

18 November 2016

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Dear Josh

Block Offer 2017

Thank you for the opportunity to provide comment on the areas proposed for offshore exploration for oil and gas off the Canterbury and Kaikōura in Block Offer 2017.

Environment Canterbury's submission, and our November 2013 submission on Block Offer 2014, are attached. We look forward to further engagement with New Zealand Petroleum and Minerals to help address the issues and risks identified in our submissions.

For all enquiries please contact:

Dr Ronnie Cooper
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Yours sincerely



David Bedford
Chairman

Encl: *Environment Canterbury Submission to New Zealand Petroleum & Minerals:
Block Offer 2017*

*Environment Canterbury Submission to New Zealand Petroleum & Minerals: Block
Offer 2014*

ENVIRONMENT CANTERBURY

SUBMISSION TO NEW ZEALAND PETROLEUM & MINERALS

BLOCK OFFER 2017

18 November 2016

1. Environment Canterbury thanks New Zealand Petroleum & Minerals (NZP&M) for the invitation to make this submission on the Block Offer 2017. We appreciate the opportunity to provide comment on this year's proposals for oil and gas exploration in marine areas off the Canterbury and Kaikōura coasts.
2. The following submission is offered on the basis of Environment Canterbury's roles, functions and responsibilities under the Resource Management Act 1991 (RMA), the Local Government Act 2002 (LGA), the Maritime Transport Act 1994 and the Biosecurity Act 1993.
3. Environment Canterbury opposes the Block Offer 2017 and submits that all the offshore areas in the proposed block offer be withdrawn, until such time as the Government has fully explored New Zealand's obligations under the Paris Agreement.

Environment Canterbury responsibilities

4. As outlined in our 13 November 2013 submission on the 2014 Block Offer (*attached*), Environment Canterbury has a range of roles and responsibilities in the Coastal Marine Area (CMA) to ensure sustainable environmental management, the protection of coastal values, cultural values and biodiversity, and the appropriate management of risks. All these statutory requirements are subject to increased risk from the potential for an accident or adverse event from offshore oil and gas exploration activities.
5. The Regional Policy Statement and the Regional Coastal Environmental Plan (RCEP) establish a foundation of policies and rules for managing activities within the CMA. Environment Canterbury is currently just beginning the process of reviewing the RCEP.

6. Chapter 8 of the Canterbury Regional Policy Statement 2013 covers the coastal environment and identifies values of importance and objectives. The focus includes the need to protect the natural character of the environment and other natural cultural, amenity, ecological, recreational and historic heritage values, the importance of a good knowledge base, and the risks to water quality from human activities.
7. Offshore exploration activities are not explicitly classified in the RCEP but, if they were to be proposed within the CMA, would be captured by rules relating to seabed disturbance, occupation of the CMA, and discharge of any water or contaminants into water. Any such exploration activities would be classified as discretionary or non-complying activities.
8. The NZ Coastal Policy Statement establishes a range of formal requirements for local authorities in management of the coastal environment. Objectives include:
 - safeguarding the integrity, form, functioning and resilience of the coastal environment and sustaining ecosystems including marine and intertidal areas, estuaries and dunes
 - preserving the natural character of the coastal environment
 - maintaining and enhancing the public open space qualities and recreation opportunities of the coastal environment.
9. Under a range of statutory obligations and the provisions of Chapter 4 of the Regional Policy Statement, and as part of our Tuia partnership with Ngāi Tahu, Environment Canterbury is committed to working closely with Te Rūnanga o Ngāi Tahu and the ten Papatipu Rūnanga in our region. Tuia's aims include achieving sustainable environmental outcomes, perpetuating and supporting customary practices, being responsive to mana whenua needs and providing for effective iwi participation. In our November 2013 submission on the Block Offer 2014, we outlined some of the important cultural values and policies in Ngāi Tahu environmental management plans relating to coastal areas, resources and taonga.
10. There are a range of additional statutory measures in place to ensure appropriate management and protection of coastal and marine environments, wildlife and resources in Canterbury. These include a number of mātaihai reserves to recognise and provide for tangata whenua use and management practices for traditional fishing grounds. There are also three marine reserves, the Waihora and Kaitorete Spit Scientific Reserves, and the Banks Peninsula Marine Mammal Sanctuary, which provide habitat for wildlife including the endangered yellow-eyed penguin (hoiho) and Hector's dolphins, listed by the IUCN as among the most rare of marine dolphin species. The recent Ministry for the Environment and Statistics NZ report, *Our marine environment 2016*, outlines the fragile state of many of New Zealand's indigenous coastal and marine species, with Hector's dolphin classified as nationally endangered, facing a high risk of extinction, and the yellow-eyed penguin classified as nationally vulnerable.¹

