Memorandum



Date: 29 November 2024

Re: Buller Coalfield Zone 2: Stockton Mine

1.0 Notified BCZ

A map of the notified Buller Coalfield Zone (BCZ) at Stockton Mine is included in Figure 1 below and attached in Appendix 1.

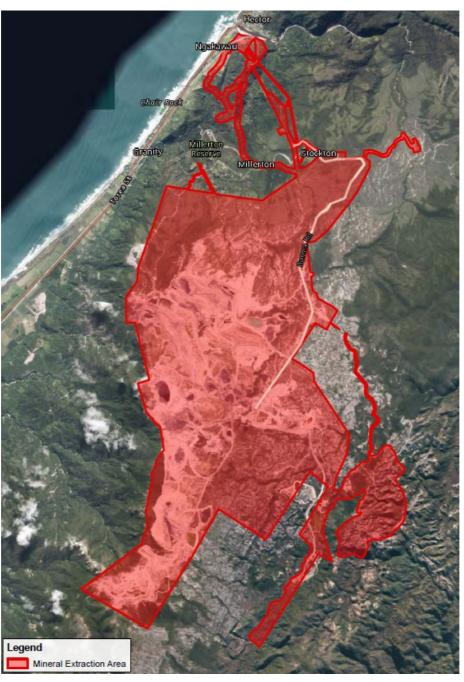


Figure 1: Notified BCZ at Stockton Mine.

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2.0 Submissions

2.1 Amend

Bathurst Resources Limited and BT Mining Limited (S491.053 and S491.034) seek to ensure the maps include all areas in Appendix 1 of their submission (**Figure 2**). The submitter seeks to amend the Open Space Zone boundaries in the Buller Plateau to add the upper Waimangaroa Valley to the BCZ. This is supported in part by Bathurst Resources Limited and BT Mining Limited (FS89.004).

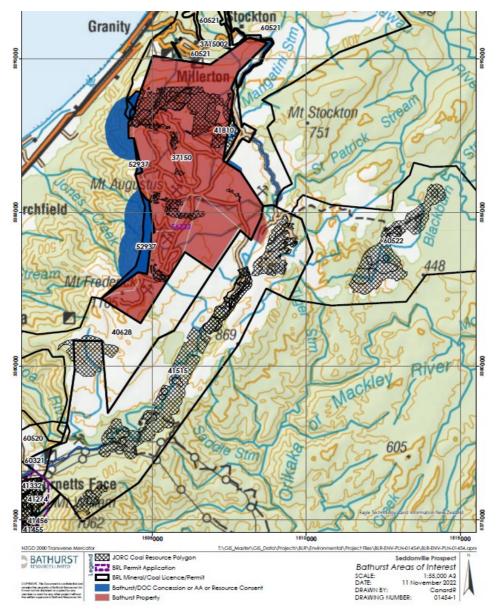


Figure 2: Extract from Submission S491.

Department of Conservation (S602.221) seeks to amend the mapping of the MINZ and the BCZ overlay to exclude any areas in the zone that do not have current authorisation for mining activity through the Coal Mining Act 1979 or resource consent under the RMA. This is opposed by Bathurst Resources Limited and BT Mining Limited (FS89.033).



2.2 Oppose

John Caygill (S290.011) seeks to remove the BCZ from all public conservation land. The submitter has provided a description of the important species within the Denniston-Stockton plateau within their submission.

3.0 Evidence

3.1 Bathurst Resources Limited and BT Mining Limited (S491)- Mitchell Daysh Limited

Evidence was received from Claire Hunter of Mitchell Daysh Limited on behalf of Bathurst Resources Limited and BT Mining Limited in regard to the notified BCZ for Stockton Mine. Ms Hunter cites that the Bathurst submission seeks the planning maps to be amended to cover all areas where they have existing land use authorisation for mineral extraction and related activities as shown in the maps attached as Annexure B of her evidence (**Figure 3**). It is noted that the map provided identifies RC10055/1-4, RC11043, RC 030164 and WC-36979-OTH as the authorisation mechanisms that authorise mining activities in the areas sought to be added to the BCZ. No copies of these Resource Consent were provided alongside the evidence. However, copies of RC10055/1-4, RC11043, and RC 030164 were provided by Buller District Council and West Coast District Council and discussed below. No copy of WC-36979-OTH has been supplied and has not been considered in this review.



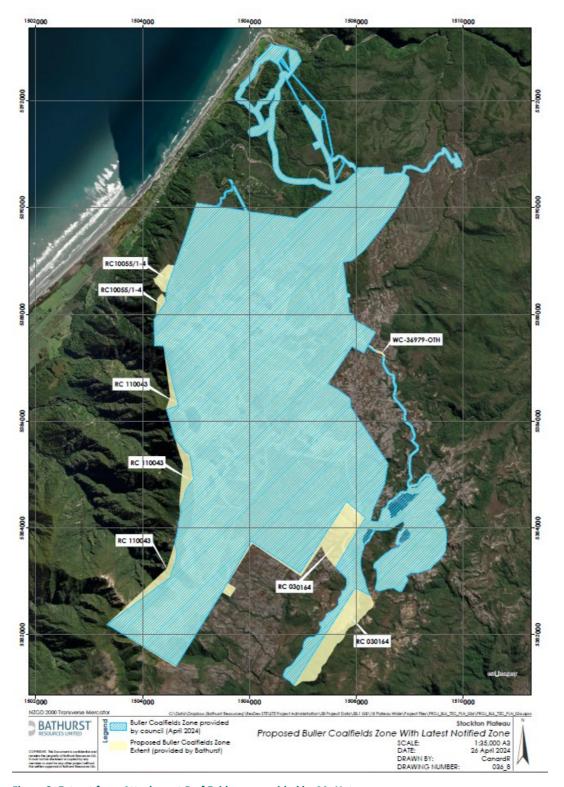


Figure 3: Extract from Attachment B of Evidence provided by Ms Huter.

3.2 Bathurst Resources Limited and BT Mining Limited (S491) – Memorandum of Council

Further Evidence was received via Memorandum of Counsel from Christina Sheard and Joshua Leckie on behalf of Bathurst Resources Limited and BT Mining Limited in relation to the notified BCZ for Stockton Mine. They have provided maps that identify the authorisation mechanisms, in the

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form of CML, ACML and recourse consents, which establish the areas with authorisation to operate a mining activity within and adjacent to the notified BCZ.

- Annexure C of the memorandum provides a map that identifies the resource consents that provide authorisation at Stockton Mine (Figure 4). However, no copies of these were provided with the evidence. Copies of RC100064, RC11132, RC030164 and RC11043 were provided by Buller District Council and West Coast District Council and discussed below. No copies of RC07145, RC110623 or RC100088 have been supplied and have not been considered in this review.
- Annexure D of the memorandum provides a map that identifies the Coal Mining License (CML) and Auxiliary Coal Mining Licenses (ACML) at Stockton Mine (Figure 5). These are mapped as CML37150, ACML 37150-02 and ACML37150-03. Copies of these CML and ACMLs were provided with the evidence and discussed below.



