

Your Comment on the Taranaki VTM Project

Please include all the contact details listed below with your comments.

1. Contact Details	
Please ensure that you have authority to comment on the application on behalf of those named on this form.	
Organisation name (if relevant)	Brooks Seafood Ltd & Awaroa Fisheries Ltd
First name	[REDACTED]
Last name	[REDACTED]
Postal address	[REDACTED]
Phone number	[REDACTED]
Email (<i>a valid email address enables us to communicate efficiently with you</i>)	[REDACTED]

2. We will email you draft conditions of consent for your comment			
☐	I can receive emails and my email address is correct	☐	I cannot receive emails and my postal address is correct
☒			

3. Please select the effects (positive or negative) that your comments address:			
☐	Economic Effects	☐	Sedimentation and Optical Water Quality Effects
☒	Effects on Coastal Processes	☐	Benthic Ecology and Primary Productivity Effects
☒	Fished Species	☐	Seabirds
☐	Marine Mammals	☐	Noise Effects
☐	Human Health Effects of the Marine Discharge Activities	☐	Visual, Seascape and Natural Character Effects
☐	Air Quality Effects	☐	Effects on Existing Interests
☐	Other Considerations (please specify):		
☒	Article 2 Rights confirmed and Guaranteed in Te Tiriti O Waitangi		

	Reaffirmed Rights in the Maori Fisheries Deed of Settlement
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My Name is [REDACTED] and I am a Customary & Commercial Fisherman of Taranaki & Tainui descent. I am also a Customary Kaitiaki Permit holder from Rangatapu Marae in Ohawe South Taranaki.

I have 35 years of knowledge of the South Taranaki and West Coast of the North island Fishery, as a Customary, Commercial and Recreational Fisherman all of the South Taranaki bight, more specifically from the shoreline to 75m. Through this Fishing I have caught many different species of Inshore fish with the main species being Snapper, Trevally, School Shark, Rig, John Dory, Tarakihi, Blue Cod and Gurnard.

During these Fishing trips I have witnessed large groups of Common Dolphins, Great White Shark, countless Orca and Blue whale sightings, for approximately the last 7 years i have been a full time Commercial fisherman on the North Islands West Coast, I have used the following Methods of Commercial fishing, Trawling, Gill netting, Bottom lining, Trolling and Commercial potting of Crayfish. In over 1800 days at sea in the last 7 years I have never encountered anywhere near the volume of Common Dolphin that I would see in the South Taranaki Bight, the largest sightings in the South Taranaki bight i would estimate to be in the range of three to four hundred Dolphins.

The only sightings of Blue Whale I have ever seen are in the South Taranaki Bight, with the most recent being on the 8th of July 2025 at 4.45pm.

The Applicants for this mining operation and some Politicians claim there is nothing significant about this particular piece of coastline, there is a notion that they are asserting that the area that they wish to Mine is Barren with nothing there, there is also an assertion that Niwa has done science in this area to uphold this claim. I firmly oppose these notions and as both a Customary and Commercial fisherman who contracts to Brooks seafood ltd and Awaroa Fisheries Ltd, I can attest that the area the applicants seek to mine has a crucial role in the West Coast Eco system, from October to around late January early February, Large numbers of Snapper move from the shallower waters (18-30m) of the South Taranaki Bight and utilise the stronger currents in the deeper Inshore (50-70m) to transit up the Coastline as far as Port Waikato. This is an Annual migration that Awaroa Fisheries Ltd Skippers have monitored as part of our fishing strategies as it requires an adjustment to the Headline height

Thank you for your comments

of our trawl gear during this period. Furthermore we see the change in the fish that come aboard in Waikato Tainui and Ngati Maniapoto Waters, the Snapper from South Taranaki Bight are larger, and have a deeper red colour than the snapper on the rest of the North island West Coast, they even have a firmer flesh. During the same time that the Snapper makes this Migration North, Trevally schools up and large harvests of pristine Trevally can be landed in the Rolling Grounds in the South Taranaki Bight. We have photo evidence and Trawl tow lines with latitude and longitude co-ordinates that we would be willing to share with the Fast track panel in a closed hearing to protect our intellectual property and reputation.

