

From: Lauren Kensington-8413
Sent: 15 Jun 2016 14:33:10 +1200
To: Karen Mant
Subject: 2015/16 Compliance Reports- Clay Point, Forsyth, Ngamahau and Otanerau
Attachments: forsyth.pdf, clay point.pdf, Otanerau.pdf, ngamahau.pdf

Good Afternoon Karen

As discussed via phone, I have attached four compliance reports for the New Zealand King Salmon sites: Clay Point (U060926), Forsyth (U040412), Ngamahau (U140296) and Otanerau (U040217).

Please let me know if you have any questions or concerns regarding the compliance status and comments for each consent.

I will send through further compliance reports as they are completed.

Kind Regards

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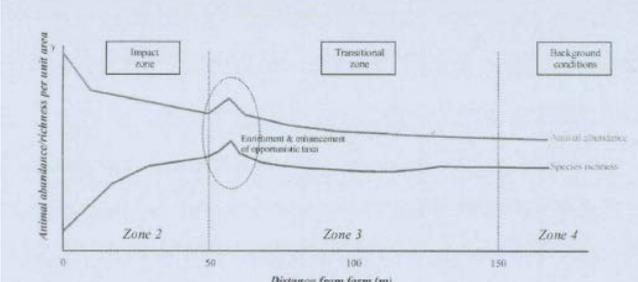
The New Zealand King Salmon Company Limited- 2015 Compliance Report for Coastal Permit (040412)

Assessment of Compliance with Resource Consent U040412

This report sets out the compliance status for the disposal of discharge from the New Zealand King Salmon Forsyth Site. The information in this report is based on the 'Environmental Impacts of the Forsyth Bay Salmon: Annual Monitoring 2015' Report provided by Cawthron Institute.

Compliance Status has been indicated using a monitoring traffic light system where **green** indicates compliance; **yellow** indicates technical non-compliance; **orange** indicates that corrective or remedial action(s) is required and a time frame for completion has been set, and **red** indicates non-compliance.

Please note that the following consent conditions are representative only, they do not include the complete list of conditions of consent.

Condition	Comment	Compliance Status															
Coastal Permit (Discharge to Seawater) 2. Only extruded pellets or similar shall be fed at the marine farm.	Pellets are the only type of feed at this farm.																
11. STAGE 3 Following receipt by council of the reports required in Stage 2 above and subject to any review of the conditions of this consent, pursuant to condition 24 of this consent the consent holder may then discharge the maximum volume permitted under the consent of <u>4000 metric tonnes per annum</u> .	The monitoring report shows that the total feed input for 2015 was 769 Tonnes between May and October 2015. This is well within this consent limit of 4000 metric Tonnes therefore this is compliant.																
ENVIRONMENTAL QUALITY STANDARDS 14. The environmental quality standards (EQS) that shall be applied for seabed effects follow the model as presented in the application i.e. seabed effects are 'zoned' around the cages to allow for a mixing or transition zone. Outside this zone no adverse effect on the seabed is allowed. Three 'zones' under and around the marine farm shall be established as follows: a. Referred to as 'Zone 1' – Beneath the cages and out to 50 m from the cages. b. Referred to as 'Zone 2' - From 50 m to 150 m from the outside edge of the cages. c. Referred to as 'Zone 3' - Beyond 150 m from the outside edge of the cages.	The sampling method explained in the monitoring report (figure 5.) shows that the sampling was undertaken in the required three zones as described in the consent condition.																
17. The EQS in each zone is as follows: <table border="1" data-bbox="92 1451 730 1809"> <thead> <tr> <th>Zone</th> <th>Spatial Extent</th> <th>Description and Bottom Line</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Beneath the cages and out to 50 m from their outside edge</td> <td>Sediments become highly impacted and contain low species diversity, dominated by opportunistic taxa (e.g. polychaetes, nematodes). It is expected that a gradient will exist within this zone, with higher impacts present directly beneath the cages.</td> </tr> <tr> <td>2</td> <td>From 50 m to 150 m from the outside edge of the cages</td> <td>A transitional zone between zones 2 and 4. Within this zone, some enrichment and enhancement of opportunistic species may occur, however species diversity remains high with no displacement of functional groups. It is expected that a gradient will also exist within this zone.</td> </tr> <tr> <td>3</td> <td>Beyond 150 m from the outside edge of the cages</td> <td>Normal conditions (i.e. background or control conditions).</td> </tr> <tr> <td>All Zones</td> <td>These conditions are not permitted beneath any NZKS farm</td> <td>Sediments that are anoxic and azoic (i.e. no life present) will not be permitted.</td> </tr> </tbody> </table> 	Zone	Spatial Extent	Description and Bottom Line	1	Beneath the cages and out to 50 m from their outside edge	Sediments become highly impacted and contain low species diversity, dominated by opportunistic taxa (e.g. polychaetes, nematodes). It is expected that a gradient will exist within this zone, with higher impacts present directly beneath the cages.	2	From 50 m to 150 m from the outside edge of the cages	A transitional zone between zones 2 and 4. Within this zone, some enrichment and enhancement of opportunistic species may occur, however species diversity remains high with no displacement of functional groups. It is expected that a gradient will also exist within this zone.	3	Beyond 150 m from the outside edge of the cages	Normal conditions (i.e. background or control conditions).	All Zones	These conditions are not permitted beneath any NZKS farm	Sediments that are anoxic and azoic (i.e. no life present) will not be permitted.	<p>- The most impacted site on the NZKS site is the Pen 1 and 2 stations (zone 1) which still possessed low level abundances of taxa therefore the NZKS farm has not reached anoxic and azoic sediments. The average zinc concentrations are recorded as exceeding the ISQG low trigger level however the report concludes that it is unlikely to be as a result of continued accumulation of metal. Pen 1 had midwater and surface reductions of Dissolved Oxygen, the report states that this is a localised and relatively minor effect of the salmon farm. The report indicates that the DO reduction does not indicate substantial effects of benthic enrichment. The report has concluded that Pen 2 enrichment scale is inconsistent with the best management practice and would require an 'alert' management response under the BMP.</p> <p>- Zone 2 species diversity high, described as being more similar to that of the control sites. The total recoverable zinc at the 50m station was less than half the ISQG low.</p>	
Zone	Spatial Extent	Description and Bottom Line															
1	Beneath the cages and out to 50 m from their outside edge	Sediments become highly impacted and contain low species diversity, dominated by opportunistic taxa (e.g. polychaetes, nematodes). It is expected that a gradient will exist within this zone, with higher impacts present directly beneath the cages.															
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	- The 150m station and control stations were all assessed as having an ES of 2 or 1.8. This is consistent with the requirements of the EQS.	
ENVIRONMENTAL MONITORING AND REPORTING 18. Prior to exercising the consent, the consent holder shall prepare an environmental monitoring programme to show compliance with the Environmental Quality Standards set out in conditions 14 to 17 of this consent.	The annual monitoring plan and methods for the 2015 monitoring period was submitted to Council in October 2015.	
20. The survey/monitoring programme shall describe: a. the surveys, baseline and/or ongoing, to be undertaken; b. location and extent of environmental features within the vicinity and potential impacts on these features; c. the environmental performance indicators that are to be used to assess effects; d. methods, location and frequency of sampling, including reference sites; e. a definition of species diversity and what comprises the transitional zone; and f. recording and reporting requirements.	The annual monitoring plan for 2015 covered all aspects required in condition 20.	
ONGOING ANNUAL MONITORING 21. A monitoring report is to be prepared at least annually, and will include: a. a description of the types, location and area of structures within the 2 hectare authorised area and a description of any movement or relocation of structures over the previous year; b. presentation of monitoring results; c. a comprehensive and integrated report on the effects of the development and operation of the farm to date, including maximum biomass of fish and feed volumes discharged over that year; d. an assessment as to whether or not the farm is having a significant adverse effect on the environment or not; e. recommendations as to how any adverse effects on the environment can be avoided, remedied or mitigated; and f. the adequacy of the monitoring programme. NB: The monitoring programme shall be public record.	An annual monitoring report was provided to Council dated February 2016. The monitoring report has included all aspects required by condition 21. Recommendations have been made for the site. It has also been recognised that this site is now fallowed for 2016 due to the increased enrichment of the site however Cawthron have recommended ES monitoring for 2016. Council agrees with this recommendation as it is important to assess the recovery of the seabed from the fallow. Further detail regarding the adequacy of the monitoring programme should be discussed in the next monitoring report as it was discussed minimally.	
22. The consent holder shall commission an independent person (or persons) with appropriate expertise in environmental monitoring to undertake the monitoring and reporting work required by the conditions of this consent.	The Cawthron Institute completed the environmental monitoring required at this site. This is an independent organisation with appropriate expertise.	
23. The Council may require an independent peer review of the surveys, monitoring and reporting required under conditions 17 to 22 above. Such a peer review will be at the cost of the consent holder.	Independent peer review completed by Dr Kenny Black.	-
Coastal Permit (Structure) 2. Cages will be restricted to within a clearly defined 2 hectare area (plan attached).	The map provided in the annual monitoring report shows, in figure 5, the 2015 pen position is located partially outside of the 2ha boundary however the gps margin of error may account for this.	