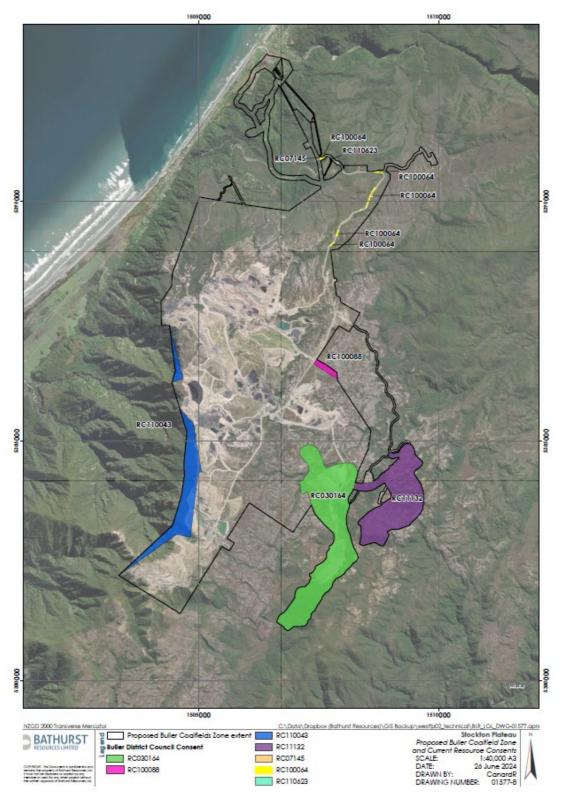


Figure 4: Extracted Evidence from Bathurst Resources Limited and BT Mining Limited - Memorandum of Council.



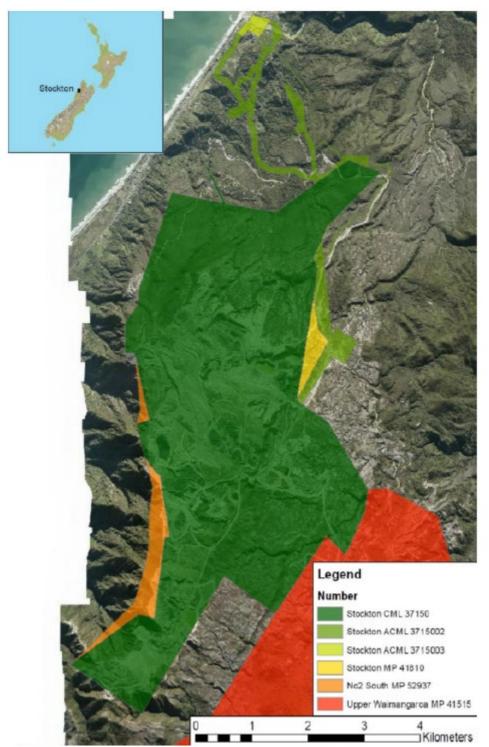


Figure 5: Extracted Evidence from Bathurst Resources Limited and BT Mining Limited - Memorandum of Council.

In conjunction with the evidence from Bathurst Resources Limited and BT Mining Limited, as discussed above, a copy of the following was provided:

3.2.1 CML 37150

This document grants the licensee the exclusive rights for coal mining purposes in relation to the 2310.3ha of land listed as Scenic Reserve being Section 4, Block VII, Ngakawau Survey District; State

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Forest being Section 1, SO 14249 situated in Blocks VI and Ngakawau Survey District; Crown Land being Section 1, SO 14250 situated in Blocks VI, VII, X and XI Ngakawau Survey District; Crown Land situated in Blocks X and XI Ngakawau Survey District; Crown Land Town of Millerton situated in Blocks VI and X Ngakawau Survey District; Land set apart for Part III Coal Mines Act 1925 and State Coal Mines Purposes Land both situated in Block X Ngakawau Survey District and Legal Road situated in Block VI Ngakawau Survey District, Nelson Land District, Buller District. A map outlining the boundary of these legal descriptions was provided with the CML document (**Appendix 2**). The document provides that the CML 37150 commenced on 01 April 1987 and has a term of 40 years. See **Figure 6** below for an approximation of the subject site (outlined in purple) in relation to the notified BCZ at Stockton Mine.

3.2.2 ACML 37150-02

This document grants the licensee the exclusive rights for coal mining purposes in relation to the 11.3335ha of land listed as Section 10 Block VII Ngakawau Survey District; Part Section 3 and Sections 10, 11 and 12, Recreation Reserve being Section 13 and leasehold land being Section 18 and all Block I Ngakawau Survey District; Crown Land being sections 18, 20, 21 and 22 Block VI Ngakawau Survey District; Scenic Reserve being Part Section 6 and Sections 3 and 4, Crown Land being Part Sections 11 and Sections 12 and 52 all Block VII Ngakawau Survey District, Crown Land situated in Blocks I, II, VI and VII Ngakawau Survey District, Railway Land situated in Block I Ngakawau Survey District and Legal Road situated in Blocks I, II, VI and VII Ngakawau Survey District Buller District, Nelson Land District. A map outlining the boundary of these legal descriptions was provided with the ACML document (Appendix 3). The document provides that ACML 37150-02 commenced on 01 April 1987 and has a term of 40 years. See Figure 6 below for an approximation of the subject site (outlined in pink) in relation to the notified BCZ at Stockton Mine.

3.2.3 ACML 37150-03

This document grants the licensee the exclusive rights for coal mining purposes in relation to the 11.6ha of land listed as Part Section 1A, Square 143 situated in Block I Ngakawau Survey District, Sections 15 and 30 and Part Sections 16 and 17 Block I Ngakawau Survey District; Leasehold land being Section 54, Block I Ngakawau Survey District; Crown Land being Part Section 1A, Square 143 situated in Block I Ngakawau Survey District, Buller District, Nelson Land District. A map outlining the boundary of these legal descriptions was provided with the ACML document (Appendix 4). The document provides that ACML 37150-03 commenced on 01 April 1987 and has a term of 40 years. See Figure 6 below for an approximation of the subject site (outlined in dark purple) in relation to the notified BCZ at Stockton Mine.

3.3 Campbell Robertson and Christina Sheard

Evidence was received from Campbell Robertson and Christina Sheard in regard to the notified BCZ at Stockton Mine. This evidence cites the following authorisation mechanisms that can confirm a lawfully established activity in the notified BCZ at Stockton Mine:

- CML 37150 which is currently mined in Millerton, Rockies, Hope Lyons, No 2 South and Cypress blocks;
- ACML's 37150-02 and 37150-03 for the 2-5 Haul Road and CHPP at Ngakawau;



- Land Use Consents for: Stockton 2-5 haul road widening, Cypress Mine, Mt William North, Rockies, Stockton Haul Road and Stockton No 2 South; and
- Regional Consents: 58 consents covering the Stockton Mine.

Copies of these authorisations were not provided along with the evidence. However, a number of Resource Consents have been received from both the Buller District Council and the West Coast Regional Council and discussed below and the CML and ACML documents were provided in evidence as discussed above.

3.4 Mark Pitchfork

The submission and presentation of the submitter Mark Pitchfork as it related to his property adjacent to part of the Stockton Mine BCZ is acknowledged, however was unable to clearly determine that the relevant authorisations did not extend in that area.

4.0 Assessment of Information Provided by Council

Information has been provided by Buller District Council and the West Coast Regional Council. The following resource consents were identified as relative to the notified BCZ at Stockton Mine (**Figure 1** above).

4.1 Buller District Council

4.1.1 RC030164 - Cypress Mine

This resource consent decision consents to the development and operation of the opencast coal mine known as Cypress Coal Field Development. The site is located in the Upper Waimangaroa within the area encompassed by Mining Permit (MP) 41515 and partly within CML 37150. A map was provided titled 'Plan 1: Surrendered Areas and Areas for Ecological Management' which shows the extent of the Application Area as a faint red dotted line in relation to the MP and CML boundaries (Appendix 5). The resource consent has a commencement date of 23 August 2005 and has a term of 35 years. See Figure 6 below for an approximation of the subject site (outlined in light green) in relation to the notified BCZ area for Stockton Mine.

