

Addendum 1 – Assessment of new and updated National Direction Instruments, 23 January 2026

1 Introduction

Following the filing of Taharoa Ironsands Limited's substantive application with the Environmental Protection Authority (EPA) for the Central and Southern Block Mining Project on 5 December 2025 (Substantive Application Report), a number of national direction instruments under the Resource Management Act 1991 (RMA) were updated. These updates came into force on 15 January 2026. A new National Policy Statement for Infrastructure (NPS-I) was also issued and came into force on the same date.

Many of the updates introduce an 'operational need' requirement alongside an existing 'functional need' requirement with respect to the need for an activity to occur in the location proposed. These terms are defined in the New Zealand National Planning Standards 2019 (updated 2022) as follows:

Functional need means the need for a proposal or activity to traverse, locate or operate in a particular environment because the activity can only occur in that environment.

Operational need means the need for a proposal or activity to traverse, locate or operate in a particular environment because of technical, logistical or operational characteristics or constraints.

This document forms an addendum to the Substantive Application Report filed with the EPA in respect of Taharoa Ironsands Limited's (TIL) substantive application for the Central and Southern Blocks Mining Project (Substantive Application Report). It provides an assessment of the updated and new national direction provisions, where these are relevant to TIL's application. It does not comment on updated and new national direction provisions where are not relevant to TIL's application.

2 Resource Management (National Environmental Standards for Freshwater) 2020 (NES-F)

The NES-F has been amended by the Resource Management (National Environmental Standards for Freshwater) Amendment Regulations 2025. These regulations amend Regulation 45D(6)(b) of the NES-F relating to the extraction of minerals to include consideration of 'operational need'. Amended Regulation 45D(6) is assessed in Table 2.1 in full below and should be considered alongside the assessment of the NES-F within the Substantive Application Report.

Table 2.1: NES-F Assessment

Proposed activity	Regulation reference / description	Comment
Works within or close to a natural inland wetland.	Regulation 45D(6) – A resource consent for a discretionary activity under this regulation must not be granted unless the consent authority has first— (a) satisfied itself that the extraction of the minerals will provide significant national or regional benefits; and	The requirements of Regulation 45(D)(6) are met by the application. The extraction of ironsand will provide significant national and regional benefits as outlined in section 2.2 and Appendix C of the Substantive Application Report.

Proposed activity	Regulation reference / description	Comment
	(b) satisfied itself that there is a functional need or operational need for the extraction of minerals and ancillary activities in that location; and (c) applied the effects management hierarchy.	<p>The functional need test is met. Ironsand mining is inherently required at the location of the resource/deposit, which in this case, is within the coastal environment where wetlands may be present.</p> <p>Additionally, there is an operational need for the extraction of minerals in this location. The mine is well-established in this location having been in operation since the 1970's. There is considerable supporting infrastructure already in place which TIL has made a significant investment in, including plant, pipelines, ship loading facilities and administrative buildings, which are all essential to the operation of the Mine. Therefore, there are technical, logistical and operational considerations which support the need for the activity in the locality.</p> <p>The effects management hierarchy has been applied as outlined in section 8.1.11 and Appendix K of the Substantive Application Report.</p>

3 National Policy Statement for Freshwater Management (NPS-FM)

The National Policy Statement for Freshwater Management Amendment 2025 amends Clause 3.22(1)(e)(iii) of the NPS-FM, relating to the loss of extent of natural inland wetlands, to include consideration of 'operational need'. Amended clause 3.22(1)(e)(iii) is assessed in Table 3.1 below and should be considered alongside the assessment of the NES-FM within the Substantive Application Report.

Table 3.1: NPS-FM Assessment

Topic	Policy/Clause	Assessment
Natural inland wetlands	Clause 3.22(1)(e)(iii) The regional council is satisfied that:	The requirements of clause 3.22(1)(e)(iii) are met by the application.

