



Permitted activities in New Zealand's offshore waters

August 2018

We are the regulator of certain activities in New Zealand's offshore waters. This means we make sure that organisations who want to carry out these activities follow the rules set out under New Zealand law. Find out more about 'permitted activities' here.

We keep a watch over 'permitted activities' which don't need our approval, but do involve following some rules to carry them out legally. These rules are set out in the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 (the EEZ Act) and regulations¹. Permitted activities are generally actions that would have a low impact on the marine environment.

In general, before anyone can carry out a permitted activity in our offshore waters, they must first contact us at the EPA and give us some information about what they intend to do. This ensures that we can assess that what they propose is allowed, and that they aren't inadvertently planning to do anything illegal. For most activities, affected iwi, hapū, customary marine title groups, and protected customary rights groups must also be informed in advance.

We also monitor reports on the activity once it is underway to ensure the rules are followed and that it is lawful. In some cases we inspect the operations to ensure they are undertaken lawfully. For some activities we work with other agencies – for seismic surveying, we work with the Department of Conservation (DOC). When dealing with foreign government scientific research vessels, we work with the Ministry of Foreign Affairs and Trade (MFAT).

Generally, the law requires a report to be sent to us with details about how the activity was undertaken and showing that it was performed legally. We make sure that we receive these reports.

¹The rules for permitted activities are in four 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

So what are these activities? You will have heard of most of them.

Submarine cables

We rely on submarine cables for telecommunications between us and the rest of the world, for phones and for our internet access. They are an important way to connect us, as an isolated country in the middle of the ocean, to the rest of the world. We also have our own Cook Strait submarine cable carrying power from the South Island hydroelectric power stations to the North Island.

These cables are laid slowly from a specially-adapted ship at the surface of the ocean, but they don't just sit on the seafloor – they are attached to a plough which digs and embeds them in a trench. Ocean conditions are harsh, and these cables have a lifespan of about a decade.

Permitted activities for submarine cables include placing the cables, removing them, and their general maintenance and repair.

Space vehicle launches

New Zealand has some advantages for launching rockets into space: our country is in a fairly isolated location and there are few launch sites in the Southern Hemisphere. The Government has created a space agency to build on this advantage. The first successful space launch from New Zealand took place from Mahia Peninsula on 21 January 2018. The rocket carried three mini-satellites into space.

Rockets jettison material during the launch to assist lift-off and the long climb out of our atmosphere. Dropping material from rockets onto the seabed of the EEZ is a permitted activity, on condition that the debris enters the sea in the authorised zones, while avoiding closed seamounts (an area of high marine biodiversity where fishing using a trawling net is not allowed). There are also rules about the maximum number of launches.

Mineral prospecting and exploration (excluding oil and gas)

New Zealand has significant offshore resources of ironsand and phosphate nodules. Prospecting companies are exploring the seabed to find the materials we need. Mineral exploration can involve sampling the seabed to find out information about the sediments and geology. Prospecting for minerals in the EEZ is a permitted activity, as long as the effect of any sampling on the surrounding area and site is minimised. This means samples can be taken by hand or by mechanical methods that don't impact large areas of the sea floor. Returning seafloor samples is permitted. Mineral exploration can also involve remote surveying technology, which is also permitted.

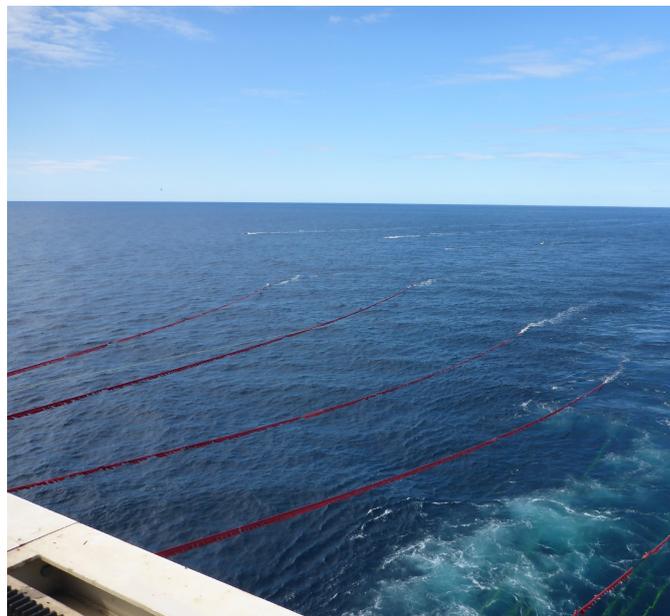
Marine scientific research

Seventy percent of the world is ocean. We have only been exploring this vast area in relatively recent times. Much of the ocean is one of our remaining frontiers for exploration, due to the challenges of working at great depths of water, sometimes kilometres deep. It is home to unique and sometimes unexplored ecosystems and seafloor geology. We regulate a range of research activities. In New Zealand's offshore waters, scientists are studying to better understand:

- the migration pathways of whales, and the acoustics of sea mammals
- tectonic movements in the Hikurangi Trench
- cycles and large-scale distribution of trace elements and their isotopes to predict future environmental changes caused by global warming
- how sea-floor communities of plants and animals, including scampi, respond to disturbances from human activities and earthquakes
- the geology and fluids seeping from deep-sea volcanoes
- seawater properties and the tiny plants and animals that live on and near the surface of the water (zooplankton and phytoplankton)
- the composition of the seabed.

Seismic surveying

Seismic surveying is a key component of prospecting for resources, but is regulated differently to other prospecting. Operators carrying out seismic surveys must first obtain a permit from NZ Petroleum and Minerals and also follow the Department of Conservation's code of conduct to minimise



Seismic survey lines during a survey within New Zealand's EEZ

the survey's effect on marine mammals. We may inspect these operations to confirm they follow the Code of Conduct.

Burial at sea

If the sea was an important part of a person's life or career, they may choose to be buried at sea. These burials are rare, but they are a permitted activity in New Zealand's EEZ in five locations only.

This burial practice is legal in New Zealand, but please be aware that some ethnicities, particularly Māori, may have different spiritual, cultural and environmental views about this practice.

Disposing of liquid waste

Some marine industries create liquid waste which may be discharged in a controlled manner. The impact of discharging this waste into the marine environment is usually assessed and managed carefully under an approved Marine Consent. Some operations or facilities capture all operational waste and take this back to land for appropriate disposal at approved landfills.

Some disposal of managed waste is allowed without a Marine Consent, such as:

- substances used during the operation of an offshore installation, such as an oil rig, can be pumped into an existing petroleum well
- discharge of oily waters from some sources are permitted if filtered to tiny concentrations (less than 15 parts per million).

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