

Appendix N:

Schedule 3 to Resource Management (Marine Pollution) Regulations

- (d) drainage from washbasins, washtubs, and scuppers located in the dispensary, sick bay, or other medical premises of a ship or offshore installation:
- (e) drainage from spaces on a ship or offshore installation containing living animals:
- (f) waste water from a ship or offshore installation mixed with the drainage and waste specified in paragraphs (c), (d), or (e):
- (g) all kinds of food waste, domestic waste, operational waste, plastic, cargo residue, incinerator ash, cooking oil, fishing gear, and any animal carcass generated during the normal operation of a ship or an offshore installation and liable to be disposed of continuously or periodically, except—
 - (i) any substance that is defined or listed in any Annex to MARPOL other than Annex V; and
 - (ii) fresh fish or parts of fresh fish generated as a result of fishing activity undertaken during a voyage, or as a result of aquaculture activity that involves the transport of fish (including shellfish) for placement in an aquaculture facility and the transport of harvested fish (including shellfish) from such facilities to shore for processing.

Regulation 3(g): replaced, on 28 August 2014, by regulation 5 of the Resource Management (Marine Pollution) Amendment Regulations 2014 (LI 2014/248).

Part 2

Dumping and incineration

4 Dumping of waste or other matter

- (1) The dumping of waste or other matter, other than the waste or other matter specified in subclauses (2) and (3), in the coastal marine area from any ship, aircraft, or offshore installation is deemed to be a prohibited activity in any regional coastal plan or proposed regional coastal plan.
- (2) In the coastal marine area the dumping of the following waste or other matter from any ship, aircraft, or offshore installation is deemed to be a discretionary activity in any regional coastal plan or proposed regional coastal plan:
 - (a) dredge material:

- (b) sewage sludge:
 - (c) fish processing waste from an onshore facility:
 - (d) ships and platforms or other man-made structures at sea:
 - (e) inert, inorganic geological material:
 - (f) organic materials of natural origin:
 - (g) bulky items consisting mainly of iron, steel, and concrete.
- (3) This clause does not apply to—
- (a) the dumping or storage of waste or other matter arising directly from, or related to, the exploration, exploitation, and associated offshore processing of, seabed mineral resources; or
 - (b) a discharge made in accordance with section 15B of the Act or Part 3 of these regulations.

Regulation 4(2): amended, on 1 July 2002, by regulation 4 of the Resource Management (Marine Pollution) Amendment Regulations 2002 (SR 2002/99).

5 **Assessment criteria**

- (1) Every application under section 88 of the Act for a coastal permit to dump any waste or other matter specified in regulation 4(2) must include the information specified in Part 1 of Schedule 3.
- (2) The consent authority must, when considering an application under section 88 of the Act for a coastal permit for any waste or other matter specified in regulation 4(2), have regard to the matters set out in Parts 1 and 2 of Schedule 3 in addition to any other requirement of sections 104 and 138A of the Act.

6 **Incineration of waste in marine incineration facility**

- (1) The incineration of waste or other matter in any marine incineration facility in the coastal marine area is deemed to be a prohibited activity in any regional coastal plan or proposed regional coastal plan.
- (2) This clause does not apply to a discharge made in accordance with section 15B or Part 3 of these regulations.

7 Record keeping

- (1) Every holder of a coastal permit to carry out an activity that would otherwise contravene section 15A of the Act must keep records describing—
 - (a) the types and sources of the waste or other matter dumped;
 - (b) the location of dump sites;
 - (c) the method of dumping;
 - (d) the quantity (in cubic metres) of the waste or other matter dumped.
- (2) The records for the preceding calendar year must be provided to the Director of Maritime New Zealand before 1 February in each year.

Regulation 7(2): amended, on 1 July 2005, by section 11(4) of the Maritime Transport Amendment Act 2004 (2004 No 98).

Part 3 Control of discharges

8 Discharge of substances for purpose of avoiding, remedying, or mitigating oil spill

- (1) Any person may, in the coastal marine area, discharge from a ship or offshore installation any substance for the purpose of avoiding, remedying, or mitigating the adverse effects of an oil spill.
- (2) This regulation does not authorise the discharge of any substance in contravention of Part 23 of the Maritime Transport Act 1994 or any marine protection rules made under Part 27 of that Act.

