
TRANSCRIPT OF PROCEEDINGS

**MARLBOROUGH SALMON RELOCATION ADVISORY PANEL
PUBLIC HEARING**

**HELD AT
MARLBOROUGH CONVENTION CENTRE,
42A ALFRED ST, BLENHEIM,
ON 12 APRIL 2017**

Appointed Panel Members:
Professor Peter Skelton, CNZM (Chairperson)
Mr Ron Crosby
Mr Alan Dormer, MNZM

[.00 am]

- CHAIRPERSON: Morning, and welcome to the resumption of these hearings. It's Mr
5 BARKER, is it?
- MR BARKER: Yes, sir.
- CHAIRPERSON: Yes. Thank you for coming, Mr Barker.
- 10 MR BARKER: It's a bit sparse.
- CHAIRPERSON: Pardon?
- MR BARKER: It's a bit sparse, I said, people.
- 15 CHAIRPERSON: Yes. Well, that doesn't matter. We're still as interested to hear from
you as anybody. It doesn't matter if we haven't got anybody else or not,
we've got you and that's the important thing.
- 20 MR BARKER: Very good.
- CHAIRPERSON: Can you hear me all right?
- MR BARKER: Yes, ready to go.
- 25 CHAIRPERSON: Can you hear me all right?
- MR BARKER: Can you hear -- is this -- talking to this, am I?
- 30 CHAIRPERSON: That should be on. Make sure you do talk into that because it's all being
recorded, you see.
- MR BARKER: For posterity, is it?
- 35 CHAIRPERSON: And if you're interested in what's being said this week and early next
week, I would imagine now, there'll be a transcript of this week's
proceedings, if you want to have a look at them, taken from the
recordings.
- 40 MR BARKER: Very good.
- CHAIRPERSON: So we've got the written comment you lodged with the Ministry and I
take it you want to take us through these pages you've got here?
- 45 MR BARKER: Yes, that's correct.
- CHAIRPERSON: I think the best way would be for you to read it and then we'll ask you
questions if we wish to.

- MR BARKER: Okay, then.
- CHAIRPERSON: All right?
- 5 MR BARKER: Yes. All ready to go?
- CHAIRPERSON: Yes, we're all ready to go.
- 10 MR BARKER: All right. Start off with a little story. He walked up to the -- I'll start again.
- 15 "He walked up to the heavenly gates, he was scared and old. He asked the man a fate for admission into the fold. 'What have you done?' St Peter said 'to gain your admission here?' 'I was a salmon farmer, sir, for many, many a year.' The pearly gates swung open wide when St Peter touched the bell. 'Come in and choose your harp' he said, 'you've had your share of hell'."
- 20 CHAIRPERSON: Is that an original composition from you?
- MR BARKER: Partly.
- CHAIRPERSON: That's very good.
- 25 MR BARKER: In 1974 I attended my first salmon farm hearing when the Nelson Acclimatisation Society objected to my water right to farm salmon. The reason was that if salmon farming was allowed it would create a wholesale epidemic of fish diseases that would decimate --
- 30 CHAIRPERSON: Just a moment. I'm sorry, you've given us some papers here --
- MR BARKER: Well, this is just a -- it's a little bit like the story at the beginning that was all, just a background that was all.
- 35 CHAIRPERSON: Yes. Well, if you want to add to it that's fine but if you take it a little bit slower so that we can make a note.
- MR BARKER: Okay, then.
- 40 CHAIRPERSON: So you attended your first ...?
- MR BARKER: Racing, am I?
- 45 CHAIRPERSON: ... your first hearing on a salmon farm?
- MR BARKER: Was in 1974.

CHAIRPERSON: In 1974 and where was that?

MR BARKER: That was in Nelson.

5 CHAIRPERSON: In Nelson, yes.

MR BARKER: The Nelson Acclimatisation Society objected.

CHAIRPERSON: Yes.

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MR BARKER: To my water right to farm salmon. The reason was that if salmon farming was allowed it would create a wholesale epidemic of fish diseases that would decimate the South Island wild trout and salmon fishery. So here we are 43 years on, we've got another salmon farm hearing on a supposition, from the newspaper reports, that salmon farming will turn Marlborough Sounds into a cesspool and decimate the Sounds marine ecology.

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I'm on the submission now. The role of fisheries industry as a supplier of healthy food for humans has never been more important. Aquaculture and stock enhancement through artificial reefs have been developed and can now help compensate for the reduced productivity of wild catch. Add to this the prediction of expanding populations and climate changes aquaculture will have to take a more important role to produce food.

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Now, just to digress slightly, on the radio in the last week or two there was a report from someone who should know these things, I suppose, that he said in one day China consumes the amount of food that New Zealand does in one year. So it just shows you where we've got an increasing population; this demand for food will be even greater I would think.

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To achieve sustainable development for aquaculture we need to deepen our understanding of the environment, the problems associated with aquaculture activities and their effect on the ecosystems and carrying capacity of the aquaculture grounds. The most important factor in contained culture of fish is oxygen. While the air we breathe is 100 parts per hundred aquatic animals must survive on oxygen levels of parts per million thus water flow is important to the carrying capacity of the site plus the fact fish live in their own waste, the water flow and dissolution of the ammonia nitrogen waste is also important.

45

Now, firstly I would like to put to rest the erroneous recalculation of fish waste to person equivalents. The waste load from aquaculture has a totally different CPN ratio and the ratio between particulate and soluble waste are essentially very, very different.

- CHAIRPERSON: Could you just pause there for a moment, Mr Barker? I gather from what you're saying and what you've already said, you have some expertise in the field of salmon farming based on your --
- 5 MR BARKER: I've been involved with fish farming for the last 43 years of one reason or another around salmon. I've grown paua. I've grown rock lobster and now I'm into seaweed.
- CHAIRPERSON: Into seaweed, yes. Is this all in Nelson, is it?
- 10 MR BARKER: Yes. Well, it's the top of the South Island, yes.
- CHAIRPERSON: In the Sounds?
- 15 MR BARKER: Blenheim and Nelson.
- CHAIRPERSON: In the Sounds?
- MR BARKER: In the Sounds?
- 20 CHAIRPERSON: Yes.
- MR BARKER: Well, no -- yes, in the Sounds we did the seaweed. I'm fiddling with seaweed in the Sounds and I did - well, I get seasick - a little bit of work on sea cages but then we went in, we set up a land-base system down at the Saltworks, that would pump water ashore.
- 25 CHAIRPERSON: So the evidence you're about you're give us with these facts and figures is based on your 40-odd years' experience in the industry?
- 30 MR BARKER: Yes. That's correct, yes.
- CHAIRPERSON: Okay, thank you.
- 35 MR DORMER: Can I just ask, sir, what a CPN ratio is?
- MR BARKER: Beg your pardon?
- CHAIRPERSON: What is a CPN ratio?
- 40 MR BARKER: That's carbon, nitrogen and phosphate or carbon, phosphate and nitrogen.
- CHAIRPERSON: All right. Yes, would you continue? Thanks very much.
- 45

MR BARKER: Very good. The marine food -- well, we know that it's being taken up by the marine food web for a billion or more years and this is in complete contrast to Picton's new 2013 sewerage outfall that allows 1.4 million litres per hour treated sewerage, complete with toxic chemicals, from the household and commercial industries into the Queen Charlotte Sounds.

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Now, I have a review of just one site, a review of that, which got the highest feed level, it's 7,000 tonne and the flow was 0.24 metres per second, multiple that by 3,600 you've got 864 metres an hour or 20,000 metres a day. The proposed circular cage for these sites are 78 metres in diameter and 15 metres deep. So 78 divided into 804 that's 11 exchanges per hour and the cage space is 71,000 cubic metres, multiply that by 11 and you've got 788,000 metres per cube per hour flowing through the cage or in 24 hours you've got 18 million cubic metres a day through the cages. No one could ever -- I've been asked once or twice, "Why do you farm salmon at sea?" Well, no one can move that amount of water with a pump. So the sea, it moves in a big block, just quietly along. It is replacing all the water and the fish have got plenty of oxygen if the water flows are right.

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CHAIRPERSON: Now, you began that by telling us a review site with highest feed level. Can you tell us what site that it?

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MR BARKER: Which was that, sir?

CHAIRPERSON: At the top of that page you say, "Review site with highest feed level". Is that a particular site?

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MR BARKER: Yes. The one in one of the bays. I'd have to have the ...

CHAIRPERSON: Would you like to look at the map?

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MR BARKER: Yes.

CHAIRPERSON: It's quite important that we know what sites you're talking about, you see?

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(off mic conversation)

CHAIRPERSON: That's the proposed site?

MR BARKER: Yes.

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CHAIRPERSON: Yes, okay.

MR BARKER: The proposed site and these are all proposed, yes.

CHAIRPERSON: Okay, thank you.

MR BARKER: Because the other one --

5 MALE SPEAKER: If you'd take a seat again so the microphone's working.

CHAIRPERSON: It's the proposed Waitata Mid Reach site, isn't it?

MR BARKER: Yes.

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CHAIRPERSON: Thank you. Okay, carry on then.

MR BARKER: Okay. Well, we come to the 7,000 kilograms a year. This is on average
15 19 tonne a day but this amount will vary as the fish grow so sometimes
it will be more and sometimes it'll be less.

15

Now, the system I've used to calculate this is based on the Japanese
20 seaweed thing. You've got to look at in Japan you'll have some of these
fish cages, it'll be 30 or more to a hectare, and so they picked up a lot
of nutriment in the water and to overcome some of this problem they
grow seaweed and then the seaweed is then fed on to the abalone. So
it's a cross-reference but to me I think seaweed is an underestimated
thing in New Zealand but that's another story.

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So that on that system, it's a fairly good system insomuch as they take
25 into account the amount of protein in the food. So in salmon farming
it's mainly 40 per cent protein, for other fish you might be 30 per cent
protein. So the Japanese method takes that into account. So you've got
19,000 kilograms multiplied, your 40 per cent protein in the food, and
30 then 16 per cent nitrogen is in that protein. For 19 tonne you're
multiplying by 0.4.1.6, you've 1,216 kilograms of total ammonium
nitrate in that food. Now, if you're feeding the higher rate, 28 tonne a
day, you've got 1,792 kilograms of TAN in the food.

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Now, fish will retain 30 per cent, maybe more, but I've taken 30 per
35 cent on the low side, retained by fish, 52 per cent is excreted via the
gills and another 18 per cent in their solids. So you've got 70 per cent
of that TAN going into the water column. So 1,216 multiplied by 0.7
you've got 851 kilograms of TAN into the water multiplied by 1,000,
40 that's 851,000 grams --

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MR DORMER: But, excuse me, you just said 851,000 kilograms.

MR BARKER: No, grams.

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MR DORMER: That's what you've written.

MR BARKER: Yes.

MR DORMER: Grams is right?

5 MR BARKER: Grams, yes, because 851 kilograms, then you multiply it by 1,000 to get it to grams. Just grams, grams per cubic metre is parts per million, it's an easy way to work parts per million.

10 So 19 tonne of food at 851,000 grams of TAN divided by your daily water flow, which is 18.9 million cubic metres a day means there is 0.045 grams per metre cube in the water and that's 0.045 parts per million, which is a fairly insignificant amount. It's a dilution factor of 1:22 million.

15 For your higher feeding rate, 28 tonne a day, you go through the figures and you've got 0.066 grams per day or 0.066 parts per million and that gives you a dilution factor of 1:15 million. So you've got one litre of your waste into 15 million litres of water. So they're quite low amounts.

20 **[9:15 am]**

25 The other proposed sites have very similar results for TAN at the stated food and water ratio. These amounts are not of overly great concern, more so when sites are in fact deeper than the 15 metres, thus dilution will be much greater.

30 The muscle farms may also benefit from this. Never in the history of shellfish have they occupied the midwater food supply. These shellfish consume vast amounts of microalgae, removing them from the water. One muscle can filter 300 litres of water per day according to the Cawthron. Some added nutriment would help regenerate the microalgae for muscle and zooplankton thus salmon farms could be more beneficial than harmful, creating a balance in a carrying capacity of the water.

35 Now, the bio deposits to the seafloor. The bio deposits are more debateable. Although the overall size of the areas plus the distance between the sites and water flow and oxygen I believe makes these sites workable. There is documented findings of both Picton and Petone meat works outfalls in Queen Charlotte and Wellington harbour that produce vast amounts of organic waste on to the seafloor. The results were vast numbers of lugworms, the polychaetes, settled to feed and grow at these sites. Perhaps NIWA or Cawthron still have this information.

45

The interesting facts, the polychaete worms are very important to the northern hemisphere sports fishery, anglers paying upwards of \$30 a kilogram for them as a bait. Nothing catches fish better than the old sea worm, they tell me.

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CHAIRPERSON: I must remember that.

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MR BARKER: Well, that's both in America, England and Ireland and things, they're number one fish bait. But now it has been found these worms when fed to flatfish and prawns and prawn brood stock produce far superior, healthier larval offspring for on-culturing. Marine worm farms are now being introduced into several countries. The increased water flows at the new sites will result in more oxygen available for these worms to populate and feed on the organic bio deposits. This would result in an extra food supply for some fish species. There were far more fish around in the meat work days.

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Australia are using lugworms to clean up waste feed and faeces from their prawn farms. Here again you've got a polyculture thing, the worms clean up the waste then they feed the worms back to the brood stock and you've got better prawns to work from. As well, they are trialling them in seawater down flow, biological filter feeders to help prevent filters blocking with organic debris.

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Now, the oxygen per day through that main site we looked at is 18,900,000 metres a day and you've got about 8 grams of oxygen --

CHAIRPERSON: Is this the Waitata site again?

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MR BARKER: Beg your pardon?

CHAIRPERSON: Is this the Waitata Mid Reach site again?

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MR BARKER: Yes. Because I'm updating the figures on those because it's the one -- well, I didn't want to have too many figures. It's bad enough as it is I think.

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But you've got 8 grams of oxygen per cubic metre, that's 8 grams per million or 8 parts per million. So in that day you've got 151 tonne of oxygen moving through those cages. Now, the 28 tonne of food multiplied by 250 grams of oxygen per tonne; this is a way of working, simple way of working oxygen. It takes that amount of oxygen to metabolise a kilogram of food. So a quick way to know what oxygen you require you just multiply it or divide a tonne of food by four and that tells you how much oxygen you're doing.

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So 28 tonne you need 7 tonne of oxygen to keep the fish happy and you can't take all the oxygen out the water so really the site; you'd have to have a minimum of 14 tonne a day and we've got 151 tonne a day going through.

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Now, in summary, true or responsible development must rest on the three pillars of sustainability. It's environmental on one side, you've got social and then you've got the economical. It requires to focus on the three. Focus on only one would tilt the development goals. I believe the proposed salmon farm reallocation plans fulfils this obligation.

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Environmental; the ratio of food to water flows has little impact and overall could benefit shellfish and native zooplankton carrying capacity of the waters. If lugworms were added to the Benthic site this would add a simulative capacity under the cages.

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Social; the employment opportunities and food security for present and future generations is assured. The economic value is reached by producing a sort after food item that is highly accepted internationally and creating overseas exchange. The whole culture system from egg to final product is all in-house thus creating a variety of employment opportunities.

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So that's why I'm in favour of the salmon farms being relocated.

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CHAIRPERSON: Thank you very much, Mr Barker.

MALE SPEAKER: Some of us can take a different view of it.

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CHAIRPERSON: Yes.

MR BARKER: I hope you don't mind handwritten but I don't use typewriters.

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CHAIRPERSON: Could I ask you this, you come here supportive of this proposal for the reasons that you have given us, which I find very interesting? I take it you've got no relationship with the King Salmon company?

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MR BARKER: No, no relationship. I think on the original one -- I've no relationship but I have got a great interest in aquaculture. I think it has a potential and I think in New Zealand we've only just touched one little bit of it. My favourite pitch, I suppose you can call it, no trout farming. I mean we've got heaps and heaps of water and you can't farm a trout.

45

CHAIRPERSON: All right. Perhaps you better not get into that today. Okay. Are you still in the industry yourself?

MR BARKER: No. Well, I just do a little bit. I'm in my 80s now. I don't sort of run around and the truck broke down. But I used to get the seaweed -- I make a seaweed product. Well, seaweed, as I say -- had a young fellow we were doing the brine shrimp bags at the salt works. A young fellow came from the Canterbury University, he'd done his degree on seaweed, and we decided to go and get the Undaria seaweed that was growing on the muscle farms and after four years we still couldn't get a permit to harvest it. So he shot off to Australia. He said, "You're wasting your time in New Zealand. By the time you get permission to do it you've lost interest or someone else or everyone else is into it."

So after three years of collecting seaweed I couldn't do it. He had all the contacts in Japan and the method of doing it so I just turned it over to making a horticultural product that you spray on the plants and make them grow better. It's a bio-stimulant; it increases the health and benefits of the plants.

CHAIRPERSON: Is that on the market, is it?

MR BARKER: Beg your pardon?

CHAIRPERSON: Is that a marketed product?

MR BARKER: Yes, I make it at home in the garage. I made it -- and so I had a bit of an experiment inside in the pressure cooker but it blew up and hit the roof so my wife sent me outside.

CHAIRPERSON: So I can't go somewhere and buy it, I have to get it from you?

MR BARKER: Yes, while I'm still making it, yes. Next year I might knock it on the head because, as I say, my truck rusted away.

CHAIRPERSON: Where do you live now, Mr Barker?

MR BARKER: Beg your pardon?

CHAIRPERSON: Where do you live now?

MR BARKER: Live in Blenheim here, yes.

CHAIRPERSON: Oh, you live in Blenheim. Okay.

- MR BARKER: But the only other product -- well, the one I'm most disappointed, it never works, was the little brine shrimp bags from the Saltworks. We were selling those all over the world. In fact one barramundi farmer in Queensland, he started using our eggs. He was getting eggs from Japan or America or somewhere. He was getting a 44 per cent survival of the larval fish first feeding. On our eggs he was getting 90 per cent survival and the Japanese they used to rush and get us and then we got a new manager to the Saltworks he pulled down all the water in the ponds so instead of fighting for oxygen and producing eggs these little animals started producing live young. I reckon that was a big plus for New Zealand that the Saltworks, brine shrimps, but, as I say I've had a go at most things and I enjoy it so ...
- 5
- CHAIRPERSON: Yes. Now, I don't know if my colleagues have any questions for you.
- 15
- MALE SPEAKER: No thanks.
- CHAIRPERSON: We'll work out the maths later. Thank you very much for coming, Mr Barker. We've enjoyed your presentation.
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- MR BARKER: I'd definitely like to see salmon farming carry on.
- CHAIRPERSON: Yes, I understand that.
- 25
- MR BARKER: And have you got sites that are going to give it more oxygen and more water flows I think this is much to the benefit of the district as a whole I think.
- CHAIRPERSON: I think we understand you viewpoint very well. Thank you.
- 30
- MR BARKER: Thanks very much.
- CHAIRPERSON: Now, Apex Marine Farm Limited, Bruce Hearn. He's 508.
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- MR HEARN: Hi.
- CHAIRPERSON: Good morning, Mr Hearn. Can you take us through your statement, just as Mr Barker did?
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- MR HEARN: Thank you. Mine will be quite different than Mr Barker's. I've made a formal submission and --
- CHAIRPERSON: Yes, we've got that.

MR HEARN: I forgot to bring it with me, I'm sorry. It's a very short submission that I'm giving but it's areas that I feel may not be covered and so I've left other people to do all of the social, economic and these are just a couple of areas where I think that I have some information that might be useful.

