



# 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: Kopu Marine Precinct  
Application number: PJ-0000726  
Date received: 11/12/2020

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

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

## Part I: Applicant

### Applicant details

Person or entity making the request: Thames-Coromandel District Council

Contact person: Ross Ashby

Job title: Project Manager

Phone: s 9(2)(a)

Email: s 9(2)(a)

Postal address:

Private Bag

515 Mackay Street

Thames

### Address for service (if different from above)

Organisation: 4Sight Consulting Limited

Contact person: Christina Walker

Job title: Senior Planning and Policy Consultant and  
Hamilton Manager

Phone: s 9(2)(a)

Email: s 9(2)(a)

Email address for service: s 9(2)(a)

Postal address:

PO Box 911 310

Victoria Street West

Auckland 1142

(Please note the system would not accept this address on the first page of this form - however, this is the correct postal address)

## Part II: Project location

The application: relates partly to the coastal marine area

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

Site address / location:

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

Within Road Reserve between Quay Street at the south and the unformed King Street to the north, adjacent to the Waihou River. This area is an unformed portion of Quay Street

Legal description(s):

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

Part Section 3, Block VII, Thames Survey District (coloured yellow on SO 45311 in the attached land investigation)

Part Section 3, Block VII, Thames Survey District (Coloured yellow on SO Plan 46978 in the attached land investigation)

Registered legal land owner(s):

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:

Landowner

## Part III: Project details

### Description

Project name: Kopu Marine Precinct

Project summary:

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

Construction of the Kopu Marine Precinct, comprising an upgraded commercial slipway, a new wharf and pontoon, a new recreational boat ramp, and the creation of an unsealed recreational car park area and the forming of an unsealed road (King Street).

Project details:

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

The proposal includes the following elements (note: numbering corresponds to numbering on the site plan attached):

1. A commercial wharf/pontoon to provide for in-water marine servicing and loading and unloading of vessels (specifically Marine Farming vessels). The proposed wharf/pontoon will consist of a fixed piled wharf structure and a 36m long T shaped wharf head with floating concrete platoon. The wharf will be 5m wide and 82m long and at a level 4.6m above the chart datum. The wharf has been designed for a Maritime Structures Deck Loading Classification of 15 which will allow a safe working load of 20T for a small mobile crane to facilitate in- water boat servicing and unloading. The pontoon is to be 6 m wide and 20m long and accessed by a 2m wide, 15m long gantry.
2. An upgraded commercial slipway to be constructed from reinforced pre-cast concrete panels with fender piles and a pedestrian gangway/pier to aid boat handling. The commercial slipway will be 12m wide and designed for up to a 150T vessel to be hauled out.
3. A commercial area of approximately 7,000m<sup>2</sup>. This area is currently used for the manoeuvring of vessels for the bulk freight terminal and will be expanded to accommodate the wharf by remediation of the silt trap, laying of gravel and relocation of recreational users to the north. In addition, Quay Street will be widened to 10m over the stopbank which will allow access for vessels to be hauled out of the slipway to adjacent marine sector businesses and beyond.
4. A recreational boat ramp consisting of 2 lanes with an overall width of 12.2m and centrally located 2.2m wide concrete pontoons. Currently recreational users utilise the commercial slipway, which is presenting in health and safety related risks. Therefore, the separation of recreational users from commercial areas is considered essential to address health and safety risks and the improve efficiency of commercial operations. The recreational boat ramp will work on a 'pay and display' system to assist with funding for ongoing maintenance and operations.

5. A recreational parking area of 4,200 m<sup>2</sup> designed to provide for up to 50- boat trailer parks in the first instance. Subject to parking demand, there is space to the north for additional boat trailer parks to be constructed at a future time if required (shown as 7 on the site plan). In addition, there will be a rigging and de-rigging area provided. In order to facilitate the construction of this area, a portion of the existing silt trap/drainage channel will need to be in-filled and a replacement inlet constructed at the north of the silt trap. The design of this work has been in liaison with Waikato Regional Council.
6. The formation of King Street to provide public access to the recreational boat ramp and carpark. King Street will have a 2-lane carriageway with an overall width of 8.0m and an asphalt pavement surface with a 1.6m wide footpath. The design also provides for a combined services trench with power, wastewater and provision in street lighting. A vegetative swale will capture and treat stormwater run-off.
7. A gravel area that will be formed during the first stage, but potentially developed with markings/gates etc in a second stage either as additional space for recreational boat parking - dependent on demand.

A plan of the proposal with corresponding numbered references is attached.

A new rock armoured revetment wall of approximately 1m in height and up to 2m wide will also be installed along the existing bank to provide structural stability for the carpark area.

