

MPI advice on Fast-track Listed Project Application

Application name	Whakatōhea Aquaculture Farm
Application number	FTA#29
Applicant	Whakatōhea Māori Trust Board
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 includes space located within areas reserved for aquaculture within the Whakatōhea Deed of Settlement (refer to paragraphs 6.13 onwards the deed of settlement, and clauses 156 onwards in the Whakatōhea Claims Settlement Bill). As the application is by the Whakatōhea Māori Trust Board it would not trigger the ineligibility criterion under clause 18(e) of the Fast-track Approvals Bill. 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	The applicant and two adjacent iwi, Ngāi Tai and Ngāti Awa have concluded treaty settlements with the Crown. While there are no fisheries settlement implications with the application, the historic Treaty settlements with these iwi provide that the governance entities for each of the iwi will be consulted where policy or regulatory change may affect the iwi area of interest. While the applicant is a company owned by the iwi, the obligations to the iwi governance entity remains.
Impacts of a project on Māori development and PSGE priorities	The application is by Whakatōhea Māori Trust Board who have a strong focus on developing aquaculture within Te Moana a Toi/the Bay of Plenty (and already operate another marine farm which is identified in the map accompanying the application).

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.