

# Memorandum

File Ref: EEZ100019

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**To:** Sandra Balcombe, Manager (Acting), Land & Oceans Applications

**Copy to:** Teresa Calmeyer, Team Leader, Land & Oceans Applications

**From:** Christina Smits, Advisor, Land & Oceans Applications

**Date:** 20 May 2020

**Subject:** Public notification of Beach Energy Resources NZ (Holdings) Limited's application for marine discharge consent to discharge trace amounts of harmful substances from deck drains of a Mobile Offshore Drilling unit as offshore processing drainage (OPD), Canterbury Basin (EEZ100019).

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## Purpose

1. To seek your approval to publicly notify and serve notice of the Beach Energy Resources NZ (Holdings) Limited (Beach Energy) application for marine discharge consent (the application) in order to meet the requirements of section 46 of the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 (EEZ Act).

## Background

2. On 25 March 2020, Beach Energy lodged an application for marine discharge consent with the Environmental Protection Authority (EPA) for discharges within two areas of interest in PEP 38264 offshore South Canterbury.
3. The Beach application was accepted as complete on 24 April 2020, [http://epa/edrms/eez/1/EEZ100019/Lodgement/EEZ100019\\_Completeness\\_Memo\\_Final\\_24April2020.pdf](http://epa/edrms/eez/1/EEZ100019/Lodgement/EEZ100019_Completeness_Memo_Final_24April2020.pdf)
4. In accordance with section 46 of the EEZ Act, the EPA must publicly notify the application within 20 working days of determining it complete. We therefore must publicly notify the application on or before Friday 22 May 2020 (see calendar in [http://epa/edrms/eez/1/EEZ100019/Project\\_Management/EEZ100019\\_cost\\_estimate.xlsx](http://epa/edrms/eez/1/EEZ100019/Project_Management/EEZ100019_cost_estimate.xlsx))
5. The Beach Energy application will be notified on **Friday 22 May** by placing the public notice on the EPA website, publishing a short summary of the public notice in newspapers and serving copies of the public notice on relevant parties.
6. The identification of parties to be notified (either directly, through newspapers or the website) is based on:
  - a) The list of parties identified by Beach Energy both in its application documents, and any further parties Beach Energy identified in the further information request of 29 April 2020; [http://epa/edrms/eez/1/EEZ100019/Further\\_Information\\_Advice/EEZ100019\\_s54\\_Further\\_Information\\_Request\\_No.1.docx](http://epa/edrms/eez/1/EEZ100019/Further_Information_Advice/EEZ100019_s54_Further_Information_Request_No.1.docx).
  - b) Consultation with KKT.

## Public Notice and Short Summary

7. A public notice and a short summary of the public notice have been prepared for the application in accordance with section 46 of the EEZ Act.
8. [Section 46\(2\)](#) of the EEZ Act requires the public notice to: be in the prescribed form; give a summary of the application; and specify where the application is available for inspection. The EPA's prescribed form also notes that supporting information for submitters (including a submission form) can be found on our website. A draft public notice is attached as **Appendix 1**, for your approval.
9. On 5 May 2020, we provided a copy of the draft public notice text to Beach Energy who have reviewed the description of the application and confirmed the address for service. We incorporated their comments into the public notice where appropriate.
10. The definition of 'public notice' in [Section 7A](#) of the EEZ Act also requires the EPA to publish a short summary of the full public notice in one or more national newspapers circulating in the cities of Wellington, Auckland, Christchurch and Dunedin and in a newspaper in the region adjacent to the area that is subject of the matter to which the application relates. There is no prescribed form for the short summary, but section 7A specifies that the wording must be clear and concise and include details of the website where the full public notice can be accessed. A draft short summary is provided in **Appendix 2**, for your approval.
11. The application area, PEP 38264, covers some 14,000km<sup>2</sup>. Within this area, the two areas of interest for drilling are the Wherry prospect which at its western edge is located about 120km offshore from the coastal town of Oamaru, and the Gondola prospect which is about 80km from the Otago coastline north of Dunedin, approximately in line with the Karitane/Waikouaiti townships.
12. Ten of the 12 proposed well sites are located within the Wherry prospect, clustered around the north-western section of the permit. The closest towns to these proposed well sites are Oamaru in north Otago, and Timaru in south Canterbury. Therefore ensuring newspaper coverage of both north Otago and south Canterbury would meet the requirement of section 7A of the EEZ Act (the region considered to be adjacent to the area of proposed application).
13. The remaining two proposed well sites are located within the Gondola prospect situated offshore less than 50 km north of Dunedin city. The Otago Daily Times is the newspaper in circulation in this area.
14. Accordingly, it is recommended that the short summary of the public notice be published in the Auckland Herald, the Dominion Post, the Christchurch Press and the Otago Daily Times on Friday 22 May 2020. As the Otago Daily Times is in circulation in the Otago region, and the Christchurch Press is in circulation in south Canterbury, no further regional newspaper publication is required.
15. NeonLogic, a new division of Adcorp, has been contracted to publish the short summary in these newspapers. If, due to the Covid-19 virus, the publication of the public notice is delayed beyond the anticipated date, the short summary will be published as soon as practicable after the relevant alert levels pass.

