
Submission on behalf of Taiko Critical Minerals Limited

to the

Environment Committee

on the

Fast-track Approvals Amendment Bill 2025

Date: 17 November 2025

Submitter details:

Taiko Critical Minerals Limited
Mike Meehan, Project Director

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Submission on behalf of Tāiko Critical Minerals Limited (previously TiGa Minerals and Metals Limited) to the Environment Select Committee on the Fast-track Approvals Amendment Bill

To: Environment Select Committee

Submitter: Tāiko Critical Minerals Limited (TCML)

- 1 This submission is made on behalf of TCML (previously TiGa Minerals and Metals Limited) in relation to the Fast-track Approvals Amendment Bill (**Bill**).
- 2 TCML is listed in Schedule 2 of the Fast-track Approvals Act 2024 (**Act**) for its Barrytown Mineral Sands Project, and it intends use of the fast-track process for consenting.

General support

- 3 TCML supports amendments in the Bill aimed at improving the efficiency of the process by reducing time frames, duplication, and unnecessary costs, and providing clarity for applicants to the fast-track approvals process by addressing ambiguities.
- 4 In particular, TCML supports:
 - (a) *Faster timeframes* - That timeframes for getting a decision will be faster due to a range of amendments.
 - (b) *Consultation* - That an applicant will no longer be *required* to consult, and that notice only needs to be provided to specified parties with a response period of 20 working days (section 11). This is important to reduce unnecessary costs and delays that are being experienced through initial consultation, and should apply even when applicants choose to consult more comprehensively.
 - (c) *Order in Council for amendments* - an application can now amend the description and general location of the project (ie Schedule 2 listing) via an order in council without going through a parliamentary process (section 117A). Projects change as they develop towards detailed design, and this change is necessary – although TCML also seeks amendments to enable some flexibility to enable change without an Order in Council process (see below).
 - (d) *Other matters* - the proposed changes relating to Government policy statements (section 10A); that written comments are to be limited to matters that will not be covered by councils (section 53) which will likely will reduce invitations for written comments; that regulations can be promulgated to limit / clarify cost recovery (section 108); and the ability to request further information (rather than reject an application where information missing) (section 46), which is more efficient *provided time limits are imposed*.

Amendments sought

- 5 In addition, TCML seeks the following amendments to the Bill:
 - (a) **A new amendment to provide additional flexibility** - to enable changes to listed projects that have changed over time (without need for an Order in Council) provided the project remains broadly within the nature and geographical extent of the listed project. This is because projects change and improve as they develop towards detailed design, and this change is necessary to ensure an Order in Council is not required for these changes.
 - (b) **Amendments to staging provisions (s37A)** – The ability to apply for a project in stages is supported generally, but TCML does not support amendments which:

- (i) require consent from the Minister to stage a project; and
- (ii) have the potential to preclude applications being made in stages if each stage cannot individually show nationally/regionally significant benefits.

Any amendments need to be clear that where parts of the project are not being applied for – either because they have already been consented, or because they will be applied for at a later date - these aspects continue to be considered part of the nationally/regionally significant benefits of the Project. For example, given the timing of the fast track legislation and the time required to prepare a fast track application, TCML has already applied for and received necessary resource consents for parts of the listed Project, in order to enable it to continue towards gaining investment in the overall Project (while still preparing its larger application for the fast track approval process). The Project as a whole will ultimately have nationally/regionally significant benefits and the fast track approval process will be integral to obtaining consents and other approvals, as a one stop shop, for remaining aspects of the Project.

- (c) **Amendments to provisions relating to infrastructure conditions (section 84A)** – As currently drafted, the provisions enable the panel to put conditions on applicants to provide infrastructure, however the intention of the amendment is for decisions not to be made on the basis of a lack of infrastructure. It is beyond the control of applicants to provide infrastructure given the upgrades rely on Council or other infrastructure providers to undertake the work. One way to resolve this ambiguity would be to amend the provision to enable the infrastructure provider sufficient time in the condition to provide the infrastructure.

Specific changes to Schedule 2 of the Act

- 6 The Barrytown Mineral Sands project was listed in Schedule 2 of the Act to reflect its significant economic benefits. These have been measured by an economist and were set out in detail in the application made to be on Schedule 2.
- 7 Amendments to its Schedule 2 Listed Project (Barrytown Mineral Sands Project), as set out in **Attachment 1**, are now specifically sought to:
 - (a) update Schedule 2 to reflect that the name of the company has changed, and to be clear that TCML is the authorised person for the listed project.
 - (b) update Schedule 2 to reflect that the project is now called the Barrytown Minerals Project.
 - (c) include an additional area south of Cargill Road to Fagan Creek. This area has always intended to be part of the Barrytown Minerals Project but drilling had not occurred, and access was not obtained, at the time the Project was requested to be listed. Recent drilling results within this southern area have confirmed the presence of high-quality mineral-bearing sands consistent across the Barrytown Flats. Access has now also been obtained.
 - (d) increase flexibility in the project description which will enable the areas to be specifically moulded around the resource (which has been further refined) and environmental aspects (which have been subject to additional detailed baseline survey).
- 8 These additions will provide greater resource certainty, extend the operational life of the project, increase the regional benefits of the project and ensure the long-term viability and continuity of the Barrytown Mineral Project. It will also ensure continued regional economic benefits through direct wages, contractor engagement, local service supply and associated flow-on expenditure within the West Coast economy and support the social and economic wellbeing of the local community in alignment with the objectives of the West Coast Regional Policy Statement.

- 9 It would be in the spirit of the Bill which seeks to improve the efficiency of the process by reducing time frames, duplication, and unnecessary costs, and providing clarity by addressing ambiguities to make the above changes now, as opposed to requiring TCML to wait for another period and then go through a separate Order in Council process – increasing cost and delay.
- 10 An indicative map is provided in **Attachment 2**, which includes the additional area to the south as part of the Southern Block. This indicative map is provided for information purposes only to illustrate the general Project area – although, as noted above, the precise locations may change as the Project further develops.

Attachment 1: Amended Schedule 2 listing.

Current wording

TiGa Minerals and Metals Limited	Barrytown Mineral Sands Project	In stages, establish and operate mine sites for mineral sand extraction activities, processing, and transporting processed minerals through the Greymouth Port, comprising— <ul style="list-style-type: none">• Stage 1: Northern Block and Rapahoe plant—sand mineral extraction (approximately 63 hectares over 5 years), establishing a wet concentrator plant, and constructing and operating a secondary mineral separation plant• Stage 2: Central Block—sand mineral extraction (approximately 208 hectares over 9 years)• Stage 3: Southern Block—sand mineral extraction (approximately 172 hectares over 9 years), including Maher swamp enhancement, planting, and restoration	635 hectares at Barrytown Flats, Greymouth <i>Northern Block</i> 3261 Coast Road and Burke Road, State Highway 6 <i>Central Block</i> 3067 Coast Road, State Highway 6 <i>Southern Block</i> Cargill Road and Warren Road Mineral separation plant <i>Rapahoe</i> Seven Mile Road
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Proposed revisions

11 Name

Tāiko Critical Minerals Limited (previously TiGa Minerals and Metals Limited)

12 Project

Barrytown Minerals Project

13 Project Description

Establish and operate mine sites, processing facilities and ancillary activities, for mineral sand extraction activities, processing and transporting product at Barrytown, West Coast. Mining may be undertaken in stages.

Resource blocks include:

1. Southern Block (between Fagan Creek and Canoe Creek);
2. Central Block (north of Canoe Creek to the northern extent of Canoe Creek Lagoon);
3. Northern Block (south of Burke Road and north of Burke Road to Maher Swamp).

Approximate Geographical location

Approximately 700 hectares between Fagan Creek and Maher Swamp, and between the coast and State Highway 6, at Barrytown Flats, Greymouth.

Attachment 2: The indicative map below now includes the additional area to the south as part of the Southern Block. *This is for information purposes only.*



Response ID ANON-URZ4-5FY6-Y

Submitted to Fast-track approval applications
Submitted on 2024-05-03 15:37:20

Submitter details

Is this application for section 2a or 2b?

2A

1 Submitter name

Individual or organisation name:
TiGa Minerals and Metals Limited

2 Contact person

Contact person name:
Robert Brand

3 What is your job title

Job title:
CEO and Director

4 What is your contact email address?

Email:

s 9(2)(a)

5 What is your phone number?

Phone number:

s 9(2)(a)

6 What is your postal address?

Postal address:

Gulf Accountants
4 Blake Street, Surfdale
Waiheke Island 1081
New Zealand

7 Is your address for service different from your postal address?

Yes

Organisation:
Anderson Lloyd

Contact person:
Alex Booker

Phone number:

s 9(2)(a)

Email address:

s 9(2)(a)

Job title:
Partner

Please enter your service address:

Level 3, Anderson Lloyd House
70 Gloucester Street
Christchurch Central City
Christchurch 8013

Section 1: Project location

Site address or location

Add the address or describe the location:

Northern Block

- Address: State Highway 6, 3261 Coast Road and Burke Road, Barrytown Flats, Greymouth
- Legal descriptions: Lot 2 DP 423442, RS 2841, RS 3250, RS 2840, Lot 1 DP 412689, RS 2847 and Section 5 Block V Waiwhero SD

Central Block

- Address: 3067 Coast Road and State Highway 6, Barrytown, Greymouth
- Legal descriptions: Part RS 2639*, RS 2932*, RS 2931, RS 2930, Lot 1 DP 2719, RS 2929, Part RS 2928, RS 2927, Lot 1 DP 3548, Section 7 Block V Waiwhero SD, Section 8 Block V Waiwhero SD and Section 4 Block V Waiwhero SD

Southern Block

- Address: Cargill Road and Warren Road, Barrytown, Greymouth
- Legal descriptions: RS 4033, RS 3316, RS 2933, Part RS 2639* and RS 2932*

Rapahoe MSP

- Address: Seven Mile Road, Rapahoe, Greymouth
- Legal descriptions: Lot 1 DP 2628 and Section 1 SO 341681

*Note that these legal descriptions straddle the Central and Southern Blocks.

File upload:

Map - Barrytown Flats - TiGa.pdf was uploaded

Upload file here:

Map - Rapahoe MSP - TiGa.pdf was uploaded

Do you have a current copy of the relevant Record(s) of Title?

Yes

upload file:

Combined Records of Title - TiGa.pdf was uploaded

Who are the registered legal land owner(s)?

Please write your answer here:

Nikau Deer Farm Limited - RS 3250, Lot 2 DP 423442, RS 2841, Section 7 Block V Waiwhero SD, Section 8 Block V Waiwhero SD, Section 4 Block V Waiwhero SD, Section 5 Block V Waiwhero SD, RS 2847 and Lot 1 DP 412689

Birchfield Barrytown Limited - RS 2840

Barrytown Farms Limited - Lot 1 DP 335367, Lot 1 DP 2178, Part RS 2639, RS 2932, RS 2931, RS 2930, RS 2929, Part RS 2634, Part RS 2635, Lot 1 DP 2719, Part RS 2928, RS 3316, RS 4033 and RS 2933

Birchfield Coal Mines Limited - Section 1 SO 341681 and Lot 1 DP 2628

Moir Farms Maimai Limited - Lot 1 DP 3548 and RS 2927

Detail the nature of the applicant's legal interest (if any) in the land on which the project will occur

Please write your answer here:

TiGa holds mining permit MP60785 over the Northern, Central and Southern Blocks on the Barrytown Flats.

Agreements for access have been reached with all landholding parties which include:

- Nikau Deer Farm Limited
- Barrytown Farms Limited
- Birchfield Barrytown Limited
- Moir Farms Maimai Limited

A lease has been agreed for the Rapahoe MSP with Birchfield Coal Mines Ltd.

Section 2: Project details

What is the project name?

Please write your answer here:
Barrytown Mineral Sands Project

What is the project summary?

Please write your answer here:

TiGa proposes to:

- (a) establish and operate a mineral sands mine to obtain ilmenite, garnet and other minerals (including zircon and gold) on the Barrytown Flats;
- (b) construct associated infrastructure including an onsite 24/7 processing plant (over an area of approximately 2ha up to 15m height) and associated facilities;
- (c) establish and operate a secondary processing Mineral Separation Plant (MSP) at Seven Mile Road, Rapahoe, Greymouth; and
- (d) carry out a minimum average of 50 truck movements per day between the processing plant and MSP and/or Greymouth Port. Carry out truck movements to transport raw materials to the processing plant or transport these materials by pumping.

What are the project details?

Please write your answer here:

TiGa proposes to undertake mineral sands mining and processing to obtain ilmenite, garnet and other minerals over three stages across three resource blocks (all covered by Mining Permit MP 60785) on the Barrytown Flats. The targeted minerals are fixed in location within strandline deposits formed by tidal and wave action over many thousands of years along the Barrytown Flats. The deposit is considered world class with a unique mineral suite that produces two core product streams, ilmenite and garnet, and two by product streams, zircon and gold. These minerals have rising international demand as countries move to a low emission carbon economy and produce more renewable energy.

The mine sites will produce Heavy Mineral Concentrate (HMC) which will be transported to and processed at a processing plant – a Wet Concentrator Plant (WCP). The WCP will remain fixed in location. Transport of material between resource blocks to the WCP can be done via freight trucks, but TiGa is actively pursuing the potential to pump the material via pipelines. The HMC from the WCP will then be further processed at an offsite MSP to produce a high-value export product or transported to the Greymouth Port. Mining will primarily occur on agricultural production land (where mining is an anticipated activity in the Grey District Plan).

Mineral extraction will not occur within 20m from coastal lagoons and neighbouring property boundaries. The processing plant area will be 3.5ha in area including the mine access road and all settling pond infrastructure. The total disturbed area of the mine will not exceed 8ha in each mining area at any one time and the mining depth will not exceed 9m.

Pre-mining preparation will occur over approximately 6 months and will include establishing screening bunds, drains, a Mine Water Facility, a Clean Water Facility, a WCP, offices and staff facilities, access roading (including culverts) and an ore stockpile. Mining will then progress in strips, or panels, in a sequence across the mining site. Returned materials will be shaped to fit the final landform requirements prior to being top dressed (with the topsoil carted directly from the front of the mining path). Vegetative cover (sowing of grass) is established, and the area is removed from the disturbed area once stabilised.

Final closure of each mine site following progressive rehabilitation will include filling water treatment ponds using bund material, converting final areas to wetlands (for the Northern Resource Block) and native planting, de-constructing and removing buildings (for the Northern Resource Block) and final contouring and blending of the site to reinstate it to the former agricultural production use with similar drainage patterns.

The MSP will be contained within a large shed in close proximity to the rail line on the Rapahoe site. The Rapahoe MSP will add significant value to the Project in enabling the HMC from TiGa's mines to be processed to a final product for direct sale to manufacturers. TiGa is partnering with the iwi owned research institute the New Zealand Institute for Minerals to Materials Research (NZIMMR) to develop the potential of TiGa's final product.

The Barrytown Mineral Sands Project has been many years in the making – with drilling and testing initiated by kiwi entrepreneurs and investors over a decade ago, and thousands of drill samples (to JORC standard) completed. Over the last 3+ years, TiGa has undertaken JORC drilling, environmental baseline monitoring and surveys, and onsite trials of its innovative water management system.

Describe the staging of the project, including the nature and timing of the staging

Please write your answer here:

TiGa is applying for a 30-year consent to allow for all pre-mining works, mining and final rehabilitation. This time period is necessary to provide commercial certainty for the level of investment. TiGa intends to stage the Project across this period, but the stages will overlap. This will mean preparation works will begin on subsequent stages before mining is complete in earlier stages. This will enable a more consistent mining rate across the whole Barrytown Mineral Sands Project. Rehabilitation work will be completed progressively. Final coastal, riparian and wetland planting (and associated fencing) will occur at the end of mining of each Stage, but will continue to be monitored and maintained (including with pest control) while mining proceeds to the next stage. Staging is proposed as follows:

- Stage 1: Northern Block and the Rapahoe MSP
- Stage 2: Central Block
- Stage 3: Southern Block

Stage 1

- Stage 1 includes establishing the WCP, mining 63ha of land at 3261 Coast Road and then mining land at Burke Road. Mining at 3261 Coast Road would occur over five years at a mining rate of 1.1 million tonnes per year producing 250,000 tonnes of HMC per year. Mining at Burke Road would occur over approximately four years. Stage 1 activities will extend beyond the five-year mining period, including the continued operation of the WCP for Stages 2 and 3.
- The construction and establishment of the Rapahoe MSP utilises separate land and resources to mining so it can establish concurrently with the establishment of mining at 3261 Coast Road. The MSP will process HMC for the period of mining across the 30-year Project.

Stage 2
• The Central Block will also be mined at a rate of 1.1 million tonnes per year producing 250,000 tonnes of HMC per year. Mining will occur over 9 years.

Stage 3
• Mining will occur at approximately the same 1.1 million tonnes per year rate over a period of 9 years.
• During Stage 3, TiGa will also implement the Maher Swamp Enhancement Programme, involving the planting and restoration of areas around Maher Swamp.

What are the details of the regime under which approval is being sought?

Please write your answer here:

- Resource consent under the Resource Management Act 1991
- Wildlife permit under the Wildlife Act 1953
- Archaeological authority under the Heritage New Zealand Pouhere Taonga Act 2014

If you seeking approval under the Resource Management Act, who are the relevant local authorities?

Please write your answer here:

West Coast Regional Council and Grey District Council

What applications have you already made for approvals on the same or a similar project?