4.1.2 RC100064 - Stockton Mine

This resource consent grants the right to undertake vegetation clearance and earthworks to widen eight sections of the Stockton Mine 2-5 Haul Road within ACML 37150-02. The approved plans included a map titled 'Figure 1 Overview of Road Widening Areas, Including Coal Mining License and Land Parcel Boundaries and Electrical Powerlines' (Appendix 6). The sections of the road are all encompassed within ACML 37150-02 (discussed above) which is outlined in pink in Figure 6 below in relation to the notified BCZ at Stockton Mine. This resource consent was granted on 04 October 2010.

4.1.3 RC110043 - Stockton No.2 South

This resource consent grants all activities associated with the mining of the No.2 South cutback area, within Section 2 SO 14927, Section 1 SO 14774, Section 1 SO 14250 and Conservation Area –



Waimangaroa / Granity L29003. The approved plans included an aerial photograph titled 'Figure 1: Boundaries of the No.2 South Mining Area' (Appendix 7) which shows the extent of the consented area. See Figure 6 below for an approximation of the subject site (outlined in light blue) in relation to the notified BCZ at Stockton Mine. This resource consent was granted on 21 September 2011 and has a term of 35 years from the date of commencement.

4.2 West Coast Regional Council

4.2.1 RC03175 - Cypress Mine

This resource consent decision grants five Land Use Consents, nine Water Permits and seven Discharge Permits associated with the development and operation of the Cypress Mine. This resource consent was heard by commissioners alongside RC030164 above and covers the same site area. Attachment 4 of the document includes a map titled 'Plan - Powellphanta enclosure and treatment area' which includes an area identified as the "consented Cyprus footprint" (**Appendix 8**). See **Figure 6** below for an approximation of the subject site (outlined in light green) in relation to the notified BCZ at Stockton Mine. The resource consent has a commencement date of 23 August 2005 and has a term of 35 years.

4.2.2 RC10055 - Rockies Mine

This resource consent grants four Land Use consents, two Water Permits and four Discharge Permits associated with an opencast coal mine on the Stockton Plateau. The site is identified as the boundary of MP 52661 and the consent includes the upgrade and maintenance of the mine access road. The approved plans included a map confirming the site boundary and the Rodney Street Sealing Location plan (Appendix 9). The resource consent commenced on 01 May 2012 and has a duration of 35 years. See Figure 6 below for an approximation of the subject site (outlined in orange) in relation to the notified BCZ at Stockton Mine.

4.2.3 RC11181 - Mt William North

This resource consent grants two Land Use Consents, four Water Permits and five Discharge Permits associated with mining operations at the Mt William North mining area. Condition 2.3 states that the maximum total disturbance area shall be limited to the area inside the white line in 'Attachment 3 — Maximum Disturbance Area' (Appendix 10). The resource consent commenced on 21 August 2014 and has a term of 35 years from the date of commencement. See Figure 6 below for an approximation of the subject site (outlined in blue) in relation to the notified BCZ at Stockton Mine.

4.3 Schedule 9 of the proposed Te Tai o Poutini Plan

It is noted that Schedule 9 of the proposed Te Tai o Poutini Plan, which identified lawfully established mineral extraction and processing areas by listing the authorisation mechanism that permitted the activity, identified the following Resource Consents and CML in relation to the notified BCZ at Stockton Mine:

- o RC100064 Provided by Buller District Council and discussed above.
- o **RC030164 -** Provided by Buller District Council and discussed above.



- o **RC11132 -** Provided by Council at request but appears to be for a mining operation in a different area of the West Coast near New Creek.
- o RC10055 Provided by West Coast Regional Council and discussed above.
- o RC110043 Provided by Buller District Council and discussed above.
- o CML 37150, ACML 37150-02 and ACML 37150-02 Provided in evidence by Bathurst Resources Limited and BT Mining Limited and discussed above.

4.4 Summary

Based on an assessment of the available information, the Resource Consents, CML and ACML files made available confirm that the majority of the notified BCZ at Stockton Mine has authorisation to operate a mining activity (**Figure 6** below). A full copy of the map depicting the sites with authorisation to operate a mining activity in relation to BCZ at Stockton Mine is provided at **Appendix 11**.



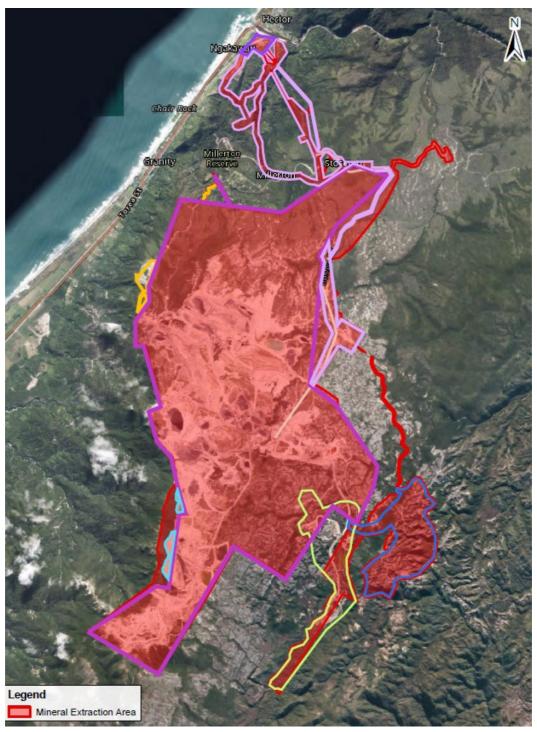


Figure 6: Map of Authorised Mining Activities in relation to the BCZ at Stockton Mine. Full map at Appendix 11.



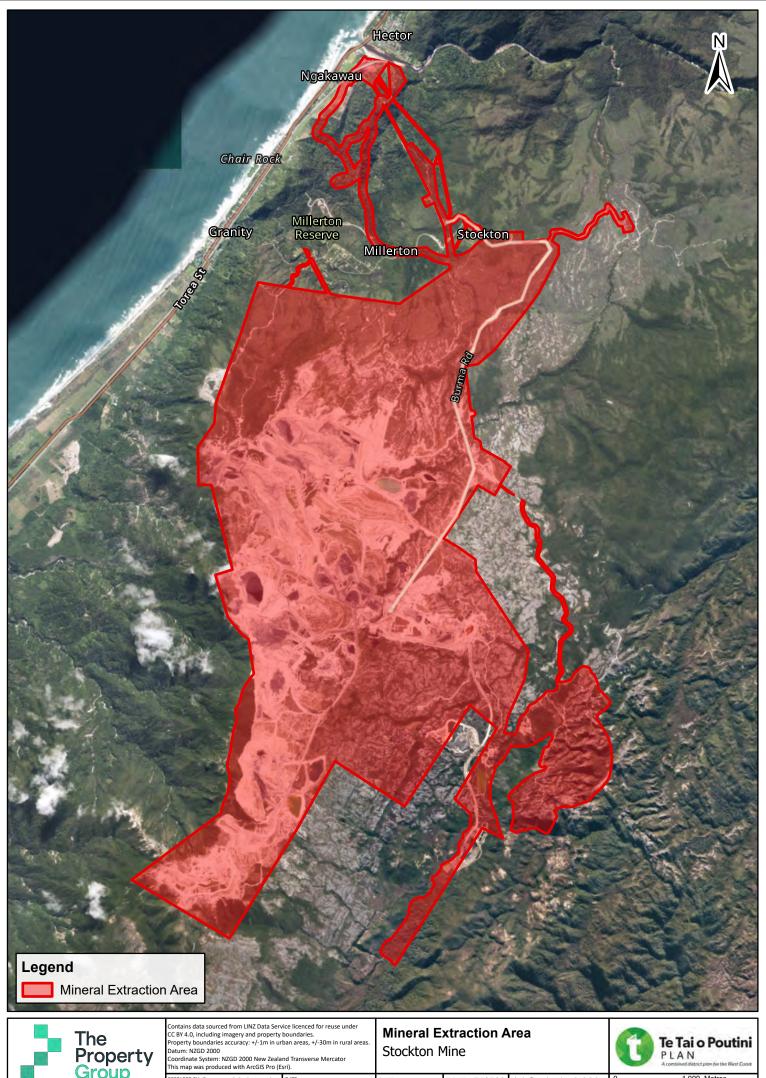
5.0 Recommendation

The additional information provided by the Resource Consents, CML and ACML listed above identify areas within and adjacent to the notified BCZ at Stockton Mine that have authorisation to operate a mining activity.