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My name is Bruce Hearn. I'm the manager of Apex Marine Farm Limited, a company owned 90 per cent by my wife and myself. I entered aquaculture on a part time basis in 1973 and have been fulltime since 1980. We are the neighbour and near neighbour of New Zealand King Salmon in Forsyth Bay and in Tory Channel. I have no pecuniary interest in the company at all.

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I strongly support this proposed relocation for a number of reasons and because it is only recently that best practice requirements for salmon farming have been quantified.

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Historical salmon farm failures in the Marlborough Sounds in Hallam Cove, Wet Inlet, Port Underwood - there were two farms in Port Underwood - and even the Kenepuru Sound, attest to the rocky road that has been traversed to get viable salmon farming in this area.

25

We should be encouraging, in my view, salmon farming and this relocation in more suitable sites in the Marlborough Sounds is important because aquaculture, including sea cage salmon farming, is the most environmentally sustainable method of producing protein this world knows. I attach a report, October 2016, comparing the environmental footprint of British Columbia farm raised salmon to other food protein sources. The report demonstrates the cost of environmental impacts of British Columbia farm raised salmon is 59 cents per kilogram.

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[9.30 am]

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At 73 cent per kilogram the environmental cost of chicken is 24 per cent higher than British Columbian farm raised salmon. Pork, at \$1.04 per kilogram is 76 per cent higher and beef, \$3.45 per kilogram, is 486 per cent higher. I guess they don't have a dairy industry. It would have been really interesting to see those figures.

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CHAIRPERSON: Yes, it would be, wouldn't it?

- MR HEARN: Sure, it's not a New Zealand study and it's a different species, Atlantic, but it is indicative of aquaculture and environmental impacts as a whole. To say that, like no other resource user, aquaculture is under a microscope constantly yet our environmental impacts, when you look at all other forms of primary production, are absolutely minor. Our footprint on the environment is absolutely light and salmon farming is, in my view, no exception. I have given you a copy of that report.
- CHAIRPERSON: Yes, thank you.
- MR HEARN: There is support for aquaculture. Also attached is a summary of the Colmar Brunton survey commissioned by MPI in 2014, soon after the EPA hearings for new water space by New Zealand King Salmon. I guess the Panel is familiar with the publicity and the negative publicity that was at that time.
- CHAIRPERSON: Yes, we are.
- MR HEARN: Well, this was just after it. 2,028 New Zealanders, aged 18 and over, were surveyed including 300 from Marlborough. Only 6 per cent of Marlborough residents feel negatively about the sector. I guess you are going to hear from most of those 6 per cent because they are quite vocal but this was a major study by MPI and I have included a summary. If the Panel wish I can email you a copy of the full report.
- CHAIRPERSON: I think we have probably got it somewhere.
- MR HEARN: Have you? Okay.
- CHAIRPERSON: Yes, I think we've already got it, thank you.
- MR HEARN: There's a good summary produced by Aquaculture New Zealand.
- CHAIRPERSON: Yes.
- MR HEARN: Similar countries produce sea cage salmon successfully. Australia, Chile, Scotland, Canada and Norway have progressive salmon industries. Norway with a 5.3 million population and 33,666 square kilometres compares in size and population with New Zealand at 268,000 square kilometres and a population of 4.79 million. I think socially we're quite similar. They have oil revenues and we have dairy. Although the oil revenues might be taking a bit of a hit lately. But in New Zealand -- they produce 1.39 million tonnes of Atlantic salmon. My belief is we've got a hang up about the sea that my forebears in Norway haven't got. They see it as "we need to farm the sea", just as we farm the land.

Yes, 1.39 million tonnes of Atlantic salmon go all round the world and competes with our -- in New Zealand we produce 12,000 tonnes but with less problems, such as disease and sea lice, and we produce a far superior product.

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The relocation will allow New Zealand King Salmon to continue to demonstrate the environmental sustainability of salmon farming.

10

The relocation; it will improve Benthic effects in an already much adversely modified environment. The Parliamentary Commissioner for the Environment tells us that each year 200 million tonnes of sediment flow from our rivers into our seas and harbours and the Marlborough Sounds is no exception. I dive the Sounds. I farm the Sounds and most of the Sounds is glutinous mud brought down by development of the land.

15

CHAIRPERSON: What sort of mud did you ...?

MR HEARN: Glutinous is the --

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CHAIRPERSON: Glutinous mud.

MR HEARN: Glutinous, so it is very sticky. As Mr Barker told you it harbours polychaete worms and not much else.

25

Fish health will improve with the relocation and where avoidable I believe we should avoid adverse Benthic effects but to listen to some of our opponents we would think we were dealing with a pristine benthos. That is not the case. It may have been 150 or 200 years ago but it's not now.

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It would be interesting if we could restock the Marlborough Sounds with historic levels of cod and snapper and see what objections we had to fish poo.

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I have a little saying which I'll share with you. If I could double and relocate the same number cod and snapper in the Marlborough Sounds the environmentalists would kiss me on all four cheeks. They poo just the same as salmon. It's just a question of where it goes to. In any event I understand fish poo to be relatively benign.

40

I'd like to draw your attention to paragraph 4 of our original submission. We have four oyster and muscle farms in Oyster Bay, Tory Channel, close to the proposed Tio Point Salmon Farm. In fact our registered trademark is Tio Point. We are concerned about downstream effects and I ask that the condition requested in our original submission be acceded to.

45

Thank you for your time and the opportunity to appear.

CHAIRPERSON: Yes, thank you, Mr Hearn. I'm just looking at your paragraph 4.

5 "We request that a condition be imposed on the salmon farm consent holders that seeks to limit any sequential downstream effects on the licences and consent."

10 Yes, that's quite general terms. There might have to be some crafting of it. What you're really saying is you don't want -- you think there will be some adverse effects?

MR HEARN: Possibly.

15 CHAIRPERSON: What would they be?

MR HEARN: Have any press here?

20 CHAIRPERSON: I don't know but it's a public hearing. I mean if you're asking a condition to be put on it that could actually be a resource consent matter rather than a plan. We're dealing with the plan here. Do you understand that?

25 MR HEARN: Yes, I do.

CHAIRPERSON: You understand the difference?

MR HEARN: Yes, I do.

30 CHAIRPERSON: So it might possibly be better for you to promote that idea at a resource consent level, if you can.

MR HEARN: There's been one minor issue that concerns birds.

35 CHAIRPERSON: Birds?

MR HEARN: Yes.

40 CHAIRPERSON: Right.

MR HEARN: And so I raised that issue because it would -- it shouldn't be a problem that I have to solve necessarily, if the bird population got excessive next to my farm it could have effects --

45 CHAIRPERSON: I'm sorry. The bird population ...?

MR HEARN: Because of the presence of a salmon farm.

- MR DORMER: The witness is concerned about the bird population increasing causing a problem for his muscle --
- CHAIRPERSON: Because of the salmon?
5
- MR HEARN: Yes.
- CHAIRPERSON: Okay.
- 10 MR DORMER: So why is the bird population going in increase because of the salmon farm?
- MR HEARN: Oh, it's just a matter of keeping things clean and not having excess food laying around that attracts them.
- 15 CHAIRPERSON: Oh, I see.
- MR DORMER: I'm with you.
- 20 MR HEARN: And so if that had an effect then I thought, "Well, we could easily have a condition". It's something I discussed with King Salmon. It wasn't something I just threw in there.
- CHAIRPERSON: You have discussed it?
- 25 MR HEARN: Yes, and they were very relaxed about that.
- MR CROSBY: What sort of birds are we talking about?
- 30 MR HEARN: Seagulls. Seagulls, ones you're not allowed to shoot. Black-Backed Gulls you can shoot but Red Gull -- the Black-Backed Gull is about the smartest animal that I know. They're incredible but, yes, you're allowed to shoot them. I have never shot one.
- 35 CHAIRPERSON: They're endangered, aren't they?
- MR HEARN: But I go round throwing stones at them sometimes.
- MR CROSBY: I thought they were endangered too, aren't they? Aren't they
40 becoming --
- MR HEARN: No, not Black-Backed Gulls.
- MR CROSBY: Is it the Tarāpunga, the red beaked one?
45

- MR HEARN: Yes, you're not allowed to shoot them. But I've never shot one but I've thrown stones at them because they'll predate on muscles. In Port Underwood in Tory Channel they do that. I got rid of them in Port Underwood because I scared them away and they got into someone else's farm who wasn't watching so closely but in Tory Channel, where we've also got spat, they just fly away to Clay Point Salmon Farm and then return.
- 5
- CHAIRPERSON: Yes, I think we understand what you're saying there.
- 10
- MR DORMER: It's like those bloody seals, isn't it?
- MR HEARN: Yes, I shoot them. I never said that. Withdraw that comment.
- 15
- MR CROSBY: Look, I was particularly interested, Mr Hearn, how often do you visit Oyster Bay?
- MR HEARN: I was there on Monday. What's today? Wednesday.
- 20
- MR CROSBY: So is it a weekly occurrence?
- MR HEARN: No, that's complicated.
- MR CROSBY: Mr Hearn, I'm just meaning in general terms. So is it a weekly occurrence, monthly ...
- 25
- MR HEARN: Oh, my son and a staff member are there today. So this week we've been Monday and Wednesday but there's been a --
- 30
- MR CROSBY: If I just carry on a moment. So it's a fairly frequent visit for you?
- MR HEARN: Well, it can be. The business is changing there because we've had the introduction of a new disease from Europe that's only in the top of the South and it's decimated our oyster crops and we're still re-establishing that. So we're changing techniques. Previously we had two people there, or three people there, five days a week. So I know the area really, really well.
- 35
- MR CROSBY: Right. Well, that was what I was just trying to establish, whether you do have a good knowledge of navigating in and out of Oyster Bay.
- 40
- MR HEARN: Oh, yes.
- MR CROSBY: Have you looked at the map of the structures that would be on that Tio Point site if it was successful?
- 45
- MR HEARN: Yes.

MR CROSBY: Does it cause you any navigational concerns?

5 MR HEARN: No. Navigation is a -- I just think the navigation is a bit of a joke. It's used for opponents of marine farms but properly lit -- the previous owner of Oyster Bay, or one the them up the arm where we are -- we've got 25 hectares in that area so I know it pretty well.

MR CROSBY: How many houses in Oyster Bay?

10 MR HEARN: There's one on the market at the moment for \$4 million if you want it. They just bought it recently for \$2.35 and then put it on the market --

MR CROSBY: Right. Well, let's deal with the number of them.

15 MR HEARN: Sorry. Three houses.

MR CROSBY: Right, thank you. And how many other marine farmers, other than yourself, are going in and out?

20 MR HEARN: We've got four farms in Oyster Bay and there's two others including the Tio Point site. So Te Ātiawa own the two current sites.

MR CROSBY: Te Ātiawa do?

25 MR HEARN: Yes.

MR CROSBY: I see, okay, and they're used for muscles?

30 MR HEARN: They have been. The Tio Point site is not suitable for muscles. It grows the worst muscles I've ever seen in my life because I sort of looked after it for some people in Golden Bay that didn't ask me about it and went and shoved a ten long-line farm in there which was a disaster. There's very little food, phytoplankton, in the channel itself. There's a lot of nutrient, so seaweed production - I don't share Mr Barker's views on seaweed - is very good there.

35

40 High nutrients but there's very little residence time so the water goes up and down there very, very quickly and Tio Point's got huge currents in there, unbelievable at times, so that's not very suitable for muscles.

45 Back in the sheltered water where we are, we've got four farms in Oyster Bay, then the phytoplankton can bloom and we get some good muscles in there but we haven't been growing muscles in there for the last 12 years. We're starting now because of the effects of this recent introduction of bonamia ostreae which has come from Europe, a recent introduction.

- 5 We're the only place in the southern -- the top of the south is the only place -- in the top of the south we operate under a section 153, I think it is, a Biosecurity Act permit and we're a controlled area under the Biosecurity Act and still negotiating with MPI about long-term -- one of the proposals is to close our oysters down.
- MR CROSBY: Right. So that disease is restricted to oysters only?
- MR HEARN: Yes.
- 10 MR CROSBY: All right. Thank you, Mr Hearn.
- CHAIRPERSON: Thank you very much, Mr Hearn.
- 15 MR HEARN: Thank you.
- CHAIRPERSON: Thank you for coming.
- MR HEARN: My pleasure.
- 20 CHAIRPERSON: Robin Cox.
- [9.45 am]**
- 25 MR COX: Good morning, gentlemen, I don't represent anybody else but myself.
- CHAIRPERSON: No, good.
- MR COX: I haven't got any new paper for you. I'm saving the pine trees.
- 30 CHAIRPERSON: If you'd just wait a minute, Mr Cox, until we find your earlier submission.
- MR COX: You might have a bit of trouble, it's only two pages.
- 35 CHAIRPERSON: We'll find it. I'm not sure quite where.
- MR CROSBY: I think after Mr Barker. Yes, it is, immediately after Mr Barker.
- 40 CHAIRPERSON: Okay. Yes, we've got it now, 0305.

MR COX: Well, thanks for the opportunity to come along today, gentlemen. I am Robin Cox. Until recently I worked in the Sounds from 1990 until 2016. I enjoyed the Sounds area because of the diversity of both land use and the water use and to me the aquaculture industry in the Marlborough Sounds is - certainly when I started - going through an evolutionary stage and, of course, there were sites allocated for activity that probably, in hindsight, shouldn't have been allocated and I think the muscle industry was one of those that suffered as a result of lack of knowledge and the free-for-all that was undertaken for agricultural space in the Sounds.

CHAIRPERSON: What were you doing in the Sounds?

MR COX: I was with the Department of Conservation.

CHAIRPERSON: Doing what?

MR COX: My job was to make comment on resource consents and I was the area manager for Havelock at the time, 1990.

CHAIRPERSON: The area manager, Havelock.

MR COX: I think it was called field centre manager at that time.

CHAIRPERSON: Field centre.

MR COX: Yeah. And then after restructuring I became the partnership ranger for the Sounds, for the whole of the Sounds.

CHAIRPERSON: For the whole of the Sounds, right. And you did that until last year.

MR COX: Yeah. But I have to stress that I am speaking for myself here. I don't represent any other organisations.

CHAIRPERSON: We understand that. You are here on your own behalf.

MR COX: And like I said that wherever man goes he has an impact, whether it's clearing the forests of the Pelorus Sound with Brownlee or it's bloody gold mining up the Whakamarina or Cullen's Creek, so wherever man goes he modifies the land and has a massive impact on the local environment. Dairy farming in the Rai, of course, with the pollutants going in or the contamination going into the Pelorus River which flows down into the Pelorus Sound, the sedimentation that's happened in the Pelorus is all the result of land clearing because it was done by man.

5 The whole concept of this, the whole relocation of the salmon farms to me is a logical step. Some sites have been found to be unsuitable, low-flow sites, and the company are going through a process of trying to get approvals to relocate them to better sites, better production, less contamination, less pollutant if you like, and certainly the whole process seems so logical I can't understand why it wasn't done years ago.

10 But it's only now that all the ducks have lined up with your experts from Scotland have come in and provided recommendations, the community has been involved and the whole system's come up with a system that seems perfectly logical from my limited scientific knowledge. I just want to congratulate MPI and the King Salmon for getting together and starting the process. To me it's so logical it should have happened earlier with an evolutionary industry such as the salmon farming and I just think it's so logical it should have happened before.

20 I've been involved in various community groups in the Sounds through DOC and through my own interests and King Salmon has been one of the best supporters of those community groups that I'm aware of. And so they have been good citizens, they've been certainly trying to play the game of environmental impacts. It was King Salmon, after trying to relocate seals that's often predated the salmon in the cages that came up with the seal nets, and their use of water blasting nets instead of dipping them in a different product. Ways that I'm aware of that they have helped the environment. The thing that I have is one of the things that I have is I accept that water space is public land or public space and there should be a levy or charge for that. I also believe that there's levels of occupation and salmon farms are a higher level of occupation than the classic mussel farm. In my thought processes maybe their coastal permit charges should be higher. But then that could be offset by their contribution to the groups that I put in the submission that I made and I can quantify that if I have to, roughly because I don't carry those figures in my head. But I think they've been great supporters of the Sounds community.

5 A country like ours we're very fortunate and people before me have
spoken about tonnages and the populations and everything else, and
we're only fortunate if we can trade our way in the world and King
Salmon allows us to do that. Helps us in addition to dairying, forest
products and well, mainly logs actually, they just export over the wharf
in rounds. Tourism, they're all big industries that help us to sustain our
New Zealand way of life. But when compared to those other industries
10 in my mind aquaculture and salmon in this case are much lower impact
than those other ones that I mentioned. I would much rather have a
salmon farm in the Pelorus than just about anything else in the Pelorus
except courier boats. Forestry, they only log once every 30-odd years
but their impacts are massive and if we can get another seven mussel
farms to phase out forestry in the Sounds that would be a step forward
15 in my mind.

20 Tourism is a growing industry in the Sounds but it has its impacts as
well and it's very neat in my mind that areas such as Nydia Bay and the
Tennyson Inlet have been excluded. But to me that's a no-brainer but
it's good to see there's no intention to put salmon farms in those two
sites. The rest of the Sounds is largely quite modified. Some of it is
reverting but Tennyson and Lydia are the two that stand out in my
mind.

25 So, unless you guys have got some questions for me I'd just like to say
that I believe in the relocation of the salmon farms for the following
reasons. One, it's reducing the environmental impact of the present
evolutionary management that King Salmon has had to persevere with.
The second, it's a good industry for Marlborough, providing
employment and the follow-on industries and I think it's a good product
30 for New Zealand to be exporting overseas and I can tell the difference
between Atlantic salmon and Pacific salmon and I know which I'd go
for.

35 So, I've got nothing else to add. I just want to show my support, my
personal support and I suppose by mentioning the other community
groups that I'm aware of that King Salmon support, then I think they
are doing a great conservation job in the widest sense and this
application they've put in to MPI is another indication of that. And I
have got no tie-up with King Salmon except through the groups that
40 I'm involved with and I have led community groups, the Marlborough
Historical Society or whatever, to visits to the salmon farms and most
people when I go on those trips, organise those trips, appreciate the
product of salmon in the Sounds, the story that I'm able to tell them and
the staff tell them as well. So, I think it's a neat industry. I haven't got
45 anything else to say.

- CHAIRPERSON: Thank you very much for that, Mr Cox. Now, could I just ask you, in your work that you did with the Department of Conservation did you bring to that work any particular expertise or how is it that you became involved with this? What's your background?
- 5 MR COX: Evolutionary. I started off in the Forest Service in the 1960s and I went to environmental forestry at that time, and then the restructurings of 1987 I was in the indigenous forestry forest parks at the time and I transferred, I was transferred over.
- 10 CHAIRPERSON: So, you started in the Forest Service.
- MR COX: That's right.
- 15 CHAIRPERSON: It all went from there.
- MR COX: And all through my 49 years I think it is, my forte has been basically trying to multiple use in Forest Service days and then in the maritime park area, which is the Marlborough Sounds we had to try and balance development against conservation in a pure Reserves Act sense and Wildlife Act sense. There's no leeway. It's just a case of wordsmithing I think, the use of terms similar to before.
- 20 CHAIRPERSON: Yes, I think all three of us are familiar with that. Thank you for that.
- 25 MR DORMER: Just a comment about the occupation charges that you mentioned. They are outside our jurisdiction.
- MR COX: Fine. I'd thought I'd raise it anyway.
- 30 MR DORMER: It's a worthwhile point that you make but it's not to be considered by us.
- MR COX: I think it's a case of maybe the Sounds people are very strong people in their beliefs and at present coastal charges go off out of the area and it's never seen again. The coastal -- what I was proposing was if there's a fund available, and it's similar to what the King Salmon are doing voluntarily now, that if there was a mandatory levy to be spent locally then that to me may appease some of the strong-willed independent souls in the Sounds. Now, the Sounds people have lots of initiative, very passionate about the area but there's an element of not in my backyard in the Sounds and generally they tend to be --
- 35 40 CHAIRPERSON: Not peculiar to the Sounds.
- 45 MR COX: Yeah, and so I saw that as a possible way of, I suppose, mellowing some of the views of the population in the Sounds.

