

RESOURCE MANAGEMENT ACT 1991**Decision of Marlborough District Council
Change of Resource Consent Conditions**

RESOURCE CONSENT: MFL001

APPLICANT: The New Zealand King Salmon
Company Limited

LOCATION: Ruakaka Bay, Queen Charlotte
Sound/Tōtaranui

**THIS IS THE DECISION ON THE APPLICATION TO CHANGE OR CANCEL
CONSENT CONDITIONS:**

To change Condition 3 of resource consent MFL001 to remove the exclusion on the discharge of feed under MFL001.

DECISION: **Granted**

Decision

Pursuant to section 127 and after having regard to Part 2 matters and sections 88 to 121 of the Resource Management Act 1991, the Marlborough District Council hereby **changes** Condition 3 of resource consent MFL001 as follows:

- **Condition 3 now reads:**

“Only extruded pellets or similar shall be fed at the marine farm.”

Advice Note

This decision is to be read in conjunction with the existing decision dated 26 November 2007.

Reasons

Proposal

1. The applicant seeks to change Condition 3 of resource consent MFL001 to remove the exclusion on the discharge of feed under that consent. Notwithstanding this proposed change there will remain a limit to the amount of feed which is able to be discharged at the farm. Such a limit will be determined through the operation of section 10(9)(c) of the Aquaculture Reform Act 2004 (the ARA) on MFL001, or by the constraints on resource consent U021247.

Background

2. Marine Farm Licence 1 (MFL001) was issued under the Marine Farming Act 1971 on 1 November 1975, and has since been varied and extended several times. Most relevantly, section 10 of the ARA converted MFL001 to a deemed coastal permit encompassing all associated activities including the discharge of feed, *“to the extent that they were being undertaken at the commencement”* of the ARA.
3. Pursuant to section 10(4) of the ARA, Council completed a review of the conditions on MFL001 on 26 November 2007. Prior to this, on 12 December 2005, a consent order resulted in resource consent U021247 being granted for the discharge of feed at the farm, subject to various monitoring and reporting conditions. The 2007 review of MFL001 appears to have overlooked section 10(9)(c) of the ARA and proceeded on the basis that resource consent U021247 and its conditions (not MFL001) would manage the discharge of feed at the site.
4. Condition 3 imposed on MFL001 in the decision of 26 November 2007 states:
“That there shall be no feed artificially introduced into the marine farm unless a specific coastal permit for discharge is firstly obtained. The current discharge permit is U021247. Only extruded pellets or similar shall be fed at the marine farm.”
5. The consent holder now considers the first two sentences of Condition 3 to be unlawful, because they invalidate part of the deemed coastal permit MFL001 established by section 10(9)(c) of the ARA. Therefore the consent holder seeks that those two sentences be deleted from Condition 3.
6. MFL001 is due to expire on 31 December 2024.

Planning Provisions

7. Section 127 of the Resource Management Act 1991 requires any application for a change of condition to be assessed as a discretionary activity.

Notification and Affected Parties

- 8. For reasons recorded in a separate decision, the application was processed without public or limited notification.

Assessment of Effects

- 9. In terms of the considerations required by section 104(1)(a) of the Resource Management Act 1991, the change of condition is being made so that Condition 3 no longer conflicts with the deemed coastal permit created by section 10(9) of the ARA. As no change is being proposed to the activity itself, the change of condition would have no effects on the environment.

Relevant Statutory and Plan Provisions

- 10. In terms of the considerations required by section 104(1)(b) of the Resource Management Act 1991, the change of condition is being made so that Condition 3 no longer conflicts with the deemed coastal permit created by section 10(9) of the ARA. In the circumstances there are no policy provisions applicable to the change of condition.

Part 2 Resource Management Act 1991

- 11. With regard to the matters of national importance, other matters and principles of the Treaty of Waitangi as required by Part 2 of the Resource Management Act 1991, it is concluded that the sole purpose of the Act would be better achieved through approving the proposed change of consent condition.

Recommended for approval:



.....
Peter Johnson
Environmental Planner

Approved:



.....
Anna Eatherley
Marlborough District Council Manager Resource Consents

19 May 2020

.....
Date

Additional Important Information for Resource Consent Holders

The following information provided in this information sheet is a guide to the legal rights of applicants and submitters.

If you want to discuss matters raised in this information sheet you are welcome to contact Council. However, if you require specific advice you should contact an independent professional and refer to the relevant sections of the Resource Management Act 1991.

Change or Cancellation of Conditions of Resource Consent

Refer to section 127 of the Resource Management Act 1991

- The consent holder may apply to the Council to change or cancel conditions of the consent, except a condition specifying duration.

Monitoring Fees

Refer to section 36 of the Resource Management Act 1991 and the Council's Schedule of Fees

- The consent holder will be charged for actual and reasonable costs associated with the monitoring of this consent.

Objections

Refer to section 357 of the Resource Management Act 1991

- In certain circumstances the applicant has the right to object to the Council's decision.
- Any objection shall be made in **writing** and will need to outline the reasons for the objection.
- An objection needs to be lodged with the Council within **15 working days** of the Council's decision being received by you or your agent.

Appeals

Refer to Form 16 and sections 120 and 121 of the Resource Management Act 1991

- The applicant and any submitters have the right to appeal the whole or any part of the Council's decision, however there is no right of appeal against the whole or any part of the decision to the extent that the decision relates to one or more of the following, but no other, activities:
 - a) a boundary activity, unless the boundary activity is a non-complying activity;
 - b) a subdivision, unless the subdivision is a non-complying activity;
 - c) a residential activity as defined in section 95A(6), unless the residential activity is a non-complying activity.
- A submitter can only appeal to the Environment Court if their appeal is related to a matter raised in their submission and their submission, or the part of their submission to which the appeal relates, has not been struck out under section 41D of the Resource Management Act 1991.
- A notice of appeal must be lodged with the Environment Court and the Council, within **15 working days** of the Council's decision being received (or received by your agent on your behalf). A copy also needs to be served on the applicant and submitters to the application within 5 working days of the notice being lodged with the Environment Court.

Before lodging an objection or an appeal it is recommended that you seek professional advice.

**Deemed Coastal Permit - Review of Conditions
under Section 10(4) of the Aquaculture Reform
(Repeals and Transitional Provisions) Act 2004**

**In the Matter of an Application to Vary, Add or Delete Conditions of
Coastal Permit**

File Reference: MFL001

Consent Holder: The New Zealand King Salmon Company Limited

MFL001 is a Deemed Coastal Permit to: Occupy space in the coastal marine area.

Location: Ruakaka Bay, inner Queen Charlotte Sound

Site No: 8274

Proposal: To vary, add or delete conditions of deemed coastal permit No 001 for the purpose of farming **green mussels** (*Perna canaliculus*), **Chinook salmon** (*Oncorhynchus tshawytscha*) and **snapper** (*Pagrus auratus* – *provided the stock originates from Fisheries Management Area 7 and is tested free from disease*) in accordance with the provisions of the Act.

**Decision on
Application to Vary, Add or Delete Conditions of Coastal Permit**

Pursuant to Sections 10(4) of the Aquaculture Reform (Repeals and Transitional Provisions) Act 2004 the following decision has been made by the Marlborough District Council:

Conditions now state:

Coastal Permit - Occupancy and Activity

1. That this permit shall expire on 31 December 2024.
2. That without restricting the consent holder from reasonably undertaking the activities authorised by this resource consent, the consent holder shall not undertake the activities in such a way that would effectively exclude the public from the permit area.

3. That there shall be no feed artificially introduced into the marine farm unless a specific coastal permit for discharge is firstly obtained. The current discharge permit is U021247. Only extruded pellets or similar shall be fed at the marine farm.
4. That the occupancy be limited to the 4.5 hectare area (within the overall area) illustrated on the plan attached to this consent, and confined to the area specified within the schedule of New Zealand Map Grid co-ordinates.

Coastal Permit - Structures

5. That the structures be limited to anchors, ropes, droppers, floats, cages, racks, lights and other necessary navigational aids associated with the marine farming of the approved species. All structures shall be situated and secured so as to remain within the boundaries of the 2.0 hectare area approved for placing of structures. The number of structures shall be at the discretion of the consent holder, but shall not exceed the area shown on the attached plan (maximum 2.0 hectares).

That (from the date of this consent) no new structures be added north of a line between NZMG coordinates 2605610 E 5998860 N and 2605739 E 5998784 N, and no new structures are added east of the existing structures.

6. That the placement of marine farm lighting and marking shall be approved by the Harbourmaster under his Maritime Delegation from the Director of Maritime New Zealand pursuant to Sections 200, 444(2) and 444(4) of the Maritime Transport Act 1994. The approved lighting plan is attached. Note that changes to the configuration or location of the structures may require changes to lighting and marking.
7. That each corner of the combined cage structure carries the name of the consent holder, and the site number issued by Marlborough District Council (#8274), displayed in bold clear letters in such a manner that they can be clearly read from a distance of 10 metres.
8. That the consent holder maintain all structures to ensure that they are restrained, secure and in working order at all times so as to not create a navigational hazard and take whatever steps are reasonably necessary to retrieve any non-biodegradable debris lost in or from the permit area.
9. That upon the expiration, determination, forfeiture or surrender of the coastal permit the consent holder shall remove all structures, rafts, buoys, longlines, blocks, and all associated equipment from the site, and restore the area as far as is practicable to its original condition, and to the reasonable satisfaction of Council. If the consent holder fails to comply with this clause Council may arrange compliance on their behalf and at the consent holder's expense.
10. That in accordance with section 128 of the Resource Management Act 1991, the Marlborough District Council may review the conditions of this consent at any time for the purpose of ensuring that any actual or potential effects on the environment arising from the exercise of this consent are avoided, remedied or mitigated. See also condition 32 below.

