

# APPLICATION FORM FOR RESOURCE CONSENT

**NORTHLAND  
REGIONAL  
COUNCIL**



Putting Northland first

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**This application is made under Section 88/127  
of the Resource Management Act 1991**

**To: Consents Department  
Northland Regional Council  
Private Bag 9021  
Whāngārei Mail Centre  
Whāngārei 0148**

## IMPORTANT NOTES TO APPLICANTS

- Please read fully** the notes below and the Information Brochures and Explanatory Notes available from the Council, **before** preparing your application and any supporting information.
- The Resource Management Act 1991 sets out the information you must provide with your application for a resource consent. If you do not provide adequate information, your application cannot be received nor processed by the Council and will be returned to you. If you are unsure of what information should be included with your application, please contact the Council before submitting the application.
- Applications require notification (public advertising calling for submissions) unless the Council is satisfied that the adverse effects on the environment of the activity for which consent is sought will be minor, and written approval has been obtained from every person who the Council is satisfied may be adversely affected by the granting of the consent. The Council also has available a form "Notice of Approval of Persons Affected", to help you record such approvals for applications that may be processed without public notification.

## PART A – GENERAL

### APPLICANT

**(1) Full Name of Applicant(s)**

(in full, eg. Albert William Jones and Mary Anne Jones. For Companies, Trusts and other Organisations, commonly used name)

**Full Names**  
HARE PATAU HONEPA TEPANIA

Phone Number Business:

Fax: —

Home:

09 4094776

Mobile: 021 184 8653

E-mail:

**For applications by a company, private trusts or other entity/organisations, the Directors, Trustees and Officers' full names must be supplied and Section (12) completed and signed.**

**(2) Postal Address:**

(in full)

PO Box 99  
AHIPARA  
NORTHLAND 0449

**(3) Residential Address:**

(if different from postal address)

80 KAKAPO STREET  
AHIPARA

<b>(4) Address for Service of Documents:</b> (if different from postal address, eg. Consultant)	

<b>(5) Owner/Occupier of Land/ Water Body:</b> (if different from the Applicant)	

**(6) Type(s) of Resource Consent sought from the Regional Council:**

You will need to fill in a separate Assessment of Environmental Effects Form for each activity. These forms can be obtained from the Northland Regional Council.

**Coastal Permit**

- ☐ Mooring
 ☒ Marine Farm
 ☐ Structure
 ☐ Pipeline/Cable  
☐ Other (specify) \_\_\_\_\_

**Land Use Consent**

- ☐ Vegetation Clearance
 ☐ Quarry
 ☐ Structure in/over Watercourse  
☐ Earthworks
 ☐ Construct/Alter a Bore
 ☐ Dam Structure  
☐ Other (specify) \_\_\_\_\_

**Water Permit**

- ☐ Stream/Surface Take
 ☐ Damming
 ☐ Groundwater Take
 ☐ Diverting Water  
☐ Other (specify) \_\_\_\_\_

**Discharge Permit**

- ☐ Domestic Effluent to Land
 ☐ General Discharge to Land
 ☐ Farm Dairy Effluent to Land/Water  
☐ Air
 ☐ Water  
☐ Other (specify) \_\_\_\_\_

**(7) Other Resource Consents required from the District Council:**

Where other Resource Consents are required for the same activity, they must be applied for at the same time. Not doing so will delay the processing of this application.

**What other Resource Consents are required from your District Council?**

- ☒ None
 ☐ Land Use Consent
 ☐ Subdivision Consent

Have the applications been made? ☐ Yes ☐ No

**(8) Description of the Activity:**

Please briefly describe the activities and duration for which Consent(s) are being sought. It is important you fill this out correctly, as the Council cannot grant Consent for any activity you do not apply for.

*To establish a marine farm predominantly for the purpose of collecting & harvesting mussel spat (perma canaliculus) on the southern end of 90 Mile Beach (Te Orere a Tehe). The application relates to an area covering 200 ha. Long term, other supplementary activities would include the gathering of other shellfish species; marine vegetation. (Aqua Products)*

Application Form continued on next page



**(9) Location of Property/Waterbody to which Application relates:**

Describe the location in a manner which will allow it to be readily identified, eg. street address, legal description, harbour, bay, map reference etc. Attach appropriate plans and/or diagrams.

Property Address: \_\_\_\_\_

Locality: \_\_\_\_\_

Legal Description: \_\_\_\_\_

Blk: \_\_\_\_\_

SD: \_\_\_\_\_

Other Location Information: \_\_\_\_\_

## PART B – ASSESSMENT OF EFFECTS ON THE ENVIRONMENT

You must include an assessment of the effects of your activity on the environment as part of your application.

The Resource Management Act 1991 requires that each application include an assessment of the actual and potential effects of the activity on the environment in accordance with the Fourth Schedule.

To assist you to supply this assessment of effects, the Council has prepared specific forms for various consent activities. For minor activities, all that will be required is for you to complete the specific form. Where the potential effects of the activity are more significant, we recommend you undertake a full assessment of effects, with professional assistance if necessary.

If you are unsure of what information to include with your application and the assessment of effects, please contact the Council before submitting your application. A pre-lodgement meeting with relevant Consent Staff is recommended.

## PART C – GENERAL

**(10) Renewal of an Existing Resource Consent:**

☐ Yes

☒ No

☐ A change in conditions of a current Resource Consent

**(11) Fee/Deposit Enclosed with Application(s):**

Application to be processed as: ☒ Notified ☐ Limited Notified ☐ Non-notified

☒ Coastal Permit \$ \_\_\_\_\_

☐ Land Use Consent \$ \_\_\_\_\_

☐ Water Permit \$ \_\_\_\_\_

☐ Discharge Permit \$ \_\_\_\_\_

☐ Bore Permit \$ \_\_\_\_\_

☐ Change Conditions: \$ \_\_\_\_\_

**(12) Signature of Applicant(s) or Persons authorised to sign on behalf of Applicant(s):**

### IMPORTANT NOTES TO APPLICANTS

(a) Your application must be accompanied by the minimum fee (deposit) as determined by the Council. A schedule of the fee/deposits for different consent applications is annexed. Please note that applications by private trusts and other group entities require the personal guarantees of the trustees and/or Officers for the payment of costs to be submitted with the application.

For complex applications, the Council may require an additional deposit pursuant to Section 35(3) of the Act, based on the estimated costs for processing such complex applications and may require progressive monthly payments during consent processing.

The final fee is based on actual and reasonable costs including disbursements and where this fee exceeds the fee/deposit, the additional fee is subject to objection and appeal.

(b) All accounts are payable by the 20th of the month following the date of invoice.

Any actual and reasonable costs, including but not limited to legal costs, debt collection fees or disbursements incurred as a result of any default in payment, shall be recoverable from the Applicant and is so notified in compliance with the Credit Contracts and Finance Act 2003. Submitting this Application authorises the Council to, if necessary, provide your personal information to a Credit Reporter in order to employ in its debt collection services in compliance with the Credit Reporting Privacy Code 2004, should payment default occur.

(c) Resource Consents usually attract an annual fee to recover the reasonable costs of the Council's monitoring, supervision and administration of the Consent during its term.

(d) The information you provide is official information. It will be used to process the application and, together with other official information, assist the management of the region's natural and physical resources. Access to information held by the Northland Regional Council is administered in accordance with the Local Government Official Information and Meetings Act 1987 and the Privacy Act 1993.

