

Aquaculture Update

Issue 3—November 2006

What criteria will be used to determine where new marine farms are placed in Northland?

New coastal planning provisions designed to answer this critical question are now open for submissions.

After several years' work, as a region we are now poised to take a crucial next step to both protect our precious coastal environment, and still enable a healthy local aquaculture industry.

Law changes last year mean new marine farms can now only be developed in areas specially designated as Aquaculture Management Areas (AMAs) by Regional Councils. In Northland, a groundbreaking process – the Invited Private Plan Change – is to be used by the Northland Regional Council to achieve this.

We have now begun a formal process to change our Regional Coastal Plan to allow for AMAs. Dubbed '*Proposed Plan Change 4*', this framework is intended to protect the Northland coast, yet allow the region to benefit from an industry potentially worth millions of dollars to our local economy.

Over the next several months you have the chance to make submissions that will help us decide how the Council should evaluate applications to establish new AMAs. This is the most formal aquaculture-related consultation to date and will include public information days in Kaitaia, Kerikeri, Whangarei and Dargaville later this month.

It's important to remember that the Council is not seeking submissions on the use of the Invited Private Plan Change (IPPC) system itself; that decision was made last year. Rather we need to collectively focus on fine-tuning the proposed evaluation framework.

This framework incorporates considerable input received over the past several years from a variety of sources including private individuals, community groups, tangata whenua, other local authorities, Government departments and the aquaculture industry.

Getting the detail right is crucial, as these are criteria that will help determine whether the Council should accept or reject requests from those wanting to set up marine farms.

Of major concern to many of those who made submissions during our last round of public consultation earlier this year was that – on paper – the IPPC approach doesn't specifically exclude any areas from becoming AMAs. Many submitters had wanted to see marine farming off-limits in specific areas, or even the entire Northland coast.

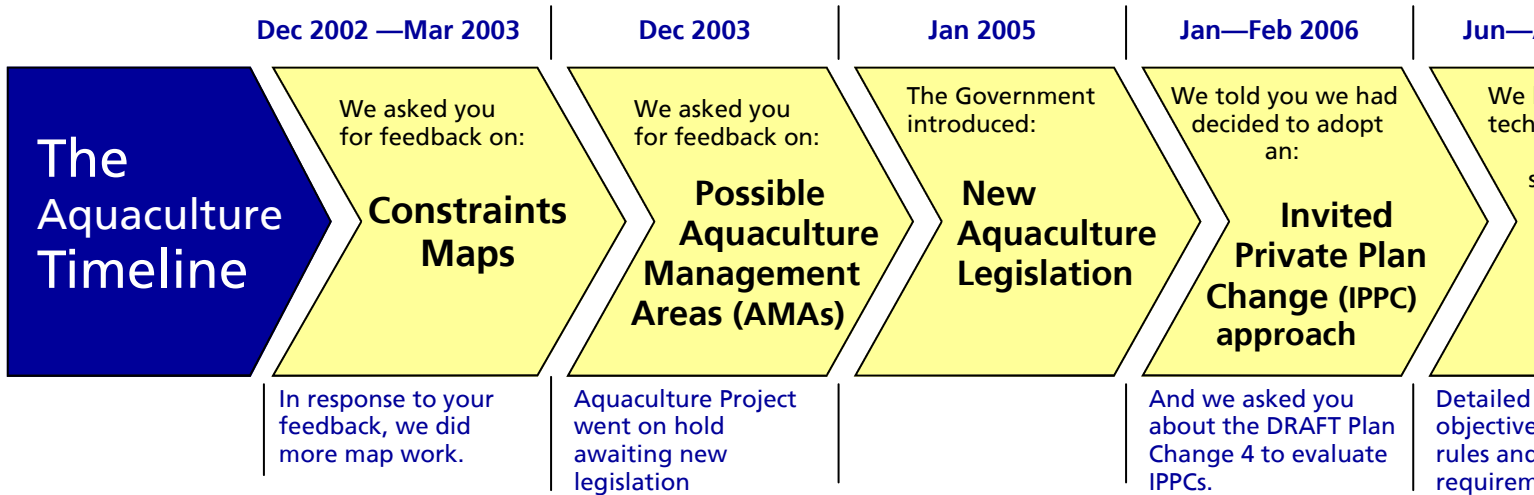
However, the IPPC approach does now contain robust provisions to guide decisions made relating to aquaculture proposals in sensitive environments such as ecologically vulnerable places, popular recreation spots or areas with special cultural or historical significance. The provisions also deal with situations where aquaculture opportunities are likely to be constrained for other reasons, such as being near sewage discharges or within navigation lanes.

