



Application for a project to be referred to an expert consenting panel

(Pursuant to Section 20 of the COVID-19 Recovery (Fast-track Consenting) Act 2020)

For office use only:

Project name: Ariki Tahi (Sugarloaf Wharf) Upgrade
Application number: PJ-0000773
Date received: 05/11/2021

This form must be used by applicants making a request to the responsible Minister(s) for a project to be referred to an expert consenting panel under the COVID-19 Recovery (Fast-track Consenting) Act 2020.

All legislative references relate to the COVID-19 Recovery (Fast-track Consenting) Act 2020 (the Act), unless stated otherwise.

The information requirements for making an application are described in Section 20(3) of the Act. Your application must be made in this approved form and contain all of the required information. If these requirements are not met, the Minister(s) may decline your application due to insufficient information.

Section 20(2)(b) of the Act specifies that the application needs only to provide a general level of detail, sufficient to inform the Minister's decision on the application, as opposed to the level of detail provided to an expert consenting panel deciding applications for resource consents or notices of requirement for designations.

We recommend you discuss your application and the information requirements with the Ministry for the Environment (the Ministry) before the request is lodged. Please contact the Ministry via email: fasttrackconsenting@mfe.govt.nz

The Ministry has also prepared [Fast-track guidance](#) to help applicants prepare applications for projects to be referred.

Part I: Applicant

Applicant details

Person or entity making the request: Ariki Tahi Sugarloaf Wharf Limited

Contact person: Andrew Stevens

Job title: Chairperson

s 9(2)(a)

s 9(2)(a)

Postal address:

c/- Mitchell Daysh Limited

PO Box 300 673

Albany

Auckland 0752

Address for service (if different from above)

Organisation: Mitchell Daysh Limited

Contact person: Richard Turner

Job title: Director

s 9(2)(a)

s 9(2)(a)

s 9(2)(a)

Postal address:

PO Box 300 673

Albany

Auckland 0752

Part II: Project location

The application: relates partly to the coastal marine area

If the application relates to the coastal marine area wholly or in part, references to the Minister in this form should be read as the Minister for the Environment and Minister of Conservation.

Site address / location:

A cadastral map and/or aerial imagery to clearly show the project location will help.

Ariki Tahi is an existing commercial and recreational wharf facility located in Waipapa Bay, along the southern shoreline of the Coromandel Harbour. Ariki Tahi is situated on Te Kouma Road and is located approximately 10km from Coromandel Township.

Legal description(s):

A current copy of the relevant Record(s) of Title will help.

Ariki Tahi is located on reclaimed land vested in the Crown under the Marine and Coastal Area (Takutai Moana) Act 2011. The site is legally described as Lot 1 DPS 86095.

Registered legal land owner(s):

The area of seabed that is the subject of this project is owned by the Crown.

The existing facilities at Ariki Tahī are publicly owned infrastructure managed by the Thames Coromandel District Council

Detail the nature of the applicant's legal interest (if any) in the land on which the project will occur, including a statement of how that affects the applicant's ability to undertake the work that is required for the project:

The current wharf facility at Ariki Tahī is located on reclaimed land that was authorised via resource consents granted by the Waikato Regional Council in 1993 and 1999, and is currently vested in the Crown under the Marine and Coastal Area (Takutai Moana) Act 2011. It is legally described as Lot 1 DPS 86095.

The reclamation works proposed will occur in the seabed of Waipapa Bay, Coromandel Harbour.

Part III: Project details

Description

Project name: Ariki Tahī (Sugarloaf Wharf) Upgrade

Project summary:

Please provide a brief summary (no more than 2-3 lines) of the proposed project.

Ariki Tahī Sugarloaf Wharf Limited is proposing to upgrade the existing wharf facilities at Ariki Tahī (Sugarloaf Wharf) to cater for the projected increase in aquaculture production in the Firth of Thames and to resolve the existing health and safety challenges associated with the lack of separation between commercial and recreational users of the existing wharf.

Project details:

Please provide details of the proposed project, its purpose, objectives and the activities it involves, noting that Section 20(2)(b) of the Act specifies that the application needs only to provide a general level of detail.

Ariki Tahī is currently a 3,770 m² shared commercial and recreational facility, and is the primary wharf servicing the aquaculture industry operating in the Firth of Thames / Tikapa Moana. It is critical infrastructure to the ongoing success of the aquaculture industry in the Waikato and Auckland Region's due to its all-tide use, proximity to existing and consented aquaculture space in the Firth of Thames / Tikapa Moana (e.g. Wilsons Bay Marine Farming Zone), and associated operational support services around Coromandel Harbour.