## Making the application available for public viewing

16. As noted above, the full public notice and the short summary must specify where the application is available for inspection.
17. The application will be available for viewing at the following locations:
  - a) EPA website;
  - b) EPA office in Wellington;
  - c) Dunedin City Library;
  - d) Waitaki District Library in Oamaru;
  - e) Tūranga Library, Cathedral Square, Christchurch; and

f) Timaru Library.

18. The above libraries are considered to be the most accessible locations in proximity to the application area to enable the public to view a hard copy of the application. It is noted that the Waitaki District library in Oamaru has been closed until the Alert Level returns to 1 and Dunedin City, and Timaru Libraries have been closed until further notice due to the Covid-19 pandemic. The Christchurch City Libraries website states that Tūranga Libray will be the first of the Christchurch city libraries to open and will open “when we are confident that it is safe to do so”<sup>1</sup>. Accordingly, a hard copy of the application documents will be provided to these libraries for when they re-open.
19. The EPA reception is also currently closed to members of the public. A hard copy of the application documents will be available for public viewing when the EPA reception re-opens.
20. The draft public notice notes these potential Covid-19 delays in the availability of hard copies at these locations.

## Supporting information for the public and potential submitters

### Supporting information for submitters (website material only)

21. Guidance on making a submission is available on the public consultations section of the EPA website<sup>2</sup>.

### Responding to requests for hard copies of the marine discharge consents application

22. We are not expecting to receive requests for hard copies of the application. Generally, requests for copies of the application should be responded to by providing an electronic copy of the application on CD or USB. Should a request for a copy of the application be received, we will save a copy of the application on USB and send that USB to the requestor.
23. Any specific requests for hard copies will be considered on a case-by-case basis and discussed with the applicant, particularly around the timing and potential costs to provide additional hard copies.

### Managing public enquiries

24. A public enquiry system is already in place for the Beach Energy application. The public enquiry system includes:
  - a) A web page set up in the Public Consultations area of the EPA website that will go live on **Friday, 22 May 2020**.
  - b) A cell phone with an 0800 number set up for the application: 0800 463 697
  - c) An email address set up specifically for the application: [beachenergy.application@epa.govt.nz](mailto:beachenergy.application@epa.govt.nz), and
  - d) EPA staff allocated to manage the above.
25. The website will be the primary source of information for members of the public and submitters on the application; it will be updated regularly as the application progresses.

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<sup>1</sup> [https://my.christchurchcitylibraries.com/news/coronavirus-information/?\\_ga=2.21633976.285397606.1584301609-1160785990.1537145862](https://my.christchurchcitylibraries.com/news/coronavirus-information/?_ga=2.21633976.285397606.1584301609-1160785990.1537145862)

<sup>2</sup> <https://www.epa.govt.nz/public-consultations/how-to-make-a-submission/>

## Friend of Submitter (FoS)

26. We do not propose to appoint a Friend of Submitter (FoS) at this stage. A FoS is not a mandatory requirement of the EEZ Act. A FoS has not been used for many of the previous EEZ Act applications and we consider the EPA staff are able to provide any support that submitters require.

