



**ARIKI TAHI SUGARLOAF WHARF LIMITED**

**Ariki Tahī Sugarloaf Wharf Upgrade**

Fast-Track Consenting Referral Application

5 November 2021

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## **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)*

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 the 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 need only 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:

Email: [fasttrackconsenting@mfe.govt.nz](mailto:fasttrackconsenting@mfe.govt.nz)

The Ministry has also prepared Fast-track consenting guidance to help applicants prepare applications for projects to be referred.

Applications must be submitted to the Minister via email: [fasttrackconsenting@mfe.govt.nz](mailto:fasttrackconsenting@mfe.govt.nz)

## EXECUTIVE SUMMARY

Ariki Tahi (Sugarloaf Wharf) is an existing shared commercial and recreational wharf facility, and is the primary wharf servicing the aquaculture industry operating in the Firth of Thames / Tikapa Moana. It is infrastructure critical 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.

This application is considered to be aligned with the intent of the fast-track consenting process under the COVID-19 Recovery (Fast-track Consenting) Act 2020 for the following reasons:

- It is critical infrastructure for the Waikato Region and Thames Coromandel District, and the aquaculture sector nationally;
- Ariki Tahi currently supports hundreds of jobs throughout the aquaculture industry and the proposed upgrade is essential for future growth;
- Ariki Tahi Sugarloaf Wharf Limited has engaged with mana whenua and is working to address the recommendations from the cultural impact assessment prepared by Ngāti Whaunanga;
- The upgrade of Ariki Tahi will enable the Waikato Region to play its part in realising the objectives of the Government's *Aquaculture Strategy*, growing the sector to \$3.0b by 2035;
- The proposed upgrade of Ariki Tahi is genuinely a 'shovel ready' project. Fast-track approval would save more than s 9(2)(b)(ii) and up to three years of consenting delay, whilst also directly employing up to 40 people during the construction period;
- There is s 9(2)(b)(ii) in funding committed to the project - s 9(2)(b)(ii) from the Provincial Growth Fund and s 9(2)(b)(ii) from the Waikato Regional Council's Regional Development Fund; and
- The project closely aligns with the *Sea Change Tai Timu Tai Pari Hauraki Gulf Marine Spatial Plan*, and the recently announced *Revitalising the Gulf* strategy from the Government.

Ariki Tahi 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 Tahi is predicted to increase to approximately 42,000 tonnes per annum - an increase of approximately 68% to 2040.

Ariki Tahi Sugarloaf Wharf Limited, an entity owned by the Thames Coromandel District Council, the Coromandel Marine Farmers Association and the Ministry for Business, Innovation and Employment, is proposing an upgrade to Ariki Tahi to resolve the challenges associated with the existing facility, and to provide enhanced facilities to cater for the projected demand in aquaculture development. The proposed activities and works associated with the upgrade of Ariki Tahi include:

- The dredging of approximately 29,000 m<sup>3</sup> 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 m<sup>2</sup> of seabed adjacent to the existing wharf;
- The establishment of up to five berths for commercial vessels;
- The establishment of an approximately 25 metre long groyne and dual lane boat ramp in the recreational area.
- The establishment of a separate recreational facility to the southeast of the existing facility, including a separate access off Te Kouma Road and carparks for vehicles and boat trailers; and
- The establishment a separate commercial facility over the existing facility, including a separate access off Te Kouma Road and carparks for commercial vehicles and trailers.

An application to refer this project to an expert consenting panel for consideration under the COVID-19 Recovery (Fast-track Consenting) Act 2020 was declined by Ministers Parker and Sage in mid-2020. It is understood that the reason for the application being declined was due to the “*widespread public interest in the project*” (which is not uncommon for a project of this nature, or the type of applications seeking to be progressed via fast-track process), and based on a previous decision by the Waikato Regional Council Hearing Committee in 1992 which questioned the appropriateness of Ariki Tahi for an expansion of commercial facilities. As part of preparing this updated application, the 1992 decision of the Waikato Regional Council Hearing Committee has been reviewed and considered. The decision by the 1992 Committee noted that the facilities proposed *at that time* as part of the resource consent application that was being considered were predominantly intended to cater for the commercial sector, and that the existing facilities were already inadequate for the level of recreational use they receive. The Committee also noted that the provision of a second ramp and a separate area for commercial users at Ariki Tahi will allow greater recreational use of the two ramps. In this regard, the proposal at the time did not seek to fully separate commercial and recreational users at Ariki Tahi.

This updated application includes:

- A detailed analysis of the appropriateness of the Ariki Tahi site to cater for the current and project demand in aquaculture, and a summary of the independent expert studies that have assessed the site, and details why alternative sites were not progressed;
- Additional consultation with stakeholders and mana whenua;
- Further technical assessment work to assess the actual or potential environmental effects of the project (which were not available to inform the 2020 application made under the Act), including the completion of final draft reports;
- The completion of the draft resource consent application and assessment of environmental effects documentation; and



- The details of a proposed Operations Management Plan which outlines the operational and management measures that will be implemented at Ariki Tahi to assist ATSWL with the management of its resource consent conditions, and to generally avoid or minimise potential adverse effects on the amenity of the surrounding environment.

Reports commissioned in 2004, 2010 and 2011 determined that Ariki Tahi was a suitable location for the required enhancement of wharf facilities in the Thames-Coromandel District to cater for the projected growth in the aquaculture industry. A number of alternative sites have been considered and have been discounted as being viable options because they lacked all-tide access and would require extensive dredging, had land access difficulties, would likely face significant consenting difficulties, were in close proximity to areas with significant conservation or indigenous biodiversity values, or would create new potential conflicts with existing recreational users.

It is also noted that this project is complimentary to the Kōpū Marine Project that the Thames-Coromandel District Council is progressing at present, in that this new facility will provide marine servicing of the mussel barges from Coromandel Harbour. However, the Kōpū Marine Project does not involve dredging of the channel into Kōpū, such that all-tide access for vessels will continue to be restricted.

Since the original referral application was declined in 2020, further engagement with the wider community has occurred. As detailed in section 4 of this application, open days were held in November 2020 in Coromandel Town. Approximately 60 people attended the two open days – with the people attending representing commercial and recreational users of the existing facilities, nearby residents of Waipapa Bay, community groups and the general public of Coromandel Town. In addition to the public open days there have been meetings with other individuals and stakeholder groups.

Based on the design of the upgraded Ariki Tahi facility, Ariki Tahi Sugarloaf Wharf Limited has received final draft versions of the technical assessments that assess the actual and potential environmental effects of the project. Section 7 of this application provides a summary of the conclusions of the technical assessments in respect of the following matters:

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

A cultural impact assessment for the upgrade of Ariki Tahī was prepared by Ngāti Whanaunga Incorporated Society in 2021. The assessment notes that the wharf is located within an important cultural landscape (Tikapa Moana), which is of high cultural and spiritual significance to Ngāti Whanaunga. The cultural impact assessment identifies the aspects of the proposal that have the potential to cause adverse cultural effects, and also documents recommendations to avoid, remedy and mitigate the identified cultural effects. Ariki Tahī Sugarloaf Wharf Limited is currently engaging with Ngāti Whanaunga to develop these recommendations through proposed consent conditions (where appropriate) and a relationship agreement.

Overall, and based on the conclusions in the technical assessments and the cultural impact assessment, it is considered that the project will not generate significant adverse effects on the environment, and that the proposal will have significant social and economic benefits.

Section 8 of this application provides an assessment of the project against the key national policy statement, being the New Zealand Coastal Policy Statement. It is considered that the proposal aligns comfortably with the direction of the New Zealand Coastal Policy Statement and is an appropriate development of an existing site, and in particular, the proposed reclamation is a suitable use of the Coastal Marine Area in accordance with Policy 10.

In respect of the purpose of the Act, section 9 of this application provides an assessment of the projects:

- Economic benefits;
- Social and cultural well-being effects;
- Progression through the process set out in the Act versus the processes in the Resource Management Act 1991; and
- Public benefits.

Overall, it is considered that this project will result in substantial benefits, with the combined economic impact of this project being calculated at s 9(2)(b)(ii) over 35 years with a value-added impact of s 9(2)(b)(ii) from the associated capital expenditure. The value of the ongoing economic impact will be substantially greater at s 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).

As also detailed in section 9 of this application, it is considered that this project would progress faster by using the process in the Act than a standard Resource Management Act 1991 process. In this regard, the resource consent applications would highly likely be publicly notified under the Resource Management Act 1991 and would involve public submissions and a hearing process. The prospect of an appeal to the Environment Court cannot be predicted at this time, but it cannot be ruled out either. Any such appeal would add further delay (up to two years) to the consenting



timeframe. In addition, it is expected that using the determination processes under the Act will also save approximately s 9(2)(b)(ii) in escalation costs by reducing the risk of appeals, and inflation costs.

The information contained in this application demonstrates that the Ariki Tahi upgrade project promotes employment in New Zealand to assist in the economic recovery from Covid-19, it supports the certainty of ongoing investment across New Zealand and enables the sustainable management of natural and physical resources.

