

APPENDIX 1: Post Panel Facilitated Conference Request for Information, 28 July 2026

Condition	Request for Information
AUTH 14.01 (Water Permit – Divert Groundwater & Surface Water Take): Conditions 2-4 to be deleted and replaced.	Discussion at the PFC indicated a preference for not augmenting Mitiwai Stream flow on the basis that the WWLA hydrogeological modelling predicted the drawdown effects would be less than 10% of mean annual low flow (MALF), which is less than minor. The Panel requests new conditions to be devised by experts for the Applicant, DoC, NMKTH, TNNN and WRC on maintenance and monitoring of Mitiwai Stream through management of the Central Pit operations. Specifically, the Panel requests Ecologists/Experts to confer and advise on: 1. Condition to verify or revise the estimated 45L/s Mitiwai MALF and 31L/s Q₅ (using an external control catchment or other equivalent method) as part of baseline monitoring. 2. Condition to determine the minimum environmental flow for lower Mitiwai Stream. 3. Limit conditions for Central Pit management (specifically maximum groundwater drawdown limits in terms of RLM – mAMSL for Stages 1 to 4 of Central Mine Pit). 4. Conditions outlining revised stream low flow trigger level criteria and responses if Central Pit depletion effects on Mitiwai Stream greater than 10% MALF or appropriate alternative criteria (such as minimum environmental flow).
AUTH 05.01 (Water Permit - Surface Water Take): Condition 7	The Panel requests Ecologists/Experts for the Applicant, DoC, NMKTH, TNNN and WRC to confer and advise on whether 8.53 m RL as a cease take is needed and/or an appropriate level.
AUTH 02.01 (Water Permit - Dam): Condition 4-6	At the PFC the Applicant's ecologist (Ms Bennett) recommended if the minimum flow in the Wainui Stream is <10 L/s for more than 14 days then a condition should require an ecologist to monitor temperature & dissolved oxygen content. If these parameters are outside set triggers, a condition should require pumping more water over the weir. The Panel requests Ms Bennett advise on: 1. Appropriate trigger levels for temperature & dissolved oxygen content for this purpose.

FTAA-2512-1153
Central and Southern Block Mining Project

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AUTH 16.01 (Destroy, disturb, dewater natural inland wetlands) Schedule 1: Condition 16(c)	The Panel requests Ecologists/Experts for the Applicant, DoC, NMKTH, TNNN and WRC to confer & propose specific conditions based on agreements recorded at [40] and [44] of their Joint Witness Statement dated 6-7 July 2026.
AUTH 16.01(Destroy, disturb, dewater natural inland wetlands): Condition 6-7	The Panel requests the Hydrogeologist for the Applicant (Mr Scherberg) to advise Ecologists/Experts (and the Panel) which potentially groundwater-affected wetlands may require augmentation if water trigger levels are exceeded.
AUTH 16.01(Destroy, disturb, dewater natural inland wetlands): Conditions 5(a) and 5A	At the PFC, the Panel was interested in conditions that provided for an early warning approach to managing potential adverse ecological effects from groundwater drawdown (for example, as sought by DoC). The Panel requests the following: 1. The hydrologists for DoC and the Applicant (Mr Blyth & Mr Williamson) to confer and advise on how baseline monitoring and trigger levels would be determined for water level management for groundwater connected wetlands for the purpose of AUTH 16.01 Condition 5(a). 2. Ecologists/Experts for the Applicant, DoC, NMKTH, TNNN and WRC to confer and advise on: a. Representative sites for wetland monitoring (as potentially affected by groundwater) i.e. which wetlands per group b. Which indicator species (including taonga species) and how often c. Methods for doing so
AUTH 05.01 (Water Permit – Surface Water Take): Condition 15	At the PFC the experts agreed that a 1.5 mm screen was necessary to avoid potential entrainment effects on juvenile protected/threatened or at risk indigenous fish species and that the technology was available for that standard to be met, but that some time would be needed to put in place a new screen and transition to operation of it. To assist with our deliberations on this issue (and others such as the width of riparian wetland margins), the Panel requests Counsel for Applicant to prepare submissions on how viability and practicability inform whether a