Please Note:

Pursuant to section 36 of the Resource Management Act 1991 and the Marlborough District Council's schedule of fees, the consent holder shall be responsible for all costs associated with the monitoring of this consent in accordance with the schedule of fees.

Where non-compliance is noted on an inspection visit, remedial action is identified and advised to the consent holder in writing. A follow-up visit may confirm that appropriate remedial action has been taken. No charge is made for this visit if the consent holder is at this stage complying with the consent conditions. If the conditions of the consent are not being complied with the consent holder is charged and subsequent visits maybe required.



The New Zealand King Salmon Company Limited- 2015 Compliance Report for Coastal Permit (060926)

Assessment of Compliance with Resource Consent U060926

This report sets out the compliance status for the disposal of discharge from the New Zealand King Salmon Clay Point Site. The information in this report is based on the 'Environmental Impacts of the Clay Point Salmon Farm: Annual Monitoring 2015' Report provided by Cawthron Institute.

Compliance Status has been indicated using a monitoring traffic light system where **green** indicates compliance; **yellow** indicates technical non-compliance; **orange** indicates that corrective or remedial action(s) is required and a time frame for completion has been set, and **red** indicates non-compliance.

Please note that the following consent conditions are representative only, they do not include the complete list of conditions of consent.

Condition	Comment	Compliance Status
<p><i>STAGING OF DISCHARGE VOLUMES</i> Stage 4. 28. Following receipt by Council of the monitoring report specified under stage 3 above and subject to any review of conditions of this consent specified in condition 44, the consent holder may for the following year discharge a maximum of 4000 metric tonnes per annum.</p>	<p>The total feed used over the twelve month period of November 2014 through October 2015 was 3,281tonnes. This is compliant with condition 28.</p>	
<p><i>ENVIRONMENTAL QUALITY STANDARDS (EQS)</i> 34. The discharge of feed shall meet the requirements of conditions 35-36 relating to Environmental Quality Standards (EQS) at all times. Any breach of these requirements shall, as soon as practicable and not later than two (2) working days after the consent holder discovers the breach, be notified to the Marlborough District Council.</p>	<p>The discharge of feed appears to have caused non-compliance of condition 36 where the zone 3 (90m E) is exceeding the EQS standard. Council has not received a notification of this from NZKS.</p>	
<p>35. EQS Compliance Zones shall be defined for the farm, in accordance with Figure 1 (attached) and the dimensions and areas contained in Table 1.</p>	<p>The EQS zones have been defined and are provided in figure 4 of the annual report. This is in compliance with figure 1 of the resource consent.</p>	
<p>36. At all times, the seabed beneath and in the vicinity of the farm shall comply with the EQS specified in Table 2. Zone dimensions and area for compliance purposes shall be defined in accordance with condition 35. Enriched Stages (ES) shall be defined in accordance with Figure 2 (attached) and Table 3 (attached). For the avoidance of doubt, the ES shall be calculated for compliance with purposes as the mean of all sample replicates taken at a single sampling station (refer to Figure 1). Standard errors or confidence limits of the mean ES at each sampling station shall be reported in the monitoring report (refer to condition 41).</p>	<p>The annual report describes the environmental quality at the three zones in table 2.</p> <p>The habitat of pen 1 and 2 contained a number of different species amongst dark grey to black sandy sediment. The 90m station had less easily disturbed dark grey-black sediment and a number of different species habituated this area. The 300m station had light grey sandy sediment and an abundance of snake stars. The control site had light grey sediments to pebble/sand substrate, snake stars and diverse epifauna. Pen 1 had elevated sediment organic matter concentration compared with the other sites.</p> <p>Average Redox at Pen 1 and 2 were negative and lower than all other stations. Redox increased with distance from the pens. Average total free sulphide concentrations were elevated at pen 1 and 2 compared with all other stations and were noticeably higher than 2014.</p> <p>The infauna at pen 1 had a very high average total abundance in comparison with the other stations. Average taxa richness was very low at Pen1 and the 90m E station, other stations were similar to the control. The diversity and richness at all stations were lower than the controls. These characteristics indicate highly enriched conditions.</p> <p>Total recoverable copper and zinc concentrations were below the trigger level for biological effects and both decreased in 2015.</p> <p>The report summarises the water column at the farm site.</p>	

