

Submitted to Fast-track approval applications
Submitted on 2024-05-03 20:11:13

Submitter details

Is this application for section 2a or 2b?

2A

1 Submitter name

Individual or organisation name:
Kuku Holdings Ltd

2 Contact person

Contact person name:
Jeffrey Meachen

3 What is your job title

Job title:
Director of Kuku Holdings Ltd

4 What is your contact email address?

Email:
s 9(2)(a)

5 What is your phone number?

Phone number:
s 9(2)(a)

6 What is your postal address?

Postal address:
s 9(2)(a)

7 Is your address for service different from your postal address?

No

Organisation:

Contact person:

Phone number:

Email address:

Job title:

Please enter your service address:

Section 1: Project location

Site address or location

Add the address or describe the location:

s 9(2)(b)(ii)

File upload:

Attachment 1 Site Location.pdf was uploaded

Upload file here:

Attachment 3 Support Letter from Sanford and Aroma Aquaculture.pdf was uploaded

Do you have a current copy of the relevant Record(s) of Title?

No

upload file:

Not applicable as the site is in the CMA.docx was uploaded

Who are the registered legal land owner(s)?

Please write your answer here:

Not applicable, as the site is in the CMA, part of the common marine coastal area, which is incapable of ownership.

Detail the nature of the applicant's legal interest (if any) in the land on which the project will occur

Please write your answer here:

s 9(2)(b)(ii)

Section 2: Project details

What is the project name?

Please write your answer here:

Marine Farm Site 8217 Renewal and Extension

What is the project summary?

Please write your answer here:

s 9(2)(b)(ii)

What are the project details?

Please write your answer here:

s 9(2)(b)(ii)

s 9(2)(b)(ii)

Consent is also sought to continue to disturb the seabed with anchoring devices and to harvest marine farm produce including the taking and discharge of coastal seawater and discharge of biodegradable organic matter will occur at harvest. The term of consent sought is for thirty-five years.

Describe the staging of the project, including the nature and timing of the staging

Please write your answer here:

s 9(2)(b)(ii)

What are the details of the regime under which approval is being sought?

Please write your answer here:

The Resource Management Act 1991

If you seeking approval under the Resource Management Act, who are the relevant local authorities?

Please write your answer here:

s 9(2)(b)(ii) District Council

What applications have you already made for approvals on the same or a similar project?

Please write your answer here:

RMA Resource Consent application was made on 8 June 2020. The was ultimately declined by a Council commissioner. The appeal to the Environment Court was withdrawn following the notification of the Council's decisions on its Plan Change, which did not confirm the site as an Aquaculture Management Area; meaning that any extension (and renewal on expiry) of the current consent, would be prohibited. While the applicant could have pursued its resource consent appeal, it was to be heard before the appeal on the Plan Change and so carried significant risk. Given the cost of the commissioner hearing, as well as the appeal, the applicant elected to discontinue and see if some relief would come from government intervention in the process or framework.

No current applications have been lodged.

Is approval required for the project by someone other than the applicant?

No

Please explain your answer here:

I am the sole director of Kuku Holdings Ltd.

If the approval(s) are granted, when do you anticipate construction activities will begin, and be completed?

Please write your answer here:

- detailed design: Detailed design is complete as per Attachment 1.
- procurement: Infrastructure for the mussel longlines is available from immediately to two weeks.
- funding: Available immediately.
- site works commencement: Summer starting in 2024.
- completion: February 2025.

Section 3: Consultation

Who are the persons affected by the project?

Please write your answer here:

s 9(2)(b)(ii) District Council

Applicant Groups under the Marine and Coastal (Takutai Moana) Act 2011, as follows:

Te Rūnanga o Rangitāne o Kaitiaki Inc; Ngāti Koata Trust; Te Rūnanga o Rangitāne o Wairau; Te Ātiawa o Te Waka a Māui; Ngāti Apa ki te Ra To; Ngāti Kōhanga Trust; Te Ātiawa o Te Waka a Maui Trust (Whakatu/Te Hoiere); Te Runanga o Ngāti Kuia Trust; Ngāti Toa Rangitira.

