

**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**

Consent Authority

**MEMORANDUM OF COUNSEL FOR THE ROYAL FOREST AND BIRD
PROTECTION SOCIETY OF NEW ZEALAND INCORPORATED**

10 October 2016

MAY IT PLEASE THE DECISION-MAKING COMMITTEE:

1. This memorandum responds to the the minute of the Decision-Making Committee (“DMC”) dated 7 October 2016 whereby the DMC published the Memorandum of Te Rūnanga o Ngāti Ruanui dated 5 October 2016.
2. The Royal Forest & Bird Protection Society of New Zealand Incorporated (“Forest & Bird”) supports the request of Te Rūnanga o Ngāti Ruanui for an extension for a period of 20 further working days, for the reasons given and the following reasons:
 - a. There is an enormous amount of information to be processed and understood by the public. An extension would give the public a better opportunity to do so.
 - b. An extension would assist the DMC to gain the best available information as is required by section 61(1)(b) of the Act. The DMC in the first TTR application renotified the application, as some documents were not available on the EPA website for the entire first submission period. The DMC said on page 188 of its decision that

“The effective consequence of having two notification periods was that would-be submitters had additional time to consider the application documentation. Given the very short timeframe (20 working days) the EEZ Act allows for submissions, we consider the renotification period has enabled greater participation in the process by the public and has likely assisted in the quality and depth of information that has come before us.”

- c. Forest & Bird therefore submits that the DMC should grant the requested 20 day extension.

Dated 10 October 2016

A handwritten signature in black ink, appearing to read "P Anderson", is centered within a light gray rectangular box.

Peter Anderson

Counsel for Royal Forest and Bird Protection Society of New Zealand Inc.