Ariki Tahī presently handles approximately 25,000 tonnes of harvested aquaculture per annum (predominantly mussels), which represents approximately 90% of the mussels harvested in the North Island. Based on current productivity of the existing mussel farms in the Firth of Thames / Tikapa Moana, along with the consented or proposed aquaculture space in the area, the volume of harvested aquaculture handled through Ariki Tahī is predicted to increase to approximately 42,000 tonnes per annum by 2040, an increase of around 68%.

The existing configuration of facilities at Ariki Tahī presents a number of health and safety challenges, most notably due to the lack of separation between commercial and recreational users (particularly when loading / unloading activities are occurring). Operations at Ariki Tahī are also subject to climatic events, with parts of the wharf occasionally being overtopped during extreme weather and / or tidal events.

In summary, resource consents for the upgrade of Ariki Tahī are principally being sought in order to:

- Provide for the predicted increase in harvested aquaculture from the existing, consented and proposed aquaculture activities in the Firth of Thames / Tikapa Moana (which are predicted to increase to approximately 42,000 tonnes per annum by 2040);
- Address the health and safety challenges associated with the current lack of adequate separation between the commercial and recreational users at the Wharf;
- Provide improved boat launching facilities for recreational users who live around Coromandel Harbour;

- Address the overtopping and flooding issues that already constrain Ariki Tahi in extreme climatic events, and which are predicted to increase in the future; and
- Improve the roading network to cater for the proposed expansion which will have wider safety benefits for other users of Te Kouma Road, and to address the current parking issues

A 'do nothing' option at Ariki Tahi would mean that the utilisation of the existing facility would become more compromised over time, including within the next 12 months where Ariki Tahi will need to handle product from an additional 375 hectares of mussel farming. This would result in the continuation of health and safety challenges at the Wharf (due to the lack of separation between commercial / recreational users) and this option would also fail to address the requirement to undertake significant repair or improvements works in order to retain the existing level of serviceability.

The proposed activities and works associated with the upgrade of Ariki Tahi include:

- The dredging of approximately 29,000 m³ of the seabed to the north of Ariki Tahi to provide for an all-tide approach channel to the Wharf (along with periodic maintenance dredging);
- The reclamation of approximately 6,900 m² of seabed via the establishment of a blockwall / seawall, revetment and armouring, and the use of dredged material as fill. This consists of approximately 3,340 m² of reclamation for the commercial area and approximately 3,560 m² for the recreational area;
- The establishment a separate commercial facility over the existing facility, including a separate access off Te Kouma Road (with an automated gate) and carparks for commercial vehicles and trailers. The commercial facility will also include a storage area for equipment and an enclosed area for forklifts and other equipment. Up to five berths for commercial vessels are proposed, with three berths orientated in a northwest / southeast direction and two berths orientated in a northeast / southwest direction;
- The establishment of a separate recreational facility, including a 25 m long groyne and dual boat ramp, to the southeast of the existing facility, including a separate access off Te Kouma Road and carparks for vehicles and boat trailers;
- The retention of the existing boat ramp in the commercial area;
- The relocation of the maintenance grid to the east of the recreational area, including a single lane boat ramp to access the grid;
- The access to Ariki Tahi from Te Kouma Road will be lengthened to provide access to both the commercial and recreational areas. Signage warning of a concealed entrance is proposed;
- Stormwater treatment and disposal infrastructure; and
- A kiosk and toilet block that is approximately 36 m² in area

Please see the attached document for full details of the proposal.

Where applicable, describe the staging of the project, including the nature and timing of the staging:

Given the nature of the works involved it is not feasible to stage the upgrade works proposed at Ariki Tahi.

The upgrade works will, however, be scheduled around key periods of commercial and recreation activity at Ariki Tahi – in order to minimise the potential for disturbance to existing activities. The construction programme for the upgrade works at Ariki Tahi will be influenced by the need to accommodate both the commercial and recreational users of the facility during the redevelopment works.

It is currently expected that the full construction programme will cover a period of approximately 18 months, although this will be influenced by meteorological conditions and the maintenance of dredging activity below trigger levels associated with water quality monitoring.

