

10 November 2016

Celia Haden  
Principal Solicitor, Legal  
Environmental Protection Authority  
Private Bag 63002  
**WELLINGTON 6140**

Dear Celia

**JOINT MEMO OF SUBMITTERS REQUESTING FURTHER 20 DAYS**

You have advised that the DMC will meet tomorrow morning to consider the above request.

I have been instructed to advise that our client TTR would not, in all the circumstances, oppose the extension requested.

However, we would respectfully ask the DMC to also carefully consider the following related matters:

1. Our client is understandably concerned that the clear and specific intentions of the EEZ legislation with regard to marine consenting timetables has been already so readily compromised by the first 20 day extension granted-and now another 20 days extension is under consideration - albeit for different reasons than the first extension.
2. In the circumstances it would appear a fair and reasonable compromise-if a third extension of time is in fact granted-for every effort to be made to ensure that a marine consent hearing is still able to commence on or around the 31 January 2017 (the latest date resulting from the first 20 day extension).

Given the logistics of bringing key international experts to the hearing -as well as ensuring the availability of a reasonable number of NZ based expert consultants - it would greatly assist forward planning and availability to have some reasonable guidance and certainty in relation to the hearing commencement date.

To assist achieving such an outcome our client would agree to lodge its evidence by 19 December (the cut off date for lodging applicant evidence following the first 20 day extension).

**HELEN ATKINS**  
**MICHAEL HOLM**  
**PAUL MAJUREY**  
**TAMA HOVELL**

**ATKINS HOLM MAJUREY LIMITED**  
Environmental and Public Law Specialists  
PO Box 1585 Shortland Street  
Auckland 1140 NEW ZEALAND  
Level 19, 48 Emily Place, Auckland 1010  
PHONE +64 9 304 0294 FAX +64 9 309 1821

3. Assuming the additional technical data released today pursuant to the Environment Court decision is, in fact, utilised by the parties to produce additional technical evidence, there will be more than adequate time from now for relevant experts to review the material for incorporation in any expert evidence of the parties.

With the exception of the technical data released today, the information most relevant to the preparation of evidence (the Impact Assessment and supporting documents (as well as the pre lodgement information package) has been available to the parties for months. The parties will also have the evidence of the applicant.

4. Finally, the variety of financial costs incurred by our client resulting from the grant of 20 day extensions are clearly far from insubstantial. What was a reasonable expectation of a hearing starting in late 2016 has changed markedly.

It would be appreciated if our client could meet with relevant EPA staff to ensure additional EPA costs arising from time extensions granted to high profile opponents of the marine consent for the project are not charged to our client.

Yours faithfully

**ATKINS HOLM MAJUREY**



Mike Holm

**Partner**

**Direct dial:** 09 304 0428  
**Email:** mike.holm@ahmlaw.nz