



## Notice of Hearing

### APP203989 - Fire Fighting Chemicals Group Standard

Note: These arrangements are provisional, based on the intentions of the parties to appear as advised to the EPA, and hence are subject to amendment if those intentions change, and are subject to the directions of the Chair.

<b>Application code:</b>	APP203989
<b>Application category:</b>	Hazardous Substances, Notified Group Standard, Amended Group Standard,
<b>Applicant:</b>	Environmental Protection Authority
<b>Applicant contact:</b>	Allan Freeth
<b>Purpose:</b>	To amend Fire Fighting Chemicals Group Standard 2017
<b>Date application received:</b>	3 September 2019
<b>Hearing date:</b>	Thursday 5 November 2020 and Friday 6 November 2020
<b>Time:</b>	Thursday 5 November 2020 – 10.30am – 4.15pm (approximately) Friday 6 November 2020 – 9.30am – 2.30pm (approximately)
<b>Venue:</b>	<ul style="list-style-type: none"><li>Wellington – Terrace Conference Centre, room - Lambton 1, 114 The Terrace</li><li>Virtual Zoom meeting link – <a href="https://us02web.zoom.us/j/86198468382">https://us02web.zoom.us/j/86198468382</a> Passcode: 975467</li></ul>
<b>Contact for Hearing:</b>	Marree Quinn, Applications Administrator, Hazardous Substances, Environmental Protection Authority, Wellington DDI: 04 474 5472

### Decision-making Committee

Dr Ngaire Phillips (Chair)

Dr Kerry Laing

Dr Derek Belton

### Sequence of Events

1. Introduction and explanation from the Chair
2. Order of business and procedures
  - EPA to present proposal to amend Group Standard and Update Report
  - Submitters present submissions and any witnesses
  - Final questions from the Committee
  - Adjournment of hearing

The above is a guide only and the conduct of the hearing will be at the Chair's discretion and in accordance with the guidelines provided.

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## HEARING PROCEDURES:

### Sequence at hearing

1. The DMC will pre-read the proposal, submissions, the Update Report and revised draft Group Standard, and any other material provided in accordance with the timetable.
2. The hearing will be a public hearing where the EPA and submitters (and their respective witnesses) who have advised that they wish to present at the hearing can speak.
3. The hearing will proceed on the basis that all parties have read the material of relevance to them.
4. All parties are required to behave in a manner that assists the DMC in their decision-making process, and seeks to make efficient use of the hearing time available.
5. At the request of the DMC, presentations from the EPA staff, and submitters on similar topics may be scheduled to be heard on the same day/s, so as to provide the DMC with the best practicable opportunity to understand the issues related to that topic.

### Opening the hearing

6. The hearing may open with a mihi whakatau and opening statement from the Chairperson.

### Witnesses appearing at the hearing (providing evidence)

7. Submitters wanting to call witnesses at the hearing must indicate who those witnesses are and the topics they will cover at least 10 days prior to the hearing.
8. All witnesses **must** attend the hearing in person (or, by prior agreement of the DMC, through video conferencing), unless the DMC decides that a particular witness does not need to appear.
9. Witnesses will not read their evidence at the Hearing unless requested to do so by the DMC.  
Witnesses may:
  - present a concise summary of their evidence; this summary should cross reference back to the evidence;
  - explain relevant figures, plans and tables; and
  - summarise any changes to their evidence as a result of facilitation or conferencing.
10. The DMC may direct that a witness need not appear at the hearing. This may occur where the witness's evidence is not contested by any other party, but may also, at the discretion of the DMC, be for any other reason.
11. A limit may be placed on the time witnesses have to present their evidence. Any such time limits will be determined and directed by the DMC.