¹ Ministry for the Environment & Statistics NZ, 2016, *New Zealand's Environmental Reporting Series: Our marine environment 2016*, pp 11, 64.

11. The Kaikōura (Te Tai o Marokura) Marine Management Act 2014 created new systems for the protection and sustainable management of the unique marine and coastal resources, environments and species of that area. This legislation also established a direct role for the local community and Ngāti Kūri in policy and management for these areas and resources.
12. The LGA establishes the basis for local government in New Zealand, setting out requirements for councils to provide local decision-making and action by and on behalf of communities, and to meet the current and future needs of communities for good-quality local infrastructure, local public services, and cost-effective performance of regulatory functions (s10). In taking a sustainable development approach, councils are required to take into account the social, economic and cultural interests of people and communities, the need to maintain and enhance the quality of the environment, and the reasonably foreseeable needs of future generations (s14(h)). These responsibilities apply across the CMA and coastal communities.
13. The Maritime Transport Act establishes roles for regional councils in relation to marine oil spill responses. Environment Canterbury has a regional marine oil spill contingency plan approved by Maritime NZ, and undertakes regular preparedness and training work for such eventualities. However if a spill occurred beyond the CMA, the first responsibility would be with the operator, and then with Maritime NZ. Environment Canterbury's role would be to contribute our skills, experience and efforts within the wider national response. Environment Canterbury also has responsibility for management of marine related activities that may affect safety and navigation of vessels in the CMA.
14. Under the Biosecurity Act 1993, Environment Canterbury has responsibilities in relation to the prevention, reduction or elimination of harmful organisms. Environment Canterbury is currently undertaking a review of the Regional Pest Management Strategy; the new Regional Pest Management Plan will establish regulations for management of both the risk and the spread of pest organisms. Environment Canterbury works with the Ministry of Primary Industries and relevant stakeholders and organisations to prevent the introduction of new pests into our region.

Additional risks arising from offshore oil and gas exploration

15. The presence of oil and gas exploration activities off the Canterbury and Kaikōura coasts creates very significant additional risks with implications for all these statutory responsibilities. As noted in our November 2013 submission, oil spills in the open ocean are not able to be confined within arbitrary statutory boundaries such as the 12 nautical mile limit. The flow-on impacts of an adverse event or accident from exploration activity further out in the EEZ will apply across the CMA, harbours, estuaries and beaches, as well as the offshore marine environment. The increased environmental risks, and obligations for ensuring preparedness for any adverse event, fall unavoidably on the Canterbury region and our communities. Therefore Environment Canterbury must consider the potential effects of proposed activities that may occur beyond our formal jurisdiction or control.

