



NATIONAL COUNCIL OF WOMEN OF NEW ZEALAND

TE KAUNIHERA WAHINE O AOTEAROA

23 September 2013

S13.11

Submission to the Ministry for the Environment in response to the Marine Legislation Bill Supplementary Order Paper 347.

Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 and current regulatory proposals

The National Council of Women of New Zealand (NCWNZ) is an umbrella organisation representing 47 organisations affiliated at national level and a further 41 organisations affiliated at branch level. It has 22 branches throughout the country attended by representatives of these organisations, as well as individual members. NCWNZ's function is to represent and promote the interests of New Zealand women through research, discussion and action.

A Environment Minister, Amy Adams has called for feedback on legislation to allow, prior to the granting of consents, **non-notification** of:

- (1) exploratory off-shore drilling for oil and gas,
- (2) discharge of harmful substances into the ocean,
- (3) dumping of waste within the 200 kilometre marine zone over which New Zealand has jurisdiction.

Regulation of activities in the Exclusive Economic Zone is to be placed under the control of the Environmental Protection Authority.

B With reference to (1) above, applications to carry out exploratory drilling for oil and gas off-shore should be publicly notified, given the potential hazards of the practice. It is a mistake to assume "a low probability of significant adverse effects on the environment" (Clause 100, after new section 29B, page 119, 29C, 2a) because of the exploratory nature or the brief duration of each drilling operation.

C Minister Adams has proposed that regulations be "proportionate to the scale and environmental effects of these activities". Since exploration is the most dangerous phase of mining for oil and gas, being the phase running the greatest risk of blow-outs and spills, protection that is "proportionate" would ideally involve avoidance of deep sea drilling. "Proportionate" is, furthermore, a subjective measure when applied to the inevitable damage to the marine environment following waste dumping offshore and discharge of harmful substances from mining ships.

D The discussion paper asks whether better alternatives exist. If new off-shore oil

and gas exploration must go ahead, provisions mitigating risk to the marine environment should be included in the legislation. Environmental effects need to be regularly assessed and monitored, once the consents have been granted and exploration is underway.

Provision for a quick, effective response in the event of an oil spill should be established. The amended legislation has, so far, not addressed this need.

The Ministry for the Environment claims that the Act “manages the environmental effects of activities in New Zealand’s oceans”. There is, however, no practical provision in this Supplementary Order Paper that could be said to “manage” those environmental effects.

Barbara Arnold
President

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Convener, Environment Committee,