

## **Before the Expert Panel**

Under the Fast-track Approvals Act 2024

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 7 April 2026

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**MinterEllisonRuddWatts.**

PO Box 105 249 Auckland City 1143

T +64 9 353 9700

Solicitor acting: Tom Atkins [REDACTED]

Partner responsible: Stephanie de Groot | [REDACTED]

## MAY IT PLEASE THE PANEL

### INTRODUCTION

1. We act for Taharoa Ironsands Limited (**TIL**) in respect of its substantive application under the Fast-track Approvals Act 2024 (**FTAA**) for the Central and Southern Blocks Mining Project (**Project**).
2. The purpose of this memorandum is to:
  - (a) Propose that a Project Overview Conference, led by TIL, is held to familiarise the Panel with the Project; and
  - (b) Provide additional comments on the parties the Panel must or may invite to comment on the application under section 53 of the FTAA.
3. We expand on these points below.

### PROPOSED PROJECT OVERVIEW CONFERENCE

4. TIL's application relates to the continuation of activities on Māori land that have a long history, initially established in the 1970's by the New Zealand Government. The application also has a complex consenting history and is supported by a considerable volume of material.
5. To assist the Panel with its consideration of the application, TIL proposes that a Project Overview Conference (**Conference**), led by TIL's consenting team, is held to familiarise the Panel with the Project and its history.
6. Similar conferences were held in respect of the Sunfield Masterplanned Community Project<sup>1</sup> and the Bendigo-Ophir Gold Project.<sup>2</sup> TIL proposes to adopt a similar approach here, and provide the Panel with an overview of the Project addressing the following topics:
  - (a) Overview of land ownership and relationship between the Māori landowner (The Proprietors of Taharoa C Block Incorporated (**Taharoa C**)), and Mine owner / operator (TIL);

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<sup>1</sup> Minute 1 of the Expert Panel – Sunfield Masterplanned Community dated 26 June 2025.

<sup>2</sup> Minute 1 of the Expert Panel – Bendigo-Ophir Gold Project dated 25 February 2026.

- (b) Background and history relevant to the application;
  - (c) Content of the application for approvals;
  - (d) Key issues in contention;
  - (e) Content and structure of proposed conditions; and
  - (f) Any other relevant matters.
7. The following attendees will be available to attend the Conference on behalf of TIL:
- (a) Wayne Coffey – Managing Director and CEO (TIL);
  - (b) Stephanie de Groot – Counsel (MinterEllisonRuddWatts);
  - (c) Tom Atkins – Counsel (MinterEllisonRuddWatts);
  - (d) Jared Pettersson – Project Manager (Enviser); and
  - (e) Grant Eccles – Lead Planner (Tonkin & Taylor).
8. TIL will also seek that a representative of Taharoa C attends the Conference. TIL will confirm a representative of Taharoa C if the Panel directs that the Conference should occur.
9. TIL is happy to arrange for any other experts from its team to be present at the Conference if it would benefit the Panel's understanding of the Project.
10. Given its factual nature and focus on assisting the Panel, TIL does not consider that any other participants beyond TIL, Taharoa C and TIL's selected advisers would be required to attend the Conference.
11. However, in the interest of fairness to other parties, and consistent with the approach taken by the Panel for the Conference held for the Bendigo-Ophir Gold Project, TIL proposes that the Conference is recorded and made available on the Fast-track website. This is to ensure that all potential commenters have access to the information that TIL provides to the Panel.
12. TIL suggests the Conference take place before the Panel undertakes a site visit or invites comments from parties under section 53 of the FTAA. The

Conference will help the Panel familiarise itself with the Project, site, and relevant parties. TIL can also respond to any questions about the site visit during the Conference.

13. TIL is flexible with timing. If the Panel wishes to convene a Conference, TIL suggests that the EPA liaise with TIL's counsel to identify a suitable time.

