

## Contents Page: Beviamo - Boyd

All written comments received on the MPI salmon relocation proposal, grouped according to surname/business/organisation/lwi name.

Written Comments Number	Last Name	First Name
276	Beviamo Yacht Charters	
547	Bibby	Norissa
149	Big Nutrition	
154	Biggs	Jackie
124	Black	Tony
431	Boating Marlborough Ltd	
132	Boaz	Kim
338	Booth	Douglas and Linda
423	Bossnet Cleaning, Boss Aqua	
349	Boulton	Lyn
242	Bowron	Frances
60	Boyd	Tania

## Written Comments No: 0276

Subject	King Salmon proposal
From	[REDACTED]
To	aquaculture submissions
Sent	Tuesday, 21 March 2017 12:14 p.m.
Attachments	<<BRN30055C21F8B2_005099.pdf>>

Hi

Submission attached

**Ross Anderson | Managing Director | Beviamo Limited**

P. [REDACTED] | M. [REDACTED] | E. [REDACTED] | W. [beviamo.co.nz](http://beviamo.co.nz)

Corner of Queen & George Streets, Blenheim - New Zealand | [REDACTED] - New Zealand

**Beviamo Yacht Charters** - *Picture yourself here* | Call Us Today On [REDACTED]

Salmon Farm Relocation  
Ministry for Primary Industries  
Private Bag 14  
Port Nelson

aquaculture.submissions@mpi.govt.nz

To: The Salmon Relocation Advisory Panel

My name is David Ross Anderson, I am Director and Skipper of Beviamo Yacht Charters Limited.

Beviamo Yacht Charters operates yacht tours for high net worth clients. We see the King Salmon proposed production initiatives as being very beneficial to the economic development of Marlborough.

As a mariner, I do not consider the proposed relocation of the salmon farms will have any impact on maritime safety.

I also believe that the proposed relocation will reduce bach owner concern for their local environment

From information that I have read, it stands to reason that relocating farms from lower water flow sites to higher water flows sites, fish performance will improve and therefore the health of the salmon. It should also have a lower level of effect on the seabed which will have positive environmental benefits.

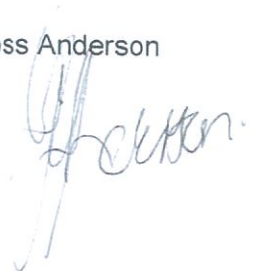
**How will this affect your company?**

Marlborough needs economic development that will provide employment, environmentally sensitive infrastructure, tourism and long term economic benefit. This proposal provides it all

I **would not** like to be heard by the hearings panel however I fully support King Salmons proposal.

Name: David Ross Anderson

Date: 20/03/17



Email:



Phone:



## Written Comment No: 0547

Subject	<b>Marlborough Salmon Relocation Proposal</b>
From	<a href="#">Norissa Bibby</a>
To	aquaculture submissions
Sent	Monday, 27 March 2017 3:44 p.m.

Dear Whomever it may concern

I am writing in regards to the Marlborough salmon relocation proposal. I feel very strongly that this is a positive proposition and that the relocation should go ahead.

I am a proud employee of The New Zealand King Salmon Co. Ltd (NZKS). This is a company that I am proud to work for. We have a fantastic team of passionate employees.

Our company provide jobs and opportunities where before there were none and thus improving the social, cultural and economic outcomes in those areas.

It is hard to believe there are New Zealanders who are opposed to the salmon farming in the Marlborough Sounds as there are benefits from this. i.e economic, social, cultural and environmental.

Moving the farms from their current locations to the proposed new sites will result in improved fish welfare and health, in addition to a reduced environmental impact. By relocating the farms from the lower water flow sites to the higher water flow sites will have a lower level effect on the seabed which will have a positive environmental benefits. Also, moving the farms away from baches to more remote locations will improve social amenities which is a fantastic thing.

Environmentally adopting the Best Management Practice guidelines that were agreed by the Council and community is the future of aquaculture globally. The site swap will mean more reassurance of the welfare of our fish, ensuring our salmon are in the best possible care.

There will be more direct and indirect jobs created if this proposal goes ahead resulting in economic improvements for the communities in the top of the south. I support the relocation of these farms!

Regards

Norissa Bibby, Foodservice Territory Manager - Auckland



**M:** [REDACTED] **W:** [www.kingsalmon.co.nz](http://www.kingsalmon.co.nz) | **A:** 6 Mitchelson Street, Ellerslie, Auckland 1051 | **Mail:** PO Box 12957, Penrose, 1061






Written Comment No: 0547

ORA KING™

## Written Comments No: 0149

Subject	<b>Proposed Marlborough Salmon Farm Relocation Project</b>
From	
To	aquaculture submissions
Sent	Friday, 3 March 2017 4:58 p.m.

To whom it may concern,

on behalf of Big Nutrition we hereby give our full support behind the proposed Marlborough salmon farm relocation project. Overall more suitable sites that gives access to deeper water, faster currents which is beneficial for both the health of the fish and the sustainability of the environment.

Its a win win and we support this project 100%.

Regards,

Darren Bray

Age Group	Male (%)	Female (%)
18-24	~15	~25
25-34	~25	~35
35-44	~35	~45
45-54	~45	~55
55-64	~55	~65
65+	~65	~75

Subject	<b>Marlborough Salmon Farm Relocation</b>
From	[REDACTED]
To	aquaculture submissions
Sent	Monday, 6 March 2017 3:22 p.m.

I have read the information concerning the proposed relocation of salmon farms in the Marlborough Sounds from the low flow sites to high flow sites.

I submit that:

It is better for the environment

It is better for those who live in the Sounds in proximity to a salmon farm.

It is better for those who find the old salmon farms an eyesore.

It is better for those seeking employment.

It is better for those NZ businesses who supply or contract on the farms.

It is better for the economy.

It provides better job security for those who currently work for NZKS.

And it has to be satisfying to apply modern science to improve the farming outcome in so many ways.

I frequently feel that business progress is at the expense of the environment and finding the right balance is impossible. Impossible because everyone draws the line in a different place.

With this proposal there is no compromise between progress and the environment, it is a win win for everyone.

I support the proposal to move all 6 salmon farms from their current low flow sites to the proposed high flow sites.

I do not wish to speak in support of my submission

thank you

**Jackie Biggs**

*Payroll Specialist*



[REDACTED] W: [www.kingsalmon.co.nz](http://www.kingsalmon.co.nz) | A: 93 Beatty Street, Tahunanui, 7011



ORA KING™

Internet e-Mail Disclaimer: All information in this message and attachments is confidential and may be legally privileged. Only intended recipients are authorised to use it. Views and opinions expressed in this e-mail are those of the sender and do not necessarily reflect the views of the company. E-mail

## Written Comment No: 0154

transmissions are not guaranteed to be secure or error free and The New Zealand King Salmon Co Ltd accepts no liability for such errors or omissions.



## Written Comment No: 0124

Subject	<b>Comments on MPI 2017/04</b>
From	
To	aquaculture submissions
Cc	Hon. Christopher Finlayson (MIN)
Sent	Friday, 24 February 2017 8:44 p.m.
Attachments	<<First comments on MPI 201704 .pdf>>

I am sending these comments separately from comments I will make on the substance of MPI 2017/04 because I don't think the Resource Management Act 1991 authorises the proposed regulations and this needs to be addressed first.

Tony Black

## MPI Discussion Paper No: 2017/04

### First comments by Tony Black (Mr)

[REDACTED] Wellington 6011

Phone [REDACTED]

email [REDACTED]

### Legal Issues

I will be presenting a second set of comments addressing the questions put in the MPI Discussion Paper No. 2017/04. These comments address legal issues.

These issues are first, whether the Resource Management Act 1991 (RMA) enables regulations directing zoning changes to the Marlborough Sounds Resource Management Plan (MSRMP) ; second whether it enables regulations prohibiting marine farms and how far such a prohibition might extend; and third whether the Maori Commercial Aquaculture Settlement Act 2004 (MCASA) is being correctly interpreted.

### Zoning change by regulation

One option put forward in the discussion paper is for the Crown to make regulations under s.360A RMA to create a new form of zoning for salmon farms. The regulations will (among other things) direct a zoning change to create a number of farm-sized zones, mainly within the existing Coastal Marine Zone 1 (CMZ1), collectively to be called Coastal Marine Zone 4 (CMZ4). There will still be a need for a resource consent to use the area within any of those new zones.

Section 360A(1) empowers the Governor General, by Order in Council, to amend provisions in a Regional Coastal Plan "...that relate to the management of **aquacultural activities** in the coastal management area".

