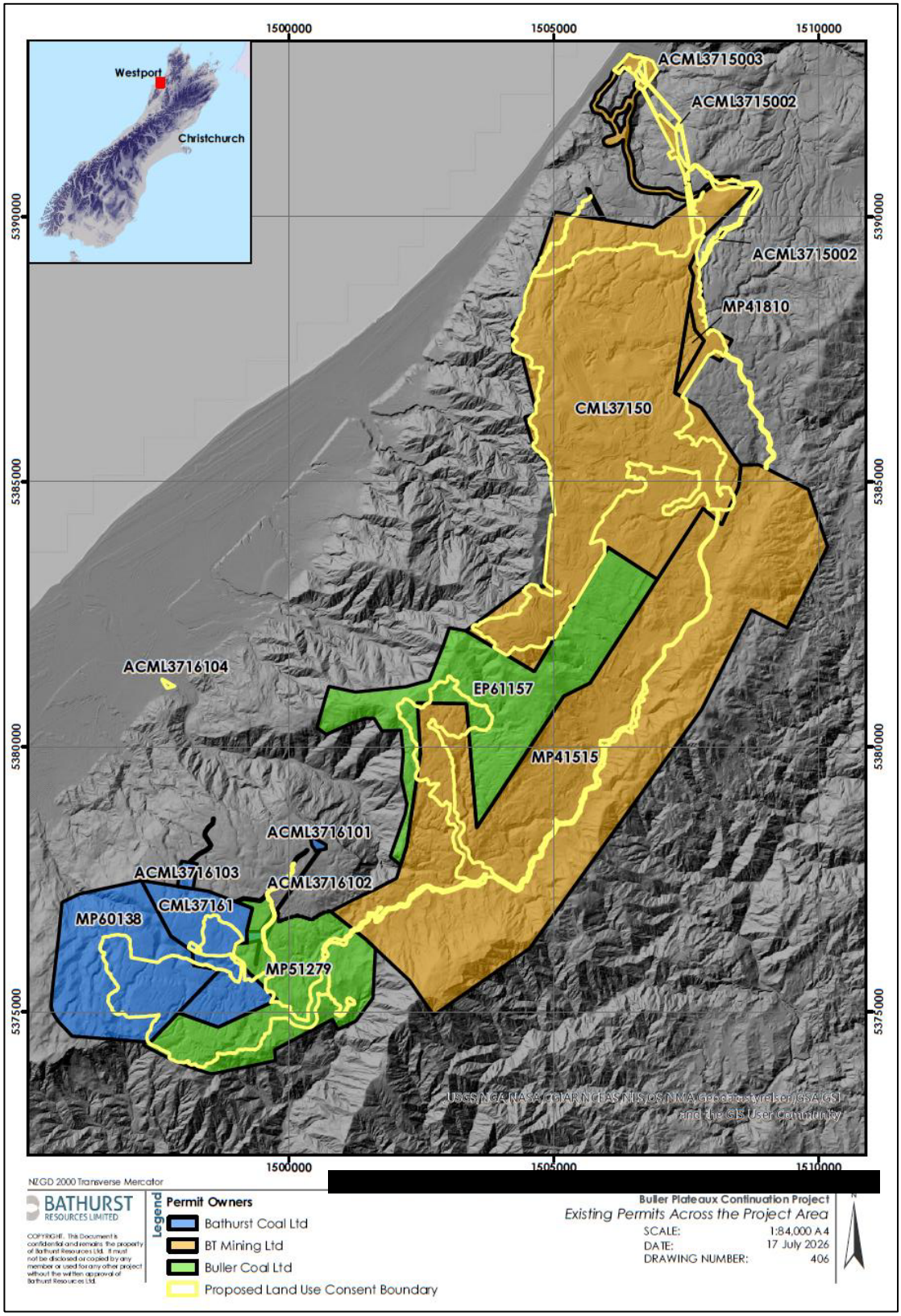

Figure 14-1: Approximate Areas of Existing Mining Permits and Licences across the BPCP

Table 14-3: Existing Mining Permits and Licences across the BPCP

Permit / Licence	Expiry Date	Landowner	Permit Holder	Status
Stockton Sub-area				
CML 37 150 and ACML 37 150-02, and ACML 37 150-03	31 March 2027	BT Mining Limited and DOC	BT Mining Limited	An application is being made to replace CML 37 150 and ACML 37 150-02 with a mining permit under the CMA.
MP 41 810	8 September 2040	DOC	BT Mining Limited	No changes proposed.
Upper Waimangaroa Haul Road Sub-area				
MP 41 515	11 March 2038	LINZ and DOC	BT Mining Limited	No changes proposed.
Mount Frederick South Sub-area				
EP 61 157	16 July 2030	LINZ and DOC	Buller Coal Limited	An application for a mining permit is being made for a portion of this EP under the CMA, with the balance to remain under the EP.
Escarpment Extended Sub-area				
MP 51 279	22 June 2047	DOC	Buller Coal Limited	No changes proposed.
MP 60 138	15 July 2065	DOC	Bathurst Coal Limited	No changes proposed.
CML 37 161 and ACMLs 37 161-01, -02, -03 and -04	31 March 2027	DOC	Bathurst Coal Limited	An application is being made to replace CML 37 161 and ACMLs 37 161-02 and -03 with a mining permit under the CMA.

