

The Minister of Primary Industries

Submission:

Potential relocation of Salmon farms in the Marlborough Sounds.

Submitted by:

Penelope Gluyas.

The Chairman, Salmon Farm Advisory Panel.

My submission is based on the following points.

1. Lack of adequate time given to the public to comment on proposed regulations
 2. Proposed sites selected are in regions considered marginal for salmon farming
 3. Economic impact on Marlborough
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1.
 - A. The Regulatory Impact Statement provided on the MPI website states that this is the first time that sub section 360 A-C of the Resource Management Act has been considered, and if it is to be used ***that the following work is required***, including, ***implementation of a consultation process that gives the public and Iwi authorities adequate time and opportunity to comment on the proposed regulations.***

B. In the report submitted by the Salmon Farm Working Group a recommendation was made that the public were to be given 10 weeks in which to make submissions under the ***Principles of Public Consultation***.

The recommendation of the Salmon Farm Working group was ignored and the public were only given 8 weeks to review the documents provided and produce an appropriate submission.

C. This time frame is inappropriate given the fact that this is the first time that this sub section of the Act has been considered for use. It has not allowed the public sufficient time to consider all the documents and understand the magnitude of the potential implications that the plan changes could have on the Marlborough Coastline.

D. The process and time frame in which the Minister of Primary Industries has carried out the consultation is not in the spirit of the principles based on the Common Law definition of consultation established in the High Court decision of *Air New Zealand Limited v Wellington International Airport Ltd.* 1992

summarised as follows:

1. The essence of consultation is the communication of a genuine invitation to give advice and a genuine consideration of that advice.
2. The effort made by those consulting should be genuine, not a formality, it should be a reality, not a charade.
3. Sufficient time should be allowed to enable the tendering of helpful advice and for that advice to be considered. The time need not be ample, but must be at least enough to enable the relevant purpose to be fulfilled.
4. It is implicit that the party consulted will be (or will be made) adequately informed to enable it to make an intelligent and useful response.
5. The party obliged to consult, while quite entitled to have a working plan in mind, should listen, keep an open mind, and be willing to change and if necessary start the decision-making process afresh.
6. The parties may have quite different expectations about the extent of consultation.

E. The Marlborough Express article (appendix 1) supplies comments made by various people (highlighted in red) indicating that even before the Salmon Farm Working Group had started work, the desired outcome had already been signalled, not only by the Ministry of Primary industries but also by King Salmon Ltd, making the whole Salmon Farm Working Group process a mere formality in order to obtain a quasi-public endorsement of the relocation proposal, and that the outcome had already been predetermined.

2.

A.

The Boffa Miskall report prepared for King Salmon in March 2012 (appendix 2) indicates the sites selected for proposed relocation fall into regions considered to be marginal for salmon farming. With global trending increases in sea temperatures continuing it is possible that some sites will become too warm for sustainable salmon farming. This is in conflict with **Policy 3** of the **New Zealand Coastal Policy Statement**.

B.

A damaging environmental event in the Marlborough Sounds ecosystem would have a long-lasting adverse impact on the number of visitors coming to Marlborough and devastating consequences to Marlborough's economy. International media would also have more ammunition to question our clean green image.

3

A.

Marlborough's economy relies heavily on revenue from its visitors. According to the Marlborough District Council website the Marlborough region made \$342 million dollars from visitor revenue

in 2016. Most of these visitors spent some of their time in the Marlborough sounds.

B.

In the past 5 years in my role as a professional skipper I have had the privilege of escorting over 7000 tourists around the Marlborough Sounds.

C.

Many of these people have been visitors from overseas. Their primary objective in visiting the Sounds was to enjoy the natural surroundings, see marine mammals feeding and socialising, and to observe penguins, shags and other seabirds in their natural habitats. A popular place for seeing dolphins feeding was off Post Office Point in the Waitata reach of the Pelorus Sound.

D.