Reasons for Decision

The grounds for approving these changes are that the majority of the existing conditions in the original licence are already provided for by the RMA (e.g. access), by the changes to Fisheries regulations (i.e. registration), or are no longer required (e.g. general provisions). The new conditions are consistent with the RMA and with those in current use.

As the review of conditions relates to existing structures and operations it will not adversely affect other users or values of the area, and will align all marine farms to consistent conditions and processes.

The proposal will not have any adverse effect on the environment.

Other Matters

1. Unless otherwise specified, this is the full text of the decision.

Appeal Information

2. If intending to object to this decision, the objection must be lodged with the Marlborough District Council within 15 working days of the receipt of this decision.

Authorised under the Marlborough District
Council's Instrument of Delegation by:


.....
Marlborough District Council Commissioner

Dated this 26th day of November 2007

Important Notes

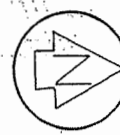
That it is accepted that 'fallowing' forms part of finfish farming activities and this consent shall not lapse pursuant to section 125 of the Resource Management Act 1991 where the site is vacated of structures for the purpose of fallowing the seabed.

ANNOTATION HISTORY

Date	Reason for Amendment/Alteration
25/11/2007	Council Decision Issued.
19/05/2020	Section 127 variation – change Condition 3 of Coastal Permit (Marine Farm) consent, granted 19 May 2007.

I:\Sm1...C:\Users\jrm1\Documents\Offline Records (MD)\Marine - snapper (*Chrysophrys auratus*) and green shell mussels (*Perna canaliculus*)\Section 10 Decision Document.DOC Saved 21/10/2009 16:36:00

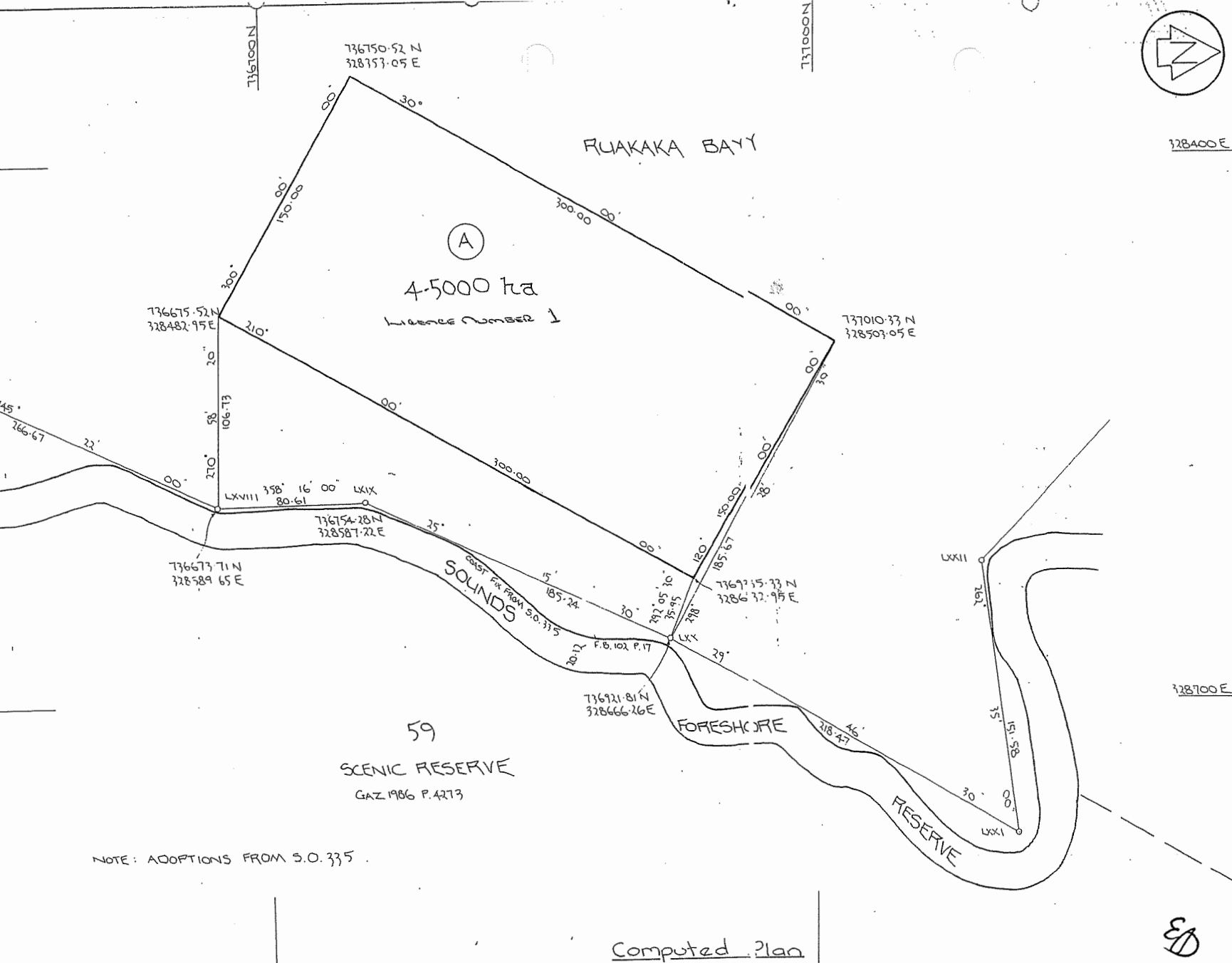
Marlborough District Council



Approvals

1991
MARBOROUGH DISTRICT
21.1.1991

328400E



DATUM - OLD CADASTRAL
 MARLBOROUGH CIRCUIT COORDINATES
 ORIGIN - GOULTER HILL
 700,000 N
 300,000 E

CERTIFIED CORRECT
W. Haymes
 CHIEF SURVEYOR
 N.Z.S. 1991

Total Area 4,5000 ha

Comprised in APPLICATION NO F65/323
 SOUTH ISLAND SALMON COMPANY LIMITED

GRAEME MENICOL HAYMES
 Registered Surveyor and holder of an annual practising certificate for who may act as a registered surveyor pursuant to section 26 of the Survey Act 1986 hereby certify that this plan has been made from surveys executed by me or under my directions, that both plan and survey are correct and have been made in accordance with the Survey Regulations 1972 or any regulations made in substitution thereof.
 Dated at BIENHEIM this 5th day of FEBRUARY 1991
 Signature *GH*

Field Book p. Traverse Book p.
 Reference Plans S.O. 335 & S.O. 5303

Examined *gh* 6.9.91 Correct *gh* 6.9.91

Approved as to Survey
 6.19.1991 *GH*
 Chief Surveyor

Deposited this day of 19

District Land Registrar

File Received 5.9.91 Instructions **SO 7023**

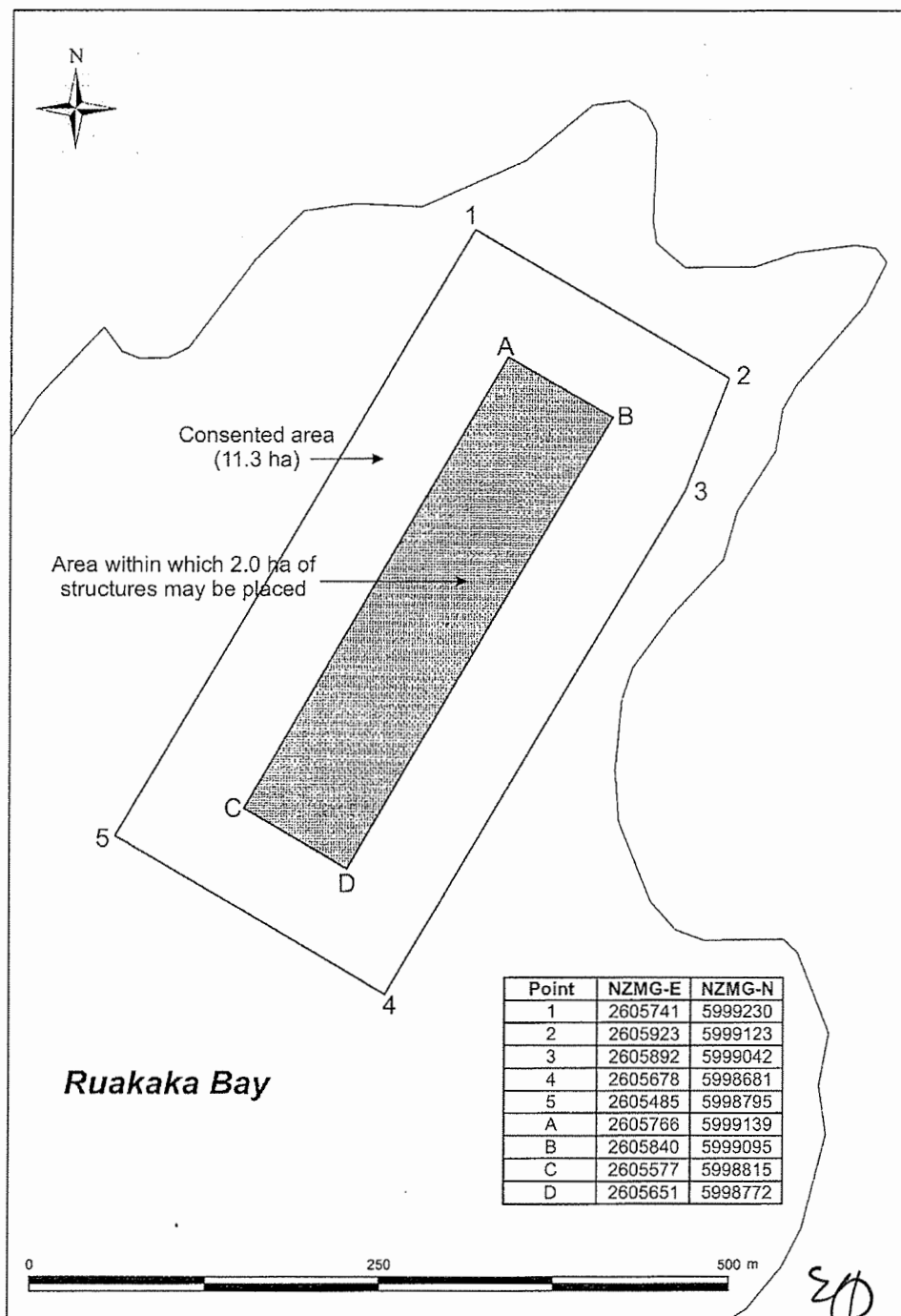
AND DISTRICT MARLBOROUGH
 SURVEY BLK. & DIST. 11 ARAPAWA
 NZMS 261 SHT P.21 RECORD MAP No 8.2

