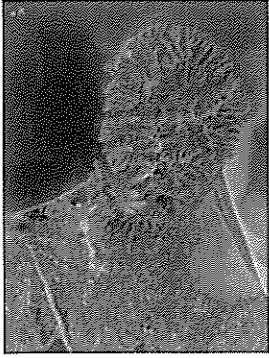


Contents Page: Banks- Cranwell

All written comments received on the proposed National Environmental Standard for Marine Aquaculture, grouped alphabetically according to business/organisation/iwi/surname.

Written Comments Number	Business/Organisation/Iwi/Surname	First Name
0046	Banks Peninsular Growers Group	
0083	Bay of Plenty Regional Council	
0067	Biomarine Ltd	
0015	Black Shag Oysters	
0021	Bluff oyster Management Company Ltd	
0081	Brightlands Bay Aquaculture Ltd	
0006	Britton	Robin
0043	Campbell	Helen
0092	Clark	Dana
0049	Coromandel Marine Farmers Association	
0019	Coromandel Mussel Kitchen	
0032	Cosslett	Richard
0012	Cranwell	Rod and Daphne



25 July 2017

PROPOSED NATIONAL ENVIRONMENTAL STANDARD FOR MARINE AQUACULTURE SUBMISSION BY BANKS PENINSULA MARINE FARMERS GROUP

This submission represents the views of the Banks Peninsula Marine Farmers Group (*BP MFG*). It is a collective submission and is not intended to usurp the submissions made by individual growers or companies operating in the Peninsula.

This submission has been lodged electronically to: aquaculture@mpi.govt

Address for service: c/ Alison Undorf-Lay [REDACTED]

Thank you for the opportunity to respond to the Proposed National Environmental Standard for Marine Aquaculture (*NES*).

The Banks Peninsula Marine Farmers Group, sits under the umbrella of Aquaculture New Zealand and represents grower interests in Banks Peninsula, Pegasus Bay and the wider Canterbury coastal marine area.

We support the submission lodged by Aquaculture New Zealand.

The situation in Banks Peninsula:

- The entire Banks Peninsula including the coastal marine area is recognised by Environment Canterbury in their Regional Coastal Plan as an outstanding natural landscape.
- The BP MFG does not consider the Banks Peninsula coastal marine area in its entirety is likely to be outstanding.

- The BP MFG support the outstanding landscape refinement process currently underway by Christchurch City Council, which has recognised discrete areas within Banks Peninsula as outstanding, such as rock outcrops, rather than whole area. We have been engaging with Environment Canterbury on how a similar landscape refinement process could be extended to include the coastal marine area.
- While we support the principle of the NES, we are aware that the affect in Banks Peninsula is that there are 12 marine licences, see Appendix H that trigger the higher assessment criteria.

The proposed way forward (in summary)

The Banks Peninsula Marine Farmers Group support:

- The NES as proposed
- The definition of existing marine farms, as being the holders of current coastal permits where the areas remains the same, the structures remain materially the same, and where the location of structures remains the same other than up to 1/3 of farm being realigned
- We do not support the requirement for species to stay the same through the re-consenting process
- We support the ability of the farm to innovate, and be incentivised for continuous improvement
- We support the ability of farms to adapt including by changing and/or adding new species
- We support the principle that the RMA statutory process and requirements are unchanged – we support finding a solution to re-consenting that is able to work inside the existing law and regulations.

In our view the proposed NES standards is an important way to achieve stability and retain confidence in New Zealand aquaculture.

We consider that the overarching tone of the document is enabling and acknowledges the significant financial investments made by growers to obtain marine licences. We support streamlining the re-consenting process, while noting that we are very concerned about the difficult situation we find ourselves in by default of the whole of Banks Peninsula being zoned an outstanding natural landscape.

In principle we accept the restricted discretionary non notification status for re-consenting, as long as the non-notification status is retained. We would have preferred controlled activity. That said, we don't believe that the NES sufficiently addresses our situation.

BP MFG submit that:

The Minister work with local communities to provide specific 'regional' direction on how to process Appendix H farms, and that this is worked through with AQNZ, local communities and affected marine farmers.

Using the opportunity presented by the NES, we call on the Minister's help in designing a regional solution for Canterbury would offer Banks Peninsula marine farmers and Environment Canterbury more certainty going into the re-consenting process.

We support the proposal of Aquaculture New Zealand which time-limits the Appendix H farms, in Canterbury these farms are largely gone through extensive first round consenting processes including in most cases Environment Court appeals.

In 2016 Banks Peninsula and Pegasus Bay growers agreed to enter AquacultureNZ's A+ Certification scheme as a whole region approach. We think that there is potential for A+ to be recognised by the NES, for example in a whole of Peninsula biosecurity plan.

Some Banks Peninsula growers have been active in land based hatcheries that are reliant on sea water intakes. We think that these systems would benefit from being recognised in the NES.

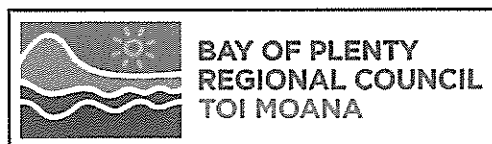
In response to your specific questions:

Question 1	Is NES required?	Yes Achieves efficiency and likely to save very significant resources and costs for the majority of stakeholders including councils and applicants – while noting it does not adequately address the Banks Peninsula situation. Support increased attention on biosecurity. Supporting streamlining re-consenting process.
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		Support completing NES ASAP, and at the latest by 2019. Refer also to our comment in blue highlight, advocating a Banks Peninsula specific NES direction.
Question 2	Is restricted discretionary appropriate	Yes (but preference would have been controlled status). Existing farms in Banks Peninsula are appropriately sited, most have gone through an Environment Court process and are an accepted part of their local landscapes. We don't think the marine environment is put at any additional risk as a result of re-consenting Banks Peninsula existing licences. Support providing consistency across all regions of New Zealand. Support giving certainty to existing investments. Banks Peninsula growers have entered into A+ Certification which commits us to documentation and continuous improvement.
Question 3	Is restricted discretionary appropriate for replacement consents for existing farms	Yes while noting that the whole of Banks Peninsula is deemed an outstanding landscape in the regional coastal plan. We do not consider Banks Peninsula is a special case, rather it is encumbered by an out-of-date plan.
Question 5	Our feedback on analysis of effects contained in Appendix G	Support Appendix G but propose a widening of the scope of effects so that it recognises positive effects arising from aquaculture such as economic wellbeing, regional growth, jobs, regular water testing in rural communities.
Question 8	Should extent of overlap with marine farming in outstanding areas due to margins of error in mapping be defined?	There needs to be an ability for a Council to apply discretion beyond just for mapping errors - we see this as one of the most logical ways to deal with the whole of Banks Peninsula outstanding landscape anomaly. We acknowledge AquacultureNZ's suggestion that the Minister have a role in determining which farms should be further assessed – Appendix H serves as starting point only – our suggestion is that the Minister in consultation with the council (in our case Environment Canterbury), AquacultureNZ and local growers come up with a regionally specific solution for progressing/refining Appendix H. We do not think

		that marine farming in our community detracts from the wider Banks Peninsula rural amenity and landscapes.
Question 9	Are there other areas/valued that should be identified as requiring specific discretion?	No Biodiversity in the marine environment is not well understood (defined) and mapped, in Canterbury biodiversity is dealt with as a broad generalisations outside of ASCV (areas of significant conservation value).
Question 11	Should the activity status be different for replacement consents in outstanding natural features, landscape and natural character	No Restricted discretionary across all three categories is supported.
Question 13	Advantages / disadvantages to allowing councils to take a more lenient approach	Yes – we support NES providing for local communities to make more lenient decisions. By way of example we cite the Bay of Plenty regional council approach that allows up to 10% extensions on existing farms as a controlled activity.
Question 16	Additional ways that NES could be used to recognise council planning process	Amending the NZCPS so that it includes a new policy dealing specifically with aquaculture.
Question 33	Should all farms have a Biosecurity Plan	Yes Support other users in the coastal marine area also having to submit biosecurity plans including those that have moorings and structures like wharfs (private and community).
Question 39	Should existing coastal permits be reviewed for biosecurity	Should be decided in consultation with regional grower groups.

Your ref:
Our Ref: A2652842



8 August 2017

Ministry for Primary Industries
aquaculture@mpi.govt.nz

Tēnā koe te rangatira

Bay of Plenty Regional Council's submission to the Ministry for Primary Industries consultation on proposed National Environmental Standard for Marine Aquaculture

Thank you for the opportunity to comment on the above submission. The Bay of Plenty Regional Council does not wish to be heard on this submission.

For matters relating to this submission, please contact Jo Noble (Senior Planner) at [REDACTED] or 0800 884 881 ext. [REDACTED]

Our Organisation

The Bay of Plenty Regional Council is responsible for the sustainable management of resources within the Bay of Plenty region. Our role is determined by Central Government through statutes such as the Local Government Act and the Resource Management Act, and is different from that of territorial authorities (district and city councils). Some of our key roles are:

- Regional planning for land, water quality and air quality;
- Setting environmental management policies for the region;
- Allocation of natural resources;
- Flood control;
- Natural hazard response;
- Soil conservation;
- Pest control / biosecurity;
- Public transport;
- Strategic transport planning;
- Regional economic development; and
- Strategic integration of land use and infrastructure.

Summary

We support the identification of the proposed NES for Marine Aquaculture as the preferred option to address the uncertainty regarding re-consenting and to improve biosecurity management. We provide this support on the understanding that sufficient guidance will be made available to support its implementation, particularly in relation to the development of on-farm biosecurity management plans.

Bay of Plenty Regional Council 5 Quay Street, P O Box 364, Whakatane, New Zealand

BOPRC ID: A2652842

Please find our detailed comments attached. We trust you find them constructive.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Fiona McTavish', with a stylized flourish at the end.

Fiona McTavish
General Manager Strategy & Science

BAY OF PLENTY REGIONAL COUNCIL'S SUBMISSION TO THE MINISTRY FOR PRIMARY INDUSTRIES CONSULTATION ON PROPOSED NATIONAL ENVIRONMENTAL STANDARD FOR MARINE AQUACULTURE

Reference	Position	BOPRC Position
Page 25 Q1 Is an NES for marine aquaculture required?	We support the identification of the proposed NES for Marine Aquaculture as the preferred option to address the uncertainty regarding re-consenting and improve biosecurity management. We provide this support on the understanding that sufficient guidance will be made available to support its implementation, particularly in relation to the development of on-farm biosecurity management plans.	Support in principle as an NES has the ability to provide the national direction required to increase consistency and certainty of process for replacement consent applications for existing marine farms and for change of species, and to achieve a consistent approach to on-farm biosecurity management while remaining consistent with the RMA and recognising relationships with Tangata Whenua as Treaty Partners. However, provision of guidance material and sufficient central government support is essential to effective implementation. Therefore we support central-government investment in community engagement processes to transition and communicate the proposed standards in a timely manner. Time and appropriate allowance must also be allowed for iwi to assess and provide information on cultural effects.
Page 28 Q3 Does the NES need to provide a full rule framework, including discretionary activity rules for marine farms that cannot meet the requirements to be a restricted discretionary activity?	Marine farms that cannot meet the requirements to be a restricted discretionary activity are in effect 'new aquaculture'. Whilst further national direction on providing new aquaculture space is supported, the proposed NES would require significant reworking if it is amended to incorporate new aquaculture (marine farms that cannot meet the requirements to be a restricted discretionary activity).	No A full rule framework is not required as the existing planning framework set out in the regional/unitary plan will apply if an activity does not fall within the NES.
Consideration of effects on Maori cultural values • Pg 28, Q5 Do you have any feedback on the analysis of effects contained in Appendix G: Effects of existing marine	Iwi have particular interests in aquaculture – both as kaitiaki of our coastal environment and as marine farmers. We believe the proposed NES will continue to affirm these interests. However, the cultural values and development aspirations of Maori may be affected by aquaculture.	Strongly support central government seeking input from iwi authorities at the earliest possible opportunity and acknowledgment of Tangata Whenua as Treaty partners.

Reference	Position	BOPRC Position
<p>farms?</p> <ul style="list-style-type: none"> Appendix F: Indicative NES provisions - Matters of Discretion 	<p>As per sections 6, 7 and 8 of the RMA we strongly support meaningful engagement with iwi/ hapū authorities.</p> <p>We note that some iwi are still to reach settlement with the Crown on historic Treaty claims. Also outstanding are numerous claims to customary title under the Marine and Coastal Area Act 2011 (380 customary title applications through the crown with more than 100 through the High Court). Therefore, this is a sensitive period for iwi / hapū who are awaiting their hearing and decision.</p>	
<p>Q13, pages 31-32 Allowing Councils to take a more lenient approach</p>	<p>Marine aquaculture is primarily managed by regional coastal plans. There is locational variation in terms of the nature of existing aquaculture activities; the location of existing aquaculture and community support for existing aquaculture activities. It is appropriate that the proposed NES recognise situations where Councils, and their communities, have spent significant resource developing Regional Coastal Plans, and allows for regional variation.</p> <p>We note that the text around the application of this provision is unclear. It is our understanding that under s43B of the RMA, the existing more lenient rule contained in a regional plan prevails if the standards expressly says that a rule may be more lenient. Therefore, the Council is not required to undertake an additional decision-making process to include more lenient rules where these are already contained in a plan.</p>	<p>Support. Retain the provisions that let Councils set a more lenient activity status than the NES.</p>
<p>Q16: Are there other ways in which the proposed NES could usefully recognise council's future planning processes?</p>	<p>Recognitions granted under the Marine and Coastal Area Act 2011 may influence local planning processes – for example Customary Marine Title holders are able to produce an Iwi Planning document that must be recognise and provided for in regional planning</p>	<p>Recommend the NES be amended to recognise that "inappropriate species" may be identified in future planning documents.</p>

Reference	Position	BOPRC Position
	documents. As well as identifying areas that are inappropriate for aquaculture, these future processes may identify particular species that are inappropriate for aquaculture. The Bay of Plenty Regional Council supports the key objective in the proposed NES of achieving consistent and effective biosecurity practices in marine farming nationally and at each marine farm. The preparation and implementation of a BioMP for all Marine farms is supported. However, BOPRC is concerned that BioMPs do not address the risk of inter-regional vector movements, and strongly advocates for a Domestic Marine Pathway Management Plan to address these risks.	Support the requirement for all marine farms to prepare, implement and keep up to date Biosecurity Management Plans.
Q33. Do you think it is necessary for all marine farms to prepare, implement and keep up to date Biosecurity Management Plans (BioMP)?		
Q34: Is the deadline of 31 January 2025 appropriate, and why? Q39. Is it appropriate for existing coastal permits to be reviewed and required to prepare BioMPs in order to comprehensively address biosecurity risks to industry and New Zealand's wider marine environment? If not, why not?	Given that approximately 64% of coastal permits will expire by 2025, the proposed deadline seems a logical timeframe that will ensure national consistency within a reasonable timeframe. Bay of Plenty Regional Council supports the provision that existing coastal permits can be reviewed and required to prepare BioMPs. Not doing so runs the risk of 36% of marine farms whose coastal permits expire post-2025 to operate for many years, potentially without adequate biosecurity management measures. However, these reviews should be subsidised by central-government. This will act as an incentive for Councils to undertake these reviews.	Support the deadline of 31 January 2025 and the requirement for existing coastal permits to be reviewed and required to prepare BioMPs.
Q35. Is a nationally consistent approach to BioMPs necessary to achieve an appropriate level of marine farm biosecurity nationally or should regional differences be accommodated?	The Bay of Plenty Regional Council agrees a nationally consistent approach is necessary to achieve an appropriate level of marine farm biosecurity nationally and ensure use of effective biosecurity practices in marine farming. The use of a NES to set biosecurity management standards is an effective means of achieving consistently; however,	Support a nationally consistent approach to BioMPs.

