

In Confidence

**Office of the Minister for the Environment
Office of the Minister of Conservation**

Chair, Cabinet

COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 6) 2022

Proposal

- 1 This paper seeks authorisation for submission to the Executive Council of the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 6) 2022 (the Amendment Order).
- 2 The Amendment Order amends the COVID-19 Recovery (Fast-track Consenting) Referred Projects Order 2020 to include as a project referred to an expert consenting panel (panel):
 - 2.1 Ariki Tahī Sugarloaf Wharf Limited's Ariki Tahī Sugarloaf Wharf Upgrade project (Schedule 47).

Executive Summary

- 3 The COVID-19 Recovery (Fast-track Consenting) Act 2020 (FTCA) is one of the Government's actions to support New Zealand's economic recovery from COVID-19. The FTCA enables any person to apply to fast-track certain approvals required under the Resource Management Act 1991 (RMA) for their project. Where projects are located either fully or partly within the Coastal Marine Area (CMA), we are joint decision-makers on the referral application.
- 4 Projects that we accept are referred to a panel by an amendment to the COVID-19 Recovery (Fast-track Consenting) Referred Projects Order 2020 (Order in Council), subject to Cabinet's agreement. This allows an applicant to lodge applications for resource consents and/or notices of requirement for a designation with the Environmental Protection Authority (EPA) for consideration by a panel.
- 5 Before granting any RMA approvals a panel must conduct a merit-based assessment of the project's effects, which includes testing the actual and potential effects of the project against the requirements of both Part 2 of the RMA and the purpose of the FTCA.
- 6 We received an application to fast-track the Ariki Tahī Sugarloaf Wharf Upgrade project from Ariki Tahī Sugarloaf Wharf Limited (ATSWL). The project lies partly in the CMA.
- 7 The project is to upgrade and expand commercial and recreational wharf facilities at Ariki Tahī (Sugarloaf Wharf) in Waipapa Bay, Coromandel Harbour.
- 8 We are satisfied as to the project's eligibility for referral and have considered whether it helps achieve the purpose of the FTCA. We sought written comments from the

Thames-Coromandel District Council (TCDC), Waikato Regional Council (WRC), relevant Ministers prescribed by the FTCA including the Minister for Oceans and Fisheries, the Coromandel Marine Farmers Association and Pare Hauraki Kaimoana. We considered all comments received and the report prepared under section 17 of the FTCA. We also requested and considered further information from the applicant.

- 9 We have accepted ATSWL's Ariki Tahī Sugarloaf Wharf Upgrade project for referral as we are satisfied it meets the eligibility criteria specified in section 18 of the FTCA. It will help achieve the purpose of the FTCA by having positive effects on social well-being, generating employment and providing infrastructure to improve economic and employment outcomes.
- 10 We consider the project will likely progress faster using the FTCA processes than if consents were sought through standard RMA processes, and we consider any actual and potential effects on the environment, together with any measures to mitigate, offset or compensate for adverse effects, can be considered and determined by a panel subject to Part 2 of the RMA and the purpose of the FTCA.
- 11 We now seek authorisation for submission of the Amendment Order to the Executive Council. The Amendment Order enables ATSWL to apply via the EPA to a panel for the relevant RMA approvals for the project, in accordance with the process in the FTCA.

Background

- 12 The FTCA is one of the Government's temporary actions to support New Zealand's economic recovery from COVID-19, by promoting employment and supporting on-going investment. Access to the FTCA provisions remains in place until the FTCA is repealed in July 2023.
- 13 The FTCA enables any person to apply to the Minister for the Environment, or, where projects are located either fully or partly within the CMA, the Minister for the Environment and the Minister of Conservation jointly, to access the fast-track consenting process for their project. If we accept an application, it is referred by Order in Council – specifically, via an amendment that adds the project as a new schedule to the COVID-19 Recovery (Fast-track Consenting) Referred Projects Order 2020 – subject to Cabinet's agreement. This allows an applicant to lodge a resource consent application or notice of requirement for a designation with the EPA for consideration and decision by a panel.
- 14 Panels are appointed by Panel Convener Judge Laurie Newhook and are constituted according to the specific representation, skills and knowledge required for the particular project. Before a panel grants any RMA approvals it must, among other things, consider the comments received from invited parties, assess the project's actual and potential effects, and test these against the requirements of Part 2 of the RMA and the purpose of the FTCA. As part of this process the panel may seek further information from a range of parties, including those invited to comment on the application.
- 15 To ensure robust oversight of the wider performance of the process, the Ministry for the Environment has commissioned an independent survey and review of FTCA implementation in the context of the FTCA's overall purpose. This will feed into a Ministry report to Treasury on FTCA implementation in March 2022.