16. Environment Canterbury records our concerns at the serious limitations of New Zealand marine oil spill response capacities for dealing with the potential scale of impacts from an accident from offshore exploration activities. We stress the importance of a rapid response in an emergency situation, but note that in the event of a major offshore accident, there would be inevitable delays – estimated by some industry assessments as over a month – in bringing the necessary equipment to New Zealand waters. We also note the importance of realistic assessment of the capacity and resourcing that would be required for a credible and effective response to a major incident; this was outlined very clearly in the independent report on the 2011 Bay of Plenty *Rena* event, which acknowledged funding constraints:

As a small country with limited resources, New Zealand would always have to live within a capability budget that was smaller than its risk envelope.²

17. The additional risks to coastal and marine biodiversity include potential harm to a wide range of endangered flora and fauna and their habitats. These include the nationally and internationally significant environments of Te Waihora / Lake Ellesmere, covered by a statutory Water Conservation Order under the RMA and by a co-governance agreement with Ngāi Tahu for Te Kete Ika a Rakaihautu. Also at increased risk are the unique coastal habitats and taonga species of the Kaikōura area, now given specific protection status under their own legislation. This includes the Hikurangi Marine Reserve, Te Rohe o Te Whānau Puha Whale Sanctuary and the Ōhau New Zealand Fur Seal Sanctuary.

18. The significant economic value of these places, resources and biodiversity is also placed at greater risk from the potential for an adverse event from offshore oil and gas exploration. It is difficult at this time to assess future options for the Kaikōura community given the devastation of this week's earthquakes and the uncertainties, resourcing and time that will be involved in repairing the damage and rebuilding the local economy. Nevertheless, the importance of whale watching and other coastal wildlife and environments to Kaikōura cannot be ignored. Banks Peninsula communities also have significant economic interests in tourism with cruise ships and wildlife encounter businesses maximising the value of Akaroa Harbour and other natural areas.

19. Recreational use of our region's coastal areas and estuaries is an important dimension of Cantabrians' quality of life, including surfing at Sumner, sailboarding and kayaking on the Avon / Heathcote estuary, and beach walks at New Brighton. Recreational boating and fishing are also very significant activities.

20. Environment Canterbury also notes the potential for new biosecurity risks from the introduction of offshore exploration vessels and equipment from other maritime

² Simon Murdoch, *Independent Review of Maritime New Zealand's Response to the MV Rena Incident on 5 October 2011*, released 3 December 2013 (p 29, para 6.7) – refer <http://www.maritimenz.govt.nz/public/news/media-releases-2013/20131203a.asp>.

environments to the waters off the Canterbury and Kaikōura coasts. New harmful marine organisms could impact upon our region's economic wellbeing, the viability of threatened species and indigenous biodiversity, our fishing stocks, and the sustainability of ecosystems.

Information needs

21. In the 2013 submission we also highlighted the importance of adequate, timely information about exploration activities and the risks and response systems – the information required for applications to the Environmental Protection Authority (EPA) for consent for these activities in the EEZ. In order to assess and make provisions for the new risks created by offshore exploration, Environment Canterbury, our Harbourmaster (with key oil spill responsibilities), other agencies, Ngāi Tahu and the region's communities need access to the necessary information.

Liabilities and sureties

22. Environment Canterbury notes the scale and duration of the resourcing required to provide effective emergency response and longer-term remediation action for the impacts of an oil spill. We acknowledge the systems managed by Maritime NZ for the Oil Pollution Levy, collected from operators of offshore oil installations, exploration wells and pipelines (as well as commercial vessels over 100 gross tons and 24 metres or more in length). We note that offshore operators have unlimited liability for costs incurred by the Crown in cleaning up oil spills from their installations, and for any damages to third parties as a result of oil pollution involving their installations, and that operators are required to demonstrate financial security to meet this liability.³ We also note the penalty provisions under the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 (s134H).
23. Environment Canterbury considers, however, that the increased risks from offshore oil and gas exploration off the Canterbury and Kaikōura coasts are sufficient to warrant consideration of an advance bond system to require operators, before any activity is commenced. The surety provided would need to be adequate to cover the full financial costs of response and remediation of any accident, including the full range of possible environmental, economic, cultural and social impacts in the CMA.