Reference	Position	BOPRC Position
Q37. Is requiring a BioMP using an NES under the RMA the best approach to nationally requiring a Biosecurity Management Plan for aquaculture?	support and guidance will be required to implement the new requirements.	
Q36. Do you think the BioMP template in MPI's Aquaculture Biosecurity Handbook covers all the matters that are needed?	The guidelines within the Biosecurity handbook cover most daily farming activities and operations. SOP's should be developed for vessel/ equipment movement as this is one of the main vector(s) of spread for marine pests between farms.	Yes the BioMP template in MPI's Aquaculture Biosecurity Handbook covers all the matters that are needed.
Q38. How would regional councils certify, audit and enforce BioMPs?	<p>The current capacity and capability of our Consents and Compliance staff to review, approve and audit on farm biosecurity management plans is limited.</p> <p>Not all councils have ready access to biosecurity expertise. Although our Council is fortunate to have operational staff with biosecurity knowledge that can provide technical advice during consenting processes, auditing and enforcement may still need to be undertaken by external contractors or consultants. However, the cost of using external support can be recovered from consent holders.</p>	
Q40. Is marine farm monitoring and reporting as well as external auditing and enforcement of BioMP implementation and effectiveness justified? If not why not?	<p>The Bay of Plenty Council supports marine farm monitoring and reporting as well as external auditing and enforcement of BioMP implementation. To quote Cardinal Richelieu "To pass a law and not have it enforced is to authorise the very thing you wish to prohibit."</p> <p>BOPRC also supports the 'incentive approach' – whereby farms which have track records of maintaining high standard BioMPs are audited less frequently than those who do not.</p>	<p>Support marine farm monitoring and reporting as well as external auditing and enforcement of BioMP implementation.</p>

Reference	Position	BOPRC Position
<p>Section 7:3 Costs and benefits to regional councils</p>	<p>S44A RMA directs that duplication or conflict with a NES is removed from a regional plan without using a Schedule 1 process as soon as practicable. A plan change will not be required in the Bay of Plenty region to implement the NES. For Bay of Plenty, the impact of the changes to plan rules would be of low impact.</p> <p>The most significant costs for our council are likely to be associated with the requirements relating to Biosecurity. The current capacity and capability to review, approve and audit on farm biosecurity management plans is limited and such work may need to be undertaken by external contractors or consultants. The costs incurred by Council will either place an on-going burden on regional councils or be passed onto consent holders.</p> <p>A more efficient means of implementing the biosecurity management requirements may be through Aquaculture New Zealand or a similar national organisation that is able to support marine farmers to prepare plans and cost-recover the services of a third party to carry out audits of on-farm biosecurity management plans.</p>	<p>Recommend more consideration is given to the costs of implementing the proposed Biosecurity provisions and further thought is given to biosecurity management being supported through Aquaculture New Zealand or a similar national organisation.</p>

Michael Nielsen

From: Jim Dollimore [REDACTED]
Sent: Tuesday, 8 August 2017 11:44 AM
To: Mailbox_Aquaculture
Subject: Proposed NES

Good morning,
I would like to make a submission on the proposed NES for aquaculture.
My details are;
Jim Dollimore

[REDACTED], Warkworth 0982
[REDACTED]

I am the managing director of Biomarine Ltd.

Biomarine was established in 1978. It currently farms 116Ha of coastal consents for oyster farming. It has farm depots in Snells Beach and Kaipara, and a processing plant in Warkworth. Biomarine grows, processes, and distributes (largely exports) 500,000dz oysters each year for an income of approximately \$5m. We employ about 50 staff.

Biomarine is currently half way through developing (a staged development) a 76.5 ha Sth Kaipara oyster farm which will double our production when completed. We already have the processing capacity in place.

Our new \$5m processing plant opened in 2015 is the first significant new oyster plant built in the last 20 years. The reason for this and the relative lack of investment and increase in productivity investment would bring, has been the lack of security of tenure of the oyster farms.

Aquaculture is an industry poised to make an increasing contribution to New Zealand, but held back by the security of tenure problem.

This NES proposal makes a positive contribution to that and will help aquaculture move on its potential. For this reason I support the initiative.

A detailed submission has been made on our behalf by Aquaculture New Zealand, and I support the points it makes.

I would like to make an additional submission with respect to the Mahurangi Harbour. Question 15 of the discussion document asks if there are any sites that need to be recognised in the NES because of their special importance to the industry.

The Mahurangi Harbour is the site where modern commercial oyster farming was first established by Les Curtain, a NSW oyster farmer who was brought to NZ in the early 1960's to establish an industry. He chose the Harbour because of its suitability for oyster growth (Native rock oysters in those days) evidenced by the healthy wild population and apparent consistent recruitment.

He established spat catching sites and caught spat that was transferred to other growing areas throughout the oysters natural range.

The Harbour has also proved to be an excellent spat catching site for the Pacific Oyster which has replaced the native rock oyster as the dominant farmed oyster.

Other growing areas also catch oysters but with much less consistency and with often variable spat survival.

It is not possible to build an industry on an unreliable spat supply. Even the Northern Kaipara Harbour which became a popular spat catching place because of the availability of catching racks that trucks could drive to, completely failed during the OsHV outbreak and has never recovered.

The Mahurangi harbour was affected by the outbreak but not to an extent that affected the reliability of the spat catch. The huge and healthy feral population provided the genetic diversity to allow selection for resilient animals. The Mahurangi populations despite being among the first affected by OsHV were among the lowest in terms of mortality.

The harbour has a very reliable gradient of spat density from high in the upper reaches, to lower towards the open sea. This enables a farmer to regulate the density of spat he collects. No other area has shown this with consistency. In fact no other area has shown any sort of spat catching with the constancy of the Mahurangi Harbour.

For the last 5 decades the Mahurangi has provided the lion's share of the spat used in the industry. Farmers have taken advantage of the density gradient and caught according to their management plans for their growing farms. Spat has been caught from Cowans Bay in the upper Harbour to Huawai Bay near the mouth. A number of local farmers catch spat for farmers in other harbours.

It is vital to keep this spat source and also vital to keep the farms from the upper to the lower harbour so that the densities can be optimised. When an event like OSHV reduces the overall spat density farmers can easily compensate by catching more of their spat in the upper Harbour and then as the feral population recovers and the overall spat density increases, they can move more of their effort towards the harbour mouth.

I would like to see the proposed NES implemented as soon as possible as 2024 is fast approaching and we need to have some increased certainty to facilitate continued investment.

Jim Dollimore

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Proposed National Environmental Standard for Marine Aquaculture Submission

To the Ministry for Primary Industries

aquaculture@mpi.govt.nz

8 August 2017

Submitter Details

Full Name of Submitter

Mr/Mrs/Miss/Ms (Full Name) Mrs Anna Addison

Organisation Name Black Shag Oysters

Address for Service 12 Willjames Avenue, Algies Bay, Auckland

Email info@blackshagoysters.nz

1.0 Introduction

My husband and I have 7.5 acres of marine farm in the Mahurangi harbour and we farm Pacific Oysters. We currently do not employ anybody.

I am very proud of our business, and the fact that we farm a great product, that is natural, good for the environment and good for consumers.

I hope we can expand the business in the future, by reaching more consumers around New Zealand allowing them to try our great product. We also hope to employ staff in the future. Our farm is also a great spat catching area, where other farmers from different harbours can use.

The Mahurangi Harbour is a beautiful place and the oyster farm's are a great asset to the local economy, I always try to source goods and services locally.

The region is already a tourist destination and the oyster farms are another great reason to visit the area, we have an upcoming Oyster & Wine Festival in October and I hope this becomes an annual event.

As an industry we are proud farmers, we are passionate farmers and we are good farmers. Our commitment to the recently launched A+ sustainable management programme is a clear demonstration of the care and respect we have for the waters and locations in which we farm.

I support the submission of Aquaculture New Zealand (AQNZ).

2.0 The Issues

- Aquaculture is the heart of regional communities like Havelock, Coromandel, Warkworth, Bluff and Twizel.
- Our products provide kiwis with healthy, sustainable food, produced in New Zealand – a far better choice than most other protein sources available worldwide.
- The industry offers tremendous sustainable growth potential for New Zealand to create more regional jobs, support associated industries and bring much needed export earnings into local communities and the economy.
- But for years the potential has been hampered by a regulatory regime that drains vital resources that could otherwise be invested in innovation, product development and building new premium markets
- Under the current regime, variations and inconsistencies for re-consenting rules in different regions create complexity and uncertainty – and creates extra delays and costs for industry, councils and communities
- With up to 75% of marine farm consents due to expire by 2025, the current re-consenting processes create a cloud over the future shape of the industry

3.0 General Support for the Proposed NES

- I broadly support the NES as proposed.
- The proposed NES will provide better outcomes for the industry, communities, councils, iwi groups and the environment
- The proposed NES will provide a more efficient and certain consent process for managing existing farms within evidence-based environmental limits.
- The NES proposal carefully balances improving certainty while recognising the values and characteristics that make our marine environment so special.
- It will allow efficient evidence based decisions to be made while encouraging regions to proactively plan for aquaculture in their regions into the future.
- It will require marine farmers to provide evidence and proof to councils that they are operating sustainably within environmental limits.
- The proposal will free up resources currently spent on consent processes, to invest in building value for New Zealand through innovation, product development and new premium markets as well as investment in proactive environmental management.

4.0 Specific Comments on the Proposal

- I agree that the NES is the best available option under the current circumstances.
- I agree that restricted discretionary activity should be given to all consent renewals for aquaculture but note that it is crucial to retain the accompanying proposal for consent renewals to be non-notified in order to meet the proposal's objectives.
- However, there is also a good case for making replacement consents for most existing aquaculture a controlled activity as for the most part, they are an accepted part of the existing environment and generally in appropriate locations.

- There is a strong need for the additional guidance, particularly in light of the current subjectivity and lack of clarity around implementation of the New Zealand Coastal Policy Statement (NZCPS).
- There is also a strong case for an NZCPS - Aquaculture to be progressed within its own timing as this would provide stronger policy support than the guidance as well as allowing for strategic planning for, and management of, aquaculture into the future.
- I support the intent of the biosecurity proposals, however note the AQNZ recommendations to ensure they are sensible and workable and set up in the context of other users in the coastal marine area.
- I support enabling innovation through providing for changes of species as a restricted discretionary activity.

5.0 Questions for Submitters

Question 1: Do you think an NES for marine aquaculture, including guidance material, is required? Alternatively do you think the status quo (where regional councils decide the activity status for replacement consents for existing marine farms and consents for change of species which can vary from controlled to non-complying) should be maintained?

Yes.

Question 2: Do you think restricted discretionary is an appropriate status for replacement consents for existing marine farms? How would other activity statuses address the issues identified in section 3 of the discussion document?

Yes. Non-notification is essential for the proposal to meet its objectives. Controlled activity status is preferred and appropriate for existing marine farm consents.

Question 3: Does the NES need to provide a full rule framework, including discretionary activity rules for those marine farms that cannot meet the requirements to be a restricted discretionary activity?

No.

Question 4: Do provisions covering replacement consents for existing marine farms where supplementary feeding occurs require additional terms to define what qualifies to be a restricted discretionary activity?

No.

Question 5: Do you have any feedback on the analysis of effects contained in Appendix G?

The positive social and community benefits could have been highlighted better.

Question 6: Should applications for replacement consents for existing marine farms where supplementary feeding occurs be treated differently under the proposed NES or not addressed at all?

No.

Question 7: Do the provisions covering replacement consents for existing marine farms where supplementary feeding occurs require additional matters of discretion?

No.

Question 8: Should the extent of an acceptable overlap of existing marine farms with outstanding areas due to margins of error in mapping be defined?

It would be preferable that the Minister determine which farms should be subject to assessment under policy 13 and 15 using the best available information.

Question 9: Outstanding natural features, outstanding natural landscapes and areas of outstanding natural character have been identified as requiring a specific matter of discretion because of the direction provided by the NZCPS 2010. Are there other areas/values that should also be identified, such as those listed in Policy 11 of the NZCPS 2010?

No.

Question 10: If so, what are these areas/values and what are the potential effects of concern caused by existing marine farms on those areas/values?

Not applicable.

Question 11: Should the activity status be different for replacement consents for existing marine farms in outstanding natural features, outstanding natural landscapes and areas of outstanding natural character? If so, what should it be?

No.

Question 12: Are there certain types of aquaculture for which replacement consent applications should be publicly notified?

No.

Question 13: Are there advantages or disadvantages to allowing councils to take a more lenient approach that you would like us to be aware of?

Allowing councils to take a more lenient approach encourages proactive planning in accordance with the NZCPS Policy 8.

Question 14: Do you agree that the areas zoned specifically for aquaculture in Tasman and Waikato should be exempted from the provisions of the proposed NES relating to replacement consents for existing marine farms?

Yes.

Question 15: Do you agree that there are sites that should be recognised in the proposed NES because of their particular importance to aquaculture? If so, what sort of provisions do you think would be appropriate?

Yes. Spat farms of national significance such as the Wainui Bay mussel spat farms in Golden Bay and the Oysters Spat catching areas of the Mahurangi Harbour.

Question 16: Are there other ways in which the proposed NES could usefully recognise council's future planning processes?

An NZCPS – Aquaculture should be implemented to support and encourage collaborative and strategic planning for new aquaculture in appropriate areas.

Question 17: What are your thoughts on the size restriction that is proposed to apply to realignments covered by the proposed NES?

It is appropriate.

Question 18: Is there further guidance that should be provided in the proposed NES in relation to realigning existing marine farms?

Yes.

Question 19: Are there other specific matters that councils should be able to consider for applications to realign existing marine farms? Are the matters that have been identified all relevant?

The matters that have been identified are relevant and sufficient.

Question 20: Should the proposed NES address change in farmed species?

Yes.

Question 21: Should the proposed NES limit the species it relates to?

No.

Question 22: Are the categories based on change in structure an appropriate approach? If not, can you suggest any other approach that might be suitable?

The categories are an appropriate approach.

Question 23: Are there any other categories [that should be considered for the change of species provisions]?

No.

Question 24: Should herbivorous finfish be treated differently from carnivorous finfish?

No.

Question 25: Is restricted discretionary an appropriate status for most changes in species?

Yes.

Question 26: Should spat catching farms be excluded [from the change of species provisions]?

No.

Question 27: Are there any other forms of farming or species that should be excluded [from the change of species provisions]?

No.

Question 28: Do you have any feedback on the scope of matters of discretion?

It will be important to ensure that these categories all remain non-notified so that the decisions can be evidence based.

Question 29: Should change of species involving finfish require additional matters of discretion?

No.

Question 30: Outstanding natural features, outstanding natural landscapes and areas of outstanding natural character have been identified as requiring a specific matter of discretion because of the direction provided by the NZCPS 2010. Are there other areas/values that should also be identified?
No.

Question 31: Should the activity status be different for changing species on existing marine farms in outstanding natural features, outstanding natural landscapes and areas of outstanding natural character? If so, what should it be?
No.

Question 32: Are there certain species or types of species where consent applications should be publicly notified?
No.

Questions 33 to 40 – Biosecurity Management Plans:

I agree with the points raised regarding Biosecurity Management Plans in the AQNZ submission.

Question 41: Have the range of costs and benefits arising from the proposed national environmental standard, and who might bear the costs or receive the benefits, been accurately reflected? Are there any costs and benefits that have been overlooked?

Further detail could be provided/explored regarding the social and community benefits of the industry.

Question 42: Are the estimates of costs and benefits accurate? Do you have information on costs and benefits that could assist the second stage of our assessment (of the impacts of the final proposal)? Do you have any information on costs and benefits that have not been quantified at this stage?
As above.

6.0 Summary Statement

I am proud of my role providing healthy, nutritious, sustainable seafood to kiwis as well as jobs and a sense of community to regional New Zealand. I want to focus my business' resources on making this contribution better, through innovation, product development and collectively improving our environment. Without the proposed NES I will instead need to focus on engaging planners and lawyers to continue to operate beyond the consent horizon. The proposed NES is an essential and welcome initiative that will bring a better future for the industry and our communities.

Name Anna Addison

Signature *A Addison*

Date 1 August 2017

03/08/2017

Submission: Bluff Oyster Management Company: Proposed National Environmental Standards for Marine Aquaculture.

The Bluff Oyster Management Company Ltd (BOMC) represents the interests 100% of OYU 5 quota holders. The Bluff Oyster fishery is New Zealand oldest commercial fishery (operating since 1865), and is arguably New Zealand most icon fish stock

BOMC is not opposed in principal to aquaculture. However the current NES does not address the most important issue's of biosecurity and disease management within aquaculture.

To ensure the long term viability and sustainability of aquaculture, wild fisheries, and the environment, the focus of the NES has to change from dealing with the administration and facilitation of aquaculture licencing, to ensuring the aquaculture industry develops with a focus on mitigating biosecurity and disease risks.

From a commercial fisheries perspective, it would appear that the NES is attempting to remove regulations for the aquaculture industry, to facilitate economic growth. The NES in its current format increases the risk of disease and economic losses for all sectors.

- **Consultation:** BOMC feel that the consultation has been totally inadequate. It has been clearly directed at the aquaculture sector and not at potentially affected parties. Given the current biosecurity issue relating to Bluff Oyster Wild Fishery and the farmed Oysters in Big Glory Bay & Marlborough, you would think that BOMC would be notified directly. !
 - No notification direct to Industry – it was only by good fortune that a notice of meeting was spotted in the local newspaper.
 - All southland based fisheries that we have spoken to were not aware that the consultation was happening let alone when local meetings were scheduled. Hence no Industry (affected parties) were in attendance.
 - Based on the people in attendance only regional council were formally advised of the meeting.
 - I have spoken with other potentially affected parties from other regions, that have had the same experience
 - BOMC only have 7 day to come to grips with the document and make a submission

BOMC would request that MPI consider re-convening these meetings, giving the appropriate advance notice to all parties, to allow adequate consultation to take place.

