

Board of Inquiry

Tamarind development
drilling applications

BOARD MINUTE AND DIRECTION

BOARD OF INQUIRY

TAMARIND TARANAKI LIMITED APPLICATIONS FOR MARINE CONSENT AND MARINE DISCHARGE CONSENT

IN THE MATTER

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

AND

IN THE MATTER

of a Board of Inquiry appointed under s 52 of the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 to consider the applications for marine consent and marine discharge consent by Tamarind Taranaki Limited.

THE BOARD OF INQUIRY

David Hill
Dan McClary
Glenice Paine

BOARD MINUTE 2 – EXPERT CONFERENCING 3 SEPTEMBER 2018

1. The Board of Inquiry (the Board) has identified topics and witnesses to attend expert conferencing. These are set out in Appendix 1 to this Minute.
2. Expert conferencing will take place between **17 September and 21 September 2018**. The Board has directed that conferencing may be held sooner than the dates proposed in Appendix 1 if the participating experts agree to the new date, agree that a facilitator is not necessary, and the EPA is informed.
3. Conferencing will take place in accordance with the Environment Court Practice Note 2014: <https://www.environmentcourt.govt.nz/assets/Documents/Publications/2014-ENVC-practice-notes.pdf>
4. As set out in the Inquiry Procedures, expert witnesses are expected to comply with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2014. Fundamental to witnesses engaging in conferencing and giving evidence is that expert witnesses may not advocate on behalf of the parties that engage them.
5. At the request of the Board the experts responsible for the independent section 56 reports commissioned by the EPA and Board will also participate in the meetings and the preparation of joint witness statements.

-
6. The EPA will appoint an independent facilitator to facilitate each session. However, if all participating experts agree that a facilitator is not necessary, then the experts may independently conference without the presence of the independent facilitator.
 7. If required, the facilitator will contact each group of witnesses directly to arrange the logistics of the meeting with the participants. To enable the facilitator to do this, parties who have experts assigned to a facilitated conferencing session are to provide the contact details (email, phone and skype) and location for each expert witness participant to the EPA by **12pm Wednesday 5 September 2018**.
 8. The Board encourages the participants of each session to liaise amongst themselves in the first instance to determine if a facilitator is required for the session and, if so with the facilitator, identify suitable location and venues, minute takers and any required tele/video conferencing. If a session is to be run independently between experts alone this may be conducted by phone if that is more practicable.
 9. Each participant should also liaise with the facilitator and other participants in advance of the meeting to agree on an agenda. Participants are encouraged to prepare and pre-circulate a summary of any issues they wish to raise for discussion.
 10. The Board expects all expert witnesses to attend the relevant conference session. Applications for an expert witness not to attend session(s) will be considered by the Board.
 11. The sessions (whether run by the facilitator or independently between experts) must result in a signed Joint Witness Statement showing the matters on which the experts agree and disagree, the reasons for any disagreement, and matters for the Board's consideration.
 12. A template for the Joint Witness Statement and guidance on participation will be provided by the EPA.
 13. The Joint Witness Statements must be completed and provided to the Board **within two working days of the conference taking place**. These will be circulated to the parties and placed on the EPA website as soon as possible after that.
 14. The Board may direct that experts consider specific questions.
 15. Following these conferencing sessions the Board may request further conferencing on specific topics, particularly where the experts concerned consider that there is merit in doing so.
 16. Should any party have any queries on attendance and / or the topics please advise the EPA by **12pm Wednesday 5 September 2018**.

Conditions report

17. The Board has engaged a planner to provide them advice and a report to evaluate and comment on the conditions proposed by Tamarind Taranaki Limited, and recommend to the Board of Inquiry a suite of draft conditions for consideration in the event the Board is minded to grant consent.

18. The Board is of the mind to have expert conferencing on conditions at a later date to be determined following the receipt of the conditions report.

For the Board:

A handwritten signature in black ink that reads "David Hill". The signature is written in a cursive style with a large initial 'D'.

David Hill
Chairperson
Tamarind Board of Inquiry
Dated: 3 September 2018

Appendix 1: Witnesses proposed to participate in expert conferencing and dates

Monday 17 September 2018

Session 1: Oil Spill Modelling

Start time: 9.00am – 5.00pm

Location: to be determined with facilitator (if required)

Experts to attend	Party	Topics Covered
Dr Brian King	Tamarind Taranaki Limited	Oil spill modelling
Justin Rodgers	Board	Oil spill modelling

Tuesday 18 September 2018

Session 2: Drilling operations

Start time: 9.00am – 5.00pm

Location: to be determined with facilitator (if required)

Experts to attend	Party	Topics Covered
Iain McCallum	Tamarind Taranaki Limited	Drilling operations
Frank Broomhead	Board	Operational activities