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Official Information Act 1982

## 1. APPLICANT

### 1.1 APPLICANT DETAILS

The upgrade and future management of infrastructure at Ariki Tahī (Sugarloaf Wharf) will be via Ariki Tahī Sugarloaf Wharf Limited (“**ATSWL**”), who is the entity seeking resource consents for the upgrade of the Wharf. The Thames Coromandel District Council (“**TCDC**”), Coromandel Marine Farmers Association (“**CMFA**”) and the Ministry for Business Innovation and Employment (via the Provincial Growth Fund Limited) each hold a 33% shareholding in ATSWL. Day to day operational responsibilities at Ariki Tahī will be managed by the TCDC.

The CMFA represents the mussel and oyster farmers’ of the Firth of Thames / Tikapa Moana, who are concentrated around the Coromandel Peninsula and Waiheke Island.

Members of the CMFA include:

- Pare Hauraki Kaimoana;
- Gulf Mussels Limited;
- Sanford Limited;
- Westpac Mussels Limited;
- Waiheke Island Oysters Limited;
- Tikapa Moana Enterprises Limited;
- Aotearoa Fisheries Limited;
- Paddy Bull;
- Sealord;
- North Island Mussels Limited; and
- OP Columbia.

Approximately 40% of the membership of the CMFA represents Māori owned businesses.

The applicant details are as follows:

<b>Requestor</b>	Ariki Tahī Sugarloaf Wharf Limited
<b>Contact person:</b>	Andrew Stevens
<b>Job title:</b>	Chairperson
<b>Phone:</b>	s 9(2)(a)
<b>Email:</b>	s 9(2)(a)

## 1.2 ADDRESS FOR SERVICE

**Organisation:** Mitchell Daysh Limited

**Contact person:** Richard Turner

**Job title:** Director

**Phone:** s 9(2)(a)

**Email:** s 9(2)(a)

**Postal address:** PO Box 300 673  
Albany  
Auckland, 0752

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## 2. PROJECT LOCATION

The application (click to place an "X" in the relevant box):

- ☐ does not relate to the coastal marine area
- ☒ relates partly to the coastal marine area
- ☐ relates wholly to the coastal marine area.

### 2.1 SITE ADDRESS/LOCATION AND LEGAL DESCRIPTION

Ariki Tahī is an existing commercial and recreational wharf facility located in Waipapa Bay, along the southern shoreline of the Coromandel Harbour. Ariki Tahī is a public asset that has been operating in a manner similar to current configuration since 1994, and is currently managed by the TCDC. The current configuration of Ariki Tahī was funded by the TCDC (70%) and the CMFA (30%).

Ariki Tahī is situated on Te Kouma Road and is located approximately 10km from Coromandel Township, as shown in Figure 1 below.

The reclamation and dredging works associated with the project will occur in the seabed of Waipapa Bay.

Ariki Tahī 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.

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**Figure 1: Arika Tahi Location**

## **2.2 REGISTERED LEGAL LANDOWNER(S)**

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

The existing facilities at Arika Tahi are publicly owned infrastructure managed by the TCDC.

The site is also subject to applications under the Marine and Coastal Area (Takutai Moana) Act 2011 for customary marine title by the following groups:

- Ngati Pukenga / Te Tawharau o Ngati Pukenga;
- Ngati Whanaunga;
- Hauraki Maori Trust Board;
- Ngaati Tamaoho;
- Ngati Tamatera; and
- Te Kupenga o Ngati Hako.

## **2.3 APPLICANT'S LEGAL INTEREST IN THE LAND**

The current wharf facility at Arika Tahi 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 as part of this resource consent application will occur in the seabed of Waipapa Bay, Coromandel Harbour.

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### 3. PROJECT DETAILS

#### 3.1 DESCRIPTION

Project Name: Ariki Tahi Sugarloaf Wharf Upgrade

Ariki Tahi is currently a 3,770 m<sup>2</sup> 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 Tahi 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 Tahi 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 Tahi 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 Tahi 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 Tahi 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 upgrade, which will have wider safety benefits for other users of Te Kouma Road, and to address the current parking issues.

With respect to the first bullet point, the New Zealand Government has set a target of achieving \$3 billion in annual sales of New Zealand aquaculture product by 2035<sup>1</sup> (with discussions with Government indicating that these targets are likely to be brought forward to 2030). This is to be achieved, in part, by maximising the value of existing marine farms and providing opportunities for open ocean aquaculture. Within this context, it is noted that there is approximately 775 hectares of newly consented aquaculture space in the Firth of Thames / Tikapa Moana, as well as plans for additional aquaculture development in the area.<sup>2</sup> Of these 775 hectares, line development has begun in 375 hectares - with mussel harvesting to commence within the next 12 months.

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 m<sup>3</sup> 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 m<sup>2</sup> 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 m<sup>2</sup> of reclamation for the commercial area and approximately 3,560 m<sup>2</sup> 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;

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<sup>1</sup> The New Zealand Government Aquaculture Strategy, September 2019.

<sup>2</sup> <https://www.aucklandcouncil.govt.nz/ResourceConsentDocuments/cst60335843-16-s92-poumarnefarmassessment-4-11-19-hudsonresponse.pdf>

- 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 m<sup>2</sup> in area.

The following figure shows the proposed upgraded facility.

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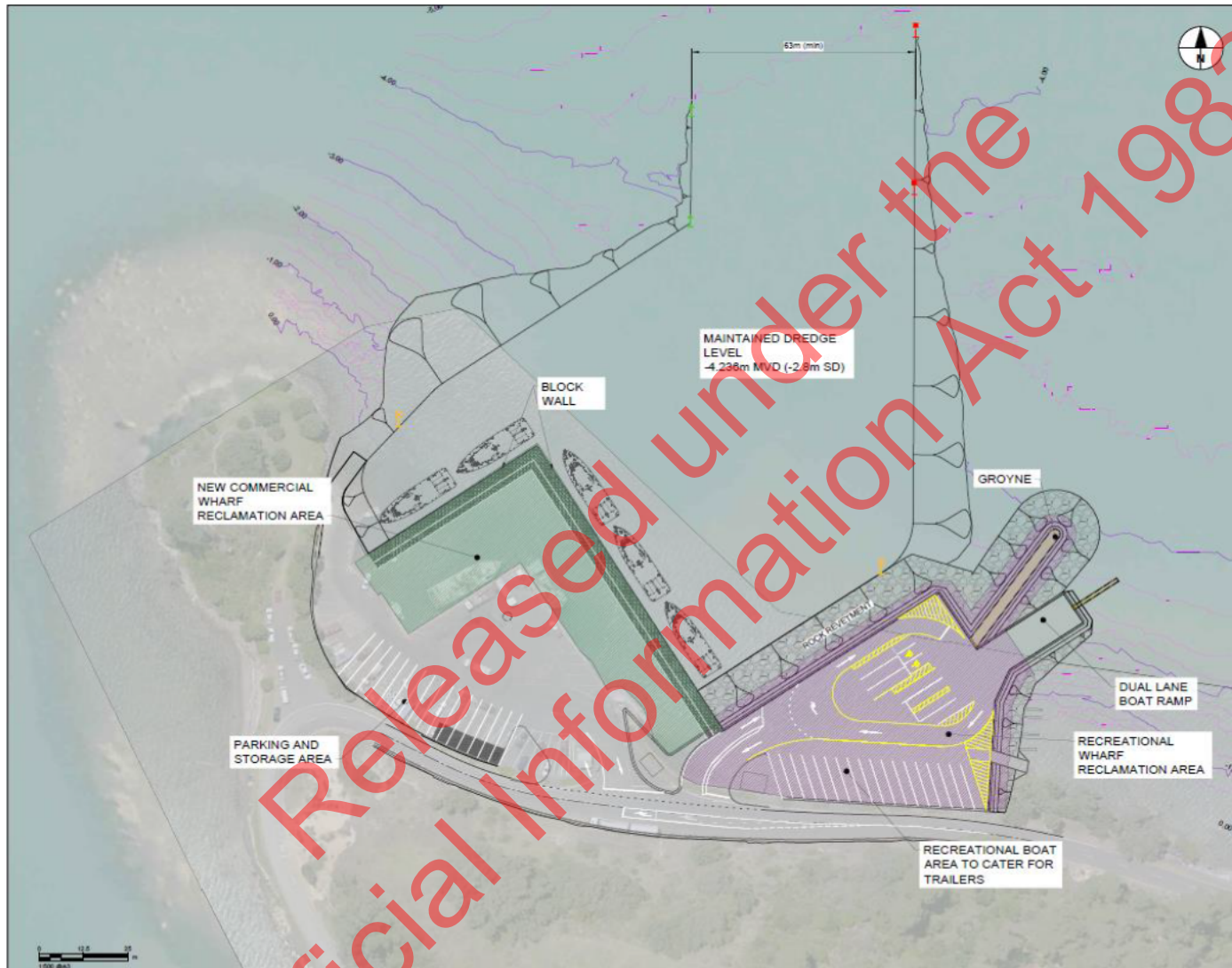


Figure 2: Proposed Upgrade of Ariki Tahī

### 3.2 STAGING OF THE PROJECT

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.

