

Applicant Responses to Relevant Comments from Relevant Iwi Authorities, Treaty Settlement Entities and Customary Marine Title or Customary Rights Groups on the Taranaki VTM Project

This document contains the key comments from the following parties:

- > Te Kāhui o Taranaki Trust;
- > Te Rūnanga o Ngāti Mutunga;
- > Te Ohu Kaimoana;
- > Te Kāhui Maru Trust
- > Ōkahu-Inuāwai me etehi atu Hapu;
- > Ngā Tāngata Tiakio Whanganui;
- > Ngāti Hauā Hapū;
- > Te Rūnanga O Ngāti Ruanui;
- > Kanihi Umutahi me etehi atu hapū;
- > Ngāti Manuhiakai;
- > Te Kaahui o Rauru Trust;
- > Te Tōpuni Kōkōrangī;
- > Te Korowai o Ngāruahine Trust;
- > Araukuuku;
- > Ngāti Tu Hapu; and
- > Ngāti Tū, Ngāti Manuhiakai, Kānihi-umutahi, Ōkahu-Inuāwai and Te Patutokotoko.

Comments from Te Kāhui o Taranaki Trust;

Comment Number	Comment	Applicant Technical Input	Where Addressed in the Application Documents	Response
1	The Fast Track Approvals Act is an assault on the rights and interests of Taranaki iwi and hapū.	Planning	n/a	TTR acknowledge the position of iwi but is using an approval process available to it under New Zealand law.
2	Impacts of the proposal would pose to iwi data collection are significant given the now 10-year-old reports the applicant has provided. This uncertainty affects the ability of iwi and hapū to undertake projects that provide for the species population recovery	Ecology, Sedimentation and Coastal Matters	Supplementary Technical Package: 1-20, 24-27, 39, 41 Attachment 1: Proposed Marine Consent Conditions: 47-64	At present there is wealth of studies about the South Taranaki Bight ecosystem generated by the TTR submitted with the application that add to a body of existing information. If the proposal is approved, pre- and post-commencement monitoring will add substantial new environmental information that TTR will make freely available to all interested parties. This should significantly improve the availability of data that can be used by iwi to monitor environmental parameters and species population recovery and will make the job of data collection for species population recovery by the iwi significantly easier, not harder.
3	Effects of sediment discharges on sensitive marine benthic habitats could be catastrophic.	Ecology, Sedimentation and Coastal Matters	Footnote Index: FN107, FN37, FN 108, FN116, FN153 Attachment 1: Proposed Marine Consent Conditions: 4 – 5	Environmental risks of sediment discharge were assessed in a number of reports. Aquatic Environmental Sciences Ltd (2016) provided TTR a report titled “Trans-Tasman Resources Ltd consent application: Ecological assessments” that compiled information from several other reports to assess the potential effects of mining operations on the ecological values of the STB. MacDiarmid et al. (2015) in a report titled “Assessment of the scale of marine ecological effects of seabed mining in the South Taranaki Bight, NIWA Client Report WLG20015-13, 105 p.” assessed impacts on zooplankton, fish, kai moana, sea birds and marine mammals. Pinkerton and Gall (2015) in their report titled “Optical effects of proposed iron sand mining in the South Taranaki Bight region. NIWA Client Report No: WLG2015-26, prepared for Trans-Tasman Resources Ltd, 79

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			Additional Reference: Cahoon L (2016) Expert evidence of Dr. Lawrence Cahoon on behalf of Trans-Tasman Resources Limited, 9 December 2016.	p.” described the impact of the mining sediment plume on the underwater light environment while Cahoon et al. (2015) in a report titled “Effects on primary production of proposed iron sand-mining in the South Taranaki Bight” detailed the impact on primary production. The effects of the discharge of sediment on primary production were further elaborated by Dr Cahoon in his evidence of 2016 (Expert evidence of Dr. Lawrence Cahoon on behalf of Trans-Tasman Resources Limited, 9 December 2016). Dr MacDiarmid In her 2023 evidence (Expert evidence of Dr Alison MacDiarmid on behalf of Trans Tasman Resources Limited, 19 May 2023) updated the information about the ecological consequential concentrations of suspended sediments on benthic invertebrate fauna. Further, conditions 4 and 5 that will limit mining when pockets of fine sediment are encountered will minimise impacts to the marine environment.
4	The NIWA report ‘Environmental risk assessment of discharges of sediment during prospecting and exploration for seabed minerals’ was not submitted with the substantive application.	Planning	N/A	Earth Sciences NZ (formerly NIWA) undertook specific assessments of the effects of mining derived sediments / discharges from seabed mining and these have supported the application.
5	The NIWA assessments indicates discharge of sediment during exploration and prospecting for minerals has the potential for severe ecological effects on the marine habitat and species with recovery likely to take one or two decades.	Ecology, Sedimentation and Coastal Matters	N/A	The cited report by MacDiarmid et al (2014) “Environmental risk assessment of discharges of sediment during prospecting and exploration for seabed minerals” was undertaken for the Ministry for the Environment. It includes a general and conservative (worst case) assessment of the risks of seabed mining for iron sand off the west coast of North Island and does not take into account the specific information available for the TTR proposal, any proposed mitigation measures or proposed conditions, all of which reduce the impact of mining operations on the environment.
6	Tangaroa-ki-Tai chapter sets out that the capacity and integrity of the aquatic environment, habitats and species should be sustained and enhanced for current and future use, and includes a policy that Taranaki iwi will oppose any activity which degrades the natural balance in the ecosystem.	Planning	Substantive FTA Application: Sections 5.5 - 5.8 Attachment 1 – Proposed Marine Consent Conditions Response Evidence: Evidence of Dr Alison MacDiarmid (Marine Ecology) on behalf of Trans-Tasman Resources Limited in response to comments received 13 October 2025 Evidence of Dr Simon John Childerhouse (Marine Mammals) on behalf of Trans-Tasman Resources Limited in response to comments received 13 October 2025 Evidence of Darran Humpheson (Acoustics) on behalf of Trans-Tasman Resources Limited in response	The effects of the project on the aquatic environment, habitats and species including kaimoana and customary species, are assessed extensively in technical reports in the Supplementary Technical Package and in Section 5.5 to 5.8 of the FTA Application. The majority of effects are considered by TTR’s experts to be minimal, particularly the effects of sediment deposition are minimal due to the dynamic environment of the South Taranaki Bight. NIWA reporting identifies that the recovery of the mined area from the extraction and redeposition activities is expected to commence immediately with the exception of larger, long-lived species which are likely to recover in months to a few years. TTR’s experts have reviewed the submissions and remain of the opinion that the marine consent conditions as proposed will avoid, mitigate or remedy any adverse effects so that the proposal will not result in material harm on the marine environment, habitats and species. In no instances are the effects on the aquatic environment, habitats and species predicted to be significant or to a level that cannot be appropriately addressed through the proposed operational, monitoring and management regime as set out in the proposed consent conditions.



