

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

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

For office use only:

Project name: Ariki Tahi (Sugarloaf Wharf) Expansion

Application number: PJ-0000407.....

Date received: 17/08/2020.....

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 this approved form and contain all of the required information. If these requirements are not met, the Minister(s) may decline your application due to insufficient information.

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

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

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

Applications must be submitted to the Minister via email: fasttrackconsenting@mfe.govt.nz

Part I: Applicant

Applicant details

Person or entity making the request: Mitchell Daysh Limited

Contact person: Richard Turner

Job title: Director

Phone: s9(2)(a)

Email: s9(2)(a)

Postal address: PO Box 300 673, Auckland 0752

Address for service (if different from above)

Organisation:

Contact person:

Job title:

Phone:

Email:

Email address for service:

Postal address:

Part II: Project location

The application: relates wholly to the coastal marine area

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

Site address / location:

Te Kouma Road, Te Kouma, Waikato, 3581, New Zealand

Ariki Tahi (Sugarloaf Wharf) is an existing commercial and recreational wharf facility located in Waipapa Bay, along the southern shoreline of the Coromandel Harbour. It is situated on Te Kouma Road and is located approximately 10km from the Coromandel Township. Waipapa Bay is defined by headlands to the east and west, and Te Kouma Road runs along the coastal margin.

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

Legal description(s):

Ariki Tahi is located on reclaimed land 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 will occur in the seabed of Waipapa Bay. Further information on the legal status of the site is provided in Appendix A to this document.

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

Registered legal land owner(s):

Ariki Tahi is publicly owned infrastructure managed by the Thames-Coromandel District Council.

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

As noted above, Ariki Tahi is located on reclaimed land vested in the Crown. The proposed reclamation works will occur in the seabed. The management of the wharf infrastructure at Ariki Tahi will be via Ariki Tahi Sugarloaf Wharf Limited, who will hold any new resource consents. The Thames-Coromandel District Council, Coromandel Marine Farmers Association and the Ministry for Business Innovation and Employment (via the Provincial Growth Fund Limited) each hold 33% shareholding in Ariki Tahi Sugarloaf Wharf Limited.

Part III: Project details

Description

Project name: Ariki Tahī (Sugarloaf Wharf) Expansion

Project description: Ariki Tahī is a shared commercial and recreational wharf facility in Waipapa Bay, Coromandel. The wharf is critical infrastructure to the successful aquaculture industry in the Firth of Thames / inner Hauraki Gulf. The wharf currently handles approximately 25,000 tonnes of harvested aquaculture (predominantly mussels) per annum. Ariki Tahī is also a popular location for launching recreational vessels into the Firth of Thames or Inner Hauraki Gulf. In this regard, the wharf includes a recreational boat ramp and some parking facilities for vehicles / trailers. The New Zealand Government has set a target of achieving \$3 billion in annual sales of New Zealand aquaculture product by 2035.¹ This is to be achieved, in part, by maximising the value of existing marine farms and providing opportunities for open ocean aquaculture. With the above in mind, it is noted that there is approximately 775 ha of newly consented aquaculture space in the Firth of Thames, as well as plans for additional aquaculture development in the area.² Aquaculture development in the Firth of Thames is expected to double in the coming years. Therefore, it is critical to enhance the facilities at Ariki Tahī and provide improved efficiency and safety of operations at the wharf. In light of the above, the principal purpose of this project is to provide for growth in the aquaculture industry in the Firth of Thames / inner Hauraki Gulf. The upgrade of Ariki Tahī will increase capacity at the wharf from approximately 25,000 to 42,000 tonnes harvested aquaculture per annum. The upgrade of Ariki Tahī will enable aquaculture in the area to continue to grow production, facilitating the investment of approximately \$126 M and creating approximately \$822 M of district and regional benefits (and support the creation of approximately 800 jobs over a period of approximately 35 years). The project comprises the following key components: Dredging of the approach channel to the wharf in order to provide an all tide approach for vessels (and periodic maintenance dredging); The reclamation of the Coastal Marine Area and the establishment of four berths for commercial vessels (90 m of usable continuous wharf edge); The establishment of rock revetment and a separate recreational boat launching facility (including up to 15 car / trailer parking bays); Installation of a fence and gates surrounding the commercial wharf facilities; and Basic amenities. The proposed layout of the expansion of Ariki Tahī is illustrated in Figure 1.3 of the attached document.

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

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

Given the nature of the works involved it is not feasible to stage the upgrade works proposed at Ariki Tahī. In this regard, all construction works will occur over a period of approximately 18 months. The upgrade works will, however, be scheduled around key periods of commercial and recreation activity Ariki Tahī – in order to minimise the potential for disturbance to existing activities.

