



FTAA-2604-1206: Application received for referral of the project under the Fast-track Approvals Act 2024 – Stage 2 decisions

Project Name: Auld Creek

Date submitted	29 July 2026	Tracking	26-BRF-01773
Security level	In-Confidence	Priority	Urgent

To	Action sought	Response by
Hon Chris Bishop Minister for Infrastructure	Decisions on recommendations	5 August 2026

Actions for Minister's Office staff	Return the signed briefing to: <i>FTAreferrals@mfe.govt.nz</i> Send email to Ministers to invite written comments
Number of appendices: 8	Appendices: 1. Statutory framework for making decisions 2. Application documents for the Auld Creek project 3. Stage 1 Briefing Note and decisions 4. Section 18 Report on Treaty settlements and other obligations 5. Section 19 Report on Public Conservation Land 6. Comments received from invited parties 7. Further information received from the applicant 8. Draft Notice of Decisions

Ministry contacts

Name	Position	Telephone	1 st contact
Ashiley Sycamore	Principal Author		
Stephanie Frame	Manager	s 9(2)(a)	✓
Ilana Miller	General Manager	s 9(2)(a)	



Project location

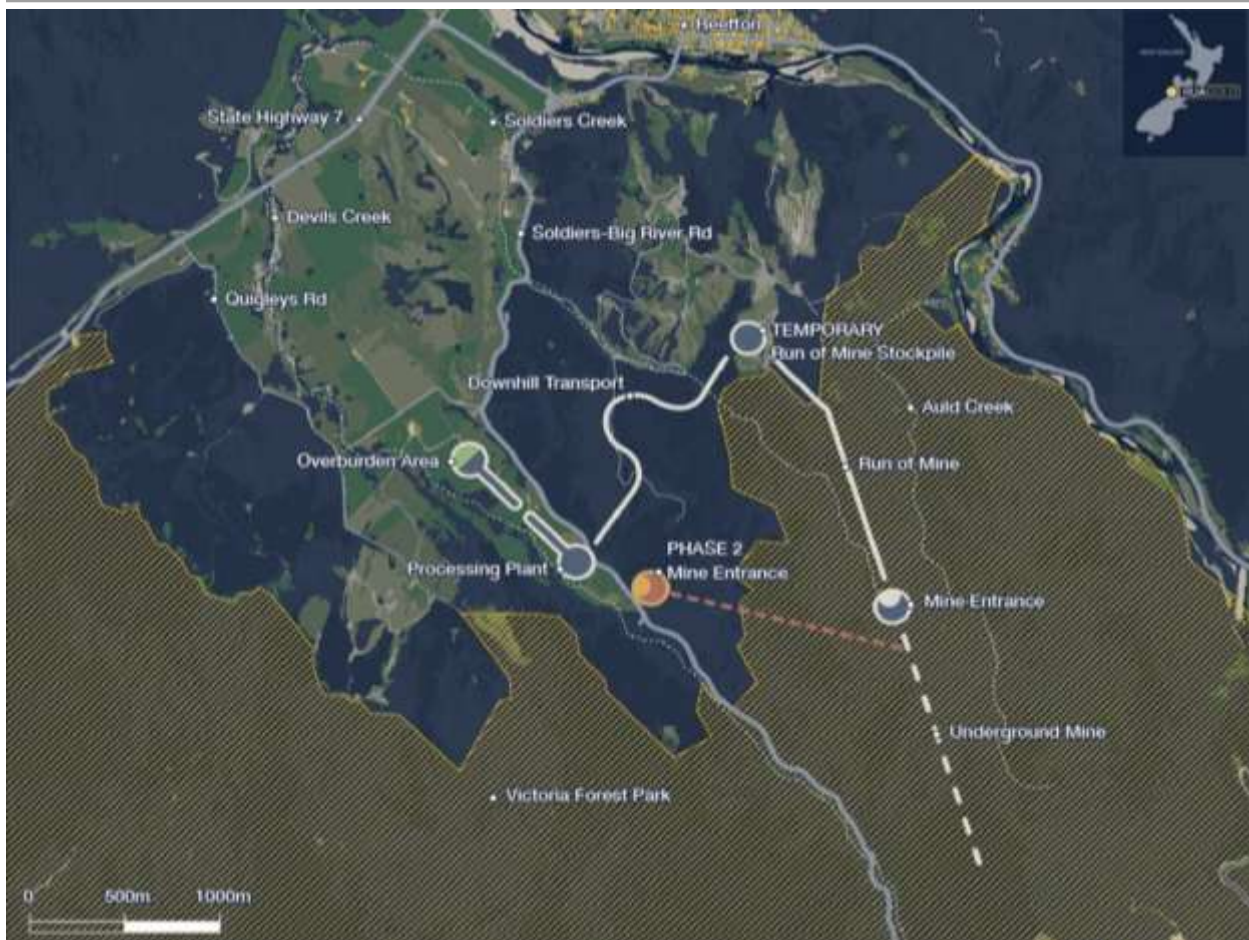


Image 1: Proposed site layout

Key messages

1. This briefing seeks your decisions under section 21 of the Fast-track Approvals Act 2024 (the Act) on the application from Reefton Resources Pty Limited (the applicant) to refer the Auld Creek project (the project) to the fast-track approvals process.
2. A copy of the application is in Appendix 2. This is the second briefing on this application. The first briefing (Stage 1 – 26-BRF-01141) with your initial decisions annotated is in Appendix 3.
3. The project is for the phased development and operation of a new underground mine for the extraction of gold and antimony for approximately 6–8 years from the Auld Creek deposit. The mining permit is proposed for a duration of 30 years.
4. The project area encompasses multiple sites covering an area of approximately 1,009 hectares around three kilometres south of Reefton, within the Buller District of the West Coast Region. The project area is accessed from Quigleys Road, south of State Highway 7.
5. The project area includes public conservation land within Victoria Forest Park (VFP), administered by the Department of Conservation (DOC), as well as land owned by Ngāi Tahu Forestry Limited and privately owned land.



6. The applicant states the mining operation is to be undertaken in two phases. Phase one involves the development of a portal and adit (straight-line mine drive) on Crown land administered by DOC, to access and mine the upper part of the deposit. Phase two involves accessing and mining the remaining deposit via an underground twin-decline tunnel from land owned by Ngāi Tahu Forestry Limited.
7. The project also involves the closure and rehabilitation of the site over an estimated 2–5 years, including rehabilitation in accordance with an agreed closure plan, monitoring, and handover once closure criteria are met.
8. The project includes the following activities:
 - a. continued mineral resource investigation and exploration progression at Auld Creek
 - b. establishing a new surface facilities area to house the surface infrastructure necessary to facilitate the development and operation of an underground mine, including but not limited to: on-site processing of gold and antimony; associated tailings and waste rock storage; and water treatment infrastructure located across privately owned farmland, disused Te Pūkenga land, and Ngāi Tahu Forestry Limited land accessed via Quigleys Road
 - c. the establishment and operation of a temporary Run of Mine pad and associated haul road on Ngāi Tahu Forestry Limited land
 - d. the required construction and upgrades of ancillary infrastructure including new network utility connections, public and private road upgrades and service connections
 - e. the construction, operation and maintenance of a mine access portal located on Ngāi Tahu Forestry Limited land and associated access tunnel
 - f. the construction, operation and maintenance of a twin incline / decline tunnel extending from the access tunnel termination from Ngāi Tahu Forestry Limited land to the Auld Creek orebody
 - g. construction, operation and maintenance of an access portal and associated ventilation adit/s at the top of the orebody located on DOC land
 - h. construction, operation and maintenance of the Auld Creek Underground Mine
 - i. activities over or within waterways, including the possible damming, diverting, taking, storage and use of water, and construction of structures over and in waterways (including culverts)
 - j. take, use and storage of groundwater
 - k. discharge of contaminants (including heat) to land, air and water
 - l. low impact surface and groundwater, ecological, meteorological, noise and vibration monitoring activities
 - m. handling, salvaging, and possible incidental killing of any avifauna, invertebrates, aquatic and terrestrial species across the project area
 - n. ancillary activities that are required to support the activities identified above.
9. The applicant seeks the following approvals under the fast-track approvals process to authorise the project:
 - a. resource consents under the Resource Management Act 1991 (RMA) as described in section 42(4)(a) of the Act
 - b. concessions under the Conservation Act 1987 as described in section 42(4)(e) of the Act

- c. wildlife approvals under the Wildlife Act 1953 as described in section 42(4)(h) of the Act
 - d. an approval, a dispensation, or an authorisation for a complex freshwater fisheries activity under the Freshwater Fisheries Regulations 1983 as described in section 42(4)(j) of the Act
 - e. an initial access arrangement under the Crown Minerals Act 1991 (CMA) as described in section 42(4)(l)
 - f. a mining permit under the CMA as described in section 42(4)(n) of the Act.
10. We recommend you **accept** the referral application as we consider the project meets the criteria set out in section 22 and does not appear to involve an ineligible activity.
11. We seek your decisions on the recommendations, the proposed directions to the applicant and expert panel, and notification of your decisions.