CHAIRPERSON: I think we've already had evidence from the Council witnesses that there is a proposal put to make provision for occupation charges in the currently reviewed Regional Plan. So, that's where it has to come from. It has to be provided for in the Plan for this. But I understand from what Council witnesses told us the other day that's part of what they are doing and indeed the Ministry for Primary Industries witnesses also told us that they support that so something like that I am sure will happen.

5
10 MR COX: Yeah. I'd just like to see it not going into the great pot.

CHAIRPERSON: Into the big pot.

15 MR COX: Yeah, that maybe a group is set up to say this is where it goes. I don't want to downsize the contribution King Salmon have made to Kaipupu Point, Mistletoe Bay linked pathway and the Sounds Restoration Trust because to me from my biased point of view they've been fantastic contributors and it's a pity that some other groups don't do similar things and maybe the forestry industry is one that could be pointed at because I don't know of anything that they --

[10.00 am]

25 CHAIRPERSON: I was going to ask you about Mistletoe Bay. I think I've actually been there.

MR COX: Well, I hope you have. I can arrange a visit.

30 CHAIRPERSON: That's at the far end of the bay, isn't it?

MR COX: Pardon?

CHAIRPERSON: Right at the end of the bay?

35 MR COX: Yes, right at the end, yeah. It was a DOC camp ground but the Mistletoe Bay Trust took it over and the Army went in and rebuilt it all.

40 CHAIRPERSON: Yes, and you can go there and you can hire lodges.

MR COX: One of the lodges is actually sponsored by King Salmon.

CHAIRPERSON: Yes.

45 MR CROSBY: I would just like to thank you for coming along on a neutral basis and giving us the benefit of your long experience in the Sounds.

MR COX: They're my personal views.

- CHAIRPERSON: No, that's absolutely fine.
- MR CROSBY: That's important. Thank you very much, Mr Cox.
- 5 MR COX: Thanks.
- CHAIRPERSON: Thank you. Thanks for coming. Thanks for spending your time.
- 10 MR COX: It's a wet day.
- CHAIRPERSON: Yeah, okay. I think you'd have been here anyway, wouldn't you? Now, Mark Preece. Is Mark Preece here?
- 15 MALE SPEAKER: Not yet, no.
- CHAIRPERSON: Not yet, no. We're probably a bit early for him. Okay, we might have our morning -- we'll take our morning break then, and you'll let us know when, yeah. Okay, we're going to take an adjournment now, thank you.
- 20
- ADJOURNED [10.02 am]**
- RESUMED [10.26 am]**
- 25 (off mic conversation)
- CHAIRPERSON: Now, Mr Preece. Yes, good morning.
- 30 MR PREECE: Good morning.
- CHAIRPERSON: We've got your written comment that you've lodged with the Ministry.
- MR PREECE: Thank you.
- 35 CHAIRPERSON: Are you wanting to add to that now?
- MR PREECE: Yes. I was just going to go through and partially read it and partially talk to some of the points if that was okay?
- 40 CHAIRPERSON: Yes.
- MR PREECE: Thank you.
- 45 CHAIRPERSON: So, yes, just give us an opportunity to make notes as you go.
- MR PREECE: Okay.

CHAIRPERSON: And what you're going to tell us will be recorded, or is being recorded and there'll be a transcript of that available next week so, yes.

5 MR DORMER: I was always told as a young lawyer, "Watch to see if the judge is writing down what you're saying, if he thinks it's important enough to write down. Tell him sufficiently slowly so that he has time to write it down".

10 CHAIRPERSON: So if he's sitting here writing nothing?

MR DORMER: You can speed up at that point.

MR PREECE: Move it on to lunch.

15 CHAIRPERSON: All right, thank you, Mr Preece, yes, you tell us what you want to tell us, thank you.

[10.30 am]

20 MR PREECE: Thank you.

CHAIRPERSON: You don't have to -- well, you can stand if you wish to.

25 MR PREECE: If you don't mind, I'll stand just for the first address.

CHAIRPERSON: Oh, you want to, okay. Yes, fine.

MR PREECE: (Mori content)

30 My full name is Mark Anthony Preece, I've been employed with New Zealand King Salmon since 1994, a total of 23 years of which I've had about 19 in management capacity. My first introduction to King Salmon was as a shift worker at the Forsyth at the Waihinau Salmon Farms, later being promoted to supervisor at Otanerau and Ruakaka
35 Farms. I later became the Sea Farms Manager at Forsyth and Ruakaka and then the Sea Water Operations Manager from 2000 to 2010.

40 As a result of this experience I have a good overview of the farming practices from a hands-on and management perspective and I've worked in all parts of King Salmon's operation as a general hand, participating in tasks such as net cleaning, fish handling, harvest and fish health. I've worked on both the low and the high-flow sites.

45 When we do our company submission I'm going to talk a little bit about the salmon farming operation itself but this submission is more about Mark Preece as a person, how he interacts with the Sounds so at five o'clock --

CHAIRPERSON: So we'll see you again in the King Salmon?

5 MR PREECE: Yes. So at five o'clock, at the end of the day when I put my pen down, I'm also a Marlborough resident so I wanted to have my opinion heard separately.

CHAIRPERSON: And I see you've got a Master of Science Degree and a Diploma of Business Studies from Massey?

10 MR PREECE: Massey, yes.

CHAIRPERSON: Yes.

15 MR PREECE: I was awarded a National Conservator of the Year Award in 1989 and that award was administered by the Department of Conservation. It recognised work that I'd carried out on several critically endangered species, including the Chatham Island Black Robin and the Chatham Island Taiko, Marine mammal stranding management and pest eradication from the Department of Conservation Reserves.

20 I was instrumental in the formation of the Elizabeth Allen Preece Covenant, which assists management of several critically endangered species as described by the International Union for Conservation of Nature and Natural Resources, IUCN and that's a family-owned predator-free reserve and just to give you perspective, it's slightly bigger than the Kaipupu Point Reserve in Picton.

25 I'm an OSH-Registered Commercial Diver, having logged greater than 500 dives, as well as a recreational diver for scallops and grayfish. I hold a Maritime New Zealand Commercial Launch Master's Certificate and that enables me to skipper vessels up to 24 meters within the inshore limited of New Zealand. I'm an experienced and keen kayaker and have completed significant coastal journeys around New Zealand. I also spend a significant amount of my recreational time in the Marlborough Sounds on my surf ski. I'm a keen sailor and I participate in the local sailing regattas from the Waikawa Boating Club. I'll also spend weekends sailing and recreating with friends in the Marlborough Sounds.

30 And then if I just move on to the proposed location. I was going to talk a wee bit about why aquaculture, or why I think aquaculture is important. So grew up on a small island, I was the son of a fisherman, fisherperson and we used to crayfish. Dad crayfished in the boom days, he was fishing on day one in the '60s and I was lucky enough to have five years of crayfishing over there.

35
40
45 CHAIRPERSON: Where was this?

MR PREECE: On the Chatham Islands.

CHAIRPERSON: Oh, you were on the Chatham Islands, right.

5 MR CROSBY: So is that Powerpoint slide, is that the Chathams?

MR PREECE: Yes, that's a photo of me and Pitt Island in the background there. When
10 we fished there, we used to catch 750 kilos of crayfish in two days,
that's what you could get and at today's price that's \$100 a kilo, beach
price so that's three-quarters of a million dollars of fish that you could
land by today's price and it was good money back then as well but it
15 wasn't going to last. In the five years that I fished, we had to go further
and further to catch our crayfish. I listened to the story that Dad had
back in the '60s of how many fish they were catching and what I
realised was we're not going to fish the oceans forever. We were going
to move on to aquaculture.

20 So I put that graph up there and that shows the wild capture fisheries
and you can sort of see it's the blue area of that chart and by the early
to mid-90s, wild fishing was at its maximum sustainable yield so we
were harvesting that to its fullest capacity and you can see how that
graph is levelled out after that period and we're not going to get any
25 more fish from the sea if we're going to harvest sustainably. That's
when aquaculture -- this is sort of part of my story. I obviously saw
that aquaculture was going to be the future so in the 90s that's sort of
when I began my career in aquaculture.

30 So you can see the aquaculture production since the '90s, that's not
because of me of course, but you can see how now, aquaculture
production produces for every two fish that you eat, one is going to be
grown so, basically, aquaculture production is the same as what's
produced in the wild fishery.

35 I wanted to talk a wee bit about the efficiency of domesticated animals
so all modern farming systems have an environmental impact. There
are increasing pressures on wild fish stocks. Aquaculture needs to
substitute for wild fisheries in order for animal protein to be met. It
can be argued that King Salmon is one of the most efficient
40 domesticated animals. It's 100 kilos of dry feed yields about 30 kilos
of King Salmon fillets. Compare that to poultry and pork fillets where
that same 100 kilos of dry feed yields 20 and 12 kilo of fillets
respectively.

5 It's also worthwhile comparing the production yields of different forms
of agricultural meat production. Compared to terrestrial animals King
Salmon are very efficient in retaining protein and energy. The
reproductive capacity is huge and the resources used to produce
juveniles are insignificant compared to poultry and pigs. They don't
require energy for maintaining a constant body temperature much like
we do. They live in an aquatic environment where the excretion of
ammonia in addition to urea, lowers the energetic costs of metabolising
10 the amino acids. Furthermore, fish are weightless in water and they
don't expend energy carrying their body weight where opposing to
gravity. A weightless animal does not need a strong and heavy
skeleton. So these are all reasons why salmon, or fish, are so efficient
to grow relevant to terrestrial animals.

15 King Salmon has significantly more harvest yield than terrestrial
animals such as pigs and lamb, so 70 per cent of the King Salmon can
be eaten and compare that to approximately half or less for other
terrestrial animals. While King Salmon converts feed to flesh slightly
less efficiently to Atlantic salmon, that's because it's got a higher oil
20 content, it is similar to chicken but much better than pigs and lambs.
Retains more energy in the edible parts of the fish than in the terrestrial
animals listed.

25 So I've sort of completed a comparative table and you can see how
there's a very, very high -- the top right cell 88, it's a very, very high
harvest yield. A lot of the animal can be eaten, it's got a very efficient
feed conversation ratio and it retains energy so the energy you use in
farming the animal is retained in that animal for consumption. It's very
efficient relative to other animals.

30 I want to talk a wee bit about the carbon footprint of farming salmon.
The carbon footprint indicates the environmental efficiency of fish
farming. There's no specific studies conducted on New Zealand's King
Salmon, however there's a lot of work that's been done on Atlantic
35 salmon, so I've presented some Atlantic salmon data here. So farmed
Atlantic salmon has a carbon footprint of 2.9 kilos per CO2 equivalent
of edible salmon and that's very similar to chicken; 3.4 and then you
compare that to New Zealand lamb at 19 kilos off carbon. So you can
see it's a very efficient means of farming animals.

40 What this information all tells us is that growing fish is more efficient
than terrestrial farming. Indeed, farmed beef uses 60 per cent of the
world's arable land to produce a mere 2 per cent of the calories for
people in the world. We can't go on eating beef the way we do. If New
45 Zealand makes a shift from farming terrestrial animals to farming fish
we become part of the solution to feeding tomorrow's world. So I'm
not asking to shut down all the terrestrial farms but I'm just saying
here's a solution. Fish farming is a solution.

CHAIRPERSON: I quite like my beef.

5 MR PREECE: So do I. Actually on the top left there's a chart there, a bar graph, but it just goes to show the daily amount of carbon dioxide per kilo that's emitted if you consume various diets. So you can see vegans on the left there, very low and, of course, in New Zealand we eat on average slightly more than 100 grams of red meat a day, we're on the left-hand side, but fish, in the blue, is very similar to a vegetarian.

10 CHAIRPERSON: Yes, the point is well made.

15 MR PREECE: Thank you. New Zealand is in an enviable position whereby we are the largest producer of King Salmon, combined with the food safety story of New Zealand food, smart breeding and branding our unique offering creates high value export earnings for New Zealand. Some of our brands that we grow, I don't want to talk too much about that but where I see salmon, it's only been at the high-end, it's premium food, certainly something that I believe that the government in New Zealand is driving us toward.

20
25 I am in support of relocating the low-flow sites to the high-flow sites and I've listed some reasons in my submission. So increasing the distance of the salmon farms to the neighbours, improving the environment for the salmons which lessens the probability of mortalities. I'll address that in further detail with my company submission. It brings high-paying jobs to New Zealanders mainly focussed in the Nelson/Marlborough region, increases the volume of salmon able to be produced by the New Zealand Salmon Industry while still only covering a small infrastructural footprint operating within the Marlborough Sounds. I also believe that New Zealand King Salmon's business strategy aligns with high export values, which is positive for the New Zealand economy. I've outlined in order of sites there that I would like to see and the main driver for that order is due to the water temperatures.

30
35
40 So I'll just talk a wee bit about the water temperatures around New Zealand. So there's a cold polar current that runs around the South Pole of New Zealand and then there's what's call the Southland current which runs up the East Coast of New Zealand and it pushes -- you can see a wee tongue of cold water on the eastern side of Cook Strait and it pushes that water up there. I don't know if you swim at White's Bay versus the Marlborough Sounds, White's Bay is much cooler than the Marlborough Sounds and that's the reason. There's that cold current
45 that comes up from the South Pole there.

5 So why I've located that site order as I have is because we can put
smolts into these Tory Channel sites in summer, so they're cool because
it's totally cold water coming up here, over summer them here and you
can relocate them to Ruakaka and Tawera Bays so that's why I've put
that order in. If the Ruakaka site cannot be located then I would like to
see its zone altered. I believe that the Ruakaka Farm, it is tucked away
in that bay in there, but I do believe it adds to the amenity value of the
Queen Charlotte Sound, it's a point of interest. We often get kayakers
there, tourists go around there and I think with the redesign of that super
10 structure it could certainly add to the tourism amenity of the Queen
Charlotte Sound.

15 In terms of maintaining views and looking after the natural flora and
fauna, I've outlined in my submission, I've just put a point on the map
here, this is out at Pelorus Sound and I understand the model of the
farms going around there but that blue dot just up there, that's --

CHAIRPERSON: Can't see the blue dots. You haven't got a pointer? No. Oh, yes.

20 MR PREECE: That blue dot there, Post Office Point, is a gun emplacements.

[10.45 am]

25 CHAIRPERSON: What's the name of the point?

MR PREECE: Post Office Point. There's a gun emplacement up there and there's
pretty stunning views out around, you've got a pretty much a 180
degree view out over the sounds, so it's a lovely spot. But one of the
things that I would like to see there is making sure the farms use
30 recessive colours and blend in as much as possible.

I believe the environmental monitoring is laid out and the supporting
documents will ensure that the nature flora and fauna are unaffected
and the settlement of juvenile fish and shellfish are maintained at
35 current levels. I believe the sites in the Tory Channel should monitor
abalone or paua larvae settlement to ensure recruitment is not affected
by the salmon farming activities. Due to the increased aerobic capacity
of the proposed relocation sites I believe the environment is better able
to assimilate the faecal material from the salmon farms.

40

5 As I go on now, I'm starting to answer the questions from the MPI
Guideline Sheet, or some of the questions. I agree with the surface
structure area as per the proposed relocation plan, I agree with the
staged adaptive management approach to salmon farming and believe
that any increases assuming compliance with resource consents should
be larger. If the conditions of the resource consents are not met I would
expect a similar operational change to produce the desired effect next
year. So I believe in sort of slightly bigger movements so quicker to
increase but also quicker to decrease if there's issues.

10 Cawthron monitoring studies have demonstrated the ability of the
marine environment to adapt to increasing and decreasing salmon food
discharge, so they did some work looking at the farm at Forsyth and
they showed -- I'm working off memory a wee bit here but I think it
was something like 80 per cent recovery in the first year when the site
was moved off, so the marine environment is very, very quick to deal
with the organic matter from the salmon farms.

15 In my experience, salmon farms sited in higher flow areas would pose
no greater threat to marine mammals relative to those sited in low-flow
areas. I believe the proposed relocation will improve fish health and
welfare and I believe that MPI should consider more bio-secure areas
permit industry to enable single year class fallowing and fallow sites
effectively should a disease situation occur. I'll address that
specifically in my King Salmon submission.

20 To assist safe navigation, the infrastructure should be lit as per required
by the Marlborough District Council. The material used to construct
the farm should reflect radar appropriately and then I've added if the
material is not radar-reflective, radar reflectors could be used and we
could use active radar reflectors there. They are something that sends
out a pulse to a radar and actually it shows up properly as that's the
salmon farm. The mid-channel site could be fitted with an automatic
identification system, so an AIS. In my experience, cruise ships and
super yachts have pretty much all got the ability nowadays to monitor
AIS systems so that's an automatic identification system where it shows
the ships in the area.

25
30
35
40 In conclusion, I support the relocation of the six low-flow sites salmon
farms. I believe the proposal will add high-paying skilled jobs to New
Zealanders in the Nelson/Marlborough region, improve tourism
opportunities and re-siting salmon farms away from neighbours, I see
that as a positive thing, plus increasing the volume of salmon grown. I
believe the effects on natural landscape and environmental impacts can
45 be monitored and managed as per the proposal and I believe that the
New Zealand economy will benefit from high-value branded
proposition that New Zealand King Salmon offers.

Thank you.

CHAIRPERSON: Thank you, Mr Preece.

5 MR DORMER: Because you're associated with King Salmon, I don't think we can, strictly speaking, call you an expert witness.

MR PREECE: No.

10 MR DORMER: But in terms of your expertise, your MSC from Otago, was that in Marine Science?

MR PREECE: It was in Marine Science, yes.

15 MR DORMER: And do you want to give us the dates of your degrees?

MR PREECE: I completed my Marine Science Degree in 1995 I think it was.

MR DORMER: This is the MSC?

20

MR PREECE: The MSC, yes.

MR DORMER: It's very hard, isn't it? It's 20 years ago.

25 MR PREECE: Yes.

MR DORMER: It's very hard to remember whether it was 20 or 21 and then you did the Business Studies Diploma after that?

30 MR PREECE: At Massey University. I completed that, I think it was about mid-2000s.

MR DORMER: And what's this Master of Manufacture and Leadership? I'm not familiar with that.

35

MR PREECE: So I've picked up some papers from Massey University from the Business School and I'm just quietly working towards that and I say quietly, actually I haven't done a paper for the last couple of years.

40 MR DORMER: It took me ten years to do my Masters.

MR PREECE: So I'm just quietly chipping away at it. It's basically a -- it talks about operational efficiencies, or running an operation pretty much.

45 MR DORMER: Flicking over to paragraph 13 of your written papers, you said that you believe the sites in Tory Channel should monitor abalone, that's paua, is it?

