

Date: 29 November 2024

Re: Mineral Extraction Zone 19: New Creek

1.0 Notified MINZ

A map of the notified Mineral Extraction Zone (MINZ) at New Creek is included in **Figure 1** below and attached in **Appendix 1**.

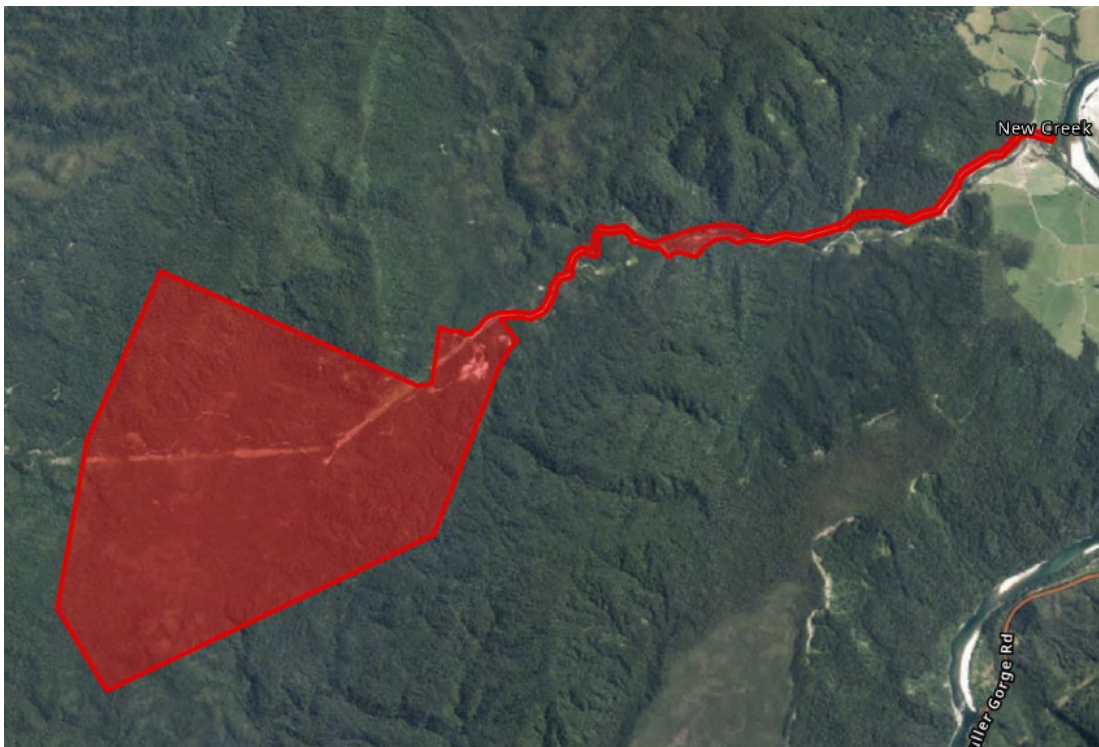


Figure 1: Notified MINZ at New Creek.

2.0 Submissions

No submissions were received regarding the notified MINZ at New Creek

3.0 Evidence

No evidence was received regarding the notified MINZ at New Creek.

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 MINZ at New Creek (**Figure 1** above).

4.1 West Coast Regional Council

4.1.1 RC12180

This resource consent grants three Land Use Consents, a Water Permit and two Discharge Permits for activities associated with an opencast coal mine within the area previously covered by Coal Mining Licence (CML) 37174. A map was provided with the decision titled “New Creek Mine Water Monitoring Site Plan” which outlines the mine site (**Appendix 2**). This resource consent commenced on 11 June 2013 and has a duration of 20 years. See **Figure 2** below for an approximation of the subject site (outlined in blue) in relation to the notified MINZ at New Creek.

4.2 Buller District Council

4.2.1 RC120120- Lapsed

This resource consent grants the right to undertake activities associated with opencast coal mining at New Creek Mine and to establish, operate and maintain a coal processing and stockpiling facility approximately 2.3km from New Creek Mine. The approved decision includes an aerial image detailing the extent of the proposed opencast pit and the water treatment system titled “New Creek Mine, Figure 2: Site Layout” (**Appendix 3**). This map confirms that the Mine Site is the same area consented under RC12180 and outlined in blue in **Figure 2** below.