It is recommended that the notified BCZ at Stockton Mine is <u>amended</u>, as outlined in Figure 6 above and in **Appendix 11**, to only include the areas subject to the existing resource consents, CML and ACML discussed above.

Notified BCZ Area







PREPARED BY Conor McIntosh DATE

12/04/2024

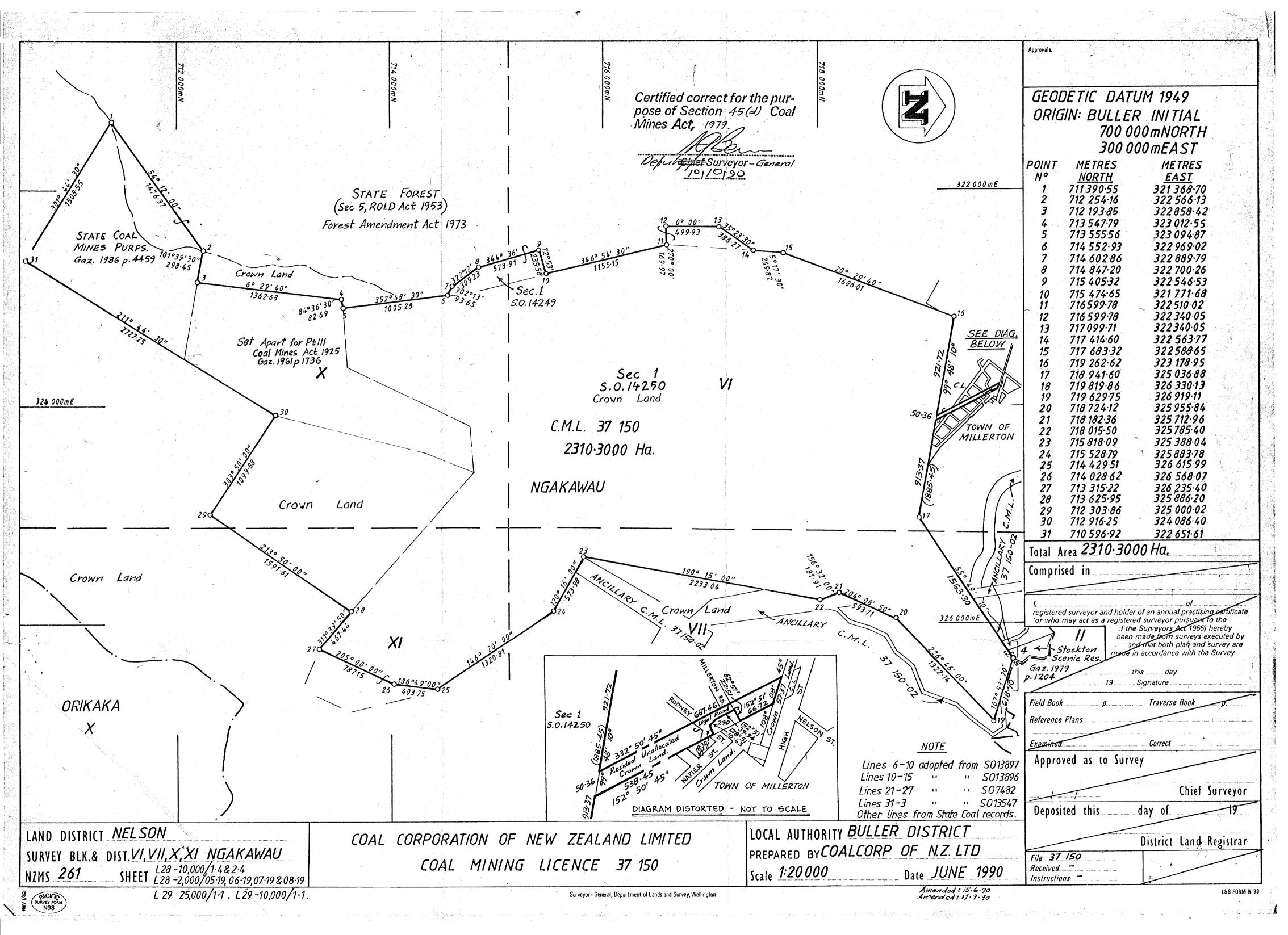
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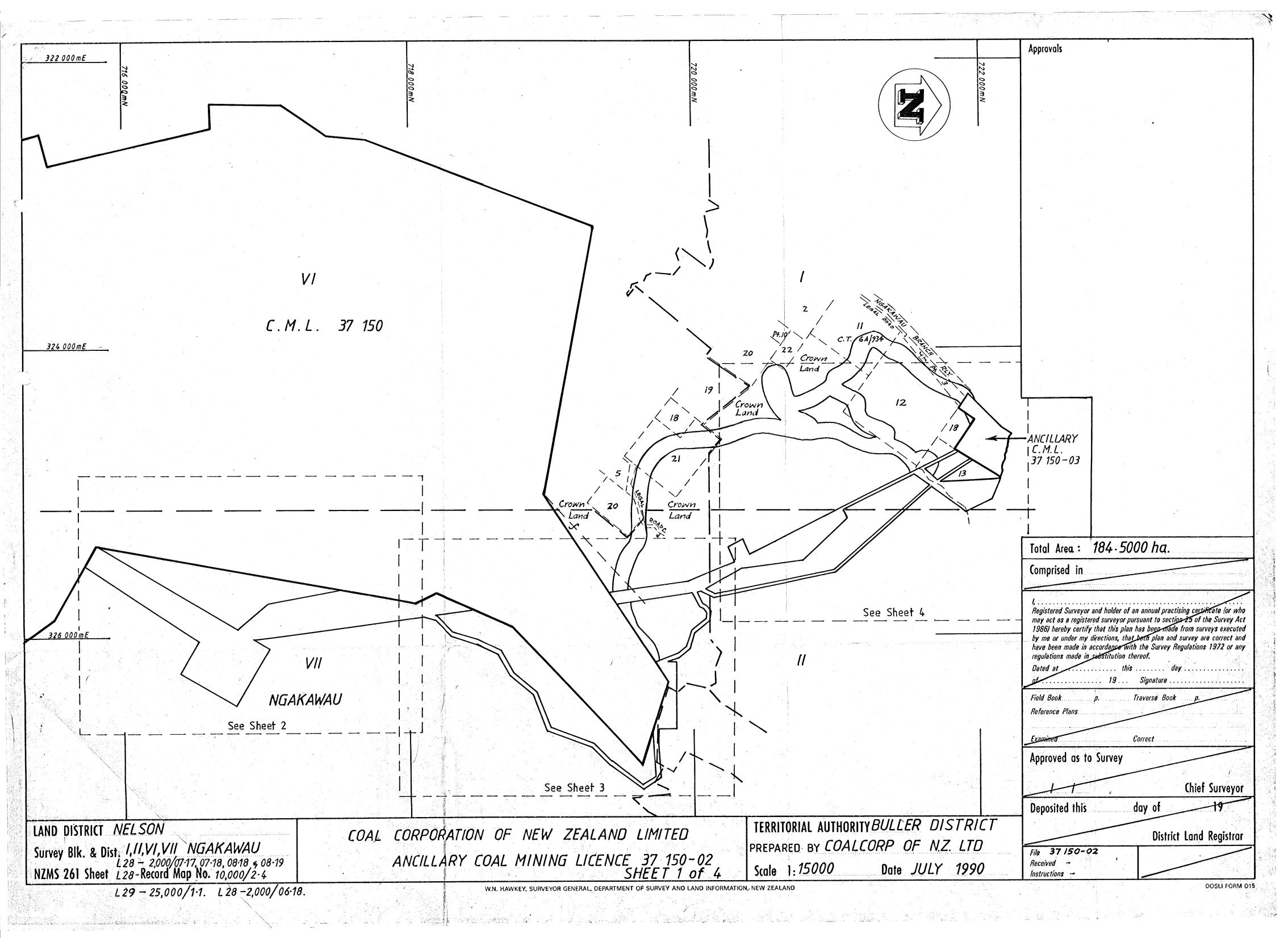
CML 37150 Map