### Submitters appearing at the hearing (making their representation)

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12. All submissions will be read and considered by the DMC. Submitters do not have to attend the hearing if they do not wish to, their views will be considered by the DMC regardless of their attendance.
  13. Submitters can speak to their submission themselves, or they can choose to be represented by a lawyer, an advocate or other person (e.g. a friend or family member). If not representing themselves the submitter must advise the EPA who will present their submission.
  14. When speaking at the hearing, a submitter can address the matters raised in their submission but must not introduce new topics. Evidence will be taken as read, unless the DMC direct otherwise.
  15. A limit of 15 minutes will be placed on the time submitters have to make their representation.

### **Health and safety**

16. Parties are responsible for ensuring their own health and safety at the hearing.
17. EPA staff will take all reasonable steps to ensure the safety of all parties attending the hearing. If you have concerns about your safety at the hearing, please raise it with EPA staff.
18. Hazards or potential hazards should be raised with EPA staff as soon as practicable.
19. In the event of an emergency during the hearing, parties are to adopt the emergency procedures specific to the venue and follow the instructions of EPA or venue staff should evacuation be required.

### **Media**

20. The hearing will be in public (except to the extent that any protection of sensitive information applies). Representatives of the media are free to attend and report the proceedings.
21. Cameras, video-recorders and audio recorders can only be used by media or any other person in the hearing with prior permission from the DMC. Applications for recording can be made to the DMC in advance by writing to the EPA.
22. Media interviews are not allowed in the hearing room. The DMC are not available for media interviews. The EPA will be available to provide process information to the media. All media enquiries should be directed to [media@epa.govt.nz](mailto:media@epa.govt.nz).

### **Transcript**

23. The DMC will have the hearing proceedings recorded and transcribed. The transcripts will be made available on the EPA website.
24. The hearing cannot be recorded for personal or public purposes without prior approval from the DMC. This includes photographs, videos or sound recordings.

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25. Specifically there is to be no recording whatsoever by electronic devices without prior approval of the DMC. This includes, but is not limited to; cameras, dictaphones, digital voice recorders, video recorders, mobile phones or tablet computers.

### Final decision

26. At the end of all the presentations the DMC will adjourn the hearing and will make its decision in private. A final decision will be made usually within 30 working days from the close of the hearing but may be longer if further information is sought by the DMC. You will be notified of the decision and it will also be available on the EPA website at [www.epa.govt.nz](http://www.epa.govt.nz).

### Contact details

If you need to contact someone at the hearing please contact the administrator via email on [marree.quinn@epa.govt.nz](mailto:marree.quinn@epa.govt.nz)

### In Person and Virtual Hearing

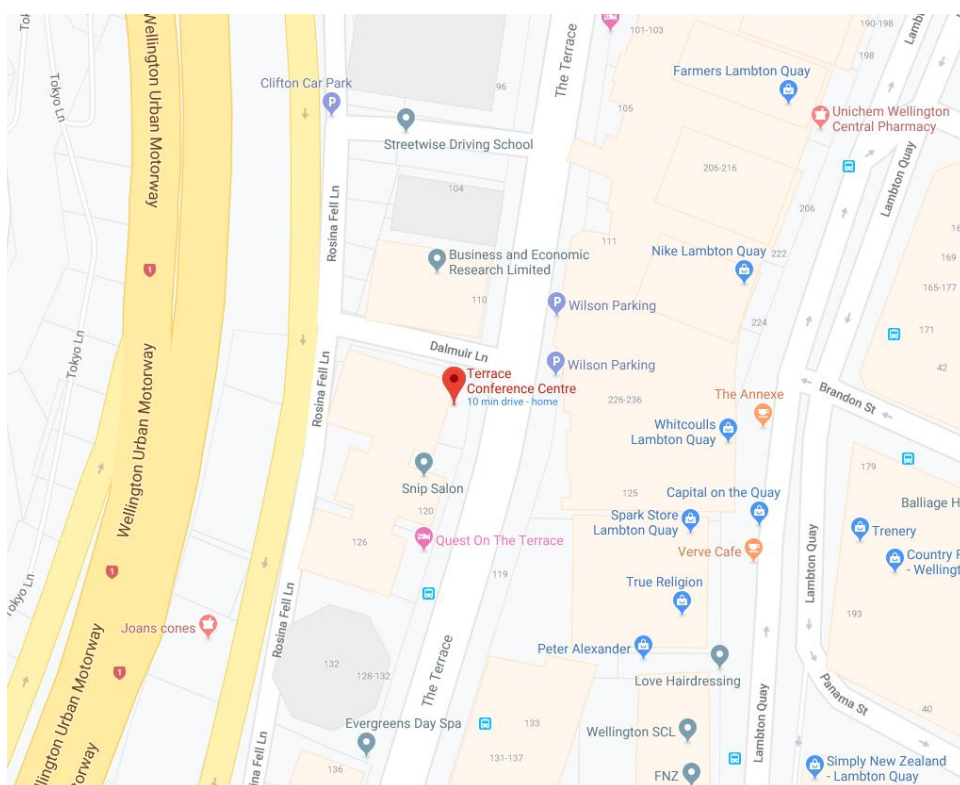
This hearing will be conducted via Zoom and in person.

