

Allanah Turner

From: Joy Cowan
Sent: Thursday, 29 October 2020 12:09 pm
To: Natasha Hayward
Cc: Michael Slater; Lou Sanson; NZCA; Mark Davies; Keith Morfett
Subject: Letter West Coast Tai Poutini Conservation Board - Mikonui Mine
Attachments: 2020 10 21 Mikonui Mine letter_.pdf

Kia ora

Please find attached a letter from the West Coast *Tai Poutini* Conservation Board regarding the Mikonui Mine rehabilitation.

Regards

Joy Cowan
Conservation Board Support Officer
Department of Conservation | Te Papa Atawhai
DDI: [REDACTED]

Hokitika Office
10 Sewell St, Hokitika 7810 | Private Bag 701, Hokitika 7842
www.doc.govt.nz

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To work with others to increase the value of conservation for New Zealanders.



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29 October 2020

Natasha Hayward
Director of Planning, Permissions and Land
Department of Conservation
cc: Michael Slater, NZCA, Mark Davies and Lou Sanson

Dear Natasha

Recent national media coverage (RNZ and Newsroom) of the rehabilitation of the Mikonui goldmine southwest of Ross has highlighted that the final state of the site falls short of the comprehensive rehabilitation detailed in the Access Arrangement.

The Board acknowledges that a verbal response was given at the September West Coast *Tai Poutini* board meeting to the question of the mine's rehabilitation with the statement by the Director Operations for the Western South Island region that the Department is satisfied with the rehabilitation and that it meets all legal requirements. However, it remains both unclear and concerning to the Board as to why vastly diminished rehabilitation conditions, and consequently site re-vegetation that will be slowed by an order of decades, were re-negotiated with the Permit Holder.

We note the rehabilitation conditions of the Access Arrangement are 'will' statements and prescriptive in order to achieve appropriate rehabilitation and thereby minimise the adverse environmental effects of the mining operations. Such conditions clearly meet the West Coast *Te Tai O Poutini* Conservation Management Strategy policy 3 of 3.7.5, "*Appropriate site rehabilitation methods should be employed*", and Landcare Research/Manaaki Whenua "*Guidelines for Mine Rehabilitation in Westland.*"

Alongside the lack of adherence to the rehabilitation conditions of the Access Arrangement, there appears to be clear and demonstrable failures in monitoring and compliance that have contributed to this lack of rehabilitation.

The Board is of the view that the failures are of a magnitude to warrant a comprehensive internal review to identify the root causes and develop and implement improved systems to prevent recurrence at other mining sites. The Board also seeks involvement in that process, contributing to the review and subsequently being provided with a copy of the final report and recommendations.

We recommend that such a review be undertaken and that it includes:

- Setting of suitable rehabilitation conditions and ensuring that they are in place and accepted prior to the commencement of mining,
- Frequency and efficacy of site monitoring,
- Departmental response to non-compliance by the mining company,
- Processes leading to the failure to rehabilitate the site,

- Scoping exercise to assess whether this is a one-off and other mining sites are compliant with the rehabilitation conditions of their Access Arrangements, and
- Whether the current method of setting of bond amounts is adequate and effective in ensuring restoration can be completed satisfactorily, in all cases.

Finally, we ask that the recommendations made through the earlier internal review into the mining operation nearby at Squatters Creek be reviewed to establish whether they have been implemented for all access arrangements and in which case, whether they have been effective.

We look forward to your response on the matters outlined in this letter.

Yours sincerely



Keith Morfett, Chair
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Inger Perkins
Permissions Committee Coordinator

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I suggest that we meet to discuss an appropriate response and whether this should come from PPL.

Cheers

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There is quite some discussion about the Mikonui so your approach as per below might be the best way to go whilst the letter is being considered.

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Not sure if you are aware but the Board have sent (or are very close to sending) a letter to Tash/Lou/Mike re the Mikonui, underbonding etc. I had thought that attending the next meeting in person and providing some info ahead of time would offset this but they are keen for the letter to be sent before the Board meeting.

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In the end, this is your report for whatever purpose you are aiming for with the Board– I just think you need to be careful and if this had gone out without appropriate review, would have raised some real concerns for me with regard to the content.

Cheers

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Hi Judi,

I am going to be out in the field tomorrow and Thursday which is why I was keen to have the paper together by end of day today. If Joy Comrie is happy to take over and give it a final tidy up, then tomorrow is fine.

Joy – I'll leave this one with you to finalise before adding to the papers on Thursday.

Thanks, Nic

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Hi Nicole

Rebecca is on leave this week and I had a quick look at the paper earlier. I'm pretty swamped with some urgent stuff so will not be able to make the amendments that this report requires in the timeframe provided – there are some process steps that are described incorrectly as well as how applications for Access are assessed.

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The earliest that I can have this to you is tomorrow.

regards

Judi Brennan
Permissions Manager
Kaitohutohu Turewhenua

Hokitika and Dunedin Shared Service Centers

DDI: [REDACTED]

Conservation leadership for our nature *Tākina te hī, Tiakina, te hā o te Āo Tūroa*

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From: Nicole Kunzmann <nkunzmann@doc.govt.nz>

Sent: Tuesday, 27 October 2020 10:08 a.m.

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Cc: Joy Comrie <jcomrie@doc.govt.nz>

Subject: RE: Draft of Board Mikonui paper

Hi all,

Just a heads up that I need to get this to Joy Cowan today for inclusion in the Board papers so if you have any comments or changes, can you please use track changes and have it checked in by 2pm at the latest?

Thanks, Nic

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Hi Judi, Rebecca and Jose

Nicole and her team are working on this as we have had a series of questions from the Board about his. Nicole plans to table and speak to this at the next Board meeting on Friday 6 November in Fox.

Can you guys have a look at this and if you have any thoughts please let Nicole know

Cheers Mark

Mark Davies

Director, Operations

Western South Island Region

Department of Conservation | *Te Papa Atawhai*

10 Sewell Street, Hokitika 7810

Mobile [REDACTED]

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Kia ora koutou,

I've completed a draft of the paper to present to the Board on mining at the Mikonui. It needs a bit of tweaking so have got Michelle looking over it but thought I'd ask you to as well if you get a chance.

