



Environmental
Protection Authority
Te Mana Rauhi Taiao

Ngā Kaihautū Tikanga Taiao Response To Further Information From The Decision Making Committee – EEZ100019

In accordance with section 56 of the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 (the Act).

Application from Beach Energy Resources NZ (Holdings) Limited for a marine discharge consent to discharge trace amounts of harmful substances in to the waters of the exclusive economic zone within the Canterbury Basin offshore of the South Island of New Zealand.

Request from the Decision Making Committee

The Decision Making Committee (DMC) for this application sought comments from NKTT and the NKTT report was provided on 6 July 2020.

1. The DMC asks NKTT to update its report in respect of whether any additional conditions needs to be considered by the DMC now that submissions have been received on this matter, and a general update if any of the submissions received required NKKT's advice to be expanded upon.
2. The DMC asks Beach Energy (the applicant) to provide information as to who they have engaged with in respect of consulting with Māori on this application and evidence of the results of that consultation. The applicant has been asked to provide this information by COB Wednesday 29 July 2020, and the DMC may wish to seek further comment on it from NKTT.

Response from Ngā Kaihautū Tikanga Taiao (NKTT)

There is only one submitter that is associated with a Māori organisation, and that submitter is neutral on the application. The reason why there is only one submission from Māori may be due to a number of reasons, including that they are already engaging with many Māori groups. This type of activity for which consent is being sought, may not be high on the priority list for Māori because of the low bio-physical impact it will have on the environment. Another assumption is that Māori were busy with other pressing issues to provide a submission within the timeframe. Whatever the case, we postulate that Māori will be more concerned about the impending applications to be made by the applicant which will have more of an impact on the environment.

Because of the lack of submissions from Māori, and without any clear indication on why there has been no feedback from Māori, we would encourage that the DMC include as a condition, regular updates to Māori with existing interests in the rohe of the Canterbury Basin on the substances that have been discharged and the estimates of the amount that has been discharged. This would help iwi understand the extent of the discharge so they can better understand the impact it will have on their existing interests. Regular updates could mean twice a year Beach Energy will inform the iwi about what has been discharged and an estimation of the amount that has been discharged. This would be in keeping with Beach

Energy maintaining that it is committed to engaging with Māori groups for the duration of the Canterbury Basin Exploration and Appraisal Drilling Programme (EAD Programme).

It is pleasing to see the amount of engagement that Beach Energy has undertaken with Māori groups and NKTT commends them for their approach. There appears to be a lack of understanding of the issues that NKTT raised in regards to the impacts the activity will have on whanaungatanga and kaitiakitanga. In Te Ao Māori the only way to understand the impact is if the tangata whenua or the local whānau, hapū or iwi explain what the impact will be on whanaungatanga and kaitiakitanga. In Beach Energy's 18 May 2020 response, it refers to other documents or secondary sources in explaining kaitiakitanga or the impacts the activities may have on Ngāi Tahu's existing interests. While this approach may be relevant, it will only be accurate if Ngāi Tahu are asked by the applicant whether the information they have sourced is an accurate explanation of Ngāi Tahu's kaitiakitanga interests that are relevant to the Canterbury Basin. That is the reason why the applicant's response to the DMC's request for further information was largely ignored in NKTT's report.

Signed by Ngā Kaihautū Tikanga Taiao on 7 August 2020

Dr Daniel Hikuroa, Tumuaki



Rick Witana