	<p>The measurements did not indicate impacts of farm activities due to benthic enrichment related processes.</p> <p>The information gathered in the survey of the monitoring sites has been given an equivalent ES score. Pen 1 had the highest ES of 4.7 (± 0.2) compared with the control sites which were an ES of between 1.8 and 2.1 (95%CI). The overall ES of the two pens is within the allowable ES of ≤ 5 therefore the pens are compliant with the EQS.</p> <p>The ES of the 90m E site was 4.4 (95%CI) which exceeds the consented limit of ≤ 4.0. The infauna abundance was equivalent to that at pen 1 and the taxa richness was heavily reduced. A minor management response under the BMP guidelines is required. This conditions has been rated as technical non-compliance as a minor response is needed. If the ES continues to exceed the EQS, the condition may escalate to orange or red.</p> <p>The ES of the 90m W site was 3.2 which is within the guideline. The ES at the 300m E station was 3.1(± 0.3) therefore the lower limit is below the EQS requirement necessitating an alert for farm management purposes. The ES of the 300m W station was less than the EQS of ≤ 3.0.</p>	
<p><i>ENVIRONMENTAL MONITORING AND REPORTING</i></p> <p>37. Prior to exercising the consent and following any changes to the monitoring requirements in this consent, the consent holder shall prepare an environmental monitoring programme to show compliance with the Environmental Quality Standards set out in conditions 34 to 36 of this consent.</p>	<p>An annual monitoring plan and methods for 2015 was submitted to Council in October 2015. This plan covers 5 King Salmon farming operations.</p>	
<p>38. This monitoring programme and any updates to it shall be submitted to the Council for approval and shall address, but not be limited to, the following effects within the boundary of the marine farm and in the immediate vicinity beyond the boundary of the marine farm:</p> <p>(a) Effects on water quality;</p> <p>(b) Seabed deposition (sedimentation and crop loss) and oxygen depletion;</p> <p>(c) Effects on benthic community composition and abundance;</p> <p>(d) Potential water column effects on Marine Farm Licence 464 in Ngaruru Bay;</p> <p>(e) Effects of underwater lighting on benthic and pelagic species.</p> <p>(f) Potential far-field bio-depositional effects, in order to ensure that the marine farm is not resulting in ecologically significant seabed enrichment in areas of natural bio-deposition in neighbouring bays. A far-field site shall be chosen based on potential exposure to increased bio-deposition. This monitoring shall be continued for 5 years from the grant of consent; and</p> <p>(g) Effects on habitats that support notable biological features within 1km of the net pens ("reef" monitoring), in order to ensure that the operation of the marine farm is not causing ecologically significant adverse effects on these features as a result of bio-deposition. Monitoring shall also include comparable habitats at appropriate reference sites. This monitoring shall be continued for 5 years from the grant of consent. For the purposes of this condition "notable biological features" shall include but not be limited to area of significant reef, tubeworm mounds and hydroid colonies.</p>	<p>The monitoring programme covers the effects of within the boundary of the marine farm- Pen 1 and 2 monitoring.</p> <p>(f) The reef monitoring report includes a reference site CP-4 which was monitored alongside the other Clay Point Farm monitoring sites.</p> <p>(g) A reef monitoring report was prepared separately to the annual monitoring report as per requirement (g). The report included the methodology, findings and recommendations. The monitoring of Clay Point has been ongoing since 2007. The report provides comment on sponges, algae, mobile invertebrates and tree hydroid colonies. Video and photo footage was taken of the transect lines to note dominant habitat boundaries and fish or mobile invertebrate abundance. The report recommends that future surveys continue randomly positioned photo and video footage and the carefully monitor the condition of the sponges at all sites to ensure no changes are related to farm effects. The report also recommends full quantitative analyses of the site photo-quadrats in 2016 and alternate years.</p>	
<p>40. The survey/monitoring programme shall describe:</p> <p>(a) the surveys, baseline and/or ongoing, to be undertaken;</p> <p>(b) location and extent of any environmental features within the vicinity and potential impacts on these features;</p> <p>(c) the environmental performance indicators that are to be used to assess effects;</p>	<p>An annual monitoring plan and methods for 2015 was submitted to Council in October 2015. This plan covers 5 King Salmon farming operations.</p>	

<p>(d) methods, location and frequency of sampling, including reference sites;</p> <p>(e) a definition of species diversity and what comprises the transitional zone; and</p> <p>(f) recording and reporting requirements.</p>		
<p>41. A monitoring report is to be prepared at least annually, and will include:</p> <p>(a) presentation of monitoring results;</p> <p>(b) a comprehensive and integrated report on the effects of the development and operation of the farm to date, including maximum biomass of fish and feed volumes discharged over that year;</p> <p>(c) an assessment as to whether or not the farm is having a significant adverse effect on the environment or not;</p> <p>(d) recommendations as to how any adverse effects on the environment can be avoided, remedied or mitigated; and</p> <p>(e) the adequacy of the monitoring programme.</p> <p>NB: The monitoring programme shall be public record.</p>	<p>a) The monitoring report included a presentation of the monitoring results both tabulated and an explanation of the results.</p> <p>b) The report discusses the operation of the farm and the feed discharged over the year.</p> <p>c) The report has assessed the farm against the EQS and the factors which contribute to the overall ES score. The report also makes historical comparisons.</p> <p>d) Recommendations have been provided in regards to further monitoring in the 2016 report and remediation/mitigation for the enrichment along the eastern transect has been recommended for consideration.</p> <p>e) The report discusses the need for further monitoring of the enriched transect.</p>	
<p>42. The consent holder shall commission an independent person (or persons) with appropriate expertise in environmental monitoring to undertake the monitoring and reporting work required by the conditions of this consent.</p>	<p>The annual monitoring report has been completed by the Cawthron Institute.</p>	
<p>43. The Council may require an independent peer review of the surveys, monitoring and reporting required under conditions 34 to 43 above. Such a peer review will be at the cost of the consent holder.</p>	<p>Council has not sought an independent peer review of the survey as it has been concluded that the consent is in non-compliance with condition 36.</p>	-

Please Note:

Pursuant to section 36 of the Resource Management Act 1991 and the Marlborough District Council's schedule of fees, the consent holder shall be responsible for all costs associated with the monitoring of this consent in accordance with the schedule of fees.

Where non-compliance is noted on an inspection visit, remedial action is identified and advised to the consent holder in writing. A follow-up visit may confirm that appropriate remedial action has been taken. No charge is made for this visit if the consent holder is at this stage complying with the consent conditions. If the conditions of the consent are not being complied with the consent holder is charged and subsequent visits maybe required.