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Thanks, Nic

Nicole Kunzmann
Operations Manager / *Pou Matarautaki - Hokitika*
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Sent: Thursday, 29 October 2020 4:06 pm
To: Nicole Kunzmann
Cc: Joy Comrie
Subject: FW: Letter West Coast Tai Poutini Conservation Board - Mikonui Mine
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Hi Nicole

Can we have a catch up on this one as I ned you to draft me a suitable response to the board along the lines of "this has been forwarded to me to respond as it is a regional operational management matter etc etc"

Keen to discuss the timing of this with you and the approach and maybe that we actually use this as the way of getting your paper to the board ? as another approach as opposed to the plan we have had with you coming next Friday and tabling the paper you have drafted ?

Any thoughts ??

Mark Davies
Director, Operations
Western South Island Region
Department of Conservation | *Te Papa Atawhai*

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Papatūānuku Thrives

Te ora o Papatūānuku | Te ora o te Hapori | Te hunga Atawhai

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To: Judi Brennan; Nicole Kunzmann
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Subject: RE: Draft of Board Mikonui paper

Thanks Judi and Nicole

I agree this is an operational matter and I will pick this up.

Judi
Can you let Tash know that I will respond to this on her behalf. I talked with Mike about this today at my MOR and he agrees with this approach that we need to focus the board towards me as they are trying to step around and over me.

I will copy you and Tash into the response.

Cheers Mark

Mark Davies
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[REDACTED]

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Subject: RE: Draft of Board Mikonui paper

Thanks Mark,

I'll draft up an appropriate response for Tash to acknowledge the Board's letter and advise that it is an "operational matter".

Cheers

Judi

From: Mark Davies <mrdavies@doc.govt.nz>
Sent: Thursday, 29 October 2020 4:00 pm
To: Judi Brennan <jbrennan@doc.govt.nz>; Nicole Kunzmann <nkunzmann@doc.govt.nz>
Cc: Joy Comrie <jcomrie@doc.govt.nz>
Subject: RE: Draft of Board Mikonui paper

Thanks Judi and Nicole

I agree this is an operational matter and I will pick this up.

Judi
Can you let Tash know that I will respond to this on her behalf. I talked with Mike about this today at my MOR and he agrees with this approach that we need to focus the board towards me as they are trying to step around and over me.

I will copy you and Tash into the response.

Cheers Mark

Mark Davies
Director, Operations
Western South Island Region
Department of Conservation | *Te Papa Atawhai*

10 Sowell Street, Hokitika 7810
[REDACTED]

Conservation leadership for our nature *Tākina te hī, Tiakina, te hā o te Āo Tūroa*

From: Judi Brennan <jbrennan@doc.govt.nz>
Sent: Thursday, 29 October 2020 3:26 p.m.
To: Nicole Kunzmann <nkunzmann@doc.govt.nz>
Cc: Joy Comrie <jcomrie@doc.govt.nz>; Mark Davies <mrdavies@doc.govt.nz>
Subject: RE: Draft of Board Mikonui paper

Thanks Nic,

The letter went to Tash today however isn't really for PPL to address as the matters they wish to be considered for review are operational. I have sent onto Mark in preparation for discussion on whom to lead.

There is quite some discussion about the Mikonui so your approach as per below might be the best way to go whilst the letter is being considered.

Cheers

Judi

From: Nicole Kunzmann <nkunzmann@doc.govt.nz>
Sent: Thursday, 29 October 2020 3:23 pm
To: Judi Brennan <jbrennan@doc.govt.nz>
Cc: Joy Comrie <jcomrie@doc.govt.nz>
Subject: RE: Draft of Board Mikonui paper

Thanks Judi.

Am back from Westport later than I wanted to be so won't have time to get this into Board papers. Have spoken with Joy/Mark and will instead aim for a Powerpoint presentation of the basics and will keep this to refer to for now.

Not sure if you are aware but the Board have sent (or are very close to sending) a letter to Tash/Lou/Mike re the Mikonui, underbonding etc. I had thought that attending the next meeting in person and providing some info ahead of time would offset this but they are keen for the letter to be sent before the Board meeting.

Thanks, Nic

From: Judi Brennan <jbrennan@doc.govt.nz>
Sent: Tuesday, 27 October 2020 5:39 PM
To: Nicole Kunzmann <nkunzmann@doc.govt.nz>
Cc: Joy Comrie <jcomrie@doc.govt.nz>
Subject: RE: Draft of Board Mikonui paper

Hi Nicole

I've had Aran amend the first part in terms of the process so that we are a bit clearer and more correct in how AA's are considered and decisions made. We both did wonder if there was too much in terms of information being provided to the Board which comes of course with some risks 1) the information will be available to a wider audience and 2) will just add to the confusion in an attempt to "over explain".

In the end, this is your report for whatever purpose you are aiming for with the Board— I just think you need to be careful and if this had gone out without appropriate review, would have raised some real concerns for me with regard to the content.

Cheers

Judi

From: Nicole Kunzmann <nkunzmann@doc.govt.nz>
Sent: Tuesday, 27 October 2020 2:56 p.m.
To: Judi Brennan <jbrennan@doc.govt.nz>
Cc: Joy Comrie <jcomrie@doc.govt.nz>; Rebecca Beaumont <rbeaumont@doc.govt.nz>; Jose Watson <jwatson@doc.govt.nz>; Mark Davies <mrdavies@doc.govt.nz>
Subject: RE: Draft of Board Mikonui paper

Hi Judi,

I am going to be out in the field tomorrow and Thursday which is why I was keen to have the paper together by end of day today. If Joy Comrie is happy to take over and give it a final tidy up, then tomorrow is fine.