- **Biosecurity**

The consequences of an aquaculture failure will have huge implications to all sectors.

Biosecurity and disease management controls must be included as part of any Aquaculture consent. The cost of managing these processes must be covered by the aquaculture industry and considered as a cost of doing business. **The NES's proposal of not to have mandatory biosecurity plans in place until 2025 is total unacceptable and unjustifiable.**

There are recent examples of aquaculture disasters that we need ensure are not repeated, including:

- Wild North Atlantic salmon vs Farmed North Atlantic salmon
- The recent Australian Farmed abalone, that was infected by imported feed that devastated millions of dollars of wild abalone
- Flat Oysters in Marlborough / Big Glory Bay Stewart Island

National Standards, Codes of Practice and Biosecurity protocols must be set as part of the NES, including:

- National Protocols to manage disease outbreaks and mortality events, detailing which organisations will be responsible for compliance
- Regulations to control movements of farmed stock, particularly hatchery stock, both locally and regionally, including a database to approve and record stock movements.
- Compulsory regular testing and monitoring for all known disease relating to the farm stock, seed stock and hatchery stock.
- Mandatory reporting of any heightened mortality event.
- National Codes of practice for on farm management need to be developed and implemented and be enforceable.
- Regulations for Independent auditing and compliance to be set as part of the NES and that they are fully enforceable.

BOMC would question, with all due respect to the regional councils, that the respective Regional / Environment Councils have the necessary resources and expertise required to monitor and enforce the necessary standards.

In Summary, BOMC feel that the NES falls well short of ensuring the successful development of aquaculture, and the protection of aquaculture, wild stocks and the environment. BOMC does not support the proposed NES in its current form.

Graeme Wright
Operations Manager
Bluff Oyster Management Company Ltd

[REDACTED]
[REDACTED]
[REDACTED]

Proposed National Environmental Standard for Marine Aquaculture Submission

To the Ministry for Primary Industries

aquaculture@mpi.govt.nz

8 August 2017

Mr Graeme Leslie Beal
Brightlands Bay Aquaculture Ltd

Brightlands,
P.B. 65001
Havelock 7150



1.0 Introduction

Our farms are located in the Pelorus Sound.

We farm mussels.

Our farming operation is contracted out and employs many people.

We have been farming mussel from the beginning of the industry and believe it to be a clean, efficient and non polluting method of producing high protein food.

In addition it creates wealth across the region and through overseas funds.

As an industry we are proud farmers, we are passionate farmers and we are good farmers. Our commitment to the recently launched A+ sustainable management programme is a clear demonstration of the care and respect we have for the waters and locations in which we farm.

I support the submission of Aquaculture New Zealand (AQNZ).

2.0 The Issues

- Aquaculture is the heart of regional communities like Havelock, Coromandel, Warkworth, Stewart Island and Twizel.
- Our products provide kiwis with healthy, sustainable food, produced in New Zealand – a far better choice than most other protein sources available worldwide.
- The industry offers tremendous sustainable growth potential for New Zealand to create more regional jobs, support associated industries and bring much needed export earnings into local communities and the economy.
- But for years the potential has been hampered by a regulatory regime that drains vital resources that could otherwise be invested in innovation, product development and building new premium markets

Submission No:0081

- But for years the potential has been hampered by a regulatory regime that drains vital resources that could otherwise be invested in innovation, product development and building new premium markets
- Under the current regime, variations and inconsistencies for re-consenting rules in different regions create complexity and uncertainty – and creates extra delays and costs for industry, councils and communities
- With up to 75% of marine farm consents due to expire by 2025, at a cost of \$50.3 million in total, the current re consenting processes create a cloud over the future shape of the industry

3.0 General Support for the Proposed NES

- I broadly support the National Environmental Standard (NES) as proposed.
- The proposed NES will provide better outcomes for the industry, communities, councils, iwi groups and the environment
- The proposed NES will provide a more efficient and certain consent process for managing existing farms within evidence-based environmental limits.
- The NES proposal carefully balances improving certainty while recognising the values and characteristics that make our marine environment so special.
- It will allow efficient evidence based decisions to be made while encouraging regions to proactively plan for aquaculture in their regions into the future.
- It will require marine farmers to provide evidence and proof to councils that they are operating sustainably within environmental limits.
- The proposal will free up resources currently spent on consent processes, to invest in building value for New Zealand through innovation, product development and new premium markets as well as investment in proactive environmental management.

4.0 Specific Comments on the Proposal

- I agree that the NES is the best available option under the current circumstances.
- I agree that restricted discretionary activity should be given to all consent renewals for aquaculture but note that it is crucial to retain the accompanying proposal for consent renewals to be non-notified in order to meet the proposal's objectives.
- However, there is also a good case for making replacement consents for most existing aquaculture a controlled activity as for the most part, they are an accepted part of the existing environment and generally in appropriate locations.
- There is a strong need for the additional guidance, particularly in light of the current subjectivity and lack of clarity around implementation of the New Zealand Coastal Policy Statement (NZCPS).
- There is also a strong case for an NZCPS - Aquaculture to be progressed within its own timing as this would provide stronger policy support than the guidance as well as allowing for strategic planning for, and management of, aquaculture into the future.
- I support the intent of the biosecurity proposals, however note the AQNZ recommendations to ensure they are sensible and workable and set up in the context of other users in the coastal marine area.
- I support enabling innovation through providing for changes of species as a restricted discretionary activity.

5.0 Questions for Submitters

Question 1: Do you think an NES for marine aquaculture, including guidance material, is required? Alternatively do you think the status quo (where regional councils decide the activity status for replacement consents for existing marine farms and consents for change of species which can vary from controlled to non-complying) should be maintained?

Yes.

Question 2: Do you think restricted discretionary is an appropriate status for replacement consents for existing marine farms? How would other activity statuses address the issues identified in section 3 of the discussion document?

Yes. No public or limited notification is essential for the proposal to meet its objectives. Controlled activity status is preferred and appropriate for existing marine farm consents.

Question 3: Does the NES need to provide a full rule framework, including discretionary activity rules for those marine farms that cannot meet the requirements to be a restricted discretionary activity?

No.

Question 4: Do provisions covering replacement consents for existing marine farms where supplementary feeding occurs require additional terms to define what qualifies to be a restricted discretionary activity?

No.

Question 5: Do you have any feedback on the analysis of effects contained in Appendix G?

The positive social and community benefits could have been highlighted better.

Question 6: Should applications for replacement consents for existing marine farms where supplementary feeding occurs be treated differently under the proposed NES or not addressed at all?

No.

Question 7: Do the provisions covering replacement consents for existing marine farms where supplementary feeding occurs require additional matters of discretion?

No.

Question 8: Should the extent of an acceptable overlap of existing marine farms with outstanding areas due to margins of error in mapping be defined?

It would be preferable that the Minister determine which farms should be subject to assessment under policy 13 and 15 using the best available information.

Question 9: Outstanding natural features, outstanding natural landscapes and areas of outstanding natural character have been identified as requiring a specific matter of discretion because of the direction provided by the NZCPS 2010. Are there other areas/values that should also be identified, such as those listed in Policy 11 of the NZCPS 2010?

No.

Question 10: If so, what are these areas/values and what are the potential effects of concern caused by existing marine farms on those areas/values?

Not applicable.

Question 11: Should the activity status be different for replacement consents for existing marine farms in outstanding natural features, outstanding natural landscapes and areas of outstanding natural character? If so, what should it be?

No.

Question 12: Are there certain types of aquaculture for which replacement consent applications should be publicly notified?

No.

Question 13: Are there advantages or disadvantages to allowing councils to take a more lenient approach that you would like us to be aware of?

Allowing councils to take a more lenient approach encourages proactive planning in accordance with the NZCPS Policy 8.

Question 14: Do you agree that the areas zoned specifically for aquaculture in Tasman and Waikato should be exempted from the provisions of the proposed NES relating to replacement consents for existing marine farms?

Yes.

Question 15: Do you agree that there are sites that should be recognised in the proposed NES because of their particular importance to aquaculture? If so, what sort of provisions do you think would be appropriate?

Yes. Spat farms of national significance such as the Wainui Bay mussel spat farms in Golden Bay.

Question 16: Are there other ways in which the proposed NES could usefully recognise council's future planning processes?

An NZCPS – Aquaculture should be implemented to support and encourage collaborative and strategic planning for new aquaculture in appropriate areas.

Question 17: What are your thoughts on the size restriction that is proposed to apply to realignments covered by the proposed NES?

It is appropriate.

Question 18: Is there further guidance that should be provided in the proposed NES in relation to realigning existing marine farms?

Yes.

Question 19: Are there other specific matters that councils should be able to consider for applications to realign existing marine farms? Are the matters that have been identified all relevant?

The matters that have been identified are relevant and sufficient.

Question 20: Should the proposed NES address change in farmed species?

Yes.

Question 21: Should the proposed NES limit the species it relates to?

No.

Question 22: Are the categories based on change in structure an appropriate approach? If not, can you suggest any other approach that might be suitable?

The categories are an appropriate approach.

Question 23: Are there any other categories [that should be considered for the change of species provisions]?

No.

Question 24: Should herbivorous finfish be treated differently from carnivorous finfish?

No.

Question 25: Is restricted discretionary an appropriate status for most changes in species?

Yes.

Question 26: Should spat catching farms be excluded [from the change of species provisions]?

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As above.

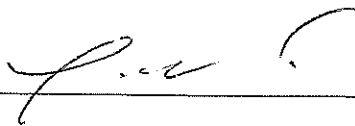
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Name

CRAIGIE L. BEAL

Signature



Date

8th 8-2017

Robin Britton

Hamilton 3247



27th July 2017

Ministry for Primary Industries
Private Bag 14
Port Nelson 7042
By email to: aquaculture@mpi.govt.nz

Dear Sir/ Madam

Submission on: Proposed National Environmental Standard for Marine Aquaculture

Thank you for the opportunity to submit on the proposed NES – Marine Aquaculture.

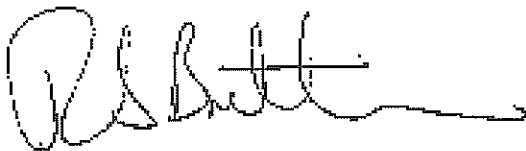
I am a resource management planner who has been involved in marine aquaculture from numerous angles, predominately in the Waikato, Auckland and Northland regions.

I support the initiative to develop a National Environmental Standard and support the approach being taken, as a means for making the upcoming consenting process for existing farms more efficient and certain, and nationally consistent.

In terms of timeframes it would be beneficial if this work could be progressed asap, and released in early 2018.

I make the attached more specific submissions and trust they are helpful in further developing this NES. If you have any queries please do not hesitate to contact me for further information.

Yours sincerely



Robin Britton

<i>General Comments and Specific Gaps</i>		
<i>Issue</i>	<i>Submission</i>	<i>Relief Sought</i>
General	Support the intent of the NES – agree with the objective & reasoning provided in the supporting material.	As per below
Gap in the NES relates to spat catching/ lifespan of a species Refer: Qu 23 – other categories that should be considered in the NES Qu 26 excluding spat catching farms. Reg 42.	<p>While the document refers to a change in species, there is a significant gap in that there is no general reference to the lifespan of a species (and in particular spat catching) in the rules. Spat catching should not be excluded from the NES when it is an activity undertaken on a farm structure.</p> <p>We strongly disagree with the statement on p36 that “spat catching farms have considerably different effects from a production farm” and disagree with the subsequent discussion. It is considered that this discussion has an extremely narrow perspective and should be reconsidered and “operationally” verified. We also consider that it is contrary to the thinking behind the discussion on change of species. If the effects of a change of species can be addressed in an RDA context then the same considerations should also apply to spat catching/ marine farming.</p> <p>It is also considered that this section has ignored the consequences that have arisen as a result of prohibited rules in RCPs (in particular Waikato’s RCP). In this instance applications have been made for spat catching as full marine farming is prohibited.</p> <p>Across NZ under the RMA plans, there is no common definition of spat catching as opposed to marine farming. As the information on the effects of aquaculture has increased significantly over the</p>	<p>Include spat catching as a specific part of the NES.</p> <p>Delete Reg 42.</p> <p>Provide for spat catching as an RDA <u>or</u> acknowledge through a definition that spat catching is already captured by the proposed RDA rules.</p> <p>Provide for changes from existing spat catching farms to full farming (or vice versa) as RDA status, with appropriate matters of discretion specified.</p>

	<p>past 15-20 years, it is no longer considered necessary or appropriate to make this distinction between different life-cycles.</p> <p>The environmental issue is fundamentally “occupation of space”, as changing from spat collection to full farming (or indeed vice-versa) has minimal additional RMA effects. An RDA matter of discretion could be applied to assess any additional level of effects.</p> <p>To exclude spat catching on farm structures is to exclude a significant component of the future certainty for aquaculture operations (especially given the current mortality rate of 90-mile beach mussel spat).</p>	
<p>Gap in NES re: existing prohibited rules</p> <p>Refer:</p> <p>6. Implementing the NES</p> <p>Appendix F Reg 2 footnote 29</p>	<p>P45 makes the statement: “Rules in RCPs will not be able to be more stringent than the NES”</p> <p>This is supported but there does not appear to be any indication of how this will be translated into the NES.</p> <p>This is critical in the context of the Waikato RCP where a prohibited rule applies outside original lease/licence areas but still underlies existing consented farm areas (ie those previous leases/licences that were off-site but are now consented).</p> <p>It is not clear if this prohibition remains as an underlying zone for these farms. Therefore it is not clear if these farms can apply for a renewal consent or not. Is this issue wider than just the references made under Reg 2.</p>	<p>Add to the directive in Appendix F that any prohibited rule has been over-ridden in terms of any farm holding a consent issued subsequent to the “off-site” process.</p>
<p>Gap in NES re: UAE test</p>	<p>There is no clarity nor discussion around what value the Undue Adverse Effects test adds to a farm that is undergoing a renewal</p>	<p>Add a new regulation that states that an UAE test is not required for a renewal farm.</p>

	consent. The farm is already in situ and the relevance on the UAE test in this scenario is questioned.	
<i>Submissions on Sections of the Discussion Document</i>		
<i>Issue</i>	<i>Submission</i>	<i>Relief Sought</i>
Recognise special Spat catching areas Qur:15 – recognise special sites	<p>Notwithstanding the comments made about spat catching being a gap in the NES, we consider that the mussel spat catching farms in Aotea Harbour are of significant importance to the Coromandel industry and as such we request that special provision is made for Aotea Harbour, (as per suggestion for the Wainui Bay spat catching farm in the South Island).</p> <p>The farms in Aotea Harbour are the North Island equivalent of the Wainui site. Currently approximately 600,000m/year of mussel catch rope goes to the Coromandel area for grow out. There is also a further farm under application, which should also be recognised in this context.</p> <p>Unless the Aotea farms are addressed in the NES, there is a high risk to the on-going future of the farm due to almost the whole of the Harbour being captured as an outstanding area in a technical report (not yet added into the RCP review).</p> <p>It is important to treat all existing farms in an equitable manner and not to create an unintended barrier to future consent renewals.</p>	<p>Include Aotea mussel spat catching farms as a specific part of the NES.</p> <p>Delete Reg 42.</p> <p>Provide for mussel spat catching as an RDA <u>or</u> acknowledge through a definition that spat catching is already captured by the proposed RDA rules.</p>
3.8: Policy Objective	Support consistent approach and that any strategic planning in an area should be addressed through RCPs.	

