

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**)

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

Dated 21 April 2026

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MAY IT PLEASE THE PANEL

1. We refer to Minute 2 of the Expert Panel dated 17 April 2026 issued following the Project Overview Conference held on 16 April 2026.
2. In Minute 2, the Panel indicated that they are anticipating updated application material regarding the Wildlife Approval and Archaeological Authority, and that this material would be made available for commenting on by section 53 parties.

WILDLIFE APPROVAL

3. Taharoa Ironsands Limited (**TIL**) is continuing to engage with the Department of Conservation (**DOC**) regarding draft conditions following the Project Overview Conference, with a view to reaching agreement.
4. In the meantime, TIL considers it appropriate to submit a set of conditions in advance of the Panel's invitation to comment. **Attached** to this memorandum is TIL's proposed set of conditions for the Wildlife Approval, which remain subject to discussions and agreement with DOC.

ARCHAEOLOGICAL AUTHORITY

5. TIL is also continuing to engage with Heritage New Zealand Pouhere Taonga (**HNZPT**) regarding the draft conditions for the Archaeological Authority, with a view to reaching agreement.
6. A draft set of conditions for the Archaeological Authority were provided with TIL's Substantiative Application. The conditions are included as part of the Archaeological Authority Application Bundle (Appendix X to the Substantive Application) and appear on the Environmental Protection Authority's website.

DATED this 21st day of April 2026




Stephanie de Groot / Tom Atkins
Counsel for Taharoa Ironsands Limited

Appendix [X]

CENTRAL AND SOUTHERN BLOCKS MINING PROJECT WILDLIFE APPROVAL CONDITIONS

DEFINITIONS

The table below defines the acronyms and terms used in the Wildlife Approval conditions. Defined terms are capitalised.

Abbreviation/term	Meaning/definition	
Approval Holder	Taharoa Ironsands Limited	
Authorised Activity	To capture, temporarily hold and relocate any Lizards in Potential Lizard Habitat for the purpose of salvaging them prior to habitat clearance works, and the incidental killing of Lizards during Project Works.	
Authorised personnel	 e) Additional personnel as may be approved in writing by DOC	
DOC	Department of Conservation	
Lizards	Common Name(s)	Scientific Name
	Copper skink	<i>Oligosoma aeneum</i>
LMP	Lizard Management Plan	
Project	Central and Southern Blocks Mining Project listed under Schedule 2 of the Fast-track Approvals Act 2024.	
Project Site	The Central and Southern Block of the land legally described as Taharoa C Block.	
Release Area	The 1-hectare area of replanted vegetation within the Wainui Stream buffer (approximate location 38.168676 latitude, 174.717035 longitude). See Map 6 of the Draft Lizard Management Plan for Wildlife Approval Application dated October 2025).	
Project Works	The activities within the Project Site that may impact Lizards in Potential Lizard Habitat, if present, including: <ul style="list-style-type: none"> • Vegetation and topsoil removal; • Overburden removal and ironsand extraction (including habitat clearance); and • Stabilisation and rehabilitation. 	
Potential Lizard Habitat	The areas of potential lizard habitat within the Project Site comprising approximately 14.77 ha, not including mining exclusion areas and identified on Maps 4 and 5 in the draft LMP dated 16 October 2025 or otherwise defined in the LMP.	

Abbreviation/term	Meaning/definition
Working Day	<p>A day of the week other than—</p> <p>(a) Saturday, a Sunday, Waitangi Day, Good Friday, Easter Monday, Anzac Day, the Sovereign’s birthday, Te Rā Aro ki a Matariki/Matariki Observance Day, and Labour Day; and</p> <p>(b) if Waitangi Day or Anzac Day falls on a Saturday or a Sunday, the following Monday; and</p> <p>(c) a day in the period commencing on 20 December in any year and ending with 10 January in the following year.</p>

WA1 The Approval shall expire 10 years after the date the Approval is granted.

- (a) The Approval Holder shall prepare a final LMP. The purpose of the LMP is to protect Lizards within the Potential Lizard Habitat on the Project Site.
- (b) The LMP shall be prepared and signed off by authorised personnel, follow best practice in terms of hygiene and animal welfare, and include:
 - (i) Identification of Potential Lizard Habitats within the Project Site to be surveyed;
 - (ii) Pre-salvage surveying requirements and methodologies to identify any Lizards within Potential Lizard Habitats prior to Project Works;
 - (iii) Translocation methods of any Lizards identified in Potential Lizard Habitats;
 - (iv) Protocols for:
 - 1 Hygiene (Lizard disease) protocols to minimise the risk of disease transmission;
 - 2 Incidental discovery of unexpected threatened lizard species;
 - 3 Currently accepted best practice protocols to minimise the risk of injury or death to Lizards during lizard management; and
 - 4 Incidental death associated with salvage.
 - (v) Measures for the creation and enhancement of Lizard habitat within the Release Area; and
 - (vi) Post-release monitoring and reporting requirements.
- (c) At least 20 Working Days before starting Project Works, the LMP shall be provided to DOC for certification that the LMP satisfies the requirements of WA2(a) and (b).
- (d) The certified LMP shall be implemented and complied with for the duration of this authorisation.
- (e) The Approval Holder may update the LMP by submitting the amended LMP in writing to DOC for certification in accordance with WA2(c).