Treaty Rights & Maori Fisheries Settlement

The Crown has an obligation with its Treaty partners to uphold our confirmed and guaranteed rights of Te Tino Rangatiratanga over our Fisheries, whereas the applicants operation is not to harvest fish, the activity falls in a space that displaces access to Customary Fisheries and the activity itself has not been proven at any level that it will not disrupt the many Taonga species that we have confirmed and Guaranteed rights too, moreover the Maori fisheries deed of settlement 1992 in its opening Preamble A clearly re-affirms and acknowledges our Treaty rights

Preamble (a)

“By the Treaty of Waitangi the Crown confirmed and guaranteed to the Chiefs, tribes and individual Maori full exclusive and undisturbed possession and te tino rangatiratanga of their fisheries.”

This is also re-affirmed in the Maori Fisheries Act 2004

Preamble

(1)

“By the [Treaty of Waitangi](#), the Queen of England confirmed and guaranteed to the chiefs, tribes, and individual Maori the full, exclusive, and undisturbed possession of their fisheries for so long as they wished to retain them.”

To the best of my knowledge Maori in the Rohe Moana concerned have not at any stage stated to the crown that we do not wish to retain these rights, therefore the existing rights

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remain and the application would not only be a breach of Te Tiriti O Waitangi but also unlawful and a breach of the Maori Fisheries Act 2004.

Maori entered into the Maori Fisheries Deed of settlement in good faith with the crown and accepted redress for the illegal privatisation of fish stocks and received money for further investment into Commercial fisheries and Quota in order to be able to participate in the contemporary sale and trading of Fish.

The distribution and allocation of Maori Fisheries settlement assets to iwi had to factor in areas of recognised coastline and population, the application in question displaces a significant area of fishery that impacts South Taranaki Iwi and the respective quota allocated from the settlement. Moreover the time period of the mining application will have a generational impact to Maori affecting access to parts of the fishery over three decades, Maori did not enter into the Maori fisheries settlement with any knowledge that settlement assets and recognition of their article 2 rights would be based upon the Crown adjusting legislation to undermine the intent and scope of the settlement at a later date.

Separation of powers

Ngati Ruanui has won its legal challenges to this application in the Highest courts in the land, the current coalition Government has passed the fast track law in an attempt to “get things built”, “get the economy growing”, whereas this may be of some value in projects that have consenting timeframe issues, regarding this application it breaches the separation of powers that is supposed to be the checks and balances of power in a democratic society, furthermore this application has clear breaches of Te Tiriti O Waitangi and breaches of statute. The progress of this application will trigger future Treaty Settlements at a cost to the New Zealand tax payer, and a cost to the environment that will trigger further breaches of the Treaty and countless legal challenges from impacted stakeholders.

Due diligence

The panel has a responsibility to ensure this activity is lawful and poses no threat to the marine environment, given that this activity has never been carried out on the scale specified in the application in New Zealand waters, the notion that such a broad and extensive consent can be granted without a much smaller pilot test of the activity is constitutionally irresponsible. The notion that the investment required to do smaller scale testing is not feasible to the applicant without a large consent area is also careless and the

waters in question should not be trialed with a 35yr consent. The Rivers in Taranaki have suffered significant environmental damage from effluent discharge, Council Dumps, and countless permitted activities in the last 100 years and the Resource Management Act has been unable to reverse the damage. I have no confidence that the existing Statutes would be sufficient to halt this application when it inevitably began to cause impacts to the environment, rather it would be treated like other breaches of consent and settled with a fine and allowed to continue.

Closing Remarks

I as a Representative of both Brooks Seafood Ltd and Awaroa Fisheries Ltd oppose the progressing and consenting of this activity due to the significant impacts to the Environment and future fishing operations of our businesses, we will sue for damages and loss of future earnings should this application be approved. As an Uri to Taranaki Whanui Iwi I stand in solidarity with my whanau and oppose the consenting and progressing of this activity, myself and fishing colleagues will be expert witnesses in any future legal proceedings taken by Iwi for Treaty breaches, breaches of the Exclusive Economic Zone and Continental shelf (Environmental Effects) Act 2012 and any legal proceedings regarding the Maori fisheries Act 2004.

I call upon the Panel to uphold the Supreme Court ruling and ultimately uphold the confirmed and guaranteed rights Maori have as per Article 2 of te Tiriti O Waitangi and put the long term safety of the environment over the short term profit of a foreign company.

Nga Mihi



Brooks seafood Ltd

Awaroa Fisheries Ltd

Thank you for your comments

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