Assessment against statutory framework

12. The statutory framework for your decision-making is set out in Appendix 1. You must apply this framework when you are deciding whether to accept or decline the referral application and when deciding on any further requirements or directions associated with referral of the project.
13. Before making a decision on the project, you must consider the following:
- a. the application (in Appendix 2)
 - b. the section 18 Treaty settlements and other obligations report (in Appendix 4)
 - c. the section 19 report in relation to the use of public conservation land (in Appendix 5)
 - d. the comments received from invited parties under section 17 within the specified time frame (in Appendix 6)
 - e. the further information received from the applicant under section 20 within the specified time frame (in Appendix 7).
14. Following that, you may accept the application if you are satisfied that it meets the criteria in section 22 of the Act and if there are no reasons meaning you must decline the application. We provide our advice on these matters below.

Section 18 Treaty settlements and other obligations report

15. A Treaty settlements and other obligations report (the report) prepared under section 18 of the Act is attached in Appendix 4.
16. Section 18(2) of the Act requires that the report provide a list of Māori groups relevant to the project area. The report has identified Te Rūnanga o Ngāi Tahu and Te Rūnanga o Ngāti Waewae as relevant Treaty settlement entities, and Te Rūnanga o Makaawhio and Pōkeka Poutini Ngāi Tahu Limited as parties to a Mana Whakahono ā Rohe (MWAR).
17. The report identifies the Ngāi Tahu Claims Settlement Act 1998 as relevant to the project area. Ngai Tahu Forestry Limited land within the project area is licensed land transferred through the settlement, and Ngāi Tahu Forestry Limited approves the applicant's use of this land (see section below on 'Further information from the applicant' for more detail). The report considers the provisions of the



Ngāi Tahu settlement do not contain any specific procedural obligations for you, or any panel considering a substantive application should you accept this referral application.

18. The MWaR between Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio, Te Rūnanga o Ngāi Tahu, and West Coast Regional Council includes procedural requirements which the report identifies as relevant to the panel's consideration of a substantive application in relation to notification of applications, the appointment of hearing commissioners, and protocols for hearings at marae and cultural evidence. Refer to the assessment below for further details on your obligations under section 16 of the Act.
19. The report considers that your invitation to Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio, Te Rūnanga o Ngāi Tahu, and Pokeka Poutini Ngāi Tahu Limited to comment on this application under section 17 of the Act is comparable to the advisory and information requirements in Schedule B of the MWaR.
20. In response to the invitation for Māori groups to comment on the application under section 17(1)(d) of the Act, Te Rūnanga o Makaawhio indicates they are supportive of the referral application, citing substantial economic benefit and a minimal environmental footprint.
21. Prior to your invitation, Te Rūnanga o Ngāti Waewae and Te Rūnanga o Ngāi Tahu had each sent a letter to the Environmental Protection Authority (EPA), with Ngāti Waewae expressing support for the application and Ngāi Tahu deferring to Ngāti Waewae.
22. The report does not identify any matters which would make it more appropriate for the proposed approvals to be authorised under another Act or Acts.

Section 16 Effects of Treaty settlements and other obligations on decision-making

23. Section 16(2)(c) of the Act requires you, where relevant, to direct any panel considering a substantive application for a referred project to comply with applicable requirements. Consistent with the section 18 report, if you decide to accept this referral application, you must direct any panel considering a substantive application for the project to:
 - a. consider how they will comply with the hearing commissioner provisions in Schedule C of the MWaR relevant to the project area when convening a panel for the application; and
 - b. consider how the hearing protocols and provisions relating to cultural evidence in Schedule D of the MWaR may apply to the application under the fast-track approvals process, if a hearing is held.
24. If you agree to accept the referral application, we will include this direction in the Notice of Decisions letter for the project. A copy of the relevant MWaR is included as Attachment 4 to the section 18 report.

Section 19 Report in relation to use of public conservation land

25. As the area includes public conservation land (PCL) as defined in the Act, the Director-General of Conservation has prepared a section 19 report (in Appendix 5).
26. The key matters set out in the section 19 report are:
 - a. the project will impact one area of PCL, being the VFP, which is a Conservation Park under section 19 of the Conservation Act 1987 and is administered by DOC



- b. the project includes underground mining and infrastructure within the boundaries of the VFP
- c. VFP hosts a wide range of activities including mining/prospecting as well as recreational, commercial and research activities, with a reasonable number of existing permissions in effect
- d. there is one existing permission that DOC considers is directly affected by the project (111202 – GRA), held by Reefton Agwork Limited for grazing purposes – the Director-General of Conservation considers any impacts on this concessionaire will need to be considered and managed
- e. the Director-General of Conservation considers the project's ability to co-exist with existing activities within the VFP will depend on the relative location of the project and those activities, as well as the proposed management of the project, including any exclusion areas
- f. subject to appropriate design and management, no significant risks have been identified as arising from frustration of existing activities.

27. There are no specific recommendations arising from the section 19 report.

28. Under section 27 of the Act, we recommend you specify Reefton Agwork Limited as an additional party the panel must invite to comment, in addition to those specified in section 53, so that any potential effects on its existing concession can be appropriately considered and managed through the substantive application process.

Written comments received

29. Comments were received from Buller District Council (BDC), West Coast Regional Council (WCRC), DOC, New Zealand Petroleum and Minerals (NZP&M), the Minister for Māori Crown Relations: Te Arawhiti and Minister for Māori Development, the Minister for Resources, the Minister for Regional Development, the Minister for Economic Growth, the Minister for the South Island, NZ Transport Agency Waka Kotahi (NZTA), and Te Rūnanga o Makaawhio.

30. The comments from the Minister for Resources and the Minister for Regional Development were received after the specified time frame. You may consider these comments, at your discretion, under section 17(7)(b). All other comments were received within the specified time frame for this application and must be considered.

31. A summary of the comments received from Te Rūnanga o Makaawhio is provided under the section 18 report section above. The key points of relevance to your decisions are summarised in Table A and copies of the full comments are attached in Appendices 4 and 6. A summary of the other comments is provided below.

32. BDC supports referral of the project and identifies no grounds to decline the application. BDC considers the project is capable of delivering significant regional and national benefits and recommends any substantive application address workforce accommodation, environmental effects, and consistency with relevant planning documents.

33. WCRC identifies no ineligible activity and no grounds to decline the referral application. WCRC did not identify any competing applications, or any existing resource consents issued where sections 124C(1)(c) or 165ZI of the RMA could apply.

34. The Minister for Māori Crown Relations: Te Arawhiti and Minister for Māori Development support the application progressing and encourage the applicant and expert panel to have regard to relevant

Treaty settlement legislation and instruments, and any feedback received from relevant Māori groups.

35. The Minister for Resources supports the application and considers the project could make a nationally significant contribution to New Zealand's minerals sector, including by supporting the extraction of gold and antimony, both of which are on New Zealand's Critical Minerals List. The Minister considers the project could contribute to export growth, regional development, and diversification of global antimony supply.
36. The Minister for Regional Development considers the project would deliver significant economic benefits to Buller District and the West Coast, including through regional GDP growth and the creation of local high-wage jobs.
37. The Minister for Economic Growth considers the project has the potential to deliver significant regional and national economic benefits through increased exports, employment, investment, and critical minerals production.
38. The Minister for the South Island considers the project would deliver significant regional and national economic benefits and aligns with the priorities of the South Island portfolio.
39. DOC identifies no grounds to decline the application and considers there is sufficient information to inform a referral decision. DOC notes environmental effects cannot yet be fully assessed but considers these may be manageable through appropriate design and conditions, and expects any substantive application to address environmental effects, relevant conservation planning documents, and geotechnical risks.
40. NZP&M identifies no issues that would make the project ineligible for referral. While noting discrepancies between the economic forecasts in the referral application and those previously reported by the applicant's parent company, NZP&M acknowledges the project may generate significant export revenue and recommends that any substantive application include an updated NI 43-101-compliant pre-feasibility study and associated economic model.
41. NZTA has no concerns with the project being referred. NZTA recommends any substantive application include an Integrated Transport Assessment and considers upgrades to the Quigleys Road/State Highway 7 intersection may be required.
42. In addition to the comments received under section 17 of the Act, the applicant has provided letters of support for the project from the New Zealand Minerals Council, Te Rūnanga o Ngāti Waewae, the Mayor of the BDC, and Development West Coast (refer to Attachment 13 of the referral application – in Appendix 2).