I/we declare that, to the best of my/our knowledge and belief, the information given in this Application and attached Assessment of Environmental Effects is true and correct. I/we unconditionally guarantee jointly and severally to pay the actual and reasonable costs of processing this Application as and when charges become due and payable. I/we acknowledge that I/we understand the consequences of signing this declaration.

Signature: \_\_\_\_\_

Full Name (print): HARE PATAU HONEPA TERANIA

Date: 03/03/2015

Signature: \_\_\_\_\_

Full Name (print): \_\_\_\_\_

Date: \_\_\_\_\_

Continue with Trustees' and Authorised Officers' signatures below, as necessary.

**Personal details and signatures of Trustees\*, or Officers authorised to sign on behalf of and to bind Trusts, Societies and Unincorporated Entities.**

\* Private and Family Trusts only

Full Name and Status:  
(Trustee, Officer etc.)

Full Residential Address:

Signature:

Full Name and Status:  
(Trustee, Officer etc.)

Full Residential Address:

Signature:

Full Name and Status:  
(Trustee, Officer etc.)

Full Residential Address:

Signature:

Full Name and Status:  
(Trustee, Officer etc.)

Full Residential Address:

Signature:

**CHECKLIST – Have you remembered to...**

☒ Complete all details set out in this Application Form

☐ Include an Assessment of Effects of the activity on the environment, set out in the attached form

☐ Sign and date this Application Form

☐ Include a Site Plan

☐ Include the appropriate fee/deposit as set out in the "Schedule of Fees"

☐ Complete details of Trustees and/or Authorised Officers on this page



# Part B Assessment of Environmental Effects – Minor Coastal Activity



Whāngārei Office	Phone:	(09) 470 1200
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To: Consents Department  
Northland Regional Council  
Private Bag 9021  
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Whāngārei 0148

This application is made under Section 88/Section 127 of the  
Resource Management Act 1991

## PART B – ASSESSMENT OF ENVIRONMENTAL EFFECTS

Your application must include an Assessment of Effects on the Environment. This form and the associated Information Requirement Booklet will help you prepare it.

An assessment of effects is required so that you and others can understand what happens to the environment when you carry out a minor coastal activity, whether it is existing or new. This will help you to propose ways to minimise those effects to the Regional Council's satisfaction.

The degree of detail required is in proportion to the scale of the environmental effects of your proposal. If the size of your proposed activity or the scale of its potential effects is significant, a report by a professional advisor in support of your application may be required.

Please note that the word "environment" includes the surrounding coastal water, adjoining land, any surrounding resource users, and local iwi.

It is advised that you make an appointment with a Council Officer to discuss your application prior to lodging it. This will help you supply all the required information at the onset and ensure the efficient processing of your application.

### A. Describe the Proposed Activity

**A.1 Describe the proposed activity(ies):** To establish single buoyed dropper supporting frames and rope lines for the purpose of collecting wild mussel spat (*Perna canaliculus*) in a 200ha area, 2.5k off shore, North Norwest off Ahipara. First The spat will be barely visible when it settles onto the spat collectors.

Normally it will be 'harvested' at 1mm to a few mm size. This involves transfer of the lines containing the spat crop to commercial mussel farms, elsewhere in NZ for on growing.

The dearth of mussel spat available for the mussel industry and the industry's dependence on the unpredictable wild spatfall on cast marine alga along Ninety Mile Beach is a well-publicised fact. The core commercial objective of the farm is to supply high quality mussel spat in order to help satisfy this demand.

**A.2** Is the proposed activity new, or an alteration/extension of an existing activity or structure?

☒ New

☐ Existing

**A.3** If the application is to continue or alter an activity or structure, is there any previous resource consent or authority (eg. Harbours Act approval or Water Right)?

☒ No

☐ Yes

If so, what are the existing permit numbers?

ATTACH A COPY OF THE APPROVAL

### B. Site Details

**B.1** Describe the site of the proposed activity, including reference to existing structures in the coastal marine area and on the adjacent land. Ensure that a detailed map is provided as outlined on page 3.

The southernmost point is midway between Waimimiha and Kaka Street Access Ramp, 2.5km offshore, extended to 4km north, parallel to the shoreline. The site is in a relatively isolated location which is unlikely to be frequented other than by a few local people with good knowledge of the area for the purposes of recreational fishing. There is no vessel traffic beyond the intermittent presence of small local craft. The present of the mussel spat farm will not interfere or restrict the use that the public presently enjoy. ???????

**B.2** Describe the seabed materials (e.g. rock, sand, or shingle) at the site of the activity and in the surrounding area.

The natural substrate composition of the seabed is sand which is scoured daily by strong currents. The spat farm will not result in any change to the texture of the seabed.

**B.3** Describe the plants and animals (e.g. mangroves, salt marsh or shellfish beds) at the site of the activity and the surrounding area.

The proposal will have no effect on salt marsh or eelgrass or kelp beds or other significant indigenous vegetation.. The proposal will have no adverse effects on the significant habitats of indigenous fauna

**B.4** Describe any cultural areas, historic areas, scenic features and food gathering areas within 500 metres of the proposed activity.

There are no scientific features within 500 metres of the proposed farm site. Culture and historic areas do exist. Waimimiha stream was traditionally used by local Maori, at the time of early settlement for the purpose of preserving fish. i.e. drying, as a main source of food. North West of the most southern position of the proposed area is located by the Amanga reef, which is low lying and not identified on any maritime charts or maps but known to very few locals, other than the local commercial fisherman and the odd recreational fisherman when prepared to venture north of Ahipara. These would be the only food gatherers in the proximity of the proposed farm site.

**B.5** You must attach a map that shows the following (Refer to Page 3):

- ☐ the location of the proposed activity, ✓
- ☐ the legal boundaries of any adjoining properties,
- ☐ any adjacent public roads, esplanade reserves, marginal strips,
- ☐ the location of the coastal marine boundary (ie. mean high water springs),
- ☐ the location of any existing coastal activities within 500 metres (including existing structures.) It is also advised that you supply photographs of the site and the surrounding area.

- B.6** If the application includes any structure (e.g. jetty, boat ramp, or discharge pipes), you **must** attach a structure plan that shows the following (Refer to Page 4):

- ☐ the dimensions of the structure,
- ☐ front view
- ☐ side view
- ☐ plan view
- ☐ position of mean high water springs (MHWS) - ie. high tide mark.

Not Applicable

## C. Assessment of Effects on the Environment

- C.1** Will the proposed activity have any impact on plant, animal or marine life?

No, why not?

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√ Yes, describe impact

Natural water and sediment movement patterns will not be significantly affected by the farm structures. The relatively small area of the farm, the structures and the small size of the spat will have a minimal impact on local water velocities. In respect the farm is unlike a large mussel farm producing a mature crop for the table.

- C.2** Describe the visual impact the proposal will have, and include an assessment of compatibility with existing activities, structures and surroundings.

The spat farm will have no influence or at least provides no impediment, to the natural migration of fish and other marine life.

It is expected that the proposed mussel farm may be visible from the elevated locations identified; however this is likely to only occur on extremely clear and calm weather conditions. It is considered the proposed mussel farm, if intermittently visible will be viewed as a faint pattern from these viewpoint locations. This is referenced from Westpac mussel booklet

The biodiversity of the area is likely to be enhanced not depleted. The ropes are the associated ropes and buoy fixtures plus frames will provide physical habitat diversity which will in turn host a greater array of marine species than currently occurs on the sandy sea bed.

