

**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

BETWEEN **Trans-Tasman Resources Limited (TTR)**
Applicant

AND **The Environmental Protection Authority**
EPA

AND **Fisheries Inshore NZ (FINZ); New Zealand Federation of Commercial Fishermen Inc; Talley's Group Limited; McDonald and Brown Limited; Cloudy Bay Clams Limited.**
(Collectively referred to as the **Fisheries Submitters**)

MEMORANDUM ON BEHALF OF FISHERIES SUBMITTERS

10 October 2016

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To: The Decision-Making Committee

MAY IT PLEASE THE DECISION-MAKING COMMITTEE:

1. This memorandum addresses the minute of the Decision-Making Committee (DMC) dated 7 October 2016 in terms of which the DMC published the Memorandum of Te Rūnanga o Ngāti Ruanui dated 5 October 2016 in which an extension of time for presentation of submissions in opposition of the TTR application for marine consents is sought.
2. The Fisheries Submitters support the requests of Te Rūnanga o Ngāti Ruanui and KASM for an extension for a period of 20 further working days, for the reasons outlined in their memoranda.
3. The Fisheries Submitters submit further as follows:
 - (a) The Fisheries Submitters are aware that KASM has filed an application to the Environment Court under s 158 of The Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 seeking to set aside the decision of the DMC to allow the redaction of certain information forming part of TTR's application for marine consents. That application is due to be heard on November 2. A 20 day extension would allow the Environment Court to consider the matter urgently, and if the DMC's decision was set aside, it would allow the Fisheries Submitters the opportunity to review the information within the submission period and augment their submissions.
 - (b) The sheer volume of information filed in support of the application for the consents will not allow the Fisheries Submitters to:
 - I. Adequately review the Impact Assessment and supporting evidence and form a considered view of where the current application differs from the 2013 application;
 - II. Consult with the relevant experts to review the evidence;

III. To adequately consult amongst their members to determine which fishers and to what extent they would be affected by the proposed mining operation;

IV. To prepare and present a focused submission that would allow the most effective use of the DMC and stakeholder time.

4. The Fisheries Submitters therefore respectfully submit that the DMC should grant the requested 20 day extension.

Dated this 10th day of October 2016



**Counsel for
Fisheries Inshore New Zealand
Limited, The New Zealand
Federation of Commercial
Fishermen Inc, Talley's Group
Limited, Macdonald & Brown
Limited, and Cloudy Bay Clams
Limited.**