

Your Comment on the Central and Southern Blocks Mining Project

Please include all the contact details listed below with your comments and indicate whether you can receive further communications from us by email to substantive@fasttrack.govt.nz.

1. Contact Details			
Please ensure that you have authority to comment on the application on behalf of those named on this form.			
Organisation name (if relevant)	Iarau Ltd, on behalf of Te Ruunanga o Ngaati Mahuta ki te Hauaauru Charitable Trust, Maketuu Marae, Te Kooraha Marae, and Aaruka Marae (Ngaati Mahuta ki te Hauaauru)		
First name	[REDACTED]		
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Postal address	[REDACTED]		
Home phone / Mobile phone	[REDACTED]	Work phone	
Email (a valid email address enables us to communicate efficiently with you)	[REDACTED]		

2. We will email you draft conditions of consent for your comment			
<input checked="" type="checkbox"/>	I can receive emails and my email address is correct	<input type="checkbox"/>	I cannot receive emails and my postal address is correct

Please provide your comments below, include additional pages as needed.



DATE 19 May 2026

TO: Environmental Protection Agency, Fast-track Team substantive@fasttrack.govt.nz
FROM: Iarau Ltd, on behalf of Te Ruunanga o Ngaati Mahuta ki te Hauaauru Charitable Trust, Maketuu Marae, Te Kooraha Marae, and Aaruka Marae (Ngaati Mahuta ki te Hauaauru)
RE: Taharoa Ironsands Limited Substantive Application under the Fast-Track Approvals Act 2024 - Central and Southern Block Mining Project [FTAA-2512-1153]

Teena koe,

TAHAROA IRONSANDS LIMITED SUBSTANTIVE APPLICATION UNDER THE FAST-TRACK APPROVALS ACT 2024 - CENTRAL AND SOUTHERN BLOCK MINING PROJECT [FTAA-2512-1153]

1. Thank you for the opportunity to comment on the substantive application sought by Taharoa Ironsands Limited to authorise the continuation of mining operations within the Central and Southern Blocks of the Taharoa Ironsands Mine, including associated activities in the coastal marine area.
2. This comment is collectively filed on behalf of Te Ruunanga o Ngaati Mahuta ki te Hauaauru Charitable Trust, Maketuu Marae, Te Kooraha Marae, and Aaruka Marae (Ngaati Mahuta ki te Hauaauru), following hui-aa-hapuu, extensive engagement with representatives appointed by Committee and Trust Chairs, review by Committee members and Trustees, and endorsement by the respective Chairs.
3. Ngaati Mahuta ki te Hauaauru has sought planning support to review the application and associated appendices provided. Ngaati Mahuta ki te Hauaauru oppose the substantive application in its current form for the reasons outlined in the comment and consider that the actual and potential adverse effects of the project in its current form are significant and risk perpetuating cumulative and irreversible adverse effects within Tahaaroa.
4. However, should the Panel be inclined to approve the substantive application, Ngaati Mahuta ki te Hauaauru request that all conditions imposed by the 2024 RMA Hearing Panel Decision be applied in full, alongside additional suggested conditions outlined in Part D of the comment as the minimum protections Ngaati Mahuta ki te Hauaauru considers necessary to manage potential and actual adverse effects. Proposed amendments to the Wildlife Approval and Archaeological Authority sought have also been incorporated where possible in Appendix 3 of the comment.
5. Ngaati Mahuta ki te Hauaauru strongly support the holding of a hui (or equivalent process determined in accordance with tikanga) following the receipt of comments on the application and seek that this hui be held in Tahaaroa, preferably at a local marae determined by Ngaati Mahuta ki te Hauaauru. This is sought on the basis that Tahaaroa is the location directly affected by the

proposal, including its whenua, wai, marae, and wider taiao. Holding the hui within Tahaaroa would recognise the mana whenua relationship with the area, enable meaningful participation by uri and affected whaanau, and provide an appropriate tikanga-based setting for discussions regarding the proposal and its effects.

6. Ngaati Mahuta ki te Hauaauru also support the appointment of a cultural advisor to assist with arrangements for this hui and to provide advice on tikanga Maaori and Treaty settlements frameworks generally. Ngaati Mahuta ki te Hauaauru also welcome engagement regarding matters of venue, tikanga, and process for the hui.
7. Ngaati Mahuta ki te Hauaauru support the undertaking of a Hydrology/Hydrogeology Peer Review, along with any other peer reviews considered necessary, particularly given the limited resourcing currently available to Ngaati Mahuta ki te Hauaauru. At present, the only technical expertise readily available is planning support, alongside the acknowledged support of Te Whakakitenga o Waikato and Te Nehenehenui.
8. Ngaati Mahuta ki te Hauaauru acknowledge and thank the Panel for providing the opportunity to comment on the substantive application and for recognising the importance of mandated marae representation and mana whenua participation within this process. Ngaati Mahuta ki te Hauaauru remain open to continuing to engage constructively and in good faith throughout the process, particularly in relation to tikanga-based engagement, cultural matters, and the ongoing protection of the whenua, wai, taiao, and cultural values of Tahaaroa for present and future generations.

Naaku noa, naa

Te Ruunanga o Ngaati Mahuta ki te Hauaauru Charitable Trust, Maketuu Marae, Te Kooraha Marae, and Aaruka Marae (Ngaati Mahuta ki te Hauaauru)

CONTACT DETAILS

- Iarau Ltd – Planning [REDACTED]
- Te Ruunanga o Ngaati Mahuta ki te Hauaauru Charitable Trust - Secretary:
[REDACTED] Chair: [REDACTED]
- Maketuu Marae - Secretary: [REDACTED] Committee Chair:
[REDACTED] Trust Chair: [REDACTED]
- Te Kooraha Marae - Secretary: [REDACTED] Chair: [REDACTED]
- Aaruka Marae - Secretary: [REDACTED] Chair: [REDACTED]

ATTACHMENTS:

1. NGAATI MAHUTA KI TE HAUAURU COMMENT ON TAHAROA IRONSANDS LIMITED SUBSTANTIVE APPLICATION UNDER THE FAST-TRACK APPROVALS ACT 2024, DATED MAY 2026



NGAATI MAHUTA KI TE HAUAURU COMMENT ON
TAHAROA IRONSANDS LIMITED
SUBSTANTIVE APPLICATION
UNDER THE FAST-TRACK APPROVALS ACT 2024

MAY 2026

This comment is prepared and filed on behalf of Te Ruunanga o Ngaati Mahuta ki te Hauaauru Charitable Trust, Maketuu Marae, Te Kooraha Marae, and Aaruka Marae (Ngaati Mahua ki te Hauaauru) by:

Iarau Ltd



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PART A: EXECUTIVE SUMMARY

Kaare he hau e rite ana ki te Hauaauru.

Ka pupuhi ana, ngaro katoa ngaa hau Ko Ngaati Mahuta ki te Hauaauru.

There is no wind like the Westwind.

When it blows all other winds are silent, we are Ngaati Mahuta ki te Hauaauru.

1. Te Ruunanga o Ngaati Mahuta ki te Hauaauru Charitable Trust (**TRONM**), Maketuu Marae, Te Kooraha Marae, and Aaruka Marae, collectively referred to as Ngaati Mahuta ki te Hauaauru (**NMKTH**), are the mandated marae representatives and mana whenua when speaking on behalf of the whenua (*land*), moana (*ocean and coastal marine area*), wai (*freshwater*), hau (*air and wind*), and people of Te Tahaaroa a Ruapuutahanga (**Tahaaroa**).
2. This comment is collectively filed on behalf of Ngaati Mahuta ki te Hauaauru (**NMKTH**) in kotahitanga (*unity/collectiveness*). NMKTH provide this comment on the substantive application sought by Taharoa Ironsands Limited (**the applicant**) under the Fast-track Approvals Act 2024 (**FTAA**) to authorise the continuation of mining operations within the Central and Southern Blocks of the Taharoa Ironsands Mine, including associated activities in the coastal marine area.
3. This comment is informed by, and draws on, the Ngaati Mahuta ki te Hauaauru Environmental Management Plan (**NMKTH EMP**),¹ the Statement of Evidence of Taituwha King,² and the findings and matters traversed through the 2024 Resource Management Act 1991 (**RMA**) Hearing Panel Decision process relating to the consenting of the Central and Southern Blocks, currently under appeal. This comment adopts that material as its foundation and reflects the lived experience of NMKTH uri within Tahaaroa – inclusive of shareholders of Tahaaroa C Block.
4. After consideration and engagement with trustees and whaanau, NMKTH oppose the substantive application in its current form. While the project is framed as a continuation of existing operations, the application seeks new and expanded authorisations, including:
 - (a) Wet mining/groundwater activities;
 - (b) Pine clearance;
 - (c) Activities affecting natural inland wetlands;
 - (d) Activities and discharge affecting freshwater systems and the coastal marine area;
 - (e) Archaeological Authority; and

¹ Te Ruunanga o Ngaati Mahuta ki te Hauaauru, *Ngaati Mahuta ki te Hauaauru Environmental Management Plan - Huri Taiaawhio ko Ngaati Mahuta e* (2025).

² Taituwha King, *Statement of Evidence* (2024), Appendix HH to the substantive application.

- (f) Wildlife Approval.
5. The detailed assessment of the substantive application (Appendix 1) together with the position statements that underpin this comment, are summarised below:
- (a) The existing environment is a degraded baseline environment, affected by delayed rehabilitation and compliance concerns;
 - (b) The character, intensity, and scale of the substantive application, when assessed on a precautionary and ki uta ki tai basis (interconnected and cumulative source to sea approach), gives rise to significant actual and potential adverse effects;
 - (c) The current economic and social benefits do not outweigh the adverse environmental and cultural effects experienced by mana whenua;
 - (d) The proposal adversely affects the ability of NMKTH uri to exercise kaitiakitanga. It also restricts the NMKTH relationship with their culture and traditions deeply connected to their ancestral lands, water, sites, waahi tapu, and other taonga;
 - (e) The substantive application is not consistent with the NMKTH EMP and does not adequately recognise or provide for meaningful engagement with mana whenua through mandated marae representatives, or the exercise of kaitiakitanga; and
 - (f) Consultation has not been sufficient, and several conditions imposed through the 2024 RMA Hearing Panel Decision to address environmental and cultural effects have been amended or removed. A comparison of approved and proposed conditions of consent has been included in Appendix 2.
6. For NMKTH, the effects of the substantive application must be assessed cumulatively and managed through precautionary, stringent, and enforceable conditions. The FTAA process must not be used to weaken or remove the necessary baseline protections imposed by the 2024 RMA Hearing Panel Decision.
7. However, should the Panel be inclined to approve the substantive application, NMKTH requests that all conditions imposed by the 2024 RMA Hearing Panel Decision be applied in full, alongside additional suggested conditions outlined in Part D and proposed amendments to the Wildlife Approval and Archaeological Authority in Appendix 3 of this comment. While implementing these conditions would not resolve all underlying concerns, those conditions represent the minimum suite of protections NMKTH considers necessary to manage potential and actual adverse effects. Where inconsistencies arise between the conditions imposed by the 2024 RMA Hearing Panel Decision and those proposed in the substantive application, the stricter or more protective condition must be imposed.
8. NMKTH seeks stringent conditions, cultural oversight, enforceable setbacks, and comprehensive engagement mechanisms consistent with Treaty principles and Te Tiriti o Waitangi.

PART B: OVERVIEW OF NMKTH AND HISTORICAL CONTEXT

Tine one pango, tini one tangata.

Countless sands, countless people.

9. NMKTH are mana whenua, through mandated marae representatives, when speaking for the whenua, moana, wai, hau and people of Tahaaroa, within whose rohe the proposed activities are located. While this statement reflects a collective position, each marae retains its autonomy and may provide supplementary or independent responses. Accordingly, this is an initial position only, and marae reserve the right to provide further comment as the substantive application process progresses.

NGAATI MAHUTA KI TE HAUAURU

10. The Statement of Evidence of Taituwha King sets out the koorero tuku iho (*history, stories of the past, traditions, oral tradition*) of NMKTH.³ NMKTH considers that this is the only substantive cultural evidence before the Panel that is independent of the Applicant and should be read alongside this comment.

MAKETUU MARAE

11. Maketuu Marae rests along the northern shores of Kaawhia Harbour, within the township of Kaawhia. It is significant to Waikato iwi as it is the resting place of the Tainui Waka.⁴ The Maketuu Marae Committee, as the mandated body for Maketuu Marae, has provided their formal position on the substantive application (Appendix 4).

TE KOORAHA MARAE

12. Te Kooraha Marae is located beneath the maunga, Oorangiwahao, at the southern tip of Kaawhia Harbour. It is a place of profound significance and ancestral ties, a testament to the enduring heritage of mana whenua.⁵ The Te Kooraha Marae Trust, as the mandated governance body for Te Kooraha Marae, has provided their formal position on the substantive application (Appendix 5).

AARUKA MARAE

13. Situated adjacent to Lake Tahaaroa, Aaruka Marae sits beneath the maunga, Mangatangi. The values of Aaruka Marae derive from the traditions of NMKTH and Waikato iwi.⁶ The Aaruka Marae Committee, as the mandated body for Aaruka Marae, has provided their formal position on the substantive application (Appendix 6).
14. In the applicant's *Memorandum of Counsel on behalf of Taharoa Ironsands Limited to the Expert Panel*, dated 7 April 2026, the applicant states that the Piwa Tohi Awhina Maaori Reservation Trust is "not relevant" on the basis that it is already represented by Aaruka Marae.

³ King, *Statement of Evidence*, Appendix HH to the substantive application.

⁴ Te Ruunanga o Ngaati Mahuta ki te Hauaauru, *Huri Taiaawhio ko Ngaati Mahuta e*, 16.

⁵ Te Ruunanga o Ngaati Mahuta ki te Hauaauru, *Huri Taiaawhio ko Ngaati Mahuta e*, 16.

⁶ Te Ruunanga o Ngaati Mahuta ki te Hauaauru, *Huri Taiaawhio ko Ngaati Mahuta e*, 17.

15. It should be noted that the Piwa Tohi Awhina Maaori Reservation Trust is a separate legal entity with its own trustees, governance arrangements, and responsibilities. While the Trust maintains close relationships with Aaruka Marae, it is not represented by the Aaruka Marae Committee in matters relating to land administration or governance. Further, as illustrated in the applicant's own location map, the Piwa Tohi Awhina Maaori Reservation is located in close proximity to, and has a direct interest in, the substantive application area, including because the applicant's wastewater treatment plant is located on land administered by the Trust.

TE RUUNANGA O NGAATI MAHUTA KI TE HAUAUURU CHARITABLE TRUST

16. TRONM was established in 2013 to protect, preserve, and enhance the interests of Ngaati Mahuta ki te Hauaauru. TRONM's primary purpose is to ensure whaanau voices are heard regarding their rohe whenua and rohe moana to benefit all descendants of the hapuu, now and in the future.⁷ The Te Ruunanga o Ngaati Mahuta ki te Hauaauru Charitable Trust, as the mandated body for TRONM, has provided their formal position on the substantive application (Appendix 7).
17. This purpose is reflected in the NMKTH EMP which addresses environmental issues, objectives, and policies. The document represents the NMKTH planning document recognised by TRONM. It has since been recognised by the relevant local authorities and is applicable to resource management planning and processes under the RMA.

TAHAAROA LAKES TRUST

18. The Tahaaroa Lakes Trust is responsible for the governance and management of the Tahaaroa Lakes, being land block Taharua A 7A 2A, on behalf of the owners. The Trust holds specific responsibilities in relation to the protection, restoration, monitoring, and management of the Tahaaroa lakes and works alongside the marae and research partners to support hapuu-led monitoring and environmental management of the lake system.
19. Given the direct hydrological, ecological, and cultural connections between the substantive application area and the Tahaaroa Lakes system, the Trust has a particular and enduring interest in the potential effects of the proposal on the health and wellbeing of the lakes.
20. The Tahaaroa Lakes Trust therefore holds a distinct and significant role in matters relating to the substantive application and should be afforded substantial weight as the mandated body with direct responsibility for the ongoing management and protection of the Tahaaroa Lakes system. The Trust has provided its formal position on the substantive application (Appendix 8).

AREA OF INTEREST

21. The NMKTH area of interest stretches from Maketuu Marae situated at the southern end of Kaawhia Harbour, out to Te Waitere, down to Marokopa and back up along the west coast to Karewa Point, Gannet Island. Te Kooraha Marae is situated north-east of the Tahaaroa township. Aaruka Marae is situated in the township of Tahaaroa.⁸

⁷ Te Ruunanga o Ngaati Mahuta ki te Hauaauru, *Huri Taiaawhio ko Ngaati Mahuta e*, 16.

⁸ Te Ruunanga o Ngaati Mahuta ki te Hauaauru, *Huri Taiaawhio ko Ngaati Mahuta e*, 18.



Figure 1 Indication of extent of areas of interest (Source: NMKTH EMP (2025))

HISTORICAL CONTEXT

22. Before iron sand mining began, Tahaaroa was a remote community inaccessible by road and largely accessed by boat. Sand encroachment across the whenua created ongoing problems for access, land use, and productivity. These conditions influenced early decisions on how the whenua could be managed and used, largely comprising farming of sheep and dry stock.
23. Iron sand mining at Tahaaroa developed within the legislative framework established by the Mining Act 1926, and later continued under the Mining Act 1971, which allowed mining companies to explore for and extract minerals, including iron sands.⁹ At the time, NMKTH kaumaatua made the decision to work within this system to secure employment and economic opportunities for their people. This decision was a pragmatic response to the legislative and economic context of the time, rather than an expression of unconditional support for mining activity. In 1968, roads and infrastructure were constructed.
24. Discussions before the Maaori Land Court reflected the complexity of decision-making, with approximately 80 separate Maaori land titles,¹⁰ and more than 600 shareholders¹¹, involved in the iron sand area. In 1970, Tahaaroa C Block was formed to protect the economic interests of their people and to consolidate these separate titles into a single governing entity of the landholdings. The consolidated whenua was then leased for iron sand mining. Mining has since extended beyond the original Tahaaroa C Block area into nearby areas, including the Northern Block, Te Mania Block, and Eastern Block.
25. The understanding at that time was that mining would be undertaken in a way that delivered direct and tangible benefits to the local community. The lease arrangement was understood as a mechanism to enable mining activity while retaining land ownership and protecting whaanau interests. It was not intended to transfer authority nor diminish the role of mana whenua. Continued support for mining was implicitly linked to the delivery of the benefits that underpinned the original understanding, including employment for NMKTH uri and contributions to the wellbeing of the Tahaaroa community.
26. Mining was seen as a means to provide stable employment and housing for whaanau on their own whenua, support the return of uri to Tahaaroa, and contribute to the wellbeing of the wider community through shared benefits. It was expected that mining would benefit local people first, including through employment for NMKTH uri and through wider community support, rather than operating solely for economic gain.
27. From the beginning, a key expectation was that most of the mining workforce would come from NMKTH uri. The lease holder was also expected to support broader community outcomes, including maintenance of roads, infrastructure, and community buildings, alongside dividend payments and other forms of support to shareholders. It must be noted that on-site accommodation was not originally agreed, this was intended to be provided within the village.

⁹ Ngahinaturae Te Uira, "Memories of Our Valley," *Te Ao Hou*, no. 25 (December 1958): 34, <https://paperspast.natlib.govt.nz/periodicals/TAH195812.2.19.1>.

¹⁰ Te Uira, "Memories of Our Valley," 34.

¹¹ Māori Land Court, *Tahaaroa C – Order of Incorporation*, Wai MB 47, 214 (1970).

28. While some NMKTH uri continue to be employed by the applicant, the wider benefits and influence originally envisaged by NMKTH whaanau have not been realised. Many of the broader whaanau and community benefits previously associated with mining at Tahaaroa are no longer provided.

RECONSENTING OF THE CENTRAL AND SOUTHERN BLOCKS

29. Between 2020 and 2024, the applicant undertook a re consenting process for the Central and Southern Blocks following the expiry of its resource consents in December 2020.
30. The re consenting process involved technical assessments, expert evidence, and submissions from affected parties. During this period, several concerns were raised by NMKTH, affected whaanau, neighbouring trusts, and expert witnesses. These concerns related to cumulative environmental effects, rehabilitation performance, monitoring adequacy, cultural effects, and compliance issues.
31. In November 2024, the Hearing Panel granted consents for dry mining activities subject to conditions but determined that wet mining activities were outside the scope of the application and could not be granted (Appendix F to the substantive application). The Hearing Panel imposed a strengthened suite of conditions addressing matters raised during the hearing process, including setback distances, rehabilitation requirements, monitoring and reporting obligations, bond provisions, and engagement mechanisms. NMKTH supported the imposition of these strengthened conditions.
32. The applicant has appealed aspects of the decision, including conditions that impose greater environmental safeguards and longer-term protections. The appeal has been referred to mediation. During this period, mining has continued in reliance on section 124 of RMA while the appeal remains unresolved and the applicant pursues this alternative approval pathway under the FTAA process.
33. The substantive application now seeks approval for the continuation and expansion of activities that overlap with, and in some respects extend beyond, those considered in the re consenting process. The issues traversed during that process therefore remain directly relevant to the substantive application, including environmental effects, cultural effects, compliance performance, and the adequacy of proposed conditions.
34. For NMKTH, this context is significant. The FTAA process must not be used to weaken or remove the protections imposed by the 2024 RMA Hearing Panel Decision. Those conditions represent the minimum suite of protections NMKTH considers essential to avoid adverse effects on the environment, cultural values, and kaitiaki interests. While they do not resolve NMKTH's underlying concerns, they provide a necessary baseline of safeguards that must be upheld if any approval is to be contemplated.

TAHAAROA C BLOCK

35. As a landowner entity, Tahaaroa C Block has responsibilities to its shareholders, including administration and distribution of royalties from mining and other investments. Access to Tahaaroa C Block information, and reports are limited to shareholders, excluding many NMKTH uri who do not hold shares.
36. Responsibility for the whenua, moana, wai, and hau of Tahaaroa sits with the three mandated marae and TRONM, who represent NMKTH. The distinction between landowner interests and representative and mandated mana whenua authority, through mandated marae representatives, is central to understanding NMKTH's position on the substantive application. While Tahaaroa C Block acts in its capacity as a landowner entity, cultural mandate and mana whenua representation sit with NMKTH.
37. Over time, reliance on landowner engagement has increasingly been treated as a substitute for engagement with mandated marae representatives and mana whenua, despite these roles being distinct and carrying different responsibilities. Concerns regarding this distinction have been raised by shareholders to the Tahaaroa C Block Committee, including concerns that cultural evidence and positions advanced in relation to mining activities were not authorised through shareholder resolution or tikanga-based consultation processes. Shareholders have also contested the mandate to issue cultural impact statements or cultural assessments of effects outside the role of Tahaaroa C Block as a landowner entity.
38. Shareholders have further raised concerns regarding the completeness and reliability of engagement processes, and the representation of community and mana whenua perspectives in proceedings relating to the substantive application.

TAHAROA IRONSANDS LIMITED

39. The relationship between NMKTH and the applicant has evolved significantly over time from the acquisition in 2017. While mining at Tahaaroa was originally supported as a means of providing employment and shared benefit to whaanau with previous owners and operators, the current relationship is characterised by ongoing concern despite engaging in good faith and eroded confidence in the applicant. The detail of these matters is set out in Appendix 1 and provides important context for NMKTH's assessment of the substantive application.

PART C: STATUTORY AND POLICY CONTEXT

Kotahi te kuaha e kuhu ai taatou. Te ihu ki Kaawhia, Tahaaroa waenganui, te kei ki Marokopa.

There is only one doorway to which we all enter. The front is at Kaawhia, Tahaaroa is in between, and the rear is at Marokopa.

WAIKATO RAUPATU CLAIMS SETTLEMENT ACT 1995 AND REMAINING CLAIMS

40. Waikato-Tainui has the mandate to uphold the interests of all hapuu and marae afforded to Waikato-Tainui under the Waikato Raupatu Claims Settlement Act 1995¹² and the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010.¹³ NMKTH is represented at this level through its mandated marae on Te Whakakitenga o Waikato.
41. NMKTH are also included within the Waikato-Tainui Remaining Claims and holds an Oati relationship with Waikato-Tainui. The Oati relationship recognises a partnership of good faith and collaboration between Waikato-Tainui and NMKTH and affirms a shared intention to advance the interests of both iwi and hapuu.

MANIAPOTO CLAIMS SETTLEMENT ACT 2002

42. While Waikato-Tainui represents the interests of NMKTH at an iwi level, the rohe of NMKTH falls within the area covered by the Maniapoto Claims Settlement Act 2002.¹⁴ The substantive application area is also located within the Joint Management Agreement (**JMA**) area established under the Maniapoto settlement arrangements between Te Nehenehenui, Waikato Regional Council and Waitomo District Council.¹⁵

MARINE AND COASTAL AREA (TAKUTAI MOANA) ACT 2011

43. TRONM is an applicant group (MAC-01-04-012 Te Ruunanga o Ngaati Mahuta ki te Hauaauru) seeking recognition of customary marine title or protected customary rights within the area to which the substantive application relates.¹⁶

NGAATI MAHUTA KI TE HAUAUURU ENVIRONMENTAL MANAGEMENT PLAN

44. The NMKTH EMP was developed by and for NMKTH on behalf of TRONM and the mandated marae. The purpose of the NMKTH EMP is to ensure that the balance and mauri within the rohe of NMKTH is maintained through collective protection, decision-making and resource management processes, and adequate engagement. The NMKTH EMP is directly relevant to the assessment of the substantive application and informs NMKTH's position.

¹² *Waikato Raupatu Claims Settlement Act 1995* (NZ).

¹³ *Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010* (NZ).

¹⁴ *Maniapoto Claims Settlement Act 2002* (NZ).

¹⁵ Joint Management Agreement between Te Nehenehenui and Ōtorohanga District Council, Waikato District Council, Waikato Regional Council, Waipā District Council, Waitomo District Council (2025).

¹⁶ *Marine and Coastal Area (Takutai Moana) Act 2011* (NZ); Te Ruunanga o Ngaati Mahuta ki te Hauaauru, application for recognition of customary interests, MAC-01-04-012 (CIV-2017-404-000575).

PART D: POSITION STATEMENTS

Kotahi te koohao o te ngira, e kuhuna ai te miro maa, te miro pango me te miro whero.

There is only one hole through which threads the white, black and red string.

45. The following position statements summarise the NMKTH assessment of the substantive application detailed in Appendix 1. The assessment addresses the matters outlined below:
- (a) Existing Environment;
 - (b) Positive Effects – Social and development benefits;
 - (c) Rehabilitation and Site Closure;
 - (d) Freshwater Effects – Rainfall, Freshwater Ecology Effects, Hydrological Effects, Hydrogeological Effects (groundwater), Discharges;
 - (e) Air Quality and Dust Effects;
 - (f) Archaeological Effects;
 - (g) Coastal Marine Area Effects;
 - (h) Terrestrial Effects;
 - (i) Consent Term;
 - (j) Cumulative Effects; and
 - (k) Cultural Effects.
46. As noted in previous sections of this comment, the Statement of Evidence of Taituwha King, together with the NMKTH EMP, sets out in detail the koorero tuku iho, values, and principles of NMKTH.¹⁷ Those matters are not repeated in this comment or the assessment. Instead, the assessment relies on and adopts that material as the foundation for NMKTH's assessment of the substantive application.
47. The assessment is grounded in NMKTH's ability to exercise kaitiakitanga and lived connections with the whenua, moana, wai, and hau of Tahaaroa. The assessment reflects the lived experience of NMKTH uri and the whakaaro of trustees, marae representatives, and whaanau which is inclusive of shareholders of Tahaaroa C Block.
48. In its entirety, the assessment considers the mauri of the taiao and the intergenerational connection and relationship of NMKTH uri with their ancestral lands, sites, waahi tapu, and other taonga. Cultural

¹⁷ King, *Statement of Evidence*, Appendix HH to the substantive application.

effects are therefore not confined to a single section of the assessment. For NMKTH, environmental, social, and cultural effects are inseparable.

49. As detailed in Appendix 1 of this comment, the position statements reached with respect to the substantive application in its current form are outlined below:

- (a) NMKTH consider that past compliance performance is directly relevant to the assessment of the existing environment, which is a degraded baseline environment. The baseline environment must reflect the compliance history, including outstanding or delayed rehabilitation.
- (b) NMKTH submit that the current economic, social and development benefits do not outweigh the adverse effects of the substantive application.
- (c) NMKTH do not consider that past compliance and rehabilitation performance have been adequately addressed and submit that rehabilitation and closure obligations must be clearly defined and enforceable. This must include minimum annual rehabilitation targets or equivalent measurable performance standards, time-bound milestones, independent verification of rehabilitation outcomes, meaningful involvement of mana whenua, through mandated marae representatives, in the development and any amendments to the Site Rehabilitation Plan and Conceptual Site Closure Plan with genuine weighting on decisions, and regular provision of information to mandated marae representatives.
- (d) NMKTH affirm that the potential and actual adverse effects of the substantive application cannot be assessed or managed in isolation and must be addressed through a precautionary, cumulative, ki uta ki tai approach. In its current form, NMKTH deem that the proposal adversely affects water systems and taonga species. NMKTH further affirm that proposed conditions must require effective fish passage performance standards (not limited to installation), monitoring that directly assesses passage success and migration timing for tuna and other species, enforceable triggers that can reduce or cease take or operations where ecological thresholds are not met. Setbacks, and clear identification of the scope and locations of all groundwater activities are expected.
- (e) NMKTH request that the Panel seek further information to demonstrate that the applicant has existing use rights which enables mining up to site boundaries. NMKTH affirms that mining up to the site boundaries will have significant adverse effects and oppose this in its entirety.
- (f) The mandated authority of NMKTH sits with the marae and TRONM when it comes to speaking on behalf of the whenua, moana, wai, hau, and the people of Tahaaroa. NMKTH consider that the substantive application does not sufficiently address the potential archaeological and cultural adverse effects of the substantive application. NMKTH maintain that the feedback provided to the applicant before lodgement be adopted in full and reflected in proposed conditions, including resourced representative and mandated marae participation and active involvement in monitoring and decision making.
- (g) NMKTH do not accept the conclusion of effects on and within the coastal marine area when assessed on a cumulative and ki uta ki tai basis.

- (h) NMKTH submit that terrestrial habitat protection through buffer planting and stock exclusion fencing must be imposed to ensure effective habitat protection and restoration.
- (i) NMKTH request that proposed conditions regarding consultation with NMKTH are given significantly more weight than proposed, particularly in the development of management and rehabilitation, and determining the administration and implementation of any compensation packages.
- (j) NMKTH oppose the 35 year term sought by the applicant. NMKTH consider a shorter term of 20 years is more appropriate and would reduce concerns around rehabilitation and cumulative or long-term adverse effects.
- (k) NMKTH submit that cumulative effects require careful and precautionary consideration. The conditions imposed through the 2024 RMA Hearing Panel Decision provide the necessary baseline protections and must be retained.
- (l) NMKTH assert that cultural effects must be assessed cumulatively and managed through precautionary and stringent protections. In its current form, NMKTH consider that the proposal has significant adverse effects on the ability of NMKTH uri to exercise kaitiakitanga and on their relationship with their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.
- (m) NMKTH do not consider that the substantive application is consistent with the NMKTH EMP, nor that it adequately recognises or provides for the exercise of kaitiakitanga. Consistent with the NMKTH EMP, NMKTH consider that NMKTH-led cultural health monitoring must be provided for and that NMKTH consultation must be given significantly more weight than is proposed.
- (n) NMKTH request that a strengthened and structured framework for engagement is imposed which is necessary to mitigate the cultural effects of the consent, including in providing for matters such as kaitiakitanga and maatauranga Maaori.
- (o) NMKTH do not accept that consultation has been sufficient, that proposed conditions appropriately respond to concerns raised, or that cultural wellbeing will continue to be provided for as described in the substantive application.

SUGGESTED DRAFT CONDITIONS

50. Should the Panel be inclined to approve the substantive application, NMKTH requests that all conditions imposed by the 2024 RMA Hearing Panel Decision be applied in full (Appendix F to the substantive application). Where inconsistencies arise between the conditions by the 2024 RMA Hearing Panel Decision and those proposed in the substantive application, the stricter or more protective condition must be imposed.
51. In addition to the position statements outlined above, NMKTH also suggest conditions which establish a Marae Led Committee, or equivalent, which comprises the mandated marae representatives, to facilitate engagement, monitoring, and provide input in management plan development to manage adverse cultural effects. The purpose of the conditions are to enable NMKTH to provide ongoing input into the design, operation, monitoring, and rehabilitation of the mining activities, with structured meetings, record-keeping, and cost recovery.
52. Additionally, NMKTH suggest conditions which requires the establishment of an annual, ring-fenced fund for capacity building and the practical expression of kaitiakitanga such as restoration projects within the Tahaaroa rohe, jointly administered by NMKTH and the Consent Holder, with regular reporting to the consent authority. Together, these conditions integrate avoidance, protection, monitoring, cultural governance, and ecological enhancement mechanisms into the conditions.
53. Examples of such conditions have previously been proposed through the 2024 RMA Hearing Panel process, including in the Statement of Evidence of Nic Conland (Appendix 9).¹⁸ Comparable conditions were also included in *Director-General of Conservation v Taranaki Regional Council*, including conditions GEN.5, 4 and 4A.¹⁹ Additionally, in the Oji Fibre Solutions (Kinleith Mill) discharge permit authorised by Waikato Regional Council, conditions required an annual payment of a contribution to the South Waikato Environmental Initiative (SWEI) fund as environmental mitigation.²⁰ Similarly, Fonterra's Lichfield Plant discharge permit authorised by Waikato Regional Council, required the Consent Holder to contribute to the SWEI pool to offset nutrient management impacts.²¹
54. Proposed amendments to the Wildlife Approval and Archaeological Authority sought have been incorporated where possible in Appendix 3. An initial set of suggested draft conditions are outlined below.

Amendment to AUTH142035.01.01 condition 2(h) imposed in the 2024 RMA Hearing Panel Decision.

2. The Consent Holder shall prepare a map (or maps) of the Central and Southern Blocks (Consent Area) at a suitable scale showing:

¹⁸ Nic Conland, *Statement of Evidence* (2024), Appendix 8.

¹⁹ *Director-General of Conservation v Taranaki Regional Council* [2021] NZEnvC 40, condition GEN.5, 4, 4A.

²⁰ Waikato Regional Council, discharge permit consent number 103550 issued to Oji Fibre Solutions (NZ) Limited (Kinleith Mill), condition 20.

²¹ Waikato Regional Council, discharge permit consent number 123415 issued to Fonterra (Lichfield Plant), conditions relating to contributions to the South Waikato Environmental Initiative fund.

- (h) The location of, and a setback of 50m from, a urupaa and other waahi tapu sites known to the Consent Holder at commencement of this consent.

Marae Led Committee (MLC)

1. At least three months prior to the commencement of mining activities authorised by this consent, the Consent Holder shall invite mandated representatives of Ngaati Mahuta ki te Hauaaauru to form and participate in a Marae Led Committee (**MLC**). The MLC shall comprise at least six (6) mandated marae representatives determined by Ngaati Mahuta ki te Hauaaauru through their recognised mandated entities comprising at least Te Ruunanga o Ngaati Mahuta ki te Hauaaauru, Te Kooraha Marae, and Aaruka Marae. Ngaati Mahuta ki te Hauaaauru may appoint a chairperson to the MLC who is responsible for confirming any advice from the MLC to the Consent Holder and who will oversee implementation of MLC activities. The MLC shall operate for the duration of all consents of the Consent Holder.
2. The Consent Holder shall invite the MLC to jointly prepare terms of reference for the conduct of the MLC. The MLC will agree on meeting protocols, including any timeframes for receiving and reviewing management plans or reports, and including on when and how any mana whenua only meetings of the MLC will occur.
3. The purpose of the MLC is to facilitate engagement between the Consent Holder and Ngaati Mahuta ki te Hauaaauru in respect of the activities authorised by the consents and approvals, enable cultural values and mana whenua, through mandated marae representatives, input into the design, operation, monitoring, and rehabilitation of those activities.
4. The MLC shall be invited to hold regular meetings (monthly) throughout the active mining period and shall continue until six (6) months after completion of mining and rehabilitation activities authorised by this consent.
5. The Consent Holder shall record the main points arising from each MLC meeting and shall provide a copy of that record to MLC members within a reasonable time following the meeting.
6. The Consent Holder shall ensure a representative of the MLC is invited to attend routine inspection of the site or any required environmental monitoring by Waikato Regional Council officers or agents.
7. The Consent Holder shall ensure a representative of the MLC is invited on site to undertake cultural monitoring at agreed intervals as determined by the MLC or on request by the MLC. Evidence of this invitation shall be kept and provided to the Waikato Regional Council within 48 hours of a request.
8. The Consent Holder shall, on receipt of an itemised invoice, be responsible for paying all reasonable costs associated with those inputs described in conditions 1-7.

9. In the event that Ngaati Mahuta ki te Hauaauru do not accept the Consent Holder's invitation to form and participate in the MLC, the Consent Holder shall renew the invitation to Ngaati Mahuta ki te Hauaauru to form and participate in a MLC under conditions 1-6 every six (6) months from the date of the initial invitation for the duration of these consents. If Ngaati Mahuta ki te Hauaauru accepts the consent holder's invitation, the MLC shall be formed in accordance with conditions 1-6.

Ngaati Mahuta ki te Hauaauru Kaitiaki Monetary Fund

1. Within six (6) months of a resource consent being exercised, the Consent Holder, in conjunction with the MLC, shall establish a monetary fund to assist Ngaati Mahuta ki te Hauaauru with capacity building and the practical expression of kaitiakitanga.
2. The consent holder shall contribute an annual sum of no less than \$[insert amount] per annum for the duration of this consent.
3. In the event that Ngaati Mahuta ki te Hauaauru do not accept the consent holder's invitation to form and participate in the MLC, the monetary fund established under condition 1 will be held in trust by the Consent Holder for a period of 5 years until which that sum, and ongoing annual contribution, will be split and transferred in three equal parts to each of the three marae based mana whenua entities.
4. The Consent Holder, in conjunction with the MLC, shall determine a process for allocation of funds by a panel comprising no less than:
 - a. Three representatives of Ngaati Mahuta ki te Hauaauru determine by the MLC; and
 - b. One representative of the Consent Holder.
5. An annual report detailing funding allocations and project outcomes shall be provided to the Consent Authority in accordance with reporting required by all other conditions of consent.

PART E: CONCLUSION

Ko te whenua, ko te wai, ko te mauri o te tangata.

The essence of life for people resides in the land and water.

55. NMKTH consider that the actual and potential adverse effects of the substantive application in its current form are significant when assessed against the degraded baseline environment, the compliance history, and the matters traversed through the 2024 RMA Hearing Panel Decision process. In NMKTH's view, it risks perpetuating cumulative and irreversible adverse effects within Tahaaroa.
56. NMKTH does not accept that consultation has been sufficient, that proposed conditions appropriately respond to concerns raised, or that cultural wellbeing will continue to be provided for as described in the substantive application. Several conditions imposed through the 2024 RMA Hearing Panel Decision to address environmental and cultural effects have been amended or removed. For NMKTH, this represents a regression from the baseline protections previously determined necessary.
57. The combination of compliance concerns, delayed rehabilitation, modification of water systems, proposed setbacks, and engagement mechanisms has led NMKTH to conclude that, in its current form, the proposal will adversely affect the mauri of the wai, taonga species, waahi tapu, on the ability of NMKTH uri to exercise kaitiakitanga, and on their relationship with their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.
58. NMKTH calls for a precautionary, cumulative, and ki uta ki tai approach. At a minimum, the conditions imposed through the 2024 RMA Hearing Panel Decision must be retained as the necessary baseline protections. Clear, enforceable, and transparent consent conditions are required, with measurable performance standards, meaningful involvement of mana whenua through mandated marae representatives, and robust monitoring and reporting obligations. Where uncertainty exists, the more protective condition must be imposed.
59. As mandated marae representatives and kaitiaki of Te Tahaaroa a Ruapuutahanga, NMKTH provides this comment to protect the whenua, moana, wai, hau, waahi tapu, and taonga for present and future generations. NMKTH remain concerned about the potential and actual adverse effects on their taiao and tikanga, and does not consider that the substantive application, in its current form, adequately recognises or provides for the exercise of kaitiakitanga as set out in the NMKTH EMP.

APPENDIX 1: ASSESSMENT OF THE SUBSTANTIVE APPLICATION

Substantive application	NMKTH Comment	Position Statements
Existing Environment		
<p>The substantive application states that the applicant has, in general, a good compliance history. It also defines the “existing environment” on the basis that mining under existing consents has ceased and that the site is assessed in its rehabilitated state at the end of the consent term.</p> <p>Relevant references in the substantive application include:</p> <ul style="list-style-type: none"> • Section 2.10 – summarises compliance and enforcement actions. • Section 8.1.2 – outlines the approach to defining the “existing environment” as including the rehabilitated condition of the site at the expiry of existing consents. • Appendix F – 2024 RMA Hearing Panel Decision. • Appendix CC – Memorandum of the Existing Environment for Taharoa Ironsands Limited Central and Southern Blocks Fast-track Project. 	<p>The applicant relies heavily on the position that the existing environment is already modified and that continuation of operations will not result in adverse changes. The “existing environment” may include existing lawful activities, but it does not legitimise continued or intensified degradation.</p> <p>NMKTH submit that a modified existing environment is not a neutral baseline, long-term modification does not legitimise further degradation, and acclimatisation of ecosystems to disturbance does not equate to ecological integrity.</p> <p>Further, evidence during the re consenting process identified non-compliance with rehabilitation, a concern acknowledged by Waikato Regional Council. Appendix F at paragraph 376 in the 2024 RMA Hearing Panel Decision outlines that the applicant was to complete 62.94 hectares of rehabilitation from 2017 to 2024. No rehabilitation was completed until 2021/2022 and at the time of the hearing in 2024 the applicant advised they were still ‘behind schedule’.</p> <p>The applicant’s approach to defining the “existing environment” cannot be treated as a baseline where long-term degradation and delayed rehabilitation has occurred.</p>	<p>NMKTH consider that past compliance performance is directly relevant to the assessment of the existing environment, which is a degraded baseline environment. The baseline environment must reflect the compliance history, including outstanding or delayed rehabilitation.</p>
Positive Effects		
<p>Social and development benefits The substantive application consistently emphasises that the Project delivers significant</p>	<p>Employment is relied upon by the applicant as a significant local and regional benefit. NMKTH do not dispute that some uri are employed by the</p>	<p>NMKTH submit that the current economic, social and development benefits do not</p>

Substantive application	NMKTH Comment	Position Statements
<p>regional and national economic and social benefits, including employment, housing, infrastructure, and essential services to the Tahaaroa village. It states that the mine supports the regional labour market, provides opportunities for Maaori development, and enables taangata whenua to remain connected to their whenua while participating in employment. The application asserts that adverse effects are well mitigated, are at worst low, and are clearly outweighed by the substantial benefits of the Project. It also highlights investment in the village, a high proportion of NMKTH workers, and broader social contributions such as subsidised health schemes and education support.</p> <p>Relevant references in the substantive application include:</p> <ul style="list-style-type: none"> • Executive Summary – states that the Project delivers significant regional and national benefits that outweigh potential adverse effects. • Section 2.2 – outlines employment contributions, Maaori development opportunities, and the assertion that adverse effects are low and not out of proportion to benefits. • Section 3.1 – refers to the applicant's investment in the village and provision of essential services and support. • Section 3.2.3 – summarises the Tahaaroa village context, including workforce and social benefits. 	<p>operation. However, employment figures alone do not demonstrate that the original expectations associated with mining at Tahaaroa are being realised, nor the realities of those figures.</p> <p>The current proportion of NMKTH employees, the stability of those roles, and the level of influence within the company is not accurately portrayed in the substantive application. There is also concern that reliance on external labour has increased over time and that employment opportunities for NMKTH uri have significantly reduced compared to what is presented in the application. In NMKTH's view, the employment statistics in the application does not fully reflect the lived realities.</p> <p>The assessment of benefit must also account for the lived impacts on whaanau residing in the Tahaaroa village, particularly where employment and housing are interconnected. Employment now largely operates under two frameworks, the Collective Agreements (CA) and Independent Agreements (IA). Under the CA, employees are provided housing for themselves and their whaanau, supporting permanent residency and community stability. In contrast, employees engaged under IA contracts are not entitled to permanent housing. Many new staff are employed under IA arrangements, limiting the ability of whaanau to relocate permanently to Tahaaroa.</p> <p>The increased reliance on IA contracts has reduced the wider community benefits</p>	<p>outweigh the adverse effects of the substantive application.</p>

Substantive application	NMKTH Comment	Position Statements
<ul style="list-style-type: none"> Section 8.4.1 – concludes that the mine will have inconsiderable ongoing effects in terms of local and regional benefits. Appendix C – Economic Assessment. 	<p>historically associated with mining, including stable whaanau presence and enrolment at Te Kura o Tahaaroa and Te Koohanga Reo o Tahaaroa. Where employment status affects housing security, changes have direct social consequences for whaanau and contribute to instability within the community.</p> <p>Historically, mining at Tahaaroa was associated not only with employment but also with broader community contributions, including support for infrastructure and local facilities. However, the community have raised concerns around the quality of drinking water and the standard of buildings.</p> <p>NMKTH consider that many of the wider benefits of mining have significantly diminished over time. As a result, many whaanau perceive that the adverse effects of mining are now more visible and immediate than the benefits.</p>	
Rehabilitation and Site Closure		
<p>The substantive application states that rehabilitation will occur progressively over the life of the consents, with interim and final rehabilitation undertaken in accordance with a Site Rehabilitation Plan and Conceptual Site Closure Plan. It also states that rehabilitation must remain adaptive and that binding rehabilitation to fixed timeframes or hectare targets is impractical. Appendix CC notes that the existing consents do not require rehabilitation to be implemented within a</p>	<p>As raised in the Existing Environment assessment, evidence during the consenting process identified non-compliance with rehabilitation obligations. Waikato Regional Council specifically noted that there had previously been a requirement to undertake approximately 10–15 hectares of rehabilitation per year in accordance with the Site Rehabilitation Plan.²² Delays occurred, and a rehabilitation backlog was identified.</p>	<p>NMKTH do not consider that past compliance and rehabilitation performance have been adequately addressed and submit that rehabilitation and closure obligations must be clearly defined and enforceable. This must include minimum annual rehabilitation targets or equivalent measurable performance standards, time-bound milestones, independent verification of rehabilitation outcomes, meaningful involvement of mana whenua, through mandated marae</p>

²² Waikato Regional Council, *Section 42A Report – Addendum: Tahaaroa Ironsands Limited Central and Southern Blocks* (19 July 2024), paragraph 4.7, and Attachment AB.