- **Cell phones should be turned off.**
- **Computers are to be on mute at all times, until your time to speak.**
- No filming or photos of proceedings to be taken.
- This hearing will be recorded at all times.
- The administrator will control who can share and when.
- If there is any inappropriate conduct that arise in the hearing the chair of the Decision-making Committee reserves the right to dismiss anyone from the hearing and they will not be allowed to return.
- All times are in New Zealand standard time - Time zone in Wellington (GMT+13)

## Hearing Venue

### Wellington:

Terrace Conference Centre House,  
Room: Lambton 1  
114 The Terrace  
Wellington 6011



## Housekeeping Details

- **Parties are responsible for their own food arrangements**
- Cell phones should be turned off
- No food will be permitted in the hearing room
- No filming or photos of proceedings to be taken
- Please refer to the map for directions to the venue.

## Order of Business

Please note that these are approximate session times and are dependent on the length of questioning by the Committee and the appearance of submitters at the hearing.

<b>APP203989 Hearing Schedule</b>		
<b>Wellington Venue and Virtual, Thursday 5 November 2020</b>		
<b>10.30am – 10.35am</b>	Mihi whakataua	EPA representative
<b>10.35am – 10.45am</b>	Introduction and explanation Record of appearances	Dr Ngaire Phillips, Chair, Decision-making Committee
<b>10.45am – 11.45am</b>	Applicant presentation	<ul style="list-style-type: none"> <li>• Peter Dawson, Principal Scientist - EPA</li> <li>• Ben Deeble, Advisor - EPA</li> <li>• Nigel Holmes, Principal Advisor Incident Management, Queensland Department of Environment and Science, (Witness, remotely as in Australia)</li> </ul> (1hr)
<b>11.45am – 12.45pm</b>	Opportunity for questions	DMC, others at the DMC's discretion (1hr)
<b>Lunch break, 12.45pm – 1.30pm (45mins)</b>		
<b>Presentations by Submitters</b>		
<b>1.30pm – 1.45pm</b>	Submission 30	Rodney John Rutledge – Caltex Australia Petroleum Pty Ltd (15mins – remotely as in Australia)
<b>1.45pm – 2.00pm</b>	Opportunity for questions	DMC, others at the DMC's discretion (15mins)
<b>2.00pm – 2.15pm</b>	Submission 24	Mike Willson – Willson Consulting (15mins - remotely as in Australia)
<b>2.15pm – 2.30pm</b>	Opportunity for questions	DMC, others at the DMC's discretion (15mins)
<b>2.30pm – 2.45pm</b>	Submission 6	R.P. (Dick) Gillespie – Fire Engineering Solutions (15mins, in person)
<b>2.45pm – 3.00pm</b>	Opportunity for questions	DMC, others at the DMC's discretion (15mins)
<b>Afternoon Tea break, 3.00pm – 3.15pm (15mins) If required</b>		
<b>3.15pm – 3.30pm</b>	Submission 28	4Sight Consulting Limited for Z Energy Limited, BP Oil New Zealand Limited and Mobil Oil New Zealand Limited <ul style="list-style-type: none"> <li>• David le Marquand - 4Sight Consulting Limited</li> <li>• James Court - BP Oil New Zealand Limited</li> </ul> (15mins – remotely as requested)
<b>3.30pm – 3.45pm</b>	Opportunity for questions	DMC, others at the DMC's discretion (15mins)
<b>3.45pm – 4.00pm</b>	Submission 22	Kevin Lehrke – Port Taranaki Limited (two others TBC) (15mins – remotely)