PLAN OF AREA APPLIED FOR UNDER SEC 5
 MARINE FARMING ACT 1971.

TERRITORIAL AUTHORITY MARLBOROUGH DISTRICT C.
 Surveyed by GILBERT, HAYMES & ASSOCIATES
 Scale 1:1500 Date FEB 1991

Structures and lighting plan:

PLAN 1.



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**Marine Farm Lighting and Marking Plan –
MPE793, MFL001, U021247 (Site no.8274)**

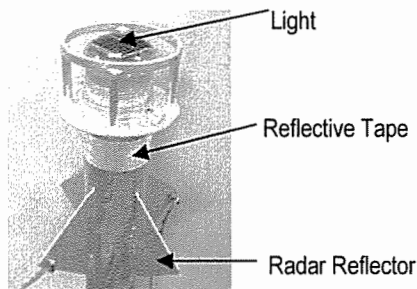
I, Alexander van Wijngaarden, Harbourmaster of Marlborough District Council, hereby approve, under Maritime Delegation from the Director of Maritime New Zealand pursuant to Sections 200, 444(2) and 444(4) of the Maritime Transport Act 1994, the lighting and marking associated with coastal permit MPE793, MFL001, U021247 (Site no.8274), located in Ruakaka Bay, inner Queen Charlotte Sound as follows:

1. That each end of each longline display an orange buoy, as shall the middle of each of the seawardmost and landwardmost longlines.
2. That a yellow light, radar reflector and a band of reflective tape 50 millimetres in width be displayed in the positions marked 'A' on the attached structures plan. The lights shall be solar powered and shall have the following characteristics:

Flash: Flashing (5) every 20 seconds. Length of flashes no less than 1 second. Interval between flashes, no less than 1 second.

Range: At least 1 nautical mile.

Height: Greater than 1.0 metre above the surface of the water.



3. That radar reflectors and a band of reflective tape 50 millimetres in width be displayed in the positions marked 'B' on the attached structures plan.
4. That a band of reflective tape 50 millimetres in width be displayed in the positions marked 'C' on the attached structures plan.

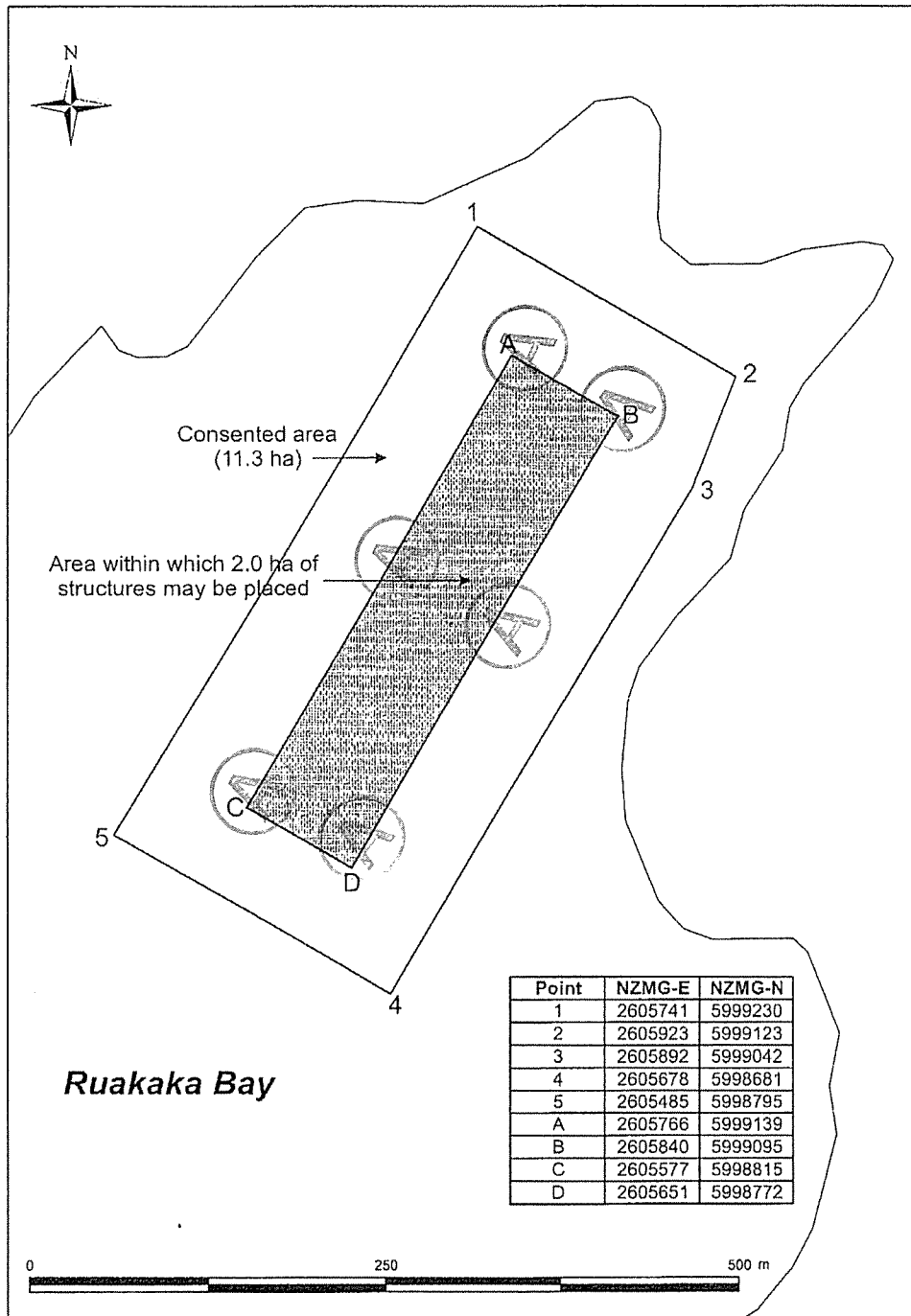
Given under my hand this 21st day of NOVEMBER 2007



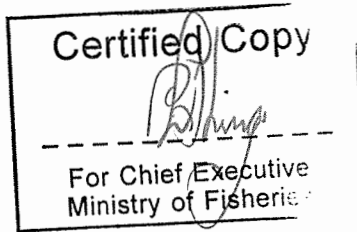
ALEXANDER VAN WIJNGAARDEN

Structures and lighting plan:

PLAN 1.



21/11/07



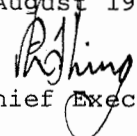
Page 2 Licence Number 1

Assignment to Regal Salmon Limited
registered on 29 September 1994 at
1130 hours.



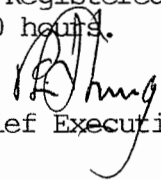
for Director General

Assignment to The New Zealand King
Salmon Company Limited. Registered
on 5 August 1996 at 1130 hours.



for Chief Executive.

Extension of Term to expire on 31 October
2017. Registered on 11 February 2004
at 0800 hours.



for Chief Executive

DATED 1 NOVEMBER 1975

Mortgage to the Rural Banking and Finance Corporation of New Zealand registered on February 15 1982 at 0830 hours.

A. Harris

for Director-General

Discharge of mortgage to the Rural Banking and Finance Corporation of New Zealand registered on 4 March 1987 at 0800 hours.

M. de la C.

for Director-General

Assignment to SOUTH ISLAND SALMON COMPANY LIMITED registered on 19 May 1987 at 0800 hours.

M. de la C.

for Director-General

Keith Budgwell Yealands
Stephen William Yealands
Kevin Charles Yealands
Peter Wayne Yealands

with

HER MAJESTY THE QUEEN

Variation to include Chinook Salmon registered on 20 February 1989 at 0730 hrs.

