

## Board of Inquiry

Tamarind development  
drilling applications

# Record of Board Meeting 1

<b>Meeting</b>	Board Meeting 1
<b>Date and Time:</b>	18 June 2018 at 10am
<b>Location:</b>	Willeston Conference Centre, Level 11, 15 Willeston Street, Wellington
<b>Present:</b>	David Hill (Chair), Dan McClary, Glenice Paine
<b>Apologies:</b>	-
<b>In attendance:</b>	██████████ (Project Leader), ██████████ (Senior Advisor), Richard Johnson (Manager, EEZ Applications), ████████████████████ (Advisor; attending in part only) and ██████████ (Senior Advisor; attending in part only).

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## Welcome

### Item 1 – Board Paper 1-1 EPA Roles and Responsibilities

1. Board Paper 1-1 and a copy of the cost estimate for the application was tabled and considered by the Board of Inquiry (the Board). The Board:
  - **Noted** the EPA is currently preparing a Key Issues Report and it would be provided to them in early July 2018; and
  - **Noted** the EPA would endeavour to make the Board aware of application costs on a regular basis the contents of the paper.

**Action:** *The EPA to provide the Board with Status items to the Minister in relation to the Tamarind Application.*

**Action:** *The EPA is to provide the Board a new version of the cost estimate once it has been adjusted.*

### Item 2 – Board Paper 1-2 Board Procedures and delegations

2. The Board considered Board paper 1-2 and the Tamarind Taranaki Limited (Tamarind) Board of Inquiry procedures in Appendix 1. The Board sought slight amendments to the procedures and requested the change be recirculated to the Board. The Board:
  - **Confirmed** the appointment of Glenice Paine as Deputy Chair.

**Action:** *The Board requested the EPA to amend paragraph 10 of the Tamarind Taranaki Limited Board of Inquiry Procedures.*

  - **Agreed and approved** the Tamarind Board of Inquiry Procedures (as amended).

- **Agreed** the approved Board Procedures would be placed on the EPA website.

### Item 3 – Board Paper 1-3 Register of Member’s Interests

3. The Board considered Board paper 1-3 and the Register of Members Interest set out in Appendix 1. They also noted the short biographies that were already available on the EPA website. The Board reviewed the Register of Member’s Interests and identified updates required to the register and the paper. The Board:

***Action:** The Board requested the EPA to make minor amendments to paragraphs 5 and 6 of Board paper 1-3*

- **Agreed** the content and structure of the Register of Member’s Interests as set out in Appendix 1 (as amended)
- **Agreed** to publish the Register of Member’s Interests on the EPA website including updates and to notify parties of the register when submissions are acknowledged.
- **Agreed** to make the Register of Member’s Interests a standing agenda item for each Board meeting.

***Action:** Board members to provide the EPA amendments required to the register of Member’s Interests.*

- **Agreed** to update the Register of Member’s Interests as necessary after each Board meeting.

### Item 4 – Board Paper 1-4 Powers of the Board

4. The Board received and noted the contents of Board Paper 1-4. The Board requested minor amendments to Decision Points 10 and 11 to clarify the responsibility is with the EPA on direction from the Board. The Board:

***Action:** The EPA to amend Decision Points 10 and 11 of Board paper 1-4.*

### Item 5 – Board Paper 1-5 Application timelines and Board meetings

5. Board paper 1-5 was tabled and considered by the Board. The Board requested an amendment to the draft indicative application timeline provided in Appendix 1 of Board paper 1-5 and agreed on some future meeting dates. The Board members also advised the EPA about future unavailability dates. The Board:

- **Agreed** Board Paper 1-5 (as amended).
- **Noted** the indicative timeline for the application and **agreed** the EPA’s draft application timeline (as amended)
- **Confirmed** indicative dates for future Board meetings.

**Action:** *The Board requested an item to be added on the agenda for Meeting 2 to review submissions received.*

**Action:** *The Board requested the EPA to gain an indication of the amount of time Tamarind is anticipating to require to present its case during the hearing.*

**Action:** *The Board requested an updated A3 colour version of the availability calendar to be provided at each meeting.*

## Item 6 – Board Paper 1-9 Draft Inquiry Procedures

6. The Board considered Board paper 1-9. The Board discussed the draft Inquiry Procedures and requested various amendments.

**Action:** *The EPA to amend the Inquiry Procedures as directed and recirculate to the Chair for approval.*

7. The Board :

- **Adopted** the Inquiry Procedures (as amended) with amendments to be reconfirmed by the Chair.

## Item 7 – Board Paper 1-6 Procurement of external advisors and other services for the Board

8. The Board considered Board paper 1-6. The Board requested the reports prepared by the EPA external experts to be cited and linked to the Key Issues Report and provided to the Board with the Key Issues Report. The Board discussed whether and how the EPA experts become available to the Board during the hearing.