- o **RC120120a (Variation)**: the conditions were varied on 22 March 2018 and a new condition, citing that this consent shall lapse on 14 May 2019, was added to the consent. Therefore, it is considered that the timeframe on RC 120120 has lapsed and no longer confirms existing rights to operate a mining activity.

4.2.2 RC140030

This resource consent grants a Right of Way over Section 11 Block XVI Orikaka Survey District in favour of New Creek Mine Ltd, Her Majesty the Queen (through the Minister of Conservation) and Transpower NZ. Condition 1 cites that the Right of Way is depicted as “A” and “B” and the section of road connecting them on the approved plans titled “Right of Way Easements over Section 11 Blk XVI Orikaka S.D” (**Appendix 4**). This resource consent was granted on 05 May 2014. See **Figure 2** below for an approximation of the subject site (outlined in yellow) in relation to the notified MINZ at New Creek.

4.3 Summary

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 RC120120 and RC140030 in relation to the notified MINZ at New Creek which are both discussed above.

Based on an assessment of the available information, RC12180 and RC140030 confirm that two sites within the notified MINZ at New Creek have authorisation to operate a mining activity (**Figure 2** below). A full copy of the map depicting the sites with authorisation to operate a mining activity in relation to MINZ at New Creek is provided at **Appendix 5**.



Figure 2: Map of Authorised Mining Activities in relation to MINZ. The full map at Appendix 5.

5.0 Recommendation

The information provided by RC12180 and RC140030 identifies two small areas within the notified MINZ at New Creek that have authorisation to operate a mining activity.

As we have not received a copy of a current Coal Mining Licence, Ancillary Coal Mining Licence or resource consent to confirm that the remaining land within the notified MINZ at New Creek has authorisation to operate a mining activity, the following recommendation is made.

It is recommended that the notified MINZ at New Creek is either **removed** from the MINZ or is **significantly reduced**, as outlined by **Figure 2** and **Appendix 5**, to only include the two sites subject to the existing resource consents provided and discussed above.

Appendix 1

Notified MINZ Area



Urban & Environmental




New Creek

Upper Buller Gorge Rd

Mount
Courtney
Reserve

Legend

 Mineral Extraction Area



Contains data sourced from LINZ Data Service licenced for reuse under CC BY 4.0, including imagery and property boundaries.
Property boundaries accuracy: +/-1m in urban areas, +/-30m in rural areas.
Datum: NZGD 2000
Coordinate System: NZGD 2000 New Zealand Transverse Mercator
This map was produced with ArcGIS Pro (Esri).