Joy – I'll leave this one with you to finalise before adding to the papers on Thursday

Thanks, Nic

From: Judi Brennan <jbrennan@doc.govt.nz>
Sent: Tuesday, 27 October 2020 1:11 p.m.
To: Nicole Kunzmann <nkunzmann@doc.govt.nz>
Cc: Joy Comrie <jcomrie@doc.govt.nz>; Rebecca Beaumont <rbeaumont@doc.govt.nz>; Jose Watson <jwatson@doc.govt.nz>; Mark Davies <mrdavies@doc.govt.nz>
Subject: RE: Draft of Board Mikonui paper

Hi Nicole

Rebecca is on leave this week and I had a quick look at the paper earlier. I'm pretty swamped with some urgent stuff so will not be able to make the amendments that this report requires in the timeframe provided – there are some process steps that are described incorrectly as well as how applications for Access are assessed.

I cannot assign support to update this in such a short timeframe and would have some concerns if this paper is provided to the Board (and wider public) until it is correct.

The earliest that I can have this to you is tomorrow.

regards

Judi Brennan
Permissions Manager
Kaitohutohu Turewhenua
Hokitika and Dunedin Shared Service Centers
[REDACTED]

Conservation leadership for our nature *Tākina te hī, Tiakina, te hā o te Āo Tūroa*

www.doc.govt.nz

From: Nicole Kunzmann <nkunzmann@doc.govt.nz>
Sent: Tuesday, 27 October 2020 10:08 a.m.
To: Mark Davies <mrdavies@doc.govt.nz>; Judi Brennan <jbrennan@doc.govt.nz>; Rebecca Beaumont <rbeaumont@doc.govt.nz>; Jose Watson <jwatson@doc.govt.nz>
Cc: Joy Comrie <jcomrie@doc.govt.nz>
Subject: RE: Draft of Board Mikonui paper

Hi all,

Just a heads up that I need to get this to Joy Cowan today for inclusion in the Board papers so if you have any comments or changes, can you please use track changes and have it checked in by 2pm at the latest?

Thanks, Nic

From: Mark Davies <mrdavies@doc.govt.nz>
Sent: Monday, 26 October 2020 11:22 a.m.
To: Judi Brennan <jbrennan@doc.govt.nz>; Rebecca Beaumont <rbeaumont@doc.govt.nz>; Jose Watson <jwatson@doc.govt.nz>
Cc: Nicole Kunzmann <nkunzmann@doc.govt.nz>; Joy Comrie <jcomrie@doc.govt.nz>
Subject: FW: Draft of Board Mikonui paper

Hi Judi, Rebecca and Jose

Nicole and her team are working on this as we have had a series of questions from the Board about his. Nicole plans to table and speak to this at the next Board meeting on Friday 6 November in Fox.

Can you guys have a look at this and if you have any thoughts please let Nicole know

Cheers Mark

Mark Davies
Director, Operations
Western South Island Region
Department of Conservation | *Te Papa Atawhai*

10 Sewell Street, Hokitika 7810
[REDACTED]

Conservation leadership for our nature *Tākina te hī, Tiakina, te hā o te Āo Tūroa*

From: Nicole Kunzmann <nkunzmann@doc.govt.nz>
Sent: Friday, 23 October 2020 12:31 p.m.
To: Joy Cowan <jocowan@doc.govt.nz>
Cc: Joy Comrie <jcomrie@doc.govt.nz>; Mark Davies <mrdavies@doc.govt.nz>
Subject: Draft of Board Mikonui paper

Kia ora koutou,

I've completed a draft of the paper to present to the Board on mining at the Mikonui. It needs a bit of tweaking so have got Michelle looking over it but thought I'd ask you to as well if you get a chance.

<https://doccm.doc.govt.nz/wcc/faces/wccdoc?dDocName=DOC-6475674>

Thanks, Nic

Nicole Kunzmann

Operations Manager / *Pou Matarautaki - Hokitika*

Department of Conservation—*Te Papa Atawhai*

Hokitika Office

10 Sewell St | Private Bag 701, Hokitika 7842

Conservation leadership for our nature *Tākina te hī, tiakina te hā, o te ao tūroa*

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Released under the Official Information Act

Allanah Turner

From: Natasha Hayward
Sent: Monday, 2 November 2020 5:27 pm
To: Keith Morfett; iperkins@xtra.co.nz
Cc: Mark Davies; Judi Brennan
Subject: West Coast Tai Poutini Conservation Board - Mikonui Mine

Dear Keith and Inger,

Thank you for your letter dated 29 October 2020. The issues you have raised and recommendations suggested to me are operational matters that fall within the scope of the work that district operational teams undertake, particularly the monitoring and compliance of permissions, once granted. I have therefore requested the WSI Regional Director, Mark Davies to respond to the matters raised in your letter.

Kind regards

Director Planning Permissions and Land
Natasha Hayward

pp Debby

Debby Drummond
Personal Assistant | Kaiāwhina
Christchurch Office | Ōtautahi
Phone: [REDACTED]

www.doc.govt.nz



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Released under the Official Information Act

Allanah Turner

From: Mark Davies
Sent: Sunday, 8 November 2020 2:47 pm
To: Nicole Kunzmann
Cc: Joy Comrie
Subject: FW: West Coast Tai Poutini Conservation Board - Mikonui Mine

Hi Nicole

Not sure if I have already sent this to you or not ? I am keen now to draft a suitable response from me along the lines we discussed last week post the presentation at the board meeting last Friday. Keen for the paper you have put together to be an appendix to the letter. Can you draft me something suitable please

Thanks Mark

Mark Davies
Director, Operations
Western South Island Region
Department of Conservation | *Te Papa Atawhai*

10 Sewell Street, Hokitika 7810

Mobile + [REDACTED]

Conservation leadership for our nature *Tākina te hī, Tiakina, te hā o te Āo Tūroa*

From: Natasha Hayward <nhayward@doc.govt.nz>
Sent: Monday, 2 November 2020 5:27 p.m.
To: Keith Morfett <keithmorf@gmail.com>; iperkins@xtra.co.nz
Cc: Mark Davies <mr Davies@doc.govt.nz>; Judi Brennan <jbrennan@doc.govt.nz>
Subject: West Coast Tai Poutini Conservation Board - Mikonui Mine

Dear Keith and Inger,

Thank you for your letter dated 29 October 2020. The issues you have raised and recommendations suggested to me are operational matters that fall within the scope of the work that district operational teams undertake, particularly the monitoring and compliance of permissions, once granted. I have therefore requested the WSI Regional Director, Mark Davies to respond to the matters raised in your letter.

