

To

The Marlborough Salmon Farm Relocations Advisory Panel,
Ministry for Primary Industries,
Private Bag 14,
Port Nelson 7042,
New Zealand.

HEARING SUBMISSION

Potential Relocation of Salmon Farms in the Marlborough Sounds

Section 360B(3) of the Resource Management Act 1991

Proposal: To amend the Marlborough Sounds resource management plan to enable relocation of up to 6 salmon farms through the use of regulations made under s. 360A-C of the Resource Management Act 1991

Consultation Initiator: Minister for Primary Industry

Applicant: New Zealand King Salmon Limited

Submitter - Clintondale Trust

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Date: 20 April 2017

Relevance of Submission

1. The submitter owns properties in the Marlborough Sounds and is potentially affected by the outcome of the proposed relocation of salmon farms.

The submitter's position

2. The submitter opposes the proposed regulations and plan change in their entirety, but with particular reference to:

- The use of regulations made under s. 360A-C of the Resource Management Act 1991 [RMA] followed by applications for coastal permits (Regulation process).
- Any delay that may result from the proposal to the introduction of the *Best management practice guidelines for salmon farming in the Marlborough Sounds: Benthic environmental quality standards and monitoring protocol (benthic guidelines)* in respect of all salmon farms in the Marlborough Sounds, both existing and future.

THE SUBMISSION

3. The panel is invited to consider this submission in conjunction with, and as a supplement in support of the original document submitted to the initial consultation.

4. Whilst most submissions address the proposed outcomes, this submission specifically adopts the perspective of the mechanism being utilised to secure those outcomes, on the basis that the manner in which the process is being controlled inevitably raises the possible perception that for all intents and purposes the outcome is predetermined and a foregone conclusion.

The law

5. The parts of the Resource Management Act 1991 [RMA] that are relevant to this submission include:

360B Conditions to be satisfied before regulations made under section 360A

(1) Regulations must not be made under section 360A(1) except on the recommendation of the Minister of Aquaculture.

(2) The Minister of Aquaculture must not make a recommendation unless the Minister—

(a) has first had regard to the provisions of the regional coastal plan that will be affected by the proposed regulations; and

(b) has consulted—

(i) the Minister of Conservation; and

(ii) other Ministers that the Minister of Aquaculture considers relevant to the proposed regulations; and

(iii) any regional council that will be affected by the proposed regulations; and

(iv) the public and iwi authorities in accordance with subsection (3)

(3) For the purposes of subsection (2)(b)(iv), the Minister of Aquaculture must—

(a) notify the public and iwi authorities of the proposed regulations; and

(b) establish a process that—

(i) the Minister of Aquaculture considers gives the public and iwi authorities adequate time and opportunity to comment on the proposed regulations;.....

6. The submitter's position is that the consultation requirements under s.360B have not been adequately met. This has been occasioned by way of design rather than default, throughout the consultation exercise. This is evidenced by the fact that the Minister for Primary Industries / Aquaculture was advised by the Director Economic Development and Partnerships in the Regulatory Impact Statement [1] that:

"Ministerial regulations is the only option available to the Crown if it wishes to control the process."

The Minister of Conservation

7. Under s.360B(2)(b)(i) the Minister of Aquaculture must not make a recommendation unless he has consulted the Minister of Conservation.

8. There is nothing in the consultation documents provided to the public as part of the consultation exercise that readily indicates that the Minister of Conservation has been consulted. Indeed the MPI Consultation proposal to the Minister [2] states:

*In addition to consulting with the public and iwi authorities, you must formally consult with the Minister of Conservation, other relevant Ministers, and with the Marlborough District Council. This will formally occur **post public and iwi authority consultation**.*

9. Whilst s.360B does not prescribe a statutory timing or order of consultation it is argued that:

- the requirement that the Minister of Conservation be consulted at ss.(2)(b)(i) precedes the requirement for the public and iwi to be consulted at ss.(2)(b)(iv), and
- that for the purposes of ss. (2)(b)(iv), the Minister of Aquaculture must notify the public and iwi authorities of the proposed regulations, and
- establish a process that gives the public and iwi authorities adequate time and opportunity to comment on the proposed regulations, and
- the Minister of Conservation would have a crucial role in drafting those regulations otherwise there would not be the specific statutory requirement at ss.(2)(b)(i) that he be consulted.