Consents / approvals required

Relevant local authorities: Thames-Coromandel District Council, Waikato Regional Council

Resource consent(s) / designation required:

Land-use consent, Coastal permit

Relevant zoning, overlays and other features:

Please provide details of the zoning, overlays and other features identified in the relevant plan(s) that relate to the project location.

| Legal description(s) | Relevant plan | Zone | Overlays | Other features |
|----------------------|--|---|----------|----------------|
| Lot 1 DPS 86095. | Proposed Thames Coromandel District Plan | Marine Service Zone (existing site). No zone for the area proposed to be reclaimed. | N/A | Not applicable |
| Lot 1 DPS 86095. | Waikato Regional Coastal Plan | N/A | N/A | N/A |

Rule(s) consent is required under and activity status:

Please provide details of all rules consent is required under. Please note that Section 18(3)(a) of the Act details that the project **must not include** an activity that is described as a prohibited activity in the Resource Management Act 1991, regulations made under that Act (including a national environmental standard), or a plan or proposed plan.

| Relevant plan / standard | Relevant rule / regulation | Reason for consent | Activity status | Location of proposed activity |
|--|----------------------------|-----------------------------------|-----------------------------------|-------------------------------|
| Waikato Regional Coastal Plan | Rule 16.6.19 | See attached document for details | Discretionary Activity | Waipapa Bay |
| Waikato Regional Coastal Plan | Rule 16.6.12 | See attached document for details | Discretionary Activity | Waipapa Bay |
| Waikato Regional Coastal Plan | Rule 16.4.24 | See attached document for details | Discretionary Activity | Waipapa Bay |
| Waikato Regional Coastal Plan | Rule 16.6.9 | See attached document for details | Controlled Activity | Waipapa Bay |
| Waikato Regional Coastal Plan | Rule 16.3.7 | See attached document for details | Discretionary Activity | Waipapa Bay |
| Waikato Regional Coastal Plan | Rule 16.1.2 | See attached document for details | Non-Complying Activity | Waipapa Bay |
| Proposed Thames Coromandel District Plan | Section 49 - Rule 3(2) | See attached document for details | Restricted Discretionary Activity | Ariki Tahi (Sugarloaf Wharf) |
| Proposed Thames Coromandel District Plan | Section 49 - Rule 7(2) | See attached document for details | Restricted Discretionary Activity | Ariki Tahi (Sugarloaf Wharf) |
| Proposed Thames Coromandel District Plan | Section 49 - Rule 11(2) | See attached document for details | Restricted Discretionary Activity | Ariki Tahi (Sugarloaf Wharf) |
| Proposed Thames Coromandel District Plan | Section 39 - Rule 11(2) | See attached document for details | Restricted Discretionary Activity | Ariki Tahi (Sugarloaf Wharf) |
| Proposed Thames Coromandel District Plan | Section 39 - Rule 5(2) | See attached document for details | Restricted Discretionary Activity | Ariki Tahi (Sugarloaf Wharf) |

| | | | | |
|--|------------------------|-----------------------------------|-----------------------------------|------------------------------|
| Proposed Thames Coromandel District Plan | Section 39 - Rule 6(2) | See attached document for details | Restricted Discretionary Activity | Ariki Tahi (Sugarloaf Wharf) |
| Proposed Thames Coromandel District Plan | Section 39 - Rule 7(2) | See attached document for details | Discretionary Activity | Ariki Tahi (Sugarloaf Wharf) |
| Proposed Thames Coromandel District Plan | Section 36 - Rule 1(4) | See attached document for details | Discretionary Activity | Ariki Tahi (Sugarloaf Wharf) |
| Proposed Thames Coromandel District Plan | Section 1.5 | See attached document for details | Non-Complying Activity | Reclaimed Land |

Resource consent applications already made, or notices of requirement already lodged, on the same or a similar project:

Please provide details of the applications and notices, and any decisions made on them. Schedule 6 clause 28(3) of the COVID-19 Recovery (Fast-track Consenting) Act 2020 details that a person who has lodged an application for a resource consent or a notice of requirement under the Resource Management Act 1991, in relation to a listed project or a referred project, must withdraw that application or notice of requirement before lodging a consent application or notice of requirement with an expert consenting panel under this Act for the same, or substantially the same, activity.

No other resource consent applications or notices of requirement have previously been lodged for this, or a similar, project. However, an application to refer the upgrade of Ariki Tahi to an expert consenting panel for consideration under the Act was made by ATSWL in mid-2020. This original application was declined by Ministers Parker and Sage.