- 16 As of 22 March 2022, 83 applications have been made under the FTCA to refer projects to a panel, of which:
- 16.1 44 projects have been referred and Orders in Council gazetted. Details are in Appendix one. In summary, for these projects:
 - 16.1.1 16 have been granted their RMA approvals by a panel
 - 16.1.2 One has had their applications for RMA approvals declined by a panel
 - 16.1.3 11 are under active panel consideration
 - 16.1.4 14 have yet to lodge their RMA applications
 - 16.1.5 Two have subsequently decided not to seek their RMA consents through the panel process.
 - 16.2 Nine projects accepted for referral are awaiting Orders in Council. This includes the project that is the subject of this paper
 - 16.3 Seven referral applications are being processed and are yet to receive referral decisions
 - 16.4 16 referral applications have been declined for a range of reasons including not meeting the purpose of the FTCA and it being more appropriate for them to go through the standard RMA consenting process
 - 16.5 Seven referral applications have been withdrawn by the applicants.
- 17 Projects listed in Schedule 2 of the FTCA are able to lodge their applications for RMA approvals with the EPA without first going through a referral assessment. An update on these projects is in Appendix two.


Project for referral: ATSWL's Ariki Tahī Sugarloaf Wharf Upgrade project

- 18 ATSWL has applied to use the fast-track consenting process for the Ariki Tahī Sugarloaf Wharf Upgrade project. The project site includes parts of the CMA in Waipapa Bay, Coromandel Harbour and reclaimed land vested in the Crown under the Marine and Coastal Area (Takutai Moana) Act 2011 (MACAA) at 260 Te Kouma Road, Coromandel.
- 19 The project is to upgrade the existing wharf facilities at Ariki Tahī (Sugarloaf Wharf) including:
- 19.1 disturbing the CMA, including by excavating and dredging approximately 29,000 cubic metres of the seabed to construct a new access channel
 - 19.2 draining and reclaiming approximately 6000 square metres from the marine and coastal area
 - 19.3 depositing fill (including dredged material) in the CMA
 - 19.4 constructing a seawall in the CMA


- 19.5 establishing a wharf facility for commercial users, providing up to five berths, storage areas for vehicles and equipment, a boat ramp and parking areas for vehicles and boat trailers
- 19.6 establishing a separate wharf facility for recreational users that includes a rock groyne approximately 25 metres long, dual boat ramp, and parking for vehicles and boat trailers
- 19.7 relocating the existing boat maintenance grid facility to the eastern side of the new recreational wharf and providing a single lane boat ramp for access to this facility
- 19.8 upgrading vehicle access to the site from Te Kouma Road
- 19.9 constructing and installing ancillary infrastructure including for three-waters services, security, lighting, signage and facilities such as a kiosk and toilets.
- 20 The project requires land use consents under the Proposed Thames-Coromandel District Plan and the Waikato Regional Plan, and coastal permits under the Waikato Regional Coastal Plan.
- 21 To better understand job creation potential, consents required, how the project is expected to pass the gateway tests in section 104D of the Resource Management Act 1991 (RMA), project funding and details of the project land status, we sought further information from ATSWL and the relevant local authorities (TCDC and WRC) – under section 22 of the FTCA.
- 22 We also sought written comments on this application from the relevant local authorities, relevant Ministers as determined by section 21(6) of the FTCA including the Minister for Oceans and Fisheries, the Coromandel Marine Farmers Association and Pare Hauraki Kaimoana.

Overview of comments


23 s 9(2)(f)(ii), s 9(2)(g)(i)



24 s 9(2)(f)(ii), s 9(2)(g)(i)



25 s 9(2)(f)(ii), s 9(2)(g)(i)



- 26 TCDC and WRC supported project referral. Both TCDC and WRC advised that the project may affect nearby residents more than the public at large due to the operational noise of the commercial wharf, although neither council named anyone specifically.
- 27 We received unsolicited comments from the Waipapa Bay Protection Society expressing concern about effects of the project on nearby residents.
- 28 The Coromandel Marine Farmers Association and Pare Hauraki Kaimoana supported project referral.
- 29 WRC requested directions to the applicant and the panel that we have considered.