It is noted that there are no works proposed to the existing bulk storage terminal located to the south of Quay Street. This area is operated by HG Leach & Company Limited under an existing license to occupy and resource consents

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

As noted above, the first stage of the project includes all works including the forming of the area marked as 7 on the site plan, however, this may be further developed with gates/markings etc. at a later date to reflect either an extended commercial area or additional recreational vehicle parking, dependent on demand. No additional consents will be required for the later work.

#### Consents / approvals required

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

Resource consent(s) / designation required:

Land-use consent, Coastal permit

Relevant zoning, overlays and other features:

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

Legal description(s)	Relevant plan	Zone	Overlays	Other features
Entire Site	Thames-Coromandel District Plan	Marine Service	Kopu Structure Plan Area Sea/River/Estuary Designation - Waikato Regional Council Soil	N/A

Legal description(s)	Relevant plan	Zone	Overlays	Other features
			and Flood Control Coastal Environment	
Coastal Environment	Waikato Regional Plan/Waikato Regional Coastal Plan	N/A	ASCV 10 Firth of Tames Area of Significant Conservation Value	Marshland; Mangroves; Eel Grass

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
National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health	Regulation 11(1) - Earthworks (soil disturbance) on land that contains or has contained an activity described as a HAIL activity	It is assumed that soil disturbance and/or removal will exceed Permitted Activity standards and that a full DSI will not be available.	Discretionary	Across the site where soil disturbance occurs, including in the CMA.
Waikato Regional Coastal Plan	16.2 Habitat and Coastal Processes 16.2.2 - Removal or Eradication of Exotic Plant Species Removal of exotic vegetation within the CMA that does not comply with conditions for permitted vegetation removal in Rule 16.2.1.	The presence and extent of any exotic vegetation that will be affected is unknown, but it is assumed there will be at least some exotic vegetation that will be affected by the works. Relevant to this proposal, the Permitted Activity conditions only provide for removal for the purpose of maintenance. In this case, any removal associated with the new facilities will trigger a consent.	Controlled	Foreshore (within CMA) at site of new commercial wharf / pontoon and new recreational boat ramp and for upgrade of commercial slipway.
Waikato Regional Coastal Plan	16.2 Habitat and Coastal Processes 16.2.3 – Removal or Eradication of Indigenous Plant Species Removal of indigenous vegetation within the CMA that does not comply with conditions for permitted vegetation removal in Rule 16.2.1.	Construction of the new recreational boat ramp and facilities will require some removal of mangroves. Permitted Activity conditions are not met as removal is not for the sole purpose of 'maintenance' and the vegetation to be removed (the mangroves) are identified on the	Discretionary	Removal of vegetation from CMA for new commercial wharf / pontoon, recreational boat ramp and upgrade of commercial slipway.

		Coastal Plan Maps as a 'feature' and referenced in the description of the ASCV10 that applies to the site as 'nationally significant mangrove and mudflat communities' (ref Appendix IV: ASCV of the RCP).		
Waikato Regional Coastal Plan	16.4 Structures 16.4.24 Structures The erection, placement, use of, occupation of space by, extension, reconstruction, alteration, removal of demolition of structures in the CMA, which is not otherwise provided for.	There are a number of specific 'structures' rules, including for structures parallel to and perpendicular to the line of MHWS. However, none of these appear to be triggered (e.g. length of proposed structures are below the rule trigger). All structures will, however, be caught by this general structures rule.	Discretionary	New commercial wharf / pontoon, new recreational boat ramp and existing commercial slipway.
Waikato Regional Coastal Plan	16.6 Disturbances 16.6.3 Vehicle Use The use of motorised vehicles on the foreshore or seabed of the CMA for construction of the new commercial wharf / pontoon and new recreational boat ramp and replacement of the existing commercial slipway, being a use that does not comply with the conditions for permitted vehicle use of the foreshore or seabed under Rule 16.6.2.	Permitted Activity provision is made for a number of activities involving the use of vehicles – this will include operation of the facility (e.g. launching boats). No provision is made for vehicle access associated with construction of new structures. It is assumed this will be required. However, details of the construction methodology are not currently known.	Discretionary	Foreshore and seabed in the vicinity of the new commercial wharf / pontoon, new recreational boat ramp and replacement of existing commercial slipway.
Waikato Regional Coastal Plan	16.6 Disturbances 16.6.11 Disturbances/Deposits to the Foreshore or Seabed Disturbance to or any deposit of any natural marine material in, on, or under the foreshore or seabed in quantities of 100m <sup>3</sup> or greater and less than 1000m <sup>3</sup> .	The exact volume of disturbance / deposit is unclear and will depend, in part, on construction methodology. It is expected to be relatively small scale, and associated with construction of the new commercial wharf / pontoon, new recreational boat ramp and replacement of the	Controlled	Foreshore in the vicinity of the new commercial wharf / pontoon, new recreational boat ramp and replacement of existing commercial slipway.