Climate change

24. In addition to our direct statutory responsibilities in the CMA as outlined above, Environment Canterbury represents the whole Canterbury community as their regional council. This organisation does not have any specific formal statutory role in relation to climate change

³ NZ Petroleum & Minerals, *Guide to Government Management of Petroleum*, p3 – refer <http://www.nzpam.govt.nz/cms/our-industry/fact-sheets/?searchterm=guide%20to%20government%20management%2A>

mitigation.⁴ Nevertheless we respectfully acknowledge that many groups, organisations and individuals in Canterbury, and throughout New Zealand, are strongly concerned about climate change and deeply committed to the development of policies, initiatives and new technologies to reduce our dependence on fossil fuels and transition to a carbon-free future. We acknowledge international efforts including the Paris Agreement, and the New Zealand government's commitments and emissions reduction targets as a signatory.

25. As the regional council, we acknowledge that many Cantabrians believe that offshore oil and gas exploration is inconsistent with the government's commitments under the Paris Agreement, and incompatible with the constructive initiatives now under way and in future to minimise emissions. For many in our region's communities, exploration of other energy options is a more desirable direction to focus on. Therefore Environment Canterbury respectfully requests that the government takes these concerns and issues into consideration in the consideration of this Block Offer and in future processes for oil and gas exploration.

Conclusion

26. If the Government decides to progress the Block Offer 2017 the Canterbury Regional Council emphasises the need to undertake full and formal public engagement.
27. Environment Canterbury strongly restates the concerns raised in our November 2013 submission, in response to the inclusion of extensive areas off the Canterbury and Kaikōura coasts in the 2017 Block Offer. We consider that the increased potential risks posed by oil and gas exploration off our coasts are very significant, and that these risks require serious attention to ensure that our unique, irreplaceable coastal environments, resources and taonga are given the careful management and protection required under law.
28. As stated three years ago, we would encourage closer engagement of NZP&M with ourselves and other regional councils, in order to address some of these issues and ensure our abilities, as regulatory agencies tasked with sustainable management of the CMA, to fulfil our statutory obligations. We would also welcome the opportunity to engage with other agencies such as Maritime NZ and the Environmental Protection Authority, and with the industry.
29. For further enquiries please contact:

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⁴ The RMA s7(i) requires councils to have particular regard to the effects of climate change, whereas mitigation and measures to reduce greenhouse gas emissions are the responsibility of central government.

Attachment

14 November 2013

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Dear David

Block Offer 2014

Thank you for your letter of 18 September 2013 with notification of the Block Offer of areas for competitive tender for petroleum exploration permits in 2014.

Environment Canterbury's submission is attached. We appreciate the opportunity to provide comment on the proposals for exploration activity in marine areas off the Canterbury and Kaikōura coasts. We look forward to further engagement to help develop a practical response to these developments, and to provide any assistance that may be useful as your team works through the issues.

For all enquiries please contact:

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Yours sincerely



Dame Margaret Bazley, ONZ, DNZ, Hon. D Lit,
Chairperson

Attachment: *Environment Canterbury Submission to New Zealand Petroleum & Minerals: Block Offer 2014*