Decision

- 30 In making our decision we considered the application and further information received, all comments provided in response to our invitation, and the eligibility criteria in section 18 of the FTCA¹. We also considered the report prepared under section 17 of the FTCA.
- 31 We have decided to accept ATSWL's application for referral of the Ariki Tahi Sugarloaf Wharf Upgrade project to a panel. We consider the project meets the eligibility criteria in section 18 of the FTCA and achieves the purpose of the FTCA as it will:
- 31.1 generate approximately 95 direct full-time equivalent (FTE) jobs over an 18-month construction period and enable approximately 367 indirect FTE jobs once complete
 - 31.2 provide infrastructure to improve employment and economic outcomes in the aquaculture industry, and support on-going investment in, and development of, commercial aquaculture in the Waikato-East region
 - 31.3 enhance social well-being by improving access to the coastal marine area for recreational use and providing infrastructure that is safer to use, better caters for the needs of users, and is more resilient to natural hazards and the effects of climate change than the current facilities at the site
 - 31.4 progress faster than would otherwise be the case under standard RMA processes.
- 32 To address specific matters raised by TCDC and WRC, we have decided to specify the applicant must provide an ecological assessment, a water quality assessment, an acoustic assessment, a coastal processes assessment, an assessment against the WRC climate change guidelines, and information regarding their legal right to access and use the land within the project site with their resource consent applications to a panel. The full details of this information requirement are in Appendix three.
- 33 The FTCA requires that a panel invite comments from the relevant local authorities, relevant iwi authorities and Treaty settlement entities, specific Ministers, owners and occupiers of adjacent land, specific non-governmental organisations and other groups listed in the FTCA². In addition to these requirements and to address specific matters raised, we have decided to specify that a panel must seek comment on ATSWL's

¹ In accordance with section 24 of the FTCA - Decision to accept application for referral

² Clause 17(6) of Schedule 6, FTCA.

resource consent applications from the Waikato regional harbourmaster and Waipapa Bay Protection Society as listed in Appendix three.

- 34 We consider any actual and potential effects on the environment, together with any measures to mitigate, offset or compensate for adverse effects, can be appropriately tested by a panel against Part 2 of the RMA and the purpose of the FTCA. The additional material listed in Appendix three that must be submitted to a panel will assist with this.
- 35 We consider there are no reasons to decide under section 24(2) of the FTCA to:
- 35.1 limit the scope of the project by referring it only in part
 - 35.2 refer the project in stages
 - 35.3 place any restrictions on the project
 - 35.4 impose specific timeframes for panel consideration.

Timing and 28-day rule

- 36 Cabinet has agreed to waive the 28-day rule for Orders in Council relating to projects to be referred to a panel³. Therefore, the Amendment Order will come into force the day after publication in the New Zealand Gazette. ATSWL may then lodge resource consent applications for the Ariki Tahi Sugarloaf Wharf Upgrade project with the EPA, for consideration by a panel.

Compliance

- 37 The Amendment Order complies with:
- 37.1 the principles of the Treaty of Waitangi
 - 37.2 the rights and freedoms contained in the New Zealand Bill of Rights Act 1990 or the Human Rights Act 1993
 - 37.3 the principles and guidelines set out in the Privacy Act 1993
 - 37.4 relevant international standards and obligations
 - 37.5 the Legislation Guidelines (2018 edition), which are maintained by the Legislation Design and Advisory Committee.

Regulations Review Committee

- 38 We do not consider that there are grounds for the Regulations Review Committee to draw this Order in Council to the attention of the House of Representatives under Standing Order 319.

Certification by Parliamentary Counsel Office

- 39 The Amendment Order has been certified by the Parliamentary Counsel Office as being in order for submission.

³ ENV-20-MIN-0033 and CAB-20-MIN-0353 refer

Impact Analysis

Regulatory Impact Assessment

- 40 The Regulatory Impact Assessment (RIA) requirements for this proposal have been waived. Cabinet has agreed that a RIA is not required for Orders in Council relating to projects to be referred to a panel⁴.

Climate Implications of Policy Assessment

- 41 The Climate Implications of Policy Assessment (CIPA) team at the Ministry for the Environment has been consulted and confirms that the CIPA requirements⁵ do not apply to the project.

