
MINUTE 2 OF THE PANEL CONVENER

Post-conference decisions on panel appointment and decision timeframe

Oparure Quarry South-Western Pit [FTAA-2606-1251]

21 September 2026

Purpose of minute

- [1] On 8 September 2026 I held a convener conference in respect of this application. The conference was attended by the Applicant (Graymont NZ Limited), the local authorities (Waikato Regional Council (WRC), and Waitomo District Council (WDC)), the Waikato River Authority (WRA), and Te Nehenehenui Trust (TNT), as a relevant Treaty settlement entity representing the interests of Ngāti Maniapoto within the project area.
- [2] In advance of the conference, I received succinct written memoranda from the Applicant, the local authorities and TNT.
- [3] The application involves the development, operation and progressive rehabilitation of a new south-western pit at the existing Oparure Quarry. An earlier consent application for the activity was lodged with the local authorities in October 2022 under the standard RMA process. Much of the information requested during that process has informed the preparation of this fast-track application, which has been reduced in scope (in terms of quarrying footprint) in response to engagement undertaken for the earlier process. The original application has now been withdrawn.
- [4] The purpose of this minute is to:
- a. Briefly summarise the views expressed by conference participants on the matters of panel composition and the timeframe required for the expert panel to deliver its decision; and
 - b. Confirm my decisions on those two matters.

Decision timeframe

[5] The Applicant recorded the key issues as comprising:

- a. Management of effects on the Camelot Cave system and the wider karst system, during quarrying and blasting activities, including the mechanism for confirming the extent of the Cave, and sediment and water quality management for the Mangawhikau Stream and Camelot Stream catchments;
- b. Cultural effects, in particular those raised by the Ōparure Marae.

[6] The Applicant has sought a decision timeframe of 45 working days following receipt of comments, on the basis that previous work, including consultation with Ōparure Marae, has narrowed the issues, that a hearing is unlikely to be required and that any further information required or refinement of conditions can be managed by existing processes within that period.

[7] Neither council expressed a view on decision timeframe, but they did confirm in their brief written comments and at the conference that, from their perspective, there are no information gaps and that there is sufficiently comprehensive technical information for the panel to assess the application. While there is some technical complexity, there appear to be no technical issues in contention. Work on conditions is continuing, and the Regional Council described engagement with the Applicant as positive and productive.

[8] Te Nehenehenui noted that Ōparure Marae, as mana whenua, do not support the project but did not otherwise express a view on the issues in contention, other than to note the direct relevance of Tikanga Māori and mātauranga Māori to the assessment of the application. They also noted a range of relevant considerations, including Te Mana o te Wai and Ngā Wai o Maniapoto. TNT expressed the view that a 40-45 working day timeframe following receipt of comments would be appropriate.

[9] In commenting at the conference, WRA advised that there is a good understanding of the application and the outstanding issues and there has been good engagement with the Applicant.

Panel composition

[10] In relation to panel composition, the Applicant considered that the Panel would benefit from members with expertise in planning and freshwater ecology. WRC did not express a view, but WDC considered that the panel should include legal and planning expertise, experience with mana whenua issues and familiarity with large scale aggregate extraction processes. TNT noted that the panel should also have technical expertise in karst hydrology and karst groundwater systems, and tikanga Māori.

[11] I record my thanks to all conference participants for their attendance and thoughtful participation.

Decisions

[12] Having regard to my obligations under clause 5, Schedule 3 of the FTAA and the relevant Treaty settlement arrangements, I am appointing the following persons to the Expert Panel to determine the substantive application lodged for the Oparure Quarry South-Western Pit project:

- a) Stephen Daysh (chair) – jointly appointed by WRA and WRC pursuant to the Joint Management Arrangements applicable under the Ngā Wai o Maniapoto (Waipā River) Act 2012 and the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010;
- b) Dr Ngaire Phillips (appointed by WRC pursuant to the above arrangements, with support from WDC);
- c) Nicholas Manukau (appointed by WRA following consultation with Te Nehenehenui, pursuant to the above arrangements).

[13] I am satisfied that, collectively, the Expert Panel will hold appropriate expertise and experience in relation to decision-making, planning & policy, cultural effects, aggregate extraction and ecology matters as well as district and regional consent conditions. The Expert Panel will be free to commission further technical specialists to support their decision-making process once they have commenced work. I note that experts in karst system hydro-geomorphology are rare, and that in response to my query at the conference, both the Applicant and WRC advised that they have retained such technical experts and that the views of the experts are aligned.

[14] On the matter of timeframe, I do not consider that 40-45 working days post-receipt of comments will be sufficient, given that at least 15 of those days will be taken up with notification of and receipt of comments on the draft conditions prior to release of the final decision (assuming approval is granted). I am also conscious that the panel will likely want to attend a hui with Ōparure Marae to listen to their concerns in person.

[15] It is also relevant that the decision period will straddle the end of year break in working day calculations under the RMA (imported into the FTAA). The fast-track process is a demanding one for all parties, and to ensure that the panel is not placed under unreasonable pressure to produce its draft decision and conditions during the holiday period, and that the Applicant and commenting parties are not required to work through the holiday period in January to respond, the decision timeframe needs to be a little longer than would otherwise be the case.

[16] The date on which the Expert Panel is appointed is **21 September 2026**, and it will commence work on **28 September 2026**.

[17] After careful consideration of the matters raised at the conference, I consider that a timeframe of **55 working days** following the receipt of invited comments is appropriate. The Expert Panel decision will therefore be due on **16 February 2027**, subject to the application being suspended for any of the reasons outlined in section 60 of the Act, and to comments on the application being invited on **12 October 2026**.

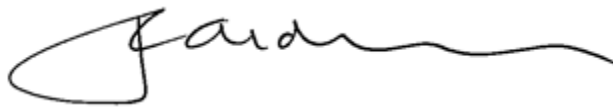
[18] In setting this timeframe I have had regard to the following relevant matters:

- a. The issues in contention appear to be well understood and narrowed as a result of engagement undertaken by the Applicant with the Councils, TNT and Ōparure Marae;
- b. Technical information appears to be complete from the local authorities' perspective. While there is some work to do to refine conditions, that work is already underway and continuing;
- c. There is time for a hui with mana whenua;

- d. While expert conferencing does not appear necessary at this stage, there should be time for it if the panel determines that it would be helpful.

[19] I recommend that the Applicant make early arrangements for the Expert Panel to undertake a site visit as soon as possible.

[20] In terms of next steps, the participants will be contacted by the Expert Panel upon their commencement.

A handwritten signature in black ink, appearing to read 'J. Caldwell', with a long, wavy horizontal line extending to the right.

Jennifer Caldwell

Associate Panel Convener for the purpose of the Fast-track Approvals Act 2024