## Public Information Meeting

27. We will consider requests for public information meetings specific to the Beach Energy application on a case by case base. Such a meeting would most likely be held using some form of video conferencing platform and would focus on explaining the marine discharge consent application and the associated submission and hearing processes. We will inform you of any such requests and seek direction.

## Parties to be served a copy of the public notice

28. Section 46 of the EEZ Act states:

*(1) If the Environmental Protection Authority is satisfied that an application for a marine consent for a publicly notifiable activity is complete, it must –*

- (a) If the application is for a section 20 activity, immediately notify the Minister in writing that an application has been made (to allow a board of inquiry to be appointed under section 52); and*
- (b) within 20 working days –*
  - i. give public notice of the application; and*
  - ii. serve a copy of the notice on –*
    - (A) every other Minister with responsibilities that may be affected by the activity for which consent is sought:*
    - (B) Maritime New Zealand:*
    - (C) iwi authorities that the EPA considers may be affected by the application:*
    - (D) customary marine title groups that the EPA considers may be affected by the application:*
    - (E) protected customary rights groups that the EPA considers may be affected by the application:*
    - (F) other persons that the EPA considers have existing interests that may be affected by the application:*
    - (G) regional councils whose regions may be affected by the application.*

29. Our approach to identify the parties as set out in section 46(1)(b) of the EEZ Act is described below. **Appendix 3** provides a summary of parties to be served a copy of the public notice.

## Determining the geographic extent of notification

30. The impact assessment provided by Beach Energy identifies the discharge of trace amounts of harmful substances from the deck drains aboard the Mobile Offshore Drilling Units (MODU) as the only activity.
31. In its impact assessment, Beach Energy provides a worst-case scenario estimate of the volume and ecotoxicity value of the most harmful substance that could be entrained in the deck drain system during a hazardous chemical spill event aboard the MODU.

32. Beach Energy estimates the maximum total volume of harmful substances to remain on the deck and then enter the deck drains during a single spill event would be 250 ml<sup>3</sup> and used sodium hypochlorite in its modelling as the most ecotoxic substance aboard the MODU. This is classified as a 9.1A (highly ecotoxic to aquatic organisms)<sup>4</sup>.
33. The worst case scenario is assumed to be where all the spilled liquid would enter a settling tank of at least 5m<sup>3</sup> in volume, and diluted in a half-filled settling tank (approximately 2500L of water) prior to being discharged into the marine environment. The dilution from the water within the settling tank substantially reduces the concentration of the discharged substances<sup>5</sup>, and therefore its impact on the environment. Any discharge into the marine environment would then be subject to significantly more dilution as it mixed with sea water.
34. Beach Energy calculated a maximum of 125l/hr deck runoff entering the deck drains by using rainfall data from the Oamaru weather station and a deck surface area comparable to that of the semi-submersible COSL Prospector. The discharge plume was then calculated to be limited to within a 35m radius of the discharge point in a worst case scenario<sup>6</sup>. Their modelling put the discharge plume radius at 35m at Day 1 of the discharge reducing to 20m on Day 2 and a negligible distance by Day 11.
35. Beach Energy has determined the size of the impacted areas named the Gondola and Wherry IAAs by plotting 11 km radius circles around each proposed well location and drawing a rectangle that encompasses all the plotted circles at each of the two prospects. The 11 km radius distance allows for the final well locations potentially being 1 km from the proposed locations, plus a 10 km impact assessment distance from each well.

### Section 46(1)(b)(ii)(A) Ministers with responsibilities that may be affected by the activity

36. The EPA must serve notice of the application on Ministers with responsibilities that may be affected by the activity for which consent is sought. Section 148(3) of the EEZ Act provides that a Minister of the Crown may be served by service on the Chief Executive of the appropriate department of state.
37. The Minister for Workplace Relations and Safety is considered to be potentially affected by the application because of the presence and use of harmful substances on a structure used as a workplace. We will serve a copy of the public notice on the Minister by serving the Chief Executive of Ministry of Business, Innovation and Employment, as the department of state. A copy will also be sent to the Chief Executive of WorkSafe.
38. The Minister for Conservation is considered to be potentially affected. The proposed discharge of harmful substances with effects (potentially up to 200 m from the MODU), may give the Minister of Conservation cause for concern as the administrator of the Wildlife Act 1953 and the Marine Mammals Protection Act 1978. We will serve a copy of the public notice on the Minister by serving a copy on the Director-General of the Department of Conservation.