Publicity

- 42 The Amendment Order will be available on the New Zealand Legislation website following its notification in the New Zealand Gazette.
- 43 As required under section 25 of the FTCA, our decision to refer the project to a panel for consideration, the reasons for this decision, and the report obtained under section 17 will be made available to the public on the Ministry for the Environment's website.

Proactive release

- 44 We intend to proactively release this paper on the Ministry for the Environment's website subject to redaction as appropriate under the Official Information Act 1982.

Consultation

- 45 The Ministry for the Environment and Department of Conservation sought comment on this paper from Te Tūāpapa Kura Kāinga Ministry of Housing and Urban Development, Ministry for Culture and Heritage, Te Puni Kōkiri, Ministry of Education, Department of Corrections, Land Information New Zealand, Treasury, Ministry of Transport, Ministry of Business, Innovation and Employment, Ministry for Primary Industries, Department of Prime Minister and Cabinet, Ministry of Health, Ministry of Defence, Department of Internal Affairs and The Office for Māori Crown Relations – Te Arawhiti.

⁴ ENV-20-MIN-0033 and CAB-20-MIN-0353 refer

⁵ CO (20) 3 refers

Recommendations

We recommend that Cabinet:

- 1 **note** that we have decided under section 24 of the COVID-19 Recovery (Fast-track Consenting) Act 2020 to accept the application for referral of Ariki Tahī Sugarloaf Wharf Limited's Ariki Tahī Sugarloaf Wharf Upgrade project to a panel
- 2 **note** that the Ariki Tahī Sugarloaf Wharf Upgrade project meets the eligibility criteria in section 18 of the COVID-19 Recovery (Fast-track Consenting) Act 2020, and is considered to help achieve the Act's purpose as it will:
 - 2.1 generate approximately 95 direct full-time equivalent (FTE) jobs over an 18-month construction period and enable approximately 367 indirect FTE jobs once complete
 - 2.2 provide infrastructure to improve employment and economic outcomes in the aquaculture industry, and support on-going investment in, and development of, commercial aquaculture in the Waikato-East region
 - 2.3 enhance social well-being by improving access to the coastal marine area for recreational use and providing infrastructure that is safer to use, better caters to the needs of users, and is more resilient to natural hazards and the effects of climate change than the current facilities at the site
 - 2.4 progress faster than would otherwise be the case under standard RMA processes.
- 3 **note** that the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 6) 2022 requires Ariki Tahī Sugarloaf Wharf Limited to provide to an expert consenting panel an ecological assessment, a water quality assessment, a coastal processes assessment, an assessment against the WRC climate change guidelines, and information regarding their legal right to access and use the land within the project site, as detailed in Appendix three
- 4 **note** that the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 6) 2022 requires an expert consenting panel appointed to consider Ariki Tahī Sugarloaf Wharf Limited's Ariki Tahī Sugarloaf Wharf Upgrade project to seek comments from the Waikato regional harbourmaster and the Waipapa Bay Protection Society, as listed in Appendix three
- 5 **authorise** submission of the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 6) 2022 to the Executive Council
- 6 **note** that on 27 July 2020, Cabinet agreed to waive the standard 28-day rule relating to Orders in Council made under the COVID-19 Recovery (Fast-track Consenting) Act 2020 [CAB-20-MIN-0353 refers]. Consequently, the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 6) 2022 will come into force the day after publication in the New Zealand Gazette.

Authorised for lodgement

Hon David Parker
Minister for the Environment

Hon Kiritapu Allan
Minister of Conservation

Appendix one – Referred projects under the COVID-19 Recovery (Fast-track Consenting) Act 2020