Mineral Extraction Area
New Creek



PREPARED BY **Conor McIntosh** DATE **12/04/2024**

SHEET **1 OF 1**

TPG REF **718509**

A4 Scale **1:38,000**

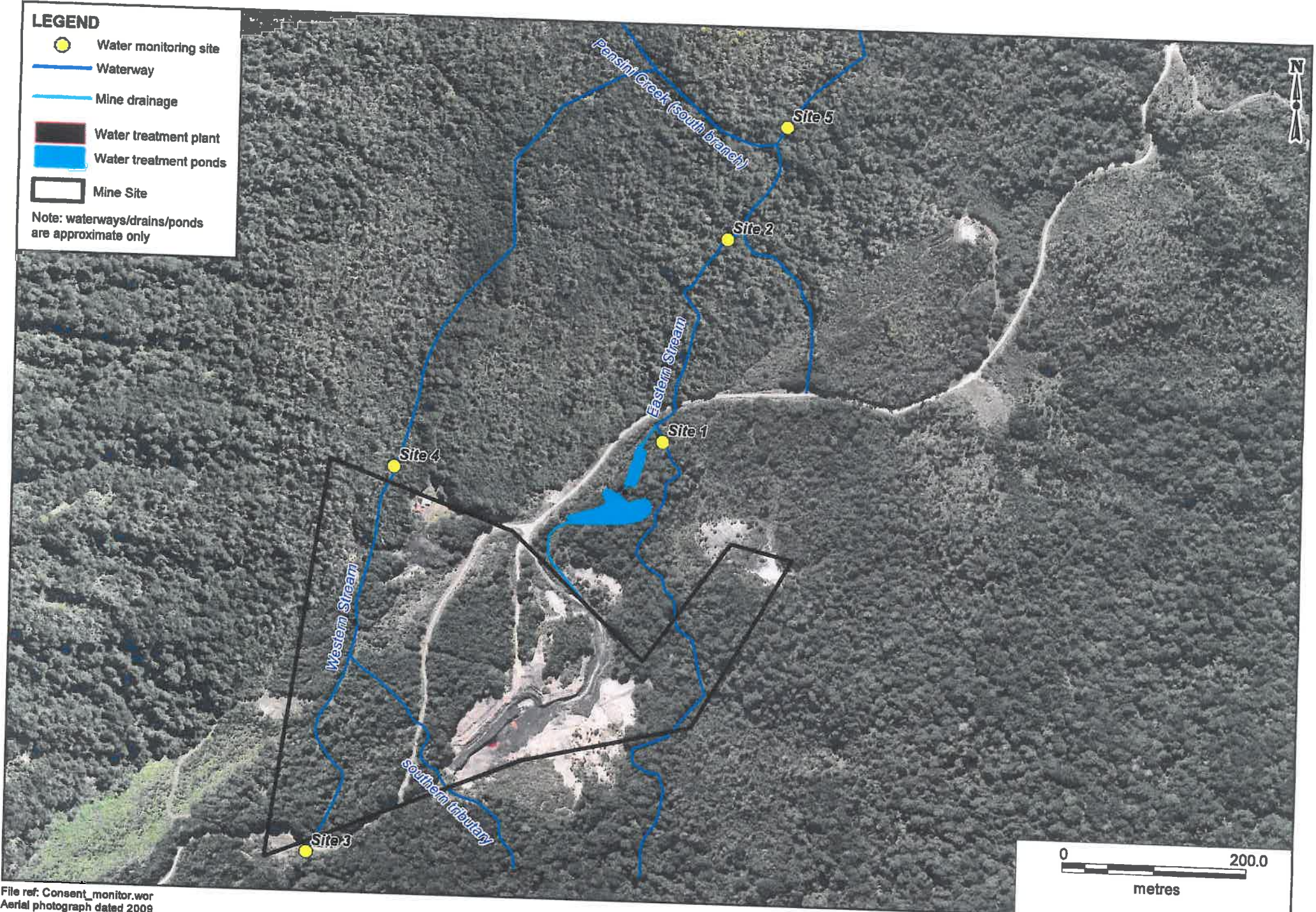
0  **890 Metres**

Appendix 2

RC12180 Map



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File ref: Consent_monitor.wor
Aerial photograph dated 2009
Site plan dated April 2013