Please write your answer here:

An application from West Coast Regional Council and Grey District Council with regard to mining, the WCP and ancillary facilities at 3261 Coast Road (within the Northern Block) has recently been granted (the Standard Consent). The application received over 350 submissions, including submissions in support from Ngāti Waewae and Development West Coast. A hearing before a Council-appointed panel of commissioners was held in February-March 2024 and was well-attended by the community. TiGa proffered numerous alterations to the consent conditions to address key issues throughout this process. In granting consent, the Council-appointed Hearings Panel commented that TiGa's approach was "cooperative and sensitive to the environmental issues arising". These conditions have been carried through to the wider Barrytown Mineral Sands Project and have informed the baseline assessments for subsequent mining blocks.

The Panel released their decision to grant the Standard Consent on 29 April, but it is subject to a resource consent appeal period (ending 20 May). The Standard Consent will either be included for re-authorisation within the Fast-Track process or, if no appeals on the Standard Consent are received, withdrawn from the scope of the Fast-Track application.

Is approval required for the project by someone other than the applicant?

Yes

Please explain your answer here:

Overseas Investment Office approval is required for the Project due to the value of the investment. OIO approval will be sought contemporaneously to the fast-track approvals process.

If the approval(s) are granted, when do you anticipate construction activities will begin, and be completed?

Please write your answer here:

TiGa has already progressed significant work on project design, procurement and funding. Finalisation of these matters would occur as soon as possible following granting of the approvals. Stage 1 site works would commence within 6-months of the granting of Fast-Track approval. Completion of the Project overall (including final rehabilitation of the mine sites) would occur within 30 years of commencement.

Section 3: Consultation

Who are the persons affected by the project?

Please write your answer here:

- West Coast Regional Council
- Grey District Council
- Te Rūnanga o Ngāti Waewae
- Adjoining land owners

Detail all consultation undertaken with the persons referred to above. Include a statement explaining how engagement has informed the project.

Please write your answer here:

As a resource application hearings process has already been undertaken for the Standard Consent, there has been a high-level of engagement. There was a high level of agreement between council peer review experts and the Applicant experts as part of the Standard Consent. The Hearings Panel granting the Standard Consent agreed that the process had left "no stone unturned".

Ngāti Waewae submitted in support of the Standard Consent and supports the Barrytown Mineral Sands Project being considered a "Category A" listed project (see attached letter). Outcomes from the consultation for the Standard Consent have been incorporated into the Project design and conditions. Engagement with Ngāti Waewae is highly valued and TiGa expects to enhance the engagement and consultation to date as TiGa moves through the process to ensure that mana whenua views are incorporated into the Project. TiGa has also committed to a Memorandum of Understanding with Ngāti Waewae and the Paparoa Wildlife Trust. The MoU aims to improve biodiversity through predator control and other conservation activities as well as improving understanding of the tāiko through further research with Mātauranga Māori central to this work. For completeness, a Te Rūnanga o Ngāti Waewae Pounamu Management Plan is in place, which solely deals with the management of pounamu in the takiwā of Ngāti Waewae. Pounamu will not be extracted during the mineral sand process, and will be returned as oversized material.

To enable discussions with the community, TiGa arranged a public meeting at the Barrytown Hall, and drop-in sessions in Greymouth and Barrytown with company representatives. These opportunities for engagement were advertised in advance through the Councils' websites, TiGa's social media and print media. Through all of this engagement, TiGa spoke about its broader site plans and made numerous alterations to the proposal and consent conditions in response to community concerns.

Examples of alterations made include:

- Altering the water management system so that water from different catchments is not mixed - as advised by Ngāti Waewae.
- Volunteering a condition so that truck movements do not occur during drop-off and pick-up times for Barrytown School – as requested by the Barrytown School Board of Trustees.
- Making changes to avoid adverse effects on the tāiko and Korora – as advised by experts and including:
 - limiting mining and trucking to only day-time hours;
 - offering passenger transport for shift workers (to reduce lights from light vehicle use);
 - removing all windows from the WCP building;
 - using sensors, timers and a maximum light temperature in accordance with guidelines; and
 - adding pre-mining Korora surveys and a penguin fence trigger condition.
- Avoiding trucking product north from the site on the State Highway and on Sundays – as requested by members of the Barrytown and Punakaiki communities.
- Adding parties to the Community Liaison Group – as requested by members of the Barrytown community.

The information obtained during this engagement has informed the baseline work for the balance of the Project and alterations to designs will also be carried over.

Engagement is intended to be ongoing.

Upload file here:

Ngati Waewae Fast Track letter of support to TIGA.pdf was uploaded

Describe any processes already undertaken under the Public Works Act 1981 in relation to the land or any part of the land on which the project will occur:

Please write your answer here:

N/A

Section 4: Iwi authorities and Treaty settlements

What treaty settlements apply to the geographical location of the project?

Please write your answer here:

All the Project sites are located within the takiwā of Te Rūnanga o Ngāti Waewae which are runanga of Ngāi Tahu. The relevant Treaty settlement relating to the proposal is the Ngāi Tahu Claims Settlement Act 1998. There are no particular geographical aspects of the Ngāi Tahu Settlement which relate to the location of this project.

Are there any Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 principles or provisions that are relevant to the project?

No

If yes, what are they?:

Are there any identified parcels of Māori land within the project area, marae, and identified wāhi tapu?

No

If yes, what are they?:

Is the project proposed on any land returned under a Treaty settlement or any identified Māori land described in the ineligibility criteria?

No

Has the applicant has secured the relevant landowners' consent?

No

Is the project proposed in any customary marine title area, protected customary rights area, or aquaculture settlement area declared under s 12 of the Māori Commercial Aquaculture Claims Settlement Act 2004 or identified within an individual iwi settlement?

No

If yes, what are they?:

Has there been an assessment of any effects of the activity on the exercise of a protected customary right?

No

If yes, please explain:

Upload your assessment if necessary:

No file uploaded

Section 5: Adverse effects

What are the anticipated and known adverse effects of the project on the environment?

Please describe:

Effects of mineral sands mining on the environment have been assessed by independent experts. The assessment of effects is based on comprehensive baseline work including at least two years of water monitoring, radioactivity measuring of 2274 ore samples and two years of baseline terrestrial and aquatic ecology surveys for the Standard Consent site. Initial monitoring work and baseline and other technical work for the balance mining sites is completed, but detailed studies are ongoing. There will be extensive environmental baseline assessment at the time the mining moves to the next stage.

Based on this extensive level of information, the adverse effects of mineral sands mining are assessed as acceptable. The effects are:

- Landscape and visual amenity – effects are managed through the disturbance area being limited (8ha) at any one time, bunding and planting of native vegetation around all wetland areas identified as significant, coastal areas where the site is visible to the public and along the majority of riparian streams. The mining occurs on agricultural production land for a relatively short period before being restored to the former agricultural use. This reduces the period in which there is a visual impact.
- Noise – is managed through bunds, housing of the plant and setbacks from boundaries. The Barrytown Flats contain noise from the nearby surf which masks noise from the sites.
- Traffic – effects primarily relate to the generation of heavy truck movements transporting the HMC. The mine sites utilise State Highway 6 which is considered Regionally Significant Infrastructure where use of this road for industry is encouraged. A Traffic Management Plan requires driver safety training and enables a management response to safety concerns.
- Archaeology – is managed through an Accidental Discovery Protocol condition.
- Land stability – is managed through pre-mining geotechnical reporting which is certified to ensure ground conditions are suitable and pit wall stability is achieved. The relatively short mining periods reduces the risks from earthquakes occurring during mining in the void.
- Water bodies and groundwater – effects are avoided through site-specific water management systems. Water quantity changes from earthworks and surface water takes are managed within the mine site, including through injection bores and infiltration trenches. A monitoring ring-fence is installed at the boundaries to ensure there are no effects on nearby waterbodies, including wetlands. Water quality is also managed through the water management system, including through the use of flocculants, clarifications and settlement. Consequently, water quality can be maintained at or above the existing NPS-FM attribute bands for all water quality indicators, and not exceed ANZG 95% species protection guidelines for metals and metalloids. All of these elements are included in a well-designed Water Management Plan.
- Ecology – effects on vegetation, avifauna, wetlands and stream habitats are appropriately managed. The mine sites are working pasture so tend to have limited habitat value and species presence. Effects on species in surrounding waterbodies are managed through the water management system ensuring there are no adverse effects on these water bodies. Along the Barrytown Flats, the key species are the tāiko (Westland petrel) and the Korora (little blue penguin). Based on engagement with tāiko experts, lighting effects causing fatalities can be avoided through adherence to guidelines, managing mining and trucking hours, use of sensor lights and shielding and lighting colours. Effects on Korora can be managed through dog surveys, setbacks from nests and a penguin fence if required. All these measures are contained in a well-designed Avian Management Plan. In granting the Standard Consent, the Hearings Panel considered TiGa's proposed measures in relation to terrestrial ecology to be "comprehensive and robust". The Project will also have positive benefits for ecology including the Maher Swamp Enhancement Programme, a new wetland at 3261 Coast Road, pest control and the work undertaken under the MoU with Ngāti Waewae and the Papatōia Wildlife Trust.
- Cultural effects – Ngāti Waewae submitted in support of the Standard Consent application and support the use of the fast-track for the Barrytown Mineral Sands Project. Ngāti Waewae have actively engaged in the consent conditions proposed with respect to water quality and the accidental discovery protocol. Engagement is ongoing.
- Dust – can be managed to avoid off-site effects through an Erosion and Sediment Control Plan and a Dust Management Plan.
- Hazardous substance storage – fuel tanks will have secondary containment and certification will be managed under the Hazardous Substances and New Organisms Act 2006.
- Radiation – sampling has demonstrated the effects are negligible, but radiation will be monitored daily. The HMC is not radioactive under the Radiation Safety Act 2016 so this does not apply.

The Rapahoe MSP will be established where ancillary mining activities already take place. Consent is required for building height, site coverage, transportation, noise and being a non-rural activity in the Rural Environmental Area. The known and anticipated effects are:

- Noise – which will be managed through enclosing the MSP in a building, utilising existing bunding and upgrading and sealing internal roads.
- Traffic – which will be managed through upgrading and sealing internal roads and configuring the MSP to ensure safe and efficient movement of vehicles within the site.
- Radiation – will be managed in compliance with the Radiation Safety Act 2016.

The Hearings Panel's conclusion on the effects of the Standard Consent was that the potential adverse effects would likely be no more than minor and any residual adverse effects did not weigh against a grant of consent. The conditions and comprehensive management plans that applied through that consent process have been incorporated on the advice of the experts in the Barrytown Mineral Sands Project.

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Section 6: National policy statements and national environmental standards

What is the general assessment of the project in relation to any relevant national policy statement (including the New Zealand Coastal Policy Statement) and national environmental standard?

Please write your answer here:

- National Policy Statement for Freshwater Management (NPS-FM) – considerable thought has been given by TiGa and the technical advisors to the appropriate management of freshwater to avoid adverse effects on, and to preserve the health of, freshwater in the receiving environment of the mine sites. TiGa's water management approach gives effect to the hierarchy of obligations set out in Objective 2.1, which is confirmed through Ngāti Waewae's support for the Standard Consent process. The same approach applies to the The Project. The Project is consistent with policies 6 and 13, which seek to promote restoration of wetlands and reversal of degradation of freshwater ecosystems – achieved through the provision of riparian planting and the creation of an additional wetland area which will increase habitat and provide for enhanced connectedness between existing water bodies. The Project also seeks to protect river extent and values (Policy 7), and habitats of indigenous freshwater species (Policy 9) and trout (Policy 10).
- National Environmental Standards for Freshwater (NES-F) – creates a consent pathway for mineral extraction and ancillary activities in regulation 45D(6). The Project meets the consent pathway because it will have regionally significant benefits (as demonstrated through an economics assessment by Sense Partners for just the Standard Consent, and confirmed by a Council economic peer review), there is a functional need for the mine to locate where the resource is located and the effects management hierarchy has been applied to technical design and assessment of effects.
- New Zealand Coastal Policy Statement (NZCPS) – mineral sands mining must locate within the coastal environment to access the resource contained within historical sand dunes and produce the economic and social benefits (Objective 6 and Policy 6). Significant adverse effects on elements of the coastal environment, including indigenous biodiversity (Policy 11) and natural character (Policy 13), will be avoided and other adverse effects will be appropriately managed. The water discharged to water bodies in the coastal environment will not cause a significant increase in sedimentation (Policy 22) and will not contain contaminants (Policy 23). Natural hazard risks from sea level rise, storm events and earthquakes have been assessed by technical experts (geotechnical and coastal) to be appropriately managed through technical design (Policies 24-27).
- National Policy Statement for Indigenous Biodiversity (NPS-IB) – Significant Natural Areas have been identified in the proposed Te Tai o Poutini Plan (TTPP) over parts of the Stage 1 sites. These SNAs have not yet been confirmed through a hearings process and parts overlay land notified as Mineral Extraction Zone under the TTPP. TiGa has ensured the Project will avoid the effects listed in cl. 3.10(2) and manage all other adverse effects on those areas. TiGa will meet the overall objective (cl. 2.1) to maintain indigenous biodiversity so that there is no overall loss, including to the tāiko and Korora as described in the effects description.

File upload:
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Section 7: Eligibility

Will access to the fast-track process enable the project to be processed in a more timely and cost-efficient way than under normal processes?

Yes

Please explain your answer here:

The fast-track will enable the project to be approved and ready for the activities to commence in a more timely and efficient way than under the standard resource consent process. The key efficiency of the fast-track for the Project is to enable all mining sites and the MSP to be consented together which enable rolling stages of development. While the Standard Consent has been granted, this is likely to be appealed to the Environment Court.

What is the impact referring this project will have on the efficient operation of the fast-track process?

Please write your answer here:

The Standard Consent process has resulted in a significant level of information being prepared and management approaches tested through peer reviews and public submissions. This includes technical reports, proof of resource and legal analysis. The same conditions of consent managing effects and technical expert assessed setbacks apply to all mined areas. Baseline monitoring, greatly informed by the Standard Consent, is being carried out over the Project area with initial assessments made. There will be at least 8 years of data obtained (which will continue to inform management plans) by the time mining moves beyond the Standard Consent area. Technical work is continuing for the Rapahoe MSP. The Project is ready to go and suited to the fast and efficient operation of the fast-track process.

Has the project been identified as a priority project in a:

Local government plan or strategy

Please explain your answer here:

• Te Whanaketanga Te Tai Poutini West Coast Strategy 2050 – which identifies 'Realising our Natural Resources' as a priority project. In identifying natural resource extraction as a priority, the strategy states:

"Te Tai Poutini has an abundance of natural resources that form the backbone of our regional economy. To secure our long term economic prosperity and resilience, we need to actively support the growth of emerging industries and strengthen our economic drivers by focusing on adding value. By focusing on a more circular economic approach, we are able to increase the value of our products and deliver better outcomes for the environment. Our economic activity must actively protect and give back to the natural environment that supports our prosperity. Te Tai Poutini has untapped potential in the green economy space – from the unrealised value of our natural resources to the knowledge economy potential that exists from our strengths in conservation and biodiversity restoration."

The Project will utilise the West Coast's high-value mineral resources to be used in green technology such as renewable energy generation. This falls squarely within the focus of the West Coast's 2050 strategy.

• Minerals and Petroleum Resource Strategy - seeks to support New Zealand's transition to a carbon neutral economy by 2050, and recognises the importance of titanium in relation to cleantech. The project involves the extraction of minerals which will be used for clean/green technologies which could support New Zealand's transition to a carbon neutral economy, includes a significant number of mitigation measures to ensure that the potential effects on the environment, ecosystems and biodiversity will be minor in nature, which is consistent with this Strategy.

Will the project deliver regionally or nationally significant infrastructure?

Not Answered

Please explain your answer here:

No, however, TiGa intends to upgrade the electricity transmission lines to 33 kV between Rapahoe township and 3261 Coast Road at a likely cost of \$5 million (offered as a condition of consent and confirmed as feasible). This will enable electrification of the WCP there and also allows capacity for other users to connect to the electricity grid.

The Project will require investment in the regional rail network and the ports to transport the mineral product. Through the export process, the project will support the re-development of the West Coast's ports and the introduction of a coastal shipping system both domestically and internationally.

Will the project:

address housing needs

Please explain your answer here:

Yes, indirectly - while the Project is not an urban development project, TiGa recognises that this development will bring in a significant number of jobs to the area and those employees need to be housed. TiGa has been engaging with the Hagley Group who are developing a 127-section development plan for Kaiata, and a 41-section development plan for Paroa. It is anticipated that TiGa will underwrite this development and therefore be able to ensure residential units are available for its employees.

Will the project deliver significant economic benefits?

Yes

Please explain your answer here:

The Standard Consent alone has been assessed by two independent economic experts, including the council peer reviewer, as having regionally significant economic benefits arising from:

- Export revenue increasing the Grey District's exports by around 37.8% per year and the West Coast region's exports by around 7.1%.
- Generating around \$33.7 million of additional GDP per year once fully operational which would lift the Grey District's GDP by 3.8% and the West Coast region's GDP by 1.5%.
- Resulting in direct employment of 57 full time equivalent jobs, and a further 80 indirect jobs supported elsewhere in the economy. This would see employment in the Grey District increase by 2.0% and employment in the West Coast region rise by 0.9%. These would be high-value jobs, at an average of around \$116,000 per job compared to the regional median wage of \$53,730.
- Generating approximately \$33 million in government royalties, business tax and employees' incomes over the life of the project.

Expanding the mining activity to the balance of the Project will prolong this level of economic contribution and will extend the period of benefit for the region by approximately 25 years.