		<p>existing slipway, but assumed to be more than the Permitted Activity threshold and less than 1000m<sup>3</sup>.</p> <p>Both Permitted Activity and controlled rules are subject to conditions, which should be able to be met, with the potential exception of the requirement that 'the disturbance or deposit shall not occur on saltmarsh, eel grass, mangroves...'. Mangrove removal will be required in the vicinity of the new recreational boat ramp.</p>		
Waikato Regional Plan	<p>5 Land and Soil Module 5.1.4.14 Soil Disturbance, Roading and Tracking and Vegetation Clearance, Riparian Vegetation Clearance in High Risk Erosion Areas The following activities in a high risk erosion area, being within 50m of MHWS of an estuary: - Roading or tracking activities between 100 and 2,000m in length; - Vegetation clearance within 5m of the banks of a water body.</p>	<p>50m from MHWS coincides approximately with the line of the stopbank, such that the majority of the works are within the 'high risk erosion area'. Roading and tracking aren't defined, but the parking / manoeuvring areas are expected to trigger this clause. 'Water body' relates to fresh water in (amongst other things) a river that is not located within the CMA. On the basis that the silt trap canal meets the definition of a river, the vegetation clearance clause appears to be triggered.</p>	Controlled	<p>Creation of new parking / manoeuvring areas across the application site and vegetation removal within 5m of the Waihou River</p>
Waikato Regional Plan	<p>5 Land and Soil Module 5.2.5.6 Cleanfill Disposal in High Risk Locations The deposition of cleanfill in a high risk location, being a high risk erosion area and a floodplain of a river.</p>	<p>Filling of the land will comprise deposition of cleanfill in a high risk location.</p>	Discretionary	<p>Area between MWHS and the existing stop bank.</p>
Waikato Regional Plan	<p>4 River and Lake Bed Module 4.3.4.4 Discretionary Activity Rule – Bed Disturbance</p>	<p>The 'silt trap' likely meets the definition of a river, given the definition includes a</p>	Discretionary	<p>Silt Trap</p>



	Activities The deposition of any substance in, on or under the bed or reclamation of the bed of a river.	'modified water-course'. The silt trap will be filled in part.		
Proposed Thames Coromandel District Plan (Appeals Version)	27.2 Kopu to Thames Structure Plan 27.2.6 Stage One Rules Rule 2 Earthworks Earthworks that are not a permitted activity in the underlying zone and district wide rules	Design details for the construction of King Street and associated stormwater details are not yet known, however they may exceed 1000m3 (being the permitted standard)	Restricted Discretionary	Construction of new access road (King Street) and stormwater swales.
Proposed Thames Coromandel District Plan (Appeals Version)	49 Marine Service Zone Rule 7 Earthworks Earthworks in excess of the maximum permitted volume per site per calendar year	Permitted Activity volume is 250m3 – it is assumed that fill in excess of this will be required to meet design standards (noting that fill in the bed of the silt trap would be excluded from that calculation). Other Permitted Activity standards may be infringed depending on final calculations. This will be confirmed with the final designs	Restricted Discretionary	Marine Service Zoned Land
Proposed Thames Coromandel District Plan (Appeals Version)	39 Transport Rule 11 Vehicle Trip Generation Vehicle trip generation that is not a permitted activity	Vehicle generation is yet to be calculated (a transport assessment is underway). Permitted Activity standards don't provide for generation from recreational activities or commercial slipways, so default to Restricted Discretionary is assumed at this stage.	Restricted Discretionary	Landward access to proposed facilities

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.

There are no current or previous resource consents or notices of requirements for this proposal.

However, it is noted that Leaches have three consents in place for the bulk freight terminal adjacent to the site.



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

There is an existing designation for River Control Purposes (WRC 1) over a large portion of the site, a section 176 approval will therefore be required. WRC have been party to discussions regarding the proposal and have provided a letter stating their agreement in principle to the proposal. A formal agreement is currently being prepared and will be available at the time of an application to the IHP.

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:

N/A

### **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.

The proposal is ready for construction. Funding is in place and it is anticipated that work will commence in early 2021 (reliant on consent) and be constructed by the end of 2022.

## **Part IV: Consultation**

### **Government ministries and departments**

Detail all consultation undertaken with relevant government ministries and departments:

The following consultation has been undertaken with Government Ministries and Departments:

Office for Maori and Crown Relations - Confirmation that there are no relevant treaty settlements for the area of the proposal.