"Aquacultural activity" is defined in s.2 RMA as "...any activity described in s.12...". Section 12(1) then lists a number of activities prohibited in the coastal marine area that will need to be allowed if aquaculture is to be undertaken, and the place of regulations is to control and limit the extent to which those otherwise prohibited activities will be allowed. Such regulations may address the nuts and bolts of running a marine farm - like allowing with conditions the erection of structures and using and discharging into water- activities that are otherwise prohibited. Nothing in sub-section (1) remotely provides a basis for a zoning change by regulation.

It might be argued that sub-section (2) sufficiently enables the regulation. This provision prohibits any person from occupying the common marine or coastal area without authorisation. So if the regulation gives that authorisation through a zoning change then it might be said to allow something that is otherwise prohibited and therefore that something may be the subject of a regulation. (I must say the double negatives involved in the definition do not help the understanding!) However a zoning change flowing from the regulation will not provide that authorisation. It will merely create a zone. The zone, in turn, will provide the framework for an application for a resource consent and the authority to occupy the common marine or coastal area flows from that consent. So sub-section (2) provides no basis for the regulation.



Furthermore, other legislation correctly observes a distinction between aquacultural activity and the space in which it takes place - see, eg, section 9 of the MCASA. There is a difference between having and using - and it is the latter that is the potential subject of regulation and management under s.360A.

So on the basis of statutory interpretation alone there is a problem - and not even the fullest compliance with s. 360B will make the slightest difference.

Although not strictly bearing on the validity of the proposed regulation, reference might also be made to s.360A(2) particularly as it applies to proposals in the Waitata Reach. Section 360A(2) effectively means that any amendment to the MSRMP under subsection(1) "...must not be inconsistent with, and subject to, the other provisions of this Act (for example, subpart 1 of Part 7A". To create what amount to spot zones for five more salmon farms (beyond the two already consented to) in the Waitata Reach is inconsistent with CMZ1 which is the zone in which the new zones will, wholly or partly, be located. The rationale for CMZ1 (found at MSRMP 9.2.2) describes CMZ1 as identifying areas where marine farms are prohibited, being areas "...identified as being where marine farming will have a significant adverse effect on navigational safety, recreational opportunities, natural character, ecological systems, or cultural, residential or amenity values." The 2012 Board of Inquiry (BOI), by disallowing all but two applications for rezoning for salmon farming in the Waitata Reach (these applications having been made by application under the RMA and not by regulation), recognised that any more farms would defeat the purpose of the CMZ1 zoning. That raises a potentially insurmountable case of inconsistency. In effect, s. 360A(2) places a practical limit on what can be done by regulation (as opposed to what might be done by following the statutory processes).

### **Banning marine farms by regulation**

The draft regulation proposes to include marine farms in the list of prohibited activities in 35.6 of the MSRMP on sites where consents have been surrendered in exchange for a resource consent in one of the newly created zones. A power to regulate is not usually construed to permit the prohibition of the very activity that is to be regulated.

There is also a practical issue that I will be addressing in my second submission but which is also relevant here. The salmon farm in Waihinu Bay is currently fallow and the site is being used to assemble salmon farms that are then towed round to the more exposed sites (consented in 2012) in Waitata Reach. I do not know whether or not such off-site construction activity will fall within the proposed prohibition. That will depend on whether the off-site construction (and maintenance) of a farm is within the definition of "aquacultural activity"; or whether it is seen as a servicing operation that is a step removed. If the latter, there is a possibility this activity may be continued although a new resource consent would be needed (probably for a restricted discretionary activity in CMZ2 - so not too difficult to get). Should such activity continue in Waihinu Bay it would largely negate much of the benefit from any surrender of the current resource consent in. Without certainty it is sensible to assume the worst.

## **Maori Commercial Aquaculture Settlement Act 2004**

I see from the Regulatory report and Cabinet documents that issues arising under the MCASA are being addressed. Just what is happening is a bit obscure because of all the redactions. What has piqued my interest is the reference both in the Regulatory and Cabinet Documents as well as p.6 of the Discussion Paper to the need to ensure there is no overall increase in the total surface structure area used for salmon farming. The area for which resource consent is granted in the new zones must be matched by the surrender of resource consents for existing farms of like area. There is no explanation for this. It may be as simple as seeking to maintain a balance or to ring-fence how far the Government is prepared to assist. But the other possibility is that there is a belief that it will prevent a claim arising under the MCASA. It will not.

As I read the Act, a claim arises when “new space”, ie, space that first becomes subject to a coastal permit for aquacultural activity, is created (s.9). There is no set-off for space that ceases to be subject to a coastal permit.

I am sure my fear is groundless but thought I should raise the matter because otherwise the cost to Government could be seriously understated.

Tony Black  
24 Feb 2017



## Written Comment No: 0124

Subject	<b>Second comment of Tony And Annette Black on MPI Discussion Paper No:2017/04</b>
From	<a href="#">Tony Black</a>
To	aquaculture submissions
Sent	Thursday, 23 March 2017 2:30 p.m.
Attachments	<<Second Comment.pdf>>

Comment attached as PDF.

Tony Black

Subject	<b>Re: Automatic reply: Second comment of Tony And Annette Black on MPI Discussion Paper No:2017/04</b>
From	<a href="#">Tony Black</a>
To	aquaculture submissions
Sent	Thursday, 23 March 2017 3:38 p.m.

Yes - i would like to speak to our comments.

Regards,

Tony Black

On 23/03/2017, at 2:32 pm, aquaculture submissions <[aquaculture.submissions@mpi.govt.nz](mailto:aquaculture.submissions@mpi.govt.nz)> wrote:

Thank-you, your email has been received by aquaculture submissions.

Please note that all written comments received on the proposal will be published on the MPI website at the end of March/early April.

Also, please inform us if you wish to speak to your written comments with the independent hearing panel. Hearings are expected to be running from mid-April to mid-May in Blenheim, and those who have indicated they wish to speak will be advised of the timetable.

This email message and any attachment(s) is intended solely for the addressee(s) named above. The information it contains may be classified and may be legally privileged. Unauthorised use of the message, or the information it contains, may be unlawful. If you have received this message by mistake please call the sender immediately on 64 4 8940100 or notify us by return email and erase the original message and attachments. Thank you.

The Ministry for Primary Industries accepts no responsibility for changes made to this email or to any attachments after transmission from the office.

## MPI Discussion Paper No: 2017/04

### Second comments by

Tony (Mr) and Annette (Mrs) Black,

[REDACTED] Wellington 6011.

Phone [REDACTED]

email [REDACTED]

### 1 Preliminary

1.1 To avoid grammatical awkwardness these comments are written largely in the first person from Tony's point of view but express our common views.

1.2 Our main residence is in Wellington.

1.3 Annette and I own a bach in Waihinu Bay which opens off the Waitata Reach of the outer Pelorus Sound. The bach was purchased by my father-in-law in the early 1950's and I have known it and its environs for nearly 60 years. Annette spent much of her early life in Havelock where her mother taught at the local primary school and her father was postmaster. As a family, they operated the first shore station radio servicing the Pelorus Sound. Our teen-age grandchildren are the fourth generation to enjoy the area. As well we have travelled extensively (and still do) through both Pelorus and Queen Charlotte Sounds and D'Urville Island in launches and yachts owned by friends .

1.4 Our boat is a 4.9m runabout but it suffices to get out to Titi Island and Guards Bay to the East, Paparoa point (opposite Chetwode Islands) to the north and down to White Horse Rock and across to Ketu Bay and occasionally down to Waitata and Richmond Bays to the south and those points enclose our main area of boating and fishing activity. A common and popular trip for visitors is down to Boat Rock (less so now there is a salmon farm there), across to Ketu Bay and a walk up to the gun emplacements, out to Duffers Reef to view the King shags and back via West entry.

1.5 As well as enjoying the sea and coast I tramp regularly and am a member of the Tararua and Kaumatua Tramping Clubs and the Federated Mountain Clubs of New Zealand. The latter has some 20,000 members. It is a respected advocate for protecting the natural environment and opportunities for travel in remote and secluded areas and I share those values. I would be surprised were the values it espouses in respect of the backcountry not shared by those whose interest lies in coastal waters but who do not have the advantage of a national organisation to represent their views. As one indicator of this common interest, there are 17 moorings near the more remote outer part of Waitata Reach owned by boat clubs,- 5 in Waihinu Bay and 6 each in Port Ligar and Ketu Bay.

1.6 I appeared as a submitter before the 2012 Board of Inquiry into Requests for Plan Changes and Applications for Resource Consent (BOI), which heard from 1,272 submitters plus expert witnesses, and I followed its proceedings. While the outcome was not wholly



what was sought, I think the Inquiry addressed conflicting expert evidence, and particularly landscape and economic evidence, thoroughly and fairly.

1.7 My comments will be limited mainly to the area described above because it is the area I know well. Within this area are the Blowhole Point North and South and Mid Channel Waitata sites.

