

**IN THE MATTER of  
the Resource Management Act 1991**

**AND**

**IN THE MATTER of  
Hearing of submissions and further  
submissions on the Proposed Te Tai O  
Poutini Plan**

**MINUTE 32 – Directions following the  
Mining and Mineral  
Extraction Hearings**

## INTRODUCTION

1. This Minute follows on from the completion of the Mining and Mineral Extraction Hearings.

### Caucusing

2. It was agreed that further caucusing between independent planning experts would be of benefit, which includes matters for which there was insufficient time to discuss in the original joint expert witness caucusing in early June.
3. The Panel has identified below a list of matters upon which we consider caucusing should take place.

Topic	Detail	Who should be involved
1. Special Purpose Zones: a. National PS 8.3 b. Should there be two zones? c. Do different forms of mineral extraction need to be considered (e.g., coal, alluvial gold vs aggregate). d. Could provisions within the GRUZ and NOSZ work better?	Look into this in more detail following the completion of the s32AA assessment that is indicated in section 4.3 of the JWS.	All Planning Witnesses
2. MINZ Zoning Criteria MINZ-P1	If there is to be a MINZ, what is the appropriate criteria to include in MINZ-P1	All Planning Witnesses
3. BCZ Zoning Criteria BCZ-P1	If there is to be a BCZ, what is the appropriate criteria to include in BCZ-P1 (we note Ms Hunter has already expressed a view on this in the original JWS).	Mr Badham and Ms Hunter
4. Rezoning Requests	What information should be required to justify rezoning requests in the MINZ and BCZ?	All Planning Witnesses
5. Definition of Lawfully Established: a. Grandfathering b. Schedule 9 c. Existing use rights (should they be formalised) d. How to provide for rehabilitation if CMLs and ACMLs expire?	Whether any progress can be made on this definition.	Mr Badham and Ms Hunter
6. BCZ Provisions	Specific session to discuss on the appropriate BCZ provisions.	Mr Badham and Ms Hunter
7. Minimise vs manage vs avoid, remedy or mitigate: a. MINZ-O2 b. OSRZ-P14	What is the appropriate terminology applicable to these provisions and whether this should be	All Planning Witnesses

c. RURZ-O5 d. RURZ-P19 e. RURZ-P21	consistent across all provisions.	
8. Management Plan provisions	Confirming the wording of these provisions and any additions or amendments to Appendix 7.	All Planning Witnesses
9. GRUZ-R12: a. 20,000m <sup>3</sup> b. 250m setback c. Offensive and objectionable dust nuisance d. Is there a need for a farm quarry rule?	The wording and activity status regime for this rule.	All Planning Witnesses
10. Vehicle movement provisions	The appropriate wording and approach for these provisions noting early evidence and assessment undertaken in the Infrastructure / Transport hearing	All Planning Witnesses
11. Provision of other activities in the MINZ: a. Sensitive activities b. Agricultural, pastoral and horticultural activities c. Forestry activities d. Primary production e. Conservation, research and recreation activities	Whether these activities should be provided for within the MINZ, and if so how	All Planning Witnesses
12. Other Matters: a. Prospecting and exploration provisions	Pick up any leftover matters not addressed in the above	All Planning Witnesses

4. The Hearing Panel's expectation is that a further Joint Witness Statement(s) will be produced with areas of agreement and disagreement outlined, including reasons.
5. Following further expert caucusing and the provision of the Joint Witness Statement(s), we direct that Mr Badham provide a written right of reply, including:
  - i. Matters covered in the expert caucusing.
  - ii. Validation of any information received from the Councils on the basis for the various MINZ areas identified within the pTTPP as per Minute 30.
  - iii. Response to specific rezoning requests from submitters and any amendments to the s42A report recommendations.
  - iv. GIS mapping of the MINZ showing the overlays that are proposed to apply over top of it.
  - v. Indigenous biodiversity – whether provisions are needed in the MINZ and BCZ noting that SNAs are only currently mapped for the Grey District (albeit not based on the NPS-IB or RPS criteria) and none have been identified for the Buller or Westland Districts.

- vi. Rehabilitation requirements – noting the comments and feedback on the deletion of “best practice standards”.
- vii. Management of reverse sensitivity in the provisions for sensitive activities establishing within proximity to the MINZ.
- viii. Issues relating to scope with particular changes, including
  - BCZ-P1
  - MINZ-P1
  - GRUZ-R12 – whether a new farm quarry rule can be introduced
- ix. The consistent use of advice notes in the provisions.
- x. Poutini Ngāi Tahu statement on the overlap with SASM and Aotea / Pounamu prospecting.
- xi. Any other minor changes (typos, corrections etc) to the s42A Report since the hearing.
- xii. An updated Appendix 1 and 2 of the s42A Report.

### **Timing**

- 6. While the Hearing Panel does not wish to put a specific timeframe on the further expert caucusing process, we would expect that it could be completed by the end of August. However, we give leave for the planners to seek to extend that period if necessary and to seek further directions if needed.
- 7. It is anticipated the Reporting Officer’s written right of reply would be provided to the Hearing Panel by the end of October.
- 8. The Hearing Panel notes that there may be a need to reconvene the hearing. However, we will make that decision upon receipt of the above information



**Dean Chrystal**

**Independent Commissioner – Chair - on behalf of the Hearing Panel members**

**1 July 2024**