

## MPI advice on Fast-track Listed Project Application

<b>Application name</b>	Chatham Rise Rock Phosphate Project
<b>Application number</b>	FTA015
<b>Applicant</b>	Chris Castle (CEO – Chatham Rock Phosphate (NZ) Limited)
<b>Whether aquaculture decision will be required under Schedule 12 of the FTA Bill</b>	This is an application for a marine consent within the exclusive economic zone (EEZ) and does not require an aquaculture decision.
<b>Other authorisations that may be required from MPI</b>	N/A
<b>Aquaculture settlement considerations</b>	N/A
<b>Fisheries settlement considerations</b>	<p>While there are no direct Treaty settlement commitments that will be affected by this application, consideration needs to be given to the objectives of the Fisheries Deed of Settlement and the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992 which fully and finally settled Māori commercial and customary fishing claims by tangata whenua.</p> <p>Redress was provided by the transfer of fishing quota and the purchase of fishing companies which are now held by Te Ohu Kaimoana (the Māori Fisheries Trust). In the case of deepwater quota and shares in fishing companies, those interests will be transferred to all iwi in proportion to each iwi percentage of the Māori population.</p> <p>Note that MPI has a Primary Industries Protocol in place with Moriori and also a proposed Primary Industries Protocol in the draft settlement with Ngāti Mutunga o Wharekauri (Chatham's).</p> <p>This application proposes mining in a Benthic Protected Area (BPA). These areas have unique and fragile ecosystems that are vulnerable to heavy fishing gear interactions, and where fishing techniques that disturb the sea floor (e.g., bottom trawling) are already prohibited. This application proposes an activity much more destructive than fishing to occur here.</p> <p>The benthic environment will be adversely affected where phosphorite is removed from the seabed. The impacts of mining and sedimentation on ecological and conservation values will result in cumulative impacts on benthic and fish resources, including a loss of benthic habitat and fauna, noise, disruption and sedimentation plumes in the water column and on benthic fauna. This could impact fish stocks, habitat and spawning in the Chatham Rise, particularly for hoki, where juveniles are known to reside. In the long term, if</p>

	<p>slow growing sessile organisms (e.g., coral) are smothered by sediment, we would expect biological productivity to decline and therefore negatively impact on the QMS and non-QMS species.</p> <p>Any activity that materially affects the environment and long term sustainability of fish stocks will inevitably affect the quota and assets which form the basis of the Fisheries Settlement. This could be seen by some to be a contemporary breach of the Treaty.</p> <p>To avoid such an occurrence, careful consideration will need to be given to the likely effects of the application on fish stocks and the habitat that supports those stocks.</p>
<b>Impacts of a project on Māori development and PSGE priorities</b>	<p>As above, any activity that impacts the environment and long term sustainability of fish stocks will impact the iwi/Māori access to quota and assets.</p>

*Disclaimer: This advice has been developed to support MfE advice to the independent Fast-track Projects Advisory Group and is not intended to provide comment on the merits or viability of the application.*