

Media Release

Uncertainty should not paralyse development says Chatham Rock Phosphate

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Regulators must decide on acceptable impacts to achieve New Zealand's social, economic and environmental goals, Ray Wood, Chief Operating Officer of Chatham Rock Phosphate, told the New Zealand Marine Sciences Society today.

In a review of the Environmental Protection Authority decision to decline Chatham's marine consent application last year, Mr Wood said society must accept some development but endeavour to minimise its environmental impacts.

"Science's role is to help society deal with uncertainty and decide on acceptable impacts."

The consent process highlighted a number of environmental concerns, which were mostly allayed or more clearly defined as a result of caucusing between interested parties and Chatham.

Experts agreed marine mammals, sea birds, major fish stocks and primary productivity were unlikely to be affected, uranium was not an issue and water toxicology effects would be very low.

"But even after expert caucusing, the decision making committee interpreted the results differently from Chatham," he said.

It declined the application on the basis of perceptions of significant and permanent damage to the benthic (sea floor) environment, modest economic benefits compared to environmental effects, proposed adaptive management measures not addressing concerns and a requirement to favour caution and environmental protection.

"We think the committee didn't understand or trust the numerical modeling of either the plume (created during the mining process) or of benthic communities. Therefore the committee didn't believe that the proposed conditions could address the adverse environmental effects through adaptive management.

"Uncertainty is certain for all marine projects; sampling is difficult and expensive, data are often incomplete and regional context is often lacking."

Mr Wood said science is able to predict environmental effects, through the laws of physics, chemistry and biology.

"While regulators want to minimise uncertainty through the use of the precautionary principle and adaptive management, that should not result in paralysis by analysis."

He said adaptive management allows approval if risk thresholds are agreed, monitoring is adequate and operations stop if thresholds are exceeded.

"Managing uncertainty requires confidence in the predicted nature and extent of effects and



monitoring to identify variations from predicted effects.”

Mr Wood noted while the EPA has guidance to deal with risk and uncertainty under the hazardous substances law, there is nothing equivalent in the Exclusive Economic Zone Act.

“Uncertainty of outcomes is not sufficient to deny permission for projects to proceed.

“Uncertainty can be managed. Risk thresholds can be agreed if the effects and benefits are well defined and understood.”

Inherent uncertainties mean absolute effects and benefits are probably never known but probable maximum, minimum and likely effects and benefits are known.

He said science is able to reduce the scale of uncertainties by improving knowledge regarding risks and predicted effects.

Adaptive management reduces uncertainties through learning from outcomes.

Mr Wood said the committee did not accept the adaptive management conditions proposed by Chatham because it appears they were unwilling to risk any environmental impact.

He said Chatham would consider reapplying for a marine consent following further consultation with stakeholders, a review and potential revision of the project and further research on essential scientific issues.

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