MBIE PDU – Agreement for funding of scheme.

Department of Conservation – Various discussions with final plans sent 10/12/2020

### **Local authorities**

Detail all consultation undertaken with relevant local authorities:

The project is being driven by Thames-Coromandel District Council.

The following consultation has been undertaken with Waikato Regional Council:

Kenny Growden (Operations) regarding

- the existing silt trap (which is able to be filled within the project area)
- a possible hard stand area (no longer part of the project)
- Stop bank crossings/designation - regarding agreement around levels for crossings

Rob Edwards (Harbour Master) regarding safety within the Waihou River and the need for additional speed bouys. Waikato Regional Council have provided a letter of support in principle for the proposal and have been working alongside TCDC on the project.

### **Other persons/parties**

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

A consultation summary document has been included which details all parties consulted with, the nature of that consultation and the outcomes. The following provides an outline of the parties who have been consulted with.

#### Iwi

Hauraki Maori Trust Board

Ngati Hei

Ngati Maru

Ngati Porou ki Harataunga ki Mataora

Ngati Pukenga

Ngati Whanaunga

Ngati Hako

Te Patukirikiri

Ngati Tamatera

Ngati Tai ki Tamaki

Ngati Rahiri-Tumutumu

ngati Tara-Tokanui

Ngati Pu

Ngati Huarere ki Whangapoua

Ngati Rongo-u

MACA Ngati Whanaunga

MACA Ngati Tamaoho

#### Industry

Kopu Engineering/Kopu Marine

Marine Farmers Association

Marine Power Systems

Peninsula Marine Limited

Lifestyle Yachts

#### Other

Thames Coastguard

Thames Sailing Club

Rail Trail Charitable Trust

Detail all consultation undertaken with the above persons or parties:

Consultation has been via a number of individual meetings, formal correspondence and stakeholder meetings.

A consultation summary document has been attached to this application. This details the nature of consultation with all parties, the matters discussed and the outcome of consultation.

Overall, consultation has been met with the positive feedback from industry with feedback informing the design.

Consultation with the various iwi has either:

- not progressed despite a genuine attempt to engage,
- resulted in groups that do not have any concerns/do not wish to be involved,
- resulted in iwi supporting the proposal or agreeing to the preparation of a CIA.

Consultation with other interest groups has also been positive.

## 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
See discussion included in part IV of this form and the attached consultation summary 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
No details	

## Treaty settlements

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

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

The Office for Maori and Crown Relations has provided confirmation that there are no relevant treaty settlements for the area of the proposal.

## 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.

The site is not located within any customary marine title areas.

However, there are currently the following applications for Customary Marine Titles:

- Ngati Tamaoho Trust Board
- Ngati Tara Tokanui Trust
- Ngati Whanaunga Incorporated Society

All three groups have been contacted and provided with details of the proposal. No comments have been received. See consultation summary for full details.

### 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.

The site is not subject to any protected customary rights areas under the Marine and Coastal Area (Takutai Moana) Act 2011.

## Part VII: Adverse effects

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

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

The following provides a description of the anticipated effects of the proposal as is required by section 20(3)(e) of the Act.

### Coastal Processes

A '*Coastal Processes and Impact Assessment Memorandum*' has been completed by Mr Sam Morgan, 4Sight Consulting, dated 4 April 2019. This memorandum provides a high-level discussion about coastal processes within the receiving environment and the effects of the proposal on those coastal processes. The memorandum was completed during early design stages and utilised to inform the design. As such, some details of the design have been altered, however, these changes will not materially impact on the effects of the proposal. The key details of the memorandum are summarised as follows:

- Key features of the site include a shell shoreline, fringing mangroves, the Waihou River stopbank, a silt trap (used periodically to build up the stopbank) and drainage.
- The lower Waihou River is not susceptible to wind generated waves during storm events due to limited fetch.
- The intertidal area spans approximately 15-20m from the edge of the coastal edge/silt trap and is characterised by a stand of mature mangroves and a small area of intertidal flat.
- The river shoreline is generally stable due to its low topography and the stability provided by the Mangroves.
- Overall, the area is considered to be relatively low energy due to its coastal/riverine setting and the majority of the proposed structure will be located outside the river/tidal flows which represent the dominant physical process at the site.
- The proposed commercial slipway, recreational boat ramp and pontoons [now piled wharf] will extend into the main channel but do not occupy a significant amount of coastal space nor do they represent a significant obstruction to coastal processes.
- Due to the low energy setting the potential for the proposal to have a significant impact on local coastal processes is minimal.