Kind regards

Director Planning Permissions and Land
Natasha Hayward

pp Debby

Debby Drummond
Personal Assistant | Kaiāwhina
Christchurch Office | Ōtautahi
Phone: [REDACTED]

www.doc.govt.nz



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Allanah Turner

From: Mark Davies
Sent: Friday, 20 November 2020 12:56 pm
To: Nicole Kunzmann; Guinevere Coleman; Tim Shaw
Cc: Joy Comrie; Joy Cowan
Subject: FW: Letter West Coast Tai Poutini Conservation Board - Mikonui Mine
Attachments: 2020 10 21 Mikonui Mine letter_.pdf; West Coast Tai Poutini Conservation Board - Mikonui Mine

Hi Nicole

As discussed, now that Natasha has advised the board that they will get a response from us and that is what we reinforced at their last meeting in Fox. Can you now draft me a suitable response along the lines we have discussed. I am keen to get this to them asap now

Cheers Mark

Mark Davies
Director, Operations
Western South Island Region
Department of Conservation | *Te Papa Atawhai*

10 Sewell Street, Hokitika 7810
Mobile [REDACTED]

Conservation leadership for our nature *Tākina te hī, Tiafina, te hā o te Āo Tūroa*

From: Joy Cowan <jocowan@doc.govt.nz>
Sent: Thursday, 29 October 2020 12:09 p.m.
To: Natasha Hayward <nhayward@doc.govt.nz>
Cc: Michael Slater <m Slater@doc.govt.nz>; Lou Sanson <lsanson@doc.govt.nz>; NZCA <nzca@doc.govt.nz>; Mark Davies <mrdavies@doc.govt.nz>; Keith Morfett <keithmorf@gmail.com>
Subject: Letter West Coast Tai Poutini Conservation Board - Mikonui Mine

Kia ora

Please find attached a letter from the West Coast *Tai Poutini* Conservation Board regarding the Mikonui Mine rehabilitation.

Regards

Joy Cowan
Conservation Board Support Officer
Department of Conservation | *Te Papa Atawhai*
[REDACTED]

Hokitika Office
10 Sewell St, Hokitika 7810 | Private Bag 701, Hokitika 7842
www.doc.govt.nz

Kia piki te oranga o te ao tūroa, i roto i te ngātahitanga, ki Aotearoa.
To work with others to increase the value of conservation for New Zealanders.



Released under the Official Information Act

29 October 2020

Natasha Hayward
Director of Planning, Permissions and Land
Department of Conservation
cc: Michael Slater, NZCA, Mark Davies and Lou Sanson

Dear Natasha

Recent national media coverage (RNZ and Newsroom) of the rehabilitation of the Mikonui goldmine southwest of Ross has highlighted that the final state of the site falls short of the comprehensive rehabilitation detailed in the Access Arrangement.

The Board acknowledges that a verbal response was given at the September West Coast *Tai Poutini* board meeting to the question of the mine's rehabilitation with the statement by the Director Operations for the Western South Island region that the Department is satisfied with the rehabilitation and that it meets all legal requirements. However, it remains both unclear and concerning to the Board as to why vastly diminished rehabilitation conditions, and consequently site re-vegetation that will be slowed by an order of decades, were re-negotiated with the Permit Holder.

We note the rehabilitation conditions of the Access Arrangement are 'will' statements and prescriptive in order to achieve appropriate rehabilitation and thereby minimise the adverse environmental effects of the mining operations. Such conditions clearly meet the West Coast *Te Tai O Poutini* Conservation Management Strategy policy 3 of 3.7.5, "*Appropriate site rehabilitation methods should be employed*", and Landcare Research/Manaaki Whenua "*Guidelines for Mine Rehabilitation in Westland.*"

Alongside the lack of adherence to the rehabilitation conditions of the Access Arrangement, there appears to be clear and demonstrable failures in monitoring and compliance that have contributed to this lack of rehabilitation.

The Board is of the view that the failures are of a magnitude to warrant a comprehensive internal review to identify the root causes and develop and implement improved systems to prevent recurrence at other mining sites. The Board also seeks involvement in that process, contributing to the review and subsequently being provided with a copy of the final report and recommendations.

We recommend that such a review be undertaken and that it includes:

- Setting of suitable rehabilitation conditions and ensuring that they are in place and accepted prior to the commencement of mining,
- Frequency and efficacy of site monitoring,
- Departmental response to non-compliance by the mining company,
- Processes leading to the failure to rehabilitate the site,

- Scoping exercise to assess whether this is a one-off and other mining sites are compliant with the rehabilitation conditions of their Access Arrangements, and
- Whether the current method of setting of bond amounts is adequate and effective in ensuring restoration can be completed satisfactorily, in all cases.

Finally, we ask that the recommendations made through the earlier internal review into the mining operation nearby at Squatters Creek be reviewed to establish whether they have been implemented for all access arrangements and in which case, whether they have been effective.

We look forward to your response on the matters outlined in this letter.

Yours sincerely



Keith Morfett, Chair
West Coast *Tai Poutini* Conservation Board



Inger Perkins
Permissions Committee Coordinator

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DOCCM 6492570

4 December 2020

Keith Morfett

Inger Perkins

West Coast Tai Poutini Conservation Board

Tēnā koe Keith and Inger

Rehabilitation of a Mikonui goldmine & Squatters Creek review

I write in response to your letter to Natasha Hayward, received on 29 October 2020. As mentioned at the Conservation Board meeting on Friday 6 November, this has been referred to me for response as it is a regional operational matter.

Your letter raises concerns about the rehabilitation of a mine site in the Mikonui Valley and makes suggestions that reviews should take place. The mine site in question is that operated near Black Creek between 2016 and 2019 by NZG Limited (NZG).

Before I address each of your points, I have provided background that explains the context of this mine's rehabilitation.

