

27 March 2015

Consent Applicant: Pakihi Marine Farms Limited.
Applicant's Agent: HRMLtd., attn. Tom Hollings
PO Box 104016, Auckland 0654.
Phone; 09 378 7001 & 027 495 3957
Email; tom@hrm.co.nz

Chris Miles
Senior Planner
For Coastal Consents Manager
Auckland Council
Private Bag 92 300
Auckland 1142

Dear Chris

Application in Summary

1.0 Introduction

This Application is for a 1.9186 ha coastal permit for Spat Catching with structures as per a standard Mussel farm. The Applicant is Pakihi Marine Farms Limited (PMF). PMF is generally better known under the Brand name for its products, which is Clevedon Coast Oysters.

The proposed ~ 1.92 hectare Aquaculture Site is located nearly adjacent to the existing 'parent' marine farm Coastal Permit Number 31 662 (former Lease Number 87) and the location is SW Awaawaroa Bay, SE Waiheke island. The location is as per the attached diagram. The existing 'parent' farm site has been farmed much as now since prior to the commencement of the RMA in 1991, indeed since ~ 1983.

The consent as sought will have valuable socio-economic benefits in the Clevedon/Kawakawa Bay locality and no more than minor effects ecologically. It will avoid, remedy and/or mitigate any adverse effects on the environment including by the way it is proposed to be located, including by effectively being a small extension to an existing farm.

The Auckland Council contact for this application to date is Chris Miles, Senior Planner, for Coastal Consents Manager, phone 09 372 5902 (Waiheke office).

This application has been prepared and lodged by HRM on behalf of the Applicant. All relevant information is supplied. There is a paper copy attached of all documents plus a digital copy.

If there are any queries on this please call Tom Hollings in the first instance.

2.0 Structures

2.1 Orientation, Current & Proposed

There are now 8 long-lines in the locality, occupying an area of ~ 3 ha (~ 130m E to W and ~ 240m N to S). This spat application is located over both the eastern (56m) half of this and also further and contiguously 25m to the east, from the east-most long-line of the currently used site so in-total would be ~ 81m by ~ 240m and would occupy ~ 1.92 ha.

There will be further deployment within this part that is 25m to the east, to best use the space, with 2 or 3 (no more than 3) new or relocated longlines, making 7 at most in total. All long-lines will be of standard double backbone 'Mussel long-lines', orientated ~ parallel to lines of the 'parent' consent block, ie north to south. The Aquaculture (spat-catching) site sought would use conventional NZ mussel long-line surface structures, primarily with dropper catching ropes and some with "French collectors" (ceramic tiles) or other catching surfaces, and also possibly some catching surfaces within cages or trays, for the purpose of spat-catching of primarily NZ Greenshell (& some Blue) Mussels, NZ Oysters (Dredge, Pacific & Rock) and NZ Scallops.

2.2 Lighting, Current & Proposed

The navigation lights marking the 3 seaward-most corners of the existing longline farm at the locality have a range of no less than 1 nautical mile. The intention is to simply relocate the lights on the current NE, SE and SW corners of the block, to the new NE, SE and SW corners as per

this application. However the applicant would be pleased to address new/upgraded lighting, such as may be recommended by the Harbourmaster, and which could enhance night-time navigation in the locality.

3.0 Activity

3.1 Spat Catching

The MFish definitions for Shellfish Spat are each less than;

37mm for Pacific Oyster
40mm for Dredge Oyster
40mm for Greenshell Mussel
30mm for Blue Mussel
50mm for Scallop
20mm for Cockle
20mm for Kina.

Spat is increasingly at a premium across NZ's Shellfish farming/fishing industries. Oyster Spat is particularly scarce since the JOM (Juvenile Oyster Mortality) Virus in 2010 but also Greenshell Mussel spat and Scallop spat have been in scarcity in recent years. Animals will not be on site above these sizes and appropriate measures will be applied to conform with the strictures and requirements for spat catching and against marine farming.