Consents / approvals required

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

Resource consent(s) / designation required:

Land-use consent, Water permit, Discharge permit, Coastal permit

Relevant zoning, overlays and other features:

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

Legal description(s)	Relevant plan	Zone	Overlays	Other features
refer to attached document	refer to attached document	refer to attached document	refer to attached document	refer to attached document

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

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

Relevant plan / standard	Relevant rule / regulation	Reason for consent	Activity status	Location of proposed activity
refer to attached document	refer to attached document	refer to attached document	refer to attached document	refer to attached document

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

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

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

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

No other resource consents / designations are required for the project by someone other than Ariki Tahi Sugarloaf Wharf Limited.

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

no

Construction readiness

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

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

refer to attached document

Part IV: Consultation

Government ministries and departments

Detail all consultation undertaken with relevant government ministries and departments:

Ministry of Business, Innovation and Employment – The Ministry of Business, Innovation and Employment are a 33% shareholder in Ariki Tahi Sugarloaf Wharf Limited. 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. Further discussions will take place once the draft marine ecology and landscape assessments are available.

Local authorities

Detail all consultation undertaken with relevant local authorities:

Coromandel District Council – The Thames-Coromandel District Council currently manages Ariki Tahī and is a 33% shareholder in Ariki Tahī Sugarloaf Wharf Limited. As such, they have been fully engaged in discussions regarding the upgrade of the wharf since inception. Consultation has also occurred with regulatory staff at the Thames-Coromandel District Council regarding the consenting process, potential implications for Council assets (e.g. Te Kouma Road) and the community of interest in Ariki Tahī. Waikato Regional Council – As with the above, Ariki Tahī Sugarloaf Wharf Limited have engaged with the Waikato Regional Council with respect to this project for a period of over two years. To this extent, the Waikato Regional Council have committed funding to the upgrade of the wharf. More recent consultation with the Waikato Regional Council has focused on the consenting requirements and the potential use of the fast-tracking process.

Other persons/parties

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

refer to attached document

Detail all consultation undertaken with the above persons or parties:

refer to attached document

Part V: Iwi authorities and Treaty settlements

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

Iwi authorities and Treaty settlement entities

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

Iwi authority	Consultation undertaken
refer to attached document	refer to attached document

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

Treaty settlement entity	Consultation undertaken
refer to attached document	refer to attached document

Treaty settlements

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

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

refer to attached document

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

Customary marine title areas

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

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

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

Protected customary rights areas

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

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

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

Part VII: Adverse effects

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

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

refer to the attached document

Part VIII: National policy statements and national environmental standards

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

refer to the attached document

Part IX: Purpose of the Act

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

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

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

refer to the attached document

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

refer to the attached document

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

refer to the attached document

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

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

Employment/job creation:

refer to the attached document

Housing supply:

refer to the attached document

Contributing to well-functioning urban environments:

refer to the attached document

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

refer to the attached document

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

refer to the attached document

Minimising waste:

refer to the attached document

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

refer to the attached document

Promoting the protection of historic heritage:

refer to the attached document

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

refer to the attached document

Other public benefit:

refer to the attached document

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

refer to the attached document

Part X: Climate change and natural hazards

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

refer to the attached document

Part XI: Track record

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

Local authority	Compliance/Enforcement Action and Outcome
No details	

Part XII: Declaration

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

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

Richard Turner

17/08/2020

Signature of person or entity making the request

Date

Important notes:

- Please ensure all sections, where relevant, of the application form are completed as failure to provide the required details may result in your application being declined.
- Further information may be requested at any time before a decision is made on the application.
- Please note that if the Minister for the Environment and/or Minister of Conservation accepts your application for referral to an expert consenting panel, you will then need to lodge a consent application and/or notice of requirement for a designation (or to alter a designation) in the approved form with the Environmental Protection Authority. The application will need to contain the information set out in Schedule 6, clauses 9-13 of the Act.
- Information presented to the Minister for the Environment and/or Minister of Conservation and shared with other Ministers, local authorities and the Environmental Protection Authority under the Act (including officials at government departments and agencies) is subject to disclosure under the Official Information Act 1982 (OIA) or the Local Government Official Information and Meetings Act 1987 (LGOIMA). Certain information may be withheld in accordance with the grounds for withholding information under the OIA and LGOIMA although the grounds for withholding must always be balanced against considerations of public interest that may justify release. Although the Ministry for the Environment does not give any guarantees as to whether information can be withheld under the

OIA, it may be helpful to discuss OIA issues with the Ministry for the Environment in advance if information provided with an application is commercially sensitive or release would, for instance, disclose a trade secret or other confidential information. Further information on the OIA and LGOIMA is available at www.ombudsman.parliament.nz.

Checklist

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

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