



Fisheries New Zealand

Tini a Tangaroa

Guide to setting up and operating a land-based aquaculture farm



Publisher

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Disclaimer

This guide has been developed by Fisheries New Zealand to help land-based farmers know where to go for information regarding the setting up and operating of a land-based aquaculture farm and how to make an application to operate a land-based aquaculture farm.

This guide provides general information only and does not constitute legal advice. If you are interested in setting up a land-based aquaculture farm we recommend you contact the appropriate regional council and/or the Fisheries New Zealand at fishfarm@mpi.govt.nz for help, as well as seeking assistance from your legal advisor.

For freshwater species, please contact the Department of Conservation. For sports fish, such as salmon, you will need to contact your local Fish & Game Council.

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What is land-based aquaculture?

Land-based aquaculture (LBA) uses either fresh or seawater to farm fish, shellfish, seaweed and other aquatic life above the high tide mark. LBA can take place on land, for example using tanks or ponds, or in the water, for example in pens within canals and lakes.

LBA includes a variety of farming systems. It ranges from farms that take and discharge water from and into natural water bodies such as rivers and lakes to systems that use water from the town supply and discharge into the sewerage system. Some LBA farms such as recirculating aquaculture systems take and discharge hardly any water.

Fish-farm licencing

A commercial LBA farm requires a fish-farm licence from Fisheries New Zealand before farming can start.

The definition of a commercial LBA farm is premises where aquatic life is nurtured, harvested, and sold. Equally, farming fish that are used to grow another plant or animal where that grown plant or animal is sold, like aquaponics, is also considered commercial fish farming. Both require a fish-farm licence to operate.

However, you don't require a licence for non-commercial fish farming where the aquatic life or associated products grown are not sold.

If you are not sure if you need a fish-farm licence, you can contact us at fishfarm@mpi.govt.nz for help.

Step 1 - Documents you need before you begin your application

The first step in applying for a fish-farm licence is to ensure you have several approvals in advance of putting your application together. These are:

- Local Council Approval, i.e. Resource Consent.
- Proof of ownership or tenancy of the land.
- Registered as a Fisheries New Zealand client.
- Notice to your local Fish & Game Council (if proposing to farm a freshwater species).
- Notice to the Department of Conservation (if proposing to farm a freshwater species)

Resource (and other) Consents

Before applying for a fish-farm licence, you will need to have gained consent for the proposed farming activity and species (as required under the Resource Management Act 1991) from your local council. This means either:

- resource consents or coastal permits to take and discharge water; or
- a letter from the council stating that the activity is permitted under the Regional Plan.

Ensure you check your council requirements as other consents or approvals for related water structures, such as pond construction, may also be needed.

This could include approval to occupy any foreshore for example, a Right of Way or Concession to place structures across a beach, road, or other land.

Ownership or Tenancy

Your application will need evidence that you have the right to occupy the land where the proposed farm will be. This means a copy of the Certificate of Title or land title, or a copy of the lease agreement.

The area must be one joined up, single area. A fish-farm licence cannot be granted for more than one area, when they are physically separate, ie. in different locations. For example, two land titles that are separated by a public road or land you do not have the right to occupy, will require a fish-farm licence for each land title, but two land titles that are adjoined (and you have the right to occupy both) can have a single fish-farm licence.

Be registered as a “Client” of Fisheries New Zealand

You will also need to register as a client of Fisheries New Zealand or use an existing client registration. To register as a client, please complete the appropriate application form below. Commercial Fisheries Services Ltd (FishServe) manages client registration on behalf of Fisheries New Zealand. Upon registration you will be allocated a client number.

Client registration forms can be found here:

- [Application for Client Registration for a Company, Incorporated Society or Limited Partnership](#)
- [Application for Client Registration for an Individual/Sole Trader](#)
- [Application for Client Registration for a Trust or Partnership](#)

For more information, see the [FishServe](#) website.

Give notice to the local Fish and Game Council

Either at the time of seeking resource consent or before applying for a fish-farm licence that includes freshwater species, you must give written notice of the application to the Fish and Game Council where the proposed farm will be situated.

Contact the Department of Conservation

Stocking a fish farm with freshwater aquatic life requires Department of Conservation (DOC) approval. We encourage all proposals that include freshwater species to contact DOC during the planning of a farm. Fisheries New Zealand will seek DOC input on fish-farm licence applications that include freshwater species. Including DOC in the process early on can speed the application processing times.