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The IPPC approach will mean big savings for ratepayers. The considerable costs of establishing an AMA will fall on would-be marine farmers and it will be up to them to prove an area is suitable. The IPPC approach will also allow greater flexibility in response to new or improved methods of aquaculture.

Under the IPPC approach, moves to establish a new AMA will still involve a public submission and hearing process.

If an AMA is agreed to, would-be marine farmers would then also have to apply for resource consents to develop a marine farm within it. This too may entail a public hearing of any issues involved.

This approach to managing aquaculture is new territory and the Northland Regional Council is at the leading edge of attempts to implement the new Aquaculture legislation.

Environment Minister David Benson-Pope – who visited Northland recently to get a first-hand progress report on Proposed Plan Change 4 – says our work is being studied by other regions which will benefit from our experience.

“I recognise that balancing the many uses and interests in our coastal areas and establishing good resource management processes is a delicate and important job; and this is why this work is relevant for all regional communities.”

Find out more - come to a public meeting

A series of public ‘drop in’ events to provide more information about Proposed Plan Change 4 and other developments will be held this month in the following locations:

Kaitiaia - Thursday 9 November, 2pm to 4pm and 6pm to 8pm
REAP Centre, 33 Puckey Avenue

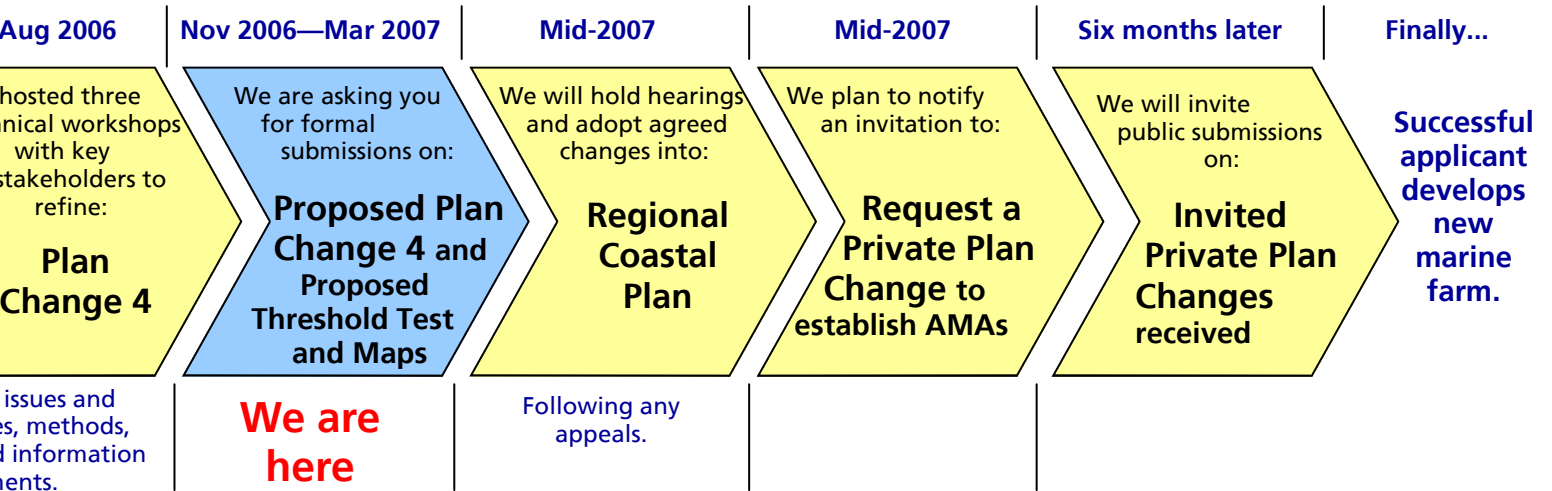
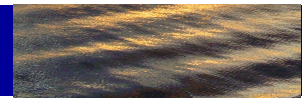
Whangarei – Tuesday 14 November, 2pm to 4pm and 6pm to 8pm
Northland Regional Council, 36 Water Street

Kerikeri – Tuesday 21 November, 2pm to 4pm and 6pm to 8pm
Wharepuke Subtropical Gardens, 190 Kerikeri Road

Dargaville – Thursday 23 November, 6pm to 8pm
Dargaville Town Hall, 37 Hokianga Rd.