**Action:** *The Board requested the EPA to amend Board paper 1-6 to provide for mediation.*

**Action:** *The Board requested the EPA to provide the bios for the external experts commissioned by the EPA (Oil and Gas Operations, Marine Ecology and Oil Spill Modelling) to undertake independent reviews of the application.*

**Action:** *The EPA to advise the Board how the EPA commissioned experts become available to the Board during the hearing.*

9. The Board noted that it could identify independent technical expert advice or reports it wishes to commission but has not identified any at this time.

10. The Board:

- **Noted** that it has the ability to identify independent technical expert advice or reports (including the scope of the reports) under section 56 of the EEZ Act it requires, but will determine this later in the process.

- **Confirmed** the Board does not wish to commission an Analysis of Submissions report at this time and will confirm this at a later date.
- **Confirmed** that the Board wishes to procure a decision support writer.
- **Confirmed** it wishes to procure external legal support and will identify the scope of any such services when required.
- **Confirmed** the Board confirmed it wishes to procure a facilitator with expertise in conferencing/mediation/pre hearing meetings and identify the scope of any such services.

## Item 8 – Board Paper 1-7 Ngā Kaihautū Tikanga Taiao (NKTT) (Māori Advisory Committee) Report

11. Board paper 1-7 and the letter in Appendix 2 was tabled and considered by the Board. The Board agreed to review the draft letter to NKTT commissioning advice under section 56 of the EEZ Act. The Board noted that it may wish the author of the NKTT Report to attend the hearing.
12. The Board requested advice from the EPA on a suitable timing of the delivery of the NKTT report and suggested 6-10 August 2018.
13. The Board:
  - **Agreed** to commission NKTT (Maori Advisory Committee) Report under section 56 of the EEZ Act and to review and amend the draft letter provided.

**Action:** *The EPA to provide the Board a Word version of the draft letter to NKTT commissioning advice.*

**Action:** *Board to review the draft letter outlining the scope of the NKTT Report provide comments back to the EPA.*

## Item 9 – Board Paper 1-8 Board of Inquiry consideration of possible further information needs and advice required

14. Board paper 1-8 and the addendum to Board paper 1-8 were tabled. The Board considered the papers and the list of further information matters and discussed the various areas further information and advice might be required on. The Board requested the EPA to provide Word versions of the table of matters.
 

**Action:** *The EPA to provide the Board a Word version of the matters for Board consideration/questions and further information needs contained in Board paper 1-8 and addendum to Board paper 1-8.*
15. The Board noted that it may commission advice on proposed draft conditions of consent at a later date and requested the EPA to provide suggestions of a suitable person to provide this advice to the Board.

**Action:** Board to provide list of suitable modellers to the EPA.

**Action:** The EPA to provide the Board suggestions of a suitable person to provide advice to the Board on proposed draft conditions of consent.

16. The Board:

- **Confirmed** there may be additional matters that the Board would like to request information and/or commission any further technical expert advice or reports once they become more familiar with the applications.
- **Confirmed** it wishes EPA staff to prepare a further information request under section 54 of the EEZ Act based on the information in Appendix 1 and the addendum to Board Paper 1-8, as appropriate, and issue the request to the applicant on behalf of the Board.
- **Confirmed** to commission the EPA technical experts Oli and Gas Solutions and Seapen to provide advice to the Board as required and attended expert conferencing and/or the hearing if directed by the Board.
- **Confirmed** to commission at a later date under section 56 of the EEZ Act a report on possible conditions of consent including considering and providing comment on the draft conditions proposed by Tamarind.

## Item 1-10 – Board Paper 1-10 Hearing Locations and venues

17. The Board considered Board paper 1-10. The Board noted the proposed hearing location of New Plymouth and agreed to confirm the hearing location once it has reviewed the geographic spread of submitters. The Board suggested the EPA consider where a hearing day in Wellington would be appropriate to hear submitters from organisations. Possibility of the need for some of the hearing being held on a marae was also discussed.

18. The Board discussed the logistics of the hearing and agreed to sit for 4 days per week during the hearing (Monday – Thursday). The Board requested the accommodation provided during the hearing should have appropriate working space (desk and good light).

**Action:** The EPA to amend the Inquiry Procedures as directed and recirculate to the Chair for approval.

**Action:** EPA to note preferences for Board accommodation, within the price limit specified.

19. The Board:

- **Noted** the proposed hearing location of New Plymouth and agreed to confirm the hearing location once it has reviewed the geographic spread of submitters.
- **Noted** the proposed hearing venue criteria.
- **Confirmed** that a marae based hearing is not anticipated.

## Closure

20. The meeting closed at 3:00pm.

## Next meeting

21. The next meeting is scheduled for 20 July 2018. Time to be confirmed.