Response ID ANON-URZ4-5FA8-9

Submitted to Fast-track approval applications
Submitted on 2024-04-19 11:17:03

Submitter details

Is this application for section 2a or 2b?

2A

1 Submitter name

Individual or organisation name:
Trans-Tasman Resources Limited (TTR)

2 Contact person

Contact person name:
Alan J Eggers

3 What is your job title

Job title:
Executive Chairman

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:

PO Box 10 571

Wellington 6143

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

Yes

Organisation:
s 9(2)(a)

Contact person:
s 9(2)(a)

Phone number:
s 9(2)(a)

Email address:
s 9(2)(a)

Job title:
s 9(2)(a)

Please enter your service address:

Physical:

s 9(2)(a)

Postal:

s 9(2)(a)
[redacted]
[redacted]

Section 1: Project location

Site address or location

Add the address or describe the location:

The Project Area is in New Zealand's Exclusive Economic Zone (EEZ). It encompasses approximately 65.76 square kilometres within Mineral Mining Permit (MMP) 55581, located between 22 and 36 kilometres off the coastline of South Taranaki. This is depicted in the attached Project Location figure, and defined by the attached Project Grid References.

File upload:
Project Location figure.pdf was uploaded

Upload file here:
Project Grid References.pdf was uploaded

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

No

upload file:
No file uploaded

Who are the registered legal land owner(s)?

Please write your answer here:

Not Applicable

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:

TTR currently holds MMP 55581 issued under sections 25 and 29A of the Crown Minerals Act 1991 which confers upon TTR the exclusive right to mine for ironsand in the Project Location. The permit was granted for a 20 year term commencing on 2 May 2014. No further legal interest is required for TTR to be able to undertake the project once the requisite marine consents under the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 are granted.

Section 2: Project details

What is the project name?

Please write your answer here:
Taranaki VTM Project

What is the project summary?

Please write your answer here:

TTR has identified and drill-defined a substantial iron sand resource in the EEZ offshore in the South Taranaki Bight (STB).

TTR seeks to undertake iron ore extraction and processing operations to produce an iron ore concentrate for export. A high-value vanadium and titanium by-product is also contained in the iron ore concentrate.

TTR proposes to extract up to 50 million tonnes (Mt) of seabed material per year from the Project Area, to process on board a mining vessel to recover 5Mt per year of naturally-occurring vanadium rich titanomagnetite (VTM) concentrates. The process returns the remainder of the de-ored material (approximately 45Mt pa) to the seabed.

The Taranaki VTM 3.2 billion tonne (Bt) resource contains over 1.6Mt vanadium and 8.5% titanium. Vanadium and titanium have critical mineral status in many countries including EU, USA, Canada, Australia and China.

Planned production of vanadium rich iron ore concentrate from the Project could potentially elevate New Zealand to the third largest vanadium producer globally (10,000t pa) and western world's Number 1 (China 40,000t, Russia 18,000t with South Africa 7,700t and Brazil 5,500t vanadium pa).

What are the project details?

Please write your answer here:

TTR has drill-defined a world class, JORC-Reported, 3.2Bt VTM resource in the STB, including the Project Area. (JORC being the Australasian Code for Reporting of Exploration Results, Mineral Resources and Ore Reserves.)

The purpose of the Project is to extract up to 50 million tonnes of seabed material per year from the Project Area and process that material onboard a purpose-built Integrated Mining Vessel (IMV) to produce VTM concentrates for export.

The depth of seabed excavation will vary according to the natural variability of the deposits, with an average depth of 5m and a maximum depth of 11m. After processing onboard the IMV, approximately 90% of the seabed material will be discharged, in a controlled manner, back into the water column approximately 4m above the seabed.

The objective of the Project is to maximise the extraction of VTM concentrates from the Project Location, subject to suitable environmental controls.

The activities the Project involves, from a regulatory perspective, include placement, movement and removal of structures/equipment on and under the seabed, removal of non-living natural material from the seabed, disturbance of the seabed, causing vibrations (i.e. underwater noise), depositing de-ored sediment back onto the seabed, and discharge of de-ored sediment back into the water column.

