

UNDER SCHEDULE 1, PART 6, CLAUSE 45, CROWN MINERALS ACT 1991

Proposal to Transition an existing Tier 2 minerals mining permit to Tier 3

This form is used to apply to transition an existing Tier 2 minerals mining permit to become a Tier 3 minerals mining permit under Schedule 1, Part 6, clause 45 of the **Crown Minerals Act 1991** (the Act).

There is no fee for transitioning from a Tier 2 mining permit to a Tier 3 mining permit using this process. However, this process can only be used until the close of 11 December 2026.

- › New Zealand Petroleum & Minerals (NZP&M) recommends that applicants familiarise themselves with the Act, the relevant regulations, and the relevant Minerals Programme, and seek professional advice where appropriate before making an application to change a permit. See www.nzpam.govt.nz/how-we-regulate/legislation-we-act-under for more details.
- › Please note that information provided with your application is treated confidentially but may be subject to release under the provisions of the **Official Information Act 1982**. If this is the case, we may consult with you before the material is considered for public release.
- › The personal information you must include in this form is needed to process your application under the Act. You have the right under the **Privacy Act 2020** and/or the **Official Information Act 1982** to access information held about you by NZP&M and request that this information be corrected if necessary.
- › The information you provide in this form may be used for regulatory compliance or enforcement purposes according to the Ministry of Business, Innovation and Employment's **Transparency Statement**.
- › If the space on any part of this form is insufficient to include all relevant details, place them in the supporting information document in the order they appear in this form, state 'see supporting information' in the appropriate space, and attach the document to the application.

SECTION 1: CONTACT DETAILS

1.1 Application contact details

Please provide the details of the application contact.

Legal name:	
Organisation:	
NZBN (if applicable):	
Email:	
Primary phone:	
Secondary phone:	
Postal address:	
	Postcode:

1 Application contact

The Application contact is the sole point of contact for an application. An Application contact:

- › receives all communications about the progress of an application, including any application fee invoice.
- › can view all applications for which they are the Application contact (where they have a NZP&M online permitting system account)

SECTION 2: CURRENT PERMIT DETAILS AND INTERESTS

2.1 Permit details:

Please list the details of the Tier 2 minerals mining permit to which this application relates:

Permit number:	
Permit operator:	
Current permit expiry date:	

SECTION 3: REQUIREMENTS FOR TIER 3 PERMITS

The requirements for a Tier 3 Mining Permit are listed below:

- › Can only be for gold.
- › Can only be for mining in a bed of a river or on a beach (or both).
- › Has the work programme specified by **Section 2BA** of the Act.
- › Must be a continuous, unbroken area.
- › Cannot be larger than 50 hectares.

Note: If the proposal to transition your existing Tier 2 permit to a Tier 3 permit is accepted, the expiry date of the permit will be the same as the current permit.

However, the duration of a Tier 3 permit may be extended by submitting a **APP 02 Application to change a permit form**.

SECTION 4: UPDATE TO PERMIT BOUNDARY

4.1 Details – Update to permit boundary:

A Tier 3 permit can only be in a river or beach (or both) and cannot exceed 50 continuous hectares.

☐ Yes

I acknowledge that by making this proposal, I agree that the current permit boundary may need to be adjusted to meet the requirements of a Tier 3 permit.

We will work with you to identify an appropriate permit boundary that meets the Tier 3 permit requirements.

Matters that the Minister will ordinarily consider in determining if a permit area is appropriate, and whether to approve a proposal may include:

- › that the permit area does not exceed 50 continuous hectares;
- › for a river permit, that the permit area is such that:
 - it encompasses the riverbed from riverbank to riverbank, including both wet and dry bed areas within the banks;
 - the permit does not include connecting land of convenience.
- › for a beach permit, that the permit area is such that:
 - it only covers the active beach area which can be effectively worked using the Tier 3 work programme.

If changes are needed, engagement with adjacent permit holders and relevant iwi and hapū may be required.

NZP&M will engage with you on any permit boundary changes by emailing the application contact.

NZP&M will advise you of any proposed changes to be made to the permit boundary for your confirmation and acceptance.

To help determine the appropriate permit boundary you may wish to supply a map e.g. the map from your permit certificate or a digital file (e.g. shapefile, KML) indicating any changes you consider may be required.

4.2 Attached Documents

Please indicate if a map or a digital file has been supplied with this proposal:

☐ A map of the permit area.

☐ A digital file of the permit area.

SECTION 5: MINERALS AUTHORISED BY CURRENT PERMIT

5.1 Details – Minerals authorised by current permit:

A Tier 3 permit can only mine for gold.

Please provide the following details:

Does the current permit include minerals other than gold:

☐ Yes
☐ No

If "No" go to next section

If yes, please list the additional minerals

☐ Yes

I acknowledge that by making this proposal, I accept that, if the Tier 3 proposal is accepted, my current rights to those additional minerals will be removed.