Substantive application	NMKTH Comment	Position Statements
<p>specific timeframe prior to expiry, accordingly, works can be completed toward the end of the consent term.</p> <p>Relevant references in the substantive application include:</p> <ul style="list-style-type: none"> • Section 4.18 – outlines progressive rehabilitation over the life of the consents and adaptive rehabilitation approach, with final closure guided by the Conceptual Site Closure Plan. • Section 7.4.viii – proposes conditions requiring progressive interim and final rehabilitation in accordance with a Site Rehabilitation Plan and Conceptual Site Closure Plan. • Appendix CC – Memorandum of the Existing Environment for Taharoa Ironsands Limited Central and Southern Blocks Fast-track Project. 	<p>Given the acknowledged delay, NMKTH consider that measurable targets are necessary to ensure that areas no longer actively mined are restored in a timely manner. Rehabilitation is not solely a closure matter but is a necessary for managing ongoing adverse effects, including dust, amenity, land stability, and impacts on wai systems. Delays in rehabilitation prolong exposure of whaanau to these effects.</p> <p>Reliance on adaptive management without defined milestones creates uncertainty and risk for NMKTH, particularly where compliance performance has previously been raised as a concern and where there is uncertainty that NMKTH input will have significant weight in decisions regarding site closure and rehabilitation.</p> <p>Additionally, the Tahaaroa village relies on infrastructure that has been established and maintained through the mining operation, including roading, water supply infrastructure, and associated services. The Conceptual Site Closure Plan refers to the “fate of existing infrastructure,” however this is not simply an operational matter. It has direct implications for the ongoing functioning and viability of the village.</p> <p>The substantive application does not clearly identify how essential infrastructure serving the community will be secured, transferred, or maintained post-closure. Without defined arrangements, there is a risk that infrastructure critical to the village could be altered,</p>	<p>representatives, in the development and any amendments to the Site Rehabilitation Plan and Conceptual Site Closure Plan with genuine weighting on decisions, and regular provision of information to mandated marae representatives.</p>

Substantive application	NMKTH Comment	Position Statements
	<p>decommissioned, or left without sustainable management arrangements at the end of the consent term.</p> <p>For NMKTH, the continued functioning of the village depends on reliable infrastructure. Closure planning and bonding must therefore address not only environmental rehabilitation but also the long-term security of community infrastructure.</p>	
Freshwater Effects		
Rainfall		<p>NMKTH affirm that the potential and actual adverse effects of the application cannot be assessed or managed in isolation and must be addressed through a precautionary, cumulative, and ki uta ki tai approach. In its current form, NMKTH consider that the proposal adversely affects freshwater systems and taonga species. NMKTH consider that conditions must require effective fish passage performance standards (not limited to installation), monitoring that directly assesses passage success and migration timing for tuna and other species, enforceable triggers that can reduce or cease take or operations where ecological thresholds are not met, setbacks, and clear identification of the scope and locations of all groundwater activities.</p>
<p>The substantive application states that projected rainfall changes are expected to be very minor and that the mine's existing water management measures have proven largely effective in managing rainfall events and therefore remain appropriate.</p> <p>NMKTH note that Appendix BB no longer includes notification regarding lake levels at the required trigger that was imposed by the 2024 RMA Hearing Panel Decision.</p> <p>Relevant references in the substantive application include:</p> <ul style="list-style-type: none"> • Section 2.9 – outlines projected rainfall changes. • Appendix F – 2024 RMA Hearing Panel Decision. • Appendix BB – Proposed Resource Consent Conditions and Memo. 	<p>The lakes, streams, and wetlands have been under sustained stress since mining commenced and whaanau in the village have repeatedly experienced flooding events, restricting access to papakaainga and urupaa.</p>	
Freshwater Ecology Effects		
<p>The substantive application acknowledges that the Wainui Stream has high ecological value and that the Mitiwai Stream has moderate to high</p>	<p>The acknowledgment of high and moderate-to-high ecological value of Wainui and Mitiwai streams reinforces the need for strengthened</p>	

Substantive application	NMKTH Comment	Position Statements
<p>ecological value. It concludes that, with recommended mitigation measures and proposed conditions, freshwater ecology effects are generally acceptable, although it recognises potential impacts on migratory fish (including entrainment risk). Engagement with mana whenua is proposed through preparation of the final Environmental Management Plan and fish pass monitoring programme.</p> <p>Relevant references in the substantive application include:</p> <ul style="list-style-type: none"> • Section 3.5.1 – assesses Wainui Stream ecological value as high (Appendix L). • Section 3.5.2 – assesses Mitiwai Stream ecological value as moderate to high (Appendix L). • Section 7.4.ix – proposes mana whenua engagement in preparing the Environmental Management Plan and fish pass monitoring programme. • Section 8.1.13.5 – concludes freshwater ecology effects are generally acceptable post-mitigation, while acknowledging potential impacts on migratory fish due to intake mesh size. 	<p>protection. High-value systems require precaution, not reliance on adaptive mitigation.</p> <p>The Wainui and Mitiwai streams, associated lakes, and wetland systems within the project area are interconnected components of a broader freshwater system. In having regard to the National Policy Statement for Freshwater Management 2020 (NPS-FM), NMKTH submit that the Te Mana o te Wai hierarchy remains highly relevant to the assessment of freshwater effects. Clause 1.3 of the NPS-FM establishes Te Mana o te Wai as the fundamental concept underpinning freshwater management, including the hierarchy that prioritises: first, the health and well-being of water bodies and freshwater ecosystems; second, the health needs of people; and third, the ability of people and communities to provide for their social, economic, and cultural well-being.</p> <p>The manipulation of freshwater systems through proposed management in the substantive application for operational purposes directly engages that hierarchy. NMKTH urge the Panel to consider how the health and mauri of the water systems are prioritised in the assessment of effects. Particularly given that the approach of the applicant treats freshwater as an operational input or discharge pathway which is inconsistent with the hierarchy of obligations under the NPS-FM.</p> <p>In relation to wetlands, Clause 3.22 of the NPS-FM directs that adverse effects on natural inland</p>	

Substantive application	NMKTH Comment	Position Statements
	<p>wetlands are to be avoided except in limited circumstances. Regulation 45 of the NES-F establishes controls for activities affecting wetlands. NMKTH respectfully submit that a precautionary and avoidance-based approach, including a minimum 100m setback from existing and restored wetland areas, would better align with those protections in this context.</p> <p>NMKTH do not accept that “generally acceptable” adequately addresses effects on taonga species and the functioning of the water systems. The application acknowledges potential impacts on migratory cycles but treats these as residual and manageable. For NMKTH, fish passage and life-cycle connectivity are central matters, particularly for tuna and other migratory species. Entrainment risk, altered flows, and changes in habitat quality and sediment can have cumulative effects over time, especially when combined with water take, dam operations, groundwater activities, and stormwater discharges.</p> <p>Monitoring and plan updates, including fish pass monitoring, are reactive measures. Ecological triggers that require review do not mitigate or adequately address adverse effects. NMKTH consider that engagement mechanisms is not sufficient and requires enforceable measures. Additional measures such as removal of pest plants are supported.</p> <p>The fish pass has been described as structurally poor and non-functional. Fish passage,</p>	

Substantive application	NMKTH Comment	Position Statements
	<p>particularly for tuna and other migratory species, is central to ecological integrity. Entrainment risk of taonga species cannot be treated as minor effects.</p>	
Hydrological Effects		
<p>The substantive application concludes that hydrological effects associated with lake levels, water takes, dam operations, and stream flows are “less than minor,” and can be appropriately managed through conditions, monitoring, and plan updates. It also states that additional setbacks imposed through the 2024 RMA Hearing Panel Decision are not warranted on an effects basis and would have significant economic implications. Augmentation of flows and water levels and ongoing enhancement and monitoring plans are considered as appropriate mitigation measures.</p> <p>Relevant references in the substantive application include:</p> <ul style="list-style-type: none"> • Section 4.10 – outlines augmentation of water flow in the Mitiwai Stream. • Section 7.4.vi – states that additional setbacks imposed in the 2024 RMA Hearing Panel Decision are not included, as technical reports did not identify effects-based justification and economic impacts must be considered. • Section 7.4.vii – discusses ongoing maintenance, monitoring, and review of the Wainui Stream Enhancement Plan in consultation with tangata whenua groups. 	<p>NMKTH remain concerned about long-term modification of lake levels and stream flows. Lower levels may affect connected wetlands, repo hydrology, and downstream habitat. The interconnected nature of these systems must be assessed on a ki uta ki tai basis, recognising the link between the Tahaaroa lakes, the Wainui and Mitiwai streams, and the coastal receiving environment and kaimoana.</p> <p>NMKTH do not consider augmentation to be adequate mitigation for altered flows. Augmentation does not replicate naturally occurring conditions, particularly given the significance of wai to NMKTH.</p> <p>In relation to the reduction of setbacks, economic grounds does not adequately respond to the cultural and ecological significance of these systems. A setback of 100m from Mitiwai Stream must be retained. Economic considerations should not override protections previously determined necessary through the 2024 RMA Hearing Panel Decision. NMKTH emphasise that monitoring, plan updates and reviews, and “consultation” is not sufficient in the management of effects.</p> <p>In relation to proposed removal of the weir/dam post-closure, the dam continues to modify natural source to sea, ki uta ki tai, connectivity.</p>	

Substantive application	NMKTH Comment	Position Statements
<ul style="list-style-type: none"> • Section 8.1.4 – assesses lake levels, flow regimes, and effects of the dam on fish movement and downstream habitat, concluding hydrological effects are “less than minor” and manageable through conditions. • Appendix F – 2024 RMA Hearing Panel Decision. 	<p>The rehabilitation plan and bond must explicitly address removal, structural decommissioning, and resulting hydrological change, including potential impacts on lake level, stream alignment, and of ancestral land and urupaa. NMKTH have no certainty regarding the long-term state of the lakes post-closure, and that uncertainty must be addressed through enforceable rehabilitation and bond conditions.</p>	
Hydrogeological Effects (groundwater)		
<p>The substantive application concludes that hydrogeological effects associated with the proposal will be “less than minor,” with mitigation and monitoring proposed to manage residual risks, and wetland loss addressed through compensation measures.</p> <p>Relevant references in the substantive application include:</p> <ul style="list-style-type: none"> • Section 8.1.5 – outlines the hydrogeological effects. • Section 8.1.5.7 – concludes that all hydrogeological effects are “less than minor.” • Appendix F – 2024 RMA Hearing Panel Decision. 	<p>NMKTH are concerned that wet mining and groundwater interactions were not fully disclosed or assessed during the 2024 RMA Hearing Panel Decision. The identification of “oversight” in relation to the scope raises concern as to whether other oversights may exist in relation to other activities including the assessment of groundwater and diversion effects.</p> <p>The application expressly seeks authorisation to disturb and/or destroy natural inland wetlands, undertake mining within 100m of wetlands, and dewater wetlands associated with wet-mining activities. NMKTH note that natural inland wetlands are protected under clause 3.22 NPS-FM, which requires loss or degradation to be avoided except in limited circumstances and regulation 45 and 45D NES-F, which generally prohibit specified activities within 100m of a natural inland wetland unless criteria are met. In having regard to the NPS-FM, NMKTH urge the Panel to consider whether this criteria has been clearly demonstrated and met.</p> <p>In addition to previous concerns raised above regarding wetlands, NMKTH consider that</p>	

Substantive application	NMKTH Comment	Position Statements
	<p>compensation wetland packages do not replace the ecological and cultural function of existing systems. Wetlands are taonga to NMKTH, their mauri cannot be reduced to technical assessments or buffer diagrams.</p>	
Discharges		
<p>The substantive application concludes that additional discharges to land, including water and tailings beyond those addressed in the 2024 RMA Hearing Panel Decision, will have effects that are “less than minor.” It also concludes that harvesting effects will be “no more than minor” with erosion and sediment controls in place, and that overall erosion effects from mining activities are “less than minor” having regard to the site’s operational history, proposed setbacks, erosion controls, and rehabilitation measures.</p> <p>Relevant references in the substantive application include:</p> <ul style="list-style-type: none"> • Section 8.1.6 – concludes effects of additional discharges to land (including water and tailings) are “less than minor.” • Section 8.1.9.4 – concludes harvesting effects are “no more than minor” with erosion and sediment controls. • Section 8.1.7 – concludes erosion effects are “less than minor” based on operational history, site context, proposed setbacks, controls, and rehabilitation. • Appendix F – 2024 RMA Hearing Panel Decision. 	<p>NMKTH are concerned that additional discharges beyond those considered in the 2024 RMA Hearing Panel Decision increase adverse effects to waterbodies and wetlands. Reliance on monitoring does not eliminate risk of degradation, particularly given that discharges to the Wainui Stream have previously been subject to enforcement action.</p> <p>In addition to previous concerns raised above regarding setbacks and rehabilitation, mining operations in high-risk erosion areas and adjacent to water margins combined with harvesting and lack of rehabilitation, increases risk of potential and cumulative adverse effects.</p>	

Substantive application	NMKTH Comment	Position Statements
Air Quality and Dust Effects		
<p>The substantive application concludes that dust effects can be managed to avoid offensive or objectionable impacts and are “acceptable” within permitted activity levels. It also asserts that existing use rights enable mining up to site boundaries and that increased setbacks would be uneconomical. While Waitomo District Council identified insufficient detail to assess the claimed existing use rights, the applicant indicates it would provide further information during processing if requested.</p> <p>Relevant references in the substantive application include:</p> <ul style="list-style-type: none"> • Section 8.1.8 – concludes dust effects are acceptable and can be controlled to avoid offensive or objectionable effects. • Section 7.3.2 – refers to Waitomo District Council feedback regarding insufficient detail on existing use rights and records the applicant’s response that further information can be provided if requested by the Panel. • Appendix F – 2024 RMA Hearing Panel Decision. 	<p>Prior to the applicant purchasing the site, NMKTH do not recall mining occurring up to boundaries across the entire site. Pine trees were retained in different areas which mitigated adverse effects of dust and light. Additionally, the existing resource consent application at 4.5.1 states that the “exotic tree plantation also acts as an almost continuous buffer between the open mine areas and neighbouring farming properties. Windblown dusts from the mine would, therefore, be minimised as the mature trees act as a filter.”</p> <p>Dust effects are experienced directly by whaanau residing within Tahaaroa. Compliance history and monitoring performance are relevant to assessing whether proposed management measures are sufficient. Given the absence of rehabilitation, air quality and dust affects amenity, health, and daily living conditions within the village.</p> <p>Pine tree clearance also alters visual screening, landscape character, and amenity values. The reduced buffering has already increased exposure of the village and neighbouring properties to dust and operational effects.</p> <p>The assertion that setbacks would significantly reduce projected revenue is not relevant in managing adverse effects. Economic benefits should not override protection where effects were established and traversed extensively in the 2024 RMA Hearing Panel Decision.</p>	<p>NMKTH request that the Panel seek further information to demonstrate that the applicant has existing use rights which enables mining up to site boundaries. NMKTH consider mining up to the site boundaries will have significant adverse effects and oppose this in its entirety.</p>
Archaeological Effects		

Substantive application	NMKTH Comment	Position Statements
<p>The substantive application concludes that archaeological effects can be appropriately managed through the proposed Archaeological Management Plan (AMP) and associated discovery protocols. It relies on a Cultural Values Report prepared by the landowner and states that potential archaeological effects and proposed management measures are acceptable from a cultural perspective. The application also identifies recorded urupaa and place names but characterises several sites as having limited information potential.</p> <p>NMKTH notes that Appendix BB no longer includes the archaeological discovery protocol imposed by the 2024 RMA Hearing Panel Decision.</p> <p>Relevant references in the substantive application include:</p> <ul style="list-style-type: none"> • Section 8.1.10 – outlines archaeological effects. • Sections 7.4.xi and 7.4.xii – refer to the Archaeological Management Plan and provisions for notifying local kaumaatua in the event of discovery of koiwi or archaeological remains. • Appendix F – 2024 RMA Hearing Panel Decision. • Appendix O – Archaeological Assessment. • Appendix BB – Proposed Resource Consent Conditions and Memo. 	<p>NMKTH mandated representatives were not involved kanohi ki te kanohi in the archaeological investigations or preparation of the application with agreed tikanga and roles. By limiting the Cultural Values Report to the perspectives of the landowner, the assessment fails to reflect the representative voice of mana whenua, through mandated marae representatives, or set out the cultural values of the affected sites.</p> <p>Of particular importance is the spiritual connectedness NMKTH have with the sites and waahi tapu. Mana whenua interests and values have not been appropriately recognised and understood, particularly given the substantive application documents were not circulated in full or well understood by representative and mandated mana whenua to complete a cultural values assessment.</p> <p>Section 6(e) of the Resource Management Act 1991 and section 4(d) of the Heritage New Zealand Pouhere Taonga Act 2014 recognise the relationship of Maaori and their culture and traditions with their ancestral lands, water, sites, waahi tuupuna, waahi tapu, and other taonga. This must extend to active participation in archaeological management. To enable this in practice, adequate resourcing and capacity support must be provided by the applicant to ensure sustained mana whenua participation, monitoring, and decision making, through mandated marae representatives.</p>	<p>The mandated authority of NMKTH sits with the marae and TRONM when it comes to speaking on behalf of the whenua, moana, wai, hau, and and the people of Tahaaroa. NMKTH consider that the substantive application does not sufficiently address the potential archaeological and cultural adverse effects of the substantive application. NMKTH maintain that the feedback provided to the applicant before lodgement be adopted in full and reflected in proposed conditions, including resourced representative and mandated marae participation and active involvement in monitoring and decision making.</p>

Substantive application	NMKTH Comment	Position Statements
	<p>The assessment also includes several statements that diminish the cultural and historical importance of the sites and fails to acknowledge that most remaining dune sites are now rare, many having been lost to mining and forestry. NMKTH consider that the sites offer great information potential in which koorero tuku iho could inform a deeper understanding had consultation been undertaken with the representative voice of mana whenua, being the mandated marae representatives. Their rarity significantly increases their value.</p> <p>NMKTH maintain the following feedback provided to the applicant prior to lodgement:</p> <ul style="list-style-type: none"> • the consent conditions imposed by the 2024 RMA Hearing Panel Decision must be upheld, or replicated and any archaeological authority or AMP must incorporate and not weaken those existing protections whereby the stricter or more protective condition must prevail where inconsistencies occur; • all references to tikanga must be determined by representatives of Aaruka and/or Te Kooraha Marae and recorded in any Archaeological Management Plan (AMP); • all works must be carried out under agreed tikanga, explicitly recognising the spiritual and genealogical connectedness of NMKTH to the whenua, moana, and wai maaori; 	

Substantive application	NMKTH Comment	Position Statements
	<ul style="list-style-type: none"> • references to “Ngaati Mahuta”, “local kaumatua” or “iwi representatives” must clearly specify representatives appointed by Aaruka and/or Te Kooraha Marae, noting these are highly likely to be the same kaumaatua identified by the landowners but provides specifically for the relationship with and transparency to these marae; • these representatives must be notified under condition 2 and receive all draft reports for review and comment, and receive the final reports under conditions 7-8; and • the final AMP must be provided for review and comment by Aaruka and/or Te Kooraha Marae. <p>In addition, all archaeological processes, authority conditions, and management frameworks must include clear mechanisms for transparency and reporting to mana whenua, being the mandated marae representatives. This includes:</p> <ul style="list-style-type: none"> • provision of all archaeological reports, monitoring data, and authority updates to Te Ruunanga o Ngaati Mahuta ki te Hauaauru, Aaruka, and Te Kooraha Marae; • research and investigation strategies (including any excavation or investigation plan) must be provided for review and endorsement by mandated marae representatives before approval; 	

Substantive application	NMKTH Comment	Position Statements
	<ul style="list-style-type: none"> • all data, artefact records, and monitoring results collected under this authority remain the intellectual property of mana whenua and must be shared through agreed protocols; • a standing invitation for mandated marae representatives to attend any site inspections, excavations, or authority and AMP reviews; and • regular hui to review archaeological management, compliance outcomes, monitoring, and any proposed AMP variations, with decisions recorded and shared transparently. <p>In relation to the Archaeological Management Plan:</p> <ul style="list-style-type: none"> • any references to “Ngaati Mahuta”, “local kaumatua” or “iwi representatives” must be amended to clearly specify representatives appointed by Aaruka and/or Te Kooraha Marae. Contact details must reference those of Aaruka Marae, Te Kooraha Marae, and Te Ruunanga o Ngaati Mahuta ki te Hauaauru, as set out in the EMP; • all discovery protocols must explicitly state that cultural procedures take precedence over any physical or scientific work until kaumaatua have conducted necessary tikanga, including karakia, direction, and guidance on treatment of kooiwi or taonga; 	

Substantive application	NMKTH Comment	Position Statements
	<ul style="list-style-type: none"> • the AMP must attach or reference the certified urupaa/waahi tapu maps required under the consent conditions currently under appeal (conditions 2-6), with a defined process for review and updates agreed with Aaruka and Te Kooraha Marae; • the consent conditions currently under appeal require local kaumaatua appointed by Aaruka and/or Te Kooraha Marae to be contacted within 12 hours of discovery. This requirement must be explicitly carried through to the authority and AMP, and those marae must be listed as notified parties; • regarding dispute resolution, any cultural disputes should first be resolved through tikanga-based processes, with external intervention only after mana whenua consensus, through mandated marae, cannot be reached; and • it is further recommended that the AMP include a clause establishing a Marae Archaeological Lead, appointed by Aaruka and/or Te Kooraha Marae, to co-lead archaeological activities alongside the Project Archaeologist, with related conditions reflecting this role. This ensures decisions are guided jointly by archaeological expertise and tikanga Maaori. 	
Coastal Marine Area Effects		

Substantive application	NMKTH Comment	Position Statements
<p>The substantive application characterises marine ecological effects as low overall, coastal process and landform effects as negligible due to the small magnitude of deposition and limited footprint of structures, and relevant discharges to the Coastal Marine Area (CMA) (including water and tailings) as less than minor.</p> <p>Relevant references in the substantive application include:</p> <ul style="list-style-type: none"> • Section 8.1.14 – marine ecological effects. • Section 8.1.16 – effects on coastal processes and landforms. • Section 8.1.6 – effects of discharges to the CMA. • Appendix F – 2024 RMA Hearing Panel Decision. • Appendix BB – Proposed Resource Consent Conditions and Memo. 	<p>Kaimoana values and habitat integrity are of significant importance to NMKTH who rely on kaimoana as a coastal community. The conclusions do not address cumulative, long-term sediment inputs over the life of the consents nor the cultural and customary reliance on kaimoana within the receiving environment. NMKTH note that there is limited integration of maatauranga Maaori indicators or customary harvest monitoring.</p> <p>NMKTH also note that Appendix BB amends the conditions imposed by the 2024 RMA Hearing Panel Decision by removing notification requirements for maintenance of CMA structures and introducing a broader authorised activity description allowing discharge from mining operations on any land legally authorised for iron sand mining. NMKTH consider that this broadening of authorised activities increases uncertainty to the spatial extent of discharges and reduces transparency. The removal of notification requirements for maintenance and relocation of coastal structures reduces transparency and limits oversight given the distance from regulators.</p>	<p>NMKTH do not accept the conclusion of effects on and within the coastal marine area when assessed on a cumulative and ki uta ki tai basis.</p>
Terrestrial Effects		
<p>The substantive application characterises the terrestrial habitat (excluding actively mined areas) as having at least moderate ecological value, based on site connectivity, size, and the presence of Threatened and At-Risk species including long-tailed bats. It also identifies key habitat types across the site, including pine plantation forest, stream margins, and dune vegetation.</p>	<p>To NMKTH, long-tailed bats are a significant taonga and cultural indicator and that preservation of the pine plantation and planted buffers is required to maintain habitat for bats and other terrestrial species.</p> <p>NMKTH maintain that stock proof fencing is required to prevent access of stock and horses into wetland and perennial waterbody setback</p>	<p>NMKTH submit that terrestrial habitat protection through buffer planting and stock exclusion fencing is required to ensure effective habitat protection and restoration.</p>

Substantive application	NMKTH Comment	Position Statements
<p>NMKTH notes that Appendix BB no longer includes the requirements for stock proof fencing in relation to areas that have been planted which were imposed by the 2024 RMA Hearing Panel Decision.</p> <p>Relevant references in the substantive application include:</p> <ul style="list-style-type: none"> • Section 3.8 – assesses the ecological value of terrestrial habitat and findings of Appendix K. • Section 3.8 – summarises habitat types. • Appendix F – 2024 RMA Hearing Panel Decision. • Appendix BB – Proposed Resource Consent Conditions and Memo. 	<p>areas to enable successful planting for terrestrial species and habitat.</p>	
Wildlife Approval		
<p>The substantive application states that no specific feedback was received in relation to lizard impacts or the proposed Wildlife Approval, and therefore no detailed consultation record is provided on that topic. It further proposes a compensation package to a local environmental group, calculated based on the number of lizards salvaged, with consultation to occur to determine the appropriate recipient group.</p> <p>Relevant references in the substantive application include:</p> <ul style="list-style-type: none"> • Section 9 – summarises feedback outcomes. • Appendix M - Terrestrial Ecology – Fauna Assessment. 	<p>NMKTH were not provided the full application documentation with sufficient time for review or feedback prior to lodgement. NMKTH entities were provided with the application the day before lodgement with a note stating that it was being lodged that day. Accordingly, Appendix KK and Appendix M were not reviewed by NMKTH prior to lodgement.</p> <p>A summary of the approval was provided however the compensation package was not discussed with NMKTH entities and it is unclear as to how this package will be administered.</p>	<p>NMKTH request that proposed conditions must clearly reference that NMKTH consultation must be given significantly more weight than proposed, particularly in determining the administration and implementation of any compensation packages.</p>

Substantive application	NMKTH Comment	Position Statements
<ul style="list-style-type: none"> Appendix KK, section 6.5 – proposes compensation package. 		
Consent Term		
<p>The substantive application states that the Central and Southern Blocks contain sufficient resource for a minimum of 20 years of supply if mined continuously but seeks a 35-year consent term on the basis that appropriate conditions are proposed to manage ongoing effects and that such a term is therefore justified.</p> <p>Relevant references in the substantive application include:</p> <ul style="list-style-type: none"> Section 1.1 – projects a minimum of 20 years of iron sand supply, after which areas will be rehabilitated and closed. Section 1.3.1 – seeks a 35-year term for all resource consents. 	<p>The site is located in a remote location of significant cultural and ecological value, with long distances from regulatory oversight and close proximity to affected whaanau and mana whenua. NMKTH consider that the history of compliance is directly relevant to the appropriateness of the consent term sought. In NMKTH’s view, a shorter consent duration, with stringent monitoring and enforceable performance standards, provide greater certainty and accountability.</p>	<p>NMKTH oppose the 35 year term sought by the applicant and is unacceptable to NMKTH as proposed. NMKTH consider a shorter term of 20 years is more appropriate and would reduce concerns around rehabilitation and cumulative or long-term adverse effects.</p>
Cumulative Effects		
<p>The substantive application concludes that the proposal will not result in adverse cumulative effects and that, once mitigation measures and proposed conditions are applied, the remaining adverse effects of continuing mining are minor and acceptable. It further relies on this overall assessment to support the position that the Project’s benefits are not out of proportion to its effects.</p> <p>Relevant references in the substantive application include:</p> <ul style="list-style-type: none"> Section 8.1.18.9 – states that the proposal is not expected to result in adverse cumulative effects. 	<p>The activities occurring across the Central and Southern Blocks, Pit 1, the Northern Block, the Eastern Block, and the Te Mania Extension form part of an ongoing and continuous mining presence within Tahaaroa.</p> <p>As outlined in previous sections of this assessment, for NMKTH, the lakes, streams, wetlands, groundwater systems, and the CMA are interconnected on a ki uta ki tai basis. Changes to lake levels, stream flows, discharges, erosion, harvesting, and rehabilitation practices interact with one another. Cumulative effects are also increased where consent conditions change in which</p>	<p>NMKTH submit that cumulative effects require careful and precautionary consideration. The conditions imposed through the 2024 RMA Hearing Panel Decision provide the necessary baseline protections and must be retained.</p>

Substantive application	NMKTH Comment	Position Statements
<ul style="list-style-type: none"> Section 8.1.20 – concludes that, post-mitigation and subject to proposed conditions, the potential adverse effects of continuing mining are “minor and acceptable.” Appendix F – 2024 RMA Hearing Panel Decision. 	<p>NMKTH note there have been many. Even where individual activities are assessed as minor, their combined and ongoing and significant effects are experienced within Tahaaroa, as demonstrated throughout this assessment.</p>	
Cultural Effects		
<p>The substantive application consistently presents consultation as extensive and influential, asserts that proposed conditions are responsive to issues raised through earlier processes, and maintains that cultural effects are known, documented, and appropriately managed through continued setbacks, engagement mechanisms, protocols, and existing consent conditions. It characterises its approach as building from the 2024 RMA Hearing Panel Decision and suggests that cultural well-being will continue to be provided for through connection to whenua, EMP involvement, and established archaeological protocols.</p> <p>NMKTH notes that Appendix BB amends engagement and communication mechanisms including limiting the number of representatives who can attend consultation meetings, asserting how and when engagement can occur, and removes consultation with the affected parties listed in the conditions imposed by the 2024 RMA Hearing Panel Decision.</p> <p>Relevant references in the substantive application include:</p>	<p>The substantive application includes cultural assessments and references to iwi environmental plans. However, NMKTH consider that cultural effects have been framed as matters capable of mitigation through consultation, monitoring, and adaptive management. Cultural relationships with ancestral lands, water, sites, and waahi tapu are not capable of full mitigation once mauri is diminished.</p> <p>NMKTH have repeatedly raised concerns regarding dust, noise, landscape modification, loss of screening, impacts on water systems and taonga species, flooding, proximity and access to urupaa and waahi tapu, and the adequacy of rehabilitation. These effects are ongoing and have significantly impacted NMKTH and their ability to live in and maintain connection with their ancestral whenua, moana, and wai. These matters were traversed through the 2024 RMA Hearing Panel process and are outlined in previous sections of this assessment.</p> <p>NMKTH also have strong concerns regarding the exposure of kooiwi and archaeological effects. Reduced protection of waahi tapu, including</p>	<p>NMKTH assert that cultural effects must be assessed cumulatively and managed through precautionary and enforceable protections. In its current form, NMKTH consider that the proposal has significant adverse effects on the ability of NMKTH uri to exercise kaitiakitanga and on their relationship with their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.</p> <p>NMKTH do not consider that the substantive application is consistent with the NMKTH EMP, nor that it adequately recognises or provides for the exercise of kaitiakitanga. Consistent with the NMKTH EMP, NMKTH consider that NMKTH-led cultural health monitoring must be provided for and that NMKTH consultation must be given significantly more weight than is proposed.</p> <p>NMKTH request that a strengthened and structured framework for engagement is necessary to mitigate the cultural effects of the consent, including in providing for matters such as kaitiakitanga and mātauranga Māori.</p> <p>NMKTH do not accept that consultation has been sufficient, that proposed conditions appropriately respond to concerns raised, or</p>

Substantive application	NMKTH Comment	Position Statements
<ul style="list-style-type: none"> • Executive Summary – states that consultation prior to lodgement helped shape the application and that proposed conditions are well advanced. • Section 7.1.f – states that final application materials and conditions were provided to NMKTH entities before lodgement and that the applicant understands issues and relationships well. • Section 7.2.f – states that conditions imposed by the 2024 RMA Hearing Panel Decision have been updated as considered necessary to respond to matters raised. • Section 7.4 – lists expressed concerns, including setbacks, freshwater management, rehabilitation, consultation, access to information, and opportunities to exercise kaitiakitanga. • Section 7.4.iv – states that the applicant is committed to ensuring mining does not harm the cultural and ecological wealth of the area. • Section 7.4.v – identifies the 2024 RMA Hearing Panel conditions as the starting point for proposed conditions. • Section 7.4.x – outlines proposed conditions relating to access to information. • Section 8.2.1 – states that cultural wellbeing will continue to be provided for through iwi and hapuu connection to whenua, EMP involvement, and 	<p>proposed conditions allowing setbacks to be reduced through geotechnical assessment, undermines the relationship NMKTH have with those sites. Cultural sites may be adversely affected by earthworks, vibration, noise, instability, and broader activities permitted within setback areas.</p> <p>NMKTH do not accept that consultation has shaped the application in a manner that sufficiently addresses these concerns. Several proposed conditions have been weakened or amended from those imposed by the 2024 RMA Hearing Panel Decision. Access to information does not equate to meaningful participation. Limiting representatives, defining engagement timeframes, and removing consultation requirements reduces transparency and undermines the ability of mana whenua to exercise kaitiakitanga. Consultation must be demonstrated through retained or strengthened protections, not through statements that engagement has or will occur.</p> <p>As outlined in previous sections, NMKTH were not provided with the full application documentation in sufficient time prior to lodgement. The applicant did not re-engage with NMKTH entities before relodgement, and full documentation was again provided only the day before lodgement. Accordingly, the Statement of Evidence of Taituwha King (2024), included as Appendix HH to the application, sets out the koorero tuku iho of NMKTH and remains the only substantive cultural evidence before the Panel.</p>	<p>that cultural wellbeing will continue to be provided for as described in the substantive application.</p>

Substantive application	NMKTH Comment	Position Statements
<p>established protocols for urupaa and accidental discoveries.</p> <ul style="list-style-type: none"> • Section 8.5 – states that conditions such as mining setbacks are continued from existing consents as they have proven efficient and effective. • Sections 8.1.18.8 and 8.6 – conclude that potential cultural effects relate to waterways, waahi tapu, and kaitiakitanga, and are well documented and known. • Appendix BB – Proposed Resource Consent Conditions and Memo. • Appendix F – 2024 RMA Hearing Panel Decision. • Appendix HH - Statement of Evidence of Taituwha King. 	<p>The engagement approach and timeframes adopted by the applicant are inconsistent with the expectations set out in the Ngaati Mahuta Environmental Management Plan (NMKTH EMP), which requires early provision of information, iterative engagement, and genuine collaboration. Trustees have raised concerns regarding the conduct of engagement hui, including interruptions, challenges to participation, and premature closure of discussion. This pattern of established behaviour has inhibited NMKTH's ability to exercise kaitiakitanga and eroded trust. Consistent with the NMKTH EMP, NMKTH are not parties to be consulted or engaged but are partners in any matters that affect the rohe.</p> <p>NMKTH maintain that continued reliance on the landowner to provide cultural assessments and engagement cannot substitute for engagement with the mandated marae and TRONM and that historical engagement alone does not demonstrate meaningful engagement or genuine partnership required by the NMKTH EMP, particularly where conditions imposed by the 2024 RMA Hearing Panel Decision to address cultural effects have been amended or removed.</p>	

APPENDIX 2: COMPARISON OF CONDITIONS OF CONSENT

Resource Consent Certificate

Resource Consent Number: AUTH142035.01.01

File Number: 60 40 32A

Pursuant to the Resource Management Act 1991, the Waikato Regional Council hereby grants consent to:

Taharoa Ironsands Limited
PO Box 308
Wellington 6140

(hereinafter referred to as the Consent Holder)

Consent type: Land Use Consent

Consent subtype: Land Disturbance

Activity authorised: Undertake ~~dry~~ iron sand mining operations and associated land disturbance activities including (but not limited to) construction of dredge ponds, stormwater ponds, water supply/storage ponds, access roads, iron sand stockpiles, wetlands and other features for environmental offsetting, restoration and/or rehabilitation purposes, and ancillary buildings.

Location: Taharoa Road - Taharoa

Map Reference: NZMS 260 R16:605-354

Consent duration: ~~This consent will commence in accordance with s116 of the Resource Management Act and expire 20 years from the date of commencement.~~
This consent will commence on the date of decision notification and expire on
xxxx.

Subject to the conditions overleaf:

CONDITIONS

General

1. The exercise of this consent is subject to compliance with the General Conditions in Schedule 1.
 2. The Consent Holder shall prepare a map (or maps) of the Central and Southern Blocks (**Consent Area**) at a suitable scale showing:
 - (a) The boundary of the Consent Area (i.e. the totality of the Central Block and the Southern Block);
 - (b) The location of, and a setback of 100 m from, Mean High Water Springs (MHWS) at the commencement of the Consent;
 - (c) The location of, and a setback of 30 m from, any ~~other~~ perennial waterbodies ~~(excluding the Mitiwai Stream)~~ within and adjacent to the Consent Area;
 - ~~(d) The location of, and a setback of 100m from the Mitiwai Stream;~~
 - ~~(e) The location, of and a setback of 200m from, any third party properties adjoining the Consent Area (excluding the Northern Block, Eastern Block and Te Mania Extension);~~
 - ~~(f)(d)~~ The location of, and a setback of ~~100~~30m from, all retained natural inland wetlands within the Consent Area;
 - ~~(g)(e)~~ The location of buildings, structures, stormwater / water supply ponds and other mine infrastructure existing at the commencement date of this consent within 100 m of MHWS or ~~Mitiwai stream, or within 100~~30m of perennial waterbodies and identified natural inland wetlands;
 - ~~(h)(f)~~ The location of urupa and other waahi tapu sites known to the Consent Holder at commencement of this consent, including a 20m buffer from cultural reserve sites unless a local specific geotechnical assessment has identified an appropriate reduced setback.
 - ~~(i) The location of Planted Buffer Areas referred to in condition 7 of this Consent.~~
 3. The map (or maps) required by Condition 2 shall be supported by a statement prepared by a suitably qualified and experienced Ecologist confirming the accuracy of the mapping of the ~~other~~ perennial waterbodies and natural inland wetlands, and the setbacks from those features specified in Condition 2.
 4. The ~~map plan~~ (or ~~maps plans~~) required by Condition 2 shall be submitted to Waikato Regional Council for review and approval by the Waikato Regional Council, acting in a technical certification capacity within ~~1520~~ working days of the commencement date of this consent. The certified plan (or plans) shall be included in the Consent Holder's Annual Works Plan.
 5. Mining operations shall not be undertaken within any of the setbacks shown on the certified map (or maps) required by condition 2(a) to (f) ~~and (h) to (i)~~ of this consent. For the purposes of this condition, "mining operations" means the extraction of sand and any equipment and structures necessary to facilitate sand extraction, and the deposition of tailings. It does not include:
 - (a) buildings, structures, stormwater/water supply ponds and other mine infrastructure existing at the commencement date of the consents including within 100 m of Mean High Water Springs, ~~100m of the Mitiwai Stream~~ or ~~100~~30 m of perennial waterbodies and natural inland wetlands, and any activities required for the maintenance of those items;
 - (b) any activity (including vehicle movements) necessary for the purposes of stabilisation and maintenance of sand and tailings stockpiles, provided that these activities shall not be carried out within the setbacks specified in condition 2(c), 2(d) and ~~2(hf)~~;
 - (c) any activity (including but not limited to earthworks, vegetation planting/maintenance/clearance, fencing, pest animal control, and vehicle movements) associated with ecological offsetting, restoration and/or rehabilitation; and/or
 - (d) any activity necessary to address coastal erosion or inundation.
 6. No mining operations nor ~~any of~~ the activities listed in condition 5(a)-~~(db)~~ above can be undertaken within any of the urupa or waahi tapu sites shown on the certified map (or maps) required by Condition 2 of this consent.
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7. The Consent Holder shall establish and maintain a planted buffer area within 30m of the natural inland wetlands and perennial waterbodies (**Planted Buffer Area**) in the ~~Consent Area~~ area identified in the certified plan (or plans) required by Condition 2(c) of this consent, by undertaking infill planting, maintenance, and weed control programme within the Planted Buffer Area. The details of this programme shall be set out in a Natural Inland Wetland and Buffer Management Plan appended to the Consent Holder's~~chapter of the~~ Environmental Management Plan.

~~8. The Consent Holder shall ensure, as far as practicable, that all livestock and horses are excluded from the Consent Area at all times. Where the Consent Holder becomes aware of these animals being within the Consent Area they will remove them as soon as reasonably practicable.~~

~~9. The Consent Holder shall construct and maintain a stock proof fence in fit condition for the purpose of excluding livestock and horses from the following areas:~~

~~(a) Planted Buffer Areas set out in Condition 7 of this Consent.~~

~~(b) Areas planted for stabilisation or rehabilitation as required by the conditions of this consent, the Site Closure Plan or Site Rehabilitation Plan.~~

~~The stock proof fence constructed for the areas referred to in condition 9(a) shall be maintained for the duration of this Consent. The stock proof fence constructed for the areas referred to Condition 9(b) shall be maintained until the plantings are established.~~

Dust Effects Management

~~10.8.~~ The Consent Holder shall implement measures to manage dust to ensure that all activities ~~on~~in the Consent Area comply with the following:

- ~~(a) There shall be no discharge of contaminants beyond the boundary of the Consent Area that has adverse effects on human health, or the health of flora and fauna.~~
- ~~(b) There shall be no discharge of particulate matter that is objectionable to the extent that it causes an adverse effect at or beyond the boundary of the Consent Area.~~
- ~~(c) The discharge shall not significantly impair visibility beyond the boundary of the Consent Area.~~

~~11. Stabilisation and rehabilitation of areas adjoining third party residential properties will be implemented within 3 months of mining ceasing in that area for a period of 3 months consecutively.~~

~~12. Stabilisation and rehabilitation of previously mined unrehabilitated areas existing at the commencement of this Consent within the Consent Area (other than as provided for in Condition 11 of this consent) will be implemented within 10 years of commencement of this consent at a rate of 6 ha per year.~~

~~13. Stabilisation and rehabilitation of areas that are mined during the term of this consent (excluding the areas identified in Condition 11 and 12 of this Consent) shall be implemented within 6 months of mining ceasing in that area for a period of 6 months consecutively.~~

9. The Consent Holder shall ensure that, within three months of all mining being completed within the 100m Priority Stabilisation Area shown in green in Figure 1 below, any exposed surface within that area shall be stabilised. Stabilisation in this area involves compaction and surface stabilisation to minimise the potential for discharges of dust.

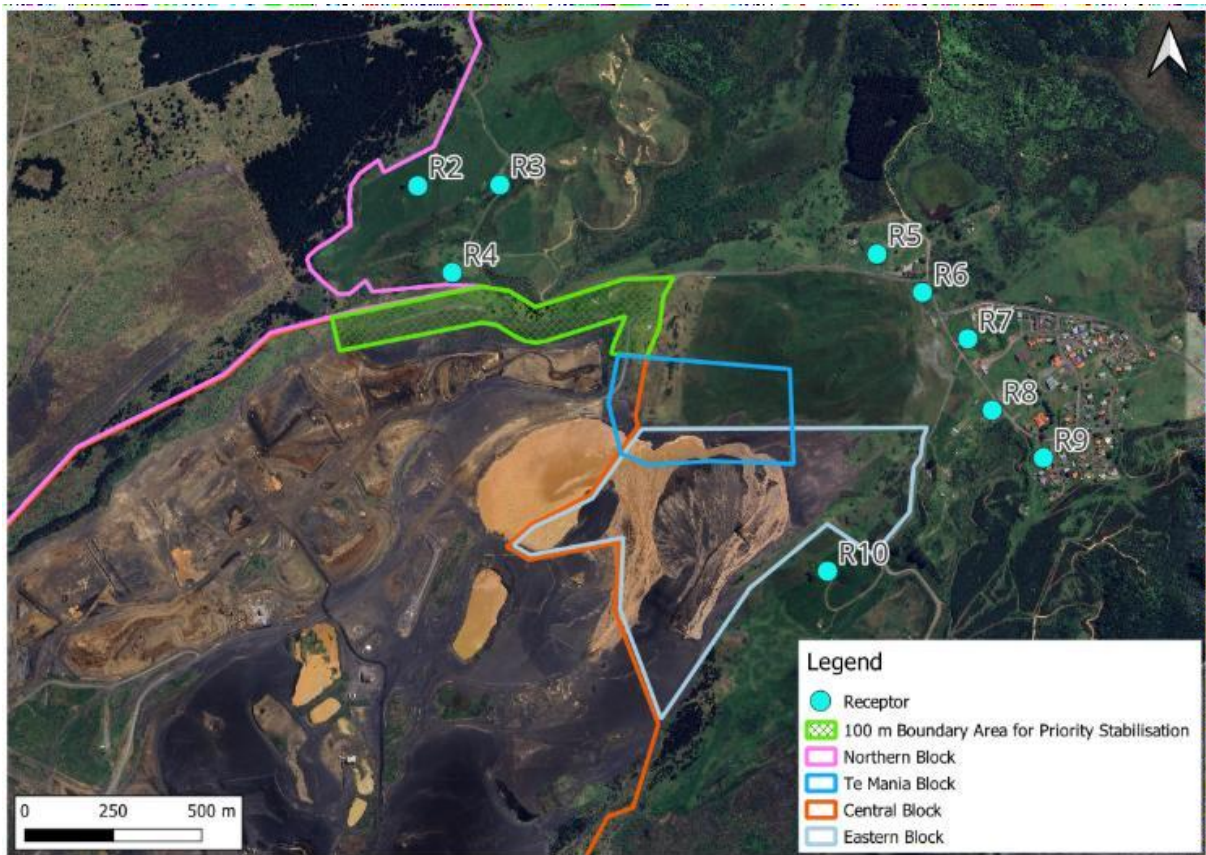


Figure 1

14-10. The Consent Holder must monitor dust discharges using at least six (6) PM10 dust monitors located within the Consent Area, including one upwind and one downwind of the Consent Area, one in proximity to Taharoa school/Kura, and one in proximity to the three nearest residential receptors.

Advice notes

1. This resource consent does not give any right of access over private or public property. Arrangements for access must be made between the consent holder and the property owner.
2. This resource consent is transferable to another owner or occupier of the land concerned, upon application to Waikato Regional Council, on the same conditions and for the same use as originally granted (s.134-137 RMA). The transfer of water, including changes of location, may occur as provided for in Chapter 3.4 of the Waikato Regional Plan, subject to the requirements of those rules.
3. The consent holder may apply to change the conditions of the resource consent under s.127 RMA.
4. The reasonable costs incurred by Waikato Regional Council arising from supervision and monitoring of this/these consents will be charged to the consent holder. This may include but not be limited to routine inspection of the Consent Area by Waikato Regional Council officers or agents, liaison with the consent holder, responding to complaints or enquiries relating to the Consent Area, and review and assessment of compliance with the conditions of consents.

5. Note that pursuant to s332 of the RMA 1991, enforcement officers may at all reasonable times go onto the property that is the subject of this consent, for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples.

6. If you intend to replace this consent upon its expiry, please note that an application for a new consent made at least 6 months prior to this consent's expiry gives you the right to continue exercising this consent after it expires in the event that your application is not processed prior to this consent's expiry.

7. If at any time during the resource consent period, you no longer require your consent, it may be surrendered, in whole or part, by giving written notice of such to the consent authority. Alternatively, please contact Resource Use staff on 0800 800 402 and we can provide you with a surrender form. Note that the surrender takes formal effect when you receive a notice of acceptance of the surrender from the Council.

8. The General Conditions include conditions which specifically address the actual and/or potential environmental effects associated with the discharges of dust and the management and monitoring of discharges to air, forming part of the Consent Holder's Environmental Management Plan.

Resource Consent Certificate

Resource Consent Number: AUTH142035.02.01

File Number: 60 40 32A

Pursuant to the Resource Management Act 1991, the Waikato Regional Council hereby grants consent to:

Taharoa Ironsands Limited
PO Box 308
Wellington 6140

(hereinafter referred to as the Consent Holder)

Consent type: Water Permit

Consent subtype: Dam

Activity authorised: To dam and divert the Wainui Stream for the purpose of creating a water supply reservoir for iron sand mining operations on the Taharoa C Block and any land legally authorised to be used for iron sand mining operations.

Location: Taharoa Road - Taharoa

Map Reference: NZMS 260 R16:598-355

Consent duration: ~~This consent will commence in accordance with s116 of the Resource Management Act and expire 20 years from the date of commencement.~~ This consent will commence on the date of decision notification and expire on XXXX.

Subject to the conditions overleaf:

CONDITIONS

General

1. The exercise of this consent is subject to the General Conditions in Schedule 1.

Advice Note: The General Conditions include conditions which specifically address the actual and/or potential environmental effects associated with the damming and diversion of the Wainui Stream and the operation and monitoring of the existing fish pass as part of a Freshwater Ecological Lake Level and Water Management Plan, forming part of the Environmental Management Plan.

2. The crest height of the dam shall not exceed RL 11.58m a.s.l.
3. The Consent Holder shall monitor and record the water levels of the Wainui Stream at the water intake structure immediately upstream of the dam on the Wainui Stream on a daily basis at NZTM 1749676.36 5773786.62 and make the results available in accordance with condition 37 of Schedule 1 – General Conditions. This system must have a reliable calibration to be maintained to an accuracy of +/- 5 percent. Within 3 months of the commencement of this consent, the consent holder must provide Waikato Regional Council with evidence from a suitably qualified person showing that this system is verified as accurate to +/- 5 percent.

~~4.— The Consent Holder must ensure there is a residual flow in the Wainui Stream immediately downstream of the dam structure of no less than 160l/s including the fish pass flow of 34ls.~~

~~5.— The Consent Holder must be responsible for the structural integrity and maintenance of the dam and associated structures and for any erosion control works that become necessary to preserve the integrity and stability of the river channel.~~

~~6.— The Consent Holder shall, as far as reasonably practicable, manage the water level in the Wainui Stream and Lake Taharoa so that it does not cause or contribute to flooding of any land surrounding Lake Taharoa including Taharoa Road.~~

~~7.— The Consent Holder shall notify the owners and occupiers of land adjoining Lake Taharoa, Waikato Regional Council and Fire and Emergency NZ if the level of the lake exceeds the dam crest height of RL11.58m a.s.l.~~

4. The Consent Holder must monitor the level of the Wainui Stream immediately downstream of the dam and ensure there is a residual flow in the Wainui Stream immediately downstream of the dam structure of no less than 10 l/s as measured through the outlet weir in the dam structure.

5. If the minimum residual flow referred to in condition 4 above persists for a period exceeding 14 calendar days, the Consent Holder shall engage a suitably qualified and experienced ecologist to monitor and report on instream ecological values in the Wainui Stream downstream of the dam. The instream monitoring report shall be provided to Waikato Regional Council within 10 working days of completion.

6. If the instream monitoring report prepared in accordance with condition 5 concludes that adverse effects (other than those caused by natural seasonal conditions) are occurring in the Wainui Stream downstream of the dam, the Consent Holder shall identify measures that can be implemented to address the identified adverse effects and implement those measures as soon as practicable. The Consent Holder shall notify the Waikato Regional Council of what measures have been undertaken within seven working days of the measures being implemented. The measures shall continue to be undertaken until either the minimum residual flow in the Wainui Stream downstream of the dam is exceeded for a continuous 7 calendar day period, or a suitably qualified and experienced ecologist confirms that the measures can be ceased.

7. The Consent Holder must be responsible for the structural integrity and maintenance of the dam and associated structures and for any erosion control works that become necessary to preserve the integrity and stability of the river channel.

Advice notes

1. This resource consent does not give any right of access over private or public property. Arrangements for access must be made between the consent holder and the property owner.
2. This resource consent is transferable to another owner or occupier of the land concerned, upon application [to Waikato Regional Council](#), on the same conditions and for the same use as originally granted (s.134-137 RMA). The transfer of water, including changes of location, may occur as provided for in Chapter 3.4 of the Waikato Regional Plan, subject to the requirements of those rules.
3. The consent holder may apply to change the conditions of the resource consent under s.127 RMA.
4. The reasonable costs incurred by Waikato Regional Council arising from supervision and monitoring of this/these consents will be charged to the consent holder. This may include but not be limited to routine inspection of the site by Waikato Regional Council officers or agents, liaison with the consent holder, responding to complaints or enquiries relating to the site, and review and assessment of compliance with the conditions of consents.
5. Note that pursuant to s332 of the RMA 1991, enforcement officers may at all reasonable times go onto the property that is the subject of this consent, for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples.
6. If you intend to replace this consent upon its expiry, please note that an application for a new consent made at least 6 months prior to this consent's expiry gives you the right to continue exercising this consent after it expires in the event that your application is not processed prior to this consent's expiry.
7. If at any time during the resource consent period, you no longer require your consent, it may be surrendered, in whole or part, by giving written notice of such to the consent authority. Alternatively, please contact Resource Use staff on 0800 800 402 and we can provide you with a surrender form. Note that the surrender takes formal effect when you receive a notice of acceptance of the surrender from the Council.

Resource Consent Certificate

Resource Consent Number: AUTH142035.03.01

File Number: 60 40 32A

Pursuant to the Resource Management Act 1991, the Waikato Regional Council hereby grants consent to:

Taharoa Ironsands Limited
PO Box 308
Wellington 6140

(hereinafter referred to as the Consent Holder)

Consent type: Water Permit

Consent subtype: Diversion

Activity authorised: Occupy the bed of the Wainui Stream via a rock weir, fish pass intake and outlet structures and the associated diversion of water through a fish pass channel located adjacent to the Wainui Stream.

Location: Taharoa Road - Taharoa

Map Reference: NZMS 260 R16:597-354

Consent duration: This consent will commence in accordance with s116 of the Resource Management Act and expire 20 years from the date of commencement. This consent will commence on the date of decision notification and expire on xxxx.

Subject to the conditions overleaf:

CONDITIONS

General

1. The exercise of this consent is subject to the General Conditions in Schedule 1.

Advice Note: The General Conditions include conditions which specifically address the actual and/or potential environmental effects associated with the damming and diversion of the Wainui Stream and the operation and monitoring of the existing fish pass as part of an Ecological Management Plan, Lake Level and Water Management Plan and Wainui Stream Enhancement Plan, each forming part of the Environmental Management Plan.

Fish Pass Operation

2. The Consent Holder shall ensure that:
 - (a) a fortnightly inspection is undertaken of the entire length of the fish pass, and of the dam overflow chamber. If the inspection should identify the need for any cleaning, maintenance or repairs, the consent holder shall ensure that the necessary works are undertaken as soon as possible.
 - (b) the downstream entry to the fish pass is submerged by at least 100 millimetres at all times.
 - (c) the flow velocity in the fish pass does not exceed 0.3 metres per second.
 - (d) the pool at the entrance of the fish pass and access to the main channel of the Wainui Stream is kept free of aquatic weeds during the main fish migratory period (July – February).
 - (e) a pool depth at the base of the dam overflow chamber of at least 0.5 metres is maintained to provide for the downstream migration of fish species.
3. The Consent Holder shall maintain and if required modify the fish pass to ensure its effectiveness at all times, including any modifications to the fish pass required as a result of compliance with condition 2 and/or condition 4 of this consent.