10. It can be reasonably expected that it was the intention of the law drafters that the Minister of Conservation be consulted on the regulations before their being proposed to the public and iwi.

11. This position is corroborated by the MPI paper recommending the Minister agree to consultation with the public and iwi on proposed regulations to amend the Marlborough Sounds Resource Management Plan [MSRMP]. The Deputy Director General Sector Partnerships and Programmes [Ben Dalton] advised the Minister in Key Message (8) that *in deciding whether to proceed to consultation*, he should seek the views of the Minister of Conservation. [3]

12. Having regard to the fact that the proposed activity is to take place within, or in close proximity to a significant component of the Conservation Estate, the Marlborough Sounds, the public could also be reasonably be expected to be made fully aware of the Minister of Conservation's position and be able to provide an informed comment upon that as part of the consultation.

The Marlborough Salmon Working Group

13. In mid-2016 the Ministry for Primary Industry [MPI] convened the Marlborough Salmon Working Group [SWG] consisting of nominated individuals from the Ministry for Primary Industries, Department of Conservation, Marlborough District Council, Te Tau Ihu Forum, King Salmon, Aquaculture New Zealand, and local community interest groups.

14. The role of the SWG was to provide non-binding recommendations to government in developing advice on options to implement the Benthic Guidelines.

15. The aims of the SWG were:

- to consider options for existing salmon farms in Marlborough to adopt the Guidelines; and
- to ensure the enduring sustainability of salmon farming in Marlborough, including environmental outcomes and landscape, amenity, social and cultural values.

16. The recommendations would also help inform future planning on salmon farming in Marlborough. The SWG process and its report would not replace statutory consultation processes required to establish any potential new salmon aquaculture space under the Resource Management Act 1991 (RMA). [4]

17. The SWG convened workshops on ten occasions between 14 July 2016 and 28 October 2016.

18. On 23 November 2016 the SWG presented to MPI its report entitled *Advice to the Minister of Aquaculture*. The SWG made 14 recommendations, the first and foremost being a recommendation that the Minister of Aquaculture (the Minister) consults with the public on two options to meet the Benthic Guidelines – reduce stocking density at existing low flow sites and relocate to higher-flow sites.

19. There was no reference to any specific mechanism as to how a possible plan change to allow relocation to higher flow sites was to be secured. [4]

20. On the very next day, 24 November 2016] the MPI Deputy Director General Sector Partnerships and Programmes [Ben Dalton] presented to the Minister for Primary Industries the consultation proposal for relocation of salmon farms via regulations made under s.360A-C of the RMA to amend

the MSRMP. Attached to the paper were the Cabinet paper, the Regulatory Impact Statement [RIS], the consultation document, the proposed amendments to the MSRMP and the SWG report.

21. It is evident therefore that these substantial documents had been prepared well in advance of the SWG advisory report. The fact that the resort to regulations was not mentioned in the SWG report as the mechanism to effect the relocation suggests that the SWG was not fully aware of the MPI's intention. This is of particular concern having regard to the fact that the MPI official designated as Responsible Manager for the consultation paper and the signatory for the Agency Disclosure Statement on the Regulatory Impact Statement was the Director Economic Development and Partnerships [Luke Southorn], who together with Deputy Director General Sector Partnerships and Programmes [Ben Dalton], the author of the consultation paper, were the two key MPI representatives on the SWG, the latter being the convenor.

22. The MPI paper to the Minister proposing consultation on the regulations states that the SWG *was not asked to consider the wording of the proposed plan change but were provided an overview of how the change plan would operate. Use of the regulation-making power was discussed but no recommendation made. The community representatives were not adverse to the regulations, but cautious to ensure a good consultation process and independent assessment of information.* [5]

23. This would appear at odds with the SWG report which records that at the workshop on 8-9 September 2016 there was only a brief explanation provided of a possible plan change approach. [6]

24. It is evident that the SWG, which was specifically convened by the MPI as a representative consultation body and recommended relocation as one of two options, was not fully involved by the MPI in consultation on the resort to regulations as the planning mechanism to effect that relocation.