### 3.3 CONSENTS/APPROVALS REQUIRED

**Relevant local authorities:** Waikato Regional Council and Thames Coromandel District Council.

All required resource consent(s) are sought from the **Waikato Regional Council**, including:

- A coastal permit to reclaim the bed of Waipapa Bay;
- A coastal permit to undertake dredging in the bed of Waipapa Bay and deposit material on the bed as part of the proposed reclamation works;
- A coastal permit for the erection, placement, use of and occupation of space by structures (including temporary structures) in Waipapa Bay;
- A coastal permit for the discharge of water and contaminants to the coastal marine area during construction of the reclamation at Ariki Tahi;
- A coastal permit to undertake maintenance dredging in the bed of Waipapa Bay; and
- A coastal permit for the discharge of water and contaminants from Ariki Tahi to the coastal marine area.

Resource consent(s) required from the **Thames-Coromandel District Council**:

- All necessary land use consents from the Thames-Coromandel District Council to authorise the establishment, operation, maintenance and use of expanded facilities at Ariki Tahi in Waipapa Bay.

### 3.4 RULE(S) CONSENT IS REQUIRED UNDER AND ACTIVITY STATUS

#### 3.4.1 Waikato Regional Coastal Plan

The following resource consents are required under the Waikato Regional Coastal Plan (“**WRCP**”) to enable the establishment, operation and maintenance of expanded facilities at Ariki Tahī:

- A coastal permit to reclaim the bed of Waipapa Bay as a **discretionary activity** in accordance with Rule 16.6.19;
- A coastal permit to undertake dredging in the bed of Waipapa Bay, and deposit material on the bed as part of the proposed reclamation, as a **discretionary activity** in accordance with Rule 16.6.12;
- A coastal permit for the erection, placement, use of and occupation of space by structures in Waipapa Bay as a **discretionary activity** in accordance with Rule 16.4.24;
- A coastal permit to undertake maintenance dredging in the bed of Waipapa Bay as a **controlled activity** in accordance with Rule 16.6.9; and
- A coastal permit for the discharge of water and contaminants from Ariki Tahī to Waipapa Bay on an ongoing basis as a **discretionary activity** in accordance with Rule 16.3.7.

In addition, and ancillary to the reclamation of Waipapa Bay, a coastal permit is required for the incidental discharge of water and contaminants during construction of the reclamation at Ariki Tahī as a **non-complying activity** in accordance with Rule 16.1.2 of the WRCP.

The following activities associated with the establishment, operation and maintenance of activities at Ariki Tahī are permitted activities under the WRCP:

- The erection, placement use of and occupation or space by navigational aids is a permitted activity in accordance with Rule 16.4.5; and
- The removal or demolition of structures, including temporary structures, associated with construction activities is a permitted activity in accordance with Rule 16.4.23.

No resource consent is required under Rule 16.8.1, as the exclusive occupation of the commercial area at Ariki Tahī is less than 10 ha in area and less than 316 m in length.

#### 3.4.2 Proposed Thames-Coromandel District Plan

It is noted that land use activities in the Thames-Coromandel District are currently subject to the Operative Thames-Coromandel District Plan and the Proposed Thames-Coromandel District Plan (“**Proposed Plan**”), with the Proposed Plan still be subject to some appeals.



However, none of the appeals relate to rules which are relevant to the resource consent application for the upgrade of Ariki Tahī. As such, in the Proposed Plan is applicable to this proposal.

The analysis considers:

- The rule framework under the Proposed Plan as it applies to the proposed activities at Ariki Tahī within the footprint of the area already zoned Marine Service Zone; and
- The rule framework under the Proposed Plan as it applies to the proposed activities at Ariki Tahī that will occur on land that will be created through the reclamation that is being sought concurrently from the Waikato Regional Council. This approach accords with Section 89 of the Resource Management Act 1991 (“RMA”).<sup>3</sup>

### Land Use Activities within the Existing Marine Service Zone

The establishment, operation and maintenance of upgraded facilities within the Marine Service Zone at Ariki Tahī require land use consent as a result of the following rules in the Proposed Plan:<sup>4</sup>

- The establishment of marine equipment storage, maintenance and harvesting in the Marine Service Zone at Ariki Tahī as a **restricted discretionary activity** in accordance with Section 49, Rule 3(2);
- Earthworks within the Marine Service Zone at Ariki Tahī as a **restricted discretionary activity** in accordance with Section 49, Rule 7(2);
- The generation of noise exceeding the standards in Table 2 of the Marine Service Zone as a **restricted discretionary activity** in accordance with Section 49, Rule 11(2);
- The generation of trips from Ariki Tahī exceeding 100 trips per day as a **restricted discretionary activity** in accordance with Section 39, Rule 11(2);
- The establishment of vehicle crossings exceeding the standards in Tables 3 and 4 of the Transport Zone as a **restricted discretionary activity** in accordance with Section 39, Rule 5(2);

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<sup>3</sup> Section 89(2)(a) sets out that an application is made to a territorial authority for a resource consent for an activity which an applicant intends to undertake within the district of that authority once the proposed location of the activity has been recommended then the authority may hear and decide the application as if the application related to an activity within its district, and the provisions of this Act shall apply accordingly.

<sup>4</sup> The following list of rules also includes those that apply across the Thames-Coromandel District, and not just in the Marine Services Zone.

- The establishment of parking and loading exceeding the standards in Table 5 of the Transport Zone as a **restricted discretionary activity** in accordance with Section 39, Rule 6(2);
- The establishment of boat ramps outside of the Marine Service Zone, Road Zone, Recreation Area or Rural Area as a **discretionary activity** in accordance with Section 39, Rule 7(2); and
- The establishment of a hazardous facility (being diesel refuelling by a tanker) as a **discretionary activity** in accordance with Section 36, Rule 1(4).

### **Land Use Activities outside the Existing Marine Service Zone**

With respect to those areas that are to be reclaimed (and, therefore, outside of the Marine Service Zone), Section 1.5 of the Proposed Plan states that:

*If an activity is not listed in the activity table at the beginning of the applicable zone rule section, and is not listed in the activity table for any district-wide rule section, but is listed in the Activity Summary Table at the end of Section 1, the activity is non-complying and resource consent is required.*

Given that community facilities and marine equipment storage, maintenance and harvesting are listed in the activity summary table in Section 1 of the Proposed Plan, it is currently considered that such activities are likely to be classified as **non-complying activities**.

### **3.5 FAST TRACK APPLICATION 2020**

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, with the letter stating:

*Following consideration of your application under sections 18 and 19 of the Act, we have made a joint decision, in accordance with sections 16(1)(a), 23(2) and 23(3) of the Act, to decline your application for referral. We have made this decision as it is more appropriate for the project to go through standard consenting processes under section 23(5)(b) the Resource Management Act given the widespread public interest in the project.*

The Ministry for the Environment also pointed to a previous decision by the Waikato Regional Council Hearing Committee (from 1992) that questioned the appropriateness of Ariki Tahi for an expansion of commercial facilities. The suitability of Ariki Tahi as a facility for commercial and recreational activities has been a matter of debate since the original resource consent for the reclamation was granted by the Waikato Regional Council in 1992. The original application noted that consideration had been given to alternative options - including Furey's Creek, Preece's Point, an extension of the Coromandel Wharf, new facilities adjacent to the Coromandel Wharf, Puhi Rare Point and Ariki Tahi.

The decision by the Waikato Regional Council Hearing Committee in 1992 noted that the facilities proposed at that time were predominantly intended to cater for the commercial sector, and that the existing facilities were already inadequate for the level of recreational use they receive. The Committee also noted that the provision of a second ramp and a separate area for commercial users at Ariki Tahi will allow greater recreational use of the two ramps. In this regard, the proposal at that time did not seek to fully separate commercial and recreational users at Ariki Tahi, whereas the current project does separate commercial and recreational users. It is, therefore, a fundamentally different proposal than that which was considered by the Committee.

The Committee went on to comment:

*“...It is the Committee’s opinion that this site will only be suitable for the development of **limited facilities which will have to be shared by both user groups**. Any increase in the use of the facility by commercial users would require provision of an alternate site. As separate sites for recreational and commercial users cannot be financed at this stage, it is the Committee’s opinion that as an interim measure the use of this facility by both groups will be improved by the proposed development.”*

Finally, and in the context of considering resource consent applications under the Transitional Regional Coastal Plan, the Committee noted that it is for those bodies who provide services for harbour users to determine what facilities are necessary to cater for their users’ needs. It was not the role of the Waikato Regional Council, with its regulatory functions, to specify the location and location of the facilities required.

The following sub-sections provide an overview of the work undertaken to date to confirm the appropriateness of Ariki Tahi for an upgrade of commercial facilities. We have included this information to provide further background to the Minister, given that it is understood that the appropriateness of the site for an upgrade was a key reason for the 2020 referral application being declined.