Fish Pass Monitoring

4. The Consent Holder shall develop and implement a monitoring programme to ~~determine~~ confirm the ongoing effectiveness of the fish pass at providing passage for the juveniles of the following fish species: inanga, smelt, long-finned eel, short-finned eel, grey mullet and adults of the following species long-finned eel, short-finned eel and juvenile and adult grey mullet. This programme shall be developed in consultation with the Department of Conservation, The Proprietors of Taharoa C Incorporation Limited, Taharoa Lake Trustees, Te Ruunanga o Ngaati Mahuta ki te Hauaauru, ~~Tukotahi Tuteao Whaanau Trust, Te Kooraha Marae, Aaruka Marae, John David Keepa Kupa Whaanau Trust, Te Huia Pihopa Trust, Roy Wetini Whaanau,~~ and the Waikato Regional Council and shall be lodged with the Waikato Regional Council within 6 months of the commencement of this consent for written approval by the Waikato Regional Council acting in a technical certification capacity.

The monitoring programme shall confirm:

- (a) The likely migration periods for each of the species listed and use this as the basis for determining the timing and frequency of monitoring required.
 - (b) How the number and species of fish passing through the fish pass are to be monitored during the migration times for each of the species listed above.
 - (c) A process for monitoring the frequency of non-target fish utilising the fish pass.
 - (d) A method for determining and demonstrating the effectiveness of the fish pass.
 - (e) Reporting frequency and mechanisms, including any recommendations for improvement of the fish pass or review of the monitoring programme.
5. Any changes to the monitoring programme shall be provided to the Waikato Regional Council for written approval acting in a technical certification capacity.
-

6. The methodology for the monitoring programme and subsequent monitoring shall be recorded in the Lake Level and Water Management Plan chapter of an Environmental Management Plan.

Residual Flow in the fish pass

7. ~~The Consent Holder must ensure there is a residual flow in the fish pass of 34 L/s when Lake Taharoa is below RL 9.3m. When the water level immediately behind the dam is below RL 9.3m, the Consent Holder must ensure there is a residual flow in the fish pass of a minimum of 24 L/s.~~

The Wainui Stream

8. The Consent Holder shall in consultation with the Waikato Regional Council, the Department of Conservation, The Proprietors of Taharoa C Incorporation Limited, Taharoa Lake Trustees, Te Runuanga o Ngaati Mahuta ki te Hauaauru, Tukotahi ~~Tuteao Whaanau Trust~~, Te Kooraha Marae, Aaruka Marae, ~~John David Keepa Kupa Whaanau Trust, Te Huia Pihopa Trust, Roy Wetini Whaanau and Trust~~, review and update the existing Wainui Stream Enhancement Plan for the purpose of improving the indigenous biodiversity values associated with the lower Wainui Stream (below the dam) including the management of identified inanga spawning areas.

9. In considering the purpose of the Wainui Stream Enhancement Plan, its development or review ~~and~~, details shall include:

- (a) the nature of any supplementary/and or replacement planting to be undertaken (timing, species, source of planting material, extent and location).
- (b) the nature of any weed and/or pest control considered appropriate (timing, extent and location).
- (c) any consultation undertaken in the development of the management plan.
- (d) procedures for implementing, monitoring and review of the management plan.

10. The reviewed and updated "Wainui Stream Enhancement Plan" shall be lodged with the Waikato Regional Council for approval, acting in a technical certification capacity, within 6 months of the commencement of this consent. Any changes to the plan shall be confirmed in writing by the Consent Holder following consultation with the Waikato Regional Council.

Advice notes

1. This resource consent does not give any right of access over private or public property. Arrangements for access must be made between the consent holder and the property owner.

2. This resource consent is transferable to another owner or occupier of the land concerned, upon application to Waikato Regional Council, on the same conditions and for the same use as originally granted (s.134-137 RMA). The transfer of water, including changes of location, may occur as provided for in Chapter 3.4 of the Waikato Regional Plan, subject to the requirements of those rules.

3. The consent holder may apply to change the conditions of the resource consent under s.127 RMA.

4. The reasonable costs incurred by Waikato Regional Council arising from supervision and monitoring of this/these consents will be charged to the consent holder. This may include but not be limited to routine inspection of the site by Waikato Regional Council officers or agents, liaison with the consent holder, responding to complaints or enquiries relating to the site, and review and assessment of compliance with the conditions of consents.

5. Note that pursuant to s332 of the RMA 1991, enforcement officers may at all reasonable times go onto the property that is the subject of this consent, for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples.

6. If you intend to replace this consent upon its expiry, please note that an application for a new consent made at least 6 months prior to this consent's expiry gives you the right to continue exercising this consent after it expires in the event that your application is not processed prior to this consent's expiry.

7. If at any time during the resource consent period, you no longer require your consent, it may be surrendered, in whole or part, by giving written notice of such to the consent authority. Alternatively, please contact Resource Use staff on 0800 800 402 and we can provide you with a surrender form. Note that the surrender takes formal effect when you receive a notice of acceptance of the surrender from the Council.

Resource Consent Certificate

Resource Consent Number: AUTH142035.05.01

File Number: 60 40 32A

Pursuant to the Resource Management Act 1991, the Waikato Regional Council hereby grants consent to:

Taharoa Ironsands Limited
PO Box 308
Wellington 6140

(hereinafter referred to as the Consent Holder)

Consent type: Water Permit

Consent subtype: Surface Water Take

Activity authorised: Take water from a water supply reservoir created by the damming of the Wainui Stream, for the purpose of ship loading and ~~dry~~ iron sand mining operations (including the operation of the on-site plant nursery and for establishment and maintenance of ecological buffer and offset planting wetlands and other features for environmental offsetting, restoration and/or rehabilitation purposes, including augmentation of flows and water levels in perennial waterbodies and all wetlands).

Location: Taharoa Road - Taharoa

Map Reference: NZMS 260 R16:598-355

Consent duration: ~~This consent will commence in accordance with s116 of the Resource Management Act and expire 20 years from the date of commencement.~~ This consent will commence on the date of decision notification and expire on XXXX.

Subject to the conditions overleaf:

CONDITIONS

General

1. The exercise of this consent is subject to the General Conditions in Schedule 1.

Advice Note: The General Conditions include conditions which specifically address the actual and/or potential environmental effects associated with the abstraction of water from the Wainui Stream and the operation and monitoring of the water take as part of Natural Wetland Management Plan and the Lake Level and Water Management Plan, each forming part of the Environmental Management Plan.

2. Water taken pursuant to this consent must only be used for: operating an iron sand mine and undertaking all associated activities on Taharoa C Block and/or any land legally authorised to be used for iron sand mining ("operating use") and/or loading ironsand onto ships ("loading use"). Water can be stored for these purposes.

3. For water taken from the reservoir in the Wainui Stream, ~~the instantaneous take rate for operating use, the daily volume~~ must not exceed ~~868 litres per second~~ 27,200 cubic metres as a 28 day rolling average, subject to the restriction imposed by condition 4 of this consent.

~~4. For water taken from the reservoir in the Wainui Stream, the daily take volume must not exceed 75,000 cubic metres.~~

~~5. For water taken from the reservoir in the Wainui Stream, for operating use, the daily volume must not exceed 27,200 cubic metres as a 28 day rolling average, subject to the restriction imposed by condition 4 of this consent.~~

~~6.4.~~ For water taken from the reservoir in the Wainui Stream, for ship loading use, the:

- (a) daily volume of water taken must not exceed 75,000 cubic metres;
- (b) annual volume of water taken must not exceed 2,700,000 cubic metres.

~~7.5.~~ A system must measure on a continuous basis:

- (a) take volume;
- (b) operating use volume;
- (c) ship loading use volume.

This system must have a reliable calibration and must be maintained to an accuracy of +/- 5 percent. Within 3 months of the commencement of this consent, the consent holder must provide Waikato Regional Council with evidence from a suitably qualified person showing that this system is verified as accurate to +/- 5 percent.

~~8.6.~~ The consent holder must engage a suitably qualified person to undertake additional verification of the accuracy of the system required by condition ~~75~~:

- (a) at the written request of the Waikato Regional Council;
- (b) at a frequency no less than five yearly from the date of the first calibration required by condition ~~75~~;
- (c) to the satisfaction of the Waikato Regional Council.

Evidence documenting each additional verification must be forwarded to the Waikato Regional Council within one month of the verification being completed.

~~9.7.~~ Water must not be taken when the Lake Taharoa water level at or about NZTM 1751411.597 5774358.648 is less than 8.53 metres RL ~~Moturiki Vertical Datum as measured by the Local Datum Survey Marker.~~

~~10.8.~~ The Consent Holder must engage a suitably qualified and experienced ecologist to undertake baseline monitoring of the extent and health of the raupo and flax wetlands on the margins of Lake Taharoa adjoining the Taharoa C Block within the months of February and March following the commencement of this consent, and every 5 years thereafter. The outcomes of monitoring shall be provided to Waikato Regional Council.

~~11.9.~~ The methodology for baseline and subsequent monitoring shall be recorded in the Natural Wetland ~~and Buffer~~ Management Plan ~~chapter of an in the~~ Environmental Management Plan.

~~12.10.~~ If the level of Lake Taharoa drops below 9.6 metres RL ~~Moturiki Vertical Datum~~ as measured by the Local Datum Survey Marker, the Consent Holder shall:

- (a) implement management responses to reduce as far as practicable the water being taken for the purposes of this consent.
- (b) engage a suitably qualified and experienced ecologist to monitor and report on the extent and health of the raupo and flax wetlands on the margins of Lake Taharoa adjoining the Taharoa C Block, ~~if the level of Lake Taharoa is less than 9.6 metres RL Moturiki Vertical Datum~~ for a continuous 30 day period. The wetland monitoring report shall be provided to Waikato Regional Council within 10 working days of completion.
- (c) if the wetland monitoring report prepared in accordance with condition ~~12.11~~(b) concludes that adverse effects (other than those caused by natural seasonal conditions) are occurring on the raupo and flax wetlands on the margins of Lake Taharoa adjoining the Taharoa C Block, the Consent Holder shall review and update the Lake Level & Water Management Plan to identify measures that can be implemented to address the identified adverse effects and provide a copy to Waikato Regional Council for certification within 30 working days.

~~13.11.~~ A system must measure on a continuous basis the Lake Taharoa water level at or about NZTM 1751411.597 5774358.648. This system must have a reliable calibration and must be maintained to an accuracy of +/- ~~35~~ millimetres. Within 3 months of the commencement of this consent, the consent holder must provide Waikato Regional Council with evidence from a suitably qualified person showing that this system is verified as accurate to +/- ~~35~~ millimetres.

~~14.12.~~ In relation to the system required by condition ~~14.13~~ and during every August, the consent holder must provide Waikato Regional Council with a report containing:

- (a) evidence showing that an accuracy of +/- ~~35~~ millimetres was maintained over the immediately preceding year ending 30 June;
- (b) information setting out how the consent holder will maintain an accuracy of +/- ~~35~~ millimetres during the current year ending 30 June.

~~15.13.~~ Water must not be taken when taking water will cause or contribute to a breach of the residual flow required by Condition 4 of consent AUTH142035.02.01.

~~16.14.~~ The ~~e~~Consent ~~h~~Holder must telemeter – via a telemetry system that is compatible with Waikato Regional Council telemetry system standards and data protocols – ~~continuous~~:

- (a) 15 minute values of take volume;
- (b) daily values of operating use volume;
- (c) daily values of loading use volume;
- (d) 15 minute values of Lake Taharoa water level at or about NZTM 1751411.597 5774358.648.

This data must be reported once daily to the Waikato Regional Council via the telemetry system and the reporting must comply with the following requirements.

- ~~i.~~ Data a), b) and c) must be in units of cubic metres to at least one decimal place;
- ~~ii.~~ Data d) must be in units of metres RL ~~Moturiki Vertical Datum~~ Local Datum Survey Marker to at least three decimal places;
- ~~iii.~~ For data a) and d) there must be 96 values per parameter per daily report.
- ~~iv.~~ For data b) and c) there must be one value per parameter per daily report.
- ~~v.~~ When there is no water being taken the data must specify the take volume as zero.
- ~~vi.~~ When there is no operating use the data must specify the operating use volume as zero.
- ~~vii.~~ When there is no loading use the data must specify the loading use volume as zero.

~~17.15.~~ For water taken from the reservoir in the Wainui Stream, ~~within 12 months of granting of this consent~~, the intake must be screened with a mesh size not exceeding ~~1.5 millimeter~~ 12 millimetre in diameter and must be constructed so that:

- (a) that the migration habits and passage of fish are not compromised or adversely affected by the placement of the intake.

(b) that the migration habits and passage of fish are not compromised or adversely affected by the placement of the intake.

~~18-16.~~ For water taken from the reservoir in the Wainui Stream, the Consent Holder must ensure that the intake velocity does not exceed 0.3 metres per second at all times. The intake must be cleaned and maintained to ensure that the intake velocity is maintained at 0.3 metres per second or less. If requested by the Waikato Regional Council, the Consent Holder must provide ~~whatever~~ information ~~deemed necessary by the Waikato Regional Council to determine to demonstrate~~ that the intake velocity does not exceed 0.3 metres per second.

Advice notes

1. This resource consent does not give any right of access over private or public property. Arrangements for access must be made between the consent holder and the property owner.
 2. This resource consent is transferable to another owner or occupier of the land concerned, upon application to the Waikato Regional Council, on the same conditions and for the same use as originally granted (s.134-137 RMA). The transfer of water, including changes of location, may occur as provided for in Chapter 3.4 of the Waikato Regional Plan, subject to the requirements of those rules.
 3. The consent holder may apply to change the conditions of the resource consent under s.127 RMA.
 4. The reasonable costs incurred by Waikato Regional Council arising from supervision and monitoring of this/these consents will be charged to the consent holder. This may include but not be limited to routine inspection of the site by Waikato Regional Council officers or agents, liaison with the consent holder, responding to complaints or enquiries relating to the site, and review and assessment of compliance with the conditions of consents.
 5. Note that pursuant to s332 of the RMA 1991, enforcement officers may at all reasonable times go onto the property that is the subject of this consent, for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples.
 6. If you intend to replace this consent upon its expiry, please note that an application for a new consent made at least 6 months prior to this consent's expiry gives you the right to continue exercising this consent after it expires in the event that your application is not processed prior to this consent's expiry.
 7. If at any time during the resource consent period, you no longer require your consent, it may be surrendered, in whole or part, by giving written notice of such to the consent authority. Alternatively, please contact Resource Use staff on 0800 800 402 and we can provide you with a surrender form. Note that the surrender takes formal effect when you receive a notice of acceptance of the surrender from the Council.
-

Resource Consent Certificate

Resource Consent Number: AUTH142035.06.01

File Number: 60 40 32A

Pursuant to the Resource Management Act 1991, the Waikato Regional Council hereby grants consent to:

Taharoa Ironsands Limited
PO Box 308
Wellington 6140

(hereinafter referred to as the Consent Holder)

Consent type: Discharge Permit

Consent subtype: Discharge to Water

Activity authorised: Incidental discharge of settled stormwater and washdown water into the Wainui Stream from the area containing the administration building, stores, compound and workshops.

Location: Taharoa Road - Taharoa

Map Reference: NZMS 260 R16:596-354

Consent duration: ~~This consent will commence in accordance with s116 of the Resource Management Act and expire 20 years from the date of commencement.~~
This consent will commence on the date of decision notification and expire on ~~xxx~~.

Subject to the conditions overleaf:

CONDITIONS

General

1. The exercise of this consent is subject to the General Conditions in Schedule 1.
- ~~2. Where possible stormwater and washdown water is to be recirculated into process water in the first instance. The discharge authorised by this consent is incidental to that recirculation and may only be exercised for incidental diffuse discharges that occur due to (for example) weather events.~~
- ~~3. Within 24 hours of the discharge of stormwater to the Wainui Stream, a water sample must be collected from a site upstream and within 20 m downstream of the discharge point. This sample must be analysed for turbidity, pH, heavy metals and hydrocarbons. Samples are to be analysed by an accredited laboratory and heavy metals are to be analysed for total concentration at trace level.~~
- ~~4. The discharge shall not cause the turbidity of the Wainui Stream, as measured 20 metres downstream of the discharge point, to increase by more than twice, when compared to a point above the discharge point.~~
- ~~5. The pH of the discharge shall not be less than 6 and not greater than 9 pH units at any time.~~
- 6.2. There shall be no discharge of contaminants (oil, grease, fuel, or detergents) into the Wainui Stream that results in a conspicuous oil or grease film, scum, foam or a conspicuous change in colour of visual clarity after reasonable mixing, as a result of the exercise of this resource consent.
- ~~7. Heavy metal concentrations in water samples must not exceed the Australia and New Zealand Default Guideline 2018 for protection of 95% of species.~~
- 8.3. In the event of any breach ~~of compliance~~ of the conditions of this consent and/or of any accidental discharge, plant breakdown, or other circumstances which are likely to result in the limits of this resource consent being exceeded the Consent Holder shall notify the Waikato Regional Council immediately or at least within 24 hours of the breach detected. Within 7 days of any breach the Consent Holder shall provide written notification to the Waikato Regional Council which ~~includes the water quality results and~~ explains the cause of the breach, steps which were taken to remedy the breach and steps which will be taken to prevent any future occurrence of the situation.

Advice notes

1. This resource consent does not give any right of access over private or public property. Arrangements for access must be made between the consent holder and the property owner.
 2. This resource consent is transferable to another owner or occupier of the land concerned, upon application to Waikato Regional Council, on the same conditions and for the same use as originally granted (s.134-137 RMA). The transfer of water, including changes of location, may occur as provided for in Chapter 3.4 of the Waikato Regional Plan, subject to the requirements of those rules.
 3. The consent holder may apply to change the conditions of the resource consent under s.127 RMA.
 4. The reasonable costs incurred by Waikato Regional Council arising from supervision and monitoring of this/these consents will be charged to the consent holder. This may include but not be limited to routine inspection of the site by Waikato Regional Council officers or agents, liaison with the consent holder, responding to complaints or enquiries relating to the site, and review and assessment of compliance with the conditions of consents.
 5. Note that pursuant to s332 of the RMA 1991, enforcement officers may at all reasonable times go onto the property that is the subject of this consent, for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples.
-

6. If you intend to replace this consent upon its expiry, please note that an application for a new consent made at least 6 months prior to this consent's expiry gives you the right to continue exercising this consent after it expires in the event that your application is not processed prior to this consent's expiry.

 7. If at any time during the resource consent period, you no longer require your consent, it may be surrendered, in whole or part, by giving written notice of such to the consent authority. Alternatively, please contact Resource Use staff on 0800 800 402 and we can provide you with a surrender form. Note that the surrender takes formal effect when you receive a notice of acceptance of the surrender from the Council.
-

Resource Consent Certificate

Resource Consent Number: AUTH142035.07.01

File Number: 60 40 32A

Pursuant to the Resource Management Act 1991, the Waikato Regional Council hereby grants consent to:

Taharoa Ironsands Limited
PO Box 308
Wellington 6140

(hereinafter referred to as the Consent Holder)

Consent type: Discharge Permit

Consent subtype: Discharge to Land

Activity authorised: Discharge process water and other water potentially containing contaminants into the ground as a result of iron sand mining operations on the Taharoa C Block.

Location: Taharoa Road - Taharoa

Map Reference: NZMS 260 R16:596-354

Consent duration: ~~This consent will commence in accordance with s116 of the Resource Management Act and expire 20 years from the date of commencement.~~
This consent will commence on the date of decision notification and expire on xxxx.

Subject to the conditions overleaf:

CONDITIONS

General

1. The exercise of this consent is subject to the General Conditions in Schedule 1.
2. All point source discharges of process water associated with iron sand mining operations, such as but not limited to tailings placement and Ironsand processing shall be directed into settling ponds/soakage areas. All other non-point source discharges of process water and other water that are incidental to ironsand mining operations, including leakages from the slurry and water supply network and operation of mining equipment and plant, and discharges related rehabilitation works, are authorised to be discharged directly into the ground.
3. Overland flow from the discharges in Condition 2, or groundwater seepage from ponds shall not discharge beyond the boundary of the consent area.
4. Settling ponds shall be desludged whenever required to maintain at least 80 percent of the pond volume available for holding process water, and in particular within one month's notice in writing from the Waikato Regional Council to do so.
5. The Consent Holder shall keep records of the capacity of each pond and the times at which desludging has occurred and make these records available to the Waikato Regional Council on request.

Advice notes

1. This resource consent does not give any right of access over private or public property. Arrangements for access must be made between the consent holder and the property owner.
 2. This resource consent is transferable to another owner or occupier of the land concerned, upon application to Waikato Regional Council, on the same conditions and for the same use as originally granted (s.134-137 RMA). The transfer of water, including changes of location, may occur as provided for in Chapter 3.4 of the Waikato Regional Plan, subject to the requirements of those rules.
 3. The consent holder may apply to change the conditions of the resource consent under s.127 RMA.
 4. The reasonable costs incurred by Waikato Regional Council arising from supervision and monitoring of this/these consents will be charged to the consent holder. This may include but not be limited to routine inspection of the site by Waikato Regional Council officers or agents, liaison with the consent holder, responding to complaints or enquiries relating to the site, and review and assessment of compliance with the conditions of consents.
 5. Note that pursuant to s332 of the RMA 1991, enforcement officers may at all reasonable times go onto the property that is the subject of this consent, for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples.
 6. If you intend to replace this consent upon its expiry, please note that an application for a new consent made at least 6 months prior to this consent's expiry gives you the right to continue exercising this consent after it expires in the event that your application is not processed prior to this consent's expiry.
 7. If at any time during the resource consent period, you no longer require your consent, it may be surrendered, in whole or part, by giving written notice of such to the consent authority. Alternatively, please contact Resource Use staff on 0800 800 402 and we can provide you with a surrender form. Note that the surrender takes formal effect when you receive a notice of acceptance of the surrender from the Council.
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Resource Consent Certificate

Resource Consent Number: AUTH142035.08.01

File Number: 60 40 32A

Pursuant to the Resource Management Act 1991, the Waikato Regional Council hereby grants consent to:

Taharoa Ironsands Limited
PO Box 308
Wellington 6140

(hereinafter referred to as the Consent Holder)

Consent type: Discharge Permit

Consent subtype: Discharge to Land

Activity authorised: Discharge mine overburden and tailings from the Taharoa C Block and any land legally authorised to be used for iron sand mining operations onto land for the purpose of rehabilitating mined areas.

Location: Taharoa Road - Taharoa

Map Reference: NZMS 260 R16: 605-354

Consent duration: ~~This consent will commence in accordance with s116 of the Resource Management Act and expire 20 years from the date of commencement.~~
This consent will commence on the date of decision notification and expire on ~~xxxx~~.

Subject to the conditions overleaf:

CONDITIONS

General

1. The exercise of this consent is subject to the General Conditions in Schedule 1.
2. The Consent Holder shall implement measures to manage dust to ensure that all activities on site comply with the following:
 - (a) There shall be no discharge of contaminants beyond the boundary of the consent area that has adverse effects on human health, or the health of flora and fauna.
 - (b) There shall be no discharge of particulate matter that is objectionable to the extent that it causes an adverse effect at or beyond the boundary of the consent area.
 - (c) The discharge shall not significantly impair visibility beyond the boundary of the consent area.
3. The exercise of this consent shall not result in overland flow or groundwater seepage being discharged beyond the boundary of the consent area.
4. The exercise of this consent shall not result in land slippage, erosion or destabilization of land in properties beyond the boundary of the consent area.

Advice notes

1. This resource consent does not give any right of access over private or public property. Arrangements for access must be made between the consent holder and the property owner.
 2. This resource consent is transferable to another owner or occupier of the land concerned, upon application, on the same conditions and for the same use as originally granted (s.134-137 RMA). The transfer of water, including changes of location, may occur as provided for in Chapter 3.4 of the Waikato Regional Plan, subject to the requirements of those rules.
 3. The consent holder may apply to change the conditions of the resource consent under s.127 RMA.
 4. The reasonable costs incurred by Waikato Regional Council arising from supervision and monitoring of this/these consents will be charged to the consent holder. This may include but not be limited to routine inspection of the site by Waikato Regional Council officers or agents, liaison with the consent holder, responding to complaints or enquiries relating to the site, and review and assessment of compliance with the conditions of consents.
 5. Note that pursuant to s332 of the RMA 1991, enforcement officers may at all reasonable times go onto the property that is the subject of this consent, for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples.
 6. If you intend to replace this consent upon its expiry, please note that an application for a new consent made at least 6 months prior to this consent's expiry gives you the right to continue exercising this consent after it expires in the event that your application is not processed prior to this consent's expiry.
 7. If at any time during the resource consent period, you no longer require your consent, it may be surrendered, in whole or part, by giving written notice of such to the consent authority. Alternatively, please contact Resource Use staff on 0800 800 402 and we can provide you with a surrender form. Note that the surrender takes formal effect when you receive a notice of acceptance of the surrender from the Council.
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Resource Consent Certificate

Resource Consent Number: AUTH142035.09.01

File Number: 60 40 32A

Pursuant to the Resource Management Act 1991, the Waikato Regional Council hereby grants consent to:

Taharoa Ironsands Limited
PO Box 308
Wellington 6140

(hereinafter referred to as the Consent Holder)

Consent type: Coastal Permit

Consent subtype: Structure - Occupation, Use and Maintenance

Activity authorised: The occupation of the Coastal Marine Area by two existing pipelines for the purpose of ship loading and the discharge of stormwater and process water (referred to as Pipeline No.1 and Pipeline No.2) and the operation, maintenance, and future reconstruction / replacement of those pipelines and associated dewatering and diversion of coastal waters, bed disturbance and vehicle use.

Location: Taharoa Road - Taharoa

Map Reference: NZMS 260 R16:566-352 to R16:596-353

Spatial Reference: Long. 174° 40.2562 E Lat. 38° 10.4966 S (eastern end)
Long. 174° 39.9144 E Lat. 38° 10.5118 S (western end)
(WGS84 degrees and minutes)
NZMS 260 R16:566-352 to R16:596-353

Consent duration: This consent will commence in accordance with s116 of the Resource Management Act and expire 20 years from the date of commencement.
This consent will commence on the date of decision notification and expire on
xxxx.

Subject to the conditions overleaf:



CONDITIONS

General

1. The exercise of this consent is subject to the General Conditions in Schedule 1 and the Common CMA Conditions in Schedule 2.
2. The Consent Holder must advise the Waikato Regional Council in writing at least 10 days prior to undertaking any planned maintenance or reconstruction / replacement ~~of the two existing pipelines and associated pipeline structures for the purpose of ship loading (referred to as Pipeline No1 and Pipeline No2 in the Application)~~ activities in the Coastal Marine Area.
3. At least three months prior to any reconstruction / replacement ~~of the structures~~ works the Consent Holder must provide the Waikato Regional Council with a detailed plan of the proposed works for approval by the Waikato Regional Council acting in a technical certification capacity, including but not limited to the following:
 - (a) The scope and nature of works;
 - (b) Timing of works;
 - (c) Construction methodology;
 - (d) Means to avoid, remedy or mitigate adverse effects to the Coastal Marine Area that may arise from the proposed works; and
 - (e) Evidence of consultation with, and any written feedback from, the Harbourmaster.
4. Any planned pipeline maintenance or reconstruction / replacement works proposed within the onshore beach environment must not be undertaken within the period September to January inclusive, to avoid as far as practicable ~~adverse impacts on New Zealand Dotterel nest sites~~, unless prior written approval is obtained from the Waikato Regional Council acting in a technical certification capacity in consultation with the Department of Conservation.

Advice notes

1. This resource consent does not give any right of access over private or public property. Arrangements for access must be made between the consent holder and the property owner.
 2. This resource consent is transferable to another owner or occupier of the land concerned, upon application to Waikato Regional Council, on the same conditions and for the same use as originally granted (s.134-137 RMA). The transfer of water, including changes of location, may occur as provided for in Chapter 3.4 of the Waikato Regional Plan, subject to the requirements of those rules.
 3. The consent holder may apply to change the conditions of the resource consent under s.127 RMA.
 4. The reasonable costs incurred by Waikato Regional Council arising from supervision and monitoring of this/these consents will be charged to the consent holder. This may include but not be limited to routine inspection of the site by Waikato Regional Council officers or agents, liaison with the consent holder, responding to complaints or enquiries relating to the site, and review and assessment of compliance with the conditions of consents.
 5. Note that pursuant to s332 of the RMA 1991, enforcement officers may at all reasonable times go onto the property that is the subject of this consent, for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples.
 6. If you intend to replace this consent upon its expiry, please note that an application for a new consent made at least 6 months prior to this consent's expiry gives you the right to continue exercising this consent after it expires in the event that your application is not processed prior to this consent's expiry.
 7. If at any time during the resource consent period, you no longer require your consent, it may be surrendered, in whole or part, by giving written notice of such to the consent authority. Alternatively,
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please contact Resource Use staff on 0800 800 402 and we can provide you with a surrender form. Note that the surrender takes formal effect when you receive a notice of acceptance of the surrender from the Council.



Resource Consent Certificate

Resource Consent: AUTH142035.11.01

File Number: 60 40 32A

Pursuant to the Resource Management Act 1991, the Waikato Regional Council hereby grants consent to:

Taharoa Ironsands Limited
PO Box 308
Wellington 6140

(hereinafter referred to as the Consent Holder)

Consent Type: Coastal Permit

Consent Subtype: Structure - Occupation, Use and Maintenance

Activity authorised: To place and use a mooring buoy and associated structures in the Coastal Marine Area, including future reconstruction/replacement and associated occupation and disturbance.

Location: Taharoa Road, Taharoa

Spatial Reference: Long. 174° 39.9144 E Lat. 38° 10.5118 S
(WGS84 degrees and minutes)

Consent Duration: ~~This consent will commence in accordance with s116 of the Resource Management Act and expire 20 years from the date of commencement.~~
This consent will commence on the date of decision notification and expire on xxxx.

Subject to the conditions overleaf:

General

1. The exercise of this consent is subject to the General Conditions in Schedule 1 and the Common CMA Conditions in Schedule 2.

Notification

2. The Consent Holder must advise the Waikato Regional Council in writing 10 days prior to undertaking any planned ~~maintenance or~~ replacement of structures in the Coastal Marine Area. This excludes periodic exchanges of the mooring buoy with an alternate.
3. At least three months prior to any proposed permanent relocation of the mooring buoy and/or associated structures, the Consent Holder must provide the Waikato Regional Council with a detailed plan of the proposed works for approval by the Waikato Regional Council acting in a technical certification capacity, including but not limited to the following:
 - (a) The new location for the mooring buoy and/or associated structures;
 - (b) The scope and nature of works involved to relocate the mooring buoy and/or associated structures;
 - (c) Timing of works;
 - (d) Methodology;
 - (e) Means to avoid, remedy or mitigate adverse effects to the Coastal Marine Area that may arise from the relocation / proposed works; and
 - (f) Evidence of consultation with, and any written feedback from, the Harbourmaster.
4. The mooring buoy and/or associated structures must not be permanently relocated unless and until the Waikato Regional Council has approved the new location and the mooring buoy and/or associated structures in accordance with Condition 3.
5. Should the mooring buoy be relocated, the Consent Holder must upon completion of the relocation notify Waikato Regional Council, Maritime New Zealand and the Hydrographic Office of Land Information New Zealand in writing of the new location of the structures authorised by this resource consent.

Structural Integrity

6. Should the mooring buoy be permanently relocated, the Consent Holder must within six months of the relocation of the mooring buoy provide certification that the mooring buoy has been inspected and that it is sound and in a suitable condition for mooring vessels. The inspection and certification must have been undertaken by a marine engineer or other qualified professional accepted as competent to do so by the Waikato Regional Council.
7. A copy of the inspection report and any servicing that was undertaken to ensure the mooring complied with condition 6, must be provided in writing within one month from the completion of each three yearly inspection to the Waikato Regional Council.

Advice notes

1. This resource consent does not give any right of access over private or public property. Arrangements for access must be made between the consent holder and the property owner.
 2. This resource consent is transferable to another owner or occupier of the land concerned, upon application to Waikato Regional Council, on the same conditions and for the same use as originally granted (s.134-137 RMA). The transfer of water, including changes of location, may occur as provided for in Chapter 3.4 of the Waikato Regional Plan, subject to the requirements of those rules.
 3. The consent holder may apply to change the conditions of the resource consent under s.127 RMA.
 4. The reasonable costs incurred by Waikato Regional Council arising from supervision and monitoring of this/these consents will be charged to the consent holder. This may include but not be limited to
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routine inspection of the site by Waikato Regional Council officers or agents, liaison with the consent holder, responding to complaints or enquiries relating to the site, and review and assessment of compliance with the conditions of consents.

5. Note that pursuant to s332 of the RMA 1991, enforcement officers may at all reasonable times go onto the property that is the subject of this consent, for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples.

6. If you intend to replace this consent upon its expiry, please note that an application for a new consent made at least 6 months prior to this consent's expiry gives you the right to continue exercising this consent after it expires in the event that your application is not processed prior to this consent's expiry.

7. If at any time during the resource consent period, you no longer require your consent, it may be surrendered, in whole or part, by giving written notice of such to the consent authority. Alternatively, please contact Resource Use staff on 0800 800 402 and we can provide you with a surrender form. Note that the surrender takes formal effect when you receive a notice of acceptance of the surrender from the Council.

Resource Consent Certificate

Resource Consent: AUTH142035.12.01

File Number: 60 40 32A

Pursuant to the Resource Management Act 1991, the Waikato Regional Council hereby grants consent to:

Taharoa Ironsands Limited
PO Box 308
Wellington 6140

(hereinafter referred to as the Consent Holder)

Consent Type: Coastal Permit

Consent Subtype: Discharge to Water

Activity authorised: To discharge ship loading water, including freshwater and fine sediment, to water in the Coastal Marine Area during ship loading operations.

Location: Taharoa Road, Taharoa

Spatial Reference: Long. 174° 39.9144 E Lat. 38° 10.5118 S
(WGS84 degrees and minutes)

Consent Duration: ~~This consent will commence in accordance with s116 of the Resource Management Act and expire 20 years from the date of commencement.~~
This consent will commence on the date of decision notification and expire on xxxx.

Subject to the conditions overleaf:

General

1. The exercise of this consent is subject to the General Conditions in Schedule 1 and the Common CMA Conditions in Schedule 2.

Environmental Protection

2. The discharge ship loading water, including freshwater and fine sediment, must not exceed 75,000 m³/day.
3. The maximum volume of ship loading water that may be discharged into the Coastal Marine Area during ship loading operations must not exceed 7.5 x 10⁶ cubic metres in any 12-month period.
4. There must be no conspicuous oil, grease, scums or foams present after reasonable mixing as a result of the exercise of this consent.
5. The Consent Holder must analyse the discharge into the Coastal Marine Area during ship loading for grain size composition within the suspension, the clay mineralogy and heavy metal concentrations at least every six months. Samples must be taken during the loading cycle, one near the start, one sample in the middle and one sample near the end. Each sample must be taken as close as practical to the point where the overflow enters the marine environment. Heavy metals analysed must include Aluminium, Arsenic, Nickel, Copper, Iron, Manganese, Lead and Zinc. All analyses must be for dissolved metals.

~~6. The Consent Holder must also implement the Marine Monitoring Programme to be developed in accordance with Condition 9 of Schedule 2: Common Coastal Marine Area (CMA) Conditions.~~

~~7.6.~~ The results of the sampling described in condition 5 must be submitted to Waikato Regional Council within one month of the results being received.

Underwater noise

~~8.7.~~ Within 6 months of the commencement of this consent, the Consent Holder shall engage a suitably qualified and experienced person to undertake a one-off underwater noise survey of the noise generated by vessels arriving and departing from Port Taharoa and from vessels undertaking ship loading. The results of the noise survey must be submitted to Waikato Regional Council within one month of the results being received.

~~9. The Consent Holder shall engage a suitably qualified and experienced person to undertake an underwater noise survey of the noise generated by vessels arriving and departing from Port Taharoa and from vessels undertaking ship loading, as soon as practicable following a total of 35 ships visiting Port Taharoa within any 12 month period.~~

~~10. The Consent Holder shall engage a suitably experienced or qualified person to prepare an Underwater Noise Monitoring Plan ("UNMP"), the objective of which is to set out best practice for managing potential noise effects of ship loading activity on marine mammals:~~

~~(a) if the results of the survey required in condition 8 shown that the vessels are causing an adverse effect on marine mammals; or otherwise~~

~~(b) when the number of ship visits exceeds 35 per 12 month period.~~

- ~~8. If new vessels, that use substantially different methods or equipment for loading Ironsand and associated dewatering, are used, the noise monitoring undertaken as per condition 7 shall be repeated.~~

Advice notes

1. This resource consent does not give any right of access over private or public property. Arrangements for access must be made between the consent holder and the property owner.
 2. This resource consent is transferable to another owner or occupier of the land concerned, upon
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application [to Waikato Regional Council](#), on the same conditions and for the same use as originally granted (s.134-137 RMA). The transfer of water, including changes of location, may occur as provided for in Chapter 3.4 of the Waikato Regional Plan, subject to the requirements of those rules.

3. The consent holder may apply to change the conditions of the resource consent under s127 RMA.
 4. The reasonable costs incurred by Waikato Regional Council arising from supervision and monitoring of this/these consents will be charged to the consent holder. This may include but not be limited to routine inspection of the site by Waikato Regional Council officers or agents, liaison with the consent holder, responding to complaints or enquiries relating to the site, and review and assessment of compliance with the conditions of consents.
 5. Note that pursuant to s332 of the RMA 1991, enforcement officers may at all reasonable times go onto the property that is the subject of this consent, for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples.
 6. If you intend to replace this consent upon its expiry, please note that an application for a new consent made at least 6 months prior to this consent's expiry gives you the right to continue exercising this consent after it expires in the event that your application is not processed prior to this consent's expiry.
 7. If at any time during the resource consent period, you no longer require your consent, it may be surrendered, in whole or part, by giving written notice of such to the consent authority. Alternatively, please contact Resource Use staff on 0800 800 402 and we can provide you with a surrender form. Note that the surrender takes formal effect when you receive a notice of acceptance of the surrender from the Council.
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Resource Consent Certificate

Resource Consent: AUTH142035.13.01

File Number: 60 40 32A

Pursuant to the Resource Management Act 1991, the Waikato Regional Council hereby grants consent to:

Taharoa Ironsands Limited
PO Box 308
Wellington 6140

(hereinafter referred to as the Consent Holder)

Consent Type: Coastal Permit

Consent Subtype: Discharge to water

Activity authorised: To discharge stormwater and process wastewater to water in the Coastal Marine Area from mining operations on Taharoa C Block and any land legally authorised to be used for iron sand mining operations.

Location: Taharoa Road, Taharoa

~~**Spatial Reference:** Long. 174° 39.9144 E Lat. 38° 10.5118 S
(WGS84 degrees and minutes)~~

~~**Consent Duration:** This consent will commence in accordance with s116 of the Resource Management Act and expire 20 years from the date of commencement.~~
This consent will commence on the date of decision notification and expire on xxx.

Subject to the conditions overleaf:

General

1. The exercise of this consent is subject to the General Conditions in Schedule 1 and the Common CMA Conditions in Schedule 2.

Environmental Protection

2. The discharge of stormwater and process wastewater to water in the Coastal Marine Area must not exceed 32,600 m³/day.

3. Discharges authorised by this consent must only occur where the discharge of stormwater and process water to land (as authorised by consent AUTH142035.07.01) is not possible, for example during flood events or high rainfall periods when stormwater ponds have reached or exceeded 80% of their storage capacity.

4. Where the discharge of excess stormwater and process wastewater to the Coastal Marine Area is necessary as per condition 3, it must be discharged at the ship-loading buoy and may be coincident with ship loading of ironsand.

5. There must be no conspicuous oil, grease, scums or foams present after reasonable mixing as a result of the exercise of this consent.

6. As soon as practical following commencement of this consent, the NTU/FTU equivalent relationship must be established for the stormwater/process water for the site. This shall be achieved by:

- (a) the collection of no less than 8 samples from the stormwater holding pond or ponds;

- (b) contemporaneous TSS and turbidity testing of the samples. The TSS sampling should be undertaken by a laboratory, the NTU/FTU readings should be undertaken by site monitoring equipment and the laboratory.

- (c) establishing the relationship between the NTU/FTU results and the TSS results. This relationship must be established once during the duration of the consent.

~~6-7.~~ Prior to discharge of stormwater to the CMA, a water sample must be collected from the holding pond or ponds that the discharge will be sourced from. This sample must be analysed for turbidity, pH, heavy metals and hydrocarbons. Samples are to be analysed by an accredited laboratory and heavy metals are to be analysed for total concentration at trace level.

~~7-8.~~ The consent holder Prior to the discharge of stormwater to the CMA, the Consent Holder must measure the turbidity in NTU/FTU of the stormwater/process water and compare this value with the turbidity trigger value in NTU/FTU, using the relationship established in accordance with Condition 6, that is equivalent to a TSS of 1,280mg/l. ~~The NTU/FTU equivalent must be established following contemporaneous TSS and turbidity testing of the stormwater comprising no less than 8 samples collected from the stormwater holding pond or ponds. This NTU/FTU equivalent only needs to be established once during the duration of the consent.~~

~~8.~~ The pH of the discharge shall not be less than 6 and not greater than 9 pH units at any time.

~~9.~~ Heavy metal concentrations in water must not exceed the Australia and New Zealand Default Guideline 2018 for protection of 95% of species.

~~10-9.~~ If the measured turbidity of the stormwater to be discharged exceeds the trigger value in Condition ~~7~~8, the ~~consent holder~~ Consent Holder must:

- (a) Implement management practices to reduce the turbidity of the stormwater;

- ~~(b) Collect a further sample~~ Remeasure the turbidity of stormwater or process water from the holding

- ponds following the implementation of the management practices; and
- (c) Only commence discharging once the stormwater has an NTU/FTU reading less than the turbidity trigger level ~~and is compliant with conditions 9 and 10~~ in Condition 8.

~~11.1. In the event of any discharge under this consent the consent holder shall notify the Waikato Regional Council. The consent holder shall provide the results of testing undertaken in accordance with this consent to the Council. The consent holder shall make available the testing and monitoring results to the Waikato Regional Council upon request.~~

Advice notes

1. This resource consent does not give any right of access over private or public property. Arrangements for access must be made between the consent holder and the property owner.
 2. This resource consent is transferable to another owner or occupier of the land concerned, upon application to Waikato Regional Council, on the same conditions and for the same use as originally granted (s.134-137 RMA). The transfer of water, including changes of location, may occur as provided for in Chapter 3.4 of the Waikato Regional Plan, subject to the requirements of those rules.
 3. The consent holder may apply to change the conditions of the resource consent under s.127 RMA.
 4. The reasonable costs incurred by Waikato Regional Council arising from supervision and monitoring of this/these consents will be charged to the consent holder. This may include but not be limited to routine inspection of the site by Waikato Regional Council officers or agents, liaison with the consent holder, responding to complaints or enquiries relating to the site, and review and assessment of compliance with the conditions of consents.
 5. Note that pursuant to s332 of the RMA 1991, enforcement officers may at all reasonable times go onto the property that is the subject of this consent, for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples.
 6. If you intend to replace this consent upon its expiry, please note that an application for a new consent made at least 6 months prior to this consent's expiry gives you the right to continue exercising this consent after it expires in the event that your application is not processed prior to this consent's expiry.
 7. If at any time during the resource consent period, you no longer require your consent, it may be surrendered, in whole or part, by giving written notice of such to the consent authority. Alternatively, please contact Resource Use staff on 0800 800 402 and we can provide you with a surrender form. Note that the surrender takes formal effect when you receive a notice of acceptance of the surrender from the Council.
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Resource Consent Certificate

Resource Consent Number: AUTH142035.14.01

File Number: 60 40 32A

Pursuant to the Resource Management Act 1991, the Waikato Regional Council hereby grants consent to:

Taharoa Ironsands Limited
PO Box 308
Wellington 6140

(hereinafter referred to as the Consent Holder)

Consent type: Water Permit

Consent subtype: Diversion and Surface Water Take

Activity authorised: To divert groundwater in association with ironsand mining operations and to take water from within a dredge pond as a result of extraction of sand for use in mining operations.

Location: Taharoa Road, Taharoa

Map Reference: NZMS 260 R16:597-354

Consent duration: This consent will commence on the date of decision notification and expire on
xxxx.

Subject to the conditions overleaf:

CONDITIONS

General

1. The exercise of this consent is subject to the General Conditions in Schedule 1.
2. The Consent Holder shall monitor the base flow in the Mitiwai Stream at the locations shown in Figure 2 below. If extraction of sand is occurring in the Central Block within 'Pit 3' as shown in Figure 1 below, and the base flow of the Mitiwai Stream during the summer months from 1 December – 1 March as measured at the upstream flow recording site in Figure 3 is 28 L/s or less, then the base flow in the Mitiwai Stream must be augmented to achieve a base flow of 28 L/s or greater as measured at the downstream flow recording site shown in Figure 2.
3. Within 3 months of the commencement of this consent, the Consent Holder shall undertake baseline temperature, pH, and turbidity measurements at the upstream and downstream flow recording sites referred to in condition 2 above. Any augmentation of base flow in the Mitiwai Stream required by condition 2 above shall not, after reasonable mixing, raise the temperature of the stream by more than 3 degrees Celsius or the turbidity of the stream by more than 10%. The pH of the water to be discharged shall be between 6 and 9.
4. Any augmentation of base flow in the Mitiwai Stream required by condition 2 above shall ensure that the upstream passage of fish in the Mitiwai Stream shall be maintained.

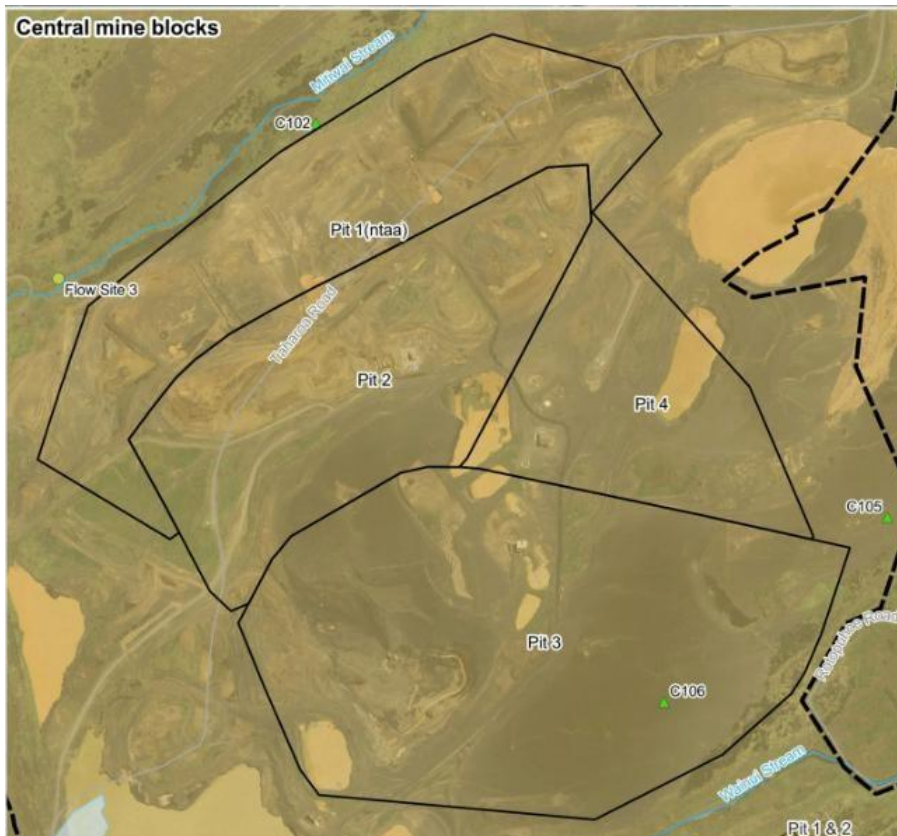


Figure 1



Figure 2

Advice notes

1. This resource consent does not give any right of access over private or public property. Arrangements for access must be made between the consent holder and the property owner.
2. This resource consent is transferable to another owner or occupier of the land concerned, upon application to Waikato Regional Council, on the same conditions and for the same use as originally granted (s.134-137 RMA). The transfer of water permits, including changes of location, may occur as provided for in Chapter 3.4 of the Waikato Regional Plan, subject to the requirements of those rules.
3. The consent holder may apply to change the conditions of the resource consent under s.127 RMA.
4. The reasonable costs incurred by Waikato Regional Council arising from supervision and monitoring of this/these consents will be charged to the consent holder. This may include but not be limited to routine inspection of the site by Waikato Regional Council officers or agents, liaison with the consent holder, responding to complaints or enquiries relating to the site, and review and assessment of compliance with the conditions of consents.
5. Note that pursuant to s332 of the RMA 1991, enforcement officers may at all reasonable times go onto the property that is the subject of this consent, for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples.
6. If you intend to replace this consent upon its expiry, please note that an application for a new consent made at least 6 months prior to this consent's expiry gives you the right to continue exercising this consent after it expires in the event that your application is not processed prior to this consent's expiry.

Resource Consent Certificate

Resource Consent Number: AUTH142035.15.01

File Number: 60 40 32A

Pursuant to the Resource Management Act 1991, the Waikato Regional Council hereby grants consent to:

Taharoa Ironsands Limited
PO Box 308
Wellington 6140

(hereinafter referred to as the Consent Holder)

Consent type: Discharge Permit

Consent subtype: Discharge to Water

Activity authorised: Discharge mining process water into water within a dredge pond and water management ponds, and discharge water containing contaminants (naturally occurring sediment) from a mining dredge into water within a dredge pond.

Location: Taharoa Road, Taharoa

Map Reference: NZMS 260 R16:596-354

Consent duration: This consent will commence on the date of decision notification and expire on XXX.

