
MINUTE OF THE PANEL CONVENER

Request for Section 51 report for Waihi North [FTAA-2504-1046]

Access Arrangement under the Crown Minerals Act 1991

(22 May 2025)

[1] Pursuant to section 51 of the Fast-Track Approvals Act 2024 (“the Act”), this Minute directs the EPA to obtain advice and a report from the chief executive of the department or departments responsible for administering the land for which an access arrangement is sought.

[2] In the case of the Waihi North application, the department responsible for administering the land for which an access arrangement is sought is the Department of Conservation.

[3] Note: Associate Convener Jennifer Caldwell is assigned to this matter; however, as she is currently on leave, I will manage the project until her return in June.

[4] I have read the following documents:

- (a) A.07, Section 4: Approvals required at [4.3]
- (b) A.08, Section 5: Consultation and engagement at [5.2.5]
- (c) A.11, Section 8: Fast-track Approvals Act 2024 Requirements at [8.12]
- (d) D.08, Varied Favona access arrangement proposed conditions
- (e) D.09, Wharekirauponga access arrangement proposed conditions

[5] The applicant, OceanaGold (New Zealand) Ltd, seeks:

- (a) An access arrangement that would otherwise be applied for under

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section 61 of the Crown Minerals Act (section 42 (4)(l) of the Act), noting that in accordance with section 42(10) of the Act the application is within the area of Mining Permit 60541 (Coromandel Forest Park);

- (b) A variation to an existing access arrangement (62342) that would otherwise be applied for under section 61 of the Crown Minerals Act (section 42 (4)(l) of the Act) to encompass Waihi North Project components.¹

[6] More particularly,

- (a) The applicant holds an existing Access Arrangement 48614-AA for its operations within the Coromandel Forest Park and seeks to replace it with a new arrangement.
- (b) A new access arrangement is sought for activities within public conservation land associated with Mining Permit 6054149. (“Wharekirauponga Access Arrangement”).
- (c) The applicant also seeks a variation to an existing Access Arrangement (62342) for activities within public conservation land associated with Mining Permit 4180 (“Favona Access Arrangement”), aiming to align its conditions with those proposed for the Wharekirauponga Access Arrangement.²

[7] Pursuant to section 51(1) of the Act, the chief executive is to file a report advising how the weighting of matters set out in Schedule 11, clause 4 of the Act should be approached, with regard to relevant senior court decisions.

[8] Pursuant to section 51(2)(c) of the Act, if the chief executive does not agree with, or wish to expand upon, the expert and planning assessment lodged in

¹ A.07 Section 4: Approvals required at [4.1].

² A.07 Section 4: Approvals required at [4.3.2].

support of the access arrangement, they must file a report in accordance with Schedule 11, clause 4.

[9] For the avoidance of doubt, the chief executive:

- (a) may confirm and append advice previously given in response to a panel convener's directions under s 51(1) on another project; and
- (b) does not need to provide an assessment of the approval pursuant to s 51(2)(c) if they concur with the expert and planning assessments filed by the applicant.

[10] The chief executive is to respond to the draft conditions, including any management plan attached to the application, recommending track-changed amendments (if any).

[11] Any advice or report received will be provided by the EPA to the persons listed in section 51(5).

[12] Finally, it would assist the panel convener if the chief executive is able to indicate their views on the application at the convener's conference, tentatively scheduled for **11 June 2025**.


Jane Borthwick

Panel convener for the purpose of the Fast-track Approvals Act 2024