- MR PREECE: Paua, yes.
- MR DORMER: "Larvae settlement to ensure the recruitment is not affected by salmon farming." Is that a serious risk?
- 5 MR PREECE: The Tory Channel used to be a pretty major fishery in the Marlborough area, there's not a lot of fish taken out of there now and I think it's something we need to keep an eye on.
- 10 MR DORMER: And the origin or the cause of the salmon farming effect on recruitment?
- MR PREECE: It could be a range of things but sedimentation could be an effect, could alter things like the coralline algae, the abalone or paua larvae uses a queue to settle on so there's a suite of things there. And, of course, it may or may not be linked to the salmon farm, too. There's a lot of forestry in the Tory Channel as well.
- 15 MR DORMER: There are many causes of sedimentation, aren't there?
- 20 MR PREECE: Yes.
- CHAIRPERSON: Thank you, Mr Preece.
- 25 MR PREECE: Thank you.
- MR CROSBY: Only two minor issues, really, just record if I can, you outlined your experience with New Zealand King Salmon down to 2010 but then there was a gap from 2010 to 2016.
- 30 MR PREECE: Yes. In my company submission I've got that right, actually. So I've got 2011 - 2013 Aquaculture General Manager --
- CHAIRPERSON: What was that?
- 35 MR PREECE: 2011 - 2013 Aquaculture General Manager.
- CHAIRPERSON: Oh, Aquaculture General Manager, yes.
- 40 MR PREECE: And then 2014 to current, Fish Health Manager.
- CHAIRPERSON: Fish Health?
- MR PREECE: Yes.
- 45 MR CROSBY: And the other was that in your mihi, you said Ko Moriori and then you added orally, Ngāti Kuia and I missed the next one.

MR PREECE: Te Ātiawa.

5 MR CROSBY: Te Ātiawa, right. So can I ask you, we're hearing from Te Ātiawa later but have you been -- has your Te Ātiawa background meant that you've been involved at all in the Te Ātiawa interest in Tio Point or not?

MR PREECE: No, I'm Te Ātiawa from Taranaki.

10 MR CROSBY: Oh, from Taranaki. So through Rekohu?

MR PREECE: Rekohu, yes. Chatham Islands.

MR CROSBY: Okay. So you're not active with Te Ātiawa locally?

15 MR PREECE: No.

MR CROSBY: Okay, thank you.

20 CHAIRPERSON: I just wanted to get a clear -- you talked about Post Office Point in the context of landscape protection and landscape is an issue for us and particularly in relation to the Blowhole sites, I think, well, it may well be. Is this anywhere near there? Post Office Point?

25 MR PREECE: Post Office is the blue point. If you go up this line here where it hits the land up there, the Blowhole points are there.

CHAIRPERSON: And Post Office Point is some distance from that?

30 MR PREECE: Actually I've just been advised I might have that in the wrong area. Post Office Point is there, sorry. Post Office Point's there.

CHAIRPERSON: Anyway, it's some distance from --

35 MR PREECE: That Blowhole Point's right there. The Blowhole Point is a fair way away and it's very difficult to see the salmon farms up against the --

CHAIRPERSON: Okay.

40 MR DORMER: How on earth did they put a post office there?

MR PREECE: I was going to check the history because I thought someone might want to know about that. I don't know.

45 MR DORMER: It's not essential to our determination but it's interesting, isn't it?

MR PREECE: Yes.

- CHAIRPERSON: All right, thank you very much, Mr Preece. We'll look forward to seeing you next time.
- 5 MR PREECE: Thank you.
- CHAIRPERSON: Thank you. Now we have Graeme Clarke of the Crail Bay Trust.
(off mic conversation)
- 10 CHAIRPERSON: So you're going to be here today on behalf of yourself and your wife, are you?
- MR CLARKE: Basically, yes. Not necessarily my wife, actually.
- 15 CHAIRPERSON: Not your wife? Sorry, what is the relationship?
- MR CLARKE: I'm married to her but she doesn't necessarily agree with what I say.
- CHAIRPERSON: Oh, I see, sorry I asked. She's not going to come?
- 20 MR CLARKE: Sorry?
- CHAIRPERSON: She's not coming to talk to us?
- 25 MR CLARKE: No, all the schedule was all mucked up and she just couldn't make it.
(off mic conversation)
- 30 MR CLARKE: If you just ask questions as we go along, I'm not too good at this sort of stuff.
- CHAIRPERSON: I think the burden of your concern as I understand it, Mr Clarke, is that you have a marine farming licence?
- 35 MR CLARKE: Yes.
- CHAIRPERSON: That overlaps with -- now, remind me, which site that is?
- 40 MR CLARKE: It's the Marine Farm Licence 32, I've no idea what the resource consent number is. It's too long for me to remember.
- CHAIRPERSON: It's overlapping with one of the proposed sites, isn't it?
- MR CLARKE: No. No, it's one of the transferred sites coming from --
- 45 CHAIRPERSON: One of the transferred sites?
- MR CLARKE: Yes.

CHAIRPERSON: Which one is it?

[11.00 am]

5

MR CLARKE: Crail Bay. The southern one in Crail Bay.

MR CROSBY: Crail Bay 2 as it's described to us, so area K?

10 MR CLARKE: Yes.

MR DORMER: Are you concerned that if King Salmon surrender their rights, would it not affect your rights?

15 MR CLARKE: Yes. I'm concerned that there are no restrictions put on my resource consent that I have.

MR DORMER: You'd better seek our own legal advice about that because legal advice is not always worth what you pay for it. If you pay nothing, it's probably worth nothing. Having suggested that, my advice to you would be that if you have a right that cannot be affected by the surrender of someone else's right.

20

MR CLARKE: Well, the right I've got is -- I think it still has salmon on it but it's basically a mussel right.

25

CHAIRPERSON: If you speak into the microphone a bit more, please?

MR CLARKE: How's that?

30

CHAIRPERSON: Thank you.

MR CLARKE: The right I have is basically a mussel farm but I don't want any restrictions put on in terms of fish farming, which is proposed in this thing.

35

CHAIRPERSON: You want to be able to do other fish farming as well.

MR CLARKE: Yes.

40

CHAIRPERSON: But your consent is currently for mussel farming only?

MR CLARKE: I'm not one hundred per cent sure on that.

45 CHAIRPERSON: You're not sure? Okay.

MR CLARKE: I suspect, certainly it's been couched that way.

- CHAIRPERSON: All right.
- MR CLARKE: As I'll explain later, it got very complicated.
- 5 MR CROSBY: Has it?
- MR CLARKE: Anyway, basically --
(off mic conversation)
- 10 CHAIRPERSON: Yes, go on, you were going to say something else?
- MR CLARKE: Well, I've got a whole lot to say. Do you want me to start?
- 15 CHAIRPERSON: Yes.
- MR CLARKE: Well, basically, the summary is that I want no restrictions on Marine Farm Licence 32 and that's been proposed. The Sound is actually nutrient deficient and it actually needs fin fish farming to balance the nutrients and I would not like to see this proposal restrict further development of fish farming within the Pelorus Sounds. I sort of get the impression that this proposal might mean that these are the only fish farms in the Pelorus and I would not like to see that.
- 20 CHAIRPERSON: I'm sorry, I'm not quite with you there. You've got the impression that what?
- MR CLARKE: That once these shifting of these fish farms is sorted out that there will be no longer any more fish farming allowed in the Pelorus.
- 30 CHAIRPERSON: And you're talking about fish farming here, not mussel farming?
- MR CLARKE: I am talking about fish farming, yes,
- 35 CHAIRPERSON: You see this as the end of fish farming if these are --
- MR CLARKE: It could very well be and I don't want that to happen.
- 40 MR DORMER: We can't reassure you very much but our powers, our jurisdiction, what we've been called upon to recommend about is confined to these six. It would be outside the range of our powers to cast comments about 6 more or 12 more, or whatever.
- MR CLARKE: Okay. I'll get on to that anyway.
- 45 CHAIRPERSON: And, specifically, we're directed to look at salmon farming and that's it.

MR CLARKE: There's not a lot of difference between salmon farming and other species.

5 CHAIRPERSON: I'm sure that might be right but our task is to examine quite specifically, the proposals to move six existing farms to other sites.

MR CLARKE: Yes, I understand that.

10 CHAIRPERSON: End of story.

MR CLARKE: Not quite and I'll --

CHAIRPERSON: It may not be end of story but that's what we're required to do.

15 MR CLARKE: Okay. I'll go into my spiel, shall I?

CHAIRPERSON: Yes.

20 MR CLARKE: Okay. My name is Graeme Clarke. I'm born and bred in Blenheim, I went to Marlborough Boys' College. I've dived most of the Sounds since I was teenager so I know the area very well. I have a BSC in Geology from Victoria University and then I was employed for seven years by Fisheries Management, Ministry of Agriculture and Fisheries in the 1970s. While I was there, I did a Postgraduate study in the UK on Fisheries Management with an extension on aquaculture. I then transferred to Nelson where I was involved in the early stages of mussel farming in the Sounds among other things.

25 One of the exercises I was involved in was the very first planning exercise, which was a multi-government and council planning exercise of the Sounds which has basically set down the ground rules of all the plans, or planning exercises since then and some of the key things of that exercise were that the Sounds was to be a multi-use area. Basically, the Pelorus was to be a commercial area and the Queen Charlotte recreational and that marine farming would generally be on the shoreline.

30 Is that an earthquake? As such, I actually oppose the number 3 midwater site. I believe that the boating community has a prior use of that area.

40 CHAIRPERSON: This is the Waitata mid-ridge?

MR CLARKE: Yes.

45 CHAIRPERSON: You're opposed to that?

MR CLARKE: I am, yes.

CHAIRPERSON: Right.

MR CLARKE: And this was sort of demonstrated with the Kuku Mara exercise where generally mid-bay aquaculture was rejected.

5

CHAIRPERSON: And you oppose it because?

MR CLARKE: Because I think that boating facility has that area. It was already using that area.

10

CHAIRPERSON: So it's a navigational issue?

MR CLARKE: No, it's an occupational issue.

15

CHAIRPERSON: Okay.

MR CLARKE: I'll now give you some history of the mussel industry and this is sort of pertinent to what I'm saying. The mussel industry started in the 1960s with rafts in the Sounds but it didn't really get going until low cost modular structures were developed, the long line and the mussel industry took off with a hiss and roar and it showed quite major economic benefits for the area.

20

25

Havelock, when I first went to Havelock, 11 o'clock in the morning, there were people lining up to go the pub, now there's no unemployment. The marina that you see today didn't exist basically. At low tide you basically had to get out and tow your small boat into the marina, walk in. You walked in basically from where Sanfords are now. We live in the Sounds and our kids went to Waitaria School. At one stage had 54 pupils and three teachers, it was quite a big school. That was all on the back of the mussel industry. So things like this have a real benefit to the area and the community.

30

35

Now I'd like to sort of extend it into the fish farming side of it. You probably know most of the history about that but salmon farming started with BP in Big Glory Bay. At that time I was working for MAF and one of the exercises I was involved in was approving Clive Barker developing his whatever he did over in Pupu Springs in Nelson and when I moved to the Sounds to go full time mussel farming in 1977, we had New Zealand Marine Farms which they had farms in the Kenepuru and Crail Bay and then Regal Salmon started in Elie Bay, or what became Regal Salmon, eventually King Salmon, with various sorts of bits and pieces.

40

My wife and I then started salmon farming ourselves on Marine Farm Licence 32 and we had a few steel cages. How do I work this? Those are the cages I developed out of mussel floats. At that stage, they were actually being used for kingfish. We basically gave up because it was costing us more to grow salmon than it was to --

5

CHAIRPERSON: Kingfish?

MR CLARKE: Salmon. We were growing salmon in those.

10

CHAIRPERSON: You were growing salmon?

MR CLARKE: Originally, yes.

15

CHAIRPERSON: You weren't growing kingfish?

MR CLARKE: I'll get to that.

20

CHAIRPERSON: Okay, right.

MR CLARKE: Anyway, we gave up growing salmon because there was nothing in it and a bit later a guy came to us and said he wanted to grow kingfish and because we still held the salmon consent on Licence 32, we then talked to the council and they agreed to extend the species to kingfish, so then we went into kingfish farming.

25

We started off in those cages there and the first lot of kingfish we got from Moana Fisheries in Auckland when they closed down up there and we took them through the winter and they actually grew through the winter and they grew very well and we thought, "Oh, we're on to a winner". So then we went gangbusters and extended the farm and we put in ring cages and as you saw before. I'm not very good with this. These are ring cases that we had.

30

35

CHAIRPERSON: Ring cages?

MR CLARKE: Or polar circles.

40

CHAIRPERSON: We've heard about those, yes.

MR CLARKE: Anyway, the concept was that and we were hoping to expand right to through the Sounds to a certain degree was that the inside of the mussel farm was removed and replaced with a row of ring cages and it was sort of an extensive or a low capacity system and used the mussel farm basically as a barrier for waves, a wave barrier so that we could work the ring cases and it actually worked very well.

45

CHAIRPERSON: Was this for your kingfish?

MR CLARKE: Yes, originally. That's a good old blow and you can see there, not very well mind you but the cages are being sheltered by the mussel farm.

5 CHAIRPERSON: Right.

MR CLARKE: It's pretty low intensive in terms of fish numbers and volumes. The fish grew very well. When it was up and running, we got some beautiful fish out of it and had lower mortalities than King Salmon had at bore, so we were pretty pleased with it. This is a concept I would like to see right through the Sounds, actually.

10

CHAIRPERSON: So you're still doing that?

MR CLARKE: No. What happened was that second lot of kingfish we got we hit the winter and they all died, the whole lot. So then we had all the gear there and the consents et cetera so it was decided to go salmon farming, so then we proceeded to go salmon farming and not long after that we sold our shares in the company and subleased the block of water to Pacifica Seafoods.

15

20

[11.15 am]

At that stage it was still on the old consent on Licence 32 consent to fish farm. The council then -- I don't know if I'm getting ahead of myself here or not. Probably not.

25

CHAIRPERSON: I don't want to stop you unnecessarily but I'm beginning to wonder what relevance this has for the proposal that we're looking at.

30

MR CLARKE: Well, it has relevance to the bit about not being able to fish farm on that site.

CHAIRPERSON: We fully understand that, yes. We fully understand why you want to retain whatever rights you've got in respect of Licence 32.

35

MR CLARKE: I'd like to point out a couple of interesting things here. One is that Pacifica then took a consent over top of my consent. Now, I don't know whether you can do that.

40

CHAIRPERSON: Well, we can't go into that today.

MR CLARKE: I agree, I'm just flagging it.

45 CHAIRPERSON: Yes.

MR CLARKE: Subsequently, Pacifica sold the farm to King Salmon who then closed it down and later relinquished the sublease but not the consent.

CHAIRPERSON: Yes.

5 MR CLARKE: Now, how that affects the transfer of that consent to a new site is really up to you. You're the legal experts.

10 CHAIRPERSON: I don't think it's a transfer of the consent to a new site. It would be a new consent. If the site is approved in terms of the proposed plan change, then consents will have to be got for that site.

MR CLARKE: In that case so the relevant thing is to sublease.

CHAIRPERSON: What?

15 MR CLARKE: The relevant thing is to sublease.

CHAIRPERSON: Yes, but the sublease won't be a matter that relates to the new site.

20 MR CLARKE: Okay, well they don't have a sublease.

CHAIRPERSON: That's what you told me.

MR CLARKE: Yes.

25 CHAIRPERSON: Yes.

MR CLARKE: Okay.

30 CHAIRPERSON: We fully understand, Mr Clarke, I think we do, what your real concern here is. You don't want to lose any of your rights, whatever they may be, in respect of Marine Farm Licence 32.

35 MR CLARKE: Yes. Okay. The positive thing I've got to say is I think it's really important that fish farming does happen in the Sounds. There's something like --

CHAIRPERSON: Fish farming what?

40 MR CLARKE: Happens in the Pelorus Sounds.

CHAIRPERSON: Oh, yes, right.

MR CLARKE: There's something like 50,000 tonnes of mussels taken out of the sounds. When we first went to Crail Bay in 1977 there were no mussel farms, we were the first ones there. All I can give is a visual definition but the water was always very green, it was always very nutritious. As the mussel farming industry developed that greenness and nutritiousness disappeared and the water clarity increased until today when the water is pretty much clear all the time, every now and then when you get a good flood you might get three or four days of good phytoplankton growth but when we first went there we could grow mussels per foot of rope.

We'd grow 120 mussels to four inches long in eight months. Now we grow about 50 mussels per foot to four inches in 18 months, to 2 years, so that sort of demonstrates the decline in productivity that's occurred over time. Unlike the other Sounds, there are no great inputs of nutrients.

MR CROSBY: I'm sorry, I didn't pick that up. No?

MR CLARKE: No inputs of nutrients, really. There used to be quite a lot of nutrients.

CHAIRPERSON: So there's a loss of nutrients for mussel farming?

MR CLARKE: For the environment, basically.

CHAIRPERSON: Okay, yes.

MR CLARKE: But for mussel farm, but for the environment. There used to be quite a lot of farming so you got top dressing but that's pretty much all gone.

CHAIRPERSON: So they cut out top dressing, okay, yes.

MR CLARKE: So, basically, the Pelorus Sound is pretty nutrient deficient, so it really needs a nutrient input.

CHAIRPERSON: And you see fish farming is providing that?

MR CLARKE: Yes, I do.

CHAIRPERSON: Right.

MR CLARKE: Where the hell did I get to? The other thing is that I notice in the documents they put a limit of, I think it's 5 mg per litre of chlorophyll, there's really no basis for that. The Pelorus Sounds is a really quite dynamic environment, you get major fluctuations of all sorts of things like nutrients, salinity, temperature. The only baseline data got is a thesis by a guy named Roger Waite, was done in the 1980s and we've got a copy but I can't find it. I'm pretty sure that 5 mg per litre was pretty much the baseline at that stage and there is no real baseline been done in the Sounds, so I would say that rather than having a number as a limit on the nitrification of the Sounds, there should be in a fixed system. Something like toxic blue blooms or something like that. MSQB is monitoring all that all the time.

CHAIRPERSON: I think we've heard quite a bit about potential for fish farming already, do you want to add to that at all or simply make the point you've already made?

MR CLARKE: Well, the other thing I would just urge you that -- yes, I was going to talk to you about the different species that are available but I guess you're not interested in that.

CHAIRPERSON: Well, only marginally because we're here to talk about salmon farming.

MR CLARKE: Yes. There are other species.

CHAIRPERSON: Yes, I'm sure there are, including trout but that's another story, isn't it?

MR CLARKE: Exactly, yes. But if you -- if you are interested in the other species, I suggest you go and visit Crop and Food Hatchery.

CHAIRPERSON: I don't think we'll take that very far.

MR CLARKE: Yes, okay. Well, that's pretty much me. My thing is I'd urge you to basically allow everyone, all of them, except for the mid-water one.

CHAIRPERSON: Yes. You support the others?

MR CLARKE: Yes, I do. Very much so.

CHAIRPERSON: For the reasons that you've given about encouraging fish farming?

MR CLARKE: Yes.

CHAIRPERSON: Okay.

MR CLARKE: And I would hopefully, no prohibition on Marine Farm Licence No 32.

CHAIRPERSON: Yes, understood.