SECTION 6: NEW WORK PROGRAMME AND GENERAL CONDITIONS

6.1 Details – New Work Programme:

Under section 2BA of the Act, the work programme that applies to Tier 3 permits is as follows:

Tier 3 permit work programme

The work programme for Tier 3 permit is:

- a) the permit holder will mine for gold:
- b) the permit holder may only use the following equipment:
 - (i) unpowered hand tools:
 - (ii) riffle boxes and associated equipment:
 - (iii) powered equipment not exceeding a combined total of 10 horsepower (or the equivalent of 10 horsepower) at any one time:
 - (iv) other similar equipment that is consistent with small-scale non-commercial gold mining:
 - (v) equipment permitted by regulations:
- c) a work programme that is otherwise in accordance with requirements specified in regulations

Please read this work programme carefully, as no variations or changes are allowed if the Tier 3 proposal is accepted.

6.2 Details – General conditions of a permit

All permit certificates have schedules that specify additional general conditions applying to the permit. If your proposal to convert to a Tier 3 permit is accepted, all existing schedules to your current permit will be replaced.

Please see below the general conditions which will replace the existing general condition in your permit document.

You are encouraged to view an example of a Tier 3 mining permit certificate and schedules showing the Tier 3 work programme and general conditions which can be found on the [NZP&M](#) website.

General Conditions

RIGHTS GRANTED BY THIS PERMIT

1. The permit holder has the right to mine for gold in the permit area subject to the conditions in the permit certificate and any schedules attached to the certificate.

GOOD INDUSTRY PRACTICE

2. The permit holder must make all reasonable efforts to mine the land to which the permit relates in a proactive and efficient manner in accordance with this permit and good industry practice.

COMPLIANCE AND CONSENTS

3. In carrying out activities under this permit, the permit holder must:
 - a. comply with the Crown Minerals Act 1991 (Act) and all other relevant legislative requirements;
 - b. obtain any consents, approvals and authorisations under any other applicable Acts.
4. The consents, approvals and authorisations that the permit holder may be required to obtain include, without limitation:
 - a. resource consents under Resource Management Act 1991;
 - b. land access agreements entered under section 54 of the Act;
 - c. land access agreements in relation to Crown land or land in the common marine and coastal area under section 61 of the Act;
 - d. any authorisations or approvals required under the Health and Safety at Work Act 2015 and associated regulations.

WORK PROGRAMME CONDITIONS

5. The permit holder must not carry out, or allow any other person to carry out, any activities that are inconsistent with the restrictions applying to a Tier 3 permit as set out in the Crown Minerals Act 1991, or any regulations or minerals programme made under that Act, or the conditions of the permit.

General Conditions

SUBCONTRACTING

6. The permit holder is not discharged from any obligation arising under this permit by contracting a third party to perform the relevant obligation.

FEES

7. The permit holder must pay annual fees and any other **applicable fees** relating to this permit, in accordance with the relevant regulations.

ROYALTIES

8. The permit holder will be liable for payment of a royalty to the Crown calculated in accordance with the Crown Minerals (Royalties for Minerals Other than Petroleum) Regulations 2013 and Schedule 4 of this permit.
9. The permit holder must report and pay any **royalties due** in accordance with the relevant regulations.

REPORTING

10. The permit holder must submit reports to the chief executive in accordance with the relevant regulations.

ACTIVITIES OF OTHER OPERATORS IN THE PERMIT AREA

11. The permit holder must not unreasonably interfere with the activities of any other persons lawfully operating in the permit area.

REHABILITATION

12. On completion of activities in the permit area, the permit holder must carry out rehabilitation of the permit area in accordance with all regulatory requirements, consents and good industry practice.

☐ Yes

I acknowledge that by making this proposal my current Tier 2 permit certificate and permit conditions will need to be replaced with one that is consistent with Tier 3.

We will work with you to develop a permit certificate and conditions that meet the Tier 3 permit requirements.

The legislated Tier 3 work programme, and general conditions that NZP&M consider are consistent with Tier 3 are listed as above.

SECTION 7: DECLARATION

I declare that all information provided in this application is true and correct to the best of my knowledge and that I am authorised to sign this application².

Signature:

Legal name:

Position of signatory:

Organisation:

NZBN:

Date:

- 2 Where the permit participant is a company, partnership, society, trust or other legal entity, the application must be signed in accordance with the relevant legislative requirements, constitution, or rules by a person or agent with the requisite authority. All applications must be signed in accordance with the relevant regulations.

This completed form, along with the supporting documentation, should be emailed or posted to New Zealand Petroleum & Minerals at the addresses below.

Address: PO Box 1473, Wellington 6140, New Zealand

Email: nzpam@mbie.govt.nz

Website: www.nzpam.govt.nz

NZP&M is a branch of the New Zealand Ministry of Business, Innovation and Employment. We manage New Zealand's Crown Mineral Estate. Our aim is to maximise the gains to New Zealand's economy from development of these resources, a key component to the government's Business Growth Agenda. To support this aim we endeavour to educate and inform New Zealanders, including consultation with indigenous stakeholders and local government.