

MPI advice on Fast-track Listed Project Application

Application name	Te Huata Sea Farms - Farm A
Application number	FTA247
Applicant	Rikirangi Gage – CEO, Te Rūnanga O Te Whānau
Whether aquaculture decision will be required under Schedule 12 of the FTA Bill	This is an application for a marine farm within the Territorial Sea so will require an aquaculture decision under Schedule 12 of the FTA Bill.
Other authorisations that may be required from MPI	n/a
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. Should this application be consented over an area that has not previously be subject to a resource consent for aquaculture, it could generate a settlement obligation in the Bay of Plenty region (under the Māori Commercial Aquaculture Claims Settlement Act) that is representative of 20% of the newly consented space.
Fisheries settlement considerations	s 9(2)(g)(i), s 9(2)(j)

	s 9(2)(g)(i), s 9(2)(j) The Fast Track Bill has a provision that where CMT has been granted, proposals are ineligible for the fast track consents process. MPI has provided advice to MfE that proposals which impinge on areas where fisheries regulations have or will be made that provide for tangata whenua to manage particular areas through reserves or bylaws and that give effect to s10 of TOWFCS, those proposals should be subject to the same protections as customary marine rights areas (where activity must not have a more than minor effect on the exercise of rights, without permission from the relevant rights holders). This advice has yet to be considered or incorporated into the Fast Track Bill.
Impacts of a project on Māori development and PSGE priorities	The application is on behalf of Te Rūnanga O Te Whānau who have a strong focus on developing aquaculture within Te Moana a Toi/the Bay of Plenty. This application is one of a package of applications for aquaculture developments made by Te Rūnanga O Te Whānau to the listed projects process within their rohe. There are other iwi led marine farms in the region – we are aware of other applications by Te Whānau-ā-Apanui and Whakatōhea under the listed projects process. MPI also makes an overarching comment on the applications for aquaculture activities in the coastal marine area: some of the applications have applied for a large quantum of space (noting some applications do not provide sufficient detail to calculate spatial extent). The total area currently consented for aquaculture activities in New Zealand is approximately 14,000 ha.

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.