- MR CLARKE: Okay, that's me.
- CHAIRPERSON: All right. Thank you. Thank you very much, don't go away yet.
- 5 MR DORMER: No, although I'll want to note this point when we come to see these planners from Auckland come down.
- CHAIRPERSON: What points?
- 10 MR DORMER: The point that he makes that the original fauna and flora of both the land and the sea have been destroyed. The reality is that the Sounds are stuffed.
- 15 MR CLARKE: Exactly. You want to discuss that? I'm quite happy to.
- MR DORMER: No, I mean, I understand the point you're making and I've seen the -- it's hardly virgin native forest, is it?
- 20 MR CLARKE: No and at the moment we're getting bothered by deer.
- MR DORMER: But there will be urban planners from Auckland who come down and remark upon this, that and the other thing.
- 25 MR CLARKE: Perhaps they should stay in Auckland.
- MR CROSBY: Have you got a copy of Marine Farm Licence 32 that you could make available to us?
- 30 MR CLARKE: I could do, yes.
- MR CROSBY: If you could, that would be helpful, thank you. And if you could make it available through Louise Walker, thank you. Give it to --
- 35 MR CLARKE: I don't have it here, I'll have to --
- MR CROSBY: When you get it.
- MR CLARKE: Yes.
- 40 MR CROSBY: The other thing that I wanted to know was has there been, or was there, ever a Benthic effects study of the effects of your kingfish and salmon farming?
- 45 MR CLARKE: Yes, there was.
- MR CROSBY: There was? And do you retain a copy of that?

- MR CLARKE: I think so. I'm not sure but I think so, yes.
- MR CROSBY: Again, are you comfortable with making that available to us?
- 5 MR CLARKE: Yes, if I can find it. I'll let you know if I can't.
- MR CROSBY: Okay, thank you. And did you ever seek any advice from marine biologist or anybody else in relation to the deaths of the kingfish that you described in the second season?
- 10 MR CLARKE: No. I tried to get it done but the people who held the purse were so disgruntled about the whole thing that they just wiped their hands of the whole thing but I would have liked to have done, yes. I've got a pretty good idea what it was but it was put down to cold water. The temperature went down to nine degrees at that time but I don't think it was cold water, I think we had a disease.
- 15 MR CROSBY: Right and just so that I've got it clear in my mind, you've described when you went there in 1977 Crail Bay having a green and are you saying, discoloured appearance most of the time?
- 20 MR CLARKE: Yes.
- MR CROSBY: And you say that was phytoplankton-based, was it?
- 25 MR CLARKE: Yes.
- MR CROSBY: And your present impression, or visual observation of it, you live there?
- 30 MR CLARKE: Yes.
- MR CROSBY: Is that that no longer occurs other than on the odd fluctuating occasion?
- MR CLARKE: Yes, that's right. During the droughts we've had the water becomes pretty much transparent down to quite a depth, 20 meters and more.
- 35 MR CROSBY: Thank you very much, Mr Clarke.
- MR CLARKE: Okay.
- 40 CHAIRPERSON: Thank you very much, Mr Clarke, for coming.
- MR CLARKE: Thank you.
- 45 CHAIRPERSON: Jonathan Large, Marine Farm, that is right at the end, is it? All right, Mr Large, I think probably the best way would be if you were to read that statement.

MR LARGE: Yes, sure can.

CHAIRPERSON: Thank you.

5 MR LARGE: Yes, all right.

CHAIRPERSON: Yes.

10 MR LARGE: Good morning, my name is Jonathan Large. I'm a marine farmer and have been involved in the mussel industry for 38 years. I started as a youngster growing up on my family's mussel farming business in the Pelorus Sounds. I holiday, work and play in the Marlborough Sounds. Our family owns a bach in Kaiuma Bay which we frequently use. I use the Sounds as my playground, I am a landowner, a marine farm owner and a recreational user that fishes, dives, scuba dives, hunts in the Sounds and the Marlborough region.

15
20 I enjoy nothing more than taking my family and friends out to the Sounds to give them the Sounds experience that I enjoy almost every day when I'm out there.

25 I consider myself as being very much in touch with all aspects of the Sounds. I strongly believe in the need to protect the Sounds so that all the residents and users can co-exist in a harmonious way. My wife, Narrell, and I in 2009 purchased, as part of my father's estate, our marine in Nydia Bay. This site has been in our family since the early 1980s.

30 I hold an inshore launch master qualification and have extensive maritime experience in and around the Hauraki Gulf, Coromandel, Marlborough Sounds, Tasman and Golden Bay. I am currently the South Island Marine Farm Manager for Sidenko(?) Aquaculture Limited based in Blenheim. I am also the Marine Farm Manager for the Marine Farming Association's 12 sites in the Sounds, and responsible for the management of a further 15 marine farms in the Marlborough Sounds. These sites comprise of 12 spat catching sites and holding sites owned by the MFA. I also farm sites owned by various individuals and entities.

40 [11:30am]

45 From these sites I manage 3,000 tonnes of mussel crop per annum. I'm involved in the sourcing and spat catching operations throughout the top of the South right through to the harvesting operations that provide product for the factories to process.

5 I own and run my own business, Marine Farm Management Limited, which includes a 12 metre and a 7 metre vessel. This enables me to carry out my work for Sidenko and the Marine Farming Association, plus a few other companies that contract me to do their own water work.

10 I am also the Chairman of the MFA's Environment and Compliance Subcommittee, which is responsible for the beach debris programme, biosecurity, marine farm compliance, industry training and Maritime NZ working group. In recent times this Committee has driven the development of the environmental certification programme. This programme certifies companies that have proven to be committed to responsible environmental performance and monitors their compliance to the programme on an ongoing basis. I am also a director on the Board of Aquaculture New Zealand. Aquaculture New Zealand was formed in 2007 as a single voice for the New Zealand Aquaculture sector to protect the current industry whilst enhancing its profitability and providing leadership to facilitate transformational growth in the industry.

20 I am also the current President of the Marine Farming Association and have been re-elected each year on to the MAF Executive Committee since 2010. I am authorised to appear on behalf of the MAF for the purpose of making a statement in support of MSFRA's submission for the proposal for a regulation to make a plan change to the Marlborough Sounds Resource Management Plan. I present this evidence as a non-expert witness.

30 The MFA is a subscription based organisation representing marine farmers in the top of the South Island of New Zealand. The MFA has 129 ordinary members who own, lease or sub-lease green shell mussel, oyster and king salmon farms in the upper South Island. Marine farmers in MFA's growing area grow 80 per cent of the marine products farmed in New Zealand. Sales from those farms exceed 270 million per year. Marine farms in Marlborough contribute around 5.7 per cent of Marlborough's GDP from farming and processing. The industry accounts for approximately 250 full-time equivalent employment positions in the farming sector and approximately 600 FTEs in the processing in Marlborough alone.

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

5 The proposed movement of a number of New Zealand King Salmon farms within the Marlborough Sounds is not the first such migration of cages. Salmon farms were first installed in the Sounds in the early 1980s, farms were located where there were convenient mussel farm sites which were converted to permit the farming of salmon. Where these were were sheltered water with staff and vessel access for delivering cages, smelt and structures and feed was convenient.

10 The first salmon sites were located around the hub of pioneer mussel farming sites in Mills Bay and Hallam Cove. The success of these original farms was not great for a number of reasons, including poor food quality, poor smelt handling techniques resulting in scale loss. Smelt too small to accept the sea water challenges and higher summer water temperatures. Other factors included general inexperience of farming king salmon species as they behave quite differently to Atlantic salmon, and the inadequate cage depth and size. It soon became obvious that these first farm sites were unsustainable and the first wholesale movement of cages occurred. The Mills Bay farm was moved to the site of marine farm licence 1 in Ruakaka Bay. The Weddon farm was towed to Port Underwood and cages at Te Towaka were towed to new sites further down Hallam Cove and new farms were built at Waihinau, Port Ligar and Crail Bay.

25 The second migration of cages took place with the growth and expansion of Regal Salmon Limited and Marlborough Salmon Limited. New farms were located at cooler water sites in Tory Channel, Te Punga and Clay Point, East Bay and Forsyth Bay. The Ruakaka Bay farm was moved further out into Queen Charlotte Sound to capture the cooler water flowing into the Sound via Tory Channel. Not all these sites were successful but with the improvement of feed quality, smelt performance and cage design, fish survival levels of up to 90 per cent could be achieved.

35 The proposed relocation process being undertaken by New Zealand King Salmon is an extension of these early efforts to move to better water for salmon survival and growth. The salmon industry in Marlborough needs these sites if it is to continue to grow and produce world class salmon at internationally competitive costs.

40 The Marine Farming Association supports the mechanism behind the potential relocation of salmon sites in the Marlborough Sounds. The Marine Farming Association supports the proposal to make regulations under sections 360(a) and 360(b) of the RMA to amend the Marlborough Sounds Management Plan to enable relocation of the farms. The Marine Farming Association supports proposals which provide improved environmental performance for the industry.

5 Here in Marlborough we grow the best mussels, oysters and salmon in the world. If the world wants to continue to eat and enjoy the health benefits of this seafood in the future it has to come from aquaculture production as wild catch levels remain relatively static. Here in Marlborough we are positioned well environmentally to reap the economic benefits from the aquaculture industry.

10 I personally consider the relocation process to be one of continuous improvement. This has been shown in the past when salmon sites were relocated and the technology was able to having them farmed in deeper water when this came along. I see this process as another step in the evolution of farming salmon sustainably in the Sounds. As technology improves who knows where salmon farming will be in 15 years' time. We need the flexibility to move with that technology.

15 CHAIRPERSON: Thank you, Mr Large. Does that complete everything you want to say to us?

20 MR LARGE: Yes, apart from obviously we fully support the process and we fully support all the farms.

CHAIRPERSON: You have said that. All of them?

25 MR LARGE: All of them, including the mid border bay farm, and in fact actually talking to a few people that I know in the recreational sector, and one of them pointed out to me, because I had initial reservations about it, that actually we don't spend hardly time in the middle of the reach. We spend all of our time around the headlands and around the shore, within 30 100 metres of the shoreline. So that was the one that we had the least amount of concern for.

CHAIRPERSON: Right.

35 MR LARGE: I had quite a few people reiterate that statement to me.

40 MR DORMER: In paragraph 21 you made the point that you thought the proposal to make regulations for the relocation of the marine farm. The other way of securing the relocation of the farms would be through getting resource consents for them. Why do you support this being done by way of regulation?

45 MR LARGE: I think, to be perfectly frank, the council right at the moment is in the middle of the Marlborough Environment Plan, aquaculture provisions have been pulled from that plan and I think that process was proven through what ended up being the EPA process a few years ago that King Salmon had to go through that the council currently probably haven't got the skills to be able to handle that. That is what I personally think and I think that this process is the right way to go about it.

- MR DORMER: It is very flattering of you to say we have the skills that the council doesn't.
- 5 CHAIRPERSON: The government I think he means.
- MR LARGE: Yes, more the central government.
- 10 MR DORMER: Good grief, I have very poor skills or knowledge about salmon farming. The council hasn't got the skills to handle the project and much better done by government. Okay. Thank you very much.
- 15 MR CROSBY: Yes, I am interested in two matters really, Mr Large. You've got a bewildering number of farms that you have under your management and I take it that they are throughout the Pelorus Sounds particularly, are they?
- 20 MR LARGE: No, they are actually through the entire Sounds so from Port Underwood to East Bay, we've got quite a few farms in those areas, through the Pelorus, Okiwi Bay and Golden and Tasman Bay. That's only about a third of the farms that I used to manage when I was Operations Manager for Sealord on their operations side.
- 25 MR CROSBY: In all of that experience have you had experience over a period of time of harvesting crops from mussel farms adjacent to salmon farms?
- 30 MR LARGE: Yes, I have. One of the farm we have got is in East Bay and one of the potential farms that is going to be potentially up for relocation and that is one of our better performing sites, without question. So I guess that is potential detrimental thing for us if that site gets relocated.
- 35 MR CROSBY: Well, that was what I was leading to. You were here when Mr Clarke gave evidence and he was suggesting that there is a nutrient benefit from the salmon farms that is a benefit for mussel farms adjacent. Has that been your experience?
- 40 MR LARGE: From a practical point of view, I am not a scientist I couldn't talk about that side of it, but from a practical farming perspective I would believe that there is but I also think that that benefit can be spread across a wider area. You don't necessarily need to be right beside the salmon farm to be able to get the benefits from that. But we do notice that they do tend to grow pretty well. East Bay is a good growing area anyway. I haven't farmed that site in East Bay without a salmon farm there because that farm in Otanerau's been there for quite some time, so it
- 45 will be interesting to see how it goes without a salmon farm there, I suppose.

MR CROSBY: Thank you. The only other matter that I want to cover with you is just that oral description you gave at the end in relation to the mid-bay site. You observed that you spend all your time within 100 metres of the shoreline, you are meaning in a recreational sense, I take it?

5

MR LARGE: Yes, so that was quite a few comments that came back from not just me, it actually from people I had talked to from the recreational sector that don't have anything to do with aquaculture and I was asking them about the process and whether they knew much about it and which farms, and they had seen what was in the media and they said that we spend pretty much 90 per cent of their time -- the only time they are out anywhere near the middle is if they're transiting and that farm in particular you can start transiting around that farm from three or four miles away. So you're only talking about one or two degrees in variation on a compass to be able to go around that farm if you are 3 or 4 miles away. So I don't see it as being a navigational issue either. I have actually had discussions with the current harbourmaster about that farm, who is of the same opinion.

10

15

20

But, yes, these guys that are fishing out there, these recreational mates of mine, they are saying that they spend all their time in and around the shoreline within 100, 150 metres of the shoreline.

MR CROSBY: A number of the comments that we have received address concerns about navigational impacts coming in the other way, coming in from the outer sounds, particularly for someone not experienced in the area and in poor weather conditions or poor visibility conditions. Do you see that as an issue?

25

MR LARGE:

No, not particularly, not if the farm -- you have touched on something that is a bit of a bugbear of mine actually. You know, people's navigational skills and a lot of recreational sector are lacking in that regard a bit. So the farm will obviously be lit up appropriately, like all marine farms are, and if you are able to navigate and you are able to drive a boat properly you should be able to navigate around that farm. It is not that big compared to the area. I think there is something like at least - I haven't actually measured it - but there's a good mile and a half either side of that farm to the shore. So there's a huge amount of area compared to what the farm is taking up to be able to navigate around that farm.

35

40

If someone has issue running into that farm then I think they have a few more issues than just -- about navigating around the Sounds. Yes.

MR CROSBY:

Thank you very much, Mr Large.

45

CHAIRPERSON: Just so you know, Mr Large, the harbourmaster has given evidence here at this hearing and I think in summary he says that mid-bay would probably be all right provided it is properly lit and he suggests also there should be, is it, AIS or ...?

5

MR LARGE Oh, yes, yes.

CHAIRPERSON: Facilities on it. He has some reservation about it, put it that way.

10 MR LARGE: I mean, the way I see --

CHAIRPERSON: For those reasons.

15 MR LARGE: Yes, it is no different to navigating around a headland, though. A lot of headlands in the Sounds, Tio Point for example, it's probably 100-degree turnaround at that point for the navigation channel, for the navigation route. That is within a 400 or 500 metre section you are turning 100 degrees through the compass so that is a major significant navigation procedure to carry out. This farm, you can see it in a direct line 3 or 4 nautical miles away and I'd estimate you'd only be having to steer 2 or 3 degrees off and you'd be well clear of it.

20

CHAIRPERSON: If you see it.

25 MR LARGE: Yes, well it is going to be well lit and it is going to be, I would imagine, pretty easy to see.

CHAIRPERSON: Coming from?

30 MR LARGE: Both angles. But also you'd have radar on and that sort of thing as well.

CHAIRPERSON: If you have radar.

35 MR LARGE: If you have radar, yes.

[11:45am]

40 Fish farms and mussel farms are also on the latest GPS mapping technology so that they show on that as well. A lot of recreational people have GPS so that they can see that on there as well.

CHAIRPERSON: Well, once it's established, yes.

45 MR LARGE: Yes.

CHAIRPERSON: Do you think it should be on the charts?

MR LARGE: Well, a lot of them are already on charts now.

CHAIRPERSON: They're not all on the charts though, are they?

5 MR LARGE: I'd have to have a closer look, I couldn't tell you, but I know there is a lot that are on charts. Yes.

CHAIRPERSON: Right. But anyway you would want to see that done?

10 MR LARGE: I guess that would be a good thing to do but I'd be able to see it -- I have been navigating around the Sounds for many years so I consider myself to be a reasonably good navigator.

15 CHAIRPERSON: You see, you have that experience, some people may not have that experience. They might be quite a novice and they are coming into Pelorus Sound, we have to cater for them to, don't we?

20 MR LARGE: Yes, we do but I think the onus is on them a little bit as well. We don't all just jump in cars and start driving around the road because there's laws around that. There's not laws around whether you can jump into vessel, unless it's a commercial vessel, so anyone can jump into a recreational vessel and start navigating around but they do have to take their own safety into consideration, especially if they are carrying family members and that sort of thing. So I think there is a wider issue there around navigational safety for the Sounds and I think it's impossible to make it completely fool proof for the idiots as such. So they have to take some responsibility themselves to navigate safely.

30 MR DORMER: If a recreational vessel did run into the salmon farm, it would presumably damage the farm a little?

MR LARGE: Yes, I guess it could damage the farm, depending on where they --

CHAIRPERSON: It would damage the boat.

35 MR DORMER: That was the next point, yes, and it is going to damage the boat. Yes. It might even sink it.

40 MR LARGE: I would have thought it is worthwhile having a discussion with the harbourmaster about it but I am not aware of any incidents where there has been any vessels navigate into farms that are existing now, and there is quite few - not just salmon farms, mussel farms around. If you are keeping a good look out --

45 MR DORMER: But not in mid-stream like this one.

- MR LARGE: No, potentially not but if you look at Tory Channel, for example, you have probably less room to navigate through Tory Channel than what there is around either side of this farm in mid water in Pelorus because of the narrowness of Tory Channel, nothing to do with the farms, just the narrowness of that channel. You have big ferries that are navigating up there all the time and that seems to happen. Obviously ferries pass each other as well.
- 5
- CHAIRPERSON: Yes, and there are some concerns about that. All right.
- 10
- MR DORMER: There is not much sympathy for the Auckland yachties who come.
- MR LARGE: As Graeme mentioned, they should maybe think about staying up in Auckland.
- 15
- CHAIRPERSON: All right, thank you very much for coming, Mr Large.
- MR LARGE: Thanks, Mr Skelton.
- 20
- CHAIRPERSON: Now we come to Te Ātiawa o Te Waka-a-Māui Trust. We have your evidence somewhere. If you just bear with us for a moment until we find it.
- 25
- (off mic conversation)
- CHAIRPERSON: Very well. Would you care to introduce yourselves? Kia ora.
- ARCHDEACON RURU: (Māori content) Trustee the longest serving, continuously serving foundation trustee of Te Ātiawa Trust since 1993. I wish the world was flat sometimes, so I can go over the edge. But it's lovely to be here before you and to appear and to be able to give evidence at this salmon farm relocation. Tena kotou. I would like to introduce -- well they can introduce themselves if that's okay, sir?
- 30
- 35
- MR BROSNAN: Tena kotou. I'm Bruno Brosnan. Rohe Manager.
- CHAIRPERSON: I'm sorry, your name again?
- 40
- MR BROSNAN: Bruno Brosnan.
- CHAIRPERSON: Bruno Brosnan.
- MR BROSNAN: Rohe Manager for Te Ātiawa.
- 45
- CHAIRPERSON: Sorry, I didn't catch you.
- MR BROSNAN: Rohe Manager for Te Ātiawa.

CHAIRPERSON: Right. Yes, Rohe Manager, thank you. Yes.

5 MR PROSCH: Tena kotou. Richardt Prosch. That's Richardt Prosch like Richard Strauss. Just my musical --

CHAIRPERSON: Right. Yes.