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

Please write your answer here:

Once consented, the Project will take 9 to 12 months to complete a bankable feasibility study (BFS) and financing of the US$600 million capex to establish the operation. This will result in a regional spend in the order of $25 million and employment of approximately 35 to 40 personnel and engagement of a range of consultants. All funding for the BFS and the construction, commissioning and production will be privately funded by TTR via a mix of equity and debt with international bespoke resource development investment funds and resource industry merchant banks. No public funding or taxpayer contribution is anticipated, or required, to develop the Taranaki VTM project.

This will be followed by a 2 to 3 year period for construction, commissioning, personnel recruitment, training and pre-commencement environmental monitoring, which is collectively expected to involve in the order of NZ$960M investment.

Based on the expected rate of extraction, and including allowances for non-operational periods (extraction is expected to occur ~72% of the time i.e. approximately 260 days per year, taking account of unfavourable sea conditions, maintenance requirements, downtime and servicing etc), the full VTM resource within MMP 55581 will be extracted in 20 years. There are no pre-defined stages to the extraction. The mining sequence will be determined by a range of factors, including the measures necessary to avoid, mitigate or remedy the environmental effects of the Project, and mine planning based on a comprehensive and ongoing programme of detailed grade-control drilling.

This will be followed by a period of marine monitoring of the recovery of the seabed post-mining, for up to 5 years.

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

Please write your answer here:

Approval is being sought for marine consents under the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 (EEZ Effects Act).

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

Please write your answer here:

No approvals are required under the Resource Management Act for the Project.

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

Please write your answer here:

No applications or notices of requirement have been lodged under the Resource Management Act 1991 for the Project.

Under the EEZ Effects Act, TTR sought and obtained marine consent for the Project from the Environmental Protection Authority (EPA) in 2016-2017. This was subsequently appealed to the High Court, Court of Appeal and Supreme Court, with the result that the EPA's grant of consent was quashed and the EPA was directed to reconsider TTR's application.

TTR withdrew its application in March 2024.

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

No

Please explain your answer here:

Approval for the Project is not required by someone other than TTR.

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

Please write your answer here:

As outlined above:
- 9-12 months to complete the BFS and arrange financing
- 2-3 years for pre-commencement tasks, construction, commissioning and procurement
- 20 years of extraction activity within MMP 55581
- up to 5 years of post-extraction marine monitoring of environmental recovery

Section 3: Consultation

Who are the persons affected by the project?

Please write your answer here:

Relevant local authorities: Taranaki Regional Council, Manawatu-Whanganui Regional Council

Relevant iwi authorities: Te Rūnanga o Ngāti Ruanui Trust, Te Kaahui o Rauru Trust, Te Korowai o Ngāruahine Trust

Relevant Treaty settlement entities: Te Rūnanga o Ngāti Ruanui Trust, Te Kāhui o Rauru Trust, Te Korowai o Ngāruahine Trust

Protected customary rights groups: None

Customary marine title groups: None

Applicant groups under the Marine and Coastal (Takutai Moana) Act 2011: Ngāti Ruanui, Te Kaahui o Rauru Trust, Te Korowai o Ngāruahine Trust

Ngā hapū o Ngāti Porou: None

Any person with a registered interest in land that may need to be acquired under the Public Works Act 1981: None

Other: Kupe Joint Venture Parties New Zealand/Origin Energy, Sanford Limited, Te Ohu Kai Moana Trustee Limited, Department of Conservation, Royal Forest & Bird Protection Society of New Zealand Inc, Greenpeace New Zealand Inc, Taranaki-Whanganui Conservation Board, Kiwis Against Seabed Mining Inc, Cloudy Bay Clams Ltd, Seafood New Zealand Ltd, New Zealand Federation of Commercial Fishermen Inc, Southern Inshore Fisheries Management Co Ltd, Talley's Ltd

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:

Prior to lodging its application in 2016 to the EPA, TTR undertook an extensive and wide-ranging Stakeholder Engagement process including but not limited to all South Taranaki iwi groups, commercial fishing, recreational fishing, diving and boating clubs, charter operators, local authorities and government agencies as summarised in the attached statement of evidence of Tokatumoana Walden from December 2016.

