

Response ID ANON-URZ4-5F8K-K

Submitted to Fast-track approval applications  
Submitted on 2024-05-01 16:02:21

Submitter details

Is this application for section 2a or 2b?

2A

1 Submitter name

Individual or organisation name:  
Kahukuraariki Trust

2 Contact person

Contact person name:  
Geraldine Baker

3 What is your job title

Job title:  
General Manager

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:  
PO Box 788, Kerikeri 0295

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:

The farms are found within the following coordinates within the Whangaroa Harbour

Waitepipi Bay Farm. Area contained within  
-35.0016544 173.7335447  
-35.00233394 173.7333257  
-35.00200879 173.7318487

-35.00133561 173.7320829

Te Komanga Farm. Area contained within

-35.00512409 173.7300556

-35.00433439 173.7302415

-35.00479758 173.733052

-35.00559894 173.7328408

Kowhairoa Farm. Area contained within

-35.00288137 173.7377696

-35.00359621 173.7375334

-35.00299666 173.7347222

-35.00229 173.7349468

Refer to Appendix 1 attached.

File upload:

Appendix 1 - Relevant Maps.docx was uploaded

Upload file here:

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

No

upload file:

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Who are the registered legal land owner(s)?

Please write your answer here:

The development site is located in the CMA

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:

The location of the project is within the CMA.

Kahukuraariki Trust have a cultural relationship with this part of the CMA which is located next to the Kowhairoa Peninsula.

## Section 2: Project details

What is the project name?

Please write your answer here:

Whangaroa Native Rock Oyster Project

What is the project summary?

Please write your answer here:

At its height in the early 1860s native rock oysters were the most lucrative trade under the control of Māori.

Kahukuraariki Trust's vision is to develop a new aquaculture industry based around the native rock oyster focussed in the Whangaroa Harbour and the harbours of the north where it is endemic using the latest technology in oyster culture.

The development of the three farming sites in this application will form the foundation of these novel farming efforts.

The project will provide for cultural and customary benefits for the Trust and economic benefits regionally and nationally.

What are the project details?

Please write your answer here:

The applicant proposes to construct and operate a coastal marine farm for shellfish production. A location map is provided in Appendix 1.

The approach is not a traditional rack and rail system, instead floating culture methods will be utilised i.e. seafloor anchor points only at either end of a backbone line with suitable floatation and culture media and/or vessels along the length. Moorings for non-powered vessels will also be required within

the allocated sites.

Ancillary activities required to support the project, such as manufacturing and assembling oyster production equipment do not form part of the scope of this project and will be undertaken by suppliers at a later date.

The project site covers a total of 5.82 hectares located within the Whangaroa Harbour as detailed on the attached maps in Appendix 1.

Three separate marine farms are proposed within the project site. The farms consist of three separate sites within the north-western arm of the Whangaroa Harbour as shown on Appendix 1.

Site 1 in Waitepipi Bay is 1.12 ha, Te Komanga 2.41 ha and Kowhairoa 2.22 ha in size [5.82ha Total].

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

Please write your answer here:

One farm site will be developed at a time, based on staged approach to match the supply and availability of spat (juvenile oysters).

Development of the first site will commence within 6 months of final fast track approval to proceed with the activity.

The Waitepipi Bay site (Blue) will be developed first, followed by Te Komanga (Green), and Kowhairoa (Purple).

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

Please write your answer here:

Approvals are sought as follows [in accordance with Part 2 Section 10 of the Fast Track Approvals Bill]:

- (a) A resource consent under the Resource Management Act 1991;
- (b) A coastal permit under the Resource Management Act 1991; and
- (c) Authorisations associated with aquaculture activities to be undertaken in the coastal marine area and requires decisions under Part 9A of the Fisheries Act 1996.

The resource consents / coastal permits specifically relate to the following matters:

- Erection or placement of the structures in, on, under or over any foreshore or seabed, any incidental disturbance of the foreshore or seabed, and any incidental deposition of substances onto the foreshore or seabed (s12(1) of the Resource Management Act 1991).
- Occupation of the common marine and coastal area with aquaculture activities (s12(2) Resource Management Act 1991).
- Discharge of contaminants (including feed) or water to water associated with the aquaculture activities (s15(1) Resource Management Act 1991).
- Aquaculture decision request – s 114(4)(c)(ii) of the Resource Management Act 1991.

A decision under Part 9A of the Fisheries Act 1996 is also required.

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

Please write your answer here:

Far North District Council and Northland Regional Council

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

Please write your answer here:

Nil

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

No

Please explain your answer here:

No other approvals are required.