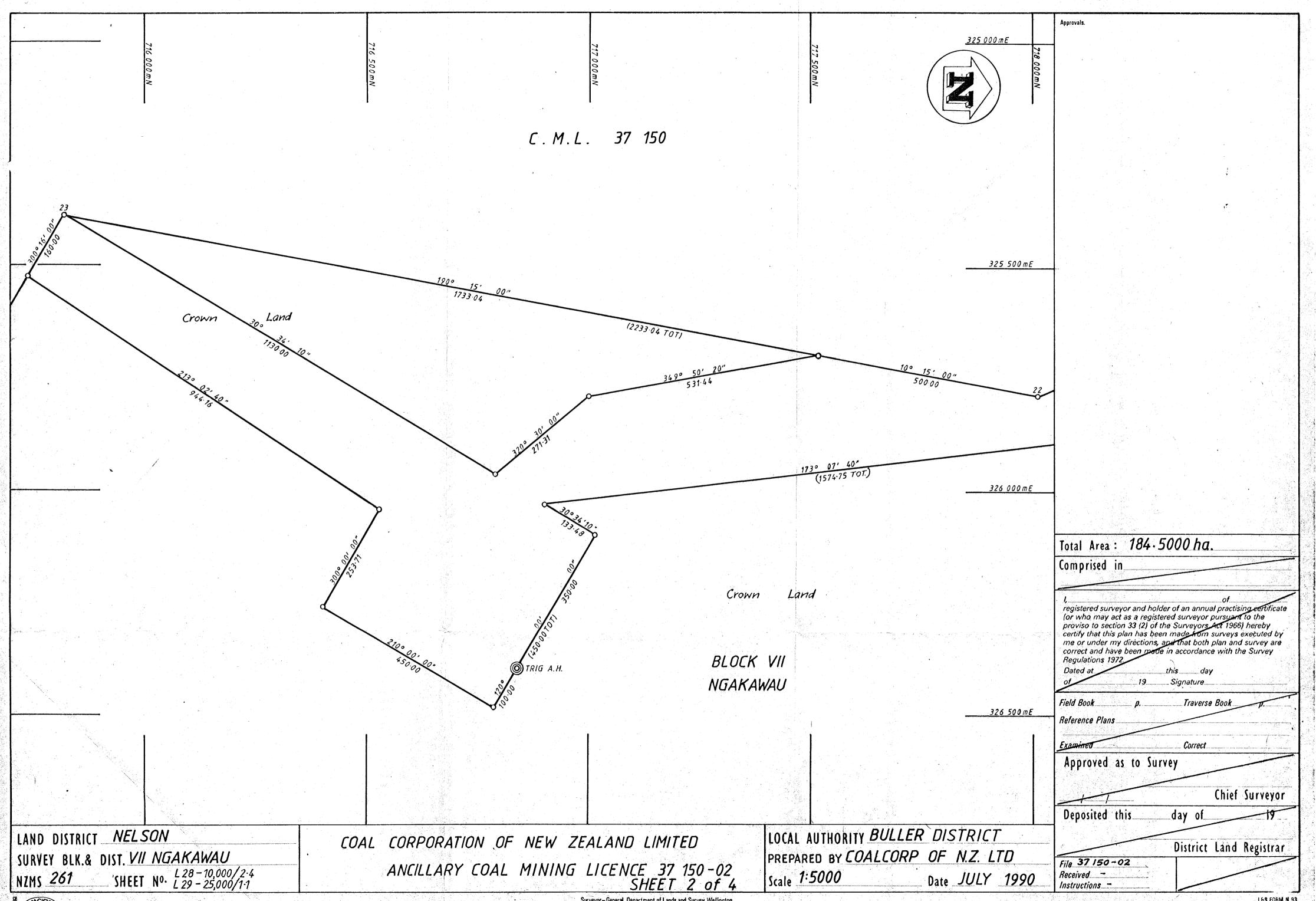


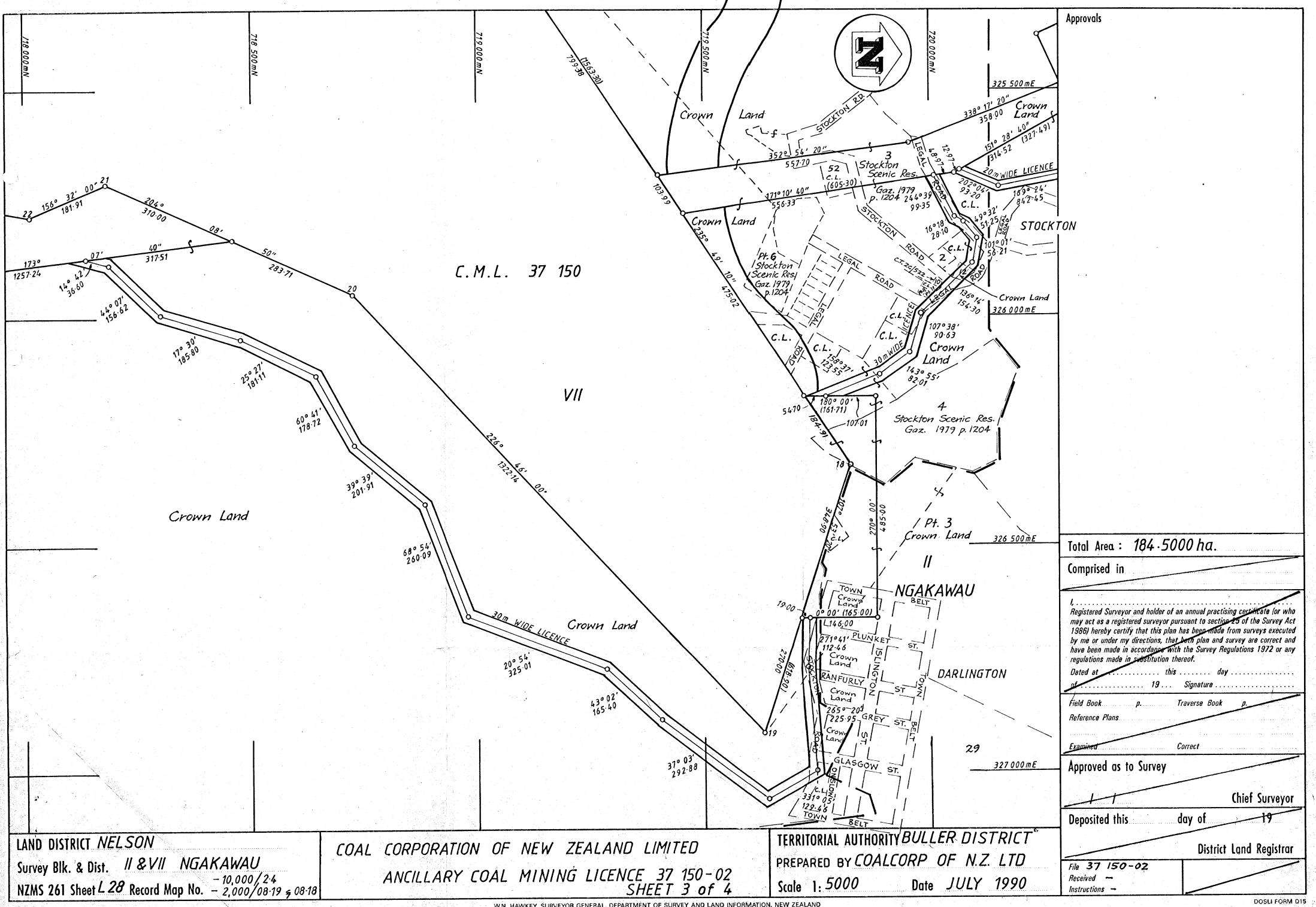


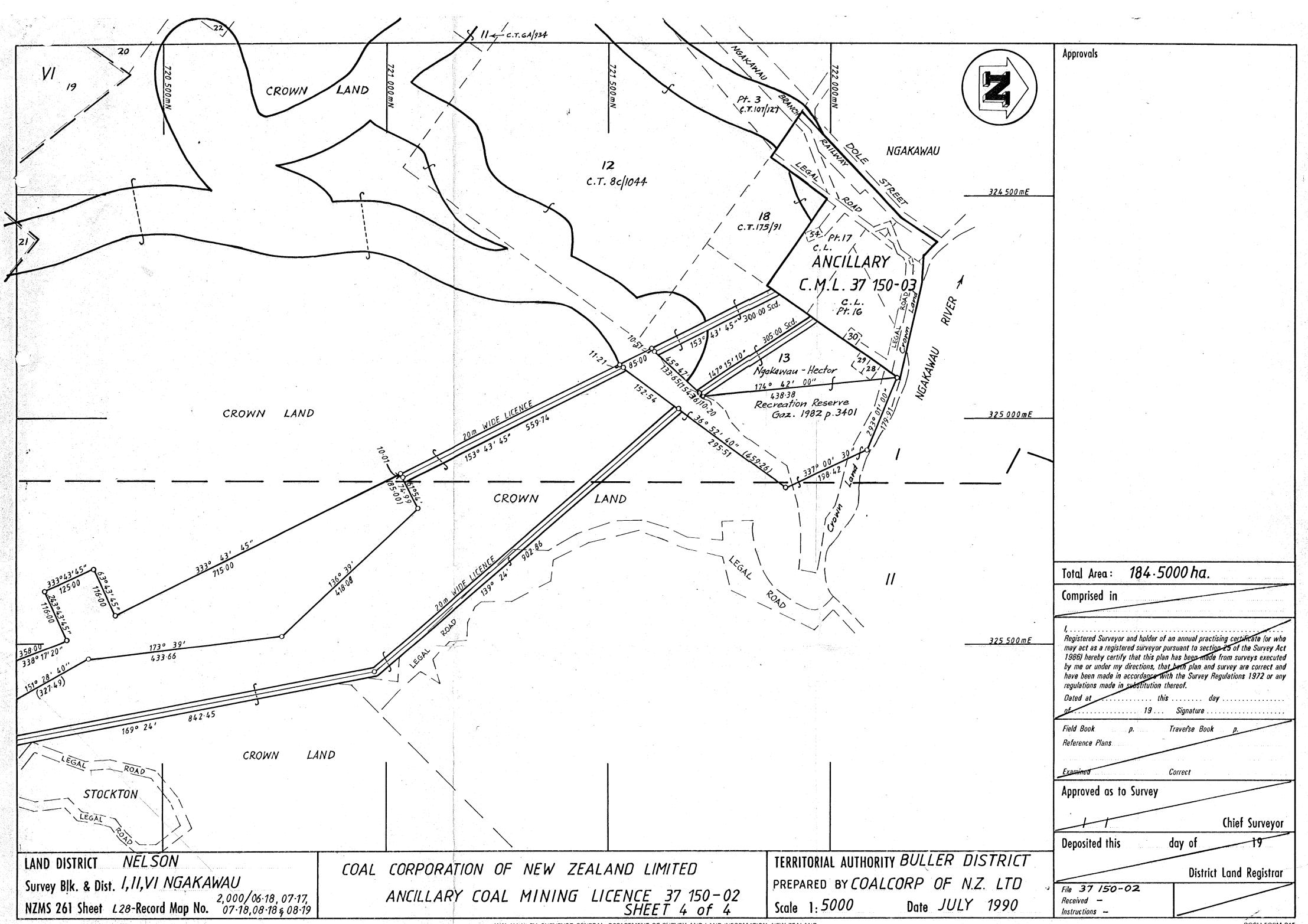
ACML 37150-02 Map