Please see the attached document for a full description of the previous application (in section 3.5).

Resource consent(s) / Designation required for the project by someone other than the applicant, including details on whether these have been obtained:

Not applicable.

Other legal authorisations (other than contractual) required to begin the project (eg, authorities under the Heritage New Zealand Pouhere Taonga Act 2014 or concessions under the Conservation Act 1987), including details on whether these have been obtained:

No other legal authorisations are required to begin the project.

Whilst it is noted that Ariki Tahi is located adjacent to a registered heritage site (Ariki Tahi Pa), the proposed reclamation works are not anticipated to result in the potential disturbance of heritage material. Therefore, the project does not require an archaeological authority under the New Zealand Pouhere Taonga Act 2014.

Construction readiness

If the resource consent(s) are granted, and/or notice of requirement is confirmed, detail when you anticipate construction activities will begin, and be completed:

Please provide a high-level timeline outlining key milestones, e.g. detailed design, procurement, funding, site works commencement and completion.

Ariki Tahi Sugarloaf Wharf Limited anticipates that the upgrades to Ariki Tahi will be operational by the end of 2024, subject to the project being accepted for referral under the Act. In this regard, detailed design of the wharf upgrade is currently occurring in parallel with the preparation of resource consent applications.

Procurement and construction of the upgrade to the wharf is then expected to take approximately 18 months post the securing of resource consents.

Part IV: Consultation

Government ministries and departments

Detail all consultation undertaken with relevant government ministries and departments:

Ministry of Business, Innovation and Employment – The Ministry of Business, Innovation and Employment is a 33% shareholder in ATSWL. As such, they have been fully engaged in discussions regarding the upgrade of the wharf since inception.

Department of Conservation – The Department of Conservation have been advised of the proposed upgrade works to Ariki Tahī for some time, including during the funding process by the Provincial Growth Fund.

Ministry for Primary Industries (“MPI”) / Fisheries NZ – MPI has been involved with the upgrade project since its inception, and participated on the Steering Group overseeing the Business Case that led to investment by the Provincial Growth Fund. It currently has no active role in the project but remains fully engaged and supportive of this proposal. In particular, this project aligns with the government’s 2019 National Aquaculture Strategy, including: *support infrastructure needs to enable growth, and facilitate co-investment in priority infrastructure.*

Local authorities

Detail all consultation undertaken with relevant local authorities:

Thames-Coromandel District Council – TCDC currently manages Ariki Tahī and is a 33% shareholder in ATSWL. As such, they have been fully engaged in discussions regarding the upgrade of the wharf since inception. The Chief Executive of TCDC participated in the Steering Group that prepared the business case for the project. Consultation has also occurred with regulatory staff at the TCDC regarding the consenting process, potential implications for Council assets (e.g. Te Kouma Road) and the community of interest in Ariki Tahī.

Waikato Regional Council – As with the above, Ariki Tahī Sugarloaf Wharf Limited has engaged with the Waikato Regional Council with respect to this project for a period of over two years at both the political and staff levels. In addition to its regulatory functions, the Waikato Regional Council has committed \$2 million to the project from its Regional Development Fund.

Other persons/parties

Detail all other persons or parties you consider are likely to be affected by the project:

The other persons or parties considered to be interested by the project are largely considered to be limited to users of Ariki Tahī, as well as nearby residents. In this regard, the following persons or parties have been identified:

Te Waka: Waikato Regional Economic Development Agency – the upgrade of Ariki Tahī has been fully supported since its inception, and recognised by Te Waka as one of the highest priority projects in the Waikato Region.

Coromandel Marine Farmers Association – on behalf of the commercial users of Ariki Tahī;

Pare Hauraki Kaimoana – representing the interests of Hauraki iwi in aquaculture development in the Firth of Thames; and

Waipapa Bay Resident Association – representing some of the key recreational users of Ariki Tahī and the nearest residents to the wharf facilities.

Detail all consultation undertaken with the above persons or parties:

See attached document (section 4.4) for full details of the consultation undertaken with the above parties.

Part V: Iwi authorities and Treaty settlements

For help with identifying relevant iwi authorities, you may wish to refer to Te Kāhui Māngai – Directory of Iwi and Māori Organisations.