Referred projects with Orders in Council gazetted		
Project - Location	Applicant	EPA Status
Clutha Upper Waitaki Lines Project - Works and Workers' Village - Clutha Upper Waitaki	Transpower New Zealand Limited	Not progressing through FTC
Northbrook Wanaka Retirement Village - Wanaka	Winton Property Limited	Consented by Panel (4 August 2021)
Kohimarama Comprehensive Care Retirement Village - Kohimarama, Auckland	Ryman Healthcare Limited	Consented by Panel (12 May 2021)
Molesworth Street Office Development - Thorndon, Wellington	Prime Property Group Limited	Consented by Panel (12 November 2021)
The Vines Affordable Subdivision - Richmond, Tasman	Jason and Angela Mudgway	Declined by Panel (17 September 2021)
Dominion Road Mixed-use Development - Mount Eden, Auckland	Pudong Housing Development Company Limited, Foodstuffs North Island Limited, and Silk Road Management Limited	Consented by Panel (29 September 2021)
Ohinewai Foam Factory - Ohinewai, Waikato	Ambury Properties Limited	Consented by Panel (24 August 2021)
Eastern Porirua Regeneration Project - Infrastructure Works - Porirua	Kāinga Ora-Homes and Communities' and Porirua City Council	Lodgement expected early 2022
Silverlight Studios - Wanaka	Silverlight Studios Limited	Consented by Panel (8 December 2021)
Brennan winery, restaurant, education, and event complex - Gibbston Valley, Otago	Otago Viticulture and Oenology Limited's (trading as Brennan Wines)	Not progressing through FTC
Nola Estate - Glen Eden, Auckland	CPM 2019 Limited	Consented by Panel (1 October 2021)
Wooing Tree Estate – Cromwell	Wooing Tree Property Development LP	Consented by Panel (29 September 2021)
Kapuni Green Hydrogen - Kapuni, Taranaki	Hiringa Energy Limited's and Ballance Agri-Nutrients Limited	Consented by Panel (1 December 2021)
New Dunedin Hospital – Whakatuputupu – Dunedin Package 1 – enabling works	The Minister of Health's and the Ministry of Health	Consented by Panel (23 December 2021)
New Dunedin Hospital – Whakatuputupu – Dunedin Package 2 - buildings	The Minister of Health's and the Ministry of Health	Lodgement expected early 2022

Faringdon South West and South East Development - Rolleston	Hughes Developments Limited's	Consented by Panel (27 August 2021)
Summerset Retirement Village -Waikanae - Waikanae	Summerset Villages (Waikanae) Limited	Consented by Panel (23 September 2021)
Beachlands Housing Development - Beachlands, Auckland	Neil Construction Limited and Fletcher Residential Limited	Under consideration by Panel
Kōpū Marine Precinct - Kōpū, Thames	Thames-Coromandel District Council	Consented by Panel (9 March 2022)
Whakatāne Commercial Boat Harbour project - Whakatāne	Whakatāne District Council, Te Rāhui Lands Trust, Te Rūnanga o Ngāti Awa, Ngāti Awa Group Holdings Limited, Te Rāhui Lands General Partner Limited, Te Rāhui Herenga Waka Whakatane Limited, and Provincial Growth Fund Limited	Under consideration by Panel
Karaka North Village - Karaka, Auckland	Capella Group Limited and Karaka North Village Limited	Lodgement expected early 2022
Ōmāhu Residential Development - Remuera, Auckland	Urban Resort Limited and Icon Co Pty (NZ) Limited	Consented by Panel (14 February 2022)
George St Mixed Use Development - Newmarket, Auckland	Newmarket Holdings Development Limited Partnership	Lodgement expected early/mid 2022
Otawere Water Storage Reservoir - Northland	Te Tai Tokerau Water Trust	Under consideration by Panel
Drury Central & Paerata Stations - Auckland	KiwiRail Holdings Limited	Consented by Panel (3 February 2022)
Rangitane Maritime Development - Kerikeri	Far North District Council & Far North Holdings Limited	Under consideration by Panel
Brickfields, Scott Road Development - Hobsonville, Auckland	Aedifice Development Limited	Under consideration by Panel
Melia Place - Whangaparāoa, Auckland	Melia Development Limited	Under consideration by Panel
Tauranga Innovative Courthouse - Tauranga	The Minister of Justice and the Ministry of Justice	Lodgement expected early 2022
Oruku Landing - Whangārei, Northland	Northland Development Corporation Limited	Lodgement expected early 2022
Riverbend Residential Development - Napier	Tawanui Developments Limited, K3 Properties Limited & Mana Ahuriri Holdings Limited	Lodgement expected mid 2022
Silverlight Studios Accommodation - Wanaka, Otago	Silverlight Studios Limited	Consented by Panel (18 February 2022)