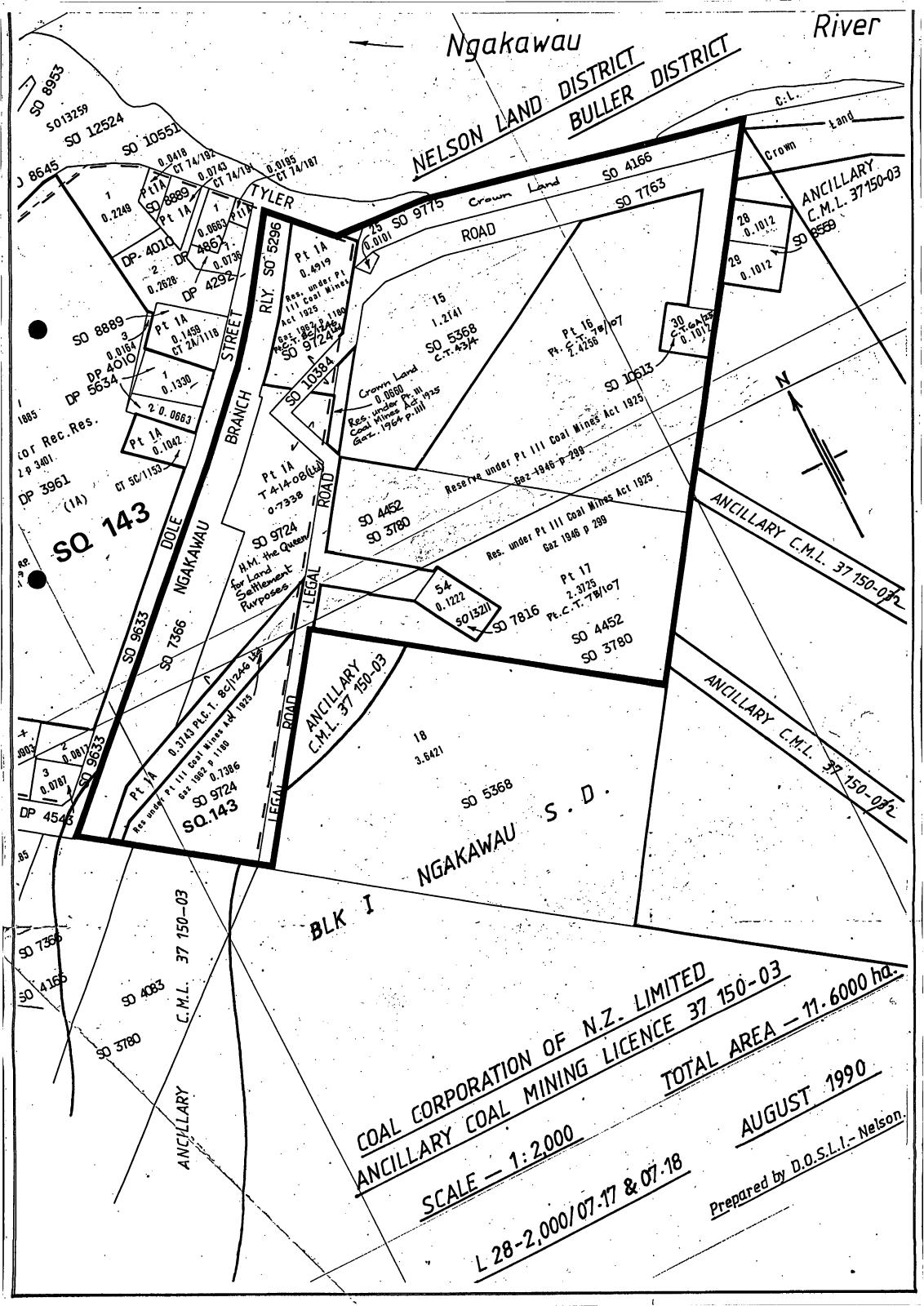






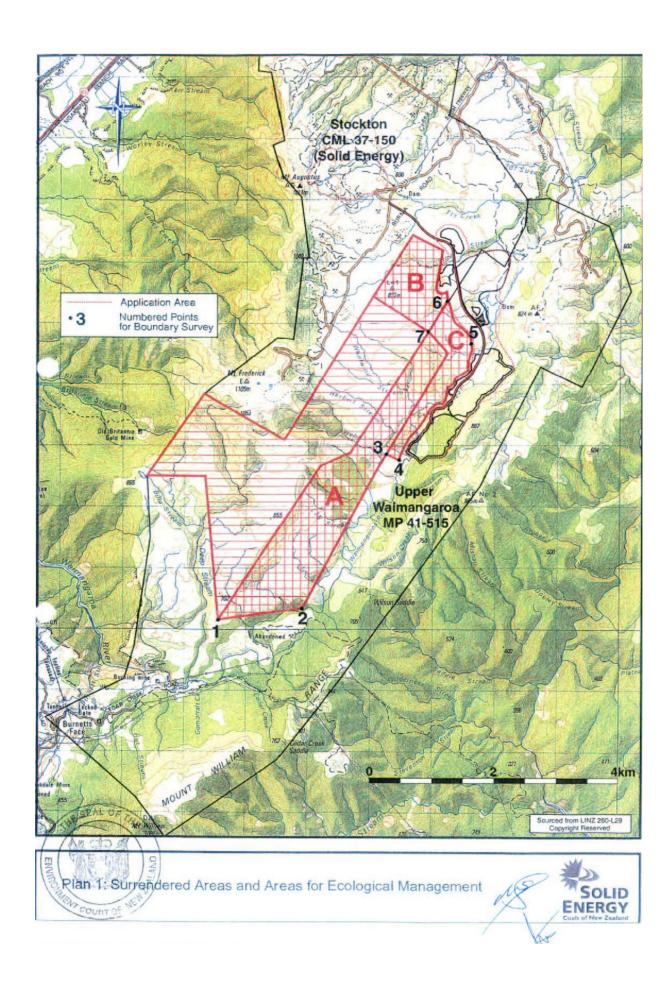
ACML 37150-03 Map





RC030164 Map





RC100064 Map



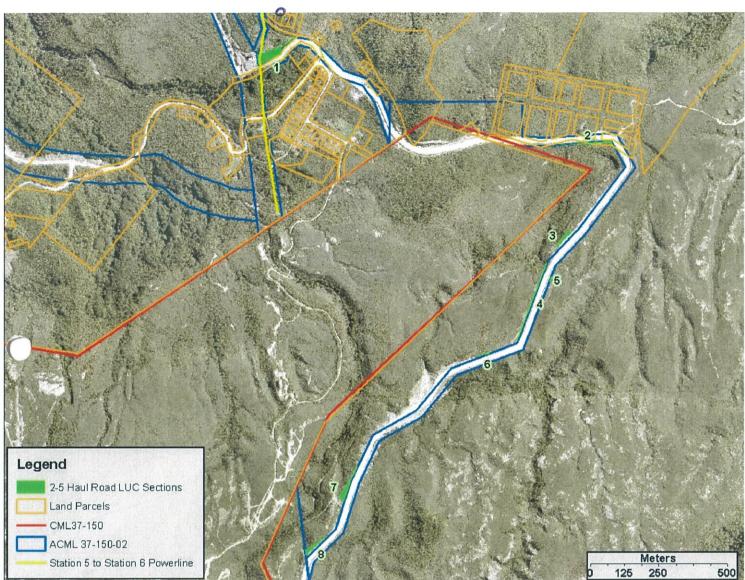