### Section 46(1)(b)(ii)(B) Maritime New Zealand

39. Maritime New Zealand will be served a copy of the public notice as required under s 46(1)(b)(ii)(B) of the EEZ Act.

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<sup>3</sup> Page 46 of the Impact Assessment

<sup>4</sup> As per the Hazardous Substances (Classification) Notice 2017: <https://www.epa.govt.nz/assets/Uploads/Documents/Hazardous-Substances/EPA-Notices/Hazardous-Substances-Classification-Notice-2017.pdf>

<sup>5</sup> Page 46 of the Impact Assessment

<sup>6</sup> Page 48 of the Impact Assessment

### Section 46(1)(b)(ii)(C) Iwi authorities that the EPA considers may be affected by the application

40. The EPA has identified the following iwi authorities that may be affected by the application and should therefore be served a copy of the public notice:
- Te Rūnanga o Ngāi Tahu; and
  - Te Rūnanga o Moeraki.
41. When consulted by Beach Energy, Ngāi Tahu suggested further papatipu rūnaka that may be affected by the application:
- Te Rūnanga o Arowhenua;
  - Kati Huirapa Rūnaka ki Puketeraki;
  - Te Rūnanga o Ōtākou; and
  - Te Rūnanga o Waihao,
42. Accordingly, these rūnanga will also be served a copy of the public notice, as listed in **Appendix 3**.

### Section 46(1)(b)(ii)(D) and (E) Customary marine title groups and protected customary rights groups that the EPA considers may be affected by the application

43. There are no customary marine title groups or protected customary rights groups. However further discussion of customary rights is provided below in relation to section 46(1)(b)(ii)(F).

### Section 46(1)(b)(ii)(F) Other persons that the EPA considers have existing interests that may be affected by the application

44. Section 4(1) of the EEZ Act defines 'existing interest' as, the interest a person has in -

*“(a) any lawfully established existing activity, whether or not authorised by or under any Act or regulations, including rights of access, navigation, and fishing:*

*(b) any activity that may be undertaken under the authority of an existing marine consent granted under section 62:*

*(c) any activity that may be undertaken under the authority of an existing resource consent granted under the Resource Management Act 1991:*

*(d) the settlement of a historical claim under the Treaty of Waitangi Act 1975:*

*(e) the settlement of a contemporary claim under the Treaty of Waitangi as provided for in an Act, including the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992:*

*(f) a protected customary right or customary marine title recognised under the Marine and Coastal Area (Takutai Moana) Act 2011.”*

*Section 4(1)(a) - Any lawfully established existing activity, whether or not authorised by or under any Act or regulations, including rights of access, navigation, and fishing:*

45. In its application, Beach Energy identified the following commercial fishing interests as representing lawfully established existing activities that may be affected by the application:
- Deepwater Group - a non-profit organisation that works in partnership with the MPI and involves more than 50 seafood companies;

