

Response ID ANON-URZ4-5FGW-E

Submitted to Fast-track approval applications
Submitted on 2024-05-03 14:11:39

Submitter details

Is this application for section 2a or 2b?

2B

1 Submitter name

Individual or organisation name:
Te Huata Charitable Trust (Te Whanau-a-Apanu)

2 Contact person

Contact person name:
Rikirangi Gage

3 What is your job title

Job title:
CEO - Te Rununga o te Whanau

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:

Te Runanga O Te Whanau, State Highway 35, RD 3 Te Kaha

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:

6km off the coast of Te Kaha - note map attached.

File upload:
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Upload file here:
MAP - SEAWATER Space Initiative - Te Huata Sea Farms - 10,000 ha.docx was uploaded

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

No

upload file:

No file uploaded

Who are the registered legal land owner(s)?

Please write your answer here:

n/a - this is seawater space.

Te Whanau-a-Apanui are the MACA Claimants to this seawater space - and the applicants.

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:

n/a - this is seawater space.

Te Whanau-a-Apanui are the MACA Claimants to this seawater space - and the applicants.

Section 2: Project details

What is the project name?

Please write your answer here:

Te Huata Sea Farms - Farm A

What is the project summary?

Please write your answer here:

The project involves the staged development of an offshore marine farm off the coast of Te Kaha in the Eastern Bay of Plenty. The project is a significant contributor towards achieving a Te Whanau a Apanui vision. One that ensures sustainable employment and economic independence for its people. And, is part of a wider package of interrelated projects designed to deliver transformational change to the people of Te Whanau a Apanui, Whakatohea and the wider eastern Bay of Plenty Iwi and the communities they are part of.

Construction of an open ocean sea farm will complement the current development proposals to extend aquaculture infrastructure initiatives currently underway, for example the Te Huata Mussel Spat Hatchery (Te Whanau-a-Apanui).

What are the project details?

Please write your answer here:

The proposal is reflective of the kawa and tikanga of an Iwi who have a deep connection and contract with Tangaroa. This coupled with new and progressive legislative circumstances surrounding an Iwi settling with the Crown provides an opportunity to find a different and more collaborative way support and harmony with the intent of the 'Fast Track Approval Legislation'. This suggested approach is underpinned by three key considerations to the current circumstances which highlight the opportunities the Bill will provide.

1. The first is the need to find improved and innovative ways to support similarly innovative consenting practices in our aquaculture industry. Pushing the boundaries of current conventions where science, commerce, sustainable environmental practices, and regulation can sit comfortably at the same table is a must. We all already understand the nature of systems and ecosystems. We are keen to pursue an agile adaptive aquaculture management planning approach in this consent to achieve the outcomes we all seek. One that develops our aquaculture activities, with others, based on a developing knowledge economy we can all participate in. We see the Bill as an enable to be able to do that.

Part of the rationale is based on a wider imperative. Understanding the shifting global circumstances of global warming, seawater acidification and the consequences on our marine environment require a similar approach those who can influence the outcomes the proposed Bill will enable. Supporting this 'fast track' consent and associated , our endeavours, and a learning heuristic with others must be the way we approach all aquaculture opportunities of this nature in the future.

2. The second consideration is tightly bound to how little we know of the environment we seek a consent in – in a scientific sense. Making long term 'static' decisions about the moana in circumstances like this is inadequate. The nature of the current Resource Management Act settings makes the development of aquaculture activities difficult – there is simply never enough science to make a genuinely informed decision. This doesn't mean weshould shy away from decisions we require, like this consent. We just need to find a new approach where we can collectively build an aquaculture knowledge economy fit for a long-term sustainable aquaculture industry while simultaneously managing, in an informed way, the dynamic nature of the environment we seek to undertake activities in.

3. The third consideration is a recognition of the existing consented and operating marine farming activities within the area. These existing activities provide monitoring data that can be used to validate predicted environmental impacts from offshore marine farming in this area and resource consent

conditions which can be applied to additional aquaculture areas to provide consistency with refinements where appropriate. In this case, the most significant change proposed is the adoption of an agile adaptive aquaculture management planning approach developed for the purposes indicated above.

In summary, the premise is that the resource consent application be granted in a timely manner with similar conditions to those applying to existing marine farms in the area with the addition of a new agile adaptive aquaculture management planning approach to guide the detailed design, operation and monitoring of the marine farm.