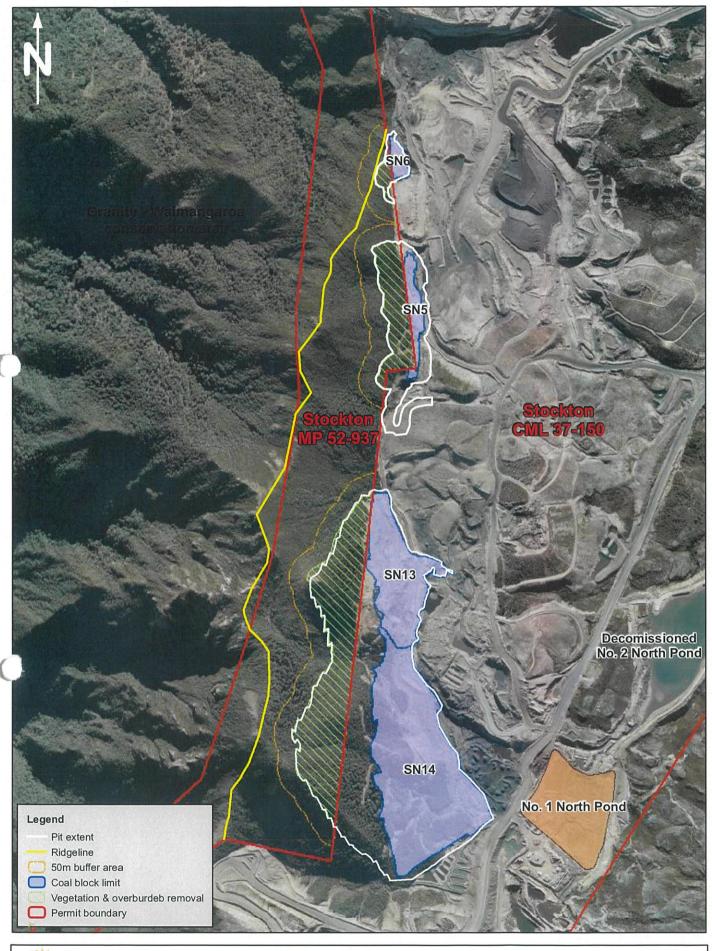


Figure 1. Overview of road widening areas, including Coal Mining Licence and land parcel boundaries and electrical power lines.



