

## NEW ZEALAND NATIONAL REPORT UNDER THE NOUMEA CONVENTION 2025

***For the Period covering the last two years: July 2023 to June 2025***

### ***1. What are the main issues and priorities concerning marine pollution for your country?***

1. New Zealand's marine environment is central to its economy, wellbeing, recreation, and provides an important food source. However, marine pollution can put pressure on the marine environment, arising from activities on land and at sea, and from the effects of climate change. New Zealand is committed to managing marine pollution domestically and through international cooperation.
2. Every three years, the Ministry for the Environment and Statistics New Zealand releases a report on New Zealand's marine environment, as required under the Environmental Reporting Act 2015. The 2022 report found that the marine environment continues to be adversely affected by a range of individual and cumulative pressures, despite protection and restoration efforts.<sup>1</sup> The physical form of the marine environment influences its susceptibility to different pressures. Key pressures identified include:
  - climate change, which is affecting our marine environment, contributing to increasing ocean acidification, rising sea levels, and increasing sea-surface temperature
  - plastic litter entering our marine environment, which may have long-lasting impacts and remain in our marine environment for centuries
  - human activities on land, which can place pressure on our marine species, habitats, and the mauri (ie, health and vitality) of the environment
  - human activities at sea, which place a range of pressures on our species and habitats
  - ongoing introductions of non-indigenous species, which continue to be a risk to our national biodiversity.
3. The fourth report on New Zealand's marine environment will be released in October 2025.

### ***2. What measures generally have you initiated to implement this Convention and Protocols?***

#### ***Marine legislative framework***

4. New Zealand's marine environment legislation is primarily provided through three legislative frameworks: the Resource Management Act 1991 (RMA), the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 (EEZ Act), and the Maritime Transport Act 1994. New Zealand's waste legislation, the Litter Act 1979 and the Waste Minimisation Act 2008, also protect the marine environment by encouraging a reduction in the amount of waste we generate and dispose of in New Zealand.
5. New Zealand's obligations under the Noumea Convention (the Convention) and its Protocols within the territorial sea are implemented through the Resource Management Act and the Resource Management (Marine Pollution) Regulations 1998 (the Marine Pollution Regulations). The Marine Pollution Regulations provide standards to protect the coastal marine area from discharges and the dumping of waste both from land-based sources and vessels. The Ministry for the Environment administers the Resource Management Act and

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<sup>1</sup> [Our marine environment 2022 | Ministry for the Environment](#)

the Marine Pollution Regulations. The resource management system is currently being reformed.

6. New Zealand's obligations beyond the territorial sea under the Convention and its Protocols are implemented through the EEZ Act, the Maritime Transport Act, and the Marine Protection Rules.
7. The EEZ Act regulates the effects of certain activities in New Zealand's EEZ and continental shelf, including oil and gas exploration and production, seabed mining, laying submarine cables, and marine scientific research.
8. RMA and EEZ Act approvals for development and infrastructure projects that deliver regional and national benefits can also be made under the Fast-track Approvals Act 2024.
9. The Maritime Transport Act establishes the legal framework for maritime safety and protection of the marine environment in line with New Zealand's obligations under various maritime conventions (including International Maritime Organization (IMO) instruments) to which New Zealand is signatory. The Ministry of Transport administers the Act.
10. The Marine Protection Rules provide more detailed and technical regulation to protect the marine environment from pollution and harmful substances discharged by ships and offshore installations and the dumping of waste on the high seas, in accordance with, and as required under the Maritime Transport Act. The Ministry of Transport and Maritime New Zealand are responsible for the Marine Protection Rules.

