

Jacob Paget

From: Meredith Lawry s 9(2)(a)
Sent: Wednesday, 5 June 2024 4:30 pm
To: Listed Projects
Subject: RE: [IN-CONFIDENCE]Feedback on FTA370 - Central and Southern Block Mining Project (same site are and applicant as FTA355 & FTA372).

Kia ora Steph,

Please find our analysis of this application below. We are unsure about the eligibility of this one as Clause 18(c)(i) may apply.

1. Does the project require any DoC-related approvals?

DOC would need to approve

- the Wildlife Act 1953 Authority requested to relocate lizards and bats during vegetation removal
- any changes to fresh water systems including the fish passage and any potential new fish barriers

No public conservation land is involved so no DOC approvals are required for the main consent sought.

2. Are you aware of anything that would render the project ineligible under clause 18 of the Bill?

- s 9(2)(b)(ii)
- Clause 18(c)(i) may apply. There is no existing customary marine title, but at least one party has applied for one. It is uncertain whether applications yet to be heard under the Marine and Coastal Area (Takutai Moana) Act 2011 would activate clause 18(c)(i). TIL's application confirms it does not have written approval from the applicant parties. They were all contacted prior to TIL lodging the consent application with Council and no responses were received.

3. Are you aware of any Treaty settlement matters which relate to the project site – such as local protocols

Waikato Tainui has not yet settled in this area, but a claim is in and waiting to be heard.

4. Any other relevant matters

- DOC has concerns about the potential impact of the application on:
 - Significant wetlands
 - Taharoa Lake
 - Wainui Stream
 - Species living or nesting in the area such as lizards, bats, NZ dotterel, and grey mullet
- Environmental concerns are exacerbated by the poor condition of the existing fish passage and the lack of current or forward-looking environmental management plans to address environmental impacts. Given the standard consent process has already been underway for four years and the mine itself operating since the 1970s, environmental management plans should have progressed further than "proposed", as they are described in the application.
- The mining site and its ship loading activities are all within the West Coast North Island Marine Mammal Sanctuary. This has not been acknowledged or addressed in the application. Assessment of the impact of shipping does not appear to address the effects of discharging considerable amounts of dirty water into the marine environment during loading, as the water used to move the sand is pumped out once it is on board. The reason given is that the ship loading process occurs relatively infrequently and for short periods only so the effects are considered negligible. However, this application, combined with FTA355, would almost double the frequency as the number of loads increases from 20 per year to 35.

- Much of the environmental assessment report refers to the fact that the mine has been operating since the 1970s and the current application is not expected to have any significant additional impact. However, no evidence has been presented showing the effects mining operations have had on the environment and its ecosystems up to this point. When assessing a 35-year consent term, it is vital to look at whether continuing with similar activities without any additional mitigation is acceptable.

Thank you,
Meredith

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

Sent: Friday, May 31, 2024 5:59 PM

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

Cc: Stephanie McNicholl s 9(2)(a) Anna Galvin s 9(2)(a)

Subject: [IN-CONFIDENCE]Feedback on FTA370 - Central and Southern Block Mining Project (same site are and applicant as FTA355 & FTA372).

Kia ora Neil and Meredith

This listed project application is for FTA370 - Central and Southern Block Mining Project.

The application is for mining. There are previous applications through a standard resource consent process, seeking to replace expired consents.

The application refers to consultation with DoC.

Could you please provide comment on:

- whether the project requires any DoC-related approvals
- if you are aware of anything that would render the project ineligible under clause 18 of the Bill
- if you are aware of any Treaty settlement matters which relate to the project site – such as local protocols
- any other relevant matter?

If possible, could you please provide your feedback by COB **6 June 2024**.

Please let me know if there is anything I can do to assist.

Ngā mihi
Steph

Stephanie McNicholl ([she/her](#))

Ngāpuhi, Ngāi Te Rangi, Ngāti Ranginui

Senior Policy Analyst | Kaitātari Kaupapa Here Matua

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