

Board of Inquiry

Tamarind development
drilling applications

Record of Board Meeting 3

Meeting	Board Meeting 3
Date and Time:	10 October 2018 at 10am
Location:	Harrison Grierson Auckland Airport office, Level 4, Quad 5, 4 Leonard Issitt Drive, Auckland
Present:	David Hill (Chair), Dan McClary, Glenice Paine
Apologies:	-
In attendance:	Gen Hewett (Senior Advisor)

Welcome – opening from the Chair

Items 2, 3 and 4 - Interest register and record of previous meeting, updated cost estimate

1. The Board:

Confirmed the updated Register of Member's Interests dated 30 August 2018.

The Board identified updates required to the Register of Member's Interest to include submitters and known submitter representatives appearing at the hearing.

Action: *The Board requested the EPA to amend the Interest Register and publish the Register of Member's Interests on the EPA website.*

Confirmed the Record of Board Meeting 2 held on 30 August 2018.

Received and Noted the updated cost estimate dated 28 September 2018.

Item 5 – Hearing preparations

2. The Board discussed preparations for the hearing and considered the indicative hearing schedule.

Hearing Schedule

3. The Board:

- **Requested** the EPA to seek confirmation from Tamarind regarding the amount of time required for its opening and closing statement at the hearing.
- **Requested** the Conditions Report writer to be scheduled to appear twice at the hearing.
- **Agreed** the Department of Conservation (DoC) and Ministry of Business, Innovation and Employment (MBIE) are not required to appear at the hearing.

- **Agreed** a representative from Ngā Kaihautū Tikanga Taiao (NKTT report) may be required to attend the hearing, subject to rebuttal evidence being received on the NKTT report.
- **Agreed** the EPA Key Issues report writer is not required to attend the hearing, unless there are outstanding issues required to be addressed.
- **Agreed** the Board's experts are to appear at the hearing via Skype and requested they share the same skype connection where possible.
- **Confirmed** questioning at the hearing is to be in the following order: Board questions, then Tamarind questions for witnesses (as approved by the Board), followed by questions from the Boards legal advisor.

Action: *The EPA to contact Tamarind to seek confirmation of the amount of time required for its opening and closing statement at the hearing.*

Action: *The EPA to notify DoC and MBIE they are not required to appear at the hearing.*

Hearing Preparations

The Board:

- **Agreed** the Board's Legal advisor will question the Boards experts and Tamarind's witnesses at the hearing.
- **Agreed** parties are to be notified of the Board's Legal advisor when the indicative hearing schedule is issued (Tuesday 16 October 2018) and during the Chairs opening at the hearing. The EPA agreed to provide the Board Chair speaking notes for the hearing including guidance on the Board's Legal advisor role at the hearing

Action: *The Board requested the EPA to notify parties of the Board's Legal advisor when the indicative hearing schedule is issued.*

Action: *The Board agreed for the EPA to prepare speaking notes for the Board Chair for the hearing.*

Item 6 – Consideration of requests to question witnesses and procedural matters

4. The Board considered and **approved** a request from Tamarind to reserve the right to question the Boards experts at the hearing (Mr Justin Rogers, Mr Frank Broomhead and Mr Ian Baxter).

Item 7 – Further Information provided by Tamarind

5. The Board agreed no additional further information was required from the applicant.

6. The Board noted that it had requested advice and information under s56 of the EEZ Act from a marine surveyor regarding containment systems on the HYSY982 semi submersible drilling rig proposed to be used by Tamarind.

Item 9 – Expert Conferencing

7. The Board discussed the detail in the Joint Witness Statements prepared during expert conferencing and were of the view that additional detail could have been included in the Joint Witness Statement to understand the views and positions of the experts participating in the conferencing.
8. The Board did not consider that any further expert conferencing was required prior to the hearing but may direct conferencing or a discussion on conditions at the hearing.

Action: *The EPA to provide the facilitator feedback on the detail provided in Joint Witness Statements for future expert conferencing sessions.*

Item 10 – Conditions Report

9. The Board considered and discussed the conditions report. The Board agreed the Conditions Report writer could comment on the applicant's rebuttal evidence at the hearing, as appropriate, and any matters relating to conditions raised by Tamarind during their opening statement at the hearing.
10. The Board requested the Conditions Report writer to confirm the conditions proposed in the report are consistent with the EPA's preferred style.

Action: *The Board requested the EPA to seek confirmation from the Conditions Report write on the style of the conditions proposed.*

Item 11 – Decision Report Preparation

11. The EPA provided the Board an update from the decision support writer on the preparation of the background sections of the draft decision document.
12. The Board agreed a proof reader is not required by the Board for the decision document.

Closure

13. The meeting closed at 11:40am.

Next meeting

The next meeting is scheduled for 6 November 2018 at the Quality Hotel Plymouth International, New Plymouth.