Our Ref: GVNC/MCOM/1
Contact: Ronnie Cooper, 027 839 2565

ENVIRONMENT CANTERBURY
SUBMISSION TO NEW ZEALAND PETROLEUM & MINERALS:
BLOCK OFFER 2014

14 November 2013

1. Environment Canterbury thanks New Zealand Petroleum & Minerals for the briefings and information provided in September on the Block Offer 2014, and for the invitation to make this submission. We appreciate the opportunity to provide comment on the proposals for petroleum exploration and potentially extraction in marine areas off the Canterbury and Kaikōura coasts. We look forward to further engagement to help develop a practical response to these developments.
2. The following submission is offered on the basis of Environment Canterbury's roles, functions and responsibilities under the Resource Management Act 1991, the Local Government Act 2002, the Maritime Transport Act 1994 and the Biosecurity Act 1993.
3. As a Regional Council, Environment Canterbury is one of a number of agencies with interests and responsibilities in the marine and coastal environment, including territorial authorities, the Department of Conservation (DOC), the Ministry of Primary Industries (MPI), Maritime NZ (MNZ) and the Environmental Protection Authority (EPA). Each agency's roles and functions are established under a range of statutes and regulatory frameworks.
4. Environment Canterbury has direct responsibilities to facilitate sustainable development in the Canterbury region, ensuring environmental sustainability, enabling community aspirations to be met, recognising and providing for cultural values, and supporting economic growth (*Environment Canterbury Strategic Direction 2012-22*). Accordingly our submission addresses the following matters:
 - Environment Canterbury's policy and plan provisions
 - Regional Policy Statement
 - Regional Coastal Environment Plan
 - Tuia partnership with Ngāi Tahu and provisions for sites of significance to Māori
 - other matters and provisions for marine and coastal areas in the region
 - marine oil spill response responsibilities
 - knowledge and information requirements
 - economic, social and community implications for the Canterbury region.
5. As a general preliminary comment, we note that the statutory jurisdictional boundaries for New Zealand's coastal and marine environments establish different roles for regional councils and the EPA. The borderline of the 12 nautical mile limit separates the Coastal Marine Area (CMA) from the Exclusive Economic Zone (EEZ). Regional councils have direct planning and consenting

responsibilities within the CMA under the RMA, whereas approval of marine consents within the EEZ is the responsibility of the EPA under the EEZ and Continental Shelf Act 2012. The majority of the block areas included in the Block Offer 2014 lie outside the CMA. However the potential risks and flow-on impacts of an adverse event or accident from exploration or extraction activity further out in the EEZ will apply to the whole coastal and marine environment. Oil spills make no discrimination of arbitrary statutory boundaries. Therefore Environment Canterbury must take a broader approach in our consideration of the Block Offer 2014 and the new risks and implications for the sustainability of our region.

Policy and plan provisions

6. In the Notification letter of 18 September 2013, NZP&M identified particular points of interest:
- how our council considers and protects wāhi tapu and other sites of significance to Māori
 - how our council classifies petroleum exploration activities
 - are there any areas where such activities are a restricted or prohibited activity.

These points are addressed in the paragraphs below.

Regional Policy Statement (RPS)

7. Chapter 8 of the Canterbury Regional Policy Statement 2013 covers the coastal environment. It identifies the coastal values of importance to Canterbury, regional objectives, and policies for achieving those objectives. Relevant issues include:
- the need to protect the natural character of the environment and other natural, cultural, amenity, ecological, recreational and historic heritage values
 - the limitations in our knowledge about the coastal environment and consequential difficulties in assessing effects of human activities on the environment
 - the risks to water quality from human activities.
8. Although offshore drilling and mining are not addressed explicitly, the RPS does provide a framework for considering the effects of such activities.

Regional Coastal Environment Plan (RCEP)

9. The RCEP predates the RPS and the new NZ Coastal Policy Statement. Petroleum activities are not explicitly classified in the RCEP. Exploration activities would be captured by rules relating to disturbance of the seabed, occupation of the coastal marine area (CMA) in a way that restricts public access, and discharge of any water or contaminants into water.
10. Petroleum exploration activities within the CMA would be a discretionary activity¹ unless proposed in an area of Significant Natural Value, when they would be a non-complying activity. Most areas of SNV are located close to the coast, so these provisions are unlikely to apply to the blocks included in the 2014 Block Offer which are in the CMA.

¹ For example, pursuant to rules 8.7, 8.24, 7.2.

11. Regardless of the provisions of the RCEP, s12 of the RMA 1991 (*Restrictions of use of the coastal marine area*) specifies that disturbance of the seabed or occupation of the coastal marine area are not permitted unless a Regional Coastal Environment Plan allows it or a resource consent is obtained.