#### *Waste and plastics*

11. Following the successful implementation of two tranches of plastic phase-outs in 2022 and 2023, the focus is now on updating the Litter Act and the Waste Minimisation Act. The updates will enable better management of materials by creating a framework for extended producer responsibility, improving tools for compliance, monitoring and enforcement, and enabling efficient and effective controls for littering and other types of mismanaged waste.
12. The Waste Minimisation Fund continues to provide funding for projects which divert waste from landfill. The Waste Minimisation Fund is funded from a waste disposal levy, which is subject to planned increases from 2021 to 2027 to disincentivise landfilling. Between July 2023 and June 2025, the Government invested approximately \$14 million into a range of projects which decrease the amount of plastic going to landfill, including feasibility studies, recycling infrastructure, re-use systems, and kerbside recycling collections.
13. In 2025 the Contaminated Sites and Vulnerable Landfills fund was also established. The fund aims to reduce the risk to human health and the environment by investigating or remediating legacy contaminated sites and vulnerable landfills.
14. At a global level, New Zealand participated in the negotiations towards an international treaty on plastic pollution. Due to divergent views, the recent negotiations concluded without the agreement of a treaty. The Intergovernmental Negotiation Committee (INC) agreed to resume negotiations at a future date, to be announced. New Zealand is a member of the High Ambition Coalition to End Plastic Pollution (HAC). HAC members are advocating for the treaty to end plastic pollution by 2040 by setting new international rules, such as global standards, bans and restrictions on some plastics. New Zealand has been working closely with the Secretariat for the Pacific Regional Environment

Programme (SPREP) and Pacific Small Island Developing States to support the Pacific region's aspirations for the treaty.

15. New Zealand is also a member of a range of international groups such as the Global Alliance on Circular Economy and Resource Efficiency, the Ellen McArthur Foundation Global Commitment on Plastics, and the Global Ghost Gear Initiative. At a regional level, New Zealand has endorsed the Pacific Regional Declaration on the Prevention of Marine Litter and Plastics Pollution.

#### *Oil pollution*

16. New Zealand has measures for preventing and responding to oil pollution from commercial and recreational vessels and offshore installations. New Zealand monitors and enforces compliance of ships and manages environmental effects from offshore oil, gas, and mining activities through marine protection legislation. New Zealand also has initiatives to:
  - minimise waste and reduce the risk of accidental spills of harmful substances
  - prevent pollution by garbage, noxious liquid substances in bulk, harmful substances carried by sea in packaged form, transport of harmful aquatic animals, plants and pathogens in ballast water, and ocean dumping of waste.
17. Protections relating to oil pollution have been implemented in domestic legislation, in accordance with New Zealand's obligations under international instruments, as required under the IMO Conventions<sup>2</sup> to which New Zealand has acceded.

#### *Climate change*

18. New Zealand has been developing long-term strategies to address and manage the effects of climate change, including for its marine environment. New Zealand's Climate Change Response Act (NCCRA) 2002 requires National Adaption Plans (NAPs) to be developed every six years in response to the National Climate Change Risk Assessment (NCCRA), which is also produced every 6 years. The NCCRA identifies key climate risks and opportunities at a national level.
19. The first NAP was published in August 2022. The NAP contains actions to tackle the effects of climate change on the marine environment.
20. New Zealand has been experiencing increasingly frequent and intense weather events as a result of climate change. The New Zealand Government is taking steps to develop a National Adaptation Framework, which will include actions to manage these risks, including risks from coastal erosion and sea-level rise.

#### *Kermadec and Subantarctic Islands*

21. The Kermadec and Subantarctic Islands are remote from mainland New Zealand (up to 1000 km away). Access is predominantly by vessels, which creates two critical risks: contaminant spills (oil and other pollution) and the risk of introducing marine pests via hull biofouling. The Department of Conservation (on behalf of the Minister of Conservation) manages the risk of pollution incident at the islands by restricting vessel access close into shore based on vessel length as a proxy for the many factors that can influence a vessels risk profile. This is done in a coastal permit under the RMA.

#### *Other matters*

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<sup>2</sup> Including the Convention for the Safety of Life at Sea (SOLAS), the Convention for the Prevention of Pollution from Ships (MARPOL) and protocols (except for Annex IV), the Convention on Oil Pollution Preparedness, Response and Cooperation (OPRC), the Convention for the Control and Management of Ships Ballast Waters and Sediments (BWM Convention) and the London Convention and Protocol on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter (the London Convention).

22. New Zealand is currently conducting an inquiry into seabed mining in areas under its national jurisdiction.<sup>3</sup>

**3. Give details of new or amended legislation that covers marine pollution beyond internal waters including any definition of 'pollution' and the institutions responsible.**

23. In 2021, the Maritime Transport Act was amended to enable New Zealand to accede to Annex VI of the International Convention for the Prevention of Pollution from Ships 1973 (MARPOL), aimed at regulating emissions to the air from ships. Part 199 of New Zealand's Marine Protection Rules<sup>4</sup> give effect to the Annex VI provisions and came into force progressively from 26 August 2022.

