



9 June 2025

OIAD-1556

9(2)(a)

Kia ora 9(2)(a)

Thank you for your email of 13 March 2025 to the Environmental Protection Authority (the EPA) requesting the following under the Official Information Act 1982 (the Act):

1. *This is a request under the Official Information Act 1982 (OIA) in respect of the application by Oceana Gold (New Zealand) Limited (Oceana) for its Waihi North project. Media reports state that Oceana has now lodged its application for Fast-track approvals (Substantive Application).*
2. *We have reviewed the information on the Ministry's website,¹ and the redacted listing application documents disclosed in respect of Oceana Gold seeking to have the Waihi North project to be listed in Schedule 2 to the Fast-Track Approvals Act 2024 (FTAA).*
3. *In addition to the documents disclosed about that project, we request:*
 - (a) *The staging information on the Listing Application ("Describe the staging of the project, including the nature and timing of the staging") is redacted on the basis of s 9(2)(b)(ii) of the OIA. While financial details may be commercially sensitive, it is unclear why these aspects of the project are commercially sensitive in a manner that justifies them being withheld. Please provide the staging information.*
 - (b) *Any records of communications with Oceana Gold or its representatives relating to its Listing Application prior to its lodgement (on 3 May 2024).*
 - (c) *Any records of the assessment by the EPA of the Listing Application against the original resource consent application lodged with the Hauraki District Council (in June 2022).*
 - (d) *The documents comprising the Substantive Application.*
 - (e) *Any records of communications with Oceana Gold or its representatives relating to its Substantive Application prior to its lodgement.*
 - (f) *Documents recording any policies and procedures for the purposes of:*
 - (i) *managing conflicts of interest that potential appointees to panels for the purposes of substantive FTAA applications;*
 - (ii) *the appointment of members to panels under Schedule 3 of the FTAA, including to ensure that the members satisfy cl 7(1) of Schedule 3;*
 - (iii) *the appointment of special and technical advisers to panels under cl 10(2) and cl 10(3) of Schedule 3;*
 - (iv) *giving guidance to panels as to decision-making; and (v) the keeping of a full record of panel proceedings under cl 10(5) of Schedule 3.*

- (g) The identity of the panel members for the Substantive Application.*
- (h) Any records of communications between the panel convener or any panel members and Oceana Gold.*
- (i) Any records of consideration by the EPA or the panel of the persons from whom comments will be sought under s 53 of the FTAA.*
- (j) Any records of comments by persons identified under s 53 of the FTAA, whenever received.*

On 10 April 2025, points 3 (a), (b) and (c) of your request were transferred to the Ministry for the Environment (the Ministry) for response, under section 14(b)(ii) of the Act.

Regarding point 3(a) of your request, as part of our assessment process, the Ministry consulted with the relevant external stakeholder regarding the information in question.

Following this consultation, the stakeholder advised that the information should remain withheld under section 9(2)(b)(ii) of the Act, to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information. The Ministry agrees with this assessment.

As the information remains publicly available in its current redacted form, we are refusing this point of your request under section 18(d) of the Act, on the grounds that the information requested is already publicly available, here: <https://environment.govt.nz/acts-and-regulations/acts/fast-track-approvals/fast-track-projects/waihi-north/>

The Ministry is refusing points (b) and (c) of your request under section 18(e) of the Act, as the requested information does not exist.

You may be interested to note that updated information regarding the Waihi North fast-track application is available, here: <https://www.fasttrack.govt.nz/projects/waihi-north>

In terms of section 9(1) of the Act, I am satisfied that, in the circumstances, the withholding of this information is not outweighed by other considerations that render it desirable to make the information available in the public interest.

You have the right to seek an investigation and review by the Office of the Ombudsman of my decision to withhold information relating to this request, in accordance with section 28(3) of the Act. The relevant details can be found on their website at: www.ombudsman.parliament.nz.

Please note that due to the public interest in our work the Ministry for the Environment publishes responses to requests for official information on our [OIA responses page](#) shortly after the response has been sent. If you have any queries about this, please feel free to contact our Ministerial Services team: ministerials@mfe.govt.nz.

Yours sincerely

Electronically approved by Stephanie Frame

Stephanie Frame
Manager - Delivery
Ministry for the Environment | Manatū Mō Te Taiao