25. It is noted that the 14th recommendation of the SWG report was that the SWG provide additional advice to the Minister following the public consultation process. [7] The MPI consultation paper recorded: *"Agencies disagree; the Working Group's role has concluded. Members are free to make submissions to the process."* [8]

The available options for relocation through plan change

26. The initial submission details that the MPI cabinet paper identified three available options under the RMA to effect relocation of the salmon farms through plan change; the regulation process, the EPA process and the MDC process. The Regulatory Impact Statement compared all these three options, the MPI cabinet paper excluded the MDC process, whilst the public consultation document offered only the regulation process.

27. The public consultation exercise document [MPI Discussion Paper no: 2017/04] under the heading *Relocating farms requires amending the Marlborough Sounds Resource Management Plan* provides only the regulation process.

28. The MPI consultation discussion paper states: *The potential amendments [to the MSRMP] identify the activity of salmon farming in these relocation sites as 'restricted discretionary'. There are detailed conditions specified in the potential amendments that will relate to the marine farms. This will be your only opportunity to comment on those conditions.* [9]

29. The MPI paper further emphasises: *Unless the Marlborough District Council decides that it will notify an application (which may be to directly affected persons only), this consultation process on the proposal will be the only opportunity for tangata whenua and the public to comment on these discretionary matters.* [10]

30. As detailed in Table (1) at Annexure [1] the regulation process has potential for negative impact in the areas of:

- Cost to the Crown [taxpayer and Marlborough ratepayer]
- Availability of appeal or other legal challenge
- Marlborough District Council discretion
- Public notification.

31. The MPI paper fails to disclose however that there are other available options to amend the MSRMP. The MPI has provided no explanation as to the withholding of information identified by MPI that provides alternative options [the EPA and MDC processes] to achieve the plan change without resort to the regulation process.

Time and opportunity for public and iwi to comment on proposed regulations

32. Under s.306B (3)(b)(i) the Minister must establish a process that gives the public and iwi adequate time and opportunity to comment on the proposed regulations.

33. The SWG report highlighted that:

The prepared technical reports are voluminous and complex and there has been limited time and ability to thoroughly consider, question/test content, provide feedback and draw resulting conclusions with regards to their content and findings. [11]

34. The public consultation document [MPI Discussion Paper no: 2017/04] in itself from cover to cover encompassed 113 pages. The consultation website provided over 70 documents comprising 272.5 MB of data, including 1520 pages in 43 in-depth technical reports. In addition links were provided leading to a wealth of further documents on other websites. The extent of this documentation is detailed in Annexure (2). The MPI convened consultation “drop in meetings” were reported in the media “to be designed to minimise the negatives and maximise the positives.”

35. The SWG report recorded that:

The SWG has considered the majority of the reports as part of the SWG process and has had sessions with a number of authors. The highly technical nature of many of these reports, together with a constrained SWG timeline and use of external expertise has prevented some members from undertaking a full analysis and or review. [12]

36. In a preface to the SWG recommendations the SWG report recorded that:

Some SWG members note that the limitations with some technical reports and the relatively constrained timeframes for the group to consider the information has meant that the analysis of all options has been insufficient. The public consultation period must provide an opportunity to address these concerns. [13]

37. Having regard to the composition of the SWG encompassing MPI, industry and Marlborough Sounds community representation, with access to expert advice, it is a reasonable expectation that if they experienced difficulty considering the information over the 4 months that the SWG workshops were convened, then the general public are unlikely to be able to digest an even greater amount of similar information in the 8 week [40 working day] consultation period provided.

38. The SWG report further recorded that:

There has been, to date, an inability to engage independent technical experts to test and validate the content and findings of the Technical Reports. This may be further compounded if the S360A process is used without the ability to independently test information. [14]

39. The Cabinet paper identified the risk that the environmental impact assessments that had been commissioned to date are perceived as not being creditable as they have been paid for by King Salmon. MPI were required to consult King Salmon and include two King Salmon representatives on the researcher selection panel. King Salmon provided operational information to inform the assessments. MPI was required to consult King Salmon on each draft research report. However King Salmon was prohibited from directly approaching the researchers without MPI approval. [15]

40. The SWG report recorded that:

A number of technical reports have been prepared by the same individuals and/or companies that presented evidence through the Board of Inquiry process on behalf of NZKS. This may raise questions in some quarters with regards to potential conflicts of interest for the reports writers and the independence of the findings and conclusions of such reports.