24. The Part 199 rules apply to New Zealand flagged vessels anywhere in the world and to all other ships in seas under our jurisdiction, except for warships and those of the New Zealand Defence Force.<sup>5</sup> The rules are intended to address the impacts of air pollution from shipping activities on human health and environments in and around port communities, and the impacts of emissions of these activities on climate change and ozone layer depletion. Responsibility for the rules sits with Maritime New Zealand.

**4. What is the estimated volume/type of marine pollution per year in the Convention area from the following sources; the number of permits/licenses issued; and any other measures taken to prevent, reduce and control such pollution:**

**a. Vessels (article 6)**

Parts 120 and 140 of the Marine Protection Rules specify the permitted operational discharges of harmful substances and provides for reporting of non-operational discharged.

**b. Land based sources (article 7)**

During 2022/2023, local government authorities granted 36,134 resource consent applications under the RMA. Of those consents, 668 were coastal permits. During 2023/2024, local government authorities granted 30,578 resource consents, of which 803 were coastal permits. Coastal permits relate to a variety of development activities which may have impacts on the coastal environment.

**c. Mining and coastal erosion, ie, dredging, land reclamation (article 13)**

No consents for seabed mining were granted during the past two-year period. As below (in response to f), quantities provided by authorities for the 2023–2024 calendar years totalled 1,133,544 m<sup>3</sup> of dredged material in the Convention area. Sand extraction and land reclamation in the territorial sea are managed under the RMA.

**d. Sea-bed and sub-soil activities (article 8)**

Sections 20B and 20C of the EEZ Act and associated regulations regulate the discharge of harmful substances from structures and submarine pipelines, and mining discharges from vessels supporting these activities. Marine discharge consents are required for discharges of harmful substances that are released into the marine environment, such as drilling fluids/muds.

<sup>3</sup> [Inquiry into seabed mining in New Zealand - New Zealand Parliament](#)

<sup>4</sup> [Marine Protection Rules Part 199 - Maritime NZ](#)

<sup>5</sup> The rules do not apply to ships that voyage only in inland waters such as lakes and rivers.

The Environmental Protection Authority monitors compliance with the requirements of the EEZ Act and any marine consents.

No new consents were issued during the reporting period; however, there were changes to conditions for several consents (see Appendix 1).

Mining, exploration, and extraction permits and licences issued in New Zealand are published by New Zealand Petroleum & Minerals at [www.nzpam.govt.nz](http://www.nzpam.govt.nz).

*e. Discharges into atmosphere (article 9)*

During 2022/2023, local government authorities granted 215 consents for discharges into atmosphere. During 2023/2024, 237 consents were granted.

Section 20I of the EEZ Act prohibits the incineration of waste or other matter in the EEZ, other than waste or other matter generated during the normal operation of a New Zealand ship or structure.

The Environmental Protection Authority has not granted any consents for the incineration of waste in the past two-year period.

*f. Dumping and disposal from vessels, aircraft, man-made structures of waste including radioactive waste or matter (article 10)*

Under the London Convention and its Protocol, Parties report total quantities of waste material dumped under permit (by calendar year). Quantities provided by authorities for the 2023–2024 calendar years totalled 1,133,544 m<sup>3</sup> in the Convention area (ie, the territorial sea and the EEZ). This material consisted of dredged material (capital and maintenance) related to port operations. In addition, there were also three burials at sea in 2024.

Sections 20D- 20H of the EEZ Act and associated regulations regulate the dumping of waste.

*g. The storage of toxic and hazardous wastes, including radioactive wastes or matter (article 11)*

For radioactive waste, see response to Article 10 (paras 23 – 26) below.

*h. Testing of nuclear devices (article 12)*

The New Zealand Nuclear Free Zone, Disarmament, and Arms Control Act 1987 prohibits the acquisition, stationing, and testing of nuclear explosive devices in New Zealand. Its provisions apply to land, territory, inland waters within the territorial limits, internal waters, the territorial sea, and the airspace above these areas.

