

**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

FOURTH 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 Minute 12 of the Decision-Making Committee (**DMC**) whereby the DMC requested that submitters confirm with the Environmental Protection Authority (**EPA**) details of their appearance at the hearing, as amended by Minute 13 to the deadline of midday 16 January 2017 .
- 2 The EEZ Act acknowledges the importance of public participation, as was recognised by the Environment Court in *KASM v EPA and TTR [2016] EnvC 217*, citing section 17(1)(b) of the Act (paras 60-62). At that stage an estimated 8,000 submissions had been made. Now we understand that over twice that number have been received.
- 3 Important submissions and evidence will be from those who will be effected most directly by the activity: everyday New Zealanders and in particular west coastal communities. Our own information indicates that the majority of submissions are from the Auckland and other northern areas. The number of submitters from the Auckland and Waikato area who have requested an appearance warrants part of the hearing being located in closer proximity to those submitters. Appearance by Skype is useful for some individual submitters, but is a poor substitute for appearance in person, and in light of the numbers of submitters from those areas, KASM therefore requests that some part of the hearing be located in Hamilton or Auckland, acknowledging those submitters who requested an appearance and who are located in the Northern part of the North Island.
- 4 KASM would also like to state its support to the requests of Te Runanga o Ngāti Ruanui Trust (**Ngāti Ruanui**) expressing concern in respect of the hearing locations. KASM support the request that hearing days be held on a Ngāti Ruanui marae, or, at the very least within the takiwā of Ngāti Ruanui (Hawera and Pātea). Given that the DMC will already be in New Plymouth for a substantial part of the hearing, moving a portion of the hearing to a marae of Ngāti Ruanui does not seem to be a huge further expense. Ngāti Ruanui is the closest affected iwi to the proposed mining area and should be given a chance to present from within the takiwā of Ngāti Ruanui.

5 We also wish to bring to the attention of the DMC that the festival WOMAD will take place in New Plymouth from 16-20 March and therefore accommodation for those dates, including campground accommodation, is extremely restricted.

Respectfully submitted

Duncan Currie/ Ruby Haazen

16 January 2017