Tuia partnership with Ngāi Tahu and provisions for sites of significance to Māori

12. Environment Canterbury has a responsibility to uphold the purpose and principles of the Treaty of Waitangi under the RMA 1991 and LGA 2002. Chapter 4 of the Regional Policy Statement sets out the tools and processes Environment Canterbury will use to engage with Ngāi Tahu as tangata whenua in the management of coastal resources.
13. This is further strengthened by Tuia, Environment Canterbury's partnership with the ten Papatipu Rūnanga of Ngāi Tahu in Canterbury and the tribal authority, Te Rūnanga o Ngāi Tahu. Tuia is affirmed in our *Strategic Direction 2012-22* as a top level priority and commitment, and forms an integral part of the work plan outlined by Environment Canterbury's commissioners. Tuia aims include achieving sustainable environmental outcomes, perpetuating and supporting customary practices, being responsive to mana whenua needs and providing for effective iwi participation.
14. As a discretionary activity under the RCEP, assessment of an application for petroleum exploration in the CMA would follow prescribed RMA processes, including consultation with Ngāi Tahu, and would utilise iwi management plans and cultural impact assessments where applicable. The Canterbury RCEP lists some sites of significance to Māori, but this list is not comprehensive; consultation with rūnanga would be necessary to identify such sites and determine an appropriate response.
15. Ngāi Tahu environmental management plans include policies relating to offshore exploration and mining, notably *Te Poha o Tohu Raumati* (2007 – Te Rūnanga o Kaikōura). The *Mahaanui Iwi Management Plan* (2013 – Ngāi Tūāhuriri Rūnanga, Te Hapū o Ngāti Wheke (Rāpaki), Te Rūnanga o Koukourārata, Ōnuku Rūnanga, Wairewa Rūnanga, and Te Taumutu Rūnanga) also includes a series of policies relating to offshore exploration, covering consultation, recognition and provision for Ngāi Tahu values and interests, and protection of areas of historical and cultural significance, fishing grounds and food gathering areas, wāhi tapu, and marine mammal habitat (pp 152-153, Issue TAN9).
16. Other initiatives led by iwi and hapū establish priorities and programmes for marine and coastal environmental management. A comprehensive vision and management plan produced by Ngāti Kuri rūnanga and the Kaikōura community – *Te Korowai: Kaikōura Marine Strategy: Sustaining our sea* (2012, Te Korowai o Te Tai ō Marokura: Kaikōura Coastal Marine Guardians) – specifically refers to the risks to whales at Kaikōura from seismic testing and oil drilling (p 46, Policy 4.3.3).
17. Environment Canterbury is also a partner with Ngāi Tahu in the 2012 co-governance agreement for Te Kete Ika a Rakaihautu, the catchment for Te Waihora / Lake Ellesmere. This establishes a shared stewardship commitment to sustainable management and the rejuvenation of the lake and catchment. The offshore exploration and potential extraction activities proposed under the

2014 Block Offer create a new level of environmental risk for Te Waihora / Lake Ellesmere, open to the sea from time to time, and separated from the ocean by only a narrow spit across which the sea can surge. As noted below, the Water Conservation Order for Te Waihora and the recognition of the archaeological significance of Kaitorete Spit establish statutory frameworks for the protection of these taonga.