Qu 1: Is an NES required?	Strongly yes Need to address the issue of renewal consents now (as plan changes take so long) but renewal dates are looming. Provide for national consistency on expectations for managing aquaculture.	Proceed with NES asap. Preferably by the end of 2017 in order to provide as much certainty as soon as possible.
Qu 2: RDA status Qu 11 – activity status in ONL, ONC, ONF Qu 13 – allowing councils to take a more lenient approach	Support RDA rule status as a national benchmark and also support the provision that would enable regional differences to be recognised as controlled activity status. However where controlled activity status is already applied in a RCP, this should not be undermined in the future plans. i.e., the presumption should be that controlled activity status would be retained and continued in any RCP unless there is a significant reason to determine otherwise. Allowing councils to take a more lenient approach would enable local issues to be addressed, while recognising the importance of social, cultural and economic factors (as well as environmental impacts). We are particularly concerned at the risk future consent renewal applications may face in terms of outstanding classifications in plans, and consider that the NES provides an opportunity to clarify the principle that the farms in general have no or minor effects on outstanding areas. We consider the RDA status is relevant to any farm located in an ONL, ONC, ONF area. The NZCPS introduced the concept of outstanding in 2010, most farms have been in situ for years and the category of “outstanding” has been assessed with those farms in situ. Therefore it is appropriate to retain RDA and include assessment of the effects of the farm on the values that	Retain RDA status as currently outlined. Reinforce that controlled activity status currently in place should be ongoing unless there is a significant reason to determine otherwise. Adopt the Auckland example as a principle and specifically include in the NES – ie that existing farms have no or minor effects on outstanding areas, unless proven otherwise. i.e. the outstanding classification has been applied on top of existing farms and this presence of farms has not detracted from the “outstanding-ness” of the area.

	contribute to making that area outstanding, while recognising the investment already made.	
Qu. 8 Overlap with Outstanding area	Yes it is considered an overlap provision should be included to address error margins in mapping at different scales.	Include provisions to address mapping scale issues.
Qu. 14 Exemption for Aquaculture zones	<p>There is no certainty on what the upcoming RCP review in the Waikato will do to the rules relating to aquaculture in the Wilsons Bay zones. Therefore there is a risk that a different future management regime is introduced.</p> <p>The NES must avoid creating a circular loop for rules relating to zones areas. Ie the principle that RDA applies unless RCP states otherwise should be retained, and the exemption provides recognition that within a zone it is already deemed that CA is an appropriate status – and this should be reinforced. This would give guidance to Council's on continuity of provisions into the future.</p>	<p>Rather than an exemption it is considered that the NES should clearly state that farms within zoned areas have CA status, ie to provide for continuity across future plan reviews and avoid ambiguity in the future re: what rule status applies.</p> <p>RDA status within an overall zoned area is not logical, when the zone has already been assessed. This approach would also support new zoned areas for the future.</p>
Qu 20 & 21 Change in species & limitation on species Qu 25 – RDA status	<p>We support that the NES should address a change in species, but do not support any limitations on the species. It is considered that the NES needs to recognise innovation into the future, including future farming of species that are currently not farmed.</p> <p>The RDA status allows for decision-makers to consider effects of farming the “new” species.</p>	<p>Provide for species changes but do not limit the species.</p> <p>Retain RDA status.</p>
Qu 28 feedback on the scope of matters for discretion Reg 12	We agree that careful and relevant drafting of provisions will be required to ensure that RDAs do not become de facto DAs. To this extent we consider that it is important to restrict matters for discretion to environmental issues and not matters which would be used as information to describe the activity, or which could be used to curtail a practical or operational requirement.	<p>P37 delete reference to details of structures (this is information) and delete reference to “timing of occupation” (as this is determined by weather patterns, changes in seasons etc)</p> <p>Neither of these references are relevant to a decision-makers discretionary judgement – rather</p>

	<p>Across NZ, there is a strong level of inconsistency in monitoring requirements. It is considered that the NES should not remain silent on this issue, given the wealth of monitoring data already collected by industry players.</p>	<p>they are practical operational matters/ descriptors of the activity.</p> <p>Amend Reg 12 accordingly (and anywhere else this is also raised)</p> <p>Provide guidance on: a requirement for monitoring that is appropriate to the scale and knowledge base of species and location of farming; and which takes into account the financial burden on the business. (ie any monitoring conditions should be subjected to a cost-benefit analysis).</p>
Matters of discretion 12(b) & (c)	<p>Oppose reference to “timing” of seasonal activities. This is a business decision not an environmental assessment. It is very much dependent on a range of natural weather & water drivers. This is not relevant to RMA considerations as a matter that needs to be subjected to decision-makers discretion.</p> <p>Oppose 12(c) – this is not a matter for “discretion” rather it is an information requirement that defines the activity. Navigation safety requirements are controlled under the Maritime Transport Act and guidance documents. Approval rests with MNZ and is not a matter for RMA “discretion”. Rather it is subject matter of a consent condition. A clear distinction needs to be retained between the role of “matters for discretion” and the role of “consent conditions”.</p> <p>The NZCPS requires councils to identify the values or characteristics that make an area outstanding. The applicant should then have clear criteria to assess the presence of the farm against. What is not clear is whether the outstanding classification occurs with or without the farms which are already in situ.</p>	<p>Delete 12(b) and (c)</p>
Qu 30 ONF, ONL, ONC		<p>Retain RDA status for farms in any outstanding area.</p> <p>Clarify if the “avoidance” policy directives of the NZCPS apply to the on-going presence of the farm or just to any effects over and above those that existed prior to the outstanding classification.</p>

		le while adding this to matters of discretion is supported – there is no national guidance on how the “decision-makers” for a particular consent are to apply the outstanding criteria assessment. If avoidance is taken to mean “prohibit” then this undermines the purpose of setting an RDA status. This potential problem needs to be addressed in the NES.
Exempt areas 19 & 41	Oppose reference to “Waikato Wilson Bay”. This is loose and unclear terminology. For the purpose of the NES it needs to be very clear what farms/ zones are being referred to. This is critical as the RCP review is due to commence and could result in a different outcome.	Need to define exactly what area(s) are intended to be covered in this exemption.
Change of species 20 a) & b)	Query typo – if this is not a double up in intended meaning – it needs further clarification.	Amend clause 20 to clarify if there are 2 sub-sets (or not)
Qu 12. Non-notification	We agree that public participation for consent renewals should be focused on the extent to which an existing farm is changing its impacts on the environment. We support that further public participation is more appropriate at the strategic level through the RCP review process.	Retain non-notification as default position for renewal consents.
Qu 33: Biosecurity Management Plan Qu 38 –Certify/ audit/ enforce Bio Plans Qu 36 Does template cover all matters Biosecurity Appendix K Qu 39 – existing permits to be reviewed	Support as we agree that Biosecurity is critical to the industry’s future. While the suggested approach should provide much clearer guidance on scope of RMA for addressing biosecurity issues, it is also clearly just one step in managing biosecurity and we look forward to seeing what Biosecurity provisions will be put in place for other non-aquaculture coastal permits and for	Retain, but make sure that the template requirements are operationally practical, feasible and that the plan can be responsive to change. Remove requirements for external auditing.

<p>Qu 40 – is monitoring and reporting as well as external auditing and enforcement justified?</p>	<p>recreational vessels (which is a source of significant risk to the industry).</p> <p>This requirement for a BMP needs to remain practical and we are concerned that not only does the applicant have to get an “expert” to help develop but Councils will probably also need to hire “experts” to assess/ audit the BMP. This double handling is not efficient and it is queried as to how many biosecurity experts are available in NZ to do this work?</p> <p>In the discussion there is emphasis on “comprehensive guidance material” as well as on the need for experts. We do not consider the process as currently discussed to be streamlined in a way that would achieve the objective for having BMPs. It is also emphasised that guidance material will also be required for the consent holders/ farmers.</p> <p>A more streamlined process to information dissemination about risks and responses is required, as well as for certification and auditing processes ie this should focus on operational practicalities and feasibility rather than just being an “administrative” box to tick. In my opinion a “stick approach” will not achieve the objective of the Biosecurity provisions.</p> <p>External auditing is considered to be excessive and unnecessary. The aquaculture industry is well aware and informed of biosecurity issues but the biggest risk will not arise from a BMP systems failure, it will arise from an unanticipated and unmanageable incursion (from an external source).</p> <p>It is critical that consent holders/ farmers are directly involved rather than BMPs being left to “experts” to argue over.</p>	<p>The template for BMPs need to be targeted to the species and structures used in different types of farms, instead of being the generic approach taken in Appendix K.</p> <p>The template needs to provide more guidance on expectations behind the terminology used (eg what is intended by “contingency plans”)</p> <p>The template needs to clarify what the roles of different players are in terms of managing biosecurity, and how these work in practice. (ie what are the practical links that need to be made between farmers and agencies)</p>
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	<p>It is acknowledged that significant work is required on template K but it would be more appropriate to separate into different types of farming.</p> <p>Appendix K currently places very little emphasis on information sharing/ identification of new species etc.</p>	
Biosecurity – 46(c)	<p>Do not support change/ update process – as currently indicated this would provide a strong disincentive (including cost-wise) for any marine farmer to promote a change once a BMP is in place.</p>	<p>Provide for a more flexible and responsive updating option, which includes clarification on how new technology/ new understandings etc are to be conveyed to operational farmers.</p>

Contact details

Name: **Helen Campbell**

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Are you submitting on behalf of an organisation? **No**

Preliminary comments:

1. I have had a long interest in the development of marine farming/aquaculture since the early 1990's. In my professional capacity I was involved in examining the applications for, initially, leases and licences, for marine farming activities and structures under the Marine Farming Act 1971 and the Harbours Act 1950, and then post 1991 the Resource Management Act. These have been predominantly in Marlborough Sounds, Golden and Tasman Bays. The applications under the RMA covered many species – mussels, both oyster species, paua, salmon, seaweed species, sponges and more.

I have a good knowledge of the coastal environment of the Top of the South. I have snorkelled former and existing marine farming sites and visited all the bays where marine farming/aquaculture has been undertaken/proposed in both Pelorus and Queen Charlotte Sounds, as well as out from Nelson (Wakatu Incorporation) and know the AMA sites in Tasman and Golden Bay very well, and have a particular interest in the spat catching sites in Wainui Bay, Golden Bay (see H).

I am a member of the Friends of Nelson Haven & Tasman Bay (Inc.) and support their submission on the NES. In the past I have made submissions on planning issues for Tasman District Council for the Nelson/Tasman branch of the Royal Forest and Bird Protection Society (Inc) – many of these related to marine farming/aquaculture in Tasman and Golden Bays.

Please note however that this is a personal submission and not one for either organisation and draws on my own personal experiences.

2. I **oppose** this National Environment Standard on Marine Aquaculture, except for the requirements for Biodiversity Management Plans – the costs of which need to be on the consent holders/industry NOT the councils/ratepayers. Reasons for my opposition are listed below (A-H) and also covered by my responses to the Questions: please address this submission in its entirety.

A. **The objective of the NES** proposes the development of a “*more consistent and efficient*” framework for the management of existing marine aquaculture and biosecurity “*while supporting sustainable aquaculture within environmental limits*”. (my emphasis).

Comments: There are several points that relate to this objective:

- a. What is “**sustainable**” aquaculture – especially when it is tied in with the desire for growth in the industry? “*Sustainable growth*” which is what is implied in the objective, and is in fact what the industry hopes to achieve, is a contradiction in terms: nothing physical can grow indefinitely.
- b. The NES' framework does not indicate HOW environmental limits are addressed in the “real world”. What national standards have been established to assess cumulative effects of these existing marine farms, the “appropriateness” of them in certain areas, how “adaptive management” techniques included in conditions have played out; and how the marine environment including its biodiversity and ecosystems have reacted to the changes that have resulted from these marine farming activities.
- c. We have already seen the Ministry of Primary Industries promote the transfer, for a privately-owned company, New Zealand King Salmon, of several salmon farms located in inappropriate sites of low flow, with the resulting accumulation of faeces, pseudofaeces, food waste etc, preventing the satisfactory growth of the fish, into areas of significant landscape values. Note: I have snorkelled a former salmon farm site in western Pelorus Sound which showed that many years after removal of the structures. No recovery had occurred – the seabed was depauperate and anoxic.

B. **The “driver” of the NES** states that in order to continue to contribute to the country’s economy, production needs to be “*stabilised*”, with “*better use of existing space, value-added production and technologies*”.

Comment:

The NES deals with existing consented marine farms (and biosecurity management plans). The ordinary meaning of “*stabilise*” (supported by the Oxford Dictionary) means to “*make or become unlikely to change, fail or decline*”. The NES proposes changes in species which will lead to “growth” of production for certain species – that is NOT stabilisation! In addition to this likely substantial “change”, what is missing from this NES is the intention of MPI and the industry for a vast upsurge in additional aquaculture

activities, predominantly salmon farming and other “fed” species, in places such as Marlborough Sounds, Stewart Island and Fiordland. Thus, the industry wants it both ways – easier and less costly processing (and without time consuming public participation, which the discussion document admits can lead to better outcomes), with an open book with decision-makers' discretion being very limited, for changes to species and structures, and in areas that have acknowledged outstanding values.

C. “Sustainability” what does it mean?

- a. The Resource Management Act 1991 states broad principles of national policy rather than attempting to prescribe detailed rules of conduct in statutes. Part 2 of the Act states the overriding purpose section 5 “*sustainable management*” which is central, and the principles of section 6, 7 & 8; these are followed by a large list of matters to be followed and includes provisions for the establishment of national policy statements and one coastal policy statement.
- b. In order to achieve **sustainable management of natural and physical resources, their use, and development, and their protection**, needs to be managed in a way/at a rate that people and communities can provide for “...:*social, economic and cultural wellbeing*” while (at the same time) **sustaining the potential of the resources to meet the needs of future generations** and “*safeguarding the life supporting capacity of...water... and ecosystems*” and “*avoiding, remedying or mitigating adverse effects on the environment*”. Social and economic considerations are relevant within the definition of “*sustainable management*” but are limited in their scope and are subject – always – **to ecological considerations**.
- c. The proposed NES does little to safeguard the “life-supporting capacity” of the coastal environment as no ecosystem monitoring/limits are incorporated into the proposed regulations NOR in council planning documents to ensure that the “*life supporting capacity*” is maintained.
- d. “**Effects**” (s. 3RMA) include effects that are positive or negative, temporary or permanent, present or future, cumulative and also any effect or potential effect of high probability and any potential effect of low probability which has a high potential impact.
- e. The Act deliberately left the detail to be worked out by delegation of its powers to locally elected representatives in regional and district councils (and unitary authorities) in resource consent and planning processes – these rely on the experience of the consent authorities and the Environment Court to give “flesh” to the basic principles through consent and plan oversight, as well as other Environment Court judicial issues e.g. declarations/

abatement/enforcement.

D. Public notification of reconsenting/realignments of existing marine farms.

a. The NES proposes that reconsenting/realignments of existing farms will not, generally, go through any public notification process. This implies that **every** marine farm is:

- located in an appropriate **area**;
- it is operated **appropriately**;
- that it **complies** with not only the current relevant planning documents but also with the NZCPS, and
- that nothing is likely to change, environmentally or ecologically during its new term or position.

If the NES is still in force at the end of the new term, then it will again be reconsented without any further notification, despite, for example “the public interest”. This amounts to privatisation of the “commons” and the lack of transparency in decision-making goes against the whole original intent of the legislation and of this country as democracy.

b. Many of the marine farms that are covered by this NES are “**deemed**” coastal permits: coastal permits that were allowed to have their term extended, with expiry in 2024/5.

None of these farms were re-assessed, but merely rolled over in a short term solution to a perceived “cost to the industry” issue. The NES is more of the same, and the outcomes have not been adequately realised.

c. Additionally, **change** is a constant – potential and new situations cannot be addressed in such an ad hoc manner.

E The New Zealand Coastal Policy Statement 2010 gives guidance (as it should) and its objectives and policies have been reinforced by case law. The NZCPS 2010 is a “living” document – it takes into account possible activities (development and use in the coastal environment and the coastal marine area including ports, aquaculture, reclamation) whilst emphasising the protection and preservation of certain values (including culture heritage, surf breaks, natural character and landscape) whilst also ensuring that strategic planning occurs and that a precautionary approach is adopted.

a. Throughout the NZCPS relevant authorities are required to ensure that activities occur in “*appropriate places*” or that protection is provided from “*inappropriate activities*” (Objectives 2 & 6, Policies 6, 7, 8, 13 & 15) with Policy 8 referring specifically to

aquaculture.

Policy 8 Aquaculture

Recognise the significant existing and potential contribution of aquaculture to the social, economic and cultural well-being of people and communities by:

*(a) including in regional policy statements and regional coastal plans provision for aquaculture activities in **appropriate** places in the coastal environment, recognising that relevant considerations may include:*

(i) the need for high water quality for aquaculture activities; and

(ii) the need for land-based facilities associated with marine farming;

(b) taking account of the social and economic benefits of aquaculture, including any available assessments of national and regional economic benefits; and

(c) ensuring that development in the coastal environment does not make water quality unfit for aquaculture activities in areas approved for that purpose.

b. The proposed NES on Marine Aquaculture, driven as it is by the aquaculture industry's demands and political gerrymandering, seeks to reduce consenting costs and enable change of species, in an all-out effort to overthrow the case law that relates to the NZCPS 2010. In my view for consenting and new applications the NZCPS 2010, including Policy 8 includes all that is needed and covers the environmental/ecological concerns that are required by the Purpose and Principles as expressed by Part 2 of the RMA.

F. Effects on biodiversity and benthic environmental values have not been adequately addressed in the proposed NES.

a. The discussion document and the proposed regulations point to token gestures, such as consideration of reefs and biogenic habitats, when supposedly addressing the “protection” of biodiversity: proposed is the “**minimisation**” of marine mammal and seabird interactions including entanglement “**but not habitat exclusion**”.

This is a major **defect** in the proposed NES: living organisms from zooplankton and fish eggs to seabirds (coastal and pelagic) to large iconic marine mammals do not live in “prisons” but are interconnected with other organisms upon which they may, or in fact, may not depend.

b. planning documents cannot fully describe this interconnectedness and integration: it is often left to locals and/or independent scientists to show how existing marine farms or realignments or change of species may cause other unanticipated outcomes. Clearly all planning documents will have such **knowledge gaps**.