Mr Sam Morgan has confirmed that the changes to the plan, which have been undertaken since the above report was completed, are not likely to significantly alter the level of adverse effects. Nonetheless a full, up to date Coastal Process and Impact Assessment is currently being prepared and will support an application to the Panel in the event this application is referred.

### Ecology

A '*Kopu Marine Precinct Ecology Report*' was prepared by 4Sight Consulting, dated February 2019. As with the Coastal Impact Memorandum, this was prepared during early design works and as such, contains proposal details which have now altered. However, the report

is considered sufficient to provide an understanding of the general ecological effects of the proposal.

The key findings of the report are included below:

- The existing environment is highly modified and includes: grassed areas; a man-made, tidally influenced watercourse; weed infested paddocks and a mangrove habitat.
- With the exception of the mangrove stands, all vegetated habitats were either dominated by, or showed significant encroachment of, exotic plant species. The botanical value of the vegetation throughout the site is low.
- No At Risk or Threatened bird species and no migratory wading birds were recorded at the site, although they are known in the area and cannot be discounted (although any habitation of the area is likely to be occasional). The proposal will not adversely impact on any rare, threatened or at risk bird species.
- The CMA component of the site sits within ASCV10 for the Waikato Region, which is adjacent to ASCV9 containing the Firth of Thames RAMSAR site. However, due to the minor scale or the proposed works, the proposal has no significant potential to impact on the ecological values that support the ASCV's. Any impacts will be less than minor and probably negligible.
- Outside of the CMA ecological values are low and there are no ecological constraints in relation to the proposal. There is opportunity for improvements to the ecological values around the site through planting and weed control. Pest control should also be considered.

Overall, the report concludes that there are no significant ecological values or constraints to the proposal, either within or outside the CMA, and effects are considered likely to be less than minor.

A full, up to date ecological report is currently being prepared and will accompany an application to the Panel in the event this application is referred.

#### Visual and Landscape Effects

A Landscape and Visual Assessment is currently being prepared and will be submitted with any application to the Panel. However, it is not anticipated that these effects will be significant for the following reasons:

- The site is visible from the Kopu Bridge, however views from this area will be transient in nature and will include views of the existing industrial area at Kopu, which has a character consistent with the proposal.
- The site will also be visible from a small portion of the Hauraki Rail Trail, however these views are also transient in nature and the proposed infrastructure will have a character consistent with the adjoining industrial zone
- The site will not be readily visible from any other areas of land due to the location of the site.
- The site will be visible from a section of the Waihou River, however this area is primarily used by Marine farming vessels and recreational fishers.
- The site is already partially developed for Marine Services, therefore the nature of works is considered to be consistent with the receiving environment.
- The site adjoins an industrial zone with a focus on marine services. As such, the proposal will not detract from the wider area.

- Any lighting within the site, including on the wharf, will be low level in nature and designed to avoid glare. Further, any lighting will be of a lesser scale than lighting within the adjacent industrial area (including streetlights and lighting on private properties)

#### Land Contamination

A report entitled '*Kopu Landing Site, for Urban Solutions Limited, Soil Investigation Report*', dated April 2019 was prepared by 4Sight Consulting during the early stages of the design for this project. Due to the timing of this report some proposal details have now altered, however, the report is considered sufficient to provide an understanding of the general effects of the proposal in relation to contamination.

A summary of the key findings of the report are included below:

- The site currently appears on the Waikato Regional Council (WRC) Land Use Information Register (LUIR) under Verified HAIL – No Sampling for activity F5 – Port activities including dry docks or vessel maintenance.
- Sampling undertaken by 4Sight staff on 21 January identified soils at the site are generally comprised of gravel fill within the current boat ramp access area adjacent to the shoreline and topsoil and silts further north of the boat ramp on the surrounding grassed areas, outside of the CMA. Sediments at the site are generally comprised of grey marine clay sediments within the CMA.
- The concentrations of contaminants in soils are considered highly unlikely to present a risk to human health or the environment associated with the proposed development of the site.
- It is considered unlikely that concentration of sediments in the CMA across the site are 'hazardous' under the WRC Regional Coastal Plan, and the potential for environmental or ecological risk associated with disturbance of surface sediment is considered low. In addition, the risk to human health associated with disturbance of sediments during development is considered highly unlikely. It is noted, however, that, due to the limited sample size, a full assessment of lateral and vertical variability in the concentration of contaminants cannot be made.
- Soil and sediment is suitable for reuse on the site, and the concentrations of contaminants are suitable for commercial / industrial land use.
- Surface sediments in the CMA are considered suitable (from a contamination perspective) for disposal as cleanfill. Although the concentrations of contaminants in soil is low and meets cleanfill criteria at selected locations, due to the intermittent presence of PAH in both surface and deeper soil samples, it is recommended that soil is disposed at a suitably licensed facility.
- If permitted activity thresholds set out in the NESCS cannot be met (soil disturbance thresholds, timeframe for work, etc), consent as a controlled activity will be required. Preparation of a Site Management Plan (SMP) is recommended to support soil disturbance activities.