The spat farm will have no influence, or at least provide no impediment, to the natural migration of fish and other marine life.

- C.3** Will the proposed activity have any impact on other users of the area?

*(include any restriction on public access to and along the foreshore, during construction and/or once construction is finished)*

No, why not?

√ Yes, describe impact

The site is in a relatively isolated location which is unlikely to be frequented other than by a few local people with good knowledge of the area for the purposes of recreational fishing. There is no vessel traffic beyond the intermittent presence of small local craft. The presence of the mussel spat farm will not interfere or restrict the use that the public presently enjoy.

**C.4 Will the proposed activity have an effect on coastal processes of the area (e.g. erosion) and/or on water quality?**

No, why not?

The proposed activity will have no effect on any coastal processes or the area.

Yes, describe impact

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**C.5 Mitigation Measures**

If you have identified any potential effects that may be more than minor in your assessment above, please consider and describe the steps you propose to take to mitigate these effects.

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Applicant's farms will be operated in a sound commercial manner. Visual impact will be mitigated by the use of recessive coloured buoys other than those stipulated by MSA regulation:

As part of sound commercial practice regular maintenance of all parts of the farming operation will be carried out'.

**C.6 Alternatives**

Sometimes the adverse effects of a proposal can be mitigated by the consideration of alternatives. Please identify and describe any alternative locations/designs/methods.

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**C.7 Consultation**

Written approvals regarding your proposal are normally required from the adjoining land owners/occupiers and consultation undertaken with the Department of Conservation and local Iwi is advised. If there is an adjacent esplanade reserve (marginal strip) administered by the Department of Conservation or the District Council, then written approval is normally required from that agency.

Any letters of concern/support or comment from persons consulted should be attached to this application form.

The Northland Regional Council can supply you with prescribed written approval forms to aid you with the consultation.

**Will the proposed activity have an effect on any neighbouring property owners?**

☐

No, why not?

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☐

Yes, describe impact

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**Have you consulted with any of the following potentially affected parties?**

	<b>Yes</b>	<b>No</b>
Neighbours	<input type="checkbox"/>	<input type="checkbox"/>
Other users of the coastal marine area	<input type="checkbox"/>	<input type="checkbox"/>
Department of Conservation	<input type="checkbox"/>	<input type="checkbox"/>
District Council	<input type="checkbox"/>	<input type="checkbox"/>
Local iwi (specify): _____	<input type="checkbox"/>	<input type="checkbox"/>
Other (specify): _____	<input type="checkbox"/>	<input type="checkbox"/>

Please attach a record of any consultation which has taken place. The Regional Council has forms to aid with this consultation.

***Please ensure all the relevant questions on this form have been answered fully.***

***If you have any queries relating to information requirements or wish to meet with a Council Consents Officer, please contact the Northland Regional Council.***

**Northland Regional Council Offices:**

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**Ōpua Office**  
 Unit 10  
 Industrial Marine Park  
 Ōpua 0200  
 Phone: (09) 402 7516

# *Assessment of Effects on the Environment*

## *Resource Consent Application*

*On Behalf of Hare Patau Hohepa TePania*

*Marine Farming*

*Submitted*

*Tuesday March 2015*

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## **Hare Patau Hohepa Tepania**

Te Oneroa a Tōhē (Ninety Mile Beach),  
Resource Consent Application

## Assessment of Effects on the Environment

June 2012

Prepared in accordance with Section 88(2) (b) of the Resource Management Act and taking into account the provisions of the Northland Regional Coastal Plan and Proposed Plan Change 4.

### 1.0 Introduction

1.1 This assessment of effects on the environment ('AEE') is in respect of the application for marine farming by *Hare Patau Hohepa Tepania* is prepared in accordance with s88(2)(b) and the Fourth Schedule of the Resource Management Act 1991 ('application').

1.2 The application relates to a 200ha area, as indicated on the survey plan attached to the application (Appendix 1). The area to which the application relates is shown on the Marine Farming Map B13, in the Northland Regional Coastal Plan (Appendix 2). The farm size is inclusive of all structures (anchors, lines and buoys).

1.3 The application is primarily for the catching/ settlement of mussel spat (*Perna canaliculus*) which will be the predominant activity undertaken pursuant to the coastal permit sought. In addition, it is planned that other shellfish species such as oysters, scallops and paua may be trialed in baskets. However the latter would be a minor activity.

1.4 Reference in this document to the Northland Regional Coastal Plan ('plan') is taken as reference to the 2004 Operative Plan.

1.5 The plan provides for marine farming in the Marine 2 (Conservation) Management Area (M2MA), as a discretionary activity. The area to which this application relates is within M2MA.

1.6 This AEE is structured using the headings of the Fourth Schedule to the Resource Management Act.

The scientific observations and findings in the report attached as Appendix 3 to this AEE addresses many of the issues in more detail.

### 2.0 Description of the Proposal and Alternatives

2.1 This application covers the catching/ settlement of mussel spat (*Perna canaliculus*) otherwise known as the New Zealand Greenshell mussel TM, potential trials of other shellfish in baskets (e.g. may include oyster fattening and oyster depuration, scallops or paua) as well as other shellfish species and marine vegetation.

2.2 All requisite consents are sought for these activities, including consent to place structures in the coastal marine area ('CMA'), and to use and occupy space in the CMA for, conventional long-line structures for the purpose of marine farming. Any baskets used for trials or oyster depuration or fattening would be suspended from the long-lines.

2.3 No other resource consents are required for this activity

2.4 The application relates to an area covering 200 hectares on the southern end of Te Oneroa a Tōhē (Ninety Mile Beach). The area subject to this application is shown on the attached Survey Plan (Appendix 1) which includes the specific co-ordinates. In broad terms, the area is: in waters that are from 15-25 metres in depth approximately 2 km from the shore line (at the farms closest edge).

The nearest other marine farm is located in the Whangape Harbour – it is inactive and was used to catch mussel spat only.

2.5 Farm Description: The farmed area consists of:

a) Long-lines:

- The culture method used involves an individual rope dropper.
- All long-lines are surface lines and are orientated parallel to tidal flows and consist of both single and double backbone long lines.
- The lengths of the long lines to be used range from 140-200 metres (depending on exposure and depth).
- The density of lines are: an average of 2.5 – 3.5 long lines per hectare (note this would vary depending on productivity of the area).
- The separation between mussel lines is between 14 metres to 20 metres.
- The dropper length is between 6- 10 metres.
- The backbone and mooring line rope used is quality equipment Duradan (synthetic rope). It will be 28-40mm for the backbone lines, 40mm or heavier for the mooring lines and of between 13,600 & 30,000 kilo breaking strength.

b) Buoys:

- Two sizes of buoys will be used to support the long lines - 115 – 250 litres volume (single lines) and 293 litres volume (double lines).



- The surface buoy separation is between 2 metres and 10 metres (depending on the length of droppers).
- The buoys used are black or dark green apart from the buoys at the end of each line, which are orange

c) Structure Anchors:

- The anchors used to secure the marine farming structures to the seabed are screw anchors at the seaward end of the farm, buried to a depth of approximately 3 - 6 metres depending on the substrate.
- The mooring warp length is approximately 29m to 75m at either end (depending on depth).

d) Lighting:

- The area will be lit in accordance with the proposed lighting plan attached as Appendix 4.

e) Block sizes:

- For separate farming, navigation lanes between each block would need to be established and would be a minimum of approximately 50 metre width. The distance between the blocks will allow for adequate and safe navigation for the applicant's vessels and for recreational vessels (small to medium in size).
- Accordingly, the total area applied for amounts to 15 ha and this total area includes the areas to be used for anchor lines and for navigation lanes. Therefore the surface area of the farms will be less than 15 ha.