Subject to the conditions overleaf:

CONDITIONS

General

1. The exercise of this consent is subject to the General Conditions in Schedule 1.

Advice notes

1. This resource consent does not give any right of access over private or public property. Arrangements for access must be made between the consent holder and the property owner.
 2. This resource consent is transferable to another owner or occupier of the land concerned, upon application to Waikato Regional Council, on the same conditions and for the same use as originally granted (s.134-137 RMA). The transfer of water permits, including changes of location, may occur as provided for in Chapter 3.4 of the Waikato Regional Plan, subject to the requirements of those rules.
 3. The Consent Holder may apply to change the conditions of the resource consent under s.127 RMA.
 4. The reasonable costs incurred by Waikato Regional Council arising from supervision and monitoring of this/these consents will be charged to the consent holder. This may include but not be limited to routine inspection of the site by Waikato Regional Council officers or agents, liaison with the consent holder, responding to complaints or enquiries relating to the site, and review and assessment of compliance with the conditions of consents.
 5. Note that pursuant to s332 of the RMA 1991, enforcement officers may at all reasonable times go onto the property that is the subject of this consent, for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples.
 6. If you intend to replace this consent upon its expiry, please note that an application for a new consent made at least 6 months prior to this consent's expiry gives you the right to continue exercising this consent after it expires in the event that your application is not processed prior to this consent's expiry.
 7. If at any time during the resource consent period, you no longer require your consent, it may be surrendered, in whole or part, by giving written notice of such to the consent authority. Alternatively, please contact Resource Use staff on 0800 800 402 and we can provide you with a surrender form. Note that the surrender takes formal effect when you receive a notice of acceptance of the surrender from the Council.
-

Resource Consent Certificate

Resource Consent Number: AUTH142035.16.01

File Number: 60 40 32A

Pursuant to the Resource Management Act 1991, the Waikato Regional Council hereby grants consent to:

Taharoa Ironsands Limited
PO Box 308
Wellington 6140

(hereinafter referred to as the Consent Holder)

Consent type: XXXXXX

Consent subtype: XXXXXX

Activity authorised: Destroy and/or disturb natural inland wetlands and dewater natural inland wetlands by undertaking mining within 100 m of a natural inland wetland.

Location: Taharoa Road, Taharoa

Map Reference: NZMS 260 R16:596-354

Consent duration: This consent will commence on the date of decision notification and expire on
XXXX.

Subject to the conditions overleaf:

CONDITIONS

General

1. The exercise of this consent is subject to the General Conditions in Schedule 1.
 2. The natural inland wetlands that are authorised to be destroyed or dewatered by this consent are limited to those shown on Figure 1 below.
 3. The Consent Holder shall establish a minimum of 8.3 hectares of new natural inland wetland habitat within the Consent Area, either through the creation of new wetland areas or by augmenting existing constructed wetlands to achieve the total area requirement within 2 years of the destruction of any natural inland wetland, as far as reasonably practicable.
 4. The new wetland habitat required by Condition 3 shall be designed, implemented, and maintained to achieve no net loss of wetland habitat and ecological function, as a result of the destruction of wetlands identified on Figure 1 (wetland offset). The specifications for the offset must be included in the Natural Inland Wetland and Buffer Management Plan required by the Schedule 1 General Conditions.
 5. Prior to the disturbance of any natural inland wetland authorised by this resource consent, the Consent Holder shall undertake baseline monitoring of water levels for 12 months commencing during the first 12 months of exercising the consent to:
 - (a) form the baseline for long-term simulation modelling and define trigger levels for the setting of contingency measures, should water levels recede towards historical lows.
 - (b) determine the lowest and mean natural water level in each wetland in the periods of December – February, March – May, June – August and September – November (summer, autumn, winter, spring).
 6. The Consent Holder shall ensure that water levels within each retained wetland do not fall below the lowest natural seasonal water levels established through baseline monitoring, within the natural seasonal range. Compliance shall be demonstrated through ongoing monitoring and reporting in accordance with the Natural Inland Wetland and Buffer Management Plan.
-

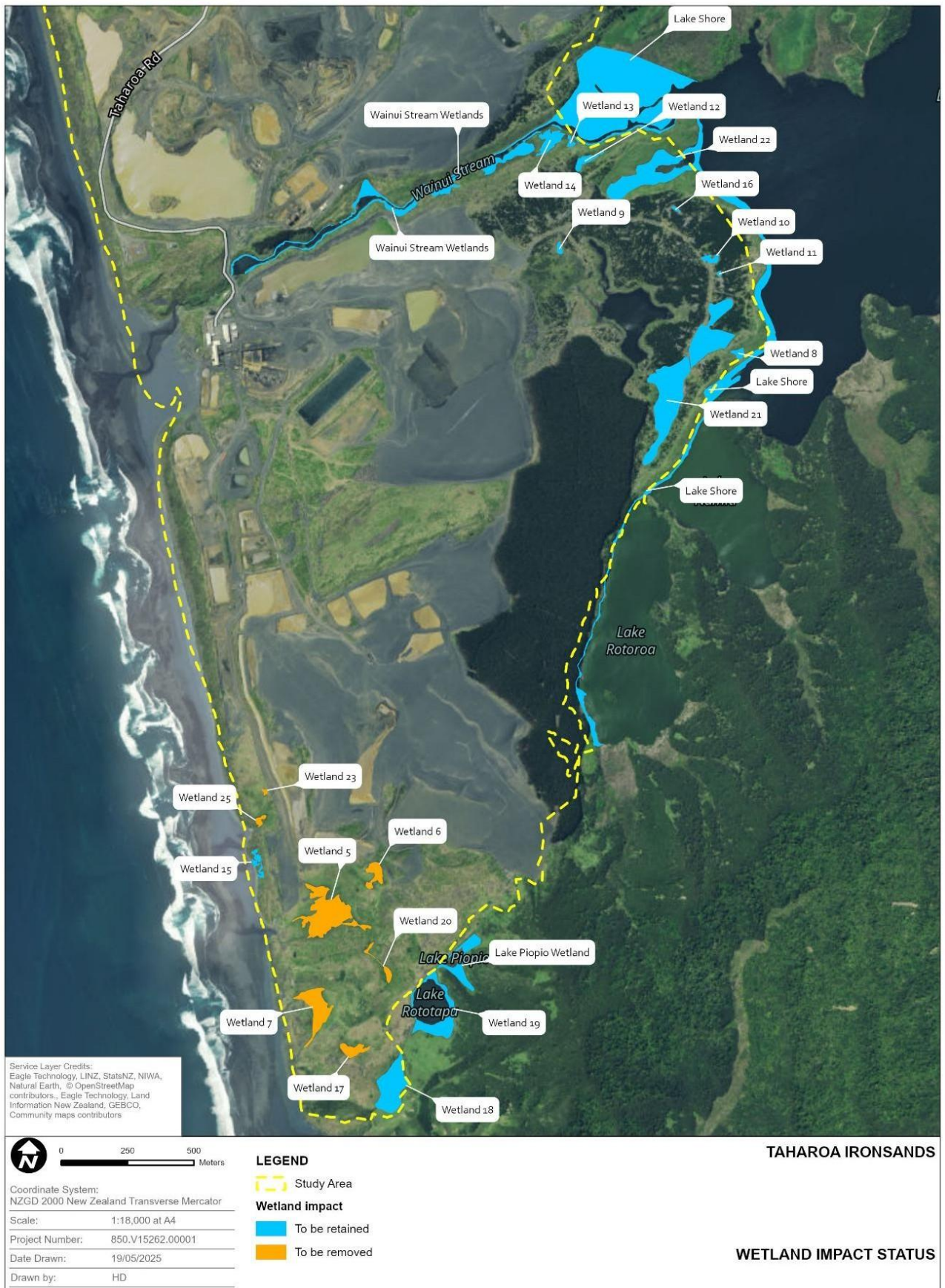


Figure 1

Advice notes

1. This resource consent does not give any right of access over private or public property. Arrangements for access must be made between the consent holder and the property owner.
 2. This resource consent is transferable to another owner or occupier of the land concerned, upon application to Waikato Regional Council, on the same conditions and for the same use as originally granted (s.134-137 RMA). The transfer of water permits, including changes of location, may occur as provided for in Chapter 3.4 of the Waikato Regional Plan, subject to the requirements of those rules.
 3. The Consent Holder may apply to change the conditions of the resource consent under s.127 RMA.
 4. The reasonable costs incurred by Waikato Regional Council arising from supervision and monitoring of this/these consents will be charged to the consent holder. This may include but not be limited to routine inspection of the site by Waikato Regional Council officers or agents, liaison with the consent holder, responding to complaints or enquiries relating to the site, and review and assessment of compliance with the conditions of consents.
 5. Note that pursuant to s332 of the RMA 1991, enforcement officers may at all reasonable times go onto the property that is the subject of this consent, for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples.
 6. If you intend to replace this consent upon its expiry, please note that an application for a new consent made at least 6 months prior to this consent's expiry gives you the right to continue exercising this consent after it expires in the event that your application is not processed prior to this consent's expiry.
 7. If at any time during the resource consent period, you no longer require your consent, it may be surrendered, in whole or part, by giving written notice of such to the consent authority. Alternatively, please contact Resource Use staff on 0800 800 402 and we can provide you with a surrender form. Note that the surrender takes formal effect when you receive a notice of acceptance of the surrender from the Council.
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Resource Consent Certificate

Resource Consent Number: AUTH142035.17.01

File Number: 60 40 32A

Pursuant to the Resource Management Act 1991, the Waikato Regional Council hereby grants consent to:

Taharoa Ironsands Limited
PO Box 308
Wellington 6140

(hereinafter referred to as the Consent Holder)

Consent type: Land Use Consent

Consent subtype: Land Disturbance

Activity authorised: Undertake earthworks, discharge of sediment, and forestry harvesting in a red zone of Land Use Capability Class 8e land as per regulation 71 of the NES-CF.

Location: Taharoa Road - Taharoa

Map Reference: NZMS 260 R16:605-354

Consent duration: This consent will commence on the date of decision notification and expire on xxxx

Consent Lapse: This consent will lapse on xxx

Subject to the conditions overleaf:

CONDITIONS

General

1. The forestry harvesting activity authorised by this resource consent must be undertaken in general accordance with the Harvest and Earthworks Management Plan (“HEMP”) and any succeeding revisions required by condition 4 or as a result of material changes to the current certified HEMP.
2. A copy of this consent must be kept on site at all times that physical works authorised by this consent are being undertaken and must be produced without unreasonable delay upon request from an officer of the Waikato Regional Council.
3. The Consent Holder must be responsible for all contracted operations related to the exercise of this resource consent and must ensure contractors are made aware of the conditions of this resource consent and ensure compliance with those conditions.
4. A copy of the HMP, including any certified amendments, must be kept on site and must be updated within five (5) working days of any amendments being certified.

Pre-Start

5. A minimum of five (5) working days before works are to begin, the Consent Holder must inform Waikato Regional Council via email about when works are to begin.
6. The Consent Holder must appoint a representative prior to the exercise of this resource consent who must be the Waikato Regional Council’s principal contact person regarding matters relating to this resource consent. The Consent Holder must inform the Waikato Regional Council of the representative’s name and how they can be contacted, prior to this resource consent being exercised. Should that person change during the term of this resource consent, the Consent Holder must immediately inform the Waikato Regional Council and must also give written notice to the Waikato Region Council of the new representative’s name and how they can be contacted.

Machinery

7. The Consent Holder must ensure that all machinery used in the exercising of this consent are cleaned prior to being transported to/from the Forest to ensure that all seed and/or plant matter has been removed and documented in accordance with the National Pest Control Agencies A series, best practice (Code A16) guidelines any subsequent updates or replacements.
8. All machinery used in the exercising of this consent must be operated in a manner which ensures that spillage of fuel, oil and similar contaminants are prevented, particularly during refuelling and machinery servicing and maintenance. Refuelling and lubrication activities must be carried out away from any water body such that any spillage can be contained so that it does not enter natural waters.

Operational Conditions

9. Landings and designated slash storage areas must be located on stable land. Slash piles must be managed to remain stable and avoid the collapse of a slash pile or the ground under the slash pile.
10. The Consent Holder must ensure slash is not deposited into a waterbody or onto land that would be covered by water during a 5% Annual Exceedance Probability (AEP) event, unless to do so would be unsafe, to avoid or subsequently remediate:
 - (a) Blocking or damming of a waterbody;
 - (b) Eroding river banks;

- (c) Significant adverse effects on aquatic life;
- (d) Damaging downstream infrastructure, property, or receiving environments

11. In any instance where sound wood from harvesting that has a length of over 2 metres and a large end diameter of over 10cm is left on red zone land in volumes greater than 15m³/ha, the Consent Holder must document the spatial extent and assess the scale of potential hazard risk and if required, associated mitigation options. This documentation is to be submitted to Waikato Regional Council annually.

Advice Note: Sound wood is defined as wood that can be safely lifted using harvesting equipment and transferred to a landing without degrading or breaking up.

12. The Consent Holder must ensure that sediment losses to natural water arising from the exercise of this resource consent are minimised, and that after reasonable mixing, does not give rise to any of the following effects on receiving waters:

- (a) Any conspicuous change in colour or visual clarity;
- (b) The rendering of fresh water unsuitable for consumption by farm animals;
- (c) Any significant adverse effect on aquatic life;
- (d) The diversion or damming of any water body;
- (e) Degradation of the aquatic habitat, riparian zone, freshwater body, or coastal environment; or
- (f) Damage to downstream infrastructure and properties.

Advice Note: Erosion and sediment control measures must be established and maintained in accordance with the Forest Practice Guides 'Erosion and Sediment Control Measures' (version 2.0, January 2020) and subsequent updates or replacements, and the certified operational plans.

13. The Consent Holder must ensure that stormwater is diverted and discharged away from slash pile storage areas as outlined in the HMP.

Bat Effects Management

14. Bat Roost Protocols as published by the Department of Conservation shall be adhered to for the removal of any vegetation >15cm diameter at breast height, that may offer the potential for bat roosting. Specifically, this shall involve:

- (a) Removal of any vegetation and/or trees that are identified as potential bat roosts by a suitably qualified ecologist must be completed in accordance with and implementation of the "DOC Protocols for minimising the risk of felling occupied bat roosts", Version 2 - October 2024, or a more recent version. This will be achieved through acoustic surveys, direct observation of trees prior to their removal, and/or by managing the time (month) of removal.
- (b) For any potential bat roost trees, clearance shall occur between October 1st and April 30th, inclusive, when bats are more active and bat roosts are more likely to be detected if present. Limitations with respect to suitable weather conditions as detailed in the DOC protocols also apply.
- (c) Pre-felling acoustic monitoring and/or climbing inspections of trees will be required for the removal of any potential bat roost trees to ensure no bats are occupying trees prior to felling.
- (d) Any living bat/s found during or after tree removal that are not able to fly away unassisted shall be taken to a vet immediately for assessment. Specific protocols shall be followed for handling and transporting injured bat/s in accordance with best practice methodologies.

15. Any lighting required as part of harvesting operations shall, as far as practicable (whilst ensuring compliance with workplace health and safety requirements) incorporate the following requirements:

- (a) Lighting shall be used for the minimum period of time necessary.
- (b) Lighting of the minimum required intensity shall be used.
- (c) Only the object or area intended shall be illuminated – keep lights close to the ground, directed and shielded to avoid light spill.
- (d) Use lights with reduced or filtered blue, violet and ultra-violet wavelengths.

Review

16. At any time during the period July through September inclusive each year, the Waikato Regional Council may, following service of notice on the Consent Holder, commence a review of the conditions of this consent pursuant to section 128(1) of the Resource Management Act 1991 for the following purposes:

- (a) to review the effectiveness of the conditions of these resource consents in avoiding or
- (b) mitigating any adverse effects on the environment and if necessary to avoid, remedy or
- (c) mitigate such effects by way of further or amended conditions; and/or
- (d) if necessary and appropriate, to require the holder of this resource consent to adopt the best practicable option to remove or reduce adverse effects on the surrounding environment, and/or
- (e) to review the adequacy of monitoring undertaken by the consent holder

Administration

17. The Consent Holder must pay to the Waikato Regional Council an administrative charge fixed in accordance with section 36 of the Resource Management Act 1991, or any charge prescribed in accordance with the regulations made under section 360 of the Resource Management Act 1991.

Schedule 1: General Conditions

Resource consents AUTH142035.01.01, AUTH142035.02.01, AUTH142035.03.01, AUTH142035.05.01, AUTH142035.06.01, AUTH142035.07.01, AUTH142035.08.01, AUTH142035.09.01, AUTH142035.11.01, AUTH142035.12.01, AUTH142035.13.01 and AUTH142035.14.01, AUTH142035.15.01, AUTH142035.16.01 and AUTH142035.17.01 (collectively referred to in this Schedule as “the Consents”) are subject to the following General Conditions that shall apply to each individual consent. Where there may be differences or apparent conflict between the General Conditions and conditions contained in the individual consents contained within this suite, the conditions contained in the respective individual consents shall prevail.

Reference in these General Conditions to “Waikato Regional Council” in relation to written approval or certification of any matter, or the forming of an opinion for the purpose of compliance where a judgment is required, shall mean the Chief Executive Officer of the Waikato Regional Council or their delegate.

Waikato Regional Council written approval or certification shall be limited to documents or management plans (or parts thereof) prepared under the Resource Management Act 1991, and shall not apply to documents or management plans that are the subject of approval under other legislation.

Where any of the conditions refer to a written approval or certification required from the Waikato Regional Council, the following process will be followed:

- (a) The Consent Holder must submit a request for approval in writing:
 - (i) setting out what approval is sought and under what consent number and condition; and
 - (ii) detailing how the outcome is consistent with the relevant condition(s) of the consent.
- (b) In giving or withholding its approval, Waikato Regional Council will be limited to a technical assessment that sufficient information has been provided to demonstrate that the matter for which approval has been requested meets the requirements of the relevant condition including any required environmental outcome.

General

1. The activities that are the subject of the Consents shall be carried out in general accordance with the “Taharoa Ironsands Mine Central and Southern Blocks – Substantive Application” dated October 2025 prepared by Tonkin & Taylor Ltd except where otherwise identified in subsequent conditions of the Consents, following documentation:
 - ~~(a) “Taharoa Mine Resource Consent Application – Assessment of Environmental Effects” dated July 2020~~ prepared by Tonkin & Taylor Ltd WRC document# 26686373 (as per the replacement document supplied July 2023); and
 - ~~(b) The information and technical reports attached to the “Taharoa Ironsands Ltd Consenting: S92 response letter from Enviser dated 13 December 2022 being WRC documents:~~
 - ~~25400622 Dec2022 WRC s92 response (provision of information) resize – Cover Letter.pdf~~
 - ~~25397924 Dec2022 WRC s92 response (provision of information) resize – Discharge dispersion modelling (MetOcean Solutions).pdf~~
 - ~~25398742 Dec2022 WRC s92 response (provision of information) resize – Ecological aspects of the S92 Response (4 Sight Consulting).pdf~~
 - ~~25401705 Dec2022 WRC s92 response (provision of information) resize – Hydrology Assessment (Williamson Water and Land Advisory Ltd).pdf~~
 - ~~25401041 Dec2022 WRC s92 response (provision of information) resize – Planning and consultation matters (Tonkin+Taylor).pdf~~
 - ~~(c) The Assessment of Dewatering Effects on the Mitiwai Stream – dated January 2023 WWLA1045 (Williamson Water and Land Advisory Ltd).~~
 - ~~(d) The Lake Taharoa Hydrology Assessment – Bathymetry and LiDAR Analysis – dated May 2024 WWLA0546 (Williamson Water and Land Advisory Ltd).~~

~~except where otherwise identified in subsequent conditions of the Consents.~~ Should the application documents and conditions be in conflict then the conditions of these consents shall prevail.

2. ~~The Management Plans that must be prepared in accordance with these conditions must be prepared generally in accordance with any draft management plans enclosed to the Substantive Application.~~

2.3. The Consent Holder must ensure that all areas, structures and activities authorised by the Consents are constructed and managed in accordance with current and accepted engineering practices.

3.4. The Consent Holder must ensure that whenever relevant, all staff and contractors are made aware of the conditions of this resource consent and ensure compliance with those conditions.

Incidents and Complaints Register

4.5. The Consent Holder must maintain and keep a register of complaints and incidents (~~incidents being breaches of consent condition(s)~~) that the Applicant has reasonable knowledge of) regarding all aspects of operations at the site related to the exercise of the Consents (including within the Coastal Marine Area), received by the Consent Holder.

5.6. Upon receiving a direct complaint ~~or gaining knowledge of an incident~~, the Consent Holder must acknowledge the complaint and record the complaint or incident in the register:

- (a) the date, time and duration of the event that has resulted in a complaint ~~or incident~~;
- (b) the location of the complainant ~~or incident~~ when the event (if possible, specify nature of complaint or incident) was detected;
- (c) the possible cause of the event;
- (d) the weather conditions and wind direction at the site when the event allegedly occurred;
- (e) any corrective action undertaken by the Consent Holder in response to the complaint ~~/incident~~;
- (f) where relevant, the steps to be taken in future to prevent recurrence of similar events; and
- (g) any other relevant information.

6.7. The register must be available to the Waikato Regional Council at all reasonable times. Complaints received by the Consent Holder ~~and a summary of an incident~~ must be forwarded to the Waikato Regional Council in writing within 48 hours of the complaint being received ~~or the Consent Holder gaining knowledge of an incident~~.

Operation of Machinery

7.8. All machinery operated shall be operated in a manner which ensures that spillages of fuel, oil and similar contaminants are prevented as far as practicable from entering any perennial waterbody, particularly during refuelling and machinery servicing and maintenance. Refuelling and lubrication activities shall be carried out away from any water body such that any spillage can be contained so it does not enter stormwater drainage systems or surface watercourses.

Responsibility for Structural Integrity, Erosion Control and Maintenance

8.9. The Consent Holder shall be responsible for the design, structural integrity and maintenance of the sand mining areas, batters, overburden disposal areas, stockpiles, earthworks, tracking and any associated works within the site.

9.10. The Consent Holder shall be responsible for any erosion control works that become necessary to preserve the integrity and stability of the landscape and/or to control erosion as a result of the exercise of these resource consents and shall ensure that any effects on natural watercourses are minimised or remedied as soon as practicable.

10.11. The Consent Holder shall ensure that sediment losses to natural water arising from the exercise of these resource consents are minimised during any construction works and mining activity undertaken as part of these resource consents. To this end, appropriate sediment control practices

shall be undertaken which are in general accordance with the document prepared by the Waikato Regional Council titled "Erosion and Sediment Control – Guidelines for Soil Disturbing Activities" dated January, 2009 (or as amended or replaced) unless agreed otherwise with Waikato Regional Council.

~~11.12.~~ Any bare surfaces that result from mining activity shall be vegetated and/or recontoured in an appropriate manner consistent with the methodology and timeframes set out in the Site Rehabilitation Plan required pursuant to condition ~~2420~~ of this Schedule and conditions ~~11, 12 and 13~~ ~~9~~ of Resource Consent AUTH142035.01.01.

~~Archaeological Discovery~~

~~12. In the event that taonga are discovered during vegetation clearance, overburden removal or other mining operations, the Consent Holder shall:~~

- ~~(a) immediately cease works in the vicinity of the discovery.~~
- ~~(b) immediately secure the area in a manner to ensure that the material remains untouched.~~
- ~~(c) contact a local kaumatua appointed by Aaruka Marae and/or Te Kōraha Marae as soon as possible and within 12 hours to confirm the discovery.~~
- ~~(d) notify Heritage New Zealand/Pouhere Taonga within 48 hours.~~

~~13. In the event that koiwi or archaeological remains are discovered during vegetation clearance, overburden removal or other mining operations, the Consent Holder shall:~~

- ~~(a) immediately cease works in the vicinity of the discovery;~~
- ~~(b) immediately secure the area in a manner to ensure that the material remains untouched;~~
- ~~(c) contact a local kaumatua appointed by Aaruka Marae and/or Te Kōraha Marae and the Police as soon as possible and within 12 hours to confirm the discovery;~~
- ~~(d) arrange for a Police Pathologist to assess the koiwi or remains to confirm their origin; and~~
- ~~(e) if koiwi are found, notify the Waikato Regional Council and Heritage New Zealand/Pouhere Taonga within 48 hours.~~

Environmental Management Plan

~~14.13.~~ The Consent Holder shall manage its consented activities in accordance with an overarching Environmental Management Plan (**EMP**), prepared by a suitably qualified and experienced person with advice and input from technical experts who are suitably qualified and experienced in the relevant field of expertise. The objectives of the EMP are to:

- (a) avoid, remedy or mitigate the actual and/or potential adverse effects of mining operations at the site and once mining has concluded.
- (b) set out the practices and procedures to be adopted to address the potential adverse effects of mining activities on ecological and indigenous biodiversity values at the site.
- (c) set out the practices and procedures to be adopted to ensure compliance with the conditions of consents held for activities in the Coastal Marine Area.

~~15.14.~~ The EMP must include as a minimum:

- (a) Details regarding site roles and responsibilities relating to environmental management.
- (b) A risk register of effects being managed through the EMP.
- (c) An overview of the construction, implementation, operational, monitoring, maintenance and contingency procedures to be followed during mining activities on land and activities authorised in the Coastal Marine Area.
- (d) Identification and storage of hazardous substances kept on site, and measures for preventing and responding to spills on site including methodology for disposal of any contaminated materials.
- (e) Summaries of ecological and other baseline surveys undertaken on site, against which the results of future surveys can be assessed.
- (f) Measures for the protection of threatened species on land and within the Coastal Marine Area.
- (g) The component plans set out in condition ~~17-3016-21~~ below. The component plans may be prepared as chapters of the EMP or be attached as Appendices to the EMP.
- (h) Plan review and reporting mechanisms, both overall and specific to each of the management plans

that form a component of the EMP.

- (i) Performance measures, actions, methods, trigger levels and monitoring programmes designed to achieve the EMP objectives specified above including incorporation of matauranga Māori and cultural health indicators.

~~16.15.~~ The Consent Holder shall consult, ~~included but not limited to with~~ the following parties, ~~including but not limited to:~~ Department of Conservation, The Proprietors of Taharoa C Incorporation Limited, Taharoa Lake Trustees, Te Ruunanga o Ngaati Mahuta ki te Hauaauro, Te Kooraha Marae, Aaruka Marae, ~~John David Keepa Kupa Whaanau Trust, Te Huia Pihopa Trust, Roy Wetini Whaanau Trust, Tukotahi Tutaeo Whaanau Trust~~ and the Waikato Regional Council during the development and any ~~subsequent reviews and~~ material amendments of the EMP. The EMP must include a record of the consultation undertaken with these parties, including a summary of the parties' comments received and the Consent Holder's responses.

Component chapters or plans

~~17.~~ The Consent Holder must prepare a ~~Freshwater Ecological Management Plan (FEMP), the objective of which is to address water management activities associated with mining operations and minimise any potential effects on freshwater habitats or species from any water management activities associated with those activities. The FEMP will include the following:~~

~~(a)16.~~ The Consent Holder must prepare a A Natural Wetland and Buffer Management Plan (NMPNIWBMP) chapter, the objective of which is to avoid, minimise or remedy the adverse effects of mining activity on the natural inland wetlands identified on and adjacent to the site, and to offset the adverse effects of the loss of natural inland wetlands on the site. The NMP-WOEMP shall include:

~~(i)(a)~~ the methods for monitoring and reporting on the extent and health of the raupo and flax wetlands on the margins of Lake Taharoa adjoining the Taharoa C Block as required by conditions ~~10-12~~ of AUTH142035.05.01.

~~(ii)~~ a maintenance, infill planting and weed control programme for the planted buffer areas around the natural inland wetlands identified in AUTH142035.01.01 and a timeline for the planting of these areas to ensure they are established as soon as possible before mining operations occur in the vicinity of the wetland; and

~~(a)~~ an education or training programme for relevant staff prepared and delivered by a suitably qualified and experienced person on the basic methodology for identifying new wetland areas.

~~(b)~~ management actions to minimise, remedy, offset or compensate for the loss of natural inland wetlands – which shall include a requirement to establish and maintain a minimum of 8.3 ha of new wetland on the site (in form of creating entirely new wetland habitat or augmenting existing constructed wetland(s) to achieve the 8.3 ha requirement).

~~(c)~~ methods to minimise drawdown effects on retained wetlands in accordance with condition 6 of AUTH142035.18.01.

~~(d)~~ methods to ensure any machinery arriving from off-site is properly cleaned and decontaminated to reduce the chance of introducing pest plant propagules.

~~(e)~~ Details of the plant and tree species (which shall include but not be limited to manuka and kanuka) to be planted and/or maintained within the 30m buffer area from natural inland wetlands required by condition 7 of AUTH142035.01.01.

~~(e)17.~~ A The Consent Holder must prepare a Lake Level & Water Management Plan chapter, the objective of which is to set out how the minimum lake level of RL 8.53m, as required by condition ~~97~~ of AUTH142035.05.01, will be complied with, how the residual flow in the Wainui Stream, set out in the relevant conditions of the Consents will be achieved, and measures to monitor and maintain the fish pass. The Lake Level & Water Management Plan shall at minimum include:

~~(i)(a)~~ Details of how the residual flow in the Wainui Stream and in the fish pass will be monitored and maintained in accordance with the conditions of AUTH142035.03.01, including during periods of:

- low flows;
- Water abstraction for mining operations;
- ship loading;
- fish migration.

~~(ii)(b)~~ Details of the monitoring programme required in accordance with the conditions of AUTH142035.03.01 to ensure the ongoing effectiveness of the fish pass at providing passage for juvenile inanga, smelt, long-finned eel, short-finned eel and juvenile and adult eels and grey mullet.

~~(iii)(c)~~ Steps that can be taken to reduce TIL's water take if monitoring of the raupo and flax wetlands on the margins of Lake Taharoa (as described in the NMPWOEMP) identifies adverse effects on the environment that need to be mitigated.

~~(iv) A flood risk assessment and a feasibility study to determine ing a maximum lake level to apply in order to manage flood risk.~~

~~(v)(d)~~ Other procedures to ensure that all consent condition requirements with regards to monitoring and measurement of the level of Lake Taharoa and any consequential actions are complied with.

18. The Consent Holder must prepare a Dust Management Plan~~dust management~~ chapter, the objective of which is to avoid offensive or objectionable dust discharges and dust related effects from the mining operations on the site in accordance with the requirements of conditions ~~10 to 14~~ 8 to 10 inclusive of AUTH142035.01.01. The ~~DMP~~ dust management chapter must include:

- A general description of the activities and main potential sources of dust emission;
- A description of the dust mitigation mechanisms which will be deployed on site, including an inventory of relevant equipment, materials and relevant operating procedures, trigger levels for the implementation of dust suppression measures, an inventory of relevant equipment and materials, and contingency procedures;
- A description of the staff training required, including areas relevant staff are to be trained in, mitigation methods to be used, frequency of training and where training records are to be kept; and
- Monitoring procedures, including frequency and kind of monitoring to be undertaken to comply with condition ~~10 and 14~~ 8 and 10 of AUTH142035.01.01, records to be kept and a process for review and reporting where required.

~~19. The Consent Holder must prepare an Avifauna Management Plan chapter (AMP), the objective of which is to avoid as far as practicable or otherwise minimise any potential effects on avifauna from mining activities during breeding season. The AMP shall provide bird breeding protection and effects minimisation measures including:~~

- ~~Seasonal constraints on vegetation removal and/or noise disturbance in habitats that are likely to have high bird values to avoid or minimise harm to eggs and chicks;~~
- ~~A description of the process for ensuring no nesting birds are present within any vegetation to be cleared on the site during peak breeding season (September – January);~~
- ~~Within the bird breeding season (September – January inclusive), the undertaking of surveys for wetland birds, NZ dotterel and NZ pipit by a suitably qualified and experienced ecologist in advance of vegetation clearance activities within potential bird habitat. If a nest with eggs or chicks is present, vegetation clearance is prohibited within 30 metres of the nest, until fledging occurs or as directed by an appropriately qualified ecologist.~~
- ~~An accidental discovery protocol for NZ dotterel and NZ pipit, including but not limited to procedures for briefing relevant staff on how to identify NZ dotterel and NZ pipit and their nests, halting work and establishment of appropriate buffer areas around discovered NZ dotterel and NZ pipit nests.~~

~~20. The Consent Holder must prepare a Lizard Management Plan chapter (LMP), the objective of which is to minimise any potential effects on indigenous skinks and/or geckos within the mine site from mining activities. The LMP shall include:~~

- ~~Identification of high value lizard habitat.~~

- ~~(b) A description of survey techniques for identifying skink and/or gecko species and populations.~~
- ~~(c) Timing of the mining activities relative to known lizard behaviour.~~
- ~~(d) A description of lizard search and salvaging methodology.~~
- ~~(e) A description of relocation triggers and methodology, including transfer methods, relocation site(s) selection and habitat enhancement measures (such as deployment of logs and pest control).~~
- ~~(f) Any protection mechanisms to ensure the relocation site is maintained.~~

~~**Advice Note:** all native lizards are absolutely protected under the Wildlife Act 1953 under which it is an offence to disturb, harm or remove them without a permit from the Minister of Conservation.~~

~~21. The Consent Holder must prepare a Pest Management Plan chapter (**PMP**), the objective of which is to undertake pest flora and fauna eradication and control for the purposes of ecological enhancement. The PMP shall include:~~

- ~~(a) Identification of land (including setback areas in condition 2 of AUTH142035.01.01) to be included in the management of pests.~~
- ~~(b) A list of target pest species and target thresholds to be aimed for to achieve the objectives of the PMP.~~
- ~~(c) Practices and procedures to address the potential adverse effects of horses and stock on rehabilitation areas, wetlands and setbacks within the site boundary~~
- ~~(d) Methods to achieve target species outcomes, which will include descriptions of spatial configuration of fencing, weed control, bait lines and baiting and/or trapping details including types of baits/traps and frequency of baiting.~~
- ~~(e) A description of monitoring/surveillance proposed in accordance with standard accepted pest management practice.~~
- ~~(f) Methods to ensure any machinery arriving from off-site is properly cleaned and decontaminated to reduce the chance of introducing pest plant propagules.~~

~~22.19. _____~~ The Consent Holder must prepare an Erosion and Sediment Control ~~Plan~~chapter, the objective of which is to identify the processes which have a risk of causing erosion or stormwater runoff to sensitive habitats, and identify the management procedures and protocols for managing those potential effects. The Erosion and Sediment Control Plan shall at minimum include the following:

- (a) Procedures which will be followed to meet the conditions of the Consents relating to water discharge quality.
- (b) Construction, implementation, operational, monitoring, maintenance and contingency procedures and protocols to be followed to minimise sediment losses to natural water while conducting general mining activities including;
 - ~~i.(i)~~ earthworks,
 - ~~ii.(ii)~~ tracking,
 - ~~iii.(iii)~~ haul road construction,
 - ~~iv.(iv)~~ overburden disposal,
 - ~~v.(v)~~ vegetation removal, and
 - ~~vi.(vi)~~ diversions of stormwater and seepage (including that from rehabilitated areas).
- (c) Processes to be followed before holding ponds are constructed or utilised within 100m of the boundary with any residential properties. These processes will include undertaking groundwater monitoring using piezometers downgradient of any holdings ponds for a period of three months, or use of a quantitative groundwater model, in advance of utilising those holding ponds and will include triggers for ceasing use of those ponds.

~~23. The Consent Holder must prepare a Bat Management Plan chapter (**BMP**), the objective of which is to set out measures to avoid or mitigate adverse effects on long tailed bats on the site. The BMP shall at minimum include the following:~~

- ~~(a) Best practice lighting, noise and vibration design to minimise effects on long tailed Bats to be~~

~~implemented within health and safety requirements; and
(b) Bat Roost Protocols to be adopted for the removal of any vegetation >15cm diameter at breast height, that may offer the potential for bat roosting.~~

24.20. The Consent Holder must prepare a Site Rehabilitation Plan, the objective of which is to set out the rehabilitation goals, targets and success criteria to be followed in order to achieve the future landforms and groundcovers detailed within the Conceptual Site Closure Plan (see condition 25.22 below) and comply with conditions ~~11, 12 and 13~~ 9 of consent Auth142035.01.01, including:

- (a) The procedures for progressive interim and final rehabilitation.
 - (i) a schedule of native and exotic species to be used for interim and final rehabilitation;
 - (ii) details of the site preparation and plant establishment measures for proposed planting;
 - (iii) providing for habitat suitable for NZ pipit, bittern and long tailed bats;
 - (iv) procedures for the establishment of appropriate planting within the coastal setback (being a minimum of 100 metres landward of Mean High Water Springs); and
 - (v) details of areas proposed to be temporarily and permanently contoured, including as areas of open sand dunes.
- (b) A timeline for interim rehabilitation (including stabilisation using kikuya or marram grass) of the areas within 100-200m of the Consent Area boundary once mining has been completed ~~which is not otherwise provided for in conditions 11, 12 and 13 of consent Auth142035.01.01.~~
- (c) A description of permanent rehabilitation of completed mining areas in the Te Ake Ake mining cell in the north of the Central Block adjacent to the Mitiwai Stream, including methods that seek to provide visual screening of mining operations in the Central Block from the existing dwelling (as at commencement of the Consents) on the properties legally described as Taharoa A1C7A Block.
- (d) Procedures for pest control, ~~including in accordance with the Pest Management Plan chapter,~~ and any post-closure measures.
- (e) Procedures to monitor and report to Waikato Regional Council on progress made in delivering the procedures and measures required by the Site Rehabilitation Plan.
- (f) Input from a suitably qualified and experienced landscape architect, who shall advise on landform and groundcover, taking into account the requirements of the Conceptual Site Closure Plan. The Site Rehabilitation Plan shall include a summary of the landscape architects recommendations and how they have been incorporated into the Site Rehabilitation Plan.

25.21. The Consent Holder must prepare a Conceptual Site Closure Plan, the objective of which is to detail the future landforms and the nature and extent of groundcover following the conclusion of all mining activities. The Conceptual Site Closure Plan must:

- (a) Include a description of the intended future landforms and groundcovers across the Consent Area, taking into account historical landforms.
- (b) Include measures to protect existing Māori reserves and ensure access for customary cultural practices is not prevented in the long term.
- (c) Identify processes to confirm the fate of any structures and other mining infrastructure (e.g. whether it will be left in-situ, removed and whether any resource consents may be required).
- (d) Be prepared with input from a suitably qualified and experienced landscape architect, who shall advise on future landforms and groundcovers across the site, taking into account historical landforms. The Conceptual Site Closure Plan shall include a summary of the landscape architects recommendations and how they have been incorporated into the Conceptual Site Closure Plan.

26.22. The EMP including its component plans shall be submitted to Waikato Regional Council for review and approval by the Waikato Regional Council, acting in a technical certification capacity, within twelve months of the commencement date of these consents.

23. Within 60 working days of receipt of the EMP for certification, the Waikato Regional Council shall notify the consent holder as to whether the EMP is certified. In the event that certification of the EMP

is withheld, the Waikato Regional Council shall advise the consent holder of what matters are required to be addressed.

24. In the event of any dispute, disagreement or inaction arising in respect of the certification of the EMP or changes to it, the matter shall be referred in the first instance to an appropriate Consent Holder representative and the WRC Chief Executive to determine a process for resolution.

25. If a resolution cannot be agreed, then the matter may be referred to an independent appropriately qualified expert(s), agreeable to both parties, setting out the details of the matter to be referred for determination and the reasons the parties do not agree.

27-26. The independent appropriately qualified expert(s) shall be appointed within ten (10) working days of the Consent Holder or Waikato Regional Council giving notice of their intention to seek independent determination. The appointed expert(s) shall, as soon as possible, issue their decision on the matter. In making the decision, the appointed expert(s) shall be entitled to seek further information and hear from the parties as they see fit.

28-27. The Consent Holder must implement and comply with the requirements of the certified EMP and its component plans, and any iterations of the EMP that may be certified in accordance with conditions ~~26-27 and 29 and 30~~ 22-26 and 28 and 29.

29-28. The Consent Holder shall review the EMP including its component plans every 5 years from the date of commencement of this consent, within 6 months of any variation of conditions being granted and within 6 months of any decision to cease mining at the site. Any update of the EMP shall take into account:

(a) Any recommendations of the Waikato Regional Council.

~~(b) Any recommendations as a result of consultation undertaken in accordance with condition 16 of these General Conditions.~~

~~(c)~~(b) Any required actions or modifications to management practices identified as a result of monitoring under the Consents.

~~(d)~~(c) Any changes required as a result of actions identified in an Annual Works Plan.

30-29. Any revision of the EMP including its component plans shall be submitted to the Waikato Regional Council for review and approval by the Waikato Regional Council, acting in a technical certification capacity. Within 48 hours of any certification or revision, the certified plan (or plans) will be made available on the website required by condition ~~37-42~~ below.

31-30. A copy of the latest version of the EMP shall be kept on site at all times and all key personnel shall be made aware of its contents.

Avi-Fauna Effects Management

31. Between 1 September – 31 January (inclusive), prior to vegetation clearance within wetland, grassland and shrubland habitat, a suitably qualified and experienced ecologist shall undertake surveys for wetland birds, NZ dotterels and NZ pipit. If a wetland bird, NZ dotterel or NZ pipit nest containing eggs or chicks is discovered, vegetation clearance is prohibited within 30 metres of the nest, until fledging occurs or as directed by a suitably qualified and experienced ecologist.

32. The Consent Holder shall prepare and implement an accidental discovery protocol for NZ dotterel and NZ pipit in consultation with a suitably qualified ecologist. The protocols shall include:

(a) procedures for briefing relevant staff and contractors on how to identify NZ dotterel and NZ pipit and their nests; and

(b) requirements for halting work and establishment of appropriate buffer areas around discovered NZ dotterel and NZ pipit nests.

33. A copy of the NZ dotterel and NZ pipit accidental discovery protocol must be kept onsite at all times that physical works authorised by this consent are being undertaken.
34. The Consent Holder must ensure all contractors are made aware of and comply with the content of the NZ dotterel and NZ pipit accidental discovery protocol.
35. In the event of emergency pipeline repairs or emergency works within known or potential dotterel nesting habitat in the CMA, the consent holder shall implement the following measures to avoid or minimise impacts on nesting dotterels, to the extent feasible during an emergency response:
- (a) Establish a temporary exclusion zone of at least 30 metres around any identified nest, until fledging occurs or as directed by a suitably qualified and experienced ecologist.
 - (b) Implement the accidental discovery protocol for NZ dotterel and NZ pipit.

Communication

- ~~32. The Consent Holder shall invite, at a minimum, the stakeholders listed in this condition to meetings to provide feedback and comment on issues related to the operation of the mine. These meetings shall be convened no less than once every six months for the first three years following the commencement of the consents and thereafter at yearly intervals or as otherwise determined by the attendees at the consultation meetings or, in the event of disagreement, by the Waikato Regional Council. In relation to this condition, the stakeholders are: Proprietors of Taharoa C Incorporation Limited, Taharoa Lake Trustees, Te Ruunanga o Ngaati Mahuta ki te Hauaaauru, Te Kooraha Marae, Aaruka Marae, John David Keepa Kupa Whaanau Trust, Te Huia Pihopa Trust, Roy Wetini Whaanau Trust, Tukotahi Tutaeo Whaanau Trust and the Department of Conservation. Minutes recording attendance, main topics of discussion and any outcomes shall be forwarded to the Waikato Regional Council within 20 working days of any meeting required by this consent condition.~~
36. The Consent Holder shall convene consultation meetings to enable the stakeholders listed in condition 38 to provide feedback and comment on resource management matters relating to the operation of the mine. These meetings shall be convened at yearly intervals.
37. The Consent Holder shall provide a venue and shall prepare an agenda for each consultation meeting required by condition 36, which shall only address resource management matters, and include reporting and monitoring undertaken in accordance with the Consents in the period since the previous consultation meeting.
38. The Consent Holder shall invite the following groups to participate in the consultation meeting required by condition 36: Proprietors of Taharoa C Block Incorporated, Taharoa Lake Trustees, Te Ruunanga o Ngaati Mahuta ki te Hauaaauru, Te Kooraha Marae, Aaruka Marae, John David Keepa Kupa Whaanau Trust, Te Huia Pihopa Trust, Roy Wetini Whaanau Trust, Tukotahi Tutaeo Whaanau Trust and the Department of Conservation. One representative from each group may attend each consultation meeting.
39. The Consent Holder shall prepare minutes relating to each consultation meeting required by condition 36, recording attendance, main topics of discussion and any outcomes, and these shall be forwarded to the Waikato Regional Council within 20 working days of any meeting.
- ~~33.40.~~ 40. The ~~consent holder~~ Consent Holder must maintain and keep a register of all consultation undertaken with external parties, during the term of these consents. The register shall include at least the following:
- (a) the name and/or organisation of the party consulted;
 - (b) the subject matter of the consultation;
 - (c) the date and time of the consultation; and
 - (d) a record of the key points discussed during the consultation and any actions arising.

~~34.41.~~ The consultation register must be available to the Waikato Regional Council at all reasonable times and an annual summary of the consultation register shall be provided to Waikato Regional Council.

~~35.42.~~ The Consent Holder shall establish a public website which is to include ~~but not be limited to~~ the following (subject to commercial sensitivity constraints as applicable):

- (a) The current Annual Works Plan;
- (b) The certified Environmental Management Plan for the site;
- (c) ~~Monthly and~~ Annual monitoring reports;
- (d) Details and records of monthly water abstracted from the Wainui Stream;
- (e) Details and records of monthly stormwater discharged into the Tasman Sea;
- (f) Monthly water levels in Lake Taharoa and rainfall data;
- ~~(g) Monitoring results undertaken in accordance with these consents;~~
- ~~(h) Maps require in accordance with Condition 2 of AUTH142035.01.01; and~~
- ~~(i) Notices of upcoming community meetings over the next 12 months (including times, dates and venues);~~
- ~~(j) Agendas for upcoming community meetings;~~
- ~~(k) Minutes of community meetings held; and~~
- ~~(l) Procedures for making any complaints.~~
- (g) Dust monitoring data.

Annual Works Plan

~~36.43.~~ The Consent Holder shall, before the final day of May each year, provide Waikato Regional Council with an Annual Works Plan which shall, in relation to the next 12 months, document the following information:

- (a) Map the areas to be mined;
- (b) Map the areas to be rehabilitated/stabilised;
- (c) Specify the nature of the proposed rehabilitation including the contour (heights and shape), vegetation cover, and maintenance of plantings;
- (d) Describe any significant maintenance activities;
- (e) Describe any proposed works, including maintenance works which have been carried out such as the maintenance of the pipelines and mooring buoy in the Coastal Marine Area; and
- (f) Describe any operational changes or improvements to be implemented;

~~Monthly Reporting~~

~~37. The consent holder shall prepare and forward to the Waikato Regional Council a monthly report by the 5th day of the calendar month (following monitoring), setting out the results of the monitoring required by the conditions of the Consents. The report shall also include:~~

- ~~(a) Details and records of water abstracted from the Wainui Stream;~~
- ~~(b) Details and records of stormwater discharged into the Wainui Stream and/or Tasman Sea;~~
- ~~(c) Water levels in Lake Taharoa and rainfall data;~~
- ~~(d) Any difficulties in achieving compliance with any conditions contained this consent;~~
- ~~(e) The reasons for any such difficulties; and~~
- ~~(f) Any maintenance works which are necessary, proposed or have been carried out, and the results of this work.~~

~~After two years from commencement of these consents, the frequency of reporting may change with the written approval of the Waikato Regional Council.~~

Annual Monitoring Report

38.44. The Consent Holder shall prepare and submit to the Waikato Regional Council an Annual Monitoring Report by 1 August each year that the consent is current. The monitoring period to be included in each report shall be for the 12-month period ending 30 June. A copy shall also be provided to the Department of Conservation, the Proprietors of Taharoa C Incorporation Limited, Taharoa Lake Trustees, Te Ruunanga o Ngaati Mahuta ki te Hauaauru, ~~Tukotahi Tuteao Whaanau Trust~~, Te Kooraha Marae, Aaruka Marae, ~~John David Keepa Kupa Whaanau Trust, Te Huia Pihopa Trust and Roy Wetini Whaanau Trust~~ and the Waikato Regional Council.

39.45. As a minimum the Annual Monitoring Report shall:

- (a) Detail all environmental monitoring undertaken.
- (b) Summarise all the data and information required to be collected by these consents. This should include graphical presentation, statistical summations of monitoring data and critical analysis of the information in terms of compliance and environmental effects.
- (c) Highlight and discuss any significant environmental results or trends.
- (d) Detail rehabilitation works undertaken in the previous 12-month period as well as proposed rehabilitation works for the following 12-month period.
- (e) Set out any reasons for non-compliance or difficulties in achieving compliance with the conditions of the Consents and measures adopted to rectify problems.
- (f) List any works that have been undertaken to improve the environmental performance of the site or that are proposed to be undertaken in the up-coming year.
- (g) If necessary, recommend alterations to the monitoring required, including review of the monitoring site locations and recommended changes (if any) that would result in improved environmental performance.
- (h) Review the mining operations in light of monitoring results to identify any changes in the operation that would result in improved environmental performance.
- (i) Report on and discuss any complaints received regarding the operation of the site.
- (j) Report on and discuss feedback received from any consultation meetings held with interested parties.
- (k) Include any other matters or findings considered important by the Consent Holder.

Bond

40.46. Throughout the duration of the Consents, a rehabilitation bond shall be provided by or on behalf of the Consent Holder ~~shall provide~~ and maintained in favour of the Waikato Regional Council ~~a rehabilitation bond~~ to:

- ~~(a) Secure compliance with all the conditions of this consent and to enable any adverse effects on the environment resulting from the Consent Holder's activities and not authorised by a resource consent to be avoided, remedied or mitigated;~~
- ~~(b) Secure the completion of rehabilitation and closure in accordance with the approved Site Rehabilitation Plan (forming part of the Site Management Plan);~~
- ~~(c) Ensure the performance of any monitoring obligations of the Consent Holder under this consent;~~
and
- ~~(d) Enable the Council to undertake monitoring and management of the site until completion of closure of the site.~~
- (a) Secure compliance with the conditions of this consent relating to on-going rehabilitation and closure of the Central and Southern Blocks of the Mine;
- (b) Ensure the completion of rehabilitation and closure in accordance with the approved Site Rehabilitation Plan and final Site Closure Plan ;
- (c) Enable the Council to undertake monitoring of any adverse effect on the environment that may arise from the exercise of the consent until completion of closure of the site.

41.47. The rehabilitation bond may be a cash bond or a guarantee provided by a bank or other party on behalf of the Consent Holder, ~~shall be in a form approved by the Council~~ and shall, subject to these conditions, be on the terms and conditions required by the Council.