Iwi authorities and Treaty settlement entities

Detail all consultation undertaken with Iwi authorities whose area of interest includes the area in which the project will occur:

| Iwi authority | Consultation undertaken |
|-----------------|--|
| Ngāti Whanaunga | ATSWL have sought to consult with all iwi and have been advised that Ngāti Whanaunga would take the lead role in the considering the potential effects of any upgrade at Ariki Tahi. This included the preparation of a preliminary cultural impact assessment for the proposal in 2018 / 2019, and the preparation of a further cultural impact assessment in June 2021 in response to the revised design for the Wharf and a review of the supporting technical assessments. |
| Patukirikiri | See attached document for full details |
| Ngāti Tamaterā | See attached document for full details |
| Ngāti Maru | See attached document for details |

Detail all consultation undertaken with Treaty settlement entities whose area of interest includes the area in which the project will occur:

| Treaty settlement entity | Consultation undertaken |
|--------------------------|-------------------------|
| No details | |

Treaty settlements

Treaty settlements that apply to the geographical location of the project, and a summary of the relevant principles and provisions in those settlements, including any statutory acknowledgement areas:

Section 18(3)(b) of the Act details that the project **must not include** an activity that will occur on land returned under a Treaty settlement where that activity has not been agreed to in writing by the relevant land owner.

There are no treaty settlements that apply to the geographical location of the project. In this regard, it is understood that settlement negotiations between Hauraki iwi and the Crown are ongoing.

Part VI: Marine and Coastal Area (Takutai Moana) Act 2011

Customary marine title areas

Customary marine title areas under the Marine and Coastal Area (Takutai Moana) Act 2011 that apply to the location of the project:

Section 18(3)(c) of the Act details that the project **must not include** an activity that will occur in a customary marine title area where that activity has not been agreed to in writing by the holder of the relevant customary marine title order.

There are no customary marine title areas under the Marine and Coastal Area (Takutai Moana) Act 2011 that apply to the site.

Protected customary rights areas

Protected customary rights areas under the Marine and Coastal Area (Takutai Moana) Act 2011 that apply to the location of the project:

Section 18(3)(d) of the Act details that the project **must not include** an activity that will occur in a protected customary rights area and have a more than minor adverse effect on the exercise of the protected customary right, where that activity has not been agreed to in writing by the holder of the relevant protected customary rights recognition order.

There are no protected customary rights areas under the Marine and Coastal Area (Takutai Moana) Act 2011 that apply to the site.

Part VII: Adverse effects

Description of the anticipated and known adverse effects of the project on the environment, including greenhouse gas emissions:

In considering whether a project will help to achieve the purpose of the Act, the Minister may have regard to, under Section 19(e) of the Act, whether there is potential for the project to have significant adverse environmental effects. Please provide details on both the nature and scale of the anticipated and known adverse effects, noting that Section 20(2)(b) of the Act specifies that the application need only provide a general level of detail.

The attached document contains the full details of the potential for the project to have adverse environmental effects. Please refer to the attached document in respect of the effects assessment (as the character limit of this form does not allow for all of the text to be included).

ATSWL has commissioned a number of environmental assessments to inform the Assessment of Environmental Effects for the resource consent applications. These assessments, which have largely been completed, including the following:

- Visual amenity, landscape and natural character assessment undertaken by Isthmus titled "*Natural Character, Landscape and Visual Assessment Report*";
- Transportation assessment undertaken by Stantec titled "*Integrated Transportation Assessment Sugarloaf Wharf*";
- Acoustic assessment undertaken by Marshall Day titled "*Sugarloaf Wharf Upgrade Acoustic Assessment*";
- Marine ecological assessment undertaken by Pisces Consulting Limited and Coast & Catchment titled "*Ecology and Coastal Water Quality Assessment of the Proposed Sugarloaf Wharf*";
- Avifauna assessment undertaken by The Ecology Company titled "*Presence of Coastal Seabirds in Waipapa Bay and Implications for the Proposed Ariki Tahi (Sugar Loaf) Wharf, Coromandel Harbour*"; and
- Coastal process assessment undertaken by AECOM titled "*Coastal Processes Assessment: Ariki Tahi Sugarloaf Wharf*".

In addition, a cultural impact assessment has been prepared by Ngāti Whanaunga.

Sections 7.2 to 7.8 of the **attached document** summarise the outcomes of the technical assessments for the following matters:

- Positive Effects;
- Visual Amenity, Landscape and Natural Character Effects;
- Traffic Effects;
- Noise Effects;
- Ecological Effects;
- Coastal Processes; and
- Cultural Effects.