2.6 The applicant will utilise the existing land-based loading and unloading facilities in Ahipara Bay. These facilities have sufficient capacity for vessels and truck parking. It is unlikely that there would be any conflicts over the use of this area with other recreational users.

### **Consideration of Possible Alternative Locations for undertaking the activity**

2.7 The Resource Management Act requires a description of any possible alternative locations or methods for undertaking the activity for which consent is sought, where it is likely that the activity will result in any significant adverse effect on the environment.

***The applicant contends that there is little risk of any significant adverse effect on the environment being caused by granting consent to this application.***

2.8 The applicant considers this site to be the most appropriate

2.9 This location is considered to be the least intrusive to local commercial & recreational fishers. Any visual effects from land are also minimised by this location.

This proposed position of the farm is the most suitable for the settlement of mussel spat. (Refer Appendix 3)

2.10 The applicant has been involved in the marine farming industry and in their Industry opinions have considered this location to be the most appropriate for marine farming in the proximity of Te Oneroa a Tōhē (Ninety Mile Beach).

### **Appropriateness of activity in location sought**

2.11 As is envisaged by the plan (refer section 7 below) and as discussed above, the proposed sites are appropriate for spat-catching, oyster depuration/ fattening and potential trials for other shellfish and marine vegetation. The appropriateness of the area being applied for is also supported by the proposed plan provisions (particularly, through recognition of sustainable management and of socio-economic and cultural benefits to the Northland region and its communities). The People belonging to Te Rarawa are keen to promote economic opportunities for their people in the local Northland area.

2.12 The appropriateness of marine farming at this site is also supported by:

- The findings of the attached scientific reports (Appendix 3)
- The fact that there is a functional industry need for the activity to be located in the coastal marine area; and

### **3.0 Assessment of actual or potential effects**

**3.1 This part of the AEE deals in detail with the actual or potential effects of the proposed activity, on the environment. This part addresses the matters, where relevant, outlined in the Fourth Schedule to the Resource Management Act.**

The comments made below are in addition to the relevant findings of the attached scientific report (Appendix 3), which is relied on to address many of the issues raised in this part of the AEE.

**3.2 Any effect on those in the neighborhood and, where relevant, the wider community including any socio-economic and cultural effects**

3.2.1 It is widely accepted that the marine farming industry creates and supports direct employment opportunities to the Northland region, making a significant contribution to the social and economic wellbeing of the region.

This is clearly expressed in the Proposed Plan Change section

*27.1 Introduction which recognises the 2002 contribution aquaculture made in money and jobs generated (an estimated \$40m and 540 jobs). In respect of this application, potential socio-economic effects include the creation of local employment opportunities from managing the farms, through the establishment, growing, harvesting and maintenance of the farms and from processing, distributing and exporting the product. There will be opportunities for family businesses to be developed to support the development of these farms and the on-going farming and processing activities.*

3.2.2 The marine farming proposal is a tremendous opportunity to kick start new business initiatives and potential employment opportunities in an area which has very low socio economic living standards. The applicant is supportive of developing local employment opportunities through this venture.

3.2.3 The applicant will utilise existing land-based infrastructure and existing vessels in order to make the most efficient use of capital and to maximise the effectiveness of existing support facilities. The intended use of local employees and/or services will ensure a continued spread of economic benefits throughout the wider Northland community.

3.2.4 The site of the proposed marine farm would not impact on any cultural values of significance to the local Iwi Te Rarawa. The surrounding farm land is highly modified and is farmed as dairy, sheep and forestry.

3.2.5 There is recognised customary activity (such as kaimoana gathering) which would not be affected by this application. Accordingly, it is understood that the proposed activity will not have any adverse effect on tangata whenua. We anticipate that this activity will be beneficial to the local marine environment creating more recreational fishing opportunities. Our local experiences in 2013-2014 confirm that our experimental spat catching methods has increased the fish habitat. We plan to create mooring points for boats to tie to.

### **3.3 Any physical effect on the locality, including any landscape and visual effects**

3.3.1 The shoreline is mostly sand beach. There are a small number of residential houses along the coastline in the immediate area. These houses are set well back from the beach.

3.3.2 The visual impact of the applicant's farm site on neighbors or other users is therefore negligible. The scale of the landscape is such that from a seaward perspective, the marine farm would be absorbed into the wider landscape and seascape. While the natural character of the area has been significantly compromised



by the existing farming use of the land, the proposed marine farm would have a low impact on the general natural character of the location. Mitigation of the adverse effects on natural character over and above the existing degree of modification of the landward area would be managed through the low profile structures in the water. See attached photos.

3.3.3 The marine farming site is at its closest boundary approximately 2kms from mean high water mark. The site is well-flushed and is exposed (particularly to westerly weather patterns).

3.3.4 A principal reason for providing for conventional marine farming structures and farming in this location, is due to the relatively minor effects on the locality, including landscape and visual effects and the compatibility with the existing land use.

3.3.5 Orange buoys delineate the ends of each line of the farm. This not only identifies each farm block but it also has a significant safety role, as it serves to warn other users of the marine environment of the farm boundaries. Although bright in colour, these buoys will not be visually obtrusive and will serve as an extra navigational aid for other marine users. The remaining buoys are black or dark green and their level of visibility is dependent on weather, height of observation location and distance. Due to the remote area in which this farm shall be located, the level of visual impact would be minor.

3.3.6 The harvesting/servicing vessels that will be utilised in the farming operations would be barely visible from the mainland, while working at the farm. The vessel would have a visual presence as they enter and leave from the landings in Ahipara Bay, however this would be compatible with existing boating movements.

#### **3.4 Any effect on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity.**

3.4.1 Reference is made to the scientific information and opinions in the attached report which addresses this matter in more detail (Appendix 3). The findings of this report are relied on in support of the contention that any effect on the ecosystem, from granting the consent sought will be less than minor. It is also contended that the scientific report submitted in support of this application, provides sufficient information for the purpose of adequately assessing this aspect of environmental effects.

3.4.2 The plan of the farm is such that any adverse effects on ecosystems will be managed sustainably. In respect of the proposed activity, the effects on the ecosystem are considered to be less than minor.

3.4.3 The Mussel Farming Industry in New Zealand is subject to various stringent requirements in respect of the quality of the marine waters in which farms are located (including food and health standards which are set by the United States Food and Drug Authority and implemented by NZ's Health Authorities).

Therefore the Mussel Farming Industry's own self governing systems have the effect of ensuring that the community has a highly competent 'watchdog' to continuously review the maintenance of clean water standards within the marine farm areas. Such policing of environmental standards is considerably in excess of that available to marine areas and ecosystems not advantaged by the presence of marine farms.

The applicant will comply with all relevant Industry best practice guidelines when exercising the consent sought.

### **Carrying Capacity and Phytoplankton**

3.4.4 In relation to the effects on phytoplankton, the findings of the attached scientific report state that the water column is highly dynamic and conditions vary markedly in both space and time due to complex hydrodynamics and the chemical and biological processes occurring. However given the relatively open stretch of coastline and continuous flushing, relatively warm water temperatures and periodic wind and wave movement patterns it is suggested that the water column effects are likely to be negligible.