## 2 Overview

2.1 A good starting point to what I have to say is to look at a map of the Marlborough Sounds. Good ones are;

- Bathymetric Charts NZ615 & 6152; and
- The map on the Marlborough District Council (MDC) website (environment- marine farming-mussel farming) showing the marine zonings overlaid with marine farm locations and also the places where applications for marine farms were declined.

2.2 The topography shown on the Charts suggests the tide will flow strongest in Tory Channel and Waitata Reach where the channel is constricted and the water is deepest. Flows of 1-3 knots are shown for Waitata Reach and 1-3 rising to 2-4 knots for Tory Channel.

2.3 The Council map shows that in the main marine farming (and particularly mussel farming) is concentrated in the outer and middle reaches of Pelorus Sound. The inner Pelorus Sound (including Kenepuru Sound) and Queen Charlotte Sound are mainly zoned CMZ1 in which marine farming is prohibited.

2.4 This means that very little of the coastal landscape and amenities within Waitata Reach are protected by the CMZ1. Furthermore, while comments are often made to the effect that 80% of the Sounds are locked up in the CMZ1 zone they ignore the fact that the zoning is unequally distributed within the Sounds.

2.5 The Council map also shows marine farm applications that have been declined. Apart from the site off Post Office Point (declined by the BOI) I know nothing of the other applications but nonetheless invite the inference that the Marlborough District Council did not see allowing more marine farms being of such regional significance as to justify a departure from the Marlborough Sounds Resource Management Plan. Nor, as best as I recall, was such a suggestion made by the Council to the BOI.

2.6 Five of the six locations proposed in the Discussion Paper for rezoned sites are in the Waitata Reach and are wholly or partly in the present CMZ1 zone.

2.7 So I conclude from all this that while Waitata Reach may meet the criteria for a fast-flow, sheltered site it is already

- disproportionately committed to marine farming; and
- its amenity values have received reduced recognition and limited protection when compared to other parts of the Sounds.

2.8 There is a shortage of space suitable for salmon farming in the Sounds. To the extent that part of that space is in Waitata Reach the question of where the line should be drawn between salmon farming and other amenity values has already been answered by the BOI and there the matter should rest. Following from that, any regulation purporting to do otherwise has the distinct appearance of being inconsistent with the provisions of the Resource Management Act - or, at least, with the outcome of the application of its procedures which amounts to the same thing.

### **3 Relocation, Swap or Mitigation**

3.1 The words used in the Discussion Paper and associated documents to describe the outcome being explored are "relocation" and "swap". These terms are used as though they are synonyms but they are not; and this leads to different concepts being muddled up. First is the idea of a swap - where one would expect an exchange of equal value. Thus the sites exchanged would be of more or less equal productive value (because that is important to one party) and of equal amenity value (because that is important to the other). (In the case of a swap there should be an assessment of the amenity value gained from farm closures; but there has been no such assessment.)

3.2 The second term is relocation, which can be used to refer to removing something from one place and putting that same thing somewhere else; or it can be used more abstractly in the sense of moving farming operations from, say, a smaller farm to a larger one in order to expand production. I do not know which of the various meanings is intended.

3.3 Without a clear objective it is difficult (indeed premature) to respond effectively to an invitation to consult. For example, para 4.2.1 of the Discussion Paper addresses site swap scenarios and says that because potential relocation sites would be more productive it might be possible to swap two low flow sites for one high flow site. Now whether or not that should happen may be addressed as part of this consultation. But if that approach is adopted the question of which sites should be swapped for what should itself be the subject of a further consultation or comment but it is pretty clear that will not happen. So should those multiple possibilities be addressed now? All this is most unsatisfactory.

3.4 The difficulties I have identified would not arise were normal Resource Management Act 1991 procedures followed. An application would be made and the closure of existing farms offered by way of mitigating adverse amenity impacts. Failure to adopt that approach gives credence to the view that this exercise is being undertaken to circumvent the requirements of the Act and the BOI decision.

3.5 However, we must play the hand that has been dealt, so I shall proceed to address questions in the Discussion Paper that relate to our interests and experience - although my belief that there is no power to change the zoning by regulation and the lack of a clear and specific objective imbues the exercise with an air of unreality.



### **4 Q1 Salmon farms should not be allowed to relocate by regulation at all because;**

The Resource Management Act 1991 is the legislation governing activities in the coastal marine zone. That a resource consent will be surrendered may well be a mitigating factor but it is not a justification for weakening, or avoiding, the application of the Act as seems to be happening here.

### **5 Q2 Salmon farms should not be allowed on the Blowhole Point or mid channel Waitata sites because;**

5.1 The BOI allowed applications to rezone two sites in Waitata Reach but in declining applications for two others in the Reach said;

“[1253] To grant all of the zones would not give effect to the statutory provisions in respect of natural character, landscape, Maori, or ecological matters. The overall cumulative effects would be high.”

5.2 The current proposal is for an additional five rezoned sites in Waitata Reach on top of the two already granted by the BOI. Of these the mid channel Waitata site is far more obtrusive than either of the declined Tapipi (Ketu) or Kaitira (East Entry) sites while the Blowhole Point sites are equivalent to or worse than the Kaitira site in terms of their location at the entry to Pelorus Sound.

5.3 The proposed sites compromise the value of the Outer Sounds as a remote destination especially for those in boats. Associated with that, for those at anchor or drifting in the vicinity of a farm or (say) kayaking past there will be a low level sound from generators and other equipment that, while not usually loud, is out of place in a remote area.

5.4 There is a likelihood that an increase in the number of farms on exposed sites will require servicing facilities in sheltered waters. From my observation the Waihinu Bay farm seems to have been used for that purpose already.

5.6 Seals attracted to the mid channel Waitata site will haul out on the beaches to the east and this has the potential to discourage access to the gun emplacement on Post Office Point.

5.7 The scallop beds in Ketu Bay are in a parlous state and need to be kept free of any risk of adverse environmental impacts. This has not been addressed.

5.8 There are usually blue penguins feeding in the mid channel Waitata area. They are not addressed.

5.9 The BOI noted Waitata Reach is an important King Shag feeding ground (as do the technical papers listed on the Ministry of Primary Industries website).

5.10 There will be an increase in boat/barge movements to service the farms. The barges are noisy and kick up a fair old wake.

**6 Q3 Waihinau Bay is a site where salmon farming should cease because;**

6.1 There are 22 residential units in the Bay (excluding the Bulwer Guest House which is currently “fallow” of which all but one are within about 1 km from the existing farm. Waihinau Bay is regularly used by recreational sailors because it provides sheltered mooring in all weathers.

6.2 The seabed has been fouled to a point where recovery is dubious (fallowing in recent years does not seem to have achieved anything).

6.3 The industrial nature of the activity and low level noise from generators and compressors is inconsistent with the values sought in a remote holiday area.

**7 Q4 Site specific factors**

7.1 The bays off Waitata Reach used to be a prolific scallop fishery. That largely ended as a result of commercial overfishing many years ago. Scallops limp on in Ketu Bay and some other areas, all of which are closed to scalloping this season in the hope they will recover. I would like to think that with care the beds might eventually recover but their survival seems so finely balanced, and the cause of decline so rife with speculation that I worry about any potentially adverse impact. The mid-Waitata Farm weighs particularly heavily in my concerns. (I am surprised the Richmond and Ketu Bay scallop beds were not mentioned in the discussion paper.)

7.2 See also the factors listed in my comments on Q2

**8 Q7 Salmon farming on potential relocation sites should be a discretionary activity**

This would be consistent with the CMZ3 zone.

**9 Q9 The use to which vacated sites may be put cannot be answered in general terms because;**

Each case will depend on its own circumstances and the zone in which it is located. For Waihinau Bay, the increase in the number of residential units (to 22) and boat club moorings (5 in the Bay) supports rezoning the waters in front of the residences CMZ1.



## Written Comment No: 0124

**10 Q11 I accept, but with reservations, the staged adaptive management approach because:**

10.1 On the face of it the adaptive management approach seems a responsible one and was endorsed by the BOI; however

10.2 The proposal to create CMZ4 zones is based on a number of assumptions and in particular that the economic benefits and ecological benefits are sufficient to justify the Minister of Aquaculture being satisfied the rezoning is of regional or national significance. In effect it must be important enough to outweigh other values that would normally be taken into account; and in Waitata Reach, any rezoning must be important enough to compromise the current CMZ1 zoning. What happens if those assumptions prove illusory? Might the farms continue to operate at a level of productivity that would not have justified the trade-offs involved? That outcome would be unsatisfactory and unreasonable.

