

From: Meredith Lawry s 9(2)(a)
Sent: Wednesday, 12 June 2024 3:43 pm
To: Listed Projects
Cc: Neil Deans [EXTERNAL] (DOC)
Subject: RE: [IN-CONFIDENCE]Feedback on FTA372 - Northern Block Mining Project (same project and applicant as FTA355 & FTA370).

Kia ora Steph,

I'm so sorry for the delay with this one – very similar response to the analysis of the other Taharoa Ironsands applications, with minor changes. We are unsure of whether this would be ineligible or not as s 18(c)(i) may be engaged.

Application FTA372 is for a site north of the FTA370 application, further from Taharoa Lake and Wainui Stream. However, it is still on the coast adjacent to the West Coast North Island Marine Mammal Sanctuary.

The application is also for mining and does not appear to have been filed via the normal RMA process yet, so DOC has not been engaged in discussions about this application.

We have been asked to comment on:

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
- Be involved in any changes to freshwater systems - mining of the area in this application is dependent on approval to bridge the Mitiwai Stream to provide access (applied for under FTA355).

No public conservation land is directly 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?

- Clause 18(a) would not apply as the Māori landowners involved have given written permission through Taharoa C Block.
- It is unknown whether clause 18(c)(i) applies. The applicant indicates there are no customary marine titles relevant to this application. This may be because the block does not extend into the marine area adjacent to the North Block. However, the material mined from this area will be loaded on to ships from TIL's mooring within the West Coast North Island Marine Mammal Sanctuary, increasing the number of loadings per year and the consequential impacts. There are applications for customary marine titles yet to be heard for this area under the Marine and Coastal Area (Takutai Moana) Act 2011 and it is unknown whether these would activate clause 18(c)(i).

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 species living or nesting in the area such as lizards, bats, and NZ dotterel

- Section 5 of the application deals with environmental assessment and mitigation, which is addressed in the applicant's document 'Assessment of Environmental Effects Northern Block. This document raises a number of concerns, including:
 - The assessment is based on independent assessments undertaken for the Central and Southern Blocks (FTA370) and Pit 1 (FTA355) applications and the applicant's knowledge of the effects of mining on the Central and Southern Blocks. No specific assessments have been carried out for the greater North Block, although there is an indication this will be done prior to submitting 'a fulsome resource consent application'. We do not believe a fast track application can be considered until this has been completed.
 - As no environmental assessment has yet been done for this block, no environmental management plans have been created, despite these being referred to as key to mitigating environmental impacts on freshwater systems and known populations of native skinks and bats. The assessment also refers to the mitigation through "imposition of appropriate conditions", but does not provide much indication of what conditions would be needed.
 - There is mention of a revegetation plan that will be followed, but this has not been provided and has potentially not yet been written.
 - The environmental assessment does not address the potential impacts of this project on the frequency of ship loading within the West Coast North Island Marine Mammal Sanctuary from the existing mine mooring. Other applications have stated that the number of loads is expected to increase from 20 per year to 35.
- In section 7 of the application, TIL has indicated the project would support climate change mitigation, but offers no explanation of how.
- In section 9 of the application, TIL outlines compliance issues involving:
 - discharge of diesel into Wainui Stream in 2017
 - discharge of sediment-laden water to land that may enter water (currently before the Court) in January 2023
 - one-off offensive and objectionable discharge of dust in December 2023

These incidents have been dismissed as irrelevant to this application because they occurred in the mine's Central and Southern blocks and therefore do not relate to any part of the Northern Block. However, it will be the same company, undertaking the same activities in the Northern Block and all materials mined from the Northern Block will be processed and loaded from the Central Block. It could, therefore, be argued, that these incidences are indeed relevant to this application.

Thanks,
Meredith

From: Listed Projects s 9(2)(a)
Sent: Friday, May 31, 2024 6:11 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 FTA372 - Northern Block Mining Project (same project and applicant as FTA355 & FTA370).

Kia ora Neil and Meredith

This listed project application is for FTA372 - Northern Block Mining Project.

The application is for mining. There do not appear to be any previous applications through a standard resource consent process.

The application refers to consultation (informal engagement) 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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