3.4.5 The existing line layouts for the marine farm meet industry standards and will serve to ensure sufficient water flow to the mussel lines to provide adequate quantities of phytoplankton. Due to the size of the farm, there is unlikely to be any significant effect on phytoplankton much beyond the boundaries of the blocks. Phytoplankton biomass is highly variable in space and time, and any depletion will be quickly replenished or replaced in the adjacent waters.

3.4.6 It is therefore anticipated that the impact of the marine farm will impact in only a minor way on phytoplankton production in the vicinity of the farm and within the Bay.

3.4.7 The scientific report (Appendix 3) concludes that phytoplankton is not of concern and there will have no significant adverse effects within the Bay.

3.4.8 This conclusion is relied on in support of the application, and indicates that potential impacts of the farm on this matter are acceptable.

### **Benthic Assessment**

3.4.9 In relation to the effects on the benthic environment, the scientific report (Appendix 3) has found that the seafloor in the vicinity of the marine farm is uniformly sandy and shell with no reef habitat, and as such has a relatively low diversity of habitat types. While the scientific report notes that deposition of material on the seabed under and near mussel farms depends to an extent on the management practices used, the organic enrichment as a result of marine farming is more profoundly affected by factors such as currents, wave exposure etc.

3.4.10 Drop-off from the farms (mussels, shell, pseudofaeces and other debris), would be largely confined to the immediate footprint of the farm. Where it occurs it could have the positive effect of promoting a shift in benthic faunal assemblages and encouraging reef type communities, which would add to the ecological richness of the area.

3.4.11 The scientific report (Appendix 3) concludes that the area is well flushed and that the area has the capacity to assimilate farm-derived materials without exhibiting measurable ecological changes. The effects from the marine farm would be less than minor.

3.4.12 This conclusion is relied on in support of the application, and indicates that potential impacts of the farm on this matter are acceptable, and less than minor.

### **Mammals and Seabirds**

3.4.13 In relation to the effects on mammals and seabirds the scientific report has found that:

(i) based on the few direct studies on the potential effects of shellfish aquaculture on seabird populations, the marine farm could potentially alter food resources, cause

physical disturbance (e.g. noise and/or possible entanglement risk) and could provide benefits such as additional perching or feeding opportunities; and

(ii) to date, issues such as habitat exclusion, underwater noise and entanglement appear to be minor for NZ mussel farming, although the potential for adverse effects still exists with continued growth in both marine mammal populations and the industry.

3.4.14 While dolphins, whales and seabirds visit the area, it is not likely that they would be affected by the marine farm.

3.4.15 It is therefore considered that the risk to marine mammals and in particular whales and dolphins, and seabirds is considered to be minor.

3.4.16 This conclusion is relied on in support of the application, and indicates that potential impacts of the farm on this matter are acceptable and less than minor.

### **Habitat creation effects**

3.4.17 The scientific report has noted that marine farms provide a three dimensional reef habitat for colonisation by a diverse and productive fouling community. In addition it is commonly believed that the marine farms have the potential to enhance abundance of some fish species.

3.4.18 It is therefore considered that the potential adverse effects from habitat creation is considered to be less than minor.

3.4.19 This conclusion is relied on in support of the application, and indicates that potential impacts of the farm on this matter are acceptable, and less than minor.

### **Hydrodynamics**

3.4.20 to be developed – this is the first open sea farm whereas other farms are protected by little bays or harbors.

3.4.21 The report also notes that the current speeds suggest that separation distances of around 50 metres between farm blocks should be sufficient to prevent effects on benthic habitat, as a result of farming operations.

### **Summary Comment**

3.4.22 Drawing on the scientific report (Appendix 3) it is noted that the factors which limit the potential for any significant adverse ecological effects at a local scale include:

- (i) that the site is remote and well-distanced from other marine farming areas;
- (ii) it is a relatively small farming area (compared to other areas within NZ); and
- (iii) it is an exposed site with good natural flushing (physical limitations).

3.4.23 This conclusion is relied on in support of the application, and indicates that the overall potential impacts of the farm are acceptable, and less than minor.

3.5 Any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, cultural, or other special value for present or future generations

3.5.1 Any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, cultural, or other special value for present or future

generations, would be less than minor in respect of the marine farm site. There will be a buffer area between the marine farm and the shore of the Island, which will enable recreational activities to continue from shore. Diving and fishing are other key recreational activities and these would not be adversely affected by the marine farm. Fishing is likely to be enhanced.

3.5.2 Potential adverse effects on navigation safety and commercial fishing areas are minimal due to the size of the marine farm and the provision of navigable corridors around the farm and to the shore. From a navigation perspective it is noted that the farm buoys will be colored (orange at the ends) and marked by lights as per the lighting plan in **Appendix 4**. In addition there is ample sheltered space remaining available for anchoring of visiting boats.

3.5.3 The applicant accepts that the Bay where the proposed marine farm is located, as with all parts of the CMA, is of some recreational value. As is discussed above, the use of appropriate navigational equipment will ensure that recreational and other marine users will have sufficient warning of the location of the farms. Public access through the farm will not be restricted. There is also a recognised high recreational value to fishers in the vicinity of the farms.

3.5.4 As mentioned above, the location of the marine farm means that there is negligible adverse visual or aesthetic impact on land-based observers and that the farm buoys will be absorbed into the forest and farm land backdrop for sea-based observers.

3.5.5 The potential effects of the proposal on tangata whenua interests have been mentioned above and are considered to be less than minor.

3.5.6 The applicant has no knowledge of any other heritage values which may be adversely affected by the proposal.

3.6 Any discharge of contaminants into the environment, including any unreasonable emission of noise and options for the treatment and disposal of contaminants

3.6.1 The discharges associated with mussel farming include pseudofaeces and “drop-off” (shells, sediment and other marine life) resulting from cultivation and harvesting processes. The area under the proposed farm is primarily a sandy and shell bottom and the effects of the discharges on the benthic ecosystems is covered above and in the scientific report submitted in support of this application (**Appendix 3**).

3.6.2 Appropriate housekeeping in accordance with the Mussel Industry’s Code of Practice on the farms, on barges and on any other service vessels will ensure that there is minimal overboard loss of non-degradable materials. Regular maintenance checks of



the farms will be undertaken. Checks will be undertaken to ensure security of the high economic investment in the structures and product. Any waste rope would be taken to shore for land disposal. If floats are lost from the farm the maintenance staff will go looking for them and retrieve them (as they are a significant cost).

3.6.3 There will be no unreasonable emissions of noise from the proposed activity. The only noise resulting from the activity would be from the barges and harvesting equipment and will therefore be intermittent.

3.7 Any risk to the neighborhood, the wider community, or the environment through natural hazards or the use of hazardous substances or hazardous installations

3.7.1 The relevance of these matters to this application is in respect of:

- (i) potential hazardous installations in the form of the long lines and navigational equipment and the potential, albeit minor, resulting hazard to marine users; and
- (ii) the effects of natural hazards, in the form of adverse weather conditions, or changes in sea level.

3.7.2 The proposed long-line structures are secured to the ocean floor by anchors at each end of each mussel line. The anchors do not pose any threat to vessels, as they are between 15 and 25 metres below the surface.

