

EXCLUSIVE ECONOMIC ZONE AND CONTINENTAL SHELF (ENVIRONMENTAL EFFECTS) ACT 2012 (the Act)

Beach Energy Resources NZ (Holdings) Limited (Beach Energy) application for marine discharge consent

M2 – Minute of the Decision-making Committee – 22 July 2020

Extension of commencement of hearing

1. In accordance with section 159(1)(a) of the Act the Decision-making Committee (DMC) has extended the time period in which to commence the hearing of the Beach Energy marine discharge consent application to Tuesday 8 September 2020. The extension is to ensure that all members of the DMC are available for the hearing.
2. The DMC also received a memorandum of counsel on behalf of the applicant dated 17 July 2020. This memorandum requests that the time period in which to commence a hearing is extended to the week of 7 September. The DMC has also considered this memorandum in its decision to extend the time frame.
3. Clause 1(2) of Schedule 3 of the Act requires that the date for the commencement of any hearing must not be later than 40 working days after the closing date of submissions on the application. Commencing the hearing on 8 September 2020 amounts to an extension of this timeframe by 6 working days.
4. In making its decision to commence the hearing on a later date, the DMC has taken into account the requirements under section 53(1) of the Act to deal with the application as promptly as is reasonable in the circumstances, and to establish a procedure that is appropriate and fair under Schedule 3 clause 3(3) of the Act.
5. In accordance with section 160 of the Act, the DMC has taken into account the interests of parties to the hearing who will be directly affected by the extension of time, and the interests of the community in being able to achieve an adequate assessment of the potential effects of the proposal. The DMC considered that parties are likely to benefit from commencing the hearing in the week commencing Monday 7 September 2020 rather than Monday 31 August 2020. This will allow a longer period for the parties to prepare for the hearing – including in preparing any evidence to be submitted in respect of the hearing.
6. The DMC has considered the evidence exchange timetable set out in the memorandum of counsel dated 17 July. Given that the time for commencing the hearing has been extended, the DMC directs that evidence is to be submitted for exchange on the following dates:
 - a. Applicant's evidence to be filed with the EPA by 2pm Friday 14 August 2020; and

- b. Submitters' evidence to be filed with the EPA by 2pm Friday 21 August 2020.
- 7. That evidence will be uploaded to the EPA website as soon as is practicable following receipt.
- 8. The DMC notes that at least 20 working days prior to the hearing, the EPA will issue a hearing notice pursuant to section 51(3) of the Act, giving notice of the commencement date, time and place of the hearing.

For the DMC:

A handwritten signature in black ink that reads "David Hill". The signature is written in a cursive style with a large, sweeping initial 'D'.

David Hill
Beach Energy Notified DMC Chair
22 July 2020