

**BEFORE THE ENVIRONMENTAL PROTECTION AGENCY
AT WELLINGTON**

IN THE MATTER of the Exclusive Economic Zone and Continental Shelf
(Environmental Effects) Act 2012 (“the Act”)

AND

IN THE MATTER of the applications by Trans Tasman Resources Limited
(TTR) for marine and discharge consents to recover
iron sand under sections 20 and 87B of the Act and

IN THE MATTER of an application under section 158 of the Act

BETWEEN **Trans- Tasman Resources Limited**

Applicant

AND **The Environmental Protection Authority**

EPA

AND **Kiwis Against Seabed Mining Incorporated (KASM)**

Respondent

THIRD MEMORANDUM ON BEHALF OF KASM

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To: the Decision-Making Committee

MAY IT PLEASE THE DECISION-MAKING COMMITTEE:

- 1 This memorandum responds to the 6th minute of the Decision Making Committee (DMC) dated 7 October 2016 whereby the DMC invites comments on the possible role of Ngaire Phillips in giving evidence on behalf of KASM.
- 2 As is noted, Dr Phillips is a member of the Hazardous Substances and New Organisms (HSNO) Committee, which makes decisions on applications under the Hazardous Substances and New Organisms Act 1996, under delegation from the Environmental Protection Authority and Dr Thompson is the Chair of the HSNO Committee.
- 3 The role of Dr Thompson and Dr Phillips on the HSNO committee is entirely different from the roles that they will undertake in this hearing. The obligations that Dr Thompson and Dr Phillips must carry out in their two different roles do not overlap.
- 4 The connection does not compromise either Dr Thompson's or Dr Phillips' independence, objectivity or impartiality in the TTR process.
- 5 KASM agrees that the professional connection does not give rise to a conflict of interest that would in any way affect Dr Thompson's full participation in this process as a DMC member or Dr Phillips' evidence as an independent expert.

Respectfully submitted

Duncan Currie/ Ruby Haazen

19 October 2016