10 MR PROSCH: Richardt Prosch. I'm the General Manager for the Post Settlement Trust for Te Ātiawa and I'm also a Director on our fishing company, Totaranui.

CHAIRPERSON: I've got Mr Crosby to respond to your -- you're Archdeacon?

15 ARCHDEACON RURU: Harvey Ruru.

CHAIRPERSON: Archdeacon that's correct, isn't it?

20 MR CROSBY: Tena koe. (Māori content).

CHAIRPERSON: Now how would you like to proceed Archdeacon?

25 ARCHDEACON RURU: Sir, if I could start on page 2 of the document that has been presented to you?

CHAIRPERSON: Yes.

ARCHDEACON RURU: If that -- if that's allowable, sir?

30 CHAIRPERSON: Yes. Have you -- this is your -- this is your written comments lodged as a whole. Have you --

ARCHDEACON RURU: Yes, sir.

35 CHAIRPERSON: -- have you -- do you want to read all of that or do you want to take us through that in some way?

ARCHDEACON RURU: Sir, I would like to read it, if that's --

40 CHAIRPERSON: I mean, we've got time to hear from you, so --

ARCHDEACON RURU: Thank you sir.

45 CHAIRPERSON: All right.

ARCHDEACON RURU: I roto i to tatou tirohanga - in our view. Te Ātiawa o Te Waka-a-Māui Trust, for the reasons outlined below, supports the Governor General in using her powers under the Resource Management Act 1991 to change the Operative Marlborough Sounds Resource Management Plan to enable fin fish farming in the areas proposed. However, the Trust believes the Governor General should be considering a more flexible plan modification at Tio Point to enable fin fish farming instead of just salmon. That is expanding the Coastal Marine Zone 2 to accommodate the new farming area instead of changing it to the Coastal Marine Zone 3 and be allowing a wider consideration than simple New Zealand King Salmon relocation to support the development aspirations of Te Ātiawa.

Ko wai i tatou? Who are we? Te Ātiawa o Te Waka-a-Māui Trust (Te Ātiawa) is the mandated iwi organisation that represents the Te Ātiawa people who whakapapa to Te Tau Ihu or to Waka-a-Māui (the top of the South Island). Te Ātiawa hold mana whenua mana moana across Te Tau Ihu, and specifically, in this context, the Marlborough Sounds. As such Te Ātiawa iwi members are kaitiaki. They're the guardians within this rohe and carry a responsibility for ensuring the mauri or essential life principles of the natural world is maintained. Central to this responsibility is kaitiakitanga.

Te Ātiawa has fought long and hard to formalise these long-standing rights through various legislative processes and be recognised in its tribal home. While the principles of the Treaty of Waitangi secured the rights of iwi, the co-governance and the co-management of resources within its tribal areas, it is now accepted that this did not happen. The 20-year settlement process opened old wounds but recognised the injustices of the past and secured an apology and a redress. Unfortunately, the settlement process required concession and compromise on behalf of iwi for the good and benefit of all peoples of Aotearoa. However, what rights were secured through the Deed of Settlement should not be ignored and will be vigorously defended by the Trust.

In short, we represent the Te Ātiawa people of Te Tau Ihu. Our people are the holders of the mana and the kaitiaki.

To tatou tāpaetanga - our submission. Although our area of influence carries across the entire Te Tau Ihu region, the primary focus of our submission regards the proposed changes that would impact on Totaranui (Queen Charlotte Sound).

5 Queen Charlotte Sound was named by Cook when he came here. She
was the consort Queen of England. They said she looked ugly, because
she was black. Her home city was in North Carolina but she is of
Portuguese decent. However, when you look at it from a white
perspective, yes, black would probably look ugly, but from a black
perspective she was beautiful and all the photographs and paintings that
were -- sorry, all the paintings that were done of her at the time,
portrayed -- tried to portray her as being white, but she was actually in
10 fact black. She was the first queen consort to be black that is known in
the royal household and I acknowledge that Queen Charlotte today of
being the mana within our channel Kura te Au.

15 And Kura te Au (Tory Channel) in regards to the wider changes, the
Trust endorses the proposed changes on the basis that the relocation of
salmon farms from low-flow sites to high-flow sites would have a
better environmental outcome; the resultant new coastal permits would
be issued with modern and comprehensive conditions; the resultant
20 monitoring of the salmon farming effects would be under new and
stringent environmental controls; a clear and consistent compliance
regime would be imposed on the new coastal permits that are consistent
with the Best Management Practice guidelines for salmon farming in
the Marlborough Sounds; and the relocations would create more job
opportunities to bring our people back to the rohe.

25 To tātou uara - our values. The Trust has discussed its cultural values
with the Ministry of Primary Industries and read the Cultural Impact
Assessment (CIA) provided by the Ministry and we've worked hard as
Te Ātiawa on that CIA, cultural impact documentation and it was very
good consultation that they provided during that time.

30 **[12.00 pm]**

35 While the Trust generally supports the issues and values raised in this
report, the Trust feels that it is important for the Advisory Board and
the Governor General to recognise the specific values of significance
to Te Ātiawa.

40 As the Ministry CIA identifies, Totaranui and Kura te Au, are Tino
Taonga (principle treasures) --Tino Taonga (principle treasures) and
are accorded the highest level of regard in the Iwi Environmental
Management Plan of Te Ātiawa. This regard the ultimate
responsibility is to the maintenance and enhancement of the mauri and
the ecological integrity of these taonga.

5 Currently there are two salmon farms operating within Totaranui and three within Kura te Au. The Totaranui farms were established before the enactment of the Resource Management Act 1991 and are classified as low-flow sites. These low-flow sites have been shown to be less than ideal for salmon farming. To remove the salmon farms and salmon farming activities from these locations would achieve a significant enhancement to the mauri and the ecological integrity of the Totaranui environment, Otanerau and Ruakaka specifically.

10 Te Ātiawa was present and an eager participant in the review of the salmon farming and the development of the Best Practice Guidelines for salmon farming. This review drew in international experts who showed that salmon farming, and in fact any fin fish farming, could be operated in a sustainable way with minimal adverse environmental impacts providing the right site was selected and the operation was managed properly and responded quickly to the thorough and robust monitoring.

20 Kura te Au has been extensively researched, modelled and surveyed in terms of its appropriateness for salmon farming. All these reports, studies and investigations have shown that Tio Point is, subject to proper operation, an appropriate location for fin fish farming. The Trust is satisfied that the modification of the Marlborough Sounds Resource Management Plan to enable fin fish farming will not compromise the Tino Taonga value attributed to this site or the wider Kura te Au.

30 Te Tukanga - the process. Tio Point has always been and continues to be an important area for our people. Te Ātiawa sought to establish a marine farm at this site in 1999 with a farm finally being operational in 2001. Since that time, the Trust has continuously sought to review and refine its agriculture activities at this site toward high value species for the benefit of the iwi, providing jobs and financial returns for its people within its ancestral home. In doing so, providing an opportunity to keep our skilled people within our rohe and provide an incentive for our people to return to home.

40 Therefore, it would be wrong for the Advisory Board or the Minister to be under the impression that the changing of the Marlborough Sounds Resource Management Plan to enable fin fish farming at the Tio Point site is only possible to allow the relocation of existing New Zealand King Salmon low-flow sites.

5 The Trust was engaged in the Ministry process well after discussions were initiated between the Marlborough District Council, New Zealand King Salmon and the Ministry regarding new sites for salmon aquaculture. Our engagement in this process was never from the point of view of solely being a relocation site, but offer potential relocation site or a stand-alone fish-farming site. In fact our aspirations were always -- were always to pursue our own plan change for this area. However, given the Ministry's investigations it was logical that Te Ātiawa participate.

10 Whilst we are open to a relationship with New Zealand King Salmon, if this is not possible then Te Ātiawa would like to have the opportunity to pursue its own fin fish activity at the Tio Point site. However, there is a preference among our people to explore native and/or local species at this location, hence a change to the Coastal Marine Zone 3 would not facilitate this but an expansion of the Coastal Marine Zone 2 to incorporate the boundaries of the farming and anchoring structures would. Therefore, we request that the Advisory Board/Governor General consider a change that would allow flexibility in which these -- in which species of fin fish can be farmed at this site.

25 Ta tatou e kua rio - what we have been promised. Te Ātiawa has been resident in Totaranui (Queen Charlotte Sound) for over 180 years. In fact, the record actually goes back to people known as Kahui Tu, well into the 13th Cent -- well into the 1300s, since 1355. By the 18th Century, Te Ātiawa fishing techniques/practices had become well established and were managed to provide a sustainable food source and for commercial trading purposes.

30 These interests have been recognised in the Treaty of Waitangi and aquaculture settlement processes in which traditional food gathering, economic trade and the wider marine environmentally quality practices of Te Ātiawa had been recognised and actively provided for.

5 Te Ātiawa interests are further defined in the Māori Commercial
Aquaculture Claim Settlement Act 2004 known as "the Act" which
resulted in a Regional Aquaculture Agreement for the Marlborough
region. As part of this agreement, aquaculture settlement areas (81
10 hectares) within Marlborough were set aside for iwi as the only space
available in this region left for aquaculture. The gazettal of these areas
is reported in the Māori Commercial Aquaculture Settlement New
Space Plan as being the result of "close consultations with relevant
15 councils, iwi aquaculture organisations, the Trustee, industry and other
interests." However, the extent of the investigation was not to the
degree undertaken in the current relocation proposal. It is highly
probable that many of the fin fish sites in the settlement areas will not
be feasible and will not pass closer scrutiny. In which case the sites
proposed under this relocation process will be the only remaining
feasible fin fish aquaculture sites.

20 The Trust understands that the settlement areas and the relocation sites
will still be required to proceed through the Resource Management Act
consent process. However, in the case of the relocation sites, all of the
required scientific work has been undertaken by Crown agencies. The
same cannot be said for the settlement areas and it is for iwi to
undertake the necessary scientific work. In the specified areas, the first
25 identify whether the activities will be feasible let alone to see the
activities provided for will be sustainable.

30 This inequality between the investigation provided by a Crown agency
to an overseas company as opposed to the indigenous people of
Aotearoa and particularly the people of the Sounds, cannot be ignored
and must be addressed by the Crown in this process. In addition, this
inequality risk a long established Te Ātiawa aquaculture site to be
overtaken by a Te Tau Ihu treaty grievance process, hence it is critical
that the Advisory Board recognise that the Tio Point site is separate and
distinct from the New Zealand King Salmon relocation process.

35 Hoatu mātou tautoko mō - we give support to. In broad terms the Trust
supports the Governor General to use powers under section 360A of
the Resource Management Act 1991 to modify the zoning of the
location specified in the Operative Marlborough Sounds Resource
40 Management Plan., in the interests of maintaining and enhancing mauri
and the ecological integrity of the Marlborough Sounds except that the
Tio Point site as proposed within Kura te Au, remains zoned Coastal
Marine Zone 2 but expand it to the new boundaries of the farming area.
The Advisory Board and the Minister make it clear that the Tio Point
45 site is of significance to Te Ātiawa and should not be solely considered
in terms of a New Zealand King Salmon relocation site and, if only one
salmon farm is to be removed from Totaranui/Queen Charlotte Sound,
then the Otanerau farm be removed.

I roto i ngā whakamahere - Planning provisions. The Trust has read and understood the planning analysis of Montgomery Watson Hazard in the report entitled "Relocation of Existing Low-Flow Marlborough Salmon Farm Sites". The Trust is disappointed that the report merely identifies relevant planning objectives and policies, especially regarding cultural matters rather than providing a thorough analysis -- rather than providing a thorough analysis.

In addition, the analysis does not provide a description of the relevant objectives and policies in relation the relevant Iwi Management Plans of the areas, instead dismissing such analysis to a cultural impact assessment such as -- such as deficient as cultural impact assessments are separate processes for a different purpose.

Iwi Management Plans are required to be taken into account for any proposed plan change process (section 66 and 74 RMA) undertaken by a council. Whilst the Trust recognises that the Governor General regulation powers and process (section 360A and 360B) are not explicit in requiring such an analysis. The Trust believes that such an analysis is, at least, implied under section 360B.

In the opinion of the Trust and with respect to Kura te Au, had the planning assessment analysed the cultural provisions of the Marlborough Sounds Resource Management Plan, it would be apparent that the plan supports the inclusion of iwi and the use, development and protection of all resources within the area.

Also in the opinion of the Trust, had the planning assessment analysed the cultural provisions of the Te Ātiawa Te Waka-a-Māui Iwi Environmental Management Plan (IEMP) it would be apparent that the IEMP generally supports the removal of problematic aquaculture activities and the establishment of sustainable aquaculture provided it is of benefit to Waahi Tapu, Waahi Taonga, Te Moana and iwi, hapu and whanau, including reinforcing Tino Rangatiratanga and Kaitiaki.

Sir, I would just like to conclude to emphasise two points. In the settlement process iwi were told no more water space, yet new water space has been found with the small effort and support be supplied to iwi. This is the first time the Crown has used its regulation powers. Will the Crown use these regulation powers for iwi?

(Māori content)

CHAIRPERSON: Do either of your other supporters wish to speak?

- MR PROSCH: Mr Chair, just a few comments from my side. As the General Manager and Director of our fishing company, I dare say the economic buck stops with me. We will not go down a path where we believe there is not sustainability. We will not go down a path that will damage the environment. My background is a trained marine biologist. I've got several decades in that field.
- 5
- CHAIRPERSON: Marine?
- 10 MR PROSCH: Marine biologist.
- CHAIRPERSON: Biologist, yes.
- MR PROSCH: Particularly in fisheries biology and population dynamics and with that hat on I approached this process in the first place. I was privileged to sit in on a number of sessions where the science was presented on, not only these sites that actually made it through, but all the sites. I can only but compliment the MPI scientific staff for a very thorough scientific process, that certainly makes me proud to deal with them.
- 15
- 20 The science, I think, in this whole process, I think the science will speak for itself at the end of the day.
- CHAIRPERSON: Are you talking there about the working group?
- 25 MR PROSCH: I'm talking about the science that was done for each site, be it mammals, be it sea birds.
- CHAIRPERSON: That you said you were sitting in on.
- 30 MR PROSCH: Yes, I sat --
- CHAIRPERSON: Was that the work of the working group?
- MR PROSCH: Correct, yes.
- 35
- CHAIRPERSON: Yes.

MR PROSCH: So, I was privileged to look at the science that was presented and me, personally, could assess it from a personal point of view, scientific point of view. So, I'm comfortable that the science that was done was proper and that the science sites that have made it through are high-flow good sites for salmon farming and, as we've heard from our submission, Te Ātiawa is looking at higher value species. Salmon, of course, is one of those. So, I believe there is sustainability in the process. I believe it is the right route to follow. It is best practice at present and furthermore on the environmental aspects, we, as a iwi have spent an enormous amount of money and time and effort over very many years, putting money into environmental management and Bruno, next to me, will take up from me and maybe elaborate a little bit. So, anything that is not sustainable or anything that is going to hurt the environment, if that was the case, we would not be here today. Thank you, Mr Chair.

CHAIRPERSON: Yes, Bruno.

[12.15 pm]

MR BROSANAN: Sirs, I've just got a few points to add to our submission and then Harvey will close and be open to questions. I am one of a long line of Rohe managers, employed by Te Ātiawa to discharge their resource management functions and ensure that the environmental ethic of Te Ātiawa is incorporated across all their business units.

I have a Masters in marine science, I have a Masters in management and I have a Masters in planning. Before coming to Te Ātiawa, I was employed by the Marlborough District Council for 13 years as a resource management officer. For a large chunk of that, I was the planner in charge of aquaculture and aquaculture consents. I was a member of the working party on the best practice guidelines for salmon aquaculture and I am still currently an expert member on the expert panel of marine significant sites.

In terms of our submission, I just have five brief points. In the documents that supported this process, it would appear that MPI has only considered our iwi management plan as a cultural tool, not a planning tool.

CHAIRPERSON: That's the same point the Archdeacon makes.

MR BROSANAN: Yes, and I'd consider it is a planning document. I recognise that there's no guidance on how iwi plans were to be used, but it does contain objectives and policies on resource use and development. If the Advisory Panel is interested, I have copies available.

CHAIRPERSON: I think we are interested because I said at the beginning of this hearing that we would be guided by the relevant provisions of the Resource Management Act and the provision that the Archdeacon has referred to is one of those.

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ARCHDEACON RURU: Kia ora.

CHAIRPERSON: I think - and I think my colleagues agree - we should be considering the iwi management plan in that context.

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ARCHDEACON RURU: Tēnā koe. Kia ora.

MR BROSNAN: Sirs, then I've got copies available for the --

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CHAIRPERSON: We need each to have a copy of that.

MR BROSNAN: Okay. I won't go blow by blow, but the document itself contains more than just identification of significant sites. It also contains objectives and policies of development of the coastal marine environment and it indicates aspirations of Te Ātiawa in terms of resource use. The plan itself does identify that Te Ātiawa's view is that humans cannot be separated from the environment around and are an integral part. I think you'll find it interesting in the way that the kaupapa talks about developing resources in a sustainable way to ensure that all can co-exist.

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25

CHAIRPERSON: We will look at the document. Are there any particular provisions that you want to draw to your attention in case in case we haven't looked at them?

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MR BROSNAN: I can probably provide you with a copy where I have tagged the relevant sections that I think are pertinent to this case.

CHAIRPERSON: Yes, that would be useful.

35

MR BROSNAN: I'll leave that with the hearings facilitator.

CHAIRPERSON: So you've got, okay, an annotated ...?

40

MR BROSNAN: It's just mainly a tagged section where --

CHAIRPERSON: A tagged section, yes.

45

MR BROSNAN: There's probably three pertinent sections and they regard moana, sustainability and the people.

CHAIRPERSON: Yes, right.

- MR BROSNAN: The second point I'd like to make is this is process is looking at a cookie cutter plan change process, incorporating a coastal marine zone 3 into different areas of the plan. From the documents that we have received, we're not entirely sure of the full range of the Plan change proposed. In looking through the coastal marine zone 3, it has a number of very specific sections about sites. I just highlight to the Advisory Panel about being conscious the new sites, if they are successful, you'd have to have someone go through coastal marine zone 3 and ensure that all those new sites are incorporated or at least implied in all the standards of --
- CHAIRPERSON: But this proposal is to establish a new zone for those sites called coastal marine 4.
- MR BROSNAN: Is it?
- CHAIRPERSON: Yes.
- MR BROSNAN: Right.
- CHAIRPERSON: We've already got submissions saying, "Don't do that and stick with coastal marine 3".
- MR BROSNAN: We're saying --
- CHAIRPERSON: But the proposal that the Ministry puts to us is to establish what I call a bespoke zone for these sites, which would have its own set of rules.
- MR BROSNAN: In our case, we're looking --
- CHAIRPERSON: You're saying, "Don't do that"?
- MR BROSNAN: We're saying don't do that and especially with our focus being on Tio Point site --
- MR DORMER: Te Ātiawa want the area zoned 2?
- MR BROSNAN: It's unclear from the documents, especially the mooring diagram, whether the current coastal marine 2 zone is sufficient to incorporate the extent of the moorings for the Tio Point site. The submission of Te Ātiawa is that it should remain coastal marine zone 2 at the Tio Point given the flexibility in the different species that can be farmed.
- MR DORMER: One of my questions was to be: why did you want it zoned 2? You want it zoned 2 because of the flexibility of species that zone 2 affords whereas zone 3 and 4 are for salmon specifically.
- MR BROSNAN: Salmon only. Salmon can be --

- MR DORMER: Is that right?
- 5 MR BROSANAN: That is correct. Salmon farming can be and is done in coastal marine zone 2 at the moment.
- MR DORMER: Is it?
- 10 CHAIRPERSON: We'll look at that.
- MR BROSANAN: There's just two implications that the advisory panel may not be aware of. As of 3 April, the Coastal Marine Area (Takutai Moana) Act had applications open for customary recognition. Te Ātiawa has applied for customary recognition over the areas --
- 15 CHAIRPERSON: Yes, I think I'm aware of that from Canterbury region and it's all happened quite quickly because the time's running out.
- MR BROSANAN: That's right.
- 20 CHAIRPERSON: Isn't that right?
- MR BROSANAN: The time has passed. The deadline was 3 April.
- 25 CHAIRPERSON: So as at that date you have applied?
- MR BROSANAN: We have applied to both the Crown and the High Court.
- 30 CHAIRPERSON: Yes. For recognition of customary rights?
- MR BROSANAN: Application for customary title.
- CHAIRPERSON: Title, I'm sorry. Yes.
- 35 MR BROSANAN: Which does include the spaces covered by these relocation sites.
- CHAIRPERSON: So what conclusions should we draw from that because the applications would have a way to go yet, I imagine, anyway?
- 40 MR BROSANAN: Yes. According to the Ministry of Justice, there's been a huge number of applications in. The Crown process is to run first and they have not even considered how long that process would take. Then once that concludes, there is a High Court process, which could run into years. So the implications are, I believe, if there is a customary title or an application, councils are required to take it into account when --
- 45 CHAIRPERSON: It's a bit more than that, I think --

MR BROSNAN: Yes.