#### **INVITATION TO COMMENT**

14. TIL wishes to make some comments, additional to those set out in its application, in respect of the Panel's invitation to parties to comment on the application under section 53 of the FTAA.
15. The first relates to the landowner, Taharoa C:
  - (a) The Panel is required to invite Taharoa C (as landowner) to provide comments on the application under section 53(2)(h) of the FTAA. MfE has also identified Taharoa C as a group with a relevant interest under section 18(2)(k) of the FTAA.
  - (b) In Appendix D, X and KK to the application, TIL provided Taharoa C's written approval for the Project to be carried out on Māori land in accordance with section 43(1)(c) of the FTAA.
  - (c) Taharoa C and its numerous shareholders (over 2000 Ngāti Mahuta hapū members) will be directly affected by the Panel's decision. It is important to both TIL and Taharoa C that Taharoa C is given the opportunity to comment on the Application. Therefore, for the avoidance of any doubt, TIL submits that there is nothing in the FTAA which directly or indirectly indicates that the above approvals negate the requirement under section 53(2)(h) for the Panel to invite comments from Taharoa C.
16. The second relates to some of the parties that MfE has identified as having an interest in the Project:
  - (a) MfE's section 18 report identifies a range of Māori groups as having relevant interests "in the project area" (under section 18(2)(k).
  - (b) No explanation has been provided by MfE to confirm why each of these groups is considered to have an interest in the Project area.

- (c) TIL identified a number of the groups in its application as having an interest in the Project including:
- (i) parties that TIL was required to consult with in respect of its substantive application under section 29(1)(a) of the FTAA;
  - (ii) parties that otherwise may be asked to comment on the Project under section 53 of the FTAA, including submitters on its RMA application in respect of the Central and Southern Blocks.
- (d) However, TIL does not consider that the following groups, all of which are landowners (see **Appendix A** for a location map), have an interest in the Project area:
- (i) Taharoa A1B1B2 Trust;
  - (ii) Taharoa A2A1 Trust;
  - (iii) Arohaki Trust;
  - (iv) Owners of Old Land Claim 400;
  - (v) Owners of Taharoa A1B1A;
  - (vi) Taharoa A1C13 Trust;
  - (vii) Taharoa Tukua Ahu Whenua Trust;
  - (viii) Taharoa A8 Trust and the Piwa Tohi Awhina Māori Reservation Trust (the owners of the underlying land where Aruka Marae is situated); and
  - (ix) Taharoa A7J5B Trust.
- (e) This is because:
- (i) as shown in Appendix A, the relevant land is not located in proximity to the Mine. (We note that Taharoa A1C13 Trust and Taharoa Tukua Ahu Whenua Trust is located in proximity to the Northern Block of the Mine but not the Central and Southern Blocks which are the focus of the Project);

- (ii) their interests as landowners do not appear to be affected by the Project; and
  - (iii) TIL is otherwise unaware of any interest held by the landowners in the Project – under section 18 or otherwise.
- (f) Further, these parties' interests as tangata whenua, are represented by other iwi groups in respect of the application such as Te Kooraha, Maketu, and Aruka Marae and Te Ruunanga.
17. On this basis and as it currently stands, TIL does not consider that these groups should be invited to comment on the application under section 53(4)<sup>3</sup> of the FTAA.
18. We note that this issue was addressed at a high level in TIL's memorandum of counsel dated 18 March 2026 filed ahead of the Panel Convenor Conference, but it was not discussed at the Conference.

## CONCLUSION

19. TIL respectfully requests that the Panel:
- (a) direct that a Conference occurs before a site visit is undertaken and the issue of invitations to comment under section 53 of the FTAA; and
  - (b) take into account TIL's additional comments on persons invited to comment on TIL's application under section 53.

