



TTR STB Project Timelines 2012 to 2024

TTR Project Approval Timelines May 2024

Timeline of TTR's Permitting Process

2012 EEZ Act

Passing of the Exclusive Economic Zone and Continental shelf (Environmental Effects) Act into law (EEZ Act).

2013 TTR First Marine Consent Application

Trans-Tasman Resources (TTR) lodges a marine consent application with the Environmental Protection Authority, the first seabed mining company to do so under the EEZ Act.

June 2014 EPA Application Declined

A Decision Making Committee (DMC) of the EPA declines TTR's marine consent; TTR engages economic and scientific experts to address the shortfalls of the application.

2015 Commodity Prices Plummet

Global iron ore prices plummet to a low of USD \$40/tonne.

August 2016 Second Marine Consent Application

TTR reapplies to EPA for marine and discharge consents, having spent over \$70 million to date on its STB iron sands project.

June 2017 EEZ Act Flawed

Officials advise government ministers the EEZ Act is flawed as regards adaptive management in relation to marine discharges, and needs fixing.

August 2017 TTR Awarded Environmental Consents

In a split DMC decision, in which chair Alick Shaw a former Wellington deputy mayor, cast his vote in favour, TTR has its marine and discharge consents granted to mine iron sands in the STB, subject to over 100 agreed conditions.

September 2017 High Court Challenge to Environmental Consents

TTR's opponents including KASM, Greenpeace, Forest & Bird, some iwi and fishing interests lodge appeals on points of law to the EPA's grant of the environmental consents.

September 2017 NZ Labour Forms Coalition Government

A general election leads to the formation of a Labour-led Government, with New Zealand First as a coalition partner, and the Green Party, as a supply-and-confidence partner.

April 2018 High Court Hears Appeals

Multiple appeals on 29 points of law of the marine consent decision are heard before the High Court in Wellington, with TTR defending its right to exercise its marine and discharge consents.

August 2018 Judgment Rules 29 to 1 in TTR's Favour

The High Court only rules against TTR on 1 of the 29 appeals dismissing the remainder in favour of TTR. TTR's marine consent was quashed on the single point of law, adaptive management, that is not permitted in a marine discharge consent.

September 2018 TTR Appeals to Court of Appeal

TTR lodges a notice of appeal with the Court of Appeal, seeking a reversal of the High Court decision on adaptive management as the Company's environmental consent conditions do not include the use of adaptive management.

24 September 2019 Court of Appeal Hearing

24 to 26 September the Court of Appeal hears TTR's appeal, and the 11 cross appeals, with the judgment to be delivered by end of 2019.

3 April 2020 Court of Appeal Judgement

Court of Appeal judgment and rulings on TTR's appeal and the 11 cross appeals finally delivered over 3 months late and over 6 months from the close of the hearing.

3 April 2020 CoA Judgment Rules 9 to 6 in TTR's Favour

The Court of Appeal upholds our appeal on adaptive management ruling of the High Court, dismissed 8 cross appeals by our opponents and upholds 6 cross appeals on points of law.

22 April 2020 TTR Appeals to the Supreme Court

On 22 April TTR lodges a notice of appeal with the Supreme Court, seeking a reversal of the Court of Appeal rulings on the 6 points of law.

21 August 2020 Supreme Court Hearing Dates Set

The Supreme Court grants TTR's application to appeal on 17 July and, on 21 August, allocates 17, 18 and 19 November to have the appeal heard in the Supreme Court in Wellington.

17 November 2020 Supreme Court Hearing

The Supreme Court hearing on 6 points of law appealed by TTR and 6 cross appeals took place on 17 to 19 November 2020 in Wellington.

30 September 2021 Supreme Court Judgment

The Supreme Court dismissed TTR's appeal but refers the marine and discharge consents back to the EPA to have the DMC reconsider the grants in light of the Court rulings.

22 October 2021 TTR Requests the EPA to Reconsider the Grants of the Environmental Consents

On 22 October 2021 TTR formally requests the EPA to appoint a DMC to reconsider the 2016 application for environmental consents to operate in light of the SC judgment.

10 November 2021 EPA lodged HC Memorandum

On 10 November 2021 EPA lodges memorandum in HC seeking directions on the make-up of the DMC and the issues to be reconsidered. All parties make submissions by March 2022 to HC.