Will the project support primary industries, including aquaculture?

Yes

Please explain your answer here:

The Project is a primary industry activity and in investing in the infrastructure around primary industries (such as roads, rail and ports) will support the growth of primary industries. The MSP will further support the mineral extraction industry by providing an opportunity to increase the value of the export material and return more of that value to the New Zealand mineral extraction industry. Note also that the rehabilitation of the mining sites will enable the land to return to the current agricultural production use.

Will the project support development of natural resources, including minerals and petroleum?

Yes

Please explain your answer here:

The Project is a mineral extraction activity. Again, the development of infrastructure for the extraction, processing and transport of HMC and finished mineral products will be beneficial to the growth of the mineral extraction industry as a whole. The Project also supports the diversification of the West Coast mineral industry.

Will the project support climate change mitigation, including the reduction or removal of greenhouse gas emissions?

Yes

Please explain your answer here:

While it is acknowledged the project will produce greenhouse gas emissions, this will be minimised through the electrification of the WCP and the use of an existing local contract trucking company. The upgrade will make network capacity available to other users between Rapahoe and 3261 Coast Road which supports a reduction in the production of greenhouse gas emissions. TiGa will use minibuses for transporting employees to site (reducing private vehicle reliance).

Ilmenite is used to make titanium, which has a range of uses including solar and wind power generation components, components of the high-tech energy, manufacturing and transport industries. Garnet is used in high tech manufacturing industries (in waterjet cutting) and large steel fabrication (in abrasive blasting). These have applications in the renewable energy sector such as the manufacturing of wind turbines. For New Zealand and the world to transition to renewable energy and reduce greenhouse gas emissions, minerals such as ilmenite and garnet are needed to construct technology required for this transition.

Will the project support adaptation, resilience, and recovery from natural hazards?

No

Please explain your answer here:

However, having the heavy machinery on-site can mean these are available to be used in local hazard emergencies (e.g. road slips) as has occurred on the West Coast previously.

Will the project address significant environmental issues?

Yes

Please explain your answer here:

The Project will diversify the West Coast economy and help buffer against any boom-and-bust cycles of other traditional West Coast industries. Demand for ilmenite and garnet has experienced steady growth which is only expected to increase given the products these minerals are used in. This, combined with a total project timeline of 30 years, will make a significant contribution to the diversification and resilience of the West Coast economy and employment. The significance of TiGa's proposal to the West Coast was aptly summarised in the Hearings Panel's conclusion when granting the Standard Consent:

"The West Coast's available mining areas are small, given the levels of public ownership of natural resources in the region. The high incidence of special natural resources on the West Coast means any mining operation likely to receive consent must work within carefully framed and robust parameters to achieve directive policy in national, regional, and district plan requirements. We consider that if a proposal can achieve these ideals and significantly support regional development, then it should be approved. This is also the kaupapa Ngāti Waewae encouraged the Panel to adopt."

The Project's contribution to the manufacturing of renewable energy technology will support the response to climate change issues.

Is the project consistent with local or regional planning documents, including spatial strategies?

Yes

Please explain your answer here:

The key planning documents are:

- Operative Grey District Plan - has a particularly enabling policy framework and generally seeks to provide for activities, subject to avoiding, remedying or mitigating the adverse effects of such activities. The Rural Environmental Area covers every part of the Grey District outside of townships, and extractive activities are an anticipated part of the rural environment.
- Proposed Te Tai o Poutini Plan - is currently at the hearings stage and most provisions do not have legal effect. 3261 Coates Road is zoned in the special purpose Mineral Extraction Zone which enables mineral extraction. The other sites are zoned General Rural Zone which anticipates mineral extraction and ancillary activities.
- West Coast Regional Land and Water Plan - seeks to sustainably manage the West Coast's natural and physical resources. The objectives and policies relating to land management, surface water quality and quantity and groundwater are most relevant to the Project. In general terms these policies seek to avoid, remedy or mitigate adverse effects on the life supporting capacity of ecosystems, natural character and values of fresh water bodies, protection of existing water uses. The management plans and conditions will ensure these matters are managed and monitored so that they are consistent with

these objectives and policies.

- West Coast Regional Air Quality Plan - is broken into chapters based on the nature of the air discharges. The objectives and policies of Chapter 7 - Dust seek to protect human health and ecosystems, and avoid adverse effects associated with dust emissions. The Project is consistent with these objectives and policies as a Dust Management Plan is proposed to be required as a condition of consent. This will ensure that during infrequent dry/windy periods, dust will be adequately managed such that human health, property, structures and ecosystems are protected.
- West Coast Regional Policy Statement - gives effect to the New Zealand Coastal Policy Statement but predates the NPS-FM, and needs to be considered in this context. The key policy direction in both the NPS-FM and the NZCPS is to avoid adverse effects on natural character, wetland and river extent and values, water quality, and threatened and at risk indigenous species in waterbodies and the coastal environment. The Project will be consistent with the higher order document policy direction, as these adverse effects are avoided through project design, water management and erosion and sediment control methods, and operational parameters.

Anything else?

Please write your answer here:

Does the project includes an activity which would make it ineligible?

No

If yes, please explain:

Section 8: Climate change and natural hazards

Will the project be affected by climate change and natural hazards?

No

If yes, please explain:

The Project is set back from the MHWS and will occur in a relatively short-term period. TiGa has instructed a coastal expert who has assessed that the sea level rise over the next 100 years will not adversely impact the Standard Consent.

The 3261 Coast Road site has been assessed as having natural protection from wave action and the effects of sea level rise in the form of a MSGB (Mixed Sand Gravel Beach), composite beach form, a wide sandy beach apparent at low tide with a steep gravel bund, natural barrier at the top of the beach. The coastal expert also concluded that the risk of a maximum amplitude wave over the time period of the mine is negligible. A geotechnical expert concluded that the risk of extreme earthquake (a M8 event) and coastal inundation are both considered Low with moderate consequential damage with no specific mitigation required.

Section 9: Track record

Please add a summary of all compliance and/or enforcement actions taken against the applicant by any entity with enforcement powers under the Acts referred to in the Bill, and the outcome of those actions.

Please write your answer here:

TiGa has not been the subject of any compliance or enforcement actions by any entities with enforcement powers under the Acts.

Load your file here:

No file uploaded

Declaration

Do you acknowledge your submission will be published on environment.govt.nz if required

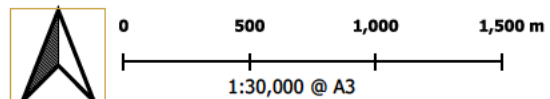
Yes

By typing your name in the field below you are electronically signing this application form and certifying the information given in this application is true and correct.

Please write your name here:

Robert Brand

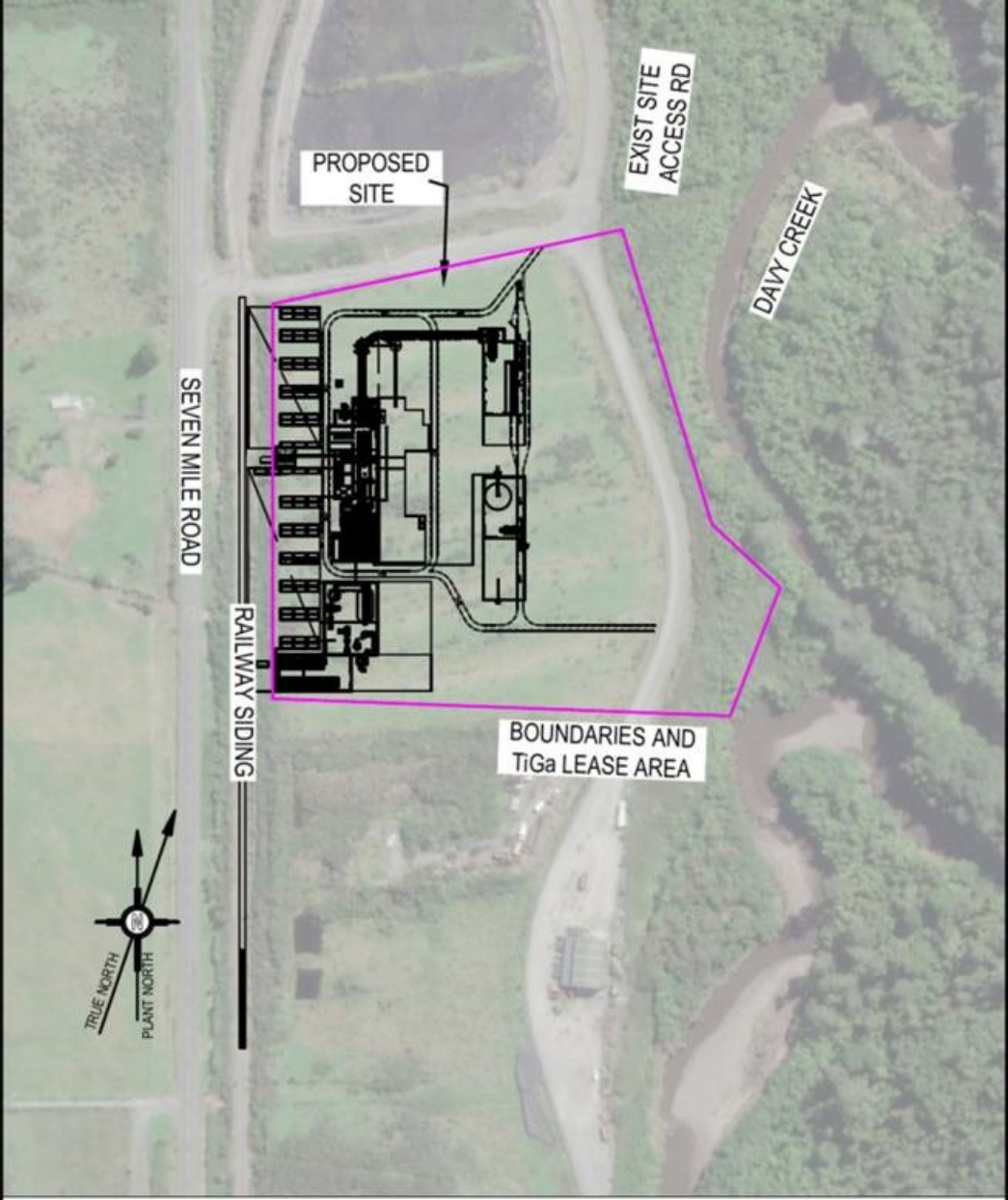
Important notes



Legend:

- Processing Plant Area
- Central Resource Block
- North Resource Block
- Southern Resource Block
- Maher Swamp Wetland
- Consent Area
- Proposed SNA
- Road Reserve

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PROPOSED
SITE

EXIST SITE
ACCESS RD

DAVY CREEK

SEVEN MILE ROAD

RAILWAY SIDING

BOUNDARIES AND
TiGa LEASE AREA





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Identifier 161879
Land Registration District Westland
Date Issued 11 October 2004

Prior References
WS5C/1212 WS5C/1213

Estate Fee Simple
Area 32.8780 hectares more or less
Legal Description Lot 1 Deposited Plan 2719 and Lot 2
Deposited Plan 339364

Registered Owners
Barrytown Farms Limited

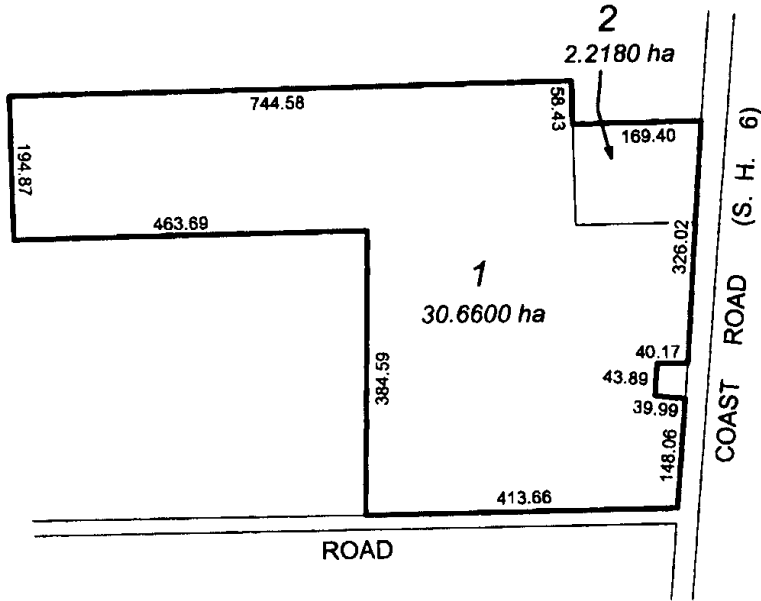
Interests
Subject to Section 315 Land Act 1924
Excepting all minerals on or under the surface of the land
Subject to Sections 153 and 206 Land Act 1924
Subject to Section 241(2) and Sections 242(1) and (2) Resource Management Act 1991(affects DP 339364)
12532071.3 Mortgage to Rabobank New Zealand Limited - 5.9.2022 at 2:38 pm

Title Diagram CT 161879

Cpy - 01/01, Pgs - 001, 16/11/04, 13:31



DocID: 211266266



Total Area: **32.8780 ha**



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R. W. Muir
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Identifier 447182
Land Registration District Westland
Date Issued 13 March 2009

Prior References
WS1A/563

Estate Fee Simple
Area 93.9497 hectares more or less
Legal Description Lot 1 Deposited Plan 412689 and Rural
Section 2847

Registered Owners
Nikau Deer Farm Limited

Interests

Saving and excepting all minerals within the meaning of the Land Act 1924 on or under the land

