**Proposed National Environmental Standard for Marine Aquaculture**

**Submission Template**

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

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

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

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

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

**Contact details**

**Name:**

**Postal address:**

**Phone number:**

**Email address:**

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

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

### *Privacy Act 1993*

### Where you provide personal information in this consultation MPI will collect the information and will only use it for the purposes of the consultation. Under the Privacy Act 1993 you have the right to request access and correction of any personal information you have provided or that MPI holds on you.*Official Information Act 1982*

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

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

[ ] Please withhold my personal details where submissions are made public

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

**Questions for submitters**

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

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| **Question 1:**Do you think an NES for marine aquaculture, including guidance material, is required? Alternatively do you think the status quo (where regional councils decide the activity status for replacement consents for existing marine farms and consents for change of species which can vary from controlled to non-complying) should be maintained?  |
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| **Question 2:**Do you think restricted discretionary is an appropriate status for replacement consents for existing marine farms? How would other activity statuses address the issues identified in section 3 of the discussion document? |
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| **Question 3:**Does the NES need to provide a full rule framework, including discretionary activity rules for those marine farms that cannot meet the requirements to be a restricted discretionary activity?  |
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| **Question 4:**Do provisions covering replacement consents for existing marine farms where supplementary feeding occurs require additional terms to define what qualifies to be a restricted discretionary activity?  |
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| **Question 5:**Do you have any feedback on the analysis of effects contained in Appendix G?  |
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| **Question 6:**Should applications for replacement consents for existing marine farms where supplementary feeding occurs be treated differently under the proposed NES or not addressed at all?  |
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| **Question 7:**Do the provisions covering replacement consents for existing marine farms where supplementary feeding occurs require additional matters of discretion?  |
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| **Question 8:**Should the extent of an acceptable overlap of existing marine farms with outstanding areas due to margins of error in mapping be defined?  |
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| **Question 9:**Outstanding natural features, outstanding natural landscapes and areas of outstanding natural character have been identified as requiring a specific matter of discretion because of the direction provided by the NZCPS 2010. Are there other areas/values that should also be identified, such as those listed in Policy 11 of the NZCPS 2010?  |
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| **Question 10:**If so, what are these areas/values and what are the potential effects of concern caused by existing marine farms on those areas/values?  |
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| **Question 11:**Should the activity status be different for replacement consents for existing marine farms in outstanding natural features, outstanding natural landscapes and areas of outstanding natural character? If so, what should it be?  |
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| **Question 12:**Are there certain types of aquaculture for which replacement consent applications should be publicly notified?  |
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| **Question 13:**Are there advantages or disadvantages to allowing councils to take a more lenient approach that you would like us to be aware of?  |
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| **Question 14:**Do you agree that the areas zoned specifically for aquaculture in Tasman and Waikato should be exempted from the provisions of the proposed NES relating to replacement consents for existing marine farms?  |
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| **Question 15:**Do you agree that there are sites that should be recognised in the proposed NES because of their particular importance to aquaculture? If so, what sort of provisions do you think would be appropriate?  |
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| **Question 16:**Are there other ways in which the proposed NES could usefully recognise council’s future planning processes?  |
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| **Question 17:**What are your thoughts on the size restriction that is proposed to apply to realignments covered by the proposed NES?  |
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| **Question 18:**Is there further guidance that should be provided in the proposed NES in relation to realigning existing marine farms?  |
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| **Question 19:**Are there other specific matters that councils should be able to consider for applications to realign existing marine farms? Are the matters that have been identified all relevant?  |
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| **Question 20:**Should the proposed NES address change in farmed species?  |
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| **Question 21:**Should the proposed NES limit the species it relates to?  |
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| **Question 22:**Are the categories based on change in structure an appropriate approach? If not, can you suggest any other approach that might be suitable?  |
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| **Question 23:**Are there any other categories [that should be considered for the change of species provisions]?  |
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| **Question 24:**Should herbivorous finfish be treated differently from carnivorous finfish?  |
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| **Question 25:**Is restricted discretionary an appropriate status for most changes in species?  |
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| **Question 26:**Should spat catching farms be excluded [from the change of species provisions]?  |
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| **Question 27:**Are there any other forms of farming or species that should be excluded [from the change of species provisions]?  |
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| **Question 28:**Do you have any feedback on the scope of matters of discretion?  |
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| **Question 29:**Should change of species involving finfish require additional matters of discretion?  |
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| **Question 30:**Outstanding natural features, outstanding natural landscapes and areas of outstanding natural character have been identified as requiring a specific matter of discretion because of the direction provided by the NZCPS 2010. Are there other areas/values that should also be identified?  |
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| **Question 31:**Should the activity status be different for changing species on existing marine farms in outstanding natural features, outstanding natural landscapes and areas of outstanding natural character? If so, what should it be?  |
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| **Question 32:**Are there certain species or types of species where consent applications should be publicly notified?  |
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| **Question 33:**Do you think it is necessary for all marine farms to prepare, implement and keep up to date Biosecurity Management Plans (BioMP)? What concerns would you have if it were required? What (if any) exceptions should be made and why?  |
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| **Question 34:**Is the deadline of 31 January 2025 appropriate, and why?  |
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| **Question 35:**Is a nationally consistent approach to BioMPs necessary to achieve an appropriate level of marine farm biosecurity nationally or should regional differences be accommodated?  |
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| **Question 36:**Do you think the BioMP template in MPI’s Aquaculture Biosecurity Handbook covers all the matters that are needed? What if any changes would you make and why? What level of detail do you think is needed for BioMPs to be effective?  |
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| **Question 37:**Is requiring a BioMP using an NES under the RMA the best approach to nationally requiring a Biosecurity Management Plan for aquaculture?  |
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| **Question 38:**How would regional councils certify, audit and enforce BioMPs? Could external professionals be used to provide the required skills and expertise?  |
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| **Question 39:**Is it appropriate for existing coastal permits to be reviewed and required to prepare BioMPs in order to comprehensively address biosecurity risks to industry and New Zealand’s wider marine environment? If not, why not?  |
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| **Question 40:**Is marine farm monitoring and reporting as well as external auditing and enforcement of BioMP implementation and effectiveness justified? If not why not?  |
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| **Question 41:**Have the range of costs and benefits arising from the proposed national environmental standard, and who might bear the costs or receive the benefits, been accurately reflected? Are there any costs and benefits that have been overlooked?  |
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| **Question 42:**Are the estimates of costs and benefits accurate? Do you have information on costs and benefits that could assist the second stage of our assessment (of the impacts of the final proposal)? Do you have any information on costs and benefits that have not been quantified at this stage?  |
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**Please use the space below to provide any additional comments you may have, and if continuing an answer from another question please indicate the question number.**

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