**5. Have you prohibited the storage and disposal of radioactive waste in the Convention area and the continental shelf beyond the Convention area? If so, what is the legislative provision and what is the penalty? (Article 10)**

25. New Zealand manages the storage, disposal, and dumping of radioactive materials through the Radiation Safety Act 2016, the EEZ Act, and the Maritime Transport Act.

26. The Radiation Safety Act applies within the territorial sea. Sections 9-12 of this Act set out fundamental requirements that every person who deals a radiation source must meet. Section 12 requires that every person who transports, stores, or disposes of a radiation source must do so safely and security.

27. Section 86(1)(a) of this Act enables codes of practice to be issued that specify the technical requirements that a person must meet in order to comply with the fundamental requirements. There are 12 codes of practice issued under section 86 and six codes of practice that include technical specifications on storing, transporting or disposing of radioactive material (does not include short half-life radioactive material).

- Sections 5, 6, 7, and Appendices 1 and 2 of the Code of Practice for the Security of Radioactive Material: ORS C5 2021 (issued on 1 May 2021)
- All provisions of the Code of Practice for Safe Transport of Radioactive Material: ORS C6 2019 (issued on 19 April 2019)
- Section 3 of the Code Practice for Industrial Radiography: ORS C7 2019 (issued on 7 June 2019)
- Section 4 of the Code of Practice for Non-medical Irradiators: ORS C8 2020 (issued on 31 July 2020)
- Section 4 of the Code of Practice for Unsealed Radioactive Material: ORS C11 2020 (issued on 31 July 2020)
- Section 4 of the Code of Practice for Sealed Radioactive Material: ORS C12 2020 (issued on 31 July 2020).

#### **Section 62 – Offence to contravene fundamental requirements**

- (1) A person who contravenes any of the fundamental requirements commits an offence and is liable on conviction,-
  - a) in the case of an individual, to a fine not exceeding \$100,000; or
  - b) in the case of a person or an organisation other than an individual, to a fine not exceeding \$500,000.
- (2) If a person is convicted of an offence under this section, the court may, instead of or in addition to imposing a fine, order the person to mitigate or remedy, or pay the costs of mitigating or remedying, any adverse effects on people or the environment that –
  - a) were caused by or on behalf of the person; or
  - b) relate to any land of which the person is the owner or the occupier.
- (3) In a prosecution for an offence against this section, it is not necessary to prove that the defendant intended to commit the offence.
- (4) Section 73 contains a defence to a prosecution for an offence against this section.

28. Beyond the territorial sea, the EEZ Act has the following provisions relating to the dumping of radioactive waste, including offences and penalties:

#### **Section 20E – Prohibition on dumping radioactive waste or other radioactive matter**

No person may dump radioactive waste or other radioactive matter—

- a) into the sea within the exclusive economic zone or above the continental shelf beyond the outer limits of the exclusive economic zone; or
- b) into or onto the continental shelf.

#### **Section 134B Offences in relation to dumping of radioactive waste or other radioactive matter**

The following persons each commit an offence if radioactive waste or other radioactive matter is dumped in breach of section 20E:

- a) the master and the owner of a ship, if the dumping is from the ship;
- b) the person in possession of, and the owner of, an aircraft, if the dumping is from the aircraft;
- c) the owner of an offshore installation, if the dumping is from the offshore installation.

**Section 134H Penalties**

- (1) A person who commits an offence against this Act (other than against section 134G) is liable on conviction,—
  - a) in the case of a natural person, to a fine not exceeding \$300,000;
  - b) in the case of a person other than a natural person, to a fine not exceeding \$10 million.
- (2) The person is also liable on conviction, if the offence is a continuing one, to a fine not exceeding \$10,000 for every day or part of a day during which the offence continues.
- (3) The continued existence of anything, or the intermittent repetition of any actions, contrary to any provision of this Act is a continuing offence.