3.7.3 There is sufficient room between mussel lines to provide safe navigable channels for small vessels and service vessels. There will also be navigable lanes between individual blocks. Accordingly, it is anticipated that commercial and recreational vessels that are under competent control will still be able to utilise the waters of the area and navigate freely within the area and anchor in the Bay, without undue risk, including in adverse weather conditions.

3.7.4 As further hazard avoidance for other users of the CMA, the applicant will maintain a lighting system to delineate the perimeter of the farm area and the ends of the lines have orange buoys

(ie including facing the most seaward direction) (refer to details above).

3.7.5 In terms of any storm events that may cause damage to the marine farming operation, technological changes in recent years in terms of anchoring and type of ropes used and changes in farming practices have significantly reduced the occurrence of breakages. Should there be a rope break, however, the separation between the lines and between the farms blocks will provide a clear path to avoid impacts on neighboring lines/ blocks. In addition, as mentioned above, the farms will be regularly maintained to

ensure security of lines and buoys. As the structures are floating, the effects of sea level rise will be negligible.

3.7.6 There will be no hazardous substances used by the farmers in exercising the consent applied for by this application.

#### **4.0 Description of mitigation measures**

4.1 A description of the mitigation measures (safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effects of the proposed activity is required to be provided by the Resource Management Act. The applicant has outlined in section 3.0 above, that the farms will be operated in a sound commercial manner and in compliance with the NZ Mussel Industry Code of Practice which includes standards that are designed to ensure efficient management of the farm and the production of high quality stock, to ensure long term financial viability and environmental sustainability.

4.2 This Code of Practice promotes good practice farm management and identifies various mitigation measures to be undertaken in the event of accidents or disease. It should be noted that farmers are audited by the Aquaculture New Zealand in respect of implementing this Code of Practice. The applicant would operate the farms in compliance with this Code.

4.3 A rigorous maintenance regime will be undertaken to ensure the security of the structures as the cost of lost and damaged lines, buoys and mussel product is economically significant. Regular checks and maintenance will also be carried out for the lights.

#### **5.0 Consultation**

5.1 Consultation for this site as a marine farming area was undertaken as a part of the wider Northland Regional Council process to make a change to their Regional Coastal Plan in terms of aquaculture activities. In addition, the applicant has undertaken consultation with the people of Te Rarawa and with some commercial fishers and fishing charterers who operate in the area. Tangata whenua and the others consulted are supportive of the proposed marine farm. It is submitted that no other people would be adversely affected by the proposal, given the acceptable environmental effects, the status of the area in the operative and proposed plans.

#### **6.0 Monitoring**

6.1 The Resource Management Act requires a description of the monitoring that would be undertaken, where the scale or significance of effects is such that monitoring is

required. While it is not considered that the effects would be significant (based on the **scientific information in Appendix 3**), it is acknowledged that some monitoring would be undertaken to meet the Health Department requirements. The applicant would support a monitoring program similar to that currently required by other existing marine farms in Northland, as a matter to be developed. This would be appropriate to ensure future trends are identified and consistent data collected.

6.2 It is envisaged that application of the assessment criteria for the activity contained in the relevant rules of the plan, together with imposition of appropriate consent conditions, will provide a basis for appropriate compliance monitoring.

## **7.0 Relevant Planning Provisions**

7.1 In accordance with s104(1)(b) of the Resource Management Act, this part of the application sets out the relevant planning framework. With respect to this application, the activity is considered under the operative plan (2004), which at the present time carries the most “weight” from a decision-making perspective. The provisions of the proposed plan change 4 are also considered, given the current statutory stage of this plan change and the recent aquaculture legislative changes.

## **7.2 New Zealand Coastal Policy Statements**

7.2.1 The operative New Zealand Coastal Policy Statement (NZCPS) (2010) includes a strong policy directive for Aquaculture, in Objective 6 and Policy 8 in particular. Together these policy directives recognise that marine farming (as envisaged by this application) is an appropriate use of the coastal marine area and recognise the important value aquaculture can provide for social and economic benefits.

7.2.2 The NZCPS states in Objective 6

To enable people and communities to provide for their social, economic, and cultural wellbeing and their health and safety, through subdivision, use, and development, recognising that:

- the protection of the values of the coastal environment does not preclude use and development in appropriate places and forms, and within appropriate limits;
- some uses and developments which depend upon the use of natural and physical resources in the coastal environment are important to the social, economic and cultural wellbeing of people and communities;
- functionally some uses and developments can only be located on the coast or in the coastal marine area;

- the coastal environment contains renewable energy resources of significant value;
- the protection of habitats of living marine resources contributes to the social, economic and cultural wellbeing of people and communities;
- the potential to protect, use, and develop natural and physical resources in the coastal marine area should not be compromised by activities on land;
- the proportion of the coastal marine area under any formal protection is small and therefore management under the Act is an important means by which the natural resources of the coastal marine area can be protected; and
- historic heritage in the coastal environment is extensive but not fully known, and vulnerable to loss or damage from inappropriate subdivision, use, and development.

#### 7.2.3 The NZCPS states in Policy 8:

Recognises the significant existing and potential contribution of aquaculture to the social, economic and cultural well-being of people and communities by:

**a.** including in regional policy statements and regional coastal plans provision for aquaculture activities in appropriate places in the coastal environment, recognising that relevant

considerations may include:

- i.** the need for high water quality for aquaculture activities; and
  - ii.** the need for land-based facilities associated with marine farming;
- b.** taking account of the social and economic benefits of aquaculture, including any available assessments of national and regional economic benefits; and
- c.** ensuring that development in the coastal environment does not make water quality unfit for aquaculture activities in areas approved for that purpose.

7.2.4 Other NZCPS policies or particular relevance to this application include: Policy 2 (providing for opportunities for tangata whenua to managing their resources); Policies 4 & 6 (in relation to the integration of land and water activities of marine farming and use of renewable resources);

Policies 13 & 15 (in relation to preserving natural character and protecting natural features); and Policies 21 & 23 (in relation to water quality).

7.2.5 In considering the above policies, it is clear that the marine farm subject to this application is an appropriate use in this area. It is considered that this application is

consistent with the directions of the New Zealand Coastal Policy Statement and would meet the purpose of the Act.

### **7.3 Regional Policy Statement**

7.3.1 The Northland Regional Policy Statement (1999) (RPS) provides overarching policy for the plan and emphasises key themes such as integrated and co-ordinated management (Ch 12); enabling development while avoiding, remedying or mitigating adverse effects (Ch 9), and Ch 22 which deals with a range of coastal policy. It is considered that this policy is built on in further detail in the plan and is therefore addressed further below.

7.3.2 The RPS has been considered in the development of the Regional Coastal Plan. This application is consistent with this document.

### **7.4 Northland Regional Coastal Plan 2004**

7.4.1 The operative plan (2004) is the most relevant planning instrument to this proposal. The marine farm falls within the Marine 2 (Conservation) Management Area (M2MA). Policy 6.4.2 recognises that this M2MA does not preclude the provision for appropriate use and development, while the introduction to Chapter 26 recognises that a precautionary approach would be taken to consent applications in this area, due to the overall lack of knowledge about the M2MA.

7.4.2 The importance of the marine farming industry is recognised and provided for within the plan, particularly through the Issues, Objective and Policies in Chapter 27 of the plan. There is also an emphasis on sustainable management by avoiding, remedying or mitigating adverse effects. While these provisions relate specifically to the Marine farming management areas, it is considered appropriate to discuss these provisions in relation to this application. Specific provisions are discussed below.