Existing access arrangements are discussed in **Chapter A.15 – Crown Minerals Act Approvals – Access Arrangements**.

14.3.1 Stockton

The Stockton Mine is located on the Stockton Plateau, approximately 25 km to the northeast of Westport, and 5 km to the south of Ngākawau.

Bathurst currently operates the Stockton Mine under Coal Mining Licence 37 150 ("**CML 37 150**") and Ancillary Coal Mining Licences 31 750-02 ("**ACML 37 150-02**") and 37 150-03 ("**ACML 37 150-03**").[147] These licences are held by BT Mining Limited with 100% holding after a change in operator and transfer of interest of the permits were granted on 31 August 2017. These licences were granted for a term of 40 years commencing on 1 April 1987 and will expire on 31 March 2027.

CML 37 150 (shown with the ACML 37 150-02 and ACML 37 150-03 on **Figure 14-1** above) authorises operations across a majority of the existing Stockton Mine and that land is owned by BT Mining Limited. ACML 37 150-02 provides for the Aerial Ropeway from the Stockton Plateau to the Ngākawau Rail Loadout and the 2-5 haul road, and ACML 37 150-03 for the road access from Stockton to Ngākawau. ACML 31 750-02 and 31 750-03 are located on Crown land administered by DOC.

Mining Permit 41 810 (commonly referred to as the DOC triangle) is located on Crown land administered by DOC and is held by BT Mining Limited. It is located within the Plover Stream Conservation Area and is subject to section 25 of the Conservation Act 1987.[148] This mining permit was granted on 9 September 2004 and expires in 2040. There is one access arrangement associated with this mining permit, being 37 444, which permits limited mining and mining operations. This access arrangement is discussed further in **Chapter A.15 – Crown Minerals Act Approvals – Access Arrangements**.

14.3.2 Mount Frederick South and Upper Waimangaroa Haul Road

The MFS sub-area is located approximately 1 km to the south-west of the Stockton Mine, and the UWHR sub-area is located to the south-east of the Stockton Mine. The UWHR runs southwards within the UWHR sub-area, connecting to the ESE. A road junction in the lower portion of the UWHR connects to the southern portion of MFS.

[147] Bathurst also operates a portion of the Stockton Mine under Mining Permit 52 937, commonly known as No.2 South. This area is not located within the Project area and is excluded from the Project entirely.

[148] Information regarding this Conservation Area is provided in **Chapter A.10 – Conservation and Reserves Act** to this substantive application.

Within these two sub-areas, Mining Permit 41 515 and Exploration Permit 61 157 authorise mining and exploration activities, respectively, to be undertaken. These permits are detailed below:

- Mining Permit 41 515 (shown on **Figure 14-1** above) covers areas of the Cypress Mine[149] and the UWHR, and the majority of MFS. It was granted on 12 March 1998 and expires on 11 March 2038. It is located on Crown land administered by LINZ for which there are two access arrangements, 12984-1 and 19116-1 (which run for the life of the mining permit plus an unspecified follow-on period for the completion of rehabilitation obligations), with these covering a significant portion of the Mining Permit area. The Mining Permit also covers a very small piece of Crown land in the very south-west administered by DOC for which no access arrangement is currently held. These access arrangements are discussed in **Chapter A.15 – Crown Minerals Act Approvals – Access Arrangements.**
- Exploration Permit 61 157 (shown on **Figure 14-1** above) authorises exploration activities in the northern area (previously known as Deep Creek) of MFS. It is held by Buller Coal Limited and is located on Crown land administered by DOC and LINZ. The land administered by DOC is located within the Waimangaroa – Granity Conservation Area. This exploration permit expires in 2030. No access arrangements are currently held for this permit.

14.3.3 Escarpment Extended

The ESE sub-area is located on the Denniston Plateau and includes the existing Escarpment Mine.

Mining Permit 60 138 (known as Whareatea West, shown in on **Figure 14-1** above), was granted on 16 July 2025 with an expiry date of 15 July 2065 and is held by Bathurst Coal Limited. Mining Permit 51 279 (shown on **Figure 14-1** above), is held by Buller Coal Limited and permits Mining and Mining Operations at the existing Escarpment Mine. This permit was granted on 24 June 2010 and expires on 23 June 2047. Both mining permits are located on Crown land administered by DOC within the Mount Rochfort Conservation Area.

An adjacent area known as Sullivan operates under Coal Mining Licence 37 161 (shown on **Figure 14-1** above) and four Ancillary Coal Mining Licences (ACML 37 161-1, ACML 37 161-2,

[149] The northern portion of the Cypress Mine is located within the CML 37 150 permit area (for which the landowner is BT Mining Limited) and the remainder of the mine within the MP 41 515 permit area (for which the landowner is LINZ). For completeness, the Cypress area is not shown on figures shown in this Chapter as Mining and Mining Operations within the mine are not included as part of the BPCP.