Further investigations are currently being carried out and a full assessment of the proposal against the provisions of the NES and a Site Management Plan are currently being prepared.

#### Archaeology

An archaeological assessment of the Kopu area was undertaken by Matthew Gainsford of W Gumbley Limited. The findings of this assessment are presented in the report entitled '*Archaeological and Historical Assessment of Effects*' dated November 2020



The key findings of the report are as follows:

- The site was previously developed with a T-junctioned, approximately 100m long jetty/wharf to support the export of timber and flax (located at the end of Quay Street).
- Maori settlements extended along the banks of the river into the Coromandel Range foothills and the river was used as a primary means of transport.
- There are a number of known archaeological sites in the general area.
- No archaeological sites or deposits were identified during the site visit, however some post 1900 features were identified.
- It is recommended that an application for an authority be made to Heritage NZ as a precaution, since there was historic industry in the area.

Overall, the report finds that the area of proposed works has a low likelihood of uncovering archaeological deposits, however, an archaeological site management plan should be implemented throughout the period of works.

Given the mitigation provided by an archaeological site management plan, no significant archaeological effects are anticipated.

#### Transport

A full Integrated Traffic Assessment is currently being carried out and will be available with the application to the Panel, however, it is not considered that the proposal will result in any significant adverse traffic or road safety effects for the following reasons:

- The commercial area will primarily service the immediately adjoining industrial zone, reducing additional heavy traffic to the area.
- Additional recreational boats will likely utilise the recreational site, however, there is an existing formed two-lane roundabout that services as the entrance to Kopu (from State Highway 25).

#### Greenhouse Gas Emissions

No adverse greenhouse gas emission effects are anticipated. Rather, the proposal will result in a reduction in the distance needing to be travelled for marine servicing and delivery of live mussels to market. Intuitively, this will result in the reduction of greenhouse gas emissions.

Further detail will be provided within the full application with specific examples used to demonstrate degree of emission reduction.

## 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:

National Environment Standard for the Assessing and Managing of Contaminants in Soil to Protect Human Health



As noted in the adverse effects section of this form, the site has been subject to some soil testing with additional testing underway. It is anticipated that a Site Management Plan will also be prepared (and submitted with the complete application) to ensure any risks to human health and flora and fauna arising from the disturbance of contaminated soils are avoided, reduced or mitigated.

As such, the proposal is considered to be consistent with the general direction provided by the assessment criteria of the NES (which act in place of a purpose or objectives and policies).

## New Zealand Coastal Policy Statement

A discussion of the key objectives and policies of the NZCPS is included below:

### Objective 1

This objective seeks to safeguard the integrity, form, function and resilience of the coastal environment by:

- maintaining natural biological and physical processes of the coastal environment
- Protecting representative or significant ecosystems and sites of biological importance
- Maintaining water quality

The investigations (coastal processes and ecological) already undertaken indicate that the site is a low energy environment which is not subject to any significant ecosystems and that the proposal will not significantly impact on either the biological or physical processes of the area, or any significant ecological habitats. It is acknowledged that some mangroves will need to be removed to allow for the construction of the revetment wall, however a number of mangroves will remain and the scale of disturbance is considered to be less than minor in the wider ecological context. As such, the proposal is considered to be consistent with the direction provided by the above objective.

### Objective 2

This objective seeks to preserve the natural character of the coastal environment and the landscape values throughout.

In this instance, the site is already highly modified and sits adjacent to an industrial area. In addition, the site has historically (and is currently) used for marine servicing, with wharf structures constructed and dismantled during European settlement over the past 100 years and by Maori prior to this. Further, the site is not readily visible from any prominent locations, with views being largely transient in nature. As such, the proposal is not considered likely to adversely impact on any natural character elements to any noticeable degree and is considered to be consistent with Objective 2 above.

### Objective 3

Objective 3 requires that the principles of the Treaty of Waitangi be taken into account and the role of Tangata Whenua be recognised.

Extensive consultation with a number of iwi groups has been carried out over the life of the project and a Cultural Impact Assessment is currently being completed in collaboration with Ngati Maru. As such, the proposal is considered to be consistent with the above objective.

### Objective 4

Objective 4 seeks to maintain and enhance public space qualities and recreational opportunities.