Marine farming and applications for that are presently a Prohibited activity in most of the western Hauraki Gulf under a Transitional RMA Rule since 1991 and before that back to 1984. However Spat catching is a limited Discretionary status activity.

4.0 Effects

4.1 Summary of Effects

The key points of this proposed application are:

- The application is made in respect of an area that is alongside and immediately seaward of existing aquaculture coastal permit number 31 662. Effectively, the application area covers an area that is an extension to an existing consented marine farm.
- The application is for 1.92ha of spat catching, proposed to be for a period of 35 years.
- The activity is classified as a restricted discretionary activity, but also is within the outer part of an area extending to 200m offshore, that the PAUP proposes as an area of "Outstanding Natural Character"
- The application area is otherwise consistent with the relevant policy directives and meets the relevant criteria of the planning documents discussed above.
- Based on the scientific information already collected, the ecological effects of undertaking spat catching at the site are assessed to be no more than minor ie acceptable.
- Any other adverse environmental effects from this Spat site as sought are considered to be no more than minor and acceptable.
- The application reflects the efficient use (small < 2ha of surface and with more subsurface use) of the area
- The application will positively provide for the local aquaculture industry's further contribution, with resultant positive effects on the economic and social wellbeing of the local communities.

4.2 Avoid / Remedy / Mitigate re Effects

In terms of socio-economic benefits, this application represents a very important component of the Oyster production operations under the Clevedon Coast Oysters (CCO) Brand and that directly supports some 35 fulltime jobs in the Clevedon area. The business also brings in income and business expenditure to the area and produces quality health-promoting seafood and has export benefits. Granting the consent will have positive socioeconomic effects.

Pakihi Marine Farms Limited has provided independent assessment information for this application to show that any adverse ecological effects of this proposal would be no more than minor, and which also shows that the existing marine farming in the area has ecological effects which if adverse are no more than minor.

Under the Operative Coastal Plan the area of the headland to the west of this application (and the whole shoreline on the west of Awaawaroa Bay) is an area of a "Regionally Significant Landscape" but is not an "Outstanding Landscape". The headland was a Maori pa site but has had stock grazing it over the years and currently is in regenerating grass/brush/scrub. The eastern shoreline has a derelict wharf structure and seawall, inshore of the existing marine farm.

The PAUP proposes that the headland to the west (and around it to ~ 200m offshore) of this application, and some of the headland behind it, is proposed as an area of "Outstanding Natural Landscape". There may also be "legacy planning" issues re the Natural Character classification of the area.

This application is for a site that is ~ 130m to 210m offshore. CCO is seeking by submission to the PAUP that this classification in the PAUP be amended, so that there is relief for the area of this application to;

- Not label just this 1.92ha application area as an Outstanding ... Area, and
- Label this < 2ha area as a Controlled or Discretionary Marine Farm zone.

If this consent application is granted, and if in time the applicant secures a full marine farm consent, the applicant is willing to consider the surrender both of;

- its ½ share of the approved marine farm consent #31 662 of 0.7931 ha to the west, near the headland
- all of its ex-Lease #7 of 1.63 ha in SE Anzac Bay which is in the eastern end of Putiki Bay
- This is a total area of 2.03ha.
- Plus remove and/or encourage removal of other adjacent structures.

5.0 Consultation

5.1 Consultation Overview

Iwi consultation has been carried out on this application, including because of the important PAUP provisions.

No general/public consultation has been directly undertaken however when the ARC Notified a Proposed AMA for this area in October 2002 (as shown on the Appendix 2 map), and when they consulted on that, no submissions whatsoever (of the many ARC received re other provisions) opposed a proposed ~2ha AMA in the locality of this application site, as is now sought.

5.2 Iwi Consultation

Based on the requirements of the Proposed Auckland Unitary Plan (PAUP) eg section G 2.7.4, the applicant wrote (sent fast-post on Tuesday 24 February 2015) to 7 Iwi to ask;

- whether this proposal will have adverse effects on your Iwi's values
- whether a Cultural Impact Assessment (CIA) may be required.