Topic	Policy/Clause	Assessment
	There is a functional need or operational need for the activity to be done in that location.	<p>Functional need has been assessed in Table 8.3 in the Substantive Application Report, and it is assessed that there is a functional need for the ironsand mineral extraction to be in this location.</p> <p>It is also considered that there is an operational need for the mineral extraction to be in this location for the reasons outlined in Table 2.1 above.</p>

4 National Policy Statement for Indigenous Biodiversity (NPS-IB)

Clause 3.10(2) of the NPS-IB requires the avoidance of certain adverse effects on Significant Natural Areas (SNAs). Clause 3.11 provides a number of exceptions to Clause 3.10(2), which recognise the benefits of mining. The National Policy Statement for Indigenous Biodiversity Amendment 2025 amends clause 3.11(1)(a)(ii) and (iii) to:

- replace the term 'mineral extraction' with 'the extraction of minerals and ancillary activities' (Clause 3.11(1)(a)(ii));
- remove the requirement for the 'extraction of minerals and ancillary activities' affecting an SNA to provide a 'public' benefit (Clause 3.11(1)(a)(ii) and (iii));
- include consideration of 'regional' benefits to the exception for 'extraction of minerals and ancillary activities' (Clause 3.11(1)(a)(ii); and
- delete the requirement 'that could not otherwise be achieved using resources within New Zealand' (Clause 3.11(1)(a)(ii) and (iii)).

The adverse effects listed in Clause 3.10(2) will be avoided as a result of the Central and Southern Blocks Mining Project due to the measures proposed as outlined in sections 8.1 and 8.5 of the Substantive Application Report. Therefore, the exceptions in Clause 3.11 are not relied on to support the application and the amendments to clause 3.11 are not relevant.

However, we note that if the adverse effects in 3.10(2) were considered to arise, the amended exceptions in Clause 3.11 would be met because:

- The extraction of the ironsand mineral and the ancillary activities will provide significant national and regional benefits as outlined in section 2.2 and Appendix C of the Substantive Application Report (Clause 3.11(1)(a)(ii).
- There is a functional and operational need for the mine to be in the proposed location as outlined in Table 2.1 of this Addendum Report (Clause 3.11(1)(b)).
- There are no practical alternative locations as outlined in Table 2.1 of this Addendum Report (Clause 3.11(1)(c)).

5 New Zealand Coastal Policy Statement (NZCPS)

The New Zealand Coastal Policy Statement Amendment 2025 amends Policy 6 of the NZCPS.

The amendments to Policy 6 of the NZCPS more strongly enable the use and development of the coastal environment for resource extraction (amongst other activities) for the well-being of people and communities and to meet the needs of current and future generations. The amendments are described and assessed in Table 5.1 below and should be considered alongside the assessment of the NZCPS within the Substantive Application Report.

Table 5.1: NZCPS Assessment

Topic	Policy/Clause	Assessment
Social, economic and cultural well-being of people and communities	<p>Policy 6: Activities in the coastal Environment:</p> <p>Policy 6(1)(a)</p> <p>Policy 6(2)</p> <p>Policy 6(3)</p> <p>Policy 6(1)(a) has been amended to recognise that the extraction of minerals is an activity that may be required for (rather than is important to) the social, economic and cultural well-being of people and communities.</p> <p>Policy 6(2)(c) has been amended through the inclusion of policy 6(3) to include recognition that infrastructure may have an operational need or functional need to be located in the coastal marine area.</p>	<p>Policies 6(1)(a), 6(2) and 6(3) are met by the application.</p> <p>In respect of policy 6(1)(a), the on-going operation of the Mine is required for the social, economic and cultural well-being of the people and community of Taharoa and the wider region due to the provision of employment, economic growth, and associated community services, as outlined in section 8.1.3 of the Substantive Application Report.</p> <p>In respect of policy 6(2)(c), the Port of Taharoa has an operational need to be located in the coastal marine area as the extracted iron resource is transported from the site for export via ship and there is no practicable alternative means of transporting the product. This is outlined in section 8.3.4, Table 8.4 of the Substantive Application Report.</p>

6 National Policy Statement for Infrastructure 2025 (NPS-I)

The NPS-I is a new National Policy Statement which recognises infrastructure as nationally significant and provides national direction to support the development, maintenance and upgrade of infrastructure across New Zealand. The NPS-I seeks to enable infrastructure to grow the economy, support new housing development, increase energy efficiency and improve resilience while ensuring environmental impacts are appropriately managed. The NPS-I applies to all decisions made under the RMA affecting the operation, maintenance, renewal and upgrade of existing infrastructure, and to the development of new infrastructure.

Infrastructure as defined in the RMA, includes facilities for the loading or unloading of cargo or passengers carried by sea. The NPS-I therefore applies to TIL's ship-loading facilities which includes a pipeline for shiploading that extends into the coastal marine area, and a single buoy mooring (port infrastructure). Parts of these facilities, which are within the coastal marine area, fall within the Port of Taharoa (as set out in section 1.1 of the Substantive Application Report- hereby referred to as the

'shiploading infrastructure'). TIL's ship-loading facilities are essential for the export of the ironsand ore product to the overseas market.

