



Marine consent applications: when and how the public is involved

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If someone wants to carry out certain activities in the ocean within New Zealand's Exclusive Economic Zone, they must first apply to us for a marine consent. These activities are known as 'discretionary activities' under New Zealand law. Find out more about when and how you can be involved.

Activities needing marine consents

There are three types of marine consent:

- **marine consent** for seabed mining for minerals or for drilling for oil or gas
- **marine dumping consent** for dumping dredged material, vessels, certain organic waste or structures
- **marine discharge consent** for releasing sediments or harmful substances into the marine environment.

What happens when the EPA receives an application

Once an application for a marine consent is sent to us (this is called 'lodgement' of the application), we have 20 working days to check whether it is complete and includes all of the information that we need to process it. We will then tell the applicant, that:

- we accept the application as it is complete, or
- we reject the application because it is incomplete.

For incomplete applications, the applicant is given the chance to include the required information and to submit it again.

What happens next depends on whether the activity is classed as 'notified' or 'non-notified' under New Zealand law.

When the public can be involved

Some marine consent applications are 'notified' during the application process. This means we must tell the public and interested parties that we received an application. We then give them the opportunity to send information or views about it in a 'submission'. A hearing may be held to allow people to present their submission to the people making the decision (an independent board of inquiry or an EPA-appointed committee, depending on the type of activity).

Some types of marine consent application are 'non-notified'. This means we cannot advertise the application publicly, nor accept information from the public in a submission.

The way we work with the public and interested parties while we consider marine consent applications is set out in our law, in the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 (we call it the EEZ Act here) and in rules set out in related regulations¹.

¹ The rules for activities under the EEZ Act are in four sets of Regulations:

- Exclusive Economic Zone and Continental Shelf (Environmental Effects - Permitted Activities) Regulations 2013
- Exclusive Economic Zone and Continental Shelf (Environmental Effects - Non-Notified Activities) Regulations 2014
- Exclusive Economic Zone and Continental Shelf (Discharge and Dumping) Regulations 2015
- Exclusive Economic Zone and Continental Shelf (Environmental Effects - Burial at Sea) Regulations 2015



Notified and non-notified applications

Notified	Non-notified
Marine consent	
Development drilling for oil or gas	Exploration drilling for oil or gas
Seabed mining for minerals	
Marine dumping consent	
Dumping dredged material or vessels outside of the sites already authorised by the EEZ Act	Dumping dredged material or vessels inside sites already authorised ² by the EEZ Act
Dumping specified other wastes and structures not placed for mineral exploration anywhere in the EEZ	Dumping specified organic wastes and structures placed for mineral exploration anywhere in the EEZ
Marine discharge consent	
Discharge of harmful substances from new production structures as offshore processing drainage, production water, displacement water	Discharge of all harmful substances by existing petroleum production structures
Discharge of sediments and harmful substances (not otherwise classified) from seabed mining	Discharge of harmful substances by petroleum exploration structures other than offshore processing drainage
	Discharge of harmful substances from new production structures other than offshore processing drainage, production water, or displacement water

How we keep you informed

For notified applications (within 20 working days of accepting the application as complete):

- we may advertise in the public notices section of the Auckland Herald, Otago Daily Times, the Dominion Post and the Christchurch Press
- we publish a public notice our web site, and
- we send a copy of the public notice to iwi authorities and customary groups, Maritime New Zealand, relevant government agencies and regional councils and any other parties with existing interests that could be affected by the application
- we set a date when we are open to receive submissions from the public for a period of 30 working days

For non-notified applications (after we accept the application is complete):

- we send a copy of the application to iwi authorities and customary groups, Maritime New Zealand, relevant government agencies and regional councils and any other parties with existing interests that could be affected by the application
- the public cannot give us their information on the application in a submission

How to make a submission

For more information, and to find out how to make a submission, see our the Public Consultations area of our website <https://www.epa.govt.nz/public-consultations/how-to-make-a-submission/>

² Five deep-water sites of radius four nautical miles are set aside under New Zealand law for certain dumping and related activities. Trawling for fishing is restricted at these sites and they are marked on nautical charts. For more information about their location, see our website.

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