



24 June 2013

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ISO 9001:2008
Document Number:
RAD0082-CI1238
S88 RMA 1991
Acceptance

Record No: 13166913
File Ref: U040412
Case Officer: Bruno Brosnan

Dear Quentin and Peta,

Receipt of application for resource consent - U040412 - The New Zealand King Salmon Company Limited - Forsyth Bay Queen Charlotte Sound

Thank you for the recent application to vary conditions 14 to 17 of U040412 it was received by Council on 5 June 2013.

I have read the material provided by Cawthron and New Zealand King Salmon Limited and I can confirm that the application has been accepted for processing pursuant to section 88 of the Resource Management Act 1991. However, I have several questions about that material and seek further information before the application can be further processed.

1. Our previous discussions had led me believe that the new proposals would seek to impose a level of impact that is consistent with our practice to date (i.e. The Cawthron Model). I am not satisfied that the application adequately identifies that the ES levels put forward reflect what has been assessed in terms of enrichment since 2010. Please provide further information in this regard.
2. Cawthron has proposed the new ES standards (generally) on the basis that these were the consistently applied standards in the past. From a review of the previous monitoring reports (2003-2013), this is not the case. In fact the majority of the reports (that use the 7 stage model) consider that ES 6 is undesirable and is to be avoided. I was expecting much more detail on why these ES standards have been set based on previous monitoring years. Instead there is much analysis on why the ES should be ES 6 and not ES 5 and not for environmental reasons. I believe that more information is required to show that an ES of 6 is appropriate at this site given the authors previous (and for that matter, current) statements that an ES of 6 is to be avoided at low flow sites. Please provide further information in this regard.
3. Can you please provide a description of the ecological and biochemical difference between an ES score of 5 and 6?
4. What is the number of morts (mortalities) for this site during the period 2010-2011? How much salmon (kilograms) were taken to landfill from the Otanerau farm during the period 2010-2012? Can you also indicate whether the mortality over this period was episodic or on-going, and whether it covered the whole site or individual sub-pens?
5. Can you please provide details (dates and period of time) of when the Otanerau site has either been fallowed, not farmed, and when the site has contained other sea cages in addition to its normal cages.
6. Can you confirm when (or if) the feed at the site was changed from containing organic Zinc to inorganic Zinc.

7. Can you confirm whether the site is still utilizing copper based antifouling on its nets?
8. In Section 7.2.2 (page 21) of the variation application submitted by Gascoigne Wicks dated 31 May 2013 (received by Council 4 June 2013), and in Appendix 5 of the application entitled New Zealand King Salmon Report (para 28, page 5), it is stated that average feed level under ES <6 flux conditions at Forsyth would be 1200-2200 t yr⁻¹. Why does the variation to the discharge permit not offer a reduction in annual tonnage to reflect that 4000 t yr⁻¹ of feed is not sustainable at the low flow site?
9. The draft replacement condition 14 states that "Any breach of these requirements shall, as soon as practicable, be notified to the Marlborough District Council". Add "and no later than two (2) working days after the consent holder discovers the breach". There should be a clear expectation that Council will be notified of consent condition breaches immediately so adverse effects can be investigated and mitigated if possible.

Given the technical nature of the Cawthron report and the importance of that information to the process, I will be recommending to the decision maker that the application be peer reviewed. Please indicate your client's position on this matter.

To enable the application to be processed without unnecessary delay please confirm (within 15 working days of this letter) that you either:

- Will provide the requested information; or
- Confirm that you cannot provide the requested information within the timeframe, but do intend to provide it (Council will provide a revised timeframe); or
- Provide written confirmation that you do not agree to provide the requested information.

As a result of the information required, the processing of your application has been put on hold.

If you have not provided the requested information within the agreed timeframes, or if you do not provide all the requested information, the Council will publicly notify your application pursuant to section 95C of the Resource Management Act 1991.

Thank you again for your application and I look forward to your responses to the above points. Please do not hesitate to contact me if you have any questions or concerns regarding the above matters.

Yours sincerely,


Bruno Brosnan
RESOURCE MANAGEMENT OFFICER