TTR made further attempts to consult with iwi groups during the EPA process in 2016-2017. From TTR's perspective, Ngati Ruanui were unwilling to consult. The EPA's decision in August 2017 to grant the marine consents sought by TTR effectively brought consultation to an end. The subsequent multiple rounds of court appeals from 2017 to 2021, and the initial reconsideration process conducted by the EPA from 2022 to March 2024, were not conducive to further consultation between TTR and those opposing its Project, as the positions of the latter parties had become entrenched.

Despite TTR's consultation efforts, there remain a number of parties who oppose the grant of consents. Key amongst these are the parties who appealed the EPA's 2017 decision, and who remained active participants in the EPA's subsequent reconsideration process (which came to an end when TTR withdrew its application in March 2024), being:
- Greenpeace NZ Inc
- Kiwis Against Seabed Mining Inc
- The Royal Forest and Bird Protection Society of New Zealand Inc
- Seafood New Zealand Limited, New Zealand Federation of Commercial Fishermen Inc, Talley's Limited, Southern Inshore Fisheries Management Company Limited and Cloudy Bay Clams Ltd
- Te Rūnanga o Ngāti Ruanui Trust
- Te Kaahui o Rauru
- Te Ohu Kaimoana
- Taranaki-Whanganui Conservation Board

Despite the opposition expressed by iwi parties, TTR has endeavoured to address some of their concerns through proposed conditions of consent that would require TTR to establish and maintain
- a Kaitiakitanga Reference Group (KRG) with Ngāti Ruanui, Ngaa Rauru Kiitahi and Ngāruahine (and others);
- a Technical Reference Group that includes representatives of Te Tai Hauāuru Regional Fishing Forum, the KRG, and others with specialist expertise in mātauranga māori; and

- a Kaimoana Monitoring Programme to be prepared and implemented following consultation with the KRG.

The purposes of these measures are, among other things: to recognise the kaitikitanga of tangata whenua; to provide for the on-going involvement of tangata whenua in monitoring the effects of the Project; and to provide for kaitiaki responsibilities to be reflected in the monitoring.

The Department of Conservation, whose mandate includes the protection of marine mammals and seabirds, formerly opposed TTR's first application to the EPA in 2013. As a result of TTRL's consultation (prior to lodgement of its 2016 application with the EPA), the Department was satisfied that its concerns would all be addressed by conditions, and so adopted a neutral stance on TTR's 2016 applications.

Likewise, TTR's consultation efforts before and during the 2016-2017 EPA process resulted in agreements with Origin Energy (as operator of the Kupe well head/platform), and with Sanford Ltd (which has fishing and aquaculture interests in the EEZ and CMA, specifically within Fishing Management Area 8, where the Project is located). These agreements were reflected in the conditions of consent imposed by the EPA in 2017 (with TTR's support), and led to Origin adopting a neutral stance towards the Project, and Sanford adopting a supportive stance.

Upload file here:
TTRL Tokatumoana Walden evidence 16 December 2016.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:

Not applicable

Section 4: Iwi authorities and Treaty settlements

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

Please write your answer here:

Ngāti Ruanui Deed of Settlement

This settlement comprises an apology from the Crown, cultural redress and commercial redress. The settlement does not define the seaward extent of the area of interest. Of relevance: there is a Statutory Acknowledgement of the Coastal Marine Area adjoining the area of interest; the settlement provides for protocols to enhance a good working relationship on cultural matters of importance to Ngāti Ruanui, between Ngāti Ruanui and the Ministries of Energy, Fisheries, and Culture and Heritage, and the Department of Conservation; and Ngāti Ruanui will be appointed an Advisory Committee to the Minister of Conservation and Minister of Fisheries to provide advice on the management of fisheries in the Ngāti Ruanui area of interest, including the customary interest of Ngāti Ruanui in those fisheries.