CHAIRPERSON: -- from my recollection of the RMA, but you've got a way to go to get to that point, I think.

5

MR BROSNAN: For a title to be issued, yes. But the fact that applications are in, there's some grey area --

CHAIRPERSON: It's a start, yes.

10

MR BROSNAN: Yes.

CHAIRPERSON: In Te Ātiawa's case, that's for, what, the whole of Queen Charlotte Sound or ...?

15

MR BROSNAN: The areas that are covered in this relocations programme are all within areas applied by --

CHAIRPERSON: In Pelorus as well?

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MR BROSNAN: In Pelorus as well.

CHAIRPERSON: By Te Ātiawa?

25

MR BROSNAN: By Te Ātiawa.

CHAIRPERSON: Okay. Are the other iwi in this area doing a similar thing?

MR BROSNAN: I cannot confirm --

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CHAIRPERSON: You can't talk for them?

MR BROSNAN: No, I can't but --

35

CHAIRPERSON: Right.

MR BROSNAN: -- the Ministry of Justice has confirmed that there are many applications for this area.

40

CHAIRPERSON: Yes. So all the proposed sites that we're looking at, the six of them, are covered by --

MR BROSNAN: In the very least --

45

CHAIRPERSON: The area is covered by this application?

MR BROSNAN: -- in the very least by Te Ātiawa.

- CHAIRPERSON: Yes, and more.
- MR BROSANAN: And more.
- 5 MR DORMER: So there could be competing applications for customary rights?
- MR BROSANAN: For a customary title.
- CHAIRPERSON: Yes.
- 10 MR DORMER: Forgive me, yes.
- MR BROSANAN: Correct. Sorry, last two points. The Marlborough Environmental Plan, as you know, has been released in part for consultation. Submissions closed last year, but all the aquaculture provisions are --
- 15 CHAIRPERSON: Yes, we're familiar with that.
- MR BROSANAN: We have yet to be consulted or see what those aquaculture provisions will be and what they mean. So there is --
- 20 CHAIRPERSON: They've just started to the process on that, as I understand it.
- MR BROSANAN: Correct, but it should be understandable: the nervousness around aquaculture and aquaculture development and the continuation of aquaculture in this area given that you're looking at changing operative plan. But we already know that there is a proposed plan out and moving along.
- 25 CHAIRPERSON: That hasn't escaped us.
- MR BROSANAN: Understood. My last point is - it's echoed by the concerns raised by Graeme Clarke - what is to be done with the existing sites once relocated, Otanerau, Ruakaka, Waitata? In our understanding, a relocation is if you are changing a coastal marine 1 zone to a coastal marine zone 4, does that mean that the coastal marine 2 zone is going to become coastal marine zone 1?
- 30 CHAIRPERSON: That's the intention, as I understand it; that those sites would be prohibited from marine farming.
- 40 MR BROSANAN: Then that would be a cookie cutter with a coastal marine zone 2. So these areas already have aquaculture.
- 45 CHAIRPERSON: Except for that.
- MR BROSANAN: Except for --

- CHAIRPERSON: I think salmon actually. No. Look --
- MALE SPEAKER: We'll check.
- 5 CHAIRPERSON: -- I know that that's covered in some way, yes.
- MR BROSANAN: It's just a point to be clarified; in Queen Charlotte Sound, if those sites are to be moved then they are to be coastal marine zone 1?
- 10 CHAIRPERSON: Yes.
- MR BROSANAN: Prohibited for aquaculture.
- CHAIRPERSON: Yes.
- 15 MR BROSANAN: Understood.
- MR DORMER: Would that be your preference?
- 20 MR BROSANAN: I believe so, yes. It is our preference.
- MR DORMER: So that part of the proposal you support?
- MR BROSANAN: If it is only to be one that it be Otanerau that is to be relocated. That's
25 the direction I've been given by my board.
- That's all I have so I pass to Harvey to close.
- CHAIRPERSON: Perhaps we could have our questions and then you might close first?
- 30 ARCHDEACON RURU: Kia ora, sir.
- CHAIRPERSON: Would that be convenient for you?
- 35 ARCHDEACON RURU: Up to you, sir.
- CHAIRPERSON: I think if we had our dialogue with you and then you --
- ARCHDEACON RURU: Tēnā koe.
- 40 CHAIRPERSON: Yes. So do you want to ...?
- MR DORMER: If I may, thank you. I don't know which of the three of you you'd like
45 to answer this, but it's the same question I asked the previous witness. I take it that you are supportive of further salmon farming. Why do you support the Governor-General using her powers to do it by regulation rather than modifying the zoning through the usual schedule 1 process?

MR BROSANAN: Sirs, being on the Best Practice Guidelines Panel and from the information we've received through this process, it is our assessment that salmon farming can be done sustainability, given good site location and good management processes. So as our iwi management plan will show, it's about improving the environmental outcomes. The low flow sites, it's no secret, have been problematic at times and moving them to a site where they can operate more efficiently and more sustainability is achieving the outcomes of our iwi management plan.

[12.30 pm]

MR DORMER: But there are other submitters to come later in a couple of weeks' time who, I understand, are saying that irrespective of whether or not salmon farming is to be expanded or irrespective of whether or not the six new sites are to be approved, the Governor-General is going about it the wrong way and she shouldn't be doing it by way of regulation. They should be required to get resource consents for each of the six. As I understand your submission, you would disagree with that proposition.

CHAIRPERSON: They say that the plan change should be under the first schedule.

MR DORMER: Yes, I'm sorry.

CHAIRPERSON: They have to get resource consents either way.

MR BROSANAN: Exactly, but it's just another one of the tools under the Resource Management Act. We're being engaged in the process. If it was a plan change done by councils, then we'd still be engaged in the process. The Governor-General using her regulation powers is just another tool in the kitty, so to speak. So whether we prefer one process or the other, it's still a process and that's what is before us.

MR DORMER: Thank you.

CHAIRPERSON: The significance of doing it under the first schedule process would be that would be rights of appeal to the Environment Court.

MR BROSANAN: Yes --

CHAIRPERSON: This process doesn't lead to that.

MR BROSANAN: No, but there's still the Marlborough Environment Plan to come out, which is under a schedule 1 process.

CHAIRPERSON: Yes.

MR BROSANAN: So there is that process open to people.

- CHAIRPERSON: Yes. There is an issue about what happens. Yes, we are alive to that. Is that ...?
- 5 MR DORMER: Yes, that satisfies my enquiry, thank you.
- CHAIRPERSON: All right.
- 10 MR CROSBY: Yes, I've got three or four issues I wanted to cover. The first was just at the top of page 4. Archdeacon, you referred to Te Ātiawa's operation of a marine farm at this site. Again, anybody to answer, but how long has it been operated, is it still operational and is has it been mussels only?
- 15 MR PROSCH: Sir, the farm was operational for mussels. It's consented for bivalves. Some 10, 15 years ago, we did attempt to grow mussels at that site, unsuccessfully so. The water currents are immense and that was the conventional wisdom at the time that it's actually too strong to grow bivalves there. So the reasons for making it a good salmon site has made it, let's say, less suitable for bivalves.
- 20 MR CROSBY: Right and so the resource consent that Te Ātiawa hold at that location, does that encompass part of the proposed relocation site?
- 25 MR PROSCH: That's my understanding, yes.
- MR CROSBY: Yes, right, except for an area of wharfs, as I understood?
- 30 MR BROSNAN: The papers that have been provided would show that the area of cages is directly alongside the coastal permit area of the Te Ātiawa site. The OCL mooring assessment is unclear as to where the zone boundary is, hence our concern. But --
- 35 MR CROSBY: So directly alongside to the --
- MR BROSNAN: North.
- MR CROSBY: -- to the west or north?
- 40 MR BROSNAN: The northwest.
- MR CROSBY: Northwest. Right, okay, to the northwest.
- 45 MR BROSNAN: To answer your question about the consent, I believe it was originally consented in the 1990s and it's due to expire in 2020.
- CHAIRPERSON: It's a marine farming licence?

- MR CROSBY: It's a coastal permit with a fisheries --
- CHAIRPERSON: So the permit now ...?
- 5 MR BROSNAN: It has a coastal permit and it also has a fisheries licence. So it was caught through the process where they needed dual consents.
- CHAIRPERSON: It expires ...?
- 10 MR BROSNAN: 2020, three years.
- CHAIRPERSON: 2020?
- MR BROSNAN: Right.
- 15 MR CROSBY: Could you make a copy of that available through the hearings facilitator if you would?
- MR BROSNAN: The Te Ātiawa consent?
- 20 MR CROSBY: Yes, thank you, and, I'm sure you will, ensure that it has that plan attached to it.
- CHAIRPERSON: There's a plan attached to it, I presume?
- 25 MR BROSNAN: It will, yes.
- CHAIRPERSON: Yes, we would really like to see that, thank you.
- 30 MR CROSBY: Everybody's been steering around it a little bit, so I might as well leap into the void. Is there a relationship between New Zealand King Salmon and Te Ātiawa of a binding nature in terms of possible relocation to this site?
- 35 MR PROSCH: We've had a very long relationship with King Salmon. For instance, the water space at Clay Point is 50 per cent owned by Te Ātiawa and leased to King Salmon. That's our only arrangement at that site. Then our mussel farm in Pelorus, White Horse Rock, we lease from King Salmon. It is their water space. Then we are exploring economic business opportunities with King Salmon. Although we have extensive experience and knowledge within the group of aquaculture per se, salmon farming is a little bit foreign to us and it also would require a huge overhead expenditure. So what we are doing at the moment is, yes, we are exploring with King Salmon, should the process be successful, as to how we can combine our resources and establish a salmon farm. But the detail of that arrangement is being worked through and I don't think one wants to jump the gun.
- 40
- 45

- 5 MR CROSBY: All right because the reality, it seems to me on hearing the evidence that you've given particularly as to location, is that if this particular site was to progress through, there would need to be an accommodation as between New Zealand King Salmon and Te Ātiawa because of the existence of the coastal permit. Am I misreading that position or not?
- MR PROSCH: No, I don't think you are.
- 10 MR CROSBY: Right, thank you. I am interested, Mr Brosnan, I imagine, probably but it may well be you, Mr Prosch - there's a statement at page 4 in the third last paragraph that:
- 15 "There is a preference among our people to explore native and/or local species at this location."
- You've described mussels as being problematic, bivalves as being problematic. What other species are you referring to there as possibilities?
- 20 MR BROSNAN: There's a number of species being trialled throughout the country. Mr Clarke wrote in about kingfish but there is also research into hapuka, snapper, butterfish, other --
- MR CROSBY: So they're all finfish?
- 25 MR BROSNAN: All finfish.
- MR CROSBY: Right, thank you. So it's not seaweeds, it's not sponges, it's not paua?
- 30 MR BROSNAN: It could be. The current coastal permit covers a range of other species of the bivalve, seaweed. So the flexibility with coastal marine zone 2 is that you can apply for a coastal permit to do those activities whether it be finfish or bivalves or algae.
- 35 MR CROSBY: Right, that's why they want that there. At the next page when you were talking about the aquaculture claim settlement, you referred to:
- 40 "As part of this agreement, aquaculture settlement areas, 81 hectares, within Marlborough were set aside for iwi."
- How do we access that particular plan of where those locations are?
- MR BROSNAN: They've been incorporated into the smart maps for aquaculture. When I was sitting at the back, you had on the computer a landscape smart map. If you go to the Marlborough aquaculture smart map, it'll identify which sites are gazetted and they were gazetted for different species whether they're finfish or bivalve.
- 45

MR CROSBY: Right, but with no detailed benthic assessment of any of those sites, I presume.

5 MR BROSNAN: I can't speak for the process from MPI's perspective, but when I was at council, we didn't receive any benthic analysis to go along with it.

MR CROSBY: Areas in Totaranui and Kura te Au included in those 81 hectares?

10 MR BROSNAN: They're not included in the 81 hectares, no. Although the study area covered all of the Marlborough Sounds, my understanding is only sites within Pelorus Sound were selected.

MR CROSBY: Right, okay, thank you.

15 CHAIRPERSON: So where is the 81 hectares then?

MR BROSNAN: It's in the Pelorus Sounds.

20 CHAIRPERSON: In Pelorus Sounds. Not in the area that we're concerned?

MR BROSNAN: No. There might be one close by, but ...

MR CROSBY: Those were gazetted?

25 MR BROSNAN: They were gazetted.

30 MR CROSBY: Right, okay. Archdeacon Ruru, just the complaint and concerns that you've expressed as to unfair treatment as between the iwi and New Zealand King Salmon through this process at the middle of page 5. I may have misread the paragraphs or misunderstood what you're aiming at in reading those paragraphs. My understanding was that you were possibly of the view that the Crown had met the costs of all the scientific work. Was that your understanding?

35 ARCHDEACON RURU: That's my understanding, sir.

40 MR CROSBY: I'm sure Mr Brosnan/Mr Prosch can take us through the passages, but to be fair to the MPI the way in which it's been put to us is that the Crown has met the process costs but the actual costs of all the scientific reports and studies was met by New Zealand King Salmon. That's the picture that's been painted to us. I thought I should at least draw that to your attention out of fairness to MPI for you to consider.

45 ARCHDEACON RURU: Can I ask Mr Brosnan to reply?

MR BROSNAN: Te Ātiawa's met some of those costs as well so the process costs are what we're hinting at.

MR CROSBY: Right, okay, thank you.

CHAIRPERSON: But the scientific work, you accept, King Salmon's paid for?

5

MR BROSNAN: Some of the costs, yes.

CHAIRPERSON: You've paid for some as well.

10 MR BROSNAN: Yes.

CHAIRPERSON: Right, thank you.

15 MR CROSBY: That was news to us, too, so thank you. What aspects did Te Ātiawa address?

MR PROSCH: We paid for a benthic survey at Tio Point.

20 MR CROSBY: Right, okay. The final, probably observation rather than question was that I imagine that you would be surprised if Rangitane, Ngāti Toa, possibly Ngāti Apa and Ngāti Rarua might have made similar Takutai Moana customary title claims?

25 ARCHDEACON RURU: We're not aware. We had a lot to do on our own claims.

30 MR CROSBY: I just make that observation because if one looks at the areas of customary interest in the settlements acts that were passed for the top of the south, the Te Tau Ihu area, there's a huge degree of overlap, isn't there?

ARCHDEACON RURU: There is.

MR CROSBY: And good luck to the High Court in due course. Thank you.

35 CHAIRPERSON: Yes. I want to get clear in my own mind this business about the Aquaculture Claims Settlement Act and where that fits in because it's been my understanding from what I've read - and some of the other iwi are quite strong about this in their submissions to us - that the Crown settled with you a sum of money. I forget the figure now - because it couldn't provide a space. Some of the iwi are now saying this proposal indicates that space is available and so they want to pursue that in terms of the previous settlement. Have I got it right so far?

40

- MR PROSCH: Yes, sir. The Marlborough aquaculture settlement of 2015 of which there were nine iwi that signed that, there was a sum of money. You're quite correct in that. I believe during that process, the iwi were told there is no suitable salmon space and essentially what the iwi are saying now all of a sudden we have discovered suitable space and all of us really want to revisit the 2015 agreement.
- 5
- CHAIRPERSON: So Te Ātiawa wants to do that, too?
- 10 MR PROSCH: We would like to do that, but what we are saying in our submission is the grievance process should not overtake or cloud this process. We see it as really a separate process.
- [12.45 pm]**
- 15 MR DORMER: When you say "this process", what do you mean?
- MR PROSCH: The relocation process, yes.
- 20 CHAIRPERSON: The plan process that we're engaged in here?
- MR PROSCH: Yes.
- CHAIRPERSON: You'll accept that those are two separate --
- 25 MR PROSCH: We believe they are two separate processes and I have been at various for a where the other iwi have spoken out very strongly in this process and me personally sitting at those for a have got the impression that there's sort of cross-pollination between these processes. Hence our fear that that would happen. We see it really as two different processes.
- 30 CHAIRPERSON: Yes, a matter between you and the Crown really?
- MR PROSCH: Yes.
- 35 CHAIRPERSON: Yes.
- MR CROSBY: Do you mind if I just ask a question?
- 40 CHAIRPERSON: No.
- MR CROSBY: So in terms of those two processes, you see "this process" as being a process that you support, as I understand it.
- 45 MR PROSCH: Correct.

MR CROSBY: And the other process with the Crown, either by way of revisiting the settlement if the Crown's amenable to that or not if they're not, the avenue would be presumably a Waitangi Tribunal claim process?

5 MR PROSCH: I'm not sure about the process. All I do know is we've met with MPI and those grievances were tables and as far as I'm aware, MPI has not given us a written indication as to which way the process could go. So at the moment, it's just really discussion and people tabling, let's say, their grievances because now there is space. But again, if I may repeat myself, we see it as a separate process. So we are waiting for MPI to engage with the iwi to say, "What next?"

10

MR CROSBY: Right, thank you.

15 CHAIRPERSON: That's clearer to me now. Finally - and I just need to have this for the record really - as chair of this Panel, some weeks ago I wrote to each of the eight iwi in this area, inviting each to advise us how they wished to appear or to talk with us.

20 ARCHDEACON RURU: Kia ora.

CHAIRPERSON: I take it from your presence here today that you're happy with the process that we have engaged with you in the context of that letter?

25 ARCHDEACON RURU: Thank you very much, sir, and also to the advisory. I think we only had about a half an hour but by extending that, yes, it has been a very good process, thank you very much, and for inviting us to be present.

30 CHAIRPERSON: I'm grateful to hear you say that because I'm rather keen that we engage with you in a way that is acceptable to you.

ARCHDEACON RURU: Thank you.

35 CHAIRPERSON: Yes, all right.

MR CROSBY: (Māori content)

ARCHDEACON RURU: (Māori content)

40 MR CROSBY: (Māori content)

5 ARCHDEACON RURU: Tēnā koe. I want to talk about Queen Charlotte again, the African queen of Portuguese origin, the great great great grandmother of the current Queen. Captain Cook must have had a beautiful reason why he chose that beautiful person to be representative of Queen Charlotte Sound, which in our deed of settlement Te Ātiawa are the only iwi in Tory Channel. I hear what you said, Mr Crosby, in relation to the other iwi, but the deed of settlement specifically signifies our status in Tory Channel alone.