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

Please write your answer here:

See programme plan - summarised.
Phase 1 Q4 2025 - 20% of the area
Phase 2 Q4 2026 - 40% of the area
Phase 3 Q4 2027 - 60% of the area
Phase 4 Q4 2028 - 80% of the area
Phase 5 Q4 2029 - 100% of the area

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

Please write your answer here:

Resource Management Act 1991
resource consent
notice of requirement
certificate of compliance
coastal permit that authorises aquaculture activities to be undertaken in the coastal marine area and requires decisions under Part 9A of the Fisheries Act 1996

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

Please write your answer here:

Bay of Plenty Regional Council

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

Please write your answer here:

We have been told by CE Kanoa and Crown Law office we are only expected to withdraw a RMA consent once a Fast-track consent has been obtained.

Consent lodged with Bay of Plenty Regional Council

DOCUMENT REF. 22-098 RC TWAA Marine Farm
DATE OF ISSUE February 2023

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

No

Please explain your answer here:

The parties seeking the approval are the applicants (Te Huata Charitable Trust of Te Whanau-a-Apanui)

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

Please write your answer here:

Detailed design - Q3 / Q4 2024
Capital Raise - Q1 / Q2 2025
Procurement Q3 2025
Construction / Installation Q4 2025
Phased Completion
Phase 1 Q4 2026
Phase 2 Q4 2028
Phase 3 Q4 2030
Phase 4 Q4 2032
Phase 5 Q4 2034

Section 3: Consultation

Who are the persons affected by the project?

Please write your answer here:

Relevant Iwi authorities are the applicants (Te Whanau-a-Apanui)

Relevant Treaty settlement entities are the applicants (Te Whanau-a-Apanui)

Relevant protected customary rights groups are the applicants (Te Whanau-a-Apanui)

Relevant customary marine title groups are the applicants (Te Whanau-a-Apanui)

Relevant applicant groups under the Marine and Coastal (Takutai Moana) Act 2011 are the applicants (Te Whanau-a-Apanui)

This is not an application about land, therefore any person with a registered interest in land that may need to be acquired under the Public Works Act 1981 is 'irrelevant'.

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:

The persons referred to above are the applicants... as noted above.

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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:

n/a

Section 4: Iwi authorities and Treaty settlements

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

Please write your answer here:

Email: runanga@apanui.co.nz

Website: <https://www.apanui.co.nz/>

Mandate recognised by the Crown for Treaty of Waitangi settlement negotiations.

Agreement in Principle signed with the Crown on 28 June 2019].

Legal entity: Until Settlement Te Rununga o te Whanau

Negotiator: Rikirangi Gage

Postal Address:

RD3,

Ōpōtiki 3199.

Physical Address:

6773 SH 35,

Te Kaha.

Phone: 021672052

Email: riki.gage@apanui.co.nz

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?

Yes

If yes, what are they?:

The proposed project is in the MACA Claim area of Te Whanau-a-Apanui.

Te Whanau-a-Apanui, is the applicant for the fast-track consent.

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

Yes

If yes, please explain:

A number of seawater areas in the Moana a Toi Rawhiti have had detailed assessment of any effects of the activity on the exercise of a protected customary right. Applications under the RMA have been made for this seawater space - by the applicant.

Upload your assessment if necessary:

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Section 5: Adverse effects

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

Please describe:

A consent document for a RMA Consent has been prepared for this seawater space - available from Bay of Plenty Regional Council - this question has been answered in that application.

Upload file:

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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:

A consent document for a RMA Consent has been prepared for this seawater space - available from Bay of Plenty Regional Council - this question has been answered in that application.

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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:

Yes / Maybe

A consent for aquacultural activities (for example, marine farming) inside the Coastal Marine Area is problematic on many levels - a number of Iwi have in some cases waited for years before a consent was granted (for example Whakatohea Mussels). This process will cut through the various layers of regulation in an area that already has consents for these purposes, and the level of expertise and scientific support to support access to this seawater space for the purpose intended.

This consent is likely to go to hearing, if granted, there is no guarantee it will not be challenged. If that is the case this consent could (unreasonably) take years to resolve. It only takes one party to 'upset' granting the consent - even if everyone else is in support - this is the well-known conundrum of the RMA process.

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

Please write your answer here:

The impact of an opportunity for a Fast-track process is the government and applicant would achieve the following...