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

Please write your answer here:

Activities will begin within 6 months of fast track approval to proceed [detailed design, procurement, funding] and construction completed within 3 years.

### Section 3: Consultation

Who are the persons affected by the project?

Please write your answer here:

Please provide a list of persons likely to be affected by the project, including:

- Relevant local authorities

Far North District Council, Northland Regional Council

- Relevant iwi authorities

Te Runanga o Whaingaroa, Ngati Kahu ki Whaingaroa

- Relevant Treaty settlement entities

Te Runanga o Whaingaroa, Ngati Kahu ki Whaingaroa

- Protected customary rights groups

Nil

- Customary marine title groups

Nil

- Applicant groups under the Marine and Coastal (Takutai Moana) Act 2011

Please refer to the full list in Appendix 2.

- Ngā hapū o Ngā Poroua

Nil

- Any person with a registered interest in land that may need to be acquired under the Public Works Act 1981

Nil

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:

Please refer to Appendix 2 which outlines all applicant groups under the Marine and Coastal (Takutai Moana) Act 2011.

Appendix 3 also contains an assessment of all consultation and engagement for the project.

Upload file here:

Appendix 2 & 3.pdf was uploaded

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:

Nil required.

#### Section 4: Iwi authorities and Treaty settlements

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

Please write your answer here:

Ngatikahu ki Whangaroa Claims Settlement Act 2017

For summary refer to Appendix 4 attached

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?

No

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 Whangaroa harbour in general, is the subject of multiple claims under the Takutai Moana Act 2011 for customary title. These claims have yet to be heard and/or confirmed in a legal forum.

Our Iwi has one such claim on behalf of all hapu we represent within our rohe (which includes the area being proposed in the Whangaroa Harbour).

See response to Section 7, number 7.

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

No

If yes, please explain:

No assessment undertaken because there are no known protected customary rights in the project area.

Upload your assessment if necessary:

Appendix 4 - Ngatikahu-ki-Whangaroa-Settlement-Summary-18-Dec-15.pdf was uploaded

## Section 5: Adverse effects

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

Please describe:

Please see Appendix 5 for a summary of the anticipated and known adverse effects associated with the project

Upload file:

Appendix 5 - Potential Effects.docx was uploaded

## 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:

Please see assessment in Appendix 6.

File upload:

Appendix 6 - Assessment of Higher Order Documents.docx was uploaded

## 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:

As outlined earlier and in appendices the proposal is currently Prohibited under the Proposed Northland Regional Plan. The project only has this legislation to rely upon for it to ever get off the ground.

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

Please write your answer here:

Nil impacts known.

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

Other

Please explain your answer here:

The project hasn't been specifically identified as a priority project in central or local government strategy or plans however the Governments Aquaculture Strategy [2019] outlines a need to achieve industry value of \$3B by 2035.

New species opportunities are expected to make a considerable contribution to achieving this goal, no other species is as well placed as the rock oyster for commercialisation.

The Strategy has four pou: Sustainability, Productivity, Resilience, Inclusiveness – all of which align with the potential of the rock oyster.

As filter feeders, oysters clean the water column. We expect market value to be in the order of 3 times that of Pacific oysters and order of magnitude more than greenshell mussels and the culture system we will deploy can reduce the production cycle by 50% and is far more robust.

These leases will form the foundation for this new industry which will be based on a collaborative/collective model ensuring maximum uptake in the regions particularly for Māori which means it also aligns with NZCPS 2016.

In 2022, the Government invested \$250,000 into restoring rock oyster aquaculture in Te Tai Tokerau [refer Aquaculture Strategy – 2023 Implementation Plan]. This investment would be wasted if the proposal was not fast tracked.

The Northland Economic Action Plan notes aquaculture as a key industry for Northland and various reports and actions have been undertaken to support aquaculture overall.

Will the project deliver regionally or nationally significant infrastructure?

Regional significant infrastructure

Please explain your answer here:

The aquaculture infrastructure proposed will be of regional significance if approved.

Will the project:

Please explain your answer here:

No

Will the project deliver significant economic benefits?

Yes

Please explain your answer here:

Yes

Please explain:

Based on high level models from our previous research we have determined that rock oysters could generate 4-13x the revenue per hectare of Pacific oysters and greenshell mussels.

If 5% of the 700ha of oyster farms in Taitokerau alone were converted to rock oyster farms it would generate over \$60M in revenue per year.

This aligns with the Aquaculture Strategy which indicates the need to increase industry production value by making better use of current water space (t+\$850M) and through developing new species opportunities (+\$500M).

An additional 150 jobs in farming would be delivered from this space alone with 50 jobs in adjacent supply chain industries and many more in support industries.