FTAA-2512-1153
Central and Southern Block Mining Project

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	consent condition is reasonable under the RMA and whether any different approach is required under the FTAA (citing any relevant case law).
AUTH 05.01 (Water Permit – Surface Water Take): Conditions 3-4	AUTH 05.01 conditions 3 and 4 provide for a surface water take of: 9.9 million m³ water per year for operating use (27,200 m³/day rolling 28-day average multiplied by 365 days per year); and 3.0 million m³ water per year for ship loading. This sums to a total of $9.9 + 3.0 = 12.9$ million m³ water per year total surface water <i>take</i>. Appendix I (s2.3.3) states that average water <i>use</i> for extracting and exporting 3 million tonnes of ironsand is: 6.4 million m³ per year for operating use; and 3.8 million m³ per year for ship loading. This sums to an annual water <i>use</i> of $6.4 + 3.8 = 10.2$ million m³ per year, which is within the existing consent provision of 12.9 million m³ per year total surface water <i>take</i>. However, the use of water for ship loading is directly proportional to the amount of product being exported (more water will be needed to pump more sand). It is similarly reasonable to expect that the use of water for operational purposes will also be proportional to the amount of sand being extracted, refined and moved around site. This suggests that the future use for an increase in export to 5 million tonnes per year of ironsand could be in the order of $10.2 \times 5/3 = 17.0$ million m³ per year of water <i>use</i>. This scenario would significantly exceed the proposed consent provision of 12.9 million m³ per year total surface water <i>take</i>. The Panel queries the overall site water balance with the Applicant and specifically whether there are any implications for water availability during periods of high production and low rainfall (i.e. maximum daily use) and if not, why not?

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[New]: Air Permit	The Panel considers that an air discharge permit is needed and requests the Applicant to draft air permit conditions utilising the air related conditions currently inserted to AUTH 01.01 (Conditions 8-16). Applicant also to consider the need for other air related conditions in the consent suite (e.g. AUTH 08.01 and Schedule 1) to be transferred to the air permit. As a general point, at the PFC the Panel expressed a preference for consent conditions to address the “what” (is required) with the “how” to be left to management plans to improve clarity, certainty and enforceability of consents. The air quality experts agreed to confer and advise on good practice consent conditions (as recommended by Mr Stacey for WRC) for dust management (with suggested updates for the dust management plan in chapter 6 of the Environmental Management Plan in Appendix T of the Substantive Application) (refer also next item).
[New]: Air Permit	The Panel requests the air quality experts confer and advise on: 1. Good practice conditions of consent for managing dust (as recommended by Mr Stacey refer previous point) in the new air permit. 2. The Panel further requests draft consent conditions requiring an action plan with specific actions to be undertaken to reduce overall site PM₁₀ emissions (e.g., xx ha of stabilisation/rehabilitation of existing exposed areas by <i>insert date</i>) if elevated <u>annual</u> PM₁₀ concentrations are measured at Te Kura o Taharoa.
Schedule 1: Condition 20 (Site Rehabilitation Plan)	The Panel requests the Applicant to propose conditions for progressive dust stabilisation / rehabilitation for all future mining stages, identifying specific areas, actions, rehabilitation measures and timeframes before the next stage commences, to be certified by council as effective. NB: The Panel appreciates that factors such as location, sensitivity of receiving environment and seasonality would inform the nature of progressive rehabilitation proposed for certification.
Archaeological Management Plan requirements for the nomination of kaumatua.	The Panel requests representatives of Taharoa C Block, Ngaati Mahuta ki te Hauaaru, Te Kooraha Marae and Aaruka Marae to consult on the method for nominating an agreed list of kaumatua to fulfil responsibilities pursuant to the Archaeological Authority and Archaeological Management Plan.