

Jacob Paget

From: Meredith Lawry s 9(2)(a)
Sent: Wednesday, 12 June 2024 9:09 am
To: Listed Projects
Cc: Neil Deans [EXTERNAL] (DOC)
Subject: RE: [IN-CONFIDENCE]Feedback on FTA355 - Pit 1 Mining Project (same site are and applicant as FTA370 & FTA372).

Kia ora,
I've just been alerted that this one slipped through the cracks, I'm sorry! It is nearly identical advice to FTA370.

At this point it is not clear whether it is ineligible as Clause 18(c)(i) of the Bill 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.

No PCL is affected, but DOC would need to approve a Wildlife Act authority to relocate lizards and bats, and any changes to fresh water systems including fish passage and any potential new fish barriers.

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

In relation to Treaty settlements, Waikato Tainui has not yet settled int eh area, but a claim is waiting to be heard.

Thanks,
Meredith

From: Listed Projects <ListedProjects@mfe.govt.nz>
Sent: Friday, May 31, 2024 5:57 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 FTA355 - Pit 1 Mining Project (same site are and applicant as FTA370 & FTA372).

Kia ora Neil and Meredith

This listed project application is for FTA355 - Pit 1 Mining Project.

The application is for mining. There appear to be previous applications through a standard resource consent process.

The application refers to lizards and bats (if found).

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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