The relevant provisions of the NPS-I are assessed in Table 6.1 below. Overall the application is considered to be consistent with the NPS-I.

Table 6.1: NPS-I Assessment

Topic	Policy/Clause	Assessment
Providing for the benefits of infrastructure	<p>Objective 2.1(1)(a) and (b) Policy 1</p> <p>Decision makers must ensure that the national, regional or local benefits of infrastructure, relative to any localised adverse effects on the environment, are recognised and provided for (Policy 1(1)).</p> <p>Decision-makers must recognise that the benefits of infrastructure include (relevantly) providing for the social, cultural and economic wellbeing of present and future generations; (Policy 1(2)(a)).</p> <p>Decision-makers must also recognise the significant risks to, and impacts on, public safety, the wellbeing of people and communities, and the environment that may occur when infrastructure services are compromised (Policy 1(3)).</p>	<p>TIL's shiploading infrastructure is part of the overall Mine infrastructure. The Mine relies on the shiploading infrastructure for the transportation and export of all mined materials. Without this infrastructure, facilitating the export of the ironsand ore, the Mine would be unable to operate and generate the significant regional and national benefits as outlined in section 2.2 and Appendix C of the Substantive Application Report.</p> <p>As the ship-loading infrastructure is integral to the operation of the Mine, which provides significant regional and national benefits, it is essential for social, cultural and economic well-being of present and future generations. These benefits are set out in detail in sections 2.2, 3.2, 8.1.3 and 8.1.18 and Appendix C of the Substantive Application Report.</p> <p>If the shiploading infrastructure were not in place the entire mining operation would be compromised which would impact the well-being of the Taharoa community, the wider region and have flow on national effects, as outlined above.</p>
Operational and functional need	<p>Objective 2.1(1)(e) Policy 2</p> <p>These clauses provide that decision-makers must recognise that infrastructure may have</p>	<p>TIL's shiploading infrastructure has both a functional and operational need to locate within the coastal marine area. The shiploading infrastructure is an integral part of the Mine which has a functional and operational need to be located at the site of the resource/deposit as outlined in Table 2.1 of this Addendum.</p>

Topic	Policy/Clause	Assessment
	<p>an operational need or functional need to operate in, be located in, or traverse particular locations and environments (Policy 2(1)).</p> <p>Decision-makers must recognise that the operational need or functional need of infrastructure (relevantly) includes but is not limited to the need to access or connect to particular natural or physical resources (Policy 2(2)(c)).</p>	<p>The extracted ironsand resource is transported from the site for export directly via ship. There is no practical alternative means of transporting the product. Therefore, the infrastructure must be situated adjacent to and within the coastal marine area, where vessels can safely moor and load. This is consistent with amended Policy 2(2)(c), as the shiploading infrastructure must connect to the natural resource being exported and to the physical environment necessary for that export.</p>
<p>Recognising and providing for Māori interests</p>	<p>Objective 2.1(1)(a) and (b) Policy 6</p> <p>Decision makers must recognise and provide for Māori interests in relation to infrastructure activities including by taking into account the outcome of any engagement with tangata whenua (Policy 6(1)(a)) and recognise the opportunities tangata whenua may have in developing and operating their own infrastructure at any scale or in partnership (Policy 6(1)(b)).</p>	<p>As outlined in section 3.2.2 of the Substantive Application Report, the site is owned by Taharoa C Block Incorporated (Taharoa C), a Māori incorporation incorporated by the Māori Land Court under the Māori Affairs Amendment Act 1967 representing over 2,000 shareholders and landowners.</p> <p>The beneficiaries of Taharoa C are predominantly comprised of Ngāti Mahuta hapū members, and they receive royalties and dividends from the Mine. The Mine also provides employment opportunities for local Ngāti Mahuta. .</p> <p>Taharoa C supports TIL's application – it has provided its written consent for the project to be undertaken on its land and its written approval to the resource consent applications.</p> <p>The use of the land for ironsand mining is therefore undertaken in partnership between TIL and the Māori landowners and enables tangata whenua to benefit from the operation of the Mine, which includes the port infrastructure. The continued operation of the Mine and the resultant benefits for tangata whenua relies on the shiploading infrastructure.</p> <p>Wider engagement with tangata whenua has been undertaken in respect of TIL's application, and the outcomes of this engagement have been taken into account in the application, as outlined in section 7 of the substantive application report.</p>