Detail all consultation undertaken with the persons referred to above. Include a statement explaining how engagement has informed the project.

Please write your answer here:

This previous application was sent to all known iwi, as listed below, pre-lodgement.

Ngāti Koata Trust
Te Runanga o Rangitane o Wairau
Te Runanga o Ngāti Kuia
Ngāti Apa ki te Rā Tō
Te Ātiawa Manawhenua Ki Te Tau Ihu Trust
Ngāti Toarangatira Manawhenua Ki Te Tau Ihu Trust
Ngāti Rarua Trust
Ngāti Tama ki Te Waipounamu Trust

No applicant groups sought to participate in the previous application.

The proposal has been formulated with appropriate regard to known iwi and mana whenua concerns in respect of the environment. The applicant has not been overly ambitious with its expansion proposal, in light of ensuring effects are no more than minor.

Upload file here:

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Describe any processes already undertaken under the Public Works Act 1981 in relation to the land or any part of the land on which the project will occur:

Please write your answer here:

• None.

Section 4: Iwi authorities and Treaty settlements

What treaty settlements apply to the geographical location of the project?

Please write your answer here:

Ngāti Kōata, Ngāti Rārua, Ngāti Tama ki Te Tau Ihu, and Te Ātiawa o Te Waka-a-Māui Claims Settlement Act 2014

Ngāti Apa ki te Rā Tō, Ngāti Kuia, and Rangitāne o Wairau Claims Settlement Act 2014

Ngati Toa Rangatira Claims Settlement Act 2014

Iwi: Ngati Toa Rangatira, Ngati Apa ki te Ra To, Rangitane o Wairau, Ngati Koata, Ngati Rarua, Te Atiawa o Te Waka-a-Maui, Ngati Koata, Ngati Tama ki Te Tau Ihu, Te Atiawa o Te Waka-a-Maui, Ngati Kuia, Ngati Tama ki Te Tau Ihu, Ngati Rarua.

Statutory acknowledgments recognise the respective associations with the area but do not confer rights of co-governance, veto or the similar. The applicant respects the relationships that each iwi have with the area, but note that none raised concerns with its previous application to extend the marine farm at Tawhitinui.

Are there any Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 principles or provisions that are relevant to the project?

No

If yes, what are they?:

Are there any identified parcels of Māori land within the project area, marae, and identified wāhi tapu?

No

If yes, what are they?:

Is the project proposed on any land returned under a Treaty settlement or any identified Māori land described in the ineligibility criteria?

No

Has the applicant has secured the relevant landowners' consent?

Yes

Is the project proposed in any customary marine title area, protected customary rights area, or aquaculture settlement area declared under s 12 of the Māori Commercial Aquaculture Claims Settlement Act 2004 or identified within an individual iwi settlement?

No

If yes, what are they?:

Has there been an assessment of any effects of the activity on the exercise of a protected customary right?

No

If yes, please explain:

Upload your assessment if necessary:

No file uploaded

Section 5: Adverse effects

What are the anticipated and known adverse effects of the project on the environment?

Please describe:

The effects will be no more than minor. In particular:

(a) No significant ecological sites are impacted by the proposal;

- (b) No habitats or communities of ecological significance are present within the application area;
- (c) King Shags established at Tawhitinui after mussel farming was established in the area, and so mussel farms have not been an impediment to their exploitation of the surrounding habitat;
- (d) There are no effects on navigation;
- (e) Effects on natural character will be minor, and low to very low on landscape, and low on visual amenity.
- (f) There is no impact on recreational values.
- (g) There are no effects on water quality, ecology, or productivity.
- (h) There are no adverse effects on navigation.

Refer Attachment 2, assessment of effects.

Upload file:

Attachment 2 AEE Year 2020 Appendices can be supplied on Request.pdf was uploaded

Section 6: National policy statements and national environmental standards

What is the general assessment of the project in relation to any relevant national policy statement (including the New Zealand Coastal Policy Statement) and national environmental standard?

Please write your answer here:

The NZCPS 2010 is of general relevance to this application and all policies have been considered in the development of the proposal. The NZCPS policies of immediate relevance to the applications are policies 2, 6, 8, 11, 13, 15, 18, 22 and 23. The proposal is consistent with and meets elements within these policies.