#### **Objectives and Policies**

7.4.3 With regard to M2MA, this zone covers all other areas in the CMA that are not otherwise covered by a specific activity zone. There are two objectives.

1. Subdivision, use and development occurring in such a way as to maintain, and where practicable, enhance, the existing natural, cultural and amenity values in the Marine 2

(Conservation) Management Area.

2. Involvement of local communities, and other agencies, in the awareness, maintenance and, where appropriate, enhancement of the values within the Marine 2 (Conservation) Management Area.



7.4.4 These objectives emphasize enabling use and development, in a way that maintains or enhances natural, cultural and amenity values and involves communities and agencies. There are 5 policies supporting these objectives. Of particular relevance to this application is Policy 3:

To provide for sustainable, use and development whilst ensuring that the intensity, character and scale of use and development is compatible in relation to the character (including natural character), heritage and amenity values of the adjoining coastal environment.

7.4.5 This application would provide for the sustainable use and development of the marine area, along with providing for the social and economic well-being of the members of the local community. While there would be impacts on natural character, the scale and intensity of the development is in proportion to the land shape and height of the surrounding land. The other policies in this chapter of the plan are not contravened by this application.

7.4.6 While the marine farm is not located in the Marine 3 Management Area (M3MA), which covers areas specifically set aside for marine farming, it is nevertheless considered appropriate to reflect on the policy directives that are provided for in the plan for marine farming. With regard to M3MA, Objective 6.1 states: Provision for marine farming activity in Northland's coastal marine area while avoiding, remedying or mitigating its adverse effects. This application is consistent with this direction of the plan.

7.4.7 There are 10 policies supporting this objective. This application is consistent with the policy directives, as discussed below:

- Policy 1 addresses integration with land based facilities. The proposed farms would be serviced by existing landings areas in Ahipara Bay.
- Policy 2 addresses water quality. This is fundamental to any aquaculture operation as the farm must meet USFDA standards for food quality. The farm operations would not degrade water quality.
- Policies 3, 4 and 5 are not relevant to this application.
- Policy 6 addresses efficient utilisation of the space authorised. The proposed farm layout would be utilising space efficiently.
- Policy 7 addresses monitoring information. The proposed farm would be subject to monitoring.
- Policy 8 provides for expansion of marine farms into the M2MA, in a way that minimises adverse effects on in particular ecological, cultural and amenity values. This policy therefore recognises that marine farming is an appropriate

use in the M2MA. It is considered that this proposed farm would have minimal adverse impacts on: ecological values (as per the information in Appendix 3) on amenity values (due to its remoteness and the scale and intensity of the proposed farms); or on cultural values (due to the joint management being undertaken with the Te Rarawa Runanga).

- Policy 9 prohibits the expansion of marine farming in some parts of M2MA. It is contended that this application does not fall within the criteria of this policy as there are no other marine farms in the vicinity, there are no conflicts with adjacent urban development and recreational activities, and the natural character and amenity values need to be considered in the context of the already modified landscape of the surrounding land.
- Policy 10 is irrelevant to this application (covering non-conventional species).

7.4.8 It is considered that this application is consistent with and meets the above objectives and relevant policies for both M2MA and M3MA. The proposed marine farm would be managed in an efficient and sustainable manner. In particular it meets the requirements of policy 8 (under M3MA) which envisages that expansion of farms into M2MA is appropriate in some instances. It recognises the strong link that the people of Te Rarawa have with the land and with the social and economic aspirations for their people.

### **Relevant Rules**

7.4.9 As is stated in the introduction to Chapter 27 of the plan, a coastal permit is required to cover the following activities:

- Occupation of coastal space
- Placing of structures on the foreshore or seabed
- Disturbance of the foreshore or seabed
- Deposition of material on the foreshore or seabed or into coastal waters, and associated discharges.

7.4.10 Rule 31.4.10(a) classifies the proposed activity subject to the application as a discretionary activity. As such, all permits mentioned above, would be addressed as discretionary activities.

7.4.11 It is noted that Rule 31.5.5 Taking, use and discharge of coastal water for the purpose of washing and sorting farmed shellfish is a permitted activity in M3MA. This rule recognises that washing and sorting occurs on the barges as normal practice

associated with harvesting. However, this normal operational activity defaults to a discretionary activity in M2MA.

7.4.12 Assessment Criteria are set out in chapter 32.1 (General Criteria), 32.22.1 (Structures (excluding swing and pile moorings)) and 32.2.8 (Marine farms (other than structures)). These criteria, which apply to all management areas, have been considered in the development of this AEE and relevant matters are commented on as per below:

- General criteria 1, 2, 3, 4, 5: The farm has an operational need to locate in the coastal marine area and alternative locations were considered. The application is for an activity of a scale and intensity compatible with the surrounding landscape. The activity does not add cumulative or sprawling effects.
- General criteria 6, 7, 8, 18: The farm has minimum impact on adjacent land uses. It does not impede public access through or around the site, but does add positive recreational opportunities for fishing.. General Criteria 10: This farm would contribute significantly to the socio-economic benefits of the area, the tangata whenua represented by the Te Hiku Forum and the wider region. The farm does not impact on any known cultural issues.
- General criteria 11, 12, 13, 14, 19: There are no identified significant landscapes, landforms or other natural character characteristics or cultural values in or near the site of the farm.
- General Criteria 20: Remediation is not considered necessary due to the low level of effects that would be generated by the farm operation.
- General criteria 22: Clearly it is essential for the marine farm to maintain and enhance water quality.
- General criteria: 9, 15, 16, 17, 21, 23, 24 and 25 are not relevant to this application.
- Structures Criteria 1, (M2MA). The proposed area of the farm would be the first of type in this area, however it is considered that no further farms are likely to occur in this area in the future due to the lack of any further sheltered space (ie from the northerly and easterly prevailing weather).
- Structures Criteria 7 & 10: It is contended that based on the information in this application the structures of the farm are an appropriate use in this area, and the visual impact would be low, due to the remote access.
- Structures Criteria 3, 4, 5, 6, 8, 9, 11, 12, 13, 14, 15 and 16 are not relevant to this application.
- Marine Farms Criteria 1: The species proposed for the farm have all been previously cultivated in the Northland region.

- Marine Farms Criteria 2, 3, 4: The marine farm would be suitable for the species to be farmed; the structure and location are also assessed as being suitable.
- Marine Farms Criteria 5, 6, 7: This is not required for this farm operation.
- Marine Farms Criteria 8: The operations would utilise existing infrastructure facilities based in Ahipara Bay.
- Marine Farms Criteria 9: The marine farm does not exclusively occupy the whole area. Other boats can pass through the farm. There are minimal uses currently made of the proposed farm space.

7.4.13 Overview: While the farm is located within M2MA, the provisions of M3MA have also been considered. It is considered that the proposed marine farm would be appropriate in the area and would meet the policy directives discussed above.

## **7.5 Proposed Plan Change to the RCP**

7.5.1 The proposed plan change 4 (Policy and Regulatory Regime for Aquaculture Management Areas) is part way through the First Schedule RMA process (council decisions released in 2008; Environment Court proceedings on hold). It is therefore appropriate to consider this plan change as it takes into account some of the legislative changes that have occurred since the plan became operative. Notwithstanding this, it is considered that the operative plan has more legal weighting in the consideration of this consent application.