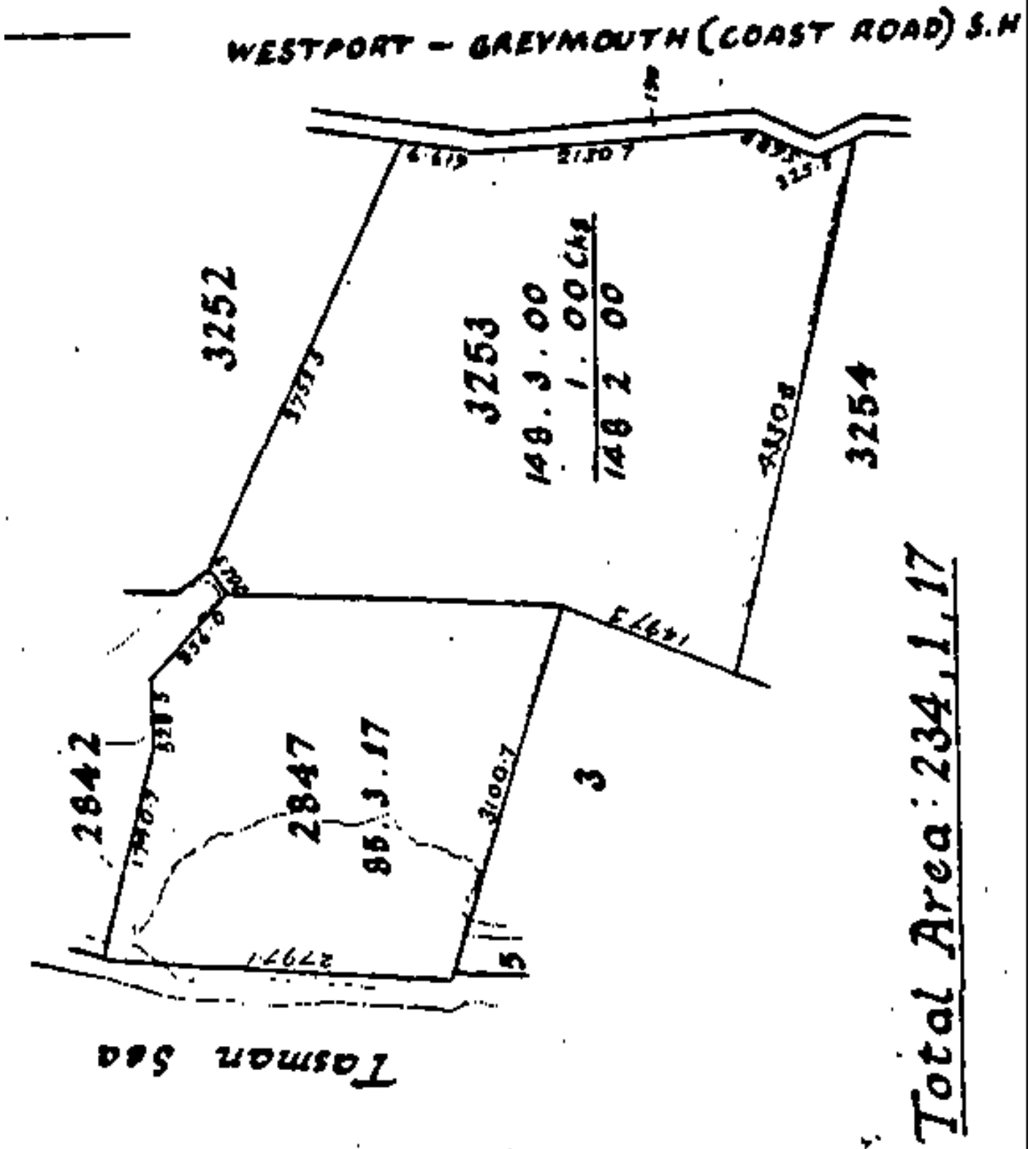
Subject to Section 315 Land Act 1924

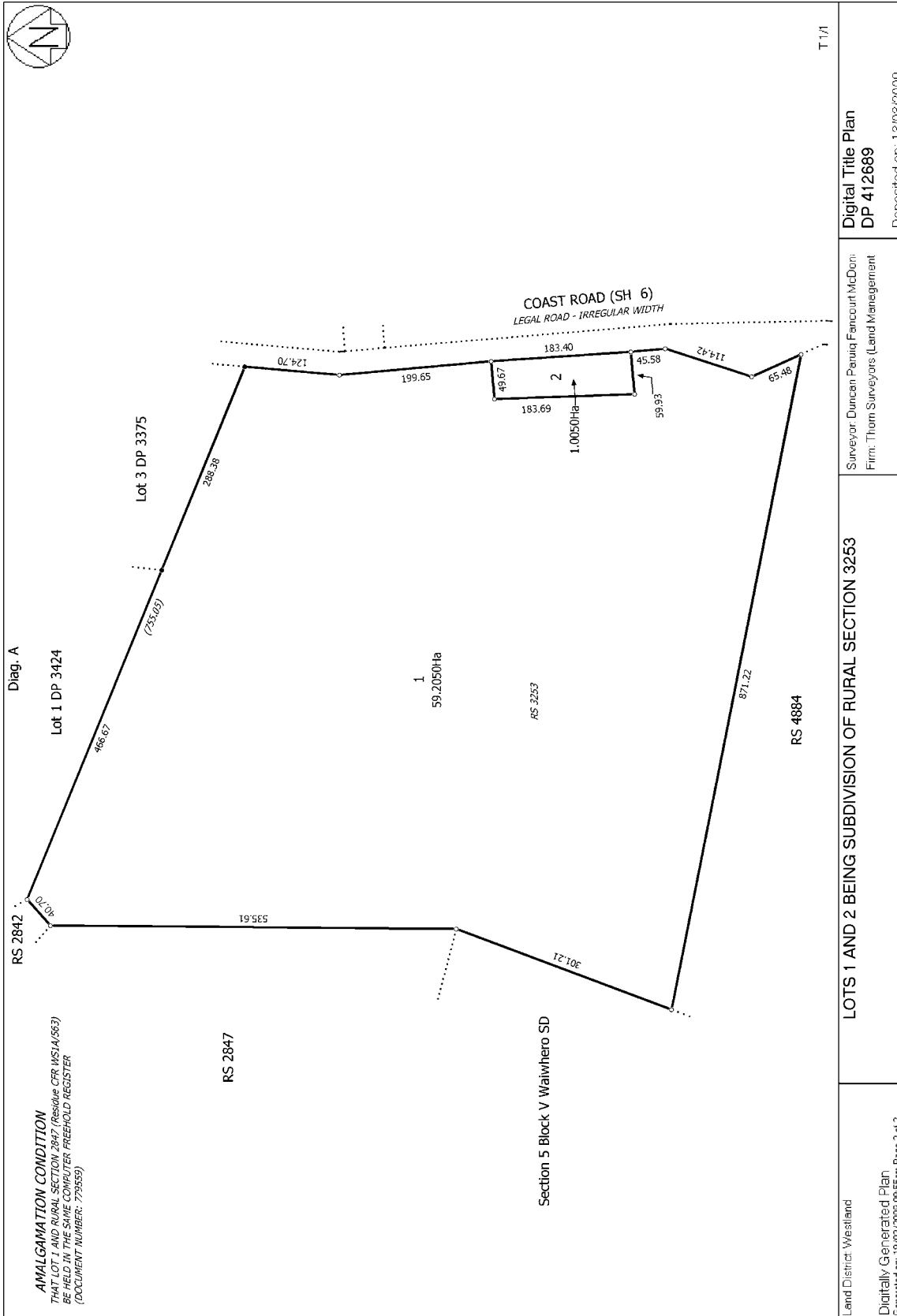
8101254.1 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 13.3.2009 at 2:46 pm (affects lot 1 DP 412689)

Subject to Section 241(2) Resource Management Act 1991 (affects DP 412689)

10440526.4 Mortgage to Westpac New Zealand Limited - 27.5.2016 at 3:46 pm

12363002.1 Notice of Access Rights pursuant to Section 83 Crown Minerals Act 1991 - 8.2.2022 at 2:34 pm





Digital Title Plan
 DP 412689
 Deposited on: 13/03/2009

Surveyor: Duncan Panig Fancourt McDon
 Firm: Thom Surveyors (Land Management)

LOTS 1 AND 2 BEING SUBDIVISION OF RURAL SECTION 3253

Land District: Westland
 Digitally Generated Plan
 Generated on: 19/03/2009 08:55:56m Page 2 of 2



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Identifier 490877
Land Registration District Westland
Date Issued 14 October 2009

Prior References
WS5D/340

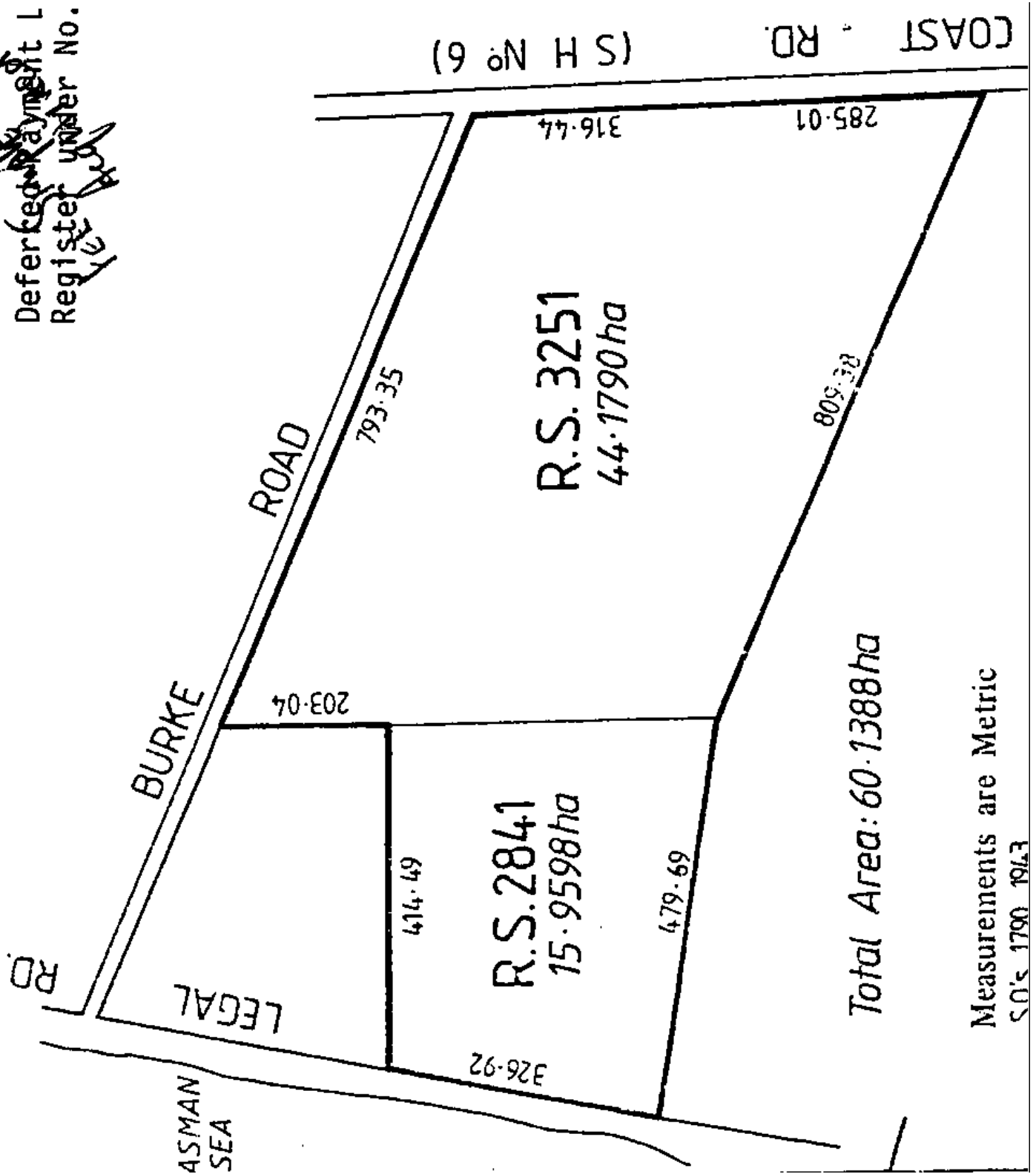
Estate Fee Simple
Area 57.8397 hectares more or less
Legal Description Lot 2 Deposited Plan 423442 and Rural
Section 2841

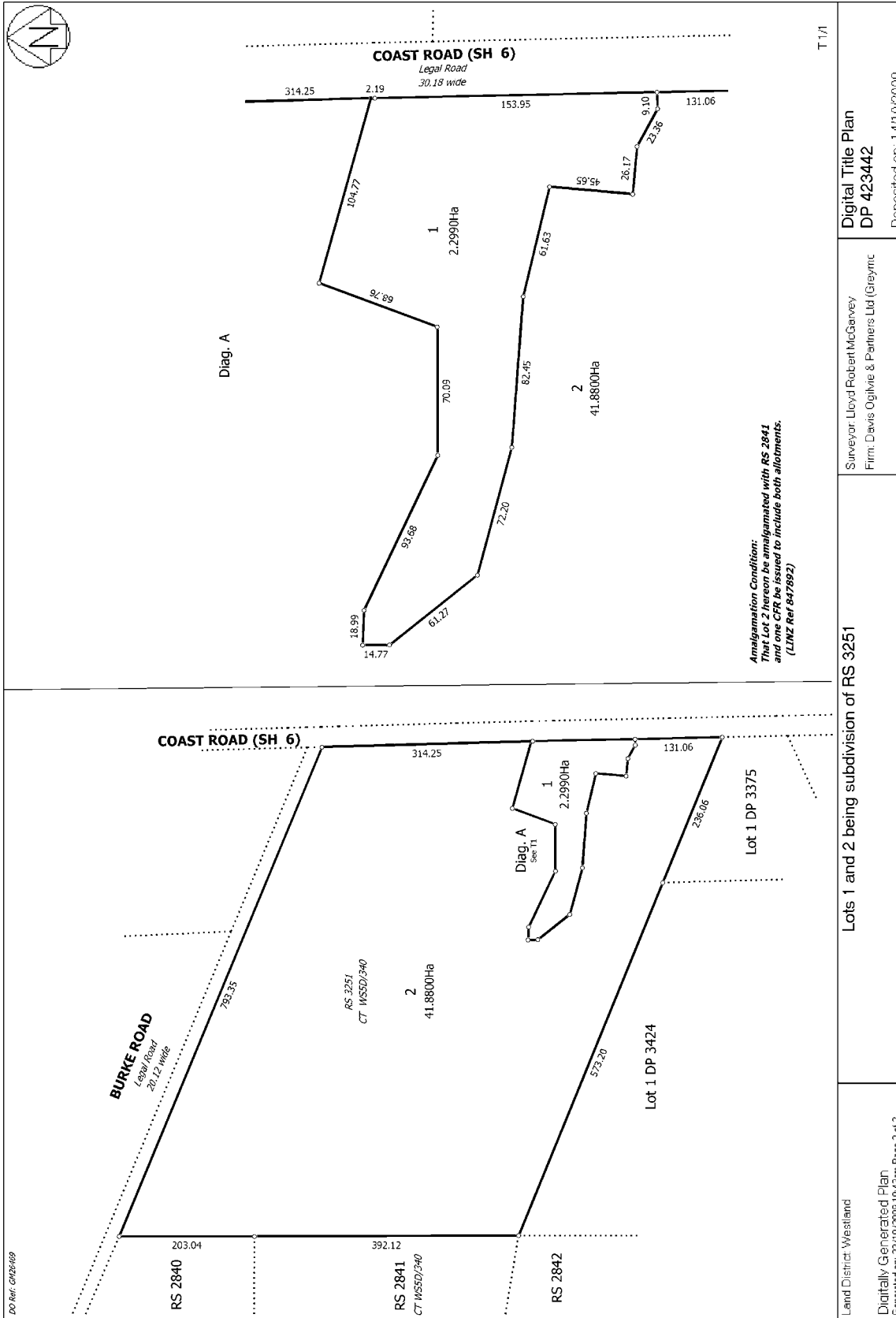
Registered Owners
Nikau Deer Farm Limited

Interests

Subject to Section 8 Atomic Energy Act 1945
Subject to Section 3 Geothermal Energy Act 1953
Subject to Section 3 Petroleum Act 1937
Subject to Section 6 and 8 Mining Act 1971
Subject to Part IV A Conservation Act 1987
Subject to Section 5 Coal Mines Act 1979
Subject to Section 261 Coal Mines Act 1979
Subject to Section 241(2) Resource Management Act 1991 (affects DP 423442)
8312562.3 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 14.10.2009 at 2:18 pm (affects Lot 2 DP 423442)
10440526.4 Mortgage to Westpac New Zealand Limited - 27.5.2016 at 3:46 pm
12363002.1 Notice of Access Rights pursuant to Section 83 Crown Minerals Act 1991 - 8.2.2022 at 2:34 pm

Deferred Payment L
Register under No.
Yes







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R. W. Muir
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Identifier **223622**
Land Registration District **Westland**
Date Issued 10 June 2005

Prior References

195211 WS5C/1228

Estate Fee Simple
Area 5.0890 hectares more or less
Legal Description Lot 1 Deposited Plan 2628 and Section 1
Survey Office Plan 341681

Registered Owners

Birchfield Coal Mines Limited

Interests

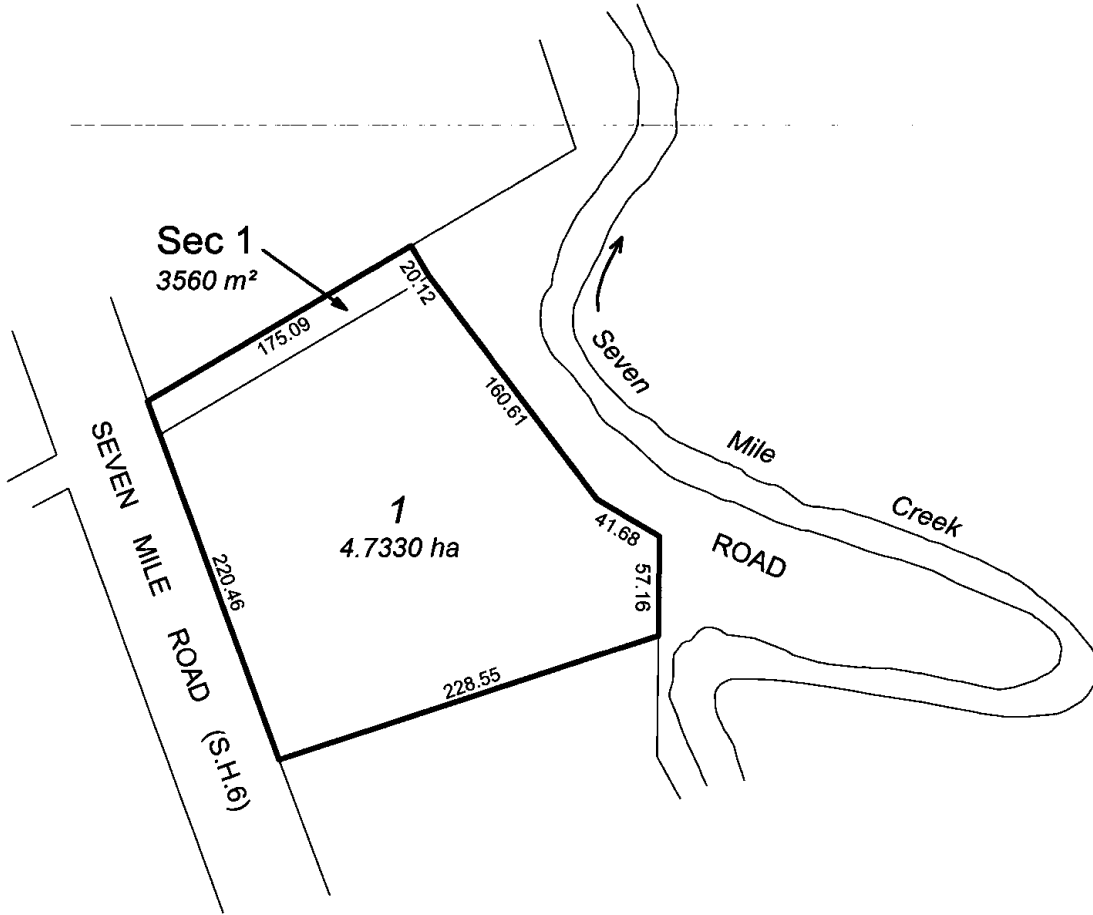
Subject to Excepting thereout all minerals on or under the surface of the Land (CT WS5C/580) (affects Lot 1 DP 2628)
Appurtenant to Lot 1 DP 2628 herein is a right of way specified in Easement Certificate 78002.4 - 2.12.1987 at 10:30 am
The easement specified in Easement Certificate 78002.4 is subject to Section 309 (1) (a) Local Government Act 1974
Appurtenant to Lot 1 DP 2628 herein is a right of way specified in Easement Certificate 083436.13 - 13.9.1989 at 10:30 am
The easements specified in Easement Certificate 083436.13 are subject to Section 309 (1) (a) Local Government Act 1974

