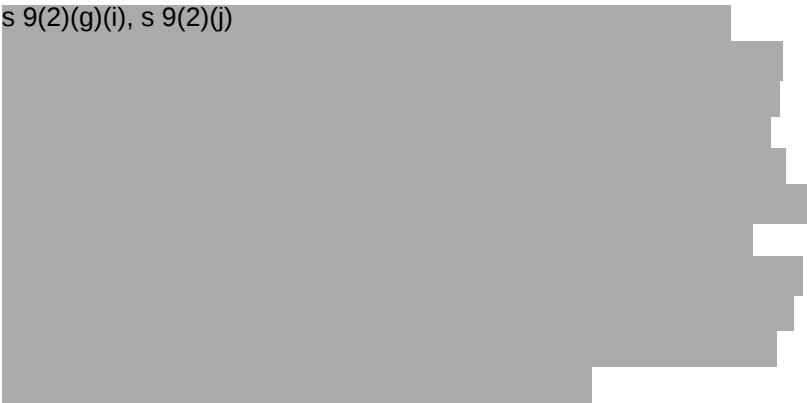


MPI advice on Fast-track Listed Project Application

Application name	Te Huata Sea Farms – Farm B
Application number	FTA#27
Applicant	Rikirangi Gage (CEO - Te Rununga o te Whanau)
Whether aquaculture decision will be required under Schedule 12 of the FTA Bill	This is an application for a marine farm within both the Territorial Sea and the exclusive economic zone (EEZ). The part of the application within the Territorial Sea will require an aquaculture decision under Schedule 12 of the FTA Bill. The part of the application within the EEZ will not require an aquaculture decision, however fishers will have an opportunity to provide comments on an application as an existing interest under the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 (EEZ Act).
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. The part of this application within the Territorial Sea would generate a Crown obligation in the Bay of Plenty region under the Māori Commercial Aquaculture Claims Settlement Act that is representative of 20% of the consented space. Part of this application is within the EEZ. The Māori Commercial Aquaculture Claims Settlement Act does not link with the EEZ Act so will not generate a settlement obligation under that legislation. However, in previous engagement Iwi have raised a strong view that they have rights and interests that need to be recognised and upheld if development occurs in the EEZ.
Fisheries settlement considerations	s 9(2)(g)(i), s 9(2)(j) 

	s 9(2)(g)(i), s 9(2)(j) [Redacted] The Fast Track Bill has a provision that where customary marine title (CMT) has been granted, proposals are ineligible for the fast track consents process without the agreement of the CMT holder. 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 s 10 of TOWFCS, those proposals should be subject to the same protections as CMT 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 Runanga O Te Whanau who have a strong focus on developing aquaculture within Te Moana a Toi/the Bay of Plenty. There are other iwi led marine farms in the region – we are aware of Te Whanau-a-Apanui's 10,000ha Te Huata mussel farm application currently being processed by the Bay of Plenty Regional Council. s 9(2)(g)(i), s 9(2)(j) [Redacted]

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.