
MINUTE 20 OF THE EXPERT PANEL

Witnesses at Expert Conference
Central and Southern Block Mining Project [FTAA-2512-1153]

(9 July 2026)

- [1] The purpose of this Minute is to respond to the Applicant's memorandum of 2 July 2026 expressing concern at the attendance of experts nominated by Te Nehenehenui and Ngāti Mahuta ki te Hauāuru at the Expert Conference session to be held on 6 July 2026.
- [2] Te Nehenehenui and Ngāti Mahuta ki te Hauāuru have nominated Mr Taituwha King and Ms Ngahuia Herangi respectively as their experts in mātauranga Māori to attend the conference.
- [3] The Applicant considers that there is a fundamental conflict of interest arising from the proposed involvement of the nominated experts in expert conferencing, such that it is not appropriate for either Mr King or Ms Herangi to attend.
- [4] The Applicant has set out the nature of its concern about this conflict of interest as follows:

Mr King and Ms Herangi are not independent experts appointed by Te Nehenehenui and Ngāti Mahuta ki te Hauārua. They both hold leadership positions within Ngāti Mahuta ki te Hauārua and/or other mana whenua groups, as follows:

(a) Mr King is a Trustee and the Chair of Te Kooraha Marae (which forms part of Ngāti Mahuta ki te Hauārua); and

(b) Ms Herangi is a Trustee and the Secretary of Te Kooraha Marae. (She is also a Trustee and former Chair of the Taharoa Lakes Trust.)

Both Mr King and Ms Herangi have in the past advocated, and continue to presently advocate, for these groups in opposition to the Central and Southern Block Mining Project across different forums (including but not limited to opportunities provided through this FTAA process). For example, Ms Herangi is representing the Taharoa Lakes Trust and Te Kooraha Marae's section 274 interest in TIL's Environment Court appeal of the decision made in respect of its RMA application for the Central and Southern Blocks. Mr King has been quoted in recent media reporting about Ngāti Mahuta ki te Hauārua concerns in respect of TIL's application.

- [5] Based on the above, the Applicant considers that it is not possible for Mr King and Ms Herangi to participate in expert conferencing impartially or exercise independent judgement.
- [6] The Panel considered the nominations at the time that they were made. Mr King was nominated by Te Nehenehenui on 18 June 2026 and Ms Herangi nominated by Ngāti Mahuta ki te Hauāuru on 24 June 2026. As part of this consideration, we noted the various positions held by the two nominees, as set out above from the Applicant's memorandum. We also noted that:
- a. Mr King has provided a statement of evidence on the application, included by the Applicant as Appendix HH of the Substantive Application, and referenced at section 8.1.18 of the Substantive Application as part of the body of existing information on cultural effects (such that an additional Cultural Impact Assessment was not required); and
 - b. Ms Herangi is a member of the Board of Taharoa C Block, the landowners of the subject land.
- [7] Notwithstanding such positions and associations with parties involved in this application, the nominees are present as expert witnesses in the conference. The Panel has sought, and received, confirmation from the conference facilitators that all attendees are provided with a link to the Environment Court Practice Note and a recommendation to familiarise themselves with it, particularly section 9 which emphasises the matters of independence and impartiality. These important matters will also be reiterated at the commencement of the session by the facilitator.
- [8] In short, it is the Panel's clear expectation that all participants in expert conferencing would understand their overriding duty to act impartially and not behave as an advocate for any party.
- [9] As the Applicant will be aware, the output from the expert conference will be a Joint Witness Statement which records matters of agreement and disagreement, including the reasons for disagreement. The position adopted by the various witnesses on the matters discussed, and the reasons stated, will be evaluated by the Panel as part of its overall deliberation. If the Panel perceives that opinion has been recorded in the Joint Witness Statement that does not reflect the requirement for impartiality, that will go to the weight placed by the Panel on that opinion.
- [10] In conclusion, the Panel confirms that the expert conference is to proceed as planned for 6 July 2026. We are confident that the outcome of the expert conference session will benefit from the presence of persons with acknowledged skills in mātauranga Māori.

A handwritten signature in blue ink, appearing to read "D. Serjeant". The signature is fluid and cursive, with a large initial "D" and a stylized "S".

Dave Serjeant

Central and Southern Block Mining Project Expert Panel Chair