NEW CREEK MINE WATER MONITORING SITE PLAN

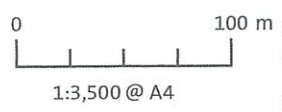
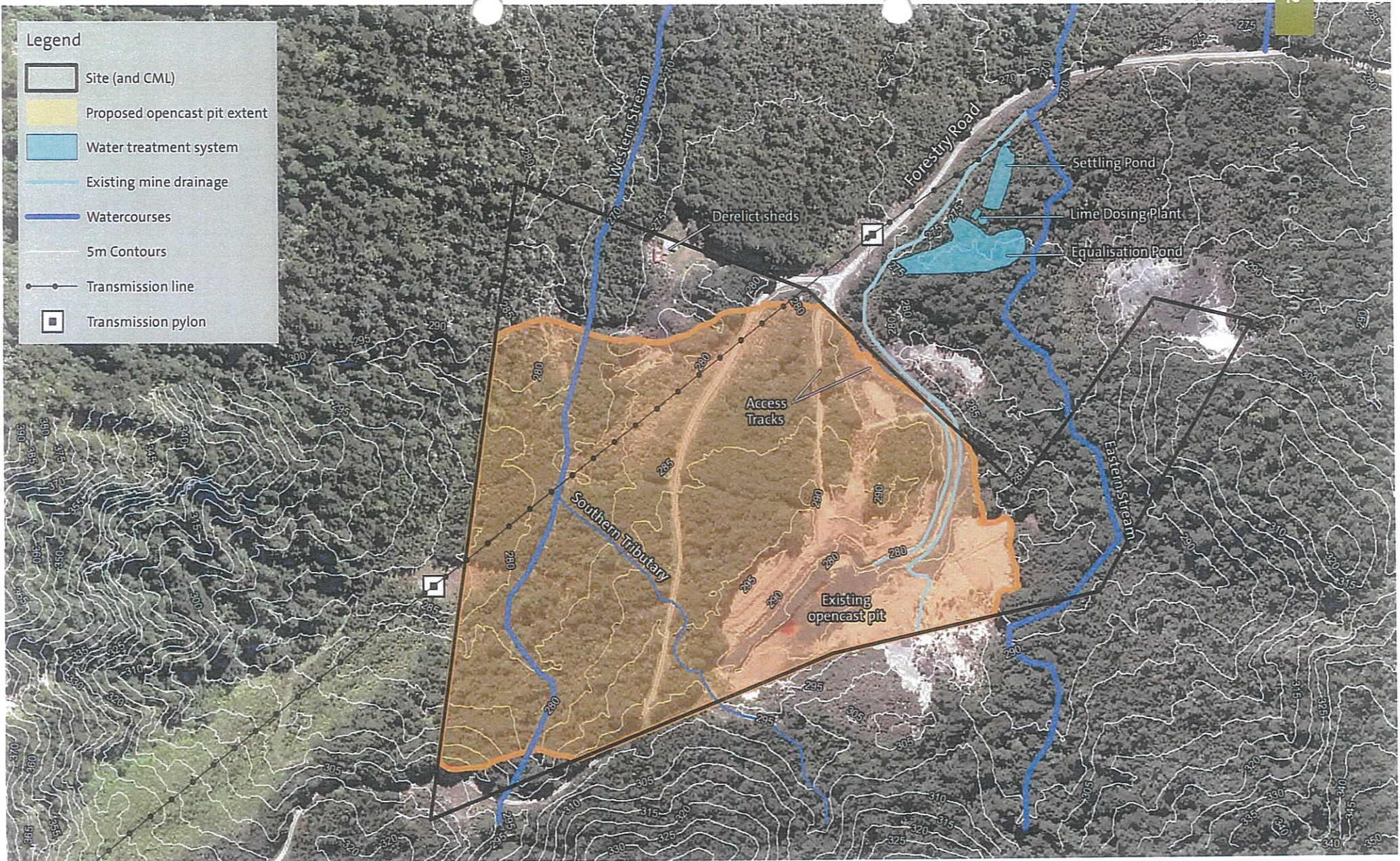
Scale 1:5,000 (A4)
Projection: NZTM
Datum: NZGD2000