Title Diagram CT 223622

Cpy - 01/01, Pgs - 001, 21/06/05, 11:02



DocID: 211453730



Total Area: 5.0890 ha



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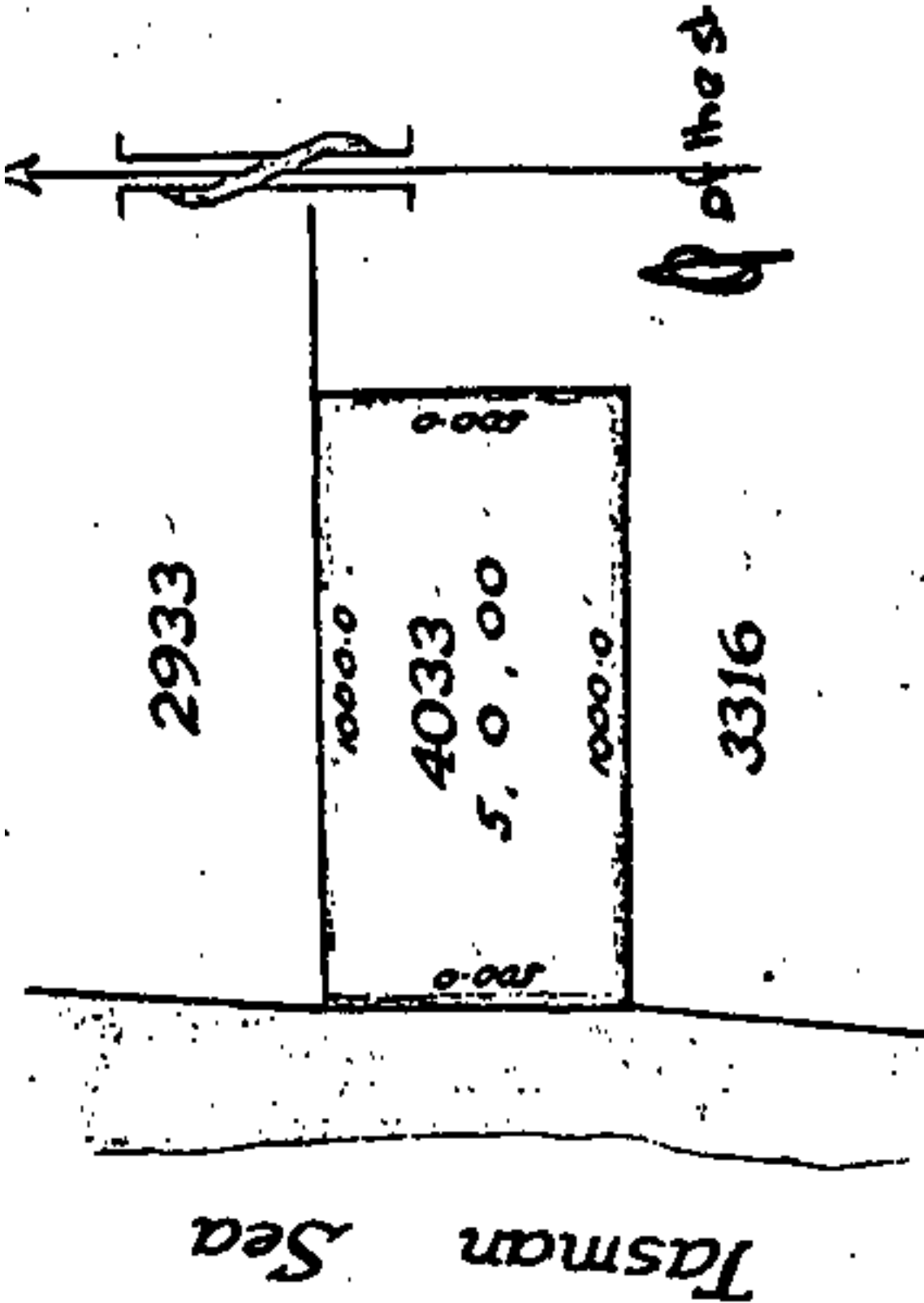
Identifier **WS1A/892**
Land Registration District **Westland**
Date Issued 17 October 1952

Prior References
WSPR9/44

Estate Fee Simple
Area 2.0234 hectares more or less
Legal Description Section 4033 Block V Waiwhero Survey
District

Registered Owners
Barrytown Farms Limited

Interests
Subject to Section 59 Land Act 1948
7441929.3 Mortgage to Rabobank New Zealand Limited - 2.7.2007 at 2:35 pm





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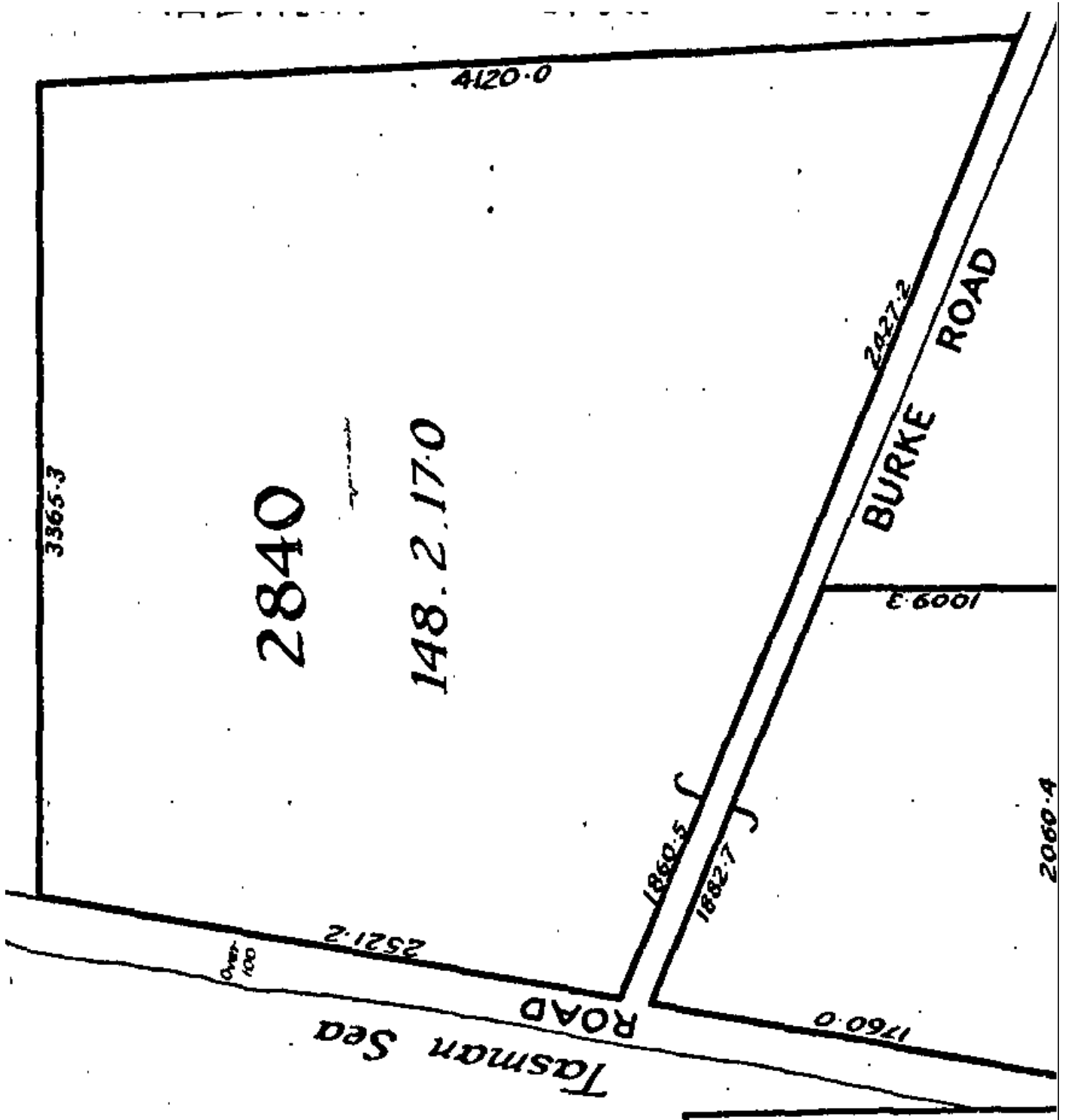
Identifier **WS1A/1043**
Land Registration District **Westland**
Date Issued 13 December 1963

Prior References
WS53/193

Estate Fee Simple
Area 60.1388 hectares more or less
Legal Description Section 2840 Block I Waiwhero Survey
District

Registered Owners
Birchfield Barrytown Limited

Interests
Subject to Section 206 Land Act 1924





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Identifier **WS1A/1166**
Land Registration District **Westland**
Date Issued 20 December 1963

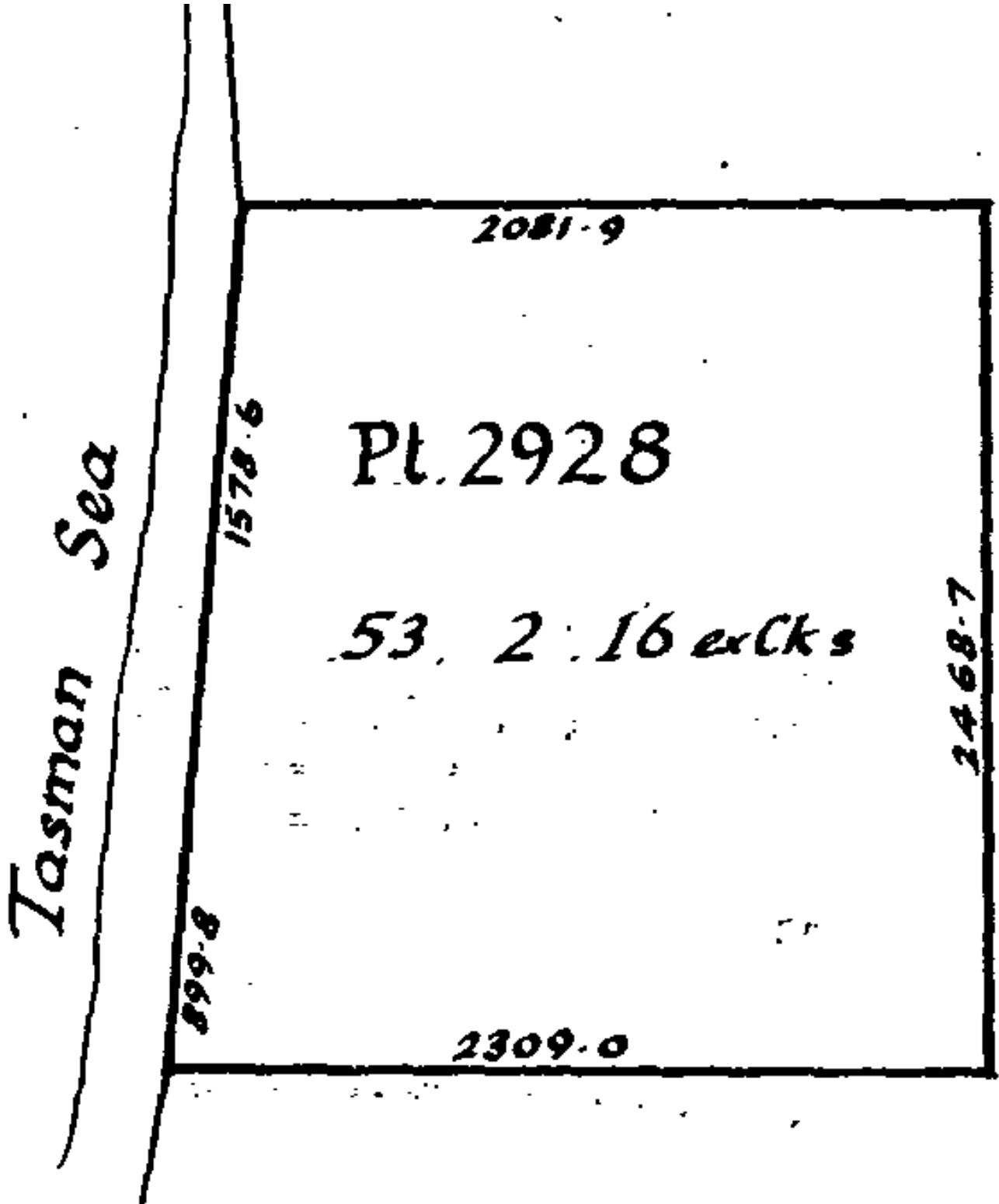
Prior References
WS52/96

Estate Fee Simple
Area 21.6912 hectares more or less
Legal Description Part Section 2928 Block V Waiwhero
Survey District and Defined On Deposited
Plan 764

Registered Owners
Barrytown Farms Limited

Interests

Excepting all minerals on or under the surface of the said land
For frontage to a public road see CT WS49/50
Subject to Section 315 Land Act 1924
12532071.3 Mortgage to Rabobank New Zealand Limited - 5.9.2022 at 2:38 pm





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Identifier **WS1B/293**
Land Registration District **Westland**
Date Issued 04 October 1961

Prior References
WS54/117

Estate Fee Simple
Area 16.2937 hectares more or less
Legal Description Rural Section 2930

Registered Owners
Barrytown Farms Limited

Interests

Subject to Section 315 Land Act 1924
Subject to Section 153 and 206 Land Act 1924
Excepting all minerals on or under the surface of the said land
12532071.3 Mortgage to Rabobank New Zealand Limited - 5.9.2022 at 2:38 pm

1015.4

3884.5

2930

40. 1. 02p.

4046.2

1029.4

Tasman Sea.



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R. W. Muir
Registrar-General
of Land

Identifier **WS2A/228**
Land Registration District **Westland**
Date Issued 06 March 1964

Prior References
WS49/250

Estate Fee Simple
Area 36.0853 hectares more or less
Legal Description Section 2929 and Part Section 2634-2635
Block V Waiwhero Survey District and
Defined On Deposited Plan 764

Registered Owners
Barrytown Farms Limited

Interests

Subject to Section 153 and 206 Land Act 1924
70965 Mining Licence - 18.4.1985 at 9.30 am and varied - 21.12.1989 at 11.00 am
81390 Easement Certificate over Mining Licence 70965 - 10.2.1989 at 11.00 am
082160.1 Variation of Licence 70965 - 5.5.1989 at 2.00 pm
12532071.3 Mortgage to Rabobank New Zealand Limited - 5.9.2022 at 2:38 pm

Pt 2635 9.0.18.	Pt. 2634 9.0.09. 8-1161
4614.0 Pt. 2929 71.0.00. 4816.3 BOARD	
Crown Lo 1928-0	



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R. W. Muir
Registrar-General
of Land

Identifier **WS2B/1371**
Land Registration District **Westland**
Date Issued 15 April 1965

Prior References

TM 31157 WS31/287

Estate Fee Simple
Area 42.7955 hectares more or less
Legal Description Rural Section 3250 Block I Waiwhero
 Survey District

Registered Owners

Nikau Deer Farm Limited

Interests

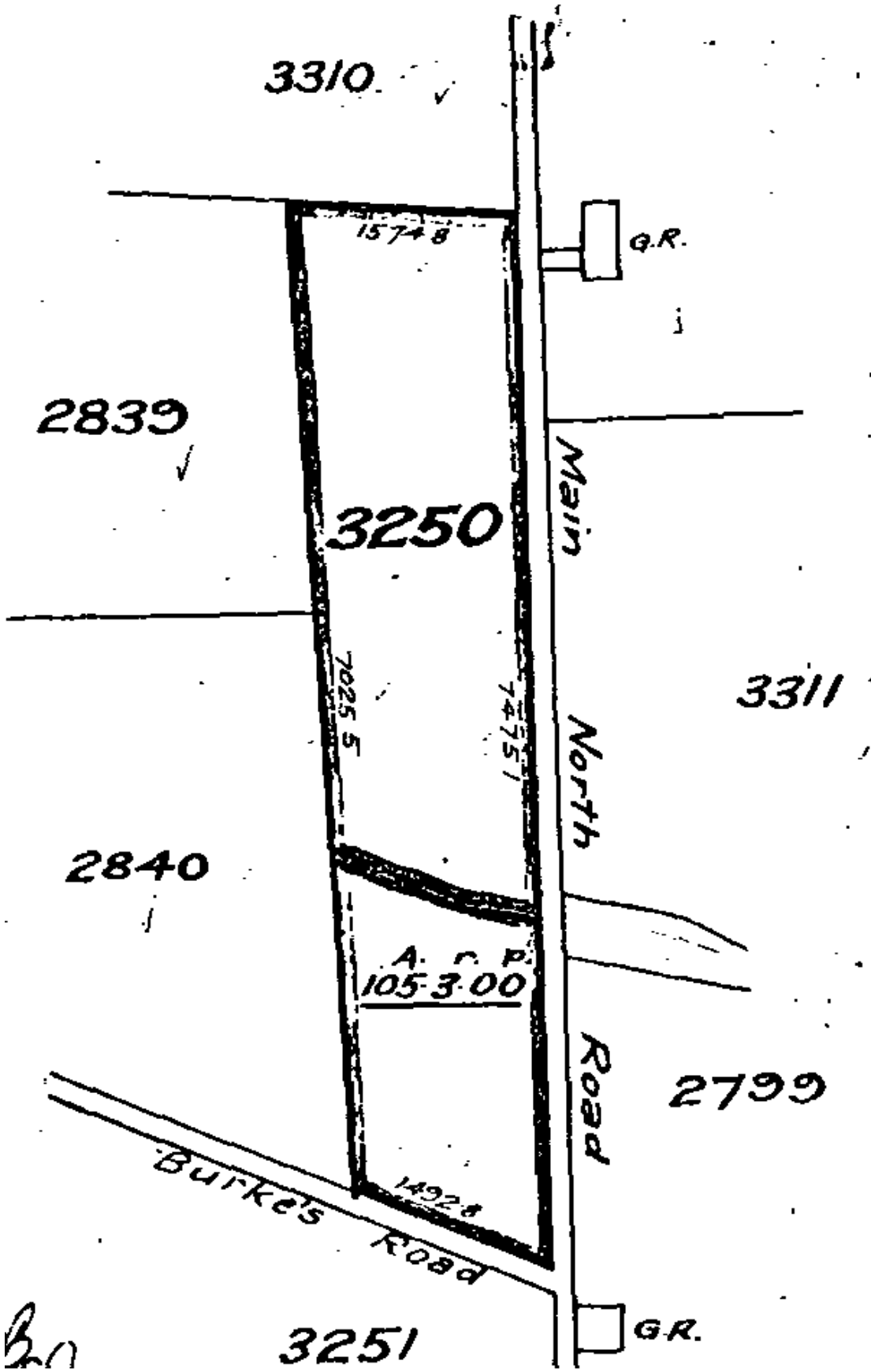
Subject to Section 315 Land Act 1924

Subject to Sections 153 and 206 Land Act 1924

110179.1 Crown Minerals Act 1991 - Mining Permit - Term 30 years commencing 17.6.1998 CT WS7C/118 issued - 6.7.1998 at 11.00 am