9 Discharge of oil

- (1) Any person may, in the coastal marine area, discharge oil, or mixtures containing oil, from any ship if—
 - (a) the oil is not derived from the cargo of the ship; and
 - (b) the ship is proceeding en route; and
 - (c) the oil content of the discharge before dilution with any other substance does not exceed 15 parts per million.
- (2) Any person may, in the coastal marine area, discharge oil, or mixtures containing oil, from an offshore installation, if—

Naptha
Solvent
Petroleum
Heartcut distillate oil

Schedule 3

r 5

Assessment of waste or other matter

Part 1

Additional matters to be included in application under section 88

- 1 The application must include a detailed description and characterisation of the waste to enable a proper assessment to be made of its potential impacts on human health and the environment. The description must include any material capable of creating floating debris or otherwise contributing to an adverse effect on the environment.
- 2 The characterisation of the wastes and their constituents must include—
 - (a) the origin, total amount, form, and average composition:
 - (b) the properties: physical, chemical, biochemical, and biological:
 - (c) the toxicity:
 - (d) the persistence: physical, chemical, and biological:
 - (e) the accumulation and biotransformation in biological materials or sediments.
- 3 The application must include information about—
 - (a) the types, amounts, and relative hazard of wastes generated; and
 - (b) the details of the production process and the sources of wastes within that process; and
 - (c) the feasibility of the following waste reduction or prevention techniques:
 - (i) product reformulation:
 - (ii) clean production technologies:
 - (iii) process modification:

Part 1—*continued*

- (iv) input substitution:
 - (v) on-site, closed-loop recycling.
- 4 For dredged material and sewage sludge, the application must identify the sources of contamination and waste prevention strategies that may be used to control that contamination.
- 5 Applications to dump waste or other matter must include information about the consideration that has been given to the following hierarchy of waste management options:
- (a) re-use:
 - (b) off-site recycling:
 - (c) destruction of hazardous constituents:
 - (d) treatment to reduce or remove the hazardous constituents:
 - (e) disposal on land, into air, and in water.
- 6 The application must include the following information about the proposed dump site:
- (a) the physical, chemical, and biological characteristics of the water column and the seabed:
 - (b) identification of values and other uses of the sea in the area under consideration:
 - (c) an assessment of the constituent fluxes associated with dumping in relation to existing fluxes of substances in the marine environment:
 - (d) the economic and operational feasibility.
- 7 The application must include an assessment of the potential effects of sea or land disposal options.
- 8 The application for dumping must integrate information on waste characteristics, conditions at the proposed dump site(s), fluxes, and proposed disposal techniques. The application must specify the potential effects on the environment and define the nature, temporal, and spatial scales and duration of expected effects and state any assumptions.

Part 2

Additional matters to be considered by the
consent authority

- 9 Consideration of an application must have regard to the avoidance, remedying, or mitigation of environmental disturbance and detriment. Consideration of an application must also have regard to the imposing of conditions specifying—
- (a) the types and sources of materials to be dumped;
 - (b) the location of the dump site(s);
 - (c) the method of dumping;
 - (d) monitoring and reporting requirements.
- 10 Consideration of an application must have regard to the imposition of monitoring programmes as a condition of a resource consent.

Schedule 4

r 15

**Normal operations of ship or offshore
installation**

- 1 Ship propulsion.
- 2 Heat exchange systems, including engine cooling systems, air conditioning, refrigeration, and condensers.
- 3 Stormwater drainage from systems and scuppers, except from those areas used for the storage of any harmful substance.
- 4 The use of washing facilities in the accommodation areas producing greywater from showers, handbasins, baths, galleys, dishwashers, and laundries but does not include use of any dispensary, sick bay, or other medical premises.
- 5 The cleaning of the ship or offshore installation, except for the exterior of the hull below the load line or parts of the ship used for carrying cargo.
- 6 The incineration of waste or other matter generated from a ship or offshore installation.
- 7 Firefighting.
- 8 The operation of a weapon system on any ship of the New Zealand Defence Force.
-