In addition, some consents currently allow “**adaptive management**” - therein be dragons. How is this “management” assessed, and who checks the implementation, monitoring,

evaluation of results, and adjustment of the objectives and practices? Is the management designed so that practices can discriminate between alternatives (active adaptive management); or is the “best” practice selected with the assumption that the predictions are correct (passive adaptive management)? The former allows more reliable information and learning.

Again, there is nothing in the NES to make sure that these practices, which of course can incorporate vast changes especially with new organisms and structures, are valid.

c. Policy 11 of the NZCPS 2010 requires “avoidance” of adverse effects on certain classes of biodiversity, indigenous ecosystems and vegetation types, and habitats etc and the avoidance, remediation and mitigation of other adverse effects of activities on for instance migratory routes, habitats that are important during vulnerable life stages of indigenous species (an example of this would be elephant fish egg-laying in Pelorus Sound) and indigenous ecosystem and habitats found only in the coastal environment that are vulnerable to modification. **The NES addresses none of these issues.**

G. **“Outstandingness.** The NES (again) makes token gestures to the policies of the NZCPS 2010 which has been the subject of significant case law in some cases all the way to the Supreme Court.

a. **Natural character:** Policy 13 NZCPS requires that areas of **natural character** have to be identified in planning documents. Where these values/characteristics have been identified as being **“outstanding”** then the adverse effects of activities, including marine farming/aquaculture, have to be **avoided** – which means **prohibited** – **so that their preservation and protection is ensured (s. 6(a) RMA).** Any marine farming activity will, ipso facto, have adverse effects on natural character – whether filter feeders - zooplankton and fish eggs for instance will be consumed - or whether “fed” finfish or paua. Seaweed may be relatively benign but the opportunities for spread of seaweed species must be taken into account -for example *Undaria spp.*

In areas that have a lower ranking of natural character then adverse effects have to be “avoided, remedied or mitigated”.

Policy 14 NZCPS requires **restoration** of natural character, not further degradation.

b. **Natural landscapes and features.** Likewise Policy 15 NZCPS requires that areas of natural landscapes have to be identified in planning documents. Where these values/characteristics are **“outstanding”** adverse effects of activities have to be **avoided**. Again, all structures whether mussel buoys, salmon cages or oyster racks will have adverse effects on the values that are required to be “protected” (s. 6(b) RMA). Activities in lesser

value areas with landscape and features will require adverse effects to be “avoided, remedied or mitigated. The wide definition needs to be understood: it is Not visual values that are assessed – these in fact are the lower value Section 7 RMA visual amenity values, not a Matter of National Importance.

c. Where there are existing farms in areas identified as “outstanding” whether for the natural character or natural landscape/feature values, **the structures must be removed and the consents for the activities withdrawn.** I believe that the area then needs to “zoned” as being **prohibited for aquaculture** (and perhaps other) **activities.**

d. Another important issue is that many planning documents have NOT identified areas of natural character, or natural landscapes and features and especially those that are “outstanding”. This is the case in Tasman District and Nelson City and are certain to be so elsewhere.

Until these areas are identified, having gone through a Schedule 1 process with public notification, then all reconsenting of existing farms must go through a full discretionary public notification process as no weight can be put on the fact that issues such as natural character and natural landscapes/features, have ever been considered.

H. Sites of “particular importance” to the industry. There are no valid criteria specified for this standard in the proposed NES. The discussion document refers (only) to the spat sites in Wainui Bay, quoting details provided by the Wainui Bay Spat Catching Group as part of the plan change application to the Tasman District Council.¹

a. No alternative future spat solutions were contemplated by the Wainui Spat Catching Group despite other successful spat catching sites/AMAs in the Golden Bay and Tasman Bay, the successful spat hatchery trials as part of SpatNZ and Cawthron Institute and that expiry of the Wainui Bay (discretionary) consents is not until 2024. No other sources of information, e.g. other players in the aquaculture industry in the Top of the South Island, or nationally were sought in compiling the proposed NES, which has made **no attempt to validate the WBSCG claims.**

b. Further to the above the Wainui Bay plan change is currently under appeal to the Environment Court by the Friends of Nelson Haven & Tasman Bay (Inc) supported by 5 other parties. To attempt to alter the discretionary status of these farms (which has been merely suggested, but not quantified, in the NES – restricted discretionary or controlled?)

¹ It is also relevant that nowhere in the Discussion Document that these sites are even recognised as currently expiring in 2024, with a discretionary status – i.e. they are NOT in an Aquaculture Management Area. The Tasman District Council's decision on the plan change is currently under appeal to the Environment Court.

would constitute a **miscarriage of natural justice**.

c. So, under what circumstances would the NES declare “**sites of particular importance to the industry**”? And what status has been contemplated? And how would the public interest in those sites be expressed? And how would areas that are “outstanding” be protected and preserved with the effects on those values/characteristics **avoided**?

CONCLUSION: The National Environmental Standard in its current form does nothing to **promote** the sustainable management of natural and physical resources. Without a substantial rewrite it is therefore, worthless.

3. My responses to questions as are below: note that the points made above must be taken into account. The methodology for the questions is time-consuming and turgid – not the best way to get input from members of the public. In my view if the public has not responded in great numbers to this issue it is because of the way the discussion document was constructed and the proposed regulations are seen as a fait accompli. Not a good process. You should never forget that increasing structures in (particularly) scenic corridors and areas will have a very negative public impact on the industry.

Question 1:

Do you think an NES for marine aquaculture, including guidance material, is required? Alternatively do you think the status quo (where regional councils decide the activity status for replacement consents for existing marine farms and consents for change of species which can vary from controlled to non-complying) should be maintained?

An NES for Marine Aquaculture is not required, excepting the preparation of Biosecurity Management Plans by all consent holders. The costs for preparing, checking and monitoring need to be consent holders responsibility not the councils (i.e. ratepayers) The current regime needs to be maintained, with implementation under urgency of the NZCPS 2010 into planning documents.

Question 2:

Do you think restricted discretionary is an appropriate status for replacement consents for existing marine farms? How would other activity statuses address the issues identified in section 3 of the discussion document?

No, restricted discretionary status is NOT appropriate for existing marine farms as:

- ***many marine farms were originally assessed or became “deemed” coastal permits through assessment against policies and rules of incomplete planning documents; and***
 - ***the NZCPS 2010 has not yet been included in most planning documents and existing farms would have not been assessed against***
-

the NZCPS 2010 requirements. This is particularly significant in relation to areas of “oustandingness” which have been reinforced by plan change case law e.g. EDS v. New Zealand King Salmon and Man O'War vs. Auckland Unitary Authority.

- *Restricted discretionary status takes no account of environmental changes; controlled status constitutes privatisation; non-complying has its virtues with wider exposure of proposals, and prohibited status can at times be appropriate e.g. in INFL, ONC and significant areas of biodiversity.*
- *The suggestion is also made that council could set activity status to be more “lenient or stringent” - it is notable that only “leniency” is considered in the regulation NOT “stringency”> To allow either could be seen as making a mockery of the whole NES for reconsenting marine aquaculture activities. ALL reconsenting needs to be on a fully discretionary basis.*

Question 3:

Does the NES need to provide a full rule framework, including discretionary activity rules for those marine farms that cannot meet the requirements to be a restricted discretionary activity?

*No- these rules are more properly the prerogative of consent authorities, who can assess local situations more properly.
All reconsenting has to be assessed on a fully discretionary basis.*

Question 4:

Do provisions covering replacement consents for existing marine farms where supplementary feeding occurs require additional terms to define what qualifies to be a restricted discretionary activity?

YES!! absolutely – the effects on the marine environment from added food waster, faeces and pseudo faeces needs to be assessed not only from the amount of food fed, but also the effects on the benthos and the surrounding marine environment with cumulative effects also being monitored. Where these effects are having, or have the potential to have, unacceptable environmental effects on water quality, ecosystems and species including sea birds and habitats, then the effects of marine farming activities have to be avoided, and consents cancelled.

Fed species also require superstructure as well as more subsurface structures which will have adverse effects on natural character (include movement of organisms) and natural landscapes.

Therefore as stated above all reconsenting must be on a fully discretionary basis.

Question 5:

Do you have any feedback on the analysis of effects contained in Appendix G?

Yes!! totally inadequate – does not take into account the potential for acidification of the coastal environment, rising sea levels, extreme weather

events through climate change, or give adequate assessment of other effects of the culture of finfish species (ALSO see the Friends of Nelson Haven & Tasman Bay's submission).

Question 6:

Should applications for replacement consents for existing marine farms where supplementary feeding occurs be treated differently under the proposed NES or not addressed at all?

Supplementary feeding will have different effects on the marine environment and the seabed – monitoring is essential to ensure that the “life-supporting” capacity of the water and ecosystems is not degraded. Monitoring is required of the seabed and downstream effects – different species have different feeding regimes/additives/pharmaceuticals etc

Question 7:

Do the provisions covering replacement consents for existing marine farms where supplementary feeding occurs require additional matters of discretion?

Yes.

Question 8:

Should the extent of an acceptable overlap of existing marine farms with outstanding areas due to margins of error in mapping be defined?

Yes

Question 9:

Outstanding natural features, outstanding natural landscapes and areas of outstanding natural character have been identified as requiring a specific matter of discretion because of the direction provided by the NZCPS 2010. Are there other areas/values that should also be identified, such as those listed in Policy 11 of the NZCPS 2010?

Yes: see above – Policy 11 NZCPS biodiversity/ecosystem matters: note also that areas that are identified as having natural landscape/natural character values that do not reach the “outstanding” status may also need to have those the adverse effects of aquaculture activities AVOIDED . i.e. NO aquaculture!!!! Heritage values and Maori cultural values also.

Question 10:

If so, what are these areas/values and what are the potential effects of concern caused by existing marine farms on those areas/values?

As expressed in Policy 11 – and Policies 13, 14 and 15.

Question 11:

Should the activity status be different for replacement consents for existing marine farms in outstanding natural features, outstanding natural landscapes and areas of outstanding natural character? If so, what should it be?

YES – THE STATUS SHOULD BE PROHIBITED – NO AQUACULTURE ACTIVITIES – THESE VALUES NEED TO BE PRESERVED, PROTECTED AND ENHANCED.

Question 12:

Are there certain types of aquaculture for which replacement consent applications should be publicly notified?

YES – AS IN TEXT ABOVE – WHERE NO ONFL/ONC HAVE BEEN IDENTIFIED IN PLANNING DOCUMENTS AND WHERE CRITICAL ECOSYSTEMS WILL BE POTENTIALLY DEGRADED FURTHER

Question 13:

Are there advantages or disadvantages to allowing councils to take a more lenient approach that you would like us to be aware of?

NO

What happened to increased stringency? In order to protect the marine environment this is more important than allowing leniency

Question 14:

Do you agree that the areas zoned specifically for aquaculture in Tasman and Waikato should be exempted from the provisions of the proposed NES relating to replacement consents for existing marine farms?

NO – THESE NEED TO BE 'TESTED' ESPECIALLY AS THE AMAS IN GOLDEN BAY ARE WITHIN THE GOLDEN BAY/MOHUA OUTSTANDING NATURAL MARINE LANDSCAPE/SEASCAPE – ALL OTHER AREAS IN GOLDEN BAY AND TASMAN BAY ARE IN AQUACULTURE EXCLUSION AREAS.

Question 15:

Do you agree that there are sites that should be recognised in the proposed NES because of their particular importance to aquaculture? If so, what sort of provisions do you think would be appropriate?

DEFINITELY NOT!!! INADEQUATE INFORMATION AND NO PUBLIC PROCESS AND NOT PROVEN AS A REQUIREMENT – DOES NOT ACHIEVE SUSTAINABLE MANAGEMENT OR ENSURE PROTECTION OF THE MARINE ENVIRONMENT.

Question 16:

Are there other ways in which the proposed NES could usefully recognise council's future planning processes?

YES – DO NOT HAVE AN NES – AS IT DOES NOT ACHIEVE ANYTHING OTHER THAN BMPS – WHICH COUNCIL WILL BE RESPONSIBLE FOR ANYWAY

Question 17:

What are your thoughts on the size restriction that is proposed to apply to

realignments covered by the proposed NES?

Question 18:

Is there further guidance that should be provided in the proposed NES in relation to realigning existing marine farms?

***ENSURING MONITORING OF THE EFFECTS: IN MARLBOROUGH SOUNDS
EXTENSION FURTHER SEAWARDS WILL NOT LESSEN ENVIRONMENTAL
EFFECTS – THEY ARE LOCATED CURRENTLY OVER BASICALLY COBBLE
AREAS.***

Question 19:

Are there other specific matters that councils should be able to consider for applications to realign existing marine farms? Are the matters that have been identified all relevant?

NO CENTRAL BAY FARMING

Question 20:

Should the proposed NES address change in farmed species?

OF COURSE – THERE WILL BE INCREASED ENVIRONMENTAL IMPACTS

Question 21:

Should the proposed NES limit the species it relates to?

YES

Question 22:

Are the categories based on change in structure an appropriate approach? If not, can you suggest any other approach that might be suitable?

***EFFECTS OF THE ACTIVITY – STRUCTURES/SPECIES/FEEDING AND
PHARMACUETICAL REGIMES – AND THE EFFECTS ON THE MARINE
ENVIRONMENT***

Question 23:

Are there any other categories [that should be considered for the change of species provisions]?

YES – AS ABOVE

Question 24:

Should herbivorous finfish be treated differently from carnivorous finfish?

YES

Question 25:

Is restricted discretionary an appropriate status for most changes in species?

NO - Therefore as stated above all consenting must be on a fully discretionary basis.

Question 26:

Should spat catching farms be excluded [from the change of species provisions]?

NO

Question 27:

Are there any other forms of farming or species that should be excluded [from the change of species provisions]?

NO - EXCLUSION IS NOT AN OPTION FOR ANY SPECIES/LIFE STAGE

Question 28:

Do you have any feedback on the scope of matters of discretion?

MONITORING AND CUMULATIVE EFFECTS OF EXISTING ACTIVITIES IN ALL AREAS MUST BE TAKEN INTO ACCOUNT

Question 29:

Should change of species involving finfish require additional matters of discretion?

MONITORING AND CUMULATIVE EFFECTS OF EXISTING ACTIVITIES IN ALL AREAS MUST BE TAKEN INTO ACCOUNT

Question 30:

Outstanding natural features, outstanding natural landscapes and areas of outstanding natural character have been identified as requiring a specific matter of discretion because of the direction provided by the NZCPS 2010. Are there other areas/values that should also be identified?

SEE TEXT ABOVE AND ALSO RESPONSE TO QUESTION 9:

Question 31:

Should the activity status be different for changing species on existing marine farms in outstanding natural features, outstanding natural landscapes and areas of outstanding natural character? If so, what should it be?

YES – PROHIBITED ACTIVITIES AND FARMS REMOVED SO THAT ADVERSE EFFECTS ARE AVOIDED!!

Question 32:

Are there certain species or types of species where consent applications should be publicly notified?

ALL FED SPECIES AND ACTIVITIES IN ONFL/ONC AND AREAS OF

***BIODIVERSITY (POLICY 11) OR AREAS AT RISK FROM FURTHER
DEGRADATION AS SHOWN BY INDEPENDENT MONITORING***

***BIOSECURITY MANAGEMENT PLANS ARE A MATTER FOR THE INDUSTRY
AND COUNCIL – AND MUST BE IMPLEMENTED, MONITORED AND
MAINTAINED – TOO OFTEN PEST SPECIES SPREAD AFFECTING OTHER
WILD SPECIES – THESE PLANS MUST BE IMPLEMENTED UNDER
URGENCY -OBVIOUSLY PLANS MUST BE AUDITED INDEPENDENTLY – ALL
COSTS NEED TO BE PAID BY THE INDUSTRY OR INDIVIDUAL MARINE
FARMERS/COMPANIES - I HAVE NO FURTHER RESPONSE TO THE
QUESTIONS BELOW***

Question 34:

Is the deadline of 31 January 2025 appropriate, and why?

Question 35:

Is a nationally consistent approach to BioMPs necessary to achieve an appropriate level of marine farm biosecurity nationally or should regional differences be accommodated?

Question 36:

Do you think the BioMP template in MPI's Aquaculture Biosecurity Handbook covers all the matters that are needed? What if any changes would you make and why? What level of detail do you think is needed for BioMPs to be effective?

Question 37:

Is requiring a BioMP using an NES under the RMA the best approach to nationally requiring a Biosecurity Management Plan for aquaculture?

Question 38:

How would regional councils certify, audit and enforce BioMPs? Could external professionals be used to provide the required skills and expertise?

Question 39:

Is it appropriate for existing coastal permits to be reviewed and required to prepare BioMPs in order to comprehensively address biosecurity risks to industry and New Zealand's wider marine environment? If not, why not?