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			to comments received 13 October 2025 Evidence of Dr David Thompson (Avifauna) on behalf of Trans-Tasman Resources Limited in response to comments received 13 October 2025	
7	Oregon State University research has identified STB as home to a population of Blue Whales that use the area for foraging, nursing and breeding.	Marine Mammals	Footnote documents referenced: FN33, FN70 Supplementary Technical Package: 20b, Attachment 1: Proposed Marine Consent Conditions: 10, 36, 47(k),48, 54(l), 55 and 66	While the STB region is an important area for marine mammals, not all of the region is equally important as can be seen from the spatial modelling results (Stephenson et al. 2020; Roberts et al. (2019)). For example, Spatial distribution data and habitat suitability modelling confirms that the offshore part of the STB is an important area for blue whales. These models also confirm that the north-eastern and inshore waters of the STB, including the project area, have a very low probability of presence of blues. These models also confirm that the proposed consent location is highly unlikely to be an area of any special biological significance to blue whales. Furthermore, while the offshore STB is a well-documented and important feeding area for blue whales, it is only one such feeding area that blue whales utilise around New Zealand. This is based on satellite tracking data and also on resighting of individual blue whales from the STB in other places such as the Hauraki Gulf, Kaikoura, Westport, and Greymouth highlighting the large areas over which these whales' range. Given that only a very small fraction of blue whale feeding habitat will be potentially affected, MacDiarmid et al. (2024) concludes that any displacement or impacts on blue whale feeding would be negligible. Heat waves meaning that krill aggregations move further offshore is likely to move them further away from the proposed mining area. There is excellent data available on blue whales within the STB and TTR have used this in robustly assessing potential impacts and setting appropriate Conditions to provide protection.
8	The ability of marine sediments to regulate climate on shorter timescales is less certain. Anthropogenic activities such as dredging and anchoring, seabed mining, and bottom trawling have the potential to release sedimentary organic carbon back into overlying seawater. There is a risk that this carbon is remineralised into CO2 and consequently offsets the oceans absorption efficiency for taking up atmospheric CO2.	Ecology, Sedimentation and Coastal Matters	Footnote documents referenced: FN27	This risk of seabed disturbance releasing carbon trapped in sediments back into seawater and into the atmosphere is low in sediments with low organic content. The investigation by Vopel et al. (2013) [Vopel, K., Robertson J., & Wilson P.S. (2013). Iron sand extraction in South Taranaki Bight: effects on seawater trace metal concentrations. AUT Client report: TTRL 20138, 62 p] found low levels of organic matter (<1% dry weight) in sands from the mining area and found no evidence for increases in this measure with sediment depth.
9	The application has not undertaken a cost benefit analysis, the project benefits will be dependent on commodity prices and extraction of vanadium is not liable to royalties.	Economics	Response Evidence: Leung, C. and Huang, T. (2025). Joint Statement of Evidence of Christina Leung and Ting Huang (Economics) on behalf of Trans Tasman Resources Limited in Response to Comments Received, 13 October 2025,	Refer to NZIER's evidence statement paras 14 to 30 on the scope and approach of NZIER's EIA and assumptions and inputs used. Also refer to paras 35 to 53 of the evidence statement on how NZIER has addressed issues raised around the net economic benefits of the project. In responding to the comment on vanadium is not a mineral explicitly listed in the Crown minerals Act 1991, new permits granted since 24 May 2013 are subject to the Crown Minerals (Royalties for Minerals Other than Petroleum) Regulations 2013, which requires a permit holder to pay royalties with respect to all minerals obtained under the permit
10	Requests updated plume modelling and updated marine mammal evidence.	Planning	Substantive FTA Application: Sections 5.3.2 & 5.8	Updated plume modelling and marine mammal evidence is incorporated into the FTA Application documents as detailed in para 27 of the Memorandum of Counsel for Trans-Tasman Resources in Response to Panel Convener Directions dated 4 August 2025.



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			Supplementary Technical Package: 20d, 20e, 20a, 4b, 4c	
11	Requests a report be prepared on release and remineralisation of organic carbon in the STB.	Ecology, Sedimentation and Coastal Matters	N/A	This is not required as the sands in the PPA contain low levels of organic matter (<1% dry weight) as described in response to submitters comment 8 above.
12	Requests updated economic evidence including cost benefit analysis.	Economics	Response Evidence: Leung, C. and Huang, T. (2025). Joint Statement of Evidence of Christina Leung and Ting Huang (Economics) on behalf of Trans Tasman Resources Limited in Response to Comments Received, 13 October 2025, 35-53 p.	Refer to NZIER Evidence Statement (Appendix J) which addresses issues raised around the net economic benefits of the project, including additional analysis.

Comments from Te Rūnanga o Ngāti Mutunga

Comment Number	Comment	Applicant Technical Input	Where Addressed in the Application Documents	Response
1	The submitter opposes the project based on the inferior quality of information submitted with the application and resultant uncertainty regarding potential adverse economic and environmental impacts.	Planning	Substantive FTA Application: Section 8.2.4 Response Evidence: Evidence of Dr Alison MacDiarmid (Marine Ecology) on behalf of Trans-Tasman Resources Limited in response to comments received 13 October 2025 Evidence of Dr Simon John Childerhouse (Marine Mammals) on behalf of Trans-Tasman Resources Limited in response to comments received 13 October 2025 Evidence of Darran Humpheson (Acoustics) on behalf of Trans-Tasman Resources Limited in response	The necessity of reliance on modelling for certain aspects means the assessments include some uncertainty, but this is to be expected for a project of this scale and location, and does not reduce the reliability of the information. Extensive studies and research have been undertaken by TTR within the STB and at the proposed mining site, identifying the potential adverse effects as described in the substantive application, and the effects conclusions have guided TTR's approach to operations, monitoring and management. TTR's experts have reviewed the submissions and remain of the opinion that the marine consent conditions as proposed will avoid, mitigate or remedy any adverse effects so that the proposal will not result in material harm on the marine environment, habitats and species. As set out in section 8.2.4 of the application, the application is not required to be consistent with the marine management regimes of the New Zealand Coastal Policy Statement (2010) or the Coastal Plan for Taranaki (2023) however is required to consider the objectives and the outcomes sought to be achieved by these regimes. Inconsistency with the regimes cannot, in of itself, be a basis for declining an approval. Regardless, as set out in Appendix 8.5 of the application, the application is not considered inconsistent with the New Zealand Coastal Policy Statement or the Regional Coastal Plan for Taranaki. Despite the localised impacts at the mining site, in no instances are the effects predicted to be significant or to a level that cannot be addressed through adequate monitoring and management, as is included in the proposed marine consent conditions. The economic impacts on fisheries have also been considered in the NZEIR evidence in response to comments received.



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			to comments received 13 October 2025 Evidence of Dr David Thompson (Avifauna) on behalf of Trans-Tasman Resources Limited in response to comments received 13 October 2025 Appendix 8.5: Assessment of relevant statutory planning documents under the Resource Management Act 1991. Evidence Response: Joint Statement of Christina Leung and Ting Huang (Economics) on behalf of Trans-Tasman Resources Limited in response to comments received 13 October 2025’ – para 42 - 48	
2	The Fast Track Approvals Act is an assault on the rights and interests of Ngāti Mutunga.	Planning	N/A	TTR acknowledge the position of iwi but is using an approval process available to it under New Zealand law.
3	The NIWA report ‘Environmental risk assessment of discharges of sediment during prospecting and exploration for seabed minerals’ was not submitted with the substantive application.	Planning	N/A	Earth Sciences NZ (formerly NIWA) undertook specific assessments of the effects of mining derived sediments / discharges from seabed mining and these have supported the application.
4	There are information deficiencies in the 2015 Cetacean Monitoring Report prepared by Martin Cawthorn Associates Ltd.	Marine Mammals	Supplementary Technical Package: 24, 4c	TTR undertook dedicated aerial surveys for marine mammals inside and outside the mining area every 2-3 months for over two years covering over 8,400 km of transects. It only recorded one sighting of common dolphins and 4 sightings of New Zealand fur seals (Cawthorn 2015). While the survey is now quite old, the survey data is still useful for investigating the distribution and presence of marine mammals. The deficiencies in the survey identified by Te Rūnanga o Ngāti Mutunga are incorrect including: (i) a survey height of 500m is international best practice for the survey of small cetaceans (e.g., dolphins), (ii) the survey covered the entire area of the proposed mining operation and (iii) The survey was undertaken using methodology following international standards using experienced personnel (Childerhouse 2023, para 98).
5	There are information deficiencies in the 2015 Zooplankton report prepared by NIWA.	Ecology, Sedimentation and Coastal Matters	N/A	The older information from the 1970s and 1980s about the biological oceanography of the STB, along with the recent report on zooplankton distributions in the STB, in situ and remote oceanographic observations