- Southern Inshore Fisheries Management Company Ltd (Southern Inshore) – a commercial stakeholder organisation with a mandate to represent a range of stocks that occur primarily in the South Island;
  - Te Ohu Kaimoana – with its role to advance the interest of iwi individually and collectively, through the development of fisheries, fishing, and fisheries-related activities; and
  - Ngāi Tahu Seafoods - manages its own fisheries assets as well as the fisheries settlement assets owned by Ngāi Tahu Fisheries Settlement Limited.
46. The EPA will serve the above parties with a copy of the public notice, as listed in **Appendix 3** of this Memo.
47. In addition, the EPA has considered the Court of Appeal decision on the Trans-Tasman Resources Limited (TTRL) iron sand mining application, which was issued after Beach Energy lodged its application. The Court of Appeal decision discusses the scope of existing interests and the information required to be considered by decision makers in respect of those existing interests. It is noted that, for example, customary rights that form the basis of a claim under the Marine and Coastal Area (Takutai Moana) Act 2011 (MACA), including kaitiakitanga interests, may be relevant existing interests.
48. Accordingly, the EPA will serve a copy of the public notice on the following groups that have applied for a customary marine title under MACA and which can be considered as existing interests in relation to the Beach Energy application:
- Te Maiharoa Whanau (MAC-01-13-09) and Te Rūnanga o Ngāi Tahu (MAC-01-13-02)– pending applications MACA, as listed on <https://tearawhiti.govt.nz/te-kahui-takutai-moana-marine-and-coastal-area/applications-made-under-the-marine-and-coastal-area-act/south-island/>. These have a localised focus in the Canterbury/Otago coastal region.
  - Rihari Dargaville (CIV-2017-404-538) <https://www.nzcp.com/wp-content/uploads/2017/05/CIV-2017-404-538.pdf> and Cletus Maanu Paul (CIV-2017-485-512) <https://www.courtsofnz.govt.nz/assets/the-courts/high-court/high-court-lists/applications-marine-coastal-list/civ-2017-485-000512-paul/civ-2017-485-512allofnz.pdf> - these High Court MACA claim applications that cover the whole of the New Zealand coastline.
49. Furthermore, Te Rūnanga o Ngāi Tahu manages the notified rohe moana (customary fisheries management areas) out to 200 nautical miles for its Papatipu Rūnaka. This arrangement has been gazetted via regulations made under the Fisheries Act 1996 as per the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992. Serving a copy of the public notice on Te Rūnanga o Ngāi Tahu will ensure all those that identify with Ngāi Tahu receive notification of the Beach Energy application.
50. Accordingly, the EPA will serve the public notice on the following parties (as listed in **Appendix 3** of this memo):
- Te Rūnanga o Ngai Tahu,
  - Te Maiharoa Whanau,
  - Rihari Dargaville, and
  - Cletus Maanu Paul.
51. At this stage, the EPA is not aware of any other lawfully established activities that may be affected by the application given the scale and magnitude of the anticipated effects, and the fact the activities will be conducted 80-120km offshore.

*Section 4(1)(b) - Any activity that may be undertaken under the authority of an existing marine consent granted under section 62:*

52. The EPA has not identified any activities that have existing marine consents granted under section 62 of the EEZ Act that may be affected by the application.

*Section 4(1)(c) – Any activity that may be undertaken under the authority of an existing resource consent granted under the Resource Management Act 1991*

53. Due to the distance of the proposed activity from shore and the Coastal Marine Area, the EPA has not identified any existing resource consent holders that may be affected by the application.

*Section 4(1)(d) and (e) – The settlement of a historical claim under the Treaty of Waitangi Act 1975 and the settlement of a contemporary claim under the Treaty of Waitangi as provided for in an Act, including the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992*

54. The EPA considers the following parties qualify as existing interests under these provisions, although they have already been identified in this memo to be served with the copy of the public notice:
- Te Rūnanga o Ngāi Tahu – has historical and contemporary claims;
  - Te Ohu Kaimoana - holds an owner's interest in a portion of all the commercial fishing rights held by Māori to manage on behalf of all; and
  - Ngāi Tahu Seafoods - owns and manages Ngāi Tahu's commercial fishing interests on its behalf.

*Section 4(1)(f) - A protected customary right or customary marine title recognised under the Marine and Coastal Area (Takutai Moana) Act 2011*

55. This aspect is discussed above in relation to Section 46(1)(b)(ii)(D) and (E) of the EEZ Act.

*Existing Interests identified by the applicant*

56. When making an application for marine consent the impact assessment must “*identify persons whose existing interests are likely to be adversely affected by the activity*”<sup>7</sup>.
57. As noted above, Beach Energy has identified Deepwater Group, Southern Inshore, Te Ohu Kaimoana, and Ngāi Tahu Seafoods as existing interests through being lawfully established existing activities under section 4(1)(a).
58. Beach Energy also consulted with a number of other groups and organisations in relation to the application:
- Te Rūnanga o Arowhenua (through Aoraki Environmental Consultancy Limited);
  - Kati Huirapa Rūnaka ki Puketeraki (through Aukaha);
  - Te Rūnanga o Ōtākou (through Aukaha);
  - Te Rūnanga o Waihao (through Aukaha);
  - DOC (both national and regional offices);
  - Maritime NZ;
  - Relevant regional Councils: Otago Regional Council and Environment Canterbury; and
  - Seafood New Zealand.
59. As discussed above, these groups will be served a copy of the public notice, as listed in **Appendix 3**. Some of these parties have already been identified in this memo.