Question 40:

Is marine farm monitoring and reporting as well as external auditing and enforcement of BioMP implementation and effectiveness justified? If not why not?

Question 41:

Have the range of costs and benefits arising from the proposed national environmental standard, and who might bear the costs or receive the benefits, been accurately reflected? Are there any costs and benefits that have been overlooked?

Question 42:

Are the estimates of costs and benefits accurate? Do you have information on costs and benefits that could assist the second stage of our assessment (of the impacts of the final proposal)? Do you have any information on costs and benefits

that have not been quantified at this stage?

[illegible]



Proposed National Environmental Standard for Marine Aquaculture Submission Template

We would like to hear your views on the proposed National Environmental Standard for Marine Aquaculture (NES: Marine Aquaculture).

Please feel free to use this template to prepare your submission. Once complete please email to aquaculture@mpi.govt.nz.

As stated in section 8 of the discussion document, your submission must include the following information:

- your name and postal address, phone number, and email address (where applicable)
- the part or parts of the proposed NES you are submitting on
- whether you support or oppose the part or parts of the proposed NES
- your submissions, with reasons for your views
- any changes you would like made to the proposed NES
- the decision you wish the Minister for the Environment and the Minister for Primary Industries to make.

For more information about how to make a submission, please refer to section 8 of the discussion document: *Proposed National Environmental Standard for Marine Aquaculture*.

Contact details

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Are you submitting on behalf of an organisation? Yes [] No [x]

If yes, which organisation are you submitting on behalf of?

[REDACTED]

**Privacy Act 1993**

Where you provide personal information in this consultation MPI will collect the information and will only use it for the purposes of the consultation. Under the Privacy Act 1993 you have the right to request access and correction of any personal information you have provided or that MPI holds on you.

Official Information Act 1982

All submissions are subject to the Official Information Act 1982 and may be released (along with the personal details of the submitter) under the Act. If you have specific reasons for wanting to have your submission or personal details withheld, please set out your reasons in the submission. MPI will consider those reasons when making any assessment for the release of submissions if requested under the Official Information Act.

Please indicate below if you wish your personal details to be withheld:

- ☐ Please withhold my personal details where submissions are made public
- ☐ Please withhold my personal details in response to a request under the Official Information Act 1982

Questions for submitters

The questions for submitters that are included throughout the discussion document are provided below. We encourage you to provide comments to support your answers to the questions below. You do not have to answer all questions for your submission to be considered.

Question 1:

Do you think an NES for marine aquaculture, including guidance material, is required? Alternatively do you think the status quo (where regional councils decide the activity status for replacement consents for existing marine farms and consents for change of species which can vary from controlled to non-complying) should be maintained?

Yes. I agree the the current approach is regionally inconsistent and creates uncertainty for farmers and investors.

Question 2:

Do you think restricted discretionary is an appropriate status for replacement consents for existing marine farms? How would other activity statuses address the



issues identified in section 3 of the discussion document?

Yes I agree that if it is a simple replacement consent for an existing farm and no major changes to farming practices or location are being made then restricted discretionary activity is appropriate. Particularly as in many regions marine farming is already considered to be a controlled or restricted discretionary activity.

However, for supplementary-fed farms and farms within or adjacent to areas of outstanding natural landscapes, outstanding natural character or outstanding natural features there should be greater restrictions (e.g discretionary, publically-notified) as presumably most of these areas were not classified as outstanding when the consent was originally granted. I do not agree that additional matters of discretion should only apply to farms within areas of outstanding natural landscapes, outstanding natural character or outstanding natural features but think they should also apply to farms adjacent to those areas as the farm could affect those values.

Question 3:

Does the NES need to provide a full rule framework, including discretionary activity rules for those marine farms that cannot meet the requirements to be a restricted discretionary activity?

Could be helpful if MPI wants to ensure consistency. If the farm does not meet the requirements to be a restricted discretionary activity, my understanding is that the farm will be considered under the regional plan, which will vary from region to region.

Question 4:

Do provisions covering replacement consents for existing marine farms where supplementary feeding occurs require additional terms to define what qualifies to be a restricted discretionary activity?

Yes. The provisions should include something about the feed loads. If the farm is feeding significantly more feed than it was originally consented for then it will be having a greater environmental impact. The amount of feed should be the same or less for it to be considered a restricted discretionary activity.

Question 5:

Do you have any feedback on the analysis of effects contained in Appendix G? Appendix G is quite vague. I would expect that a more comprehensive set of rules/guidelines would be developed beyond what is contained in this table. Consenting authorities need consider these effects but it is not clear at what level are they deemed to be inappropriate. Why is habitat exclusion not considered to be an issue for existing marine farms? Could oyster and mussel farms affect wild fish populations by filter-feeding fish eggs? Although hard to quantify this effect,



and potentially negligible at current levels of farming, it should still be considered as a potential effect. Is Appendix G the same as the matters of discretion for farms applying for re-consent or just a list of effects associated with marine farms. I believe it should be the former.

Question 6:

Should applications for replacement consents for existing marine farms where supplementary feeding occurs be treated differently under the proposed NES or not addressed at all?

Yes. Marine farms with supplementary feeding have a greater environmental impact than those without supplementary feed and are, therefore, more controversial. I believe that the public should have more opportunity to be involved in re-consenting of these farms so they should be publically notified and/or discretionary activities.

Question 7:

Do the provisions covering replacement consents for existing marine farms where supplementary feeding occurs require additional matters of discretion?

Yes. These are listed on pg 28 of the discussion document and should be included as additional matters of discretion.

Question 8:

Should the extent of an acceptable overlap of existing marine farms with outstanding areas due to margins of error in mapping be defined?

I believe that marine farms adjacent to areas of outstanding natural landscapes, outstanding natural character or outstanding natural features should have a specific matter of discretion relating to this – not just farms that are within those areas. Therefore, the question of acceptable overlap becomes irrelevant. Farms adjacent to outstanding areas should have this additional matter of discretion because they can still have an effect on the values of the adjacent area - e.g. a salmon farm next to an island identified as being an outstanding natural landscapes.

Question 9:

Outstanding natural features, outstanding natural landscapes and areas of outstanding natural character have been identified as requiring a specific matter of discretion because of the direction provided by the NZCPS 2010. Are there other areas/values that should also be identified, such as those listed in Policy 11 of the NZCPS 2010?



Question 10:

If so, what are these areas/values and what are the potential effects of concern caused by existing marine farms on those areas/values?

Question 11:

Should the activity status be different for replacement consents for existing marine farms in outstanding natural features, outstanding natural landscapes and areas of outstanding natural character? If so, what should it be?

Yes. Because these areas have been identified as outstanding there should be greater opportunity for public to be involved in the decision-making. These should be publically notified and or/discretionary activities.

Question 12:

Are there certain types of aquaculture for which replacement consent applications should be publicly notified?

Supplementary-fed farms (e.g salmon farms) have a greater environmental impact and are more controversial. There should be greater opportunity for public to voice their concerns regarding these types of farms so I believe they should be publically notified and/or discretionary activities.

Question 13:

Are there advantages or disadvantages to allowing councils to take a more lenient approach that you would like us to be aware of?

I think there are advantages to allowing councils to take a more lenient approach because they are more familiar with the particular farms and the area and this gives them the ability to be flexible in a way that national standards cannot. However, any change to the national standards should be publically-notified. A council should not be allowed to apply more lenient rules without consulting the public.

Question 14:

Do you agree that the areas zoned specifically for aquaculture in Tasman and Waikato should be exempted from the provisions of the proposed NES relating to replacement consents for existing marine farms?

Yes. These areas have been through a lengthy public consultation process that has resulted in conditions that the community is happy with so to change it now would undermine that process. In addition, the areas are managed in a more holistic way (as a zone, not on a farm by farm basis) that allows for adaptive management and cumulative effects. To move away from from this forward-thinking approach would be a step backwards.

Question 15:



Do you agree that there are sites that should be recognised in the proposed NES because of their particular importance to aquaculture? If so, what sort of provisions do you think would be appropriate?

Yes and I agree that the Wainui Bay spat catching sites is a good example as it has a disproportionate importance as one of a few spat catching areas in NZ.

Question 16:

Are there other ways in which the proposed NES could usefully recognise council's future planning processes?

Question 17:

What are your thoughts on the size restriction that is proposed to apply to realignments covered by the proposed NES?

The size restriction seems appropriate

Question 18:

Is there further guidance that should be provided in the proposed NES in relation to realigning existing marine farms?

I think 10 years is not long enough avoid avoid 'creep' of farms. I believe a one-off re-alignment is appropriate given the better environmental monitoring that we have in place now and recognising that farms may not have been originally placed in the best areas. But once that re-alignment has taken place I don't see a need to re-align.

Question 19:

Are there other specific matters that councils should be able to consider for applications to realign existing marine farms? Are the matters that have been identified all relevant?

Yes they all seem relevant

Question 20:

Should the proposed NES address change in farmed species?

Yes I think it allows for innovation and flexibility

Question 21:

Should the proposed NES limit the species it relates to?

Yes. The NES cannot consider every species so it should be limited to the species that have been appropriately categorised in Appendix J

Question 22:

Are the categories based on change in structure an appropriate approach? If not,



can you suggest any other approach that might be suitable?

Yes I think they are suitable. They group together species that are expected to have similar effects, either due to their biology or due to the farming structures.

Question 23:

Are there any other categories [that should be considered for the change of species provisions]?

No

Question 24:

Should herbivorous finfish be treated differently from carnivorous finfish?

Possibly. I do not feel as though I am qualified to answer this question.

Question 25:

Is restricted discretionary an appropriate status for most changes in species?

Given that none of the species change categories allow for converting a non-finish farm to a finish farm, I believe that a restricted discretionary activity status is appropriate.

Question 26:

Should spat catching farms be excluded [from the change of species provisions]?

Yes because the effects of catching spat are quite different to growing out a species.

Question 27:

Are there any other forms of farming or species that should be excluded [from the change of species provisions]?

Question 28:

Do you have any feedback on the scope of matters of discretion?

For category 3 and 4 species changes there does not seem to be a consideration of visual amenity, which would be an important consideration if surface structures are allowed to change.

Question 29:

Should change of species involving finfish require additional matters of discretion?

Something that specifies that total feed loads cannot increase e.g. if going from a type of fish that requires less food to a more intensively farmed fish

Question 30:



Outstanding natural features, outstanding natural landscapes and areas of outstanding natural character have been identified as requiring a specific matter of discretion because of the direction provided by the NZCPS 2010. Are there other areas/values that should also be identified?

Question 31:

Should the activity status be different for changing species on existing marine farms in outstanding natural features, outstanding natural landscapes and areas of outstanding natural character? If so, what should it be?

Yes. Because these areas have been identified as outstanding there should be greater opportunity for public to be involved in the decision-making. These should be publically notified and or/discretionary activities, particularly if category 3 or 4 species changes are being proposed.

Question 32:

Are there certain species or types of species where consent applications should be publicly notified?

As there is less uncertainty about category 3 and 4 species change effects consideration should be given for public notification.

Question 33:

Do you think it is necessary for all marine farms to prepare, implement and keep up to date Biosecurity Management Plans (BioMP)? What concerns would you have if it were required? What (if any) exceptions should be made and why?

Yes

Question 34:

Is the deadline of 31 January 2025 appropriate, and why?

Ideally farms would implement biosecurity plans before 2025, given the high risks and potential damage associated with biosecurity.

Question 35:

Is a nationally consistent approach to BioMPs necessary to achieve an appropriate level of marine farm biosecurity nationally or should regional differences be accommodated?

Question 36:

Do you think the BioMP template in MPI's Aquaculture Biosecurity Handbook covers all the matters that are needed? What if any changes would you make and why? What level of detail do you think is needed for BioMPs to be effective?



Question 37:

Is requiring a BioMP using an NES under the RMA the best approach to nationally requiring a Biosecurity Management Plan for aquaculture?

Question 38:

How would regional councils certify, audit and enforce BioMPs? Could external professionals be used to provide the required skills and expertise?

Question 39:

Is it appropriate for existing coastal permits to be reviewed and required to prepare BioMPs in order to comprehensively address biosecurity risks to industry and New Zealand's wider marine environment? If not, why not?

Question 40:

Is marine farm monitoring and reporting as well as external auditing and enforcement of BioMP implementation and effectiveness justified? If not why not?

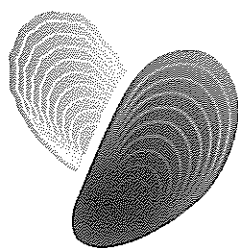
Question 41:

Have the range of costs and benefits arising from the proposed national environmental standard, and who might bear the costs or receive the benefits, been accurately reflected? Are there any costs and benefits that have been overlooked?

Question 42:

Are the estimates of costs and benefits accurate? Do you have information on costs and benefits that could assist the second stage of our assessment (of the impacts of the final proposal)? Do you have any information on costs and benefits that have not been quantified at this stage?

[illegible]



CoroMFA

COROMANDEL MARINE FARMERS' ASSOCIATION

Submission Date: Final at 7 August 2017
Due 5pm Tuesday 8/8/2017

Submission To: MPI, Nelson
aquaculture@mpi.govt.nz

Submission Re: Proposed National Environmental Standard for Marine Aquaculture

Submission in Summary

The CoroMFA makes this submission on the Aquaculture NES.

The CoroMFA entirely and absolutely supports and commends this NES for enactment / promulgation as a non-divisible package, as soon as possible. Essential provisions are;

- Limited Discretionary and Non-Notified status for existing farms
- Providing for small scale re-alignments
- Providing properly for development and implementation of Biosecurity Management Plans.

All of which will greatly reduce the costs of both uncertainty and of consenting, while supporting and promoting sustainable management.

The CoroMFA supports the submissions of Aquaculture New Zealand Ltd and the Marine Farming Association.

Introduction

Our Coromandel Marine Farmers' Association Incorporated (CoroMFA) represents as members virtually all of the Mussel farms and perhaps 2/3 of Oyster farm harvests within the Hauraki Gulf / Tikapa Moana. Our members produce Greenshell Mussels and Pacific Oysters for export and for North Island markets.

A very recent NZIER Economic Report finds that the Hauraki Gulf / Tikapa Moana Marine Farming Industry makes the following social and economic contributions;

- 350 direct jobs in the Thames Coromandel District in Shellfish farming and processing

- ~ 350 more jobs again in processing and sales in adjacent Districts.
- \$70 million annually (ie 7.2%) added to the Thames Coromandel District's GDP
- \$68 million in exports and > \$20M in local market sales.
- 2014 production was ~ 27,000T with potential to increase production by ~ 50%, to ~ 40,000 tonne annual production Shellfish by 2030.
- Nutritious, sought-after, quality seafood
- All the while providing for;
 - A Treaty Settlement
 - fishing at Mussel farms, enhancing catching opportunities and creating businesses
 - fully sustainable farming with low environmental impact.

Statement of Submission in Summary

The CoroMFA was set up with the objective to promote, foster, advance, encourage, aid and develop the rights and interests of its members and the marine farming industry in general. The CoroMFA works alongside other industry bodies to see the New Zealand Aquaculture sector recognised within New Zealand and around the world as producing healthy, high quality, environmentally sustainable aquaculture products.

The CoroMFA fully supports the purpose, direction and content of the Proposed National Environment Standards for Marine Aquaculture, for the following reasons:

- Many of the December 31, 2024 replacement resource consents are in Coromandel and under the current planning regime the cost of replacing all Coromandel consents has been estimated to be \$5M to \$10M. This will decrease greatly if replacement consents have restricted discretionary and are non notified.
- The marine aquaculture provisions of the updated Waikato Coastal Plan are due for release perhaps late 2018. The CoroMFA supports the 'safety net' value the NES will give to marine farmers in respect of the yet to be confirmed marine farming provisions of the Plan/s.
- The proposed NES for marine aquaculture will give farmers, processors and associated industries (boat building, engineering, packaging, transports etc. etc.) confidence to make new investments in the existing industries.
- The proposed NES for marine aquaculture will promote planning based rather than consent based development of marine farming and give the community a level of comfort as to the future extent of the industry.
- The CoroMFA agrees that the Wilson Bay marine farming zones, Areas A & B, do not need to be incorporated into the proposed NES for marine aquaculture.
- It is very important that it be recognized that there has been careful and considered placement of existing marine farms, and coupled with the no more than minor adverse environmental effects especially for shellfish

farms and also with their socio economic benefits, is today reflected in the lack of concern, the acceptance and indeed the widespread agreement to the continuation of these existing shellfish marine farms. People accept them and most actually value having them. It is almost never existing but rather it is only new aquaculture that can raise concerns.