#### Options Assessments 2004

A 2004 report for the Hauraki Coromandel Development Group<sup>5</sup> entitled “*Future Industry Growth and Infrastructure Needs*” by Robin Britton and Ron Sutherland considered a number of potential wharfing sites in, and around, the Firth of Thames. The options considered included:

- Ariki Tahi;
- Coromandel Wharf;

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<sup>5</sup> A joint committee of the Hauraki and Thames-Coromandel District Councils.

- Windy Point (Te Kouma);
- Kirita or Fosters Bay (south of Te Kouma);
- Wilson Bay;
- Waikawau;
- Stevenson's Wharf (Wharekawa);
- Thames; and
- Kōpū.

A number of these sites were discounted as being viable options because they lacked all-tide access and would require extensive dredging (e.g. Coromandel Wharf or Thames), had land access difficulties (e.g. Kirita or Fosters Bay), would likely face significant consenting difficulties (e.g. Waikawau) or would create new potential conflicts with existing recreational users in the area. The report also identified concerns regarding potential sites outside of the Thames-Coromandel District (e.g. Stevenson's Wharf), which could displace a significant portion of the aquaculture industry from the District – which currently employs approximately 100 people in and around Coromandel Town and Manaia.

The report concluded that Ariki Tahi was the primary site for expansion in the short to medium term, but that Kōpū also held significant potential for the longer-term growth of the industry - particularly due to the availability of labour and the reduction in traffic on SH25.

#### Options Assessments 2010 / 2011

Further studies of potential wharfing sites for the aquaculture industry were conducted in November 2010 and December 2011 by Ben Dunbar-Smith for the Hauraki - Coromandel Development Group. The November 2010 report examined the potential options for wharfing infrastructure development on the Coromandel Peninsula. The report provided an in-depth study of information available on three key sites under consideration for development, being:

- Kōpū;
- Windy Point; and
- Ariki Tahi.

The report also looked at other potential sites to assess suitability for wharfing infrastructure.<sup>6</sup>

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<sup>6</sup> For example, Coromandel Wharf, Te Kouma Harbour, Waikawau and Wharekawa.

The key conclusions arising from the November 2010 report were that Kōpū looked like a logical long-term option for aquaculture development at first glance – particularly given it has a wealth of industrial land, is close to sources of labour in Thames, and also straddles major transport routes. However, the report also identified potentially serious impediments to further development at Kōpū, including the likely need for dredging out to a distance of approximately 6 km in order to create all-tide access for commercial vessels.

Windy Point was noted as another site with all-tide access, but was also identified as having potentially high costs of construction and was located in close proximity to an Area of Significant Conservation Value. Concerns were also expressed about the potential effects of any dredging on oyster farms in the immediate area.

With respect to Ariki Tahi, it was noted as providing suitable all-tide access and being cost-effective compared to other alternative options. Ariki Tahi was, however, identified as having issues with traffic congestion and noise effects on nearby dwellings in Waipapa Bay. The report also identified potentially significant consenting challenges due to opposition from neighbours and their view that any increase in the use of Ariki Tahi would be contrary to the intention of the original consent (notwithstanding that the original consent decision does not create a precedent that precludes any future resource consent application being made and the appropriateness of a specific proposal being tested).

The December 2011 report was based on a recommendation of the TCDC to identify a suitable location to develop wharf facilities. The report included an analysis of potential alternative sites for the development of wharfing infrastructure, with these being:

- Kōpū;
- Ariki Tahi;
- Windy Point (Puhi Rare); and
- Coromandel Wharf.

The options analysis included independent planning advice on the alternative locations, toxicity testing at Kōpū and in the Coromandel Harbour, bathymetry analysis and the provision of independent engineering advice to provide detail on wharf designs for Kōpū and the Coromandel Wharf. In addition, traffic engineers were engaged to assess design options for improving the intersection of Te Kouma Road and State Highway 25.

The report included a comparative analysis of the four key sites under consideration, including alternative design options at each site. In weighing up the various merits of the four sites, the report provided the following conclusions:

- Kōpū is ruled out due to heavy metal toxicity; and

- Coromandel Wharf is not viable based on cost – and also faces issues with potential toxicity and increased heavy traffic movements through Coromandel Town which could adversely affect its heritage and tourism industry.

With respect to the two remaining sites (Puhi Rare and Ariki Tahī), Ariki Tahī was recommended as the preferred option because it is an already modified site that currently operates as a wharf and was more cost-effective than Puhi Rare.

The conclusions of this report formed the basis for the development of the project that is subject to this referral application

#### Kōpū Marine Project

It is noted that the TCDC is also progressing the Kōpū Marine Project at present. The project includes a commercial wharf / pontoon at Kōpū that will consist of a fixed piled wharf structure with a T shaped wharf head and concrete floating pontoon. The wharf, gantry and floating pontoons are to be designed for loading of marine farming vessels and in-water servicing. The commercial wharf / pontoon substitutes the need for a mud berth for in-water servicing.

This project is complementary to Ariki Tahī. This facility will provide marine servicing of the mussel barges from Coromandel Harbour, which currently having to be done in Northland and Auckland.

The Kōpū Marine Project does not involve any dredging of the channel approach, such that all-tide access for vessels will continue to be restricted. In addition, the proposed design draft for vessels at Kōpū is not sufficient for some of the existing commercial vessels already utilising Ariki Tahī, and will not be sufficient for the larger vessels recently constructed, such as the Frontier.

#### Ariki Tahī - Further Work Undertaken

In addition, it is noted that this referral application (compared to the 2020 version) has the benefit of:

- Further background on the appropriateness of the site (discussed above);
- Further technical assessment work, including the completion of final draft reports (discussed in Section 7 of this application);
- The completion of draft resource consent application and assessment of environmental effects documentation;
- The completion of a proposed Operations Management Plan (“OMP”) which outlines the operational and management measures that will be implemented at Ariki Tahī to assist ATSWL with the management of its resource consent conditions and to



generally avoid or minimise potential adverse effects on the amenity of the surrounding environment; and

- Additional consultation with stakeholders and mana whenua.

### **3.6 RESOURCE CONSENT APPLICATIONS ALREADY MADE, OR NOTICES OF REQUIREMENT ALREADY LODGED**

No other resource consent applications or notices of requirement have previously been lodged for this, or a similar, project.

### **3.7 RESOURCE CONSENT(S)/DESIGNATION REQUIRED FOR THE PROJECT BY SOMEONE OTHER THAN THE APPLICANT**

No other resource consents / designations are required for the project by someone other than the Applicant.

### **3.8 OTHER LEGAL AUTHORISATIONS REQUIRED TO BEGIN THE PROJECT**

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.

### **3.9 CONSTRUCTION READINESS**

#### **Anticipated Construction Start and Completion Dates if the Resource Consent(s) are Granted**

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.

## **4. CONSULTATION**

### **4.1 GOVERNMENT MINISTRIES AND DEPARTMENTS**

#### **4.1.1 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 Tahi 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.*

### **4.2 LOCAL AUTHORITIES**

#### **4.2.1 Detail all Consultation Undertaken with Relevant Local Authorities**

**Thames-Coromandel District Council** – TCDC currently manages Ariki Tahi 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 Tahi.

**Waikato Regional Council** – As with the above, ATSWL have 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.

### 4.3 TANGATA WHENUA

ATSWL understands that Ariki Tahi is located in the rohe of the tribes of the Marutūahu Confederation. As such, the following iwi have an interest in the area around Ariki Tahi:

- Ngāti Whanaunga;
- Ngāti Tamaterā;
- Ngāti Maru; and
- Te Patukirikiri.

Whilst ATSWL have engaged with all iwi since 2018, they were advised that the preparation of a cultural impact assessment for the project would be led by Ngāti Whanaunga – with this assessment being completed in June 2021. The conclusions and recommendations of the cultural impact assessment are summarised later in Section 7.8 of this application (in respect of the potential cultural effects of the project). ATSWL is working with Ngāti Whanaunga to address the recommendations of the cultural impact assessment (either through consent conditions or a relationship agreement) to extent possible.

Further details of the consultation with mana whenua is presented in Section 5 and Section 6.8 of this application.

### 4.4 OTHER PERSONS/PARTIES

#### 4.4.1 Overview

The other persons or parties considered to be interested by the project are largely considered to be limited to users of Ariki Tahi, 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 Tahi 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 Tahi;

**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 Tahi and the nearest residents to the wharf facilities.

#### 4.4.2 Details of Consultation

##### Notification of Public Consultation

A flyer advertising public open days for the upgrade of Ariki Tahi were circulated by the Harbour Master to all vehicles utilising the Wharf during Labour Weekend 2020. The circulation of the flyer occurred approximately three weeks before the scheduled open days on the 15<sup>th</sup> and 16<sup>th</sup> of November 2020.

The flyer advertising the public open days was also distributed electronically by the TCDC to the following channels:

- The 'What's Happening Coromandel' business page;
- The Coromandel Library and any other community space available;
- The Coromandel Information Centre;
- TCDC events page, social media and website; and
- The Coromandel Town Chronicle (local community paper).