Drury Centre Precinct - Auckland	Kiwi Property Holdings No 2	Under consideration by Panel
Waihoehoe Precinct - Auckland	Oyster Capital Limited	Under consideration by Panel
Drury East Stage 1 Precinct – Auckland	Fulton Hogan Land Development	Under consideration by Panel
Flints Park, Laries Mile – Te Pūtahi, Queenstown	Glenpanel Development Limited	Lodgement expected early 2022
Federal Street Residences, Auckland	P0012 Auckland NZ Pty Limited	Under consideration by Panel
Bellgrove Development, Rangiora	Bellgrove Rangiora Limited	Under consideration by Panel
Lakeview-Taumata	QT Lakeview Developments Limited	Lodgement expected early 2022
Summerset Retirement Village, Half Moon Bay, Auckland	Summerset Villages (Halfmoon Bay) Limited	Lodgement expected mid 2022
Browns Bay Road Apartments, Auckland	Matvin Group Limited	Lodgement expected mid 2022
Te Tauoma Stage 1B, St Johns, Auckland	Shundi Tamaki Village Limited	Lodgement expected mid 2022
Kaiwharawhara Wellington Ferry Terminal Redevelopment	KiwiRail Holdings Limited	Lodgement expected mid 2022
The Rotokauri North project, Hamilton	Rotokauri North Holdings Limited	Lodgement expected mid 2022
Tauhei Farm Solar Project, Te aroha	Harmony Energy New Zealand Limited	Lodgement expected mid 2022

Appendix two – Status of projects listed Schedule 2 of the COVID-19 Recovery (Fast-track Consenting) Act 2020

Listed Project	Status
Matawii Water Storage Reservoir Kaikohe	Consents have been approved.
Papakāinga Development – Rāpaki, Christchurch	Consents have been approved.
Te Ara Tupua – Ngā Ūranga to Pito-one shared path	Consents have been approved.
Waitohi Picton Ferry Precinct Redevelopment	Consents have been approved.
Queenstown Arterials Project	Consents have been approved.
Papakāinga Development - Kaitaia	Consents have been approved.
Papakura to Pukekōhe rail electrification	Package 1 - consents have been approved. Package 2 – minor consents - unlikely to proceed under fast-track at this stage.
Papakura to Drury South State Highway 1 improvements	Package 1 - consents have been approved. Package 2 – lodgement anticipated in 2022.
Papakāinga Development – Waitara, Taranaki	Lodgement anticipated in 2022.
Northern Pathway – Westhaven to Akoranga shared path	Unlikely to proceed under fast-track at this stage.
Te Pā Tāhuna Residential Development	Unlikely to proceed under fast-track at this stage.
Unitec Residential Development	Unlikely to proceed under fast-track at this stage.
Papakāinga Development - Point Chevalier, Auckland	Unlikely to proceed under fast-track at this stage.
Papakāinga development – Whaingaroa, Raglan	Unlikely to proceed under fast-track at this stage.
Papakāinga Development - Chatham Islands	Unlikely to proceed under fast-track at this stage.
Wellington Metro Upgrade Programme	Unlikely to proceed under fast-track at this stage.
Britomart Station eastern end upgrade	Unlikely to proceed under fast-track at this stage.

Appendix three – Additional requirements specified by the Minister for the Environment and the Minister of Conservation under section 24(2) of the FTCA for Ariki Tahī Sugarloaf Wharf Limited's Ariki Tahī Sugarloaf Wharf project

Ariki Tahī Sugarloaf Wharf Limited is required to provide with their applications for resource consents to an expert consenting panel:

1. an ecological assessment including analysis of the effects of the project on benthic values, coastal birds and biosecurity
2. a water quality assessment including analysis of the effects of the project on water quality due to sedimentation and discharge of heavy metals from seabed disturbance, ongoing stormwater discharges and discharges from the maintenance grid
3. a coastal processes assessment
4. an assessment of the project against the Waikato Regional Council Climate Change Guideline: Integrated Catchment Management
5. Information regarding their legal right to access and use the existing reclaimed land at Ariki Tahī and any procedural or legal matters under the Resource Management Act 1991 and the Marine and Coastal Area (Takutai Moana) Act 2011 that are outstanding or may need to be addressed pursuant to this
6. an acoustic assessment of the project, including the ongoing operation of the commercial wharf, which includes assessment of the effects of noise on nearby residents

An expert consenting panel appointed to consider Ariki Tahī Sugarloaf Wharf Limited's applications for resource consents for the Ariki Tahī Sugarloaf Wharf Upgrade project must seek comments from the following additional persons/organisations:

1. Waikato regional harbourmaster
2. Waipapa Bay Protection Society.