

## Hook, Line and Sinker – Fishing and Aquaculture Set for Regulatory Shake-up

### Fishing out, Aquaculture in: what the new planning system means for the seafood primary industries sector

The Government is drawing a line in the sand between fisheries management and environmental regulation. Under the new Planning and Natural Environment Acts 2026 (**the Acts**), councils will no longer be able to regulate fishing through planning instruments in the coastal marine area, with responsibility for managing fishing activity, fish stocks and fisheries resources instead sitting squarely with the Fisheries Act 1996 (**FA**). The change reflects a deliberate policy shift aimed at reducing overlap between the planning and fisheries regimes and forms part of a broader package of fisheries reforms.

While fishing is being reeled out of the new planning system, aquaculture remains firmly within it. The Natural Environment Act (**NEA**) expressly recognises aquaculture as part of New Zealand's food and fibre sector. Recent marine farming reforms are also carried forward, including the recognition of marine farm permits that have received 20-year extensions. New aquaculture activities will continue to require approvals under the planning framework.

#### Fishing Controls

The same amendments are proposed to both the Acts which mean that no instrument made under those Acts may include a rule that controls fishing within the coastal marine area. This reflects a policy position that decisions about fishing activity, fishing stocks, and associated fisheries management issues should be addressed through the national fisheries management framework under the FA rather than the regional planning framework.

During the House of the Whole Committee Stage, questions were asked of the Minister responsible for

RMA Reform, Hon Chris Bishop about why these amendments are necessary and what do they mean.

In response, he explained that "Basically, we're trying to reduce the regulatory overlap with the FA. What we've been seeing is the Resource Management Act (**RMA**) kind of creeping into the fisheries space and the Government's view is that, essentially, the Fisheries Act should deal with fisheries, and the Planning Bill and the Natural Environment Bill ... will deal with everything else. "

These amendments occur within the wider context of ongoing fisheries reform and debate about how fisheries management should interact with environmental protection. This includes the Fisheries Amendment Bill, which seeks to amend the FA to "grow the value of seafood sector exports while continuing to ensure sustainability" through changes to catch limit setting, fisheries management processes, on-board camera footage, landing and discard rules, and deemed value settings.

#### Aquaculture

Aquaculture is expressly recognised in the NEA's goals. The NEA includes a goal to enable the use and development of natural resources for the production of food and fibre (including aquaculture). These goals sit at the top of the new planning system and are implemented through the following key instruments: national policy direction, national standards, regional spatial plans and natural environment plans, helping to ensure aquaculture is actively provided for throughout the planning framework.

The new planning system carries forward recent RMA reforms relating to existing marine farms. Qualifying coastal permits extended under section 165ZFHC of the RMA will be recognised within the new system, with specific provisions governing the review of conditions applying to those extended permits.

Aquaculture remains regulated through the new planning system, but a natural environment plan may

---

## Hook, Line and Sinker – Fishing and Aquaculture Set for Regulatory Shake-up (Continued)

now classify aquaculture as a permitted activity in the coastal marine area, where the relevant rule applies solely to space in which aquaculture is already authorised by a current coastal permit. Other aquaculture activities will continue to require a coastal permit under the applicable national rules and natural environment plan.

Applications for coastal permits authorising aquaculture continue to be integrated with the FA aquaculture decision-making process. Additionally, where a natural environment plan prescribes an aquaculture area and includes aquaculture area rules, a person may also request the chief executive (of the Ministry responsible for the administration of the FA) to make an aquaculture area decision in respect of an aquaculture area and any aquaculture activities that may be carried out in the aquaculture area.

The new system will not introduce earlier proposals for market-based allocation methods for coastal resources. However, the Acts include mechanisms for allocating aquaculture authorisations, including public tendering and other allocation methods. An authorisation gives its holder a right to apply for a coastal permit but does not guarantee that a permit will be granted.

### What does this mean for you?

These provisions will not take effect until the Acts take full effect; this is anticipated to be in 2030. In the meantime, the existing regional coastal plan, including those which incorporate fishing controls, will continue to apply.

### Want to know more?

If you have any questions about fisheries operations and how these amendments may affect your operation, please contact our specialist [Environment and Planning Team](#).