Further information from the applicant

43. During preparation of the section 18 report, it was identified that part of the project area may include 'identified Māori land' as defined in the Act. Further information was sought from the applicant on 26 June 2026 under section 20 of the Act to determine whether the project involved an ineligible activity.
44. The applicant provided a further information response on 9 July 2026, within the specified time frame. The response included confirmation from Te Rūnanga o Ngāi Tahu that Ngāi Tahu Forestry Limited approves access to any identified Māori land within the project area. Officials consider this information satisfactorily addresses the issue and confirms the project does not involve an ineligible activity under section 5(1)(a) of the Act.

45. The information has been taken into account in the analysis and advice provided in Table A. You must consider the further information response, as it was received within the specified time frame.

Reasons to decline

46. The statutory framework in Appendix 1 sets out the situations where you must decline the application for referral under section 21(3). We consider that you have sufficient information to make an informed decision. We further consider you can be satisfied that the project does not involve any ineligible activities and that it meets the referral criteria set out in section 22. As such, we have not identified any reasons under section 21(3) that you must decline this application.
47. You may also decline the application for any other reason under section 21(4). The Act gives some guidance on matters you could consider when deciding whether to decline an application under section 21(5) and these are set out in Table A.
48. We have considered whether the project should be declined on the basis that it may have significant adverse effects on the environment.
49. Invited parties raised concerns about potential adverse effects on conservation land and biodiversity, workforce accommodation demand, local infrastructure and services, geotechnical and natural hazards, and transport impacts.
50. The applicant considers any adverse effects can be appropriately managed. We recommend specifying the applicant provide economic, social, transport, and geotechnical assessments with any substantive application, to ensure the expert panel has adequate information on these matters.
51. We consider the potential adverse environmental effects of the project are best assessed by an expert panel through the substantive application process. While the project may involve technical and environmental complexities, projects of this scale and nature are consistent with the types of regionally and nationally significant developments the fast-track approvals process was established to consider. As such, we do not consider you should decline the application on this basis.
52. Ultimately, we recommend you do not decline the referral application for this reason, or any other grounds under section 21(4) or (5) of the Act.

Reasons to accept

53. The statutory framework in Appendix 1 sets out the reasons you can accept a referral application and refer a project to the fast-track approvals process.
54. Our assessment of these matters is detailed in Table A. To summarise, we consider the project aligns with the referral criteria under section 22, as:
- a. it would have significant regional and national benefits because it:
 - i. will deliver significant economic benefits through substantial investment, export earnings, employment opportunities, and support for New Zealand's critical minerals sector in the Buller District, West Coast Region, and wider New Zealand economy
 - ii. will support the development of natural resources through the extraction of gold and antimony, which are minerals identified on New Zealand's Critical Minerals List, and contribute to the objectives of the Minerals Strategy for New Zealand to 2040



- b. referring the project would facilitate its delivery by enabling the required approvals, permits, and authorisations to be considered through a single integrated process, avoiding the longer timeframes, hearings, and appeal processes that may otherwise apply under standard approval pathways
- c. the project is unlikely to materially affect the efficient operation of the fast-track approvals process because the proposed underground mining activities and their associated effects are generally well understood.

55. If you agree with our recommendations, you may accept the referral application and refer the project to the fast-track approvals process.

Conclusions

56. We consider the project meets the section 22 criteria and you could accept the referral application under section 21 of the Act and refer the project to the fast-track approvals process with the specifications outlined below.
57. Notwithstanding our recommendations, you retain discretion to determine the outcome of the referral application, including whether the project meets the section 22 criteria.
58. We consider that if you decide to refer the project, you should specify under section 27 of the Act the following requirements that should apply to the project:
- a. the applicant must provide the following with the substantive application: an NI 43-101-compliant pre-feasibility study and associated economic model, a social impact assessment, an integrated transport assessment, and a geotechnical and seismic assessment.
 - b. the panel must invite comments from NZTA and Reefton Agwork Limited, in addition to those parties specified in section 53, as we consider both parties have a relevant interest in the project – NZTA has an interest in the proposed upgrades to the State Highway 7 intersection, while Reefton Agwork Limited has an interest as the holder of an existing concession that may be affected by the project.
59. As noted above, section 16(2)(c) requires you, where relevant to direct any panel considering a substantive application for a referred project to comply with applicable requirements. We have specified the relevant matters for you to note within the recommendations below.
60. A detailed assessment of the matters you may specify under section 27(3) and our reasoning for these specifications is provided in Table A.

Next steps

61. The Secretary for the Environment (the Secretary) must give notice of your decisions on the referral application, and the reasons for them, to the applicant and anyone invited to comment under section 17 and publish the notice on the Fast-track website.
62. If you decide to refer the project, the Secretary must also give notice of your decision to:
- a. the panel convener
 - b. any additional iwi authorities or Treaty settlement entities that you consider have an interest in the matter other than those invited to comment under section 17



- c. the EPA.
63. You must also provide all of the information you received that relates to this application to the EPA and the panel convener, including:
- a. the referral application
 - b. the comments received under section 17
 - c. the report obtained under section 18
 - d. the report obtained under section 19.
64. We will undertake this action on your behalf.
65. We have attached a notice of decisions letter to the applicant based on our recommendations (refer to Appendix 8) and we will provide it to all relevant parties. We will provide you with an amended letter if required.
66. Our recommendations for your decisions follow.
- ,



Recommendations

67. We recommend that you:

- a. **Note** section 21(3) of the Fast-track Approvals Act 2024 (the Act) requires you to decline the referral application from Reefton Resources Pty Limited (the applicant) if you are satisfied that the project involves an ineligible activity, or you consider that you do not have adequate information to inform the decision under this section or if you are not satisfied that the Auld Creek project (the project) meets the referral criteria in section 22 of the Act.

Noted

- b. **Agree** that before deciding on the referral application under section 21(1) of the Act you have considered:

- i. the application in Appendix 2
- ii. the report obtained under section 18 in Appendix 4
- iii. the report obtained under section 19 in Appendix 5
- iv. the comments received under section 17 within the specified time frame in Appendix 6
- v. the further information from the applicant received under section 20 within the specified time frame in Appendix 7.

Yes / No

- c. **Agree** to exercise your discretion under section 17(7)(b) to consider the late comments in Appendix 6 received from the Minister for Resources and the Minister for Regional Development after the time frame specified under section 17(6) of the Act.

Yes / No

- d. **Agree** you are satisfied the project will meet the referral criteria in section 22 of the Act as:

- i. the project, a new underground mine for the extraction of gold and antimony, is a **development project** that would have **significant regional and national benefits** [section 22(1)(a)] because it:

- (1) will deliver significant economic benefits [section 22(2)(a)(iv)] by:

- supporting substantial capital investment in the Buller District, West Coast Region, and wider New Zealand economy
- generating export earnings through the production of gold and antimony
- supporting employment and economic activity through the construction and operation of the mine.

- (2) will support development of natural resources, including minerals [section 22(2)(a)(vi)] by:

- developing and extracting gold and antimony resources from a new underground mine near Reefton
- supporting the development of minerals identified on New Zealand's Critical Minerals List, including antimony, which is recognised as strategically important to New Zealand's economy and supply security
- contributing to the objectives of the Minerals Strategy for New Zealand to 2040 by increasing mineral export value and advancing critical mineral opportunities.



- ii. referring the project to the fast-track approvals process would facilitate its delivery [section 22(1)(b)(i)], including by enabling it to be processed in a more timely and cost-effective way than under normal processes as:
 - (1) the project requires multiple approvals, permits, and authorisations that would otherwise be considered under separate statutory processes and by different decision-makers, and referral would enable these approvals to be considered through a single integrated process
 - (2) the standard approval processes for a project of this scale and complexity could involve public notification, hearings, and appeals, resulting in increased costs and longer approval timeframes
 - (3) appeals under the Act are only to the High Court rather than the Environment Court and are limited to points of law
 - (4) the Act precludes public and limited notification.
- iii. referring the project is unlikely to materially affect the efficient operation of the fast-track approvals process [section 22(1)(b)(ii)] because the proposed underground mining activities and their associated effects are generally well understood, and the project is consistent with the types of regionally and nationally significant developments the fast-track approvals process was established to consider.

Yes / No
- e. **Agree** to accept the referral application under section 21(1)(c) and refer the whole project to the fast-track approvals process under section 26(2)(a).

Yes / No
- f. **Agree** to specify Reefton Resources Pty Limited as the person who is authorised to lodge a substantive application for the project.

Yes / No
- g. **Agree**, under section 27(3)(b)(i) of the Act, to specify a deadline of two years from the date of the notice of decisions letter for the applicant to lodge the substantive application.

