

**Before a Decision-Making Committee  
Of the Environmental Protection Authority**

**EEZ100015**

**Under** the Exclusive Economic Zone and  
Continental Shelf (Environmental  
Effects) Act 2012

**In the matter of** an application for a marine dumping  
consent to dump dredged material at a  
deep-sea site east of Great Barrier  
Island

**By** **Coastal Resources Ltd**  
  
Applicant

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**2<sup>ND</sup> MEMORANDUM OF COUNSEL FOR COASTAL RESOURCES LTD  
IN RELATION TO HEARING PROCEDURES  
19 September 2018**

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## **MAY IT PLEASE THE COMMITTEE**

1. This memorandum adds to the matters covered in the memorandum filed earlier today (19 September 2018), as CRL has become aware that the Hearing Procedures have now been issued.
2. CRL maintains its request for an evidence date of 25 October 2018, for all the reasons traversed in the first memorandum, and CRL is now in a position to address what the consequences of this change would be for subsequent dates in the schedule.
3. If the DMC were inclined to adjust the key hearing dates by a commensurate margin, then:
  - (a) Submitter evidence would be due on 8 November 2018;
  - (b) Conferencing would occur between 15 and 29 November 2018, and
  - (c) The Hearing would commence on 3 December 2018.
4. The latter date would require an extension of the time period stated in clause 1(2) of Schedule 3 of the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012. That provision requires the hearing to commence within 40 working days after the closing date for submissions. Submissions closed on 10 September 2018, and 6 November 2018 is the 40<sup>th</sup> working day after that. 3 December 2018 is the 59<sup>th</sup> working day after the closing date for submissions.
5. CRL respectfully submits that such amendments, including an extension:
  - (a) would serve the community's interest in being able to achieve an adequate assessment of the potential effects of the proposal;
  - (b) would provide more time for all parties to prepare evidence; and

- (c) would retain materially the same allowances between key steps in the process.
6. Accordingly, CRL would support those amendments as a consequence of the requested amendment to the due date for CRL's own evidence.



**M J Slyfield**  
**Counsel for Coastal Resources Ltd**

**19 September 2018**