


MPI advice on Fast-track Listed Project Application

Application name	Te Whānau-ā-Apanui Sea Farms
Application number	FTA078
Applicant	Rikirangi Gage, Negotiator for Te Whānau-ā-Apanui Treaty Settlement / 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 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	<p>s 9(2)(j)</p> <p>[Redacted]</p> <p>The application is located within an aquaculture settlement area established under section 12 of the Māori Commercial Aquaculture Claims Settlement Act 2004.¹ Authorisations within this aquaculture settlement area have not yet been issued. As such, this would mean the application is ineligible under clause 18(e) of the Fast-track Approvals Bill.</p> <p>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.</p>
Fisheries settlement considerations	<p>s 9(2)(g)(i), s 9(2)(j)</p> <p>[Redacted]</p>

¹s 9(2)(g)(i), s 9(2)(j)

[Redacted]

	<p>s 9(2)(g)(i), s 9(2)(j)</p>  <p>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.</p> <p>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 customary marine rights (where the activity must not have a more than minor adverse effect on the exercise of rights, without permission from the rights holder). This advice has yet to be considered or incorporated into the Fast Track Bill.</p>
Impacts of a project on Māori development and PSGE priorities	<p>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.</p> <p>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.</p>

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.