Context

- *From the outset there were limited rehabilitation materials available.* NZG's Access Arrangement (AA) was in an area at Black Creek that had all been mined previously at least once and some parts several times. Most of the area had been disturbed by mining within the last 25 years. An original soil profile did not exist, and the area was in various stages of early revegetation through gorse and native seral species. Compared to more mature / intact forests on undisturbed soils this type of ground yields a fraction of the rehabilitation resources. The exception to this was 0.34ha within the mine footprint that had not been disturbed for over 60 years and had regenerated into young kamahi forest.
- *Much of the limited rehabilitation materials available on the site were used on a neighbouring mine.* At the time that NZG was granted an AA, there was a mine pit in MP 50125 immediately upstream in Black Creek on similar previously disturbed ground. This mine was authorised through an AA granted to McKay Mining Limited in 2014. McKay Mining wrongly assumed that they could leave the pit as part of their final landform and at the completion of mining did not have the material to complete backfill and rehabilitate. It was agreed by the department's monitoring staff that a solution to this was to include a condition in the subsequent AA granted to NZG for MP 53078, that NZG Limited would use their mining to backfill and rehabilitate the nearby McKay Mining site. This exacerbated the already limited rehabilitation resources available onsite.
- *Poor mine planning.* Late in the life of the AA, NZG indicated that their plan for mine closure was based on their assumption that they would next gain access to

neighbouring PCL on Bowen Terrace. This additional area contains lowland kahikatea forest of high conservation value. In September 2017 the Department indicated that it was unlikely to provide access to Bowen Terrace and that any AA variation application would be publicly notified. We provided NZG a copy of a draft Significance Assessment Report to allow them to provide feedback and/or comments before proceeding with the process. After a 2-year period the company decided to withdraw their application. Within and prior to that period most of the overburden and limited soils and been spread.

Response to points raised in your letter

1) That the rehabilitation achieved is not of an acceptable standard.

The rehabilitation achieved at the NZG site was not perfect. However, given the rehabilitation context outlined, I am comfortable that the rehabilitation achieved is an acceptable result within this context which I cannot ignore.

The two parts of the rehabilitation that the Department recognises as imperfect are the remaining mine pit and the final layer of soils, slash and salvaged vegetation.

The remaining mine pit is steeper sided, larger and deeper than we would have preferred. As explained in the context section, this is mostly because the miner spread the available overburden and soils based on the assumption that they would gain access to Bowen Terrace. Secondly, there was a deficit in materials due to NZG backfilling the neighbouring Mackay mining pit. At the late stage of mining when the final mine pit shape became clear, it was not practicable to redistribute the materials onsite as this would have required a complete reshaping of the landform and resulted in the complete loss of soils. The only option that remained to resolve the pit shape and size would have been requiring NZG to source and transport backfill from offsite. The monitoring staff at the time decided that this, which would have been a significant task, and that the transportation of soil only onto the existing landform was a better use of resources, and would result in an acceptable rehabilitation outcome.

The final layer of the rehabilitated landform has thin soils and a lack of slash and salvaged vegetation. The coverage of soils has been achieved by soils being sourced from a mine on private land downstream in the Mikonui and used in combination with mine fines and gravels. This has however created an acceptable upper surface growing medium and there is already evidence that succession through gorse is well underway – see image below from November 2020. Staff have advised me that native woody vegetation will regenerate through this gorse over the next 5 to 15 years. By year 20 to 25 the site will be dominated by native seral hardwood species (much as it was at the start of NZG Limited's mining).



Image 1: Photo taken of site on 25/11/20 showing vegetation colonisation

The area near the confluence of Black Creek and the Mikonui River regenerated in this way after mining in the 1990's. In this case, the parts of the previous mine that were planted in native seedlings regenerated no better than those parts that had not been planted.

2) That the rehabilitation achieved did not meet requirements of the AA.

The AA requires rehabilitation to the standards agreed in a Rehabilitation Plan and that '... the permit holder will restore landforms and vegetation of all disturbed areas to the satisfaction of the minister.'

The Rehabilitation Plan provides the specifics of how rehabilitation will occur at site. This plan is negotiated with and agreed to by parties, then approved by the Department. Plans are usually only required when rehabilitation is complex.

This plan had a starting point of needing to maximise limited rehabilitation materials and resources. It was decided to utilise available resources in transporting additional soils to the site and earthmoving to maximise the landform result, rather than moving overburden and planting. Succession through gorse was relied on to achieve revegetation.

The Department approved a Rehabilitation Plan for the mine on 20 May 2019. NZG was found to meet the requirements of that plan and it was signed off on 6 December 2019. I note that the cost to the miner of rehabilitation was significantly more than the bond we had for the site.

3) That the Department failed to monitor compliance with the AA.

The Department adequately monitored this mine. The issues that arose were not in the monitoring, but in the timing of NZG articulating its assumption of access to Bowen Terrace for rehabilitation material. If the shortfall of backfill had been addressed prior to NZG spreading the available soils, there would have been a chance to recontour overburden to better fill / shape the residual pit.

4) That there were failures of magnitude and that a comprehensive internal review is warranted.

I disagree that there were failures of magnitude and therefore that a comprehensive internal review is warranted. There are improvements that can be made, and lessons learnt, but these are part of our processes of continuous improvement.

An example of improvements underway is that we are engaging with Minerals West Coast to explore ways of educating miners about how to better plan and achieve our desired rehabilitation outcomes.

5) That recommendations made through an earlier review of the Squatters Creek mine site be tested to see if they have been effective.

The Squatters review made 8 recommendations. These are as follows, with my comments about implementation:

- i) Outstanding breaches and compliance addressed
 - Addressed
- ii) Risk register/Critical issues assessment established

- A Risk register exists for WSI and potential risks through mining and other activities within the Region. This is regularly updated and discussed.
- iii) Confirmation of roles/ responsibilities for operational/permissions staff in relation to South West Energy and other mining activities
 - Roles and responsibilities are clear between Operations and Permissions staff in relation to mining activities.
- iv) Key relationship contact established for South West Energy
 - The current process is that each active mine in the District is assigned a dedicated staff member to be the key point of contact.
- v) Re-establishment of monitoring/reporting framework for South West Energy
 - Not relevant to this matter.
 - Monitoring occurs regularly with each mine in the Hokitika District, particularly given that each mine has been assigned to a dedicated team member.
- vi) Access Arrangement template review
 - The AA template has been updated in response to legal advice and emerging best practice.
- vii) Regular shared processes/communication agreed with West Coast Regional Council
 - Communication between DOC staff and Regional Council staff is regular and effective. A quarterly meeting occurs between the Community teams from the Hokitika and Greymouth Districts and the WCRC council staff to discuss any issues and have a general check in. Most site visits are now coordinated with the WCRC compliance staff to increase effectiveness of the visit.
- viii) Regular internal communication plan established
 - A formal communication plan is not in place as the new Permissions system schedules these meetings as required for any Annual Work Programmes or AEO applications. Communications between the District team and the Permissions team is well established.

