

BEFORE THE EPA

**BEACH ENERGY RESOURCES NZ (HOLDINGS) LIMITED APPLICATION FOR
MARINE DISCHARGE CONSENT (EEZ100019)**

EEZ 100019

IN THE MATTER of the Exclusive Economic Zone and Continental Shelf
(Environmental Effects) Act 2012

AND

IN THE MATTER of a Decision-making Committee appointed to consider a
marine discharge consent application made by Beach
Energy Resources NZ (Holdings) Limited for the
discharge of trace amounts of harmful substances from
deck drains in the Canterbury Basin

**MEMORANDUM OF COUNSEL ON BEHALF OF THE APPLICANT
REQUESTING AN EXTENSION TO THE TIMEFRAME FOR A HEARING AND
DIRECTIONS FOR AN EVIDENCE EXCHANGE TIMETABLE**

Dated: 17 July 2020

 **Simpson Grierson**
Barristers & Solicitors

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MAY IT PLEASE THE DECISION MAKING COMMITTEE

1. We have been instructed by Beach Energy Resources NZ (Holdings) Limited (**Beach**) in relation to its application for marine discharge consent (**application**).
2. This memorandum seeks directions from the Decision-making Committee (**DMC**) regarding a hearing fixture and evidence exchange timetable.

Hearing

3. Beach respectfully requests a two-day fixture for the hearing be set during the week of 7 September 2020. Beach understands that the DMC may have availability during that week.
4. A hearing during the week of 7 September 2020 is beyond the statutory timeframe for initiating a hearing and, consequently, Beach respectfully requests an extension to that timeframe to enable the hearing to take place during the week of 7 September 2020.
5. Beach currently intends to call five witnesses. It is unclear whether any of the seven submitters wish to provide evidence. However, Beach respectfully suggests that a two-day fixture is likely to be appropriate to complete the hearing.
6. Beach's preference is for the hearing to be held in person, with any witnesses or submitters who cannot or do not wish to travel to be heard via video link. Beach will abide the EPA's decision as to where the hearing is held, but observes that Dunedin and Christchurch are the major centres closest to the location where the proposed discharge would take place.

Evidence exchange timetable

7. On the assumption of a hearing taking place during the week of 7 September 2020, and bearing in the mind the timeframes in Schedule 3 of the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2011, Beach Energy respectfully suggests the following evidence exchange timetable:

- (a) applicant's evidence to be filed by 5 pm Friday 14 August 2020;
and
 - (b) submitters' evidence to be filed by 5 pm Friday 21 August 2020.
8. If any submitter provides relevant expert evidence, Beach would be happy to make its witnesses available to participate in expert conference during the week commencing 24 August 2020.
9. Counsel are available via teleconference if it would assist the DMC to discuss any of these matters.

Dated: 17th July 2020



J G A Winchester / H P Harwood
Counsel for Beach Energy Resources
NZ (Holdings) Limited