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				and modelling of the waves and currents by TTR are sufficient to provide the expert panel a clear understanding of the productivity of waters in the STB.
6	Oregon State University research has identified STB as home to a population of Blue Whales that use the area for foraging, nursing and breeding.	Marine Mammals	Footnote documents referenced: FN33, FN70 Supplementary Technical Package: 20b Attachment 1: Proposed Marine Consent Conditions: 10, 36, 47(k), 48, 54(l), 55 and 66	While the STB region is an important area for marine mammals, not all of the region is equally important as can be seen from the spatial modelling results (Stephenson et al. 2020; Roberts et al. (2019)). For example, Spatial distribution data and habitat suitability modelling confirms that the offshore part of the STB is an important area for blue whales. These models also confirm that the north-eastern and inshore waters of the STB, including the project area, have a very low probability of presence of blues. These models also confirm that the proposed consent location is highly unlikely to be an area of any special biological significance to blue whales. Furthermore, while the offshore STB is a well-documented and important feeding area for blue whales, it is only one such feeding area that blue whales utilise around New Zealand. This is based on satellite tracking data and also on resighting of individual blue whales from the STB in other places such as the Hauraki Gulf, Kaikoura, Westport, and Greymouth highlighting the large areas over which these whales' range. Given that only a very small fraction of blue whale feeding habitat will be potentially affected, MacDiarmid et al. (2024) concludes that any displacement or impacts on blue whale feeding would be negligible. Heat waves meaning that krill aggregations move further offshore is likely to move them further away from the proposed mining area. There is excellent data available on blue whales within the STB and TTR have used this in robustly assessing potential impacts and setting appropriate Conditions to provide protection.
7	The application has not undertaken a cost benefit analysis, the project benefits will be dependent on commodity prices and extraction of vanadium is not liable to royalties.	Economics	Response Evidence: Leung, C. and Huang, T. (2025). Joint Statement of Evidence of Christina Leung and Ting Huang (Economics) on behalf of Trans Tasman Resources Limited in Response to Comments Received, 13 October 2025, 14-30, and 35-53 p.	Refer to NZIER Joint Statement of Evidence on the scope and approach of NZIER's EIA and assumptions and inputs used. Also refer to of the evidence statement on how NZIER has addressed issues raised around the net economic benefits of the project. In responding to the comment on vanadium is not a mineral explicitly listed in the Crown Minerals Act 1991, new permits granted since 24 May 2013 are subject to the Crown Minerals (Royalties for Minerals Other than Petroleum) Regulations 2013, which requires a permit holder to pay royalties with respect to all minerals obtained under the permit.
8	The proposed activities have the potential to release sedimentary organic carbon into the overlying seawater which would impact the climate regulation abilities of the area.	Ecology, Sedimentation and Coastal Matters	Footnote documents referenced: FN27	This risk of seabed disturbance releasing carbon trapped in sediments back into seawater and into the atmosphere is low in sediments with low organic content. The investigation by Vopel et al. (2013) [Vopel, K., Robertson J., & Wilson P.S. (2013). Iron sand extraction in South Taranaki Bight: effects on seawater trace metal concentrations. AUT Client report: TTRL 20138, 62 p] found low levels of organic matter (<1% dry weight) in sands from the mining area and found no evidence for increases in this measure with sediment depth.
9	Requests updated plume modelling and updated marine mammal evidence.	Planning	Substantive FTA Application: Sections 5.3.2 & 5.8 Supplementary Technical Package: 20d, 20e, 20a, 4b, 4c.	Updated plume modelling and marine mammal evidence is incorporated into the FTA application documents as detailed in para 27 of the Memorandum of Counsel for Trans-Tasman Resources in Response to Panel Convener Directions dated 4 August 2025.
10	Requests a report be prepared on release and remineralisation of organic carbon in the STB.	Ecology, Sedimentation and Coastal Matters	Footnote documents referenced: FN27	This is not required as the sands in the PPA contain low levels of organic matter (<1% dry weight) as described in response to submitters comment 8 above.
11	Requests updated economic evidence including cost benefit analysis.	Economics	Response Evidence: Leung, C. and Huang, T.	Refer to Joint Evidence Statement (Appendix J) on how NZIER has addressed issues raised around the net economic benefits of the project, including additional analysis.



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			(2025). Joint Statement of Evidence of Christina Leung and Ting Huang (Economics) on behalf of Trans Tasman Resources Limited in Response to Comments Received, 13 October 2025, 35-53 p.	

Comments from Te Ohu Kaimoana

Comment Number	Comment	Applicant Technical Input	Where Addressed in the Application Documents	Response
1	The sediment plume create by the Project could impact the ecosystems and habitats in the STB.	Ecology, Sedimentation and Coastal Matters	Substantive FTA Application: Sections 5.3 - 5.8 Attachment 1: Proposed Marine Consent Conditions Response Evidence: Evidence of Dr Alison MacDiarmid (Marine Ecology) on behalf of Trans-Tasman Resources Limited in response to comments received 13 October 2025 Evidence of Dr Simon John Childerhouse (Marine Mammals) on behalf of Trans-Tasman Resources Limited in response to comments received 13 October 2025 Evidence of Dr David Thompson (Avifauna) on behalf of Trans-Tasman Resources Limited in response to comments received 13 October 2025	The potential effects of the sediment plume and management of those effects on water quality, ecology, fauna, and coastal processes have been assessed extensively in the technical reports in the Supplementary Technical Package and in section 5.3 - 5.8 of the substantive FTA Application. TTR's experts have reviewed the submissions and remain of the opinion that the marine consent conditions as proposed will avoid, mitigate or remedy any adverse effects of the sediment plume so that the proposal will not result in material harm on the marine environment, habitats and species. In no instances are the effects predicted to be significant or to a level that cannot be addressed through adequate monitoring and management, as is included in the proposed marine consent conditions.
2	The application contains uncertainties regarding the long-term impacts of the sediment plume on the environment and primary production.	Ecology, Sedimentation and Coastal Matters	Response Evidence: Evidence of Dr Alison MacDiarmid (Marine Ecology) on behalf of Trans-Tasman	The necessity of reliance on modelling for certain aspects means the assessments include some uncertainty, but this is to be expected for a project of this scale and location, and does not reduce the reliability of the information.



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			Resources Limited in response to comments received 13 October 2025' Substantive FTA Application: Section 5	Extensive studies and research have been undertaken at the site identifying the potential adverse effects as described in the substantive application, and the effects of uncertainty have guided TTR's approach to monitoring and management. Despite the uncertainty, in no instances are the effects predicted to be significant or to a level that cannot be addressed through adequate monitoring and management negating the uncertainty, as is included in the proposed marine consent conditions.
3	Customary non-commercial data present in the 2024 NIWA report cannot be considered representative of customary non-commercial fishing in the STB.	Ecology, Sedimentation and Coastal Matters	Supplementary Technical Package: 17 Footnote documents referenced: FN96	While customary fishing in the NIWA report referred to by this submitter (MacDiarmid, A., MacGibbon, D., Anderson, O. (2024). South Taranaki Bight fishing: 1 October 2007 – 30 September 2023, NIWA Client Report 2024053WN, 37 p.) is restricted to only those data held by Fisheries New Zealand, a previous report (Report 17_NIWA Assessment of the scale of marine effects Report FINAL September 2015.pdf) provides assessments of the impacts of the proposed mining activities on 20 commercial/ recreational/ customary fish species and 39 kai moana species in the STB identified as taonga by Ngati Ruanui, taking into account known information about their distribution, feeding and spawning. While this list is perhaps not exhaustive, it is comprehensive and provides an adequate basis on which to assess impact on species of interest to hapu and iwi.
4	Section 7 of the FTA requires decision-makers to act consistently with obligations arising under Treaty settlements, and the risk of disruption to pātaka and customary species will lead to a breach of Section 7.	Legal	Response Submission: Slyfield, M. (2025). Legal Submission on behalf of Trans Tasman Resources in Response to Comments Received, October 2025. Response Evidence: Eggers, A. (2025). Statement of Evidence of Aan Eggers (Corporate) on behalf of Trans Tasman Resources Limited in Response to Comments Received, 13 October 2025.	Refer to Legal Submission Appendix A – Alan Eggers Statement of Evidence regarding treaty matters and tikanga.
5	Sediment plume and habitat disruption will directly impact iwi fishing operations impacting their commercial and Treaty rights.	Planning	Response Submission: Slyfield, M. (2025). Legal Submission on behalf of Trans Tasman Resources in Response to Comments Received, October 2025. Response Evidence: Eggers, A. (2025). Statement of Evidence of Aan Eggers (Corporate) on behalf of Trans Tasman Resources Limited in Response to Comments Received, 13 October 2025.	The effects of the project on commercial fishing are assessed extensively in the NIWA technical reports in the Supplementary Technical Package and in Section 5.13.2 of the FTA Application. The NIWA technical reports conclude that the project is unlikely to have negative impacts on commercial fishing. Suspended sediment levels may result in short-term displacement of species but is unlikely to result in material harm on species abundance. The project is unlikely to affect the abundance of commercially fished species in the area and unlikely to have any effect on near shore populations of fish and shellfish species. Further, as laid out in the 2025 evidence response of A MacDiarmid, the overall number of fishing events in the project area is very low and will result in a very low scale of potential displacement as a result of any exclusion zones around project vessels.