Yes / No
- h. **Agree**, under section 27(3)(b)(ii) of the Act, to specify the following information that the applicant must submit with the substantive application:
 - i. an NI 43-101-compliant pre-feasibility study and associated economic model
 - ii. a social impact assessment, including an assessment of workforce accommodation demand, the capacity of local housing and accommodation supply to meet that demand, the potential effects on local infrastructure and services in Reefton and the surrounding areas, and any proposed measures to manage those effects
 - iii. an integrated transport assessment, including but not limited to a sightline analysis of the Quigleys Road/State Highway 7 intersection, an assessment of adverse effects on the state highway network arising from the project, any proposed mitigation measures to address those effects, and details of any upgrades required to the Quigleys Road/State Highway 7 intersection and other transport infrastructure, including how those upgrades will be funded



- iv. a geotechnical and seismic assessment in relation to the proposed underground mining operation, identifying any geotechnical or seismic hazards associated with the project, and details of any measures proposed to manage those hazards.

Yes / No

- i. **Agree**, under section 27(3)(b)(iii) of the Act, to specify NZ Transport Agency Waka Kotahi and Reefton Agwork Limited as groups the panel must invite comments from in addition to those specified in section 53.

Yes / No

- j. **Note**, pursuant to section 16(2)(c) of the Act, you must direct any panel considering the substantive application to:

- i. consider how they will comply with the hearing commissioner provisions in Schedule C of the Mana Whakahono ā Rohe (MWAR) relevant to the project area when convening a panel for the application; and
- ii. consider how the hearing protocols and provisions relating to cultural evidence in Schedule D of the MWaR may apply to the application under the fast-track approvals process, if a hearing is held.

Noted

- k. **Agree** that the Secretary for the Environment will provide your notice of decisions to:

- i. anyone invited to comment on the application, which includes the relevant administering agencies
- ii. the panel convener
- iii. the Environmental Protection Authority (EPA).

Yes / No

Signatures

Stephanie Frame
Manager – Fast-track Operations

Hon Chris Bishop
Minister for Infrastructure

Date:

Table A: Stage 2 analysis

Recommendation	<u>Accept</u> the referral application and refer the project to the fast-track approvals process.		
Project details	Project Name	Applicant	Project Location
	Auld Creek (the project)	Reefton Resources Pty Limited (the applicant)	The project area encompasses multiple sites covering an area of approximately 1,009 hectares around three kilometres south of Reefton, within the Buller District of the West Coast Region. The project area includes public conservation land within Victoria Forest Park, administered by the Department of Conservation (DOC), as well as land owned by Ngāi Tahu Forestry Limited and privately owned land.
Project description	The project is for the phased development and operation of a new underground mine for the extraction of gold and antimony for approximately 6-8 years from the Auld Creek deposit, near Reefton in the West Coast Region. The mining permit is proposed for a duration of 30 years. The applicant states the mining operation is to be undertaken in two phases. Phase one involves the development of a portal and adit (straight line mine drive) on Crown land administered by DOC to access and mine the upper part of the deposit. Phase two involves accessing and mining the remaining deposit via an underground twin decline tunnel from land owned by Ngāi Tahu Forestry Limited. The project also involves the closure and rehabilitation of the site over an estimated 2–5 years, including rehabilitation in accordance with an agreed closure plan, monitoring, and handover once closure criteria are met. The project includes the following activities: - continued mineral resource investigation and exploration progression at Auld Creek - establishing a new surface facilities area to house the surface infrastructure necessary to facilitate the development and operation of an underground mine including but not limited to on-site processing of gold and antimony, associated tailings and waste rock storage, and water treatment infrastructure located across privately owned farmland, disused Te Pūkenga land, and Ngāi Tahu Forestry Limited land accessed via Quigleys Road - the establishment and operation of a temporary Run of Mine pad and associated haul road on Ngāi Tahu Forestry Limited land - the required construction and upgrades of ancillary infrastructure including new network utility connections, public and private road upgrades and service connections - the construction, operation and maintenance of a mine access portal located on Ngāi Tahu Forestry Limited land and associated access tunnel - the construction, operation and maintenance of a twin incline / decline tunnel extending from the access tunnel termination from Ngāi Tahu Forestry Limited land to the Auld Creek orebody - construction, operation and maintenance of an access portal and associated ventilation adit/s at the top of the orebody located on DOC land - construction, operation and maintenance of the Auld Creek Underground Mine - activities over or within waterways, including the possible damming, diverting, taking, storage and use of water, and construction of structures over and in waterways (including culverts) - take, use and storage of groundwater - discharge of contaminants (including heat) to land, air and water - low impact surface and groundwater, ecological, meteorological, noise and vibration monitoring activities - handling, salvaging, and possible incidental killing of any avifauna, invertebrates, aquatic and terrestrial species across the project area - ancillary activities that are required to support the activities identified above. The applicant seeks the following approvals under the fast-track approvals process to authorise the project: - resource consents under the Resource Management Act 1991 (RMA) as described in section 42(4)(a) of the Act - concessions under the Conservation Act 1987 as described in section 42(4)(e) of the Act - wildlife approvals under the Wildlife Act 1953 as described in section 42(4)(h) of the Act - an approval, a dispensation, or an authorisation for a complex freshwater fisheries activity under the Freshwater Fisheries Regulations 1983 as described in section 42(4)(j) of the Act - an initial access arrangement under the Crown Minerals Act 1991 (CMA) as described in section 42(4)(l) - a mining permit under the CMA as described in section 42(4)(n) of the Act.		
Minister invites comments / requests information	Comments from invited parties [section 17]		
	<i>The following section provides a summary of the comments received from invited parties under section 17 of the Act. Full copies of all comments received are attached in Appendix 6. Under section 17(7)(a) of the Act, you must consider any comments received within the time frame under section 17(6). The comments from the Minister for Resources and the Minister for Regional Development were received after the specified time frame. You may consider these comments, at your discretion, under section 17(7)(b). All other comments were received within the specified time frame for this application and must be considered.</i> Local authorities <i>Buller District Council (BDC)</i> BDC did not identify any competing applications. BDC supports referral of the project, as they consider the benefits associated with the project area significant in the context of the West Coast Region. BDC identifies no ineligible activity and no grounds to decline the referral application. BDC considers the adverse effects of mining activities are well understood and identifies a similar underground mining operation located approximately 17 kilometres south of the project area (Snowy River Mine). While BDC does not have sufficient information to determine the level of any actual or potential environmental effects for the project, it is anticipated, with appropriate design and conditions, that the effects can be managed to appropriate levels in relation to any consent approvals.		

BDC notes that the project may place significant pressure on housing, accommodation, and local infrastructure in and around Reefton due to workforce demand. While BDC anticipates these effects are manageable, they expect any substantive application to clearly demonstrate how workforce accommodation needs and associated social effects will be addressed. BDC identifies the project area is located partly within sensitive environments, including conservation land and areas with indigenous biodiversity values. BDC states detailed assessment of the project’s consistency with relevant statutory planning documents is expected to accompany any subsequent substantive application. Overall, BDC considers the referral application demonstrates that the project is capable of delivering significant regional and national benefits, particularly in relation to regional employment, economic activity, mineral development, and contribution to New Zealand’s critical minerals sector.

West Coast Regional Council (WCRC)

WCRC did not identify any competing applications, or any existing resource consents issued where sections 124C(1)(c) or 165ZI of the RMA could apply. WCRC identifies no ineligible activity and no grounds to decline the referral application.

Ministers

Minister for Māori Crown Relations: Te Arawhiti and Minister for Māori Development

The Minister supports the application progressing and encourages the applicant and expert panel to have due regard to relevant Treaty settlement legislation and instruments, and to consider any feedback received from relevant Māori groups, as set out in the section 18 report.

Minister for Resources

Note: the comments from the Minister for Resources were received after the specified time frame. We recommend you consider these comments, at your discretion, under section 17(7)(b).

The Minister states that the project could make a nationally significant contribution to New Zealand’s minerals sector and support the Government’s Minerals Strategy for New Zealand to 2040, which aims to double minerals export revenues to \$3 billion annually by 2035. The Minister notes that the applicant estimates the project will generate average annual exports of \$284 million in gold and antimony over its eight-year life, which could materially contribute to export growth, regional development and economic activity.

The Minister notes that both gold and antimony are included on New Zealand’s Critical Minerals List. The Minister states that antimony is an important mineral used in batteries, flame retardants and defence applications, and considers the project could contribute to diversifying global antimony supply given the concentration of production in a small number of countries. The Minister also notes that gold remains one of New Zealand’s most established export-focused mineral commodities and considers that gold production can support wider mineral exploration and attract international investment, including for critical minerals such as antimony.

Minister for Regional Development

Note: the comments from the Minister for Regional Development were received after the specified time frame. We recommend you consider these comments, at your discretion, under section 17(7)(b).

Based on the economic assessment provided, the Minister considers that the project will have significant regional economic benefits, in particular due to its GDP contribution to Buller District and the West Coast, and the number of local high-wage jobs created.