These new jobs are created due to the higher value, greater margin oysters produced using the AMS system, utilising higher-skilled additional total FTE's per unit area. On a national scale, if 5% of shellfish farms were producing rock oysters we could see upwards of \$500M in revenue, and over one thousand jobs created.

Will the project support primary industries, including aquaculture?

Yes

Please explain your answer here:

Yes

Please explain:

One of the key supply chain opportunities that will be a direct result of farming the proposed locations will be the development of a hatchery to produce spat to seed onto these farms. This hatchery will also ensure supply of other shellfish species to the wider local aquaculture industry.

As far as we are aware, the proposed area is not within an aquaculture settlement area under section 12 of the MCACS Act 2004, or an area identified within an individual settlement reserved for aquaculture activities.

The MCACS Act 2004 has yet to be settled/finalised with Iwi in Taitokerau.

The lift in productivity and prosperity that a rock oyster industry can provide will be focussed in what are often remote, low productivity coastal communities with high proportions of Māori.

These areas have diminishing opportunities and given their coastal nature, are becoming more untenable to live in due to rising prices and property values matched with low employment opportunities.

The jobs created and current aquaculture jobs converted will turn low-value, low-skill labour jobs into meaningful, lucrative and sustainable employment that delivers skills and creates new capability to support further Blue Economy initiatives.

The rock oyster provides new opportunities for harbours/regions/iwi to develop their own trait identities in new high-value products, supporting brand development, providing genuine product provenance, and local tourism and hospitality opportunities. This is achieved through customisable equipment leading to unique shapes, through “mer-roir” and the utilisation of appropriate broodstock for a given harbour.

This form of aquaculture is the most sustainable form of food production with the highest profit margins per unit of productivity.

This is one of the largest new inter-tribal initiatives to be undertaken in Te Taitokerau, with the potential to knit together a range of iwi large and small behind a common economic objective. This project will provide the cooperative that forms with the technological tools to protect its first-mover advantage and provide a sound IP foundation to the venture. It thereby allows the iwi of the north to reassert their mana over the Native Rock Oyster, and a trade that was taken from them in the 1860s.

Will the project support development of natural resources, including minerals and petroleum?

No

Please explain your answer here:

Proposal does not include this aspect.

Will the project support climate change mitigation, including the reduction or removal of greenhouse gas emissions?

No

Please explain your answer here:

Proposal does not include these aspects.

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

Yes

Please explain your answer here:

The project seeks to establish a native rock oyster trade. This species is more resistant to climate change, promotes a more resilient working environment for people, is more resilient to natural hazards through the farming system proposed, reduces biosecurity and disease issues, and increases supply of spat.

Furthermore, it is a readily applicable and highly amenable species and farming system to other spaces where spat supply and marine environments are no longer suitable to current species such as the Coromandel with greenshell mussels.

Will the project address significant environmental issues?

No

Please explain your answer here:

Whilst the project will not address significant environmental issues, it will perform better under natural hazard events and includes operational processes that create less effects than traditional processes on the environment.

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

No

Please explain your answer here:

The project is consistent with the overarching goals of government to increase aquaculture in the Northland Region, however specifically, the proposal would be considered a prohibited activity under the Proposed Northland Regional Plan.

The Whangaroa Harbour is within an Aquaculture Exclusion Area which comes from Plan Change 4 to the Regional Coastal Plan [made operative on 9 May 2016]. In the Council s32 Report for the Proposed Regional Plan it is noted that [in relation to Plan Change 4]:

Notably, the aquaculture industry was not well represented through the appeals process on Plan Change 4. Sanfords and Aotearoa Fisheries Ltd were involved in the initial Environment Court mediations but subsequently pulled out. The only pro-aquaculture parties involved in the court hearings were a

couple of iwi and hapu groups. This meant the Environment Court was not presented with as much evidence from the aquaculture industry's perspective as it may have otherwise received, which may have influenced the final outcome.

From our perspective, the burden of being involved in the litigious process led to overall fatigue and hence the recreational groups involved in the process achieved their desired goals.

Despite the prohibited status for new aquaculture in the Whangaroa Harbour, there are benefits of such an activity and the Fast Track Process can help assist in promoting these benefits for Northland.

Anything else?

Please write your answer here:

The area proposed for development is not only suitable from an aquaculture perspective but is culturally important to Kahukuraariki being in close proximity to the Kowhairoa Peninsula.

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

No

If yes, please explain:

## Section 8: Climate change and natural hazards

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

Yes

If yes, please explain:

The location of the proposal is within the CMA. The project will consider climate change and natural hazards as part of technical reporting.

## 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:

Nil

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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:

Geraldine Baker

Important notes