10440526.4 Mortgage to Westpac New Zealand Limited - 27.5.2016 at 3:46 pm

12363002.1 Notice of Access Rights pursuant to Section 83 Crown Minerals Act 1991 - 8.2.2022 at 2:34 pm





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R. W. Muir
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Identifier **WS2D/855**
Land Registration District **Westland**
Date Issued 05 August 1966

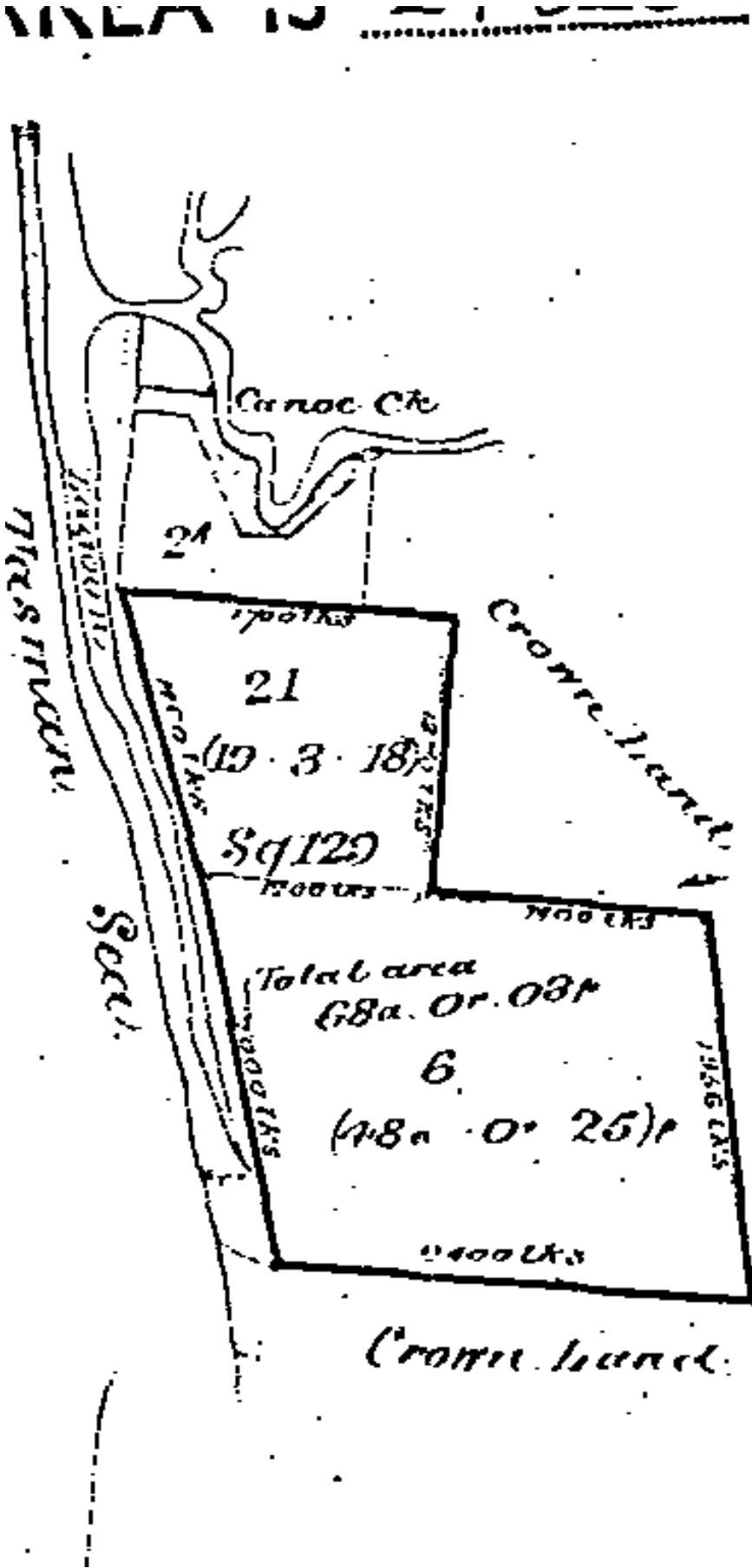
Prior References
WS13/265

Estate Fee Simple
Area 27.5262 hectares more or less
Legal Description Section 7-8 Block V Waiwhero Survey
District

Registered Owners
Nikau Deer Farm Limited

Interests

097880 Mining Permit - 9.5.1994 at 11.00 am
10440526.4 Mortgage to Westpac New Zealand Limited - 27.5.2016 at 3:46 pm
12363002.1 Notice of Access Rights pursuant to Section 83 Crown Minerals Act 1991 - 8.2.2022 at 2:34 pm





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Identifier **WS2D/1035**
Land Registration District **Westland**
Date Issued 18 August 1966

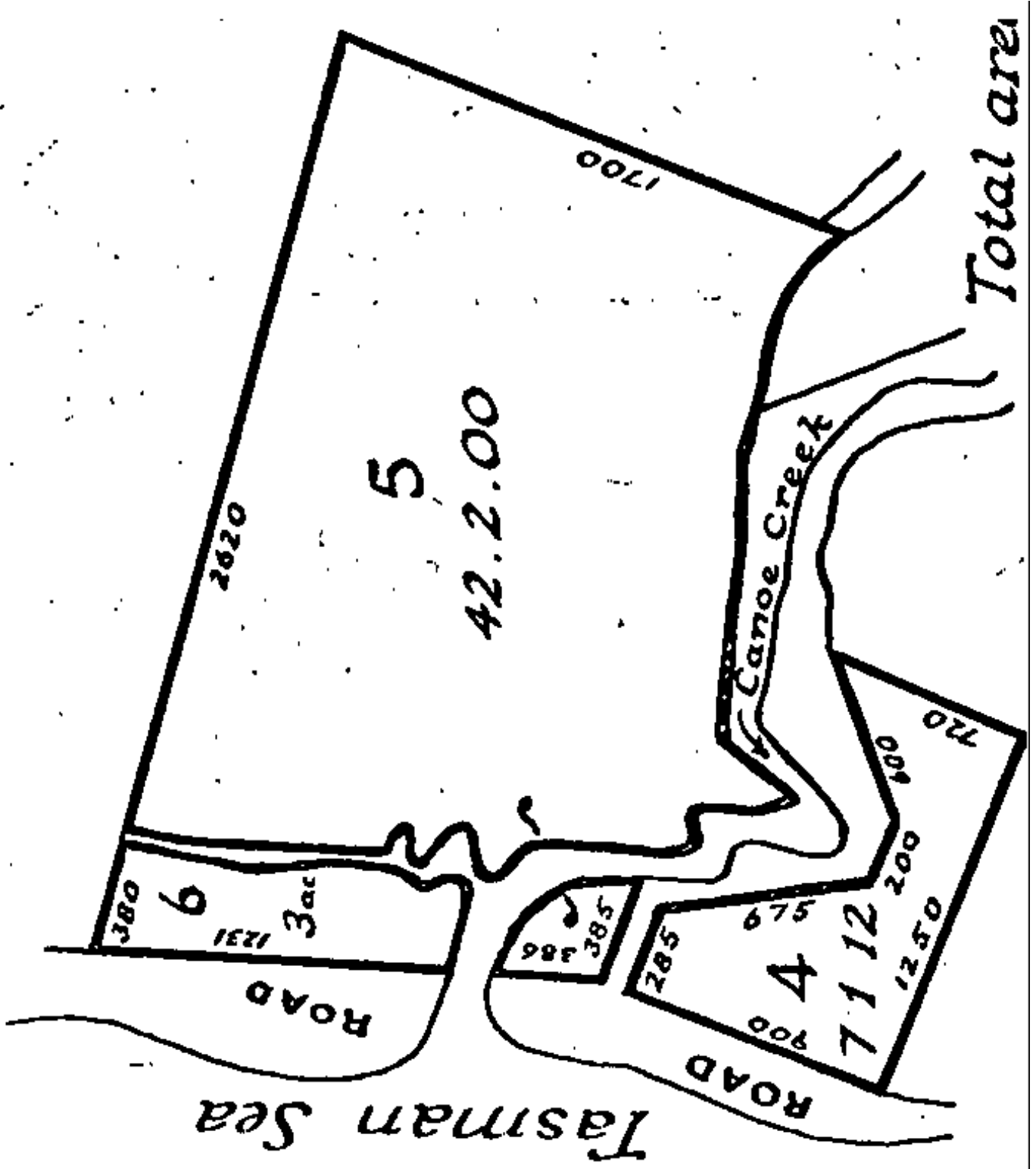
Prior References
WS12/306

Estate Fee Simple
Area 21.3775 hectares more or less
Legal Description Section 4-6 Block V Waiwhero Survey
District

Registered Owners
Nikau Deer Farm Limited

Interests

Excepting nevertheless thereout the canoe creek running through the same
097880 Mining Permit - 9.5.1994 at 11.00 am
10440526.4 Mortgage to Westpac New Zealand Limited - 27.5.2016 at 3:46 pm
12363002.1 Notice of Access Rights pursuant to Section 83 Crown Minerals Act 1991 - 8.2.2022 at 2:34 pm





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R. W. Muir
Registrar-General
of Land

Identifier **WS8B/528**
Land Registration District **Westland**
Date Issued 14 March 1995

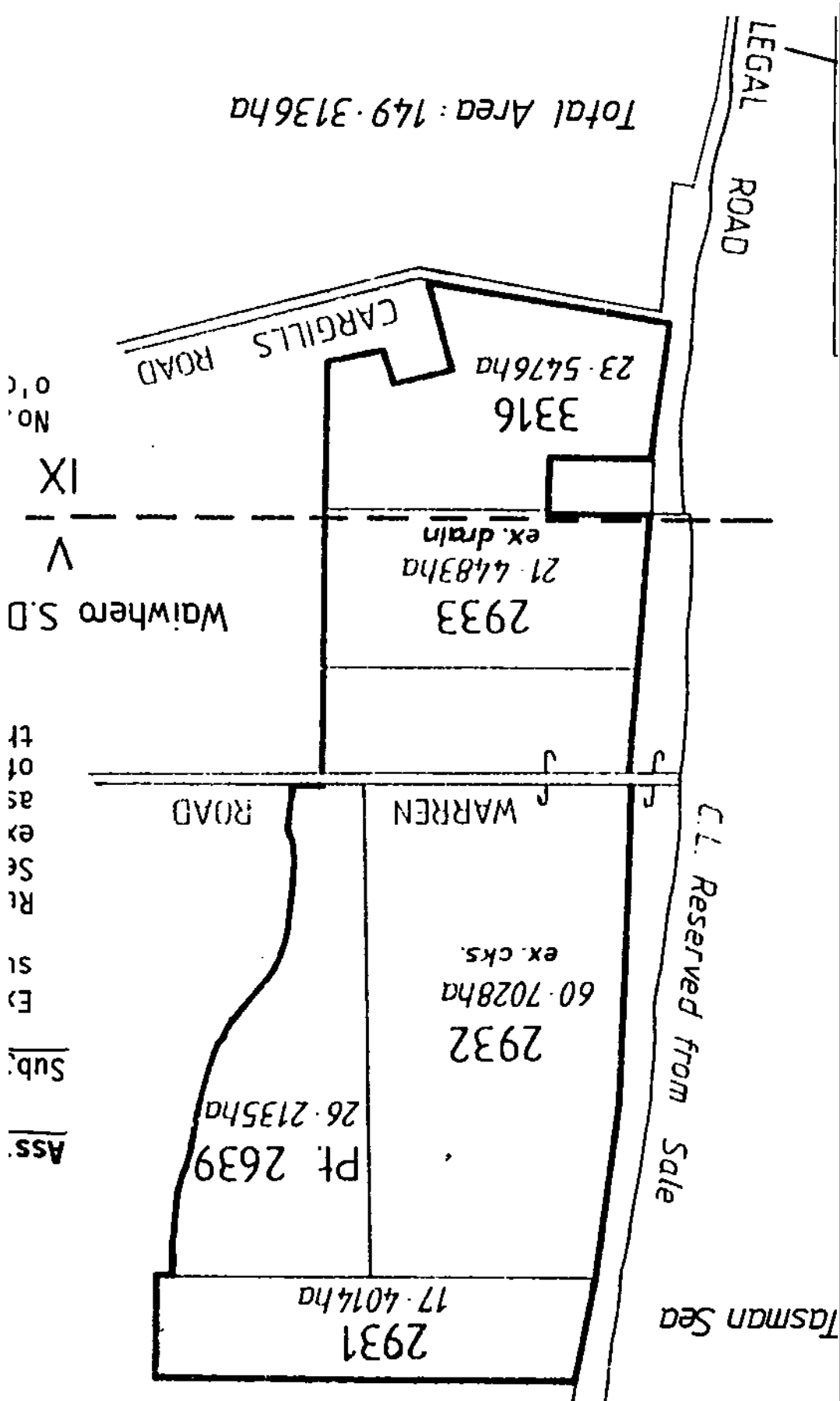
Prior References
WS5C/820

Estate Fee Simple
Area 149.3136 hectares more or less
Legal Description Rural Section 2931, Rural Section 2932,
Rural Section 2933, Rural Section 3316
and Part Rural Section 2639

Registered Owners
Barrytown Farms Limited

Interests

Excepting all minerals on or under the surface of the land
Rural Sections 2931, 2932 and Part Rural Section 2639 are subject to Sections 153 and 206 Land Act 1924
7441929.3 Mortgage to Rabobank New Zealand Limited - 2.7.2007 at 2:35 pm





**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy**




R.W. Muir
Registrar-General
of Land

Identifier **WS8C/143**
Land Registration District **Westland**
Date Issued 19 June 1997

Prior References
WS2B/1370

Estate Fee Simple
Area 73.9550 hectares more or less
Legal Description Lot 1 Deposited Plan 3548 and Rural
Section 2927

Registered Owners
Moir Farms Maimai Limited

Interests

108472.1 Transfer creating the following easements - 23.10.1997 at 11.00 am

Type	Servient Tenement	Easement Area	Dominant Tenement	Statutory Restriction
Convey electricity	Lot 1 Deposited Plan 3548 - herein	A DP 3486	Lot 1 Deposited Plan 3486 - CT WS8C/142	

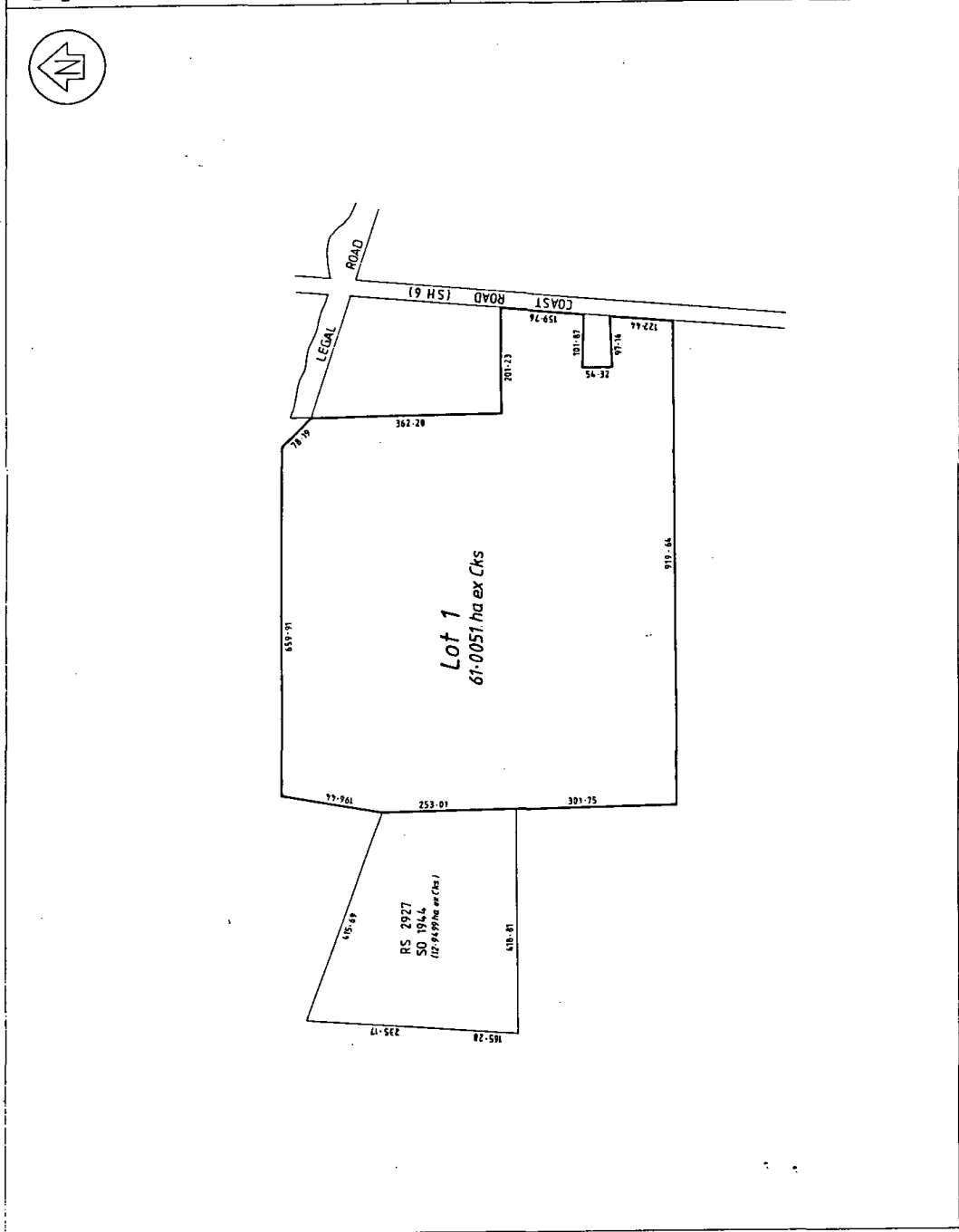
The easements created by Transfer 108472.1 are subject to Section 243 (a) Resource Management Act 1991

CERTIFICATE OF TITLE No. 8C/143



NEW C/T ALLOCATED LOT 1 & RS 2927 : 8C/143	
PARCEL	FORMERLY CT REF
LOT 1	Pl RS 3255 2B/1370
Reference Plan DP 348, 501 1788 & 884	
TOTAL DEDUCED AREA : 610051 ha ex Cts	
Approved for CT diagram purposes only	
Chief Surveyor <i>[Signature]</i>	
Deposited for CT diagram purposes only	
19/6/97	

Done by M. Brown	District Land Registrar
Checked by L. Wilson	DP 3548
Approved L14 84/98 LANC FORM 05	



WESTLAND LAND DISTRICT
Survey Blk & Dist. V WAIWHERO
NZMS 261 Sht Rcd Map No.