ACML 37 161-3 and ACML 37 161-4). These licences are held by Bathurst Coal Limited and expire on 31 March 2027. Sullivan is located on Crown land administered by DOC within the Mount Rochfort conservation area.

145 Currently, a single access arrangement is held covering a portion of the existing Escarpment mining area in the ESE sub-area and is discussed in **Chapter A.15 – Crown Minerals Act Approvals – Access Arrangements**.

14.4 MINING PERMIT APPLICATIONS

14.4.1 Overview

150 Bathurst is applying for three mining permits across the Stockton, MFS and ESE sub-areas. Summaries of these applications are provided in **Sections 14.4.3.1 – 14.4.3.3**. The complete application documents, which provide the detailed information required under section 43(3)(m) of the FTAA and clause 16 of Schedule 11, are attached to this substantive application as documents **B.45, B.46** and **B.47**.

155 As stated above, Bathurst is applying for three new mining permits as part of the BPCP.

BT Mining Limited is applying for the Stockton mining area, namely the Stockton CML Replacement, to replace CML 37 150 and ACML 31 750-02[150] which expire on 31 March 2027.

At MFS, Buller Coal Ltd is applying for a new mining permit, named the Mount Frederick
160 South Mining Permit, as a subsequent permit to Exploration Permit 61 157.

At the ESE sub-area, an application is being made by Bathurst Coal Ltd to replace CML 37 161 and ACMLs 37 161-2 and 37 161-3[151] which expire on 31 March 2027.

The areas of these mining permit applications are shown below in **Figure 14-2.**

[150] ACML 37 150 -3 has been found to contain a large quantity of private coal and as such is not included in this application for the Stockton CML Replacement. However, the infrastructure within this area is to remain and be consented under the FTAA framework within this substantive application.

[151] Note that Bathurst is not seeking to include the areas authorised by ACML37161-1 and AMCL37161-4. A detailed review of the current area has found these are not required for mining or ancillary mining activities. This is detailed in Section 2.9.1 of the Sullivan MP Application Technical Report.

