

**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 57 – Mining and Mineral
Extraction Hearings**

INTRODUCTION

1. This Minute addresses matters raised in the Right of Reply by the Reporting Officer on the Mining and Mineral Extraction Hearings and follows on from the directions provided in Minutes 30 and 32.

Minute 30 and 32

2. In Minute 30 we noted the criteria which had been used in the Proposed Te Tai O Poutini Plan (pTTPP) in determining the proposed zoning of sites Mineral Extraction Zone (MINZ) and Buller Coal Zone (BCZ). Those were as follows:
 - Coal mining licences under the Coal Mines Act (1979);
 - Ancillary coal mining licences under the Coal Mines Act (1979); and
 - Resource consents issued under the Resource Management Act (1991).
3. We noted that during the Mineral Extraction Hearing it had become apparent that a number of sites which have been zoned may not meet those criteria and sought the help of the four West Coast Councils in provide the section 42A Reporting Officer Mr Badham with access to information pertaining to licenses and/or resource consents in relation to MINZ and BCZ sites identified in the TTPP to determine whether the criteria were met.
4. In Minute 32 we sought further caucusing between independent planning experts on a number of matters, including what information should be required to justify rezoning requests in the MINZ and BCZ.

Joint Witness Statement

5. In the Joint Witness Statement¹ (JWS) produced by the independent planning experts, they agreed that there needs to be validation of “lawfully established” mineral extraction activities in order to establish, in accordance with the zoning criteria (which are now proposed to form part of policy MINZ-P1), a basis for the spatial extent of each area proposed to be zoned MINZ, and any amendments (e.g., additions, reductions or total deletions) to each area, as sought by submissions.
6. The JWS noted that the BCZ was a separate matter and that Ms Hunter, on behalf of Bathurst Resources Limited, would separately provide information to confirm the current authorisations (or existing use rights) that justify the spatial extent of the BCZ, as sought by Bathurst and that Mr Badham would respond to this in his right of reply.

Right of Reply

7. The Right of Reply² provided by Mr Badham includes in Section 3 a comprehensive review of 24 sites proposed to be zoned either BCZ or MINZ based on the information provided by the four Councils; and on this basis makes a number of recommendations to retain, amend, reduce or delete zoning currently proposed on many of those sites. The extent of changes recommended to the various sites (which are identified in the

¹ Joint Witness Statement of David Badham, Claire Hunter, Mark Lile, Michael McEnaney and Kate McKenzie for the mineral extraction topic – overall JWS #2 dated 20 September 2024

² S42A Author Right of Reply – Mining and Minerals Topic from David Badham dated 2 December 2024

attached Annexure) are shown in the Appendices attached to Mr Badham's Right of Reply.

8. Mr Badham, however notes that there are still significant gaps as it relates to the extent of the MINZ, including in the information provided and expresses the view that a further opportunity for input from submitters may be justifiable given the circumstances, and in the broader interests of fairness.

Submitter Response Sought

9. The Hearing Panel agrees that in the interests of fairness and due process an opportunity to provide further information should be afforded to submitters with interests in those proposed MINZ where amendments, reductions or deletions of zoning have been recommended in Mr Badham's Right of Reply.
10. Further information might include resource consents not referenced in the Appendices, or a Certificate of Compliance or Existing Use Certificates issued under the RMA, or a coal mining licences under the Coal Mines Act (1979) or ancillary coal mining licences under the Coal Mines Act (1979) not referenced in the Appendices.
11. We recommend that any submitters considering the opportunity to provide further information review the relevant MINZ Appendix attached to Mr Badham's Right of Reply in the first instance.
12. To be clear we are only able to receive information from those who have submitted on the TTPP in relation to the sites in Annexure 1.

Timing

13. The Hearing Panel request that any addition information be sent to info@tppp.nz and must be received by 5pm on 14 February 2025.
14. The Hearing Panel notes that there may be a need to reconvene the hearing. However, we will make that decision upon receipt of any further information



Dean Chrystal

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

17 January 2025

Annexure 1

MINZ	RECOMMENDATION
Barrytown Flats MINZ	Amend
Dunganville MINZ	Amend
Inchbonnie MINZ	Delete
Kiwi Quarry MINZ	Delete
Kumara/Greenstone MINZ	Amend
Paparoa Coal Field MINZ	Amend
Stillwater MINZ	Amend
Camelback Quarry MINZ	Amend
Ianthe Forest MINZ	Reduce
Okuru Quarry MINZ	Delete
Rimu Channel MINZ	Reduce
Ross Goldfields MINZ	Reduce
Echo MINZ	Reduce
Giles Creek MINZ	Reduce
Karamea Lime Quarry MINZ	Amend
Karamea Quarry MINZ	Delete
Mai Mai MINZ	Reduce
New Creek MINZ	Reduce or Delete
Snowy River Goldmine MINZ	Reduce or Delete
Te Kuka MINZ	Delete