

Jacob Paget

From: Neil Deans s 9(2)(a)
Sent: Wednesday, 12 June 2024 3:18 pm
To: Listed Projects; Max Gander-Cooper
Cc: Lionel Solly; Meredith Lawry; Ross Trotter; Andrew Lamason; Jo Gould; Martin Rodd
Subject: FW: [IN-CONFIDENCE]FTA012 listed projects application

Kia ora e Max

Some feedback on this application from DOC. As far as we can ascertain, there are no grounds for ineligibility. However there is already strong local opinion being expressed about this application, including from the local iwi.

The application area is adjacent to but not within Kahurangi National Park. However, it does include all or part of the following of the following areas:

- Conservation Park – North West Nelson Forest Park – Takaka River – Cobb Dam Road (held as Conservation Park under s.19 of the Conservation Act)
- Conservation Area – Sams Creek (held for Conservation Purposes under s.7 of the CA)
- Conservation Area – Takaka River (held for Conservation Purposes under s.7 of the CA)
- Marginal Strip – Takaka River (s.24(3) Fixed Marginal Strip)
- Marginal Strip – Waitui River ((s.24(3) Fixed Marginal Strip)

Most of the areas above were considered during the NWSI National Park Investigation but were already subject to prospecting permits and were excluded from the National Park.

Part of the Conservation Area – Uruwhenua Road Upper Takaka (stewardship area under s25 of the CA) may also be included based on the location map provided. This shows EP54454 extending further north than the permit area shown on the New Zealand Petroleum & Minerals webmap.

None of the public conservation land within the application area has a status that makes it ineligible by virtue of Schedule 4 of the CMA.

The application area also includes legal road (formed and unformed) and the bed of the Takaka River (a hydrology parcel administered by LINZ), and some privately owned land. The Cobb Valley Road / Cobb Dam Road is one of the main access routes into Kahurangi National Park.

There are existing access arrangements over most of the Public Conservation Land (PCL) affected, associated with the existing exploration permits 40338 and 54454. Reports and advice on the conservation values present are linked to these access arrangements on the permissions database. DOC has also prepared 'Conservation Values Reports' for the areas of stewardship land affected (those named 'Conservation Area - ...'), as part of the stewardship land reclassification project. The Conservation Values Reports are not in the public realm yet, pending agreement on iwi involvement in the reclassification process, but they do provide a good summary of the info known to DOC.

The effect of the proposal on wildlife or freshwater fisheries is not clear. It is possible Wildlife Act authority may be required if the activity affects wildlife populations.

There is one registered archaeological site in the vicinity (M26/21 – a15.6 km benched pack track constructed in the early 1890s to provide access for miners working in the Waingaro River), but this appears to be outside the application area. The application area does include Riordans Hut, which is an actively conserved historic feature (on a side track from the Killdevil - Waingaro Pack Track, within the Conservation Area – Sams Creek)

Te Puna Waiora o Te Waikoropupū Springs and Wharepapa Arthur Marble Aquifer Water Conservation Order 2023 will be relevant, with the application area being within the Wharepapa Arthur Marble Aquifer Recharge Area (ref maps in [Te Puna Waiora o Te Waikoropupū Springs and Wharepapa Arthur Marble Aquifer Water Conservation Order 2023 \(SL 2023/258\) Schedule Acknowledgement](#)). Iwi and the community are (and will be) concerned about potential effects on downstream and hydrologically connected waterbodies, including Te Waikoropupū Springs. FYI – Margie Little of Ngāti Tama and representing Manu whenua ki Mohua has already raised concern directly to Minister Potaka at his recent visit to Motueka / Abel Tasman re. the risk to Te Waikoropupū Springs with mining operations in the Sam’s Creek area and the potential impacts to Te Puna Waiora o Te Waikoropupū Springs and Wharepapa Arthur Marble Aquifer Water Conservation Order 2023.