10.3 If there is so much uncertainty, particularly about benthic effects the better approach could be to monitor the Waitata and Kopaua farms (which have been approved), assess the results, and then, as confidence in our knowledge of effects improves, moving on in a staged manner to consider other sites. To take a gamble on seven new sites all at once is not good stewardship of public assets and is hardly a staged approach.

10.4 As experience with the low flow sites has indicated, it will take time for the full consequences of the proposed farms to emerge and there is a strong case, in the public interest, for putting prudence before commercial imperative.

10.5 Having said that, some of my reservations might be met by specifying, as well as a maximum feed level, a minimum level below which the continuation of salmon farming would not be justified and would cease.

**11 Q14 Priority to relocate should be given to the Waihinu Bay farm**

See the reasons given in response to Q3.

**12 Q15 Relocation issues - there should not be a so called one for one swap because;**

12.1 There is a marked difference in the value of the sites proposed for exchange. The low flow sites are owned by NZ King Salmon and according to the company's Product Disclosure Statement for the initial public share offering dated September 2016 (at p.38), King Salmon says it operates five salmon farms and identifies them in a list of six existing farms. The Waihinu and Forsyth Bay farms are listed as one (because they alternate) and so they should together be counted as one farm for the purpose of exchange. The Crail Bay sites are included in the list but not as operative farms so should not be available for exchange at all - otherwise a precedent is being set whereby any old dog of a site can be

exchanged for something better even if it hasn't been used for salmon farming. But such sites might be offered in mitigation if this process allows such a thing. I do not know anything about the other low flow sites proposed for exchange.

12.2 The Product Disclosure Statement separately lists the three new sites allowed by the BOI and says with those farms king Salmon expects to double production (from that of the existing five productive sites) over time which suggests three high flow farms are equivalent to at least five low flow ones. There has been no attempt to assess the ecological value of the sites being exchanged. What gain to the environment will there be from the exchange? Avoiding polluting does not count because either it has already happened or it won't happen in future because of the new benthic guidelines.

12.3 For the Waitata Reach there will be a significant loss to the environment from any additional salmon farm. That loss will nowhere near be matched by such environmental gains as may be gleaned from, say, the closing of Waihinau.

12.4 It may well be said that wider economic gains should be taken into account. My understanding is that such gains are the flip side of the ability of an enterprise to make profits and do not justify giving away assets to make it happen.

### **13 Q35 Tourism and recreation values**

13.1 There are eight marinas spread through Marlborough, Nelson and Wellington catering largely for boats in the order of 9 metres or longer. The main sailing ground for those many boats is the Marlborough Sounds. As already mentioned there are 17 boat club moorings spread through Port Ligar, and Waihinau and Ketu Bays alone. Many sailors seek remote areas and I hear comments about the popularity of D'Urville Island. A lot of smaller boats pass through Waitata Reach on the way to fishing/diving grounds further out.

13.2 For ourselves, we have higher demand than we can regularly satisfy from friends who want to come and stay at our bach with us, all of whom just love the remoteness of the area and the activities it offers - from viewing the king shags, excursions to the gun emplacement on Post Office Point, fishing, scalloping and so on.

13.3 Waitata Reach and the area beyond is a valuable recreation ground that has barely begun to realise its potential. As our population increases so will it be valued more. It is a place to cherish. It is not a place for active or obtrusive aquaculture.

### **14 Economic Effects**

14.1 Potential economic effects are addressed in the Discussion Paper at para 7.2. No comment is invited but, although it is outside my area of expertise, some comment is called for.

14.2 The BOI commenced its assessment of economic evidence by saying;



"[228] It is now well accepted that economics is one of the many threads that weaves its way through the provisions of the RMA to guide decision-makers towards the single purpose of the RMA – sustainable management of resources. Economic efficiency is part of our consideration under Section 7(b) in assessing the efficient use of resources." (at p.94).

It concluded by saying;

"[268] Each of the farms individually would have economic benefit at a local, regional, and to a much lesser extent, a national level. We accordingly find that in exercising our judgment, each of the farms, both individually and collectively, would be of economic benefit." (at p.105).

14.3 Of particular note is the observation that the economic benefit is "...to a much lesser extent [at] a national level...". This may bear on formulating advice as to whether the matters to be addressed by the proposed regulations are of national significance for the purpose of s.360B(2)(c)(ii) RMA. As to regional significance, increasing marine farms does not seem to be seen by MDC as being of such significance as to justify a change to the Resource Management Plan as it applies to Waitata Reach.

14.4 Much is made of the fact that implementing the Benthic Guidelines will reduce productivity and lead to economic loss. Another point of view is that salmon farmers have profited from loose environmental controls and are now facing the true costs of sustainable production. That is perhaps a little harsh as our knowledge has improved but one notes that other sectors of the economy faced with a similar tightening of environmental requirements (e.g. farmers and clean water) have not been so generously treated. And that is partly why, although I understand King Salmon preferring high flow sites and see the logic of its preferred plan for the future, I do not think either is significant or unusual enough to justify by-passing the normal Resource Management processes or to give salmon farming priority over other relevant values or priorities.

## **15 Power to change zoning by regulation**

15.1 In my first submission I gave reasons why, as a matter of statutory interpretation, s.360A RMA does not empower the Minister of Aquaculture to change zoning by regulation.

15.2 There is also a more general principle involved. The Resource Management Act 1991 provides for a system of decentralised decision-making. Working down through a framework of general policy the formulation and implementation of plans devolves increasingly upon those most affected by them - and they are, of course, the communities within the bounds of those plans. In general, it is not for a Minister of the Crown to tell the community what to do. He may request but not require. Certainly there is power to make regulations, but the exercise of such power is to assist the purpose of the Act. To use it as the Discussion Paper suggests is fundamentally inconsistent with that purpose (and so does not satisfy s.360A(2)(b) RMA).



## Written Comment No: 0124

15.3 There are also conditions set out in s.360B RMA. Among others, the Minister of Aquaculture must be satisfied the proposed regulations are necessary or desirable for the management of aquacultural activities and that the matters to be addressed by the proposed regulations are of regional or national significance. When the Minister of Conservation referred the King Salmon application to the BOI, she too had to decide whether the matter was of national significance. She decided it was and the Direction, in which she gives her reasons forms Appendix 2 of the BOI Decision. The Minister of Conservation found significance more in the potential adverse environmental impact than in any economic benefit. The matter might be significant but not in a way that supports the Minister of Aquaculture.

### 16 Our view

Our view about the Sounds and salmon farming is:

16.1 There should be no further salmon farms in or adjacent to Waitata Reach north of the Waitata and Kopaua farms. Waitata Reach is valued for many reasons including its landscape qualities, remoteness and recreational use. It is within a part of the Sounds already disproportionately zoned and used for marine farming. The two salmon farms recently consented to further detract from amenity values. Withholding development to the north protects the scenic value of the entry to Pelorus Sound and preserves a recreational area that is valued for its remoteness and scenery.

16.2 In terms of remoteness, recreation and landscape, Waitata Reach is the northern part of a passage running west of Maude Island and down through a CMZ1 zone to Tennyson Inlet. Again this points to the importance and centrality of Waitata Reach to the cohesion of the amenity values of the region.

16.3 We make no comment on the Richmond and Horseshoe Bay proposals as we are less familiar with the proposed sites and the issues involved.

16.4 If any salmon farm is to be closed then it should be the Waihinu Bay salmon farm and the area in and adjacent to where it is located should be rezoned CMZ1. This would go some way towards balancing the loss of amenity from the two new salmon farms in the Waitata Reach on sites rezoned by the BOI and is justified by the degree of residential settlement on adjacent land and the recreational value of the Bay as a safe mooring. It would also provide the best opportunity for seabed recovery.

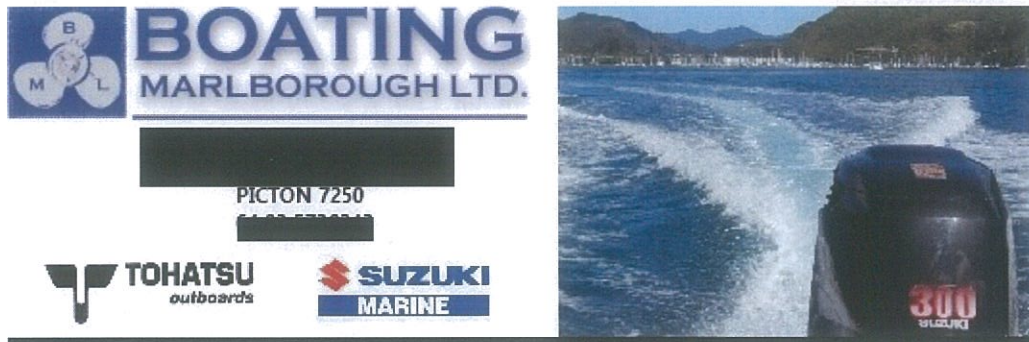
16.5 The Board of Inquiry in its Decision on salmon farms in the Waitata Reach strikes a considered balance between salmon farming and amenity values and should be accorded high respect. Allowing rezoning of the Waitata and two Blowhole Point sites would be inconsistent with the tenor of the Decision.