The proposal provides for a dedicated recreational boat ramp and associated parking area, improving access to the Coastal Marine Area for recreational fishing and activities. The proposal is consistent with this objective.

### **Objective 5**

Objective 5 seeks to ensure coastal hazards are managed, taking into account climate change. The design of the proposal has incorporated an allowance for existing flood and coastal inundation levels during moderate sized events. It is recognised that the wharf and paved areas will be subject to some inundation during extreme weather events. However, it is unlikely that the facilities will be used during such events. As such, the proposal seeks a balance between usability and the scale of works required.

Overall, the proposal does not exacerbate any risks from climate change or coastal hazards and is considered to be consistent with the aforementioned objective.

### **Objective 6**

Objective 6 seeks to enable people and their communities to provide for their social, economic and cultural wellbeing and their health and safety.

The proposal provides for positive social and health and wellbeing outcomes, through the provision of a safer environment for both recreational and commercial users and the provision of infrastructure for the marine farming industry and adjoining marine servicing industries. These benefits are discussed in more depth in Part IX of this form.

The proposal is therefore considered to be consistent with this objective.

### **Overall Assessment**

The proposal is considered to be consistent with the objectives of the NZCPS.

#### **The Hauraki Gulf Marine Park Act 2000**

The Hauraki Gulf Marine Park Act 2000 is to be treated as a Coastal Policy Statement within the Thames-Coromandel District.

Section 7 of the Act recognises the national significance of the Hauraki Gulf and the life supporting capacity of the environment including its capacity to:

- provide for the historic, traditional, cultural and spiritual relationship of tangata whenua of the Gulf with the Gulf and its islands,
- provide for the social, economic, recreational, and cultural well-being of people and communities.
- use the resources of the Gulf by the people and communities of the Gulf and NZ for economic activities and recreation.

As is detailed in Part IX, the proposal provides for significant social, recreational and economic advantages as well as improving health and safety associated with the existing facilities. In addition, iwi have been consulted regarding the project and a Cultural Impact Assessment is currently being prepared in collaboration with Ngati Maru.

Overall, the proposal is considered to be consistent with the direction provided by the Hauraki Gulf Marine Park Act 2000.

#### **Other Matters**

The proposal is consistent with the Kopu to Thames Structure Plan, which is included in the Appeals Version - Thames-Coromandel Proposed District Plan and is not subject to any Appeals. The Structure Plan specifically provides for industrial activities at Kopu and the development of further infrastructure to support these activities.

## 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:

Details of the proposal's costs and benefits are set out in the ‘Thames-Coromandel District Council Kopu Marine Precinct Detailed Business Case’ dated June 2019 and supported by a report prepared by Market Economics Limited. A copy of these reports can be provided on request, however, a summary of the details of this report along with additional comments regarding Covid-19 impacts are outlined below.

- Currently, aspects of Thames-Coromandel District’s economy are underperforming with declining productivity, low business growth, low GDP growth, low median earnings, low levels of skilled employment and high levels of deprivation.
- Marine farming was heavily affected by Covid-19 due to difficulties in factory processing and export, given that the majority of mussel products are exported overseas.
- Likewise, all businesses within the Kopu industrial area and those associated with the wider area (including retail activity and ancillary business) have been impacted by Covid-19.
- Geographically Kopu is the gateway to the Coromandel and is centrally located between Auckland, Hamilton and Tauranga, an area that generates almost 50 per cent of New Zealand’s GDP.
- It is anticipated that the proposal will provide for a total of 108 new jobs (including 16 jobs for Maori) with an estimated value of \$3.8M. These are long-term rather than construction jobs.
- Project works (including physical and design/professional work) is anticipated to be \$8.2 million.
- The Kopu Marina has been identified as a potential site to operate a water transport system to move people and bikes around the Haruaki Rail Trail, which is currently delivering a \$14 million benefit from tourist activity and is expected to increase by a further \$13 million as the trail network expands.
- Overall, the project is anticipated to result in an economic benefit of \$58.5 million over 30 years.

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

- Existing facilities are workable at best and create health and safety issues between commercial and recreational users. The proposed facilities will separate commercial and recreational users and provide fit-for-purpose facilities that enable safe practices. This will directly affect the wellbeing of user of the wharf.

Further, the economic benefits outlined above will contribute to the overall wellbeing of the wider area, assisting in reducing the rates of poverty and deprivation.

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

The project crosses the jurisdiction of Waikato Regional Council and Thames-Coromandel District Council, which has the potential to result in delays and complexity in consent processing. Further, due to the 'public nature' of the project there is the potential for public notification under 'special circumstances' provisions.