29. Part 21 of the Maritime Transport Act applies to New Zealand's internal waters, EEZ and to New Zealand ships and aircraft beyond New Zealand's continental waters. Relevant to prohibitions on the dumping of radioactive waste in these areas include:

**Section 258 - Dumping of radioactive waste or other radioactive matter**

- (1) Radioactive waste or other radioactive matter shall not be:
  - a) taken on board any ship or aircraft in New Zealand or in the internal waters of New Zealand or marine waters for the purpose of dumping that radioactive waste or other radioactive matter; or
  - b) taken on board any ship or aircraft at any controlled offshore installation for the purpose of dumping that radioactive waste or other radioactive matter; or
  - c) dumped from any ship or aircraft into the sea above the continental shelf beyond the outer limits of the exclusive economic zone; or
  - d) dumped from any New Zealand ship or any New Zealand aircraft into the sea or onto or into the seabed beyond New Zealand continental waters.
- (2) No person may incinerate radioactive waste or other radioactive matter at sea—
  - a) in the internal waters of New Zealand; or
  - b) beyond New Zealand continental waters on a New Zealand ship, a New Zealand structure, or a New Zealand aircraft.

**Section 263 – Offences in respect of radioactive waste and other radioactive matter**

- (1) The master and the owner of a ship each commits an offence if radioactive waste or other radioactive matter is –
  - a) taken on board the ship in breach of paragraph (a) or paragraph (b) of section 258(1); or
  - b) dumped from the ship in breach of section 258(1)(c); or
  - c) dumped from the ship (being a New Zealand ship) in breach of section 258(1)(e).
- (2) The person in possession of, and the owner of, an aircraft each commits an offence if radioactive waste or other radioactive matter is –
  - a) taken on board the aircraft in breach of paragraph (a) or paragraph (b) of section 258(1); or
  - b) dumped from the aircraft in breach of section 258(1)(c); or
  - c) dumped from the aircraft (being a New Zealand aircraft) in breach of section 258(1)(e).

- (3) The owner of a controlled offshore installation commits an offence if radioactive waste or other radioactive matter is taken onboard any ship or aircraft at the offshore installation in breach of section 258(1)(b).

### **Section 266 - Penalties**

Subject to section 267, every person who commits an offence against section 263 or section 264 is liable –

- a) to a fine not exceeding \$200,000; and
- b) if the offence is a continuing one, to a further fine not exceeding \$10,000 for every day or part of a day during which the offence is continued; and
- c) for such amount as the court may assess in respect of the costs of all or any of the following, namely, removing or dispersing, or disposing of, any waste or other matter to which the offence relates; and
- d) to an additional penalty under section 409.

### **Section 267 - Sentence of imprisonment**

- 1) Subject to subsection (2) of this section, the court may sentence a person who commits an offence against section 263 to imprisonment for a term not exceeding 2 years instead of imposing a fine under section 266.
- 2) The court shall not sentence to imprisonment any person who commits an offence against section 263 unless the court is satisfied,
  - a) where the person is the master or owner of a foreign ship –
    - i. that the offence was committed within the territorial sea; and
    - ii. that the person intended to commit the offence, or the offence occurred as a consequence of any reckless act or omission by the person with the knowledge that that act or omission would or would be likely to cause serious damage to the marine environment within the territorial sea; and
    - iii. that the commission of the offence has caused or is likely to cause serious damage to the marine environment within the territorial sea;
  - b) in any other case, that the commission of the offence has caused or is likely to cause serious damage to the marine environment.

***6. What technical guidelines and legislation do you have concerning EIA of development activities likely to impact on the marine environment (article 16)? How many assessments occurred, what were the measures adopted to prevent pollution and what was the extent of public involvement?***

30. The RMA requires resource consents for many activities that use or develop natural or physical resources or that affect the environment. It applies to activities undertaken on land, the coastal marine area, and the territorial sea. All applications for resource consents must be accompanied by an assessment of environmental effects, which includes a description of mitigation measures to help prevent or reduce any actual or potential effects of the proposed activity.

31. During 2022/2023, local government authorities granted 668 coastal permits. During 2023/2024, local government authorities granted 803 coastal permits. Coastal permits relate to a variety of development activities that may have impacts on the coastal environment. Coastal permits relate to a variety of development activities that may have impacts on the coastal environment. Beyond this, the Government does not hold



information on how many of these consents had an impact on, or were likely to have an impact on, the marine environment.