Other points to note

18. Regional councils also administer the Resource Management (Marine Pollution) Regulations 1998. These provide for control of discharges of oil and of substances for remedying or mitigating an oil spill (Part 3).
19. Assessing an application for petroleum exploration in the CMA would require technical expertise not presently held within Environment Canterbury. For example, assessing:
 - the likelihood and risk of an accident
 - the environmental effects of a drilling rig
 - the economic benefits for the region (particularly when balancing against the risk and cost of an accident such as an oil spill).
20. Assessing these matters would require the employment of consultants with considerable experience in this area. Whether this expertise is available in New Zealand is uncertain. The same considerations would apply for monitoring the activity for compliance with any resource consent conditions.
21. Under the Biosecurity Act 1993, Environment Canterbury is responsible for providing leadership for the prevention, reduction or elimination of adverse effects from harmful organisms present in our region. These may include organisms impacting on economic wellbeing, the viability of threatened species and indigenous biodiversity, or the sustainability of natural and developed ecosystems. The introduction of offshore oil and gas exploration and drilling vessels and equipment from other maritime environments to the waters off the Canterbury and Kaikōura coasts has the potential to establish a new range of biosecurity risks. Environment Canterbury would need to have confidence that these risks have been addressed.

Other provisions for marine and coastal areas in the region:

22. A range of additional measures are in place to ensure appropriate management and protection of the coastal and marine environments, wildlife and resources in the Canterbury region. All these mechanisms recognise and provide for values, ecosystems, species and resources that will be at significantly increased risk from the proposed petroleum exploration and potential extraction activities covered under the 2014 Block Offer.
23. Two marine reserves are established at Banks Peninsula: the Pohatu Marine Reserve at Flea Bay, and the new Akaroa Marine Reserve at Akaroa harbour mouth. These protect habitat for birds including hoiho, the endangered yellow-eyed penguin, fur seals and Hector's dolphins.
24. The Banks Peninsula Marine Mammal Sanctuary extends out to the 12 nautical mile limit around the peninsula, and provides protection for Hector's dolphins, the world's smallest dolphin, classified by the Department of Conservation (DOC) as 'nationally endangered', and listed by the IUCN as among the most rare of marine dolphin species.

25. Environment Canterbury notes that some of the graticular blocks comprising the northern edge of the Block Offer 2014 extend within the 12 nautical mile limit to the CMA. Therefore sections of those blocks overlap with the Marine Mammal Sanctuary. We note that in the 18 September 2013 information explaining the Block Offer, NZP&M advise that: 'Areas listed within Schedule 4, World Heritage sites and Marine Reserves have been removed from all the proposed areas.' It would seem that the overlap across the outer edges of the Marine Mammal Sanctuary is inconsistent with the intent of this exclusion provision. Environment Canterbury suggests a simple solution would be to amend the northern edges of the Block Offer to avoid the Sanctuary areas at the edge of the 12 nautical mile limit.
26. A number of mātaihai reserves have been gazetted in Canterbury waters to recognise and provide for tangata whenua use and management practices for traditional fishing grounds. These include Koukourārata / Port Levy, Waiwera / Lake Forsyth, Te Kaio, Rāpaki – Whakaraupō / Lyttelton Harbour, and Waihao in South Canterbury. Te Rūnanga o Arowhenua's proposal for a mātaihai for the fisheries waters of Waitarakao / Washdyke Lagoon is currently being considered.
27. A Water Conservation Order (WCO) has been established under the RMA for Te Waihora / Lake Ellesmere. A WCO has statutory weight and must be given effect to in all environmental management. The WCO for Te Waihora recognises values of outstanding significance, including wildlife, wetland vegetation, fisheries and Ngāi Tahu cultural associations with this taonga.
28. The Kaitorete Spit, which separates Te Waihora from the open ocean, is recognised as nationally significant from an archaeological perspective, with one of the greatest concentrations of archaeological sites of any place in New Zealand.
29. The effects on marine mammals and other marine species and fisheries of exploration activities including seismic surveying are particularly challenging for the Block Offer 2014 areas off the Kaikōura coast. The internationally significant marine ecosystems of the Kaikōura Trench, and the whales and other wildlife that depend on this habitat and resources, are of crucial importance to the Kaikōura community, as is reflected in *Te Korowai: Kaikōura Marine Strategy: Sustaining our sea* (2012).