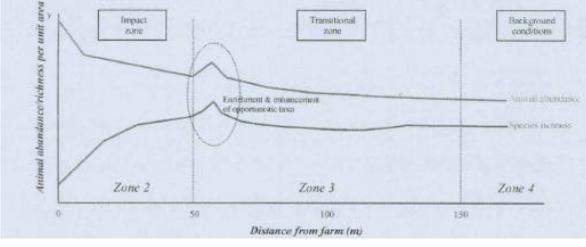
The New Zealand King Salmon Company Limited- 2015 Compliance Report for Coastal Permit (040217)

Assessment of Compliance with Resource Consent U040217

This report sets out the compliance status for the disposal of discharge from the New Zealand King Salmon Otanerau Bay Site. The information in this report is based on the 'Environmental Impacts of the Otanerau bay Salmon Farm: Annual Monitoring 2015' Report provided by Cawthron Institute.

Compliance Status has been indicated using a monitoring traffic light system where **green** indicates compliance; **yellow** indicates technical non-compliance; **orange** indicates that corrective or remedial action(s) is required and a time frame for completion has been set, and **red** indicates non-compliance.

Please note that the following consent conditions are representative only, they do not include the complete list of conditions of consent.

Condition	Comment	Compliance Status															
<p><i>Coastal Permit-Discharge to Seawater</i> 2. Only extruded pellets or similar shall be fed at the marine farm.</p>	The annual monitoring report discusses the pellets distributed between November 2014 and October 2015.																
<p><i>Staging of discharge volumes</i> Stage 2. 7. Following receipt by Council of the monitoring report specified under stage 1 above and subject to any review of conditions of this consent specified in condition 23, the consent holder may for the following year discharge a maximum of 4000mT per annum.</p>	A total of 1,011 Tonnes of feed was discharged into the salmon farm between November 2014 and October 2015. This is well below the maximum consented discharge volume.																
<p><i>Environmental Quality Standards</i> 13. The environmental quality standards (EQS) that shall be applied for seabed effects follow the model as presented in the application i.e. seabed effects are zoned around the cages to allow for a mixing or transition zone. Outside this zone no adverse effect on the seabed is allowed. Three zones under and around the marine farm shall be established as follows: a. Referred to as 'Zone 1' - Beneath the cages and out to 50m from the cages. b. Referred to as 'Zone 2' - From 50 m to 150 m from the outside edge of the cages. c. Referred to as 'Zone 3' - Beyond 150 m from the outside edge of the cages.</p>	These zones are used for monitoring in the annual monitoring report																
<p>16. The EQS in each zone is as follows:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="background-color: #e0e0e0;">Zone</th> <th style="background-color: #e0e0e0;">Spatial Extent</th> <th style="background-color: #e0e0e0;">Description and Bottom Line</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Beneath the cages and out to 50 m from their outside edge</td> <td>Sediments become highly impacted and contain low species diversity, dominated by opportunistic taxa (e.g. polychaetes, nematodes). It is expected that a gradient will exist within this zone, with higher impacts present directly beneath the cages.</td> </tr> <tr> <td>2</td> <td>From 50 m to 150 m from the outside edge of the cages</td> <td>A transitional zone between zones 2 and 4. Within this zone, some enrichment and enhancement of opportunistic species may occur, however species diversity remains high with no displacement of functional groups. It is expected that a gradient will also exist within this zone.</td> </tr> <tr> <td>3</td> <td>Beyond 150 m from the outside edge of the cages</td> <td>Normal conditions (i.e. background or control conditions).</td> </tr> <tr> <td>All Zones</td> <td>These conditions are not permitted beneath any NZKS farm</td> <td>Sediments that are anoxic and azoic (i.e. no life present) will not be permitted.</td> </tr> </tbody> </table> 	Zone	Spatial Extent	Description and Bottom Line	1	Beneath the cages and out to 50 m from their outside edge	Sediments become highly impacted and contain low species diversity, dominated by opportunistic taxa (e.g. polychaetes, nematodes). It is expected that a gradient will exist within this zone, with higher impacts present directly beneath the cages.	2	From 50 m to 150 m from the outside edge of the cages	A transitional zone between zones 2 and 4. Within this zone, some enrichment and enhancement of opportunistic species may occur, however species diversity remains high with no displacement of functional groups. It is expected that a gradient will also exist within this zone.	3	Beyond 150 m from the outside edge of the cages	Normal conditions (i.e. background or control conditions).	All Zones	These conditions are not permitted beneath any NZKS farm	Sediments that are anoxic and azoic (i.e. no life present) will not be permitted.	<p>The report discussed the results gained in regards to 'zone 1' the three pen stations. The report outlines that the pen stations had muddy sediment and mussel shell debris with bacteria. The sediment organic matter concentrations were elevated. The average redox potential was negative and lower than all other stations. Sulphide levels were extremely elevated. The taxa richness was very low while diversity, margalef richness and EQR scores were also lower than the control sites. Species abundance was variable between pens (pen 2 was higher than the control, pen 3 was lower than the control) Pen 3 had higher copper concentrations than pen 1-2 which exceeded ISQG-low. The zinc concentrations across all three pens exceeded the ISQG-high trigger level. DO was reduced mid-water by approximately 20% which decreased with depth. Turbidity was increased under the beds. The report summarises that the stations are at hypoxic conditions with moderate enrichment, lower redox and higher sulphide compared with the controls. The biological communities indicated highly enriched conditions. The ES assessment was</p>	
Zone	Spatial Extent	Description and Bottom Line															
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	<p>summarised as being 5.9 at Pen 1, 5.6 at Pen 2 and 4.8 at Pen 3 therefore they are meeting condition 16. Pen 1 in particular is almost meeting the compliance limit therefore the site would require a major alert response under the BMP guidelines.</p> <p>The report also outlines the results of the monitoring of zone 2. The 50-150m sediment organic matter concentrations were similar to the control sites. The copper and zinc concentrations were below the ISQG-low trigger level. Turbidity was increased at this station. The overall ES for the 50-150m stations were 3.2 and 2.3 respectively, therefore they are compliant.</p> <p>At zone 3, the control sites sediment was similar to the 50-150m stations with shell debris. Copper and Zinc wasn't measured due to historical data being low. Turbidity was lessened at this station. The ES for the control stations were 2.2 and 1.8 which meets the conditions.</p>	
<p>17. ENVIRONMENTAL MONITORING AND REPORTING Prior to exercising the consent, the consent holder shall prepare an environmental monitoring programme to show compliance with the Environmental Quality Standards set out in conditions 12 to 16 of this consent.</p>	<p>An annual monitoring plan and methods for 2015 was submitted to Council in October 2015. This plan covers five King Salmon farming operations.</p>	
<p>19. The survey/monitoring programme shall describe: a. the surveys, baseline and/or ongoing, to be undertaken; b. location and extent of environmental features within the vicinity and potential impacts on these features; c. the environmental performance indicators that are to be used to assess effects; d. methods, location and frequency of sampling, including reference sites; e. a definition of species diversity and what comprises the transitional zone; and f. recording and reporting requirements</p>	<p>The monitoring programme incorporates the water column, sea bed, and heavy metal sampling that will be undertaken. All aspects of condition 19 were met in the 2015 monitoring programme.</p>	
<p>20. ONGOING ANNUAL MONITORING A monitoring report is to be prepared at least annually, and will include: a. a description of the types, location and area of structures within the 2 hectare authorised area and a description of any movement or relocation of structures over the previous year; b. presentation of monitoring results; c. a comprehensive and integrated report on the effects of the development and operation of the farm to date, including maximum biomass of fish and feed volumes discharged over that year; d. an assessment as to whether or not the farm is having a significant adverse effect on the environment or not; e. recommendations as to how any adverse effects on the environment can be avoided, remedied or mitigated; and f. the adequacy of the monitoring programme. NB: The monitoring programme shall be public record.</p>	<p>A monitoring report was completed by Cawthron Institute dated February 2016 and submitted to Council in March 2016. The report covers all aspects of this condition as required except the recommendations as to how any adverse effects on the environment can be avoided, remedied or mitigated. The report concludes that the seabed underneath the pens shows hypoxic conditions with an overall ES of 5.9 at pen 1 and 5.6 at pen 2. It would be expected that recommendations are made as to how NZKS could remedy this adverse environmental effect. The only recommendation made is to carry out additional replicate sampling as per the BMP.</p>	
<p>21. The consent holder shall commission an independent person (or persons) with appropriate expertise in environmental monitoring to undertake the monitoring and reporting work required by the conditions of this consent.</p>	<p>The annual monitoring and reporting was completed by the Cawthron Institute which are suitably qualified and independent.</p>	
<p>22. The Council may require an independent peer review of the surveys, monitoring and reporting required under conditions 15 to 20 above. Such a peer review will be at the cost of the consent holder.</p>	<p>The annual monitoring report was independently reviewed by Dr Kenny Black.</p>	-