~~42. The rehabilitation bond shall provide that the Consent Holder remains liable under the Resource Management Act 1991 for any breach of the conditions of consent which occurs prior to the completion of closure.~~

~~48. Unless the rehabilitation bond is a cash bond, the performance of all of the conditions of the bond shall be guaranteed by a bank or other guarantor acceptable to the Council. The guarantor shall bind itself to pay for the carrying out and completion of the requirements set out in condition 46 ~~any condition~~ in the event of any default of the Consent Holder, ~~or any occurrence of any adverse environmental effect requiring remedy.~~~~

~~49. Within four months of the commencement of the Consent, the Consent Holder shall provide a report to Council recommending the bond amount including:~~

~~(a) A breakdown of estimated costs (and any contingencies) to complete rehabilitation, in accordance with~~

~~(i) the conditions of the Consents, of any areas that as at the date of the report, have been disturbed and are due to be rehabilitated; and~~

~~(ii) are proposed to be disturbed in the following three-year period.~~

~~(b) A breakdown of estimated costs to complete site closure in accordance with the conditions of the Consents, following rehabilitation of the areas proposed in accordance with condition 49(a);~~

~~(c) A breakdown of the estimated costs of monitoring, in accordance with the conditions of the Consents, until site closure has been completed (assuming that is to take place subsequently to rehabilitation being completed in accordance with condition 49(a);~~

~~(d) A description of the methodology used in the above estimates, consistent with condition 52 below;~~

~~(e) Any supporting information, including from the Site Rehabilitation Plan and Conceptual Site Closure Plan; and~~

~~(f) Any other information that the Consent Holder considers relevant to fixing the amount of the rehabilitation bond.~~

~~43.-~~

~~50. The amount of the rehabilitation bond shall be fixed annually by the Council ~~who within four months of receiving the report required by condition 49. The amount of the bond must be reasonable and not overly onerous. In fixing the bond, the Council shall take into account any calculations that report, any other matters submitted by the Consent Holder, the Consent conditions, the Site Rehabilitation Plan and Conceptual Site Closure Plan and any other matters submitted in the Site Rehabilitation Plan (forming part of the Site Management Plan) or otherwise, by the Consent Holder~~ which are relevant to the determination of the amount.~~

~~51. The amount of the bond may be reviewed every three years from the date that the previous bond is fixed by the Council and shall commence on the issuing of a notice by WRC to provide the report required by condition 49.~~

~~44.~~

~~45. The amount of the bond shall be advised in writing to the consent holder on an Annual basis following the supply of the Annual Plan and when applicable the Site Management Plan.~~

~~52. The amount of the rehabilitation bond must be set to achieve the purposes set out in Condition 34 ~~condition 46~~ of this Schedule above ~~shall include~~ and be based on the following principles:~~

(a) The estimated costs (including any contingencies necessary) of rehabilitation and closure in accordance with the conditions of this consent, ~~on completion of the mining operations proposed for the next year and described in the Rehabilitation and Closure Plan~~ shall be based on the area

disturbed or proposed to be disturbed over the following three years, to reflect that the bulk of the rehabilitation costs depend on the size of an open pit (and the associated costs to in-fill, stabilise, contour and undertake any planned planting);

~~(b) Any further sum which the Council consider necessary to allow for remedying any adverse effect on the environment that may arise from the exercise of this consent;~~

(b) The bond shall take into account the availability of on-site material (e.g. tailings and sand) that reduce the need for imported fill or rehabilitation materials;

(c) Where possible, costs shall be based on recent actual costs incurred by the Consent Holder;

(d) The bond shall include any further sum which the Council consider necessary to secure compliance with the rehabilitation and site closure conditions of the Consents; and

~~(e)~~ (e) The estimated costs of monitoring, in accordance with the monitoring conditions of this consent, until this consent expires; and Consent, to the completion of site closure.

~~(d) Any further sum which the Council consider necessary for monitoring any adverse effect on the environment that may arise from the exercise of this consent including monitoring anything which is done to avoid, remedy, or mitigate an adverse effect.~~

53. Should the Consent Holder not agree with the amount of the rehabilitation dispute any of the bond fixed by the Council:

~~(a) then the matter shall be referred to arbitration in accordance with the provisions of the Arbitration Act 1996. Arbitration shall be commenced by written notice by the Consent Holder to each of the Council advising that the amount of the rehabilitation bond is disputed, such notice to be given by the Consent Holder within two weeks of receipt of notification of the amount of the rehabilitation bond. If the parties cannot agree upon an arbitrator within a week of receiving the notice from the Consent Holder, then an arbitrator shall be appointed by the President of the Institute of Professional Engineers of New Zealand. Such arbitrator shall give an award in writing within 30 days after his or her appointment, unless the Consent Holder and the Council agree that time shall be extended. The parties shall bear their own costs in connection with the arbitration. In all other respects, the provisions of the Arbitration Act 1996 shall apply. Pending the outcome of that arbitration and subject to Condition 42 below, the existing bond shall continue in force. That sum shall be adjusted in accordance with the arbitration determination. The Consent Holder shall, within two weeks of receipt of the Council's notification of the Bond, provide the Council with a written notice (Dispute Notice) that:~~

~~(i) outlines the aspect(s) of the bond that the Consent Holder disputes; and~~

~~(ii) refers the matter to mediation.~~

(b) The parties shall use their best endeavours to agree on a mediator within one week of the Council receiving the notice Dispute Notice. If the parties cannot agree, a mediator shall be appointed by the President of the Arbitrators' and Mediators' Institute of New Zealand. The parties shall bear the mediator's fees equally.

(c) If the dispute is not resolved through mediation within 90 days of the mediator's appointment (or such longer period as the parties may agree) the Consent Holder shall refer the dispute to arbitration by providing written notice (Arbitration Notice). The arbitration shall be conducted in accordance with the provisions of the Arbitration Act 1996. If the parties cannot agree upon an arbitrator within a week of the Council receiving the Arbitration Notice from the Consent Holder, then an arbitrator shall be appointed by the Arbitrators' and Mediators' Institute of New Zealand. Such arbitrator shall give an award in writing within 30 days after his or her appointment, unless the Consent Holder and the Council agree that time shall be extended. The parties shall bear their

own costs in relation to the arbitration and bear the arbitrator's fees equally.

54. Pending the outcome of the dispute resolution process in Condition 53 above and subject to Condition 55 below, the existing bond shall continue in force. That sum shall be adjusted in accordance with any agreement reached at mediation or arbitral award granted.

~~46.—~~

47.55. If, for any reason other than default of the Council, the decision of the arbitrator is not made available by the 30th day referred to above, then the amount of the bond shall be the sum previously fixed by the Council in relation to the Central and Southern blocks of the Mine, until such time as the arbitrator does make his/her decision. At that stage the new amount shall apply. ~~The Consent Holder shall not exercise this consent if the variation of the existing bond or new bond is not provided in accordance with this condition.~~

48.56. The ~~rehabilitation~~ bond may be varied, cancelled, or renewed at any other time by agreement between the Consent Holder and the Council provided that cancellation will not be agreed to unless a further or new ~~rehabilitation~~ bond acceptable to the Council is available to replace immediately that which is to be cancelled (subject however to the condition below as to release of the rehabilitation bond on the completion of closure of the site to the Council' satisfaction).

49.57. The Council shall release the ~~rehabilitation~~ bond on the completion of closure of the site.

50.58. "Completion of closure of the site" means when the elements of the entire project have been demonstrated by the Consent Holder to the satisfaction of the Council to have reached a stable, self-sustaining, rehabilitated state and any water discharging from the site, and any ground water under and around the site, will be of a quality such that it will not adversely affect aquatic life, or other users of the water resource as defined by the approved Site Rehabilitation Plan.

51.59. All costs relating to the rehabilitation bond shall be paid by the Consent Holder, excluding any costs incurred by the Council in obtaining independent advice in relation to the calculation of the bond, or the costs of arbitration (which shall lie where they fall).

52.60. ~~This consent shall not become operative unless and until the Consent Holder provides the rehabilitation bond to the Council. The Consent Holder will make the necessary changes for the existing bond provided by the Consent Holder in respect of the Central and Southern Blocks of the Mine under consents 100899 – 100910, 111002, 122562 - 122567, to remain in place and secure performance with the requirements of condition 46 until a new rehabilitation bond is fixed in accordance with the above conditions. The Consent Holder shall make the necessary changes to the existing bond within two months of the commencement of the Consents.~~

Review

53.61. During the six-month period following 1 January 2025 and in the same period every year thereafter, the Waikato Regional Council may serve notice on the Consent Holder under section 128 (1) of the Resource Management Act 1991, of its intention to review the conditions of the Consents for any of the following purposes:

- (a) To review the effectiveness of the conditions of the Consents in avoiding or mitigating any adverse effects on the environment and if necessary to avoid, remedy or mitigate such effects by way of further or amended conditions;
 - (b) If necessary and appropriate, to require the holder of this resource consent to adopt the best practicable option to remove or reduce adverse effects on the surrounding environment due to the discharge of groundwater and/or stormwater to surface water;
 - (c) To review the performance of the Wainui Stream fish pass and any current or required mitigation measures relating to the fish pass;
 - (d) To review the adequacy of and the necessity for monitoring undertaken by the Consent Holder in
-

- light of previous monitoring and/or changes in site operations;
- (e) To review the consistency of conditions of this consent with future changes to any National Environmental Standard, National Policy Statement, or change to the Waikato Regional Policy Statement, Waikato Regional Plan or Waikato Regional Coastal Plan and, if necessary, to address any inconsistency of the conditions of this consent by way of further or amended conditions.

Advice Note: Costs associated with any review of the conditions of this resource consent will be recovered from the Consent Holder in accordance with the provisions of section 36 of the Resource Management Act 1991.

Administrative

54.62. The Consent Holder shall pay to the Waikato Regional Council any administrative charge fixed in accordance with section 36 of the Resource Management Act 1991, or any charge prescribed in accordance with regulations made under section 360 of the Resource Management Act.

Transitional Provisions

55.63. Where the conditions of resource consents AUTH142035.01.01, AUTH142035.02.01, AUTH142035.03.01, AUTH142035.05.01, AUTH142035.06.01, AUTH142035.07.01, AUTH142035.08.01, AUTH142035.09.01, AUTH142035.11.01, AUTH142035.12.01, and AUTH142035.13.01, AUTH142035.14.01, and AUTH142035.15.01 require new or revised/updated management plans to be submitted to Waikato Regional Council for certification and thereafter be implemented, the ~~consent holder~~ Consent Holder shall continue to undertake mining and ship loading activity under the provisions of the Management Plans in place at the date of commencement of these consents until such time as the new management plans are certified by Waikato Regional Council.

56.64. Where the conditions of resource consents AUTH142035.01.01, AUTH142035.02.01, AUTH142035.03.01, AUTH142035.05.01, AUTH142035.06.01, AUTH142035.07.01, AUTH142035.08.01, AUTH142035.09.01, AUTH142035.11.01, AUTH142035.12.01, and AUTH142035.13.01 and AUTH142035.13.01, AUTH142035.14.01, and AUTH142035.15.01 require new physical works to be undertaken or existing works ceased in any particular location, or new/altered equipment to be installed at the site, the ~~consent holder~~ Consent Holder shall (where the consent conditions do not specify a compliance timeframe) ensure that such new works are undertaken, existing works ceased or equipment installed/altered as soon as reasonably practicable after the commencement date of these consents, and in any event not longer than 3 years after the commencement of these consents.

Management Plan Consultation

~~57. Where the conditions of resource consents AUTH142035.01.01, AUTH142035.02.01, AUTH142035.03.01, AUTH142035.05.01, AUTH142035.06.01, AUTH142035.07.01, AUTH142035.08.01, AUTH142035.09.01, AUTH142035.11.01, AUTH142035.12.01, and AUTH142035.13.01 require a Management Plan(s) to be prepared in consultation with specified parties, and if the relevant Management Plan is required to be submitted to Waikato Regional Council for certification, it shall include a record of the consultation undertaken with the parties set out in the relevant condition, including a summary of the parties comments and the Consent Holders responses.~~

Schedule 2: Common Coastal Marine Area (CMA) Conditions

Resource consents AUTH142035.09.01, AUTH142035.11.01, AUTH142035.12.01 and AUTH142035.13.01 (**Consents**) are subject to the following conditions, which shall apply to each individual consent. Where there are differences or apparent conflict between the following Common CMA Conditions and conditions contained in either the individual consents listed above, the conditions contained in the respective individual consents shall prevail.

Reference in these Common CMA Conditions to “Waikato Regional Council” shall mean the Chief Executive Officer of the Waikato Regional Council or their delegate.

Notification

1. The Consent Holder shall ensure that the Hydrographic Office of Land Information New Zealand and Maritime New Zealand has written notice of the location of the structures authorised by the Consents within three months of the commencement of the Consents to which this schedule relates.

Environmental Protection

2. The Consent Holder shall be responsible for implementing the best practicable option so as to minimise damage to the foreshore, seabed and surrounding environment from activities authorised by this condition.

Archaeological Discovery

3. In the event that taonga are discovered ~~during vegetation clearance, overburden removal or other mining operations~~ when undertaking activities authorized by the Consents, the Consent Holder shall:
 - (a) immediately cease works in the vicinity of the discovery;
 - (b) immediately secure the area in a manner to ensure that the material remains untouched;
 - (c) contact a local kaumatua appointed by ~~Aaruka and/or Te Kooraha Marae Taharoa C~~ as soon as possible and within ~~1224~~ hours to confirm the discovery; and
 - (d) notify Heritage New Zealand/Pouhere Taonga within 48 hours.
4. In the event that koiwi or archaeological remains are discovered during vegetation clearance, overburden removal or other mining operations, the Consent Holder shall:
 - (a) immediately cease works in the vicinity of the discovery.;
 - (b) immediately secure the area in a manner to ensure that the material remains untouched.;
 - (c) contact a local kaumatua appointed by ~~Aaruka and/or Te Kooraha Marae Taharoa C~~ and the Police as soon as possible and within ~~12-24~~ hours to confirm the discovery;
 - (d) arrange for a Police Pathologist to assess the koiwi or remains to confirm their origin;
 - (e) if koiwi are found, notify the Waikato Regional Council and Heritage New Zealand/Pouhere Taonga within 48 hours; and
 - (f) provide an opportunity for the nominated kaumatua to undertake a karakia or other cultural activity as is appropriate ~~in accordance with an Accidental Discovery Protocol prepared by the Consent Holder~~.

Structural Integrity

5. The Consent Holder shall ensure that all structures authorised by resource consents AUTH142035.09.01 and AUTH142035.11.01 are constructed and maintained in accordance with current and accepted engineering practices.
 6. The Consent Holder shall maintain all structures in the Coastal Marine Area authorised by these consents so that where practicable no part of the structures is lost (e.g. breaks loose due to water, wind or wave action) or results in a navigational hazard. Any material that is lost from the structures shall, as soon as possible, be retrieved by the Consent Holder. Should the material lost be a hazard to navigation, Maritime New Zealand and Waikato Regional Council shall be immediately informed.
-

7. The Consent Holder shall be responsible for the structural integrity and maintenance of the structures and for any works that become necessary to preserve the integrity and stability of the structures and/or to control erosion as a result of the exercise of this resource consent.

Advice Note: Additional resource consent may be required as a result of the need to undertake further works. Any such consent shall be obtained by the Consent Holder at their sole expense prior to any works being undertaken.

Operation of Machinery

8. All machinery shall be operated in a manner that ensures that spillages of fuel, oil and similar contaminants are prevented, particularly during refuelling and machinery servicing and maintenance. Where practicable, refuelling and lubrication activities shall be carried out away from any water body such that any spillage can be contained so it does not enter the Coastal Marine Area or any waterway. For lubrication activities taking place at the buoy, these shall be carried out in such a way as to minimise any spillage into the Coastal Marine Area.

Monitoring

- ~~9. The consent shall develop a Marine Monitoring Programme that enables the water quality of the discharge to the Coastal Marine Area to be characterised. The monitoring programme shall include:
 - ~~(a) The timing, frequency and location of sampling;~~
 - ~~(b) The grain size composition, clay mineralogy and heavy metal concentrations within the discharge. Heavy metals analysed shall include Aluminium, Arsenic, Nickel, Copper, Iron, Manganese, Lead and Zinc. All analyses shall be for dissolved metals.~~
 - ~~(c) The monitoring programme must including a gradient approach via wet sieving with no pretreatment with annual sampling at locations 250m, 2km and between 3 – 4 km north and south of the point of discharge that determines the fate of the sediment discharged to the Coastal Marine Area, including its distribution and deposition on the sea floor in areas potentially affected by the discharge.~~
 - ~~(d) A requirement that if the data obtained from the monitoring programme shows a trend that the receiving environment is getting increasingly muddier, then a further assessment of ecological effects will be required along with recommendations to address any adverse effects identified. Any such further assessment of ecological effects shall be undertaken in accordance with a methodology prepared by the Consent Holder and certified by the Waikato Regional Council prior to being undertaken.~~~~

~~**Advice Note:** If, after a period of 10 years of monitoring, there is no trend showing that the receiving environment is getting increasingly muddier, then the monitoring required by Condition 9 can be discontinued.~~

**APPENDIX 3: PROPOSED AMENDMENTS TO THE WILDLIFE APPROVAL AND
ARCHAEOLOGICAL AUTHORITY**

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	<ul style="list-style-type: none"> a) Katherine Muchna (Project Herpetologist) b) Matt Turner c) Jonny Beech d) Alice-Dee e) Additional personnel as may be approved in writing by DOC-Suitably qualified personnel under the direct supervision of the named Authorised Personnel. 	
DOC	Department of Conservation	
Lizards	Common Names(s)	Scientific Name
	Copper skink	<i>Oligosoma aeneum</i>
LMP	Lizard Management Plan	
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.	
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.	
Project Works	<p>The activities within the Project Site that may impact Lizards in Potential Lizard Habitat, if present, including:</p> <ul style="list-style-type: none"> • Vegetation and topsoil removal; • Overburden removal and ironsand extraction (including habitat clearance); and • Stabilisation and rehabilitation. 	
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).	
Working Day	<p>A day of the week other than—</p> <ul style="list-style-type: none"> (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 	
Abbreviation/term	Meaning/definition	
	<ul style="list-style-type: none"> (b) if Waitangi Day or Anzac Day falls on a Saturday or a Sunday, the following Monday; and (c) a day in the period commencing on 20 December in any year and ending with 10 January in the following year. 	

- WA1 The Approval shall expire 10 years after the date the Approval is granted.
- (a) The Approval Holder shall prepare a final LMP, **informed by the appointed Marae Led Committee**. 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~~ **by a suitably qualified and experienced person**, 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 Currently accepted best practice protocols to minimise the risk of injury or death to Lizards during lizard management; and
 - 3 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.
 - (vii) Identification of a suitable Release Area.**
 - (viii) Animal pest control and animal pest monitoring measures to protect Lizards at the Release Area.**
 - (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 ~~WA2-1~~(a) and (b).
 - (d) **Once the LMP is certified by DOC, Project Works can commence no sooner than 10 weeks from date of certification. During this period the Approval Holder must:**
 - (i) Set up the lizard capture infrastructure, and**
 - (ii) Allow for six weeks for 'settling in' of infrastructure, then**
 - (iii) Proceed with two weeks of lizard capture.**
 - (e) The certified LMP shall be implemented and complied with for the duration of this authorisation.
 - (f) The Approval Holder may update the LMP, **informed by the appointed Marae Led Committee**, by submitting the amended LMP in writing to DOC for certification in accordance with ~~WA2-1~~(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, **informed by the appointed Marae Led Committee**;
 - (c) During the period 30 September to 1 May inclusive (**date range applies to capturing, temporarily holding and relocating lizards only**); 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 **a renewal 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 **salvage activities the Authorised Activities**, the Approval Holder must inform the Te Kuiti DOC Operations Manager (tekuiti@doc.govt.nz), **and notify the appointed Marae Led Committee**, 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 **of the mortality**, 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.

- (g) For the avoidance of doubt condition WA1110 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 If a Lizard is discovered during works, activities in a 10 m radius around where the lizard was observed must cease immediately and searches for any other lizards must be carried out and the remaining requirements of the Incidental Discovery Protocol outlined in the certified Lizard Management Plan must be complied with.

WA13 An annual report summarising any Lizard salvage and relocation activities must be prepared and submitted to DOC (tekuiti@doc.govt.nz and permissionshamilton@doc.govt.nz), and provided to the appointed Marae Led Committee, 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 including animal pest captures and animal pest monitoring results;
- (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 implementing the LMP, including any improvements/changes that should be implemented in future.

Advice Note: This approval is for copper skink and does not authorise any activities in relation to any other lizard species.

ARCHAEOLOGICAL AUTHORITY

AUTHORITY DETAILS

Authority Number: 2026-587

Determination Date:

Duration: ~~3520~~ years

Authority Holder: Taharoa Ironsands Limited

Archaeological Sites: R16/52, R16/58, R16/61, R16/88, R16/89, R16/117, R16/150, R16/151, R16/155, R16/327, and R16/572; and other unrecorded sites

Location: Central and Southern Blocks located at Taharoa C Block, Taharoa Road, Taharoa

S45 Approved Person: Glen Farley

Landowner Consent: Landowner consent has been provided to Heritage New Zealand Pouhere Taonga (HNZPT) to satisfy clause 6(1) of Schedule 8 of the Fast-track Approvals Act 2024

DETERMINATION

The FTAA Expert Consenting Panel grants an archaeological authority pursuant to section 81 of the Fast-track Approvals Act 2024 and section 48 of the Heritage New Zealand Pouhere Taonga Act 2014 in respect of the archaeological sites described above within the areas specified in the location above, to Taharoa Ironsands Limited for ironsand extraction across the Central and Southern Blocks of the Taharoa Ironsands Mine including land preparations, vegetation clearance, construction of various ponds, and mining operations (archaeological works), subject to the following conditions:

CONDITIONS OF AUTHORITY

No.	Condition
Before Works	
1	Start Work Notification Prior to the commencement of any work that may impact upon sites R16/52, R16/58, R16/61, R16/88, R16/89, R16/117, R16/150, R16/151, R16/155, R16/327, and R16/572, the approval holder must ensure that HNZPT, representatives appointed by Te Ruunanga o Ngaati Mahuta ki te Hauaauru, Aaruka Marae, Te Kooraha Marae , and at least one of the kaumātua representatives nominated by The Proprietors of Taharoa C Block Incorporated (nominated kaumātua representatives), are advised of the date when work will begin. This advice must be provided at least 2 working days before work starts.
2	Archaeological Management Plan The authority must be exercised in accordance with the Archaeological Management Plan (Farley, G. 2025 Archaeological Management Plan: Taharoa Ironsands Mine Central and Southern Blocks, prepared for Taharoa Ironsands Limited) (AMP) dated October 2025.

	<p>The Authority Holder may update the AMP, informed by the appointed Marae Led Committee, by submitting any amendments in writing to HNZPT for its written approval.</p>
3	<p>Site Briefing</p> <p>The Authority Holder must ensure that all personnel undertaking works in the vicinity of sites R16/52, R16/58, R16/61, R16/88, R16/89, R16/117, R16/150, R16/151, R16/155, R16/327, and R16/572 are briefed on site by the section 45 Approved Person (who may appoint a person to carry out the briefing on their behalf) prior to any bulk earthworks commencing which have the possibility of encountering archaeological evidence relating to those sites. The briefing shall include how to identify possible archaeological sites during works, the archaeological work required by the conditions of this approval, and operators' responsibilities with regard to notification of the discovery of archaeological evidence to ensure that the approval conditions are complied with.</p>
During Works	
4	<p>Monitoring</p> <p>Any earthworks that may affect sites R16/52, R16/58, R16/61, R16/88, R16/89, R16/117, R16/150, R16/151, R16/155, R16/327, and R16/572 must be monitored by the section 45 Approved Person (who may appoint a person to carry out monitoring on their behalf)</p>
5	<p>Kōiwi Discovery</p> <p>If any kōiwi (human remains) are encountered, all works must cease within 10 metres of the discovery. HNZPT, New Zealand Police, Te Ruunanga o Ngaati Mahuta ki te Hauaauru, Aaruka Marae, Te Kooraha Marae, and at least one of the nominated kaumātua representatives must be advised immediately.</p> <p>Any steps following must be undertaken in accordance with Guidelines for Kōiwi Tangata/Human Remains (AGS8 2014) and no further work in the area may take place until future actions have been agreed by all parties.</p> <p>Access for representatives appointed by Te Ruunanga o Ngaati Mahuta ki te Hauaauru, Aaruka Marae, Te Kooraha Marae, and the nominated kaumātua representatives shall be enabled in order to undertake tikanga (provided this access is consistent with any site safety requirements), including in accordance with Taharoa Mine Site Health and Safety – Environmental Procedure: Discovery of Human Remains and/or Items of Cultural Significance (TIL, April 2026).</p>
6	<p>Discovery Protocol</p> <p>Following the discovery of any archaeological materials, and in addition to any tikanga agreed to between the Authority Holder, Te Ruunanga o Ngaati Mahuta ki te Hauaauru, Aaruka Marae, Te Kooraha Marae, and the nominated kaumātua representatives, the following shall apply:</p>

	<ul style="list-style-type: none"> • Te Ruunanga o Ngaati Mahuta ki te Hauaauru, Aaruka Marae, Te Kooraha Marae, and A at least one of the nominated kaumātua representatives shall be informed if any possible taonga or Māori artefacts are identified to enable appropriate tikanga to be undertaken, so long as all statutory requirements under the Heritage New Zealand Pouhere Taonga Act 2014 and the Protected Objects Act 1975 are met; and • The representatives appointed by Te Ruunanga o Ngaati Mahuta ki te Hauaauru, Aaruka Marae, Te Kooraha Marae, and nominated kaumātua representatives who attend a discovery shall be provided with a copy of any reports completed as a result of the archaeological work associated with this authority and be given an opportunity to discuss it with the section 45 Approved Person if required.
7	<p>Investigation</p> <p>Any archaeological evidence encountered during the exercise of this authority must be investigated, recorded and analysed in accordance with accepted archaeological practice and the procedures in the AMP.</p> <p>HNZPT, Te Ruunanga o Ngaati Mahuta ki te Hauaauru, Aaruka Marae, Te Kooraha Marae, and least one of the nominated kaumātua representatives must be notified of any investigation at least 48 hours prior to the investigation occurring.</p>
8	<p>Annual Reporting</p> <p>From the date of issue of this authority, the Authority Holder must submit an annual written report containing a summary of the progress of the activity and any archaeological findings to HNZPT, Te Ruunanga o Ngaati Mahuta ki te Hauaauru, Aaruka Marae, Te Kooraha Marae, and the nominated kaumātua representatives.</p>
After Works	
9	<p>Work Completion Notification</p> <p>The Authority Holder must ensure that HNZPT, representatives appointed by Te Ruunanga o Ngaati Mahuta ki te Hauaauru, Aaruka Marae, Te Kooraha Marae, and at least one of the kaumātua representatives are advised of the completion of the on-site archaeological work, within 5 working days of completion.</p>
10	<p>Completion of Archaeological Siteworks</p> <p>Within 20 working days of the completion of the on-site archaeological work associated with this approval, the Authority Holder shall ensure that:</p> <ul style="list-style-type: none"> • An interim report following the Archaeological Report Guideline (AGS12 2023) is submitted to HNZPT for inclusion in the HNZPT Archaeological Reports Digital Library, and provided to Te Ruunanga o Ngaati Mahuta ki te Hauaauru, Aaruka Marae, Te Kooraha Marae; and • Site record forms are updated or submitted to the NZAA Site Recording Scheme.

11	Archaeological Records Within 12 months of the completion of the on-site archaeological work, the Authority Holder shall ensure that a final report, completed to the satisfaction of HNZPT following the
	Archaeological Report Guideline (AGS12 2023), is submitted to HNZPT for inclusion in the HNZPT Taonga Archaeological Reports Digital Library. Digital copies of the final report must also be sent to the NZAA Central File keeper, Te Ruunanga o Ngaati Mahuta ki te Hauaauru, Aaruka Marae, Te Kooraha Marae , and the nominated kaumātua representatives.

APPENDIX 4: MAKETUU MARAE COMMITTEE FORMAL POSITION

DATE 18 March 2026

TO: The Panel Convenor and Panel - Environmental Protection Agency
FROM: Maketuu Marae
SUBJECT: Maketuu Marae Position on Taharoa Ironsands Limited Substantive Application
(Central and Southern Block Project)

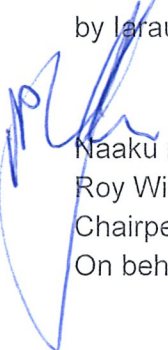
Teena koe,

The Maketuu Marae Trust as the mandated governance body for Maketuu Marae, writes to provide our formal position on the substantive application lodged by Tahaaroa Ironsands Limited regarding the Central and Southern Block Project under the Fast-Track Approvals Act 2024.

After careful consideration and engagement with our Trustees, we state the following position:

We do not support the substantive application in its current form and recommend that the Panel decline the application.

This position is set out further in the Ngaati Mahuta ki te Hauaauru position on Taharoa Ironsands Limited substantive application under the Fast-Track Approvals Act 2024, prepared by Iarau Ltd.



Naaku noa, naa
Roy Willison
Chairperson
On behalf of Maketuu Marae

APPENDIX 5: TE KOORAHA MARAE TRUST FORMAL POSITION

DATE 26 March 2026

TO: The Panel Convenor and Panel - Environmental Protection Agency
FROM: Te Kooraha Marae
SUBJECT: Te Kooraha Marae Position on Taharoa Ironsands Limited Substantive Application (Central and Southern Block Project)

Teena koe,

Ka tau taku manu Korotangi ki te tahi o Ōrangiwahao, o Ahititī, o Pukei noi, ka tioriwari atu ki ngā reo waiti o te wao nui a Tāne. Tēnei mātou ngā pipi paopao o Te Kooraha e karanga ana ki a koutou katoa, tihei mauriora! Tū ake tō tātou Arikinui, Kuīni Ngā Wai hono i te pō – paimārire. Ka karanga ki te hunga mate, ki te hunga ora, tēnā hoki tātou katoa.

The Te Kooraha Marae Trust as the mandated governance body for Te Kooraha Marae, writes to provide our formal position on the substantive application lodged by Taharoa Ironsands Limited regarding the Central and Southern Block Project under the Fast-Track Approvals Act 2024.

After careful consideration and engagement with our Trustees, we state the following position:

We do not support the substantive application in its current form and seek amendments and appropriate conditions as outlined in the Ngaati Mahuta ki te Hauaaaru position.

This position is set out further in the Ngaati Mahuta ki te Hauaaaru position on Taharoa Ironsands Limited substantive application under the Fast-Track Approvals Act 2024, prepared by Iarau Ltd.

Naaku noa, naa
Taituwaha King
Chairperson
On behalf of Te Kooraha Marae

APPENDIX 6: AARUKA MARAE COMMITTEE FORMAL POSITION

DATE 30 March 2026

TO: The Panel Convenor and Panel - Environmental Protection Agency
FROM: Aaruka Marae
SUBJECT: Aaruka Marae Position on Taharoa Ironsands Limited Substantive Application
(Central and Southern Block Project)

Teena koe,

The Aaruka Marae Committee as the mandated governance body for Aaruka Marae, writes to provide our formal position on the substantive application lodged by Taharoa Ironsands Limited regarding the Central and Southern Block Project under the Fast-Track Approvals Act 2024.

After careful consideration and engagement with our Trustees, we state the following position:

We do not support the substantive application in its current form and seek amendments and appropriate conditions as outlined in the Ngaati Mahuta ki te Hauaauru position.

This position is set out further in the Ngaati Mahuta ki te Hauaauru position on Taharoa Ironsands Limited substantive application under the Fast-Track Approvals Act 2024, prepared by Iarau Ltd.

Naaku noa, naa
Marcus Roydon Te Arahi Fletcher
Committee Member
On behalf of Aaruka Marae

APPENDIX 7: TE RUUNANGA O NGAATI MAHUTA KI TE HAUAURU CHARITABLE TRUST FORMAL POSITION

DATE 18 March 2026

TO: The Panel Convenor and Panel - Environmental Protection Agency
FROM: Te Ruunanga o Ngaati Mahuta ki te Hauaauru
SUBJECT: Te Ruunanga o Ngaati Mahuta ki te Hauaauru Position on Taharoa Ironsands Limited Substantive Application (Central and Southern Block Project)

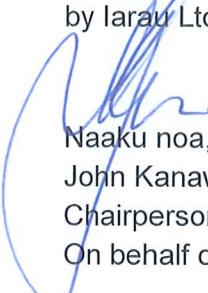
Teena koe,

The Te Ruunanga o Ngaati Mahuta ki te Hauaauru Charitable Trust as the mandated governance body for Te Ruunanga o Ngaati Mahuta ki te Hauaauru, writes to provide our formal position on the substantive application lodged by Taharoa Ironsands Limited regarding the Central and Southern Block Project under the Fast-Track Approvals Act 2024.

After careful consideration and engagement with our Choose an item., we state the following position:

We do not support the substantive application in its current form and recommend that the Panel decline the application.

This position is set out further in the Ngaati Mahuta ki te Hauaauru position on Taharoa Ironsands Limited substantive application under the Fast-Track Approvals Act 2024, prepared by Iara Ltd.



Naaku noa, naa

John Kanawa

Chairperson

On behalf of Te Ruunanga o Ngaati Mahuta ki te Hauaauru

APPENDIX 8: TAHAAROA LAKES TRUST FORMAL POSITION

DATE 27 March 2026

TO: The Panel Convenor and Panel - Environmental Protection Agency
FROM: Tahaaroa Lakes Trust
SUBJECT: Tahaaroa Lakes Trust Position on Taharoa Ironsands Limited Substantive Application (Central and Southern Block Project)

Teena koe,

Tau ana taku manu ki te karamatamata o Oorangiwahao. Titiro whakararo ko te Oohaakii runga Kooraha. Rere atu ki te pito o te Tahaaroa a Ruapuutahanga, ki runga Aaruka. Rewa whakateraki mai i te tara o Mangatangi ki Te Maika. Ka reetoo te ruku i moana hiinarunaru o Kaawhia. Tatu atu ai taku manu ki Tangi-te-korowhiti, ka tau ki te Ahurei o Tainui, ki a Hani raaua ko Puna. Ka tau taku manu ki te roro o te whare o Auaukiterangi ki runga o Maketuu. Huri huri noa ko Ngaati Mahuta ki te Hauaauru, tau, tau, tau ana e!

The Tahaaroa Lakes Trust as the mandated governance body for Tahaaroa Lakes, writes to provide our formal position on the substantive application lodged by Tahaaroa Ironsands Limited regarding the Central and Southern Block Project under the Fast-Track Approvals Act 2024.

After careful consideration and engagement with our Trustees, we state the following position:

We do not support the substantive application in its current form and seek amendments and appropriate conditions as outlined in the Ngaati Mahuta ki te Hauaauru position.

This position is set out further in the Ngaati Mahuta ki te Hauaauru position on Taharoa Ironsands Limited substantive application under the Fast-Track Approvals Act 2024, prepared by Iarau Ltd.

Naaku noa, naa

Ngahua Herangi and Natasha Willison-Reardon

Co-Chairs

On behalf of Tahaaroa Lakes Trust

**APPENDIX 9: STATEMENT OF EVIDENCE OF NIC CONLAND IN 2024 RMA HEARING
PANEL PROCESS**

BEFORE THE Canterbury Regional Council

IN THE MATTER

of Resource Management Act 1991 ("**the Act**")

AND

IN THE MATTER

Applications to Waikato Regional Council for resource consents by Taharoa Ironsands Limited for activities associated with the ongoing operation of ironsand mining at Tahaaroa.

And: **John David Keepa Kupa Whaanau Trust**

Submitter

And **Taharoa Ironsands limited**

Applicant

And: **Waikato Regional Council**

Local Authority

**STATEMENT OF EVIDENCE BY MR NICHOLAS ASHLEY CONLAND
FOR TAHAAROA LAKES TRUST**

13 FEBRUARY 2024

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SUMMARY

1. TIL have a track record of significant non-compliance at the subject land
2. The potential risks at the subject land for significant adverse effects on community and the environment from TIL operations require monitoring, data reporting, near real-time communication and corrective actions.
3. The ability to respond to environmental uncertainty through an adaptive management framework requires high quality data with spatial and temporal resolution which targets the ability of TIL to meet agreed management objectives.
4. I recommend that the proposed management plans are structured to provide:
 - i. A risk register of effects being managed through the plan (consistent with Appendix F, Table 2)
 - ii. A summary of the management objectives
 - iii. A concise set of performance indicators (quantifiable and at an appropriate spatial and temporal resolution)
 - iv. Management triggers for each of the performance indicators
 - v. Management responses to each of the triggers relative to achieving the objectives
 - vi. Reporting to an environmental dashboard
5. The unique location and community where TIL operate requires a cohesive integration between TIL operations, manawhenua and Council. I propose a Kaitiaki Stakeholder Group is established to facilitate this engagement and provide input in management plan development.
6. The application by TIL covers a unique environment, large size and proposed duration of the TIL operations; long distances from the regulator and the close proximity of effected parties and manawhenua. These elements require an independence communications platform which provided a trusted platform for monitoring data, TIL actions (proactive and reactive), Council reporting and Kaitiaki monitoring.
7. I have proposed a platform which is also able to integrate customary knowledge within the rohe to provide contexts for monitoring data within existing knowledge of matauranga and coincident with Maramataka events. The ability to integrate a Te Ao Māori perspective will provide stability to the monitoring framework and insights into the environmental and community effects identified in the expert reports.
8. My evidence shows the proposed environmental bond is consistent with the Act; the scope of the bond will give effect to the proposed Conceptual Site Closure Plan and the Site Rehabilitation Plan.
9. I recommend a worked example for the bond is prepared in a workshop or wananga with the Kaitiaki Stakeholder Group. This will identify areas of concern and provide a conceptual framework for scaling the bond requirements.

10. My assessment has considered the allocation of water from the Wainui Stream and found that while the water is available in the dam in most years. The proposed operation of the dam can affect the littoral zone of the three lakes, the remaining stream habitat below the dam and the fish pass operation.
11. I recommend that the abstraction and dam conditions are amended to include monitoring, triggers and actions for managing:
 - i. Lake heights (minimum and maximum) as RL
 - ii. Flow across the fish pass
 - iii. Residual flow in the Wainui Stream
12. I have reviewed the expert evidence and s42A officers report recommendations for monitoring the TIL operations. I have found consistent gaps between the proposed management plans and the proposed consent conditions for monitoring. I acknowledge the difficulty to make an assessment without a complete assessment of effects.
13. To address this I recommend including monitoring which targets risk from TIL activities and provides a feedback loop at a meaningful spatial and temporal resolution.
14. In conclusion I support the granting of the consent with the recommendations adopted in my evidence.

Qualifications and Experience

1. My full name is Nicholas (Nic) Ashley Conland. I am the director of environmental consultancy, Taiao - Natural Resource Management Limited. I was a Senior Environmental Consultant at Jacobs New Zealand Limited in Wellington and have at least 25 years' experience involved in natural resource planning and regulation, including policy development and evaluation through assessment of environmental effects and catchment modelling.
2. I am a director for The Stream Limited, a specialist science communication and dashboard development company. As part of my role in The Stream projects I have designed tools and dashboards for communicating environmental outcomes and monitoring indices for a broad range of data across marine, terrestrial, aquatic and air domains.
3. I have a Bachelor of Science (Chemistry, Information Systems), Waikato University, Hamilton; a Diploma of Design (3D), Waikato Polytechnic, Hamilton; and a Post Grad Certificate of Proficiency (Environmental Planning and law), Victoria University, Wellington.
4. I have prepared expert evidence for plan change hearings in Otago, Canterbury, Wellington, Hawkes bay, Gisborne, Waikato, Auckland, Bay of Plenty, and Northland for second generation regional plans and attended numerous Environment Court mediation sessions as an expert witness. I have prepared evidence for Boards of Inquiry and prepared and presented expert evidence for the Environment and District Courts.
5. I am informed by my experience at Greater Wellington Regional Council as a compliance programme manager and a water quality specialist responsible for reviewing applications for natural resource use, preparing meaningful and workable consent conditions and setting requirements for mitigation, control and monitoring with contractors in the Wellington region with the Resource Management Act 1991 (RMA) for freshwater effects as a result of rural landuse.
6. Since 2010, I have lead science teams and provided strategic direction for numerous public and private organisations, I have presented papers on best practice for Freshwater Accounting Frameworks under the NPS FM 2014, adaptive management and relationship management between local authorities and rural communities.
7. Of particular relevance are catchment projects to determine the effectiveness of planning proposals. Including:
 - a. I managed the design, development and preparation of the Selwyn Waihora SOURCE Model, for the Canterbury Land Water Resource Plan (CLWRP) Variation 1 and Central Plains Community Water Scheme.

- b. I led the development of the Tukituki SOURCE Model, for the Tukituki Plan Change 6; including the scenario development to test the policy and rule framework for the freshwater limits and catchment landuse capability (**LUC**) load allocations.
 - c. I prepared the design and scope for the Ruamahanga SOURCE model, the design, development and preparation of the Ruahuwai SOURCE Model (Upper Waikato) used to evaluate the Waikato Regional Plan Change 1 rule and policy framework.
 - d. I prepared the design and undertook practice reviews for the Waipaoa River SOURCE model and developed the scenarios for the model to test the responsiveness of the natural systems to changes in the catchment landuse and the rule framework in the Tairāwhiti Resource Management Plan.
 - e. I provided guidance, technical advice and review for the design, development and application of the Kaituna-Pongakawa-Waitahanui and Rangitikei catchment models for the National Policy Statement Freshwater Management 2017 requirements for the Bay of Plenty Regional Council.
 - f. I provided a peer review report (co-authored with Dr Hamilton and Dr Rutherford) for the Auckland Council freshwater management tool (FWMT).
 - g. In 2019 I was engaged as a peer reviewer for Tauranga City Council freshwater management tool development.
8. Nationally, I have assessed risk and cost components for four different environmental bonds. The bonds for the MV RENA, NZ Steel Landfill, Kate Valley Landfill and Hampton Downs were different in the range of risk elements and cost components, but like the proposed bond for the Taharoa Iron Sands they considered the likely risks from credible events and the present value costs for mitigations, compliance and rehabilitation.
9. The bonds for NZ Steel (Auckland), Hampton Downs (Waikato) and Kate Valley (Christchurch) were all contested through the Environment Court and resolved as an agreed figure for financial assurance relative to the agreed risks from the activity being consented.
10. In 2017 I presented expert evidence on the environmental bond for the MV RENA on behalf of Bay of Plenty Regional Council. My bond evaluation was adopted by the parties to provide a guaranteed environmental bond to respond to a range of environmental risks with a costed range of mitigation responses.
11. I am currently engaged by Auckland Council on behalf of the Kaipara Moana Remediation fund to project manage the development of operational tools to support the restoration of the Kaipara Moana, assessing landscape risks and the available toolbox of mitigation options.

12. Recently, I have prepared whenua environment plans for ahu whenua to provide a risk assessment framework to achieve trustee goals within an adaptive management or Titiro Whakatika framework.
13. In preparing my evidence I have considered the technical requirements for an environmental dashboard to provide support for the applicant, Council and manawhenua parties.
14. I have undertaken this work with reports and data supplied by other parties and rely on the accuracy of this information to make my assessments and conclusions.
15. I am familiar with the Tahaaroa area and the mining activities being undertaken by Taharoa Ironsands Ltd. I attended a site visit in January 2024.
16. As a result of my qualifications and experience, I have considerable factual knowledge and expertise in the areas of water quality impacts and catchment management, science communication and the digital dashboard development for iwi and hapu across the Motu, New Zealand.

Code of Conduct

17. I can confirm that I have read and agree to comply with the Code of Conduct for Expert Witnesses produced by the Environment Court and have prepared my evidence in accordance with those rules. My qualifications as an expert are set out above.
18. I confirm that the issues addressed in this brief of evidence are within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

Purpose and Scope of evidence

19. As a natural resource scientist and policy researcher I have undertaken my assessment to determine the likely outcomes from the granting of the proposed consents and conditions proposed in the evidence of Mark Chrisp (30 November 2023).
20. My evidence addresses the Taharoa Ironsands Limited (**TIL**) application, submissions in opposition, expert evidence submitted by TIL and the Waikato Regional Council's s42A Officers Report in response to the application and submissions.
21. I have undertaken a risk based assessment of the proposed monitoring conditions, management plans. The assessment is based on the supporting evidence of the applicants experts, Council experts and my own expert opinion.
22. I also discuss the other aspects of compliance conditions (as outlined in Mr Keenan's evidence) relevant to my area of expertise.

23. I consider an adaptive management framework (or Titiro Whakatika) for both ecosystems and community outcomes for the site based on clear communication of data to manawhenua in their role as Kaitiaki.
24. I have reviewed the proposed environmental bond conditions as applied to site rehabilitation and closure.
25. I have reviewed the submissions on the resource consent by tangata whenua and in particular Amanda Pu, Teina Wetini and the Te Kooraha marae whanau who have provided me with existing information from other sources; including Matauranga and Tohu. Ms Wetini is presenting evidence for Roy Wetini and Whanau and I understand they worked directly with applicant on these matters for many years.
26. In my evidence that follows I consider the following matters:
- a. Water allocation and demand for the iron sands extraction, processing and site control;
 - b. Data collection from proposed resource consent conditions and management plans;
 - c. Site monitoring proposed by the applicant and applicant's experts;
 - d. The proposed environmental bond conditions;
 - e. Communication of data and an adaptive management framework; and
 - f. Site operation's compliance with existing conditions by applicant.
27. In preparing this evidence I have reviewed the following evidence and materials:
- a. Parts of the proposed Taharoa Investment Limited (**TIL**) resource consent application;
 - b. Waikato Regional Council's s42A report;
 - c. The statement of Mr Wayne Coffey (Corporate)
 - d. The statement of evidence of Mr Greg Martin (Mine Operations)
 - e. The statement of evidence of Ms Andrea Glockner-Fagetti (Environmental Management)
 - f. The statement of evidence of Dr Brett Beamsley (Plume Dispersion Modelling)
 - g. The statement of evidence of Mr Edward Beetham (Coastal Process)
 - h. The statement of evidence of Mr Peter Wilson (Marine Ecology)
 - i. The statement of evidence of Mr Cameron Lines (Marine Ecology)
 - j. The statement of evidence of Mr Jonathon Williamson (Hydrology)
 - k. The statement of evidence of Ms Keren Bennett (Ecology)
 - l. The statement of evidence of Ms Hannah Mueller (Terrestrial Ecology - Fauna)
 - m. The statement of evidence of Mr Hamish Dean (Terrestrial Ecology – Wetlands and Vegetation)
 - n. The statement of evidence of Mr Andrew Curtis (Air Quality)
 - o. The statement of evidence of Mr Jared Pettersson (Environmental Management Plan)
 - p. The statement of evidence of Mr Grant Eccles (Planning)
 - q. An assessment approach for Adaptive Management.

Water allocation and demand for the iron sands extraction, processing and site control

28. The Freshwater Ecology Assessment in Appendix D of the AEE provides a useful ecological profile for the condition of the Wainui Stream and the Tahaaroa Lakes. The Wainui stream and the three lakes support a diverse range of fish species including Kakahi (freshwater mussels).
29. The hydrology for the Wainui Stream and the Tahaaroa Lakes is dominated by the dam structure. The dam has had substantial work undertaken to successfully improve the ability for fish to navigate the stream from the ocean to the lakes.
30. The determination of the Relative Level (RL) for the lakes and the impounded water in the stream is based on access to water by RIL. The level maintains a substantial storage for TIL operations (at least 2.5million cubic metres).
31. The impounded water above the dam has reduced the wetland margins for the lakes (littoral zones) and reduced the sinuosity of the Wainui Stream. Council expert (Mr Smith) suggests a 93% reduction in habitat along the Wainui Stream, this critical reduction in inanga habitat requires careful management of the catchment hydrology for water quantity and quality.
32. During my site visit I observed grey mullet (Kanae) and Inanga in the intertidal zone below the fish passage weir. I also observed Te Kooraha marae whanau swimming in the Wainui Stream.
33. The damming of the Wainui Stream has reduced the peak flow in the stream which has affected the geomorphology of the coastal outfall (pers coms – Ms Pu et al).
34. The effects on freshwater values from the abstractions at the dam are described in the Appendix D as:
 - a. Temporary changes to the lake level regime with corresponding effects on lake biota and wetland values;
 - b. Reductions in flows in the Wainui Stream downstream of the dam;
 - c. Entrainment and impingement of fish at the intake structure; and
 - d. Disturbance associated with periodic removal of silt and weed from around the intake structure.
35. I have reviewed the Williamson Water and Land Advisory Ltd report and the evidence of Mr Williamson. I find that the model assumptions and input data are appropriate and provide a representation for the water use scenarios.
36. I note that the scenarios include water storage and recycling of processing water. After adopting these future modifications (to the stormwater and discharge facilities) in the scenario, the number of boat events at Taharoa Port is limited to 35 per year.

37. The full use of the allocation volumes show the lake levels have the potential to drop below the 9.3m trigger, at which point flow augmentation is required through the fish passage and 9m RL trigger for notification of Council.
38. Given the sensitivity of the stream flow and lake levels to abstraction during low flow intervals I recommend that alternative storage is provided within the subject land to buffer water demand in summer months.
39. The storage facilities can be incorporated into an update of the stormwater discharge infrastructure as settling ponds. This would further reduce the risk from residual contaminants in the dewatering and site run-off discharges.
40. I recommend that conditions are included to cease the abstraction of water at each of the triggers until an appropriate response is completed. In example for the 9.3m RL trigger, abstraction would cease until the fish passage flows are augmented and measured running at the correct level.
41. I also recommend an up RL trigger for management actions. Based on the lake levels in the AEE – Appendix D Freshwater Ecology Impact Assessment in Figure 4.1 the level could be set base on the median winter peak level.
42. Adopting these recommendations in conditions will improve peak flows to the coast and avoid unintended consequences for water banking inside the lakes. The ‘upper level’ trigger will also alleviate some of the flooding effects identified in submissions.
43. I have attached in Appendix D photos taken at Tahaaroa Lake edge in December 2023.
44. I note that in the s42A report, a condition to this effect is included (condition 5) in AUTH142035.02.01. I also support the retention of a residual flow in the Wainui Stream and recommend it is consistent with allocation management across the rest of the Waikato region and maintained at 90% of the mean annual low flow (MALF).