Tony and Annette Black  
23 March 2017

## Written Comment No: 0431

Subject	Salmon relocation panel
From	<a href="mailto:boatingmarlborough">boatingmarlborough</a>
To	aquaculture submissions
Sent	Saturday, 25 March 2017 4:36 p.m.
Attachments	<<NZ king.doc>>

Please find my submission to the above.  
Regards Stuart Scaife.



Please note that all work undertaken is done so subject to our Terms and Conditions, available at: [www.boatingmarlborough.co.nz](http://www.boatingmarlborough.co.nz) or from our office should you require a digital or hard copy.  
Note also that we NEVER give verbal quotes; any quote given will be in writing ONLY.

**Internet e-Mail Disclaimer:**

All information in this message and attachments is confidential and may be legally privileged. Only intended recipients are authorised to use it. Views and opinions expressed in this e-mail are those of the sender and do not necessarily reflect the views of the company. E-mail transmissions are not guaranteed to be secure or error free and Boating Marlborough Ltd accepts no liability for such errors or omissions.





**BOATING**  
**MARLBOROUGH LTD.**

- ☐ New/Used Inboards & Outboards
- ☐ Servicing & Repair - All Brands
- ☐ Electrical & Mechanical
- ☐ Stern Leg Servicing
- ☐ Boat & Trailer Repairs
- ☐ Welding - Alloy & Stainless

Salmon Farm Relocation  
Ministry for Primary Industries  
Private Bag 14  
Port Nelson

aquaculture.submissions@mpi.govt.nz

To: The Salmon Relocation Advisory Panel

I write to lend my support to the Salmon farm relocation process. I operate Boating Marlborough Ltd, located in Waikawa Marina, and have been here for the last 13 years. Our core business has been servicing the needs of boaties by way of chandlery, parts and a mechanical expertise servicing and motor replacement.

I support the potential salmon relocation process being proposed by MPI because I believe the salmon farm relocation will provide for better environmental, social and economic outcomes. I understand that by relocating farms from lower water flow sites to higher water flow sites fish performance will improve and therefore the health of the salmon. It will also have a lower level of effect on the seabed which will have positive environmental benefits.

Environmentally, adopting the Best Management Practice guidelines that were agreed by the Council and community is the future for aquaculture.

There will be more direct and indirect jobs created if this proposal goes ahead resulting in economic improvements for the communities in the "Top of the South".

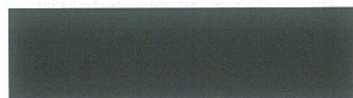
Moving some farms away from baches to more remote locations will improve social amenities which is also a good thing especially from a navigation viewpoint.

Our business of Marine motors sales and service has a close working relationship with NZ King Salmon. Their company thru using our services has enabled our business to have a more constant work flow which in turn has meant the retention of staff employed and living locally.

I believe working with NZ King Salmon that any better business practices, profit and expansion will flow on to Boating Marlborough and indeed the Marlborough province if present relationships are retained. A very hard aspect of our business is maintaining a constant work load and putting up with seasonal fluctuations which is very difficult to manage. It is often very hard to attract suitable personal to the area without certainty of employment. Over the last 5 years while working with King Salmon this fluctuation has not been an issue.

I would not like to be heard by the hearings panel.

Name: Stuart Scaife  
Date: 23 March 2017



Subject	<b>Submissions RE: salmon farm relocation</b>
From	Kristin Spaetzel
To	aquaculture submissions
Sent	Tuesday, 28 February 2017 4:20 p.m.
Attachments	<<C.Wells.pdf>> <<D.Ray.pdf>> <<K.Boaz.pdf>> <<K.Duff.pdf>> <<K.Spaetzel.pdf>> <<M.Leary.pdf>> <<M.Wells.pdf>> <<N.Wells.pdf>> <<S.Guy.pdf>> <<S.Wells.pdf>>

Hi,

I am writing as I have collated a number of submissions from people I know and their friends and family. Each letter is the same, however each individual has signed and dated their own copy to show their support for the idea. I felt this was the easiest way to register the support of a large number of people who are in favor of the idea of moving the sea farms but who would be unlikely to take the time to compose their own personal letter. Hopefully this will even things out as I realize people in favor are less likely to put in a submission than those who are against. Each individual has read and stated that they agree fully with the written statement. If you wish to contact any individual or obtain contact information please don't hesitate to ask.

Thank you for your time.

Regards,

Kristin Spaetzel

BScH. Marine and Freshwater Biology


## Written Comment No: 0132

27.02.2017

To Whom It May Concern:

I wish to add my support to the proposal made to relocate certain sea farms. I believe it will be beneficial to the fish being raised, the surrounding environment, the local community, and the economy.

Regards,

  
Kim Boaz



## Written Comments No: 0338

Subject	Suybmission Salmon Farms
From	<a href="#">Linda Booth</a>
To	aquaculture submissions
Sent	Monday, 27 March 2017 1:26 PM
Attachments	<<SUBMISSION ON NZ MINISTRY OF PRIMARY INDUSTRIES DISCUSSION PAPER TEMPLATE.pdf>>

Good Afternoon,  
Please find attached a copy of our Submission for the Salmon  
Farm Relocations.  
Thank-you

*Linda & Doug Booth*

*Duncan Bay*

*[REDACTED]*

*Rai Valley* *[REDACTED]*

# Written Comments No: 0338

## SUBMISSION ON NZ MINISTRY OF PRIMARY INDUSTRIES DISCUSSION PAPER NO: 2017/04: POTENTIAL RELOCATION OF SALMON FARMS IN THE MARLBOROUGH SOUNDS

Submitter: Mrs Linda Booth & Mr Douglas Booth  
Address: 29 Rata Street. Duncan Bay R.D.5 Rai Valley  
Phone: 03 576 5570  
Email: doug.linda2@gmail.com  
Submitter affiliations:

- ❖ Owner / permanent residence Duncan Bay, Tennyson Inlet, Pelorus Sound
- ❖ Member Duncan Bay Residents Association
- ❖ Member SAG Marlborough
- ❖ Member Tennyson Inlet Boat Club

### We would like to speak to our written comments at a public hearing

#### **Q1. Do you think that up to six salmon farms within Marlborough Sounds should be allowed to relocate to higher-flow sites?**

No! Most definitely not. The MDC has done extensive investigatory work with the Ecologically significant Marine Sites in Marlborough (2011) the Best Management Practice Guidelines for salmon farming in the Marlborough Sounds (2014) and the Benthic Guidelines. All of these reports have produced evidence of the extensive damage being done within the Sounds areas. Relocating these six farms only puts more pressure on more arrears of the Sounds.

*No farms should be removed, relocated or consents issued until such time as independent scientific research has been completed and NZKS can demonstrate with a practice model of 1 (one) farm only for a trail period of 5 years that proves they are able to comply to the Benthic Guidelines and it has been proven that the waste from any such farms does not endanger our human food chain or the environment*

#### **Q2. Which of the potential relocation sites do you think are suitable for salmon farming?**

We do not agree that any sites have been suitably investigated with completed reports for relocation.

While we don't have sufficient information to advise the suitability of these sites, our understanding is the increased water flow may assist NZKS to meet the environmental standards but where and how does it deal with preventing the contamination in the first place?

#### **Q3. Which of the existing lower-flow sites should be relocated?**

As above. No farms should be moved and no more than 1 (one) experimental salmon farm consent be issued until Salmon Farmers can prove they have the correct knowledge and are taking ALL the necessary measures with this being successful to protect our environment.

#### **Q4. If you have concerns about particular sites, what are they and what could be done to address these concerns?**

All sites have issues, whether it being navigational, water depth, water flow, seabed structure, blue cod habitat not to mention the wildlife sanctuary of Maud Island and the large protected marine no fishing area which surrounds it.

Take all farms off shore to deeper waters.



## Written Comments No: 0338

**Q5. Do you feel there are potential benefits or costs of relocating farms that have not been identified?**

Yes. Financial costs have been clearly stated but information on potential damage to the environment has been minimized. The report: Our Marine Environment 2016 released by the NZ Government Environmental Reporting Series makes it very clear that the full ecological effects of fishing and fish farming ARE NOT CLEAR and that there is a LACK OF DATA.

MPI made it clear at their briefing session we attended, off shore deeper waters are where these farms should be, however the technology is not available for this to happen. Some 30 plus years of Salmon farming is now proving they cannot meet the guidelines yet we want to spread this contamination to more areas... WHY?

