

15 August 2013

Marlborough District Council  
PO Box 443  
BLENHEIM 7240

Attention: Bruno Brosnan

### **NZ King Salmon - s 127 Applications (Forsyth and Otanerau)**

---

1. I refer to the first paragraph of your letter dated 9 August 2013. That paragraph requests information relating to fish mortality at NZ King Salmon's Forsyth and Otanerau Bay salmon farms.
2. Information regarding fish mortality is commercially sensitive, and NZ King Salmon is therefore reluctant to provide it to the Council. As a compromise position, the company would be prepared to provide the mortality data to a third party peer reviewer, on the basis that the Council does not have access to the raw data. The peer reviewer could then undertake an independent assessment of whether the s 127 proposals are likely to have an adverse effect on fish mortality. The peer reviewer would need to be appropriately qualified and experienced.
3. Please advise whether the Council would be amenable to the above proposal and who the Council may like to appoint as a peer reviewer. We would then need to ensure that the contractual position is properly defined.
4. In relation to your other queries about fish mortality, the Ministry for Primary Industries has been previously notified of the Pelorus Autumn Mortality Event experienced at some of NZ King Salmon's farms. MPI has taken samples from which no pathogen or infectious agent was identified. On that basis, MPI concluded its investigations.
5. NZ King Salmon and its experts continue to investigate the causes of mortalities on an ongoing basis. Dr Colin Johnston has recently confirmed to NZ King Salmon that benthic conditions are unlikely to be related to fish mortality at Forsyth and Otanerau.<sup>1</sup>

Yours faithfully  
**GASCOIGNE WICKS**



**Quentin Davies | Peta-Claire Brunel**

Partner | Staff Solicitor

Email | [qdavies@gwlaw.co.nz](mailto:qdavies@gwlaw.co.nz) | [pbrunel@gwlaw.co.nz](mailto:pbrunel@gwlaw.co.nz)

---

<sup>1</sup> Refer to Dr Johnston's report attached to our letter to the Council of 17 July 2013.

PCB-247141-88-507-V1