N. Eyles

for Director-General

MARINE FARMING LICENCE

(Marine Farming Act 1971)

Licence No. 1

Renewal of licence term to expire on 1 November 2003 registered on 26 October 1989

N. Eyles

for Director-General

Registered in Marine Farming Register
of Leases/Licences on 24/10/75

James Ready

Variation to increase area by 4.0954 hectares to 4.500 hectares registered on 19 December 1991 at 1305 hours

P. Howard

for Director General

Assignment 203/1979 to JOHN AUSTIN LUKE, company director, of Wellington, registered on May 30, 1979, at 0900.

J. Austin Luke
for Director-General

Variation to include snapper (*Chrysophrys auratus*) registered on 28 March 1994 at 1115 hours.

P. Baugh
for Director-General

MEMORANDUM OF LICENCE

(Under the Marine Farming Act 1971)

PURSUANT TO section 3 of the Marine Farming Act 1971 a licence is hereby granted to KEITH BUDGWELL YEALANDS, STEPHEN WILLIAM YEALANDS, KEVIN CHARLES YEALANDS and PETER WAYNE YEALANDS all of Grovetown, Blenheim, to establish and maintain a marine farm for the purpose of farming fish or marine vegetation within the area specified in the Schedule hereto.

THIS LICENCE is granted subject to the terms, conditions and reservations set out in the aforesaid Act, and in the regulations made under that Act, and is further subject to the following conditions:

1. THAT this licence is granted for a term of 14 years commencing on the 1st day of November 1975.
2. THAT the licensees will pay to the lessor at the Head office of the Ministry of Agriculture and Fisheries, Wellington, or such other place as agreed to by the Director-General of Agriculture and Fisheries (hereinafter referred to as the "Director-General") the annual fee of Four Dollars (\$4.00) without demand by yearly payments in advance on the first day of each and every year during the said term, the first such payment to be made on the first day of 1975.
3. THAT where the licensee is at any time in arrears with the payment of the annual fee due under this licence any or all of them shall not remove any fish or marine vegetation farmed in the licensed area except with the written consent of the Minister of Agriculture and Fisheries (hereinafter referred to as the "Minister").

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A 3 164 [Signature] [Signature]

4. THAT when the licensees enter the licensed area and places any structures, rafts or other material for the purpose of cultivating the fish or marine vegetation specified in this licence, it shall be sufficient evidence that the licensees accept the conditions, stipulations and restrictions contained in this licence.
5. THAT the licensees will utilise and cultivate in a proper manner the licensed area for the purpose of farming mussels in accordance with the said Act or any regulations, notices, or requirements made or issued pursuant thereto.
6. PROVIDING the licence may be forfeited, without payment of compensation, on the grounds that the licensees:
 - (i) Cannot be found or has abandoned the licensed area, or has died and no personal representative has claimed the licensed area within 12 months after the death; or
 - (ii) Has not within the period of two years after the execution of the licence developed to the satisfaction of the licensor the licensed area as a marine farm for the purpose of farming the fish or marine vegetation specified.
 - (iii) Has not continued after the said two years fully to develop and operate to the satisfaction of the licensor the marine farm for the purpose hereinbefore specified.
7. THAT the licensees shall take such steps as may be necessary to keep the licensed area free from disease, contamination or the possibility of contamination as may be within his resources or as may be required by the Minister in the exercise of his powers under the said Act and any regulations thereunder.

S. J. M. Y. [Signature]

8. THAT the licensees will erect or place on or in the licensed area only those structures, rafts or buoys as may be authorised to be erected or placed in the licensed area.
9. THAT such structures, rafts or buoys as may be authorised to be placed in the licensed area shall be placed only in such position or positions as may be approved by the Secretary for Transport.
10. THAT the licensees will maintain in good order and repair the structures, rafts or buoys authorised to be erected or placed in the area and will not permit any structure, raft or buoy so to deteriorate through want or repair as to be or become a potential hazard to navigation or to constitute a despoilment of the area.
11. THAT the licensees will permit any member of the public to pass and repass through the licensed area or to remain within the licensed area at their will and preserve the right of the public to navigate through the area at all times.
12. THAT the licensees will carry on the business of marine farming in the licensed area for their sole use and benefit.
13. THAT the licensees will accept any modification of the boundaries of the licensed area as may be determined by the Minister for the purpose of rectifying errors or for more clearly defining the boundaries.
14. THAT on the expiration of the licence, or where the licensees are in breach of any condition in the licence, or the licensed area or part of the area being required for any public purpose then in any such case the licensees will at their own expense, if required by the licensor to do so, remove any or all structures, raft or rafts or buoys on the licensed area and restore the area as far as practicable to its original condition.

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15. THAT the licensees accept full responsibility as occupier of the licensed area within the meaning of the Occupiers' Liability Act 1962.
16. THAT the licensees will permit and facilitate free access to, over and from any raft, structure or buoy to the Director-General and any person designated by the Director-General and all other persons acting in the execution of their duty in pursuance of any enactment.
17. THAT the licensees will not at any time during the currency of this licence or at any other time make any claim for alleged damage of any kind whatsoever to the licensed area or in anywise connected therewith arising out of or through the construction and maintenance of any harbour works or public works authorised pursuant to the Harbours Act 1950.
18. THAT there is reserved to the Minister of Transport the authority to grant to the owner or lawful occupier of land abutting on the licensed area or separated therefrom merely by the foreshore or by the foreshore reserve contiguous with that area authority to erect on that part of the foreshore adjoining or opposite that land any structure as may be permitted under any enactment AND the licensees will allow any such structure to be erected, used, repaired and renewed by the said owner or occupier and his/their tenants, servants, and agents AND the licensees shall not be entitled to any compensation or diminution of rental by reason of the erection, use, repair and renewal of any such structure.
19. THAT nothing in this licence expressed or implied shall abridge or in any way curtail or affect the authority to carry out any reclamation pursuant to any enactment or to carry out public works upon the area licensed or in its immediate vicinity.
20. THAT the covenants of the licensees hereunder shall be construed as several and (if these be more than one licensee hereunder) the liability of the licensees

[Handwritten signatures]

hereunder to the licensor shall be joint and several.

AND THE LICENSOR DOETH COVENANT WITH THE LICENSEES

21. THAT the licensees shall forward to the Head Office of the Ministry of Agriculture and Fisheries, Wellington, or such other place as specified by the Director-General, within 14 days after the end of each month, a return of the mussels harvested from the area licensed.
22. THAT if no mussels are harvested a "Nil" return is to be made.
23. THAT each return shall specify the total weight in the shell of mussels harvested in the area licensed.
THAT each return shall specify the quantity by weight in the shell the mussels that were harvested from structures or rafts or from natural surfaces or beds within the area licensed separately.
24. THAT no mussels taken from the area licensed shall be transferred to any place outside the Marlborough Sounds for breeding, cultivating or maturing, without the consent of the Director-General being first obtained in writing.
25. THAT in the event of any outbreak of disease coming to the notice of the licensees in respect of either cultivated or uncultivated mussels in the area licensed, the Director of Fisheries Management Division, Ministry of Agriculture and Fisheries, Wellington, is to be notified immediately by urgent telegram.
26. THAT no mussels harvested in the area licensed shall be shucked within the boundaries of the area licensed.
27. THAT no mussels harvested in the area licensed shall be shucked, processed, graded, or in any way prepared

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for sale except in a premises approved as to hygiene and other requirements by the appropriate authorities.

28. THAT no mussels shall be exported by the licensees either alive or in the whole shell or shall be sold to any other persons, persons or company for export in such state.
29. THAT mussels from the area licensed offered for sale shall be sold in cartons, bags or containers labelled or marked clearly to state the licensee's name, the number of the licence and shall indicate that the carton, bag or container contains cultivated mussels from that licensed area.
30. THAT no structure, raft or buoys used for the cultivation of mussels shall be placed within the area licensed without the plans of the structure, raft or buoys and any mooring or anchoring arrangements first being deposited or approved pursuant to sections 30 or 31 of the Marine Farming Act 1971 or in accordance with any regulations thereunder.
31. THAT the licensees will at all times during the term of the licence keep all structures, rafts, buoys, moorings, and all marks, beacons, buoys, posts, lights and notice boards within or marking the boundaries of the area maintained in a sound, functioning and seaworthy condition, and neat and tidy appearance to the satisfaction of the Director-General.
32. THAT the licensees shall not move or re-locate any structure, raft or buoy used for the cultivation of mussels within the area licensed without first obtaining in writing the permission of the Director of Marine, Ministry of Transport, Wellington, and complying with any requirements which he may impose.
33. THAT structures, rafts or buoys together with their mooring arrangements within the licensed area shall be inspected and examined every five years or at such intervals of the time or as may be necessary at any

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time in the opinion of the Director of Marine, Ministry of Transport, or such other person or persons as may be specified by him.