The unique lay-out of the Marlborough Sounds provides a safe place in which recreational boaters and tourists can enjoy a visit to a relatively unspoilt and remote part of New Zealand, and there is an increasing trend for tourists to seek out these types of places. Both the Pelorus mail boat and the Queen Charlotte mail boat services have recognised this trend and have built new vessels to accommodate more tourists. Other marine transport operators have increased the number of vessels in their fleets or have purchased larger replacement vessels to cope with the increased capacity.

E.

Over the years, many of the tourists that I have talked to have expressed a level of surprise and in most cases dismay at the number of marine farm installations in the sounds.

F.

An increase in the number of marine farms in the Marlborough Sounds and in particular the Waitata Reach would have a significant negative impact on the natural character of the area. The number of

vessels working in the sounds servicing the new farms would also have a detrimental effect the on an area that is generally perceived to be peaceful and remote.

Thank you.

Penelope Gluyas

Dip. Hort., B.App.Sci., S.R.L.

Appendix 1

Marlborough Express

HEATHER SIMPSON

Last updated 07:32, July 4 2016

'Under-performing salmon farms in Marlborough Sounds tackled ';

A group of industry, government and community heavyweights will look at ways to help bring salmon farms failing to meet strict environmentally sustainable standards up to scratch.

The Marlborough Sounds Salmon Working Group has been set up after environmental monitoring revealed three New Zealand King Salmon farms in Queen Charlotte Sound were not meeting best practice guidelines.

The Cawthron Institute found pollution under pens and seabed enrichment, caused by fish waste falling on the seabed and uneaten fish food.

The Ministry for Primary Industries said it was "unacceptable" to have to wait until 2024 for the guidelines to be met.

The working group membership will include representation from the Marlborough District Council, MPI, key community and interest groups, iwi and New Zealand King Salmon.

The Department of Conservation and the Ministry for the Environment will also have input into the process.

The group will start meeting in July and provide recommendations to the council and the Government on implementing the guidelines.

Developed by local and central government, industry and scientists in 2014, the guidelines set out recommendations for sustainable salmon farming in the Sounds.

MPI Deputy Director General Ben Dalton said all parties had shown a commitment to implement the guidelines.

"The next step is to work with iwi, the community and industry to look at options for salmon farming in the Marlborough Sounds so that the best environmental, social and economic outcomes are being realised."

Marlborough Mayor Alistair Sowman welcomed the constructive approach being taken by all parties in the search for solutions.

The working group's recommendations would not be binding, but would inform

future planning work for both the council and central government.

Professor Kenny Black, from the Scottish Association of Marine Science, who helped draw up the guidelines, said stock levels should be reduced at certain sites.

All parties should agree and publicise a timetable for becoming compliant to ensure continued public confidence, he said.

"The whole point of BMP [best management practice] guidelines is that both the environment and the industry benefit from them. Consistent with this, sites which do not implement these should face some dis-benefit. Normally benefits are accrued from being able to state on the product that a higher standard is being complied with and this offers some market advantage.

"It is probably unrealistic to think of labelling a product 'does not comply with BMP guidelines'."

New Zealand King Salmon were not available for comment.

Previously their chief executive Grant Rosewarne said one option was the potential relocation of some existing "low-flow" farms in Queen Charlotte Sound to more environmentally appropriate locations in high-flow sites, in Tory Channel.

This was an area of the Sounds where aquaculture was banned as the community highly valued these areas for recreation, fishing and tourism.

Salmon stocks across all sites had been halved and there had been no environmental difference, he said.

Sounds Advisory Group member Eric Jorgensen said the first working group meeting would be a bit of a "poke and prod" hashing out the scope and objectives of the different parties and whether they were acceptable to all.

"Until the ground rules are in place it is too soon to move into solution mode. We don't want relationships to break down. Everyone has to play nicely in an objective manner and focus on solutions."

Jorgensen said the farms were underperforming from an environmental perspective because there were over-stocked and the effect on the benthic [seabed] were adverse.

"From a productivity perspective, they are underperforming because they are not in the right place. The water is not cold enough and there is not enough current.

"MPI will say their first objective is find alternate sites. That's all well and good but they have to pass an environmental bottom line and they need to be acceptable under the Resource Management Act that they meet landscape and amenity values."

- The Marlborough Express