

## Before the Expert Panel

Under the Fast-track Approvals Act 2024 (**FTAA**)

And

In the matter of an application for approvals by Taharoa Ironsands Limited to continue existing mineral sand extraction, including land preparation works, constructing a water supply reservoir, extracting ironsand material, processing extracted material, and transporting raw and processed material on 911 hectares at Taharoa Road, Taharoa, approximately 8 kilometres south of Kawhia and 45 kilometres northwest of Te Kūiti (**Central and Southern Block Mining Project**)

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Memorandum of Counsel on behalf of Taharoa Ironsands Limited  
to the Expert Panel

Dated 21 July 2026

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Solicitor acting: Tom Atkins |

Partner responsible: Stephanie de Groot |

## MAY IT PLEASE THE PANEL

1. The purpose of this memorandum is to submit further questions to the Panel on behalf of TIL as indicated at paragraph 5 of the Memorandum of Counsel dated 13 July 2026. This is in relation to questioning at the Panel Facilitated Conference (**Conference**) on Wednesday 22 July 2026 and Thursday 23 July 2026 in Hamilton.
2. Below we address the questions that the Panel has already indicated it intends to put to the experts, and submit further questions that the Panel should raise.

## EXISTING QUESTIONS OF THE PANEL

3. In Minute 18 of the Expert Panel, dated 7 July 2026, the Panel noted at paragraph 9 that the relevant experts for each amended condition proposed by the commenting parties in relation to the RMA approvals, Archaeological Authority, and Wildlife Approval (**Amended Conditions**) would be asked:
  - (a) *Whether the Amended Condition(s) in the form sought by the commenting parties is (or are) necessary to address a relevant resource management issue raised by the Applicant.*
  - (b) *Whether the Amended Condition(s) is (or are) otherwise reasonable, workable, enforceable and appropriate in the expert's opinion, in preference to the condition(s) in the form proposed by the Applicant.*
4. TIL supports this approach and requests that these questions be put to the experts.

## ADDITIONAL QUESTIONS

5. In addition to the above questions, TIL submits that the following three questions are also asked of the relevant experts:
  - (a) Whether the Amended Condition(s) raise any unreasonable practical or operational issues for the proposed activities;
  - (b) Whether the Amended Condition(s) give rise to any unreasonable commercial implications for TIL's business or curtail any economic or other benefits of the proposed activities; and

- (c) Whether the Amended Condition(s) in the form sought by the commenting parties is (or are) more onerous than necessary to address a relevant resource management issue raised by the Applicant.
6. TIL considers these questions are appropriate given that they:
- (a) relate directly to the reasonableness of imposing the Amended Condition (a relevant matter under the *Newbury* principles)<sup>1</sup>; and
  - (b) will assist the Panel in assessing how and to what extent any condition recommendations will affect the regional and national significance of the Project or will be more onerous than necessary (both key considerations under sections 81 and 83 of the FTAA).

**DATED** this 21<sup>st</sup> day of July 2026



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**Stephanie de Groot / Tom Atkins**  
Counsel for Taharoa Ironsands Limited

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<sup>1</sup> *Newbury District Council v Secretary of State for the Environment* [1980] 1 All ER 731 (HL), at 739.