

File ref: EEZ100019

8 June 2020

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Dear Mr Sanson

**Request for advice under section 56 of the EEZ Act regarding a notified marine discharge consent application by Beach Energy Resources NZ (Holdings) Ltd – EEZ100019 (Canterbury Basin)**

**The application**

On 25 March 2020, Beach Energy Resources NZ (Holdings) Limited (Beach Energy) lodged an application for marine discharge consent with the EPA. Beach is applying to discharge trace amounts of harmful substances from the deck drains of a Mobile Offshore Drilling Unit (MODU) as offshore processing drainage (OPD). The MODU will be used to drill exploration and appraisal wells in the Canterbury Basin within Beach Energy's Petroleum Exploration Permit area (PEP38264), although the notified application relates only to the discharge of trace amounts of harmful substances from the deck drains of any MODU used.

The OPD discharge requires public notification under the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 (EEZ) Act. The EPA notified the application on 22 May 2020 and the submission period closes on Monday 6 July 2020. If any parties request to be heard, a public hearing will be held within 40 working days of this date. A decision on the application will be made by an EPA-appointed Decision-Making Committee (DMC).

Further information about this notified application can be viewed at <https://www.epa.govt.nz/public-consultations/open-consultations/beach-energy-marine-discharge-consent-application/>.

Beach Energy will need additional EEZ Act consents for any exploration or appraisal drilling to go ahead in the Canterbury Basin. These consents will be considered by a further DMC but, as the EEZ Act regulations classify exploration drilling as a non-notified process, a submission process does not take place for these applications.

**Request for advice and information**

The DMC requests the following advice and information from the Department of Conservation (DoC) under section 56 of the EEZ Act to help it understand the application and the significance of any potential effects:

1. Please describe the DoC's responsibilities in relation to Beach Energy's operation of a MODU within Petroleum Exploration Permit (PEP) 38264 in the Canterbury Basin.

2. In Table 10 (page 67) of its [Impact Assessment](#), Beach Energy lists marine mammal species and their likely occurrence in and around the Wherry and Gondola areas of interest within the PEP 38264. Table 13 (page 79) lists the seabirds that could be present. Please confirm that these lists, together with the conclusions on the likelihood of these species occurring in the Wherry and Gondola areas of interest are accurate and comprehensive.
3. Beach Energy provides an assessment of the environmental consequences of the proposed activities on marine mammals and seabirds in its [Impact Assessment](#) (pages 115-116).
  - a. Please confirm that the Beach Energy's assessment of effects on marine mammals and seabirds is robust, and
  - b. Please provide comment on any measures you consider are reasonably necessary to avoid, remedy or mitigate adverse effects of the activity on marine mammals and seabirds.
4. Beach Energy has identified the presence of Protected Species under the Wildlife Act 1953 that may be present within the Wherry and Gondola areas of interest. (Section 4.3.2 Protected Species, pages 81-81 of the IA).
  - a. Please confirm that Beach Energy's identification of Protected Species and its assessment of the impact of the proposed discharges on them is accurate and comprehensive.
  - b. Please provide an explanation of any regulatory approvals required by Beach under the Wildlife Act 1953 in relation to Protected Species that may be affected by Beach's activities in the Canterbury Basin.
5. In relation to your responsibilities under any marine management regime (as defined in section 7 of the EEZ Act), please provide comment on any other matter you consider may assist the DMC in determining the applications under section 59 and 61 of the EEZ Act.

Please provide this information to the EPA by **Friday 26 June 2020** The information will be provided to the applicant as soon as it is received.

If you have any questions or further queries please don't hesitate to contact the Project Leader, Jillian Kennemore on +64 27 641 7250 or via email at [Jillian.Kennemore@epa.govt.nz](mailto:Jillian.Kennemore@epa.govt.nz).

Yours sincerely



**Sandra Balcombe**  
**Acting Manager**  
**Land and Ocean Applications**

**Cc:**

Sarah Hucker, RMA National Senior Planning Advisor, Department of Conservation; and Angus Gray, Resource Management Planner, Department of Conservation.