Advice note: the application documents contain a draft LMP which will be finalised through this condition.

- WA2 The Authorised Activity shall be carried out:
- (a) By authorised personnel;
 - (b) In accordance with the LMP;
 - (c) During the period 30 September to 1 May inclusive; and
 - (d) For relocation, within the Release Area.
- WA3 The Approval Holder must pay the Department of Conservation's standard charge-out rates for any staff time and mileage required to monitor compliance with this Approval and to investigate any alleged breaches of the terms and conditions of it.
- WA4 The Director-General may revoke this Approval at any time in respect of the whole or any part (pursuant to clause 7(4) of Schedule 7 of the Fast-track Approvals Act 2024) if:
- (a) The Approval Holder breaches any of the conditions of this Approval; or
 - (b) In the Director-General's opinion, the carrying out of the Approval has caused or is likely to cause any unforeseen or unacceptable effects on lizards.

If the Director-General intends to revoke this Approval in whole or in part, the Director-General must give the Approval Holder such prior warning and then prior notice as is reasonable and necessary in the circumstances.

- WA5 The Approval Holder must comply with all notices, directions, and requisitions of the Director-General.
- WA6 The Authority Holder must review the LMP and resubmit it to the Director-General for certification before the expiry of the Approval, if it intends to seek to extend the term of the Approval. The objective of the review is to re-assess habitat conditions and characteristics and update the LMP to reflect current species knowledge, best practice lizard management and mitigation techniques.
- WA7 Lizards may only be handled by authorised personnel.
- WA8 Capture and handling methods must involve only techniques that minimise the risk of infection or injury to the animal and must follow those described in the Herpetofauna inventory and monitoring toolbox <http://www.doc.govt.nz/our-work/biodiversity-inventory-and-monitoring/herpetofauna/>.
- WA9 The DOC Operations Manager for Te Kuiti must be contacted immediately (tekuiti@doc.govt.nz) by authorised personnel (engaged by the Approval Holder) for further advice if lizard species other than those authorised are located within the footprint of the development or within the Release Area.
- WA10 (a) If any Lizards die during the Authorised Activities, the Approval Holder must inform the Te Kuiti DOC Operations Manager (tekuiti@doc.govt.nz) within 48 hours and follow the instructions of the Manager. This may include:
- (i) Chilling the body if it can be delivered within 72 hours, or freeze the body if delivery will take longer than 72 hours; and
 - (ii) Sending the body to Massey University Wildlife Postmortem Service for necropsy or as otherwise advised by the Te Kuiti DOC Operations Manager, along with details of the animal's history;
 - (iii) paying for any costs incurred in investigation of the death of any lizard; and/or
 - (iv) ceasing the Approved Activity within the Potential Lizard Habitat for a period determined by the DOC Operations Manager.

- (b) For the avoidance of doubt condition WA11 applies to lizard deaths that are associated with salvage activities and does not apply to incidental deaths that occur during Project Works. The purpose of clause (a) is to ensure the methodologies and practices for catch, transfer and release are functioning successfully and to require investigation in the event that deaths occur during salvage activities.

WA11 If any lizards are found injured on the Project Site, authorised personnel must be contacted to get advice on management of the lizard. Injured lizard(s) may be euthanised on recommendation of authorised personnel or a veterinarian.

WA12 A report summarising any lizard salvage and relocation activities must be prepared and submitted to DOC (tekuiti@doc.govt.nz and permissionshamilton@doc.govt.nz) within 30 days from the completion date of the salvage. Specifically, this report is to include:

- (a) Results of any lizard salvage and relocation work. Should native lizards be found, then the following will also be included in the report:
 - (i) Photos illustrating lizard salvage methods utilised;
 - (ii) Photos of lizards captured (including photos of the salvage and relocation areas);
 - (iii) A map showing the location of lizard upon capture and upon release;
 - (iv) The species and number of any lizards detected, captured, and released; and
 - (v) The results of all surveys and monitoring.
- (b) Descriptions of how any lizard management activities outlined in the LMP and relevant conditions detailed in the wildlife approval were followed;
- (c) An Amphibian and Reptile Distribution Scheme (ARDS) card detailing information relating to captured lizards (also to be provided to herpetofauna@doc.govt.nz); and
- (d) A brief summary regarding the outcomes of the LMP, including any improvements/changes that should be implemented in future.