Minister for Economic Growth

The Minister notes that the applicant’s economic assessment estimates the project will involve approximately \$631 million in capital investment, generate average annual export revenues of \$284 million from gold and antimony, and contribute around \$403 million per year to GDP. The Minister states that the project is expected to support around 200 direct jobs during operations, increasing to approximately 267 at peak production, with wider employment benefits across the West Coast and nationally. The Minister considers that the project could strengthen export earnings, attract foreign direct investment, support domestic production of antimony, and improve supply-chain resilience for a mineral identified on New Zealand’s Critical Minerals List. On this basis, the Minister considers the project has the potential to deliver significant regional and national economic benefits under section 22(2)(a)(iv) of the Act.

Minister for the South Island

The Minister considers the project will deliver significant regional and national economic benefits, citing its projected contribution to export growth, GDP, employment and regional investment. The Minister notes that the project aligns with the priorities of the South Island portfolio and has clear implications for regional economic development. The Minister also considers that input from the Economic Growth, Regional Development and Resources portfolios may be relevant when assessing the project’s strategic importance.

Māori Groups

Te Rūnanga o Makaawhio

Te Rūnanga o Makaawhio supports the project being referred to the fast-track approvals process. Te Rūnanga o Makaawhio considers the project would provide significant economic benefits to Te Tai Poutini/West Coast and is satisfied these benefits can be achieved with appropriate environmental management and a minimal impact on the surrounding landscape.

Administering agencies

Department of Conservation (DOC) and the Director-General of Conservation

DOC considers there is adequate information to inform a referral decision. DOC has not identified any reasons under section 21 of the Act for the Minister to decline the referral. DOC did not identify any aspect of the project that would be an ineligible activity under section 5 of the Act. DOC has considered the criteria in section 22 and has not identified anything further that has not already been acknowledged in the referral application.

	DOC considers there is currently insufficient information to assess environmental effects, but expects these can likely be managed through appropriate design and conditions. If impacts cannot be appropriately managed and are disproportionate to the project’s benefits, the DOC notes an expert panel could decline the substantive application. DOC has not identified any inconsistency between the project and relevant DOC statutory planning documents, including the Conservation General Policy 2005 and the West Coast Te Tai Poutini Conservation Management Strategy, but considers these documents will need to be addressed if the project progresses to a substantive application. DOC notes that within the application it is identified that underground geotechnical conditions are anticipated to be challenging, particularly when mining close to surface – DOC considers this will need to be carefully considered, including from a health and safety perspective. DOC notes there are several pending concession applications within Victoria Forest Park that may be considered competing applications under the Act. However, DOC notes it has not been able to determine whether any relate to the same locations proposed for the project. DOC has identified three pending applications that relate to recreational activities within Victoria Forest Park, including helicopter landings, guided walks, and outdoor education trips. <i>New Zealand Petroleum and Minerals (NZP&M) – within the Ministry of Business, Innovation and Employment</i> NZP&M notes that the project may generate significant export revenue through the production of gold and antimony, with antimony identified as a critical mineral on New Zealand’s Critical Minerals List. NZP&M also notes that the economic forecasts in the referral application differ from the Mineral Resource Estimate (MRE) and Preliminary Economic Assessment (PEA) results publicly reported by the applicant’s parent company to the TSX and NZX, including differences that the applicant has advised arose from the correction of an economic modelling error. NZP&M states that the applicant is continuing to develop information required for a substantive application, including an updated MRE, mine planning details, and a Pre-Feasibility Study (PFS), which are expected to be completed by mid-September 2026. NZP&M considers that an NI 43-101-compliant PFS and associated economic model will be important to support assessment of any subsequent mining permit application and recommends that, if the project is referred, the Minister impose a condition requiring these documents to accompany any substantive application. NZP&M considers such a condition would assist in ensuring the efficient operation of the fast-track approvals process. NZP&M has not identified any issues that would make the project ineligible for referral to the fast-track approvals process. Any other persons or groups <i>NZ Transport Agency Waka Kotahi (NZTA)</i> NZTA has no concerns with the project being referred to the fast-track approvals process and welcomes the opportunity to comment on any substantive application. NZTA notes that a detailed assessment is required to determine actual impacts on the state highway network but expects typical effects to include increased heavy vehicle movements during construction and higher traffic volumes once operational. NZTA would expect an Integrated Transport Assessment be provided with the substantive application, including a sightline analysis of the Quigleys Road/State Highway 7 intersection, and considers that this intersection will likely require upgrading in accordance with the Planning Policy Manual 2025.
	Further information from the applicant [section 20] <i>The following section provides a summary of the further information request to the applicant and the response received under section 20 of the Act. Full copies of the request and response are attached in Appendix 7. Under section 20(2)(a) of the Act, you must consider any information received within the specified time frame. The response was received within the specified time frame and therefore must be considered.</i> During the preparation of the section 18 report, it was identified that part of the project area may comprise ‘identified Māori land’ as defined in the Act, as it includes land owned by Ngāi Tahu Forestry Limited, an entity associated with a post-settlement governance entity. Under sections 5 and 21(3) of the Act, you must decline a referral application if satisfied that the project involves an ineligible activity, including an activity occurring on identified Māori land without the written agreement of the landowners or a determination under section 23. Further information was sought from the applicant on 26 June 2026 under section 20 of the Act to determine whether the project involved an ineligible activity. The applicant responded on 9 July 2026, within the specified time frame. The response included a letter from Te Rūnanga o Ngāi Tahu dated 8 July 2026 confirming that Ngāi Tahu Forestry Limited approves the applicant accessing the relevant properties to the extent they comprise identified Māori land, and that Te Rūnanga o Ngāi Tahu supports that access. We consider this response satisfactorily addresses the request for further information and confirms that the project does not involve an ineligible activity under section 5(1)(a) of the Act.
The Minister must decline an application if the Minister is satisfied that the project involves an ineligible activity [section 21(3)(b)]	We consider you can be satisfied that the project does not involve an ineligible activity because it: – would occur on identified Māori land and it has been agreed to in writing by the owners of the land (refer to the section 20 response above for additional context) – would not occur in a customary marine title area or protected customary rights area as it is not in the coastal marine area – is not an aquaculture activity or activity that is incompatible with aquaculture activities that would occur in an aquaculture settlement area and for which the applicant is not authorised to apply for a coastal permit – would not require an access arrangement which cannot be granted under the Crown Minerals Act (including s61(1A)) as confirmed by the information provided by the applicant with the referral application – would not be prevented by section 165J, M, Q, ZC or ZDB of the RMA because it will not occur in the coastal marine area or involve an aquaculture activity – would not occur on Schedule 4 land – would not occur on a national reserve – would not occur on a reserve held under the Reserves Act 1977 that is managed by or vested in someone other than the Crown or a local authority and that person has not consented in writing as confirmed by DOC – is not a prohibited activity or decommissioning activity under the EEZA, 15B or 15C of the RMA – is not for the purpose of an offshore renewable energy project. No comments raised by invited parties have indicated that the project would involve an ineligible activity as defined under section 5 of the Act.