34. THAT all costs incurred in the inspection and examination of the structures, rafts or buoys and their mooring arrangements will be borne by the licensees.
35. THAT where the area licensed is situated within waters under the jurisdiction of a Harbour Board, the Harbour Master or any officer duly authorised by him may inspect and examine any structure, raft or buoy and its mooring arrangements and any navigational or identification marks within the area licensed.
36. THAT where the Harbour Master shall notify the licensees in writing that any structure, raft or buoy, its moorings or navigational or identification marks require repair or renewal, the licensees shall ensure that the requirements of the Harbour Master are complied with within such reasonable time as he may specify.
37. THAT the licensees shall not erect, place or moor any structure, raft or buoys used for the cultivation of mussels in the area licensed unless there is for the time being in force a Bond in the sum of \$5000 executed by a surety or sureties approved by the licensor which shall guarantee the requirement that the licensees remove all structures, rafts, buoys and their mooring arrangements from the area licensed and restore the area as far as is practicable to its original condition to the satisfaction of the licensor.
38. THAT the area shall be marked for the safety of navigation as follows:

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- (a) All rafts shall have a post located at each corner of the raft at least 1.2 m high above deck level. The posts shall have a cross section of not less than 25 mm by 76 mm and shall be painted with red and white diagonal stripes and carry red and white reflectorized tape.
- (b) The raft sides shall be marked with orange and white diagonal stripes, marking to be at least 0.5 m high.
- (c) Any superstructure on the raft shall be marked with orange and white horizontal bands.
- (d) Each raft located at the end of each row of rafts shall be lighted so as to clearly define the outer limits of the rafted area.
- (e) The lights to be carried shall be a quick flashing white light and shall be mounted on a firm structure at least 1.2 m above deck level and shall be visible all round the horizon at a range of not less than 800 m.
- (f) The raft at the south-west corner of the area shall carry a notice board with the words "MARINE FARM" and the name of the licensees in bold clear letters in black on a white background and of sufficient size that the notice board can be clearly read from a distance of 10 m.

39. THAT should it be necessary in the opinion of either the Director of Marine or the Harbour Master at any time during the term of the licence, the licensees shall exhibit or carry such additional marks or lights as may be specified to meet any changing circumstances.

40. THAT each raft shall carry a number allocated by the Director-General which shall be in clear bold figures in black on a white background and of sufficient size to be clearly read from a distance of 10 m.

114

AND IT IS HEREBY MUTUALLY AGREED AND DECLARED BY AND BETWEEN THE PARTIES HERETO AS FOLLOWS:

THAT in the exercise of the powers and duties of any fisheries officer or officers in the employment of the Crown authorised by the Director-General there shall be caused as little interference as possible with the use of the area and with any raft, structure or fish or marine vegetation of the species being farmed in the area.

THAT any reference herein to any Act shall be deemed to include a reference to any other Act passed by way of amendment or in substitution therefore and shall also be deemed to include a reference to any regulations for the time being in force under any such Act.

SCHEDULE

ALL THAT area of seabed and the superjacent sea, containing 4046 square metres more or less, bounded by a line commencing at a point on the sea in Ruakaka Bay being 241.4 metres distant on a bearing of $210^{\circ}00'$ from where the boundary between section 1D Ruakaka Maori Block and section 59 Block 11 Arapawa Survey District, meets Sounds Foreshore Reserve in Block 11 aforesaid; thence along a bearing of $210^{\circ}00'$ for a distance of 100.58 metres to the southernmost corner, thence along a bearing of $300^{\circ}00'$ for a distance of 40.23 metres to the westernmost corner, thence along a bearing of $30^{\circ}00'$ for a distance of 100.58 metres to the northernmost corner, thence along a bearing of $120^{\circ}00'$ for a distance of 40.23 metres to the point of commencement, more particularly as shown on the plan numbered M.A.F. 52 (S.O. 5303).

Dated at Wellington this

29th day of *September* 1975.

114
[Signature]
[Signature]
for Minister of Agriculture and Fisheries

MEMORANDUM OF VARIATION OF LICENCE

Issued under the Marine Farming Act 1971

An Agreement made this 30th day of January 1989

PARTIES to this Agreement

- 1 The Minister of Agriculture and Fisheries (hereinafter referred to as "the Licensor").
- 2 SOUTH ISLAND SALMON COMPANY LIMITED (together with executors, administrators, successors and permitted assigns, hereinafter referred to as "the Licensee").

WHEREAS

- 3 The Licensor, as the controlling authority under the Marine Farming Act, has issued a Marine Farming Licence No. 1 (a copy of which is attached to this agreement and marked with the letter "A"), to the Licensee.
- 4 The Licensor and the Licensee have, pursuant to s13 of the Act, agreed to vary the conditions, covenants and agreements in the said licence in the following manner:
 - i The addition of CHINOOK SALMON as a species permitted to be farmed under the licence.
 - ii The licensee is permitted to farm only CHINOOK SALMON (*Oncorhynchus tshawytscha*).
 - iii That no live salmon will be removed from the licenced sites without prior approval in writing, of the Regional Manager, MAFFish (Central).

Two handwritten signatures are present at the bottom right of the page. The first is a large, stylized signature, and the second is a smaller, more compact signature.

- iv Animal material shall not be fed to fish on any fish farm unless the animal material has been sterilised:
 - a By heating it throughout for not less than 30 minutes at a temperature of at least 120°C; or
 - b By boiling it for not less than two hours; or
 - c By some other method of sterilisation approved by the Director-General.

- v That the licensee will comply in all respects with the requirements relating to disease controls pursuant to Regulation 26 of the Freshwater Fish Farming Regulations 1983;

- vi That the licensee will not use tri-n-butyltin as an anti foulant agent on any equipment used at or brought onto the licence site;

- vii That the licensee will provide annually not later than the last day of June in each year:
 - a a production log showing the monthly harvest of fish by weight (broken down by age and brood year) for the previous year;
 - b any other such information not specified above but which may be specified in writing to the licensee by the Regional Manager MAFFish (Central).

- viii That the licensee will have to comply with a bottom monitoring programme, at cost to the



applicants, which may involve a diving assessment, to visually determine the extent and build up of any waste material beneath the sea cages and over the licence area. This assessment will be undertaken by Ministry of Agriculture and Fisheries but may be discontinued should Ministry of Agriculture and Fisheries be satisfied that there is no excessive accumulation of waste material. The requirements of any such monitoring programme will be specified in writing to the licensee.

- ix A biophysical monitoring programme may be required by Ministry of Agriculture and Fisheries. The requirements of any such monitoring programme will be specified in writing to the licensee.
- x Ministry of Agriculture and Fisheries may require the removal of waste material from underneath the sea cages at cost to the licensee.
- xi No dead salmon or salmon offal will be deposited within the farming area or in the sea within 200 metres of the farming enclosures without prior approval of the Regional Manager, MAFFish (Central).
- xii No part of any structure is to be less than 50m from the mean low water mark.
- xiii The location of all growing cages on the site is restricted to areas containing adequate depth, as defined in the MAFFish salmon farming policy.



THEREFORE, from the date of this agreement, the Marine Farm Licence No. 1 shall be varied to the extent outlined in clauses 4 (i) to (xiii) above and apart from the agreed variation, the present conditions, covenants and agreements shall continue to apply.

SIGNED by the Minister of Agriculture and Fisheries, for and on behalf of Her Majesty the Queen.

Colin M. G. G.

In the presence of *Wona Hallett*
Address *Parliament Buildings*
Occupation *Private Secretary*

SIGNED by SOUTH ISLAND SALMON COMPANY LIMITED

[Signature]
In the presence of
Address *Blenheim*
Occupation *Chartered Accountant*

The Common Seal of SOUTH ISLAND SALMON COMPANY LIMITED was hereunto affixed in the presence of

[Signature]
Chartered Accountant
Blenheim



_____ being the Mortgagee of Marine Farm Licence No. _____, by Mortgage registered on _____ hereby consent to the above variation.

.....

[Signature]

MEMORANDUM OF EXTENSION OF AREA TO MARINE FARMING LICENCE

(Issued under the Marine Farming Act 1971)

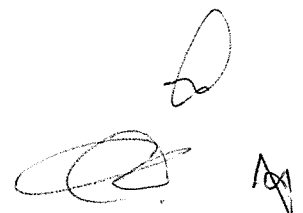
PARTIES TO THIS MEMORANDUM

1. HER MAJESTY THE QUEEN in right of New Zealand acting by and through the Minister of Agriculture and Fisheries, pursuant to the Marine Farming Act 1971 (hereinafter "the Licensor").
2. SOUTH ISLAND SALMON COMPANY LIMITED (in this instrument together with executors, administrators, successors, and permitted assigns (hereinafter "the Licensee").

WHEREAS

3. The Licensor is the controlling authority under the Marine Farming Act 1971 (hereinafter "the Act") of the area described in the Schedule attached hereto.
4. The Licensee is the holder of Licence Number 1 and that area in the original Schedule is the area granted to the Licensee under Licence Number 1.
5. That area described in the amended First and Second Schedules attached encompasses the original licensed area and additional area.
6. The Licensee has made application to the Licensor for the additional area to be granted to him for the purposes of marine farming and the application has been processed as if it were an application for a new licence.

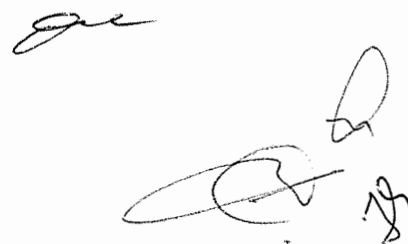
NOW THEREFORE this instrument witnesses that in pursuance of the provisions of the Act and by Agreement the parties Agree as follows:



- A. The Licensor hereby grants and the Licensee hereby accepts by way of amendment to Licence Number 1 that area encompassing the original licensed area and additional areas totalling 4.5000 hectares, as specified in the attached First and Second Schedules.
- B. The parties agree that the licensed area as extended by this instrument is subject to all the terms and conditions contained in Licence Number 1 and the term of the licence shall be the term as provided therein.
- C. The surface structures shall be limited to a contiguous area of 5,000 square metres.
- D. The licensee will not locate the cages outside the smaller lined rectangle of 5,000 square metres as shown on the attached map.
- E. No rotation of the cages will occur within the licensed area, but the licensee may replace existing cages with new cages.
- F. The annual licence fee contained within paragraph two of the licence is hereby increased to FORTY FIVE dollars (\$45.00).

