

Yachting New Zealand on Aquaculture

Yachting New Zealand (YNZ) feels it is timely to reiterate its position on aquaculture development. This is due to the passing of the Aquaculture Legislation Amendment Bill earlier this year and the increasing number of significant new applications for marine farms being made which are causing serious concern.

Yachting New Zealand seeks to ensure that:

- Aquaculture development takes place in areas where there will be no adverse effect on the community's access to the coastal marine area (CMA) for recreational use.
- That government (central, regional and local) place appropriate weight on the importance of recreational boating concerns.
- That any aquaculture structures are illuminated and marked in a way that they are visible in all conditions.
- That all proprietors of farms are required to pay an adequate bond to cover removal of structures once farms outlive their usefulness.
- That government (central, regional and local) consider the impact any new farms will have on local tourism and marine industries.

David Abercrombie, Yachting New Zealand's CEO outlines his organisation's position on this matter, "Yachting New Zealand is not opposed to aquaculture per se, however aquaculture and much of the activity YNZ promotes and protects is mutually exclusive; the physical nature of aquaculture means that it will take up space in the marine coastal area that then cannot be used by others and/or will pose navigational hazards in some areas. Yachting New Zealand considers that it is important that aquaculture development takes place in areas where there will be no adverse effect on the community's access to the water for recreational use."

It is recognised in the New Zealand Coastal Policy Statement 2010 that aquaculture should be placed in appropriate areas. The term "appropriate" needs to be more clearly defined within regional coastal plans and Government policy.

The recent change in legislation has simplified the processes involved in applying for space in CMA and setting up farms, and is accordingly more encouraging of development. The New Zealand Government is also making no secret that it is pushing aquaculture growth and encouraging regional government to facilitate new applications. We can be sure that we will lose coastal area to marine farms over time. It is important that we focus our efforts on protecting areas of importance to recreational boating.

It should be noted that marine farms have an influence over a wider area than their immediate footprint. For example, it is illegal for vessels to empty holding tanks within 1 kilometre of a marine farm.

Yachting New Zealand wants to ensure suitable tests are put into Regional Policy Statements and Regional Coastal Plans to protect against adverse effects of establishing marine farms. Policies should take into account the effect aquaculture has on:

- Access by boaties to water to valued/used parts of the CMA
- Navigational hazards
- Enjoyment and appreciation of inshore environments

Yachting New Zealand is particularly focussed on:

- Inshore waters for sailboat racing
- Bays, passages and coastal area used for cruising
- Sheltered anchorages for safe day and overnight stays
- Ports of refuge in foul weather
- Navigational hazards posed by imposed structures
- Common navigational passages used by boaties
- Areas of high use for diving and recreational fishing
- Areas with high natural character and/or high amenity values
- Future tourism

Such a test exists and is written in to legislation for recreational and commercial fishing, known as the UAE test (Undue Adverse Effects test). If a prospective aquaculture development does not pass this test it cannot progress to the resource consent stage. YNZ sought a similar approach to be taken that recognises the effects listed above. YNZ and other submitters put this forward to the Select Committee considering submissions on the now passed Aquaculture Legislation Amendment Bill but were largely ignored. It is important that YNZ and clubs are active in making submissions on reviews and changes to Regional Policy Statements and Coastal Plans to try and ensure that these matters are adequately covered by policy and rules and to try and exclude aquaculture from the most valued areas as non-complying or prohibited activities (or maintain existing restrictions in the face of plan change requests from the industry).

The RMA process remains the only opportunity to oppose an application and we have yet to see whether the consent process under the RMA will adequately provide for submitter concerns given the uneven playing field created by the new legislation and pressure from central government. It is noted that quite apart from the changes to the Aquaculture legislation there other changes have been made to the RMA which will compress the time frames for consent hearing and in some cases remove appeal rights. There has already been one significant application referred to a Board of Inquiry (BOI). The time frame for putting a case before a BOI is very tight indeed and there are no rights of appeal to the Environment Court.

There is a concern that if the considerations previously outline are not adequately allowed for in the resource consent process that many yacht clubs will be faced with appealing decisions at great cost, and where they cannot afford to appeal or to run a proper case on appeal, they may face losing some of their traditional sailing and cruising grounds. This would see a weakening of our sailing and boating culture in New Zealand and potentially have an adverse affect on New Zealand being a destination for foreign cruising vessels.

