

Decision under section 46 of the Fast-track Approvals Act 2024**September 2026****DECISION ON COMPLETENESS AND SCOPE for the Buller Plateaux Continuation Project (FTAA-2608-1279) under section 46 of the Fast-track Approvals Act 2024**

1. This document records the EPA's decision on whether the substantive application submitted by Bathurst Coal Limited, Bathurst Resources Limited, BT Mining Limited, and Buller Coal Limited on 24 August 2026 complies with section 46 of the Fast-track Approvals Act 2024 (the Act).
2. In consultation with all relevant administering agencies and relevant consent authorities and in consideration of the completeness and scope requirements of section 46 of the Act, I have determined that the substantive application for *Buller Plateaux Continuation* **does not comply** with all the requirements of section 46(2) of the Act.
3. The reasons for the EPA's decision that the application does 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:

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.

The Applicant has not provided confirmation that the local authority has provided written agreement for the activity to be undertaken on the reserve.

Conflict of interest

4. The EPA Board has delegated the decision-making power in section 46 to me under an instrument of delegation dated 31 March 2026. I confirm that I do not have any conflict of interest in respect of this application that would prevent me making this decision.

SignedA handwritten signature in black ink, appearing to be 'Daya Thomson', written over a horizontal line.

Daya Thomson
Team Leader under delegated authority

Dated: 23 September 2026