1. Exercise the government into considering how to manage aquaculture applications for consent in the coastal Marine Environment in an informed but efficient way - something that will be required in Aotearoa New Zealand's future.
2. Significantly reduce the time it will take to secure a consent with the commercial imperatives that come with developing marine aquaculture at 'pace and scale'.
3. It will speed up our understanding of the environmental and ecological circumstances of the Coastal marine Environment, riding on the back of the monitoring and management of seawater space that will come with the activities this consent will catalyse.

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

Other

Please explain your answer here:

Central government plan or strategy - Yes, National Aquaculture Strategy - \$3b GDP by 2030

Local government plan or strategy - Yes, Regional Aquaculture Strategy 2023 BOPRAG

Sector plan or strategy - Yes, National Aquaculture Strategy (Aquaculture NZ)

Central government infrastructure priority list - Yes, Aquaculture

Will the project deliver regionally or nationally significant infrastructure?

Regional significant infrastructure

Please explain your answer here:

Regional and National significant infrastructure

This project, alongside a number of related initiatives, form the basis of a new 'Primary Sector in the Bay of Plenty. And, when collectively considered, will generate **§ 9(2)(b)(ii)** revenue [PwC Report - Economic Potential - Published in Jul-23]

Will the project:

contribute to a well-functioning urban environment

Please explain your answer here:

The project, alongside other initiatives in aquaculture is expected to generate 2,000 - 3,000 employment opportunities [PwC Report - Economic Potential - Published in Jul-23]. This will provide the economic potential for employees (whanau and hapu) to afford housing.

Will the project deliver significant economic benefits?

Yes

Please explain your answer here:

Per above, and...

The project, alongside other initiatives in aquaculture is expected to generate **§ 9(2)(b)(ii)** [PwC Report - Economic Potential - Published in Jul-23].

Will the project support primary industries, including aquaculture?

Yes

Please explain your answer here:

Yes, per above, but not in conflict in a settlement area declared under section 12 of the Māori Commercial Aquaculture Claims Settlement Act 2004. The claimants Te Whanau-a-Apanui are applicants.

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:

One of the species the seawater space is being used for is seaweed.

The lwi have the science and a research programme developed do two things for this seawater space.

1. Seaweed to capture carbon in seaweed through a process, then sequester the carbon in concrete for that purpose. The lwi will be able to share the science underpinning this project - and the local and international partners and experts who have the expertise to utilise this seawater space for this purpose.

2. Seaweed to reduce methane in livestock through a process, using processed feed additives from seaweed extracts. The lwi will also be able to share the science underpinning this project - and the local and international partners and experts who have the expertise to utilise this seawater space for this purpose.

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

Yes

Please explain your answer here:

The science supporting these seawater spaces includes species being selectively bred for seawater acidification and warmer seawater temperatures. This will create resilience for our taonga (native species) in the seawater space being sought for aquaculture activities.

Will the project address significant environmental issues?

Yes

Please explain your answer here:

Sea farming significantly increases the ecological and environmental biodiversity - this is well established in the literature. And, evidenced by open ocean aquaculture already established in the Eastern Bay of Plenty (for example, Whakatohea Mussel Farms).

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

Yes

Please explain your answer here:

And, we are actively participating in a Regional Spatial Plan Review with the Bay of Plenty Regional Council, Whakatane District Council and Opotiki District Council.

Anything else?

Please write your answer here:

Reiterating the following.

This application states the following:

Schedule 4 clause 31(3) of the Bill details that a person who has lodged an application for a resource consent or a notice of requirement under the Resource Management Act 1991, in relation to a listed project or a referred project, must withdraw that application or notice of requirement before lodging a consent application or notice of requirement with an expert consenting panel under this Bill for the same, or substantially the same, activity.

Please note, if our project is included on the list to go forward to FTC projects, then any other consent applications would be withdrawn.

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

No

If yes, please explain:

This is a consent seeking an lwi (Te Whanau-a-Apanui) to enable a MACA asset (seawater space), by the same lwi who have an aspiration to develop that seawater space.

Section 8: Climate change and natural hazards

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

Yes

If yes, please explain:

Yes, but unclear as to how at this stage.

Part of the benefit of sea farming in the open ocean is developing a knowledge economy that will put NZ Inc. in a far better position to be able to answer the question noted here.

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:

n/a

Load your file here:

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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:

Rikirangi Gage

Important notes