RC110043 Map







Original Scale 1:10,000

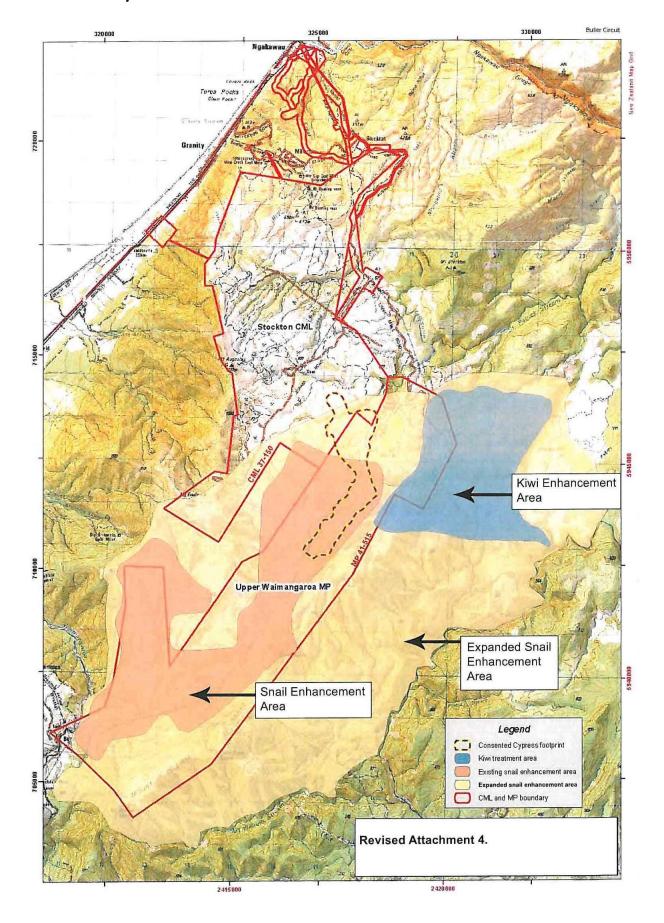
0 100 200 300 Meters Figure 1: Boundaries of the No. 2 South mining area.

RC03175 Map



ATTACHMENT 4

Plan — *Powelliphanta* enclosure and treatment area



RC10055 Map



APPENDIX 1

Rockies Mining Permit Area

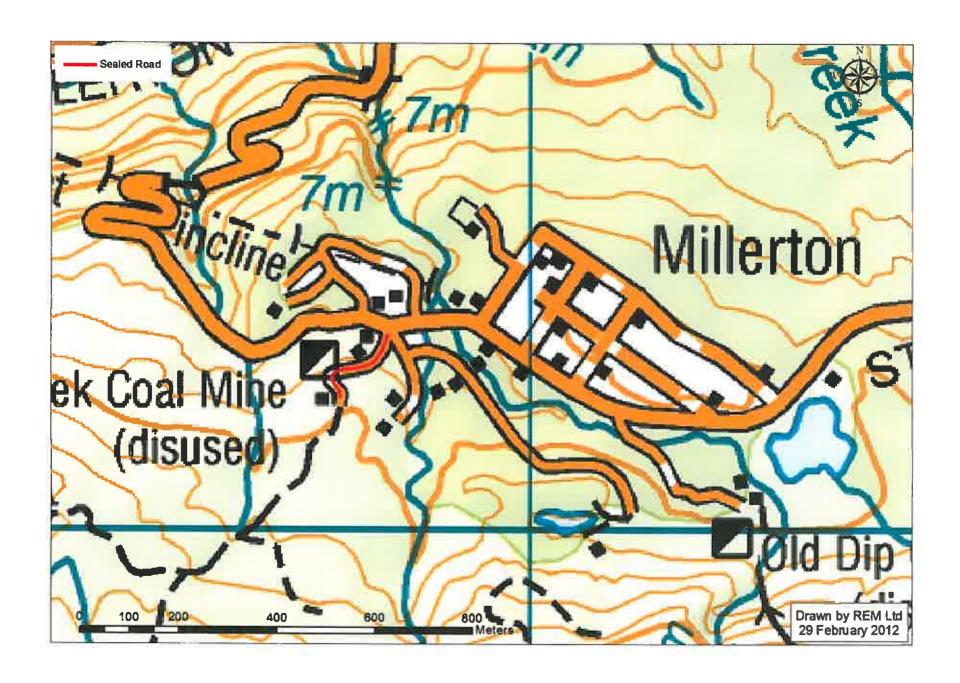
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APPENDIX 2

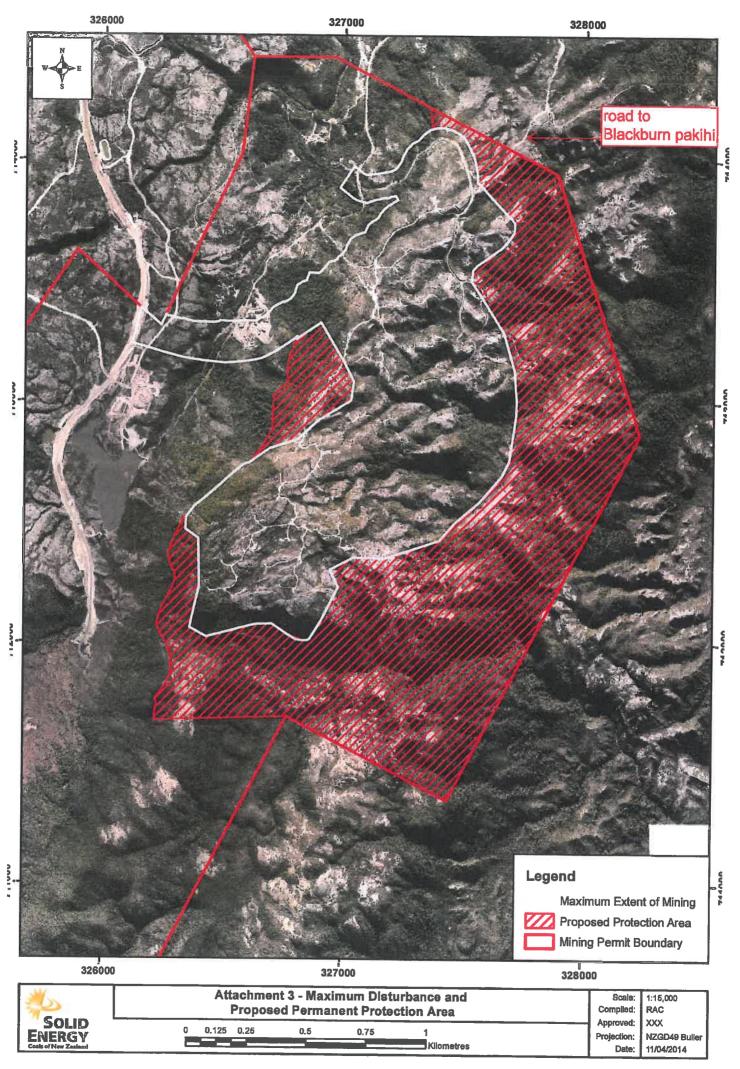
Rodney Street Sealing Location Plan

Document Set ID: 205674 Version: 2, Version Date: 17/08/2017



RC11181 Map





Map of Authorised Mining Activities in relation to BCZ