Ngaa Rauru Kiitahi Deed of Settlement

This settlement comprises an agreed historical account and Crown acknowledgements, which form the basis for a Crown Apology to Ngaa Rauru Kiitahi, cultural redress and financial and commercial redress. The settlement does not define the seaward extent of the area of interest. Of relevance: there is a Statutory Acknowledgement of the Coastal Marine Area adjoining the area of interest; the settlement provides for protocols to enhance a good working relationship on cultural matters of importance to Ngaa Rauru Kiitahi, between Ngaa Rauru Kiitahi and the Ministries of Economic Development, Fisheries, Culture and Heritage, and the Department of Conservation; and Ngaa Rauru Kiitahi will be appointed an Advisory Committee to the Minister of Conservation and Minister of Fisheries to provide advice on the management of fisheries in the Ngaa Rauru Kiitahi area of interest, including the customary interest of Ngaa Rauru Kiitahi in those fisheries.

Ngāruahine Deed of Settlement

This settlement comprises an agreed historical account, acknowledgements and apology, cultural redress, financial and commercial redress and relationship redress. The settlement acknowledges the role of Ngāruahine over the coastal marine area adjacent to their area of interest. Settlement provides for protocols to be issued by the Minister for Arts, Culture and Heritage, the Minister for Primary Industries and the Minister of Conservation to set out how relevant government agencies will interact and consult with Ngāruahine. It also provides for Ngāruahine to enter into relationship agreements with the Ministries for the Environment and of Business, Innovation and Employment. The Deed provides for a kaitiaki instrument to be based on Ngāruahine values and principles in relation to natural resources within the kaitiaki area, designed to give presence and visibility to Ngāruahine's relationship with natural resources within their rohe.

Fisheries Settlement

The 1992 Fisheries Settlement gave Māori funds to purchase 50% of Sealord Products Ltd, guaranteed to provide Māori with 20% of the quota for all species brought into the QMS after that time, restructured the Māori Fisheries Commission in the Treaty of Waitangi Fisheries Commission to increase its accountability to Māori and agreed to regulate to allow self-management by Māori of fishing for subsistence and cultural purposes. For 12 years following settlement the Commission facilitated debate among Māori about how the commercial fisheries assets should be allocated. By 2004 96% of iwi agreed the final allocation model should advance into law, which was enshrined in the Māori Fisheries Act 2004. This established Te Ohu Kaimoana to administer, allocate and transfer settlement assets.

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:

There are not yet any relevant protected customary rights within the meaning of the Marine and Coastal Area (Takutai Moana) Act 2011. However, TTR has endeavoured to assess the effects of its Project on relevant iwi, and incorporate measures to address any potential effects on their interests. See the information in Section 3 above regarding consultation and proposed conditions of consent addressing the interests of tangata whenua.

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:

The Project Area and surrounds are one of the best studied shallow exposed shelf marine environments in New Zealand, with a wealth of available information. The adverse effects of the project have been comprehensively examined within the application made to the EPA in 2016, subsequent appeals and the initial work on the EPA's 2021-2024 reconsideration of the Project.

For present purposes the following overview is provided; supplemented by an extract summarising the effects assessment from TTR's 2016 application to the EPA (nb. the latter covers both positive and adverse effects, as well as effects on anthropocentric interests).

Any organisms living within the immediate extraction area will not survive the mining process. However, extraction will not occur over the entire Project Area all at once, but will sequentially and gradually occur within a short distance of the IMV as it slowly traverses the Project Area over the life of the Project. The continuous return of the de-ored sediment to the seabed in real time will result in rapid recolonisation of the benthic ecology and rehabilitation of the seabed as the mineral recovery progresses across the Project Area.

The Project Area and immediately adjacent areas are very exposed, high energy, highly dynamic sandy environments and are thus subjected to frequent episodic disturbances from current, wave, tidal and storm events and river inputs during high rainfall events.

Consequently, the existing benthic community is dominated by short-lived, opportunistic and early-successional or colonisation stages, with a very low abundance of longer lived organisms. This community is well adapted to disturbance, and will recover rapidly (expected to be within weeks to months) once extraction has moved beyond the immediate area.