The Tākaka River and its tributaries are subject to Statutory Acknowledgments/Deeds of Recognition with Ngāti Apa ki te Rā Tō, Ngāti Tama ki Te Tau Ihu and Te Ātiawa o Te Waka-a-Māui. Minerals Fossicking Rights also apply over “any part of a riverbed that is, or is bounded on either side by, conservation land in a relevant fossicking area” (as shown on the deed plan in the attachments schedule of the deed of settlement for each iwi). I think the Tākaka River is within the relevant fossicking area for seven of the eight iwi of Te Tauihu (only Ngāti Toa don’t have this in their settlement). For completeness, whilst Te Waikoropupū Springs Scenic Reserve is outside the application area, it is subject to overlay classifications for Ngāti Rārua, Ngāti Tama ki Te Tau Ihu, and Te Ātiawa o Te Waka-a-Māui, so any indirect effects on hydrologically connected water bodies are/will be of significant concern to these iwi (see comment above).

Let me know if you need anything more at the moment.

Regards

Neil Deans

Advisor – RM Reform

Department of Conservation—*Te Papa Atawhai*

Level 2, Conservation House, Wellington 6143

s 9(2)(a)

www.doc.govt.nz

Conservation leadership for our nature

Tākina te hī, tiakina te hā, o te ao tūroa

From: Neil Deans s 9(2)(a)

Sent: Monday, June 10, 2024 1:44 PM

To: Jo Gould s 9(2)(a); Ross Trotter s 9(2)(a); Lionel Solly s 9(2)(a)

Cc: Martin Rodd s 9(2)(a); Meredith Lawry s 9(2)(a)

Subject: FW: [IN-CONFIDENCE]FTA012 listed projects application

Hi team

Another one for you. You will need to look closely at the proposed area, as to whether the CMA provisions apply and whether the National Park is affected.

As discussed with Ross, I would appreciate if one of your team could have a look at this for eligibility for Fast Track consenting. Note this is confidential.

In summary, we need to know what, if any, PCL is directly affected by the project and the status of that land, to confirm it is not ineligible.

It helps to know if there are any wildlife, freshwater fisheries or land access permissions for mining which may require DOC approvals.

We also need to know if there are any Treaty settlements which may be affected that we can advise to MfE.

Can you please provide your summary advice by noon on Wednesday 12 June.

Many thanks

Neil Deans

Advisor – RM Reform

Department of Conservation—*Te Papa Atawhai*

Level 2, Conservation House, Wellington 6143

s 9(2)(a)

www.doc.govt.nz

Conservation leadership for our nature

Tākina te hī, tiakina te hā, o te ao tūroa

From: Listed Projects <ListedProjects@mfe.govt.nz>

Sent: Monday, June 10, 2024 12:23 PM

To: Neil Deans s 9(2)(a); Meredith Lawry s 9(2)(a)

Cc: Max Gander-Cooper s 9(2)(a)

Subject: [IN-CONFIDENCE]FTA012 listed projects application

Kia ora korua,

Please find attached the application information for the listed projects application FTA012 Sams Creek Gold Project. The application is for inclusion in Schedule 2 Part A.

The project is to construct and operate an underground gold mine primarily on the Sams Creek Conservation Area, Takaka River Conservation Area and North West Nelson Forest Park, and will require approvals from DOC.

The project site is adjacent to the Kahurangi National Park, but the application does not propose to work over the national park.

Could you please provide any feedback on the application, particularly anything relating the ineligibility criteria in clause 18?

If possible could you please provide your comments by close of business on **Wednesday 12 June 2024**?

Ngā mihi

Max Gander-Cooper (he/him)

Senior Policy Analyst | Kaitātari Kaupapa Here Matua

Ministry for the Environment | Manatū Mō Te Taiao

s 9(2)(a)

| mfe.govt.nz

Caution - This message and accompanying data may contain information that is confidential or subject to legal privilege. If you are not the intended recipient you are notified that any use, dissemination, distribution or copying of this message or data is prohibited. If you received this email in error, please notify us immediately and erase all copies of the message and attachments. We apologise for the inconvenience. Thank you.