41. The SWG report concluded that:

If consultation does not adequately address the above matters, then the risk is that the any decision regarding the future of salmon farming in the Marlborough Sounds may be based upon incomplete or incorrect information. [16]

42. Three of the members of the SWG were appointed by the Marlborough District Council from the Sounds Advisory Group. The MDC states that *the Sounds Advisory Group (SAG) is made up of volunteer community and industry members who meet regularly to discuss issues such as roading and reserves, coastal water quality, moorings and resource management. They provide a valuable sounding board on policy and planning for the Council and make sure the Sounds' voice is heard in decision-making. [17]*

43. The SAG and other members of the SWG expressed serious misgivings at the SWG process to the extent that the SAG members, other community members, and iwi representative on the SWG wrote to MPI's Deputy Director General Sector Partnerships and Programmes [the convenor of the SWG] outlining, what they considered to be, matters of significant concern. Matters raised included unrealistic timeframes to properly consider technical reports, inability to 'test' tabled technical reports with experts outside of the MSWG, unreconciled information and statements and concerns with the approach to consultation process design. The SAG members reported that at the conclusion of their involvement in the relocation process it is fair to say these concerns remain unresolved and are as valid today as they were when first raised. [18]

44. The SWG report identified the risk that some members of the SWG believe that these matters may provide an adequate basis for a judicial review of any resultant decision made through this process. [19]

45. The Regulatory Impact Statement acknowledged this as a substantive risk by allowing \$100-\$200,000 in the costs of the regulation option for a High Court judicial review. [20]

The missing economic component

46. The Regulatory Impact Statement [21] states that the regulation process has the lowest costs. What this does not disclose is that it means the lowest cost to King Salmon. It is later conceded in the statement [22] that these costs will be shared by the Crown, with the costs and legal risks of the plan change being borne mostly by the Crown. It is further conceded [23] that under both the EPA [and by extension the MDC] processes all costs and legal risks are borne by King Salmon. This is consistent with the “user pays” regime expected by other applications of the RMA and planning provisions.

47. The statement concludes [24] that the cost of the EPA process to King Salmon would be significantly higher [\$4-5 million]. By adopting the regulation process the Crown could reduce the King Salmon cost to \$1 million with the Crown contributing \$1.05 million. [25]

48. The fact that the MPI is prepared to commit the Crown to over \$1 million to reduce the cost to a commercial entity and thereby possible exposure to legal risk, when there are two alternatives that would incur no Crown cost or legal risk at all could be perceived as irresponsible. The fact that the public consultation document does not elaborate on the cost or legal risk to the Crown of a plan change through the regulation process can only be seen as deliberate.

Precedence

49. The Regulatory Impact Statement, consultation paper and Cabinet paper all acknowledge that this is the first attempt to use s.360A-C RMA to create regulations amending regional coastal plans in relation to aquaculture activities.

50. The Regulatory Impact Statement states that:

Information on the actual costs and timeframe of regulatory intervention could inform future projects for which the ss360A-C regulation-making power is considered. Officials in MPI's Aquaculture Unit will assess the actual timeframe and cost for achieving the plan change and coastal permits through regulatory intervention and report them to the Director of Economic Development and Partnerships if the regulation making power is going to be used again. This would help with estimating the costs and timeframes for future use of the ss360A-C power. [26]

51. Having regard to the decreasing viability of existing mussel farms in some areas of the Sounds and limited areas for expansion provided by the MSRMP, it is conceivable that s.360A-C regulations would again be utilised to enable mussel farm expansion into currently prohibited zones. It is also conceivable that other commercial entities seeking expansion would take advantage of the regulations precedent e.g. plantation forestry in conservation areas.

52. It is imperative therefore that the process for the proposed plan change by s.360A-C regulations be beyond reproach.

Conclusion

53. The original aims of the SWG as per the terms of reference were:

- to consider options for existing salmon farms in Marlborough to adopt the Benthic Guidelines; and
- to ensure the enduring sustainability of salmon farming in Marlborough, including environmental outcomes and landscape, amenity, social and cultural values.

54. It is evident that well before the SWG's role was concluded the objective was diverted to enable existing salmon farms to be relocated to areas where such activity was prohibited with the overriding rationale being to increase economic productivity.

55. Such objective required the limiting MSRMP to be changed. The MPI acknowledged that the only way to control that plan change was by resort to the unprecedented use of regulations under s.360A-C RMA.