The most significant effect of the Project is undoubtedly the discharge of natural sediment. Sediment will be removed from the seabed and pumped to the IMV at the surface, where approximately 10% with high VTM concentration is extracted, and the remaining 90% discharged back into the water column in a controlled manner via a discharge pipe, approximately 4m above the seabed. The discharged material is entirely natural and the majority will settle quickly and directly onto the seafloor. A proportion of the finer content will remain suspended in the water for longer and will be carried some distance by currents. The concentration of suspended sediment will decrease with distance, as more and more of the sediment settles on the seafloor. Due to the routine disturbance of this environment by natural causes (waves, storms, tides, currents, seasonal water changes and so on) the natural levels of suspended sediment in the vicinity of the project are quite variable, and frequently much higher than expected from the discharge associated with the Project. Within a relatively short distance (2-3km from the mining discharge) the sediment introduced by the mining activity into the water

column will be indistinguishable from background conditions.

Every potential effect of the sediment discharge on marine life has been considered and peer-reviewed by independent experts, including effects on primary producers (such as phytoplankton); effects on mussels, sponges and other reef fauna; effects on other benthic organisms; effects on fish; effects on marine mammals; and effects on seabirds. In all instances, independent experts have concluded that the effects will not result in material harm. This relies, in part, on conditions (supported by TTR) which will limit both the rate of extraction and the rate of the total discharge, as well as the allowable amounts of “fine” and “ultra-fine” sediment in the discharge. Further the conditions will require TTR to engage experts to run a peer-reviewed sediment plume model and marine monitoring throughout the mining activity to enable the operation to be managed in real time so as to ensure compliance with specified sediment limits at designated monitoring sites.

Other potential effects of the project on the natural environment could arise from the emission of underwater noise, collision with marine mammals, or the effects of night lighting.

Conditions are proposed that require noise to be limited to a specified level (which will be monitored for compliance), and independent experts have assessed that there will be no or negligible effects on marine biota associated with such noise; particularly given the existing levels of noise from other vessels operating in the South Taranaki Bight and the ability of marine species to avoid noise sources.

Collision risk is low due to the slow speed of the mining vessel; but in addition to this, there will be trained observers on board the mining vessel, and strict protocols to prevent mining from starting if marine mammals are present in the vicinity.

As for lighting, the greatest potential for an adverse effect relates to the attraction of seabirds and the possible bird strike that could result. The proposed conditions will manage this (and all other potential effects on seabirds) under a seabird-specific management plan. With those measures in place, it is expected that there will be no material harm to seabirds.

Compliance with conditions will ensure any unanticipated environmental effects will be addressed — including if necessary by ceasing mineral extraction activities pending investigation and remedial action.

Upload file:
Effects Assessment, August 2016.pdf was uploaded

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:

The New Zealand Coastal Policy Statement 2010 (NZCPS) does not apply directly to the Project, as it does not apply to activity undertaken beyond the coastal marine area. Despite this, an assessment has been undertaken whether the Project is consistent with the nature and effect of the NZCPS, including any provisions it contains that are in the nature of environmental bottom lines.

The majority of the provisions in the NZCPS are expressed in language that is less prescriptive than "environmental bottom lines". For example they require specific matters to be 'recognised', 'promoted' or 'taken into account'. The Project is considered to be entirely consistent with all those provisions.

There are four relevant policies in the NZCPS that are expressed in stronger terms: 11, 13, 15, and 23.

Policy 11 concerns the protection of indigenous biological diversity in the coastal environment. The relevant parts of Policy 11(a) require adverse effects on threatened or at-risk taxa to be avoided, so as to protect indigenous biological diversity. The relevant parts of Policy 11(b) require avoidance of significant adverse effects on habitats important to indigenous biodiversity. The potential impacts of the Project on indigenous biological diversity are limited to potential effects on threatened or at-risk marine mammals or seabirds (or the habitats important to them), or potential impacts on benthic ecosystems/habitat. These potential impacts have been assessed by independent marine mammal, seabird and benthic ecology experts, who have concluded that, with conditions as proposed by TTR, the Project will not be inconsistent with Policy 11. Their view is that the only adverse effects on indigenous biological diversity will be so minor or transitory that granting consent would not be inconsistent with Policy 11.