Refer Attachment 2, assessment of effects.

File upload:

Attachment 2 AEE Year 2020 Appendices can be supplied on Request.pdf was uploaded

Section 7: Eligibility

Will access to the fast-track process enable the project to be processed in a more timely and cost-efficient way than under normal processes?

Yes

Please explain your answer here:

The earlier application under the RMA was refused by a Council appointed Commissioner, and the appeal was not able to be heard because the Council had in the interim refused the AMA for the site (without jurisdiction), making the application area prohibited.

The Project simply cannot be advanced under the normal processes, as the extension component is a therefore prohibited activity.

To have continued under the normal processes would have taken significant resources to challenge the plan change decision, as well as pursue the resource consent appeal. It was simply prohibitive in terms of cost, particularly given the risk of not ultimately being successful.

In short, if the Fast Track Approvals avenue is not available, then this project is simply unlikely to proceed. The normal processes are simply too prohibitive.

What is the impact referring this project will have on the efficient operation of the fast-track process?

Please write your answer here:

Limited impact, since the application is relatively focused, and will not take up much time for any Panel appointed. The application is also ready to proceed, and so will be able to be programmed early for Panel appointment.

Has the project been identified as a priority project in a:

Central government plan or strategy

Please explain your answer here:

Increasing NZ aquaculture exports. This will be supported by renewing and expanding the consented Marine Farm Site 8217, which has a proven track record of excellence, e.g. fast growing times and superior meat yields, in producing Greenshell Mussels for the frozen halfshell food market, mussel powder and oil, mainly for the export industry.

Will the project deliver regionally or nationally significant infrastructure?

Regional significant infrastructure

Please explain your answer here:

Renewing and expanding the consented Marine Farm Site 8217, which has a proven track record of excellence, e.g. fast growing times and superior meat yields, in producing Greenshell Mussels for the frozen halfshell food market, mussel powder and oil, mainly for the export industry.

Will the project:

Please explain your answer here:

None of the above.

Will the project deliver significant economic benefits?

Yes

Please explain your answer here:

The Project will materially support the region's mussel aquaculture industry.

This includes through the following:

Economic Impact: A single marine farm supports the livelihoods of associated businesses in the supply chain, such as processors, distributors, wholesalers, and retailers. Marine farming activities also create jobs directly on the farm and indirectly in related industries, bolstering employment opportunities in the region.

Supporting Ancillary Industries: Marine farming operations require support from various ancillary industries, including equipment suppliers, technology providers, marine service providers, and research institutions. By fostering the development of these industries, marine farms stimulate innovation, entrepreneurship, and technological advancement within the region, further enhancing their significance to the local economy.

This particular marine farm is a very well performing one in the very efficient farming area of Tawhitinui Bay, e.g. the tonnage of Greenshell Mussels harvested is 50% more and half the time to harvest size than the average comparable s 9(2)(b)(ii) mussel farms.

Sanford manage the south-west half of the farm and Aroma Aquaculture manage the north-east half of the marine farm Site 8217.

Site 8217 is adjacent to the main thoroughfare of the Pelorus Sound of the Port of Havelock where both Sanford and Aroma Aquaculture are based with their s 9(2)(b)(ii) offices and mussel farm work vessels.

Sanford say, in support:

In summary, farm 8217 is an important farm within Sanford's operations because:

- It grows mussels quickly;
- It grows a good volume of mussels;
- It grows high quality mussels that are easy to process; and
- Is open for harvest when supply is critical because other growing areas are closed due to rainfall.

Aroma says, in support:

Kuku Holdings Ltd are one of Aroma's contract growers and own an outstanding farm, 8217 in Tawhitinui Bay mid sounds.

This farm has historically produced faster crop rotation cycles and higher yielding conditioned product than the majority of farms within the sounds. It is also within MSQP sanitation area 1508 which means during heavy rainfall events it is one of the last area's to close under harvest criteria with 40mm over a 24 hour period, this is due to it's extremely high tidal flow and flushing rate.

The above mentioned factors make it a very valuable farm to have in the Aroma stable.