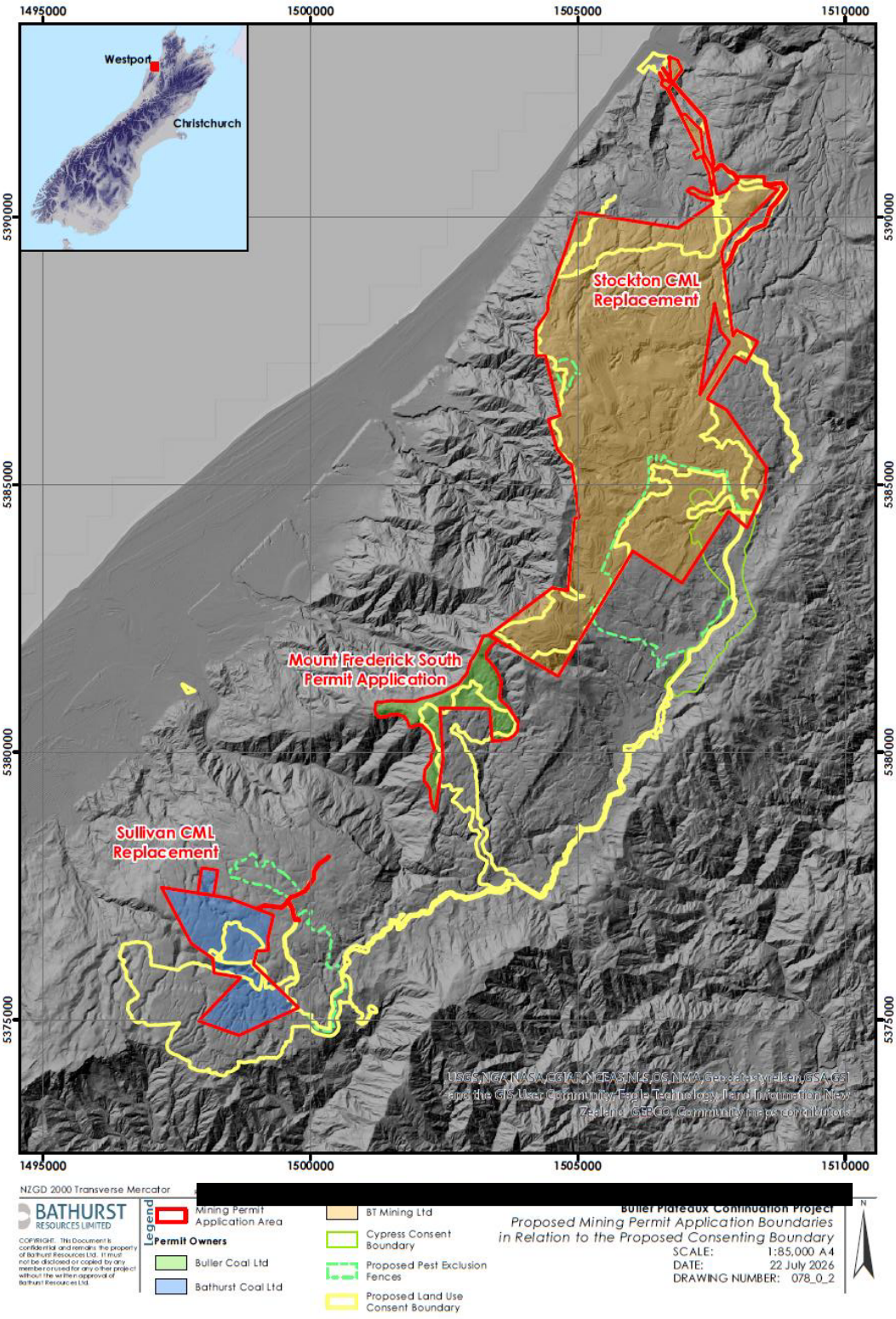

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Figure 14-2: Mining Permit Application Areas as part of the BPCP

14.4.2 Suite of Mining Permits

If the approvals sought for the BPCP are granted, then along with the existing mining permits, the following mining permits will be active across the Project area, as shown in **Figure 14-3** below:

Stockton

- A new mining permit for the Stockton Mine and the Aerial Ropeway and associated infrastructure; and
- Mining Permit 41 810 (DOC triangle);

ESE

- Mining Permit 51 279;
- A new mining permit (Sullivan); and
- Mining Permit 60 138 (Whareatea West);

MFS

- A new mining permit out of EP 61 157 (Mount Frederick South); and
- Mining Permit 41 515 which encompasses the southern portion of MFS;

UWHR

- Mining Permit 41 515 which covers part of the UWHR; and
- Mining Permit 51 279 which covers the rest of the UWHR.