32. The EEZ Act regulates the effects of certain activities in the EEZ and continental shelf including petroleum exploration and production, seabed mining, laying submarine cables and marine scientific research. Activities can only be undertaken if they are classified as permitted or authorised by a marine consent. If a marine consent is required, those wishing to undertake an activity must obtain a consent from the Environmental Protection Authority. Applications for consent must include an impact assessment describing the activity and the current state of the area where the activity is proposed, identifying the effects of the activity on the environment and existing interests, and specifying measures to avoid, remedy, or mitigate the adverse effects identified.
33. During the reporting period, the Environmental Protection Authority considered and granted five amended discharge consents to correct minor errors, change expiry dates, and change conditions (see Appendix 1). These were non-notified – ie, there was no public involvement. The Environmental Protection Authority considers whether changes to consents are limited to minor matters, in which case the request need not be notified.

***7. Outline the cooperation/coordination with the other Contracting Parties in implementing the Convention and Protocols (such as agreements for protection, development or management of the marine environment, information sharing, research, monitoring and technical assistance, protection against the threat and effects of 'pollution incidents' (articles 4, 17, and 18)***

34. New Zealand is party to the following non-exhaustive list of instruments to protect, develop, and manage the marine environment to protect against 'pollution incidents':
  - Safety of Life at Sea Convention (SOLAS) 1974 and 1978 and 1988 Protocols
  - International Convention for the Prevention of Pollution from Ships, as modified by the Protocol of 1978 (MARPOL 73/78) & 1997 Protocol (Annex VI)
  - London Convention and Protocol on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter and 1996 Protocol
  - Convention on Oil Pollution Preparedness, Response and Cooperation (OPRC) 1990
  - Convention on International Regulations for Preventing Collisions at Sea (COLREGS) 1972
  - Convention Relating to Intervention on the High Seas in Cases of Oil Pollution Casualties 1969 and 1973 Protocol
  - Convention to Ban the Importation into Forum Island Countries of Hazardous and Radioactive Wastes and to Control the Transboundary Movement and Management of Hazardous Wastes within the South Pacific Region (Waigani Convention)
  - Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal 1989
  - International Atomic Energy Agency Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency, 1986
  - International Atomic Energy Agency Convention on Early Notification of a Nuclear Accident, 1986

- International Convention for the Control and Management of Ships' Ballast Water and Sediments 2004
- Compensation and liability conventions (Civil Liability Convention & Fund 1992 and 2003; Limitation of Liability for Maritime Claims 1996, Bunker Oil Pollution Damage Convention 2001).

35. Maritime New Zealand has provided regional assistance under the Secretariat for the Pacific Regional Environment Programme's (SPREP) Pacific Ocean Pollution Prevention Programme (PACPOL) and Pacific Islands Regional Marine Spill Contingency Plan (PACPLAN) initiatives in the following areas: assistance with training, policy development and technical advice under the PACPLAN and PACPOL initiatives, including assisting SPREP with the review and update of PACPLAN. Maritime New Zealand has also supported Samoa under PACPLAN responding to the grounding of the *HMNZS Manawanui* in October 2023.

36. The Maritime New Zealand Maritime Response team delivers marine pollution response training and capacity building activities under the Pacific Maritime Safety Programme.

37. Maritime New Zealand, in conjunction with the Australian Maritime Safety Authority, has been providing ongoing assistance to the SPREP PACPOL secretariat on draft legislation to give effect to the international and regional agreements on pollution preparedness and response conventions and associated liability conventions.

**8. How many 'pollution incidents' have there been and what were the laws, regulations, institutions and operational procedures used in each? (Protocol on Pollution Emergencies)**

38. A total of 107 oil spills were reported from July 2023 to June 2025. The sources of these spills included any origin that ends up in the marine environment.

39. All but 18 of these 107 spills were less than 50 litres in volume. The larger spills included:

- 8 spills each within the range of 50-99 litres
- 4 spills each within the range of 100-499 litres
- 6 spills that were significantly larger at approximately 500, 800, 1500, 4000, 4500 and 10400 litres.

40. Details of other pollution incidents affecting the marine area are held by local authorities and records are not held by the national government.

41. Section 226 of the Maritime Transport Act provides that harmful substances may only be discharged into the sea in accordance with the Marine Protection Rules or discharged to shore through Port Reception Facilities (Marine Protection Rule 100).

