

29 April 2010

Hon Chris Finlayson MP
Attorney General
Parliament Building
Wellington

c.c Hon Gerry Brownlee, Minister of Energy

Dear Mr Finlayson

SUBMISSION – REVIEW OF FORESHORE AND SEABED ACT

The government's proposal to amend the present Act raises a potential challenge for New Zealand in harnessing the power of the sea to create electricity.

The Aotearoa Wave & Tidal Energy Association actively supports the development of this untapped resource as part of the mix of renewable energy resources which would help the government achieve its goal of 90 percent renewable energy by 2025.

To do that means attracting developers and commercial investors with the prospect of assured sites for either wave or tidal power generation around New Zealand's coastline.

The method of generating power comes from using marine turbines on the bed of the sea, surface wave generators tethered to the seabed, or wave generators attached to the edge of coastal land.

There are five active marine energy projects currently underway, the latest being a plan to reduce dependence on diesel-powered generation in Chatham Island by installing a coastal wave generator.

AWATEA understands the government's intent to place the foreshore and seabed in the public domain for up to 12 nautical miles offshore and acknowledges that its definition of customary title includes provision for "activities that need a coastal permit".

It is unclear on what basis coastal permits would be issued, what their time limits would be, whether they could be challenged by coastal hapu/iwi which can prove customary title, or what rights of renewal there would be.

The development of marine energy requires clear support from the government in terms of both access to appropriate sites and long term use of those sites if our country is to attract the necessary investment to benefit in a sustainable way from this form of renewable energy.

What we seek in the amended legislation is a clear statement that:

- (a) recognises the potential value of marine energy
- (b) makes provision for marine energy development on the foreshore and seabed

The goal would be to provide some surety for marine energy developers and investors in developing a form of renewable energy which has the long term potential for supplying 80 percent of New Zealand's energy requirements.

We would appreciate your comments.

Yours sincerely

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