PLANNING AUTHORITY - GREY DISTRICT
Prepared by Terralink New Zealand Ltd.
Scale Proportional Date JUNE 1997

PLAN OF LOT 1
FOR CT DIAGRAM PURPOSES

A.J. BEVAN SURVEYOR GENERAL LAND INFORMATION NEW ZEALAND



3 May 2024

TIGA Minerals and Metals Ltd

By email to s 9(2)(a)

Kia ora Robert,

Proposed Fast Track Category A Project Support

This letter is to express support from Te Rūnanga o Ngāti Waewae to TIGA Minerals and Metals Ltd to be considered as a “Category A” project listed in the governments proposed Fast Track Approvals Bill.

In providing its support to the company Te Rūnanga o Ngāti Waewae expects to enhance the engagement and consultation to date as the company moves through the process to ensure that mana whenua views are incorporated into the project.

Ngā Mihi

Francois Tumahai

Kaiwhakahaere

Te Rūnanga o Ngāti Waewae

Jacob Paget

From: Neil Deans s 9(2)(a)
Sent: Wednesday, 5 June 2024 3:58 pm
To: Listed Projects
Cc: Stephanie McNicholl; Anna Galvin; Meredith Lawry
Subject: FW: Response [IN-CONFIDENCE]Feedback on FTA289 - Barrytown Mineral Sands Project

Hi Steph

Please find a response from our District office on this application. As far as we can ascertain, there are no grounds for this application to be ineligible.

Question	Response
Is any Public Conservation Land affected? In particular, is the project likely to affect a National Park, Wildlife or Forest Sanctuary, Nature or National Reserve, or Ramsar sites?	There is no Public Conservation Land involved.
Would the site likely require any DOC approvals (eg Wildlife Act, Conservation Act, freshwater fisheries)	Wildlife Act approvals will likely be required. Freshwater fishery matters may be required.
Do we know of any Treaty implications that MfE should be made aware of (eg, whether the site is relevant to a Terms of Settlement)?	Not that we are aware of, although that would need to be confirmed by the relevant Ngāi Tahu person.

Regards

Neil Deans

Advisor – RM Reform

Department of Conservation—*Te Papa Atawhai*
Level 2, Conservation House, Wellington 6143
s 9(2)(a)

www.doc.govt.nz

Conservation leadership for our nature

Tākina te hī, tiakina te hā, o te ao tūroa

From: Listed Projects <ListedProjects@mfe.govt.nz>
Sent: Friday, May 31, 2024 6:18:49 PM
To: Neil Deans s 9(2)(a); Meredith Lawry s 9(2)(a)
Cc: Stephanie McNicholl s 9(2)(a); Anna Galvin s 9(2)(a)
Subject: [IN-CONFIDENCE]Feedback on FTA289 - Barrytown Mineral Sands Project

Kia ora Neil and Meredith

This listed project application is for FTA289 - Barrytown Mineral Sands Project.

The application is for sand extraction. There have been previous applications and a recent decision (2024) through a standard resource consent process.

The application refers to tāiko and Korora.

Could you please provide comment on:

- whether the project requires any DoC-related approvals
- if you are aware of anything that would render the project ineligible under clause 18 of the Bill
- if you are aware of any Treaty settlement matters which relate to the project site – such as local protocols
- any other relevant matter?

If possible, could you please provide your feedback by COB **6 June 2024**.

Please let me know if there is anything I can do to assist.

Ngā mihi

Steph

Stephanie McNicholl ([she/her](#))

Ngāpuhi, Ngāi Te Rangi, Ngāti Ranginui

Senior Policy Analyst | Kaitātari Kaupapa Here Matua

Ministry staff work flexibly by default. For me, this means I work 100% remotely. Also, you may receive an email from me outside of usual working hours. Please respond at a time that is convenient for you.



Caution - This message and accompanying data may contain information that is confidential or subject to legal privilege. If you are not the intended recipient you are notified that any use, dissemination, distribution or copying of this message or data is prohibited. If you received this email in error, please notify us immediately and erase all copies of the message and attachments. We apologise for the inconvenience. Thank you.

FTA#289: Application for listed project under the Fast-track Approvals Bill – Barrytown Mineral Sands Project for Schedule 2A

Date submitted to secretariat:	11 June 2024
Security level:	In-Confidence
To:	David TAPSELL, Chair – Fast-track Projects Advisory Group

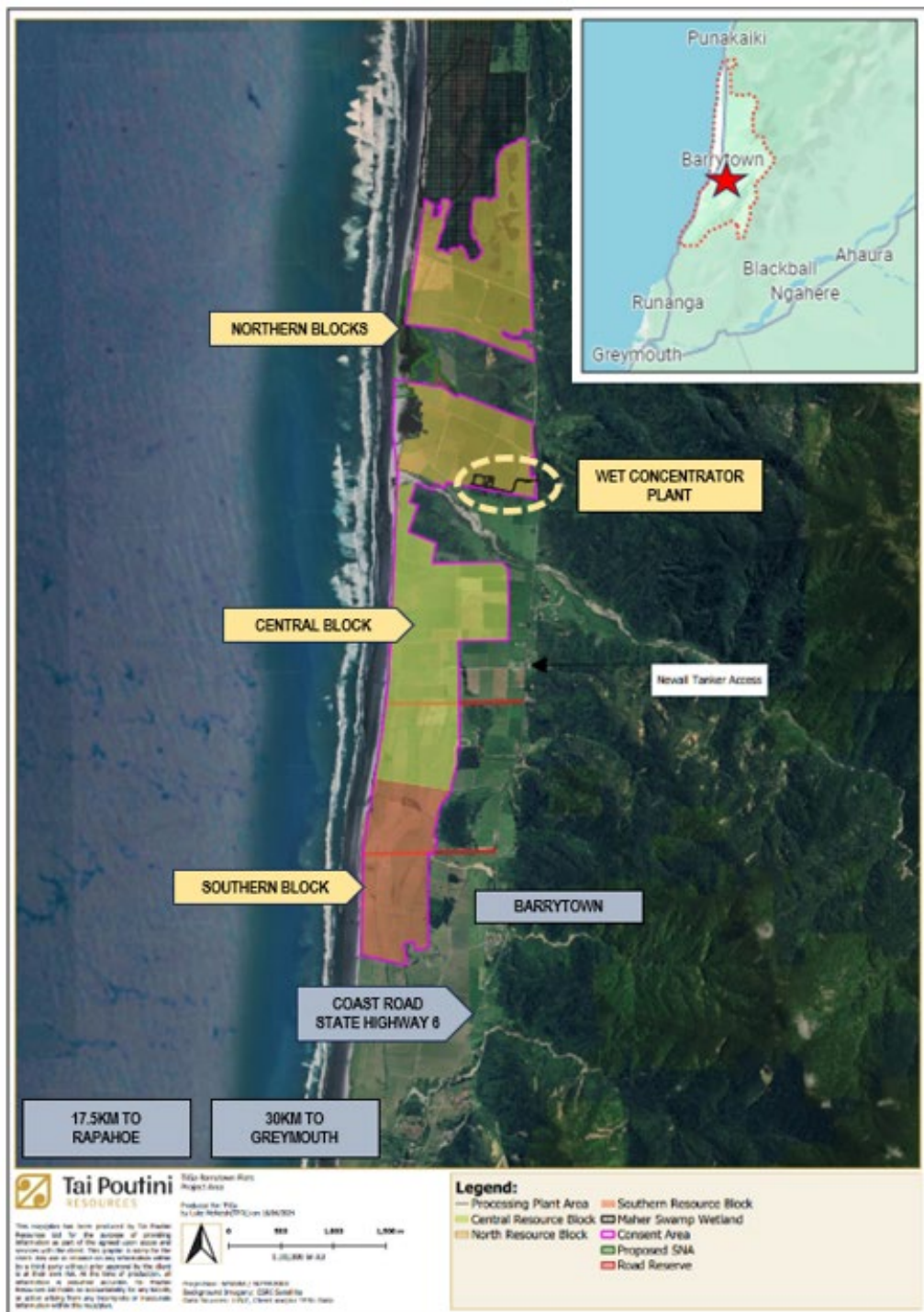
Number of attachments: #	Attachments: 1. Application documents for Barrytown Mineral Sands Project
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Applicant	Sector	Region	Identified in a priority/strategy?
TiGa Minerals and Metals Limited	Mining	West Coast	No

Ministry for the Environment contacts

Position	Name	Mobile	1 st contact
Principal Authors	Stephanie McNicholl, Anna Galvin		
Manager	Stephanie Frame	s 9(2)(a)	
Director	Ilana Miller	s 9(2)(a)	✓

Project location



Map for approximate location only. Sourced from application submission and labels added.

Key messages

1. The Barrytown Mineral Sands project is to establish and operate the staged development of mine sites for mineral sand extraction activities including processing over an approximate 635 hectare total site area at Barrytown, 30 kilometres north of Greymouth, West Coast region. The project will transport processed minerals through the Greymouth Port.

2. The project will have an approximate extraction volume of 250,000 tonnes of heavy metal concentrate (garnet, ilmenite and other minerals including zircon and gold) per year over a 30 year period.
3. The project will comprise:
 - a. stage 1 – Northern Block and Rapahoe plant - sand mineral extraction within a project area of approximately 63 hectares over 5 years including establishment of a Wet Concentrator Plant (WCP)
 - i. new construction of a wet concentrator plant to operate twenty-four hours per day, seven days per week, occupying 3.5 hectares of the Northern Block
 - ii. new construction and operation of a secondary mineral separation plant at Seven Mile Road, Rapahoe
 - b. stage 2 – Central Blocks – sand mineral extraction within a project area of approximately 208 hectares over 9 years
 - c. stage 3 – Southern Block – sand mineral extraction within a project area of approximately 172 hectares over 9 years, including the Maher swamp enhancement programme planting and restoration
 - d. earthworks (construction and operational) including bunding and vegetation clearance
 - e. groundwater (management including diversion and discharge)
 - f. ancillary buildings, structures and infrastructure (including roads, access, culverts, cabling, fencing, lighting and other infrastructure)
 - g. rehabilitation works including developing wetlands, and native landscape planting
 - h. final closure works including building removal, contouring and reinstatement of agricultural production land use with similar drainage patterns.
4. The project will require resource consents under the Resource Management Act 1991 (RMA), authorisations under the Wildlife Act 1953 and authorisations under the Heritage New Zealand Pouhere Taonga Act 2014. The applicant refers to a recent expert panel decision (April 2024) which approved stage 1 in part regarding mining and construction of a wet concentrator plant.
5. The applicant (TiGa Minerals and Metals Limited) has agreements including access in place with all landowners of the mining areas identified as Nikau Deer Farm Limited, Barrytown Farms Limited, Birchfield Barrytown Limited and Moir Farms Maimai Limited. A lease regarding the construction and use of Rapahoe Mineral Separation Plan (MSP) has been agreed with Birchfield Coal Mines Limited.
6. The applicant identifies that the project will require overseas investment office approval due to the value of the investment, which will be sought concurrent to the fast-track process.
7. We have undertaken an initial (Stage 1) analysis of the application, and this is provided in Table A.
8. We consider the applicant **has** provided sufficient information to consider the project for inclusion on Schedule 2A (although we note it could still be included on Schedule 2B based on the information provided).
9. The project does not trigger the ineligibility criteria in clause 18 of the Fast-track Approvals Bill (the Bill).

10. Advice on PSGE development priorities and Māori development is provided in Table A. Table A also includes the relevant PSGEs or Māori groups and the settlement mechanisms, that will/may be impacted by the project and whether the project is low, medium or high impact on Treaty settlement/s and other relevant arrangements. Appendix 1 provides further detail on how this advice should be considered and our approach to analysis.

Signature



Ray Salter
Principal Analyst – Listed Projects

Table A: Stage 1 initial assessment of project eligibility and Treaty settlement assessment and advice¹

Project details	Project description	Approvals sought	Consultation undertaken	Does the project trigger the ineligibility criteria [clause 18]?				Discretionary ground to decline [clause 21(2)]	Eligibility [clause 17]	
				Treaty settlement land, Māori customary land, customary marine title, customary rights, aquaculture settlement area, or prevented by RMA clauses [clauses 18(a-e, g)]	Access arrangement under CMA where a permit can't be granted, or is listed in items 1-11, 14 [clauses 18(f,h)]	Activity on a national reserve under Reserves Act which requires approval under that Act [clause 18(i)]	Prohibited activity under EEZA or regulations under that Act, decommissioning-related activities, offshore renewable energy progressing ahead of permitting legislation [clause 18(j-l)]		Is the project eligible [clause 17(2)]	Would the project have significant regional or national benefits [clause 17(3)]
High level summary			N	N	N	N	N			
<p>Schedule requested 2A</p> <p>Project Name Barrytown Mineral Sands</p> <p>Applicant TiGa Minerals and Metals Limited</p> <p>Company director/s</p> <ul style="list-style-type: none"> Robert George Brand Geoffrey Allan Donohue Philip Andrew Thick <p>Location Barrytown Flats, Greymouth</p> <p>Mining areas</p> <ul style="list-style-type: none"> Northern Block - 3261 Coast Road and Burke Road, State Highway 6 Central Block – 3067 Coast Road, State Highway 6 	<p>The Barrytown Mineral Sands project is to establish and operate the staged development of mine sites for mineral sand extraction activities.</p> <p>The project will have an approximate extraction volume of 250,000 tonnes of heavy metal concentrate (garnet, ilmenite and other minerals including zircon and gold) per year over a 30 year period.</p> <p>The project will comprise:</p> <ul style="list-style-type: none"> stage 1 – Northern Block and Rapahoe plant - sand mineral extraction within a project area of approximately 63 hectares over 5 years including establishment of a Wet Concentrator Plant (WCP) new construction of a wet concentrator plant to operate twenty-four hours per day, seven days per week, occupying 3.5 	<p>The applicant seeks approval under the:</p> <ul style="list-style-type: none"> Resource Management Act 1991 Heritage New Zealand Pouhere Taonga Act 2014 Wildlife Act 1953 <p>The applicant requires approval from the:</p> <ul style="list-style-type: none"> Overseas Investment Office - due to the value of the investment. <p>The Department of Conservation advise that Freshwater fishery approvals may be required.</p>	<p>The application identifies the following as persons affected:</p> <ul style="list-style-type: none"> West Coast Regional Council Grey District Council Te Rūnanga o Ngāti Waewae – letter of support for lodgement of application in the fast-track approvals process. Adjoining landowners <p>Regarding how engagement has informed the project, the applicant refers to the standard RMA process and recent approval relating to a parcel in the North Resource Block, which under this application can be identified as the Stage 1 – 63 hectare block that will contain the wet concentrator plant at 3261 Coast Road.</p> <p>For context, an application subject to public notification was approved on 29 April 2024. We note a previous application subject to limited notification, was declined in 2022.</p> <p>The applicant identifies that “outcomes from the consultation for the Standard Consent have</p>	No.	No.	No.	No.	<p>The project, or any part of it, is inconsistent with a relevant Treaty settlement, the NHNP Act, the Marine and Coastal Area (Takutai Moana) Act 2011, a Mana Whakahono ā Rohe, or a joint management agreement.</p> <p>No – the application and Treaty advice below has not identified any inconsistency grounds.</p> <p>It is more appropriate to deal with the application under another Act.</p> <p>No – although the application identifies that approvals will be required under the RMA, we consider the project could be assessed by an expert panel with the benefit of a full application, in a post-enactment context.</p> <p>The project may have significant adverse effects on the environment.</p> <p>Potentially – specific to the mining areas, the applicant identifies effects relating to landscape and visual amenity, noise, traffic (heavy truck</p>	<p>Whether access to the fast-track process will enable the project to be processed in a more timely and cost-efficient way than under normal processes.</p> <p>Yes – the applicant has consent approval for a 63 hectare portion of the project area and identifies that the key efficiency of the fast-track process for the project would be to enable all mining sites and the Mineral Separation Plant to be consented together which enable rolling stages of development.</p> <p>The impact referring this project will have on the efficient operation of the fast-track process.</p>	<p>The project has been identified as a priority project in a central government, local government, or sector plan or strategy (for example, in a general policy statement or spatial strategy) or central government infrastructure priority list.</p> <p>No – the applicant refers to the Minerals and Petroleum Resource Strategy for Aotearoa New Zealand 2019-2029 (Resource Strategy) and the Te Whanaketanga Tai Poutini West Coast Economic Strategy 2050 (Te Whanaketanga). While these documents identify mineral potential, none specifically identify this application.</p> <p>The project will deliver regionally or nationally significant infrastructure.</p> <p>No – not directly. The applicant identifies that the project will upgrade the electricity transmission lines to 33 kV between Rapahoe township and the Northern Block at 3261 Coast Road (at a likely cost of \$5 million proffered as a condition of the standard consent and confirmed as feasible) to enable electrification of the Wet Concentrator Plant that will create capacity for other users to connect to the electricity grid.</p> <p>The project will increase the supply of housing, address housing needs, or contribute to a well-functioning urban environment.</p>

¹ **Disclaimer:** Given time and scope constraints, the initial assessment is solely based on information provided by applicants. There may be additional relevant information which has not been provided to MfE.