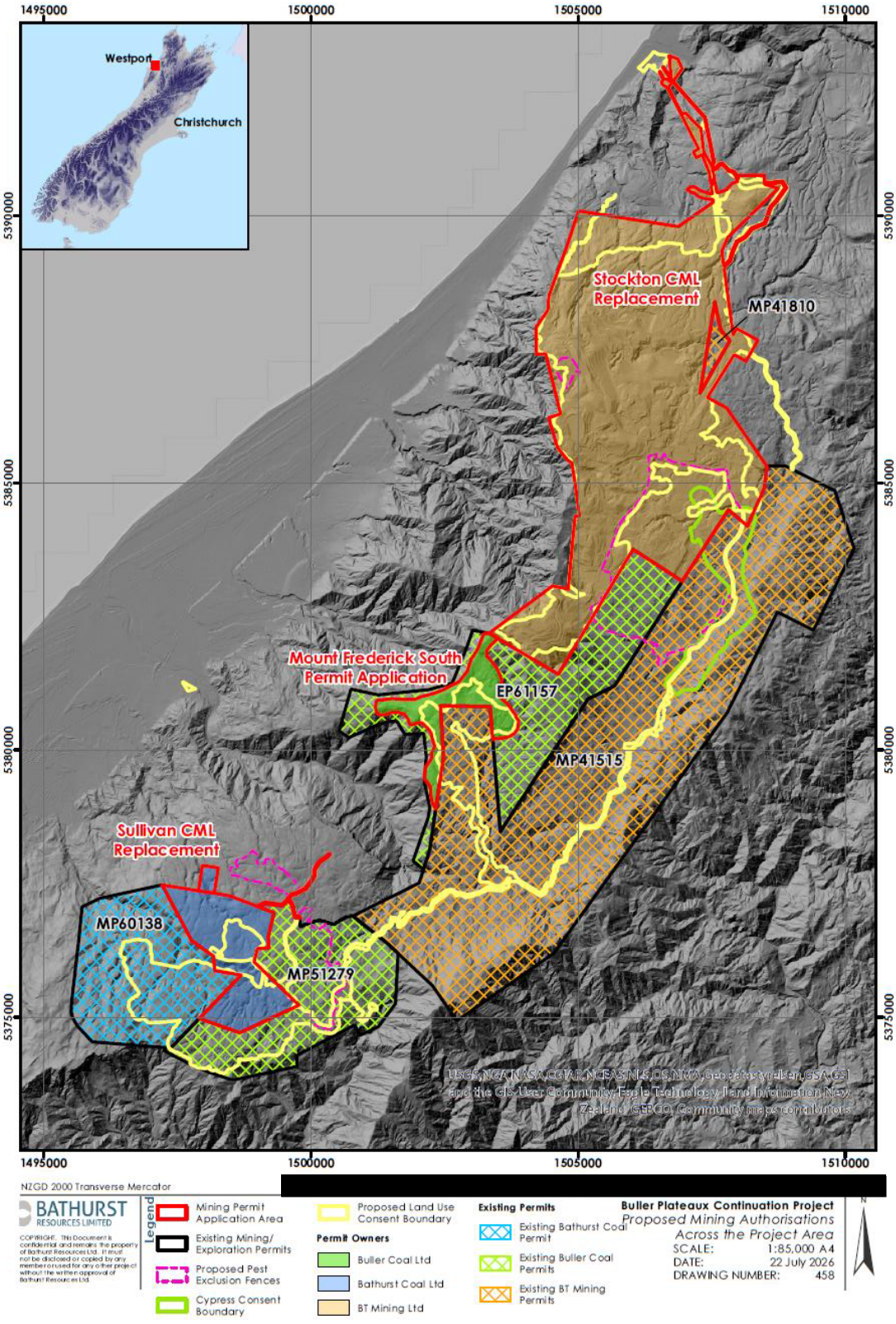

Figure 14-3: Suite of Mining Permits across the BPCP

14.4.3 Area Specific Applications

14.4.3.1 Stockton CML Replacement

BT Mining is seeking a mining permit to replace CML 37 150, and part[152] of ACML 37 150-02 as part of the BPCP. The CML and ACMLs, shown on **Figure 14-1**, cover 2,506.4 ha on the Stockton Plateau and are held by BT Mining. CML 37 150 is a Tier 1 permit, while ACML 37 150-02 and ACML 37 150-03 are Tier 2 permits. These licences were acquired by BT Mining on 31 August 2017 and expire on 31 March 2027.

BT Mining is applying for the Stockton mining permit to cover an area of 2,431.76 ha for the extraction of coal as shown in **Figure 14-4** below. BT Mining will be the sole permit participant and operator of the permit, and a term of 40 years is sought to enable the continuation of mining for up to 25 years and furthermore authorise ongoing mining operations.

The Stockton mining area covers land owned by BT Mining and Crown land administered by DOC, and some small sections of unformed legal road owned by the BDC. The majority of the mining permit area lies within BT Mining owned land. Access to the remainder of the land is being sought from DOC (through the FTAA application) and BDC (outside the FTAA process), as detailed in the applications for access arrangements in **Chapter A.15 – Crown Minerals Act Approvals – Access Arrangements**.

The Stockton Plateau is identified as having mainly greywacke and argillite rock overlain by BCMs, with one coal bearing horizon. The main seam of this coal horizon (M2) varies in thickness across the plateau, reaching up to approximately 15m in areas across the plateau. Mining has occurred across the Stockton plateau since the late 1800s. It is estimated that underground mining at the Millerton mine, from 1896 to 1969, produced approximately 10 million tonnes before closing. Other mining areas across the plateau have been developed for opencast and underground mining over the years, including Fly Creek, Webb Mine and McCabe's.

Infrastructure was developed across the plateau and at the Ngākawau Rail Loadout to enable processing and transportation of the coal from the plateau to market. Much of this continues to be in use today and is proposed to be utilised to process the coal mined across the BPCP.

[152] The permit sought includes only the areas of ACML 37 150-02 that cover land where crown owned minerals have been located.

Estimates of the current in-ground resource account for depletions due to the extent of historical mining. These include underground extraction, fire losses, contamination and mining losses. Estimates of the in-ground coal resource have been reported, applying a 25% ash cut-off, to total 12.9 in-situ million tonnes. Bathurst estimates that, of that mining resource, a marketable reserve is 2.5 million tonnes.

Bathurst proposes a production rate in excess 200,000 tonnes per annum and thus the permit will be a Tier 1 permit.

The comprehensive mining permit application for the Stockton CML Replacement to satisfy the requirements under section 43(3)(m) of Schedule 11, Clause 16 of the Act is attached to this substantive application in **Part B** as document **B.45**.