56. It is further evident that such control was exerted in the residual life of the SWG and continues to be applied in the public and iwi consultation prescribed by s.360B RMA.

57. It is required by s.360B(2)(b)(i) and(iv) that regulations cannot be recommended unless the Minister of Conservation, and the public and iwi respectively have been consulted.

58. In respect of s.360B(2)(b)(iv) it is required by s.360B(3)(i) that the Minister establish a process that gives the public and iwi authorities adequate time and opportunity to comment on the proposed regulations.

59. The process publicly promulgated on 26 January 2017 under MPI Discussion Paper No: 2017/04 revealed that:

- (a) Having acknowledged that in deciding whether to proceed to consultation, the Minister was to seek the views of the Minister of Conservation, the MPI determined that such consultation as required by s.360B(2)(b)(i) would not formally occur until **post public and iwi authority consultation**.
- (b) The consultation in solely presenting and promoting the regulation option failed to disclose the existence and availability of two alternative options to achieve the plan change i.e. the EPA and MDC processes, and in doing so failed to provide the public and iwi the opportunity to make informed comment on the proposed process.
- (c) Equally, failure of the consultation document to disclose that under the proposed regulation process the Crown would be committing to share the cost of the plan change to the tune of \$1.05 million simply to reduce the cost to King Salmon, when there are two other "no Crown cost or legal risk" options available, negates the opportunity for the public to provide fully informed comment on a crucial consideration, the economic impact.

- (d) As the MPI had identified and explored these alternative plan change options, and their implications, the determination to withhold them from the public and iwi consultation exercise can only be concluded to be a deliberate measure to limit the consultation and control the outcome.
- (e) Having been forewarned by the SWG report of the difficulty that body had in considering a voluminous and complex compilation of information over a period of 4 months despite their combined experience, working group program and access to expertise, the consultation exercise presented an even more massive amount of information, mostly of a technical nature, with the expectation that members of the general public could alone digest such and compile submissions within the 8 week [40 working day] consultation period. It could be reasonably expected that the general public could be overwhelmed by the mass of information, impacting upon the value of the consultation and the ability to make and furnish informed comment on the proposed regulation process.
- (f) It is evident that the MPI is looking to the result of this regulation process with a view to it's being a precedent for further use in the future to overcome perceived obstructions in local plans.

60. The MPI consultation document emphasises that the consultation is the one and only opportunity for the public and iwi to comment on the proposed regulations, the consequent plan changes and the conditions and discretionary matters therein.

61. It is argued therefore that the MPI public and iwi consultation process fails to meet the legal threshold prescribed by s.360B(2)(b)(i) and (iv) and (3)(i) as required for consultation, and the establishment of a process that gives the public and iwi authorities adequate time and opportunity to comment on the proposed regulations.

Decision sought from the Marlborough Salmon Farm Relocations Advisory Panel

62. The submitter invites the hearing panel to determine that:

- the MPI public and iwi consultation process fails to meet the legal threshold prescribed by s.360B(2)(b)(i) and (iv) and (3)(b)(i) RMA as required for consultation, and the establishment of a process that gives the public and iwi authorities adequate time and opportunity to comment on the proposed regulations.
- the MPI public and iwi consultation process be rejected and discontinued until such time as a process that is fully compliant with the provisions of s.360B(2)(b)(i) and (iv) and (3)(b)(i) is established.
- The Minister not make any recommendation for regulations under s.360A-C in this respect until fully compliant consultation has been conducted with the public and iwi in good faith.