Finally, an email including an electronic copy of the flyer was circulated to the following key local stakeholders:

- Coromandel Marine Farmers Association;
- Pare Hauraki Kaimoana;
- Waipapa Bay Protection Society;
- Coromandel Recreational Fishing Club;
- Upper Coromandel Forest & Bird
- Te Kouma Resident & Ratepayers Association;
- Ngati Tamatera;
- Coromandel-Colville Community Board;
- Coromandel Independent Living Trust;
- Coromandel Charter Boat Association;
- Coromandel Fishing Adventures;
- Coromandel Scallop Fishermen's Association; and
- Coromandel Harbour & Boating Association.

## Public Consultation / Open Days

Public open days were held at the TCDC meeting room at 355 Kapanga Road, Coromandel on the 16<sup>th</sup> and 17<sup>th</sup> of November 2020. The open days took place from 1400 – 2000 over both days.

The public open days included poster displays of the proposed upgrade of Ariki Tahi, and included representatives from the TCDC and CMFA. Approximately 60 people attended the two open days – with the people attending representing commercial and recreational users of the existing facilities, nearby residents of Waipapa Bay, community groups and the general public of Coromandel Town.

In addition to the public open days, representatives of ATSWL have also held meetings with other individuals and stakeholder groups.

A general summary of all feedback provided during consultation is provided below:

- Those residents living in, and around, Waipapa Bay raised concerns the existing effects from commercial activities at Ariki Tahi, particularly in relation to noise at night and traffic / parking on Te Kouma Road. They were concerned that such effects would be exacerbated by the upgrade of the Wharf;
- The same residents questioned whether Ariki Tahi was the appropriate location to service the expansion of aquaculture activities in the Firth of Thames / Ariki Tahi, particularly in light of the amenity matters noted above;
- Many members of the general public who did not live in Waipapa Bay were supportive of the proposal, but noted that there was not enough parking for vehicles and trailers being provided;
- Some members of the general public questioned whether the maintenance grid was a necessary component of the proposal, given there is one established in Coromandel Town;
- A number of the existing recreational users commented that a pontoon in the middle of the dual lane boat ramp would help get the boats away from the ramps quicker, ensuring the boat ramp was used more efficiently;
- Concern was raised with regard to the increase in truck movements and the safety of the intersection between SH25 and Te Kouma Road;
- Questions were raised around the potential for contaminants in the dredging material and where the excess material would be disposed; and
- It was noted that a single entrance and exit point would free up some space to potentially enable the provision of car parks to increase.

## 5. IWI AUTHORITIES AND TREATY SETTLEMENTS

### 5.1 IWI AUTHORITIES AND TREATY SETTLEMENT ENTITIES

#### 5.1.1 Consultation Undertaken with Iwi Authorities

ATSWL understands that Ariki Tahī is located in the rohe of the tribes of the Marutūahu Confederation. As such, the following iwi have an interest in the area around Ariki Tahī:

- Ngāti Whanaunga;
- Te Patukirikiri;
- Ngāti Tamaterā; and
- Ngāti Maru.

ATSWL have sought to consult with all iwi and have been advised that Ngāti Whanaunga would take the lead role in considering the potential effects of any upgrade at Ariki Tahī. 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.

The conclusions and recommendations of the cultural impact assessment are summarised later in Section 7.8 of this application (in respect of the potential cultural effects of the project). ATSWL is working with Ngāti Whanaunga to address the recommendations of the cultural impact assessment (either through consent conditions or a relationship agreement) to extent possible.

#### 5.1.2 Consultation Undertaken with Treaty Settlement Entities whose Area of Interest Includes the Area in which the Project will Occur

Table 1: Consultation Undertaken with Treaty Settlement Entities

Treaty Settlement Entity	Consultation Undertaken
N/A	N/A



## **5.2 TREATY SETTLEMENTS**

### **5.2.1 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**

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.

Released under the  
Official Information Act 1982

## **6. MARINE AND COASTAL AREA (TAKUTAI MOANA) ACT 2011**

### **6.1 CUSTOMARY MARINE TITLE AREAS**

#### **6.1.1 Customary Marine Title Areas under The Marine and Coastal Area (Takutai Moana) Act 2011 that apply to the Location of the Project**

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

### **6.2 PROTECTED CUSTOMARY RIGHTS AREAS**

#### **6.1.2 Protected Customary Rights Areas under The Marine and Coastal Area (Takutai Moana) Act 2011 that apply to the Location of the Project**

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

Released under the  
Official Information Act 1982

## 7. ENVIRONMENTAL EFFECTS

### 7.1 INTRODUCTION

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 the potential for the project to have significant adverse effects.

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 below 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.**

## **7.2 POSITIVE EFFECTS**

The Thames-Coromandel District has developed itself into the second largest mussel-producing area in New Zealand, behind only the Marlborough / Tasman Region. In this regard, the Thames-Coromandel District delivers approximately 30% of New Zealand's Greenshell™ Mussel production by weight and with 90% of mussels grown in North Island passing through Ariki Tahī. Accordingly, the upgrade of the Ariki Tahī will ensure the marine farming industry centred around Coromandel Town and Manaia continues to be a significant contributor to both the local, regional and national economies.

As already discussed in this application, the upgrade of Ariki Tahī will address existing capacity and logistical constraints at the Wharf. The proposed upgrade of Ariki Tahī has been designed to enable the clear separation of commercial and recreational activities at the Wharf - which will provide a safer working and recreational environment than currently exists. In addition to these public safety benefits, the project will address the need to improve operational health and safety for the commercial users of the site. Health and safety risks are at times presented during operations. The increase in manoeuvring space on land and in berthing will allow for significant reductions in risk severity through the safe separation of activities including loading, offloading and transportation interfaces.

The enhanced commercial area at Ariki Tahī will enable an increase in the offloading capacity of harvested aquaculture in the Firth of Thames / Tikapa Moana from approximately 25,000 to 42,000 tonnes per annum. The economic impact of this investment will unlock approximately \$1B of value added over a period of approximately 35 years. This new level of activity will support approximately 1,530 jobs once fully operational – with 825 of those being located in the Waikato and Bay of Plenty Regions.

The analysis suggests that the upgrade of Ariki Tahī will generate a net benefit of approximately \$88 million. This return is based on the initial government assistance by the Provincial Growth Fund of \$42 million, which was then reduced to \$19.5 million.

The enhanced recreational area at Ariki Tahī will also provide a more effective space for the launching and recovery of recreational vessels. The proposed groyne has been proposed to ensure the use of the boat ramp is sheltered from wind and wave action from western and north-western quarters.

The proposed design of the Ariki Tahī has sought to consider storm events of increasing intensity and expected sea level rise, providing a regional asset that is more robust and resilient to climate change and natural hazards.

Overall, aquaculture is a key part of the social and economic fabric in the communities of Coromandel Township, where the majority of sector employees live and work. Iwi owned aquaculture assists community wellbeing with contributions from marine farming co-funding education and health services (approximately 30 - 50% of the local industry is Māori owned). In essence the proposed redevelopment of the Ariki Tahi will ensure this critical regional infrastructure is able to continue to provide for the economic, environmental, and social wellbeing of the local and regional communities, in a safe and efficient manner.

**There are significant positive effects likely to result from the proposed upgrade of Ariki Tahi.**

### **7.3 VISUAL AMENITY, LANDSCAPE AND NATURAL CHARACTER**

Isthmus has undertaken a visual amenity, landscape and natural character assessment of the proposed upgrade of Ariki Tahi. The key conclusions from this assessment are summarised as follows:

- Ariki Tahi is currently used as an operational and active commercial and recreational wharf in the Coromandel Harbour. The site is not located within any specific landscape, ecological or natural character overlay, and there are no known values that require protection;
- The overall adverse effects of the proposed upgrade of Ariki Tahi on the natural character values of the Coromandel Harbour will be very low;
- The overall adverse effects on the natural character values of Ariki Tahi and the immediate surrounds will be low;
- The overall effects on the landscape values of the Coromandel Harbour will be very low (neutral);
- The overall adverse effects on the landscape values of Ariki Tahi and its immediate surrounds will be low; and
- The overall adverse effects on the visual amenity values of the surrounding area will be low.

Overall, Isthmus note that the proposal is a wharf upgrade and, whilst it will be visible, it will be seen within the context of the existing wharf and the existing commercial and recreational activities which are a notable feature within the receiving environment.

Isthmus conclude that the site is well suited for a wharf upgrade and any natural character, landscape and visual amenity effects arising from the proposal on the receiving environment are acceptable.

## **7.4 TRAFFIC EFFECTS**

Stantec has undertaken a transportation assessment of the proposed upgrade of Ariki Tahi. The key conclusions from the assessment are summarised in the sub-sections below.