42. The 120 series of the Marine Protection Rules, consolidated in 2019, applies to the discharge of oil. The standards in Part 120 are drawn from Annex 1 of MAPOL, which is concerned with reducing the quantity of environmentally harmful oil and oily mixtures entering the sea from ships. The discharge regime established by Part 120 prohibits the discharge of oil cargo residues within 50 nm of land and in defined special areas. It imposes controls on the flow, concentration, and quantity of discharges in other areas. The discharge provisions work in conjunction with the requirements for shipboard pollution prevention equipment.

43. The Maritime Transport Act imposes a concurrent duty on the owner and master of ship to notify the coastal state of any discharge or escape other than operational discharge. Part 23 of this legislation provides for plans and responses to protect the marine environment from marine oil spills. To give effect to Part 23, 130 series of the Marine Protection Rules outline requirements for the planning and response to marine oil spills.
44. The 140 series of the Marine Protection Rules apply to ships carrying noxious liquid substances in bulk as cargo, setting out permitted operational discharges including limits on total quantity and concentration of discharges, specified minimum water depths and distances from land. More stringent discharge conditions apply to substances categorised as most harmful to the marine environment. The 140 series gives effect to standards found in regulations 6 and 13 of Annex II of MARPOL and to Protocol I of that instrument.
45. Part 150 of the Marine Protection Rules set out requirements for the prevention of pollution by harmful substances carried by sea in packaged form and are drawn from Annex III of MARPOL. The rules are to be read in conjunction with the Maritime Rules in Part 24A relating to the carriage of dangerous goods cargoes. Part 150 applies to New Zealand ships anywhere, except ships of the New Zealand Defence Force and foreign ships operating within areas of the sea under the New Zealand jurisdiction.
46. Part 180 of the Marine Protection Rules, which relates to the dumping of waste and other matter, incorporates a number of the standards and processes required in New Zealand legislation to become party to the 1996 Protocol to the London Convention, and to comply with the provisions of the 1996 Protocol once these take effect in New Zealand. The Part 180 rules operate within the framework established by Part XXI of the Maritime Transport Act. Part 180 provides for permitting regime to control ocean dumping and minimise its environmental effects.
47. Part 300 of the Marine Protection Rules aims at preventing, minimising, and eliminating the risk to the environment, human health, property, and resources arising from the transfer of harmful aquatic organisms and pathogens through the control and management of ballast water. The rules give effect to the Convention for the Control and Management of Ship's Ballast Water and Sediments 2004.
48. Standards for dumping waste or other matter within the 12 nm coastal marine area for all ships is provided for in Part 2(4) of the Marine Pollution Regulations under the Resource Management Act, which make it an offence to dump waste or other matter in contravention of the regulations. Part 3 of these regulations describes the control of discharges (i.e. oil, noxious liquid substances, sewage, garbage, and ballast water) from ships and offshore installations and in the coastal marine area.

*The Environmental Protection Authority pollution incidents*

49. The Environmental Protection Authority was notified of 10 pollution incidents involving harmful substances between July 2023 and June 2025, which were either investigated or are currently under investigation:
- 8 were concluded with an advice letter and included education
  - 1 was concluded with a warning
  - 1 is currently under investigation and has not been concluded.

**Resolved incidents**

Type	Quantity (Litres)
Maintenance water	0.2
Hydraulic oil	5.4
Maintenance water	0.25
Condensate	0.5
Hydraulic oil	0.1
Hydraulic oil	0.1
Hydraulic oil	4
Produced water Synthetic based mud Parapro (60% saraline)	Not quantified
Crude oil	10

**Incidents currently under investigation**

Type	Initial quantity (Litres)
Condensate	0.005

**9. What are the reporting requirements regarding 'pollution incidents' (articles 5) of:***Government officials*

50. In New Zealand it is the polluter's responsibility to report to the appropriate agency, so government officials do not have reporting requirements as such. Local authorities have delegated responsibility for marine oil spill preparedness and response.

51. For spills within a local authorities' area of jurisdiction, polluters report spills to the local authority. These local authorities then provide data to Maritime New Zealand on the number of oil spill incidents that occur in their region. The local authorities also report unsourced spills, where a spill report has reached the local authority via another means, eg, by a member of the public. The local authorities complete a standardised spill report, which includes volume, location, oil type, response actions, etc.