Changes in legislation that more easily allow for the establishment of marine farms put our community yacht and boating clubs at risk. These clubs will now have to fight each individual resource consent application that puts their sailing waters in jeopardy. Most New Zealand clubs are very small and have financial resources that pale in comparison to those of the large aquaculture companies', this can limit the extent to which they can fight applications meaning some may just have to "roll over". A current example is of a company having spent up to \$6 million on an application to expand salmon fishing in the Marlborough Sounds.

For any successful application there should be minimum requirements placed on the applicants which include marking structures so they are visible in all conditions and a requirement to remove structures once they outlive their usefulness.

Aquaculture structures can become safety hazards for vessels. For any structure it is imperative that it is adequately lit, adequately marked and properly charted. Yachting New Zealand seeks that any new structures are not placed where they will intrude into the path of popular navigation routes. YNZ also seeks that there should be a requirement on farm proprietors to take all reasonable and appropriate steps to publicise the existence of a new farm to reduce the risk of collisions. There is also a suggestion that this should extend to updating existing charts and navigational software

For all successful marine farm applications, Yachting New Zealand seeks to have a bond requirement placed on the applicant. This will ensure that when a farm outlives its usefulness, lease expires, or the company no longer wishes to continue farming that site, that a resource is available to remove all parts of the structure and return the marine coastal area to its natural, pre-farm state. It is essential that this work is carried out promptly to reduce the amount of debris becoming adrift and causing a hazard to vessels.

The environmental impact caused by aquaculture must be carefully considered; the effect that the farms have on the sea bed and sea life in the area surrounding farms can be irreversible and requires further research.

The benefit of aquaculture growth needs to be considered against the negative impact it could have on the tourism industry in high value areas where tourism is a major economic contributor such as the Bay of Islands. In Northland alone, tourism brings in approximately \$592 million per annum via 5.451 million visitors with 7114 people employed in the industry. In comparison, the aquaculture industry earns \$19 million a year in revenue, with 336 people employed in Northland (figures sourced from the Ministry of Economic Development, Northland Regional Council and Envico).

Reducing the value of the New Zealand's cruising grounds through the taking up of space with marine farms has potential to impact the Marine Industry. Many overseas super yachts come to New Zealand for its prime cruising waters and will undergo refits and maintenance while here. If New Zealand is a less desirable cruising destination then yacht owners may go elsewhere reducing income in both in the Marine and Tourism industries.

Figures identifying employment opportunities that are regularly published and bandied about by the industry are often misleading. Many of these jobs disappear once a farm is built and operational. The industry needs to separate the short term employment numbers building farming structures, and the long term numbers of those that remain as permanent employees.

Yachting New Zealand feels Government (central, regional and local) need to recognise New Zealand's maritime culture and history along with the high recreation value of our coastal marine area. Inshore waters are used by over 450,000 recreational craft.

Growth in aquaculture in New Zealand needs a balanced, well considered and well managed approach. Government needs to be wary of overly permissive rules for the aquaculture industry and economic gains at the expense of our environment and natural playground that makes New Zealand such a strong maritime country.

To our clubs:

Yachting New Zealand and clubs will need to be vigilant as to new applications for coastal permits for aquaculture, and applications by the industry for plan changes that facilitate that obtaining of consents. Appropriate submissions will need to be lodged by clubs and in some cases YNZ.

We will also need to be vigilant as to Council initiated Policy Statement and Coastal Plan changes or reviews which impact on aquaculture. Councils will be under significant pressure and influence from the industry to make changes favourable to the industry. Sadly, we cannot simply trust Councils to make appropriate decisions and not fall in to the trap of short term gains without consideration of long term consequences.

There will be increasing pressure on volunteer and financial resources as a result. We will need to “pick our fights” and collaborate with others who have an interest in protecting the coastal environment.

Endnote:

Yachting New Zealand takes this position in support of our affiliated clubs and boaties, sailors and powerboat users alike.

Yachting New Zealand is the national sports organisation (NSO) which represents 31,000 members in 123 yacht clubs from Taipa in the north to Bluff in the south – also affiliated are 50 class associations and 40 maritime associations.

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