Policy 13 concerns preservation of the natural character of the coastal environment. Where the coastal environment has outstanding natural character, Policy 13(1)(a) requires adverse effects on that character to be avoided; and in all other areas Policy 13(1)(b) requires significant adverse effects on natural character to be avoided. This relates back to the requirement in the opening words of the policy: “To preserve the natural character of the coastal environment and to protect it from inappropriate subdivision, use and development.” There are two relevant areas within the coastal environment identified as having outstanding natural character: “Project Reef” and “North and South Traps”. Potential impacts on these have been assessed by independent experts, who conclude that when the temporal and spatial limits of the impacts are taken into account, as well as the high levels of natural background disturbance, there will be no material impacts on these identified locations, consistent with Policy 13(1)(a). As appropriate, a broader assessment of wider effects on natural character has also been undertaken, and this concludes that the only significant effects on natural character will be in the mining area itself, which is consistent with Policy 13(1)(b).

Policy 15 requires the protection of natural features and natural landscapes from inappropriate subdivision, use and development. To achieve this, Policy 15(a) requires adverse effects on outstanding natural features and outstanding natural landscapes to be avoided; and for all other natural features and natural landscapes Policy 15(b) requires significant adverse effects to be avoided. The only outstanding natural feature that is relevant to consider is the North and South Traps. Independent experts have assessed the potential effects, and concluded that direct adverse effects on the Traps will be avoided, and so will any significant adverse effects on any other natural features and natural landscapes, meaning the Project will be consistent with Policy 15.

Policy 23(1)(d) requires discharges to be managed so as to avoid significant adverse effects on ecosystems and habitats after reasonable mixing. This has been assessed by independent experts, who have taken account of the elevated levels of suspended sediment concentrations in the area that are caused by other (natural and anthropogenic) factors. While the Project will introduce additional suspended sediment to the water column, it will be indistinguishable from background variations within a relatively short distance (2-3km). This is consistent with Policy 23(1)(d).

There are no other national policy statements of relevance. Notably, the National Policy Statement for Indigenous Biodiversity 2023 is predominantly concerned with management of effects in terrestrial planning instruments. It does not apply to the EEZ, and will have no effect in the CMA until or unless its application is extended under a relevant biodiversity strategy or other regional planning instrument.

File upload:
No file uploaded

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:

TTR has been attempting to obtain marine consents for its Project for more than 10 years under normal processes, and those processes enable opponents to endlessly delay the project. This is exemplified by statements made by opponents during the EPA's initial reconsideration of TTR's applications in 2024: regardless of the merits of any decision the EPA might make, opponents stated they would appeal any grant of consent, and would continue appeals to the highest levels available. This means that under normal processes TTR could expect to face many years of continued delay, irrespective of whether the positions of project opponents had any merit.

By contrast, the fast-track process will enable a fresh examination of the effects of the project, place greater emphasis on the significant regional and national benefits of the Project, limit opportunities for merit-less appeals and avoid the excessive and open-ended costs of continuing to pursue consents under the normal processes.

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

Please write your answer here:

Given the extensive work that TTR has already undertaken in support of its previous applications to the EPA (and the partial reconsideration following those applications), TTR is ready to submit a full and comprehensive application under the fast-track process without delay. On this basis, referring this project will be an efficient use of the fast-track process.

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

Not Answered

Please explain your answer here:

Not applicable

Will the project deliver regionally or nationally significant infrastructure?

Not Answered

Please explain your answer here:

Not applicable

Will the project:

Please explain your answer here:

Not applicable

Will the project deliver significant economic benefits?