Step 2 - Documents that must accompany your application

Once you have the above approvals sorted out, you can begin putting together your application. The documents and information that must accompany an application for a new fish-farm licence are summarised below:

1. **A fully completed and signed application form** – see our website for an application form.
<https://www.fisheries.govt.nz/growing-and-harvesting/aquaculture/setting-up-a-land-based-farm/>
2. **Evidence that the water taken and discharged for the proposed farm has the approval from your local council.** Check what is required with your Council, but this could include:
 - resource consents or coastal permits to take and discharge water for the proposed farming activity; or
 - letters, emails, or other evidence from the council that the proposed farming activity including water and take, and discharge is permitted.
3. **Evidence that the applicant has the right to occupy the land of the proposed site;** such as a copy of the Certificate of Title or land title (obtainable from the Lands and Deeds office), or, if the land is leased, a copy of the lease agreement.
4. **Evidence that the farm is planned and will operate to the principles of good farming practice** to ensure that those in charge of the farm and farm stock are competent and capable of operating the farm and caring for the farmed stock. Please refer to the links at the end of this document for more information.
5. **Evidence of the qualifications, training, and experience** of the applicant, or of the manager or party in charge of the farmed stock and operations.
6. **A plan of the farm that shows the following:**
 - a) Farm area/boundaries (this will appear as the legal licensed area in your licence);
 - b) the farm's water source(s);
 - c) all water outflows/discharge points from the farm;
 - d) any existing and proposed buildings and other structures within the farm area; and

- e) the proposed layout of the ponds, tanks, raceways, etc.

7. Evidence of other statutory approvals (where applicable), such as might be required to place structures across a beach or a road, for example, a Right of Way or concessions.

8. Evidence that the Fish and Game Council was given written notice of the proposed farm (for freshwater/sports fish species), and any feedback received. Note, that Fisheries New Zealand may seek Fish & Game input for any application that includes sports fish or other freshwater species.

Information required for other fish farm licence applications (i.e. amendments, renewals and cancellations) is provided in the following table:

Summary of the information required for fish-farm licence applications

Required documentation	Type of fish-farm licence application			
	New	Amendment	Renewal	Transfer
Application form	Y	Y	Y	Y
Council approvals	Y	Y	Y	Y
Fish & Game has been contacted	Y	If adding sports fish	N	N
Right to occupy	Y	If changing farm area	Y	Y
Evidence of good farming practices	Y	N	N	Y
Qualifications, training, experience	Y	N	N	Y
Evidence of other statutory approvals	If applicable	N	If applicable	If applicable
Plan of farm area and boundary	Y	If changing the farm area	N	N
Plan of structures and water	Y	N	N	N

Processing of applications

We aim to process and decide on applications within three months of receiving the completed application form and all required documentation. Processing will not start until a complete application form and all required information is submitted. The processing time includes:

- assessing the application and information supplied;
- conducting a pre-entry interview with the applicant and any relevant farm staff;
- FNZ (or other MPI staff) conducting a site visit of the farm;
- seeking input from DOC and Fish & Game (for freshwater species or sports fish)

The assessment process must be completed before a decision is made on the application to ensure that:

- the applicant and those who will manage the proposed farm are competent to operate an aquaculture farm, and

- the applicant is fully aware of their obligations under the Fisheries Act, associated regulations, and fish-farm licence.

The process means you can ask questions regarding the regulatory requirements before a fish-farm licence is granted.

Before a fish-farm licence is granted, you will be provided a draft copy of your licence and any relevant additional approvals needed from Fisheries New Zealand. We'll ask you to review the documents and confirm you are able to comply with the requirements. You can ask for clarification on any part of the draft licence or application process before the licence is granted.

Important points to consider when making an application

- Licences are granted for a maximum of 14 years.
- A fish-farm licence can only be granted for one contiguous area.
- Fish-farm licences can only be granted for species listed in the Notice Specifying Fish Species Which May Be Farmed. Additional species may be added to the Notice, contact fishfarm@mpi.govt.nz for more details.
- The more species you apply for on your licence, the longer it may take to process, but make sure you have listed all species you may want to hold on the fish farm for the purpose of sale.
- Any aquatic life within the licensed fish farm area will be deemed “for sale” unless proven otherwise.
- Species that are fed to licensed farmed stock are not required to be listed on the licence unless those “feed species” will also be sold from the farm.
- Live freshwater species coming onto or leaving the farm that transfer to or from another island of New Zealand will require additional approval from Fisheries New Zealand.
- Aquatic life that enter the farm naturally, for example fish, shellfish or seaweed that enter via water intake or eels that have travelled across land to the farm cannot be harvested without approval from Fisheries New Zealand.
- Aquatic life taken under recreational or customary rules cannot be released on to a fish farm.
- Aquatic life caught by a commercial fisher must be landed through a licensed fish receiver before being brought on to a fish farm.
- Fishing within a fish farm is not permitted without approval from Fisheries New Zealand.
- All commercially produced food products must comply with New Zealand’s food safety legislation and, if being exported, with any overseas requirements for processing, packing, and labelling. You can find more details on the food safety website <https://www.mpi.govt.nz/food-business/>.