Appendix 3

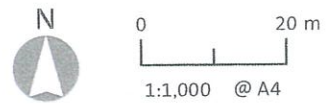
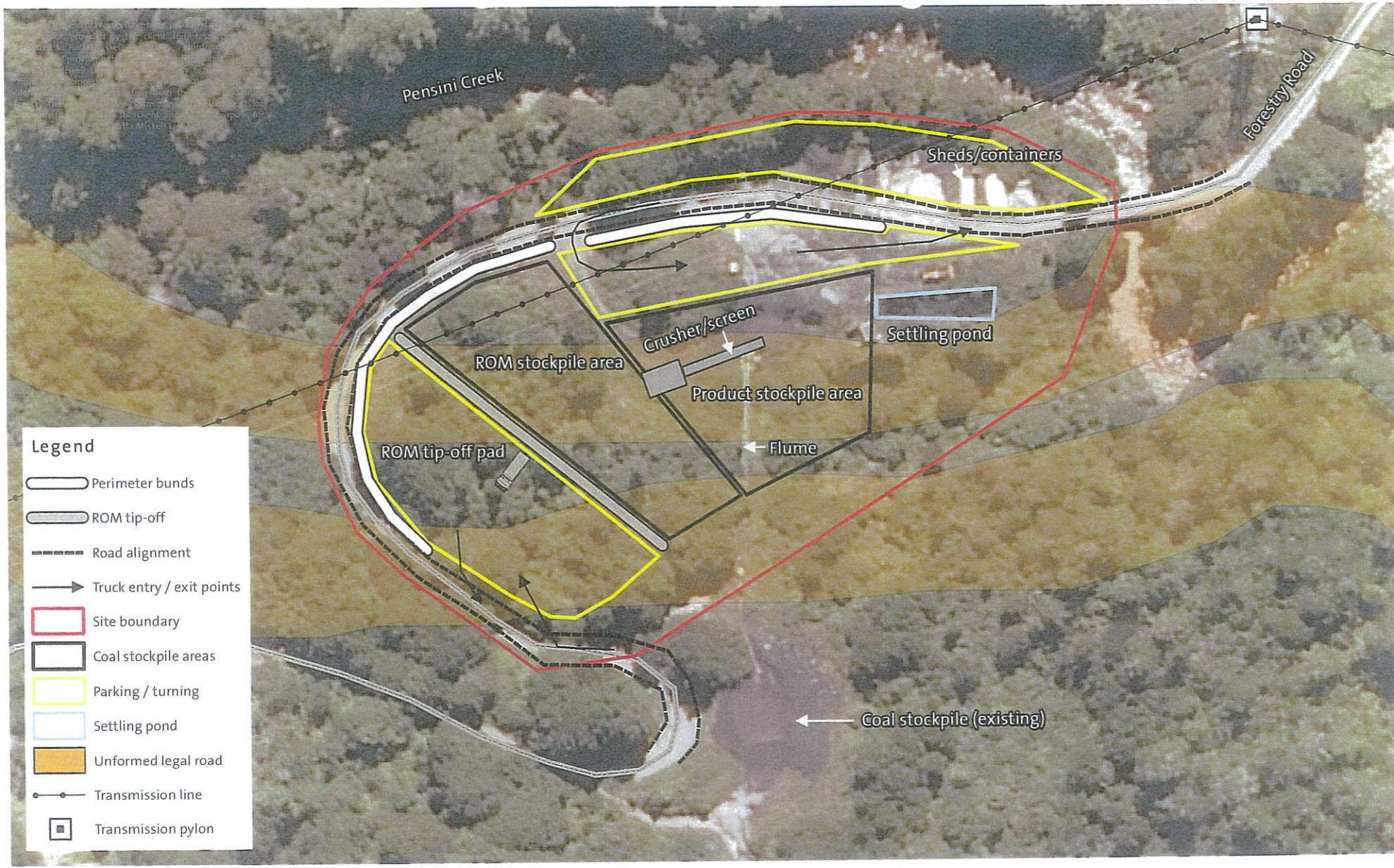
RC120120 Maps



Urban & Environmental



APPROVED PLAN



APPROVED PLAN



Data Sources: Topo map and data sourced from LINZ, Crown copyright reserved 2012.