**Q6. Are there rules, policies or conditions that you believe should be added? Please provide information to support any proposed new provisions.**

One Minister (the Minister of Primary Industries) has made the decision to single-handedly force changes to the Resource Management Act 1991, New Zealand Coastal Policy Statement, Marlborough Regional Policy Statement 1995, Marlborough Sounds Resource Management Plan 2003, and the proposed Marlborough Environment Plan, in the interests of commercial gain to the possible detriment of the environment? Is he indeed similar to some other political figures who feel they need only to consult with themselves? When we attended the briefing session run by staff of the MPI in Portage on Thursday 02 March we asked whether the Ministry of the Environment and DOC had had input into the Consultation Document 2017/04 and was assured they had. If this is true, and these Government Departments we trust to protect our environment think the proposed relocation of salmon farms is acceptable then the Marlborough Sounds is in real trouble. I feel this proposal is contrary to New Zealand conservation and environmental policies.

**Q7. Provided that detailed standards and requirements are met, do you agree that salmon farming on the potential relocation sites should be a restricted discretionary activity?**

No farms should be moved and no more than 1 (one) experimental salmon farm consent be issued until Salmon farmers can prove they have the correct knowledge and are taking ALL the necessary measures with this being successful to protect our environment.

**Q8. Do you agree that the overall surface structure area of salmon farms should not be increased?**

Yes.

**Q9. If the sites at the existing lower-flow farms (other than Crail Bay MFL32) are vacated, do you believe that marine farming should be prohibited in these sites or do you think that these sites should remain open to other types of marine farming for aquaculture settlement purposes?**

Our understanding from discussion at the drop in meeting is the proposed relocation sites of the farms have been found for NZKS after being rejected by Iwi as part of the Treaty Settlement but at no time have these sites been offered to other marine farmers, only found for NZKS. Why should they have preference over other aquaculture within this area? We also understand that vacated sites take 5-10 years or more to recover after salmon farming.

**Q10. Given the multiple ownership at Crail Bay MFL32, if this site is relocated, should aquaculture be fully prohibited or should shellfish farming be allowed to continue?**

We thought this discussion paper was on relocation of the salmon farms. This question is irrelevant to this discussion. Perhaps we should look at the saturation point of all aquaculture at another point in time. **Q11. Do you agree with a staged adaptive management approach if salmon farming at the potential relocation sites proceeds?**



## Written Comments No: 0338

Yes. However no Salmon farming in this area would be a better option.

**Q12. Is there any wording you agree or do not agree with in the proposed regulations?**

Yes a lot!

*It is time the total impact of aquaculture farming in the Marlborough Sounds is independently researched and action taken to protect species. Cawthron Institute once a private, independent scientific testing laboratory is now a firm partner in aquaculture product development and farming. Peer review of research by people with possible conflict of interest is not acceptable. The research itself must be independent, including independent of Government departments.*

**Q13. Are there any particular issues at the existing lower-flow sites that you would like to comment on?**

What (if anything) is being done to ensure the flow of all rivers flowing into the Sounds is maximized to support good water flow rates in the Sounds itself? e.g The removal of gravel build-up at the mouths of rivers to enable free flowing.

**Q14. Which of the existing lower-flow salmon farms in the Marlborough Sounds do you think are a higher priority to relocate and why?**

We are of strong opinion, if farms cannot now reach the required standards as required by their resource consents they should be fallowed and completely removed.

**Q15. Is there anything specific that you would like the Minister for Primary Industries to be aware of for any of these sites when thinking about the potential relocation proposal?**

Yes. The uniqueness of the Marlborough Sounds throughout the world.

Why not safeguard this pristine area for our future generations NOW rather than allow more areas to be destroyed.

Relocating the farms to a more open area does not solve the problems. The problem is spread over a larger area, taking more time to become non compliant and therefore also a longer period of recovery.

**Q16. Are there particular landscape or natural character values that you want to identify to the Minister for Primary Industries for any of the potential relocation sites?**

The sea bed is also part of the natural character of the Sounds area, destroying this through the dumping of the farm waste is not acceptable on the sea bed or on the land.

**Q17. Are there other effects on landscape and natural character not outlined in the Hudson Associates or Drakeford Williams reports that you would like the Minister for Primary Industries to be aware of?**

No.

**Q18. Are there any further measures that you believe could be taken to reduce effects at on landscape and natural character at the potential relocation sites?**

Remove the farms to open water spaces not within the Marlborough Sounds.

**Q19. What are your thoughts on the potential water quality effects at the potential relocation sites?**

Why relocate salmon farms, which are high risk to the marine environment, despite specification of standards, into an area not yet heavily polluted by salmon farming and put the significant number of mussel farms at additional risk, when it is uncertain just how harmful ocean acidification and warming are going to be over the next ten years?

**Q20. Are there ways in which the potential relocation sites should be developed to help avoid, remedy or mitigate adverse effects on water quality?**

## Written Comments No: 0338

No relocation of these farms until we have independent data of the effect on marine life and the eco systems in the Sounds with safety of farming being assured.

**Q21. Are there other effects on water quality that you would like us to be aware of?**

Not that I am aware of.

**Q22. What further information would you suggest the Minister for Primary Industries collects on water quality effects in relation to the Tio Point site?**

My understanding is there are some additional risks to marine life at this site. Again independent scientific advice should be required before this or any site is approved by the Minister of Primary Industries.

**Q23. What are your thoughts on the seabed effects at the potential sites?**

They need to be monitored independently to ensure there is compliance to the BPG.

**Q24. Are there ways to develop the potential sites to help avoid, remedy or mitigate adverse effects on the seabed at each site?**

- ❖ Independent research each specific site prior to farm establishment
- ❖ Independent monitoring reports on a monthly basis.
- ❖ Capture waste and disposal implementation.
- ❖ Prompt corrective action planning and implementation.

**Q25. Are there other seabed values or effects that you would like the Minister for Primary Industries to be aware of?**

As reported in the Ecologically Significant Marine Sites in Marlborough there are many significant sites that support rare, unique or special features from the top of the high tide mark to the edge of the regional boundary 22 km off shore. What (if any) studies have been done independently to analyse the perseverance of these in the future?

**Q26. Are there effects on pelagic fish that you would like the Minister for Primary Industries to be aware of?**

The fact that blue cod (*Parapercis colias*) of the Mugiloidide family, is the true gem of the Sounds. It is not a pelagic fish but a demersal species of fish, which lives around the shoreline in rough, rocky ground with weed; is territorial; its territory sometimes out as far as 80m in depth. The rough rocky ground and weed are just the sites sought for salmon farms, which ultimately destroy this habitat. Blue cod and some other species in the Sounds are already greatly reduced in numbers and size. This relocation proposal will put them under additional threat.

**Q27. Are there effects on seabirds that you would like the Minister for Primary Industries to be aware of?**

We can't answer this question but an answer would be great. We are sure there are many unanswered questions.

**Q28. Do any of the sites pose a greater risk to seabirds than other sites?**

All marine birds are susceptible to predation when they come ashore to breed. It is well known that marine farms can also create opportunities for predators such as rats and stoats, who are very able swimmers, to use marine farm structures as "stepping stones" between the mainland and islands. Rats can also be introduced from vessels servicing marine farms or from the farms accommodation and storage facilities - All within close proximity of wildlife sanctuary's on Maud Island and Tui Nature Reserve.

What research and statistics (if any) are available on the King Shag or the Gannets being damaged while diving by salmon farm structures?



## Written Comments No: 0338

**Q29. Are there marine mammals in the Marlborough Sounds that you think may be particularly impacted by this proposal?**

We frequently have orca, dolphins and New Zealand sea lions in the Sounds area.

Killer whale, (orca) are reported as (quote x ESMS in Marlborough) Killer whales are a significant species in Marlborough on conservation grounds having a “nationally critically status” due to their small population size.

Bottlenose Dolphins are reported as (quote x ESMS in Marlborough) a significant species in Marlborough on conservation grounds. Marlborough is one of the three (3) important population centres for this species in New Zealand. This species is classified as “nationally endangered” in New Zealand waters.

The number of Hector’s Dolphin in the Marlborough Sounds is (quote x ESMS in Marlborough) small with estimates of around twenty (20) in the Marlborough Sounds. They are slow breeding and only live to approx twenty (20) years. Other threats to Hector’s dolphin include pollution, tourism impacts and potentially aquaculture. Hector’s dolphin is a significant species on conservation grounds having a “nationally endangered status”

Should we ignore this data or what reporting requirements and statistics are available or in place to protect these species?

**Q30. Do any of the potential sites pose a greater risk to marine mammals than other sites?**

As answered above, obviously all these sites pose as a threat to marine mammals, both where they are now and by relocation.