Please Note:

Pursuant to section 36 of the Resource Management Act 1991 and the Marlborough District Council's schedule of fees, the consent holder shall be responsible for all costs associated with the monitoring of this consent in accordance with the schedule of fees.

Where non-compliance is noted on an inspection visit, remedial action is identified and advised to the consent holder in writing. A follow-up visit may confirm that appropriate remedial action has been taken. No charge is made for this visit if the consent holder is at this stage complying with the consent conditions. If the conditions of the consent are not being complied with the consent holder is charged and subsequent visits maybe required.



The New Zealand King Salmon Company Limited- 2015/2016 Compliance Report for Coastal Permit (U140296)

Assessment of Compliance with Resource Consent U140296

This report sets out the compliance status for the disposal of discharge from the New Zealand King Salmon Ngamahau Bay Site. The information in this report is based on the report 'Environmental Impacts of the Ngamahau Bay Salmon Farm: Annual Monitoring 2015-2016' which was provided by Cawthron Institute.

Compliance Status has been indicated using a monitoring traffic light system where **green** indicates compliance; **yellow** indicates technical non-compliance; **orange** indicates that corrective or remedial action(s) is required and a time frame for completion has been set, and **red** indicates non-compliance.

Please note that the following consent conditions are representative only, they do not include the complete list of conditions of consent.

Condition	Comment	Compliance Status										
<p>Discharge of Feed, Marine Fouling and Antifouling to Coastal Water</p> <p>34. The annual tonnage of nitrogen that may be discharged to the marine farm is to be limited to 7% of the tonnage of feed that may be discharged in accordance with Condition 35 and Table 1 (i.e. if up to 3000 tonnes of feed can be discharged then up to 210 tonnes of nitrogen can be discharged)..</p>	<p>The report states that the annual tonnage of nitrogen was less than 7% of the total feed loading. It is unclear, in the report, how this conclusion was reached. This condition has been rated as technical non-compliance as not enough information has been provided to accurately demonstrate compliance. It is appropriate for the consent holder to provide Council with an independent certification of the nitrogen tonnage.</p>											
<p>35. The annual tonnage of feed that may be discharged to the marine farm is limited as follows:</p> <p>a. The initial feed discharged (in at least each of the first three years) shall not exceed the Maximum Initial Feed Discharge specified in Table 1;</p> <p>b. In any year, the tonnage of feed discharged shall not exceed the Maximum feed Discharge specified in Table 1;</p> <p>c. Any increase in feed discharged (from one year to the next) shall not exceed the Maximum Increase in Feed Discharge specified in Table 1;</p> <p>d. Whether or not the annual tonnage of feed discharge may increase above the Maximum Initial Feed Discharge, or may reach the Maximum Feed Discharge, is dependent upon compliance with Condition 36 below.</p> <p>Table 1: Maximum initial and maximum annual feed discharges, and maximum increases in annual feed discharges (from one year to the next)</p> <table border="1"> <thead> <tr> <th>Farm</th> <th>Maximum Feed Discharge (tonnes per annum)</th> <th>Initial Discharge (tonnes per annum)</th> <th>Maximum Increase in Feed Discharge (tonnes per annum)</th> <th>Maximum Feed Discharge (tonnes per annum)</th> </tr> </thead> <tbody> <tr> <td>Ngamahau</td> <td>1500</td> <td>500</td> <td>4000</td> <td></td> </tr> </tbody> </table>	Farm	Maximum Feed Discharge (tonnes per annum)	Initial Discharge (tonnes per annum)	Maximum Increase in Feed Discharge (tonnes per annum)	Maximum Feed Discharge (tonnes per annum)	Ngamahau	1500	500	4000		<p>The total feed input for the monitoring period of November 2015 to March 2016 was 382 tonnes. This is well within the consented limit of up to 1500 tonnes per annum. The site has been operated since November 2015.</p>	
Farm	Maximum Feed Discharge (tonnes per annum)	Initial Discharge (tonnes per annum)	Maximum Increase in Feed Discharge (tonnes per annum)	Maximum Feed Discharge (tonnes per annum)								
Ngamahau	1500	500	4000									
<p>Environmental Quality Standards (EQS)</p> <p>38. The discharge of feed, marine biofouling and antifouling at the marine farm shall meet the requirements of conditions 39-44 relating to Environmental Quality Standards (EQS) at all times. Any breach of these requirements shall, as soon as practicable, be notified to the Marlborough District Council and the members of the Te Atiawa Manawhenua ke te Tau Ihu Trust (or the organisation with a mandate to represent Te Atiawa Manawhenua ke te Tau Ihu in relation to these issues).</p>	<p>The EQS was not breached at any of the monitoring sites. No notification to Council or iwi was required.</p>											
<p>Environmental Quality Standards (EQS) – Seabed Deposition</p> <p>39. EQS Compliance Zones shall be defined for the marine farm, in accordance with Figure 2 and the dimensions and area contained in Table 2.</p>	<p>The report 'Environmental Impacts of the Ngamahau Bay Salmon Farm: Annual Monitoring 2015-2016' is the first annual monitoring report for this site. The report covers the monitoring of the site which has been undertaken with the EQS compliance zones</p>											