### **7.4.1**

#### **Operational Traffic Effects**

The key conclusions from Stantec with respect to the operational traffic effects are as follows:

- Access to both the commercial wharf and the recreational boat ramp is proposed by way of a shared right turn bay on Te Kouma Road. The proposed bay is longer than the existing bay;
- The existing wharf is assessed as generating typically 144 vehicle movements per day including 48 heavy vehicles movements. These movements are associated with barge crew, wharf staff and trucks moving products and equipment;
- Future growth is expected to increase these volumes to 218 vehicle movements per day of which 74 are by heavy vehicles;
- In any one hour, it is expected that with the expected growth in traffic there could be an additional 25 vehicle movements on Te Kouma Road, including 10 by heavy vehicles;
- While not necessarily needed as a direct consequence of this development, a number of mitigation measures are recommended to improve the safety of operations with respect to Te Kouma Road; and
- The proposed wharf upgrade, together with the recommended mitigation measures recommended, can be appropriately managed within the expected transportation environment.

### **7.4.2 Construction Traffic Effects**

During construction, the associated traffic generated will face similar issues on the access roads and intersections as for the long-term operational traffic. Therefore, similar mitigation measures will need to be considered.

Traffic movements associated with the construction phase of the project will be somewhat dependent on the final construction methodology. Notwithstanding that, whatever the magnitude of those movements, they will be of a temporary nature and able to be managed by a construction traffic management plan, incorporating similar measures as for the management of long-term traffic. Such a plan will include appropriate management controls to be implemented both on Te Kouma Road and at its intersection with SH25 to safely manage movements, particularly if construction proceeds in advance of the completion of the proposed intersection improvements described above.

Stantec note that the use of a construction traffic management plan is a typically accepted protocol to manage short term traffic effects and a suitable condition to the effect is proposed.

## **7.5 NOISE EFFECTS**

Marshall Day has assessed the potential operational and construction noise effects associated with the upgrade of Ariki Tahī. The conclusions from their assessment are summarised in the following sub-sections.

### **7.5.1 Operational Noise**

In summary, Marshall Day recommend specific noise limits for operations at Ariki Tahī once the proposed upgrade works have been completed. These are:

- Daytime (0700 – 2200 hrs) 55 dB  $L_{Aeq}$
- Night-time (2200 – 0700 hrs) 45 dB  $L_{Aeq}$  65 dB  $L_{AFmax}$

As per the rules in the Proposed Plan, noise is to be assessed at any point within the notional boundary of a site within the Coastal Living Zone. In this case, the closest receptor within the Coastal Living Zone is 44 Puriri Road (approximately 250 m from Ariki Tahī). Marshall Day considers the above limits to be appropriate as the coastal background noise environment is typically elevated due to a combination of natural (e.g. wind and waves) and existing anthropogenic noise sources (e.g. road vehicles and boats). The measured representative night-time background noise level was 37 dB  $L_{A90}$ .

It is also noted that the proposed noise limits above are consistent with similar facilities in New Zealand, balancing the interface between essential infrastructure and coastal dwellings. For example, the noise limits for marinas are typically 55 / 45 dB  $L_{Aeq}$  as noted in Rule E25.6.20 of the Auckland Unitary Plan.

Once the upgrade of Ariki Tahī has been completed, and the proposed controls in the Operations Management Plan has been implemented, Marshall Day predicts a noise level of 43 dB  $L_{Aeq}$  at 44 Puriri Road (the nearest residential receiver) during early morning activities at Ariki Tahī.

As such, Marshall Day predict future peak wharf operations to be similar in noise level to existing operations and consider that operational noise on the wharf will be reasonable.

### **7.5.2 Construction Noise**

In respect of the construction activities, Marshall Day conclude that:

- Compliance can be achieved with the construction noise limits in the Proposed Plan (being NZS 6803:1999 Acoustics – Construction Noise);

- Compliance can be achieved with benchmark vibration limits in the Proposed Plan; and
- There is no risk of auditory damage to marine mammals from dredging activities.

## 7.6 ECOLOGICAL EFFECTS

Pisces Ecology Limited and Coast & Catchment Limited undertook an ecology and coastal water quality assessment of the proposed upgrade of Ariki Tahi to inform the AEE. The following sub-sections address the key conclusions from this assessment.

### 7.6.1 Water Quality

The potential water quality effects from the upgrade of Ariki Tahi are considered to be as follows:

- Effects from the release of suspended sediment during dredging;
- Effects from the release of nutrients and faecal bacteria during dredging;
- Effects from the release of harmful contaminants during dredging; and
- Effects from stormwater runoff during operation of the Wharf.

In respect of these potential effects, the report concludes:

- Sediment loads entering Coromandel Harbour are naturally relatively high and variable, and largely influenced by weather events. As a result, suspended sediment concentrations in the harbour, including the proposed construction area, are variable and periodically high;
- Aquatic flora and fauna present both near the proposed construction works, and in the wider harbour, are likely well accustomed to varying and periodically high levels of suspended sediment;
- During dredging (capital and maintenance), water quality effects may arise from the release and subsequent spread of fine sediment and / or harmful contaminants, nutrients or faecal bacteria from dredged or resuspended sediment. Investigations of sediment contaminants demonstrated that levels were below detection or relevant guideline values, indicating that sediment disturbance will not release harmful concentrations into the water column;
- Effects from the release of suspended sediment during capital dredging are assessed as moderate and, with effective monitoring and controls in place, may be considered low. During maintenance dredging effects are expected to be of similar nature but substantially lower intensity and effects are assessed as very low;



- Water column contaminant levels expected to result from the release of contaminants associated with fine sediments during capital and maintenance dredging are of no ecological concern and effects are assessed as very low; and
- Effects from stormwater runoff are considered to be low.

Monitoring of TSS and/or turbidity is recommended by Pisces Ecology Limited and Coast & Catchment to examine the intensity and the spatial extent of the sediment plume resulting from dredging. The objective of this monitoring is to:

- Confirm that total suspended sediments and / or turbidity levels do not reach levels deemed unacceptable; and
- If acceptable levels (or other trigger levels) are exceeded, inform an effective management response (e.g. a reduction in dredging duration or suspension of dredging).

### 7.6.2 Benthic Effects

In respect of the physical impacts of reclamation and dredging on the benthic environment, Pisces Ecology Limited and Coast & Catchment conclude that:

- Around 0.69 ha of modified, intertidal reef and a narrow section of the adjoining, shallow subtidal reef, will be lost through the proposed reclamation;
- A narrow band of modified subtidal reef will also be lost. The subtidal reef community in the reclamation area is typical of shallow, turbid environments such as harbours and estuaries in the inner Hauraki Gulf;
- Intertidal and shallow subtidal reef in the area has previously been modified through the development of the existing wharf, accessway and boat ramp, roading and coastal protection structures along the upper shore, the creation of the dry stand, the accumulation of items of rubbish, and colonisation by the invasive Mediterranean fan worm, which has now become a dominant feature on the subtidal reef. While the further loss of a relatively small section reef will have an additional, localised impact on the species and habitats present, ecological impacts are likely to be negligible at the scale of the harbour and beyond;
- Channel dredging will directly affect around 1.9 ha of subtidal shelly mud and shell bed; and
- The reclamation area is 6,900 m<sup>2</sup> and the dredging footprint is 29,00 m<sup>2</sup>. The total spring high tide area of Coromandel Harbour is 25.4 km<sup>2</sup>. Consequently, reclamation will affect 0.028% of the area of Coromandel Harbour and dredging 0.078%. Assuming a total loss of habitat within these areas, due to the small size and nature of the seabed affected, adverse effects on the wider harbour ecology are likely to be low.

In respect of the indirect impacts of sediment dispersal and deposition, the report states:

- Sampling and video analysis indicate that the key communities potentially affected by the dispersal of mobilised sediments are those associated with subtidal muddy sediment, and intertidal and subtidal reef;
- Adverse effects on taxa within muddy sediment habitats could arise through smothering and suspended sediments;
- Overall, available information on the mass dumping of spoil within dedicated disposal areas suggests depositional effects tend to be relatively minor, with changes commonly found to be less than those associated with natural temporal variability; and
- Mobilised sediment could also become trapped on the lower intertidal, particularly around boulders where muddy sediments, and mud tolerant species are already present, however they are unlikely to have a measurable impact on the surrounding mudflats and their associated, mud-tolerant, benthic communities.

### **7.6.3 Marine Mammals**

Coast & Catchment (2021) identifies the main potential effects of the proposed development on marine mammals as being:

- Behavioural and/or physical responses of marine mammals to underwater noise generated during dredging;
- Ingestion of, or entanglement in, debris released during construction;
- Ingestion and accumulation of contaminants released from dredged sediments; and
- Changes in behaviour resulting from increased turbidity generated during dredging.

In summary, the effects of the proposed activities on marine mammals are assessed as low. This conclusion is based on the findings that:

- Coromandel Harbour is not a critical habitat or feeding area for marine mammals;
- The likelihood of marine mammals utilising Coromandel Harbour is low;
- Marine mammals can avoid the construction area;
- Noise levels generated by dredging activities are low and that there is no risk of auditory injury to marine mammals that might be in the area;
- Low amounts of construction-related debris are expected to be generated during construction and measures are in place for collecting accidentally released debris;
- Contaminant levels in dredged sediments are below levels that would be harmful for marine mammals; and

- Marine mammals are not sensitive to temporary increases in turbidity.