Yes

Please explain your answer here:

In 2024 at current commodity prices and based on an advance economic prefeasibility study (PFS) TTR estimates the project will:
• raise export receipts of NZ$960 million per annum (US$600M foreign exchange earnings);
• raise Taranaki's GDP by 3-5%;
• create approximately 300 Taranaki-based direct jobs within the project (it is not a fly-in fly-out operation), and an additional estimated 170 jobs in the

wider Taranaki region in logistics, services and supplies;
• generate over 1,660 jobs in total locally, in the region and nation-wide;
• directly spend $250 million per annum on operating, marine research and monitoring: $35 million in the district, $73 million regionally, $133 million nationally, and $14 million offshore.
• generate $70 million per year in Crown Minerals royalties;
• generate $180 million per year in New Zealand government Corporate Tax revenues;
• direct capital investment in local and regional infrastructure, logistic hubs, Port Taranaki and Port of Whanganui and technical training facilities (in Hawera) and offshore processing and support vessels, metallurgical plant and shipping transfer facilities of $960 million over two years.

The entire operation will be centred in Taranaki with head office to be established in New Plymouth (including operations management, vessel masters and crew, procurement, HR, H&S, recruitment, marine monitoring and research, grade control drilling, metal marketing and exports).

Will the project support primary industries, including aquaculture?

No

Please explain your answer here:

The project will have no direct effect, positive or negative, on primary industries.

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

Yes

Please explain your answer here:

The Project will directly utilise a world-class VTM mineral resource that is presently unutilised. Experience gained from the Project may support development of other projects to utilise VTM beyond the Project Area, or other minerals in New Zealand's offshore marine areas including within its extensive exclusive economic zone.

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

Yes

Please explain your answer here:

The Taranaki VTM 3.2Bt iron sand resource contains over 1.6Mt vanadium and 8.5% titanium. Vanadium and titanium have critical mineral status in many countries including EU, USA, Canada, Australia and China.

Iron ore is critical to the clean energy transition, because steel is required in large quantities to manufacture electric cars, build wind turbines, solar farms and new power transmission infrastructure, which the low carbon net zero transition requires.

Vanadium is an essential additive to steel making and now has a growing demand as a battery component being a viable storage solution for large scale renewable power sources in vanadium redox flow batteries (VRFBs).

Research is also progressing on the use of vanadium as cathodes for lithium-ion batteries to combine the best of both technologies creating batteries that charge faster, last longer, are more powerful and safer than existing technologies.

Titanium is widely used in spacecraft, satellites, aircraft, high grade steel alloys in solar and wind technologies, EVs, manufacture of medical instruments and implants, white goods, sunscreen, paper, and electronics.

The Project will help to reduce global greenhouse gas emissions with the lowest CO2 output per tonne of iron ore concentrate globally and for use as primary ore feed in producing ‘green steel’ in electric arc furnaces as is being established at Glenbrook Steel in New Zealand.

Planned production of concentrate from the Project could potentially elevate New Zealand to the third largest vanadium producer globally (10,000t pa) and largest in the western world (China 40,000t, Russia 18,000t with South Africa 7,700t and Brazil 5,500t vanadium pa).

Vanadium's critical mineral status reflects its importance in high grade steel production, wind and solar technology and for utility scale battery technologies to facilitate a global transition to clean energy technologies.

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

No

Please explain your answer here:

The Project will have no direct effect, positive or negative, on adaptation, resilience and recovery from natural hazards.

Will the project address significant environmental issues?

Yes

Please explain your answer here:

Every potential effect of the Project on the environment has been comprehensively evaluated and peer reviewed by independent experts. Collectively, they support the grant of consents, subject to a robust set of over 100 conditions of consent, and an associated suite of comprehensive management and monitoring plans. This reflects that those conditions and plans will in combination ensure that all significant environmental issues associated with the Project are addressed and, in particular, that the Project's discharges will not cause material harm. By these measures the Project's discharges will be regulated so as to protect the environment in accordance with s 10(1)(b) of the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012.

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

Yes

Please explain your answer here:

Local and regional planning documents do not apply directly to the Project Area, as it is beyond the coastal marine area (CMA). However, regional planning documents apply to the CMA, and some effects of the Project will arise in the CMA, in particular the effects associated with the discharge of de-ored sediment, some of which will be carried by natural currents into the CMA before ultimately settling on the seafloor.

For these reasons, the Project has been assessed for consistency with the Regional Policy Statement for Taranaki 2010 ("RPS"), the Regional Coastal Plan for Taranaki 2022 ("RCP"), and the Horizons Regional Council One Plan ("One Plan").