Data collection from proposed resource consent conditions and management plans

45. The s42A report notes that ‘information gaps remain’ and as a result a ‘wide range of matters are forced into being the subject of management plans to be prepared or updated... at a later date’
46. The following environmental management plans have been identified in my assessment of the reports and evidence:
 - a. Rehabilitation Management Plan (2006)
 - b. Mine Closure Plan (2006)
 - c. Stormwater Management Plan (2017);
 - d. Tahaaroa Mine Water Management Plan (2019)
 - e. Tahaaroa Compliance Management Plan (2019)
 - f. Dust Management Plan (2019)
 - g. Water management Plan (2019)
 - h. Fish Pass Monitoring Plan (2019)

- i. Site management Plan (proposed)
 - j. Operations Management Plan (proposed)
 - k. Site Rehabilitation Plan (proposed)
 - l. Conceptual Site Closure Plan (proposed)
 - m. Freshwater Ecological Management and Monitoring Plan (recommended)
 - n. Northern Block Mining Management Plan (recommended)
 - o. Lizard Management Plan (proposed)
 - p. Avifauna Management Plan (proposed)
 - q. Ecological Management Plan (proposed)
 - r. Weed Management Plan (proposed)
 - s. Freshwater Management and Monitoring Plan (proposed)
 - t. Pest Management Plan (proposed)
 - u. Pest Plant Management Plan (proposed)
 - v. Bat Management Plan (proposed)
 - w. Dotterel Management Plan (proposed)
 - x. Dune Restoration and Revegetation Plan (proposed DoC)
47. The absence of a thorough effects assessment is problematic and unusual to compel the assessment of effects after the activity has commenced. This situation is moderated by the mine being in operation for nearly 50 years.
48. However the emphasis placed on the management plans is critical to the operation of the TIL at the subject land and the effects of the environment, community and manawhenua.
49. Given the large number of potential management plans proposed (and incomplete or requiring an update) I am also unable to determine their final contents or effectiveness in managing the potential or actual effects on the environment.
50. I recommend that the final plans follow a structure which includes the following:
- a. A risk register of effects being managed through the plan (consistent with Appendix F, Table 2)
 - b. A summary of the management objectives
 - c. A concise set of performance indicators (quantifiable and at an appropriate spatial and temporal resolution)
 - d. Management triggers for each of the performance indicators
 - e. Management responses to each of the triggers relative to achieving the objectives
 - f. Reporting to an environmental dashboard
51. It is important that a draft for each of the final management plans is circulated to manawhenua in their kaitiaki tanga role. This will provide for a review of the management objectives, performance indicators and management triggers and responses to be consistent with issues raised in submissions.
52. Similarly the design of the environmental dashboard detailed further in my evidence will require a collaborative design process for reporting and communication of data to all parties.

Site monitoring proposed by the applicant and applicant's experts

53. A site environmental risk register wasn't prepared as part of the AEE or expert evidence. A risk register is a regular practice to provide an inventory of actual or potential risks and provide site specific action plans for the environmental risks.
54. The Appendix F in the AEE (Marine mammal assessment – Cawthron 3525) does contain an equivalent tool for evaluating effects on marine mammals.
55. This approach also allows for transparency and communication of current actions including the status for response to incidents.
56. I found that the proposed and existing conditions allow for a significant gap between data collection and actions for mitigation, intervention or corrective actions.
57. In example an incident involving the stormwater discharges (consent 100908) require reporting within 24 hours.
58. The existing consents include a range of monitoring parameters across the conditions.
59. The Taharoa Mine Water Management Plan includes weekly monitoring for:
 - a. pH (min and max),
 - b. Discharge turbidity (NTU),
 - c. Turbidity 20 m downstream,
 - d. Turbidity 20 m upstream,
 - e. Observation of oil and scum, and
 - f. Erosion (caused by discharge).
60. These parameters largely reflect the Schedule 3 water quality standard for ecosystem health and section 107 of the Act evaluation for reasonable mixing. These are consistent with a resource consent granted in 2006.
61. It is my opinion that these parameters are not targeting (on their own) the performance of the TIL operations. I concur with the Tonkin and Taylor experts and recommend parameters and methodologies based on existing cost effective technology.
62. The proposed discharge permit needs to monitor the potential impacts of the discharge in near real time and include parameters which reflect the range of conditions which will effect ecosystem functionality.
63. I note that the fish taxa observed and recorded in the AEE would support the Wainui Stream being managed to the Fishery Class (Policy 7) at a minimum.
64. I recommend that the monitoring is modified as follows:
 - a. pH at 15min intervals (reporting min and max),
 - b. Dissolved Oxygen at 15min intervals (reporting min and max),
 - c. Turbidity at 15min intervals (NTU),

- i. Located at source of discharge prior to Wainui Stream
 - ii. Located 20 m downstream of discharge location,
 - iii. Located 20 m upstream of discharge location,
- d. Flow rate at 15min intervals (m/s) for the discharge and Wainui Stream
- e. Total Suspended Solids monthly to calculate load
- f. Total Heavy Metals monthly for 12 months – then quarterly.
 - i. Heavy metals analysed must include Aluminium, Arsenic, Nickel, Copper, Iron, Manganese, Lead and Zinc.
 - ii. All analyses must be for total and dissolved metals.
- g. Reporting of total discharge load as kg total suspended solids
- h. Reporting of erosion (caused by discharge)

65. I support the proposed Freshwater Ecological Management and Monitoring Plan (**FEMMP**) recommendations to monitor freshwater taxa; wetland conditions, fish passage operations and water levels at the lakes, streams and subject land.

66. A condition with a trigger value does exist for maintaining lake levels (RL 8.53m) set at RL 9m. The Tonkin and Taylor Freshwater Ecological Report (July 2020) states “we have been unable to establish the purpose of that condition”. The report recommends a trigger for a wetlands conditions assessment when the cumulative annual take volume reaches 70% of the annual limit.

67. I recommend that the proposed and updated management plans follow the structure I have identified in paragraph 50.

68. I have read and considered the proposed conditions in attachment 1 of the s42A report.

69. The conditions provide an update from the 2006 consent conditions which were largely sought on renewal by the applicant. I also recommend that the application of these conditions in considered in the light of the currently available digital technology for communicating information across large landscapes using satellite imagery and sensor technology which can provide high temporal resolution for air and water borne parameters.

70. My recommendations include:

- a. the setbacks recommended in the landuse consent (AUTH142035.01.01) will be explicitly identified using NIR data from satellite across the whole of the site (spatial resolution);
- b. The RL levels in the water permit (AUTH142035.02.01) for each of the water management levels can be measured and telemetered at 15min intervals (temporal resolution);
- c. The flow rates in the diversion permit (AUTH142035.03.01) at the weir are measured with digital level or acoustic sensor and telemetered at 15min intervals (temporal resolution);

- d. The fish pass monitoring (AUTH142035.03.01) could utilise eDNA technology to examine taxa richness (data resolution is significantly improved);
- e. The management of residual flows (AUTH142035.03.01) could be managed on an environmental dashboard to connect multiple decision attributes in near realtime to make planned decisions based on management objectives (Improved functionality).
- f. The water take permit (AUTH142035.05.01) requires a live water budget is maintained and operated in real time. The use of an interactive dashboard will provide triggers and send alerts to remote parties on boats, community, company offices and Council (Spatial and Temporal resolution inside process model);
- g. The discharge permit (AUTH142035.06.01) has water quality parameters monitoring parameters consistent with paragraph 64 (temporal resolution and improved data);
- h. The discharge permit (AUTH142035.07.01) includes level detection and volume calculations for each of the process water ponds to both balance process water, detect leaks and stormwater inundations (Spatial and Temporal resolution inside process model);
- i. The discharge permit (AUTH142035.08.01) requires drone based height detection to calculate volumes and satellite data for rehabilitation performance indicators using NVDI (temporal resolution);
- j. The Coastal permit (AUTH142035.09.01) requires drone monitoring for sediment plume detection during any maintenance events (spatial resolution);
- k. The Coastal discharge permit (AUTH142035.12.01) requires drone monitoring for sediment plume detection at the same time as the heavy metal analysis (spatial resolution);
- l. The Coastal discharge permit (AUTH142035.12.01) requires eDNA analysis at Maataitai including a matauranga survey annually (cultural and technologic resolution).
- m. The Coastal stormwater and process water discharge permit (AUTH142035.12.01) requires eDNA analysis at Maataitai including a matauranga survey annually (cultural and technologic resolution).

71. Monitoring is critical to provide an assurance to kaitiaki and Council that detection, response and reporting of key environmental indicators and associated trigger values is undertaken and provides for adaptive learning methods.

72. I recommend that the monitoring proposed is adopted and the data collected and displayed in an environmental dashboard co-designed by the community and TIL.

The proposed environmental bond conditions

73. An Environmental Bond is provided for under section 108(2)(b) of the Act. Where a condition of consent is scheduled for:

- a. Alteration or removal of structures;
- b. remedial, restoration, or maintenance work;
- c. and providing for ongoing monitoring of longterm effects.

74. The TIL operations are likely to require (in the event of business failure) to require all three of these activities to occur.

75. The current consent conditions (condition 16, RC 100899) require a performance bond which covers securing compliance with consent conditions; securing the completion of rehabilitation and closure; monitoring of adverse effects; operation of stormwater systems; removal of the Wainui Stream dam; removal of TIL infrastructure.

76. The bond structure allows for either a cash bond or a guaranteed bond acceptable to Council. The term for the Bond is a revolving 3 year minimum period of guarantee.

77. The performance targets for the existing bond conditions include:

a. Rehabilitation

“Closure of the Taharoa Iron Sand Mine shall be achieved when the vegetation within each major landform is self-sustaining and it is demonstrated that these closure aims have been achieved and maintained for a minimum period of 5 years.”

b. Water Quality

“The quality of the water discharging from the rehabilitated land is consistent with that discharging from adjacent catchments unaffected by mining”

c. Landforms

“To ensure a stable landform upon completion of the mining works.”

d. Compliance with Conditions

“Compliance with all other conditions of these consents can be demonstrated at the time of Completion of Closure of the Site”

78. An Environmental Bond is proposed in the WRC s42A report. The conditions provide for a Site Rehabilitation Plan (**SRP**), the objective of which is to set out the rehabilitation goals, targets and success criteria to be followed in order to achieve the future landforms and groundcovers detailed within the Conceptual Site Closure Plan.

79. The Conceptual Site Closure Plan (**CSCP**), the objective of which is to address the future of the site in terms of landform and the nature and extent of groundcover following the conclusion of all mining activities.

80. The s42A report in condition 34 of the General Conditions for site operations provides the proposed scope for the bond calculation

Throughout the duration of the Consents, the Consent Holder shall provide and maintain in favour of the Council a rehabilitation bond to:

(a) Secure compliance with all the conditions of this consent and to enable any adverse effects on the environment resulting from the Consent Holder’s activities and not authorised by a resource consent to be avoided, remedied or mitigated;

(b) Secure the completion of rehabilitation and closure in accordance with the approved Site Rehabilitation Plan (forming part of the Site Management Plan);

(c) Ensure the performance of any monitoring obligations of the Consent Holder under this consent;

(d) Enable the Council to undertake monitoring and management of the site until completion of closure of the site.

81. The proposed Rehabilitation Bond is consistent with the scope under section 108 of the Act and will provide a level of assurance for the community, Council and manawhenua for the site to be managed irrespective of the financial success of the current operator.
82. The conditions 38 – 40 proposed in the s42A report describe how the bond quantum is estimated.
83. It is interesting that the Bond calculation is determined by Council. However the input for the scope is based on the formation of the SRP and CSCP. Given the complexity of preparing these plans I recommend that a condition explicitly states the involvement of the community in this process.
84. I recommend that the bond preparation and the development of the SRP and CSCP are included in the scope for the Kaitiaki Partnership Group condition.
85. I recommend a worked example for the bond is prepared in a workshop or wananga with the Kaitiaki Stakeholder Group. This will identify areas of concern and provide a conceptual framework for scaling the bond requirements.

Communication of data and an adaptive management framework

86. The s42A report has a condition (Schedule 1, Condition 28) for the management of the site including a communication condition associated with the stakeholder parties to the consent and manawhenua parties.
87. I recommend that condition 28 is changed to be consistent with the proposed condition in **Appendix A** of my evidence.
88. The **Appendix A** condition was issued by consent order for a port facility in Gisborne and is suitable for application in the current proceedings. The recommended Appendix A condition is a stable framework for a communications group to establish management objectives, targets, triggers, response actions and reporting for the management plans.
89. The **Appendix A** condition will provide a communications forum for an adaptive management framework to be adopted for the ongoing management of effects where there is currently considerable uncertainty.

90. An Adaptive Management structure is required to ensure that mitigations and predictions are focused. With mitigation actions not leading to unintended consequences for the environment or communities. Such consequences may lead to financial costs for a community and a loss of confidence in mitigation actions.
91. Adaptive management uses predictive decision making (modelling) to ask for outcomes of a 'possible' future by testing a range of hypothetical options for their relative impacts on the current state.
92. The purpose of an Adaptive Management Approach is to allow a flexible approach to the management of natural resources and to let a learning cycle occur for each decision-making step.
93. An adaptive management process is then informed by the stepwise learning from changes in water quality (monitoring) against the predicted outcomes. This allows informed or guided decisions rather than random exercises. Adaptive management helps communities make decisions about complex ecological systems and mitigation options rather than wait decades for final research results.
94. In **Appendix B** – Tiro Whakatika there is an example for Adaptive Management within Te Ao Maori to provide an ecosystems based approach for Kaitiaki.
95. I also recommend that a data portal and dashboard is developed as a collaborative tool for both communication between TIL and the community and to provide a data reporting and compliance outcome for Council.
96. A well-designed data visualisation platform enables monitoring data to be visualised in a meaningful outcome driven way. It connects all targeted scientific data and displays it together in one platform for its users.
97. It can include a primary mapping tool that enables spatial mapping and storing of any data. This can be custom built and designed to suit the management plan objectives and enables all data to be spatially located and tagged in location.
98. Using a visualisation platform that brings together scientific data alongside mātauranga derived cultural indices, and kaitiaki monitoring observations. Provides monitoring data and cultural data on the maramataka calendar and provides a te Ao Māori lens to govern data within a catchment.
99. It also provides a platform for mana whenua to influence the monitoring and reporting parameters to align with their own measures of health and wellbeing for te taiao. With a focus on data transparency and equity. An environmental dashboard can achieve this with support from manawhenua, and I have attached an example of one in Appendix C.

100. The unique location of the TIL project in a remote community almost entirely in Māori ownership also requires a digital kaitiaki observation tool specifically for use by mana whenua in Tahaaroa. It enables on site observations to be recorded in real time with spatial location and mapping tools, ability to upload video, audio, images and written observations.
101. It can be tailored to include mana whenua developed fields of observation and components unique to their whenua and te taiao.
102. I have provided some examples in Appendix C – “Tūhono” of recent dashboard projects which have similar objectives to the TIL consent and management requirements.
103. I recommend that an environmental dashboard is developed to reach a collaborative enduring outcome for the consent and would recommend a longer term for the consent on the basis of an adaptive management approach being adopted and supported by a dashboard with a Tūhono structure.

Site operation’s compliance with existing conditions by applicant

104. The unique location and isolation of the Tahaaroa Iron sands subject land is a significant factor in evaluating the historic, present and future compliance.
105. The TIL AEE (APP142035 – 20200710) addresses compliance to date at the site and makes note in Table 4.5 – “No infringements recorded or communicated to TIL by WRC to date for mining activity on the Tahaaroa C Block”
106. Compliance is referred to 10 times in the AEE, however no assessment is made for addressing site compliance to either standards, targets or triggers for action by TIL operations.
107. In Appendix D (Water Quality) of the AEE a review of the annual reports submitted (2014 – 2019) find only one non-compliant data point in the entire water quality data set.
108. Equally, the AEE and expert evidence is only able to discover a single turbidity ratio (Downstream/Upstream) in a compliance report, which is a compliance metric to determine the effects of the discharge to the Wainui Stream. The average turbidity ratio recorded 2014 - 2019 was 1.11, and only once has the ratio exceeded the threshold value of 2.
109. In 2017, an uncontrolled discharge of diesel occurred in Wainui Stream from TIL. The incident was investigated and resulted in a prosecution.
110. During the 2022/23 compliance year an incident involving the discharge to the CMA of mine tailings occurred resulting in an Abatement Notice and further investigations at the time of my evidence. This incident was observed by manawhenua at the beach adjacent to a popular swimming hole at Wainui Stream.

111. Prior to this hearing, Council has issued another abatement notice (EAC9649-RMA Abatement Notice - Taharoa Ironsands Ltd - 15(1)(c) Unlawful Discharge to Air) in response to incidents reported by manawhenua at adjacent land.
112. The s42A report provides in Appendix H, a site compliance report (template) for TIL. The 2022/23 report identifies an exceedance of the stormwater discharge volume (AUTH100908) to Wainui Stream. The report also highlights inconsistent data collection for air quality monitoring, fish surveys, weir operations and completion of management plans.
113. A significant operational concern is highlighted relating to the failure to maintain the internal water control facilities and devices – which contributed to illegal discharge to the CMA.
114. In the report Council advise TIL to make available near real time dust monitoring data to the community. This is consistent with my recommendation for an environmental dashboard which can provide a two way communication channel between TIL and the community.
115. Consistent with the previous evidence statements the evaluation is dependent on data and the communication between the relevant parties.

CONCLUSIONS

116. TIL have a track record of significant non-compliance at the subject land.
117. The potential risks at the subject land for significant adverse effects on community and the environment from TIL operations require monitoring, data reporting, near real-time communication and corrective actions.
118. The ability to respond to environmental uncertainty through an adaptive management framework requires high quality data with spatial and temporal resolution which targets the ability of TIL to meet agreed management objectives.
119. I recommend that the proposed management plans are structured to provide:
- a. A risk register of effects being managed through the plan (consistent with Appendix F, Table 2);
 - b. A summary of the management objectives;
 - c. A concise set of performance indicators (quantifiable and at an appropriate spatial and temporal resolution);
 - d. Management triggers for each of the performance indicators;
 - e. Management responses to each of the triggers relative to achieving the objectives; and
 - f. Reporting to an environmental dashboard.

120. The unique location and community where TIL operate requires a cohesive integration between TIL operations, manawhenua and Council. I propose a Kaitiaki Stakeholder Group is established to facilitate this engagement and provide input in management plan development.
121. The application by TIL covers a unique environment, large size and proposed duration of the TIL operations; long distances from the regulator and the proximity of effected parties and manawhenua. These elements require an independence communications platform which provided a trusted platform for monitoring data, TIL actions (proactive and reactive), Council reporting and Kaitiaki monitoring.
122. I have proposed a platform which is also able to integrate customary knowledge within the rohe to provide contexts for monitoring data within existing knowledge of matauranga and coincident with Maramataka events. The ability to integrate a Te Ao Māori perspective will provide stability to the monitoring framework and insights into the environmental and community effects identified in the expert reports.
123. My evidence shows the proposed environmental bond is consistent with the Act; the scope of the bond will give effect to the proposed Conceptual Site Closure Plan and the Site Rehabilitation Plan.
124. I recommend a worked example for the bond is prepared in a workshop or wananga with the Kaitiaki Stakeholder Group. This will identify areas of concern and provide a conceptual framework for scaling the bond requirements.
125. My assessment has considered the allocation of water from the Wainui Stream and found that while the water is available in the dam in most years. The proposed operation of the dam can affect the littoral zone of the three lakes, the remaining stream habitat below the dam and the fish pass operation.
126. I recommend that the abstraction and dam conditions are amended to include monitoring, triggers and actions for managing:
- a. Lake heights (minimum and maximum) as RL;
 - b. Flow across the fish pass; and
 - c. Residual flow in the Wainui Stream.
127. I have reviewed the expert evidence and s42A officers report recommendations for monitoring the TIL operations. I have found consistent gaps between the proposed management plans and the proposed consent conditions for monitoring. I acknowledge the difficulty to make an assessment without a complete assessment of effects.
128. To address the assessment of effects occurring during the term of the consent, I recommend including monitoring which targets risk from TIL activities and provides a feedback loop at a meaningful spatial and temporal resolution.

129. I recommend monitoring parameters with data collection at different spatial and temporal resolution for each of the primary consents. This monitoring will inform the adaptive management protocols and can be applied to automated alerts for triggers and logic routines inside an environmental dashboard.

130. In conclusion I support the granting of the consent with the recommendations adopted in my evidence.

APPENDIX A – KAITIAKI PARTNERSHIP GROUP CONDITION

a) Within two months of the commencement of these resource consents the Consent Holder shall provide an offer in writing to the following local iwi (tangata whenua) to establish and maintain a Kaitiaki Partnership Group (**KPG**):

- i) Ngāti Oneone
- ii) Ngāti Porou
- iii) Te Atianga a Mahaki
- iv) Rongowhakaata.

Note: Te Atianga a Mahaki a Mahaki are included at the request of the Consent Holder (Right of Reply dated 5 July 2018). The Consent Holder may also wish to confer with the Council regarding any other local iwi groups that could be invited to be a part of the KPG.

b) Each of the iwi groups identified may nominate two representatives to the KPG. The Consent Holder and the Council may also each nominate two members to the KPG.

c) As soon as practicable after acceptance of the offer by one or more of the iwi a Protocol establishing the KPG shall be executed by the Consent Holder, the accepting iwi and the Council representatives. The Protocol shall set out the following, as a minimum:

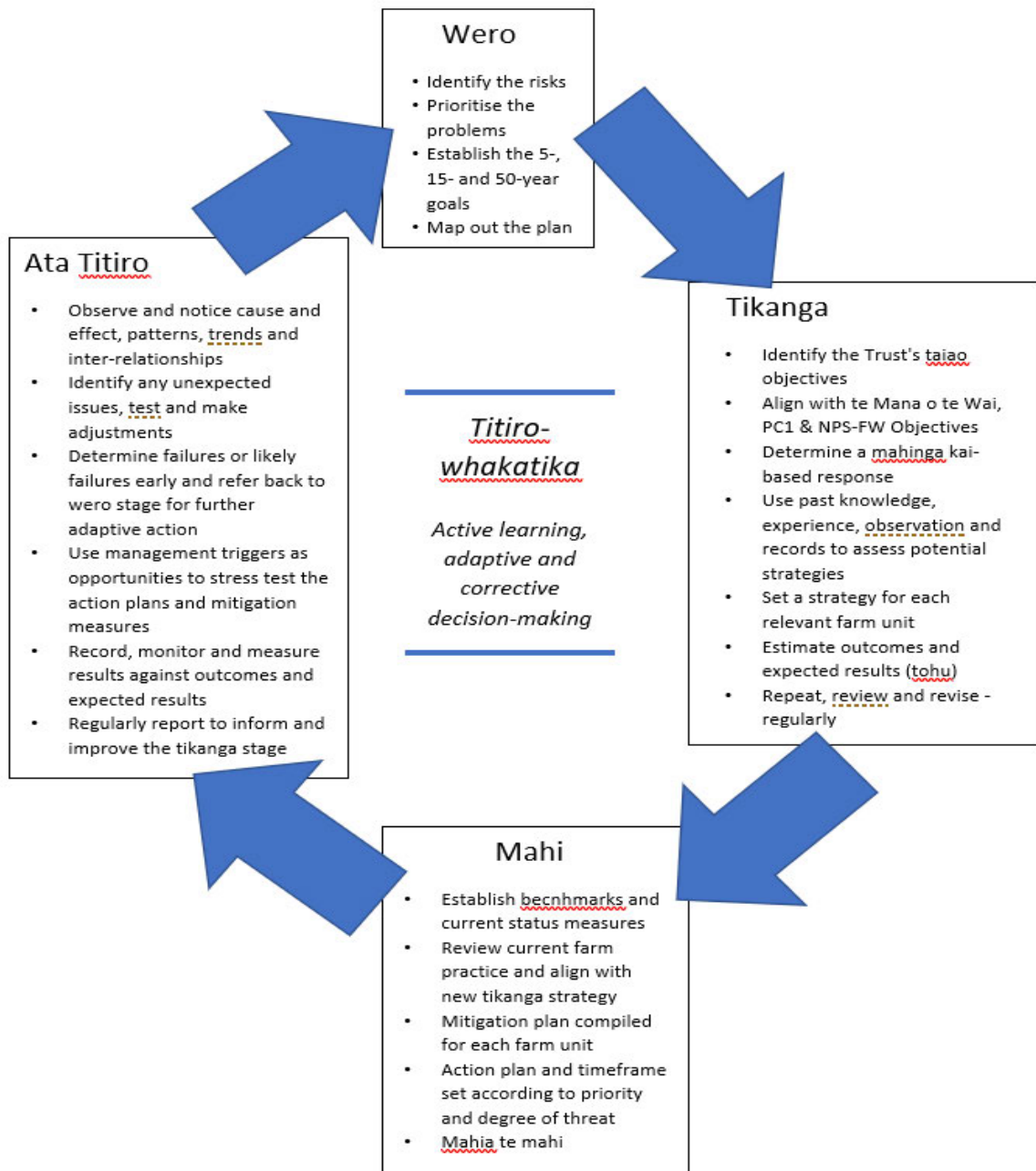
- i) The role, purpose and functions of the KPG;
 - ii) The composition of the KPG;
 - iii) The process for determining – and amending where necessary – membership of the KPG;
 - iv) How the KPG intends to carry out its functions, including the frequency and format of KPG meetings;
 - v) The role of the GDC with respect to the KPG; and
 - vi) The rates of remuneration for members of the KPG.
- d) On ratification of the Protocol the KPG shall be constituted.
- e) The role of the KPG shall be to provide a forum for the Consent Holder and tangata whenua to jointly discuss matters of interest to either party relating to the redevelopment of the Eastland Port in accordance with these resource consents and with other subsequent resource consents associated with the Consent Holder’s Twin Berths project.
- f) The purpose of the KPG shall be to:
- i) recognise and provide for the kaitiakitanga responsibilities of tangata whenua as being an integral part of the redevelopment of the Eastland Port under these resource consents and with other subsequent resource consents associated with the Twin Berths project;
 - ii) acknowledge and provide for the importance of the landform, sites of cultural significance, and the mauri of the water bodies within and surrounding the port area, as tāonga to tangata whenua;
 - iii) facilitate involvement of tangata whenua in the preparation and implementation of resource consents associated with the Twin Berths project;
 - iv) assist in identifying potential opportunities for some involvement in the wider, long term activities of the port, and

- v) facilitate processes to manage actual or potential Maori cultural impacts that arise from implementation of the two current resource consents and other subsequent resource consents associated with the Twin Berths project.
- g) The KPG shall exercise its purpose by:
 - i) establishing a Cultural Values Framework consistent with the values of tangata whenua;
 - ii) reviewing and commenting on management plans and monitoring reports produced by the Consent Holder, including how any scientific and/or technical data may assist with the successful implementation of the Cultural Values Framework;
 - iii) identifying and recommending opportunities for the inclusion of applicable cultural site memorial structures; and
 - iv) managing any associated tangata whenua cultural ceremonies.
- h) The first KPG meeting shall be held as soon as practicable after the establishment of the KPG.
- i) The KPG shall meet at least twice per calendar year.
- j) The KPG shall exercise its discretion as to how it will conduct/administer its functions under this consent (such discretion to be exercised reasonably at all times).
- k) The Consent Holder shall:
 - i) meet all reasonable costs incurred by the KPG in fulfilling its functions under these resource consents, including KPG meeting sand the remuneration of KPG members – subject to normal business practices such as invoicing and accounting in accordance with the Protocol;
 - ii) give members at least 15 working days’ notice of the date, time and location of KPG meetings, and provide adequate time for the preparation and circulation of agenda papers;
 - iii) take minutes of KPG meetings, to be forwarded to members and the Council within 10 working days of a meeting;
 - iv) make minutes publicly available on the Eastland Port website (except for any sensitive information that all members agree shall be withheld); and
 - v) provide copies of relevant reports and other documentation to the KPG relating to the implementation of these resource consents and other subsequent resource consents associated with the Twin Berths project. This may also include information that relates to other projects associated with the Consent Holder’s activities and/or operations.

Augier Condition

- l) The Consent Holder agrees to administratively and financially support the continued operation of the KPG until all decisions relating to these resource consents and other resource consents associated with the Twin Berths project – including for any variations on the Twin Berths project – are fully determined by the Council, and will use the KPG as a forum to verify/confirm a Cultural Values Framework for assessing this and all other RMA based resource consenting and monitoring during the period that the components of the Twin Berths project are being implemented. The Consent Holder also agrees to review in conjunction with the KPG and the Council the continued need for the KPG beyond this period.

APPENDIX B TITIRO-WHAKATIKA



Tohu - Trigger Issues

- a. Weather events
- b. TIL risk evaluation
- c. Notifications by stakeholders, contractors, tenants and staff
- d. Routine inspections
- e. Maintenance reports
- f. Environmental data from monitoring data
- g. TIL data from manage units
- h. New development plan

Whakaaro - Options

- EMP review
- Model predictions
- Quarterly inspections
- Incident response report
- Rain event survey
- Site risk survey
- Environmental data review
- Monitoring data review
- EMP development plan
- Monitoring results
- Wananga advice

Mahi - Actions

- Dune Protection
- Riparian retirement
- Wetland protection
- Sediment Bund installation
- Erosion Prone Land retirement
- Discharge Management review
- Fish Pass Management review
- Stormwater system upgrade
- Mine infrastructure upgrade
- Dashboard review
- On-site actions

APPENDIX C - TŪHONO





Sensor details -

AQ415

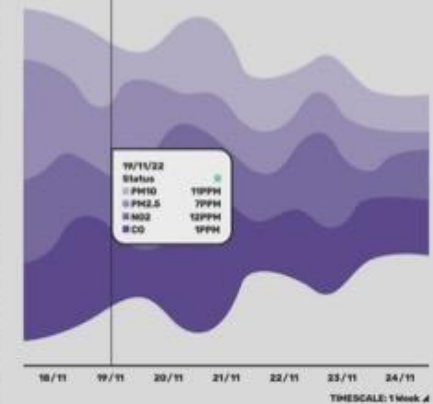
Air Quality Sensor

LOCATION
43°05'45.1"S 172°49'35.0"E

SENSOR STATUS
OK

DATA QUALITY
QC 600

DATA
Detected pollutants



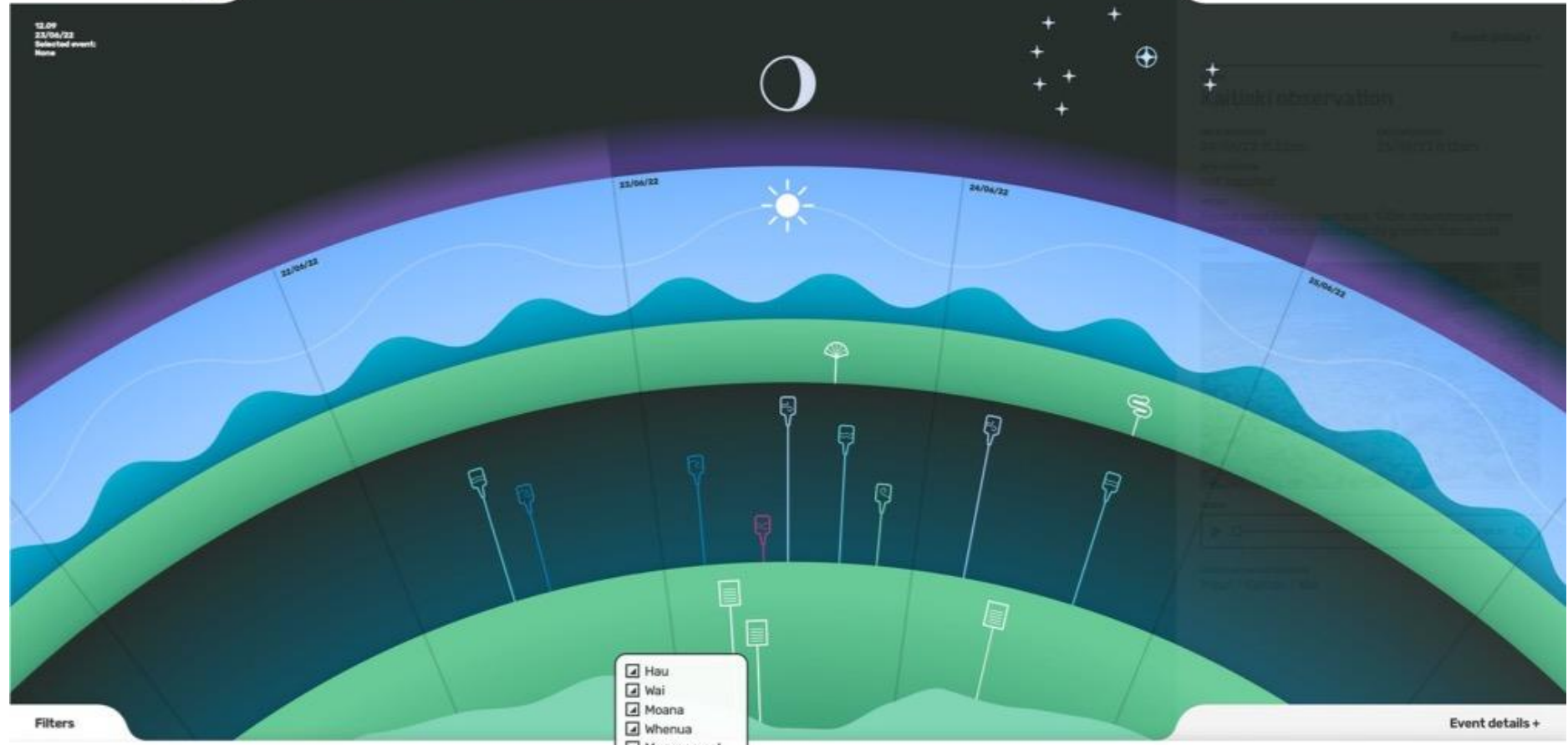
Layers

VIEW MODE **Odour**

TERRAIN LAYERS **2/5 active**

DATA LAYERS **2/5 active**

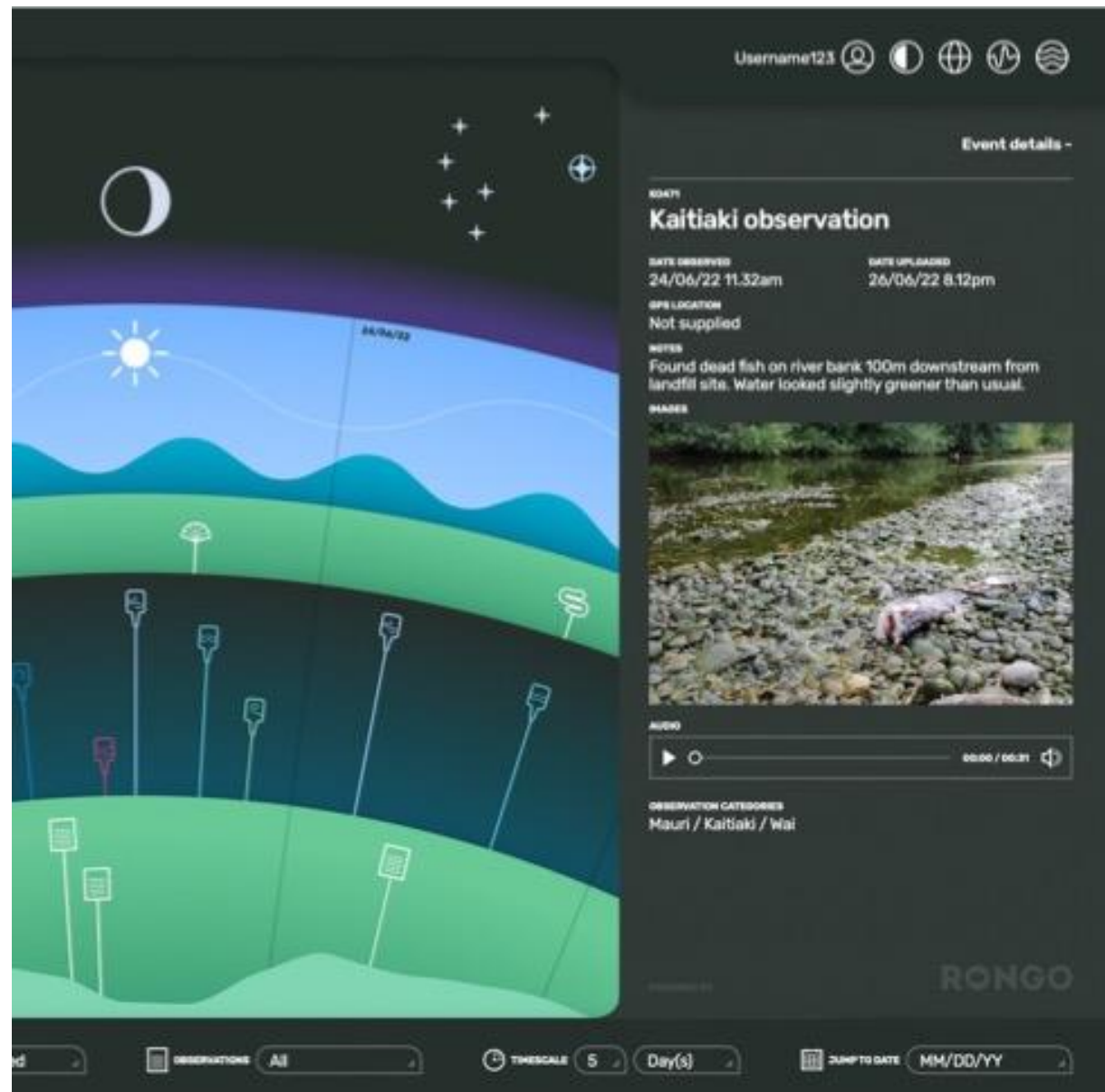




Filters

Event details +

VIEW MODE: Maramataka | ENVIRONMENTAL: 4/4 selected | DATA: 5/5 selected | OBSERVATIONS: All | TIMESCALE: 5 Day(s) | JUMP TO DATE: MM/DD/YY



APPENDIX D – LAKE FLOODING IN DECEMBER 2023

Photos taken by Amanda Pu at Tahaaroa Lake edge



Attachment AA

Recommended Consent Conditions

The following is an updated 'track changes' version of the Recommended Consent Conditions that were attached as Attachment I to the s.42A Report dated December 2023.

The Tracked changes version builds on the comments provided by Mr Conland and incorporates material referred to in Mr Keenan's Statement. **The changes are highlighted in green.**

Resource Consent Certificate

Resource Consent Number: AUTH142035.01.01

File Number: 60 40 32A

Pursuant to the Resource Management Act 1991, the Waikato Regional Council hereby grants consent to:

Taharoa Ironsands Limited
PO Box 308
Wellington 6140

(hereinafter referred to as the Consent Holder)

Consent type: Land Use Consent

Consent subtype: Land Disturbance

Activity authorised: Undertake iron sand mining operations and associated land disturbance activities including construction of dredge ponds, access roads, iron sand stockpiles and ancillary buildings.

Location: Taharoa Road - Taharoa

Map Reference: NZMS 260 R16:605-354

Consent duration: This consent will commence on the date of decision notification and expire on 31 March ~~2044~~ 2031 ~~[TBC]~~.

Subject to the conditions overleaf:

CONDITIONS

General

1. The exercise of this consent is subject to compliance with the General Conditions in Schedule 1.
2. The Consent Holder shall prepare a map (or maps) of the Consent Area at a suitable scale showing:
 - (a) The boundary of the Consent Area (i.e. the totality of the Central Block and the Southern Block);
 - (b) An internal setback of ~~50~~100 m from third party properties adjoining the Consent Area (excluding the Northern Block, Eastern Block and Te Mania Extension);
 - (c) An internal setback of 200 m from third party dwellings adjoining the Consent Area (excluding the Northern Block, Eastern Block and Te Mania Extension);
 - ~~(e)~~(d) The location of, and a setback of 100 m from, Mean High Water Springs (MHWS);
 - ~~(d)~~(e) The location of, and a setback of 30 m from, any other perennial waterbodies within and adjacent to the Consent Area; ~~and~~
 - ~~(e)~~(f) A setback of 80 m from the Mitiwai Stream, in all parts of the Central Block where the setback is required to protect the sand dune ridgeline immediately adjacent to the Mitiwai Stream at the existing height.
 - ~~(f)~~(g) The location of, and a setback of 100 m from, all natural inland wetlands within and adjacent to the Consent Area;
 - (h) Proposed rehabilitation areas updated on an annual basis showing planned and completed rehabilitation planting;
 - ~~(g)~~(i) The location of buildings, structures, stormwater / water supply /tailings ponds and other mine infrastructure including rehabilitation areas existing at the commencement date of this consent within 100 m of MHWS; and
 - (j) The current location and scale of stormwater / water supply /tailings ponds and rehabilitation areas updated on an annual basis.
 - ~~(h)~~(k) The location of urupa and other wahi tapu sites.
3. The plan (or plans) required by Condition 2 shall be supported by a statement prepared by a suitably qualified and experienced Ecologist confirming the accuracy of the mapping of the other perennial waterbodies and natural inland wetlands, and the setbacks from those features specified in Condition 2.
4. The plan (or plans) required by Condition 2 shall be submitted to Waikato Regional Council for review and approval by the Waikato Regional Council, acting in a technical certification capacity within 10 working days of the commencement date of this consent. Following review and approval, the plan (or plans) must be displayed and updated no more than 2 weeks following submission of changes to the plan required by Condition 2(h) and (j) on the website required by Condition 22 (General Conditions).
5. Mining operations shall not be undertaken within any of the setbacks, urupa or wahi tapu sites shown on the certified map (or maps) required by Condition 2 of this consent.

For the purposes of this condition, “mining operations” means the extraction of sand and any equipment and structures necessary to facilitate sand extraction, and the deposition of tailings. It does not include:

- (i) buildings, structures, stormwater/water supply ponds and other mine infrastructure existing at the commencement date of the consents including within 100 m of Mean High Water Springs, and any activities required for the maintenance of those items;
 - (ii) activity (including vehicle movements) necessary for the purposes of stabilisation and maintenance of sand and tailings stockpiles;
 - (iii) any activity associated with ecological restoration or rehabilitation; and/or
 - (iv) any activity necessary to address coastal erosion or inundation.
-

Advice Note: An application will be required under s.127 of the RMA, supported by sufficient technical assessment including a Hydrogeology Assessment, for any proposal to reduce the 100 m setback from [perennial waterbodies or](#) natural inland wetlands specified in Condition 2.

6. [The Consent Holder shall ensure that livestock and horses are excluded from wetlands, rehabilitation areas, the coastal marine setback area, rehabilitation riparian margins \(including downstream of the fish pass on the Wainui Stream\), urupa and wahi tapu sites mapped in accordance with Condition 2 of this consent.](#) The Consent Holder shall ensure, [as far as practicable](#), that all livestock and horses are excluded from the [balance of the](#) Consent Area at all times except in relation to areas that have been rehabilitated for pastoral grazing purposes and have been fenced with stock proof fences. Apart from the aforementioned exception, if livestock or horses gain access to the Consent Area, they are to be removed within 48 hours of the Consent Holder becoming aware of them being within the Consent Area.

Advice notes

1. This resource consent does not give any right of access over private or public property. Arrangements for access must be made between the consent holder and the property owner.
 2. This resource consent is transferable to another owner or occupier of the land concerned, upon application, on the same conditions and for the same use as originally granted (s.134-137 RMA). The transfer of water, including changes of location, may occur as provided for in Chapter 3.4 of the Waikato Regional Plan, subject to the requirements of those rules.
 3. The consent holder may apply to change the conditions of the resource consent under s.127 RMA.
 4. The reasonable costs incurred by Waikato Regional Council arising from supervision and monitoring of this/these consents will be charged to the consent holder. This may include but not be limited to routine inspection of the site by Waikato Regional Council officers or agents, liaison with the consent holder, responding to complaints or enquiries relating to the site, and review and assessment of compliance with the conditions of consents.
 5. Note that pursuant to s332 of the RMA 1991, enforcement officers may at all reasonable times go onto the property that is the subject of this consent, for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples.
 6. If you intend to replace this consent upon its expiry, please note that an application for a new consent made at least 6 months prior to this consent's expiry gives you the right to continue exercising this consent after it expires in the event that your application is not processed prior to this consent's expiry.
 7. If at any time during the resource consent period, you no longer require your consent, it may be surrendered, in whole or part, by giving written notice of such to the consent authority. Alternatively, please contact Resource Use staff on 0800 800 402 and we can provide you with a surrender form. Note that the surrender takes formal effect when you receive a notice of acceptance of the surrender from the Council.
-

Resource Consent Certificate

Resource Consent Number: AUTH142035.02.01

File Number: 60 40 32A

Pursuant to the Resource Management Act 1991, the Waikato Regional Council hereby grants consent to:

Taharoa Ironsands Limited
PO Box 308
Wellington 6140

(hereinafter referred to as the Consent Holder)

Consent type: Water Permit

Consent subtype: Dam

Activity authorised: To dam and divert the Wainui Stream for the purpose of creating a water supply reservoir for iron sand mining operations.

Location: Taharoa Road - Taharoa

Map Reference: NZMS 260 R16:598-355

Consent duration: This consent will commence on the date of decision notification and expire on 31 March ~~2044~~—205931 ~~[TBC]~~.

Subject to the conditions overleaf:

CONDITIONS

General

1. The exercise of this consent is subject to the General Conditions in Schedule 1.

Advice Note: The General Conditions include conditions which specifically address the actual and/or potential environmental effects associated with the damming and diversion of the Wainui Stream and the operation and monitoring of the existing fish pass as part of an Ecological Management Plan.

2. The crest height of the dam shall not exceed RL 11.58m a.s.l.
3. The Consent Holder shall monitor and record the water levels of the Wainui Stream at the water intake structure immediately upstream of the dam on the Wainui Stream on a daily basis at [NZTM 1749676.36 5773786.62](#) ~~[TIL to provide GPS reference]~~ and forward the results to the Waikato Regional Council in accordance with conditions ~~31-24~~ and ~~32-25~~ of Schedule 1 – General Conditions.
4. The Consent Holder shall, as far as reasonably practicable, manage the water level in the Wainui Stream and Lake Taharoa so that it does not cause or contribute to flooding of any land surrounding Lake Taharoa including Taharoa Road.
5. ~~To avoid, as far as reasonably practicable, the water level in the Wainui Stream and Lake Taharoa causing or contributing to flooding of any land surrounding Lake Taharoa including Taharoa Road, the Consent Holder must spill water from the dam to ensure that the level of Lake Taharoa does not exceed RL ??? [TIL to advise RL].~~ The Consent Holder shall notify the owners and occupiers of land adjoining Lake Taharoa, Waikato Regional Council and Fire and Emergency NZ if the level of the lake exceeds the dam crest height of RL11.58m a.s.l..
6. The Consent Holder must ensure there is a residual flow in the Wainui Stream immediately downstream of the dam structure of no less than ~~x160~~ l/s ~~[TIL to advise rate]~~.
7. The Consent Holder must be responsible for the structural integrity and maintenance of the dam and associated structures and for any erosion control works that become necessary to preserve the integrity and stability of the river channel.

Advice notes

1. This resource consent does not give any right of access over private or public property. Arrangements for access must be made between the consent holder and the property owner.
 2. This resource consent is transferable to another owner or occupier of the land concerned, upon application, on the same conditions and for the same use as originally granted (s.134-137 RMA). The transfer of water, including changes of location, may occur as provided for in Chapter 3.4 of the Waikato Regional Plan, subject to the requirements of those rules.
 3. The consent holder may apply to change the conditions of the resource consent under s.127 RMA.
 4. The reasonable costs incurred by Waikato Regional Council arising from supervision and monitoring of this/these consents will be charged to the consent holder. This may include but not be limited to routine inspection of the site by Waikato Regional Council officers or agents, liaison with the consent holder, responding to complaints or enquiries relating to the site, and review and assessment of compliance with the conditions of consents.
-

5. Note that pursuant to s332 of the RMA 1991, enforcement officers may at all reasonable times go onto the property that is the subject of this consent, for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples.
 6. If you intend to replace this consent upon its expiry, please note that an application for a new consent made at least 6 months prior to this consent's expiry gives you the right to continue exercising this consent after it expires in the event that your application is not processed prior to this consent's expiry.
 7. If at any time during the resource consent period, you no longer require your consent, it may be surrendered, in whole or part, by giving written notice of such to the consent authority. Alternatively, please contact Resource Use staff on 0800 800 402 and we can provide you with a surrender form. Note that the surrender takes formal effect when you receive a notice of acceptance of the surrender from the Council.
-

Resource Consent Certificate

Resource Consent Number: AUTH142035.03.01

File Number: 60 40 32A

Pursuant to the Resource Management Act 1991, the Waikato Regional Council hereby grants consent to:

Taharoa Ironsands Limited
PO Box 308
Wellington 6140

(hereinafter referred to as the Consent Holder)

Consent type: Water Permit

Consent subtype: Diversion

Activity authorised: Occupy the bed of the Wainui Stream via a rock weir and the associated diversion of water through a fish pass channel located adjacent to the Wainui Stream.

Location: Taharoa Road - Taharoa

Map Reference: NZMS 260 R16:597-354

Consent duration: This consent will commence on the date of decision notification and expire on 31 March ~~2044~~ 2059³¹ [TBC].

Subject to the conditions overleaf:

CONDITIONS

General

1. The exercise of this consent is subject to the General Conditions in Schedule 1.

Advice Note: The General Conditions include conditions which specifically address the actual and/or potential environmental effects associated with the damming and diversion of the Wainui Stream and the operation and monitoring of the existing fish pass as part of an Ecological Management Plan.

Fish Pass Operation

2. The Consent Holder shall ~~develop and implement a management plan that sets out how the fish pass is to be operated and maintained to~~ ensure that:
 - ~~(a)~~ a fortnightly inspection is undertaken of the entire length of the fish pass. If the inspection should identify the need for any cleaning, maintenance or repairs, the consent holder shall ensure that the necessary works are undertaken as soon as possible.
 - ~~(b)~~ the downstream entry to the fish pass is submerged by at least 100 millimetres at all times.
 - ~~(c)~~ the flow velocity in the fish pass does not exceed 0.3 metres per second.
 - ~~(e)~~ the pool at the entrance of the fish pass and access to the main channel of the Wainui Stream is kept free of aquatic weeds during the main fish migratory period (July – February).
 - ~~(d)~~ a pool depth ~~below the dam inlet gate~~ at the base of the dam overflow chamber of at least 0.5 metres is maintained to minimise injury to downstream migrating eels.
- ~~3. The management plan shall be lodged with the Waikato Regional Council within 6 months of the commencement of this consent for written approval by the Waikato Regional Council acting in a technical certification capacity.~~
- ~~4.3.~~ The Consent Holder shall maintain and if required modify the fish pass to ensure its **efficiency** effectiveness at all times.