Naku noa, na



Mark Davies
Operations Director, Western South Island



10 January 2021

Mr Mark Davies
WSI Director, Operations
Department of Conservation | *Te Papa Atawhai*
10 Sewell Street, Hokitika 7810

Dear Mark

Restoration of the Mikonui mine site

Thank you for your comprehensive letter explaining the background to the disappointing restoration effort at the Mikonui mine site. On the whole, the board found your letter reasonable and fair and appreciated the time taken to explain the situation. However, we would like to present a proposal that could lead to a better restoration outcome than simply leaving the site as it is.

Our understanding is that there are pros and cons to relying on gorse as a 'nursery' plant and where there is limited soil and browsing mammals it may mean that natives overtopping gorse could be many years away. On the other hand, replanting suitable plants may lead to diversity that is much reduced. A combination of approaches may be appropriate, including judicious thinning of gorse where seedlings are establishing to speed up the succession process, along with animal control.

However, we are not experts, so our proposal is that specialist restoration ecologists with experience and understanding of West Coast conditions be invited to present a plan to restore the site, taking into account nearby forest species and ground conditions etc. Perhaps Dr Colin Meurk, recently recognised in the new year's honours list with a QSM for his work supporting native ecosystem restoration, and Dr Robyn Simcock who has been involved in mine site restoration on the coast, in collaboration with Dr Jane Marshall. Both Dr Meurk and Dr Simcock could be contacted at Manaaki Whenua - Landcare Research, with whom, I was pleased to read recently, DOC has a new collaboration agreement. And then, when actions can be determined and agreed, look to Jobs for Nature - Mahi mō te Taiao to fund what is required, giving jobs along with new restoration skills and knowledge to members of our community.

The board hopes this proposal meets with your approval and that it can be progressed in time for any recommended actions to be undertaken during the appropriate season this year.

Yours sincerely

Inger Perkins, Acting Chair

Released under the Official Information Act

Nicole Kunzmann

From: Mark Davies
Sent: Monday, 11 January 2021 4:44 p.m.
To: Tim Shaw; Guinevere Coleman
Cc: Nicole Kunzmann; Joy Comrie
Subject: RE: Letter to you from Acting Board Chair about Mikonui Mine site restoration

Thanks Tim
That works for me
Yes please

Cheers Mark

Mark Davies
Director, Operations
Western South Island Region
Department of Conservation | *Te Papa Atawhai*

10 Sewell Street, Hokitika 7810
[REDACTED]

Conservation leadership for our nature *Tākina te hī, Tiakina, te hā o te Āo Tūroa*

From: Tim Shaw <tishaw@doc.govt.nz>
Sent: Monday, 11 January 2021 4:43 p.m.
To: Mark Davies <mrdavies@doc.govt.nz>; Guinevere Coleman <gcoleman@doc.govt.nz>
Cc: Nicole Kunzmann <nkunzmann@doc.govt.nz>; Joy Comrie <jcomrie@doc.govt.nz>
Subject: RE: Letter to you from Acting Board Chair about Mikonui Mine site restoration

Mark and Ginny

I have had a chat with Jane Marshall on the recommendations made in this letter and she is of the same view as me: Thanks for the suggestions but at this stage the Department is happy to let the site regenerate through gorse without any management apart from the weed control agreed with the miner.

The rationale for this:

- Any tweaks to succession through gorse would make only a short term difference but no meaningful difference to the diversity or quality of the outcome in the long term.
- Yes planting and wild animal control would likely speed up succession but this is not a site or habitat type that is a high priority for this investment.
- Whilst there is benefit to getting a second opinion we already have Landcare Research advice on mine rehabilitation.

Are you happy for me to draft a letter along these lines?

Tim Shaw | Senior Ranger | Department of Conservation | Te Papa Atawhai | Hokitika | [REDACTED]

From: Mark Davies <mrdavies@doc.govt.nz>
Sent: Monday, 11 January 2021 3:37 p.m.

To: Guinevere Coleman <gcoleman@doc.govt.nz>

Cc: Tim Shaw <tishaw@doc.govt.nz>; Nicole Kunzmann <nkunzmann@doc.govt.nz>; Joy Comrie <jcomrie@doc.govt.nz>

Subject: FW: Letter to you from Acting Board Chair about Mikonui Mine site restoration

Hi Ginny

Can you please talk with Tim about this suggestion from the Board. I need a suitable response so I can speak to it at their next meeting which is on the 29/1. Can you get me something by then please

Thanks Mark

Mark Davies

Director, Operations

Western South Island Region

Department of Conservation | *Te Papa Atawhai*

10 Sewell Street, Hokitika 7810

Conservation leadership for our nature *Tākina te hī, Tiakina, te hā o te Āo Tūroa*

From: Joy Comrie <jcomrie@doc.govt.nz>

Sent: Monday, 11 January 2021 1:05 p.m.

To: Mark Davies <mrdavies@doc.govt.nz>

Cc: Joy Cowan <jocowan@doc.govt.nz>; Allannah Turner <aturner@doc.govt.nz>

Subject: Letter to you from Acting Board Chair about Mikonui Mine site restoration

Hi Mark

Attached is a letter Inger has sent to you on some suggestions around the Mikonui Mine site.

