
MINUTE OF THE PANEL CONVENER

Request for Section 51 report for Waihi North [FTAA-2504-1046] Wildlife Approval under the Wildlife Act 1953 (22 May 2025)

[1] This Minute directs the EPA to obtain advice and a report from the Director-General of Conservation pursuant to section 51 of the Fast-Track Approvals Act 2024 ("the Act"). Associate Convener Jennifer Caldwell is assigned to this application; however, as she is currently on leave, I will manage the project until her return in June.

[2] I have read the following documents:

- (a) A.07. Section 4: Approvals Required at [4.5]
- (b) A.08. Section 5: Consultation and engagement at [5.2.5]
- (c) D.10. Wildlife Act authority proposed conditions
- (d) H.01 and H.02: Ecology and Landscape Management Plan

[3] Skimmed, but not read in detail, the following reports appended to Part B of the application: Bioresarches (2025a), Boffa Miskell (2025a), RMA Ecology (2025a), Bioresarches (2025b) and RMA Ecology (2025b).

[4] The applicant, OceanaGold (New Zealand) Ltd, seeks a Wildlife Approval to:

- (a) Undertake monitoring of leiopelmatid frogs within the vibration impact area, Wharekirauponga Animal Pest Management Area and a control area, all of which are located within the Coromandel Forest Park;
- (b) Undertake monitoring of leiopelmatid frogs in waterways within and

outside the area potentially affected by the dewatering of the WUG, all of which are located within the Coromandel Forest Park (excluding any areas listed in Schedule 4 of the Act);

- (c) Handle, salvage and relocate leiopelmatid frogs and lizards in order to enable vegetation clearance at TSF3, NRS, GOP and Willows SFA, all of which are located on land owned by the Applicant.
- (d) Handle, salvage and relocate leiopelmatid frogs and lizards in order to enable vegetation clearance for drill sites and pumping test / ventilation shaft sites located within the Coromandel Forest Park.¹

[5] Pursuant to section 51(1) of the Act, the Director-General of Conservation is to file a report advising how the weighting of matters set out in Schedule 7, clause 3 of the Act should be approached, having regard to relevant senior court decisions.

[6] Pursuant to section 51(2)(c) of the Act, if the Director-General of Conservation does not agree with, or wishes to amplify, the expert and planning assessment lodged in support of the wildlife approval, it must file a report in accordance with Schedule 7, clause 3.

[7] For the avoidance of doubt, the Director-General of Conservation:

- (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 it concurs with the expert and planning assessments filed by the applicant.

¹ A.07. Section 4: Approvals Required at [4.5].

[8] The Director-General of Conservation is to respond to the draft conditions, including any management plan attached to the application, recommending track-changed amendments (if any).

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

[10] Finally, it would assist the panel convener if the Director-General of Conservation 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