Within one month of the execution of this Memorandum the Licensee shall pay to the NELSON Office of the Ministry of Agriculture & Fisheries the sum of _____ dollars and _____ cents (\$ _____), being the annual licence fee for the additional area in respect of the period from the execution of this Memorandum to 1 NOVEMBER 1991.

- G. Proviso 3(a)(ii) and 3(b) of the licence shall apply in respect of the additional area granted under this Memorandum as if the date of execution of this Memorandum were the date of commencement of the licence.



SCHEDULE

"All that area containing 4.5 hectares, more or less, in front of Sounds Foreshore Reserve and Section 59, Block II, Arapawa Survey District marked 'A' on SO7023".

Signed by the Licensee
in the presence of

Witness
Address *Blenheim*
Occupation *Chartered Accountant*

The Common Seal of SOUTH ISLAND SALMON COMPANY LIMITED
was hereunto affixed, in the presence of

Director
Director



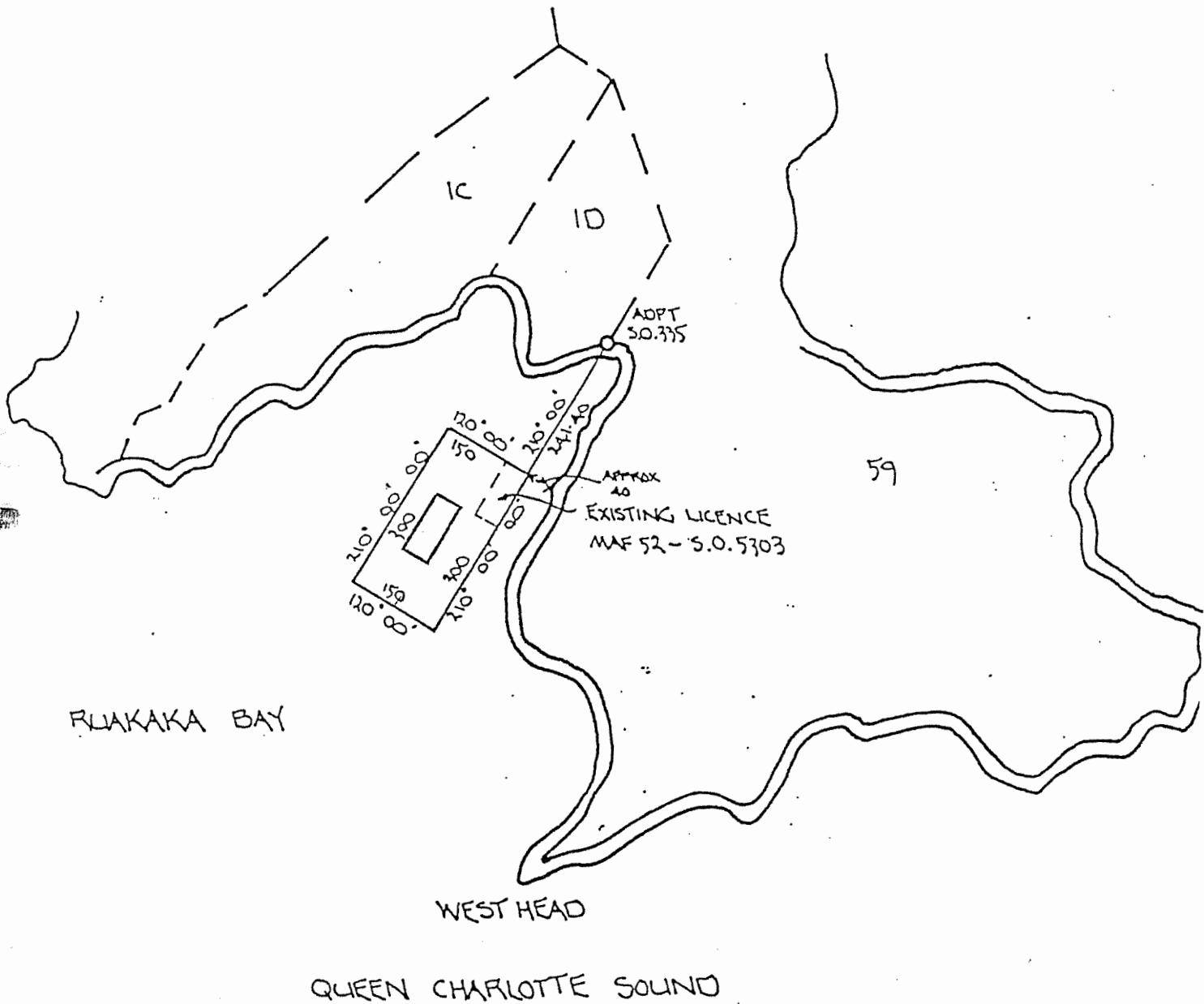
Signed by Douglas Lorimer Kidd, Minister
of Fisheries, pursuant to section 7 of
the Constitution Act 1986, for and on
behalf of Her Majesty the Queen,
in the presence of

Witness *Erin Wynne*
Address *Parliament Buildings Wellington*
Occupation *Fisheries Private Secretary*

DATED this *30th* day of *October* 19*91*

_____ being Mortgagee of Marine Farm Licence No. _____ registered on
_____ hereby consent to the above variation.

BLK XI ARAPAWA S.O.
MARLBOROUGH LAND DISTRICT.



PLAN OF PROPOSED ENLARGEMENT OF MARINE FARM.

REGAL SALMON LTD

SCALE - 1:10,000

NOV 1988

En
[Signature]
[Signature]

PREPARED BY GILBERT, HAYMES & ASSOCIATES, REG'D SURVEYORS, BLENHEV

**MEMORANDUM OF VARIATION OF LICENCE
PURSUANT TO THE MARINE FARMING ACT 1971**

BETWEEN The Minister of Fisheries (hereinafter referred to as "the Licensor")

AND SOUTH ISLAND SALMON COMPANY LIMITED (hereinafter referred to as "the Licensee")

WHEREAS

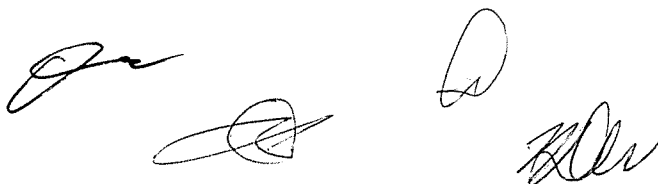
1. The Licensor, as the Controlling Authority under the Marine Farming Act 1971 (hereinafter referred to as "the Act") has issued Marine Farm Licence Number 1.

2. The Licensor and the Licensee agree to vary the said licence to permit the Licensee to farm SNAPPER (*Chrysophrys auratus*).

3. **THE PARTIES THEREFORE AGREE** to vary the conditions, covenants and agreements in the said licence, pursuant to Section 13 of the Act, in the following manner:
 - A. All stock which is to be held on the farm must come from a source authorised under the Fisheries Act 1983 or the Marine Farming Act 1971.

 - B. The Licensee shall not transfer any live farm stock from the licensed area to any other waters without prior approval in writing of the Licensor, if previously notified of such a requirement.

 - C. The Licensee shall not transfer any diseased farm stock to any farm or release into any waters any diseased farm stock kept at the licensed area.



- D. If the Licensee knows or suspects that any fish kept pursuant to this licence is or may be affected by any Category A disease specified as such from time to time by the Director-General by notice published pursuant to the Freshwater Fish Farming Regulations 1983 in the Gazette, or knows or suspects that any fish kept pursuant to this licence is or may be affected by any disease or condition the Licensee cannot identify, the Licensee shall, within 24 hours after the time when the Licensee discovers or first suspects the fish to be diseased, advise the Director-General or veterinarian or fish pathologist at the Ministry of Agriculture and Fisheries, and shall keep the fish diseased or suspected to be diseased from coming in contact with other fish.
- E. If the Licensee knows or suspects that any fish kept pursuant to this licence is or may be affected by any Category B disease specified as such from time to time by the Director-General by notice published pursuant to the Freshwater Fish Farming Regulations 1983 in the Gazette, and the fish do not respond to treatment within 14 days, advise the Director-General or veterinarian or fish bacteriologist at the Ministry of Agriculture and Fisheries, and shall keep the fish diseased or suspected to be diseased from coming in contact with other fish.
- F. The Licensor may from time to time, by notice in writing to the Licensee:
- (i) Require the Licensee to carry out such action for the prevention of disease among the stock on the farm as is specified in the notice;
 - (ii) Where the Licensor believes on reasonable grounds that any farmed stock on the marine farm is diseased, require the Licensee to carry out such action for the treatment of the disease and the decontamination of any nets, buoys or other structures as is required in the notice.