Farm	EQS Compliance Zone boundary dimensions (maximum distances)		EQS Compliance Zone Area (Maximum area)
	Distance from nearest net pen to Zone 2/3 boundary	Distance from nearest net pen to Zone 3/4 boundary	Total area of Zones 1, 2 and 3 (the footprint)
	Metres (m)	Metres (m)	Hectares (ha)
Ngamahau	75	300	12

- a. The above Zones shall be fixed.
- b. Notwithstanding, condition 39A, the size and shape of the above Zones will be reviewed (to enable comparison with the zone dimensions contained in Table 2), after 3 years of operation at the Initial Feed discharge level in Table 1, as part of the Annual Report (refer to condition 66J) for that year. The dimension and area of the Zones may be amended as a result of a recommendation in the Annual Report, provided that the total area of Zones 1, 2 and 3 does not exceed by more than 10% from the area specified in Table 2.

40. At all times, the seabed beneath and in the vicinity of the marine farm shall comply with the EQS specified in Table 3. Zone dimensions and area for compliance purposes shall be defined in accordance with condition 39. Enrichment Stage (ES shall be defined in accordance with Figure 3 and Table 5.

Zone	Compliance Monitoring Location	EQS
Zones 1 & 2 – beside and beneath the net pens	Measured beneath the edge of the net pens – ‘Pen’ Stations on Figure 2	ES≤ 5.0 No more than one replicate core with no taxa (azoic). No obvious, spontaneous out-gassing (H ₂ S/methane). Bacteria mat (<i>Beggiatoa</i>) coverage not greater than localized/patchy in distribution.
Zone 3 – near to the net pens	Measured at the Zone 2/3 Boundary Stations on Figure 2	ES≤ 4.0 Infauna abundance is not significantly higher than at corresponding ‘Pen’ Station Number of taxa >75% of number at relevant / appropriate reference Station(s)
Zone 4 – outside the footprint area	Measured at the Zone 3/4 Boundary Stations on Figure 2	ES < 3.0 Conditions remain statistically comparable with relevant/ appropriate reference Station(s)

41. Environmental Quality Standards (EQS) - Copper and Zinc Levels
Composite samples of sediments beneath and beside the net pens (measured beneath the edge of the net pen - Pen Stations on Figure 2) shall be assessed against the ANZECC (2000) ISQG-Low criteria for copper and zinc; as a first tier trigger level.

Environmental Quality Standards (EQS) – Water Column
43. The marine farm shall be operated at all times in such a way as to achieve the following Water Quality Objectives in the water column:

a. To not cause an increase in the frequency, intensity or duration of phytoplankton blooms (i.e. chlorophyll a concentrations =5 mg/m³) [Note: water clarity as affected by chlorophyll a concentrations is addressed by this objective];

b. To not cause a change in the typical seasonal patterns of phytoplankton community structure (i.e. diatoms vs. dinoflagellates), and with no increased frequency of harmful algal blooms (HAB's) (i.e. exceeding toxicity thresholds for HAB species);

c. To not cause reduction in dissolved oxygen concentrations to levels that are potentially harmful to marine biota [Note: Near bottom dissolved oxygen under the net pens is addressed separately through the EQS – Seabed Deposition];

d. To not cause elevation of nutrient concentrations outside the confines of established natural variation for the location and time of year, beyond 250m from the edge of the net pens;

e. To not cause a statistically significant shift, beyond that which is likely to occur naturally, from a oligotrophic/mesotrophic state towards a eutrophic state;

f. To not cause an obvious or noxious build-up of macroalgal

shown in table 2 of condition 39.

The ES of the Pen 1 station was 2.0 while the ES of Pen 2 station was 2.1 this is in compliance with the zone 1 and 2 EQS limits. It is noted that both stations had relatively high numbers of opportunistic capitellid polychaete.

The ES of the zone 2-3 boundary were 1.8 at the north station and 1.6 at the south station.

The ES of the 300m north site was 2.1 and the 300m south site was 1.7.

The report summarises that it is likely that an outside factor is the predominant influence on the community structure at the northern sites rather than enrichment associated with the Ngamahau site.

All ES levels were less than the EQS limit for each zone therefore this condition is compliant.

The total recoverable copper and zinc were both below the ANZECC ISQG-low trigger level. The copper was measured as being 5 and 4.6 at Pen 1 and 2 respectively and the zinc was measured as being 43 and 41 at Pen 1 and 2 respectively.

- a. The Chl-a results were similar to the control and baseline sampling results however elevated Chl-a was measured beside the net pens in March. All monthly sampling results were below the WQS of <3.5mg/m³.
- b. The variation of dominant phytoplankton biomass was reported to be consistent with the results of the baseline report. The reef monitoring report discussed the algae abundance and concluded the decline in increase of algae is likely due to medium-long term climatic influences.
- c. The lowest concentrations of DO were recorded using a different instrument. The readings were all above 76% The report explains that it is a trend at all sites that the DO level reduced over the sampling months. From January 2016 on, all sites excepting beside the pens were below the associated WQS. The report recommends that consideration is given to dual triggers for DO WQS and use of depth bands in analyses. **Council would like to know when to expect a submission for the appropriate depth bands and what Cawthron recommend as dual triggers.**

