



15 June 2018

Chief Operating Officer  
Stevenson Mining Ltd

By email: [anne.brewster@stevenson.kiwi.nz](mailto:anne.brewster@stevenson.kiwi.nz)

Dear Anne Brewster

## **Rangitira Developments Ltd - Application for Access Arrangement – Open cast mining – Te Kuha**

### ***Proposal***

1. We have been asked by Rangitira Developments Ltd (RDL) to agree to enter into an access arrangement under s 61(1AA) of the Crown Minerals Act 1991.
2. The purpose of the access arrangement is to enable RDL to enter onto approximately 12 hectares of public conservation land near Te Kuha, Buller District, West Coast to construct and operate an open cast mine.
3. The access arrangement is part of a larger project to develop an open cast mine as RDL has also applied for an access arrangement over approximately 104ha of the adjacent Westport Water Conservation Reserve.
4. RDL holds a mining permit over all the land for which it seeks access arrangements.
5. As the mining permit is classified as Tier 1 (higher value operation), a joint decision by us is necessary.

### ***Decision***

6. Our decision is to decline RDL's application to enter into an access arrangement.

### ***Information considered***

7. In considering whether to agree to an access arrangement we have, as required by section 61(2) of the Crown Minerals Act, had regard to:
  - (a) The objective of the Conservation Act 1987;
  - (b) The purpose for which the land is held under that Act (stewardship area);

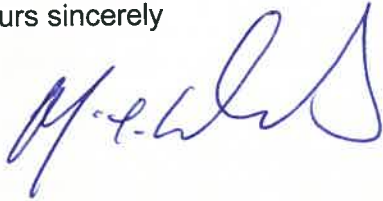
- (c) The relevant Crown policies or plans in relation to that land;
  - (d) The safeguards against any potential adverse effects of carrying out the proposed programme of work;
  - (e) The direct net economic and other benefits of the proposed activity in relation to which the access arrangement is sought;
  - (f) The recommendation of the Director-General of Conservation and summary of objections and comments received under s61C(3) of the Crown Minerals Act and s 49 of the Conservation Act 1987; and
  - (g) Such other matters as we consider relevant.
8. We have also, as required, by s 4 of the Act, had regard to the principles of the Treaty of Waitangi.
9. In reaching our decision, we have relied particularly on the following documents:
- (a) RDL's application and associated reports;
  - (b) the Ministry of Business, Innovation & Employment's and the Department of Conservation's Access Arrangement Decision Report under s 61(1AA) of the Crown Minerals Act and appendices;
  - (c) The comments by RDL in response to the foregoing report;
  - (d) The recommendations of the Director-General stemming from the public notification process in the MP 41289 Access Arrangement Application – Public Notification Report for s 61C(2)(db) of the Crown Minerals Act;
  - (e) A joint briefing provided to us on 9 February 2018 by our two agencies (including appendices); and
  - (f) A map of the proposed Te Kuha mine access arrangement area.

### ***Reasons for decision***

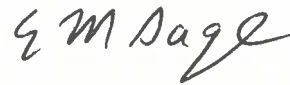
10. The area in question contains one of the last remaining unmodified and intact coal measure ecosystems. It possesses a complex mosaic of diverse habitats, unbroken altitudinal sequences, remoteness and a high degree of naturalness. It has significant conservation values ranging from flora to fauna to invertebrates as well as important scenic values. We consider that the loss of these values would defeat the objectives of the Conservation Act under which the land is administered.
11. Section 25 of the Conservation Act requires stewardship areas to be managed so that their natural and historic resources are protected. While RDL proposes various safe-guards they will not prevent the permanent loss of natural resources, including areas of coal measure habitat and vegetation, geodiversity and natural character to name but a few.
12. The proposal is contrary to the Conservation General Policy (due to the permanency of some of the effects on geological features and landform) and the West Coast Tai Poutini Conservation Management Strategy (for example, the planned activities will not protect the quality of life sustaining ecosystems and would lead to an unavoidable loss of naturalness and the destruction of geological features).

13. We do not consider that the proposed safeguards can adequately protect against the irreversible and permanent adverse effects the planned activities would have on conservation values.
14. While we acknowledge that the proposal will bring significant economic benefits to the Buller District and the wider West Coast Region, as well as the Crown, we do not consider that these benefits over the long term outweigh the permanent loss of significant conservation values.
15. Finally, we have considered the issue of compensation. Our view is that it is not possible to compensate for the permanent loss of conservation values that will occur if this proposal were to proceed.
16. It is self-evident from the foregoing that we have given most weight to the first 3 criteria in s 61(2) of the Crown Minerals Act with the result that we decline the application to enter into an access arrangement over the approximately 12 hectares of land near Te Kuha.

Yours sincerely



Hon Megan Woods  
**Minister of Energy & Resources**



Hon Eugenie Sage  
**Minister of Conservation**