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<sup>7</sup> Section 39(1) (C) of the EEZ Act.

60. In light of the TTRL Court of Appeal decision, the EPA requested Beach Energy to provide further information on any additional persons with existing interests to be identified. This information was provided on Monday, 18 May 2020 and does not identify any further existing interests in addition to those discussed above.

### Section 46(1)(b)(ii)(G) Regional Councils whose regions may be affected by the application

61. As identified by Beach Energy, Otago Regional Council and Canterbury Regional Council may be affected by the application and will be served a copy of the public notice, as listed in Appendix 3 of this memo.

### Conclusions on identification of section 46 parties

62. Based on the approach described above, we have identified 20 parties to be served a copy of the public notice on. The list of parties is provided in **Appendix 3**.

### Serving section 46 parties electronically

63. Section 148 of the EEZ Act states that:

*(1) "If a notice or other document is to be served on a person for the purposes of this Act,—  
(a) it must, if the person has specified an electronic address as an address for service for the matter to which the document relates, be served by sending it to the electronic address"*

64. Accordingly, the EPA will serve the public notice on the section 46 parties by sending it to the electronic address if the person has specified an electronic address as an address for service. We will serve the public notice by post if no electronic address is specified, or if the section 46 parties prefer to be served by post.
65. Copies of the notification letters to be sent to section 46 parties on **Friday, 22 May 2020** are attached in **Appendix 4**.

### Amendment to prescribed form for Public Notice and Submission Form

66. On 3 November 2017, the Chief Executive of the EPA delegated to the Manager Land & Oceans Applications his authority under s 159(1)(b) of the EEZ Act to waive a failure to comply with a requirement under this Act or regulations for the time or method of service of documents.
67. Section 46(2)(a) requires a public notice of an application to be in the prescribed form. Submissions must also be made in the prescribed form (s(47)(1)).
68. The prescribed form for the public notice and the submission form specify the various ways a submission can be served on the applicant including by email, post or delivery in person.
69. Due to the current COVID-19 pandemic response alert levels in New Zealand, the option of serving a copy of the submission in person on the applicant has been removed from the public notice and submission form for this application.
70. The majority of submissions are received by the EPA and the applicant electronically or by post. No parties are considered to be directly affected by removing the option to serve a copy of the submission on the applicant by delivering it in person.

71. It is recommended that you waive the non-compliance with the prescribed form for the public notice and submission form, so that the requirement to allow for delivery in person is removed for this application.

## Recommendations

We recommend that you:

<ul style="list-style-type: none"> <li>• <b>Agree</b> to the notification approach as described above;</li> </ul>	<b>Yes</b>
<ul style="list-style-type: none"> <li>• <b>Approve</b> the public notice and short summary public notice (Appendices 1 and 2);</li> </ul>	<b>Yes</b>
<ul style="list-style-type: none"> <li>• <b>Agree</b> to publish the public notice in the Auckland Herald, the Christchurch Press, the Dominion Post and the Otago Daily Times;</li> </ul>	<b>Yes</b>
<ul style="list-style-type: none"> <li>• <b>Agree</b> that we make copies of the application publicly available on the EPA website, and (when open) at the EPA office in Wellington and Dunedin, Oamaru and Timaru and Christchurch Libraries;</li> </ul>	<b>Yes</b>
<ul style="list-style-type: none"> <li>• <b>Agree</b> that we email copies of the public notice to parties that are to be served a copy of the public notice (as identified in Appendix 3).</li> </ul>	<b>Yes</b>
<ul style="list-style-type: none"> <li>• <b>Agree</b> to waive the non-compliance with the prescribed form for public notice of the application, and the submission form, removing the option for submissions to be delivered to the applicant and the EPA in person.</li> </ul>	<b>Yes</b>



**Sandra Balcombe**  
Acting Manager, Land & Oceans Applications

20 May 2020

**Date**

## Appendix 1 – Draft Public Notice

### Beach Energy Resources NZ (Holdings) Limited application for marine discharge consent (EEZ100019)

#### Application for a marine discharge consent to discharge harmful substances from deck drains of a Mobile Offshore Drilling Unit as offshore processing drainage in the Canterbury Basin