The Minister must decline an application if the Minister considers they do not have adequate information to inform the decision [section 21(3)(c)]	No comments raised by invited parties have determined that there is inadequate information to inform the decision on the referral application. We consider you have adequate information to inform your decision on the referral application.
Relevant considerations and procedural requirements in Treaty settlement, Mana Whakahono ā Rohe, joint management agreement, or the Marine and Coastal Area (Takutai Moana) Act 2011 or the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 [section 16]	Section 16(2)(c) of the Act requires you, where relevant, to direct any panel considering a substantive application for a referred project to comply with applicable requirements. Consistent with the section 18 report, if you decide to accept this referral application, you must direct any panel considering a substantive application for the project to: a. consider how they will comply with the hearing commissioner provisions in Schedule C of the Mana Whakahono ā Rohe (MWaR) relevant to the project area when convening a panel for the application; and b. consider how the hearing protocols and provisions relating to cultural evidence in Schedule D of the MWaR may apply to the application under the fast-track approvals process, if a hearing is held. If you agree to accept the referral application, we will include this direction in the Notice of Decisions letter for the project. A copy of the relevant MWaR is included as Attachment 4 to the section 18 report.
Section 22 assessment criteria	
The project is an infrastructure or development project that would have significant regional or national benefits [section 22(1)(a)]	<u><i>The Minister must consider a relevant Government policy statement (GPS) [s22(1A)]</i></u> The only current GPS is the GPS on Grocery Competition. As this project does not involve a supermarket development or grocery-related activities, there is no GPS relevant to your decision. You <u>may</u> consider any of the following matters, or any other matters you consider relevant. The applicant considers the project, being a new underground mine for the extraction of gold and antimony, is a development or infrastructure project that would have significant regional and national benefits. <u><i>The project has been identified as a priority project in a central or local government, or sector plan or strategy or a central government infrastructure priority list [s22(2)(a)(i)]</i></u> The applicant states that the project itself has not been identified as a priority project. However, the applicant considers that the project aligns with priorities set out in the Minerals Strategy for New Zealand to 2040 (the Minerals Strategy), released by MBIE in January 2025, which establishes government goals and targets for the mining sector, including supporting a productive and resilient economy through responsible and sustainable practices. The applicant notes that the strategy includes a goal to double the value of mineral exports to \$3 billion by 2035 and identifies three growth drivers: scaling up current mineral exports, realising new critical mineral opportunities in New Zealand, and adding value through domestic processing and refining. The applicant considers the project meets these drivers by scaling up gold exports, developing the largest known antimony deposit in New Zealand (which the Minerals Strategy identifies as the country’s most significant antimony resource), and expanding on-site processing in Reefton, including processing antimony into mineral concentrate rather than exporting raw ore. BDC also notes that the project has not been identified as a priority project within a local authority plan or strategy. However, BDC agrees that the project aligns with the objectives within the Minerals Strategy, including with respect to development of New Zealand’s mineral resources, increasing export value, and supporting the critical minerals sector. We note this criterion concerns whether the project itself is identified as a priority project, rather than its strategic intent or general alignment with the priorities and objectives set out in the Minerals Strategy. As the project is not specifically identified as a priority in any central or local government plan, sector strategy, or central government infrastructure priority list, <u>we consider this criterion is not met</u>. Further consideration of the project’s alignment with the Minerals Strategy, has instead been addressed under section 22(2)(a)(vi). <u><i>Will deliver significant economic benefits [s22(2)(a)(iv)]</i></u> The applicant states that the project will deliver significant economic benefits at local, regional, and national levels, and that without the project the assessed \$597 million in foreign direct investment, \$2.3 billion in exports, and around 200 permanent jobs would not occur. The applicant cites economic assessment evidence indicating total export revenue of approximately \$2.269 billion over the production period (net present value – NPV of \$1.636 billion), average New Zealand-based capital and operating expenditure of around \$125 million per year (totalling \$1.125 billion), and a total gross domestic product (GDP) contribution of \$3.627 billion over the project lifecycle (NPV \$2.462 billion). The applicant further states that the project would support substantial employment in the Buller District, with average total employment effects of 477 people and peak employment of up to 771 people, generating total tax contributions of approximately \$359 million (NPV \$261 million). While NZP&M identifies discrepancies between the economic forecasts presented in the referral application and those previously reported by the applicant’s parent company, it nevertheless acknowledges the project may generate significant export revenue. For the purposes of a referral application assessment, we do not consider it necessary to determine the precise scale of the economic benefits claimed. Rather, the relevant consideration is whether the project will deliver economic benefits of sufficient scale to contribute to the project's significant regional or national benefits. The information provided by the applicant indicates the project would involve substantial capital investment, generate export earnings from the production of gold and antimony, create employment opportunities, and contribute to economic activity within the Buller District, West Coast Region, and wider New Zealand economy. We also note that several invited parties, including BDC, Te Rūnanga o Mākaawhio and the Ministers for Resources, Regional Development, Economic Growth, and the South Island, consider the project has the potential to deliver significant regional and national economic benefits through increased investment, employment, export earnings, and support for regional economic development.

We further note that antimony and gold included on New Zealand's Critical Minerals List, and several commenters identify the strategic importance of increasing domestic production of these minerals. While there is some uncertainty regarding the precise economic outcomes that may be realised, there is broad agreement among commenters that the project is likely to produce material economic benefits.

We consider there is sufficient evidence that the project will deliver significant economic benefits at both a regional and national level. The project would involve substantial investment, support employment, contribute to export earnings and GDP, and support the development of New Zealand's critical minerals sector. Accordingly, **we consider this criterion is met.**

Will support primary industries, including aquaculture [s22(2)(a)(v)]

The applicant identifies that mining is a primary production activity, as defined in the National Planning Standard 2019. The applicant considers the project will support employment for mine workers and enable investment in operational capacity, infrastructure, and security. The applicant further considers that referral of the project would promote investor certainty in the near and long term and encourage further exploration and development in Reefton. On this basis, the applicant considers the project would contribute to supporting New Zealand's primary industries.

BDC considers the project would meet this criterion by supporting New Zealand's mining industry, also recognising that mining is a primary production industry under the National Planning Standards 2019. BDC states the project would support ongoing investment and employment in the minerals sector and related industries and service providers across the Buller District and wider West Coast Region.

We consider the project's primary relevance is to section 22(2)(a)(vi), which concerns the development of natural resources, including minerals. The project's principal purpose is the extraction and development of gold and antimony resources, and the benefits identified by the applicant and BDC largely relate to that resource development rather than support for a wider primary industry in the way contemplated by this criterion. Overall, we consider the project's benefits in this regard are **more appropriately captured under section 22(2)(a)(vi)** relating to the development of natural resources, which is assessed below.

Will support development of natural resources, including minerals and petroleum [s22(2)(a)(vi)]

The applicant states the project would support the development of natural resources through the extraction of gold and antimony, which they consider will generate significant regional and national employment and economic benefits.

BDC and the Minister for Resources both support the view that the project would contribute to the development of mineral resources through the extraction of antimony and gold. They note both minerals are identified on New Zealand's Critical Minerals List, reflecting their importance to New Zealand's economy and strategic interests.

We note that the project's primary purpose is the development and extraction of gold and antimony deposits located near Reefton. The project would therefore directly support the development of natural resources, specifically mineral resources. The proposed extraction of antimony is of particular relevance given its status as a critical mineral and its use in a range of strategic and industrial applications.

We also note the Minister for Resources' comments that increased domestic production of antimony could contribute to the diversification of global supply, while continued gold production would support one of New Zealand's established mineral export industries and may encourage ongoing mineral exploration and investment.

We further note that the project appears consistent with the objectives of the Minerals Strategy for New Zealand to 2040, which includes increasing mineral export value, supporting strategically important critical mineral developments, and realising new critical mineral opportunities. Through the extraction of gold and antimony, including development of what the applicant describes as New Zealand's largest known antimony deposit, the project would support these objectives and contribute to the development of New Zealand's minerals sector.

Overall, we consider the project will directly support the development of natural resources through the extraction of gold and antimony, which are minerals identified on New Zealand's Critical Minerals List. Accordingly, **we consider this criterion is met.**

Is consistent with local or regional planning documents, including spatial strategies [s22(2)(a)(x)]

The applicant states that the project has been assessed as consistent with the following local and regional planning documents: the West Coast Regional Policy Statement 2020 (RPS); the West Coast Regional Land and Water Plan; the West Coast Regional Air Quality Plan; the Buller Long Term Plan; the operative Buller District Plan (BDP); the proposed Te Tai o Poutini Plan (TTPP); and Te Rūnanga o Ngāi Tahu's Freshwater Policy Statement. The applicant considers that this consistency is achieved through project design decisions, including the location of surface infrastructure and the use of underground mining methods, supported by early engagement with regulators, iwi authorities, and technical experts.

Based on a preliminary high-level assessment, BDC considers that the project is broadly consistent with the relevant regional and district planning framework, including the TTPP, BDP, and RPS. BDC states mining activities are an established industry within the Buller District and wider West Coast Region. BDC further states the relevant planning documents contain objectives and policies recognising the importance of mineral resource development while seeking to appropriately manage adverse environmental effects.

As detailed above, we consider the project's principal alignment with the section 22 criteria relates to its potential to support mineral resource development and generate economic and employment benefits within the West Coast Region. The applicant and BDC consider that the project is broadly consistent with the relevant local and regional planning framework. However, the relevant planning documents recognise and provide for mineral resource development alongside the need to appropriately manage adverse environmental effects.