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			Substantive FTA Application: Section 5.13.2 Attachment 1: Proposed Marine Consent Conditions: Conditions 77 & 86 Supplementary Technical Package: 10, 10a,10b,10c, 17, 18, 25 Evidence Response: Evidence of Alison MacDiarmid (Marine Ecology) (2025)	As such, regardless of any perceived undervaluation, the value of the fishery will not be affected as the project is unlikely to have negative effects on commercial fishing. Condition 86 will ensure ongoing communication with commercial fishers is maintained as to the mining programme for the duration of the project. Condition 77 will require the preparation and implementation of a Kaimoana Monitoring Programme that will assist to manage impacts on customary fishing. The objective of the plan is ‘ is to provide for the monitoring of species important to customary needs, including from customary fishing grounds around the site, of Māori who have a relationship to the site’ Refer to Legal Submission Appendix A – Alan Eggers Statement of Evidence regarding treaty matters and tikanga.
6	Ngāti Rārua and Marlborough Iwi Aquaculture Organisations may be impacted by the application and have not been consulted.	Legal (Cultural)		

Comments from Te Kāhui Maru Trust

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1	The application poses a risk to various marine mammal ecosystems.	Marine Mammals	Substantive FTA Application: Sections 5.3, 5.4, 5.5 and 5.8 Supplementary Technical Package: 4c Attachment 1: Proposed Marine Consent Conditions: 11,12,35,36,47(k)-51, 54(l), 55 and 66	TTR have undertaken a detailed risk and impact assessment for the proposed activity including looking at potential impacts on ecosystems (Sections 5.3, 5.4 and 5.5 of the Application) and marine mammals (Section 5.8 of the Application). The assessment includes careful and detailed consideration of potential impacts of a range of issues, including underwater noise and sediment plume. Childerhouse (2023, para 3) notes that spatial, distribution, and habitat suitability modelling confirms that the offshore areas of the STB, including the proposed consent area, are highly unlikely to be suitable habitat for Māui dolphins, are areas where Māui dolphins will be found very rarely and, if they are present, are likely to be in very low numbers. These same data confirm that the offshore part of the STB is an important area for blue whales and that the north-eastern and inshore waters of the STB, including the proposed consent area, have a very low probability of presence. Furthermore, the proposed mining activity location is highly unlikely to be an area of any special biological significance to any marine mammal species. The overall conclusion of that assessment was that the activity poses little or no risk to marine mammals once a range of mitigation actions (detailed in Consent Conditions) are undertaken.
2	The application has previously been rejected by the High Court, Court of Appeal and the Supreme Court.	Legal	N/A	Irrelevant – this is an application under a different statutory regime. Past decisions, made under a different statutory regime, are not binding on the present Panel, and their legal precedent value varies with context. The ToW provision in the FTAA is materially different from the ToW provision in the EEZ Act.

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3	The FTA process has excluded iwi and hapū from meaningful engagement and overrides consideration of tikanga Māori in the decision-making process.	Legal (Cultural)	Response Evidence: Leung, C. and Huang, T. (2025). Joint Statement of Evidence of Christina Leung and Ting Huang (Economics) on behalf of Trans Tasman Resources Limited in Response to Comments Received, 13 October 2025, 14-22 and 35-53 p.	Refer to Appendix J – NZIER Joint Evidence Statement on the scope and approach of NZIER’s EIA and how they have addressed issues raised around the net economic benefits of the project, including additional analysis.
4	The application would devastate traditional fishing grounds through sediment plume, habitat destruction and noise generation.	Ecology, Sedimentation and Coastal Matters	Substantive FTA Application: Section 5.8	TTR have undertaken a detailed risk and impact assessment for the proposed activity including looking at potential impacts of underwater noise on marine mammals (Section 5.8 of the Application). The assessment includes careful and detailed consideration of potential noise impacts including noise levels generated by the activity, the potential ranges over which hearing injuries and behavioural disturbance many occur. The overall conclusion of that assessment was that the activity poses little or no risk to marine mammals once a range of mitigation actions including setting a maximum underwater noise level and other protective mechanisms (detailed in Consent Conditions) are undertaken.
5	The sediment plumes risk smothering benthic habitats and kaimoana species.	Ecology, Sedimentation and Coastal Matters	Response Evidence: Evidence of Dr Alison MacDiarmid (Marine Ecology) on behalf of Trans-Tasman Resources Limited in response to comments received 13 October 2025’	Refer to ‘Evidence of Dr Alison MacDiarmid (Marine Ecology) on behalf of Trans-Tasman Resources Limited in response to comments received 13 October 2025’
6	Customary catch data in the area shows consistent harvesting since 2006.	Ecology, Sedimentation and Coastal Matters	Response Evidence: Evidence of Dr Alison MacDiarmid (Marine Ecology) on behalf of Trans-Tasman Resources Limited in response to comments received 13 October 2025’	Refer to ‘Evidence of Dr Alison MacDiarmid (Marine Ecology) on behalf of Trans-Tasman Resources Limited in response to comments received 13 October 2025’
7	Alternative offshore wind development should be considered as an alternative in the area.	Planning / Legal	N/A	There is no legal basis under the FTAA to consider hypothetical future projects. There is likewise no requirement to consider the Offshore Renewable Energy Bill.
8	Majority of high-value roles and construction jobs created by the project will be offshore.	Economic	Response Evidence: Leung, C. and Huang, T. (2025). Joint Statement of Evidence of Christina Leung and Ting Huang (Economics) on behalf of Trans Tasman Resources Limited in Response to Comments Received, 13 October 2025, 23-27 p.	Refer to Appendix J – NZIER Joint Evidence Statement for commentary on inputs from TTR for planned expenditure and correlating employment forecasts.

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9	Tax and royalty benefits will be minimal.	Economic	Response Evidence: Leung, C. and Huang, T. (2025). Joint Statement of Evidence of Christina Leung and Ting Huang (Economics) on behalf of Trans Tasman Resources Limited in Response to Comments Received, 13 October 2025, 23-27 p.	NZIER's calculation of royalties and taxes are based on TTRL's projections of the project output and cash flows, which have already accounted for depreciation. In calculating the royalties, we followed the requirement under the Crown Minerals (Royalties for Minerals Other than Petroleum) Regulations 2013. Refer to Appendix J – NZIER Joint Evidence Statement for inputs and assumptions used.
10	TTR is 100% Australian owned.	Economic	N/A	We have been informed that currently 30% of TTRL's shareholding is New Zealand. It is not appropriate for NZIER to comment on where profits generated from STB iron sand mining will go to.
11	Benefits to local business from the application will be limited compared to 'other industries'.	Economic	Response Evidence: Leung, C. and Huang, T. (2025). Joint Statement of Evidence of Christina Leung and Ting Huang (Economics) on behalf of Trans Tasman Resources Limited in Response to Comments Received, 13 October 2025, 14-15 p. Attachment 2: NZIER economic impact assessment, Section 2.2.	In the NZEIR EIA report, we build on the Stats NZ Input-Output model to develop our regional input-output model. For each industry, we calculated a location quotient for the region and the local economies affected by the project, to identify concentration of the industry in those areas, relative to the national economy. This means that the model used in the EIA already captures the structure of the local economy of the South Taranaki and Whanganui areas, hence those local industries supporting the mining operation.

