



EXCLUSIVE ECONOMIC ZONE AND CONTINENTAL SHELF (ENVIRONMENTAL EFFECTS) ACT 2012 (the Act)

Trans-Tasman Resources Limited iron sand extraction and processing application

M10 – Minute of the Decision-Making Committee – 1 December 2016

1. The purpose of this minute is to record the expectations and approach of the Decision-making Committee (DMC):
 - a. generally, in relation to documents on which parties seek to rely; and
 - b. in particular, in relation to documents relating to a **previous** application for marine consent by Trans-Tasman Resources Limited (TTRL), which was processed by the Environmental Protection Authority (EPA) in 2013 and 2014.
2. The Impact Assessment included with the **current** application for marine consents by TTRL refers to a number of external documents that have not been submitted with the application. These include scholarly works and documents relating to TTRL's previous application.¹
3. Generally, the DMC's expectation is that where a party seeks to rely, in support of its position, on information contained in a document, the party must provide a copy of the relevant document (or part(s) of it) to the DMC and the other parties. This can be done:
 - a. through the evidence exchange process if a party is exchanging evidence; or
 - b. if a party is not exchanging evidence at the hearing, in support of representations.
4. In particular, the DMC does not propose to consider documents relating to TTRL's previous application, unless a party advises that it seeks to rely on such a document and provides a copy of the relevant document (or part(s) of it) to the DMC and the other parties. This approach reflects the fact that TTRL has lodged a new application for marine consents, which is to be considered afresh.
5. The DMC asks that TTRL confirm whether it seeks to rely on the various documents (or part(s) of them) referred to in the Impact Assessment and, if so, to provide a copy of the relevant information through its evidence.

For the DMC:

Alick Shaw
DMC Chair
1 December 2016

¹ See for example at pages 39, 57, 79, 106, and 125 of the Impact Assessment.

