

[REDACTED]

From: Megan Barr [REDACTED]
Sent: Monday, 21 September 2026 6:40 pm
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Buller Plateaux Continuation - Applicant response to RFI 2

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Kia ora [REDACTED],

DOC's comments on **Complex Freshwater Fisheries** are:

1. The applicant responded to the questions and provided useful further information. However, DOC is still unable to agree that the information has fully been provided around Schedule 9 clause 3 (a) for questions of fish passage provision or dispensation at culverts.
2. Regarding clean water diversions, the request for dispensation for fish passage makes sense to the extent that these diversions will provide no suitable aquatic habitat for wildlife.
3. Regarding other fish passage-related issues, clause 3(a) requires, 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.

This information is mostly provided for 12 culverts for which kōura passage is sought, except clauses (v) and (vi), which are not provided at each of these structures. The information is not provided at other structures where dispensation is sought (I note that in some cases dispensation is requested as a precautionary approach, but fish passage will be considered "wherever practicable"). The Applicant considers that clause 3(a) does not require this level of detail and that general principles of design and dispensation suffice to understand the proposed structures. DOC is not convinced that this is the standard set by clause 3 for the purpose of the completeness check, including for structures for which dispensation is sought.

Note: While it is possible that providing conditions that enable adaptive design of fish facilities as the project gets underway may be acceptable to the Panel, the information requested in clause 3 (a) has been provided in detail in other Fast-track applications at the completeness check stage.

Ngā mihi | Kind regards,

Megan Barr

Fast-Track Consultant
[REDACTED]

From: [REDACTED]
Sent: Monday, 21 September 2026 5:22 pm
To: Megan Barr [REDACTED]
Cc: [REDACTED]
Subject: RE: Buller Plateaux Continuation - Applicant response to RFI 2

Thanks Megan, confirming receipt.

Can I please confirm when we would expect the Complex Freshwater Fisheries information?

Ngā mihi nui,

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]



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From: Megan Barr [REDACTED]
Sent: Monday, 21 September 2026 5:04 pm
To: [REDACTED] >
Cc: [REDACTED]
Subject: RE: Buller Plateaux Continuation - Applicant response to RFI 2

Kia ora [REDACTED],

Thank you for sharing the Applicant's response to the second RFI with DOC. We have reviewed the response and provide the following comments on the information submitted.

Requirements of s 29(1)(b) FTAA and s59(1) and (2) CMA.

- These require the specified information to be provided to DOC (and LINZ) "before lodging a substantive application". But most of the documents referred to by the applicant were not provided until after lodging the application.
- Draft application documents (the application and AEE etc) was not provided to DOC prior to lodgement. Some draft reports were provided, but not the complete application. Specific parts referred to by the applicant as containing relevant information to meet the requirements of s 59 CMA was not provided prior to lodgement, e.g. Ch 1 project wide overview, ch 6 Assessment of Environmental Effects and s 15.4 Crown Minerals Act approvals, were not received by DOC until after lodgement.
- These documents, and Ch 7 Management and Monitoring of Adverse Effects do not address or describe the compensation to be paid by the Applicant for access to the land for mining, as required under s 59(2)(d).