Fish Pass Monitoring

- ~~5.4.~~ The Consent Holder shall develop and implement a monitoring programme to determine the ongoing effectiveness of the fish pass at providing passage for the juveniles of the following fish species: inanga, smelt, long-finned eel, short-finned eel, grey mullet and juvenile and adults of the following species long-finned eel, short-finned eel and grey mullet. This programme shall be developed in consultation with the Department of Conservation, Taharoa C Incorporation, Taharoa Lake Trustees, Tukotahi Tuteao Trust, Te Ruunanga o Ngāti Mahuta ki te Hauaaauru, Te Kōraha Marae, Aaruka Marae and the Waikato Regional Council and shall be lodged with the Waikato Regional Council within 6 months of the commencement of this consent for written approval by the Waikato Regional Council acting in a technical certification capacity.

The monitoring programme shall confirm:

- (a) The likely migration periods for each of the species listed and use this as the basis for determining the timing and frequency of monitoring required.
- (b) How the number and species of fish passing through the fish pass are to be monitored during the migration times for each of the species and life cycles listed above.
- (c) A process for monitoring the frequency and effectiveness for of non-target fish utilising the fish pass.
 - ~~(a)~~ A method for determining and demonstrating the effectiveness of the fish pass. This includes monitoring of water temperature, water chemistry, stage levels and flow rates of the fish pass and entrance exit areas for the fish pass.
 - ~~(e)~~ Reporting frequency and mechanisms, including any recommendations for improvement of the fish pass or review of the monitoring programme.

~~6-5.~~ Any changes to the monitoring programme shall be provided to the Waikato Regional Council for written approval acting in a technical certification capacity.

Managing Residual Flow

~~7-6.~~ The Consent Holder shall develop and implement a Residual Flow Management Plan that sets out how the residual flow in the Wainui Stream and in the fish pass will be monitored and maintained during periods of:

(a) low flows (when the level of Lake Taharoa is below RL9.3m) Including:

- ~~, including augmentation of the flow in the fish pass to maintain a residual flow in the fish pass of 34 L/s.~~
- ~~(a)•~~ Augmentation of the Wainui Stream to maintain a residual flow of 160L/s when the level of Lake Taharoa is below RL9.3m.

(b) Water abstraction for mining operations.

(c) ship loading.

(d) fish migration.

Advice Note: The data measurements recorded as a result of this condition will be published on the reporting website on a continuous basis with data published contemporaneously with measurements.

~~8-7.~~ The Residual Flow Management Plan shall include the process for reporting on the monitoring and shall be lodged with the Waikato Regional Council within 6 months of the commencement of this consent for written approval by the Waikato Regional Council acting in a technical certification capacity.

The Wainui Stream

~~9-8.~~ ~~The Consent Holder shall identify and enhance inanga spawning zones in the Wainui Stream above and below the dam i~~ In consultation with the Waikato Regional Council and the Department of Conservation, Taharoa C Incorporation, Taharoa Lake Trustees, Tukotahi Tuteao Trust, Te Ruunanga o Ngāti Mahuta ki te Hauaauru, Te Kōraha Marae, and Aaruka Marae. ~~Prior to enhancement works being undertaken~~, the Consent Holder shall ~~provide the Waikato Regional Council with a review and update the existing~~ “Wainui Stream Enhancement Plan” for the purpose of improvement in the indigenous biodiversity values associated with the lower Wainui Stream (~~below the dam~~ between MHWS and the Lake Tahaaroa outlet) including the management of identified inanga spawning areas.

~~10-9.~~ In considering the ~~purpose~~ objectives of the “Wainui Stream Enhancement Plan”, its development or review and details shall include:

- the nature of any supplementary/and or replacement planting to be undertaken (timing, species, source of planting material, extent and location).
- the nature of any weed and/or pest control considered appropriate (timing, extent and location).
- any consultation undertaken in the development of the management plan.
- procedures for implementing, monitoring and review of the management plan.

~~11-10.~~ The reviewed and updated “Wainui Stream Enhancement Plan” shall be lodged with the Waikato Regional Council for approval, acting in a technical certification capacity within 12 months of the commencement of this consent. Any changes to the plan shall be confirmed in writing by the Consent Holder following consultation with the Waikato Regional Council.

Advice notes

- This resource consent does not give any right of access over private or public property. Arrangements for access must be made between the consent holder and the property owner.
- This resource consent is transferable to another owner or occupier of the land concerned, upon application, on the same conditions and for the same use as originally granted (s.134-137 RMA). The

transfer of water, including changes of location, may occur as provided for in Chapter 3.4 of the Waikato Regional Plan, subject to the requirements of those rules.

3. The consent holder may apply to change the conditions of the resource consent under s.127 RMA.
 4. The reasonable costs incurred by Waikato Regional Council arising from supervision and monitoring of this/these consents will be charged to the consent holder. This may include but not be limited to routine inspection of the site by Waikato Regional Council officers or agents, liaison with the consent holder, responding to complaints or enquiries relating to the site, and review and assessment of compliance with the conditions of consents.
 5. Note that pursuant to s332 of the RMA 1991, enforcement officers may at all reasonable times go onto the property that is the subject of this consent, for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples.
 6. If you intend to replace this consent upon its expiry, please note that an application for a new consent made at least 6 months prior to this consent's expiry gives you the right to continue exercising this consent after it expires in the event that your application is not processed prior to this consent's expiry.
 7. If at any time during the resource consent period, you no longer require your consent, it may be surrendered, in whole or part, by giving written notice of such to the consent authority. Alternatively, please contact Resource Use staff on 0800 800 402 and we can provide you with a surrender form. Note that the surrender takes formal effect when you receive a notice of acceptance of the surrender from the Council.
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Resource Consent Certificate

Resource Consent Number: AUTH142035.05.01 ~~[NOW INCORPORATING AUTH142035.04.01]~~

File Number: 60 40 32A

Pursuant to the Resource Management Act 1991, the Waikato Regional Council hereby grants consent to:

Taharoa Ironsands Limited
PO Box 308
Wellington 6140

(hereinafter referred to as the Consent Holder)

Consent type: Water Permit

Consent subtype: Surface Water Take

Activity authorised: Take water from a water supply reservoir created by the damming of the Wainui Stream, for the purpose of ship loading and iron sand mining operations.

Location: Taharoa Road - Taharoa

Map Reference: NZMS 260 R16:598-355

Consent duration: This consent will commence on the date of decision notification and expire on 31 March ~~2044~~—205931 ~~[TBC]~~.

Subject to the conditions overleaf:

CONDITIONS

General

1. The exercise of this consent is subject to the General Conditions in Schedule 1.
2. Water taken pursuant to this consent must only be used for operating an iron sand mine ("operating use") and/or loading ironsand onto ships ("loading use").
3. The instantaneous take rate must not exceed ~~x~~ 868 litres per second. ~~{TIL to advise maximum rate of take}.~~
4. The total daily take volume must not exceed 75,000 cubic metres.
5. For ~~ironsand~~ mining operations, the daily volume must not exceed 27,200 cubic metres as a 28 day rolling average, subject to the restriction imposed by condition 4 of this consent.
6. For ship loading use, the:
 - (a) daily volume of water taken must not exceed 75,000 cubic metres;
 - ~~(b) monthly volume of water taken must not exceed 225,000 cubic metres;~~
 - ~~(c)~~ (b) annual volume of water taken must not exceed 2,700,000 cubic metres.
7. A system must measure on a continuous basis:
 - (a) Instantaneous take rate;
 - ~~(a)~~ (b) Total daily take volume;
 - ~~(b)~~ (c) Mining operations ~~operating~~-use volume;
 - ~~(c)~~ (d) loading use volume.

This system must have a reliable calibration and must be maintained to an accuracy of +/- 5 percent. Within 3 months of the commencement of this consent, the consent holder must provide Waikato Regional Council with evidence from a suitably qualified person showing that this system is verified as accurate to +/- 5 percent.

8. The consent holder must engage a suitably qualified person to undertake additional verification of the accuracy of the system required by condition 7:
 - (a) at the written request of the Waikato Regional Council;
 - (b) at a frequency no less than five yearly from the date of the first calibration required by condition 7;
 - (c) to the satisfaction of the Waikato Regional Council.

Evidence documenting each additional verification must be forwarded to the Waikato Regional Council within one month of the verification being completed.

9. Water must not be taken when the Lake Taharoa water level at or about NZTM 1751411.597 5774358.648 ~~1751454 E 5774139 N~~ is ~~equal to or~~ less than 8.53 metres RL Moturiki Vertical Datum. ~~{TIL to confirm accuracy of coordinates}~~
 10. Within the months of February and March following the commencement of this consent, and every 5 years thereafter, the consent holder shall undertake baseline monitoring of the extent and health of the raupo flax wetlands on the margins of Lake Taharoa adjoining the Taharoa C Block. The baseline wetland monitoring shall be undertaken by a suitably qualified and experienced ecologist, and the outcomes of the monitoring shall be provided to Waikato Regional Council.
 11. Should the level of Lake Taharoa be less than 9.6 metres RL Moturiki Vertical Datum, the consent holder shall implement management responses to reduce as far as practicable the water being taken for the purposes of this consent.
-

12. Should the level of Lake Taharoa be less than 9.6 metres RL Moturiki Vertical Datum for a continuous 30 day period, the consent holder shall engage a suitably qualified and experienced ecologist to monitor and report on the extent and health of the raupo flax wetlands on the margins of Lake Taharoa adjoining the Taharoa C Block. The wetland monitoring report shall be provided to Waikato Regional Council within 10 working days of completion.

9-13. If the wetland monitoring report concludes that adverse effects (other than those caused by natural seasonal conditions) are occurring on the raupo flax wetlands on the margins of Lake Taharoa adjoining the Taharoa C Block, the consent holder shall within 30 working days review the Water Management Plan for the site and provide a copy to Waikato Regional Council for certification.

10-14. A system must measure on a continuous basis the Lake Taharoa water level at or about NZTM [1751411.597 5774358.648](#) ~~1751454 E 5774139 N~~ [TIL to confirm accuracy of coordinates]. This system must have a reliable calibration and must be maintained to an accuracy of +/- 3 millimetres. Within 3 months of the commencement of this consent, the consent holder must provide Waikato Regional Council with evidence from a suitably qualified person showing that this system is verified as accurate to +/- 3 millimetres.

11-15. In relation to the system required by condition 10 and during every August, the consent holder must provide Waikato Regional Council with a report containing:

- (a) evidence showing that an accuracy of +/- 3 millimetres was maintained over the immediately preceding year ending 30 June;
- (b) information setting out how the consent holder will maintain an accuracy of +/- 3 millimetres during the current year ending 30 June.

12-16. Water must not be taken when taking water will cause or contribute to a breach of the residual flow required by Condition 6 of consent AUTH142035.02.01.

13-17. The consent holder must telemeter – via a telemetry system that is compatible with Waikato Regional Council telemetry system standards and data protocols – continuous:

- (a) 15 minute values of take volume;
- (b) daily values of operating use volume;
- (c) daily values of loading use volume;
- (d) 15 minute values of Lake Taharoa water level at or about NZTM [1751411.597 5774358.648](#) ~~1751454 E 5774139 N~~ [TIL to confirm accuracy of coordinates].

This data must be reported once daily to the Waikato Regional Council via the telemetry system and the reporting must comply with the following requirements.

- Data a), b) and c) must be in units of cubic metres to at least one decimal place;
- Data d) must be in units of metres RL Moturiki Vertical Datum to at least three decimal places;
- For data a) and d) there must be 96 values per parameter per daily report.
- For data b) and c) there must be one value per parameter per daily report.
- When there is no water being taken the data must specify the take volume as zero.
- When there is no operating use the data must specify the operating use volume as zero.
- When there is no loading use the data must specify the loading use volume as zero.

Advice Note: The data measurements recorded as a result of this condition will be published on the reporting website on a continuous basis with data published contemporaneously with measurements.

14-18. The intake must be screened with a mesh size not exceeding 1.5 millimetre in diameter and must be constructed so that:

- (a) placement of the intake does not cause stream bed invertebrates to be entrained; and
- (b) that the migration habits and passage of fish are not compromised or adversely affected by the placement of the intake.

~~15-19.~~ The Consent Holder must ensure that the intake velocity does not exceed 0.3 metres per second at all times. The intake must be cleaned and maintained to ensure that the intake velocity is maintained at 0.3 metres per second or less. If requested by the Waikato Regional Council, the Consent Holder must provide whatever information deemed necessary by the Waikato Regional Council to determine that the intake velocity does not exceed 0.3 metres per second.

Review

~~16-20.~~ During the six-month period following 1 September 2024 and in the same period every five years thereafter, the Waikato Regional Council may serve notice on the Consent Holder under section 128 (1) of the Resource Management Act 1991, of its intention to review the conditions of the Consents for any of the following purposes:

- (a) to review the appropriateness of any rate and/or volume specified within this consent and, if necessary, to address any inappropriateness of any rate and/or volume by way of reducing any rate and/or volume.
- (b) to review the appropriateness of the Lake Taharoa water level specified in Condition 9 and, if necessary, to address any inappropriateness of the Lake Taharoa water level by way of increasing the Lake Taharoa water level.

Advice notes

1. This resource consent does not give any right of access over private or public property. Arrangements for access must be made between the consent holder and the property owner.
 2. This resource consent is transferable to another owner or occupier of the land concerned, upon application, on the same conditions and for the same use as originally granted (s.134-137 RMA). The transfer of water, including changes of location, may occur as provided for in Chapter 3.4 of the Waikato Regional Plan, subject to the requirements of those rules.
 3. The consent holder may apply to change the conditions of the resource consent under s.127 RMA.
 4. The reasonable costs incurred by Waikato Regional Council arising from supervision and monitoring of this/these consents will be charged to the consent holder. This may include but not be limited to routine inspection of the site by Waikato Regional Council officers or agents, liaison with the consent holder, responding to complaints or enquiries relating to the site, and review and assessment of compliance with the conditions of consents.
 5. Note that pursuant to s332 of the RMA 1991, enforcement officers may at all reasonable times go onto the property that is the subject of this consent, for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples.
 6. If you intend to replace this consent upon its expiry, please note that an application for a new consent made at least 6 months prior to this consent's expiry gives you the right to continue exercising this consent after it expires in the event that your application is not processed prior to this consent's expiry.
 7. If at any time during the resource consent period, you no longer require your consent, it may be surrendered, in whole or part, by giving written notice of such to the consent authority. Alternatively, please contact Resource Use staff on 0800 800 402 and we can provide you with a surrender form. Note that the surrender takes formal effect when you receive a notice of acceptance of the surrender from the Council.
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Resource Consent Certificate

Resource Consent Number: AUTH142035.06.01

File Number: 60 40 32A

Pursuant to the Resource Management Act 1991, the Waikato Regional Council hereby grants consent to:

Taharoa Ironsands Limited
PO Box 308
Wellington 6140

(hereinafter referred to as the Consent Holder)

Consent type: Discharge Permit

Consent subtype: Discharge to Water

Activity authorised: Discharge settled stormwater and washdown water into the Wainui Stream from the area containing the administration building, stores compound and workshops. ~~{TIL to confirm whether this consent is still required}~~

Location: Taharoa Road - Taharoa

Map Reference: NZMS 260 R16:596-354

Consent duration: This consent will commence on the date of decision notification and expire on 31 March ~~2044~~ 2031 ~~{TBC}~~.

Subject to the conditions overleaf:

CONDITIONS

General

~~1.~~ The exercise of this consent is subject to the General Conditions in Schedule 1.

~~1.~~

~~2. All stormwater and washdown water shall be passed through an oil trap that is operated and maintained to the satisfaction of the Waikato Regional Council prior to discharge into the Wainui Stream.~~

2. Within 48 hours of any/each time this consent is utilised, the Consent Holder shall advise the Waikato Regional Council in writing including the estimated volume of stormwater and/or washdown water discharged to the Wainui Stream.

3. The consent holder must measure the turbidity in NTU/FTU of the stormwater and compare this value with the turbidity trigger value in NTU/FTU that is equivalent to a TSS of 1,280mg/l. The NTU/FTU equivalent must be established following contemporaneous TSS and turbidity testing of the stormwater comprising no less than 8 samples collected from the stormwater holding pond or ponds. This NTU/FTU equivalent only needs to be established once during the duration of the consent.

~~3.4.~~ If the measured turbidity of the stormwater to be discharged exceeds the trigger value in Condition 6, the consent holder must cease the discharge and:

(a) Implement management practices to reduce the turbidity of the stormwater;

(b) Collect a sample of stormwater from the holding ponds following the management practices and only commence discharging once the stormwater has an NTU/FTU reading less than the turbidity trigger level.

~~4.5.~~ The discharge shall not cause at any time the turbidity of the Wainui Stream, as measured 20 metres downstream of the discharge point, to increase by more than twice, when compared to a point above the discharge point.

~~5.6.~~ The pH of the discharge shall not be less than 6 and not greater than 9 pH units at any time.

~~6.7.~~ There shall be no discharge of contaminants (oil, grease, fuel, or detergents) into the Wainui Stream that results in a conspicuous oil or grease film, scum, foam or a conspicuous change in colour of visual clarity after reasonable mixing, as a result of the exercise of this resource consent.

~~7. In the event of erosion in the vicinity of the stormwater discharge point, appropriate erosion protection and energy dissipating devices such as rip rap shall be provided at the outlet structures.~~

~~Advice Note: Additional resource consent may be required as a result of the need to undertake further works. Any such consent shall be obtained by the Consent Holder at their sole expense prior to any works being undertaken.~~

8. In the event of any breach of compliance of the conditions of this consent and/or of any accidental discharge, plant breakdown, or other circumstances which are likely to result in the limits of this resource consent being exceeded the Consent Holder shall notify the Waikato Regional Council immediately or at least within 24 hours of the breach detected. Within 7 days of any breach the Consent Holder shall provide written notification to the Waikato Regional Council which explains the cause of the breach, steps which were taken to remedy the breach and steps which will be taken to prevent any future occurrence of the situation.

Advice notes

1. This resource consent does not give any right of access over private or public property. Arrangements for access must be made between the consent holder and the property owner.
 2. This resource consent is transferable to another owner or occupier of the land concerned, upon application, on the same conditions and for the same use as originally granted (s.134-137 RMA). The transfer of water, including changes of location, may occur as provided for in Chapter 3.4 of the Waikato Regional Plan, subject to the requirements of those rules.
 3. The consent holder may apply to change the conditions of the resource consent under s.127 RMA.
 4. The reasonable costs incurred by Waikato Regional Council arising from supervision and monitoring of this/these consents will be charged to the consent holder. This may include but not be limited to routine inspection of the site by Waikato Regional Council officers or agents, liaison with the consent holder, responding to complaints or enquiries relating to the site, and review and assessment of compliance with the conditions of consents.
 5. Note that pursuant to s332 of the RMA 1991, enforcement officers may at all reasonable times go onto the property that is the subject of this consent, for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples.
 6. If you intend to replace this consent upon its expiry, please note that an application for a new consent made at least 6 months prior to this consent's expiry gives you the right to continue exercising this consent after it expires in the event that your application is not processed prior to this consent's expiry.
 7. If at any time during the resource consent period, you no longer require your consent, it may be surrendered, in whole or part, by giving written notice of such to the consent authority. Alternatively, please contact Resource Use staff on 0800 800 402 and we can provide you with a surrender form. Note that the surrender takes formal effect when you receive a notice of acceptance of the surrender from the Council.
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Resource Consent Certificate

Resource Consent Number: AUTH142035.07.01

File Number: 60 40 32A

Pursuant to the Resource Management Act 1991, the Waikato Regional Council hereby grants consent to:

Taharoa Ironsands Limited
PO Box 308
Wellington 6140

(hereinafter referred to as the Consent Holder)

Consent type: Discharge Permit

Consent subtype: Discharge to Land

Activity authorised: Discharge process water into the ground as a result of iron sand mining operations.

Location: Taharoa Road - Taharoa

Map Reference: NZMS 260 R16:596-354

Consent duration: This consent will commence on the date of decision notification and expire on 31 March ~~2044~~ 2059 ³¹ [TBC].

Subject to the conditions overleaf:

CONDITIONS

General

1. The exercise of this consent is subject to the General Conditions in Schedule 1.
2. All process water shall be directed into settling ponds/soakage areas.
3. [All overland flow pathways between soakage areas and settling ponds are outside the setback areas in AUTH142035.01.01 - condition 2.](#)
- ~~2.~~
- ~~3.~~4. Settling ponds shall be desludged whenever required to maintain at least 80 percent of the pond volume, and in particular within one month's notice in writing from the Waikato Regional Council to do so.
- ~~4.~~5. The Consent Holder shall keep records of the capacity of each pond and the times at which desludging has occurred and make these records available to the Waikato Regional Council on request.

Advice notes

1. This resource consent does not give any right of access over private or public property. Arrangements for access must be made between the consent holder and the property owner.
 2. This resource consent is transferable to another owner or occupier of the land concerned, upon application, on the same conditions and for the same use as originally granted (s.134-137 RMA). The transfer of water, including changes of location, may occur as provided for in Chapter 3.4 of the Waikato Regional Plan, subject to the requirements of those rules.
 3. The consent holder may apply to change the conditions of the resource consent under s.127 RMA.
 4. The reasonable costs incurred by Waikato Regional Council arising from supervision and monitoring of this/these consents will be charged to the consent holder. This may include but not be limited to routine inspection of the site by Waikato Regional Council officers or agents, liaison with the consent holder, responding to complaints or enquiries relating to the site, and review and assessment of compliance with the conditions of consents.
 5. Note that pursuant to s332 of the RMA 1991, enforcement officers may at all reasonable times go onto the property that is the subject of this consent, for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples.
 6. If you intend to replace this consent upon its expiry, please note that an application for a new consent made at least 6 months prior to this consent's expiry gives you the right to continue exercising this consent after it expires in the event that your application is not processed prior to this consent's expiry.
 7. If at any time during the resource consent period, you no longer require your consent, it may be surrendered, in whole or part, by giving written notice of such to the consent authority. Alternatively, please contact Resource Use staff on 0800 800 402 and we can provide you with a surrender form. Note that the surrender takes formal effect when you receive a notice of acceptance of the surrender from the Council.
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Resource Consent Certificate

Resource Consent Number: AUTH142035.08.01

File Number: 60 40 32A

Pursuant to the Resource Management Act 1991, the Waikato Regional Council hereby grants consent to:

Taharoa Ironsands Limited
PO Box 308
Wellington 6140

(hereinafter referred to as the Consent Holder)

Consent type: Discharge Permit

Consent subtype: Discharge to Land

Activity authorised: Discharge mine overburden onto land for the purpose of rehabilitating mined areas.

Location: Taharoa Road - Taharoa

Map Reference: NZMS 260 R16: 605-354

Consent duration: This consent will commence on the date of decision notification and expire on 31 March ~~2044~~ 205931 [TBC].

Subject to the conditions overleaf:

CONDITIONS

General

1. The exercise of this consent is subject to the General Conditions in Schedule 1.

Advice notes

1. This resource consent does not give any right of access over private or public property. Arrangements for access must be made between the consent holder and the property owner.
 2. This resource consent is transferable to another owner or occupier of the land concerned, upon application, on the same conditions and for the same use as originally granted (s.134-137 RMA). The transfer of water, including changes of location, may occur as provided for in Chapter 3.4 of the Waikato Regional Plan, subject to the requirements of those rules.
 3. The consent holder may apply to change the conditions of the resource consent under s.127 RMA.
 4. The reasonable costs incurred by Waikato Regional Council arising from supervision and monitoring of this/these consents will be charged to the consent holder. This may include but not be limited to routine inspection of the site by Waikato Regional Council officers or agents, liaison with the consent holder, responding to complaints or enquiries relating to the site, and review and assessment of compliance with the conditions of consents.
 5. Note that pursuant to s332 of the RMA 1991, enforcement officers may at all reasonable times go onto the property that is the subject of this consent, for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples.
 6. If you intend to replace this consent upon its expiry, please note that an application for a new consent made at least 6 months prior to this consent's expiry gives you the right to continue exercising this consent after it expires in the event that your application is not processed prior to this consent's expiry.
 7. If at any time during the resource consent period, you no longer require your consent, it may be surrendered, in whole or part, by giving written notice of such to the consent authority. Alternatively, please contact Resource Use staff on 0800 800 402 and we can provide you with a surrender form. Note that the surrender takes formal effect when you receive a notice of acceptance of the surrender from the Council.
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Resource Consent Certificate

Resource Consent Number: AUTH142035.09.01
~~[now including AUTH142035.10.01 and AUTH142035.16.01]~~

File Number: 60 40 32A

Pursuant to the Resource Management Act 1991, the Waikato Regional Council hereby grants consent to:

Taharoa Ironsands Limited
PO Box 308
Wellington 6140

(hereinafter referred to as the Consent Holder)

Consent type: Coastal Permit

Consent subtype: Structure - Occupation, Use and Maintenance

Activity authorised: The occupation of the Coastal Marine Area by two existing pipelines for the purpose of ship loading (referred to as Pipeline No.1 and Pipeline No.2) and the operation, maintenance, and future reconstruction / replacement of those pipelines and associated [dewatering](#), bed disturbance and vehicle use.

Location: Taharoa Road - Taharoa

Map Reference: NZMS 260 R16:566-352 to R16:596-353

Spatial Reference: Long. 174° 40.2562 E Lat. 38° 10.4966 S (eastern end)
Long. 174° 39.9144 E Lat. 38° 10.5118 S (western end)
(WGS84 degrees and minutes)

Consent duration: This consent will commence on the date of decision notification and expire on 31 March ~~2044~~ 2059³¹ ~~[TBC]~~.

Subject to the conditions overleaf:

CONDITIONS

General

1. The exercise of this consent is subject to the General Conditions in Schedule 1 and the Common CMA Conditions in Schedule 2.
2. The Consent Holder must advise the Waikato Regional Council in writing at least 10 days prior to undertaking any [planned](#) maintenance or reconstruction / replacement activities in the Coastal Marine Area.
3. At least three months prior to any reconstruction / replacement of the structures the Consent Holder must provide the Waikato Regional Council with a detailed plan of the proposed works for approval by the Waikato Regional Council acting in a technical certification capacity, including but not limited to the following:
 - a) The scope and nature of works;
 - b) Timing of works;
 - c) Construction methodology;
 - d) Means to avoid, remedy or mitigate adverse effects to the Coastal Marine Area that may arise from the proposed works; and
 - e) Evidence of consultation with, and any written feedback from, the Harbourmaster.
4. Any pipeline maintenance or reconstruction / replacement works proposed within the onshore beach environment must not be undertaken within the period September to January inclusive, to avoid as far as practicable adverse impacts on NZ Dotterel nest sites, unless prior written approval is obtained from the Waikato Regional Council acting in a technical certification capacity in consultation with the Department of Conservation.

Advice notes

1. This resource consent does not give any right of access over private or public property. Arrangements for access must be made between the consent holder and the property owner.
 2. This resource consent is transferable to another owner or occupier of the land concerned, upon application, on the same conditions and for the same use as originally granted (s.134-137 RMA). The transfer of water, including changes of location, may occur as provided for in Chapter 3.4 of the Waikato Regional Plan, subject to the requirements of those rules.
 3. The consent holder may apply to change the conditions of the resource consent under s.127 RMA.
 4. The reasonable costs incurred by Waikato Regional Council arising from supervision and monitoring of this/these consents will be charged to the consent holder. This may include but not be limited to routine inspection of the site by Waikato Regional Council officers or agents, liaison with the consent holder, responding to complaints or enquiries relating to the site, and review and assessment of compliance with the conditions of consents.
 5. Note that pursuant to s332 of the RMA 1991, enforcement officers may at all reasonable times go onto the property that is the subject of this consent, for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples.
 6. If you intend to replace this consent upon its expiry, please note that an application for a new consent made at least 6 months prior to this consent's expiry gives you the right to continue exercising this consent after it expires in the event that your application is not processed prior to this consent's expiry.
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7. If at any time during the resource consent period, you no longer require your consent, it may be surrendered, in whole or part, by giving written notice of such to the consent authority. Alternatively, please contact Resource Use staff on 0800 800 402 and we can provide you with a surrender form. Note that the surrender takes formal effect when you receive a notice of acceptance of the surrender from the Council.
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Resource Consent Certificate

Resource Consent: AUTH142035.11.01

File Number: 60 40 32A

Pursuant to the Resource Management Act 1991, the Waikato Regional Council hereby grants consent to:

Taharoa Ironsands Limited
PO Box 308
Wellington 6140

(hereinafter referred to as the Consent Holder)

Consent Type: Coastal Permit

Consent Subtype: Structure - Occupation, Use and Maintenance

Activity authorised: To place and use a mooring buoy and associated structures in the Coastal Marine Area, including future reconstruction/replacement and associated occupation and disturbance.

Location: Taharoa Road, Taharoa

Spatial Reference: Long. 174° 39.9144 E Lat. 38° 10.5118 S
(WGS84 degrees and minutes)

Consent Duration: This consent will commence on the date of decision notification and expire on 31 March ~~2044~~ 2059³¹ [TBC].

Subject to the conditions overleaf:

General

1. The exercise of this consent is subject to the General Conditions in Schedule 1 and the Common CMA Conditions in Schedule 2.

Notification

2. The Consent Holder must advise the Waikato Regional Council in writing 10 days prior to undertaking any planned maintenance or replacement of structures in the Coastal Marine Area.
3. At least three months prior to any proposed permanent relocation of the mooring buoy and/or associated structures, the Consent Holder must provide the Waikato Regional Council with a detailed plan of the proposed works for approval by the Waikato Regional Council acting in a technical certification capacity, including but not limited to the following:
 - a) The new location for the mooring buoy and/or associated structures;
 - b) The scope and nature of works involved to relocate the mooring buoy and/or associated structures;
 - c) Timing of works;
 - d) Methodology;
 - e) Means to avoid, remedy or mitigate adverse effects to the Coastal Marine Area that may arise from the relocation / proposed works; and
 - f) Evidence of consultation with, and any written feedback from, the Harbourmaster.
4. The mooring buoy and/or associated structures must not be relocated unless and until the Waikato Regional Council has approved the new location and the mooring buoy and/or associated structures in accordance with Condition 3.
5. Should the mooring buoy be relocated, the Consent Holder must upon completion of the relocation notify Waikato Regional Council, Maritime New Zealand and the Hydrographic Office of Land Information New Zealand in writing of the new location of the structures authorised by this resource consent.

Unwanted Marine Organisms

6. The consent holder must undertake a survey of the mooring buoy and/or associated structures for unwanted marine organisms once each calendar year.
7. If the presence of unwanted marine organisms is detected, the Consent Holder must provide the Waikato Regional Council with a detailed plan of the proposed works for approval by the Waikato Regional Council acting in a technical certification capacity, including but not limited to the following:
 - (a) The methodology for the unwanted marine organisms survey;
 - (b) The scope and nature of works involved to remove the unwanted marine organisms from the mooring buoy and/or associated structures;
 - (c) Means to avoid, remedy or mitigate any future incursion of unwanted marine organisms; and
 - (d) Evidence of consultation with, and any written feedback from, the Harbour Master.

Structural Integrity

- ~~6.8.~~ Should the mooring buoy be relocated, the Consent Holder must within six months of the relocation of the mooring buoy provide certification that the mooring buoy has been inspected and that it is sound and in a suitable condition for mooring vessels. The inspection and certification must have been undertaken by a marine engineer or other qualified professional accepted as competent to do so by the Waikato Regional Council.
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[7.9](#) A copy of the inspection report and any servicing that was undertaken to ensure the mooring complied with condition [46](#), must be provided in writing within one month from the completion of each three yearly inspection to the Waikato Regional Council.

Advice notes

1. This resource consent does not give any right of access over private or public property. Arrangements for access must be made between the consent holder and the property owner.
 2. This resource consent is transferable to another owner or occupier of the land concerned, upon application, on the same conditions and for the same use as originally granted (s.134-137 RMA). The transfer of water, including changes of location, may occur as provided for in Chapter 3.4 of the Waikato Regional Plan, subject to the requirements of those rules.
 3. The consent holder may apply to change the conditions of the resource consent under s.127 RMA.
 4. The reasonable costs incurred by Waikato Regional Council arising from supervision and monitoring of this/these consents will be charged to the consent holder. This may include but not be limited to routine inspection of the site by Waikato Regional Council officers or agents, liaison with the consent holder, responding to complaints or enquiries relating to the site, and review and assessment of compliance with the conditions of consents.
 5. Note that pursuant to s332 of the RMA 1991, enforcement officers may at all reasonable times go onto the property that is the subject of this consent, for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples.
 6. If you intend to replace this consent upon its expiry, please note that an application for a new consent made at least 6 months prior to this consent's expiry gives you the right to continue exercising this consent after it expires in the event that your application is not processed prior to this consent's expiry.
 7. If at any time during the resource consent period, you no longer require your consent, it may be surrendered, in whole or part, by giving written notice of such to the consent authority. Alternatively, please contact Resource Use staff on 0800 800 402 and we can provide you with a surrender form. Note that the surrender takes formal effect when you receive a notice of acceptance of the surrender from the Council.
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Resource Consent Certificate

Resource Consent: AUTH142035.12.01

File Number: 60 40 32A

Pursuant to the Resource Management Act 1991, the Waikato Regional Council hereby grants consent to:

Taharoa Ironsands Limited
PO Box 308
Wellington 6140

(hereinafter referred to as the Consent Holder)

Consent Type: Coastal Permit

Consent Subtype: Discharge to Water

Activity authorised: To discharge ship loading water, including freshwater and fine sediment, to water in the Coastal Marine Area during ship loading operations.

Location: Taharoa Road, Taharoa

Spatial Reference: Long. 174° 39.9144 E Lat. 38° 10.5118 S
(WGS84 degrees and minutes)

Consent Duration: This consent will commence on the date of decision notification and expire on 31 March ~~2044~~—205931 [TBC].

Subject to the conditions overleaf:

General

1. The exercise of this consent is subject to the General Conditions in Schedule 1 and the Common CMA Conditions in Schedule 2.

Environmental Protection

2. The discharge of ship loading water, including freshwater and fine sediment, must not exceed 75,000 m³/day.
3. The maximum volume of ship loading water that may be discharged into the Coastal Marine Area during ship loading operations must not exceed ~~3.6~~7.5 x 10⁶ cubic metres in any 12-month period.

~~4. This consent authorises the discharge of water to the Coastal Marine Area associated with up to 3 ship loading operations per month.~~

~~5.4.~~ There must be no conspicuous oil, grease, scums or foams present after reasonable mixing as a result of the exercise of this consent.

5. The Consent Holder must analyse the discharge into the Coastal Marine Area during ship loading for grain size composition within the suspension, the clay mineralogy and heavy metal concentrations at least every six months. Samples must be taken during the loading cycle, one near the start, one sample in the middle and one sample near the end. Each sample must be taken as close as practical to the point where the overflow enters the marine environment. Heavy metals analysed must include Aluminium, Arsenic, Nickel, Copper, Iron, Manganese, Lead and Zinc. All analyses must be for dissolved metals.

6. The results of the sampling described in condition 6 must be submitted to Waikato Regional Council within one month of the results being received.

Advice Note: The data measurements recorded as a result of this condition will be published on the reporting website on a continuous basis with data published contemporaneously with measurements.

~~6. The Consent Holder must analyse the discharge into the Coastal Marine Area during ship loading for grain size composition within the suspension, the clay mineralogy and heavy metal concentrations at least every six months. Samples must be taken during the loading cycle, one near the start, one sample in the middle and one sample near the end. Each sample must be taken as close as practical to the point where the overflow enters the marine environment. Heavy metals analysed must include Aluminium, Arsenic, Nickel, Copper, Iron, Manganese, Lead and Zinc. All analyses must be for dissolved metals.~~

~~7. The results of the sampling described in condition 6 must be submitted to Waikato Regional Council within one month of the results being received.~~

Advice notes

1. This resource consent does not give any right of access over private or public property. Arrangements for access must be made between the consent holder and the property owner.
 2. This resource consent is transferable to another owner or occupier of the land concerned, upon application, on the same conditions and for the same use as originally granted (s.134-137 RMA). The transfer of water, including changes of location, may occur as provided for in Chapter 3.4 of the Waikato Regional Plan, subject to the requirements of those rules.
 3. The consent holder may apply to change the conditions of the resource consent under s.127 RMA.
 4. The reasonable costs incurred by Waikato Regional Council arising from supervision and monitoring of this/these consents will be charged to the consent holder. This may include but not be limited to
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routine inspection of the site by Waikato Regional Council officers or agents, liaison with the consent holder, responding to complaints or enquiries relating to the site, and review and assessment of compliance with the conditions of consents.

5. Note that pursuant to s332 of the RMA 1991, enforcement officers may at all reasonable times go onto the property that is the subject of this consent, for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples.
 6. If you intend to replace this consent upon its expiry, please note that an application for a new consent made at least 6 months prior to this consent's expiry gives you the right to continue exercising this consent after it expires in the event that your application is not processed prior to this consent's expiry.
 7. If at any time during the resource consent period, you no longer require your consent, it may be surrendered, in whole or part, by giving written notice of such to the consent authority. Alternatively, please contact Resource Use staff on 0800 800 402 and we can provide you with a surrender form. Note that the surrender takes formal effect when you receive a notice of acceptance of the surrender from the Council.
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Resource Consent Certificate

Resource Consent: AUTH142035.13.01

File Number: 60 40 32A

Pursuant to the Resource Management Act 1991, the Waikato Regional Council hereby grants consent to:

Taharoa Ironsands Limited
PO Box 308
Wellington 6140

(hereinafter referred to as the Consent Holder)

Consent Type: Coastal Permit

Consent Subtype: Discharge to water

Activity authorised: To discharge stormwater and process wastewater to water in the Coastal Marine Area.

Location: Taharoa Road, Taharoa

Spatial Reference: Long. 174° 39.9144 E Lat. 38° 10.5118 S
(WGS84 degrees and minutes)

Consent Duration: This consent will commence on the date of decision notification and expire on 31 March ~~2044~~—205931 [TBC].

Subject to the conditions overleaf:

General

1. The exercise of this consent is subject to the General Conditions in Schedule 1 and the Common CMA Conditions in Schedule 2.

Environmental Protection

2. The discharge of stormwater and process wastewater to water in the Coastal Marine Area must not exceed 32,600 m³/day.
3. Discharges authorised by this consent must only occur where the discharge of stormwater and process water to land (as authorised by consent AUTH142035.07.01) is not possible, for example during flood events or high rainfall periods when stormwater ponds have reached or exceeded 80% of their storage capacity.
4. Where the discharge of excess stormwater and process wastewater to the Coastal Marine Area is necessary as per condition 3, it must be discharged at the ship loading buoy and may be coincident with ship loading of ironsand.
5. There must be no conspicuous oil, grease, scums or foams present after reasonable mixing as a result of the exercise of this consent.
6. [The consent holder must measure the turbidity in NTU/FTU of the stormwater and compare this value with the turbidity trigger value in NTU/FTU that is equivalent to a TSS of 1,280mg/l. The NTU/FTU equivalent must be established following contemporaneous TSS and turbidity testing of the stormwater comprising no less than 8 samples collected from the stormwater holding pond or ponds. This NTU/FTU equivalent only needs to be established once during the duration of the consent.](#)
7. [If the measured turbidity of the stormwater to be discharged exceeds the trigger value in Condition 6, the consent holder must:](#)
 - a) [Implement management practices to reduce the turbidity of the stormwater;](#)
 - b) [Collect a sample of stormwater from the holding ponds following the management practices and only commence discharging once the stormwater has an NTU/FTU reading less than the turbidity trigger level.](#)
8. [Where the discharge of excess stormwater and process wastewater to the Coastal Marine Area is necessary as per condition 3, the Consent Holder must analyse the discharge into the Coastal Marine Area during discharge for grain size composition within the suspension, the clay mineralogy and heavy metal concentrations at least every six months \(or at the frequency of the discharge events\). Samples must be taken during the discharge event, one near the start, one sample in the middle and one sample near the end. Each sample must be taken as close as practical to the point where the discharge enters the marine environment. Heavy metals analysed must include Aluminium, Arsenic, Nickel, Copper, Iron, Manganese, Lead and Zinc. All analyses must be for dissolved metals.](#)

Advice notes

1. This resource consent does not give any right of access over private or public property. Arrangements for access must be made between the consent holder and the property owner.
 2. This resource consent is transferable to another owner or occupier of the land concerned, upon application, on the same conditions and for the same use as originally granted (s.134-137 RMA). The transfer of water, including changes of location, may occur as provided for in Chapter 3.4 of the Waikato Regional Plan, subject to the requirements of those rules.
 3. The consent holder may apply to change the conditions of the resource consent under s.127 RMA.
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4. The reasonable costs incurred by Waikato Regional Council arising from supervision and monitoring of this/these consents will be charged to the consent holder. This may include but not be limited to routine inspection of the site by Waikato Regional Council officers or agents, liaison with the consent holder, responding to complaints or enquiries relating to the site, and review and assessment of compliance with the conditions of consents.
 5. Note that pursuant to s332 of the RMA 1991, enforcement officers may at all reasonable times go onto the property that is the subject of this consent, for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples.
 6. If you intend to replace this consent upon its expiry, please note that an application for a new consent made at least 6 months prior to this consent's expiry gives you the right to continue exercising this consent after it expires in the event that your application is not processed prior to this consent's expiry.
 7. If at any time during the resource consent period, you no longer require your consent, it may be surrendered, in whole or part, by giving written notice of such to the consent authority. Alternatively, please contact Resource Use staff on 0800 800 402 and we can provide you with a surrender form. Note that the surrender takes formal effect when you receive a notice of acceptance of the surrender from the Council.
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Schedule 1: General Conditions

Resource consents AUTH142035.01.01, AUTH142035.02.01, AUTH142035.03.01, AUTH142035.05.01, AUTH142035.06.01, AUTH142035.07.01, AUTH142035.08.01, AUTH142035.09.01, AUTH142035.11.01, AUTH142035.12.01, and AUTH142035.13.01 (collectively referred to in this Schedule as “**the Consents**”) are subject to the following General Conditions that shall apply to each individual consent. Where there may be differences or apparent conflict between the General Conditions and conditions contained in either the individual consents contained within this suite, the conditions contained in the respective individual consents shall prevail.

Reference in these General Conditions to “Waikato Regional Council” in relation to written approval or certification of any matter, or the forming of an opinion for the purpose of compliance where a judgment is required, shall mean the Chief Executive Officer of the Waikato Regional Council or their delegate.

Where any of the conditions refer to a written approval or certification required from the Waikato Regional Council, the following process will be followed:

- (a) The Consent Holder must submit a request for approval in writing:
 - (i) setting out what approval is sought and under what consent number and condition; and
 - (ii) detailing how the outcome is consistent with the relevant condition(s) of the consent.
- (b) In giving or withholding its approval, Waikato Regional Council will be limited to a technical assessment that sufficient information has been provided to demonstrate that the matter for which approval has been requested meets the requirements of the relevant condition including any required environmental outcome.

General

1. The activities that are the subject of the Consents shall be carried out in general accordance with the following documentation:

- (a) “Taharoa Mine Resource Consent Application – Assessment of Environmental Effects” dated July 2020” prepared by Tonkin & Taylor Ltd WRC document# 26686373 (as per the replacement document supplied July 2023); and
- (b) The information and technical reports attached to the “Taharoa Ironsands Ltd Consenting: S92 response letter from Enviser dated 13 December 2022 being WRC documents:

25400622	Dec2022 WRC s92 response (provision of information) resize - Cover Letter.pdf
25397924	Dec2022 WRC s92 response (provision of information) resize - Discharge dispersion modelling (MetOcean Solutions).pdf
25398742	Dec2022 WRC s92 response (provision of information) resize - Ecological aspects of the S92 Response (4 Sight Consulting).pdf
25401705	Dec2022 WRC s92 response (provision of information) resize - Hydrology Assessment (Williamson Water and Land Advisory Ltd).pdf
25401041	Dec2022 WRC s92 response (provision of information) resize - Planning and consultation matters (Tonkin+Taylor).pdf

except where otherwise identified in subsequent conditions of the Consents. Should the application documents and conditions be in conflict then the conditions of these consents shall prevail.

2. The Consent Holder must ensure that all areas, structures and activities authorised by the Consents are constructed and managed in accordance with current and accepted engineering practices.

3. The Consent Holder must ensure that whenever relevant, all staff and contractors are made aware of the conditions of this resource consent and ensure compliance with those conditions.

Complaints Incident Register

4. The Consent Holder must maintain and keep a register of ~~complaints~~ incident notifications regarding all aspects of operations at the site related to the exercise of the Consents (including within the Coastal Marine Area), received by the Consent Holder.

The register must record:

- (a) the date, time and duration of the event that has resulted in an incident notification ~~a complaint~~;
 - (b) the location of the ~~complainant~~ notifier when the event/incident (if possible, specify nature of incident) was detected;
 - (c) the possible cause of the event/incident;
 - (d) the weather conditions and wind direction at the site when the event/incident allegedly occurred;
 - (e) any corrective action undertaken by the Consent Holder in response to the ~~complaint~~/incident;
 - (f) where relevant, the steps to be taken in future to prevent recurrence of similar events; and
 - (g) any other relevant information.
5. The register must be available to the Waikato Regional Council at all reasonable times. ~~Complaints~~ Incident notifications received by the Consent Holder must be forwarded to the Waikato Regional Council in writing within 24 hours of the ~~complaint~~ notification being received.

[Advice Note: The register is a critical piece of information for stakeholder communication, that should be presented, maintained and updated as appropriate for the website.](#)

Operation of Machinery

6. All machinery operated shall be operated in a manner which ensures that spillages of fuel, oil and similar contaminants are prevented as far as practicable from entering any perennial waterbody, particularly during refuelling and machinery servicing and maintenance. Refuelling and lubrication activities shall be carried out away from any water body such that any spillage can be contained so it does not enter stormwater drainage systems or surface watercourses.

Responsibility for Structural Integrity, Erosion Control and Maintenance

7. The Consent Holder must be responsible for the design, structural integrity and maintenance of the sand mining areas, batters, overburden disposal areas, stockpiles, earthworks, tracking and any associated works within the site.
 8. The Consent Holder shall be responsible for any erosion control works that become necessary to preserve the integrity and stability of the landscape and/or to control erosion as a result of the exercise of these resource consents and shall ensure that any effects on natural watercourses are minimised or remedied as soon as practicable.
 9. The Consent Holder shall ensure that sediment losses to natural water arising from the exercise of these resource consents are minimised during any construction works and mining activity undertaken as part of these resource consents. To this end, appropriate sediment control practices shall be undertaken which are in general accordance with the document prepared by the Waikato Regional Council titled "Erosion and Sediment Control – Guidelines for Soil Disturbing Activities" dated January, 2009, unless agreed otherwise with Waikato Regional Council.
 10. Any bare surfaces that result from mining activity shall be re-vegetated in an appropriate manner consistent with the [methodology and timeframes set out in the Site Rehabilitation Plan](#) required pursuant
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to condition 14(b) of this Schedule. [In relation to areas that are intended to be re-mined, the Site Stabilisation Plan](#) ~~This~~ shall include [temporarily](#) stabilising any open areas that will not be re-worked within the following 3 months or longer.

Archaeological Discovery

11. The Consent Holder shall make all efforts to avoid culturally significant sites in undertaking mining activities. All sites shall be managed in accordance with Taharoa Mine Site Safety & General Procedures – Discovery of Human Remains and/or Items of Cultural Significance –TM-4000.110. In addition, in the event that any archaeological remains are discovered, works shall immediately cease in the vicinity of the discovery and the Waikato Regional Council, [Te Ruunanga o Ngāti Mahuta ki te Hauaauru](#), Te Kōraha Marae, Aaruka Marae and the Heritage New Zealand/Pouhere Taonga shall be notified within 48 hours. Works may recommence with the written approval of the Waikato Regional Council. Such approval is subject to:

- (a) Tangata Whenua interests and values,
- (b) the Consent Holder's interests, and
- (c) any archaeological or scientific evidence.