**DATED** this 7<sup>th</sup> day of April 2026



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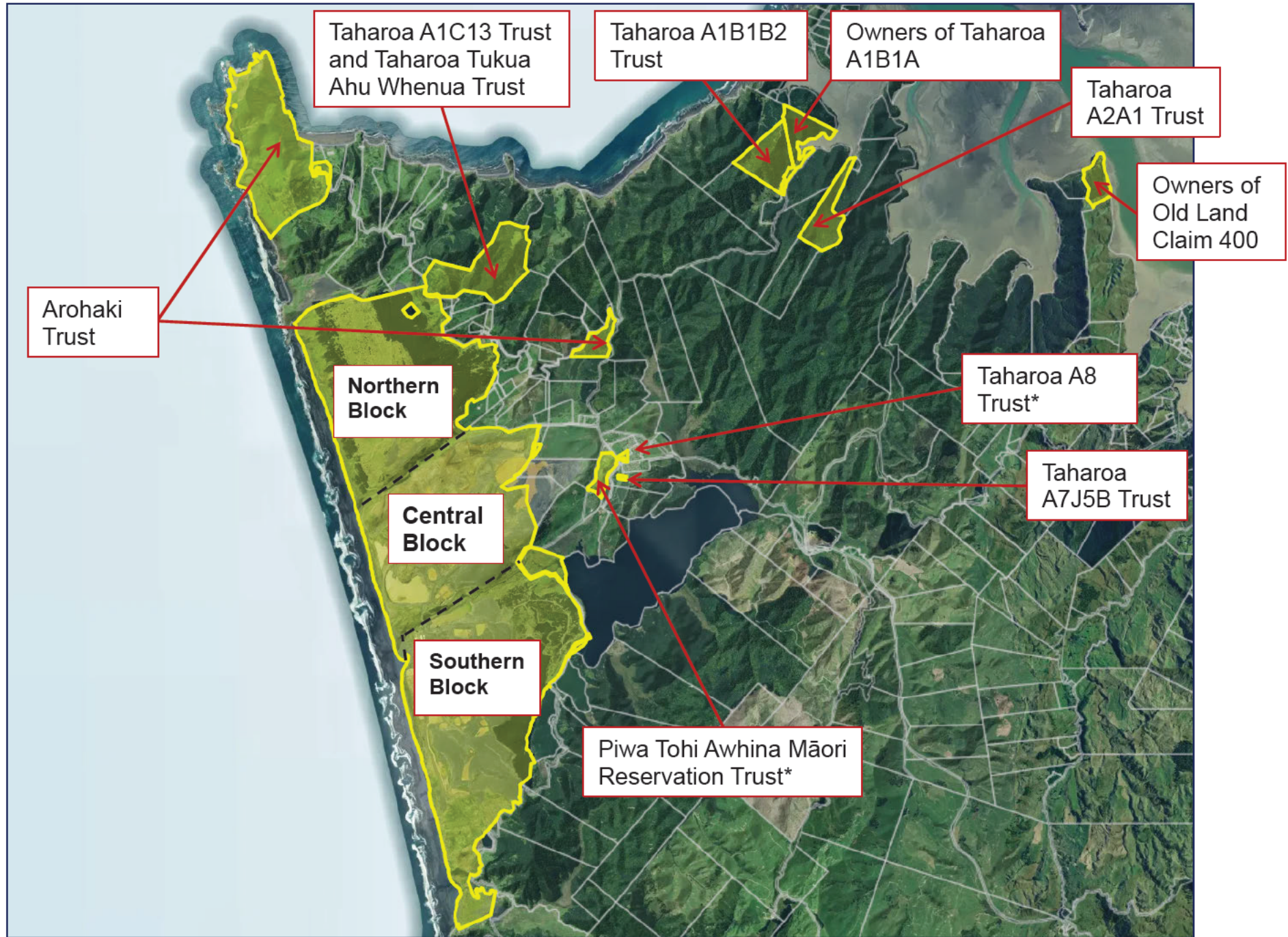
**Stephanie de Groot / Tom Atkins**  
Counsel for Taharoa Ironsands Limited

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<sup>3</sup> Note that it is the Act as in force on the first commencement date which applies to TIL's application (see cl 7, Part 2, Schedule 1 of the FTAA).

## Appendix A – Location Map

Groups identified by the Ministry for the Environment with relevant interests under section 18(2)(k)



\*Note that the Taharoa A8 Trust and the Piwa Tohi Awhina Māori Reservation Trust are considered not relevant on the basis that they are already represented by the Aruka Marae.