<p>(e.g. sea lettuce) biomass [Note: to be monitored in accordance with condition 65h].</p>	<p>d. The near bottom TN results were similar to the surface integrated samples. The report discusses the possible upwelling of water from outside the sound being a cause of the elevated results at the TC entrance control site</p> <p>e. The preliminary findings of the fine-scale results were discussed in regards to TN. This was the only constituent that showed a clear progression in concentrations with increasing distance to the farm. The report discusses the reduction of TN immediately downstream of the farm even with calm conditions.</p> <p>f. There is no comment regarding an obvious or noxious build-up of macroalgal biomass. The abundance of algae was concluded to be likely due to the medium-long term climatic influences.</p>	
<p>44. The marine farm shall be operated at all times in such a way as to comply with Water Quality Standards (WQS), and associated responses, for the near-farm and wider-scale water column environment of Pelorus Sound. Two tiers of response to potential breaches of WQS shall be set, the first trigger further monitoring and the second to require reduced stocking on the marine farm following the next harvest of salmon on the marine farm. The WQS and responses shall be established as follows:</p> <p>a. For the first three years of marine farm operation, initial WQS for chlorophyll a (chl a), dissolved oxygen (DO), Total Nitrogen (TN) concentrations and an integrated trophic index to achieve the qualitative Water Quality Objectives a, c, d and e of condition 43 shall be specified in the Baseline Report (condition 64) and may be reviewed in the Annual Report at the end of the first and second years of marine farm operation (condition 66).</p> <p>b. The initial WQS shall be reviewed in the Annual Report at the end of the third year of marine farm operation (condition 67) and WQS specified to achieve the Water Quality Objectives a-e of condition 43. These WQS shall be reviewed through the Annual Report every three years thereafter unless any other Annual report (condition 66) necessitates earlier review.</p> <p>c. WQS shall be specified at the locations specified in condition 63c.</p> <p>d. In the Baseline Report and each Annual Report, a hierarchy of responses to potential breaches of the WQS shall be specified, including:</p> <ul style="list-style-type: none"> i. A first level response requiring further monitoring and/or analysis to determine the operation of the marine farm is causing the relevant WQS not to be achieved; and ii. A second level response requiring a plan of action as soon as practicable, with clear timeframes to reduce effects on the water column and achieve full compliance with e WQS, through reduced stocking on the marine farm following the next harvest of salmon on the marine farm. 	<p>The Ngamahau site is being operated in compliance with the Water Quality Standards therefore no WQS response is required.</p> <p>The report covers the chl-a, TN and DO results as well as other water column monitoring to assess the WQS.</p> <p>The WQS have been assessed at the locations required by 44 c).</p> <p>There were no breaches of the water quality standards therefore no hierarchy of responses is required.</p>	
<p>56. The following plans and reports shall be prepared by the consent holder, in order to address the potential effects set out in condition 54 and achieve the Purposes in condition 55.</p> <p>a. Prior to the initial placement of the first structure(s) at the marine farm, a Baseline Plan to specify the monitoring and analysis to be undertaken in order that baseline information can be obtained and analysed prior to the initial placement of the first structure(s) at the marine farm;</p> <p>b. Prior to initial placement of the first structure(s) at the marine farm, a baseline Report which presents the results from the monitoring and analysis undertaken in accordance with the Baseline Plan, makes recommendation for the development of the marine farm and the monitoring to be undertaken in the first year of operation of the marine farm, and specifies the initial WQS and responses in accordance</p>	<p>a. A Baseline Plan was provided to Council which was approved in 2014.</p> <p>b. A Baseline Report was provided to Council and was approved in May 21015.</p> <p>c. An annual monitoring report was produced to summarise the results of the monitoring programme which is conducted under a MEMAMP. The MEMAMP was approved in June 2015.</p> <p>d. An annual report which provides details of the first year of monitoring was provided to Council in May 2016. This report covers all aspects required by condition 56 d).</p>	

<p>with condition 44;</p> <p>c. For each year of operation of the marine farm, a MEM-AMP to provide a summary of the relevant recommendations from the previous year's Baseline Report or Annual Report, and specify the proposed monitoring and marine farm management actions for the following year. The MEM_AMP may be prepared as one Plan jointly with the MEM-AMP(s) for other marine farms managed by the same consent holder.</p> <p>d. For each year of operation of the marine farm, and Annual Report to provide details of the monitoring results from the previous year, an analysis of the monitoring results (including in terms of compliance with the EQS), and recommendations for changes to the monitoring and marine farm management actions for the following year. The Annual Report may be prepared jointly with Annual Reports for other marine farms managed by the same consent holder.</p>		
<p>58. Prior to finalising the plans and reports specified in condition 56, the consent holder shall provide them in draft form to the Peer Review Panel for its review, assessment, recommendations and reports, in accordance with conditions 68-73. The consent holder shall have particular regard to any recommendations from the Peer Review Panel in finalising these plans and reports. The plans and reports shall specify how the consent holder has had regard to any recommendations from the Peer Review Panel, if any recommendations have been adopted and the reasons why.</p>	<p>The annual report was reviewed by the Peer Review Panel. The comments received following the PRP review of the report have been responded to and the required alteration have been made in the report/</p>	
<p>59. Having had particular regard to any recommendations from the Peer Review Panel, the consent holder shall provide the following final plans and reports to the Council for its approval in terms of the conditions of this consent:</p> <ol style="list-style-type: none"> a. Baseline Plan; b. The Baseline Report; and c. Any Annual report which includes: <ol style="list-style-type: none"> i. Any changes in any WQS; ii. Any adjustment to the area and dimensions of the seabed EQS Compliance Zones; or iii. Any increase in the maximum annual tonnage of feed that may be discharged to the marine farm. <p>The monitoring and analysis required in terms of the Baseline Plan shall not be commenced until the Baseline Plan has been approved by Council.</p> <p>No structure(s) shall be placed on the marine farm until the Baseline Report has been approved by the Council.</p> <p>No change may be made to any WQS, no adjustment may be made to the area or dimensions of any seabed EQS Compliance Zone, and there shall be no increase in annual tonnage of feed that may be discharged to eh marine farm, until the relevant aspects of the Annual Report that includes that/those recommendations(s) is approved by the Council.</p> <p>Following its approval by the Council, the consent holder shall provide copies of the relevant final plans and reports to Te Atiawa Manawhenua ki te Tau ihu Trust (or organisation with the mandate to represent Te Atiawa Manawhenua ki te Tau ihu in relation to these issues).</p>	<p>c. The annual report was provided to Council on 13 May 2016 following a review from the peer review panel.</p>	
<p>60. Other than as specified in condition 59, having had particular regard to any recommendations from the Peer Review Panel, the consent holder shall provide the following plans and reports specified in condition 56 to the Council and Te Atiawa Manawhenua ki te Tau ihu Trust (or organisation with the mandate to represent Te Atiawa Manawhenua ki te Tau ihu in relation to these issues), in accordance with the following timing:</p> <ol style="list-style-type: none"> a. The first MEM-AMP - following the provision of the Baseline Report to the Council and prior to the first discharge of feed to the marine farm; b. Each subsequent annual MEM-AMP - 31 July each year. c. The Annual report - by 30 April each year. 	<p>The annual report was provided to Council and Te Atiawa Manawhenua ki te Tau ihu on 13 May 2016. This is outside of the specified date of 30 April each year. This condition has been rated technical non-compliance.</p>	