A range of mitigation measures will be proffered by ATSWL as part of the proposed consent conditions to respond to the adverse effects identified by the above assessments.

Overall, it is not considered that the project will generate significant adverse effects on the environment.

Part VIII: National policy statements and national environmental standards

General assessment of the project in relation to any relevant national policy statement (including the New Zealand Coastal Policy Statement) and national environmental standard:

Section 8 of the attached document considers the proposal against the provisions of the New Zealand Coastal Policy Statement and the Hauraki Gulf Marine Park Act 2000. **Please see the attached document for the analysis of the proposal against the relevant provisions of these documents** (as the character limit does not allow for all of the text).

Part IX: Purpose of the Act

Your application must be supported by an explanation how the project will help achieve the purpose of the Act, that is to “urgently promote employment to support New Zealand’s recovery from the economic and social impacts of COVID-19 and to support the certainty of ongoing investment across New Zealand, while continuing to promote the sustainable management of natural and physical resources”.

In considering whether the project will help to achieve the purpose of the Act, the Minister may have regard to the specific matters referred to below, and any other matter that the Minister considers relevant.

Project’s economic benefits and costs for people or industries affected by COVID-19:

The marine farming industry in Coromandel is recognised as being the North Island base for the aquaculture industry – with 90 % of mussels grown in North Island waters passing through Ariki Tahī. As such, it is a significant contributor to both the regional and national economies.

Ariki Tahī cannot continue to operate in its dual recreation / commercial layout due health and safety risks, operational inefficiencies, and lack of resilience to climate change. If no upgrade goes ahead, the potential for the wharf to be shut down due to the above risks would have a massive impact on the ability of marine farmers to bring their product to market, and will subsequently affect the local and national economies.

The combined economic impact of this project has been calculated by Market Economics to be at **§ 9(2)(b)(ii)** (total) over 35 years with a value-added impact of **§ 9(2)(b)(ii)** from the associated capital expenditure. It is noted that the value of the ongoing economic impact will be substantially greater at **§ 9(2)(b)(ii)** – approximately five times the size of the capital expenditure-related impacts. In terms of employment, this new level of activity would support 880 jobs once fully operational – and over half (54%) of the supported jobs will be local (Thames-Coromandel, rest of Waikato, Tauranga, rest of Bay of Plenty).

In terms of the regional distribution of the economic impact, almost half (45%) of the value-add impacts are expected locally (Thames-Coromandel, Tauranga, the rest of Waikato, and the rest of Bay of Plenty). In relation to the ongoing economic impacts (i.e. when operational), almost half (49%) of the impacts will be felt locally. In addition, approximately a third of the capital expenditure-related impacts will be felt locally. This will be worth an estimated \$42 million per year to local economies.

Project’s effects on the social and cultural wellbeing of current and future generations:

The upgrade of Ariki Tahī will provide positive social and cultural impacts associated with the development of aquaculture in the Firth of Thames. As mentioned, the project will create an improvement in the recreational infrastructure, and will also provide additional training, upskilling and job opportunities. More than half of the employment effects will be felt in the Waikato and Bay of Plenty, and the Thames-Coromandel and Tauranga Districts.

As mentioned, in terms of cultural impacts, the aquaculture industry is a strategic priority of the Iwi of Hauraki and this project creates further opportunity for the achievement of iwi aspirations. Iwi are already an active and significant investor and owner of the aquaculture assets in the area. They hold more than 40% of allocated aquaculture space in the Firth of Thames so are the major contributor and beneficiary in the sector.

Whether the project would be likely to progress faster by using the processes provided by the Act than would otherwise be the case:

See the attached document (section 9.3) for the full analysis of the progress of the project by using the Act versus the standards RMA process.

It is considered that this project would progress faster by using the referral process provided for under the Act. In this regard, the resource consent applications would highly likely be publicly notified under the normal statutory tests of the RMA and would involve public submissions and a hearing process.

The prospect of an appeal to the Environment Court under the normal statutory process under the RMA cannot be predicted at this time, but it cannot be ruled out either. Any such appeal would add further delay (possibly up to 2 years) to the consenting timeframe. Any delay of this nature could compromise the project. It is noted that the funding for the project will be at risk if the milestone for obtaining the necessary resource consents has to be extended significantly from the end of 2021.

Completing the construction works two years earlier than that which would occur via the standard RMA consenting process not only generates the economic and social benefits sooner (up to two years sooner than the standard RMA process if there is an appeal to the Environment Court), it also likely saves approximately in \$1 million in cost escalation savings.

