

BOARD OF INQUIRY

Northern Corridor
Improvements Proposal

MINUTES BOARD MEETING 02

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| Meeting: | Board Meeting 02 |
| Date & Time: | 13 April 2017, 11am |
| Location: | Environment Court, 41 Federal Street, Auckland |
| Present: | Judge M Harland (Chair), C Stewart, N Mark-Brown |
| In attendance: | A Selvaraj, M Robertson |

Welcome

Initial administrative matters

1. The Board discussed conflicts of interest that may have arisen as a result of submissions.

Action: The EPA will include a separate section on the Northern Corridor Improvements proposal webpages for Declarations of Interest. This is for Interests that have been raised for discussion, but have not been considered conflicts by the Chair, but are noted for transparency.

2. The draft meeting minutes for Board Meeting 01 were tabled.

Resolution: The meeting minutes for Board Meeting 01 are approved

Action: The EPA to publish the Board Meeting 01 Minutes on the website

Follow-up from Board Meeting 01

3. Board Paper 02-01 was tabled.
4. The role of the Friend of Submitter was raised, including the low level uptake, and the consequential need for support from the Friend of Submitter. A determination on whether to extend this role has been deferred to after the Pre-hearing Conference.

Action: The need for support from the Friend of Submitter role to be added to the Pre-Hearing Conference agenda.

Powers of the Board

5. Board Paper 02-02 was tabled.
6. It was noted the paper provided a useful reference of available powers.

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7. The Board discussed powers they had the option to use, including potentially, submitter conferencing, or alternative mechanisms to allow non-expert information to feed into expert conferencing, particularly design improvements.

Action: Potential for non-expert involvement in expert conferencing to be added to the Pre-Hearing Conference

Notification and Submission process

8. Board Paper 02-03 and the Analysis of Submissions was tabled.
9. The Board noted the process followed, and were particularly interested in the direct notification process (as this was raised in submissions) and returned mail. The Board requested some follow-up information relating to the returned mail.
10. The Board noted and discussed the low number of submitters on the proposal. There was some discussion on whether non-submitters could potentially attach their views as evidence to support a submitter's case, provided this is within the scope of the 'base' submission.
11. The Board discussed the Analysis of Submissions report and the individual submissions that had been received. The Board noted a number of parties and sites specifically identified in the application documents had not made submissions.

Resolution: The Board noted and received the Analysis of Submissions Report.

Action: EPA to adjust the conditions table in the Analysis of submissions report to add in columns identifying those that want to be heard in relation to their submission and position on the application.

Inquiry Procedures

12. Board Paper 02-04 was tabled.
13. The Board discussed the changes made following Board Meeting 01, the new dates set out in the draft Inquiry Procedures, and then had a detailed discussion on the specifics of the draft Inquiry Procedures.

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

Pre-Hearing Conference

14. Board Paper 02-05 discussing arrangements for the Pre-Hearing Conference was tabled and discussed, including attendance and timing.
15. The arrangements for the Pre-Hearing Conference were confirmed, and amendments to the Pre-Hearing agenda were directed.

Resolution: The Pre-Hearing Conference was delegated to Judge Harland. C Stewart will attend, N Mark-Brown has put in his apologies.

Resolution: The Pre-Hearing Conference will be held at 10.30am at the QBE Stadium, Albany.

Resolution: The Board members in attendance will hold a debrief after the Pre-Hearing Conference.

Resolution: The Pre-Hearing Conference will be recorded, but not transcribed.

Action: The EPA will make amendments to the Pre-Hearing agenda as directed and recirculate to the Chair for approval.

Further Information

16. Board Paper 02-06 and the Applicant's further information response were tabled.
17. The Board noted the information provided, and that the majority of questions had been answered to some degree. Noise at Colliston Rise was raised as still being an area of uncertainty. However, it was noted that the Applicant's Evidence-in-Chief may provide some additional information.

Resolution: No further information is to be requested at the moment.

Procurement of external advisors

18. Board Paper 02-07 was tabled.
19. The Board noted the information provided from the Requests for Quotes process for both legal and planning services.
20. The EPA was directed to seek further information from the Planner in regards to a past work commitment and to inform the firm that provided a legal quote they had been unsuccessful due to past work connections.
21. The Board identified their Planner Expert may be able to provide clarity around the planning status of the development at Colliston Rise.
22. The Board discussed other Technical Experts they may require, and directed a Noise and Vibration Expert be appointed to support them.
23. The Board then discussed management plans (in particular for noise and dust), as these were raised by a number of submitters. The Board discussed what options there might be for mediation, or submitter conferences to manage community concerns around management plans.

Resolution: Direct the Board Planner, once appointed, to undertake a review of the planning status of the development at Colliston Rise.

Action: EPA to seek further information from the Planner in regards to a past work commitment and to inform the firm that provided a legal quote they had been unsuccessful due to past work connections.

Action: The EPA to undertake procurement for a Noise and Vibration Expert.

Resolution: Direct the Board Noise and Vibration Expert to undertake a gap analysis review of the noise report provided in the application and noise evidence (if provided).

Preparations for a Site Visit

24. Board Paper 02-08 was tabled.

25. The Board discussed the importance of undertaking a site visit, and discussed potentially undertaking two site visits.

26. The Board discussed potentially having a guide and transport, and the particular sites they would wish to visit.

27. Health and Safety for the site visit was also discussed, particularly in relation to sites with specific Health and Safety requirements.

Resolution: The Board confirmed they wished to undertake a site visit on 06 June 2017, and provided additional sites of interest that they would like to visit

Action: The Board advised that they wished to make the route of the site visit public. This will be done via a minute after the site visit has concluded

Hearing Logistics

28. Board Paper 02-09 was tabled.

29. The Board confirmed the tentative arrangements for the Hearing.

30. The Board agreed to either a stenographer or transcription, with a preference for a stenographer if all other factors were equal. The Board noted the importance of accuracy and turnaround for the written record. For either case, a list of technical terms will be required.

31. The Board considered the Hearing Notice.

Resolution: The Hearing Notice, advising of the Hearing to start on Tuesday 18 July 2017 at QBE Stadium, Albany, was approved.

Resolution: A Board Meeting will be held on 17 July 2017.

Action: The EPA to continue procurement for stenography services.

Action: The EPA to prepare a list of technical terms for the stenographer/transcription.

Other Matters

32. The Board discussed next steps for information. It was determined that this discussion would be held after evidence exchange, and deferred it to after this point.

Closure and Next Meeting

33. Meeting closed at approximately 2.20pm
34. Next meeting – Debrief following the Pre-Hearing Conference, 02 May 2017 at QBE Stadium, Albany.
35. The subsequent meeting – 07 June 2017 at Environment Court, 41 Federal Street, Auckland.
Time to be confirmed.



Judge M Harland

Chairperson

Board of Inquiry for the Northern Corridor Improvements Proposal