

3 November 2021

Environmental Protection Authority  
Level 10, Grant Thornton House  
215 Lambton Quay  
**WELLINGTON**

**By email: [christopher.hill@epa.govt.nz](mailto:christopher.hill@epa.govt.nz)**

Dear Reassessments Team

**NZKGI REQUEST FOR EXTENSION OF TIME FOR SUBMISSIONS IN RESPONSE TO HYDROGEN CYANAMIDE REASSESSMENT**

1. We act for the New Zealand Kiwifruit Growers Incorporated (**NZKGI**) and seek an extension of the time allowed for submissions on the hydrogen cyanamide reassessment.
2. We understand that Zespri previously sought an extension to the submission period and the extension was granted to 20 December 2021. NZKGI requests that a further extension of the submission period is granted to 6 April 2022.
3. The Hazardous Substances and New Organisms Act 1996 enables the Authority to grant waivers of time for submissions when the applicants and the persons making the submissions consent to that waiver, or where any of those parties who have not so consented will not be unduly prejudiced.<sup>1</sup>
4. As the applicant, it is for the Authority to determine if it agrees with the further extension and whether it needs to seek the views of other submitters. NZKGI does not consider that any party which does not consent to the extension will be unduly prejudiced by the extension. However, if the extension is not granted then NZKGI, on behalf of all kiwifruit growers, will be significantly impacted and will be unduly prejudiced if they are unable to provide detailed submissions on this matter informed by expert input.
5. Such input in the submission stage will greatly assist the Authority reporting team in its role of reporting to the Decision-Making Committee. The alternative is to leave the detailed expert input for a later stage in the process which NZKGI considers would not assist the Authority in making a thorough assessment and decision in relation to this reassessment.

---

<sup>1</sup> Hazardous Substances and New Organisms Act 1996, s59(4).

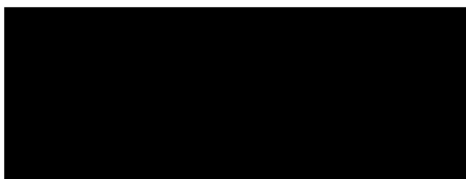
HELEN ATKINS  
MICHAEL HOLM  
PAUL MAJUREY

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 [REDACTED]

6. NZKGI is providing a submission on behalf of New Zealand kiwifruit growers and is supporting individual growers to make their own submission based on their own circumstances.
7. NZKGI has engaged three experts – two toxicologists and an occupational hygienist that Worksafe have recommended. NZKGI is working with WorkSafe in relation to the occupational health and safety matters. All three experts have advised that they need sufficient time to undertake their work. In addition, NZKGI will then consult with its members before finalising their submission.
8. It is understood that the hearing of this reassessment is many months away and delaying the submission date it not going to impact on that timing.
9. For the reasons set out above, NZKGI respectfully requests that the Environmental Protection Authority extends the submission period on the reassessment of hydrogen cyanamide to **6 April 2022**.

Yours faithfully

**ATKINS HOLM MAJUREY**



Helen Atkins  
**Director**

Direct dial:  
Email:

