

Date: 29 November 2024

Re: Mineral Extraction Zone 22: Te Kuha

1.0 Notified MINZ

A map of the notified Mineral Extraction Zone (MINZ) for Te Kuha is included in **Figure 1** below and attached in **Appendix 1**.

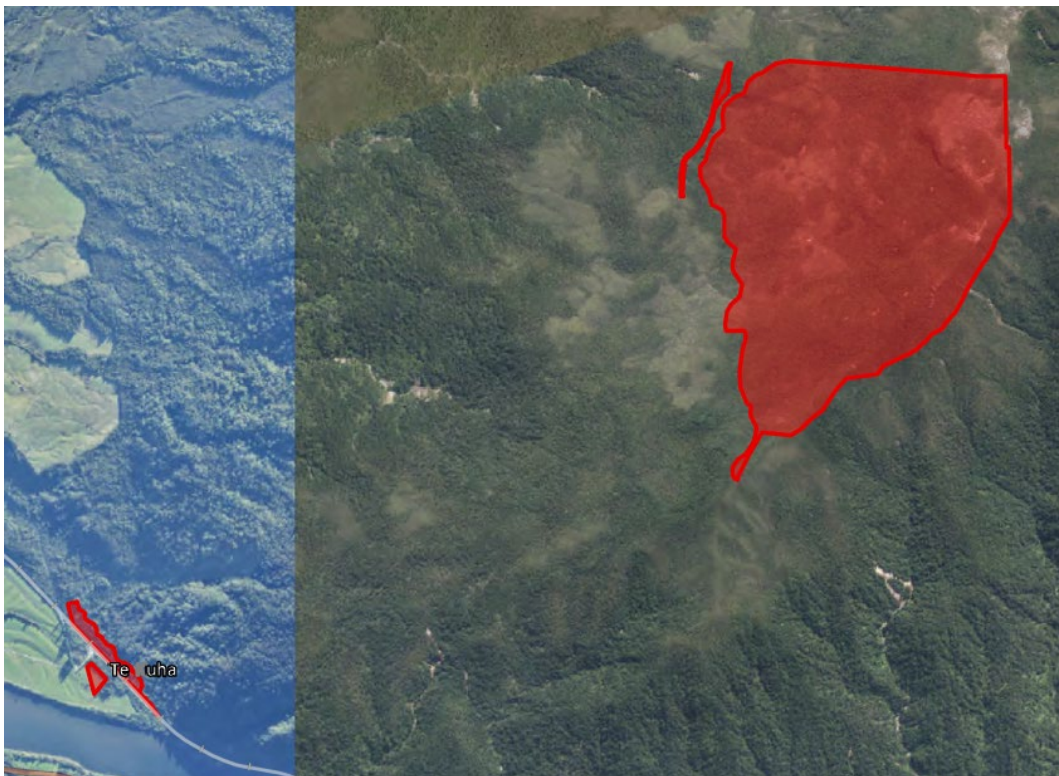


Figure 1: Notified MINZ at Te Kuha.

2.0 Submissions

2.1 Oppose

Karen Lippiatt (S439.009) seeks to rezone Te Kuha so it is not MINZ or Buller Coalfield Zone.

Department of Conservation (S602.221) seeks to amend the mapping of the MINZ and the Buller Coalfield Zone 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. Department of Conservation state that the Te Kuha coal mine does not have a current authorisation and the resource consent applications are currently subject to an appeal. This is opposed by Bathurst Resources Limited and BT Mining Limited (FS89.033).

2.2 Amend

Stevenson Mining Limited (S502.013) seeks to add the access road to the MINZ at Te Kuha.

3.0 Evidence

No evidence was received regarding the notified MINZ at Te Kuha.

4.0 Assessment of Information Provided by Council

Information has been provided by Buller District Council and the West Coast Regional Council. The following decisions were identified as relative to the notified MINZ at Te Kuha (**Figure 1** above).

4.1 Buller District Council

4.1.1 Te Kuha Decision 21 Nov 2017: Decision of the Hearing Commissioners- Since Overruled

This decision granted the right to enable open-cast coal mining of an approximately 144ha area of land situated on Te Kuha escarpment under Minerals Permit 41289 at Te Kuha. This decision included an aerial map outlining the overview of the Te Kuha Mine project (**Appendix 2**). This map identified the consented mining footprint and railway loadout site which both match the notified MINZ area in **Figure 1** above.

4.1.2 Environment Court Decision 19 April 2023

Environment Court Appeal Decision reversed the Commissioners decision from 21 Nov 2017 granting resource consent. The appeal judges concluded that resource consents should not be granted for the mining proposal and accordingly the appeal against the commissioner's decision was successful.

4.2 Summary

Based on an assessment of the available information available, no authorisation mechanisms are available to confirm that the area encompassed by the notified MINZ at Te Kuha has authorisation to operate a mining activity.