In many respects, these regional instruments guide the management of natural resources in a balanced way, both enabling use and development and managing environmental effects. The Project is consistent with this.

Those policies that are more directive in nature, ie. that resemble environmental bottom lines, have also been considered, such as:
- RPS policies CNC Policy 1, CNC Policy 4, BIO Policy 3, and NFL Policy 1;
- RCP policies 9 and 15; and
- One Plan objective 8-2 and Policy 9-6.

These provisions in effect duplicate, at a regional level, the bottom line policies of the NZCPS, so for similar reasons as addressed above in relation to the NZCPS, the Project is considered consistent with these policies.

Anything else?

Please write your answer here:

There is a vast amount of information available about the Project.

To begin with, the Project and its effects were comprehensively addressed in TTR's 2016 application to the EPA, and over 50 technical/science reports submitted with that application. Those documents are all available on the EPA's website, here:
https://www.epa.govt.nz/database-search/eez-applications/view/EEZ000011?accordion-anchor=Applicants%20proposal%20documents%20-%20Application%20doc

Following a lengthy submissions and hearings process, including eliciting additional independent technical and scientific analyses from a range of parties, the EPA, through a Decision-making Committee (DMC) decided to grant consents for the Project. Its decision, dated August 2017, summarises the submissions and evidence it heard, and sets out 109 conditions of consent (most of which had been either offered by TTR at the outset, or agreed to by TTR in the course of the application). That decision is also available on the EPA's website, here:
https://www.epa.govt.nz/assets/FileAPI/proposal/EEZ000011/Boards-Decision/TTRL_Marine_Consent_Decision_EEZ000011_FINAL_version.pdf

As is well-known, the DMC's decision was subsequently appealed to the High Court, then the Court of Appeal, then the Supreme Court. The end result of these appeals was that the Supreme Court quashed the DMC's decision. It found the DMC had failed to apply the correct tests (avoidance of material harm, and favouring caution and environmental protection) in respect of potential effects on marine mammals, seabirds and sediment discharges; failed to address whether granting consent would be inconsistent with environmental bottom lines in the NZCPS; failed to properly identify and address the effects of the Project on tikanga, and for iwi; and failed to explain why a bond was not required as a condition of consent.

These failings do not represent any shortfall in the information TTR had provided to the DMC. They rather represent deficiencies in the DMC's decision-making (or, more precisely, the record of its decision-making).

However, given the opportunity for a reconsideration of its application by the EPA, TTR re-evaluated its evidence on all these matters, including obtaining updated assessments from all relevant independent experts as to the environmental effects of the Project in relation to marine mammals, seabirds, and sediment discharges. Those updated assessments all confirmed that, with suitable conditions in place, the effects of the Project would meet the applicable legal requirements (avoidance of material harm, and favouring caution and environmental protection). The relevant assessments are all available on the EPA's website here:
https://www.epa.govt.nz/public-consultations/decided/trans-tasman-resources-limited-2023-reconsideration/reports-advice-and-evidence/

Based on the substantial volume of assessments outlined above, TTR considers the Project is suitable for a grant of marine consents in the EEZ. TTR considers the merits of any remaining contest about that outcome are amenable to being tested and determined under the impending Fast-Track process.

Finally, inclusion of the Project in Schedule 2A to the new legislation is in line with the objectives stated in the agreements to form the present coalition Government, which include:

• Explore the potential for a critical minerals list, where such minerals would have a preferential pathway for development once identified;
• Prioritise regional and national projects of significance; and
• Investigate the strategic opportunities in New Zealand's mineral resources, including vanadium, and develop a plan to develop these opportunities.

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 not expected to be affected by climate change or natural hazards, in the sense that it does not include structures or activities expected to be particularly vulnerable to the effects of climate change or natural hazards. It will be exposed to offshore weather events, and is designed to accommodate that exposure; including periods when the sea-state or other conditions preclude mineral extraction.

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:

No compliance and/or enforcement action has been taken against TTR by any entity with enforcement powers under the Acts referred to in the Bill.

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:
Alan J Eggers

Important notes