

MPI advice on Fast-track Listed Project Application

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| Application name | Kahui Kupenga Marine Facility |
| Application number | FTA379 |
| Applicant | Te Rimu Trust |
| Whether the application will be ineligible under Clause 18bof the FTA Bill | |
| Other authorisations that may be required from MPI | |
| Aquaculture settlement considerations | The application is not located within an aquaculture settlement area established under section 12 of the Māori Commercial Aquaculture Claims Settlement Act 2004 or within an area reserved for aquaculture within an individual iwi settlement. |
| Fisheries settlement considerations | <p>The application site overlays the rohe of Te Whānau o Te Aotaki and Ngāti Te Whānau Tuwhakairiora. The hapū of this area have concluded their Treaty settlement and the area is subject to the provisions of the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019.</p> <p>The Act provides for MPI and hapū to enter a relationship agreement setting out how the parties will work together and how Ngā Hapū will be consulted on any policy or regulatory change that affects their fisheries.</p> <p>The Act also requires the Crown to assist Ngā Hapū to develop hapū customary fisheries plans that express Ngā hapū objectives for their fisheries. Plans have been made by the Hapū who hold mana moana over the marine area of the application. Ngā Hapū and MPI are now required by the Act to develop regulations to enable Ngā Hapū to manage fishing in their rohe moana. Customary fishing will only be able to be exercised under these regulations once they are developed</p> <p>Commercial fishing interests of Ngā Hapū are managed by the Ngāti Porou Rūnanga and are part of the benefits from the 1992 Fisheries Settlement. Some of the fishing areas for their settlement quota overlay part of the application site.</p> <p>An application that affected the ability of hapū/ iwi to exercise customary rights or which affects commercial aspects of the Fisheries Treaty settlement would require careful consideration in</p> |

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| | relation to Treaty obligations. We would recommend consulting the iwi and hapū to understand the possible impacts of the application (eg for particular customary fishing locations). |
| Impacts of a project on Māori development and PSGE priorities | <p>Project has been declined by the Covid Fast Track legislation and directed to the Environment court. Crown infrastructure partners have previously funded the project application for Resource Consent through the Covid Fast Track legislation.</p> <p>The proposed development site will occupy Māori freehold land and a part of the marine and coastal area. Te Rimu Trust (the applicant) owns and manages the Māori freehold land upon which the barge facility would be built.</p> <p>The cultural impact assessment supplied with the application describes a number of port development projects over the past century to enable movement of produce and cargo. The most recent development is the now permanently closed Hicks Bay Wharf nearby.</p> |
| Others | <p>Comments from Water Availability and Security</p> <ul style="list-style-type: none"> - No specific risks identified - Potential for the nearby dune wetlands may be impacted. The application includes an ecological report identifying the same as well as mitigation practices to prevent it |

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.