David A. Whyte

For and on behalf of the Clintondale Trust

References

- [1] MPI Regulatory Impact Statement (page15/paragraph 42)
- [2] MPI Consultation proposal. Brief : Sub 16-0078 (22/79)
- [3] MPI Consultation proposal. Brief : Sub 16-0078 (2 / 24)
- [4] Marlborough Salmon Working Group: Advice to Minister, 23 November 2016
- [5] MPI Consultation proposal. Brief : Sub 16-0078 (6/27)
- [6] Marlborough Salmon Working Group: Advice to Minister, (10/32)
- [7] Marlborough Salmon Working Group: Advice to Minister, (6/9-14)
- [8] MPI Consultation proposal. Brief : Sub 16-0078 (20/71)
- [9] MPI Discussion Paper No: 2017/04: (6/-)
- [10] MPI Discussion Paper No: 2017/04: (7/-)
- [11] Marlborough Salmon Working Group: Advice to Minister, (24/78)
- [12] Marlborough Salmon Working Group: Advice to Minister, (22/74)
- [13]] Marlborough Salmon Working Group: Advice to Minister, (5/8)
- [14] Marlborough Salmon Working Group: Advice to Minister, (24/78)
- [15] MPI Cabinet paper [Sub16-0078 redacted] (8/39-40)
- [16] Marlborough Salmon Working Group: Advice to Minister, (24/78)
- [17] MDC website : <http://www.marlborough.govt.nz/Environment/Coastal/Community-Involvement/Sounds-Advisory-Group.aspx>
- [18] Report to Sounds Advisory Group: Marlborough Salmon Working Group Review (4/11)
- [19] Marlborough Salmon Working Group: Advice to Minister, (24/78)
- [20] MPI Regulatory Impact Statement (11/26 Table 4]
- [21] MPI Regulatory Impact Statement (14/39)
- [22] MPI Regulatory Impact Statement (15/43)
- [23] MPI Regulatory Impact Statement (15/44)
- [24] MPI Regulatory Impact Statement (15/44)
- [25] MPI Regulatory Impact Statement (11/26 Table 4]
- [26] MPI Regulatory Impact Statement (19/60)

Annexure (1)

Table (1) Availability of legal challenges, timeframes and costs for plan change and coastal permits.

	Regulation Process	EPA Process	MDC Process
Plan change + Coastal Permits –no challenge			
Cost	\$1m	\$4-5m	\$1m
Time	15 months	9-12 months	24 months
Available legal challenge process	High Court Judicial Review only (Plan only)	High Court – only on points of law (Plan and consent)	Environment Court appeal (Plan and consent)
Cost	\$100-250K	\$400K	\$2 -3m
Time	6-12 months	6-12 months	12-18 months
Available legal challenge process	Environment Court (Coastal Permits)		
Cost	\$200-750K		
Time	6-12 months		
Total time	25-39 months	15-24 months	36-42 months
Total cost	\$1.2-2m	\$4.4 – 5.4m	\$3-4m
Cost to Crown	\$850K-1.05m	0	0
Legal risk	Plan – Crown Coastal Permits – King Salmon	King Salmon	King Salmon
Cost to King Salmon (Plus \$1m spent on Assessments of Environmental Effects)	\$450K - \$1m	\$4.4-5.4m	\$3-4m

[Adapted from MPI Sub 16-0078 page 15/ Table 2 and RIS page 11/Table 4]

Annexure [2] Consultation documents and resources

Summary of documents and links included in public consultation notice

Consultation document including proposed regulations [PDF, 19 MB]

Erratum [PDF, 429 KB]

Summary consultation document [PDF, 9.6 MB]

Feedback form [PDF, 86 KB] [PDF, 86 KB], Feedback form [DOCX, 39 KB]

Proposed regulations – potential amendments to MDC planning maps [PDF, 1.3 MB]

Summary assessment of environmental effects (AEE) [PDF, 6.7 MB]

Erratum [PDF, 371 KB]

Related documents

Photo simulations of proposed NZKS salmon farm sites – all 6 sites [PDF, 18 MB]

Marlborough Salmon Working Group advice report [PDF, 1.9 MB]

Public drop-in posters [PDF, 2.6 MB]

Marlborough Salmon Farm Relocation Advisory Panel [PDF, 306 KB]

The benthic best practice guidelines [PDF, 1.6 MB]

Map 1 – Existing & Potential Relocation Site Te Hōiere/Pelorus Sound [PDF, 5.7 MB]

Map 2 – Existing & Potential Relocation Site, Tōtaranui/Queen Charlotte Sound [PDF, 5.9 MB]

Find out more

Media release – Beehive website [Link to external website]

Technical Reports – Assessment of Environmental Effects (AEEs)

Navigation

Navigatus – Navigation Risk Assessment - Marlborough Sounds Salmon Farms [PDF, 5.7 MB] [60 pages, 14 Dec 2016]

Landscape values

Hudson Associates Landscape Architects - Review of Proposed Marine Farm Sites [PDF, 17 MB] [125 pages, 20 Dec 2016]

