



MFE BRF-3095
DOC 23-B-0235

The New Zealand Institute for Plant and Food Research Limited
c/- Richard Peterson
Stantec New Zealand
s 9(2)(a)

Dear Richard Peterson

COVID-19 Recovery (Fast-Track Consenting) Act 2020 - Notice of Decisions (Section 25) – Reimagining Aquaculture – Trials of Novel Aquaculture Structures Project

Thank you for The New Zealand Institute for Plant and Food Research Limited's application under section 20 of the COVID-19 Recovery (Fast-track Consenting) Act 2020 (FTCA) seeking referral of the Reimagining Aquaculture – Trials of Novel Aquaculture Structures project to an expert consenting panel (a panel) for consideration under the FTCA. I am writing to you on behalf of both myself and Hon Willow-Jean Prime, Minister of Conservation, as the project is fully within the Coastal Marine Area (CMA).

The project is to install structures for open-ocean finfish aquaculture and conduct trials involving fish contained within those structures at several locations within the boundary of a consented 450-hectare marine farm operated by Wakatū Incorporation and located in Tasman Bay, approximately 6 kilometres to the west of Sauvage Point, D'Urville Island. Each set of structures will temporarily occupy an area of approximately 3.6 hectares, and only one set of structures will be installed at any one time.

The purpose of the FTCA is to promote employment to support New Zealand's recovery from the economic and social impacts of COVID-19 and to support the certainty of ongoing investment across New Zealand, while continuing to promote the sustainable management of natural and physical resources.

We can only refer the project to a panel for consideration under the FTCA if it meets the referral criteria in section 18 of the FTCA, which includes our being satisfied the project will help achieve the FTCA's purpose.

We have decided the project meets the referral criteria in section 18 of the FTCA and we consider it will help to achieve the FTCA's purpose as it has the potential to:

1. provide approximately 42 direct full-time equivalent (FTE) jobs over a 5-year period and support retention of 60 existing FTE jobs

2. contribute to aquaculture production that is climate change resilient through innovative technology
3. progress faster than would otherwise be the case under standard Resource Management Act 1991 process.

Any actual and potential effects arising from the project, together with any measures to avoid, remedy, mitigate, offset or compensate for adverse effects, could be tested by a panel against Part 2 of the Resource Management Act 1991 and the purpose of the FTCA (section 4 and clause 31 Schedule 6).

Accordingly, we have decided to accept your application for referral under section 24(2) of the FTCA and refer all of the project to a panel.

Persons or groups a panel must invite comments from

In accordance with section 24(2)(e) of the FTCA, we have also decided that a panel must invite comments on any resource consent application for the project lodged with the EPA from the persons or groups, additional to those specified in clause 17 Schedule 6 of the FTCA, who are listed in Appendix A of this letter.

This will allow those parties the opportunity to have input into the consideration of the application and enable a panel to better understand the potential effects of the proposal.

These directions do not preclude a panel from inviting any other parties to comment on any application lodged with the EPA under the FTCA.

We will progress an Order in Council through the Executive Council for the project. The wording of the referral order may vary slightly from the statements and directions included in this letter, due to legal drafting requirements.

Once this Order is made you will be able to lodge your applications for resource consent with the EPA for a decision by a panel. The decision to approve or decline the resource consents is a matter for the panel appointed by the Panel Convener Judge L J Newhook. You should not take our decision to refer the project as an indication or direction that the determination of those approvals will be successful. Additionally, our decision does not in any way endorse any related planning decisions that may affect the project.

Please do not publicly release our decision or this notice until the Order in Council for this project has been approved by Cabinet and notified in the New Zealand Gazette.

The FTCA requires that:

1. We provide a copy of our decisions to the persons, entities and groups specified in section 25(1) and (2) of the FTCA
2. Our decisions, the reasons for them, and the Section 17 Report will be published on the Ministry for the Environment's website in accordance with section 25(3) of the FTCA.

In addition, we have also decided to provide a copy of this decision to the following parties who are additional to those specified in the FTCA:

1. Fisheries New Zealand
2. Biosecurity New Zealand
3. Wakatū Incorporation
4. Te Tau Ihu Fisheries Forum
5. Ngāti Toa Rangatira ki Wairau Trust
6. Takutai Moana applicants (applicants seeking customary marine title or protected customary rights under the Marine and Coastal Area (Takutai Moana) Act 2011, listed in Attachment 4 of the Section 17 Report).

Please contact the Fast-track Consenting Team at the Ministry for the Environment (fasttrackconsenting@mfe.govt.nz) if you have any questions or wish to discuss this decision.

Yours sincerely



Hon David Parker
Minister for the Environment

cc Relevant Ministers of/for portfolios specified in section 21(6)(a)-(m) FTCA:

Arts, Culture, and Heritage; Māori Crown Relations: Te Arawhiti; Housing; Infrastructure; Education; Transport; Land Information; Defence; Treaty of Waitangi Negotiations; Local Government; Conservation; Oceans and Fisheries; and Climate Change

Additional relevant Minister:

Minister for Oceans and Fisheries

Local authority:

Marlborough District Council

Other parties:

Marlborough Harbourmaster
Fisheries New Zealand
Biosecurity New Zealand
Wakatū Incorporation
Te Tau Ihu Fisheries Forum
Ngāti Toa Rangatira ki Wairau Trust
Takutai Moana applicants (applicants seeking customary marine title or protected customary rights under the Marine and Coastal Area (Takutai Moana) Act 2011, listed in Attachment 4 of the Section 17 Report)

Relevant iwi authorities:

Te Rūnanga o Toa Rangatira Incorporated
Ngāti Apa ki Te Rā Tō Charitable Trust
Te Rūnanga o Ngāti Kuia Trust
Rangitāne o Wairau Settlement Trust
Te Pātaka a Ngāti Kōata
Ngāti Rārua Settlement Trust
Te Atiawa o Te Waka-a-Māui Trust
Ngāti Tama ki Te Waipounamu Trust

Relevant Treaty settlement entities:

Te Rūnanga o Toa Rangatira Incorporated
Toa Rangatira Trust
Ngāti Apa ki Te Rā Tō Charitable Trust
Ngāti Apa ki Te Rā Tō Post-Settlement Trust
Te Rūnanga o Ngāti Kuia Trust
Rangitāne o Wairau Settlement Trust
Te Rūnanga a Rangitāne o Wairau Trust
Te Pātaka a Ngāti Kōata
Ngāti Kōata Trust
Ngāti Rārua Settlement Trust
Ngāti Rārua Iwi Trust
Te Atiawa o Te Waka-a-Māui Trust
Ngāti Tama ki Te Waipounamu Trust
Te Ohu Kai Moana Trustee Limited
Takutai Trust

Environmental Protection Authority

The Panel Convener

Appendix A – Requirements specific to application lodged by The New Zealand Institute for Plant and Food Research Limited for Reimagining Aquaculture – Trials of Novel Aquaculture Structures Project

Persons or groups a panel must invite comments from

In accordance with section 24(2)(e) of the FTCA, we have also decided that a panel must invite comments on any consent application for the project from the following additional persons or groups:

- Minister for Oceans and Fisheries
- Marlborough Harbourmaster
- Fisheries New Zealand
- Biosecurity New Zealand
- Wakatū Incorporation
- Te Tau Ihu Fisheries Forum
- Ngāti Toa Rangatira ki Wairau Trust.