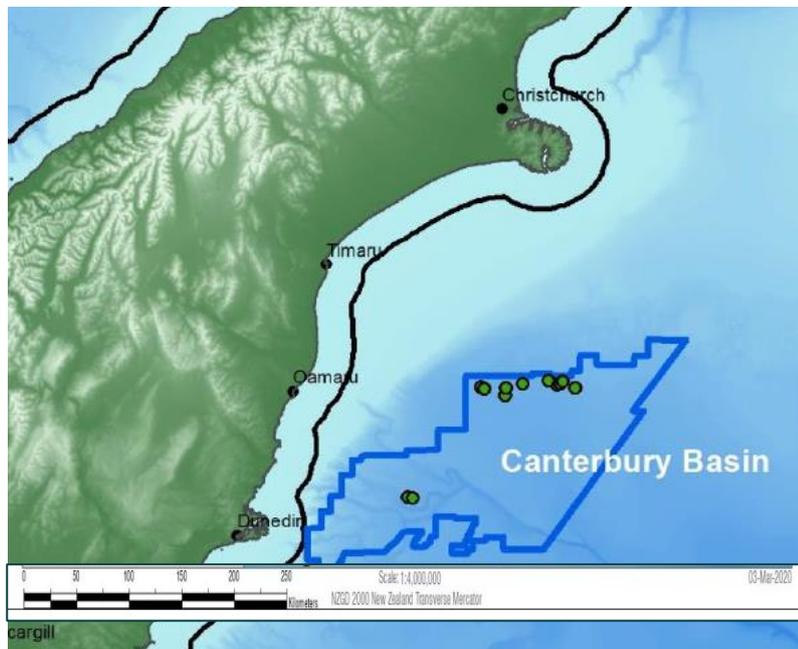
On 25 March 2020 Beach Energy Resources NZ (Holdings) Limited (Beach Energy) lodged an application with the Environmental Protection Authority (EPA) for a marine discharge consent. In accordance with section 46 of the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 (the EEZ Act), the EPA gives notice of this application.

#### Summary of the application

Beach Energy is applying to discharge trace amounts of harmful substances from the deck drains of a Mobile Offshore Drilling Unit (MODU) as offshore processing drainage. The MODU will be used to drill exploration and appraisal wells in the Canterbury Basin within Petroleum Exploration Permit area PEP38264, within the Canterbury Basin. The duration of the consent sought is until November 2029.

This application relates only to the discharge of trace amounts of harmful substances, from the deck drains of any MODU used. No other activities related to the applicant's exploration programme are the subject of this application.

Figure 1: Map of PEP38264 within the Canterbury Basin



## Where to view the application

Beach Energy's application, and further information on the process, can be viewed on the EPA's website at: [www.epa.govt.nz](http://www.epa.govt.nz) under Public Consultations > Open for submission > Beach Energy marine discharge consent application.

The application can also be viewed in hard copy at the following premises, as they re-open under COVID-19 pandemic response alert levels:

- EPA Office, Level 10, 215 Lambton Quay, Wellington
- Tūranga, 60 Cathedral Square, Central Christchurch
- Timaru Library, 50 Sophia Street, Timaru
- Oamaru Library, 62 Thames Street, Oamaru
- Dunedin City Library, 230 Moray Place, Dunedin

## How to make a submission

Anyone can make a submission on the application provided it is in the prescribed submission form.

You can make an online submission via the EPA website, or submission forms can be downloaded from [www.epa.govt.nz](http://www.epa.govt.nz) under > Public Consultations > Open for submission > Beach Energy marine discharge consent application. Submission forms can also be requested by contacting the EPA on 0800 463 697 or via email at [beachenergy.application@epa.govt.nz](mailto:beachenergy.application@epa.govt.nz).

You must also send a copy of your submission to Beach Energy:

- By email to [community@beachenergy.com.au](mailto:community@beachenergy.com.au), or
- By post to Beach Energy Resources NZ (Holdings) Limited, Private Bag 2022, New Plymouth 4340, ATTN: Country Manager NZ.