Site ~~Environmental~~ Management Plan

~~12. The Consent Holder shall manage its consented activities in accordance with an overarching Site Management Plan (SMP), prepared by an appropriately qualified and experienced person(s). The objective of the SMP is to set out the site practices and procedures to be adopted to minimise the actual and/or potential adverse effects of operational activities associated with mining at the site and once mining has concluded.~~

~~13. The SMP must include:~~

- ~~(a) Details regarding site roles and responsibilities.~~
- ~~(b) An overview of the construction, implementation, operational, monitoring, maintenance and contingency procedures to be followed.~~
- ~~(c) Procedures for managing or responding to spills on site.~~
- ~~(d) Objectives for the re-establishment and rehabilitation of the site post-mining.~~
- ~~(e) Plan review and reporting mechanisms.~~

~~14. The SMP must also include as a minimum:~~

- ~~(a) An Operations Management Plan (OMP), the objective of which is to document how adverse effects associated with typical mine activities are to be avoided, remedied or mitigated, including:
 - ~~i. A description of the operating and environmental management procedures associated with:
 - ~~• Earthworks and haul road construction.~~
 - ~~• Vegetation removal.~~
 - ~~• Planting and maintenance of riparian vegetation within the 30 m setbacks from perennial waterbodies and natural inland wetlands.~~
 - ~~• Overburden disposal.~~
 - ~~• Management of wastewater, stormwater and seepage (including that from rehabilitated areas).~~
 - ~~• Mining of sand.~~~~
 - ~~ii. A description of the procedures and activities associated with preventing and managing spills on site including:
 - ~~• Identification of hazardous materials kept on site and storage details.~~~~~~

- ~~Spill prevention measures that will be undertaken on site, including equipment available to contain or remove spills and details of any staff training associated with use of that equipment.~~
- ~~Details of how the disposal of contaminated materials will be undertaken.~~
- ~~The process for reporting of any spill incidents to the Waikato Regional Council.~~

~~(b) A Site Rehabilitation Plan (**SRP**), the objective of which is to set out the rehabilitation goals, targets and success criteria to be followed in order to achieve the future landforms and groundcovers detailed within the Conceptual Site Closure Plan (provided for below), including:~~

- ~~(i) The procedures for progressive rehabilitation and maintenance of any duneland vegetation.~~
- ~~(ii) Identification of long-term measures to control erosion, including post-closure measures.~~
- ~~(iii) Procedures for pest and weed control, including any post-closure measures.~~
- ~~(iv) Procedures for the establishment of appropriate indigenous species within the coastal setback (being a minimum of 100 metres landward of Mean High Water Springs).~~
- ~~(v) Procedures to monitor and report to Waikato Regional Council on progress made in delivering the procedures and measures required by the Site Rehabilitation Plan.~~

~~(c) A Conceptual Site Closure Plan (**CSCP**), the objective of which is to address the future of the site in terms of landform and the nature and extent of groundcover following the conclusion of all mining activities.~~

~~(d) A Stormwater Discharge Management Plan (**SDMP**), the objective of which is to ensure that the discharge of stormwater to the Wainui Stream is managed in a way that minimises any adverse effect on the Wainui Stream.~~

~~(e) A Dust Management Plan (**DMP**), the objective of which is to specify measures to ensure that all activities on site comply with the following:~~

- ~~(i) There shall be no discharge of contaminants beyond the boundary of the subject property* that has adverse effects on human health, or the health of flora and fauna.~~
- ~~(ii) The discharge shall not result in odour that is objectionable to the extent that it causes an adverse effect at or beyond the boundary of the subject property.~~
- ~~(iii) There shall be no discharge of particulate matter that is objectionable to the extent that it causes an adverse effect at or beyond the boundary of the subject property.~~
- ~~(iv) The discharge shall not significantly impair visibility beyond the boundary of the subject property.~~
- ~~(v) The discharge shall not cause accelerated corrosion or accelerated deterioration to structures beyond the boundary of the subject property.~~

~~15. The SMP including its component plans shall be submitted to Waikato Regional Council for review and approval by the Waikato Regional Council, acting in a technical certification capacity within six months of the commencement date of these consents.~~

~~16. The Consent Holder must implement and comply with the requirements of the certified SMP and its component plans, and any iterations of the SMP that may be certified from time to time.~~

~~17. The Consent Holder shall review and update the SMP including its component plans on an annual basis from the date of commencement of this consent, within 6 months of any variation of conditions being granted and within 6 months of any decision to cease mining at the site. Any review of the SMP shall take into account:~~

- ~~(a) Any recommendations of the Waikato Regional Council.~~
- ~~(b) Any required actions identified as a result of monitoring under the Consents.~~
- ~~(c) Any changes required as a result of actions identified in the Annual Works Plans.~~

~~The frequency of a review of the SMP may be reduced with the written approval of the Waikato Regional Council but a review must occur on a three yearly basis at a minimum.~~

- ~~18. Any revision of the SMP including its component plans shall be submitted to the Waikato Regional Council for review and approval by the Waikato Regional Council, acting in a technical certification capacity.~~
- ~~19. A copy of the latest version of the SMP shall be kept on-site at all times and all key personnel shall be made aware of its contents.~~

Ecological Management Plan

~~20. The Consent Holder shall manage its consented activities in accordance with an overarching Ecological Management Plan (**EMP**), prepared by an appropriately qualified ecologist(s). The objective of the EMP is to set out the practices and procedures to be adopted to address the potential adverse effects of mining activities on ecological and indigenous biodiversity values at the site.~~

~~21. The EMP must include:~~

- ~~(a) Details regarding site roles and responsibilities.~~
- ~~(b) Summaries of ecological baseline surveys undertaken on site, against which the results of future surveys can be assessed.~~
- ~~(c) Measures for the protection of threatened species.~~
- ~~(d) Measures to ensure stock exclusion from lakes, perennial streams and natural inland wetlands.~~
- ~~(e) Details regarding ongoing ecological maintenance and monitoring on-site.~~
- ~~(f) Plan review and reporting mechanisms.~~

~~22. The Consent Holder shall consult with the Department of Conservation, Ngāti Mahuta, Te Kōhaha Marae, and Aaruka Marae during the development of the EMP and its component plans set out below. The EMP shall at minimum also include the following:~~

- ~~(a) A Freshwater Ecological Management and Monitoring Plan (**FMP**), the objective of which is to understand water management activities associated with the mining activities and minimise any potential effects on freshwater habitats or species from any water management activities associated with those activities. The FMP shall include:
 - ~~(i) A description of the locations and methodologies that will be used to determine compliance with the various flow and level requirements contained within these consents.~~
 - ~~(ii) A description of the water measuring system that will be used to determine water levels and quantify the volume of water taken from the Wainui Stream, including details of its calibration, how its accuracy will be maintained over time and how data collected will be stored and reported.~~
 - ~~(iii) Identification of wetland and other high value aquatic habitat potentially affected by site activities, and measures for monitoring any changes to the extent or composition of these habitats over time.~~
 - ~~(iv) Details on how the effectiveness of the fish pass on the Wainui Steam is to be determined, including how it is to be operated, maintained and enhanced to provide for the ongoing passage of fish.~~~~
 - ~~(b) An Avifauna Management Plan (**AMP**), the objective of which is to avoid as far as practicable or otherwise minimise any potential effects on avifauna from mining activities during breeding season. The AMP shall provide bird breeding protection and effects minimisation measures including:
 - ~~(i) Seasonal constraints on vegetation removal and/or noise disturbance in habitats that are likely to have high bird values to avoid or minimise harm to eggs and chicks;~~
 - ~~(ii) Proposed controls for maintaining a 30-metre setback of mining activities from the margin of wetlands and waterbodies during peak breeding season (September – January);~~
 - ~~(iii) A process for ensuring no nesting birds are present within vegetation to be cleared if mining activities are required during peak breeding season (September – January);~~~~
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~~(iv) Within the bird breeding season (September – January inclusive), the undertaking of surveys for wetland birds, NZ dotterels and NZ pipit by an appropriately qualified ecologist in advance of vegetation clearance activities within potential bird habitat. If a nest with eggs or chicks is present, then vegetation clearance is prohibited within 30 metres of the nest, until fledging occurs or as directed by an appropriately qualified ecologist.~~

- ~~(c) A Lizard Management Plan (**LMP**), the objective of which is to minimise any potential effects on indigenous skinks and/or geckos within the mine site from mining activities. The LMP shall include:~~
- ~~(i) Identification of high value lizard habitat.~~
 - ~~(ii) A description of survey techniques for identifying skink and/or gecko species and populations.~~
 - ~~(iii) Timing of the mining activities relative to known lizard behaviour.~~
 - ~~(iv) A description of lizard search and salvaging methodology.~~
 - ~~(v) A description of relocation methodology, including transfer methods, relocation site(s) selection and habitat enhancement measures (such as deployment of logs and pest control).~~
 - ~~(vi) Any protection mechanisms to ensure the relocation site is maintained.~~

~~**Advice Note:** all native lizards are absolutely protected under the Wildlife Act 1953 under which it is an offence to disturb, harm or remove them without a permit from the Minister of Conservation.~~

- ~~(d) A Pest Management Plan (**PMP**), the objective of which is to undertake pest flora and fauna eradication and control for the purposes of ecological enhancement. The PMP shall include:~~
- ~~(i) Identification of land to be included in the management of pests.~~
 - ~~(ii) Target pest species and target thresholds to be aimed for to achieve the objectives of the PMP.~~
 - ~~(iii) Methods to achieve target species outcomes, which will include descriptions of spatial configuration of weed control, bait lines and baiting and/or trapping details including types of baits/traps and frequency of baiting.~~
 - ~~(iv) A description of monitoring/surveillance proposed in accordance with standard accepted pest management practice.~~

12. The Consent Holder shall manage its consented activities in accordance with an overarching Environmental Management Plan (**EMP**), prepared by a suitably qualified and experienced person with advice and input from relevant technical experts who are suitably qualified and experienced in the relevant field of expertise. The objectives of the EMP are to:

- (i) avoid, remedy or mitigate the actual and/or potential adverse effects of operational activities associated with mining at the site and once mining has concluded.
- (ii) set out the practices and procedures to be adopted ensure compliance with the conditions of consent held for authorised activities and to address the potential adverse effects of mining activities on ecological and indigenous biodiversity values at the site.
- (iii) set out the practices and procedures to be adopted to ensure compliance with the conditions of consents held for authorised activities and to address the potential adverse effects of mining activities on ecological and indigenous biodiversity values in the Coastal Marine Area.

13. The EMP must include as a minimum:

- (a) Details regarding site roles and responsibilities.
- (b) A risk register of effects being managed through the EMP.
- (c) An environmental performance framework including:
 - (i) A concise set of performance indicators (quantifiable and at an appropriate spatial and temporal resolution).
 - (ii) Management response triggers for appropriate performance indicators
 - (iii) Management responses to each of the triggers relative to achieving the objectives in condition 12.
- (d) Reporting procedures for environmental management data to a website

- (e) An overview of the construction, implementation, operational, monitoring, maintenance and contingency procedures to be followed during mining activities on land and activities authorised in the Coastal Marine Area.
- (f) Identification and storage of hazardous substances kept on site, and measures for preventing and responding to spills on site including methodology for disposal of any contaminated materials.
- (g) Measures to control dust to ensure that all activities on site comply with the following:
 - (i) There shall be no discharge of contaminants beyond the boundary of the site that has adverse effects on human health, or the health of flora and fauna.
 - (ii) The discharge shall not result in odour that is objectionable to the extent that it causes an adverse effect at or beyond the boundary of the site.
 - (iii) There shall be no discharge of particulate matter that is objectionable to the extent that it causes an adverse effect at or beyond the boundary of the site.
 - (iv) The discharge shall not significantly impair visibility beyond the boundary of the site.
 - (v) The discharge shall not cause accelerated corrosion or accelerated deterioration to structures beyond the boundary of the site.
- (h) Summaries of ecological baseline surveys undertaken on site, against which the results of future surveys can be assessed.
- (i) Measures for the protection of threatened species on land and within the Coastal Marine Area.
- (j) Plan review and reporting mechanisms, both overall and specific to each of the management plans that form a component of the EMP.
- (k) The component plans set out in condition 14 below.

14. The Consent Holder shall consult with the Department of Conservation, Taharoa C Incorporation, neighbouring landowners, Taharoa Lake Trustees, Te Ruunanga o Ngāti Mahuta ki te Hauaauro, Te Kōraha Marae, and Aaruka Marae during the development of the EMP and its component plans set out below. Where written agreement is provided by any of these parties, the engagement process outlined in Condition 22-49 below can be utilised as an alternative means of demonstrating engagement. The component plans may be prepared as chapters of the EMP or be attached as Appendices to the EMP. The component plans shall at minimum include the following:

- (a) A Dust Management Plan (DMP), the objectives of which are to control dust to ensure that all activities on site comply with the following:
 - a. There shall be no discharge of contaminants beyond the boundary of the site that has adverse effects on human health, or the health of flora and fauna.
 - b. The discharge shall not result in odour that is objectionable to the extent that it causes an adverse effect at or beyond the boundary of the site.
 - c. There shall be no discharge of particulate matter that is objectionable to the extent that it causes an adverse effect at or beyond the boundary of the site.
 - d. The discharge shall not significantly impair visibility beyond the boundary of the site.
 - e. The discharge shall not cause accelerated corrosion or accelerated deterioration to structures beyond the boundary of the site.
- A Freshwater Ecological Management Plan (FEMP), the objective of which is to monitor understand water management activities associated with the mining activities
- (b) and minimise any potential effects on freshwater habitats or species from any water management activities associated with those activities. The FEMP will include the following:
 - A Natural Wetland Management Plan (NWMP), the objective is to set out the practices and procedures to address the potential adverse effects of mining activities on ecological and indigenous biodiversity values of which is to avoid, minimise or remedy the adverse effects

of mining activity on the natural inland wetlands identified on the site and within the Tahaaroa Lake Complex. The NWMP shall include:

- (i) measures for monitoring any changes to the extent or composition of natural inland wetlands on the site over time;
 - (ii) a maintenance, infill planting and weed control programme for natural inland wetlands and associated planted buffer areas;
 - (iii) an education or training programme for staff on the basic methodology for identifying new wetland areas.
- A ~~M~~ monitoring and maintenance programme ~~procedures~~ for the fish pass in accordance with the conditions of AUTH142035.03.01.

 - A Lake Level Management Plan, the objective of which is to set out how the minimum lake level of RL 8.53m ~~will be complied with and the residual flow in the Wainui Stream set out in the relevant conditions of consent will be achieved at all times.~~ The Lake Level Management Plan shall at minimum set out the procedures to ensure that all consent condition requirements with regards to monitoring and measurement of the level of lake Tahaaroa and any consequential actions are complied with.:
 - A Residual Flow Management Plan in accordance with the conditions of AUTH142035.03.01. The objective is to set out the practices and procedures to address the potential adverse effects of low flow conditions on migratory fish and the ecological and indigenous biodiversity values of the Tahaaroa Lakes complex. The Residual Flow Management Plan shall at a minimum include:
 - I. how the residual flow in the Wainui Stream and in the fish pass will be monitored and maintained during periods of:
 - (aa) low flows;
 - (bb) Water abstraction for mining operations;
 - (cc) ship loading;
 - (dd) fish migration.
 - II. ~~procedures to ensure that all consent condition requirements with regards to monitoring and measurement of the level of lake Tahaaroa and any consequential actions are complied with.~~

 - A Mitiwai Stream Monitoring and Mitigation Plan, the objective is ~~to measure~~ to monitor and manage the effects on the Mitiwai Stream from wet mining. The Mitiwai Stream Monitoring and Mitigation Plan shall at a minimum:
 - (i) set out measures to ensure that, during wet mining below RL-5m in the Te Ake Ake Mining Cell on the Central Block, a flow of 20l/s 95% of the Q5 is maintained at all times in the Mitiwai Stream ~~is maintained downstream of the flow augmentation discharge point apart from times when measured flows upstream of the flow augmentation discharge point are less than 20l/s, in which case the measured flow shall be maintained.~~
 - (ii) include monitoring of water temperature, water chemistry, stage levels and flow rates.

Advice Note: Any proposed discharge of water to the Mitiwai Stream will require a resource consent (Discharge Permit) if it does not comply with a permitted activity rule in the Waikato Regional Plan.

Advice Note 2: Prior to any wet mining operations the flow monitoring locations in this condition will be agreed as part of the EMP.

Advice Note 3: The data measurements recorded as a result of this condition will be published on the reporting website on a continuous basis with data published contemporaneously with measurements

(b) An Avifauna Management Plan (AMP), the objective of which is to avoid as far as practicable or otherwise minimise any potential effects on avifauna from mining activities during breeding season. The AMP shall provide bird breeding protection and effects minimisation measures including:

- (i) Seasonal constraints on vegetation removal and/or noise disturbance in habitats that are likely to have high bird values to avoid or minimise harm to eggs and chicks;
- (ii) Proposed controls for maintaining a 30-metre setback of mining activities from the margin of wetlands and waterbodies during peak breeding season (September – January);
- (iii) A process for ensuring no nesting birds are present within vegetation to be cleared if mining activities are required during peak breeding season (September – January);
- (iv) Within the bird breeding season (September - January inclusive), the undertaking of surveys for wetland birds, NZ dotterels and NZ pipit by an appropriately qualified ecologist in advance of vegetation clearance activities within potential bird habitat. If a nest with eggs or chicks is present, then vegetation clearance is prohibited within 30 metres of the nest, until fledging occurs or as directed by an appropriately qualified ecologist.
- (v) An accidental discovery protocol for NZ dotterel and NZ pipit.

(c) A Lizard Management Plan (LMP), the objective of which is to minimise any potential effects on indigenous skinks and/or geckos within the mine site from mining activities. The LMP shall include:

- (i) Identification of high value lizard habitat.
- (ii) A description of survey techniques for identifying skink and/or gecko species and populations.
- (iii) Timing of the mining activities relative to known lizard behaviour.
- (iv) A description of lizard search and salvaging methodology.
- (v) A description of relocation triggers and methodology, including transfer methods, relocation site(s) selection and habitat enhancement measures (such as deployment of logs and pest control).
- (vi) Any protection mechanisms to ensure the relocation site is maintained.

Advice Note: all native lizards are absolutely protected under the Wildlife Act 1953 under which it is an offence to disturb, harm or remove them without a permit from the Minister of Conservation.

(d) A Pest Management Plan (PMP), the objective of which is to undertake pest flora and fauna eradication and control for the purposes of ecological enhancement. The PMP shall include:

- (i) Identification of land (including setback areas) to be included in the management of pests.
 - (ii) Target pest species and target thresholds to be aimed for to achieve the objectives of the PMP.
 - (iii) Set out the practices and procedures to address the potential adverse effects of horses and stock on rehabilitation areas and setbacks within the site boundary.
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- (iv) Methods to achieve target species outcomes, which will include descriptions of spatial configuration of fencing, weed control, bait lines and baiting and/or trapping details including types of baits/traps and frequency of baiting.
 - (v) A description of monitoring/surveillance proposed in accordance with standard accepted pest management practice.
 - (vi) Methods to ensure any machinery arriving from off-site is properly cleaned and decontaminated to reduce the chance of introducing pest plant propagules.
 - (f) A Site Rehabilitation Plan, the objective of which is to set out the rehabilitation goals-objectives, performance indicators and management triggers-targets-and-success-criteria to be followed in order to achieve the future landforms and groundcovers goals detailed within the Conceptual Site Closure Plan (see clause (g) below), including:
 - (i) In addition to the amount of rehabilitation to be undertaken each year under normal circumstances, a requirement for 63 ha of rehabilitation to be undertaken by the end of 2026 to make up for rehabilitation that should have occurred since 2017.
 - (ii) The procedures for progressive rehabilitation and maintenance of any duneland vegetation.
 - (iii) Identification of long-term measures to control erosion, including post-closure measures.
 - (iv) Procedures for the management and control of dust and particulate discharges to air onsite.
 - (v) Procedures for pest and weed control, including any post-closure measures.
 - (vi) Procedures for the establishment of appropriate indigenous species within the coastal setback (being a minimum of 100 metres landward of Mean High Water Springs).
 - (vii) Procedures to monitor and report to Waikato Regional Council on progress made in delivering the procedures and measures required by the Site Rehabilitation Plan.
 - (viii) Establishment of habitat suitable for NZ Pipit.
 - (g) A Conceptual Site Closure Plan, the objective of which is to address the future of the site and connected environment in terms of landform, ecological outcomes, legacy infrastructure and the nature and extent of groundcover following the conclusion of all mining activities.
 - (h) A Water Management Plan, the objective of which is to set out measures to achieve compliance with the conditions of these consents and to ensure the effects on the surrounding environment are minimised as a result of exercising these consents. The Water Management Plan shall at minimum include the following:
 - (i) Procedures and monitoring which will be followed to meet the water discharge quality conditions of consent
 - (ii) Construction, implementation, operational, monitoring, maintenance and contingency procedures to be followed to minimise sediment losses to natural water while conducting general mining activities including:
 - (aa) earthworks,
 - (bb) tracking,
 - (cc) haul road construction,
 - (dd) overburden disposal,
 - (ee) vegetation removal, and
 - (ff) identify and monitor diversions of stormwater and seepage (including that from rehabilitated areas).
 - (i) A Bat Management Plan, the objective of which is to set out measures to avoid or mitigate adverse effects on long tailed bats on the site. The Bat Management Plan shall at minimum include the following:
 - (i) A Bat monitoring and habitat identification procedure to be implemented prior to mining activities in new areas;
 - (ii) Best practice noise management and mitigation to minimise effects on bats to be implemented within identified bat habitat areas
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(iii) Best practice lighting design to minimise effects on bats to be implemented within health and safety requirements;

(iv) Bat Roost Protocols to be adopted for the removal of any vegetation >15cm diameter at breast height, that may offer the potential for bat roosting.

15. The EMP including its component plans shall be submitted to Waikato Regional Council for review and approval by the Waikato Regional Council, acting in a technical certification capacity within six months of the commencement date of these consents.

23-16. Within 60 working days of receipt of the EMP for certification, the Waikato Regional Council shall notify the consent holder as to whether the EMP is certified. In the event that certification of the EMP is withheld, the Waikato Regional Council shall advise the consent holder of what matters are required to be addressed.

24-17. The Consent Holder must implement and comply with the requirements of the certified EMP and its component plans, and any iterations of the EMP that may be certified in accordance with condition 18 and condition 19 from time to time.

25-18. The Consent Holder shall review and update the EMP including its component plans every 5 years from the date of commencement of this consent, within 6 months of any variation of conditions being granted and within 6 months of any decision to cease mining at the site. Any review of the EMP shall take into account:

- (a) Any recommendations of the Waikato Regional Council.
- (b) Any required actions or modifications to management practices identified as a result of monitoring under the Consents.
- (c) Any changes required as a result of actions identified in an Annual Works Plan.

26-19. Any revision of the EMP including its component plans shall be submitted to the Waikato Regional Council for review and approval by the Waikato Regional Council, acting in a technical certification capacity.

27-20. A copy of the latest version of the EMP shall be kept on site at all times and all key personnel shall be made aware of its contents.

Communication

28-21. The Consent Holder shall prepare a website and a Communication and Engagement Plan for certification by Waikato Regional Council, within one year of the consent commencement date. The Consent Holder shall prepare the website and Communication and Engagement Plan in accordance with the requirements of all consent conditions.

Management and Monitoring Plan Approvals

For transparency, the consent holder shall provide a copy of all management plans to Ngaati Mahuta ki te Hauaauru through the MLC¹ when they are submitted for certification, in addition to the opportunities for review and comment provided in condition 14.

Complaints and incidents management

29-22. Upon receiving a complaint regarding the operation of the mine, the Consent Holder shall:
Identify the nature of the complaint, the location, date and time of the alleged incident(s);

¹ Manawhenua Led Committee

- a Acknowledge receipt of the complaint to the complainant within 1 working day of receipt of the complaint.
- b Respond to the complaint in accordance with any relevant Management Plan or condition; and
- c Advise the complainant of what steps have been taken in response to the complaint within 10 working days of receipt of the complaint.

Retain a record of all complaints and actions taken in response to complaints.

30-23. The record specified in Condition 22 and the Incident Register required by Condition 4 shall be maintained on site by the Consent Holder, be available for inspection on request by Council, and shall be reported as an incident to the MLC at the subsequent meeting to the event. Complaint information should also be provided every 6 months (or as otherwise agreed) to Council.

Tahaaroa Ironsands Limited (The Consent Holder) and Mana Whenua Led Committee (MLC)

31-24. The Consent Holder shall use its best endeavours to ensure that, as early as possible but no less than 2 months prior to the consent commencement date, work with all three Mana Whenua groupings (marae) to appoint at least six (6) Mana Whenua representatives to form and participate in a Mana Whenua Led Committee (MLC). Mana whenua are provided the opportunity through this committee to choose their representation, and representation can be made from any group or roopu connected to Ngaati Mahuta ki te Hauaauru. The Consent Holder will appoint a senior mine manager (Tier 2) to facilitate the MLC. The MLC shall operate for the duration of all consents for the Consent Holder granted by the Waikato Regional Council in relation to this application.

32-25. The Consent Holder shall invite The Trust and other Mana Whenua related Trusts and entities to jointly prepare terms of reference for the conduct of the MLC and to appoint a Ngaati Mahuta ki te Hauaauru representative to be appointed as Co-Chair of the committee, alongside the Managing Director of the Consent Holder who shall be the other Co-Chair. The Co-Chairs will agree on meeting protocols, including any appropriate quota, timeframes for receiving and reviewing management plans or annual reports, and including on when and how any mana whenua only meetings of the MLC will occur.

33-26. The purpose of the MLC is to facilitate ongoing engagement between the Consent Holder and Ngaati Mahuta ki te Hauaauru in respect of the activities authorised by the consent and to enable cultural values input into the ongoing management and monitoring of environmental effects from those activities, including (but not limited to) enabling Ngaati Mahuta ki te Hauaauru to:

- a maintain and enhance their relationship with the land (whenua) and waterways (awa) within and adjacent to the site, including (but not limited to) ongoing input into the planting and maintenance of indigenous vegetation;
 - b provide recommendations as to how, through the implementation of the obligations in the consent conditions, Ngaati Mahuta ki te Hauaauru can exercise kaitiakitanga of affected whenua and awa, during the construction and operational phases of the mine and in rehabilitation and aftercare following the cessation of mining activities;
 - c Review all new monitoring information collected, and review the current state of freshwater resources fisheries, whenua and the Coastal Marine Area In the area affected by mining activities and discharges.
 - d have involvement in the development, implementation and monitoring of cultural indicators;
 - e co-design the website, ensuring all monitoring data that Ngaati Mahuta ki te Hauaauru can determine what information is displayed on the website, subject to Consent Holder commercial confidentiality constraints;
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f be involved in a monitoring plan for dust and noise that is responsive to changes in the area of mining activities, the location of mine tailings, concentrations of sensitive community activities and cultural events.

g support the establishment of the proposed funds, including the process for allocation of funds, and any review of the monetary fund;

h review and comment on the development of specified management plans and results of environmental monitoring as set out in Part B of this consent; and

i provide recommendations to, and request responses from, the Consent Holder in respect of the matters listed above or other matters that the MLC may raise from time-to-time

34-27. The Consent Holder shall invite the MLC to hold regular meetings at least quarterly, provided that the frequency and duration of meetings may be reduced or increased where the majority of Ngaati Mahuta ki te Hauaauru representatives of the MLC agree.

35-28. The MLC shall be provided with access to the website referred to in 21 above, which the Consent Holder must keep up to date with the latest monitoring data in accordance with condition 26(e).

36-29. The Consent Holder shall be responsible for all reasonable costs associated with the MLC as described in Conditions 21-26.

37-30. The Consent Holder's obligations in respect of the MLC shall be to:

a Provide a venue for MLC meetings at the Consent Holder's cost.

b Resource a Secretariat for the MLC.

c Provide remuneration for all appointed Mana Whenua representatives (includes Mana Whenua Co-Chair).

d Consider and, if requested by Ngaati Mahuta ki te Hauaauru representatives of the MLC, provide a written or other agreed appropriate response to all recommendations made by the MLC, to the extent detailed in these conditions or otherwise agreed by the MLC.

e Attend all MLC meetings.

f To make available any independent experts engaged by the Consent Holder to appear before the MLC, with the costs of the experts' attendances and any necessary preparation to be met by the Consent Holder.

g Subject to any operational or health and safety constraints, provide ongoing opportunities for the MLC to walk the site prior to changes in the mining focus area to inform the development of an agreed Koiwi and Taonga Tūturu protocol for any archaeological discoveries, and for visits to the site over the life of the operations.

h Offer Ngaati Mahuta ki te Hauaauru the opportunity to be involved in providing a karakia on site prior to the formal opening of a new mining focus area.

i Provide copies of all environmental monitoring reports to the MLC at the same time as they are provided to the Regional Council.

j Consider and, if requested, respond to the outcomes of any cultural monitoring undertaken by Ngaati Mahuta ki te Hauaauru, referred to in Condition 26; and

Record the main points arising from each meeting of the MLC and provide a copy of that record to all Ngaati Mahuta ki te Hauaauru members of the MLC within 5 working days following each meeting unless the Consent Holder was requested not to attend the relevant meeting by the mana whenua members of the MLC.

38-31. In the event that Ngaati Mahuta ki te Hauaauru do not accept the consent holder's invitation to form and participate in the MLC, the consent holder will make available online two(2) weeks prior to the submission in relation to Condition 21, the website to the Waikato Regional Council and Ngaati Mahuta ki te Hauaauru to demonstrate ongoing management and monitoring of environmental effects from activities, including the consent holder's consideration and

implementation of cultural values sourced from publicly available information on Ngaati Mahuta ki te Hauaauru values .

~~39-32.~~ The consent holder shall renew the invitation to Ngaati Mahuta ki te Hauaauru to form and participate in a MLC under condition 25 every 6 months from the date of the initial invitation for the duration of these consents. If Ngaati Mahuta ki te Hauaauru accepts the consent holder's invitation, the MLC shall be formed in accordance with conditions 26-30.

Ngaati Mahuta ki te Hauaauru Kaitiaki Monetary Fund

~~40-33.~~ Within six (6) months of a resource consent related to this application being exercised, the Consent Holder, in conjunction with MLC, shall establish a monetary fund to assist Ngaati Mahuta ki te Hauaauru with capacity building and the practical expression of kaitiakitanga. The Consent Holder shall initially make available a sum of \$60,000 per annum (excluding GST) for the term of this consent. This sum shall be subject to review as set out in Condition C16-18. The Consent Holder, in conjunction with the MLC, shall determine a process for allocation of funds.

~~41-34.~~ In the event that Ngaati Mahuta ki te Hauaauru do not accept the consent holder's invitation to form and participate in the MLC, the monetary fund established under condition 33 will be held in trust by the consent holder for a period of 5 years until which that total sum, and ongoing annual contribution, will be split and transferred in three equal parts to each of the three marae based mana whenua entities.

~~42-35.~~ The quantum and / or effectiveness of the monetary fund shall be subject to yearly reviews undertaken by the Consent Holder in conjunction with the MLC. The review shall consider any significant changes in the area utilised for mining or scale of activities at the Mining Area of Interest.

Cultural monitoring framework and Website

~~43-36.~~ For the purposes of these conditions, the Tahaaroa Ironsands Ltd. Website is a digital information sharing platform that:

- a. facilitates the visualisation of monitoring data and other information recorded by the consent holder, as part of the monitoring during development and operation of the Consent Holder activities (as authorised by WRC consents); within the Tahaaroa Ironsands Limited Mining Area of Interest,
 - b. demonstrates the performance of the Consent Holder:
 - i. in relation to the environmental parameters (includes bottom lines) imposed under all consents, and
 - ii. against any cultural indicators developed and implemented by Ngaati Mahuta ki te Hauaauru and as further described in this condition below.
 - c. can be used as a tool for Ngaati Mahuta ki te Hauaauru to support the exercise of its kaitiakitanga; with authorised independent access.
 - d. can be used to inform recommended changes to any management plans, as part of any annual update, or as part of any more comprehensive review; and
 - e. subject to restrictions requested by Ngaati Mahuta ki te Hauaauru in respect to the Cultural Indicators, is otherwise publicly visible thereby providing real time information on the performance of the consent holder when measured against the conditions of consent.
 - f. The consent holder shall, as early as possible but no less than two (2) months prior to exercise of a consent under this application, invite mana whenua, with the support of MLC where possible, to develop cultural indicators that can be incorporated into the website, provided that:
 - i. if the Cultural Indicators are not developed by agreed mana whenua representatives prior to exercise of a consent, the website shall be constructed in a manner that allows the Cultural Indicators to be added at a later date, and until that time the website shall be operated and display other key information.
 - ii. Mana whenua may review and amend the Cultural Indicators from time to time and the consent holder shall update the website to incorporate any such amendments as soon as practicable following any new or amended cultural indicators.
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iii. The Consent Holder will support the technical capability of the dashboard by making available all monitoring data in an electronic format suited for uploading to the dashboard. This will include all historically collated monitoring data utilised for determining compliance or operational constraint.

g. Allowing access to a phone-based application (minimum of 20 users, number of users to be determined by the MLC) that allows for the upload of observations and other events to the digital dashboard.

44.37. The methodology of the mātauranga Māori-based cultural monitoring and assessment shall be determined following consultation with the MLC. Any mātauranga Māori-based assessments shall be carried out by suitably qualified individuals appointed by the Consent Holder on the recommendation of the MLC.

45.38. The Cultural Indicators referred to in Condition C6(d) may include, but are not limited to, effects on the cultural landscape (e.g. odour, dust, access), changes in the characteristics of vegetation, the health of culturally significant flora and/or fauna, or the health of waterways and groundwater in the vicinity of the mine and freshwater lake systems and their streams at Tahaaroa (with Lake Tahaaroa, Lake Numiti and Lake Rotoroa all subject to monitoring).

46.39. The cultural indicators will include measurement of plans to re-establish waterways no longer functional from Lake Rotoroa to the Coastal Marine Area.

47.40. In respect to the Coastal Marine Area, the MLC will assist with design of a cultural monitoring framework and management plan appropriate for developing an improved understanding of the effects of mining in relation to the marine ecosystem that has supported Ngaati Mahuta ki te Hauaauru for generations.

Ecological Management Plan (EMP)

48.41. The ecological management plan shall identify all mahinga kai species or taonga species important to Ngaati Mahuta ki te Hauaauru, with the aim of enhancing the habitat and health of those species over the operational life of the mine. The EMP shall include but not be limited to:

- a) Populations of mullet, kakahi, whitebait, waterfowl, koura and tuna in freshwater lakes and connecting waters.
- b) Reducing macrophyte buildup in the lake fringes effecting access and enjoyment of the lake shore edge.

49.42. In addition to the reporting from the website, the MLC shall commission an appropriate person(s) to provide a written report on the cultural indicators monitoring on an annual basis during all phases of construction, operation and aftercare at the mine. The written report will be submitted to the Council on an annual basis.

50.43. The Consent Holder shall cover the reasonable actual costs of developing, implementing and reporting on Cultural Indicators, as agreed in advance by the Consent Holder and the MLC.

51.44. The Consent Holder shall invite, at a minimum, the stakeholders listed in this condition to meetings to provide feedback and comment on issues related to the operation of the mine. These meetings shall be convened no less than once every six months for the first three years following the commencement of the consents and thereafter at yearly intervals or as otherwise determined by the attendees at the consultation meetings or, in the event of disagreement, by the Waikato Regional Council. In relation to this condition, the stakeholders are: Tahaaroa Lake Trustees, Tukotahi Tuteao Trust, [Te Ruunanga o Ngāti Mahuta ki te Hauaauru](#), Te Kōhaha Marae, Aaruka Marae and the Department of Conservation. Minutes recording attendance, main topics of discussion and any outcomes shall be forwarded to the Waikato Regional Council within 20 working days of any meeting required by this consent condition.

52.45. The Consent Holder shall establish a website which is to include the following ([subject to commercial sensitivity constraints as applicable](#)):

- ~~(a) Contact details of Taharoa Ironsands Ltd personal that can be contacted for information or to raise any concerns;~~
- ~~(b) The current Annual Work Plan;~~
- ~~(c) Any plans approved by the Waikato Regional Council;~~
- ~~(d) Monthly and annual compliance monitoring reports prepared pursuant to consent conditions;~~
- ~~(e)(e) Monitoring at an appropriate spatial and temporal resolution for compliance parameters including air quality, discharges to natural water, take volumes and rates, water levels and flow rates (Wainui and Mitiwai Streams), lake levels and progress with rehabilitation;~~
- ~~(d)(f) Notices of upcoming community meetings over the next 12 months (including times, dates and venues);~~
- ~~(e)(g) Agendas for upcoming community meetings;~~
- ~~(f)(h) Minutes of community meetings held; and~~
- ~~(g)(i) Procedures for making any notification of incidents complaints.~~

Annual Works Plan

~~53.46.~~ The Consent Holder shall, on **[TIL to advise appropriate date]** each year, provide Waikato Regional Council with an Annual Works Plan which shall, in relation to the next 12 months, document the following information:

- (a) Map the areas to be mined;
- (b) Map the areas to be rehabilitated/stabilised;
- (c) Specify the nature of the proposed rehabilitation including the final contour height and shape, vegetation cover, and maintenance of plantings;
- (d) Describe any significant maintenance activities;
- (e) Describe any proposed works, including maintenance of the pipelines and mooring buoy in the Coastal Marine Area; and
- (f) Describe any operational changes or improvements to be implemented;

Monthly Reporting

~~54.47.~~ The consent holder shall prepare and forward to the Waikato Regional Council a monthly report by the 5th day of the calendar month (following monitoring), setting out the results of the monitoring required by the conditions of the Consents. The report shall also include:

- (a) Details and records of water abstracted from the Wainui Stream;
- (b) Details and records of stormwater discharged into the Tasman Sea;
- (c) Water levels in Lake Taharoa and rainfall data;
- (d) Any difficulties in achieving compliance with any conditions contained this consent;
- (e) The reasons for any such difficulties; and
- (f) Any maintenance works which are necessary, proposed or have been carried out, and the results of this work.

After two years from commencement of these consents, the frequency of reporting may change with the written approval of the Waikato Regional Council.

[Advice Note: The data measurements recorded as a result of this condition will be published on the reporting website on a continuous basis with data published contemporaneously with measurements](#)

Annual Monitoring Report

~~55.48.~~ The Consent Holder shall prepare and submit to the Waikato Regional Council an Annual Monitoring Report by 1 August each year that the consent is current. The monitoring period to be included in each report shall be for the 12-month period ending 30 June. A copy shall also be provided to the Department of

Conservation, Taharoa Lake Trustees, Tukotahi Tuteao Trust, Ngāti Mahuta, Te Kōraha Marae, and Aaruka Marae.

~~56-49.~~ As a minimum the Annual Monitoring Report shall:

- (a) Detail all environmental monitoring undertaken.
- (b) Summarise all the data and information required to be collected by these consents. This should include graphical presentation, statistical summations of monitoring data and critical analysis of the information in terms of compliance and environmental effects.
- (c) Highlight and discuss any important environmental trends.
- (d) Detail rehabilitation works undertaken in the previous 12-month period as well as proposed rehabilitation works for the following 12-month period.
- (e) Set out any reasons for non-compliance or difficulties in achieving compliance with the conditions of the Consents and measures adopted to rectify problems.
- (f) List any works that have been undertaken to improve the environmental performance of the site or that are proposed to be undertaken in the up-coming year.
- (g) If necessary, recommend alterations to the monitoring required, including review of the monitoring site locations and recommended changes (if any) that would result in improved environmental performance.
- (h) Review the mining operations in light of monitoring results to identify any changes in the operation that would result in improved environmental performance.
- (i) Report on and discuss any complaints received regarding the operation of the site.
- (j) Report on and discuss feedback received from any consultation meetings held with interested parties.
- (k) Include any other matters or findings considered important by the Consent Holder.

Bond

~~57-50.~~ Throughout the duration of the Consents, the Consent Holder shall provide and maintain in favour of the Council a rehabilitation bond to:

- (a) Secure compliance with all the conditions of this consent and to enable any adverse effects on the environment resulting from the Consent Holder's activities and not authorised by a resource consent to be avoided, remedied or mitigated;
- (b) Secure the completion of rehabilitation and closure in accordance with the approved Site Rehabilitation Plan (forming part of the Site Management Plan);
- (c) Ensure the performance of any monitoring obligations of the Consent Holder under this consent;
- (d) Enable the Council to undertake monitoring and management of the site until completion of closure of the site.

~~58-51.~~ The rehabilitation bond shall be in a form approved by the Council and shall, subject to these conditions, be on the terms and conditions required by the Council.

~~59-52.~~ The rehabilitation bond shall provide that the Consent Holder remains liable under the Resource Management Act 1991 for any breach of the conditions of consent which occurs prior to the completion of closure.

~~60-53.~~ Unless the rehabilitation bond is a cash bond, the performance of all of the conditions of the bond shall be guaranteed by a guarantor acceptable to the Council. The guarantor shall bind itself to pay for the carrying out and completion of any condition in the event of any default of the Consent Holder, or any occurrence of any adverse environmental effect requiring remedy.

~~61-54.~~ The amount of the rehabilitation bond shall be fixed annually by the Council who shall take into account any calculations and other matters submitted in the Site Rehabilitation Plan (forming part of the Site Management Plan) or otherwise, by the Consent Holder which are relevant to the determination of the amount. **The bond will also be adjusted for inflation annually.**

~~62-55.~~ The amount of the bond shall be advised in writing to the consent holder on an Annual basis following the supply of the Annual Plan and when applicable the Site Management Plan and the certified Environmental Management Plan.

~~63-56.~~ The amount of the rehabilitation bond to achieve the purposes set out in Condition 34 of this Schedule above shall include:

- (a) The estimated costs (including any contingencies necessary) of rehabilitation and closure in accordance with the conditions of this consent, on completion of the mining operations proposed for the next year and described in the Rehabilitation and Closure Plan;
- (b) Any further sum which the Council consider necessary to allow for remedying any adverse effect on the environment that may arise from the exercise of this consent;
- (c) The estimated costs of monitoring, in accordance with the monitoring conditions of this consent, until this consent expires; and
- (d) Any further sum which the Council consider necessary for monitoring any adverse effect on the environment that may arise from the exercise of this consent including monitoring anything which is done to avoid, remedy, or mitigate an adverse effect.

~~64-57.~~ Should the Consent Holder not agree with the amount of the rehabilitation bond fixed by the Council then the matter shall be referred to arbitration in accordance with the provisions of the Arbitration Act 1996. Arbitration shall be commenced by written notice by the Consent Holder to each of the Council advising that the amount of the rehabilitation bond is disputed, such notice to be given by the Consent Holder within two weeks of receipt of notification of the amount of the rehabilitation bond. If the parties cannot agree upon an arbitrator within a week of receiving the notice from the Consent Holder, then an arbitrator shall be appointed by the President of the Institute of Professional Engineers of New Zealand. Such arbitrator shall give an award in writing within 30 days after his or her appointment, unless the Consent Holder and the Council agree that time shall be extended. The parties shall bear their own costs in connection with the arbitration. In all other respects, the provisions of the Arbitration Act 1996 shall apply. Pending the outcome of that arbitration and subject to Condition 42 below, the existing bond shall continue in force. That sum shall be adjusted in accordance with the arbitration determination.

~~65-58.~~ If, for any reason other than default of the Council, the decision of the arbitrator is not made available by the 30th day referred to above, then the amount of the bond shall be the sum fixed by the Council, until such time as the arbitrator does make his/her decision. At that stage the new amount shall apply. The Consent Holder shall not exercise this consent if the variation of the existing bond or new bond is not provided in accordance with this condition.

~~66-59.~~ The rehabilitation bond may be varied, cancelled, or renewed at any time by agreement between the Consent Holder and the Council provided that cancellation will not be agreed to unless a further or new rehabilitation bond acceptable to the Council is available to replace immediately that which is to be cancelled (subject however to the condition below as to release of the rehabilitation bond on the completion of closure of the site to the Council' satisfaction).

~~67-60.~~ The Council shall release the rehabilitation bond on the completion of closure of the site.

~~68-61.~~ "Completion of closure of the site" means when the elements of the entire project have been demonstrated by the Consent Holder to the satisfaction of the Council to have reached a stable, self-sustaining, rehabilitated state and any water discharging from the site, and any ground water under and around the site, will be of a quality such that it will not adversely affect aquatic life, or other users of the water resource as defined by the approved Site Rehabilitation Plan.

~~69-62.~~ All costs relating to the rehabilitation bond shall be paid by the Consent Holder.

~~70.63.~~ This consent shall not become operative unless and until the Consent Holder provides the rehabilitation bond to the Council.

Review

~~71.64.~~ During the six-month period following 1 September 2024 and in the same period every year thereafter, the Waikato Regional Council may serve notice on the Consent Holder under section 128 (1) of the Resource Management Act 1991, of its intention to review the conditions of the Consents for any of the following purposes:

- (a) To review the effectiveness of the conditions of the Consents in avoiding or mitigating any adverse effects on the environment and if necessary to avoid, remedy or mitigate such effects by way of further or amended conditions;
- (b) If necessary and appropriate, to require the holder of this resource consent to adopt the best practicable option to remove or reduce adverse effects on the surrounding environment due to the discharge of groundwater and/or stormwater to surface water;
- (c) To review the performance of the Wainui Stream fish pass and any current or required mitigation measures relating to the fish pass;
- (d) To review the adequacy of and the necessity for monitoring undertaken by the Consent Holder in light of previous monitoring and/or changes in site operations;
- (e) To review the consistency of conditions of this consent with future changes to any National Environmental Standard, National Policy Statement, or change to the Waikato Regional Policy Statement, Waikato Regional Plan or Waikato Regional Coastal Plan and, if necessary, to address any inconsistency of the conditions of this consent by way of further or amended conditions; and
- (f) To recognise and provide for the relationship that tangata whenua have with their ancestral water, sites and waahi tapu and other taonga and to have particular regard to Kaitiakitanga.

Advice Note: Costs associated with any review of the conditions of this resource consent will be recovered from the Consent Holder in accordance with the provisions of section 36 of the Resource Management Act 1991.

Administrative

~~72.65.~~ The Consent Holder shall pay to the Waikato Regional Council any administrative charge fixed in accordance with section 36 of the Resource Management Act 1991, or any charge prescribed in accordance with regulations made under section 360 of the Resource Management Act.

Schedule 2: Common Coastal Marine Area (CMA) Conditions

Resource consents AUTH142035.09.01, AUTH142035.11.01, AUTH142035.12.01 and AUTH142035.13.01 are subject to the following conditions, which shall apply to each individual consent. Where there are differences or apparent conflict between the following Common CMA Conditions and conditions contained in either the individual consents listed above, the conditions contained in the respective individual consents shall prevail.

Reference in these Common CMA Conditions to “Waikato Regional Council” shall mean the Chief Executive Officer of the Waikato Regional Council or their delegate.

Notification

1. The Consent Holder shall ensure that the Hydrographic Office of Land Information New Zealand and Maritime New Zealand has written notice of the location of the structures authorised by the Consents within three months of the commencement of the Consents to which this schedule relates.

Environmental Protection

2. The Consent Holder shall be responsible for implementing the best practicable option so as to minimise damage to the foreshore, seabed and surrounding environment [from activities authorised by this condition](#).

Archaeological Discovery

3. The Consent Holder shall make all efforts to avoid culturally significant sites. All sites shall be managed in accordance with Taharoa Mine Site Safety & General Procedures – Discovery of Human Remains and/or Items of Cultural Significance –TM-4000.110. In addition, in the event that any archaeological remains are discovered, the works shall immediately cease in the vicinity of the discovery and the Waikato Regional Council, [Te Ruunanga o Ngāti Mahuta ki te Hauaauru](#), Te Kōraha Marae, Aaruka Marae and Heritage New Zealand Pouhere Taonga shall be notified within 48 hours. Works may recommence with the written approval of the Waikato Regional Council and an archaeological authority (if required). Such approval is subject to:
 - (a) Tangata Whenua interests and values,
 - (b) the Consent Holder’s interests, and
 - (c) any archaeological or scientific evidence.

Structural Integrity

4. The Consent Holder shall ensure that all structures authorised by resource consents AUTH142035.09.01 and AUTH142035.11.01 are constructed and maintained in accordance with current and accepted engineering practices.
 5. The Consent Holder shall maintain all structures in the Coastal Marine Area authorised by these consents so that where practicable no part of the structures is lost (e.g. breaks loose due to water, wind or wave action) or results in a navigational hazard. Any material that is lost from the structures shall, as soon as possible, be retrieved by the Consent Holder. Should the material lost be a hazard to navigation, Maritime New Zealand and Waikato Regional Council shall be immediately informed.
 6. The Consent Holder shall be responsible for the structural integrity and maintenance of the structures and for any works that become necessary to preserve the integrity and stability of the structures and/or to control erosion as a result of the exercise of this resource consent.
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Advice Note: Additional resource consent may be required as a result of the need to undertake further works. Any such consent shall be obtained by the Consent Holder at their sole expense prior to any works being undertaken.

Operation of Machinery

7. All machinery shall be operated in a manner that ensures that spillages of fuel, oil and similar contaminants are prevented, particularly during refuelling and machinery servicing and maintenance. Where practicable, refuelling and lubrication activities shall be carried out away from any water body such that any spillage can be contained so it does not enter the Coastal Marine Area or any waterway. For lubrication activities taking place at the buoy, these shall be carried out in such a way as to minimise any spillage into the Coastal Marine Area.

Ship Loading Activities

8. The Consent Holder shall manage its ship loading activities, including discharges to the Coastal Marine Area authorised by AUTH142035.12.01 and AUTH142035.13.01, in accordance with a Ship Loading Management Plan (**SLMP**), prepared by an appropriately experienced or qualified person(s). The objective of the SLMP is to set out the practices and procedures to be adopted to minimise the actual and/or potential adverse effects of authorised ship loading activities on the water quality and marine ecology of the CMA.
9. The SLMP must include:
 - (a) Details regarding site roles and responsibilities.
 - (b) An overview of the operational, management and contingency procedures to be followed during ship loading.
 - (c) Procedures for managing or responding to spills on site.
 - (d) Summaries of ecological baseline surveys undertaken on site, against which the results of future surveys can be assessed.
 - (e) Measures for the protection of threatened species (including marine mammals).
 - (f) Plan review and reporting mechanisms.
10. The SLMP shall also include as a minimum:
 - (a) An Underwater Noise Monitoring Plan, the objective of which is to provide further information and assist with determining best practice for managing potential noise effects on marine mammals.
 - (b) A monitoring programme that enables the water quality of the discharge to the Coastal Marine Area to be characterised. The monitoring programme shall confirm:
 - (i) the timing, frequency and location of sampling;
 - (ii) the grain size composition, clay mineralogy and heavy metal concentrations within the discharge. Heavy metals analysed shall include Aluminium, Arsenic, Nickel, Copper, Iron, Manganese, Lead and Zinc. All analyses shall be for dissolved metals.
 - (c) A monitoring programme [\(including a gradient approach via wet sieving with no pretreatment with annual sampling at locations 250m, 2km and between 3 – 4 km north and south of the point of discharge\)](#) that to determines the fate of the sediment discharged to the Coastal Marine Area, including its distribution and deposition on the sea floor [and coastal areas used for food collection](#) in areas potentially affected by the discharge.
 - (d) ~~Measures to monitor any marine and/or benthic ecology impacts.~~ [A requirement that if the data obtained from the monitoring programme shows a trend that the receiving environment is getting increasingly muddier, then a further assessment of ecological effects will be required along with recommendations to address any adverse effects identified. Any such further assessment of ecological effects shall be undertaken in accordance with a methodology prepared by the Consent Holder and certified by the Waikato Regional Council prior to being undertaken.](#)

Advice Note 1:

If, after a period of 10 years of monitoring, there is no trend showing that the receiving environment is getting increasingly muddier, then the monitoring required by Condition 10(c) can be discontinued.

Advice Note 2: The data measurements recorded as a result of this condition will be published on the reporting website on a continuous basis with data published contemporaneously with measurements.

11. The SLMP shall be submitted to Waikato Regional Council for review and approval by the Waikato Regional Council, acting in a technical certification capacity within six months of the commencement date of these consents.
 12. The Consent Holder must implement and comply with the requirements of the certified SLMP and any iterations of the SLMP that may be certified from time to time.
 13. The Consent Holder shall review and update the SLMP, at a minimum, every 5 years from the date of commencement of this consent, within 6 months of any variation of conditions being granted and within 6 months of any decision to cease mining at the site. Any review of the SLMP shall take into account:
 - (a) Any recommendations of the Waikato Regional Council.
 - (b) Any required actions identified as a result of monitoring under the Consents.
 - (c) Any changes required as a result of actions identified in the Annual Works Plan.
 14. Any revision of the SLMP shall be submitted to the Waikato Regional Council for review and approval by the Waikato Regional Council, acting in a technical certification capacity.
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