

fyi-request-31413-
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19 September 2025

Whare Kaupapa
Atawhai/Conservation
House - 18 Manners
Street, Box 10420,
Wellington 6140
doc.govt.nz

Ref: OIAD-5592

Tēnā koe

Thank you for your request to the Department of Conservation (DOC), received on 23 August 2025 regarding the Bendigo-Ophir gold mine proposal. You have asked questions following on from DOC's responses to two Official Information Act requests (OIAD-5275 and OIAD-5384).

Your questions and our responses are listed below.

There are a number of documents referred to in this response, which I would like to request:

The documents you refer to as 1-4 were in scope and considered for release under OIAD-5275 and/or OIAD-5384. They have been released to you in part, with the OIA withholding grounds noted in the response letters. We have reordered your questions slightly and included page numbers for clarity and ease of reference:

- 1.the detail of each activity / permissions as requested by DOC to Santana Minerals on 19.3.25*
- 3.the memo that was attached to the email from Santana to DOC on 19.5.25*

This information is included on page 10 of the document provided. Please see:

<https://fyi.org.nz/request/31104/response/127263/attach/3/OIAD%205275%20Item%201%20Pr e%20lodgement%20and%20correspondence%20with%20applicant%20DOC%2010354157%20 4.pdf>

- 2. the draft application documents and background reports noted by DOC on 29.5.25*
- 4. the Santana letter dated 29.5.25 5*

This information is included on page 3 of the document provided. Please see:

<https://fyi.org.nz/request/31413/response/128547/attach/3/OIAD%205384%20Documents%20fo r%20release.pdf>

- 5.the heritage reports referred to on slide 5 of the slide deck.*

The heritage reports are in scope of and being considered for release to you under another of your requests for official information (logged as OIAD-5481).

In addition I would appreciate the opportunity to hear why the contents of the slide deck (pages 27-37) have been redacted because of OIA 9(2)(ba)(i). In your application of Section 9 of the OIA DOC is required to express why refusing the release of information is more important than serving the public interest. The response you have given does not explain why the clause listed outweighs the public interest. We know that there is significant public interest in the Santana mining proposal - as you also note in this response, but cannot see this considered in your response. Given the objective for our request mentioned above, and especially as the Act beds in, in practice our view is that there is a real public interest in making copies of the information sought available. If you consider otherwise, please give reasons.

Santana Minerals are obliged to share information with DOC when making applications under the Act so as to allow decisions to be made on fast track applications. If applicants want consent, they need to provide information. Why would publishing the details in the slides mean they will stop supplying information?

I'd be keen to learn how DOC sees it's role under the FTAA - i.e. not a decision-maker but an affected party - and how this relates to the information you receive.

In my response letters, I noted that I had considered the public interest and determined that it did not outweigh the grounds for withholding. The OIA does not require me to elaborate any further than that, however, I will do so now, as you have requested, in the interests of transparency.

Section 9(2)(ba)(i) of the OIA relates to information that is subject to an obligation of confidence where release of that information would likely prejudice the supply of similar information/information from the same source, and it is in the public interest that such information should continue to be supplied.

For Fast-track projects that need conservation approvals, applicants must consult with us prior to lodging substantive applications. DOC works through pre-lodgement consultation with applicants to further understand the approvals they are seeking in the Fast-track process, with a view to provide feedback on a proposal and work through any issues and opportunities collaboratively prior to an application being submitted.

It is in the public interest for DOC to receive as much information as possible in order to provide effective advice to the applicant regarding their application. To release confidential details of an applicant's project while it is going through this pre-application consultation would be extremely likely to damage the collaborative relationship with DOC and reveal information that is commercially sensitive to the applicant. This in turn would be likely to result in the applicant being less open with the information they share with DOC and possibly lead to withholding of detail in an attempt to avoid information being released under the OIA.

As always, you are entitled to seek an investigation and review of my decision by writing to an Ombudsman as provided by section 28(3) of the OIA.

I would note however that the decision on the slide deck was made at a point in time and conveyed to you on 15 August 2025. Much of the detail withheld from the slide deck, is covered again in your current request, OIAD-5481. Many of the technical reports will also be published by Santana Minerals when the substantive Fast-track application is lodged.

Please note that this letter (with your personal details removed) may be published on DOC's website.

Nāku noa, nā

A handwritten signature in blue ink, appearing to read 'S Quayle', with a stylized, cursive script.

Siobhan Quayle
Director Regulatory Systems Performance
Department of Conservation
Te Papa Atawhai