Cheers

Joy

DOCCM 6543438

14 January 2021

Inger Perkins

West Coast Tai Poutini Conservation Board

Tēnā koe Inger

Restoration of the Mikonui mine site

I write in response to your letter received on 11 January 2021. You suggest that Landcare Research specialist restoration ecologists be invited to present a plan of replanting, animal control and thinning of gorse to improve restoration outcomes at the NZG mine site in the Mikonui Valley. As discussed recently, I consider this to be a Department management matter that has been adequately addressed by the Departments specialists. I am satisfied with the advice that I have received and the actions that have been taken.

The issue has been adequately addressed because as I stated in my previous letter on this matter to the board (4 December 2021); in context the rehabilitation achieved at the site is an acceptable result that will see the site dominated by native seral hardwood species within 20 to 25 years.

The advice I have from my team is that we already have and follow the advice of the Landcare Research specialists you suggest and that intervention in the natural revegetation processes through gorse would have high cost and low benefit. This is because:

- Any tweaks to succession through gorse would make no meaningful long term difference to the diversity or quality of the forest regeneration outcome at the site.
- Planting and wild animal control would only speed up revegetation if it were maintained over several years. Such investment is not justified given that it would not change the biodiversity outcome and that the site is not a high priority for biodiversity conservation.

Naku noa, na



Mark Davies
Operations Director, Western South Island

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Alluvial Gold Mining in the Hokitika District

Brief overview of alluvial gold mining, relevant legislation and how it is managed

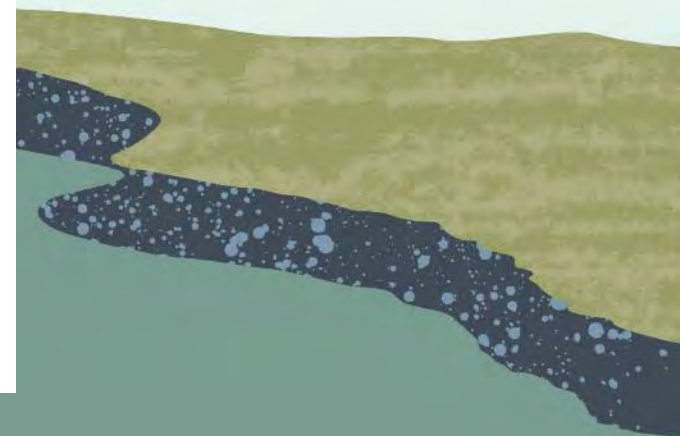
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Permits and legislation

Anyone wanting to undertake activities such as prospecting, exploration and mining must have a permit from New Zealand Petroleum and Minerals. They also require permission from the landowner for access to the land. For public conservation land, permission for access is required from DOC (an access arrangement).

Most mining activity in New Zealand is managed under the Crown Minerals Act 1991 (CMA) and the Resource Management Act 1991. The Conservation Act 1987 and/or Reserves Act 1977 are relevant for ancillary activities located outside of a Minerals Permit (eg concession for an access road if the access road is outside the mining permit).



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Tier 1 and Tier 2 permits

Mineral permits are split into Tier 1 and Tier 2.

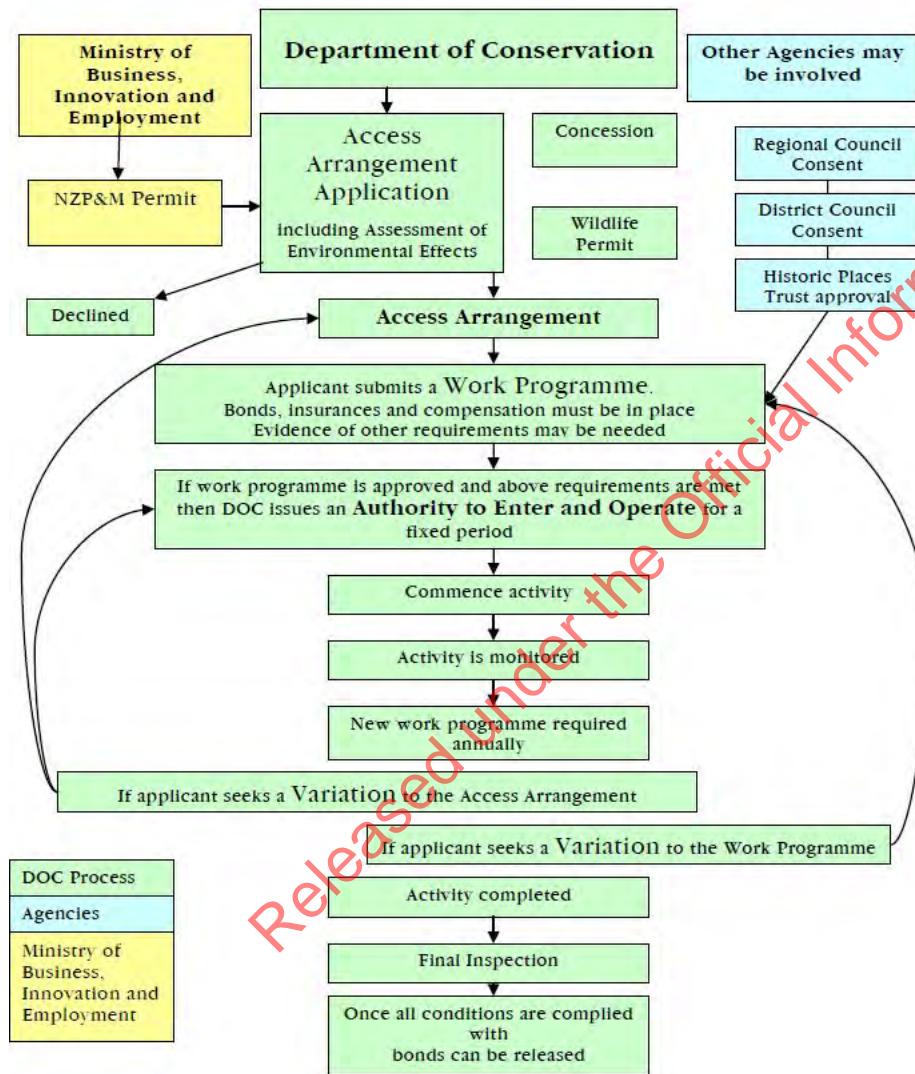
Tier 1 minerals permits comprise a small number of higher financial return minerals activities and underground mining.

