

AQUACULTURE QUESTIONS AND ANSWERS FOR WEBSITE

1. Why is the Government reviewing the aquaculture regime?

The Government is committed to creating an environment that is conducive to sustainable economic growth. Developing an effective and enabling regulatory regime for aquaculture is an important part of this wider goal.

The complexity, cost, and uncertainty of the current regime, along with poor incentives for development, are impeding aquaculture growth. No new space has been created under the 2004 aquaculture reforms and it is unlikely that any new space will be created for several more years. The ability to research and innovate is being stifled by inflexible rules that limit the ability to advance new technologies and higher value species. This represents a significant opportunity cost in terms of foregone aquaculture development and income.

2. What was the objective of the Aquaculture Technical Advisory Group (TAG) review?

To provide independent and strategic advice on proposals for the reform of aquaculture legislation to enable the development of sustainable aquaculture in New Zealand.

3. Who undertook the TAG review?

The TAG was chaired by Sir Doug Kidd, former Minister of Fisheries. Other members were Dennis Bush-King (Tasman District Council manager), Mike Burrell (Aquaculture New Zealand chief executive), Kirsty Woods (Te Ohu Kaimoana manager), Nici Gibbs (Seafood Industry Council manager), Mark Farnsworth (Northland Regional Council chair), and Keir Volkerling (iwi consultant).

4. What are the main conclusions of the TAG report?

The TAG report sets out the following “Highlights” (p. 5):

“The new regime will enable the sustainable economic growth of aquaculture through the following actions.

1. Strengthen the role of government in setting national direction by appointing a Minister responsible for Aquaculture and establishing an Aquaculture Agency within the Ministry of Fisheries to:
 - Provide policy direction through an Aquaculture Strategy
 - Provide national consistency through national standards
2. Return to more flexible approach to planning by:
 - Removing ‘prohibition’ on aquaculture and use flexible zoning
 - Improving incentives to plan through an Aquaculture Fund
 - Simplifying and streamlining the planning process
3. Enhance coastal permits for aquaculture by:

- Increasing certainty to encourage investment
 - Simplifying and streamlining the consenting process
4. Improve the allocation of space for aquaculture by:
 - Using full set of RMA planning tools to allocate space
 - Providing alternatives to “first in, first served” for managing high demand
 5. Increase the resource available for enabling aquaculture development by establishing an Aquaculture Fund maintained through Tender proceeds and an Aquaculture Levy
 6. Streamline the Undue Adverse Effects test (UAE) by:
 - running parallel process to the RMA
 - allowing early agreements
 - early sharing of information between the fisheries and RMA processes
 7. Deliver the Maori Commercial Aquaculture Settlement by:
 - encouraging early dialogue
 - ensuring the settlement is delivered within and outside of zones
 - providing government with the tools to create additional space
 8. Ensure a decisive transition through use of legislation and regulations.
 9. Undertake a targeted consultation process with iwi, regional councils and industry during the development of policy and drafting of legislation.”

5. What happens next?

Submissions on the TAG report and any other proposals you have to enable aquaculture development are open until 16 December 2009. The Government intends to make decisions on the proposed aquaculture reforms early next year, with legislative change following.

6. How do I make a submission?

Comments should be provided in writing, preferably by email, to: aquaculturesubmissions@fish.govt.nz

Alternatively, submissions can be posted to:

Aquaculture Submissions
 Ministry of Fisheries
 PO Box 1020
 WELLINGTON 6140

Submissions are due by **5.00 pm Wednesday, 16 December 2009.**

In respect to the TAG proposals, submitters are asked to focus their submissions on the TAG recommendations and to follow the structure of the report, referencing the section numbers from the TAG report where relevant. To assist with this, please

download and complete the Word document attached [\[link here\]](#), and then send to the email address above.

The Government is particularly interested in your feedback on whether the TAG's proposals, or any alternative proposals, will provide an efficient and effective framework for sustainable aquaculture development.

7. Are the TAG's recommendations the only proposals that Ministers want submitters to consider?

No. Ministers would also like to hear of any additional proposals that submitters may have. Areas of particular interest include:

- how to deliver the settlement through the revised approach proposed by the TAG
- how to make the interface between aquaculture and fishing more efficient
- practical measures to provide for species and technology conversions within existing space
- how to implement resource rentals for aquaculture for the occupation of public space in the coastal marine area.

8. What would aquaculture reform mean for the Maori commercial aquaculture settlement?

The basis of the settlement will remain the same. The equivalent of 20% of all pre-commencement space (space created between 1992 and 2004) and 20% of all new space will be allocated to iwi via the trustee (Te Ohu Kaimoana). However, some reform options may require new mechanisms to effectively deliver on the settlement, especially in respect to small pieces of space created under a consenting regime. Submissions are invited on the proposals set out in the TAG report for delivering on the settlement, and are also sought on any alternative options.

9. Under the current regime, before aquaculture development can happen there must be an assessment of whether the aquaculture will have an undue adverse effect on fishing. Will this still happen?

The TAG recommends that there should still be an assessment of whether aquaculture development will cause an undue adverse effect on all fishing.

10. In the past the undue adverse effect on fishing test has taken a long time. Is there any intention to speed up the process?

The TAG recommends that the process to assess whether there will be an undue adverse effect on fishing is streamlined and done in parallel with the resource consent process in an effort to reduce the timeframes.

11. What will happen if there is an undue adverse effect on commercial fishing?

If there is an undue adverse effect on commercial fishing, the TAG recommends that there continue to be an opportunity for the aquaculture applicant and the affected quota holders to reach agreement.