NEW CREEK MINE

Figure 2: Coal Processing and Stockpiling Site

Date: 17 September 2012

Plan Prepared for New Creek Mining by Boffa Miskell Limited

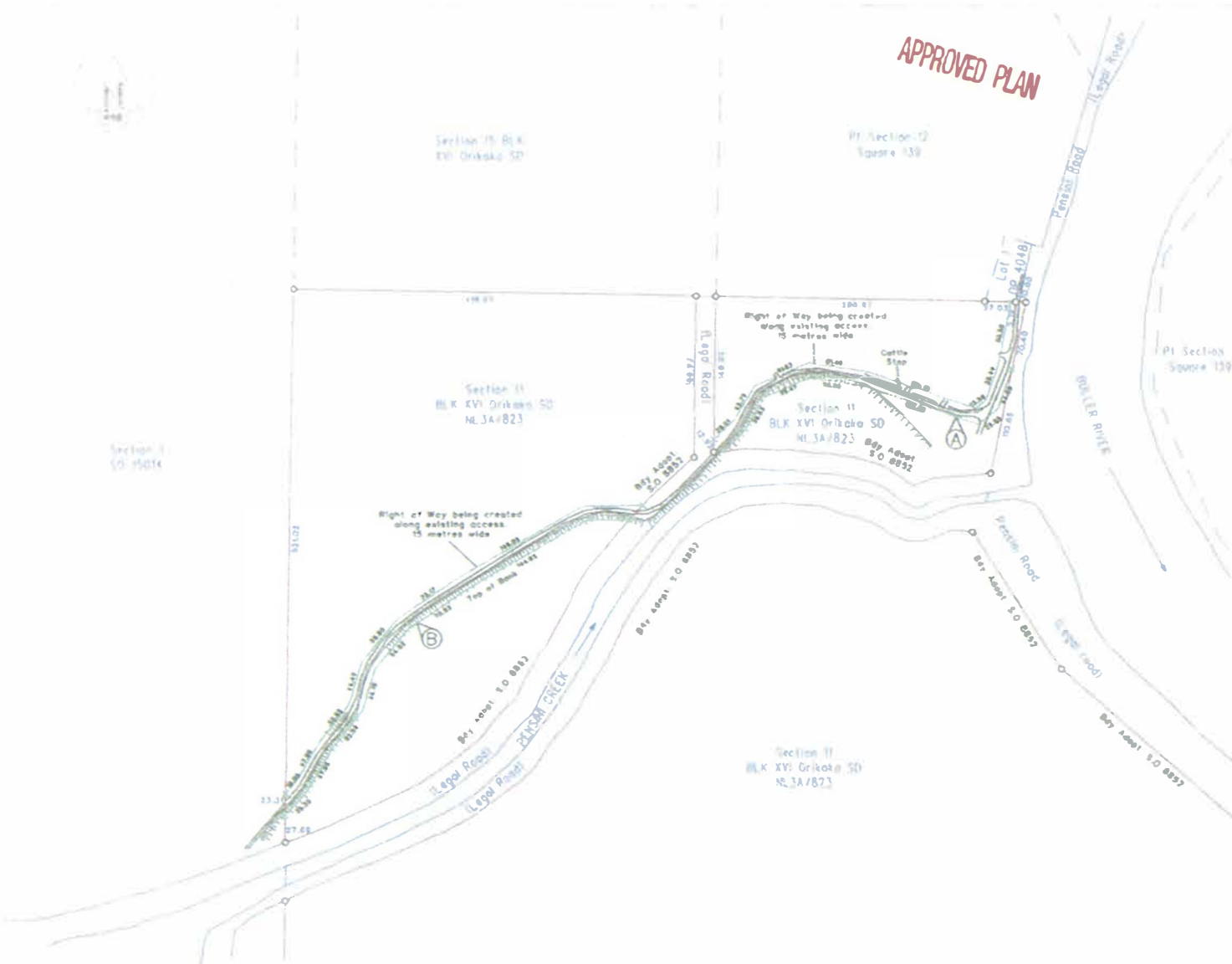
Author: corey.murray@boffamiskell.co.nz | Checked: GWh

Appendix 4

RC140030 Plan



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APPROVED PLAN

NOTE

This plan was prepared for New Zealand Coal & Carbon Ltd incorporating New Creek Mining Ltd in accordance with Resource Consent application to the Buller District Council. This plan is not to be relied on by any other person for any purpose whatsoever. The dimensions and areas are subject to final field survey.

SCHEDULE OF EASEMENTS

Purpose	Shown	Servient Tenement	Grantee
Right of Way	(A)	Section 11 Blk XVI Orikaka S.D.	New Creek Mining Ltd
	(B)	Section 11 Blk XVI Orikaka S.D.	Her Majesty the Queen Acting by and through the Minister of Conservation
			Transpower New Zealand Ltd

Total Area Comprised in 09 41.34/823

(Christopher John Coll of Bullerport being a person entitled to practice as a Licensed Cadastral Surveyor certifies the accuracy of this plan. This plan has been prepared by me or has been prepared under my direction. This I certify on 20th FEB 2014. Signature: [Signature]

Field Book Reference Plan: [Blank] Traversed Book: [Blank] Examined: [Blank] Correct: [Blank]

Approved as to Survey by Land Information NZ on

Deposited by Land Information NZ on

LAND DISTRICT: NELSON
SURVEY CLASS: CLASS C
SURVEYOR'S REF: 1014 SCHEME PLAN

RIGHT OF WAY EASEMENTS OVER SECTION 11 BLK XVI ORIKAKA S.D

LOCAL AUTHORITY: BULLER DISTRICT
Surveyed by: CHRIS J. COLL SURVEYING Ltd.
Scale: 1:4000 (A3) Date: FEBRUARY 2014

Appendix 5

Map of Authorized Mining Activities in relation to Notified MINZ



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New Creek

Upper Buller Gorge Rd

Mount
Courtney
Reserve

LEGEND

- RC12180
- RC140030
- Notified MINZ Area

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Mineral Extraction Area New Creek