G. Where the Licensor believes on reasonable grounds that:

- (i) The fish is affected by any disease specified in a Category A notice; or
- (ii) The fish is affected by any disease specified in a Category B notice which cannot be treated effectively on the farm; or
- (iii) The fish is affected by any other disease of such a nature as to require the Licensor's urgent action -

The Licensor may destroy any fish stocks affected, and may take steps as is considered necessary to decontaminate any nets, buoys, buoyed sea cages or other structures, or may, by notice in writing to the Licensee, require the Licensee to destroy those fish stocks and take such steps as are specified in the notice to decontaminate those structures.

H. No compensation shall be payable in respect of any fish required to be destroyed by the Licensor pursuant to conditions (F) or (G) of this licence or pursuant to a notice given by the Licensor under conditions (F) or (G) of this licence.

I. The Licensee shall not use any feed other than that occurring naturally in the area without prior approval in writing of the Licensor.

J. The Licensee shall not use tributyl tin as an antifoulant agent on any equipment used or brought onto the licence site.

K. Recordingkeeping and reporting requirements.

The licensee shall comply with the conditions contained in Schedule A attached.

The image shows three handwritten signatures in black ink. The first signature on the left is a cursive name that appears to be 'John'. The middle signature is a large, stylized cursive signature. The signature on the right is another cursive signature, possibly 'W. W. W.' or similar.

SCHEDULE A

MARINE FARMING LICENCE - RECORDKEEPING REQUIREMENTS

1. Manner and form in which records kept :
 - (a) Be kept in such manner and format that they can be readily retrieved and made available for examination
 - (b) Be held at either
 - (i) The place of business of the licensee, or
 - (ii) Any other premises that are appropriate having regard to where the records are initially prepared
 - (c) Be retained for a period of not less than 7 years after completion of the transactions or period to which they relate.

2. Retention of Records:

All records produced and/or available to the licensee that contribute to the audit trail of species farmed shall be retained.

3. Failure to keep Records:

Where the Director General considers that the licensee is or has not been completing or retaining the records in an appropriate manner -

- (a) The Director General may, by notice in writing, direct the licensee as to the manner in which the records are to be completed or retained; and
- (b) The licensee shall thereafter ensure that records completed or retained comply with that direction.

Failure to comply with such direction may be treated as a wilful breach of conditions of the licence.




4. Inspection of Records

Any person who is required to keep or who has control of any records required to be kept shall, on request at any reasonable time by the Director-General , forthwith (and without charge) produce the records requested and make them available for inspection.

5. Additional Requirements

Where the Director-General considers it necessary, and after consultation with the licensee, the Director-General may require the licensee to keep such additional records as are appropriate.

Handwritten signatures in black ink, including a large stylized signature on the left and a smaller one on the right.Handwritten signature in black ink, appearing as a series of connected loops.

THEREFORE, from the date of this agreement, the Marine Farm Licence Number 1 shall be varied to the extent outlined in Clauses 3(a) to (K) above and apart from the agreed variation, the present conditions, covenants and agreements shall continue to apply.

Signed by the Licensee

in the presence of

Witness *[Signature]*

Address *Blenheim*

Occupation *office worker*

The Common Seal of SOUTH ISLAND SALMON COMPANY LIMITED was hereunto affixed in the presence of

Director *[Signature]*

~~Director~~ *[Signature]*
Authorised Officer



Signed by Douglas Lorimer Kidd, Minister of Fisheries, pursuant to Section 7 of the constitution Act 1986, for and on behalf of Her Majesty the Queen, in the presence of

[Signature]

Witness *Jaren Jayne*

Address *WELLINGTON*

Occupation *PRIVATE SECRETARY*

_____ being the Mortgagee of Marine Farm Licence Number __, by mortgage registered on _____, hereby consent to the above variation.

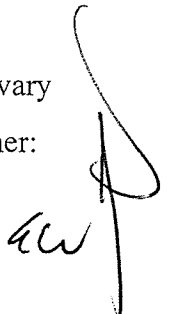
MEMORANDUM OF VARIATION OF LICENCE
(ISSUED UNDER THE MARINE FARMING ACT 1971)

PARTIES to this Agreement

1. HER MAJESTY THE QUEEN in right of the Government of New Zealand acting by and through the Minister of Fisheries (in this instrument called "the Licensor").
2. THE NEW ZEALAND KING SALMON COMPANY LIMITED (in this instrument together with executors, administrators, successors and permitted assigns called "the Licensee").

WHEREAS

3. The Licensor is the Controlling Authority in terms of the Marine Farming Act 1971 (in this instrument called "the Act") of the area described in the Schedule attached to Licence Number 1 to which this Memorandum of Variation is attached (in this instrument called "the licensed area").
4. The Licensee has applied for a variation to Licence Number 1 by way of extension to the term of the licence.
5. The Licensor is empowered under Section 13 of the Act to extend the term of the licence provided that the concurrence of the Minister of Conservation and the Minister of Transport has been obtained.
6. The concurrence of the Minister of Conservation and the Minister of Transport has been obtained for the extension of the term of Licence Number 1 to be extended for a period of 14 years from the expiry of the original term.
7. The Licensor and the Licensee have, pursuant to Section 13 of the Act, agreed to vary the conditions, covenants and agreements in the said licence in the following manner:

A handwritten signature in black ink, appearing to be 'AW', is located in the bottom right corner of the page.

- A All stock and crop which is to be held on the farm must come from a source authorised under the Fisheries Act 1983 or from other marine farms licensed to take stock under the Marine Farming Act 1971.
- B Notwithstanding (A) above but subject to any other regulations governing the transfer of any species, the licensee shall not transfer any stock from the area to any other waters without prior written approval from the Ministry of Fisheries, Private Bag 14, Nelson if previously notified by this Ministry of such a requirement.
- C The Licensee shall not transfer any diseased farm stock or crop to another farm or release into any waters any diseased farm stock or crop kept at any licensed area.
- D Any authorised officer may from time to time, by notice in writing to the Licensee:
- (i) require the Licensee to carry out such action for the prevention of disease among the stock or crop on the farm as is specified in the notice;
 - (ii) where the officer believes on reasonable grounds that any farmed stock or crop on the marine farm is diseased, require the Licensee to carry out such action for the treatment of the disease and the decontamination of any nets, buoys or other structures as is required in the notice.
- E No compensation shall be payable in respect of any stock or crop required to be destroyed by an authorised officer pursuant to Condition 7(D) of this licence.

F. Recordkeeping requirements.

(i) For the farming of:

MUSSEL (*Perna canaliculus*)

CHINOOK SALMON (*Oncorhynchus tshawytscha*)

the licensee shall comply with conditions contained in Schedule A; and

(ii) For the farming of:

SNAPPER (*Chrysophrys auratus*)

the licensee shall comply with conditions contained in Schedule B.

THEREFORE, from the date of this agreement, the Marine Farm Licence Number 1 shall be varied to the extent outlined in Clauses 7(A) to 7(F) above and apart from the agreed variation, the present conditions, covenants and agreements shall continue to apply.

NOW THEREFORE this Instrument witnesses that in pursuance of the Act and by Agreement between the parties the Licensor hereby extends the term of Licence Number 1 for a period of 14 years beginning on the 1ST day of NOVEMBER 2003 and expiring on the 31ST day of OCTOBER 2017. The Licensee hereby agrees to this extension of term and all terms and conditions contained herein and contained in Licence Number 1.

SCHEDULE A

MARINE FARMING LICENCE - RECORDKEEPING REQUIREMENTS

1. Manner and form in which records kept:

- (a) Be kept in such manner and format that they can be readily retrieved and made available for examination
- (b) Be held at either
 - (i) The place of business of the licensee, or
 - (ii) Any other premises that are appropriate having regard to where the records are initially prepared
- (c) Be retained for a period of not less than 7 years after completion of the transactions or period to which they relate.

2. Retention of Records:

All records produced and/or available to the licensee that contribute to the audit trail of species farmed shall be retained.

3. Failure to keep Records:

Where the Chief Executive considers that the licensee is or has not been completing or retaining the records in an appropriate manner -

- (a) The Chief Executive may, by notice in writing, direct the licensee as to the manner in which the records are to be completed or retained; and
- (b) The licensee shall thereafter ensure that records completed or retained comply with that direction.

Failure to comply with such direction may be treated as a wilful breach of conditions of the licence.



4. Inspection of Records

Any person who is required to keep or who has control of any records required to be kept shall, on request at any reasonable time by the Chief Executive, forthwith (and without charge) produce the records requested and make them available for inspection.

5. Additional Requirements

Where the Chief Executive considers it necessary, and after consultation with the licensee, the Chief Executive may require the licensee to keep such additional records as are appropriate.

A handwritten signature or set of initials, possibly 'P. J.', written in black ink in the bottom right corner of the page.

SCHEDULE B

MARINE FARMING LICENCE - RECORDKEEPING and REPORTING REQUIREMENTS

1. Manner and form in which records kept :

- (a) All transactions which involve a third party a minimum of two documents (ie in duplicate) shall be generated, and each party to the transaction shall obtain and keep one copy.
- (b) Be kept in such manner and format that they can be readily retrieved and made available for examination
- (c) Be held at either
 - (i) The place of business of the licensee, or
 - (ii) Any other premises that are appropriate having regard to where the records are initially prepared
- (d) Be retained for a period of not less than 7 years after completion of the transactions or period to which they relate.

2. Inter-related farming activities

In those instances where the licensee operates several inter-related activities, ie hatchery, nursery, farming (to economic sale size) an adequate audit trail relating to each of the operations should be maintained.