Further detail in respect of the potential timeframes associated with processing a resource consent application for this project under the provisions of the Act versus the standard process under the RMA is set out below:

- Timeframe under the Act: consent decision by May 2022; construction ready by May 2023; construction completed and benefits accruing by December 2024;
- Timeframe under standard RMA process (with a council level hearing and no environment court appeal): consent decision by October 2022; construction ready by October 2023; construction completed and benefits accruing by April 2025;
- Timeframe under standard RMA process with an appeal to the Environment Court: consent decision by December 2024; construction ready by December 2025; construction completed and benefits accruing by June 2027; and
- Timeframe under RMA direct referral option: consent decision by December 2022; construction ready by June 2023; construction completed and benefits accruing by December 2025.

Whether the project may result in a 'public benefit':

Examples of a public benefit as included in Section 19(d) of the Act are included below as prompts only.

Employment/job creation:

The project will result in a significant regional public benefit that will be ongoing.

The new level of economic activity that will be unlocked by the project will support 880 jobs once fully operational. More than half of these will be located in the Waikato and the Bay of Plenty. This includes those jobs supported by both the capital expenditure (one-offs), and the ongoing activities. There will also be upskilling and training opportunities for the public who are interested to become involved in the marine aquaculture industry.

Housing supply:

N/A

Contributing to well-functioning urban environments:

N/A

Providing infrastructure to improve economic, employment, and environmental outcomes, and increase productivity:

The project will unlock economic activity, environmental outcomes and increase productivity significantly. It is an enabler for mussel farmers to continue to grow production, § 9(2)(b)(ii) and creating § 9(2)(b)(ii) of district and regional benefits, as well as supporting the creation of 880 jobs over 35 years. With respect to productivity, the upgrade will increase production offloading capacity from 25,000 to 42,000 tonnes / year over the next 35 years. In regard to environmental outcomes, the wharf will be designed and constructed to avoid, remedy or mitigate potential adverse effects based on modern standards and technology, as well as current national policy directions as opposed to those that applied in 1993 and 1994 when the existing wharf was respectively consented and constructed.

Improving environmental outcomes for coastal or freshwater quality, air quality, or indigenous biodiversity:

As detailed in Section 7 of the attached document, the environmental adverse outcomes for coastal water quality, air quality or indigenous biodiversity will be avoided, remedied or mitigated by implementing the recommendation from the project's marine ecologist, civil and acoustic engineers within the design and the construction methodology.

Minimising waste:

All providers will need to consider the waste streams and environmental footprint of their activities, in line with the policy directives of relevant legislation regarding the coastal environment throughout the construction procurement process.

Contributing to New Zealand's efforts to mitigate climate change and transition more quickly to a low-emissions economy (in terms of reducing New Zealand's net emissions of greenhouse gases):

The design of the upgraded Ariki Tahi will consider and provide for the effects of climate change, inclusive of sea level rise and increased frequency of weather-related events.

This can be exemplified by how the design of the wharf has been planned around a 200 year Annual Recurrence Interval 'wave event', which will be able to withstand the average of the highest 1% of all waves in a design storm event. As such, this design basis has been established with potential climate change related impacts in consideration and will allow the industry to continue to operate despite shifts in the environment.

Promoting the protection of historic heritage:

The closest site associated with historic heritage is Site T11/28, at 260 Te Kouma Road, Te Kouma located directly east of the wharf site. ASTWL acknowledges the significance of this site, and the wider environment to mana whenua. There will be no impact on the historic heritage on Site T11/28 (Ariki Tahi Pa) as a result of the project.

Strengthening environmental, economic, and social resilience, in terms of managing the risks from natural hazards and the effects of climate change:

This project will enhance the environmental, economic, and social resilience of the district by building long-term climate change resilience into the wharf, ensuring that it can continue to operate well into the future. The upgraded Ariki Tahi will be designed with due consideration of potential climate-change related impacts and will allow the industry to continue to operate at optimum capacity despite there being shifts in the environment. It will also contribute to the improvement of resilience and sustainability of connectivity, within and / or between regions. It will provide a resilience feature for the western Coromandel Peninsula should weather events make SH25 unpassable.