Marine oil spill response responsibilities

30. NZP&M will be aware of Maritime NZ's concurrent review process for the NZ Marine Oil Spill Response Strategy. Regional Councils have specific responsibilities under the Maritime Transport Act 1994 for navigational safety, pollution and Tier II oil spill responses. Environment Canterbury provided initial comments to Maritime NZ in the pre-consultation stage of this review, and will make a formal submission later in the process.
31. Environment Canterbury's comments addressed a range of issues including:
 - partnerships and collaboration, encouraging wider and more proactive involvement of communities, tangata whenua, and relevant agencies such as the Ministry of Civil Defence and Emergency Management (CDEM)
 - the polluter-pays principle, so that the burden of risk falls on the operator who creates that risk
 - the importance of a rapid response in an emergency situation, and honest assessment of the capacity and resourcing necessary for a credible response to a major incident

- the increased risks of an oil spill from the proposed new exploration areas off the Canterbury and Kaikōura coasts included in the 2014 Block Offer.
32. The importance of closer links or alignment between government initiatives in marine and maritime areas should be reflected in the systems and structures through which such developments and reviews are conducted. There would be significant efficiencies via greater supportive integration between contiguous policy processes.
33. Environment Canterbury would encourage NZP&M to work demonstrably more closely with other agencies such as Maritime NZ, to minimise the potential for complications, overlaps or gaps between different policy frameworks, and to maximise opportunities for practical solutions. Such processes might include the Marine Oil Spill Response Strategy review, potential new frameworks for industry contributions to oil spill preparedness, and the Oil Pollution Advisory Committee's work on Well Control Contingency Planning.
34. Environment Canterbury also wish to note that the increased environmental risks, and obligations for ensuring appropriate preparedness for any adverse event, fall unavoidably on Canterbury and our communities. These risks and burdens should be considered in relation to the anticipated benefits of these activities for the Canterbury region.

Knowledge and information requirements

35. There are major knowledge and information requirements for Environment Canterbury to develop and maintain appropriate preparedness for managing the risks of petroleum exploration and potential extraction activities in the waters off our coastline.
36. As noted above in relation to consenting and monitoring for activities in the CMA, assessing and evaluating the technical aspects and potential environmental risks of petroleum activities requires highly specialised expertise.
37. Other information requirements include:
- comprehensive baseline data on the marine and coastal ecosystems, species, natural processes and organism pathways that will be at increased risk
 - up-to-date details of coastal community contacts and specialist personnel in the region
 - technical information about the exploration or extraction operations, the types of oil or gas being accessed, and appropriate technologies and equipment for responding to an oil spill or other emergency
 - oceanographic and meteorological information eg currents and drift patterns.
38. In relation to the proposed exploration and potential extraction activities in the EEZ, it will be crucial for Environment Canterbury, our Harbourmaster (with key oil spill responsibilities), other agencies, Ngāi Tahu and the region's communities to have confidence that the necessary information will be available. It would be useful to develop appropriate information sharing protocols, well in advance of exploration or extraction activities getting under way:
- between exploration companies and Environment Canterbury, facilitated by EPA as necessary
 - between EPA and Environment Canterbury, for information held and used by EPA to assess applications for activities in the EEZ.

Economic, social and community implications for the Canterbury region

- 39. The implications of the proposed oil and gas exploration and possible extraction activities enabled in the Block Offer 2014 could be of major significance for our region.
- 40. We acknowledge that there is considerable uncertainty at this point in time as to the scale, focus and nature of the expected benefits of these activities. However if and when any significant findings become available from the exploratory work, Environment Canterbury would like to be kept fully informed of developments.

Conclusion

- 41. Environment Canterbury thanks NZ Petroleum & Minerals for the opportunity to offer these comments on the 2014 Block Offer.
- 42. We look forward to further constructive engagement as these developments progress, and welcome future involvement with NZP&M, and your facilitation of interactions with industry representatives and other key government agencies such as EPA, in addressing the implications for our region and New Zealand.
- 43. For further enquiries please contact:

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