Submissions must be received by the EPA no later than **5.00pm on Monday, 6 July 2020**.

Sandra Balcombe  
Manager (Acting), Land & Oceans Applications  
Under delegation from the Environmental Protection Authority

## Appendix 2 - Short summary of the public notice

# NOTIFIED EEZ ACT MARINE DISCHARGE CONSENT APPLICATION - CANTERBURY BASIN

The EPA has publicly notified an application by Beach Energy Resources NZ (Holdings) Limited under the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012. The application is for a marine discharge consent to discharge trace amounts of harmful substances from the hazardous and non-hazardous deck drains of a Mobile Offshore Drilling Unit (MODU), as offshore processing drainage. The duration of the consent sought is until November 2029.

The MODU will be used to drill exploration and appraisal wells in the Canterbury Basin within Petroleum Exploration Permit area PEP38264, but this application relates only to the discharge of trace amounts of harmful substances from the deck drains of any MODU used.

### Where to view the application

The public notice, the application, and further information on the process can be viewed on the EPA's website at: [www.epa.govt.nz](http://www.epa.govt.nz) under Public Consultations > Open for submission > Beach Energy marine discharge consent application.

The application can also be viewed in hard copy at the following premises, as they re-open under COVID-19 pandemic response alert levels:

- a) EPA Office, Level 10, 215 Lambton Quay, Wellington
- b) Tūranga, 60 Cathedral Square, Central Christchurch
- c) Timaru Library, 50 Sophia Street, Timaru
- d) Oamaru Library, 62 Thames Street, Oamaru
- e) Dunedin City Library, 230 Moray Place, Dunedin.

Anyone can make a submission on the application. Further information in this respect can be viewed on the EPA website.

Submissions must be received by the EPA no later than **5pm on Monday, 6 July 2020**.

## Appendix 3 – Table of directly notified parties

Parties to be served a copy of the Public Notice for the Beach Energy NZ Limited application for marine discharge consent EEZ100019

S 46(1)(b)(ii) EEZ Act	Organisation	Number	Service Method
A. <i>Ministers with responsibilities that may be affected by the activity for which consent is sought</i>	Chief Executive of Ministry for Business, Innovation and Employment (Copy to Chief Executive of WorkSafe New Zealand)  Director-General of the Department of Conservation	2	email
B. <i>Maritime NZ</i>	Maritime New Zealand	1	email
C. <i>iwi authorities that the EPA considers may be affected by the application</i>	<i>Iwi Authorities identified by the applicant:</i> Te Rūnanga o Ngāi Tahu, plus papatipu rūnaka: <ul style="list-style-type: none"> <li>• Te Rūnanga o Arowhenua (Aoraki Environmental Consultancy Limited)</li> <li>• Kati Huirapa Rūnaka ki Puketeraki (through Aukaha);</li> <li>• Te Rūnanga o Ōtākou (through Aukaha); and</li> <li>• Te Rūnanga o Waihao (through Aukaha),</li> </ul> Te Rūnanga o Moeraki (Karen Coutts)	6	email
D. <i>customary marine title groups that the EPA considers may be affected by the application</i>	n/a		

S 46(1)(b)(ii) EEZ Act	Organisation	Number	Service Method
E. <i>protected customary rights groups that the EPA considers may be affected by the application</i>	N/A		
F. <i>Other persons that the EPA considers have existing Interests that may be affected by the application</i>	Deepwater Group Southern Inshore Fisheries Management Company Ltd (Southern Inshore) Te Ohu Kaimoana Ngāi Tahu Seafoods Te Maiharoa Whanau Rihari Dargaville, and Cletus Maanu Paul Seafood NZ, (Chief Executive is Dr Jeremy Helson) Aukaha (consultant – see list in C above)	9	email
G. <i>Regional Councils whose regions may be affected by the application</i>	<i>Regional councils identified by the applicant:</i> Otago Regional Council Canterbury Regional Council (Environment Canterbury)	2	email
<b>TOTAL</b>		<b>20</b>	

## Appendix 4 – Copy of Letters to Notified Parties

As attached five letters to be addressed in person and emailed to the following groups:

- *Ministers*
- *Maritime New Zealand*
- *Iwi authorities*
- *Existing interests*
- *Regional councils*