10 Queen Charlotte was also the longest-serving consort until the Duke of Edinburgh just recently has hit the record of being the longest-serving consort alongside Queen Elizabeth II. Our pledge as far as the Treaty of Waitangi is concerned is represented by some of the people who are here today, Glenys Payne and Uncle George Aldridge. Our pledge for
15 partnership, participation and protection in the fourth article is pastoral of te Tiriti o Waitangi. This process, sir, Chair, that you've gone through is a governance process that the Government/the Crown has established and we are most grateful that te Tiriti o Waitangi has been
20 honoured during this particular time in relationship to what's happening in our Takutai Moana, in our tangata whenua, in our taonga, ngā iwi koutou katoa. (Māori content).

CHAIRPERSON: Now I think that finishes our list except that we've got the planner from
25 council coming back this afternoon. Are you ready to speak to us now, Mr Hawes?

MR HAWES: Yes.

30 CHAIRPERSON: All right, thank you.
(off mic conversation)

CHAIRPERSON: Now, Mr Hawes, you will have received from us a series of questions
35 that we asked of you and the process I would like to follow for that is that so that we've got it on the record, you read the questions we asked of you and then give us your answers. Can we do it that way?

MR HAWES: Yes.

40 CHAIRPERSON: All right, good.

MR CROSBY: Possibly, Mr Hawes, it would be helpful if you could have the plan
45 documents up and I think we're in a position where you could utilise the computer to show them on the overhead.

MR HAWES: Okay and I also have some supplementary material that I'd like to distribute at an appropriate time, too.

CHAIRPERSON: Right.

MR HAWES: Question 1:

5 "What is the relationship between the overlap maps contained in
volume 4 of the proposed MEP as to the landscapes (which denote in
the legend to those overlay maps areas of outstanding natural feature
and landscape) and the two maps 1 and 2 at the end of appendix 1 to
10 volume 3 of the proposed MEP showing respectively a delineation of
an area called 'Extent of the Outer Sounds and Landscapes of the
Marlborough Sounds' (the latter showing 18 separate areas)?"

15 To start to answer this question, it's possibly easier to refer you to
policy 7.1.4 of the proposed MEP. Gentlemen, would you like me to --

CHAIRPERSON: Policy 7.1.4 of the proposed MEP?

MR HAWES: MEP and I'll quote for that so it's part of the record. Policy 7.1.4 states:

20 "Landscapes that meet the criteria to be identified as an outstanding
natural feature and landscape, or landscapes with high amenity value,
where those values are more sensitive to change:

- 25 (a) are specifically identified on the landscape overlay; and
(b) the specific values associated with the identified landscapes are
set out in appendix 1 of Volume 3 of the Marlborough
Environment Plan."

30 In other words, the values in appendix 1 are specifically the values of
the landscapes and features in the mapped overlays. In the case of the
Marlborough Sounds, there is one outstanding natural landscaped map
for the Marlborough Sounds. This is called the Outer Sounds. This is
35 recorded as "1" in appendix 1. In addition, there are 17 outstanding
nature features and these are recorded as numbers 2 to 18 in appendix
1.

40 As I will come to in answering question 2, there are specific
outstanding natural features within the Outer Sounds ONL. If I can, at
this point I'd like to refer you to the Marlborough Landscape Study and
if I have permission, I can approach and give you each one of these. It
may help to explain the relationship that you've actually sought to be
clarified in the first question.

45 CHAIRPERSON: Okay.

- 5 MR HAWES: This rather large and weighty publication is the culmination of a six-year process of reviewing Marlborough's significant landscapes, so those landscapes contained in the two operative resource management plans. The contents of this report directly influence the identification of landscapes and features and their values in the proposed MEP.
- 10 If I can, I'd just like to refer you to page 106 of that report and you'll see the page numbers are about a third of the way down on the side of each page.
- CHAIRPERSON: I see, yes. Who did this?
- MR HAWES: This was prepared by Boffa Miskell.
- 15 CHAIRPERSON: Boffa Miskell, yes. All right, page ...?
- MR HAWES: 106, which is headed "Outstanding natural features and landscapes of the Marlborough Sounds". This page on contains a summary of the assessment of the outcome of landscape assessment for the Marlborough Sounds. In particular, the question you've asked me is in relation to maps 1 and 2 in appendix 1. I refer you to the seventh paragraph on that page and it contains an explanation for breaking down the Marlborough Sounds into 17 discrete areas.
- 20
- CHAIRPERSON: This is the one that begins "To assist in outlining"?
- MR HAWES: Correct.
- CHAIRPERSON: Yes?
- 30
- MR HAWES: The consequent map is over the page on page 107 and you'll see that that contains 17 discrete areas which, as I understand that paragraph 7, are really for convenience purposes. You'll see that those in orange contains the outstanding natural landscape and features but in the white line breaks down those individual areas. It's those areas that are contained in the map in appendix 1 of volume 3. So that's map 2 in appendix 1.
- 35
- 40 **[1.00 pm]**
Just to complete the picture, if you flick over the Boffa Miskell report to page 109, you'll see a map of the Outer Sounds ONL but also a larger white area which corresponds with map 1 of appendix 1.

5 The explanation as to why they're included in appendix 1 is actually quite straightforward. Those areas as opposed to specific landscapes and features mapped in maps 107 and 109 of the landscape study are reproduced in maps 1 and 2 of the appendix 1 simply to allow the plan user to refer to the relevant values that apply at any given location, given that the outstanding natural landscape and the 17 outstanding natural features are presented in the same overlap in the proposed Marlborough Environment Plan. I can probably explain this further in terms of answering question 2 when we actually go into a specific site.

10 In summary form, the information that was presented by Boffa Miskell was broken down in terms of those landscape areas and the values were provided to the council on the basis of those areas. To be able to find the relevant values in appendix 1, those maps 1 and 2 were included to assist the plan user. The maps 1 and 2 don't identify significant landscapes in themselves.

CHAIRPERSON: You mean outstanding landscapes?

20 MR HAWES: Correct, yes.

CHAIRPERSON: Maps 1 and 2 ...?

25 MR HAWES: Of appendix 1.

CHAIRPERSON: ... of appendix 1 do not identify ...?

MR HAWES: Significant landscapes or features.

30 CHAIRPERSON: Is it significant or outstanding?

MR HAWES: Sorry, outstanding landscapes and features.

35 CHAIRPERSON: Outstanding landscapes or significant features?

MR HAWES: Correct.

CHAIRPERSON: In themselves?

40 MR HAWES: Yes.

CHAIRPERSON: Okay. Is that the end of looking at this now?

45 MR HAWES: I'll get you to keep it open just in terms of responding to question 2 if I may.

CHAIRPERSON: Right.

MR HAWES: The reason why the landscape architect in this case chose to break it down was that the Marlborough Sounds as a whole is one landscape area, but within that landscape are multiple features. They did a land typing approach in terms of their methodology to break down in order to undertake an assessment at a fine scale. So that's why they've broken it down into those 17 areas.

CHAIRPERSON: Question 2 then? You're finished with question 1?

MR HAWES: Yes. Question 2:

"What if any relationship is there between map 1 in the landscapes overlap map in volume 4 and the proposed MEP in the descriptions provided at pages 5 and 6 of appendix 1 to volume 3 of the proposed MEP under the subheading numbered 5 and described as Port Ligar, Forsyth Island and Kaitera Headland, which were referenced by Mr Hawes on 9 April 2017?"

Map 1 identifies both the Outer Sounds outstanding natural landscape and multiple outstanding natural features. Again, if I can refer you to the Marlborough Landscape Study, the large document, that includes both the Outer Sounds outstanding natural landscape identified on page 109 but also the Port Ligar, Forsyth Island and Kaitera outstanding natural feature shown on page 117. In essence, the outstanding natural feature identified for Port Ligar, Forsyth Island and Kaitera Headland form part of that Outer Sounds landscape.

The values that apply are only the values of the mapped outstanding natural landscape - in this case, the Outer Sounds landscape - and the outstanding natural feature and, as I said before, not the areas in map 1 and map 2 of appendix 1.

The values identified at pages 5 and 6 of appendix 1 are the values that contribute to making the Port Ligar, Forsyth Island and Kaitera outstanding natural feature significant in the context of section 6 of the RMA.

The values identified at pages 1 and 2 of appendix 1 are also relevant, given that this outstanding natural feature, as I said before, is part of the Outer Sounds outstanding natural landscape.

Question 3:

"Is map 1 in the landscapes overlap in volume 4 of the proposed MEP definitive for all purposes of the application of rules in the plan in depicting the two proposed Blowhole Point sites as being outstanding natural feature and landscape?"

I'm not sure that I've understood the question as it's stated. I've prepared a response, but if I haven't answered please feel free to rephrase the question.

5 MR DORMER: Can I ask you to pause for a moment?

MR HAWES: Sure.

10 MR DORMER: For my own clarification, where are those Blowhole sites on this map?

MR CROSBY: Just there and here.

MR DORMER: I had in mind they were over here. So they're here and here?

15 MR CROSBY: That's right.

MR DORMER: Right. I'm sorry, Mr Hawes.

20 (off mic conversation)

CHAIRPERSON: Right, carry on.

25 MR HAWES: As I said before, if I haven't understood the question please feel free to rephrase it. I can confirm that map 1 is definitive in terms of the application and I deliberately use the phrase the "provisions" as opposed to "rules" of the proposed Marlborough Environment Plan that seek to protect outstanding natural features and landscapes.

30 There are rules that trigger the need to undertake activities in certain ways as a result of permitted activity rules and conditions when they occur in the ONFL. There are also rules that trigger the need for resource consent when the activity is proposed to be undertaken in the ONFL. These explicit rules apply to land use activities. Many activities in the coastal marine area require coastal permits and do so under the operative plan as well. These include coastal structures such as moorings, jetties, boatsheds and marine farms as well as the associated occupation. The requirement for coastal permit applies regardless of whether the activity is proposed in a ONFL. If such a structure was proposed in an ONFL, I would expect the decision maker to have regard to objective 7.2 of the MEP and policies 7.2.1 to 7.2.12 as relevant in determining any application

40 So I've made a distinction. The question was specific to rules. I've made the response broader in terms of provisions simply because in some cases --

45 MR DORMER: Yes, that's helpful.

CHAIRPERSON: That's fine. Just repeat those references again, would you, please?

5 MR HAWES: Yes. Objective 7.2, which is the objective in the notified plan with respect to protecting outstanding natural features and landscapes, and the policies under that objective, which are numbered 7.2.1 to 7.2.12.

CHAIRPERSON: 7.2.1 to 7.2.12?

10 MR HAWES: Correct.

CHAIRPERSON: So if there were a structure in the coastal marine area at these sites, it would require a consent for that reason?

15 MR HAWES: Yes, it would.

CHAIRPERSON: For a landscape reason?

20 MR HAWES: No, not explicitly a landscape. Both the operative plan and the proposed plan require most structures established in the coastal marine area to require a consent. One of the main reasons for that is that it is public space and so --

CHAIRPERSON: Yes, and so these would be relevant matters in considering --

25 MR HAWES: Correct.

CHAIRPERSON: That's what you're saying?

30 MR HAWES: Yes, in the context of section 104.

CHAIRPERSON: So it's not prohibited?

MR HAWES: No.

35 CHAIRPERSON: It's not a prohibited activity?

MR HAWES: No.

40 CHAIRPERSON: Right.

MR CROSBY: But in terms of the New Zealand Coastal Policy Statement and given the Supreme Court decision in the King Salmon case, if there's an adverse effect on that outstanding natural landscape then there's a problem?

45

- MR HAWES: That's the key, that aspect of adverse effect. I think some have taken that decision to mean that activity can't occur, in essence a prohibition. My view as a planner has always been that the adverse effect is the key element. That's why we've made some effort to identify the values associated with these landscapes so that decision makers and applicants can make informed decisions as to the impact of a proposal on those values at that location.
- 5
- CHAIRPERSON: Are you telling us that the provisions you've just referred to in your view give effect to the New Zealand Coastal Policy Statement?
- 10
- MR HAWES: They're intended to, yes.
- CHAIRPERSON: They're intended to, yes.
- 15
- MR CROSBY: Were they drafted after the Supreme Court decision came up? Were they drafted with that in mind?
- MR HAWES: The drafting process did take some time. It commenced in 2009 and went through to notification at 2015. So they commenced prior to that process but did span over that process and obviously further refinement to the plan occurred after the decision of the Supreme Court. Obviously, the council's received some submissions on those notified provisions.
- 20
- CHAIRPERSON: You're going to account for that, aren't you?
- 25
- MR HAWES: Yes, but in terms of those objectives and policies, they have received submissions and the effect of the Supreme Court decision relative to those provisions has been raised in submission.
- 30
- CHAIRPERSON: Yes, right.
- MR CROSBY: Just before we move on to the last three questions which I assume will be rather precise and have simple answers to, do I understand the thrust of what you've said now in relation to the first answers is that in assessing the impact of the outstanding natural landscape map 1 in volume 4, one needs to inform oneself by looking at the values in appendix 1 that apply to that particular area?
- 35
- MR HAWES: Most definitely.
- 40
- MR CROSBY: Thank you.
- 45
- MR HAWES: Question 4: **[1.15 pm]**

"Is the proposed Mid Reach Waitata site outside or inside that description on overlay map 1, volume 4?"

5 The mid reach Waitata site is outside the description on overlay map 1. I had hoped for our GIS staff to give you a precise proximity but unfortunately they're involved in meetings with the Ministry for the Environment today so haven't been able to provide a figure. I can confirm it's outside the mapped area, but I can't give you a figure in terms of proximity.

10

Question 5:

15 "Have there been any submissions received by the council in opposition to either overlap map 1, volume 4, or appendix 1 to volume 3 being included in the plan in whole or in part in a manner that affects either the sites of the two proposed Blowhole Point sites or the mid reach Waitata site?"

20 What I have been able to do in terms of the summary of submissions that has been compiled by council but is yet to be completed - it's down to the last ten submissions - but of those approximately 1,290 that have been summarised, 42 submissions are explicitly on overlay map 1. The landscape maps were extensively submitted on by both marine farming organisations and individual farmers. The thrust of those submissions was to remove the mapped outstanding natural features and landscapes where they are in proximity to existing marine farms or to amend the content of appendix 1 so that the marine farms were recognised as part of the existing landscape, which I think is an approach that may have been adopted in the Auckland Unitary Plan.

30

CHAIRPERSON: The thrust of them was to remove where in proximity to the existing farms?

35 MR HAWES: Correct.

CHAIRPERSON: Or ...?

40 MR HAWES: Or to amend the content of appendix 1 in volume 3 so that the marine farms are recognised as part of the existing landscape.

45

Because those submissions are farm-specific, I haven't had the opportunity to go into each individual submission to establish their proximity to the Blowhole Point sites. But I'm happy to do so and can provide that information if required at a future date.

45

CHAIRPERSON: We need that, yes.

- MR HAWES: Yes. I also need to add that there have also been other submissions seeking to increase the spatial extent of both the Outer Sounds outstanding natural landscape and the outstanding natural feature identified for Port Ligar, Forsyth Island and Kaitera Headland into Waitata Reach, which of course would affect the Mid Reach Waitata site.
- 5
- MR DORMER: Seeking to expand the extent of the ...?
- 10 MR HAWES: It would be the Port Ligar, Forsyth Island and Kaitera Headland ONF and that extension would affect the Mid Waitata Reach site.
- CHAIRPERSON: Of course, all these submissions shortly will be open for further submissions?
- 15
- MR HAWES: Correct. Question 6, "If so, please provide the Panel with a copy of any such submission". As I mentioned before, I'm more than happy to continue to do so --
- 20 CHAIRPERSON: Forty-two of them?
- MR HAWES: Yes, 42 on that specific overlay map, but the question is in relation to those specific sites. So as the marine farming interests tended to only submit in terms of their individual marine farm sites, it could be that the owners of existing sites in the proximity of Blowhole Point have made that submission and I can extract those for you.
- 25
- CHAIRPERSON: That would be useful, thank you. There are marine farms there, aren't there?
- 30
- MR HAWES: At Blowhole Point, yes.
- CHAIRPERSON: Both, yes. Right, got anything else?
- 35 MR CROSBY: No, it's been very clear, thank you.
- MR DORMER: I am not entirely clear in my own mind and I wonder if we could ask Mr Hawes to be available again later in the day should we need him.
- 40 CHAIRPERSON: How are you placed?
- MR HAWES: Not very well, I'm afraid. I'm on childcare duties from 3.00 pm this afternoon.
- 45 CHAIRPERSON: Okay.
- MR DORMER: From ...?

- MR HAWES: 3.00 pm.
(off mic conversation)
- 5 MR DORMER: I'm quite happy for us to put some further questions to Mr Hawes --
- CHAIRPERSON: Yes, and you'll be available when we come back anyway, not today but --
- 10 MR HAWES: Yes, I can make myself available.
- CHAIRPERSON: So we could probably do it that way, I think, if we need to.
- 15 MR CROSBY: Yes, I agree. There is one thing if I could. Could you just explain to us appendix 2, those values there for the Sounds? They appear to be the same areas or the same general descriptions. Are they for the same areas or different?
- 20 MR HAWES: No, they're different areas. These are areas relating to natural character as opposed to outstanding landscapes.
- MR CROSBY: Right and as I understood it, the areas that we're looking at in Pelorus, the rating is high rather than outstanding?
- 25 MR HAWES: Correct. That's my understanding as well.
- MR CROSBY: Right, thank you. No, that was all, thank you.
- CHAIRPERSON: That's the one where it's high, very high or outstanding?
- 30 MR CROSBY: Yes, that's right.
- CHAIRPERSON: Is that the one where we could not find any that were outstanding?
- 35 MR CROSBY: That's correct.
- CHAIRPERSON: Is it correct that there were none that were described as outstanding?
- 40 MR HAWES: None of ...?
- MR CROSBY: In appendix 2. I think we struggled to find one, I think.
- CHAIRPERSON: Yes, we might have looked up one, I think.

MR HAWES: I can reluctantly provide you another publication on natural character because there's an equivalent report on natural character produced by Boffa Miskell. There are quite different criteria applied by that company in their methodology to identify areas of outstanding natural character. It's quite a different methodology. It's not a scale of going from high to very high to outstanding. It's actually quite separate criteria that have been applied.

5

(off mic conversation)

10

CHAIRPERSON: Do we have to do another similar exercise to this?

MR HAWES: Now I do know it's a section 6 matter and the council's plans can't be inconsistent. As I understand it, the statutory test is can't be inconsistent in the context of regulation-making powers with part 2.

15

CHAIRPERSON: No, that's not the law, but never mind. We've got the difference between the two now so we can see what significance that might have.

20

MR DORMER: Yes, let's solve this one and that will go a large part, I think, towards solving the second one.

CHAIRPERSON: Yes. Thank you, Mr Hawes. You've obviously done a lot of work on this and we're grateful to you for that.

25

MR HAWES: Thank you.

CHAIRPERSON: Thank you very much indeed. Right, that completes the schedule of hearings for this week and so these hearings will now be adjourned, to be commenced again at 9.00 am on Tuesday, 18 April. We will sit here again on that day. Thank you very much.

30

**MATTER ADJOURNED AT 1.24 PM UNTIL
TUESDAY, 18 APRIL 2017**

35