

ENQ-40298-G3L3H3

19 November 2020

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Via: ██████████ [@ahmlaw.nz](mailto:██████████@ahmlaw.nz)

Official Information Act Request

Dear ██████████

I refer to your request received on 10 November 2020, for the following information:

“ ... whether Kupe has any other EEZ consents, or is that the lot, because the facility was in existence before the EEZ Act came into force? And do you know whether there has been any enforcement action(s) or the like since the Act came into force relating to Kupe.”

Your request has been treated as a request for information under the Official Information Act 1982 (OIA).

The response to your request follows.

Consents and compliance

A deemed marine consent was in place for the Kupe well head platform, but this expired on 21 January 2019.

Section 162 of the EEZ Act allows an operator to continue with existing activities involving an existing structure or pipeline which would otherwise require a marine consent as a result of the EEZ Act coming into force. These existing activities may continue without a marine consent for the term of the relevant petroleum mining permit or privilege. Currently, there are no active marine consents.

An Emergency Spill response Plan (ESRP) EEZ600008 is in place for the Kupe Field Wellhead Platform (WHP). The ESRP outlines Beach Energy's spill contingency planning and response arrangements for marine pollution incidents associated with the operation of these facilities.

The ESRP was written to meet the requirements of Regulation 24 of the Exclusive Economic Zone and Continental Shelf (Environmental Effects - Discharge and Dumping) Regulations 2015.

A ruling under section 162(2) of the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 has been issued to regulate the Installation and removal of subsea assembly and associated equipment at KS-2 well.

Under the Dumping and Discharge Regulations, Beach Energy is required to submit Oil Record Books.

Enforcement actions

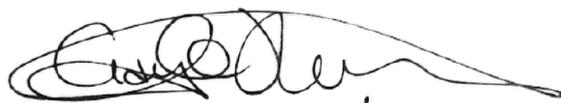
The EPA is investigating a potential breach of the law as a result of the unauthorised discharge from the KS-2 well. However, we are withholding further information under section 6(c) of the Act to avoid prejudice to our ongoing investigation.

You have the right to seek an investigation and review of this decision by the Ombudsman. You can contact the Ombudsman on 0800 802 602, or by email at info@ombudsman.parliament.nz.

If you have any further queries, please do not hesitate to contact us via ministerials@epa.govt.nz.

We will publish your request and our response on our website, www.epa.govt.nz, within 10 working days from today. We make OIA responses available so others can read more about the work we do and the questions we are asked. Any information that might identify you will be removed to protect your privacy.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Gayle Holmes', with a long, sweeping horizontal stroke extending to the right.

Gayle Holmes

General Manager, Compliance Monitoring and Enforcement