Tier 2 permits comprise lower financial return, small business and hobby mineral activities. Access arrangements for conservation land under the CMA are determined by the Minister of Conservation and Minister of Energy and Resources for Tier 1 permits and by the Minister of Conservation for Tier 2 permits.

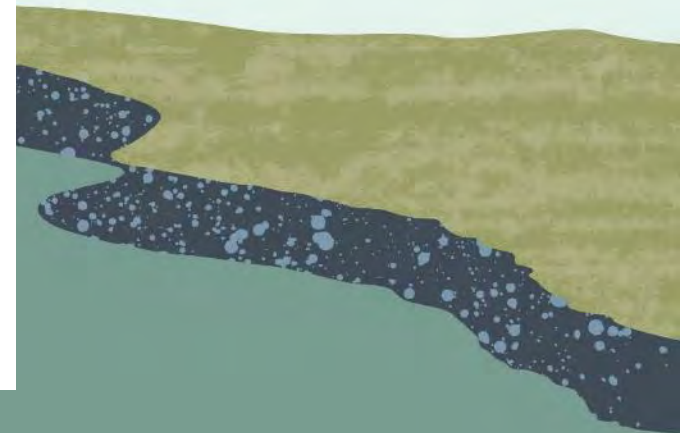
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Flowchart of how Access Arrangements are processed on Public Conservation Land and other processes that contribute



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Crown Minerals Act 1991

Section 61(2) of the CMA sets out the matters that Ministers must give regard to in respect to Access Arrangements on Crown Land and Land in the common marine and coastal area.

- (2) In considering whether to agree to an access arrangement, or variation to an access arrangement, in respect of Crown land, the appropriate Minister (in the case of subsection (1)) or the Minister and the appropriate Minister (in the case of subsection (1AA)) shall have regard to—
- (a) the objectives of any Act under which the land is administered; and
 - (b) any purpose for which the land is held by the Crown; and
 - (c) any policy statement or management plan of the Crown in relation to the land; and
 - (d) the safeguards against any potential adverse effects of carrying out the proposed programme of work; and
 - (da) the direct net economic and other benefits of the proposed activity in relation to which the access arrangement is sought; and
 - (db) if [section 61C\(3\)](#) applies, the recommendation of the Director-General of Conservation and summary referred to in that subsection; and
 - (e) any other matters that that Minister or those Ministers consider relevant.

Alluvial gold mining – what is it?

Alluvial gold comes from eroded hard-rock sources. Rivers and glaciers flowing over gravels have washed and sorted them, concentrating the heavy gold in certain layers.



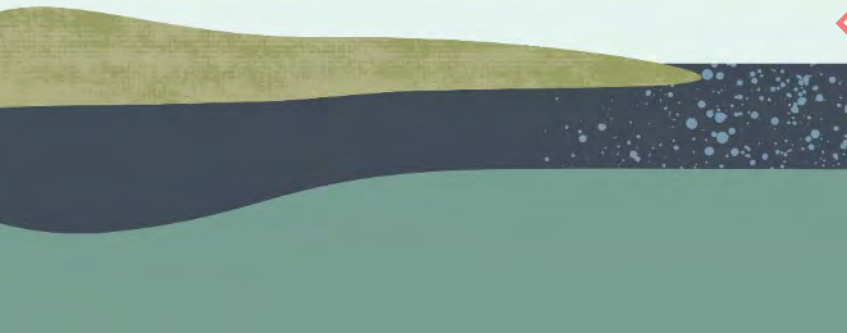
Image: Equipment typical of an Alluvial Gold mining operation in the Hokitika District. The gravel is loaded into the screen by the digger at one end. The gravel is washed with water, with spinning action separating out the different sized gravel particles to find whole pieces/flakes of gold. Anything that is not gold, is transported off the conveyor belt to be used as part of rehabilitation.



Issues to manage

The key land use issues that the department manages with small scale alluvial gold mining are the temporary loss of habitat / vegetation and the risk of sedimentation caused by wash and stormwater. Generally there is no risk of acid mine drainage from alluvial gold mining (unlike coal mining or hard rock gold mining).

The areas targeted by modern alluvial gold miners are almost entirely the same as the areas targeted by historic goldminers. Modern machinery has meant the areas previously mined are able to be re-mined to extract the gold that the miners in the 1800s were unable to extract. This means that the vast majority of areas which the department is approached to permit gold mining have been previously disturbed by mining (at least once) and therefore have younger or modified vegetation associations. Access to previously undisturbed areas is rarely granted and where it is, is limited to small pockets that fringe existing disturbed areas and only where the loss of values is minor.



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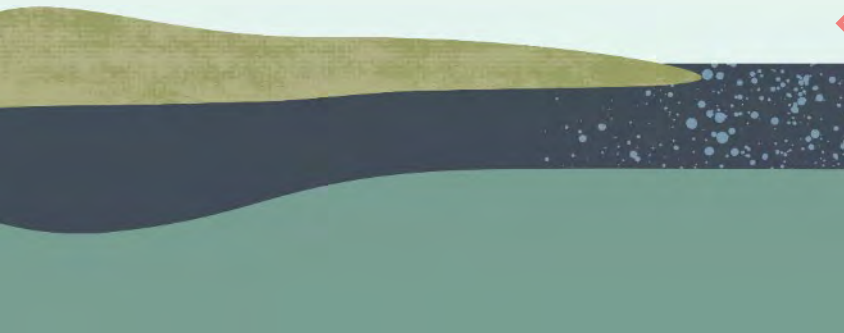
Rehabilitation Plans

All mining is authorised as a temporary activity and the areas always managed for a return as much as possible to the type and quality of habitat natural to the area prior to mining.

Generic rehabilitation conditions are included in all AA. Conditions are generally an adequate way to ensure that the smaller mines achieve a good rehabilitation outcome without the need for a Rehabilitation Plan.

A Rehabilitation Plan is required when the direction in the AA is insufficient because of scale, issues or complexity. This includes situations where decisions and directions need to be made by the Department to ensure the best outcome in imperfect circumstances.

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Q & A

What specific questions do you have about mining in the Hokitika District and how it is managed?

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