Other public benefit:

There is very clear evidence of there being numerous public benefits as a result of this project. These are benefits other than an increased profitability for the applicant. Public benefits will also include an increase in safe and user-friendly infrastructure which will avoid, remedy and mitigate the current extreme health and safety risks. In addition, the TCDC does not need to use its own capital budget to create the facility. As such, freeing up the capital budget available for other priority servicing and public works.

The proposal will provide for enhanced recreational use of the facility, enabling further access to the foreshore and the coastal marine area.

Whether there is potential for the project to have significant adverse environmental effects:

As detailed in the attached document, a number of technical assessments have been prepared to guide the design of the project and to ensure that any potential environmental effects are appropriately avoided, remedied or mitigated.

The key matters requiring management are amenity effects, marine ecology effects and cultural effects.

Based on the technical assessments commissioned, it is concluded that the upgrade of Ariki Tahi will not have significant adverse effects on the environment.

Part X: Climate change and natural hazards

Description of whether and how the project would be affected by climate change and natural hazards:

Providing for sea level rise over a 100 period at the outset of construction of the new facilities at Ariki Tahi would result in a disconnect of the proposed commercial wharf area with the level of vessels at low tide. To resolve this issue, the preliminary design has factored in the potential need to raise the wharf in the future. In this regard, the initial commercial wharf structure will incorporate a block sea wall that will be able to be built upon as sea levels rise. The design life for the wharf was defined based on "AS 4997 – 2005 Guidelines for the Design of Maritime Structures". The design life of maritime structures depends on the type of facility, its intended function, and the owner's requirements. According to AS 4997, the maritime structures should be designed for the highest wave likely to occur on the structure over the selected design life and an annual probability of exceedance based on the function category of the facility.

Based on the annual probability of exceedance of design wave events, a 200-year ARI event has been selected for preliminary design.

Part XI: Track record

A summary of all compliance and/or enforcement actions taken against the applicant by a local authority under the Resource Management Act 1991, and the outcome of those actions:

| Local authority | Compliance/Enforcement Action and Outcome |
|-----------------|---|
| No details | |

Part XII: Declaration

I acknowledge that a summary of this application will be made publicly available on the Ministry for the Environment website and that the full application will be released if requested.

By typing your name in the field below you are electronically signing this application form and certifying the information given in this application is true and correct.

Abbie Fowler

05/11/2021

Signature of person or entity making the request

Date

Important notes:

- Please note that this application form, including your name and contact details and all supporting documents, submitted to the Minister for the Environment and/or Minister of Conservation and the Ministry for the Environment, will be publicly released. Please clearly highlight any content on this application form and in supporting documents that is commercially or otherwise sensitive in nature, and to which you specifically object to the release.
- Please ensure all sections, where relevant, of the application form are completed as failure to provide the required details may result in your application being declined.
- Further information may be requested at any time before a decision is made on the application.
- Please note that if the Minister for the Environment and/or Minister of Conservation accepts your application for referral to an expert consenting panel, you will then need to lodge a consent application and/or notice of requirement for a designation (or to alter a designation) in the approved form with

the Environmental Protection Authority. The application will need to contain the information set out in Schedule 6, clauses 9-13 of the Act.

- Information presented to the Minister for the Environment and/or Minister of Conservation and shared with other Ministers, local authorities and the Environmental Protection Authority under the Act (including officials at government departments and agencies) is subject to disclosure under the Official Information Act 1982 (OIA) or the Local Government Official Information and Meetings Act 1987 (LGOIMA). Certain information may be withheld in accordance with the grounds for withholding information under the OIA and LGOIMA although the grounds for withholding must always be balanced against considerations of public interest that may justify release. Although the Ministry for the Environment does not give any guarantees as to whether information can be withheld under the OIA, it may be helpful to discuss OIA issues with the Ministry for the Environment in advance if information provided with an application is commercially sensitive or release would, for instance, disclose a trade secret or other confidential information. Further information on the OIA and LGOIMA is available at www.ombudsman.parliament.nz.

Checklist

Where relevant to your application, please provide a copy of the following information.

| | |
|----|--|
| No | Correspondence from the registered legal land owner(s) |
| No | Correspondence from persons or parties you consider are likely to be affected by the project |
| No | Written agreement from the relevant landowner where the project includes an activity that will occur on land returned under a Treaty settlement. |
| No | Written agreement from the holder of the relevant customary marine title order where the project includes an activity that will occur in a customary marine title area. |
| No | Written agreement from the holder of the relevant protected customary marine rights recognition order where the project includes an activity that will occur in a protected customary rights area. |