Whether the project achieves this balance, including whether its adverse effects can be appropriately avoided, remedied, or mitigated and whether it is ultimately consistent with the outcomes sought by the relevant planning documents, would require detailed assessment through any substantive application by an expert panel. On the information currently available, we do not consider there is a sufficient basis to determine that the project is consistent

	with the relevant local or regional planning framework to a scale that would achieve significant regional or national benefits. Accordingly, <u>we consider this criterion is not met</u>. We note the applicant retains the ability to provide further analysis on this matter with a substantive application to assist the expert panel in understanding the extent of the project's benefits. <u>Conclusion</u> Based on the assessment above, we consider the project is a development project that would have significant regional and national benefits in line with the criteria for accepting a referral application under section 22(1)(a) of the Act. If you agree with this recommendation and are satisfied that the whole project meets the criteria in section 22, you may accept the referral application and refer the whole project to the fast-track approvals process in accordance with section 26 of the Act.
Referring the project to the fast-track approvals process [section 22(1)(b)]	<i>Would facilitate the project, including by enabling it to be processed in a more timely and cost-effective way than under normal processes [s22(1)(b)(i)]</i> The applicant considers that referring the project to the fast-track approvals process would facilitate the project by enabling approvals to be obtained more efficiently than under normal statutory processes. The applicant identifies that the project requires multiple approvals that would otherwise be sought under different legislative regimes and before different decision-makers, including resource consents, permits, and concessions. Given the range of approvals required, the applicant considers that using the fast-track approvals process would significantly streamline decision-making for the project. The applicant further states that approvals for new mining projects under standard processes are typically lengthy, complex, and costly, often involving public notification, hearings, and appeals that can extend timeframes by several years. The applicant considers that referral to the fast-track approvals process would significantly reduce both the processing timeframe (by approximately two years) and the costs associated with authorising the project compared to normal processes. BDC considers that referral would likely enable the project to be delivered more quickly and cost-effectively than standard approval pathways, noting that comparable consent processes can take 12–18 months where hearings are required. BDC also considers the integrated fast-track approvals process is well suited to coordinating the multiple approvals required for the project, reducing duplication and supporting timely decision-making. DOC considers the project may realise cost and efficiency benefits through the fast-track approvals process, as it would enable multiple approvals and authorisations that would otherwise be required under separate legislative regimes to be considered through a single process. NZP&M considers that an NI 43-101-compliant PFS and associated economic model will be important to support assessment of any subsequent mining permit application and recommends that, if the project is referred, you impose a condition requiring these documents to accompany any substantive application. NZP&M considers such a condition would assist in ensuring the efficient operation of the fast-track approvals process, thereby meeting this criterion. As detailed below, we have recommended you specify this as an information requirement under section 27. Overall, we generally agree with the applicant's assessment that referring the project to the fast-track approvals process would facilitate the project, including by enabling it to be processed in a more timely and cost-effective way than under normal processes, in line with section 22(1)(b)(i) of the Act. <i>Is unlikely to materially affect the efficient operation of the fast-track approvals process [s22(1)(b)(ii)]</i> The applicant states that the project, while large-scale, is not overly complex as it involves an underground mine with effects that are well understood and can be managed through appropriate measures, as demonstrated by comparable operations in the West Coast region, such as the Snowy River Mine (identified by the applicant and BDC as similar to the current project – located approximately 17 kilometres south of the project area). The applicant considers that independent technical reports will support a high-quality application, enabling efficient processing and ensuring the project will not materially affect the efficient operation of the fast-track approvals process. The applicant notes that nearly all required approvals, including the proposed mining permit, can be sought through the fast-track approvals process, with remaining approvals outside the Act limited to minor access arrangements over private land that can be progressed in parallel. The applicant further states that any NZTA approvals related to public road construction or diversion would occur during detailed design or later construction phases and would not impact the fast-track approvals process. BDC considers the project is unlikely to materially affect the efficient operation of the fast-track approvals process, noting that the project's economic benefits have been adequately demonstrated, the proposed mining activities and associated effects are well understood in the West Coast Region, and the application is supported by technical reports with further detailed assessment to be provided at the substantive application stage. While the project is likely to involve technical and environmental complexities, projects of this scale and nature are consistent with the types of regionally and nationally significant developments the fast-track approvals process was established to consider. Overall, we generally agree with the applicant's reasoning for this criterion and consider that referring the project to the fast-track approvals process is unlikely to affect the efficient operation of the fast-track approvals process, in line with section 22(1)(b)(ii) of the Act.
Reasons to decline	
Minister <u>must</u> decline [section 21(3)]	<i>The Minister <u>must</u> decline a referral application if:</i> <i>The application may not be accepted under subsection 1 (meets referral criteria)</i> As detailed above, we consider that the project is a development project that would have significant regional and national benefits in line with the criteria for accepting a referral application under section 22(1)(a) of the Act. If you agree, there is no reason to decline the application under this subsection. <i>The Minister is satisfied the project involves an ineligible activity</i> As detailed above, we consider you can be satisfied that the project does not involve an ineligible activity. If you agree, there is no reason to decline the application under this subsection.

	<i>The Minister considers that they do not have adequate information to inform the decision under this section</i> As detailed above, we consider you have adequate information to inform your decision on the referral application. If you agree, there is no reason to decline the application under this subsection. To conclude, <u>we have not identified any reason that you must decline the application under section 21(3).</u>
Minister may decline [section 21(4) and 21(5)(a-h)]	<i>The Minister <u>may</u> decline a referral application for any other reason, whether or not it meets the criteria in section 22.</i> <i>Reasons to decline a referral application under subsection 4 include, without limitation:</i> <i>The project would be inconsistent with a Treaty settlement, Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019, Marine and Coastal Area (Takutai Moana) Act 2011, a Mana Whakahono ā Rohe, or a joint management agreement</i> DOC has not identified any inconsistency with any relevant settlement or other obligation. No inconsistencies have been identified with the above documents in the section 18 Treaty settlements report. <i>It would be more appropriate to deal with the matters that would be authorised by the proposed approvals under another Act or Acts</i> The section 18 report has not identified any matters which make it more appropriate for the proposed approvals to be authorised under another Act or Acts. DOC has not identified any reason why the approvals required for this project should not be dealt with under the fast-track approvals process. Overall, we have not identified any matters that would indicate the proposed approvals should be considered under another Act or Acts <i>The project may have significant adverse effects on the environment</i> Comments from invited parties have raised a number of matters in relation to the project, that if not suitably managed, could create significant adverse effects on the environment. These include impacts on conservation land and indigenous biodiversity values, workforce accommodation demand, pressure on local infrastructure and services, geotechnical and natural hazards, and transportation impacts including increased heavy vehicle movements and traffic volumes. DOC states that, based on the information provided, it is not currently possible to determine the scale of environmental effects. DOC considers the project is likely to have significant adverse effects on ecological values due to its scale and nature – however, drawing on its knowledge of the site, expected species, proposed mining methods, and potential mitigation measures, DOC considers it may be possible to avoid significant adverse environmental effects through appropriate design and conditions. We consider the applicant has provided sufficient information to enable your decision on the referral application, including a description of the anticipated and known adverse effects of the project on the environment. The summary of potential adverse effects from the applicant includes a high-level assessment of the following matters: cultural, landscape, visual amenity, and natural character, acoustic and vibration, air quality, geotechnical, contaminated land management, hazardous substances – storage and use, terrestrial ecology, aquatic ecology, surface water quality, ground water quality, water quantity, traffic, and rehabilitation and closure. The applicant has not identified that the project would have any significant adverse effects on the environment and considers that any adverse effects can be appropriately mitigated or managed, subject to conditions. As outlined below, to ensure the specific matters raised by NZP&M, BDC, NZTA, and DOC are covered at the next stage, we recommend you specify that the applicant provide the following specific information with the substantive application: an NI 43-101-compliant pre-feasibility study and associated economic model, a social impact assessment, an integrated transport assessment, and a geotechnical and seismic assessment. Overall, we consider an expert panel is best placed to consider any adverse environmental effects of the project with the benefit of a substantive application (including a full assessment of environmental effects), relevant expert input, and further input from commenters. An expert panel has the ability to seek technical advice and impose conditions as deemed appropriate or decline the application if the effects outweigh the benefits. While the project may involve technical and environmental complexities, projects of this scale and nature are consistent with the types of regionally and nationally significant developments the fast-track approvals process was established to consider. As such, we do not consider you should decline the application on this basis. <i>The applicant(s) has a poor compliance history under a specified Act that relates to any of the proposed approvals</i> The applicant advises that a change of control occurred in May 2019 in relation to its Tier 1 exploration permit (EP 60491) without prior Ministerial consent, resulting in a breach of the Crown Minerals Act 1991 (CMA). The CMA is a specified Act that relates to the proposed approvals sought by the applicant for the project. The applicant notes that NZP&M issued a warning letter in February 2020, which confirmed that the relevant Minister did not intend to revoke the permit or prosecute the breach. The applicant states that, to the best of its knowledge, it has not otherwise contravened environmental regulations. NZP&M confirms that the applicant accurately summarised the CMA compliance matter resolved in February 2020 and advises that no material compliance or enforcement issues have arisen since. NZP&M also states it intends to work constructively with the applicant to identify and address any gaps or issues before a mining permit application is lodged, whether through the fast-track approvals process or the standard CMA process. DOC has not identified any issues with the applicant’s compliance history under specified Acts, beyond what has already been identified above. WCRC and BDC did not identify any issues with the applicant’s compliance history under the RMA or any other specified Act. While the applicant identifies a limited history of non-compliance under the CMA, the available information indicates that no material compliance or enforcement issues have arisen since. On this basis, we do not consider this matter provides grounds to decline the referral application under this criterion. <i>The project area includes land that the Minister for Treaty of Waitangi Negotiations considers necessary for Treaty settlement purposes</i>