7.5.2 The objectives and policies are more extensive than in the operative plan and reflect the need for aquaculture to occur within an Aquaculture Management Area (AMA). This requirement has been amended further by the recent Aquaculture Amendment legislation, and aquaculture no longer needs to be defined within an AMA.

The importance of sustainable management and of socio-economic and cultural benefits to the Northland region and its communities (objectives 1 & 2) are also recognised. Objective 4 requires locations which have no significant adverse effects on important natural, social, economic and cultural values. It is contended that this application is consistent with these objectives.

7.5.3 The significance of providing socio-economic opportunities for Maori is recognised in both the objective and policy (2).

7.5.4 There is a range of proposed policies relating to the location of AMAs, it is contended that the farm that is subject to this application meets these proposed requirements. Policies which are particularly relevant to this application include:

- Policies 6, 7 and 8 identify matters that aquaculture activities should have “no” or only “minor” or “avoid significant” adverse effects on. This application site does not contravene any of the matters raised in these policies. Refer to above section 3 and Appendix 3.
- Policies 9 & 12 identify where marine farming would not be appropriate. This application does not relate to any of the areas identified in this policy.
- Policies 10 & 11 seeks integration with land use. As covered in section 3 above, this farm operation is fully integrated with existing land services and is compatible with the existing land use of the surrounding land.
- Policy 17 addresses the duration of coastal permits being limited to 25 years.

7.5.5 In respect of M2MA, the plan change deems any new marine farming to be a prohibited activity (as per Rule 31.4.10). From 1 October 2011, the statutory requirement for aquaculture to be located in aquaculture management areas will be removed. At the same time, the definition of “prohibited activities” in section 87A(6) of the RMA will be amended so that prohibited activities under a proposed plan are not relevant. It is therefore contended that this application for aquaculture in the M2MA should be processed as discretionary activity under the operative plan.

7.5.6 Information requirements for a coastal permit are set out in chapter 27.7.1. This application has addressed all matters raised in this section.

7.5.7 While it is acknowledged that this plan change is in progress, it is contended that the marine farm that is subject to this application is consistent with the matters raised in the objectives and policies of the plan change and that marine farming is appropriate in the proposed location.

## **7.6 Overview of Statutory Provisions**

7.6.1 This farm which is the subject of this application is located within M2MA in the operative plan.

7.6.2 In accordance with the recent legislative amendments, this application is to be addressed as a discretionary activity, under the operative plan.

7.6.3 In recognition of the location of the proposed farm and the ownership of the surrounding land, it is considered that the consent should be non-notified and not served on individual persons.

## **8.0 Consent Conditions**



8.1 The applicant seeks that the duration of the consent is granted for the maximum period of 35 years. Appropriate conditions of consent ensuring mitigation of adverse effects supports a 35 year duration.

## **9.0 Conclusions**

9.1 The key points of this application are:

- The activity proposed by this application is a new activity in the area, but due to the landscape and remoteness of the land, it is contended that the adverse effects of the activity would be less than minor.
- The local Iwi Te Rarawa are strongly supportive of the economic and social benefits that would be provided through employment opportunities arising from the proposed farm.
- The proposed marine farming site is in an area where it is acknowledged that marine farming could be appropriate to occur.
- The application meets the relevant standards and terms and assessment criteria of the operative plan and of the proposed plan change. Any adverse environmental effects from this farm are considered to be less than minor.
- Based on the scientific report submitted in support of the application, the environmental effects of farming at this site are considered to be acceptable. There are no significant adverse effects.
- The application represents the efficient use of the site and will enable the local marine farming industry to continue and will result in positive effects on the cultural, economic and social wellbeing of the local communities.

Appendices to be submitted shortly...

Appendix 1 Survey Plan of the marine farm

Appendix 2 Marine Farming Map B13, Northland Regional Coastal Plan

Appendix 3 Reports from AUT and NIWA

Appendix 4 Proposed Lighting Plan



NEW ZEALAND

NORTH ISLAND

# JROA POINT TO APE BRETT

DEPTHS IN METRES  
SCALE 1:200,000 at 41°

in metres (under thirty one in metres and decimetres)  
to Chart Datum which is approximately Lowest  
Tidal Tide.

in metres. Underlined figures are drying heights  
Chart Datum; all other heights are above Mean High  
rings.

in; Mercator. Positions are on Geodetic Datum

ies: Surveys by Commanders I.S. Monro, G.B.W.  
and I.W. Munro RNZN, HMNZS LACHLAN 1967-  
ography mainly from Department of Lands and  
ita.

## CAUTION

Certain lights, buoys and beacons in the inner waters  
and channels are not shown on this chart. For these  
the larger scale charts must be consulted.

## ial Levels referred to Datum of Soundings

	Lat S	Long E	Heights in metres above Datum			
			MHWS	MHWN	MLWN	MLWS
ir	35° 10'	173° 07'	3.6	2.9	1.1	0.4
	34 31	172 57	2.5	2.1	0.7	0.3
	34 49	173 08	2.1	1.9	0.3	0.1
	34 59	173 32	2.6	2.3	0.8	0.5
	35 01	173 45	2.5	2.2	0.8	0.5
	35 01	173 56	2.2	2.0	0.7	0.5

## Tidal Streams referred to HW at AUCKLAND

S	D	34° 26' S 173 07 E		E	34° 52' S 173 16 E		F	34° 48' S 173 26 E		G	35° 02' S 173 56 E		H	35° 10' S 174 07 E	
kn	Dir	Rate (kn)		Dir	Rate (kn)		Dir	Rate (kn)		Dir	Rate (kn)		Dir	Rate (kn)	
Np	Dir	Sp	Np	Dir	Sp	Np	Dir	Sp	Np	Dir	Sp	Np	Dir	Sp	Np
1.8	152°	0.8	0.5	184°	0.8	0.5	170°	0.2	0.2	152°	0.6	0.4	110°	0.4	0.3
1.4	110	0.4	0.3	182	0.5	0.4	157	0.2	0.1	128	0.3	0.2	058	0.4	0.2
1.3	058	0.4	0.2	180	0.4	0.3	134	0.2	0.1	048	0.1	0.1	019	0.6	0.4
1.7	019	0.6	0.4	181	0.7	0.5	085	0.2	0.1	350	0.2	0.2	369	0.8	0.5
2	369	0.8	0.5	180	0.8	0.5	047	0.2	0.1	340	0.6	0.4	343	0.9	0.5
0	343	0.9	0.5	194	0.7	0.5	529	0.2	0.2	330	0.7	0.5	385	1.5	0.5
1.7	385	1.5	0.5	200	0.5	0.3	011	0.2	0.1	323	0.7	0.4	281	0.7	0.4
5	281	0.7	0.4	217	0.7	0.4	336	0.2	0.1	318	0.4	0.3	220	0.5	0.3
5	220	0.5	0.3	250	1.2	0.7	311	0.2	0.2	210	0.2	0.1	190	0.5	0.3
6	190	0.5	0.3	356	0.7	0.4	047	0.3	0.2	140	0.2	0.1	163	0.5	0.3
9	163	0.5	0.3	017	0.2	0.1	258	0.3	0.2	148	0.4	0.3	159	0.7	0.4
1	159	0.7	0.4	286	0.4	0.2	277	0.2	0.2	155	0.3	0.2	0	159	0.5
0	159	0.5	0.3	275	0.5	0.4	174	0.2	0.2	158	0.7	0.5			