#### **7.6.4 Seabirds and Shorebirds**

The assessment of effects on birds (shorebirds and seabirds) was conducted by The Ecology Company.

Nineteen species of coastal seabird were recorded within 10 km of Ariki Tahi. In addition, Australasian bittern and banded rail use wetland and mangrove habitats in the Coromandel Harbour. It is likely that kororā (little blue penguin) also occur in the area, but have not been recorded.

Of the identified species only two, kororā and variable oystercatcher, are considered to be at risk of experiencing adverse effects due to the proposal, and both have a conservation threat ranking of 'at risk'. Two threatened and eight other at risk species occur in the area but are not considered likely to be affected by the proposal because of their life history, behaviour or habitat preferences.

The magnitude of unmitigated effects on variable oystercatcher and little blue penguin is assessed as low and negligible, resulting in an overall level of effect which is low and very low for these species respectively at the scale of Coromandel Harbour.

#### **7.6.5 Marine Pest Risk**

Pisces Consulting and Coast & Catchment identify the main potential biosecurity effects of the proposed upgrade of Ariki Tahi as being:

- An increase in the pest population in the area due to an increase in surface area of artificial structures;
- The dispersal of pests dislodged by dredging; and
- The introduction of new pests by the dredging equipment and vessels.

In this respect, the report concludes:

- The key marine pest of concern are Mediterranean fan worm, clubbed tunicates, and Japanese kelp. All three species are already established in, and around, Coromandel Harbour and the proposed upgrade works are unlikely to exacerbate those pest populations; and
- Precautions are recommended to prevent new species being introduced during dredging and construction activities, specifically through the adoption of appropriate biofouling management practices methods by vessel operators.

Overall, with the widespread distribution of pest species around Coromandel Harbour, the nature of the proposed activities, and with the adoption of appropriate biofouling controls

by the dredging operator, the increased biosecurity risks of the proposed upgrade of Ariki Tahī are considered to be negligible.

## **7.7 COASTAL PROCESSES**

AECOM have undertaken a coastal processes assessment for the proposed upgrade of Ariki Tahī. The assessment notes that the site is in a naturally sheltered location, with the wave climate reaching the Wharf generated across the local fetches that are less than 5 km in length. This results in small waves reaching the facility with a wave height of 0.4 m rarely exceeded under ambient conditions.

The fetch to the west is significantly longer, over 20 km, with wave heights exceeding 0.5 m with periods over 3 seconds on days with stiff winds. Waves from the west, however, will not impact directly, having to diffract or refract into the facility and being significantly attenuated in doing so.

The wharf level at approximately 2.0 m MVD53 is 0.3 m above present-day HAT. Storm tide levels periodically swamp the facility with two known events in the last six years. Design storm tide levels today are 2.5 m MVD53. Future water levels will be higher due to sea level rise. A conservative allowance of 0.6 m sea level rise by 2070 has been adopted for this project. This results in a design storm tide levels of 3.1 m MVD53 at the end of the design life.

Morphology within Coromandel Harbour is split between the sediment-rich eastern end of the embayment and the sediment-starved western end. The site is located at the transition between the two, with sediment-starved foreshores and sediment-rich areas offshore. At Ariki Tahī, this results in minor siltation issues across the dredge channel. Nearshore wave action results in local sediments moving into deeper waters at the existing berths. In the new configuration similar rates of cohesive or muddy sediment are anticipated but a larger dredged footprint will result in greater volumes to be dredged. Sandy materials are expected to be trapped in areas away from the Wharf, permitting longer periods between dredge campaigns. It is anticipated that dredging of 2,000 to 3,000 m<sup>3</sup> of silty material will be required every 10 to 15 years.

AECOM notes that it is expected there will be a worsening of the wave climate in and around the commercial facility due to increased exposure to westerly waves and highly reflective wharf faces. It is, however, unlikely that this wave climate would be a serious issue for the larger vessels.

Because the foreshores are starved of sediments the facility has minimal impact on adjacent coastal areas. The proposed changes to the facility will result in a reclamation that will have minor impacts on hydrodynamics (currents) within Waipapa Bay. Similarly, the reclamation and dredging will have a small impact on the distribution of sediments within

the bay, with a calm area created in the lee of the reclamation. However, the facility will have minimal impacts beyond this immediate area.

## 7.8 CULTURAL EFFECTS

A cultural impact assessment for the upgrade of Ariki Tahī was prepared by Ngāti Whanaunga Incorporated Society in 2021. The assessment notes that the wharf is located within an important cultural landscape (being Tikapa Moana), which is of high cultural and spiritual significance to Ngāti Whanaunga.

Recommendations are presented in the cultural impact assessment to enhance the mauri of Te Kouma and to develop the social and economic wellbeing of Ngāti Whanaunga, with the report acknowledging that Ngāti Whanaunga are prepared to work with ATSWL to deliver the project.

ATSWL are currently working with Ngāti Whanaunga on how to implement those recommendations that relate to the resource consent process. Such measures include:

- The provision of cultural induction training for all staff and contractors prior to construction;
- The invitation of mana whenua to undertake karakia at the start of the project and upon project completion;
- The provision for mana whenua to take part in monitoring activities, particularly during construction;
- The provision for mana whenua to review and provide comments on draft management plans required as part of the resource consents, and prior to submission to the consent authority;
- The sourcing of rock armour within the Hauraki area;
- The incorporation of ecological enhancements into the wharf structures and rock revetments;
- The provision for mana whenua to observe the construction activities, and provide cultural advice during the dredging and reclamation activities;
- The establishment of appropriate water quality trigger levels and management measures during the dredging activities; and
- The installation of signage at Ariki Tahī so that visitors and users of the Wharf can learn about the original coastline and historic significance of the area.

Furthermore, ATSWL and Ngāti Whanaunga are continuing to engage in order to explore opportunities to provide for the enduring relationship between the company and mana whenua, and to recognise the role of mana whenua as kaitiaki of Ariki Tahī and Tikapa Moana.

## **7.9 CONCLUSION**

Overall, it is considered that the upgrade of Ariki Tahi will generate positive social and economic benefits for the broader community and can be constructed and operated in a manner that will, as far as practicable, avoid, remedy or mitigate potential adverse effects on the environment.

Ariki Tahi is considered to be appropriate for the upgrade proposed, due to all tide access, extent of dredging required, location of existing aquaculture employment and service hubs.

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## 8. NATIONAL POLICY STATEMENTS AND NATIONAL ENVIRONMENTAL STANDARDS

### 8.1 NEW ZEALAND COASTAL POLICY STATEMENT

The New Zealand Coastal Policy Statement (“NZCPS”) recognises the importance of the use and development of the coastal environment, and seeks to enable people and communities to provide for their social and economic wellbeing through its 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; and
- Functionally some uses and developments can only be located on the coast or in the coastal marine area and these activities should be provided for in appropriate places.

The NZCPS also promotes the efficient use of occupied space, including, inter alia, by requiring that structures be made available for public or multiple use wherever reasonable and practicable. The NZCPS seeks to only impose a restriction on public walking access to, along or adjacent to the coastal marine area where such a restriction is necessary, inter alia, to ensure a level of security consistent with the purpose of a resource consent.

Consistent with Objective 4, the upgraded recreational facility will enhance the opportunities within this coastal environment for recreation, and it is intended that users of the recreational facility will be able to safely enjoy the coastal environment.

Apart from the functional requirements for the commercial wharf, Ariki Tahī will also provide for an upgraded recreational boat ramp and parking facilities. It is impractical to allow public access to the commercial part of Ariki Tahī due to safety and security reasons.

Policy 8 of the NZCPS requires the recognition of the aquaculture industry due to the social, cultural and economic benefits, stating:

**Policy 8: Aquaculture**

*Recognise 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.*

It is considered that the upgrade of Ariki Tahi is consistent with Policy 8, given the need for infrastructure to service the aquaculture industry so that the economic, social and cultural benefits can be realised.

In respect of reclamation, the NZCPS seeks to avoid reclamation of land in the coastal marine area, unless:

- Land outside the coastal marine area is not available for the proposed activity; and
- The activity which requires reclamation can only occur in or adjacent to the coastal marine area;
- There are no practicable alternative methods of providing the activity; and
- The reclamation will provide significant regional or national benefit.