	Although the project area includes public land, there is no information to suggest that the project area includes land necessary for Treaty settlement purposes. <i>The project includes an activity that is a prohibited activity under the Resource Management Act 1991</i> The project does not include an activity that is a prohibited activity under the RMA. <i>A substantive application for the project would have one or more competing applications.</i> BDC and WCRC have not identified any competing applications in the project area. As noted above, DOC has identified several pending concession applications within Victoria Forest Park that may be considered competing applications under the Act. However, DOC notes it has not been able to determine whether any relate to the same locations proposed for the project. DOC has identified three pending applications that relate to recreational activities within Victoria Forest Park, including helicopter landings, guided walks, and outdoor education trips. While the information available does not clearly establish whether these applications would constitute competing applications under the Act, we do not consider that this matter provides a basis to decline the referral application under this criterion. We note the applicant and the EPA (in consultation with the relevant administering agencies and relevant local authorities) are required to re-check whether a project would have any competing applications at the substantive application stage. As such, we have not identified any reason to decline this project under this criterion. <i>In relation to any proposed approval of the kind described in section 42(4)(a) (resource consents), there are one or more existing resource consents of the kind referred to in section 30(3)(a)</i> WCRC did not identify any existing resource consents issued where sections 124C(1)(c) or 165ZI of the RMA could apply. <i>Any other matter</i> We have not identified any other matters or reasons to consider declining the referral application. <i>Conclusion</i> We have not identified any matters that would warrant declining the referral application under sections 21(4) or 21(5) of the Act and, accordingly, <u>do not recommend</u> that you decline the application. We note, however, that section 21(4) provides you with discretion to decline a referral application for any other reason, regardless of whether the project meets the criteria in section 22.
Specified matters for an accepted referral application	
The Minister may specify any of the matters under section 27(3)	<i>The Minister <u>may</u> specify any or all of the following under section 27(3) in the notice of decisions letter for an accepted referral application.</i> <i>Restrictions that apply to the project (for example, on its geographical location, its duration, or the aspects of the project that may be carried out)</i> We recommend the project description and project details at the beginning of this table are copied into the notice of decisions letter. We have not identified any other specific restrictions that we consider would apply to the project. <i>In relation to a substantive application for the project:</i> <i>A deadline for lodging the application, unless section 27(3)(c) applies</i> The applicant states the intended date for lodgement of the substantive application is 18 September 2026, with the indicative date for the commencement of mining expected in early 2028. We consider the standard deadline for lodging the substantive application under section 28(3)(d)(ii) is suitable, which would be the date that is two years after the notice is given to the applicant. <i>Information that must be submitted with the application</i> NZP&M recommends that, under section 27 of the Act, you specify that the applicant must provide an NI 43-101-compliant pre-feasibility study (PFS) and associated economic model with its substantive application. NZP&M considers this information is necessary to support a mining permit application and would assist you to be satisfied that the requirement in section 22(1)(b)(ii) of the Act is met — namely, that referring the project to the fast-track approvals process is unlikely to affect the efficient operation of that process. Without this information, NZP&M consider its ability to effectively and efficiently support the work of expert panel would be compromised. BDC expects any substantive application to clearly demonstrate how workforce accommodation needs and associated social effects will be addressed. DOC considers that information (including geotechnical and seismic information) confirming the applicant’s ability to safely undertake the underground mining operation proposed, should be provided. NZTA expects to see an integrated transport assessment, including a sightline analysis of the Quigleys Road/State Highway 7 intersection, prepared for the substantive application. We consider NZP&M, BDC, NZTA, and DOC have provided sufficient justification for why this information should accompany the substantive application. Having regard to these comments, we therefore recommend that you specify that the applicant must submit the following information with a substantive application for the project: — an NI 43-101-compliant pre-feasibility study and associated economic model — a social impact assessment, including an assessment of workforce accommodation demand, the capacity of local housing and accommodation supply to meet that demand, the potential effects on local infrastructure and services in Reefton and the surrounding areas, and any proposed measures to manage those effects

- an integrated transport assessment, including but not limited to a sightline analysis of the Quigleys Road/State Highway 7 intersection, an assessment of adverse effects on the state highway network arising from the project, any proposed mitigation measures to address those effects, and details of any upgrades required to the Quigleys Road/State Highway 7 intersection and other transport infrastructure, including how those upgrades will be funded
- a geotechnical and seismic assessment in relation to the proposed underground mining operation, identifying any geotechnical or seismic hazards associated with the project, and details of any measures proposed to manage those hazards.

While the project has some complexities and will likely require a range of technical assessments, we consider that the information requirements in the Act, together with the assessments specified above and the expert panel’s ability to request further information if required, are sufficient to support an effective assessment. Following a decision on the referral application, the applicant will also have access to the comments received from invited parties and can have regard to those matters when determining the scope of information and technical assessments to include with the substantive application. Careful consideration of those comments is likely to assist in supporting an efficient assessment process.

Notwithstanding this recommendation, you retain discretion to specify any further information that must be submitted with the substantive application if you consider it appropriate to do so.

The persons or groups from whom a panel must invite comments in addition to those specified in section 53

If you decide to accept the referral application, we recommend you specify NZTA and Reefton Agwork Limited as additional parties the panel must invite to comment on the substantive application. NZTA has a relevant interest as the agency responsible for State Highway 7, noting the applicant proposes upgrades to the State Highway 7 intersection to facilitate the project. Reefton Agwork Limited has a relevant interest as the holder of an existing grazing concession (111202-GRA) that may be affected by the project, and its comments may assist the panel in considering any effects on that concession through the substantive application process.

We note you retain discretion to decide not to specify that any additional parties be invited by the panel to comment at the substantive application stage. You may also specify that any other persons or groups of your choosing be invited to comment. You do not need to specify the parties already captured under section 53, as those parties must be invited to comment on a substantive application by the expert panel. This includes relevant local authorities, relevant iwi groups and Treaty settlement entities (including iwi authorities and groups that represent hapū that are parties to relevant Mana Whakahono ā Rohe or joint management agreements), relevant administering agencies, the Minister for the Environment and other relevant portfolio Ministers, and the owners and occupiers within or adjacent to the land to which the substantive application relates.

Whether the substantive application would have any competing applications

Not applicable – BDC and WCRC have confirmed they have no record of any competing applications in the same project area. While DOC has identified pending concession applications within Victoria Forest Park, the information available does not clearly establish whether these applications would constitute competing applications under the Act. We note the applicant and the EPA (in consultation with the relevant administering agencies and relevant local authorities) are required to re-check whether a project would have any competing applications at the substantive application stage.

Whether, in relation to any proposed approval of the kind described in section 42(4)(a) (resource consent), there are any existing resource consents of the kind referred to in section 30(3)(a)

Not applicable – WCRC did not identify any resource consents of the kind referred to in section 30(3)(a).

Conclusion

We recommend you specify under section 27(3)(b)(ii) the following further information that the applicant must provide with the substantive application: an NI 43-101-compliant pre-feasibility study and associated economic model, a social impact assessment, an integrated transport assessment, and a geotechnical and seismic assessment. We also recommend you specify under section 27(3)(b)(iii) NZTA and Reefton Agwork Limited as a groups the panel must invite comments from in addition to those specified in section 53. This is reflected in our recommendations above. We have not identified any other specified matters for the accepted referral application.

Appendix 1: Statutory framework summary

1. You are the sole decision maker for referral applications. If you accept a referral application, then the whole or part of the project will be referred to the fast-track approvals process.
2. If a Treaty settlement, the Marine and Coastal Area (Takutai Moana) Act 2011, the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019, a Mana Whakahono ā Rohe or a joint management agreement provides for consideration of any document or procedural requirements, you must, where relevant:
 - a. give the document the same or equivalent effect through this process as it would have under any specified Act; and
 - b. comply with any applicable procedural requirements.
3. You must decline a referral application if:
 - a. you are satisfied the project does not meet the referral criteria in section 22
 - b. you are satisfied the project involves an ineligible activity (section 5)
 - c. you consider you do not have adequate information to inform your decision.
4. You may decline an application for any other reason, including those set out in section 21(5) and even if the application meets the section 22 referral criteria.
5. You can decline an application before or after inviting comments under section 17(1). However, if comments have been sought and provided within the required time frame, you must consider them, along with the referral application, before deciding to decline the application.
6. If you do not decline a referral application at the initial stage you must copy the application to, and invite written comments from:
 - a. the relevant local authorities
 - b. the Minister for the Environment, the Minister for Māori Crown Relations: Te Arawhiti, and the Minister for Māori Development
 - c. any other relevant portfolio Ministers
 - d. the relevant administering agencies
 - e. the Māori groups identified by the responsible agency
 - f. the owners of Māori land in the project area (if applicable)
 - g. you may provide the application to and invite comments from any other person.
7. You can request further information from an applicant, any relevant local authority or any relevant administering agency at any time before you decide to decline or accept a referral application (see section 20 of the Act).
8. However, if further information has been sought and provided within the required time frame you must consider it, along with the referral application, before deciding to decline the application.