<p>66. The Annual Report shall include, but not be limited to, the following:</p> <p>a. A statement as to the tonnage of feed and nitrogen discharged each month over the previous year.</p> <p>b. The results of all monitoring undertaken in the previous year.</p> <p>c. A comprehensive analysis of the results of that monitoring, including:</p> <p>i. Whether the monitoring information obtained is fit for the purpose of determining the effects from the operation of the marine farm and for determining whether compliance with the EQS specified in conditions 38-44 is achieved.</p> <p>ii. Whether there are any evident trends of effects from the operation of the marine farm.</p> <p><i>EQS - Deposition on the Seabed</i></p> <p>d. An assessment and conclusions as to whether compliance with the EQS specified in condition 40 has, or has not, been achieved for the previous year.</p> <p>e. Recommendations as to any amendments to management practices (including any increases or decreases on the tonnage of feed to be discharged) at the marine farm in order to ensure that the EQS in condition 40 are complied with.</p> <p><i>EQS – Copper and Zinc Levels</i></p> <p>f. An assessment and conclusions as to whether compliance with the ANZECC (2000) ISQG-Low criteria for copper and zinc set out in condition 41 has, or has not, been achieved for the previous year.</p> <p>g. Where the ANZECC (2000) ISQG-Low criteria for copper and zinc have been exceeded, recommendation as to any amendments to monitoring and management actions at the marine farm, in accordance with condition 42.</p> <p><i>EQS – Water Column</i></p> <p>h. An assessment and conclusions as to whether the WQS specified in condition 44 have, or have not, been complied with, for the previous year.</p> <p>i. Recommendations as to any amendments to management practices (including any increases or decreases in the tonnage of feed to be discharged) at the marine farm, in order to ensure that the WQS specified in condition 44 continue to be complied with. In the case of non-compliance with the WQS, recommendations as to monitoring, analysis and/or management responses in accordance with condition 44d.</p> <p><i>Determination of WQS</i></p> <p>k. The Annual report will include the relevant reviews of the near farm and wider-scale water column and ecosystem monitoring results and of WQS and associated hierarchy of responses to breaches of the WQS as specified in condition 44. Prior to specifying amendments to the WQS and responses, the consent holder shall consult with the Council and the Department of Conservation.</p> <p><i>Other Recommendations</i></p> <p>l. Where identified as a result of the monitoring, and recommendations for other actions to be undertaken to address potential effects from the operation of the marine farm set out in condition 54 and to achieve to Purposes in condition 55, including to avoid, remedy or mitigate any significant adverse effects from the operation of the marine farm.</p> <p>M. Any other recommendation for amendments to the monitoring programme for the following year.</p>	<p>a. The report states the tonnage of feed applied to the farm since it was established in November 2015.</p> <p>b. The results of the benthic sampling taken in January 2016 were discussed.</p> <p>c. The report analysed the monitoring results and determined these against the EQS. The report outlined the summary of findings however this is the first annual report so trends between sampling years is not yet able to be commented on.</p> <p>d. The report concludes that the monitoring sites are in compliance with the EQS.</p> <p>e. Recommendations have been made in regards to further monitoring including additional control sites, DO and a review of fine scale phytoplankton composition methodology.</p> <p>f. The copper and zinc concentrations were compared against the ANZECC ISQG-low criteria to show that they are compliant with these criteria.</p> <p>g. no recommendations are required.</p> <p>h. An assessment of the compliance with the WQS has been provided in the results section of the report.</p> <p>i. no recommendations to the management practices of the site were made as there were no compliance issues with the WQS.</p> <p>k. The report covers the near farm and wider scale water column and ecosystem monitoring and has commented on the compliance with the WQS for these sites. The report states that the WQS are being met and therefore no management response is required.</p> <p>l. The report has outlined actions to be taken for future monitoring of the Ngamahau site and control sites.</p> <p>m. No further recommendations were required.</p>	
<p>68. Peer Review Panel</p> <p>The consent holder shall establish, at its own cost, a Peer review Panel, for the following purposes:</p> <p>b. To review and provide recommendation to the Council and the consent holder in respect of the adequacy and appropriateness of any aspect of an Annual Report (required under condition 66) which relates to:</p>	<p>A letter of response from the Cawthron institute to Mark Gillard was included with the annual monitoring report. This is in response to the comments received by Cawthron from the Peer Review Panel. Council requires the report from the PRP to adequately assess the compliance with condition 68. This condition has been rated as technical non-compliance as no report has been provided.</p>	

<p>i. Any change in any WQS; ii. Any adjustment to the areas and dimensions of the seabed EQS Compliance Zones; or iii. Any increase in feed discharge to the marine farm; prior to its provision to the Council for its approval The Peer Review Panel shall be established in time to review the Baseline Plan.</p>		
<p>70. The Peer Review Panel shall report to the consent holder and/or the Council (as required by condition 68) on the following matters: d. Its annual review of the Annual Report, its assessment as to whether it adequately responds to the results of the monitoring undertaken in terms of the previous MEM-AMP and achieves the requirements of condition 66 and any recommendations regarding changes to the conclusions, recommendations and other matters specified in the Annual Report. This shall specifically include a review of, and any recommendations for changes to, the WQS required by Condition 44b and the hierarchy of responses to breaches of the WQS; e. Prior to any increase in the annual tonnage of feed discharge to the marine farm, confirmation that the requirements of conditions 36-37 are complied with, and any associated recommendations regarding changes to the monitoring proposed or any requirement for further modelling; f. Confirmation that the requirements of condition 38-44 have been complied with; g. Any other matters it considers appropriate in fulfilling its purposes in terms of condition 68 above; h. Any recommendations as to whether it considers any particular condition(s) should be subject to review in accordance with sections 128 and 128 of the Act.</p>	<p>A Peer Review panel report appears to have been provided to NZKS. A copy of this report has not been received by Council. A letter of response from the Cawthron institute to Mark Gillard was included with the annual monitoring report. This is in response to the comments received by Cawthron from the PRP. Council requires a report from the PRP to adequately assess the compliance with 70 d). This condition has been rated as technical non-compliance as no report has been provided.</p>	
<p>71. Copies of all reports from the Peer Review Panel shall be provided to the consent holder, the Council and Te Atiawa Manawhenua ki te Tau ihu Trust (or organisation with the mandate to represent Te Atiawa Manawhenua ki te Tau ihu in relation to these issues). These shall be public documents and shall be published on the consent holder's website within four weeks of its receipt by the consent holder.</p>	<p>A copy of the Peer Review Panel report does not appear to have been provided to Council. Council have only received the response to the PRP comments. This condition has been rated as technical non-compliance as no report has been provided.</p>	

Please Note:

Pursuant to section 36 of the Resource Management Act 1991 and the Marlborough District Council's schedule of fees, the consent holder shall be responsible for all costs associated with the monitoring of this consent in accordance with the schedule of fees.

Where non-compliance is noted on an inspection visit, remedial action is identified and advised to the consent holder in writing. A follow-up visit may confirm that appropriate remedial action has been taken. No charge is made for this visit if the consent holder is at this stage complying with the consent conditions. If the conditions of the consent are not being complied with the consent holder is charged and subsequent visits maybe required.