Comments from Ōkahu-Inuāwai me etehi atu Hapu;

Comment Number	Comment	Applicant Technical Input	Where Addressed in the Application Documents	Response
1	The submitter was not approached by TTR for engagement.	Planning	N/A	TTR has undertaken pre-lodgement consultation in accordance with section 29(1)(a) of the FTA and section 39(1)(d) of the EEZ Act. Ōkahu-Inuāwai Claim for Customary Rights Order is not located within the mining plume influence area, and therefore they were not approached for pre-consultation.
2	Risk of biohazards and pathogens entering the water. Impact of sediment plumes on species. Impact on seabirds, in particular titi.	Seabirds	Supplementary Technical Package: 8a, 8c	For the reasons set out in my Statement of Evidence dated 19 May 2023 (paragraphs 31-32) and my Statement of Rebuttal Evidence dated 23 January 2024 (paragraph 16) it is my opinion that seabirds, including titi that forage over relatively large areas, being very much larger than the area affected by the mining-derived sediment plume, will not be impacted by the proposed activity.
3	The proposal will bring no economic benefits to the region or nationally.	Economics	Response Evidence: Leung, C. and Huang, T. (2025). Joint Statement of Evidence of Christina Leung and Ting Huang (Economics)	Disagree. The proposal will bring a range of economic benefits.



Comment Number	Comment	Applicant Technical Input	Where Addressed in the Application Documents	Response
			on behalf of Trans Tasman Resources Limited in Response to Comments Received, 13 October 2025	Refer to ‘Leung, C. and Huang, T. (2025). Joint Statement of Evidence of Christina Leung and Ting Huang (Economics) on behalf of Trans Tasman Resources Limited in Response to Comments Received, 13 October 2025, 35-53 p.’
4	An ao Māori approach should be taken by the application to operate under tikanga and provide for kaitiakitanga.	Planning	Substantive FTA Application: Section 5.13.1.4 Attachment 1: Proposed Marine Consent Conditions: Conditions 72 - 80	As described in section 5.13.1.4 of the application, TTR has proposed specific tangata whenua focused consent conditions (proposed consent Conditions 72 - 80) be included in any marine consent granted for the project. The focus of these conditions is on the ‘physical’ aspects of the cultural impacts of the project, TTR considers that the proposed consent conditions also are a way of indirectly providing for the ‘intangible’ or ‘metaphysical’ cultural impacts (e.g. provision for the kaitiakitanga and effects on mauri) associated with the project.
5	Potential for irreversible and destructive effects on the marine environment and species.	Ecology, Sedimentation and Coastal Matters	Response Evidence: Evidence of Dr Alison MacDiarmid (Marine Ecology) on behalf of Trans-Tasman Resources Limited in response to comments received 13 October 2025’	Refer to ‘Evidence of Dr Alison MacDiarmid (Marine Ecology) on behalf of Trans-Tasman Resources Limited in response to comments received 13 October 2025’

Comments from Ngā Tangata Tiakio Whanganui

Comment Number	Comment	Applicant Technical Input	Where Addressed in the Application Documents	Response
1	Opposes the application as the proposal will affect the mouri of Tangaroa, have adverse implications for the fishing rights and commercial interests of the submitter and TTR has failed to establish enduring relationships with relevant mana whenua.	Legal	Response Submission: Slyfield, M. (2025). Legal Submission on behalf of Trans Tasman Resources in Response to Comments Received, October 2025. Response Evidence: Eggers, A. (2025). Statement of Evidence of Aan Eggers (Corporate) on behalf of Trans Tasman Resources Limited in Response to Comments Received, 13 October 2025.	Refer to Legal Submission Appendix A – Alan Eggers Statement of Evidence regarding treaty matters and tikanga.
2	The environmental effects of the sediment plume on the marine environment are unknown.	Ecology, Sedimentation and Coastal Matters	Footnote documents referenced: FN27	This risk of seabed disturbance releasing carbon trapped in sediments back into seawater and into the atmosphere is low in sediments with low organic content. The investigation by Vopel et al. (2013) [Vopel, K., Robertson J., & Wilson P.S. (2013). Iron sand extraction in South Taranaki Bight: effects on seawater trace metal concentrations. AUT Client report: TTRL 20138, 62 p] found low levels of organic matter (<1% dry weight) in sands from the mining area and found no evidence for increases in this measure with sediment depth.

Comments from Ngāti Hāua Hapū

Comment Number	Comment	Applicant Technical Input	Where Addressed in the Application Documents	Response
1	Activities that involve discharge of sediment and chemicals must be proven to have no material harm to the marine environment.	TTR/Siecap	Attachment 1 Proposed Marine Consent Conditions Final Conditions 47-48 and 51. Response Evidence: MacDiarmid, A. (2025). Expert Evidence of Alison MacDiarmid on Behalf of Trans Tasman Resources Limited.	The proposed conditions include a requirement under proposed Condition 54 that following the completion of the pre-commencement monitoring required by proposed Conditions 47 and 48 and the review of the SSC Limits required by Condition 51, the Consent Holder must undertake monitoring of suspended sediment concentrations. Refer to MacDiarmid Expert Evidence 2025 – Impacts on rocky reefs.
2	The material provided in the application is not adequate to identify all potential adverse effects on the environment and fisheries, and the proposed conditions are not sufficient to manage said effects.	Ecology, Sedimentation and Coastal Matters	Response Evidence: Evidence of Dr Alison MacDiarmid (Marine Ecology) on behalf of Trans-Tasman Resources Limited in response to comments received 13 October 2025’	Refer to ‘Evidence of Dr Alison MacDiarmid (Marine Ecology) on behalf of Trans-Tasman Resources Limited in response to comments received 13 October 2025’
3	The proposed consent conditions to undertake future modelling constitutes a material deficiency in the information package of the application.	Planning	N/A	The information requirements for the application are set out in section 43 of the FTA and section 39 of the EEZ Act. TTR considers that the information submitted in the application and accompanying materials constitutes the best available information, being the information that, in the particular circumstances, is available without unreasonable cost, effort, or time. Extensive studies and research have been undertaken by TTR within the STB and at the proposed mining site identifying the potential adverse effects as described in the substantive application, and the effects conclusions have guided TTR’s approach to operations, monitoring and management. The necessity of reliance on modelling for certain aspects means the assessments include some uncertainty, but this is to be expected for a project of this scale and location, and does not reduce the reliability of the information. It is noted the conditions relating to future modelling requirements require the validation of said modelling to ensure the modelling is robust.
4	The economic benefits may not be of regional or national significance and will not outweigh the costs of the application.	Economics	Attachment 2: NZIER economic impact assessment, Sections 3.1 and 3.2. Response Evidence: Leung, C. and Huang, T. (2025). Joint Statement of Evidence of Christina Leung and Ting Huang (Economics) on behalf of Trans Tasman Resources Limited in Response to	The regional input-output model used NZIER’s EIA was built on the Stats NZ Input-Output table, and in developing the model, we overlaid with the relative concentration of each industry in the local and regional economies affected by the project. This methodology allows our model to reflect the structure of the local, regional and national economies, which provides sound estimates of the flow-on economic impact from the project’s mining operation to the affected economies. Although those jobs directly involved in the mining operation could require a specific set of skills, but the EIA also includes indirect impacts on supporting industries, and from that, induced impacts on the local and regional economics as a result of people working in the supporting industries increasing their consumption given increased earnings.

Comment Number	Comment	Applicant Technical Input	Where Addressed in the Application Documents	Response
			Comments Received, 13 October 2025, 14-16 p.	
5	A protective bond condition should be required in the event of any approval, to ensure decommissioning and environmental clean-up of the project are assured.	Planning	Substantive FTA Application: Section 8.3.19 Attachment 1: Proposed Marine Consent Conditions: Conditions 107 and 108	Proposed consent conditions 107 and 108 will address this by requiring the <u>Consent Holder</u> to maintain public liability insurance for a sum not less than NZ\$500,000,000.00. As per section 8.3.19 , a bond is not considered to be necessary in relation to the performance of any conditions during the operational period of extraction, as during that period the EPA has the ability to take compliance action in respect of any performance failure, including the ability to require extraction to cease. Further, if any unforeseen risks were to arise during the operational period of extraction, then these would constitute unplanned events, which would be covered by TTR's proposed insurance.
6	TTR has not addressed deficiencies identified in Supreme Court Decision, significant uncertainty with regard to impacts on the environment remain, the project is inconsistent with the environmental bottom lines of the EEZ Act and NZCPS.	Legal	N/A	This application is made under a different statutory regime, requiring different tests and therefore different information to support those tests. The findings of the Supreme Court in relation to information deficiencies involve mixed questions of fact and law which are not binding on the current Panel. The current Panel must make a fresh assessment of the sufficiency of the information in the application based on the evidence now available, which differs from the material available to the Supreme Court. Under the FTAA the environmental bottom line provisions of the EEZ Act and NZCPS do not apply as bottom lines.

