

18 March 2026



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

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Dear Ms Caldwell,

CENTRAL AND SOUTHERN MINING BLOCK [FTAA-2512-1153]

Introduction

This memorandum responds to Minute 1 issued by the Panel Convener dated 13 March 2026.

The purpose of this memorandum is to assist the Associate Panel Convener in determining:

- the appropriate composition of the expert panel; and
- the timeframe required for the panel to determine the application.

Approvals sought

The application seeks approvals across a broad range of activities and environmental domains, spanning multiple regulatory frameworks.

- Land use activities associated with mining operations
- Discharges to land, air, freshwater and the coastal marine area
- Damming, diversion and taking of water
- Occupation of space in the coastal marine area
- Disturbance of land and vegetation including natural inland wetlands

The proposal has the potential to affect multiple environmental systems concurrently, including coastal, freshwater and groundwater environments.

Complexity of the application

The application seeks a range of approvals, being:

- a wildlife approval
- an archaeological authority
- resource consents under Resource Management Act 1991 through the National Environmental Standard for Freshwater 2020, National Environmental Standard for Commercial Forestry 2017, Waikato Regional Plan and Waikato Regional Coastal Plan (operative and proposed).

The substantive application relies on existing use rights under section 10 of the Resource Management Act 1991 in relation to both the Operative and Proposed Waitomo District Plan. While we do not disagree that the proposal is likely to meet the section 10 requirements, the application as currently presented does not contain a sufficient level of

detail to demonstrate how the activity meets the statutory tests for existing use rights, nor does it clearly establish the baseline effects against which "same or similar" effects can be evaluated.

We would appreciate if the applicant could provide a more comprehensive assessment that includes:

1. A clear statement of the activity or activities for which existing use rights are claimed, including all components of the operation (e.g., extraction areas, processing, stockpiling, vehicle movements, ancillary works, noise).
2. Evidence that each component of the activity was lawfully established, including:
 - the operative plan provisions at the time the activity commenced;
 - any resource consents or permits issued; and
 - aerial imagery or other evidence confirming the extent and location of the historic activity.
3. A detailed description of the relevant baseline effects as they existed immediately prior to the various District Schemes and District Plans becoming operative, including (where relevant) noise, dust, traffic volumes, earthworks extent, discharge characteristics, operating hours, and the spatial footprint of the activity.
4. A robust comparison of effects demonstrating how the current or proposed activity:
 - remains the same or similar in character, intensity, and scale to the lawfully established baseline; or
 - differs, with justification as to why such differences remain within the scope of section 10.
5. A plan-based analysis confirming whether any parts of the proposal extend beyond the previously established footprint or introduce new effects that fall outside what section 10 can legitimately authorise.

Procedural matters

Waitomo District Council is willing to engage directly with the panel to support efficient and informed consideration of the application. However, we are not well resourced and do not have access to technical experts in house other than planning. We will engage appropriate experts as and when required, this will largely be dependent on how the application is assessed (i.e. whether a resource consent is triggered).

Panel membership and expertise

Waitomo District Council considers that the expert panel should collectively include expertise:

- Depending on if a land use consent is triggered under the District Plan technical expertise in noise, landscapes (particularly around site rehabilitation) and air quality (dust)
- Environmental and technical expertise relevant to mining and extractive industry operations
- Tikanga Māori

Decision timeframe

Given the nature and scale of the proposal, volume of technical material, Waitomo District Council considers that a decision timeframe of 65-70 working days following receipt of comments would be sufficient.

Any other matters

In respect of other information needed to decide time frames, this will largely be dependent on whether a land use consent is triggered under the District Plan. If land use consent is triggered, it may delay the proposal while additional expert opinion is sought.

Yours faithfully,



ALEX BELL
GENERAL MANAGER – STRATEGY AND ENVIRONMENT