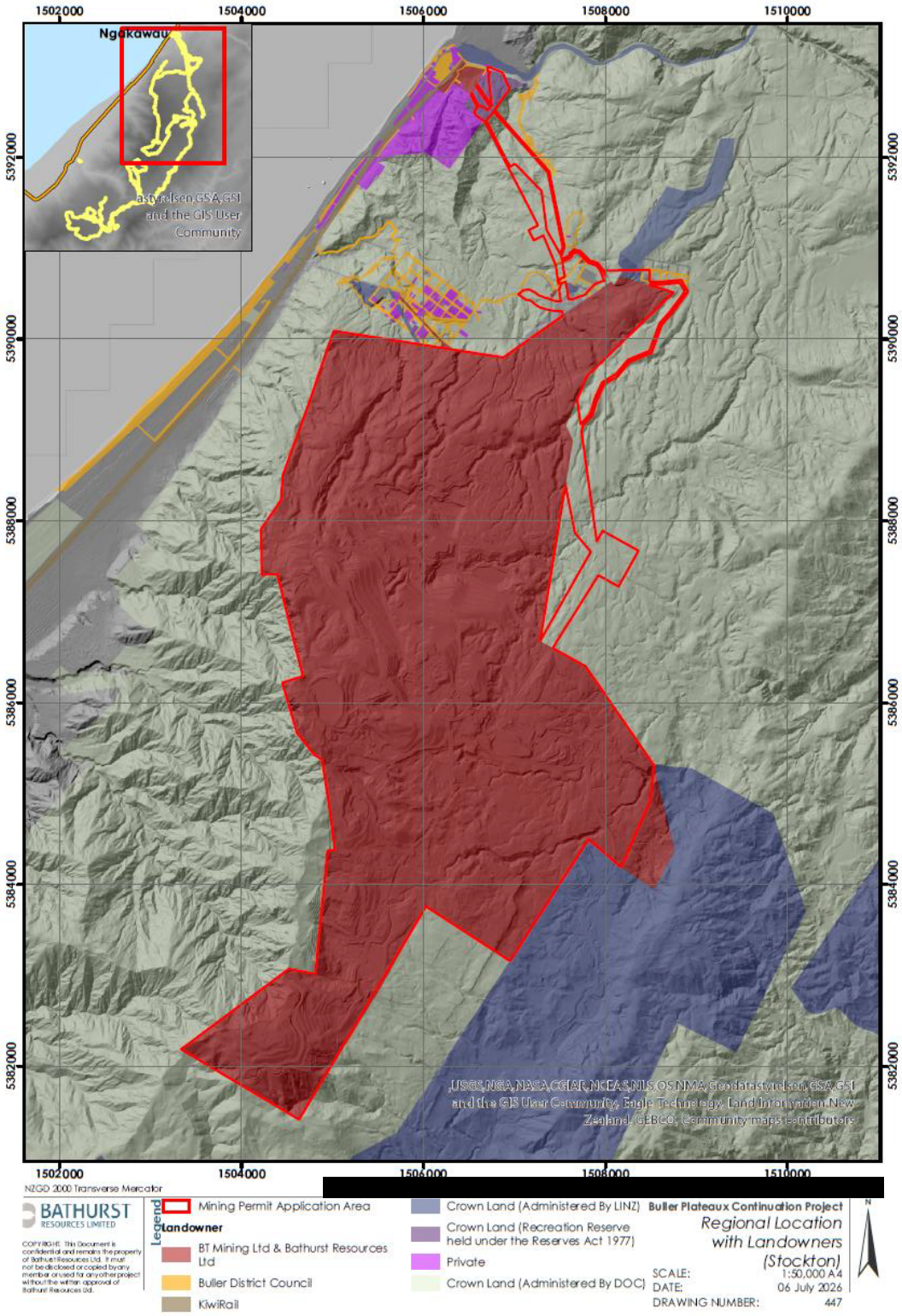

Figure 14-4: Stockton Mining Permit Application Area

14.4.3.2 Mount Frederick South Mining Permit Application (EP 61 157)

Bathurst is seeking to apply for a mining permit at Mount Frederick South as a subsequent permit to 61 157 as part of the BPCP.[153] Exploration Permit 61 157 (shown on **Figure 14-1** above) covers 914.86 ha and is owned by Buller Coal Limited as a Tier 2 permit. Buller Coal Ltd is applying for a mining permit to cover an area of 191.3 ha, as shown in **Figure 14-5** below. It will be the sole operator, holding 100% of the permit and is seeking a permit term of 40 years to enable the continuation of mining for up to 25 years and furthermore authorise ongoing mining operations.

The Mount Frederick South mining area is located on Crown-owned land administered by DOC and LINZ. An access arrangement is being sought as part of the BPCP from DOC and LINZ and is detailed in **Chapter A.15 – Crown Minerals Act Approvals – Access Arrangements**.

The proposed Mount Frederick South Mining Area, located at the western limit of the Buller Plateaux, is characterised by mainly greywacke and gneiss pre-tertiary basement rock overlain by BCMs. It has one major coal-bearing horizon, the Mangatini Seam (M). The seam can be split into an upper (M2) and lower seam (M1). M2 has a maximum thickness of 9 m and averages approximately 4 m. M1 only attains mineable thickness in the northern part of the Mount Frederick South block, with a maximum thickness of 6 m.

Although the areas of historical workings are well understood, no production records have been retained. It is estimated that approximately 2.5 million tonnes were produced before the mines in this area were abandoned, primarily due to the cost of transporting coal. Conservative assumptions have therefore been used to estimate the available coal resource within the application area. Applying a 35% ash cut-off, the in-situ mining resource is estimated at approximately 4.7 million tonnes. Bathurst estimates that the marketable reserve is approximately 1.0 million tonnes.

Bathurst proposes a production rate less than 200,000 tonnes per annum, and thus the permit will be a Tier 2 permit.

The comprehensive mining permit application for the Mount Frederick South Mining Area to satisfy the requirements under section 43(3)(m) of Schedule 11, Clause 16 of the Act is attached to this substantive application in **Part B** as document **B.46**.

[153] The balance of the EP 61 157 is intended remain in place as part of this progress to enable continued exploration for resource - Should the MFS Mining Permit be granted under the FTAA, Bathurst will seek to vary EP 61 157, in accordance with section 42(11)(d) of the FTAA, by surrendering the area covered by the MFS Mining Permit application. The surrender would be progressed separately under the Crown Minerals Act 1991.