3. Acquisition, disposal and transfer of stock

A record by way of source documentation shall be kept of all stock acquired, disposed of or transferred to another premise not part of the licensee's current farming operation (whether for consideration or otherwise), which shall include the following information:

- (i) Ministry of Fisheries client number (of both purchaser and seller where applicable)
- (ii) Date acquired, disposed of (or transferred)
- (iii) Name and address of both purchaser and seller
- (iv) Quantity (by specific unit)
- (iv) Description of stock

(c) Every annual inventory return shall -

- (i) Certify that the return does not contain false or misleading information, and is a true representation of all stock owned and/or held by the licensee as at inventory date; and
- (ii) Be signed by the licensee or by a person authorised to act on behalf of the licensee.

8. Variation from strict requirements in certain cases-

(1) Where the Chief Executive is satisfied that in respect of any licensee or class of licensee

- (a) compliance with any recordkeeping requirement would cause undue hardship or would be impracticable; or
- (b) the purpose behind any recordkeeping requirement could be equally well achieved by any other mode or system of records,-

the Chief Executive may exempt the licensee from the need to comply with that requirement

(2) Any such exemption, -

- (a) May be subject to such conditions, or be for such limited period, as the Chief Executive may specify.
- (b) May be withdrawn by the Chief Executive at any time.

9. Inspection of records

Any person who is required to keep or who has control of any records required to be kept shall, on request at any reasonable time by the Chief Executive, forthwith (and without charge) produce the records requested and make them available for inspection.

- Scientific name and common name
 - Age/growth class
 - Any other details relevant to identifying the stock
- (v) \$price (if applicable)

4. Losses

A record of all losses (eg mortality, unexplained loss, destruction, etc), which record shall be in sufficient detail to allow the time period and circumstances of loss to be identified.

5. Retention of Records

All records produced and/or available to the licensee (whether specifically identified or not) that contribute to the audit trail of species farmed shall be retained.

6. Failure to keep Records

Where the Chief Executive considers that the licensee is or has not been completing or keeping the records in an appropriate manner -

- (a) The Chief Executive may, by notice in writing, direct the licensee as to the manner in which the records are to be completed or kept; and
- (b) The licensee shall thereafter ensure that records completed or kept comply with that direction

Failure to comply with such direction may be treated as a wilful breach of conditions of licence.

7. Annual Inventory Return to be furnished

- (a) The licensee shall, at least once during each fishing year (being a year commencing on the 1st day of October), furnish to the Chief Executive an annual inventory return of stock owned and/or held, such annual inventory return to include the following information:

- (i) Date on which inventory return relates
- (ii) Species
- (iii) State and/or age/growth class
- (iv) Weight and/or number
- (v) Any other details required to adequately identify the type and quantity of stock held

- (b) A nil return shall be furnished in the case of a nil inventory.

(a) Signed by the Licensee

in the presence of:

Witness

Address

Occupation

(b) Signed on behalf of THE NEW ZEALAND KING SALMON COMPANY LIMITED

Director / authorised person / attorney


.....
.....


Director / authorised person / attorney

Witness  MARK GILLARD


Address KAHATU RD2 WAKEFIELD

Occupation MANAGER

Signed for and on behalf of the Minister
of Fisheries by D S Williamson acting
pursuant to delegated authority,


.....

in the presence of:

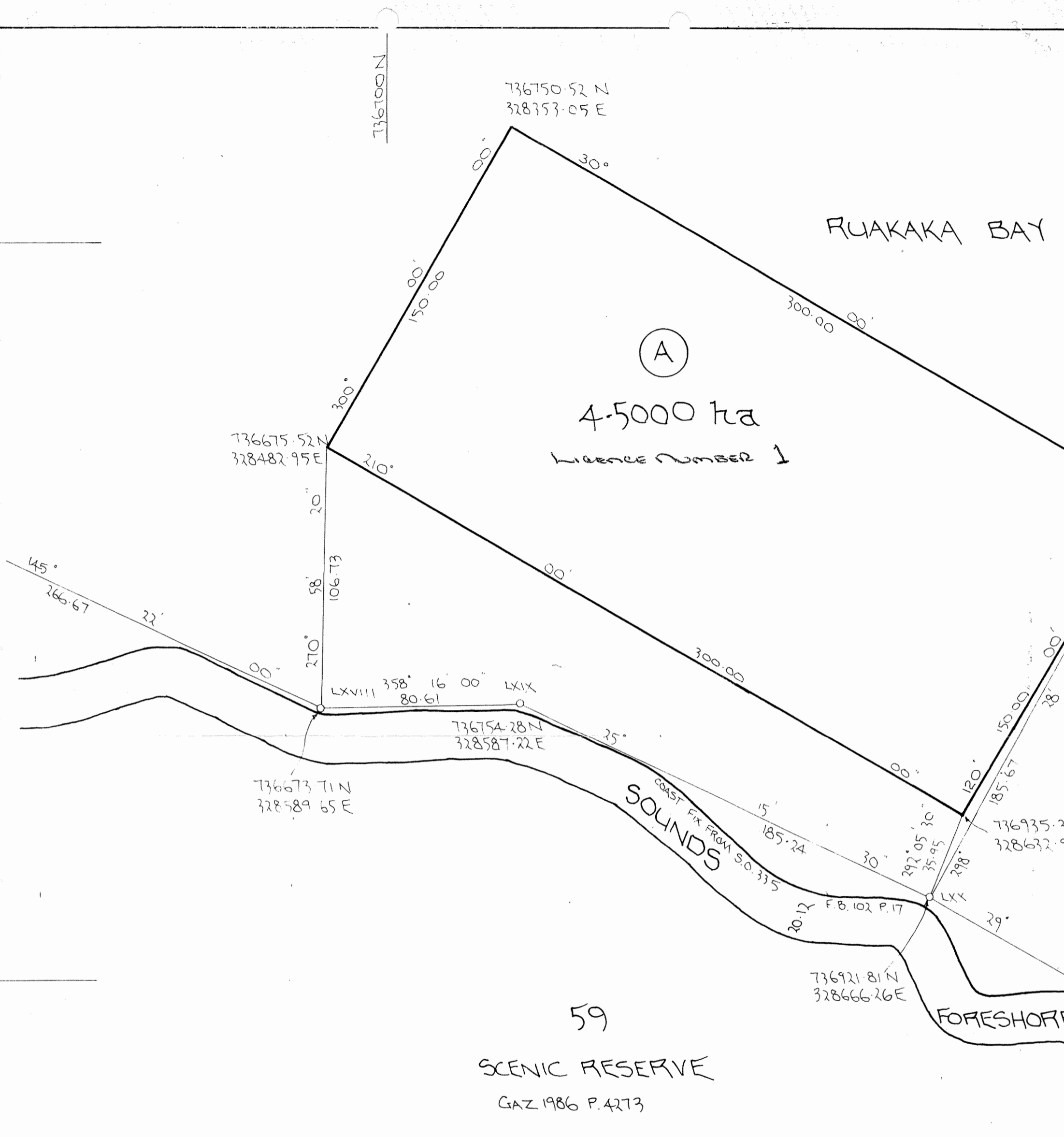
Witness 

Address 37 Fishery Cres Nelson

Occupation Receptionist

DATED this 26th day of January 20 04.

_____ being the Mortgagee of Marine Farm Licence Number __, by
mortgage registered on _____, hereby consent to the above variation.

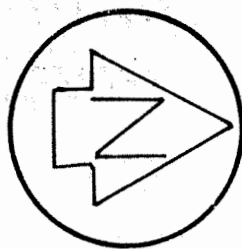


Computed Plc

LAND DISTRICT MARLBOROUGH
 SURVEY BLK. & DIST. 11 ARAFAWA
 NZMS 261 SHT P27 RECORD MAP No 8.2

PLAN OF AREA APPLIED FOR UNDER
 MARINE FARMING ACT 1971

737000N



328400E

Approvals

[Signature]
MARRIAGE, Nelson
21.5.1991

737010.33 N
328503.05 E

DATUM - OLD CADASTRAL
MARLBOROUGH CIRCUIT COORDINATES
ORIGIN - GOULTER HILL

700,000 N
300,000 E

CERTIFIED CORRECT

[Signature]
.....
CHIEF SURVEYOR
.....
10.9.1991

Total Area 4.5000 Ha

Comprised in APPLICATION No F65/323
SOUTH ISLAND SALMON COMPANY LIMITED

I, GRAEME MENICOL HAYMES
Registered Surveyor and holder of an annual practising certificate (or who may act as a registered surveyor pursuant to section 25 of the Survey Act 1986) hereby certify that this plan has been made from surveys executed by me or under my directions, that both plan and survey are correct and have been made in accordance with the Survey Regulations 1972 or any regulations made in substitution thereof.
Dated at BLENHEIM this 5th day
of FEBRUARY 19 91 Signature *[Signature]*

Field Book p. Traverse Book p.
Reference Plans S.O. 335 & S.O. 5303

Examined *[Signature]* 6.9.91 Correct *[Signature]* 6.9.91

Approved as to Survey

6.19.1991

[Signature]
Chief Surveyor

Deposited this day of 19

District Land Registrar

File
Received 5.9.91
Instructions

SO 7023



Plan

UNDER SEC 5
71.

TERRITORIAL AUTHORITY MARLBOROUGH DISTRICT CL
Surveyed by GILBERT HAYMES & ASSOCIATES
Scale 1:1500 Date FEB 1991