Members of the public are welcome to call in any time during the event. Council staff will be on hand to answer questions and background information will be displayed and available to take away. Further information will also be available soon from the Council’s website www.nrc.govt.nz

Following these meetings, the public will have until 14 February 2007 to make submissions.



Evaluation maps and proposed threshold test

At the same time it is seeking submissions on Proposed Plan Change 4, the Northland Regional Council is now also asking for public comment on its proposed threshold test and maps.

These are internal decision-making tools that will help the Council decide whether a request for an Invited Private Plan Change (IPPC) to establish an Aquaculture Management Area should be publicly notified.

The threshold test document lists the information would-be marine farmers will be expected to provide when they make requests for private plan changes.

Meanwhile the maps – in two sets - will be referred to while the Council is considering whether to publicly notify private plan change requests.

The first set shows existing known and clearly defined uses and values (for example jetties and marine reserves rather than anecdotal evidence) for the whole of Northland’s coast. The second set uses the use and value information to indicate which coastal areas are more - or less - suitable for aquaculture.

Together, these documents will help the Council make a decision whether to publicly notify IPPC requests. Requests that meet the threshold will receive further consideration through a public process; those that don’t meet the threshold will be rejected.

Although Proposed Plan Change 4 and the proposed threshold test/maps processes are running simultaneously and share the same submission closing date - Wednesday 14 February 2007 - they have different legal status. This means submissions received on each process must be considered separately.

Submissions on the proposed threshold test and maps can be made on a blue submission form and are being called for via a Special Consultative Procedure of the Local Government Act.

How would new marine farms be set up under Proposed Plan Change 4?

- The Regional Council will insert public notices into newspapers inviting would-be marine farmers to request a private Plan Change/s to establish one or more Aquaculture Management Areas (AMA).
- Each Plan Change request will be checked to see if it meets the threshold test for public notification.
- Before notifying any Plan Change to establish an AMA, the Council must ask the Ministry of Fisheries to carry out an 'Undue Adverse Effects' (UAE) Test. This assesses the impact, if any, the proposed AMA would have on commercial, customary and/or recreational fishing.
- Once a Plan Change request is accepted for public notification (including any adjustments required following the UAE test), a full public participation process begins, as set out in the Resource Management Act. This process includes the opportunity for public submissions, further submissions, hearings before the Council and appeals to the Environment Court on Council's decision.
- If the plan change request is successful and an AMA is therefore established, an application for a coastal permit to occupy the space is then required in order for marine farming operations to take place. Generally only the person who made the initial plan change request has the right to apply for space within the AMA (see note below). Coastal permits to carry out aquaculture activity within an established AMA will be processed by the Council's Consents Department as usual.

Note: As part of a Treaty of Waitangi settlement arrangement within the new aquaculture management regime, 20% of any new space within an AMA must go to Maori. With the 20% area goes a right to also apply for a permit to commence marine farming within that area of the AMA.

Further information	Regional offices	
<p>Further information on AMAs is available on the Regional Council's website www.nrc.govt.nz.</p> <p>If you wish to discuss anything raised in this newsletter, please contact the:</p> <p style="text-align: center;">Coastal Planning Team Freephone: 0800 002 004 Email: mailroom@nrc.govt.nz</p>	<p>WHANGAREI 36 Water Street Ph: (09) 438 4639 Fax: (09) 438 0012</p> <p>DARGAVILLE 61B Victoria Street Ph: (09) 439 3300 Fax: (09) 439 3301</p>	<p>KAITAIA 192 Commerce Street Ph: (09) 408 6600 Fax: (09) 408 6601</p> <p>OPUA Unit 10, Opuia Marine Park Ph: (09) 402 7516 Fax: (09) 402 7510</p>