

Umbogintwini Industrial Complex Marine Discharge Pipelines Permit Advisory Forum

DRAFT TERMS OF REFERENCE

1 Membership

The forum shall consist of representatives of the following:

- 1.1.1 Local organisations;
- 1.1.2 Environmental organisations;
- 1.1.3 Community representatives;
- 1.1.4 Authorities;
- 1.1.5 Licensees; and
- 1.1.6 Consultants providing services to the licensees.

The licensees will appoint a secretariat for the forum.

2 Background

2.1 The licensees are:

- 2.1.1 AECI Property Services;

2.2 The licensee operates a marine discharge pipeline, disposing of water containing waste, under license from the Department of Forestry, Fisheries & the Environment (DFFE).

2.3 The pipeline originates at the Umbogintwini Industrial Complex and discharges into the ocean offshore in the Umbogintwini area.

2.4 One of the conditions of the license is the establishment of a Permit Advisory Forum (PAF).

2.5 The forum will be known as the Umbogintwini Industrial Complex Permit Advisory Forum (UIC PAF).

3 Purpose

3.1 To ensure that all stakeholders are adequately informed and consulted about the conditions of the licenses issued by DFFE for a marine discharge pipeline and are afforded fair and adequate opportunity to make input.

3.2 To provide relevant information and knowledge to the licensee that may otherwise not have become available.

3.3 To assist in verifying data, identifying impacts, alternatives, avoidance, minimisation and mitigation measures for issues associated with the conditions of the pipeline licenses.

3.4 To promote transparency and provide advice to both the licensees and DFFE based on the meaningful contribution of key parties.

4 Functions

4.1 To make recommendations regarding the:

- 4.1.1 Monitoring of license conditions; and
- 4.1.2 Methodology of monitoring.

4.2 To consider information supplied and make recommendations regarding:

- 4.2.1 What information should be supplied; and
- 4.2.2 The medium in which, and accessibility of, the information is supplied.

4.3 To monitor implementation of any recommendations or mitigation measures.

4.4 Provide advice and comment to the decision-making authorities on compliance with the license conditions by the licensees.

4.5 Provide comment on the licenses.

5 Meetings

5.1 Meetings shall be held quarterly, or as agreed by the members at a venue agreed by the members.

5.2 Meetings shall be conducted in good faith and with full disclosure by all parties of all relevant information.

5.3 A quorum shall consist of five, provided that each of the following groups is represented by at least one member:

5.3.1 Local organisations;

5.3.2 Environmental organisations;

5.3.3 Community representatives;

5.3.4 Authorities; and

5.3.5 AECI Property Services.

5.4 Where a quorum is not achieved, the meeting may agree to continue and to receive the information however no decisions or directives may be agreed.

5.5 Participants undertake to:

5.5.1 Request only such information that could reasonably be regarded as pertinent,

5.5.2 Observe timeframes agreed upon on a case-by-case basis; and

5.5.3 Respond as quickly as possible to requests for information or comment.

5.6 Participants undertake to treat each other with respect.

5.6.1 No participant shall call into question the bona fides, impair the dignity, or malign any other participant.

5.6.2 This must not be seen as a constraint on robust but respectful debate.

5.7 Minority opinions will be recorded.

6 Amendment

6.1 Twenty-one days notice shall be given of any proposed amendments to these Terms of Reference to all registered members of the Forum.

7 Costs

7.1 The licensees will provide secretariat service through the appointed consultants and will meet those costs associated with convening meetings of the Forum, on a case-by-case basis.

7.2 Individual members will be responsible for the costs associated with their own attendance and participation in the Forum.

8 Duration of Stake-holder Forum

8.1 The forum will operate for the duration of the marine discharge licenses issued by DFFE.