



# Marine Aquaculture

## Changes introduced by the Resource Management (Consenting and Other System Changes) Amendment Act 2025

These changes, which passed into law on 20 August 2025, belong to a wider programme of resource management reform. Visit the Ministry for the Environment's [webpage about the new Amendment Act](#) for more information.

### Context

Marine aquaculture activities require a resource consent, which can include conditions on the consent, such as structure type and species farmed. Section 127 of the Resource Management Act 1991 (RMA) enables marine farmers to apply to change their consent conditions, where the change will not result in materially different adverse effects from the original activity. Farmers who want to innovate or upgrade farms may need changes to their consent conditions.

Prior to this change, an application to change consent conditions for an aquaculture activity using section 127 could only be considered as if it were an application for a consent for a discretionary activity. This enabled councils to consider a wide range of matters when making decisions on consent applications, which has created unnecessary uncertainty for marine farmers and deterred them from making changes to their farms.

### Key changes

- Section 13(1) of the Amendment Act amends section 43A of the RMA.
- Section 44 of the Amendment Act amends section 127 of the RMA.

The Resource Management (Consenting and Other System Changes) Amendment Act 2025 (the Amendment Act) amends sections 43A and 127 of the RMA. The amendments enable a national environmental standard to specify when an application for a change of consent condition for a marine aquaculture activity can be considered as a controlled or restricted discretionary activity. Rules enabled by this change would restrict the matters that councils could consider when making decisions on relevant applications. This change provides a clearer, more streamlined process for the applicant.<sup>1</sup>

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<sup>1</sup> In general, controlled activities must be granted a consent, and conditions can be imposed but only on matters where control is reserved in a national environmental standard or relevant plan. Restricted discretionary activities can be declined, but councils can only consider and impose conditions regarding matters where discretion is restricted in a national environmental standard or relevant plans.

# Summary of changes

Area	Amendments
Change or cancellation of consent condition on application by consent holder	<p>Clause 44 of the Amendment Act amends section 127 of the RMA.</p> <ul style="list-style-type: none"><li>• Section 127 of the RMA sets out that consent holders could apply to change or cancel a consent condition, and that this application must be considered as if it were a resource consent for a discretionary activity.</li><li>• Clause 44 amends this section to enable applications to change or cancel consent conditions for an aquaculture activity to be considered as if they were a resource consent application for a controlled or restricted discretionary activity, where specified by a national environmental standard.</li></ul>
Contents of national environmental standards	<p>Clause 13 of the Amendment Act amends section 43A of the RMA.</p> <ul style="list-style-type: none"><li>• Section 43A of the RMA sets out the contents of national environmental standards.</li><li>• Clause 13 amends this section to allow a national environmental standard to state that an application to change or cancel conditions for an aquaculture activity must be treated as if it were an application for a controlled or restricted discretionary activity.</li></ul>