Topic	Policy/Clause	Assessment
Effects of infrastructure activities	<p>Objective 2.1(1)(e) Policy 7 Policy 8</p> <p>Decision makers must ensure infrastructure is delivered in a timely and efficient manner while managing the adverse effects on or from infrastructure activities (Objective 2.1(e)). The matters that decision makers must consider when assessing and managing these effects is set out in Policy 7.</p> <p>Decision-makers must enable the efficient operation and maintenance and minor upgrade of existing infrastructure, provided that, where practicable, adverse effects are avoided, remedied or mitigated (Policy 8).</p>	<p>Infrastructure activities as defined in the NPS-I include the construction, operation, maintenance, upgrade and removal of infrastructure and all ancillary infrastructure activities, unless otherwise specified, and include all physical components and assets associated with the infrastructure activity. For the Mine this includes the shiploading infrastructure as defined above.</p> <p>The relevant matters that decision makers must consider when assessing and managing the effects of TIL's shiploading infrastructure under Policy 7 are addressed in section 8.1 of the Substantive Application Report. This includes effects on marine ecology, marine mammals, coastal processes/landforms and navigation safety effects.</p> <p>Policy 7(1)(e) requires decision makers to ensure that mitigation measures and consent conditions are proportionate to the scale of adverse effects generated by the activity. The consent conditions proposed in section 8.5 and Appendix BB of the Substantive Application Report are proportionate to the scale of adverse effects expected to be generated (which have been assessed as ranging from negligible to low) and are operationally workable for TIL. Mitigation measures, which are addressed in the conditions, include the avoidance of NZ dotterel nesting season for planned pipeline maintenance and reconstruction (unless specific approval is obtained) and conditions governing potential replacement of the mooring buoy which align with Policy 8.</p> <p>These measures provide for appropriate effects management in a manner consistent with Policy 8's directive to enable the infrastructure's efficient operation, maintenance, and minor upgrade while addressing adverse effects.</p>
New infrastructure	<p>Objective 2.1(e) Policy 9</p> <p>Decision makers must enable new infrastructure or major upgrades of existing infrastructure activities in all environments (Policy 9(1)).</p>	<p>Although the shiploading infrastructure is existing, it requires replacement resource consents. For the purposes of the Panel's effects assessment, the infrastructure (and its associated effects) are treated as 'new' infrastructure. Therefore, below we provide comment on Objective 2.1(e) and 9, to the extent that the Panel considers the shiploading infrastructure to be 'new infrastructure'.</p> <p>Policy 9 requires decision makers to enable new infrastructure in <i>all environments</i>.</p>

Topic	Policy/Clause	Assessment
	<p>Where infrastructure is proposed to locate in an environment provided for in section 6 of the RMA, the provisions of this policy must be read alongside other relevant national direction, regional policy statements and regional and district plans (policy 9(2)).</p> <p>Other provisions of this policy include that the adverse effects of new infrastructure must be, where practicable, avoided, remedied or mitigated (Policy 9(3)).</p>	<p>The shiploading infrastructure will be located within the coastal environment which is an environment provided for in section 6 of the RMA. A full assessment of TIL's application against other applicable national direction, the Waikato Regional Policy Statement and the Waikato Regional Coastal Plan is set out in section 8.3 of the Substantive Application Report. The proposed application is considered to be in alignment with the relevant provisions.</p> <p>Any adverse effects, including those relating to the environments and values provided for in section 6 of the RMA, are avoided, remedied or mitigated as outlined in section 8.1 of the Substantive Application Report.</p>
Interface between infrastructure and other activities.	<p>Objective 2.1(d) and (e) Policy 11</p> <p>When assessing and managing the interface between infrastructure and other activities decision makers must recognise that noise, vibration, dust and visual effects are all typical effects associated with infrastructure activities that can be managed where practicable but not completely avoided; that amenity values can change; and that flexibility should be allowed for site and project specific requirements (Policy 11).</p>	<p>The interface of the shiploading infrastructure with the wider marine environment is assessed in section 8.1 of the Substantive Application Report, with reference to Appendices Q, V and GG.</p> <p>The shiploading infrastructure is considered to be compatible with the marine environment in this location and will not conflict with existing activities. The mooring buoy will be located some 3.5 km offshore and will not therefore be readily seen from land and the export pipelines are largely underground or beneath the sea. The likelihood of effects of underwater noise from vessels has been assessed as low and of less than minor significance, however a condition of consent is proposed to survey noise generated.</p>