The key policy of the NZCPS relevant to the reclamation proposed is replicated below:

**Policy 10: Reclamation and de-reclamation**

1. *Avoid reclamation of land in the coastal marine area, unless:*
  - (d) *land outside the coastal marine area is not available for the proposed activity;*
  - (e) *the activity which requires reclamation can only occur in or adjacent to the coastal marine area;*
  - (f) *there are no practicable alternative methods of providing the activity; and*
  - (g) *the reclamation will provide significant regional or national benefit.*
2. *Where a reclamation is considered to be a suitable use of the coastal marine area, in considering its form and design have particular regard to:*
  - (a) *the potential effects on the site of climate change, including sea level rise, over no less than 100 years;*
  - (b) *the shape of the reclamation and, where appropriate, whether the materials used are visually and aesthetically compatible with the adjoining coast;*
  - (c) *the use of materials in the reclamation, including avoiding the use of contaminated materials that could significantly adversely affect water quality, aquatic ecosystems and indigenous biodiversity in the coastal marine area;*
  - (d) *providing public access, including providing access to and along the coastal marine area at high tide where practicable, unless a restriction on public access is appropriate as provided for in Policy 19;*
  - (e) *the ability to remedy or mitigate adverse effects on the coastal environment;*
  - (f) *whether the proposed activity will affect cultural landscapes and sites of significance to tāngata whenua; and*
  - (g) *the ability to avoid consequential erosion and accretion, and other natural hazards.*



3. *In considering proposed reclamations, have particular regard to the extent to which the reclamation and intended purpose would provide for the efficient operation of infrastructure, including ports, airports, coastal roads, pipelines, electricity transmission, railways and ferry terminals, and of marinas and electricity generation.*

...

In respect to Policy 10:

- Wharf facilities clearly have a functional need to be located in the coastal marine area, and therefore there is no land outside of adjacent to the coastal marine area that can be used for this purpose;
- Ariki Tahī has been identified as the preferred location for servicing the existing and future aquaculture growth in the aquaculture industry, and the best option of all the alternatives investigated (as detailed earlier). As such, it is considered that there are no practicable alternative methods to providing for the activity;
- The regional benefits of Ariki Tahī in economic, social and infrastructure terms have been discussed in section 6;
- In considering proposed reclamations, the NZCPS also directs that particular regard be given to the extent to which the reclamation, and its intended purpose, would provide for the efficient operation of infrastructure. Ariki Tahī has been identified as the ideal servicing location for the aquaculture industry in previous assessments (as documented in section 3) and will enable loading and unloading activities at the Wharf to be conducted efficiently; and
- The preliminary design of Ariki Tahī will provide for climate change (including sea level rise) and the various technical assessments have identified measures to avoid, remedy or mitigate adverse effects on the coastal environment.

Where a reclamation is considered to be a suitable use of the coastal marine area, the NZCPS requires in considering its form and design to have particular regard, inter alia, to:

- The potential effects on the site of climate change, including sea level rise, over no less than 100 years;
- The shape of the reclamation and, where appropriate, whether the materials used are visually and aesthetically compatible with the adjoining coast;
- The use of materials in the reclamation, including avoiding the use of contaminated materials that could significantly adversely affect water quality, aquatic ecosystems and indigenous biodiversity in the coastal marine area;
- The reclamation will provide significant regional or national benefit;

- Providing public access, including providing access to and along the coastal marine area at high tide where practicable, unless a restriction on public access is appropriate; and
- The ability to avoid consequential erosion and accretion, and other natural hazards.

The preliminary design of Ariki Tahī will provide for climate change (including sea level rise) and will be informed by the project's marine ecologist to avoid, remedy or mitigate effects on water quality and aquatic ecosystems and the project's civil engineer to minimise erosion and an increase of natural hazards.

The reclamation and dredging footprint will be over the smallest area possible in accordance with the mitigation measures recommended by the project's marine ecologist. The regional benefits of Ariki Tahī in economic, social and infrastructure terms have been confirmed by various assessments undertaken as part of this application. The disposal of dredge material will be incorporated within the reclamation structures to minimise the potential disposal of material to the coastal marine area.

The NZCPS also includes objectives seeking to preserve the natural character of the coastal environment and protect natural features and landscape values.

The site is not located in an outstanding natural or amenity landscape or feature/ area of outstanding natural character / significant ecological value and this part of area of the coastal environment is already modified. The existing wharf is located within the Marine Services Zone under the Proposed Plan, with the reclamation being directly adjacent to the Marine Services Zone. Accordingly, no significant adverse effects on the natural character or landscape values of the site area are anticipated, and this has been confirmed by the assessment undertaken by Isthmus.

The NZCPS also seeks that management of the coastal environment take account of the principles of the Treaty of Waitangi, recognise the role of tāngata whenua as kaitiaki and provide for tāngata whenua involvement in management of the coastal environment. The cultural impact assessment for the upgrade of Ariki Tahu prepared by Ngāti Whanaunga notes that the wharf is located within an important cultural landscape (being Tikapa Moana), which is of high cultural and spiritual significance to Ngaati Whanaunga. Through continued consultation with Ngāti Whanaunga, it is considered that measures can be implemented through consent conditions so that the proposed activity sits comfortably with these NZCPS provisions addressing tāngata whenua matters.

Section 7 of this application concludes that adverse effects on the environment will be appropriately avoided, remedied, or mitigated. For this reason, it is considered that the proposal aligns comfortably with the direction of the NZCPS and is appropriate development at the site.

## 8.2 HAURAKI GULF MARINE PARK ACT 2000

The Hauraki Gulf Marine Park Act 2000 (“**HGMPA**”) is of relevance to the project as a consent authority must have regard to Sections 7 and 8 of the Act when considering a resource consent application for the Hauraki Gulf, its islands and catchments. These sections express matters of national significance and are required to be treated as a New Zealand coastal policy statement under the RMA. HGMPA seeks to provide for:

- Economic well-being and use of Coastal Marine Area for economic activities;
- Recreational well-being and use of Coastal Marine Area for recreation;
- Maintenance of soil, air, water and ecosystems of Coastal Marine Area;
- Social well-being;
- Relationship of tāngata whenua with Coastal Marine Area and islands; and
- Cultural well-being.

Based on the information provided in other parts of this application, it is considered that the proposal aligns comfortably with all these HGMPA provisions.

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## **9. PURPOSE OF THE ACT**

The purpose of the Act is to urgently promote employment to support New Zealand's recovery from 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

### **9.1 THE 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 Tahi. As such, it is a significant contributor to both the regional and national economies.

Ariki Tahi 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.

### **9.2 PROJECT'S EFFECTS ON THE SOCIAL AND CULTURAL WELLBEING OF CURRENT AND FUTURE GENERATIONS**

The upgrade of Ariki Tahi 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.

### **9.3 WHETHER THE PROJECT WOULD BE LIKELY TO PROGRESS FASTER BY USING THE PROCESSES PROVIDED BY THE ACT THAN WOULD OTHERWISE BE THE CASE**

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.

In respect of the cost escalation benefits, the following table shows the quantum of escalation per year (with 2019 inflation assumptions as this was when the business case was prepared). This cost escalation table assumes the standard RMA process with an appeal to the Environment Court:

s 9(2)(b)(ii)

Using the process under the Act would potentially provide a cost escalation savings of approximately \$1 million (two years less of cost escalation).

#### **9.4 WHETHER THE PROJECT MAY RESULT IN A 'PUBLIC BENEFIT'**

##### **9.4.1 Employment and 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.

##### **9.4.2 Housing Supply**

Not applicable.

##### **9.4.3 Contributing to Well-Functioning Urban Environments**

Not applicable.

#### **9.4.4 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, s 9(2)(b)(ii) and creating \$822 million 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.

#### **9.4.5 Improving Environmental Outcomes for Coastal or Freshwater Quality, Air Quality, or Indigenous Biodiversity**

As detailed in Section 7 of this referral application, 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.

#### **9.4.6 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.

#### **9.4.7 Contributing to New Zealand's Efforts to Mitigate Climate Change and Transition More Quickly to a Low Emissions Economy (on 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.

#### **9.4.8 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.

#### **9.4.9 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.

#### **9.4.10 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.

#### **9.5 WHETHER THERE IS POTENTIAL FOR THE PROJECT TO HAVE SIGNIFICANT ADVERSE ENVIRONMENTAL EFFECTS**

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.



## **10. CLIMATE CHANGE AND NATURAL HAZARDS**

### **10.1 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 Tahī 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.

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**11. TRACK RECORD**

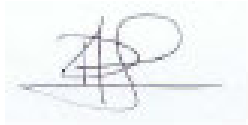
**11.1 A SUMMARY OF ALL COMPLIANCE AND/OR ENFORCEMENT ACTIONS TAKEN AGAINST THE APPLICANT BY A LOCAL AUTHORITY UNDER THE RESOURCE MANAGEMENT ACT 1991, AND THE OUTCOME OF THOSE ACTIONS**

Local Authority	Compliance/Enforcement Action and Outcome
N/A	N/A

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## 12. DECLARATION

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

A handwritten signature in black ink, appearing to be 'A. P.', is written over a light blue rectangular background.

Signature of person or entity making the  
request

Date: 5 November 2021

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### 13. CHECKLIST

Where relevant to your application, please provide a copy of the following information (click to place an "X" in each box to confirm):

- ☐ Correspondence from the registered legal landowner(s)
- ☐ Correspondence from persons or parties you consider are likely to be affected by the project
- ☐ Written agreement from the relevant landowner where the project includes an activity that will occur on land returned under a Treaty settlement.
- ☐ 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.
- ☐ 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.

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