Things to know once operating as a licensed fish farm

Once a fish-farm licence is granted you will be able to stock your farm.

An approval from DOC is required under section 26ZM(3)(a) of the Conservation Act 1987 to release a new freshwater species in an existing or new fish farm. Under Section 26ZM, approvals are not required for marine species.

As a licensed fish farm, you will be required to meet the conditions of your licence, the regulations, and relevant parts of the Fisheries Act. Examples of some of the requirements licensed fish farmers are required to comply with, and other information to be aware of as a licensee include:

- The licence is invalidated if approvals to take and discharge water and to undertake fish farming activity do not remain lawful.
- A farm biosecurity plan must be maintained and implemented to protect the business, other farmers, and the environment.
- Records must be kept of all movements of stock and product on to and off the farm.
- Only bring stock onto the farm as per section 192A of the Fisheries Act and as described in your fish-farm licence.
- Records of mortalities of farmed stock must be kept.
- Stock movements on and off the farm must be reported to Fisheries New Zealand each month, even if no movements occurred.
- Farmed stock cannot be fed to other farmed stock.
- Any aquatic life that is to be fed to farmed stock is first pasteurised, irradiated or otherwise processed to a standard which ensures a microbiologically safe feed product.
- Approvals from Fisheries New Zealand are required before bringing on or removing freshwater species where the transfer will be to or from another island of New Zealand.
- Approval from DOC and Fisheries New Zealand may be required before any live freshwater aquatic life are released from the licensed fish farm to other locations such as the wild. See the “Transferring and releasing freshwater species” webpage for more information.

- The handling, holding, breeding, euthanasia and transport of certain aquatic life must meet the obligations set out in the Animal Welfare Act 1999 and relevant provisions of codes of welfare under that Act, including the Code of Welfare for Transport.
- Fish must have access to sufficient food and must not be overcrowded to the point that their welfare is compromised.
- An annual levy is to be paid. The levy covers the cost to maintain a database of all fish farm locations, species, and stock movements. For more information see the Aquaculture Fees and Charges webpage.
- Fishery Officers will visit and inspect your farm regularly to ensure compliance with farming requirements.
- As an “MPI Client” and Licensee, you must ensure your contact details are up to date. You can check your client details and update these as they change via the online ‘KUPE’ portal. Contact FishServe to obtain access to KUPE.

Useful links

Setting up a land-based fish farm webpage:

<https://www.mpi.govt.nz/fishing-aquaculture/aquaculture-fish-and-shellfish-farming/setting-up-land-based-fish-farm/>

Aquaculture Biosecurity webpage:

<https://www.mpi.govt.nz/fishing-aquaculture/aquaculture-fish-and-shellfish-farming/protecting-aquaculture-biosecurity-risks-2/>

Transferring and releasing freshwater species webpage:

<https://www.mpi.govt.nz/fishing-aquaculture/fisheries-management/transferring-and-releasing-freshwater-species/>

The Department of Conservation's movement of freshwater species webpage:

<https://www.doc.govt.nz/get-involved/apply-for-permits/interacting-with-freshwater-species/apply-to-move-freshwater-species/>

FishServe website:

<https://fishserve.co.nz/>

References on the principles of good farming practices:

https://static1.squarespace.com/static/56bb6533c2ea51c6431244f6/t/5ae3589c0e2e7228cd36f53d/1524848796323/SRAC_4404.pdf

<https://nsgl.gso.uri.edu/mdu/mduh10001.pdf>

<https://open.alberta.ca/dataset/b7a2b3e2-9821-47fc-bcca-212730a38c76/resource/4e3425dd-2750-4238-8588-2fafd0ba3d13/download/aep-best-practices-for-commercial-fish-culture-facilities-in-alberta.pdf>

List of fish classified as “sports fish”

<https://legislation.govt.nz/regulation/public/1983/0277/latest/DLM93738.html#DLM93738>

Fisheries Act 1996

<https://legislation.govt.nz/act/public/1996/0088/latest/DLM394192.html>

Animal welfare webpage:

<https://www.mpi.govt.nz/animals/animal-welfare/>

Setting up a marine farm webpage

<https://www.mpi.govt.nz/fishing-aquaculture/aquaculture-fish-and-shellfish-farming/setting-up-a-marine-farm/>