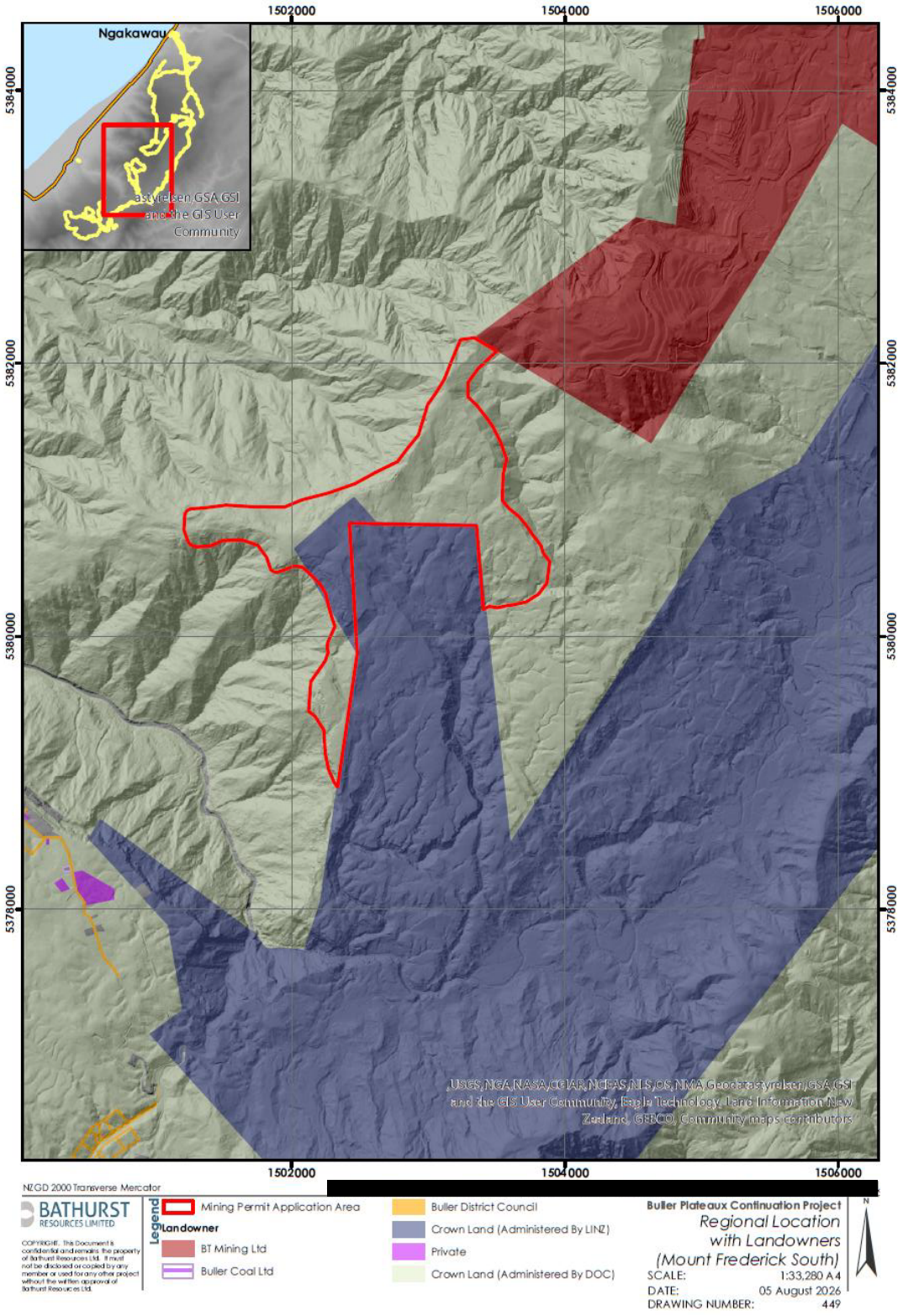

Figure 14-5: Mount Frederick South Mining Permit Application Area

14.4.3.3 Sullivan CML Replacement

Bathurst Coal Ltd is seeking a mining permit at the Sullivan mining area to replace CML 37 161, and ACML 37 161-02 and a portion of ACML 37 161-03, within the ESE sub-area as part of the BPCP.[154] CML 37 161 (shown on **Figure 14-1** above) covers 339.56 ha in the ESE sub-area and is operated by Bathurst Coal Limited as a Tier 1 permit. These licences expire on 31 March 2027.

Bathurst Coal Ltd is applying for the replacement mining permit to cover an area of 318.0079 ha, as shown in **Figure 14-6** below, to undertake open cast mining. Bathurst Coal Limited will remain the sole operator, holding 100% of the permit, and a term of 40 years is sought to enable the continuation of mining for up to 25 years and furthermore authorise ongoing mining operations.