30 May 2022 High Court Hearing Scheduled

On 30 May 2022 the High Court hearing heard the submissions on the make-up of the new DMC and the process for the reconsideration of TTR's 2016 consent application.

28 June 2022 High Court Orders

In June 2022 the HC provided directions for the EPA to reconvene the new DMC to reconsider the grant of TTR's environmental consents and the appointment of the DMC members is now underway.

The High Court orders confirm the EPA is to appoint new DMC, the reconsideration is confined to the 5 points of law defined, and where guidance has been provided, by the Supreme Court judgment and the issues around new evidence, if required, and procedures of the hearing remain for the DMC to determine.

27 July 2022 High Court Orders on Costs

On 27 July 2022 the High Order delivered judgment on HC costs of \$196,928.84 making total SC, CoA and HC of \$524,965.88.

Costs table for 3 courts provided by TTR legal advisers on 2 August 2022 and the interest calculation on 4 August 2022.

2 December 2022 EPA Appoints new DMC

On 2 December 2022 EPA Board approved the appointment of the new DMC members. Chairperson Hon. Lynton Stevens (Legal expertise), Dr Andrea Byrom (EPA Board), Miria Pomare and Loretta Lovell (te ao Māori perspectives) and Dr Sharon de Luca (Ecology expertise).

3 March 2023 DMC issues directions to TTR

On 3 March 2023 DMC issues directions to TTR to provide any new evidence, new reports or updated evidence to address the Supreme Court judgment information deficits by 19 May 2023.

11 May 2023 DMC issues directions to TTR

New Zealand government announces an Environmental Select Committee into Seabed Mining in New Zealand.

Submissions to be lodged by 23 June 2023.

19 May 2023 TTR provides information to DMC

TTR provides updated evidence statements of 5 experts addressing the information deficits and assessment standards identified in the Supreme Court judgment, and in relation to each experts' area of expertise. They also update the information that was put before the previous DMC in 2017.

23 June 2023 TTR lodges submission to Inquiry into Seabed Mining

TTR lodged submission to Environment Select Committee Inquiry into Seabed Mining.

Submission hard and digital copy included 6p Submission; Key Documents Schedules A to L; Stakeholder Engagement Package; EPA Consents Application & Hearing Evidence (11,500 pages) and the Operations Video.

13 July 2023 TTR appears before Inquiry into Seabed Mining

TTR appears before the Inquiry in parliament buildings Wellington.

Oral and power point presentation including investment in new mines required for low carbon transition to net zero, ocean mining, expert evidence, the opportunity, environmental, economic and community benefits, regulatory settings and seabed mining approval problems in NZ.

25 August 2023 Environment Committee Reopens Submissions into Seabed Mining

Environment Committee reopens submissions into Seabed Mining closing 1 November 2023 (post-general election 14 October 2023?). Reasons for reopening don't stack up!

31 August 2023 TTR provides MMR information to DMC

TTR provides information to DMC addressing other Marine Management Regimes (MMRs) (71 pages with 18 separate Act's addressed). Opponents have to Friday 22 September to submit.

7 September 2023 Forest & Bird seeks further time extension

F&B seeks further extension of time to Friday 6 October 2023 to submit. Opposed by TTR for same reasons provided for previous time extension on 9 August 2023.

6 October 2023 Submitters to DMC

Submitters filed responses in reply to updating and other material provided by TTR in May 2023.

30 November 2023 Parties Submissions on Scope of Reconsideration of Consents

Submissions from all parties on the nature and scope of the reconsideration process directed by the Supreme Court in light of their judgment and the High Court judgment.

23 January 2024 TTR Rebuttal submissions to DMC Hearing

TTR's technical expert rebuttal evidence submitted to DMC.

5 to 21 February 2024 Opening Submissions to DMC

TTR to provide opening legal submissions to DMC by 5 February 2024 and submitters to provide their opening submissions by 21 February 2024.

13 to 15 March 2024 Expert Conferencing Hawera

The hearing of experts on environmental topics to occur in Hawera on 13 to 15 March 2024. Also expert conferencing tikanga matters to occur in March 2024.

16 to 17 April 2024 DMC Hearing on effects of Tangata whenua and iwi parties

The hearing of parties on the effects of the application on tangata whenua and iwi parties including the application of tikanga.

27 to 29 May 2024 Closing Submissions to DMC Hearing

Hearing of closing submissions to DMC 27 to 29 May 2024.