The 7 Iwi consulted, based on Auckland Council advice, were;

- Ngai Ta Ki Tamaki
- Ngati Te Ata Waiohua
- Ngati Paoa
- Ngati Maru
- Ngati Whanaunga
- Ngati Tamatera
- Te Patukirikiri

Iwi responses were sought by 13 March 2015, a period of more than 10 working days. The Iwi were sent a summary of the application including a survey diagram and a survey photo-diagram of the proposed application site. The information sent included the offer to supply further information on request, eg a full Draft copy of the AEE. Iwi were requested to respond to either Callum McCallum, CEO of PMF & CCO, for the Applicant, or Tom Hollings, Applicant's Agent.

5.3 Iwi Responses

As noted, Iwi's comments or advice or other views about this proposed application, were sought by PMF/CCO by 13 March 2015. The PAUP provisions re the importance of Iwi consultation were pointed out.

By the 13 March (indeed by 25 March 2015) responses had been received from two of the 7 Iwi. The response of Ngati Maru, from Nikky Fisher for Ngati Maru, seeks to meet and with a view to producing a CIA. The response for Ngati Tamatera does not seek a CIA but supports the request by Ngati Maru.

The applicant at the time of this application is seeking a meeting with Ngati Maru and to discuss the CIA issue. It is possible that a CIA re < 1.92ha the CIA would be relatively simple but that is yet to be determined.

The applicant perceives that due to nil responses from the other 5 Iwi, that this proposal will not have adverse effects on those Iwi's values and that a Cultural Impact Assessment (CIA) is not required.

6.0 In Summary

This Application is for a 1.92ha coastal permit for Spat Catching with structures as per a standard Mussel farm, adjacent to Farm Coastal Permit Number 31 662 (former Lease Number 87) and the location is outer SW Awaawaroa Bay, Waiheke Island.

The Applicant is Pakihi Marine Farms Limited. The consent as sought will have considerable benefits and has associated measures to avoid, remedy and mitigate its no more than minor adverse effects on the environment. Iwi have been consulted.

The Contact person, ie the Applicant's Agent, re correspondence on this application, is;
Tom Hollings, Hollings Resource Management
PO Box 104016, Auckland 0654.
Phone; 09 378 7001 & 027 495 3957 Email; tom@hrm.co.nz

The Consent Applicant is; Pakihi Marine Farms Limited
Attention; Callum McCallum, CEO, Pakihi Marine Farms Limited (& Clevedon Coast Oysters).
Mobile 021 786 113. Mail is c/- Clevedon Coast Oysters, 914 Clevedon Kawakawa Bay Road, RD 5, Papakura, Auckland. Email callum@clevedonoysters.co.nz

I hereby certify that, to the best of my knowledge and belief, the information given in this application is true and correct. I/we also undertake to pay all actual and reasonable costs incurred by Auckland Council in the processing of the applicant's applications.

Date:

27 March 2015

Signature of Applicant's Agent:

Tom Hollings

Tom Hollings, Hollings Resource Management, Applicant's Agent.
PO Box 104016, Auckland 0654.
Phone; 09 378 7001 & 027 495 3957
Email; tom@hrm.co.nz

List of Appendices to this Application Summary and AEE Report;

1. (A) Survey Plan of the Proposed Aquaculture Site
- 1 (B) Survey Plan of the Proposed Aquaculture Site, with annotations re PAUP's proposed ONL
- 2 Survey Plan of 4 Site Options from Plans
- 3 Diagram of the SW Awaawaroa Bay site, from the PAUP, with zone/s and overlays
- 4 Structures Diagram
- 5 AEE Report re Ecology (by Coast and Catchments)
- 6 Auckland Council Form A
- 7 Auckland Council Checklist 17
- 8 Copy of Applicant's Iwi Consultation Document
- 9 Responses from Iwi to the Consultation Document, including re the need for a CIA
- 10 Payment of \$3,500 deposit to Auckland Council as Application Fee
- 11 3 copies in total of every document (one for MPI re Fisheries)
- 12 1 Memory Stick, with above