Drakeford Williams Ltd – Proposed Marine Farm Sites Marlborough Sounds – Peer Review – Landscape & Natural Character Assessment [PDF, 1.8 MB] [63 pages, Sept 2016]

Hudson Associates Landscape Architects – Review of Proposed Marine Farm Sites – Response to Peer Review – Landscape and Natural Character Assessment [PDF, 1.8 MB] [74 pages, 7 Oct 2016]

Benthic (seabed)

NIWA – Benthic Ecological Assessments for Proposed Salmon Farm Sites – Part 1: Benthic Ecological Characterisations [PDF, 14 MB] [143 pages, Dec 2016]

NIWA – Benthic Ecological Assessments for Proposed Salmon Farm Sites – Part 2: Assessment of Potential Effects [PDF, 7.8 MB] [65 pages, Dec 2016]

NIWA – Site assessment for potential finfish site – Oyster Bay [PDF, 2.5 MB] [26 pages, June 2014]

Cawthron Institute – Additional Seabed Information for a Finfish Farm Effects Assessment at Tio Point, Oyster Bay, Tory Channel – Updated [PDF, 3.5 MB] [35 pages, Sept 2016]

Cawthron Institute – Review of benthic assessment reports for new finfish sites (for AWEG meeting 12th July 2016) [PDF, 394 KB] [3 pages, 19 Jan 2017]

NIWA - Peer review of 'Additional seabed information for a finfish farm effects assessment at Tio Point, Oyster Bay, Tory Channel' [PDF, 82 KB] [3 pages, 6 Sept 2016]

Catriona Macleod – Peer review of Cawthron assessment of information relevant to finfish farming at Tio Point, Oyster Bay in the Marlborough Sounds [PDF, 482 KB] [4 pages, 11 July 2016]

Catriona Macleod – Peer review of NIWA assessments of benthic effects of relocation of salmon farms in the Marlborough Sounds [PDF, 496 KB] [7 pages, 11 July 2016]

Social values, noise

Taylor Baines and Associates - Potential salmon farm relocation in Marlborough – Social Impact Assessment [PDF, 7.1 MB] [64 pages, Dec 2016]

Marshall Day - Salmon farm relocation noise effects assessment [PDF, 2.9 MB] [22 pages, 7 Sept 2016]

Quigley and Watts Ltd - Peer review – Social impact assessment on the potential salmon farm relocation in Marlborough [PDF, 128 KB] [4 pages, 30 Aug 2016]

Cultural values

Maximize Consultancy Ltd - Management of salmon farming in the Marlborough Sounds Cultural Impact Assessment [PDF, 4.5 MB] [39 pages, Jan 2017]

Ngati Koata Trust - Re-location of King Salmon Marine Farms - Ngati Koata Recommendations [PDF, 510 KB] [5 pages, 2016]

Economic values

PricewaterhouseCoopers - Marlborough Salmon Relocation – Economic Impact Assessment [PDF, 623 KB] [62 pages, Nov 2016]

Ernst and Young - Marlborough Salmon Relocation Economic Impact Assessment [PDF, 59 KB] [8 pages, 16 Nov 2016]

Marine mammals

Cawthorn and Associates - Marine Mammals Report [PDF, 608 KB] [23 pages, Aug 2016]

DOC - Review of marine mammals report, Cawthorn and Associates [PDF, 327 KB] [5 pages, 9 Dec 2016]

Pelagic fish, underwater lighting

Taylor and Dempster – Effects of salmon farming on the pelagic habitat and fish fauna of the Marlborough Sounds and management options for avoiding, remedying and mitigating adverse effects [PDF, 1.2 MB] [68 pages, Sept 2016]

Cawthron Institute – Assessment of environmental effects of underwater lighting for salmon farm relocation sites [PDF, 737 KB] [9 pages, 16 Nov 2016]

Biosecurity

Cawthron Institute – Biosecurity assessment for salmon farm relocation sites [PDF, 640 KB] [6 pages, 29 Aug 2016]

Tourism and Recreation

TRC – NZ King Salmon potential salmon farm relocation in Marlborough – Tourism and Recreation Assessment [PDF, 1 MB] [38 pages, 20 Sept 2016]

Heritage

HistoryWorks - New Zealand King Salmon Relocation Options – Heritage [PDF, 937 KB] [16 pages, 5 Sept 2016]

