

8 February 2017

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Dear Richard

Request for advice regarding the TTR marine consent application under section 44 of the Exclusive Economic Zone and Continental Shelf (Environmental Effect) Act 2012 (EEZ Act)

Thank you for your letter of 26 January 2017 requesting advice under section 44 of the EEZ Act regarding the Trans-Tasman Resources Limited (TTRL) marine consent application.

Your letter has requested the following advice and information –

1. A statement from the Department explaining the relationship of the Department to the Conservation Boards -

Conservation Boards are independent bodies established under section 6L of the Conservation Act 1987. There are 15 Conservation Boards, each with a defined geographical region and they provide advice to the Department on conservation matters in their region. The Board's functions are set out in section 6M of the Conservation Act and its powers in section 6N. There is a good summary factsheet on this at - <http://www.doc.govt.nz/about-us/statutory-and-advisory-bodies/conservation-boards/role/>. Please also note it is the Taranaki / Whanganui Conservation Board that made a submission.

2. A copy of the Dr Peter Longdill report that was referred to in TTR's expert evidence and in the Department memo recommending that no submission is lodged as attached to that evidence –

There is no single report from Dr Longdill. As per the Department's Report to the Decision Maker dated 12 October 2016 referenced in Shawn Thompson's evidence, the Department commissioned Dr Longdill to provide advice on sediment modelling. Dr Longdill's advice is contained in correspondence over some months, including comments on draft reports and draft conditions.

To assist the Decision-making Committee (DMC), the Department is willing to engage Dr Longdill to collate the relevant information that was provided to the Department. This will not include any review of further information that has become available since TTR's marine consent was publicly notified. If you would like the Department to undertake this work could you please advise what specific information would be helpful to the DMC.

3. Any information held by the Department that characterises the nature of the marine environment in the South Taranaki Bight –

The additional information the Department holds on the nature of the marine environment in the South Taranaki Bight, not already available to the DMC as part of TTRL's marine consent application, is set out below.

Subtidal benthic environment

The Department's expert is not aware of any information that the Department holds in relation to the subtidal benthic environment that is not already before the DMC.

Seabirds

The Department's seabird expert who advised on TTRL's marine consent application is currently undertaking field work on an offshore island and is not contactable by email. The Department will follow up when he is available on 17 February 2017 and advise accordingly.

Marine Mammals

The following marine mammal information is held by the Department that may be additional to the information that is already available to the DMC.

- I. Updated information on the Department's intermittent boat and aerial surveys off the Taranaki coastline for Maui/Hector's dolphins from 20 November 2013 to 24 November 2016. No Maui/Hector's dolphins were seen on any of the surveys (note the two subspecies are indistinguishable using visual surveys). Copy attached.
- II. Final Report: PGS Australia Pty Limited's Taranaki South 3D Seismic Survey in the Taranaki Basin dated 13 January 2017 provided to the Department. Copy attached. Please note that the names of observers have been redacted to protect their privacy at the request of the report's authors.
- III. Sightings and strandings data base. Dr. Simon Childerhouse's evidence for the applicant includes a map of sightings and strandings (refer paragraph 23 and Appendix 1 of his evidence). This information is taken from databases maintained by the Department. The Department is able to provide the detailed spreadsheets from the database and/or produce maps (including for selected species) if the DMC require it. However, the database records sightings and strandings only and does not provide systematic information on mammal distribution and abundance. Collating the information and producing the maps will take several days with the timing of it subject to staff availability. Please advise if you would like the Department to provide this information.

4. Request Dr Longdill be made available by the Department to participate in expert conferencing and attend the hearing

Dr Longdill has advised the Department he is willing to make himself available to assist the DMC by participating in expert conferencing and attending the hearing. However, the Department notes that Dr Longdill has not considered the application beyond the information available at the pre-application stage. Therefore, the Department would appreciate further clarification of the role the EPA anticipates Dr Longdill would have and the issues likely to be considered by the experts. We note that Dr Longdill has advised a preference to attend in person, depending on the nature of his role. Further information about the EPA's timing in this regard will help facilitate his participation as you will appreciate that Dr Longdill is based in Qatar.

We will provide in separate correspondence Dr Longdill's cost estimate of his fee and expenses for the work requested by the EPA. I would be grateful if you could please confirm that the EPA will meet Dr Longdill's costs.

We look forward to your reply.

Yours sincerely



Mike Slater
Deputy Director-General Operations

Attachments:

1. Table of Intermittent boat and aerial surveys off the Taranaki coastline for Maui/Hector's dolphin sightings undertaken by the Department of Conservation – Dated 8 February 2017
2. Final Report: PGS Australia Pty Limited's Taranaki South 3D Seismic Survey in the Taranaki Basin dated 13 January 2017