Aroma Aquaculture-Ltd firmly believe that productivity from the farm can easily be increased by achieving consent to extend seaward and install additional longlines on the farm's southern boundary. Increased harvest production from the farm will earn much needed value added export revenue for NZ while having no adverse environmental effects.

Attachment 3 – Support Letter from Sanford and Aroma Aquaculture.

Will the project support primary industries, including aquaculture?

Yes

Please explain your answer here:

The Project will increase NZ aquaculture exports by expanding the consented Marine Farm Site 8217 which has a proven track record of excellence, e.g. fast growing times and superior meat yields, in producing Greenshell Mussels for the frozen halfshell food market, mussel powder and oil, mainly for the export industry.

Refer also the above answers.

Will the project support development of natural resources, including minerals and petroleum?

No

Please explain your answer here:

Will the project support climate change mitigation, including the reduction or removal of greenhouse gas emissions?

Yes

Please explain your answer here:

Mussel farming contributes to carbon removal from the seas through shell deposition by living mussels but also provides opportunities for carbon storage and utilization through the recycling and repurposing of waste mussel shells, thereby enhancing the role of aquaculture in climate change mitigation and environmental stewardship.

Will the project support adaptation, resilience, and recovery from natural hazards?

Yes

Please explain your answer here:

Waste shell is used as a natural filter in drainage for road projects. Using waste mussel shells as a filter material offers a sustainable alternative to conventional drainage materials such as gravel or synthetic filter media. By repurposing waste shells from mussel farms, road projects can reduce reliance on virgin materials and contribute to waste reduction and resource conservation efforts.

Will the project address significant environmental issues?

Yes

Please explain your answer here:

Aquaculture of mussels can indeed address significant environmental issues, including:

Water Filtration: Mussels are filter feeders, meaning they extract plankton and other suspended particles from the water to feed. In doing so, they help improve water clarity and quality by removing excess nutrients, organic matter, and particulate pollutants from the water column. This natural filtration process can mitigate eutrophication, harmful algal blooms, and other water quality issues, benefiting both the aquaculture site and surrounding ecosystems.

Nutrient Remediation: Mussels also efficiently extract nutrients such as nitrogen and phosphorus from the water as they feed. Excess nutrients in aquatic ecosystems can lead to nutrient pollution, which can cause algal blooms, oxygen depletion, and ecosystem degradation. By removing these nutrients, mussel aquaculture can help restore balance to nutrient-imbalanced water bodies and mitigate the negative impacts of nutrient pollution.

Carbon Sequestration: Mussels incorporate carbon dioxide (CO₂) into their shells and soft tissues during growth, effectively sequestering carbon from the atmosphere. While the overall carbon sequestration potential of mussel aquaculture may be modest compared to terrestrial carbon sinks, it still represents a valuable ecosystem service that can help mitigate climate change when scaled up.

Sustainable Protein Production: Mussels are a highly sustainable source of protein, requiring minimal resources for cultivation compared to land-based animal agriculture. By providing a nutritious and eco-friendly food source, mussel aquaculture can help alleviate pressure on wild fish stocks and reduce the environmental footprint associated with conventional livestock farming.

Is the project consistent with local or regional planning documents, including spatial strategies?

No

Please explain your answer here:

This is because the Council removed the site from being within an Aquaculture Management Area (although without jurisdiction to do so). More broadly, the Council's plan is more supportive of aquaculture generally, however.

Anything else?

Please write your answer here:

If not listed in Schedule 2A, it is requested that the projects be considered for Schedule 2B.

Does the project includes an activity which would make it ineligible?

No

If yes, please explain:

Section 8: Climate change and natural hazards

Will the project be affected by climate change and natural hazards?

No

If yes, please explain:

Section 9: Track record

Please add a summary of all compliance and/or enforcement actions taken against the applicant by any entity with enforcement powers under the Acts referred to in the Bill, and the outcome of those actions.

Please write your answer here:

None.

Load your file here:

No file uploaded

Declaration

Do you acknowledge your submission will be published on environment.govt.nz if required

Yes

By typing your name in the field below you are electronically signing this application form and certifying the information given in this application is true and correct.

Please write your name here:

Jeffrey Meachen

Important notes