The Sullivan mining permit area is located on Crown-owned land administered by DOC. Access arrangements are being sought as part of the BPCP and are detailed in **Chapter A.15 – Crown Minerals Act Approvals – Access Arrangements**. A small area of land on the north side of CML 37 161 is privately owned, and Bathurst has an encumbrance over this land allowing it to carry out its proposed operations. The Denniston Plateau, where the Sullivan mining permit area is located, is characterised by hard, cemented quartz sandstone which has protected underlying rock (Brunner Coal) from erosion. Within the mining permit area, the Brunner Coal Measures generally form a 70 – 80 m thick sequence of sandstones, mudstones and coal. The Coal Measure horizon within the proposed mining permit area contains one main seam (M2). M2 averages a thickness of 4m, ranging from up to 7.5m in thickened pods, down to 2m.

The proposed Sullivan mining area has had previous underground mining across the existing Sullivan and Whareatea areas, with a total production of approximately 4 million tonnes.

Bathurst proposes a production rate in excess of 200,000 tonnes of coal per annum for the next five years; therefore, this will be a Tier 1 permit.

The comprehensive mining permit application for the Sullivan CML Replacement to satisfy the requirements under section 43(3)(m) of Schedule 11, Clause 16 of the Act is attached to this substantive application in **Part B** as document **B.47**.

[154] Ancillary Coal Mining Licenses 37 161-01 and 37 161-04 are not covered by this mining permit application.

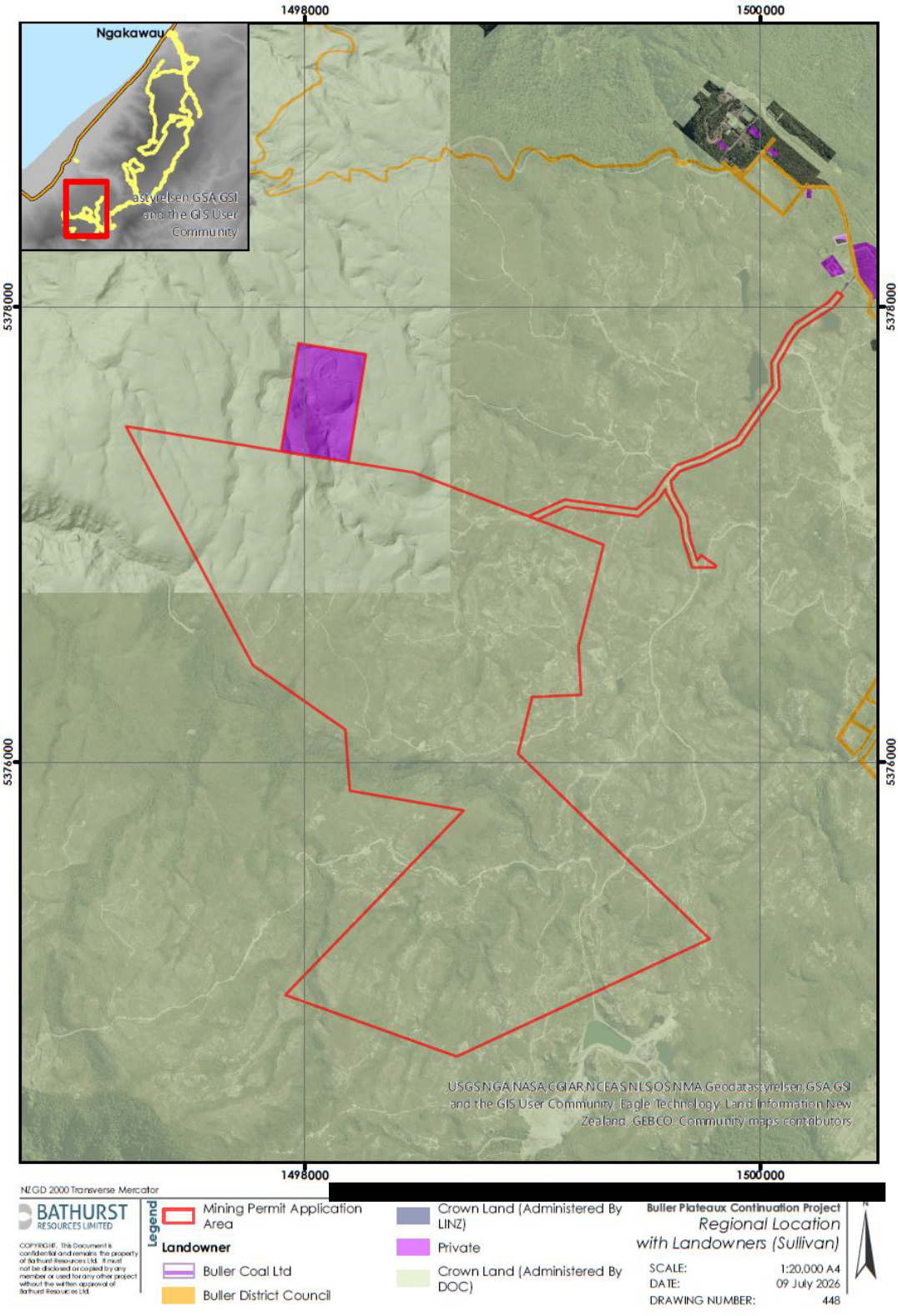

Figure 14-6: Sullivan Mining Permit Application Area