Disease

DigsFish – Updated disease risk assessment report – relocation of salmon farms in Marlborough Sounds [PDF, 606 KB] [80 pages, 7 Sep 2016]

Seabirds

Statfishtics – Effects of salmon farming in the Marlborough Sounds on the prey of king shag, *Leucocarbo carunculatus* [PDF, 605 KB] [14 pages, Sept 2016]

NIWA – Seabirds – Potential Salmon Farm Relocations in the Marlborough Sounds – Update of Existing Report [PDF, 1 MB] [16 pages, Dec 2016]

DOC – Comments on the NIWA seabird reports assessing issues with relocation of salmon farms in Marlborough [PDF, 157 KB] [4 pages, 8 Dec 2016]

Water quality, discharges (greywater, copper and zinc)

NIWA – Modelled water column effects on potential salmon farm relocation sites in Pelorus Sound – HAM Report 12 [PDF, 10 MB] [100 pages, 18 Oct 2016]

NIWA – Additional salmon farms in Tory Channel – An assessment of effects on water quality using a biophysical model - HAM Report 39 [PDF, 5.9 MB] [96 pages, 14 Oct 2016]

NIWA – Additional salmon farms in Tory Channel – an assessment of effects on water quality using a biophysical model (Oyster Bay, Tipi Bay and Motukina Point) – HAM Report 65 [PDF, 3.8 MB] [68 pages, 14 Oct 2016]

Cawthron Institute – Peer review of the Marlborough Sounds biophysical model predictions [PDF, 641 KB] [25 pages, Sept 2016]

Cawthron Institute – Addendum to assessment of effects of copper and zinc for salmon farm relocation sites [PDF, 670 KB] [8 pages, 23 Aug 2016]

Cawthron Institute – Greywater assessment for salmon farm relocation sites [PDF, 662 KB] [4 pages, 23 Aug 2016]

Operations

New Zealand King Salmon - Operations report [PDF, 14 MB] [52 pages, Dec 2016]

Engineering

OCEL – Engineering feasibility of the proposed salmon farm at North Blowhole Point site (34) [PDF, 801 KB] [12 pages, Sept 2016]

OCEL – Engineering feasibility of the proposed salmon farm at Blowhole Point South site (122) [PDF, 782 KB] [12 pages, Sept 2016]

OCEL – Engineering feasibility of the proposed salmon farm at Waitata Reach Mid Channel site (125) [PDF, 834 KB] [13 pages, Sept 2016]

OCEL – Engineering feasibility of the proposed salmon farm at Richmond Bay South (site 106) Waitata Reach [PDF, 657 KB] [11 pages, Dec 2016]

OCEL – Engineering feasibility of the proposed salmon farm at Horseshoe Bay (site 124) Waitata Reach [PDF, 751 KB] [10 pages, Sept 2016]

OCEL – Engineering feasibility of the proposed salmon farm at Tio Point Tory Channel [PDF, 1.4 MB] [17 pages, Oct 2016]

Photo simulations of proposed NZKS salmon farm sites – all 6 sites [PDF, 18 MB]

Regulatory impact statement [PDF, 11 MB]

Cabinet paper [PDF, 13 MB]

Consultation proposal for relocation of salmon farms in the Marlborough Sounds – Briefing paper [PDF, 4.6 MB]

The social and community effects of salmon farming and rearing: A case study of the top of the South Island [PDF, 1.2 MB]

MPI legal advice on the cumulative effects threshold in Waitata reach [PDF, 824 KB]

Gascoigne Wicks legal advice on the cumulative effects threshold in Waitata reach [PDF, 350 KB]

Julian Ironside legal advice on the cumulative effects threshold in Waitata reach [PDF, 4.2 MB]

Questions and answers

Frequently asked questions and answers [PDF, 1.1 MB]

Find out more

Coastal water quality – monitoring 2015/2016 [Link to website]

Best practice guidelines for salmon farming – Marlborough District Council website [Link]

Reports

PDF Document. Professor Black Report 2013 (587 Kb)

PDF Document. Public Summary Presented to Council November 2014 (1.6 Mb)

PDF Document. Best Practice Guidelines – Final November 2014 (1.8 Mb)

Overview of ecological effects of aquaculture [PDF, 4.8 MB]