Comments from Te Rūnanga O Ngāti Ruanui

Comment Number	Comment	Applicant Technical Input	Where Addressed in the Application Documents	Response
0	Proposed conditions, such as the creation of a Kaitiakitanga Reference Group, would not remedy the adverse effects of the activity on the environment and on the existing interests of Ngāti Ruanui. As Haimona Maruera says in his affidavit: “We could be part of a Kaitiakitanga Reference Group. But the Group would just be involved in monitoring the effects on the environment. We would get a closer look at how much damage to the environment has already occurred, but we wouldn’t be able to stop it. That isn’t kaitiakitanga. It doesn’t address any of the actual effects that harm our moana and breach our tikanga. As the DMC minority said at [177], ... these conditions do not avoid, remedy or mitigate potential adverse effects on the existing interests of tangata whenua. They merely enable tangata whenua to participate in monitoring effects. Again, this is about monitoring for information purposes, not for effectively addressing potential adverse effects”.	Cultural	Substantive FTA Application: Sections 5.13.1.4 and 7.2.2	TTR continues to acknowledge concerns raised by Te Rūnanga o Ngāti Ruanui. TTR’s attempts to consult with tangata whenua parties had mixed success and were unsuccessful in relation to Te Rūnanga o Ngāti Ruanui, the recognised mandated representative body for Ngāti Ruanui on environmental matters. Section 7.2.2 of the Substantive Application report provides a detailed summary of TTR’s genuine attempts to engage constructively with Ngāti Ruanui over many years. Based on guidance from other tangata whenua parties with regard to the cultural impacts of the project, TTR proposes tangata whenua-focused consent conditions (e.g., conditions 72 – 80). To the best of its ability, TTR has sought to ensure that the Kaitiakitanga Reference Group and Kaimoana Monitoring Programme required by the conditions are meaningful vehicles for the exercise of kaitiakitanga. While TTR accepts that the focus of these conditions is on the ‘physical’ aspects of the cultural impacts of the project, it considers that the proposed consent conditions also are a way of indirectly providing for the ‘intangible’ or ‘metaphysical’ cultural impacts (e.g. effects on mauri) associated with the project.
Affidavit of Graham Young				

Comment Number	Comment	Applicant Technical Input	Where Addressed in the Application Documents	Response
1	Disagrees with the characterization of the engagement between TTR and the submitter within the application.	TTR	N/A	TTR provided Ngāti Ruanui with a suite of project information that described the project that consent was being requested and included the results of various technical reports and assessments. At the time, TTR required parties to sign a Confidentiality Agreement as the detailed technical and scientific reports contained information that TTR wanted to protect. Where parties were not prepared to sign this agreement, the sensitive information was not released. In April 2013 TTR paid Ngāti Ruanui \$16,369.10 to assess the EPA application for a marine consent and then a total of \$63,377.65 over four payments in 2013 and 2014 in good faith for Ngāti Ruanui to prepare a CIA. Ngāti Ruanui has not provided the CIA to date. At no stage, did Ngāti Ruanui say it would not prepare the CIA or the reasons for this. When TTR decided to drop its appeal to the High Court on the EPA declining the company's first environmental application in late 2104 and re-apply with a new application. Ms Debbie Ngarewa-Packer agreed (18 February 2015) to prepare the Cultural Impact Statement (CIS) for TTR's second application to EPA provided TTR paid their legal costs associated with dealing with TTR's 2014 appeal to High Court. On 19 February 2015 TTR paid Ngāti Ruanui's legal costs of \$7,518.79 to Ocean Law in Nelson. TTR was only able to meet with Ngāti Ruanui on one occasion leading up to the 2016 application, which was in September 2015. The meeting concluded with an agreement that Ngāti Ruanui would complete a CIA which TTR would contribute costs toward. In an email to TTR from then Ngāti Ruanui CEO Debbie Packer in February 2015, Ms Packer states: "Thank you for the email we appreciate that your understood our concerns this goes a long way to developing a great relationship. Our chairperson Haimona Maruera has asked that I pass on his respect and acknowledgement of the spirit intended. Thank you." TTR had no choice but to look elsewhere for a CIS to support its application as Ngāti Ruanui failed to provide a CIA. In January 2016 TTR had a long call with Ms Packer. During the call Ms Packer stated that TTR had failed to address their questions or respond to Mr Young's concerns. Despite this, at the conclusion of the call, it was agreed that Ngāti Ruanui would send TTR a list of its unanswered questions, and advise when it would be able to complete a CIA. For its part, TTR agreed to pay legal costs associated with dealing with TTR's 2014 appeal to the High Court for Ngāti Ruanui to prepare the CIA. In February 2016 TTR paid an additional \$7,518.79 to Ocean Law in Nelson. Ngāti Ruanui never sent the list of questions and never have not provided at CIA to date. TTR sent Ngāti Ruanui a letter in January 2025 advising of its intention to submit an application to gain the consents required for its Taranaki VTM project under the FTAA, summarising its engagement and Ngāti Ruanui's position. TTR has not received a response from Ngāti Ruanui on this. TTR submitted its FTAA application in April 2025. TTR has consistently offered the opportunity to meet with Ngāti Ruanui, have Ngāti Ruanui voices heard, provide expert technical and scientific evidence and reports to Ngāti Ruanui, and consider the points raised by Ngāti Ruanui. It is fair to say that in recent years there has not been much consultation between TTR and Ngāti Ruanui. This is largely because of a break-down in communication between the parties. TTR has genuinely sought to engage with Ngāti Ruanui. Its efforts to meet, provide information and procure a CIA have been lengthy and exhaustive. The fact that TTR never received a CIA or that Ngāti Ruanui believes it never received sufficient information to provide a CIA do not detract from this.



Comment Number	Comment	Applicant Technical Input	Where Addressed in the Application Documents	Response
				TTR requested a meeting with Ngāti Ruanui and met with Ngāti Ruanui in Hawera on 9 September 2025. TTR went into the meeting with an open mind and a willingness to understand Ngāti Ruanui's position and concerns, particularly in relation to cultural concerns. The meeting was constructive and there was agreement following for TTR to provide extra information (including project management conditions, details of interactions and payments about sourcing a CIA, and agreement for TTR's lawyers to co-operate and share information with Ngāti Ruanui's better and vice versa). TTR provided and enabled this. On its part, Ngāti Ruanui had agreed to provide a process for consultation between the parties going forward. TTR is still waiting to receive this.

Comments from Kanihi Umutahi me Ētehi atu hapū

Comment Number	Comment	Applicant Technical Input	Where Addressed in the Application Documents	Response
1	- Kanihi Umutahi was not consulted on the application, which undermines their mana moana and kaitiakitanga. - The applicant's reports are outdated and lack cultural impact assessments, failing to address the hapū's interests and values. - Key concerns include sediment plumes, underwater noise impacts on marine life, cumulative effects on ecosystems, and greenhouse gas emissions from proposed activities. - The application does not recognize the hapū's ability to impose rāhui or other kaitiaki functions in response to adverse effects.	Legal	Response Submission: Slyfield, M. (2025). Legal Submission on behalf of Trans Tasman Resources in Response to Comments Received, October 2025. Response Evidence: Eggers, A. (2025). Statement of Evidence of Aan Eggers (Corporate) on behalf of Trans Tasman Resources Limited in Response to Comments Received, 13 October 2025.	Refer to Legal Submission and 2-1 Appendix A – Alan Eggers Statement of Evidence regarding treaty matters and tikanga.

Comments from Ngāti Manuhiakai

Comment Number	Comment	Applicant Technical Input	Where Addressed in the Application Documents	Response
1	Ngāti Manuhiakai emphasizes the importance of holistic health, encompassing spiritual, familial, mental, and physical well-being.	Legal	Response Submission: Slyfield, M. (2025). Legal Submission on behalf of Trans Tasman Resources in	Refer to Legal Submission and 2-1 Appendix A – Alan Eggers Statement of Evidence regarding treaty matters and tikanga.