**Q31. Do you agree that there should be an independently audited Biosecurity Management Plan for salmon farming?**

Yes most definitely. This should be independently researched and the total impact of all aquaculture farming in the Marlborough Sounds be made public.

**Q32. What are your thoughts on the potential improvement in salmon health from the proposal? What about salmon welfare and husbandry?**

What is happening to the sea bed? Where do the dead go? How are they disposed of?

What happens when there is a disease outbreak?

**Q33. Are there particular navigational effects at any of the potential relocation sites that the Minister for Primary Industries should be aware of?**

Blowhole Point North, Blowhole Point South and Waitata Mid-channel would all make it difficult for recreational boaties to navigate in rough weather as they are inclined to keep close to the shoreline.

**Q34. What is your view on the Waitata Mid-Channel site from a navigational perspective, and the possibility of cruise ships or large superyachts using the area?**

We see tourism as a completely different issue so don’t see how this question is relevant to this submission apart from creating another navigational hazard.

**Q35. Are there particular tourism and recreation values that you would like the Minister for Primary Industries to be aware of at any of the potential sites?**

Every view in the Marlborough Sounds is supreme. The Marlborough Sounds is a marine playground and ecological haven covering one-fifth of New Zealand’s coastline. Home to secluded bays, historic sites, walking and cycling trails, marine reserves, island sanctuaries and places to stay tucked away in native bush – the cruising grounds of the Marlborough Sounds is a water lover’s paradise, Why destroy this with salmon farms stuck in the middle of it all?



## Written Comments No: 0338

**Q36. What measures could be taken to remedy or mitigate effects on tourism and recreation values if salmon farms were relocated to these sites?**

Education is paramount but a better solution would be to find a better location, in deep fast water which is much more suitable for salmon farming.

**Q37. Are there other heritage values that the Minister for Primary Industries should be aware of?**

We in the Marlborough Sounds know they are an extensive network of sea-drowned valleys, created by a combination of land subsidence and rising sea levels at the north of the South Island of New Zealand. According to Maori mythology, the sounds are the prows of the sunken wakas of Aoraki. They are a unique part of New Zealand. Let's keep them that way for our future generation to enjoy as we have done.

**Q38. Are there any other measures that should be taken to avoid, remedy or mitigate noise effects at any of the potential sites?**

Comply to the Best Practice guidelines, benthic guidelines with independent regular monthly monitoring.

**Q39. Are there any other matters in relation to underwater lighting that you think the Minister for Primary Industries should be aware of?**

Comply to the Best Practice guidelines, benthic guidelines with independent regular monthly monitoring.

**Q40. Social and community effects of the potential relocation proposal are wider than just residential amenity. What effects do you think there will be as a result of the potential relocation proposal?**

It's election year so maybe a change of government.

There are those of us who have loved the Sounds over many years know that they are unique. Environmental destruction of the Marlborough Sounds is not just a local or national issue. It is an international issue. All of us, including the Minister of Primary Industries, have an obligation to protect it. The Marlborough Sounds is worthy of international protection as a world heritage site. Salmon farms may come and go but the Sounds can be there forever, if we protect it.

We are told this venture of relocation will create approx 511 more jobs. Where exactly will this be located and what guarantees are there that this will happen? The destruction of this pristine area for the love of \$\$s and employment should be monitored more carefully. We therefore implore the New Zealand Government to follow the example of other countries and require major technology shifts in the salmon industry to reduce the present heavy environmental footprint stomping the life out of our marine diversity to save and protect the Sounds for our descendants far into the future.

Progress sometimes spells destruction. Before we say goodbye -Let us gaze forward-protecting our pristine environment - before it vanishes like the morning mist.

Linda & Doug Booth  
Duncan Bay.

## Written Comment No: 0423

Subject	<b>Fairhall Submission</b>
From	<a href="#">Andrew Fairhall</a>
To	aquaculture submissions
Sent	Saturday, 25 March 2017 7:25 a.m.
Attachments	<<Salmon Farm Relocation submission ( andy Fairhall).pdf>>

Hello,

Please see attached submission,

Regards

Andy Fairhall

# Written Comment No: 0423

Salmon Farm Relocation

Ministry for Primary Industries

Private Bag 14

Port Nelson

aquaculture.submissions@mpi.govt.nz

To: The Salmon Relocation Advisory Panel

My name is Andy Fairhall, my wife and I own "Boss net Cleaning" and the "Boss Aqua" brand. We have had many years association with NZKS and the NZ fin fish farming community in general. Our world leading and internationally recognised in water net washing technology has been developed right here in Picton over the last several years, this is a direct result of commercial fish farming in the Marlborough sounds. We are a great example of secondary benefits to the local economy with most of our equipment being exported whilst being 100% manufactured in Marlborough, this year alone our business will contribute in excess of 1M to the local and national economy, employment and taxes.

Therefore I support the potential salmon relocation process being proposed by MPI because I believe the salmon farm relocation will provide for better environmental, social and economic outcomes.

I understand that by relocating farms from lower water flow sites to higher water flows sites fish performance will improve and therefore the health of the salmon. It will also have a lower level of effect on the seabed which will have positive environmental benefits.

Environmentally, adopting the Best Management Practice guidelines that were agreed by the Council and community is the future for aquaculture globally.

There will be more direct and indirect jobs created if this proposal goes ahead resulting in economic improvements for the communities in the top of the south.

Moving some farms away from baches to more remote locations will improve social amenities which is also a good thing especially from a navigation viewpoint.

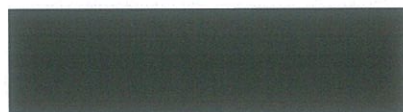
Clearly a move to more sustainable farming practices and improved commercial results for NZKS will translate into more opportunities for our business, both in equipment sales /support and just as importantly on-going product research and development keeping NZ at the cutting edge of new technology.

If NZKS is unsuccessful in relocating this is likely to have a negative impact on our business activities also.

I would not like to be heard by the hearings panel.

Name: Andy Fairhall

Date: 25/03/17





## Written Comments No: 0349

Subject	<b>submission</b>
From	<a href="#">Lyn Boulton</a>
To	aquaculture submissions
Sent	Thursday, 23 March 2017 11:12 p.m.
Attachments	<<Potential Relocation of Salmon Farms in the Marlborough Sounds.pdf>>

Kind Regards,

Lyn Boulton



## Potential Relocation of Salmon Farms in the Marlborough Sounds

### COMMENTS FORM

Comments closes 5pm, 27 March, 2017

#### Your details

NAME: Lynette Boulton

ORGANISATION (if applicable):

CONTACT PERSON:

POSTAL ADDRESS: [REDACTED] Marlborough Sounds [REDACTED]

EMAIL: [REDACTED]

DAYTIME PHONE: [REDACTED]

MOBILE: [REDACTED]

**NO** I do not want to speak to my comments at a public hearing

Comments sent to: [aquaculture.submissions@mpi.govt.nz](mailto:aquaculture.submissions@mpi.govt.nz)

DATE: 23.3.17

**I OPPOSE** the relocation proposal for the following reasons:

## Written Comments No: 0349

Issue	Comment
1. Process	<ul style="list-style-type: none"> <li>• The use of Section 360A of the RMA gives the Minister of Aquaculture the power to over-ride the Marlborough Sounds Resource Management Plan.</li> <li>• It takes decision-making and resource management away from the Marlborough District Council and local community.</li> <li>• It disregards the 2013 Board of Inquiry [BOI] and 2014 Supreme Court decisions about expansion of salmon farming into prohibited areas of the Marlborough Sounds.</li> <li>• The proposal provides commercial benefit for one company, using public water space for free, above the interests of other users of the Marlborough Sounds, including iwi.</li> <li>• It sets a precedent for the Minister to make similar water-grabs around New Zealand, usurping the power of local authorities and wishes of local communities.</li> </ul>
2. Precautionary approach	<ul style="list-style-type: none"> <li>• Policy 3 of the NZ Coastal Policy Statement calls for a precautionary approach. This was reinforced by the BOI decision [par 179].</li> <li>• The three new high flow sites granted by the BOI are only just coming on stream. It would be precautionary to wait until monitoring shows the company can operate these sites, along with their other high-flow sites, to comply with the Benthic Guidelines at maximum feed levels for at least three years before any more space is considered. [consistent with BOI Condition of Consent 44a]</li> <li>• This especially applies to Tio Point, which would be the fourth salmon farm in close proximity in Tory Channel.</li> <li>• In the meantime reduce the feed and stocking rates at the low flow sites to meet the Benthic Guidelines.</li> </ul>