<ul style="list-style-type: none"> Southern Block – Cargill Road and Warren Road <p>Mineral separation plant</p> <ul style="list-style-type: none"> Rapahoe – Seven Mile Road <p>Land Status</p> <p>The applicant (TiGa Minerals and Metals Limited) has agreements including access in place with all landowners of the mining areas identified as Nikau Deer Farm Limited, Barrytown Farms Limited, Birchfield Barrytown Limited and Moir Farms Maimai Limited. A lease regarding the construction and use of Rapahoe Mineral Separation Plant (MSP) has been agreed with Birchfield Coal Mines Limited.</p>	<p>hectares of the Northern Block</p> <ul style="list-style-type: none"> new construction and operation of a secondary mineral separation plant at Seven Mile Road, Rapahoe stage 2 – Central Blocks – sand mineral extraction within a project area of approximately 208 hectares over 9 years stage 3 – Southern Block – sand mineral extraction within a project area of approximately 172 hectares over 9 years, including the Maher swamp enhancement programme planting and restoration earthworks (construction and operational) including bunding and vegetation clearance groundwater (management including diversion and discharge) ancillary buildings, structures and infrastructure (including roads, access, culverts, cabling, fencing, lighting and other infrastructure) rehabilitation works including developing wetlands, and native landscape planting final closure works including building removal, contouring and reinstatement of agricultural production land use with similar drainage patterns. 		<p>been incorporated into the Project design and conditions”.</p> <p>In that process, the applicant has identified that they have made alterations in response to community concerns including:</p> <p>Examples of alterations made include:</p> <ul style="list-style-type: none"> proposing a water management system so water from different catchments is not mixed - requested by Ngāti Waewae avoiding truck movements during drop-off and pick-up times for Barrytown School avoiding adverse effects on the tāiko and Korora – on expert advice limiting mining and trucking to only day-time hours offering passenger transport for shift workers (to reduce lights from light vehicle use) removing all windows from the WCP building using sensors, timers and a maximum light temperature adding pre-mining Korora surveys and a penguin fence trigger condition avoiding trucking product north from the site on the State Highway and on Sundays adding parties to the Community Liaison Group. 					<p>movements), archaeological effects, land stability, water bodies and groundwater (water management plan), ecological effects (vegetation, avifauna, wetlands and stream habitat management), effects on key species (tāiko – Westland petrel, Korora – little blue penguin – avian management plan), terrestrial ecology, cultural effects, dust, hazardous substances storage, and radiation.</p> <p>Specific to the Mineral Separation Plant, the applicant identifies effects relation to building heights, site coverage, transportation, noise, radiation and being a non-rural activity.</p> <p>We consider that the appropriate management of adverse effects, including remediation and mitigation could be assessed by an expert panel with the benefit of a full application, in a post-enactment context.</p> <p>The applicant has a poor compliance history under the relevant legislation.</p> <p>No.</p> <p>The project involves an activity that would occur on land that the Minister for Treaty of Waitangi Negotiations considers necessary for Treaty settlement purposes.</p> <p>No.</p> <p>The project includes an activity that is a prohibited activity under the RMA.</p> <p>Potentially – it is not clear whether the project includes any activities prohibited under the RMA, regarding the wetland and avoidance policies of the National Environmental Standards for Freshwater and New Zealand Coastal Policy Statement.</p>	<p>No – the standard consent process has resulted in a significant level of information being prepared and management approaches tested through peer reviews and public submissions. This includes technical reports, proof of resource and legal analysis. The same conditions of consent managing effects and technical expert assessed setbacks apply to all mined areas. The project is ready to go and suited to the fast and efficient operation of the fast-track process.</p> <p>Whether the application contains sufficient information to inform the referral decision.</p> <p>Yes – we consider the applicant has provided sufficient information to consider it for listing in Schedule 2A.</p>	<p>No – not directly. The applicant identifies the project will create many jobs and is looking at options to ensure residential units are available for its employees.</p> <p>The project will deliver significant economic benefits.</p> <p>Yes – the project is expected to create 57 direct full-time equivalent jobs, 80 indirect support jobs and contribute \$33.7 million of additional GDP per year once fully operational.</p> <p>The project will support primary industries, including aquaculture.</p> <p>Yes – under the National Planning Standards, the definition of primary production means (among other things) mining activities, which would include sand mining.</p> <p>The project will support development of natural resources, including minerals and petroleum.</p> <p>Yes – the applicant identifies that the sand mining project will produce 250,000 tonnes of heavy metal concentrate for export per year over a 30 year period.</p> <p>The project will support climate change mitigation, including the reduction or removal of greenhouse gas emissions.</p> <p>No.</p> <p>The project will support adaptation, resilience, and recovery from natural hazards.</p> <p>No – not directly. Although the applicant identifies that having the heavy machinery on-site can mean these are available to be used in local hazard emergencies such as road slips.</p> <p>The project will address significant environmental issues.</p> <p>No.</p> <p>The project is consistent with local or regional planning documents, including spatial strategies.</p> <p>Potentially – the applicant has identified the local and regional planning documents as the West Coast Regional Planning Statement, West Coast Regional Land and Water Plan, West Coast Regional Air Quality</p>
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								<p>The applicant identifies that mineral extraction will not occur within 20m from coastal lagoons and neighbouring property boundaries. No other detail is provided, this will need to be clarified.</p> <p>We note if the project is prohibited under the RMA, it can still be considered under the Bill.</p>	<p>Plan, Westland District Plan, Te Tai o Poutini Plan (Proposed Plan)).</p> <p>On the basis that the potential adverse effects of the project on the surrounding environment are able to be appropriately managed, the project will be consistent with the local and regional planning documents.</p> <p>We note the Barrytown Flats, Maher Swamp wetlands are identified in Schedule 1 and 2 of the Regional Land and Water Plan as being ecologically significant. This is not addressed in the application. There appear to be other wetlands requiring assessment. This will need to be clarified.</p> <p>Anything else</p> <p>Yes – the applicant holds a mineral permit 60785 under the Crown Minerals Act which will expire in 2042.</p>
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PSGE Settlement Priorities and Māori Development assessment –

This table provides an overview. In the time available, it has not been possible to undertake a detailed review of all Treaty settlement and related matters, or to engage with the relevant PSGE, iwi or Māori groups in relation to the potential impacts of the project. If the project does progress through the fast-track process, it will be important this more detailed and comprehensive analysis and engagement is undertaken (there are some mechanisms in the proposed legislation, such as the clause 13 report (which will apply to Schedule 2 Part B (but not Part A) applications) and the requirements to invite comment from these groups, which are intended to address these matters).

Advice on Māori development and PSGE settlement priorities includes information relating to:

- where projects align explicitly with PSGE or iwi strategic objectives/vision/other strategic documents.
- where projects contribute towards addressing historical or systemic inequities faced by Māori. This would be undertaken through an equity assessment; and/or are being led by or in partnership with a Māori entity or business;

to relevant provisions in Treaty settlements, Joint Management Agreements outside of settlement; Mana Whakahono ā Rohe; Iwi Environment Management plans; implications for groups yet to settle their historical Treaty of Waitangi claims; and implications arising under the Marine and Coastal Area (Takutai Moana) Act 2011 and Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019.

Ineligible projects - based on the considerations at cl18(a–e) of the Fast Track Approvals Bill (version as at introduction)	This project does not appear to be ineligible according to the information provided in the application.
Affected Māori group/s	<p>The applicant has identified the following groups with interests in the project area:</p> <ul style="list-style-type: none"> • Ngāi Tahu • Te Rūnanga o Ngāti Waewae <p><u>Ngāi Tahu</u></p> <p>Information from Te Kāhui Māngai confirms the proposed project location as being within the area of interest for Ngāi Tahu in the Deed of Settlement dated 21 November 1997.¹</p> <p><u>Te Rūnanga o Ngāti Waewae</u></p> <p>Te Rūnanga o Ngāti Waewae is a papatipu rūnanga of Ngāi Tahu for the area.²</p> <p>We have not identified any additional groups beyond those identified by the applicant.</p>
Has the applicant consulted with those Māori groups?	The application states the applicant has consulted with Te Rūnanga o Ngāti Waewae. Te Rūnanga o Ngāti Waewae has provided a letter of support for the project.
Impact/s of the project on Māori development and PSGE settlement priorities and related matters	<p><u>Impacts on PSGE settlement priorities and Māori development</u></p> <p>There is no information in the application to suggest that this application is made by or on behalf of a Māori organisation, or that the project will have a direct benefit in terms of Māori development. However, the project is supported by Te Rūnanga o Ngāti Waewae and they have provided a letter of support for the project.</p> <p>In the time available, we have identified the following relevant plans and documents:</p> <ul style="list-style-type: none"> • Te Rūnanga o Ngāi Tahu Freshwater Policy

	<p>It is not possible to confirm from those documents that the project does or does not align with the strategic priorities of those iwi or Māori groups.</p> <p>A full analysis of the plan would need to be undertaken in conjunction with the relevant iwi before any firm conclusions can be reached. That is a matter to be considered in more detail in subsequent stages if this progresses through the fast-track processes.</p> <p><u>Impact on Treaty settlements and other relevant arrangements</u></p> <p>Ngāi Tahu Claims Settlement Act 1998</p> <p><i>Statutory acknowledgements</i></p> <p>This Treaty settlement contains a number of statutory acknowledgements. It is not clear from the application whether a statutory acknowledgement covers or is adjacent to the project site or is directly impacted by the proposed project.</p> <p>If the project activity is within or adjacent to, or directly affects, the area of the statutory acknowledgement, the following text applies. Generally, a statutory acknowledgement by the Crown of a 'statement of association' between the iwi and an identified area. A council must have regard to the statutory acknowledgement when deciding whether the iwi is an 'affected person' for the purposes of notification decisions under the Resource Management Act 1991 (the RMA). The same applies to the Environment Court when considering participation in hearings under s274 of the RMA. A council must send summaries of applications for resource consents to the iwi. The PSGE (or any member of the iwi) may, as evidence of the association with a statutory area, cite the statutory acknowledgement in submissions that are made to a consent authority, the Environment Court or the Environmental Protection Authority. The Environment Court must also have regard to a statutory acknowledgement in considering appeals on applications for archaeological authorities within the project area under the Heritage New Zealand Pouhere Taonga Act 2014.</p> <p>An impact of listing this project under Schedule 2 Part A is that the Ministers will not have to exercise their 'referral discretion' including considering the Treaty settlement impacts through that process, nor will they have the benefit of the clause 13 report. There is a requirement on the expert panel to invite comment from the PSGE on the application (noting this is an automatic right to participate, which is currently discretionary under the statutory acknowledgement). For a Schedule 2 Part B listing, Ministers will have to exercise their 'referral discretion' including considering the Treaty settlement impacts through that process, and they will have the benefit of the clause 13 report. The expert panel will also be required to invite comment from the PSGE on the application (again, noting this is an automatic right to participate, which is currently discretionary under the statutory acknowledgement).</p> <p>Listing this project, and the fast-track process, will not provide equivalent weight to the statutory acknowledgement, which may limit the influence of the iwi compared to the usual consenting regime. For example, under the RMA process, if a PSGE is notified due to the statutory acknowledgement, the PSGE has the right to make a submission, attend a hearing, appeal to the Environment Court, and appeal to the High Court and higher courts. The fast-track process does not provide exactly the same rights to the PSGE (particularly the potential right to make a submission and then participate in a hearing and de novo appeal), but as noted above there are some other enhanced rights of participation).</p> <p><i>Wildlife Act 1953</i></p> <p>The Settlement Act includes obligations in relation to the Wildlife Act 1953. This application involves wildlife permits which may be relevant to those settlement obligations (depending on the detail of the application made).</p> <p>Mana Whakahono ā Rohe</p> <p>There is a Mana Whakahono ā Rohe in place between the West Coast Regional Council and Poutini Ngāi Tahu (Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae and Te Rūnanga o Makaawhio). The location of the project may fall within the area covered by the Mana Whakahono ā Rohe. The Mana Whakahono ā Rohe provides for an ongoing role for Te Rūnanga o Ngāti Waewae and Te Rūnanga o Makaawhio in decision-making and resource management. Listing this project may impact the application of the Mana Whakahono ā Rohe which provides for substantive input from Poutini Ngāi Tahu into processes related to this project that would occur through the standard consenting regime. However, the project is supported by Te Rūnanga o Ngāti Waewae and they have provided a letter of support for the project.</p> <p>Iwi Environment Management plans</p> <p>Note the comments above in relation to iwi management plans.</p> <p><u>Other matters</u></p> <p>There have been no joint management agreements or Marine and Coastal Area (Takutai Moana) Act 2011 and Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 considerations identified, or unsettled claims identified in the project area. In the time available, officials have not identified any other relevant matters.</p>
<p>Is the project considered low, medium or high impact (based on assessment criteria above)</p>	<p>From the information available we consider this project is likely to be of low impact. This is due to the nature of the Treaty settlement redress and the support of Te Rūnanga o Ngāti Waewae.</p> <p>An impact of listing this project under Schedule 2 Part A is that the Ministers will not have to exercise their 'referral discretion' including considering the Treaty settlement impacts through that process, nor will they have the benefit of the clause 13 report. For Part A projects, there is a requirement on the expert panel to invite comment from the PSGE on the application.</p>
<p>Has the Ministry for the Environment undertaken engagement?</p>	<p>Officials consider engagement would be beneficial given the nature of the interests present in the project area but were unable to undertake this in the time available.</p>
<p>Additional comments/context</p>	<p>N/A</p>

Appendix One: Approach and considerations for Treaty settlement advice on listed project applications advice in Table A

1. Ministers have advised the Advisory Group should receive advice from officials on “Māori development and PSGE settlement priorities” relevant to each application. Note this differs from section 13 requirements of the current Fast Track Consenting Bill that ‘Ministers must consider Treaty settlements and other obligations report’ as these reports will not be in existence at the time, although matters identified in section 13 (2)(a)-(j) will be considered as part of official's analysis.
2. We have interpreted “Māori development” and “PSGE priorities” to mean primarily projects that:
 - a. align explicitly with PSGE or iwi strategic objectives/vision/other strategic documents; and/or
 - b. contribute towards addressing historical or systemic inequities faced by Māori. This would be undertaken through an equity assessment; and/or
 - c. the project is being led by or in partnership with a Māori entity or business.
3. Given the time constraints and limited engagement this advice cannot be considered as comprehensive and does not intend to reflect their views and should not be read as such.
4. Engagement with PSGEs and other relevant groups has been considered based on potential high-risk factors including, but not limited to, if:
 - a. a project will take place on or effect any taonga or areas of significance that are protected by Treaty settlement arrangements.
 - b. a project will have a substantive and/or ongoing environment impact on any taonga or areas of significance.
 - c. a project will include a consenting arrangement that will require a significant take, or be ongoing for an extended period, in relation to a taonga or area of significance, or in regions where PSGEs have specific planning mechanisms in place.
 - d. PSGEs or other Māori entities have previously strongly contested the project or a similar type of project, particularly where court action has been taken.
 - e. The project is clearly in conflict with or undermines PSGE priorities.
 - f. Engagement would be required to maintain and uphold the Te Tiriti Crown relationship.
5. In limited circumstances where engagement occurs, it has been brief. Where engagement has been undertaken it is reflected in our analysis but should not be taken to mean that our Treaty Partners endorse our advice.