Comment Number	Comment	Applicant Technical Input	Where Addressed in the Application Documents	Response
	- They are concerned about the degradation of marine species and habitats, including native fauna and flora, and the overall health of coastal waters and seabed. - The potential impacts of noise and sediment from the proposed project pose significant risks to their taonga species and cultural practices. - Ngāti Manuhiakai opposes the project, aligning with the views of other hapū, and expresses willingness to elaborate further in person.		Response to Comments Received, October 2025. Response Evidence: Eggers, A. (2025). Statement of Evidence of Aan Eggers (Corporate) on behalf of Trans Tasman Resources Limited in Response to Comments Received, 13 October 2025.	

Comments from Te Kaahui o Rauru Trust

Comment Number	Comment	Applicant Technical Input	Where Addressed in the Application Documents	Response
1	- Ngaa Rauru Kiitahi has a longstanding relationship with the moana, which is considered a taonga (treasure). - The Trust rejects the application due to concerns over significant adverse effects on the marine environment. - Key concerns include sediment plume impacts, effects on marine species and habitats, and the use of heavy equipment. - The Trust emphasizes the need for undisputed evidence of no harm before proceeding with such projects. - Ngaa Rauru Kiitahi is a pre-migration iwi descending from the ancestor Rauru. - The iwi encompasses twelve marae and has historical ties to the land and sea. - The Trust acts as the post-settlement governance entity and represents the iwi in various capacities. - The Trust is committed to revitalizing Ngaa Raurutanga, which encompasses cultural values and responsibilities. - Ngaa Raurutanga encompasses values, rights, and responsibilities recognized by the Treaty of Waitangi. - The iwi practices kaitiakitanga, matauranga, and respect for the sacredness of the environment. - The Crown recognizes the importance of these values in enabling Ngaa Rauru Kiitahi to practice their customs. - The statement reinforces the connection between the iwi and their ancestral lands and waters. - The Deed of Recognition mandates consultation with Ngaa Rauru Kiitahi regarding activities in statutory areas	Legal	Response Submission: Slyfield, M. (2025). Legal Submission on behalf of Trans Tasman Resources in Response to Comments Received, October 2025. Response Evidence: Eggers, A. (2025). Statement of Evidence of Alan Eggers (Corporate) on behalf of Trans Tasman Resources Limited in Response to Comments Received, 13 October 2025.	Refer to Legal Submission and 2-1 Appendix A – Alan Eggers Statement of Evidence regarding treaty matters and tikanga.

Comment Number	Comment	Applicant Technical Input	Where Addressed in the Application Documents	Response
	- The Deed of Recognition mandates consultation with Ngaa Rauru Kiitahi regarding activities in statutory areas - Concerns include sediment plumes affecting marine ecosystems and habitats. - The use of heavy equipment and artificial light may harm marine species. - The application lacks sufficient information to demonstrate that adverse effects can be mitigated. - The Applicant's engagement with Ngaa Rauru Kiitahi has been deemed inadequate and unmeaningful. - The Applicant's engagement with Ngaa Rauru Kiitahi has been deemed inadequate and unmeaningful. - The perceived economic benefits of the mining activity are considered negligible compared to the environmental risks. - The lack of genuine engagement and consideration for Ngaa Rauru Kiitahi's interests raises significant concerns. - The recommendation is for the application to be declined to protect cultural and environmental integrity.			Refer to Legal Submission and 2-1 Appendix A – Alan Eggers Statement of Evidence regarding treaty matters and tikanga.

Comments from Te Tōpuni Kōkōrangī

Comment Number	Comment	Applicant Technical Input	Where Addressed in the Application Documents	Response
1	- Te Tōpuni Kōkōrangī asserts that the iron sands are inherently linked to Te Kāhui Tupua and that the project documentation fails to address the Te Kāhui Tupua Act, creating an information gap. - Concerns are raised that the proposed removal of iron sands contradicts the principles of the Te Kāhui Tupua Act and the collective redress agreement. - Te Tōpuni Kōkōrangī supports Ngā Iwi o Taranaki's position and requests a hearing for more detailed commentary on the application.	Legal	Response Submission: Slyfield, M. (2025). Legal Submission on behalf of Trans Tasman Resources in Response to Comments Received Response Evidence: Eggers, A. (2025). Statement of Evidence of Aan Eggers (Corporate) on behalf of Trans Tasman Resources Limited in Response to Comments Received, 13 October 2025.	Refer to Legal Submission and 2-1 Appendix A – Alan Eggers Statement of Evidence regarding treaty matters and tikanga.



Comments from Te Korowai o Ngāruahine Trust

Comment Number	Comment	Applicant Technical Input	Where Addressed in the Application Documents	Response
1	Requests the Expert Panel issue an immediate stay of proceedings under section 67 of the FTA.	Legal	Response Submission: Slyfield, M. (2025). Legal Submission on behalf of Trans Tasman Resources in Response to Comments Received, October 2025. Response Evidence: Eggers, A. (2025). Statement of Evidence of Aan Eggers (Corporate) on behalf of Trans Tasman Resources Limited in Response to Comments Received, 13 October 2025.	Refer to Legal Submission and 2-1 Appendix A – Alan Eggers Statement of Evidence regarding treaty matters and tikanga.
2	Requests the Expert Panel decline the application due to failure to meet the benefit test under section 3 FTAA, section 43(1)(b)(i) and section 81.	Legal	Response Submission: Slyfield, M. (2025). Legal Submission on behalf of Trans Tasman Resources in Response to Comments Received, October 2025. Response Evidence: Eggers, A. (2025). Statement of Evidence of Aan Eggers (Corporate) on behalf of Trans Tasman Resources Limited in Response to Comments Received, 13 October 2025.	Refer to Legal Submission and 2-1 Appendix A – Alan Eggers Statement of Evidence regarding treaty matters and tikanga.
3	Requests the Expert Panel decline the application under section 85(1) of the FTA due to a breach of Treaty obligations.	Legal	Response Submission: Slyfield, M. (2025). Legal Submission on behalf of Trans Tasman Resources in Response to Comments Received, October 2025. Response Evidence: Eggers, A. (2025). Statement of Evidence of Aan Eggers (Corporate) on behalf of Trans Tasman Resources Limited in Response to Comments Received, 13 October 2025.	Refer to Legal Submission and 2-1 Appendix A – Alan Eggers Statement of Evidence regarding treaty matters and tikanga.
4	Requests the Expert Panel decline the application due to failure to meet legal tests under section 85(3) of the RMA and under the EEZ Act, and	Legal	Response Submission: Slyfield, M. (2025). Legal Submission on behalf of Trans	Refer to Legal Submission and 2-1 Appendix A – Alan Eggers Statement of Evidence regarding treaty matters and tikanga.

Comment Number	Comment	Applicant Technical Input	Where Addressed in the Application Documents	Response
	inability to impose conditions which complies with sections 83 and 84 of the FTA.		Tasman Resources in Response to Comments Received, October 2025. Response Evidence: Eggers, A. (2025). Statement of Evidence of Aan Eggers (Corporate) on behalf of Trans Tasman Resources Limited in Response to Comments Received, 13 October 2025.	
5	Submitter has consistently opposed the fast-track process and considers the FTA a breach of the Treaty of Waitangi and UN international law on Rights of Indigenous Peoples.	Legal	Response Submission: Slyfield, M. (2025). Legal Submission on behalf of Trans Tasman Resources in Response to Comments Received, October 2025. Response Evidence: Eggers, A. (2025). Statement of Evidence of Aan Eggers (Corporate) on behalf of Trans Tasman Resources Limited in Response to Comments Received, 13 October 2025.	Refer to Legal Submission and 2-1 Appendix A – Alan Eggers Statement of Evidence regarding treaty matters and tikanga.
6	Requests the Expert Panel issue an immediate stay of proceedings under section 67 of the FTA due to perceived failure to consult with relevant iwi authorities and undertake pre-lodgement engagement.	Legal	Response Submission: Slyfield, M. (2025). Legal Submission on behalf of Trans Tasman Resources in Response to Comments Received, October 2025. Response Evidence: Eggers, A. (2025). Statement of Evidence of Aan Eggers (Corporate) on behalf of Trans Tasman Resources Limited in Response to Comments Received, 13 October 2025.	Refer to Legal Submission and 2-1 Appendix A – Alan Eggers Statement of Evidence regarding treaty matters and tikanga.
7	The applicant has failed to undertake meaningful pre-lodgement engagement with the submitter.	Consultation	N/A	TTR met the requirements of the FTAA by consulting with relevant iwi, including Te Korowai o Ngāruahine, by way of sending a letter of engagement on 29 January 2025. TTR did not receive a response from Te Korowai o Ngāruahine on this. TTR has attempted to engage with Te Korowai o Ngāruahine Trust several times, including during 2025. TTR sent the Trust a letter on 29 January to which it did not respond. In June TTR emailed South Taranaki District Councillor and Trust member Te Aroha Hohaia asking if she would assist TTR in engaging with Te Korowai o Ngāruahine Trust. Ms Hohaia responded saying she would follow-up with Ngāruahine