5.0 Recommendation

The information provided by the Environment Court decision confirms the area encompassed the notified MINZ at Te Kuha does not have authorisation to operate a mining activity within the subject site.

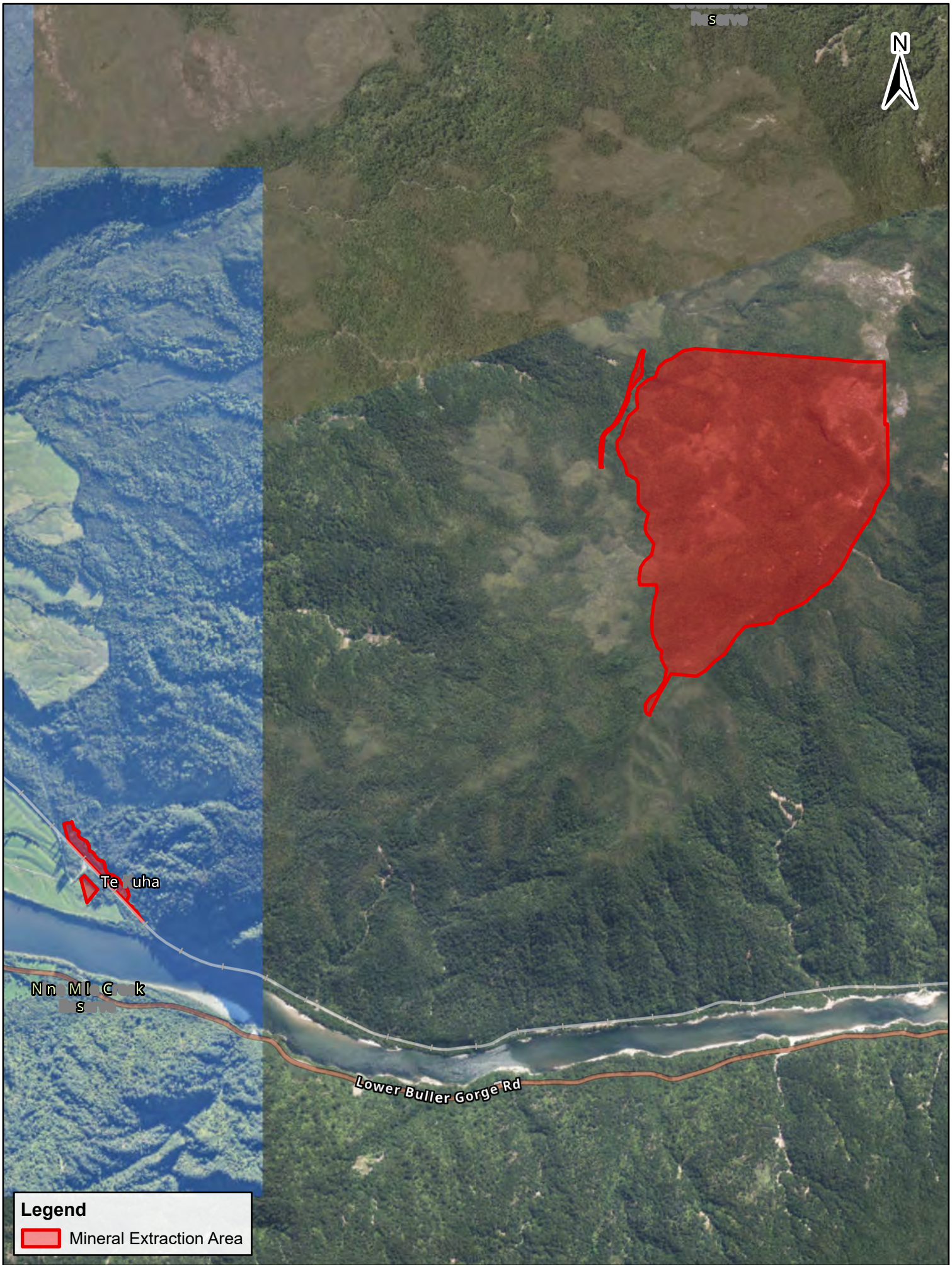
It is recommended that the notified MINZ at Te Kuha is removed.

Appendix 1

Notified MINZ Area



Urban & Environmental



Reserve



Te Kuha

Nn MI C k S

Lower Buller Gorge Rd

Legend

Mineral Extraction Area

The Property Group

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).

PREPARED BY	Conor McIntosh	DATE	12/04/2024	SHEET	1 OF 1	TPG REF	718509	A4 Scale	1:20,000	0	470 Metres
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Mineral Extraction Area
 Te Kuha

Te Tai o Poutini PLAN
 A combined district plan for the West Coast

Appendix 2

Te Kuha Decision Map



Urban & Environmental

Attachment 3: Disturbance areas associated with the Te Kuha Mine Project

