

# Infographic 3 references

1. Ministry of Agriculture and Fisheries. (1981). *Proceedings of the Salmon Symposium*. Fisheries Research Division Occasional Publication No. 30, p. 5. Retrieved 27 April 2023 from [docs.niwa.co.nz/library/public/FRDop30.pdf](https://docs.niwa.co.nz/library/public/FRDop30.pdf)
  2. Marine Farming Act 1971, s 2(1).  
See also Marine Farming Amendment Act 1983, s 2(1).
  3. Marine Farming Act 1971, s 3.
  4. Resource Management Act 1991 (1991, No. 69).
  5. Waitangi Tribunal. (2002). *Ahu Moana: The Aquaculture and Marine Farming Report*, p. 12. Retrieved 27 April 2023 from [www.forms.justice.govt.nz/search/Documents/WT/wt\\_DOC\\_68004143/Ahu%20Moana.pdf](https://www.forms.justice.govt.nz/search/Documents/WT/wt_DOC_68004143/Ahu%20Moana.pdf)
  6. Resource Management Act 1991 (1991, No. 69), s 123(c).
  7. Waitangi Tribunal. (2002). *Ahu Moana: The Aquaculture and Marine Farming Report*, p. 12. Retrieved 27 April 2023 from [www.forms.justice.govt.nz/search/Documents/WT/wt\\_DOC\\_68004143/Ahu%20Moana.pdf](https://www.forms.justice.govt.nz/search/Documents/WT/wt_DOC_68004143/Ahu%20Moana.pdf)
  8. Waitangi Tribunal. (2002). *Ahu Moana: The Aquaculture and Marine Farming Report*, p. 12. Retrieved 27 April 2023 from [www.forms.justice.govt.nz/search/Documents/WT/wt\\_DOC\\_68004143/Ahu%20Moana.pdf](https://www.forms.justice.govt.nz/search/Documents/WT/wt_DOC_68004143/Ahu%20Moana.pdf)
  9. Department of Conservation. (1994). *New Zealand Coastal Policy Statement 1994*, Preface. Retrieved 27 April 2023 from [www.doc.govt.nz/globalassets/documents/conservation/marine-and-coastal/coastal-management/nz-coastal-policy-statement-1994-superseded.pdf](https://www.doc.govt.nz/globalassets/documents/conservation/marine-and-coastal/coastal-management/nz-coastal-policy-statement-1994-superseded.pdf)
  10. Animal Welfare Act 1999, ss 10 and 11.
  11. Resource Management (Aquaculture Moratorium) Amendment Act 2002, s 3.
  12. Resource Management (Aquaculture Moratorium Extension) Amendment Act 2004, s 3.
  13. Aquaculture Reform (Repeals and Transitional Provisions) Act 2004, s 3.
  14. Aquaculture Reform (Repeals and Transitional Provisions) Act 2004, s 4 (c)(ii).
  15. Department of Conservation. (2010). *New Zealand Coastal Policy Statement 2010*. Retrieved 27 April 2023 from [www.doc.govt.nz/globalassets/documents/conservation/marine-and-coastal/coastal-management/nz-coastal-policy-statement-2010.pdf](https://www.doc.govt.nz/globalassets/documents/conservation/marine-and-coastal/coastal-management/nz-coastal-policy-statement-2010.pdf)
  16. Ministry for Primary Industries. (October 2012). *Aquaculture Legislative Reforms 2011: Guidance Overview*. Retrieved 27 April 2023 from [www.mpi.govt.nz/dmsdocument/15889-Aquaculture-legislative-reforms-2011-Guidance-overview-An-overview](https://www.mpi.govt.nz/dmsdocument/15889-Aquaculture-legislative-reforms-2011-Guidance-overview-An-overview)
  17. Resource Management Amendment Act (No. 2) 2011, ss 31 and 33.
  18. Ministry for Primary Industries. (October 2012). *Aquaculture Legislative Reforms 2011: Guidance Overview*. Retrieved 27 April 2023 from [www.mpi.govt.nz/dmsdocument/15889-Aquaculture-legislative-reforms-2011-Guidance-overview-An-overview](https://www.mpi.govt.nz/dmsdocument/15889-Aquaculture-legislative-reforms-2011-Guidance-overview-An-overview)
  19. Resource Management (National Environmental Standards for Marine Aquaculture) Regulations 2020. These regulations only apply to the replacement of coastal permits for existing marine farms and existing offshore marine farms (the five offshore marine farms, none of which include NZKS, are listed in Schedule 2). Therefore these regulations did not apply to the Blue Endeavour proposal or any new offshore marine farms constructed after the commencement of these regulations where the final location was not confirmed.  
**Clause 20: Additional matters over which discretion is restricted for [replacement coastal permits of] offshore marine farms**  
1. For replacement coastal permits for offshore marine farms under this Part, an additional matter of discretion is the adverse effects of the entanglement of large whales. Under the Regulation, large whale means 'a sperm whale (*Physeter macrocephalus*) and any baleen whale (suborder Mysticeti) except a pygmy right whale (*Caperea marginata*).
- Clause 20 supplements clause 14. Clause 14 makes replacement of coastal permits for certain marine farms a restricted discretionary activity – meaning the discretion of the decision maker is limited ('restricted') to the specified matters, such as the entanglement of large whales specified in clause 20.
- By comparison, the activity status for a coastal permit for a new marine farm is not prescribed in national regulations. It will depend instead on the provisions of the relevant regional coastal plan. In most cases the relevant plans will make such activities either fully discretionary or non-complying, which means the decision-maker must take account of all effects that are relevant (i.e. the discretion is not restricted). For example, Blue Endeavour was a 'non-complying' activity, so the decision-maker was obliged to take account of all effects. Personal communication with Morgan Slyfield, 13 June 2023.
20. Natural and Built Environment Bill (186–1). See Ministry for the Environment. (16 December 2022). *Te Pūnaha Whakahaere Rauemi o Anamata: Tirowhānui: Our Future Resource Management System: Overview*, p. 42. Retrieved 27 April 2023 from [www.environment.govt.nz/publications/our-future-resource-management-system-overview/](https://www.environment.govt.nz/publications/our-future-resource-management-system-overview/)
  21. New Zealand Parliament. (11 May 2023). Natural and Built Environment Bill. Retrieved 27 April 2023 from <https://bills.parliament.nz/v/6/267f6032-6ceb-482a-ac45-0c02dd1edc60>