Comment Number	Comment	Applicant Technical Input	Where Addressed in the Application Documents	Response
				tumuwharae and requested TTR's management plans. TTR sent the management plans and heard nothing further back from Ms Hohaia or the Trust. On 15 August 2025 TTR sent Te Korowai o Ngāruahine Trust another letter asking to meet and discuss how TTR can address the cultural and environmental concerns it had. Trust Pouwhakarae Emma Gardiner responded on 21 August acknowledging the letter and that she hoped to get back to us in the next week. Ms Gardiner then wrote to TTR on 1 October offering to meet in October in Hawera, adding that the hui alone would not constitute adequate engagement but an initial touchpoint to outline what authentic and comprehensive engagement will look like. TTR supports this approach and hopes to meet with the Trust later this month.
8	The application fails to meet legal tests regarding the benefit of the application. A net assessment approach must be applied and the adverse ecological, cultural, spiritual and economic effects of the application will outweigh the benefits.	Legal	Response Submission: Slyfield, M. (2025). Legal Submission on behalf of Trans Tasman Resources in Response to Comments Received, October 2025. Response Evidence: Eggers, A. (2025). Statement of Evidence of Aan Eggers (Corporate) on behalf of Trans Tasman Resources Limited in Response to Comments Received, 13 October 2025.	Refer to Legal Submission and 2-1 Appendix A – Alan Eggers Statement of Evidence regarding treaty matters and tikanga.
9	Judicial recognition of tikanga must be undertaken as part of the application.	Legal	Response Submission: Slyfield, M. (2025). Legal Submission on behalf of Trans Tasman Resources in Response to Comments Received, October 2025. Response Evidence: Eggers, A. (2025). Statement of Evidence of Aan Eggers (Corporate) on behalf of Trans Tasman Resources Limited in Response to Comments Received, 13 October 2025.	Refer to Legal Submission and 2-1 Appendix A – Alan Eggers Statement of Evidence regarding treaty matters and tikanga.

Comments from Araukuuku

Comment Number	Comment	Applicant Technical Input	Where Addressed in the Application Documents	Response
1	The hapū has a deep relationship with the moana, relying on and managing taonga species such as snapper, koura, and tohorā through traditional practices.	Legal, Consultation	Response Submission: Slyfield, M. (2025). Legal Submission on behalf of Trans	Refer to Legal Submission and 2-1 Appendix A – Alan Eggers Statement of Evidence regarding treaty matters and tikanga.



Comment Number	Comment	Applicant Technical Input	Where Addressed in the Application Documents	Response
	- Concerns are raised about the mining application's lack of consultation with Araukuuku, outdated reports, and insufficient information on the impacts of noise, sediment drift, and emissions on taonga species and their habitats. - Araukuuku opposes the application entirely, aligning with the positions of Te Rūnanga o Ngāti Ruanui, Te Kaahui o Rauru, and Te Korowai o Ngāruahine		Tasman Resources in Response to Comments Received, October 2025.	

Comments from Ngāti Tū Hapū

Comment Number	Comment	Applicant Technical Input	Where Addressed in the Application Documents	Response
1	- Ngāti Tū has traditionally fished and collected kaimoana, but has observed a decline in taonga species due to overfishing. - A rāhui has been established to protect these species, and the hapū is working with other Ngāruahine hapū to enforce it. - Concerns include the impact of the project's sediment plume and noise on local marine life, particularly the Blue Whale population, and the lack of communication from the applicant. - Ngāti Tū opposes the application, citing insufficient understanding of environmental impacts and economic benefits. - The applicant has not adequately addressed potential CO2 emissions or conducted a comprehensive Life Cycle Analysis. - The hapū supports other iwi in opposing the application and urges the Panel to adopt a precautionary approach due to the uncertainties involved.	Legal (Cultural)	Response Submission: Slyfield, M. (2025). Legal Submission on behalf of Trans Tasman Resources in Response to Comments Received, October 2025. Response Evidence: Eggers, A. (2025). Statement of Evidence of Aan Eggers (Corporate) on behalf of Trans Tasman Resources Limited in Response to Comments Received, 13 October 2025.	Refer to Legal Submission and 2-1 Appendix A – Alan Eggers Statement of Evidence regarding treaty matters and tikanga.

Comments from Ngāti Tū, Ngāti Manuhiakai, Kānihi-umutahi, Ōkahu-Inuāwai, Te Patutokotoko

Comment Number	Comment	Applicant Technical Input	Where Addressed in the Application Documents	Response
1	The submitters stress the necessity of robust environmental assessments before granting consent. - Concerns exist regarding the applicant's delay in conducting pre-commencement monitoring. - Insufficient information is available for the Panel to make an informed decision. - The precautionary principle should be applied due to uncertainties in the current information. - The New Zealand Coastal Policy Statement (NZCPS) is crucial in evaluating the application and its environmental impacts. - The NZCPS serves as a marine management regime that must be considered under the EEZ Act. - Previous Supreme Court rulings highlighted the need to assess the proposal's consistency with environmental bottom lines established by the NZCPS. - The DMC must address any inconsistencies with the NZCPS when considering the application.	Legal (Cultural)	Response Submission: Slyfield, M. (2025). Legal Submission on behalf of Trans Tasman Resources in Response to Comments Received, October 2025. Response Evidence: Eggers, A. (2025). Statement of Evidence of Aan Eggers (Corporate) on behalf of Trans Tasman Resources Limited in Response to Comments Received, 13 October 2025.	Refer to Legal Submission and 2-1 Appendix A – Alan Eggers Statement of Evidence regarding treaty matters and tikanga.



Comment Number	Comment	Applicant Technical Input	Where Addressed in the Application Documents	Response
	- The previous Decision-Making Committee (DMC) identified significant adverse effects from TTRL's activities. - The DMC found severe effects on seabed life within 2-3 km of the project area and moderate effects up to 15 km away. - Significant adverse effects on macroalgae and microphytobenthos were also noted. - TTRL has not adequately addressed these findings in its current application - Environmental bottom lines set by the NZCPS and RMA must be considered in the FTAA decision-making process. - Failure to meet these bottom lines could indicate that adverse impacts are significant enough to outweigh the project's benefits. - A robust understanding of both benefits and adverse impacts is essential for informed decision-making.			
2	No economic benefits to whanau, hapu and iwi of the submitter. None of the jobs will benefit the region, and no regional or national benefit from the project	Economics	Attachment 2: NZIER economic impact assessment, Section 2.2. Response Evidence: Leung, C. and Huang, T. (2025). Joint Statement of Evidence of Christina Leung and Ting Huang (Economics) on behalf of Trans Tasman Resources Limited in Response to Comments Received, 13 October 2025, 14-30 p.	The regional input-output model used Attachment 2 of the FTA Substantive Application was built on the Stats NZ Input-Output table, and in developing the model, we overlaid with the relative concentration of each industry in the local and regional economies affected by the project. This methodology allows our model to reflect the structure of the local, regional and national economies, which provides sound estimates of the flow-on economic impact from the project's mining operation to the affected economies. Although those jobs directly involved in the mining operation could require a specific set of skills, but the EIA also includes indirect impacts on supporting industries, and from that, induced impacts on the local and regional economics as a result of people working in the supporting industries increasing their consumption given increased earnings. It is not appropriate for NZIER to comment on where the profit from the project's mining operation will go to. Also refer to Section 2.2 of Attachment 2 FTA Substantive Application and Appendix J - NZIER's Joint Evidence Statement.