*Masters of vessels flying your flag*

52. The Marine Protection Rules specify the reporting requirements of Masters of New Zealand ships involved in a pollution incident in contravention of the rules. Section 227 'Duty to report discharge or escape of harmful substances' and Section 228 'Notice of pollution incidents'.

53. The 120 and 140 series, and Parts 150, 170, 199, and 300 of the Marine Protection Rules and Part 180 for the London Convention also contain relevant provisions on the requirement to report to the appropriate coastal authorities: non-operational discharges and permitted operational discharges of oil, oily discharges, garbage, noxious liquid substances, and other harmful substances from ships into the sea.

54. Section 227 and 228 of the Maritime Transport Act covers the duty to report discharge or escape of harmful substances. These sections outline who is responsible for reporting the discharge or escape and the proper authority to give notice to.

*Masters of all vessels and pilots of all aircraft in the vicinity of your coasts*

55. Foreign ships operating within areas of the sea under New Zealand jurisdiction are subject to the reporting requirements of Parts 120, 140, 150, 170 and 300 of the Marine Protection Rules as outlined above.

## Appendix 1 – Changes in conditions and minor amendments to marine discharge consents issued by the Environmental Protection Authority between July 2023 and June 2025

On 8 February 2024, the EPA issued an amended marine discharge consent:

- **EEZ300004** (correcting minor error in the conditions)
  - to discharge harmful substances from the Floating Production Storage and Offloading facility, the Raroa, and the Wellhead Platform, Tiro Tiro Moana, within the Maari production field, including the discharge of:
    - harmful substances from offshore processing drainage, displacement water, and production water from an existing structure
    - seawater used for operational purposes that is contaminated with oil from an existing floating production storage and offloading facility
    - harmful substances from mining activities
  - authorises 45,000 bbl/day of production discharge and 546,000 bbl/day of cooling water discharge.

On 2 April 2024, the EPA issued an amended marine discharge consent:

- **EEZ300009-2** (change of conditions):
  - to undertake restricted discharge activities associated with existing and ongoing operations at Māui Platform Bravo and Māui Platform Alpha within the Māui Natural Gas Field, including:
    - the discharge of harmful substances from the deck drains (offshore processing drainage) of Māui Platform Alpha and Māui Platform Bravo in the Māui Field
    - the discharge of harmful substances in produced water from Māui Platform Bravo in the Māui Field
    - the discharge of harmful substances from the Māui Platform Alpha J-tube during intervention works
  - rate of produced water discharge from Māui Platform Bravo shall not exceed 2,000 m<sup>3</sup> per day
  - trace amounts hydrocarbons must not:
    - exceed 50 ppm for a period of more than 5 minutes
    - average more than 30 ppm per calendar month.

On 19 April 2024, the EPA issued an amended marine discharge consent:

- **EEZ300004-10** (change of conditions):
  - to discharge harmful substances from the Floating Production Storage and Offloading facility, the Raroa, and the Wellhead Platform, Tiro Tiro Moana, within the Maari production field, including the discharge of:
    - harmful substances from offshore processing drainage, displacement water, and production water from an existing structure
    - seawater used for operational purposes that is contaminated with oil from an existing floating production storage and offloading facility

- harmful substances from mining activities
- authorises 45,000 bbl/day of production discharge, 20,000 bbl/day of excess treated seawater discharge, and 546,000 bbl/day of cooling water discharge.

On 31 March 2025, the EPA issued two amended marine discharge consents:

- **EEZ300011-1** (change to the expiry date of the consent):
  - to undertake restricted discretionary activities associated with an exploration and appraisal drilling programme at 11 well locations in offshore Taranaki, including the discharge of:
    - caustic soda
    - lime
    - performatrol
    - clay grabber
  - volumes have not changed from original consent granted in 2019.
- **EEZ100017-1** (change to the expiry date of the consent):
  - to undertake a restricted discretionary activity associated with an exploration and appraisal drilling programme, ie, discharging trace amounts of harmful substances (offshore processing drainage) through the deck drains of Mobile Offshore Drilling Unit(s) to the sea
  - volumes have not changed from original consent granted in 2019.