In conclusion the CoroMFA absolutely and entirely supports the proposed Aqc NES including in providing limited Discretionary and Non-Notified status to farms and providing for small scale realignments, and:

- Providing for Biosecurity Management Plans
- Greatly reducing the costs of uncertainty and the cost of re-consenting while supporting and promoting sustainable management.
- The CoroMFA has long sought a planning regime to efficiently give reasonable certainty to the marine farming industry and as per Industry policy since the RMA and its reforms and the NES achieves this in an excellent balanced way.

The CoroMFA supports the submissions of Aquaculture New Zealand Ltd and the Marine Farming Association.

Responses to Questions for Submitters

Question 1: Do you think an NES for marine aquaculture, including guidance material, is required? Alternatively do you think the status quo (where regional councils decide the activity status for replacement consents for existing marine farms and consents for change of species which can vary from controlled to non-complying) should be maintained?

Yes, NES gives underlying certainty and reduces unnecessary and undesirable costs. Conflict and uncertainty is not helpful/to be avoided. The NES will provide for both industry and community certainty and reduce costs. It still allows for a coastal plan process to address issues as the community sees therein for immediate general or future farm consents implemented in due course.

Question 2: Do you think restricted discretionary is an appropriate status for replacement consents for existing marine farms? How would other activity statuses address the issues identified in section 3 of the discussion document?

Yes. Non-notification is essential for the proposal to meet its objectives. Controlled activity status is preferred and appropriate for existing marine farm consents.

Marine farming is spatially limited to the number and suitability of the sites it can occupy and successfully culture seafood. For this reason the CoroMFA is strongly supportive of 'controlled' status in appropriate zones. Most existing marine farms have fulfilled the range of requirements to be granted resource consents.

If restricted discretionary status (especially non – notified) is the final outcome this still provides comfort that the replacement process (in an aquaculture zone) will not be a prolonged and expensive undertaking. In CoroMFA it is estimated that the

replacement process for the December 31, 2024 farms will cost \$5m-\$10M if the current status of existing farms remains. This will reduce significantly if all existing farms achieve restricted discretionary (with non notification) status.

Controlled status for all existing farms (whether they are in appropriate zones or not and whether they are in areas of 'outstanding' status or not) would address the various issues raised in section 3.

Question 3: Does the NES need to provide a full rule framework, including discretionary activity rules for those marine farms that cannot meet the requirements to be a restricted discretionary activity?

No, it is the CoromFMA's view that all existing shellfish farms whether in appropriate zones or in areas with 'outstanding' status should be grandfathered into the NES regime/second generation plans with controlled status.

Question 4: Do provisions covering replacement consents for existing marine farms where supplementary feeding occurs require additional terms to define what qualifies to be a restricted discretionary activity?

No. Accepting that farms where supplementary feeding occurs are located in appropriate locations (i.e. right for the species being farmed and the community) then controlled or restricted discretionary status should be adequate. Any matters of discretion should be limited to farm specific effects.

Question 5: Do you have any feedback on the analysis of effects contained in Appendix G?

It is very important that it be recognized that there has been careful and considered placement of existing marine farms, and coupled with the no more than minor adverse environmental effects especially for shellfish farms and also with their socio economic benefits, is today reflected in the lack of concern, the acceptance and indeed the widespread agreement to the continuation of these existing shellfish marine farms. People accept them and most actually value having them. It is almost never existing but rather it is only new aquaculture that can raise concerns.

May we suggest that just two of the paragraphs in the document could be misinterpreted as to aquaculture's effects, which are;

- In the first paragraph in 1.1 on page 7 it is not unreasonable to state that "aquaculture has been in direct competition with other uses and values" but that no more applies to aquaculture than any other of the myriad activities such as; ports, moorings, marinas, marine-reserves, changing fishery activity, mining, waste-discharge and more. We disagree with the next sentence that Aquaculture "faces unique challenges and conflict compared to other primary industry sectors because of its use of public space." This verges on overstating the problem (ie for new aquaculture) and also while

aquaculture uses space (benignly) other primary sectors can be perceived to have significant effects on public resources eg fish and fresh-water.

- In the first paragraph in 3.1 on page 11 it states that "Aquaculture ... exclusively occupies ... and is increasingly in competition with other uses and values." We submit that our perspectives are that;
 - **Exclusive** is applicable to about 10% of the space on a shellfish farm, with ~1m wide rows/lines of structures ~ 10 to 20 m apart.
 - Most importantly **Existing aquaculture** is not increasingly in competition with others.
 - **In competition with** we respectfully suggest can tend to be overstated eg in our opinion marine farming to date has had very little real conflict with various fishery resources and fishing activity and can provide considerable benefit eg for recreational fishing at Coromandel Mussel farms.

The positive social and community benefits could be more fully recognized in Appendix G.

Generally, we agree with the effects as described in Appendix G. However more emphasis could be placed on the biological benefits (ecosystem services) of shellfish farms and the social benefits of sustainably grown seafood (jobs, healthy nutrition, brain development in juveniles, pain and inflammatory relief in adults). Additionally in Coromandel the Marine Farming Industry provides great benefits in supporting tourism eg Charter Fishing and associated recreational and amenity enjoyment and also supports Coromandel businesses.

Question 6: Should applications for replacement consents for existing marine farms where supplementary feeding occurs be treated differently under the proposed NES or not addressed at all?

No. No comment, not our expertise.

Question 7: Do the provisions covering replacement consents for existing marine farms where supplementary feeding occurs require additional matters of discretion?

No. No comment, not our expertise.

Question 8: Should the extent of an acceptable overlap of existing marine farms with outstanding areas due to margins of error in mapping be defined?

It would be preferable that the Minister determine which farms should be subject to assessment under policy 13 and 15 using the best available information.

The MFA supports the approach of the Auckland Unitary Plan where all existing farms in outstanding areas have been identified as not compromising (existing) landscape values. The objective of the NES is to give national guidance and certainty. The NES should adopt the Auckland Plan's approach.

Question 9: Outstanding natural features, outstanding natural landscapes and areas of outstanding natural character have been identified as requiring a specific matter of discretion because of the direction provided by the NZCPS 2010. Are there other areas/values that should also be identified, such as those listed in Policy 11 of the NZCPS 2010?

No, more focus need to be placed on the impacts to the CMA from other activities such as coastal run off and siltation, the use of sprays/ herbicides adjacent to the CMA, global warming and acidification of the oceans.

Question 10: If so, what are these areas/values and what are the potential effects of concern caused by existing marine farms on those areas/values?

(see Q9 above) there are no additional areas/values needing assessment.

Question 11: Should the activity status be different for replacement consents for existing marine farms in outstanding natural features, outstanding natural landscapes and areas of outstanding natural character? If so, what should it be?

No. Discretionary is appropriate. The (Coromandel Shellfish Farm = our expertise) and the ONL/ONC area are consistent.

A comment re Appendix H on page 74 re Waikato is that is good as far as it goes however ONL issues are yet to be addressed. There was a study done for the recent TCDC District Plan which may or probably more likely may not have some implications.

Question 12: Are there certain types of aquaculture for which replacement consent applications should be publicly notified?

No, the NES needs to retain this vitally important feature. All existing marine farms have been through a public process of some kind (either at approval, consenting or renewal). In our very long experience existing farms are an accepted part of the environment and notification would be inappropriate.

Question 13: Are there advantages or disadvantages to allowing councils to take a more lenient approach that you would like us to be aware of?

Allowing councils to take a more lenient approach encourages proactive planning in accordance with the NZCPS Policy 8.

The CoroMFA supports the more lenient approach which would provide greater investment security and reduced replacement consent costs and adverse effects are negligible. This is why we support non-notified controlled status for all existing marine farms (regardless of location). In regions where more lenient rules apply, these rules should not be put at risk by the NES.

Question 14: Do you agree that the areas zoned specifically for aquaculture in Tasman and Waikato should be exempted from the provisions of the proposed NES relating to replacement consents for existing marine farms?

Yes. These locations including the Wilson Bay zone, prove the value of controlled activity zones for marine farming, community input at the planning stage and the benefit of adaptive management rules.

Question 15: Do you agree that there are sites that should be recognised in the proposed NES because of their particular importance to aquaculture? If so, what sort of provisions do you think would be appropriate?

Yes. Spat farms of national significance such as the Wainui Bay mussel spat farms in Golden Bay.

Another nationally significant spat/seed-farm is at Aotea Harbour (Waikato RC) which is a vital site for Coromandel Mussel spat and seed supply. The sites utilizes ~ 600km of rope annually for juvenile Greenshell Mussel catches, which are sent to Coromandel. This Aotea farm may, complexly and unhelpfully for all, be caught-up in "King Salmon" case-law ramifications (re draft "outstanding area" around but not on the site of the farm), if it is without intervention such as by this NES.

Yes, spat catching is vital for the mussel industry and the variety of spat from different locations is important for the mussel processes. Sites requiring inclusion in the NES include Wainui Bay (TDC), Manaroa (MDC), Fitzroy Bay (MDC), Garnes Bay (MDC) and Aotea Harbour (Waikato RC) which is a vitally important site for CoromFSA spat and seed supply.

Question 16: Are there other ways in which the proposed NES could usefully recognise council's future planning processes?

An NZCPS – Aquaculture should be implemented to support and encourage collaborative and strategic planning for new aquaculture in appropriate areas.

Yes with an NZCPS – Aquaculture.

Question 17: What are your thoughts on the size restriction that is proposed to apply to realignments covered by the proposed NES?

It is appropriate.

Restricting size is a blunt tool if we are seeking to protect ecological values (etc) or management within policy/ rule guidelines. An open framework that allows the council/ farmer/ community to solve the problems is preferred e.g. the offsite provisions of the 2004 legislation and 2011 were deliberately enabling/permissive and worked excellently without problems or abuse of them.

Question 18: Is there further guidance that should be provided in the proposed NES in relation to realigning existing marine farms?

Yes.

In the consent by consent planning regimes there is a limit to the ability to solve problems as changing society values results in farms becoming unpopular. Policy guidance that allows for continuous flexibility to solve these problems would be useful.

Question 19: Are there other specific matters that councils should be able to consider for applications to realign existing marine farms? Are the matters that have been identified all relevant?

The matters that have been identified are relevant and sufficient.

No other matters.

Question 20: Should the proposed NES address change in farmed species?

Yes, NES to address change in species although in practice we expect very modest use of these provisions.

Question 21: Should the proposed NES limit the species it relates to?

No. Changes in farm species should be measured by the effect of the activity.

Question 22: Are the categories based on change in structure an appropriate approach? If not, can you suggest any other approach that might be suitable?

The categories are an appropriate approach.

Yes, structures approach is good.

Question 23: Are there any other categories [that should be considered for the change of species provisions]?

No.

Yes a category that allows for seabed farming under an existing farm (e.g. geoduck under, but within the area of the existing consent farm boundary).

Question 24: Should herbivorous finfish be treated differently from carnivorous finfish?

No, not re the NES.

Question 25: Is restricted discretionary an appropriate status for most changes in species?

Yes.

CoroMFA's preference is for controlled status but restricted discretionary is acceptable.

Question 26: Should spat catching farms be excluded [from the change of species provisions]?

No, this is adequately dealt with in categories 3 and 4.

Question 27: Are there any other forms of farming or species that should be excluded [from the change of species provisions]?

No, not at this point in time, but marine farming is an ever evolving industry so the door should not be closed – perhaps a category 5 for 'new ideas' or for 'research' purposes.

Question 28: Do you have any feedback on the scope of matters of discretion?

It will be important to ensure that these categories all remain non-notified so that the decisions can be evidence based.

No, they are adequate.

Question 29: Should change of species involving finfish require additional matters of discretion?

No.

Question 30: Outstanding natural features, outstanding natural landscapes and areas of outstanding natural character have been identified as requiring a specific matter of discretion because of the direction provided by the NZCPS 2010. Are there other areas/values that should also be identified?

No.

Question 31: Should the activity status be different for changing species on existing marine farms in outstanding natural features, outstanding natural landscapes and areas of outstanding natural character? If so, what should it be?

No.

Question 32: Are there certain species or types of species where consent applications should be publicly notified?

No, that would be contrary to the intent of Government and the NES proposals.

Questions 33 to 40 – Biosecurity Management Plans:

We agree with the points raised regarding Biosecurity Management Plans in the AQNZ submission.

Question 33:

Marine farmers are only one of the many users of the CMA and an easy target for Biosecurity Management protocols because a resource consent is required. The CoroMFA is more concerned about other users of the CMA who will not require Biosecurity Management Plans and therefore render the marine farm BMP's ineffective.

Question 34:

Amend date to 31 January 2026 (or 2027) to allow for replacement consents that may be caught up in backlogs or appeals.

Question 35:

National Standards should be introduced - marine pests do not recognise regional boundaries! However the regional plans could be structured to deal with specific regional issues.

Question 36:

The general matters listed on p41 appear adequate; however the CoroMFA questions why 'water supply and monitoring' is a BMP matter and not a RC matter.

Question 37:

Yes.

Question 38:

By using self-auditing reports and by requiring external auditors to undertake regular checks.

Question 39:

All farms (by 2025) need to have BMP to promote the value in the process.

Question 40:

Yes, if cost effective and not overly time consuming. Electronic reporting would be useful.

Question 41: Have the range of costs and benefits arising from the proposed national environmental standard, and who might bear the costs or receive the

benefits, been accurately reflected? Are there any costs and benefits that have been overlooked?

Further detail could be provided/explored regarding the social and community benefits of the industry.

Agree with AQNZ submission.

Question 42: Are the estimates of costs and benefits accurate? Do you have information on costs and benefits that could assist the second stage of our assessment (of the impacts of the final proposal)? Do you have any information on costs and benefits that have not been quantified at this stage?

As above.

The cost estimates seem appropriate however the greater benefits to the country through avoiding; wasted time, wasted earnings, court cases and lost investment opportunities are likely to be understated by some margin.

Summary Statement

The proposed NES is an essential and welcome initiative that will bring a better future for the industry and for NZ communities. It should be implemented as soon as possible.

Thank you for giving the CoromFMA the opportunity to submit to the proposed National Environment Standards for Marine Aquaculture.

We welcome discussion on our submission should you wish to do so, and we would be pleased to supply more information and background, if that would assist.

Yours sincerely

Gilbert

Gilbert James, Chair,
Coromandel Marine Farmers Association

Proposed National Environmental Standard for Marine Aquaculture Submission

To the Ministry for Primary Industries

aquaculture@mpi.govt.nz

8 August 2017

Jake Bartrom

Organisation Name: Coromandel Mussel Kitchen

Address for Service: 1620 Manaia Road Coromandel 3581

Email: [REDACTED]

1.0 Introduction

- Coromandel Mussel Kitchen specialises in Green lipped mussel cuisine
- We are a restaurant and boutique mussel processor
- We also sell and distribute live mussels on the local market
- We employ 28 staff

As an industry we are proud farmers, we are passionate farmers and we are good farmers. Our commitment to the recently launched A+ sustainable management programme is a clear demonstration of the care and respect we have for the waters and locations in which we farm.

I support the submission of Aquaculture New Zealand (AQNZ).

2.0 The Issues

- Aquaculture is the heart of regional communities like Havelock, Coromandel, Warkworth, Stewart Island and Twizel.
- Our products provide kiwis with healthy, sustainable food, produced in New Zealand – a far better choice than most other protein sources available worldwide.
- The industry offers tremendous sustainable growth potential for New Zealand to create more regional jobs, support associated industries and bring much needed export earnings into local communities and the economy.
- But for years the potential has been hampered by a regulatory regime that drains vital resources that could otherwise be invested in innovation, product development and building new premium markets
- Under the current regime, variations and inconsistencies for re-consenting rules in different regions create complexity and uncertainty – and creates extra delays and costs for industry, councils and communities

- With up to 75% of marine farm consents due to expire by 2025, at a cost of \$50.3 million in total, the current reconsenting processes create a cloud over the future shape of the industry

3.0 General Support for the Proposed NES

- I broadly support the National Environmental Standard (NES) as proposed.
- The proposed NES will provide better outcomes for the industry, communities, councils, iwi groups and the environment
- The proposed NES will provide a more efficient and certain consent process for managing existing farms within evidence-based environmental limits.
- The NES proposal carefully balances improving certainty while recognising the values and characteristics that make our marine environment so special.
- It will allow efficient evidence based decisions to be made while encouraging regions to proactively plan for aquaculture in their regions into the future.
- It will require marine farmers to provide evidence and proof to councils that they are operating sustainably within environmental limits.
- The proposal will free up resources currently spent on consent processes, to invest in building value for New Zealand through innovation, product development and new premium markets as well as investment in proactive environmental management.