<b>APP203989 Hearing Schedule</b>		
<b>Wellington Venue and Virtual, Thursday 5 November 2020</b>		
<b>4.00pm – 4.15pm</b>	Opportunity for questions	DMC, others at the DMC's discretion (15mins)

### Hearing adjourns until 9.30am Friday 6 November 2020

<b>APP203989 Hearing Schedule</b>		
<b>Wellington Venue and Virtual, Friday 6 November 2020</b>		
<b>9.30am – 9.45am</b>	Introduction to day's proceedings	Dr Ngaire Phillips, Chair, Decision-making Committee
<b>9.45am – 10.00am</b>	Submission 15	Thomas Cortina – Fire Fighting Foam Coalition (FFFC) (15mins – remotely as in USA)
<b>10.00am – 10.15am</b>	Opportunity for questions	DMC, others at the DMC's discretion (15mins)
<b>10.15am – 10.30am</b>	Submission 27	Kevin Ward – New Zealand Airports Association (15mins, in person)
<b>10.30am – 10.45am</b>	Opportunity for questions	DMC, others at the DMC's discretion (15mins)
<b>Morning Tea break, 10.45am – 11.00am (15mins) If required</b>		
<b>11.00am – 11.15am</b>	Submission 31	Wayne Andrews-Paul – New Zealand Defence Force (15mins, in person)
<b>11.15am – 11.30am</b>	Opportunity for questions	DMC, others at the DMC's discretion (15mins)
<b>11.30am – 11.45am</b>	Submission 33	Victor Lenting – Fire and Emergency New Zealand (15mins, in person)
<b>11.45am – 12.00pm</b>	Opportunity for questions	DMC, others at the DMC's discretion (15mins)
<b>12.00pm – 12.15pm</b>	Submission 10	Scott Lawson – Fire Protection Association NZ (15mins, in person)
<b>12.15pm – 12.30pm</b>	Opportunity for questions	DMC, others at the DMC's discretion (15mins)
<b>Lunch break, 12.30pm – 1.15pm (45mins)</b>		
<b>1.15pm – 1.30pm</b>	Submission 17	<ul style="list-style-type: none"> <li>• Marty Forman - Air New Zealand</li> <li>• Sarah Lloyd - Air New Zealand (15mins, in person)</li> </ul>
<b>1.30pm – 1.45pm</b>	Opportunity for questions	DMC, others at the DMC's discretion (15mins)

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<b>1.45pm – 2.00pm</b>	Applicant's response to matters raised (if necessary)	<ul style="list-style-type: none"><li>• Peter Dawson, Principal Scientist - EPA</li><li>• Ben Deeble, Advisor - EPA</li><li>• Nigel Holmes, Principal Advisor Incident Management, Queensland Department of Environment and Science, (Witness, remotely as in Australia)</li></ul> (30mins)
<b>2.00pm – 2.30pm</b>	Final questions	Decision-making Committee (30mins)
<b>2.30pm approx.</b>	Closing Karakia	EPA representative

**Hearing adjourns**

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