<p>3. Nitrogen pollution</p>	<ul style="list-style-type: none"><li>• We dispute the accuracy of Minister's statement: "This proposal is about making better use of existing aquaculture space. There is no proposed increase in the total surface structure area used for salmon farming in the Marlborough Sounds," - Nathan Guy, Minister of Aquaculture.</li><li>• The proposed relocation sites are not "existing aquaculture space". They are <b>prohibited</b> to aquaculture.</li><li>• While farm surface area may remain about the same, there is a proposed five-fold increase in fish feed to 24,600T a year.</li><li>• With more feed and more fish, the amount of nitrogen pollution discharged into the Sounds through salmon faeces would also increase. The high-flow farms would be discharging the equivalent of the nitrogen in sewage from a city the size of Christchurch, straight into the sea.</li><li>• Residents must meet strict obligations to keep waste out of the enclosed waters of the Sounds. Yet this proposal would allow the untreated discharge of polluting nutrients from six new salmon farms.</li><li>• As a land-based comparison of low flow and high flow sites, it is not OK for a dairy farmer who has been pulled up for discharging effluent into a small stream to resolve the issue by increasing his herd and discharging to a faster river.</li></ul>
------------------------------	---

## Written Comments No: 0349

<p>4. Offshore Alternatives</p>	<ul style="list-style-type: none"> <li>• The NZKS Supreme Court decision ruled there was an obligation to consider alternatives under the NZ Coastal Policy Statement and Section 32 of the RMA. <b>“Particularly where the applicant for a plan change is seeking exclusive use of a public resource for private gain.”</b> [SC 172-173]</li> <li>• Having salmon farms offshore (open ocean aquaculture) rather than in the confines of the Marlborough Sounds would dilute the pollution and remove the conflict with other users. This approach is being used in countries such as Norway.</li> <li>• Offshore alternatives are barely mentioned in this proposal. NZKS claims it would be achievable in 10 years but was too expensive and not yet proven. There is no information about what is happening in other countries and no cost-benefit analysis about off-shore alternatives.</li> <li>• Rather than pushing this relocation proposal for areas prohibited to aquaculture, MPI and the industry should invest in research to expedite offshore farming as a future-proofed alternative.</li> </ul>
<p>5. King shag</p>	<ul style="list-style-type: none"> <li>• Policy 11 of the NZ Coastal Policy Statement calls for protection of indigenous species in the coastal environment.</li> <li>• The NZ King Shag is classified as nationally endangered and is found only in the Marlborough Sounds. It is a taonga for Ngati Kuia and Ngati Koata.</li> <li>• King Shag are sensitive to disturbance when breeding, roosting and feeding. Duffers Reef to the Waitata Reach, where five new farms are proposed, are key areas for these activities.</li> <li>• The threat to King Shag was a factor in the BOI restricting the number of new farms in the Waitata Reach to two in its 2013 decision [BOI 1252 ]. Yet this latest proposal is seeking another five farms in the King Shag foraging area.</li> </ul>

## Written Comments No: 0349

<p>6. Landscape and Cumulative effects</p>	<ul style="list-style-type: none"><li>• This proposal will degrade the Outstanding Natural Landscapes and High Natural Character values of the Waitata Reach.</li><li>• The Board of Inquiry decision identified the threshold number of salmon farms for Waitata Reach as TWO - Waitata and Richmond - and turned down three others because of the cumulative effects on Landscape, Natural Character, King shag feeding and Tangata Whenua values. [BOI 1252]</li><li>• NZKS and MPI have ignored this ruling, which was arrived at after a long and considered judicial process. Instead they have joined forces and put forward this relocation proposal for FIVE more farms in the Waitata Reach. None of these farms can be justified.</li></ul>
--	--

**Further comment:** It is a privilege for us to live and work in the beautiful Marlborough Sounds, we must keep it sustainable and enhanced for all uses and future generations

### **In conclusion:**

There should be no more salmon farms in the Marlborough Sounds until NZ King Salmon shows it can operate the ones it has within the agreed benthic guidelines.

**Desired outcome:** Option C: The Minister does not recommend the proposed regulations.



# Written Comments No: 0242

To: Salmon Farm Expansion  
Ministry for Primary Industries  
Private Bag 14  
Port Nelson 7042

Email to:  
[aquaculture.submissions@mpi.govt.nz](mailto:aquaculture.submissions@mpi.govt.nz)

## Submission on proposed use of Section 360A of the RMA to allow massive expansion of salmon farming in the Marlborough Sounds.

Name of Submitter in full Francis Robin Bowron  
Address [REDACTED]

Email [REDACTED]

<input checked="" type="checkbox"/>	I am against the whole Ministry for Primary Industries (MPI) proposal for "Potential Relocation of Salmon Farms in the Marlborough Sounds"
<input type="checkbox"/>	I would like to speak to my written submission at a public hearing in _____
<input checked="" type="checkbox"/>	I do not want to speak to my written submission at a public hearing

### To the Marlborough Salmon Farm Relocation Advisory Panel and Minister Nathan Guy:

I am writing to express my dismay about Minister Nathan Guy's proposal to overrule the Marlborough District Council's (MDC) plan and allow for up to six new salmon farms in areas prohibited for aquaculture in the Marlborough Sounds.

The MDC's State of the Environment Report 2015 noted that:

- The Marlborough Sounds biodiversity is NOT in good shape.
- The issues include: fewer fish, not as many species, serious loss of biogenic habitats, sedimentation in estuaries and biosecurity incursions.

The Marlborough Sounds needs proposals for protection and restoration of its natural environment and marine ecosystem, **NOT** proposals for further exploitation and degradation such as this one. It is submitted that the aim of this MPI proposal, thinly disguised as salmon-farming relocation, is in fact a proposal for the massive expansion of salmon farming in the Waitata Reach area of the Pelorus Sound.

If successful it will mean a cluster of 7 farms in Waitata Reach. It will mean 2 to 3 times more waste discharge spread over a wider benthic footprint. It will mean greater adverse cumulative impacts on the water column.

The Marlborough Sounds needs, we submit, more extensive Marine Reserves, **NOT** more Salmon Farms on an industrial scale as is now proposed by MPI and New Zealand King Salmon (NZKS).

# Written Comments No: 0242

## ***The Board of Inquiry drew the limits***

In 2012 NZKS applied for nine new salmon farms in areas prohibited for salmon farming via a Board of Inquiry process. They were ultimately allowed three farms. The Board of Inquiry, and then the Supreme Court, made a number of very important findings, which, it is submitted; this proposal is attempting to ride rough shod over.

It is submitted that this is a blatant attempt to try and achieve for NZKS what it failed to get last time around. This time it is being done under the cloak of a relocation scheme. It is submitted that this is a relocation is factually wrong. Two of the salmon farms to be “relocated” do not in fact exist – there has been no salmon farming on the sites for at least five years.

Once again, MPI and NZKS are trying to put new salmon farm sites into outstanding natural landscapes and, it is submitted, ignoring the legal requirements of the New Zealand Coastal Policy Statement and the adverse cumulative impacts on the this iconic landscape.

This proposal, we submit, ignores the Board of Inquiry finding a threshold limit of two new farms in the Waitata Reach and that the Environment Court subsequently echoed this.

## ***The best Place for Salmon Farming?***

The existing NZKS operations are suffering from regular (4 in the last 5 years) unusual mortality events. There is a Controlled Area Notice under the Biosecurity Act in place as a result. Pathogens new to NZ have been discovered in the dead salmon.

We submit that the science shows that 17 degrees Celsius is the maximum sustainable temperature for salmon farming, above this trigger the fish become stressed and vulnerable to disease. MDC records show that the Waitata Reach of the Pelorus Sound has summer seawater temperatures exceeding 17 degrees for long periods. These adverse environmental factors combined with poor management practices is, we submit, demonstrated by these regular significant salmon mortality events.

Instead of allocating clean unspoiled water space for new farms and closing old farms, real pressure should be put on NZKS to operate these existing farms in accordance with Best Management Practice Guidelines. It can be done we submit.

Rather, MPI and NZKS seem to be arguing that the prospect of more jobs and profit justifies ignoring adverse cumulative environmental effects in this iconic public space. This so called MPI report is, we submit, paid for by NZKS using an expert who has a history of working for that company. A truly independent review of this report will, like last time, we submit, show these claims are greatly inflated.

This approach quite wrongly, we submit, gives no credence to the adverse impacts on; endangered species such as the King Shag, recreational users, navigation issues, tourism, and struggling nearby scallop beds.

Other objections:

***Conclusion: this proposal is fundamentally flawed, environmentally unsustainable and should not proceed!***


Relocation of Salmon Farms in the Marlborough Sounds

Tania Boyd



High flow farms can benefit the environment better than the existing farms. If it will improve the environment, fish health and quality then it's a no brainer to support this proposal.

For me these improvements will enhance NZKS reputation, help grow the business which will benefit the Nelson/Marborough communities with more employment and provide job security for me.



20/02/17