4.0 Specific Comments on the Proposal

- I agree that the NES is the best available option under the current circumstances.
- I agree that restricted discretionary activity should be given to all consent renewals for aquaculture but note that it is crucial to retain the accompanying proposal for consent renewals to be non-notified in order to meet the proposal's objectives.
- However, there is also a good case for making replacement consents for most existing aquaculture a controlled activity as for the most part, they are an accepted part of the existing environment and generally in appropriate locations.
- There is a strong need for the additional guidance, particularly in light of the current subjectivity and lack of clarity around implementation of the New Zealand Coastal Policy Statement (NZCPS).
- There is also a strong case for an NZCPS - Aquaculture to be progressed within its own timing as this would provide stronger policy support than the guidance as well as allowing for strategic planning for, and management of, aquaculture into the future.
- I support the intent of the biosecurity proposals, however note the AQNZ recommendations to ensure they are sensible and workable and set up in the context of other users in the coastal marine area.
- I support enabling innovation through providing for changes of species as a restricted discretionary activity.

5.0 Questions for Submitters

*Question 1: Do you think an NES for marine aquaculture, including guidance material, is required?
Alternatively do you think the status quo (where regional councils decide the activity status for*

replacement consents for existing marine farms and consents for change of species which can vary from controlled to non-complying) should be maintained?

Yes.

Question 2: Do you think restricted discretionary is an appropriate status for replacement consents for existing marine farms? How would other activity statuses address the issues identified in section 3 of the discussion document?

Yes. No public or limited notification is essential for the proposal to meet its objectives.

Controlled activity status is preferred and appropriate for existing marine farm consents.

Question 3: Does the NES need to provide a full rule framework, including discretionary activity rules for those marine farms that cannot meet the requirements to be a restricted discretionary activity?

No.

Question 4: Do provisions covering replacement consents for existing marine farms where supplementary feeding occurs require additional terms to define what qualifies to be a restricted discretionary activity?

No.

Question 5: Do you have any feedback on the analysis of effects contained in Appendix G?

The positive social and community benefits could have been highlighted better.

Question 6: Should applications for replacement consents for existing marine farms where supplementary feeding occurs be treated differently under the proposed NES or not addressed at all?

No.

Question 7: Do the provisions covering replacement consents for existing marine farms where supplementary feeding occurs require additional matters of discretion?

No.

Question 8: Should the extent of an acceptable overlap of existing marine farms with outstanding areas due to margins of error in mapping be defined?

It would be preferable that the Minister determine which farms should be subject to assessment under policy 13 and 15 using the best available information.

Question 9: Outstanding natural features, outstanding natural landscapes and areas of outstanding natural character have been identified as requiring a specific matter of discretion because of the direction provided by the NZCPS 2010. Are there other areas/values that should also be identified, such as those listed in Policy 11 of the NZCPS 2010?

No.

Question 10: If so, what are these areas/values and what are the potential effects of concern caused by existing marine farms on those areas/values?

Not applicable.

Question 11: Should the activity status be different for replacement consents for existing marine farms in outstanding natural features, outstanding natural landscapes and areas of outstanding natural character? If so, what should it be?

No.

Question 12: Are there certain types of aquaculture for which replacement consent applications should be publicly notified?

No.

Question 13: Are there advantages or disadvantages to allowing councils to take a more lenient approach that you would like us to be aware of?

Allowing councils to take a more lenient approach encourages proactive planning in accordance with the NZCPS Policy 8.

Question 14: Do you agree that the areas zoned specifically for aquaculture in Tasman and Waikato should be exempted from the provisions of the proposed NES relating to replacement consents for existing marine farms?

Yes.

Question 15: Do you agree that there are sites that should be recognised in the proposed NES because of their particular importance to aquaculture? If so, what sort of provisions do you think would be appropriate?

Yes. Spat farms of national significance such as the Wainui Bay mussel spat farms in Golden Bay and Aotea Harbour in Kawhia.

Question 16: Are there other ways in which the proposed NES could usefully recognise council's future planning processes?

An NZCPS – Aquaculture should be implemented to support and encourage collaborative and strategic planning for new aquaculture in appropriate areas.

Question 17: What are your thoughts on the size restriction that is proposed to apply to realignments covered by the proposed NES?

It is appropriate.

Question 18: Is there further guidance that should be provided in the proposed NES in relation to realigning existing marine farms?

Yes.

Question 19: Are there other specific matters that councils should be able to consider for applications to realign existing marine farms? Are the matters that have been identified all relevant?

The matters that have been identified are relevant and sufficient.

Question 20: Should the proposed NES address change in farmed species?

Yes.

Question 21: Should the proposed NES limit the species it relates to?

No.

Question 22: Are the categories based on change in structure an appropriate approach? If not, can you suggest any other approach that might be suitable?

The categories are an appropriate approach.

Question 23: Are there any other categories [that should be considered for the change of species provisions]?

No.

Question 24: Should herbivorous finfish be treated differently from carnivorous finfish?

No.

Question 25: Is restricted discretionary an appropriate status for most changes in species?

Yes.

Question 26: Should spat catching farms be excluded [from the change of species provisions]?

No.

Question 27: Are there any other forms of farming or species that should be excluded [from the change of species provisions]?

No.

Question 28: Do you have any feedback on the scope of matters of discretion?

It will be important to ensure that these categories all remain non-notified so that the decisions can be evidence based.

Question 29: Should change of species involving finfish require additional matters of discretion?

No.

Question 30: Outstanding natural features, outstanding natural landscapes and areas of outstanding natural character have been identified as requiring a specific matter of discretion because of the direction provided by the NZCPS 2010. Are there other areas/values that should also be identified?

No.

Question 31: Should the activity status be different for changing species on existing marine farms in outstanding natural features, outstanding natural landscapes and areas of outstanding natural character? If so, what should it be?

No.

Question 32: Are there certain species or types of species where consent applications should be publicly notified?

No.

Questions 33 to 40 – Biosecurity Management Plans:

I agree with the points raised regarding Biosecurity Management Plans in the AQNZ submission.

Question 41: Have the range of costs and benefits arising from the proposed national environmental standard, and who might bear the costs or receive the benefits, been accurately reflected? Are there any costs and benefits that have been overlooked?

Further detail could be provided/explored regarding the social and community benefits of the industry.

Question 42: Are the estimates of costs and benefits accurate? Do you have information on costs and benefits that could assist the second stage of our assessment (of the impacts of the final proposal)? Do you have any information on costs and benefits that have not been quantified at this stage?

As above.

6.0 Summary Statement

I am proud of my role providing healthy, nutritious, sustainable seafood to kiwis as well as jobs and a sense of community to regional New Zealand. I want to focus my business' resources on making this contribution better, through innovation, product development and collectively improving our environment. Without the proposed NES I will instead need to focus on engaging planners and lawyers to continue to operate beyond the consent horizon. The proposed NES is an essential and welcome initiative that will bring a better future for the industry and our communities.

Name: Jake Bartrom

Signature:



Date: 3rd August 2017

Michael Nielsen

From: Heather Wallace [REDACTED]
Sent: Sunday, 6 August 2017 12:26 PM
To: Mailbox_Aquaculture
Subject: Submission on Proposed NES for Marine aquaculture.

My name is Richard Cosslett and I live in Golden Bay. I attended the meeting here regarding these proposals.

My submission is that I would like to see the Wainui spat farms not included in the NES proposals. These farms should remain in their current status as discretionary until this expires in 2024. At this time there will be more scientific evidence available regarding spat production, Friends Of Nelson Haven & Tasman Bay vs Tasman District Council appeal will have been heard, and the landscape proposals will have been implemented. It is much too early to be making decisions regarding Wainui if we believe in justice for our natural areas.

Thankyou, Richard Cosslett

[REDACTED] Takaka. 7182

[REDACTED]

This email has been checked for viruses by Avast antivirus software.
<https://www.avast.com/antivirus>



Proposed National Environmental Standard for Marine Aquaculture Submission Template

We would like to hear your views on the proposed National Environmental Standard for Marine Aquaculture (NES: Marine Aquaculture).

Please feel free to use this template to prepare your submission. Once complete please email to aquaculture@mpi.govt.nz.

As stated in section 8 of the discussion document, your submission must include the following information:

- your name and postal address, phone number, and email address (where applicable)
- the part or parts of the proposed NES you are submitting on
- whether you support or oppose the part or parts of the proposed NES
- your submissions, with reasons for your views
- any changes you would like made to the proposed NES
- the decision you wish the Minister for the Environment and the Minister for Primary Industries to make.

For more information about how to make a submission, please refer to section 8 of the discussion document: *Proposed National Environmental Standard for Marine Aquaculture*.

Contact details

Name:

Rod & Daphne Cranwell

Warkworth

If yes, which organisation are you submitting on behalf of?



Privacy Act 1993

Where you provide personal information in this consultation MPI will collect the information and will only use it for the purposes of the consultation. Under the Privacy Act 1993 you have the right to request access and correction of any personal information you have provided or that MPI holds on you.

Official Information Act 1982

All submissions are subject to the Official Information Act 1982 and may be released (along with the personal details of the submitter) under the Act. If you have specific reasons for wanting to have your submission or personal details withheld, please set out your reasons in the submission. MPI will consider those reasons when making any assessment for the release of submissions if requested under the Official Information Act.

Please indicate below if you wish your personal details to be withheld:

☐ Please withhold my personal details where submissions are made public

☐ Please withhold my personal details in response to a request under the Official Information Act 1982

Questions for submitters

The questions for submitters that are included throughout the discussion document are provided below. We encourage you to provide comments to support your answers to the questions below. You do not have to answer all questions for your submission to be considered.

Question 1:

Do you think an NES for marine aquaculture, including guidance material, is required? Alternatively do you think the status quo (where regional councils decide the activity status for replacement consents for existing marine farms and consents for change of species which can vary from controlled to non-complying) should be maintained?

yes

Question 2:

Do you think restricted discretionary is an appropriate status for replacement consents for existing marine farms? How would other activity statuses address the issues identified in section 3 of the discussion document?

Yes Non -notification is essential for the proposal to meet the objectives



.Controlled activity status is needed for the existing farms .

Question 3:

Does the NES need to provide a full rule framework, including discretionary activity rules for those marine farms that cannot meet the requirements to be a restricted discretionary activity?

No

Question 4:

Do provisions covering replacement consents for existing marine farms where supplementary feeding occurs require additional terms to define what qualifies to be a restricted discretionary activity?

No

Question 5:

Do you have any feedback on the analysis of effects contained in Appendix G?

The positive social and community benefits could have been better .



Question 6:

Should applications for replacement consents for existing marine farms where supplementary feeding occurs be treated differently under the proposed NES or not addressed at all?

No

Question 7:

Do the provisions covering replacement consents for existing marine farms where supplementary feeding occurs require additional matters of discretion?

No

Question 8:

Should the extent of an acceptable overlap of existing marine farms with outstanding areas due to margins of error in mapping be defined?

No

Question 9:

Outstanding natural features, outstanding natural landscapes and areas of outstanding natural character have been identified as requiring a specific matter of



discretion because of the direction provided by the NZCPS 2010. Are there other areas/values that should also be identified, such as those listed in Policy 11 of the NZCPS 2010?

No

Question 10:

If so, what are these areas/values and what are the potential effects of concern caused by existing marine farms on those areas/values?

N/A

Question 11:

Should the activity status be different for replacement consents for existing marine farms in outstanding natural features, outstanding natural landscapes and areas of outstanding natural character? If so, what should it be?

No

Question 12:

Are there certain types of aquaculture for which replacement consent applications should be publicly notified?

No



Question 13:

Are there advantages or disadvantages to allowing councils to take a more lenient approach that you would like us to be aware of?

Allowing councils to take a lenient approach encourages more proactive planning with the NZCPS policy 8.

Question 14:

Do you agree that the areas zoned specifically for aquaculture in Tasman and Waikato should be exempted from the provisions of the proposed NES relating to replacement consents for existing marine farms?

No

Question 15:

Do you agree that there are sites that should be recognised in the proposed NES because of their particular importance to aquaculture? If so, what sort of provisions do you think would be appropriate?

Yes spat farms of national significance such as The mahurangi harbour .



Question 16:

Are there other ways in which the proposed NES could usefully recognise council's future planning processes?

No

Question 17:

What are your thoughts on the size restriction that is proposed to apply to realignments covered by the proposed NES?

There should be no need for realignments most farms have been there for fifty years or more ,and realigning smaller farms is very wrong as they tend to be more productive and kept clean and tidy .Some larger farms seem to more untidy ,and not managed well for the environment .

Question 18:

Is there further guidance that should be provided in the proposed NES in relation to realigning existing marine farms?

Yes

Question 19:

Are there other specific matters that councils should be able to consider for applications to realign existing marine farms? Are the matters that have been identified all relevant?



No

Question 20:

Should the proposed NES address change in farmed species?

No

Question 21:

Should the proposed NES limit the species it relates to?

No

Question 22:

Are the categories based on change in structure an appropriate approach? If not, can you suggest any other approach that might be suitable?

No ,these need no change as they have worked well for decades ,whats the need to change what has always worked well .



Question 23:

Are there any other categories [that should be considered for the change of species provisions]?

No

Question 24:

Should herbivorous finfish be treated differently from carnivorous finfish?

No

Question 25:

Is restricted discretionary an appropriate status for most changes in species?

Yes



Question 26:

Should spat catching farms be excluded [from the change of species provisions]?

Yes

Question 27:

Are there any other forms of farming or species that should be excluded [from the change of species provisions]?

No

Question 28:

Do you have any feedback on the scope of matters of discretion?

It is important that these categories remain non-notified .

Question 29:

Should change of species involving finfish require additional matters of discretion?



No

Question 30:

Outstanding natural features, outstanding natural landscapes and areas of outstanding natural character have been identified as requiring a specific matter of discretion because of the direction provided by the NZCPS 2010. Are there other areas/values that should also be identified?

No

Question 31:

Should the activity status be different for changing species on existing marine farms in outstanding natural features, outstanding natural landscapes and areas of outstanding natural character? If so, what should it be?

No

Question 32:

Are there certain species or types of species where consent applications should be publicly notified?

No



Question 33:

Do you think it is necessary for all marine farms to prepare, implement and keep up to date Biosecurity Management Plans (BioMP)? What concerns would you have if it were required? What (if any) exceptions should be made and why?

No its not necessary . We are very concerned about the cost and time it may demand .We currently use all our time and money maintaining a clean and efficient marine farm .We feel all farm stock shouldn't be allowed to be transferred between different harbours . If operators are transferring stock they will need to do an up to date record to trace stock .

Question 34:

Is the deadline of 31 January 2025 appropriate, and why?

No

Question 35:

Is a nationally consistent approach to BioMPs necessary to achieve an appropriate level of marine farm biosecurity nationally or should regional differences be accommodated?

No



Question 36:

Do you think the BioMP template in MPI's Aquaculture Biosecurity Handbook covers all the matters that are needed? What if any changes would you make and why? What level of detail do you think is needed for BioMPs to be effective?

I agree with the hand book ,we use a similar process .

Question 37:

Is requiring a BioMP using an NES under the RMA the best approach to nationally requiring a Biosecurity Management Plan for aquaculture?

No

Question 38:

How would regional councils certify, audit and enforce BioMPs? Could external professionals be used to provide the required skills and expertise?

No

Question 39:

Is it appropriate for existing coastal permits to be reviewed and required to prepare



BioMPs in order to comprehensively address biosecurity risks to industry and New Zealand's wider marine environment? If not, why not?

No ,we currently manage and dispose any biosecurity pests and notify MPI if need be .Spending hours filling out paper work is unproductive .

Question 40:

Is marine farm monitoring and reporting as well as external auditing and enforcement of BioMP implementation and effectiveness justified? If not why not?

No it's not justified .Its over the top ,we run our farm as a business so it's in our interest to have clean tidy practices.

Question 41:

Have the range of costs and benefits arising from the proposed national environmental standard, and who might bear the costs or receive the benefits, been accurately reflected? Are there any costs and benefits that have been overlooked?

This is a huge unknown which concerns us. The more governing bodies that are brought in are just more cost to the lease holder.

Question 42:

Are the estimates of costs and benefits accurate? Do you have information on costs and benefits that could assist the second stage of our assessment (of the



impacts of the final proposal)? Do you have any information on costs and benefits that have not been quantified at this stage?

There is nothing accurate about it and the whole thing is scary.



Please use the space below to provide any additional comments you may have, and if continuing an answer from another question please indicate the question number.

We are concerned about having extra fixed long term costs . We have a smaller family oyster farm which we take great pride in keeping it clean and tidy and looking after the environment. On a daily basis we dispose of other peoples waste to keep our Mahurangi Harbour tidy. We oppose the re-aligning of existing marine farm boundaries limited to ten hectares or smaller . We spend hours of time and money maintaining our farm to a high standard. Larger farm lease holders will take advantage of this policy to claim parts of smaller farms. The large farms tend to not keep up their maintenance and tidy as they go. Our farms experience more extreme weather which closures us regularly giving us less opportunities to generate income . Putting more expense on some farmers could cripple them and their farm and would have adverse effects on the community and environment . We support NES in regard to provide replacement consents for existing farms to be non-notified , restricted discretionary activities.

Rod & Daphne Cranwell (Mahurangi Harbour ,Marine farm 31669)