Consequently, it is considered likely that the project will progress faster under the Fast Track process than the traditional RMA consenting pathway.

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:

As noted above, the proposal will result in the creation of approximately 108 new jobs (including 16 jobs for Maori) with an estimated value of \$3.8M. These are long-term rather than construction jobs. In addition, the proposal will generate employment through the construction phase with capital investment of \$7 million and an economic boost of a forecasted \$58.5 million dollars over 30 years.

The project will also boost the capacity of the Marine Farming industry due to the availability of local servicing of vessels and additional opportunities for loading and unloading of vessels.

Housing supply:

The proposal will have no direct impact on the supply of housing in the area, however, the positive economic impact is considered likely to stimulate additional development in the wider area.

Contributing to well-functioning urban environments:

Urban environments rely on successful industry in order to create a demand for housing and consumer products.

As noted elsewhere, the proposal will provide the following benefits:

- Increase economic activity
- Increase the productive potential of the Marine Farming Activity
- Increase the productive potential of the Kopu Industrial Area and the wider Marine Servicing industry

As such, the proposal is considered to have an indirect benefit on the wellbeing and function of the nearby urban environments, including Thames.

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

Marine servicing businesses in the area are limited by the existing facilities and currently demand for marine services in the area is exceeding supply. As such, the proposal will strengthen the marine farming industry in the Firth of Thames and wider Thames - Coromandel Region. Specifically, the new facilities will allow for the servicing of vessels within Kopu, eliminating the need for them to be transported to Auckland, Tauranga or Northland for Servicing. In addition, the facilities will allow for additional loading and unloading of vessels.

Further, the proposed infrastructure will directly provide for increased employment and productivity within both the Marine Farming and Marine Servicing industries. There will also be indirect employment and productivity benefits for the wider environment.

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

The proposed area to be developed will be armed and protected to avoid coastal erosion issues and therefore the release of fine sediments into the receiving river and coastal environments.

Further, native planting will be incorporated into the final design as both a means of offsetting any potential visual and landscape impacts, and increasing the indigenous biodiversity of the area.

Minimising waste:

N/A

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):

Currently Marine Farming vessels are transported by sea to either Tauranga, Auckland or Northland for servicing due to lack of local services. At those locations vessels are either serviced in-water or hauled out and transported to a yard.

The proposed infrastructure will allow the servicing of larger marine farming vessels (and other recreational and commercial vessels) to be serviced locally, thus reducing the need for the use of fossil fuels to facilitate transport to more distant ports.

Promoting the protection of historic heritage:

An Archaeological Site Management Plan will be put in place to ensure that archaeological items, if found, are protected.

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

The design has incorporated an allowance for existing flood and coastal inundation levels during moderate sized events. It is recognised that wharf and paved areas will be subject to inundation during extreme weather events. However, it is unlikely that the facility will be used during such events. These levels have been prescribed to seek a balance between the usability of the site and scale of the works commensurate to the receiving environment (i.e. there is a desire to have a facility that is in keeping with the area). However, the design has allowed for future modifications to allow for adjustments to ensure the usability of the structure is viable in the future.

Other public benefit:

The project will provide a safe and functional recreational boat ramp for public use and the potential for alternative transport arrangements to operate alongside the Hauraki Rail Trail, (which provides additional recreational opportunities).

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

The proposal is not considered likely to result in any adverse effects that are significant. This is discussed in detail in Part VI of this form.

## Part X: Climate change and natural hazards

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

It is recognised that as the effects of sea-level rise are realised, the usability of the facility may decrease. As noted above, the design has the ability to be adjusted over time to allow for increases in height of the wharf deck and paving areas. This will account for the predicted increases in water levels associated with sea-level rise and climate change. The performance of the area will be monitored over time and triggers established for future changes to the structure to ensure its usability is maintained.

This approach ensures that as hazard forecasts are updated in the future and our confidence in our knowledge improves, the design of the facility can be adjusted accordingly.

## 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
Thames-Coromandel District Council	There have been no compliance or enforcement actions taken by local authorities in relation to this project

## Part XII: Declaration

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

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

Christina Walker

11/12/2020

**Signature of person or entity making the request**

**Date**

### Important notes:

- Please note that this application form, including your name and contact details and all supporting documents, submitted to the Minister for the Environment and/or Minister of Conservation and the Ministry for the Environment, will be publicly released. Please clearly highlight any content on this application form and in supporting documents that is commercially or otherwise sensitive in nature, and to which you specifically object to the release.
- Please ensure all sections, where relevant, of the application form are completed as failure to provide the required details may result in your application being declined.
- Further information may be requested at any time before a decision is made on the application.
- Please note that if the Minister for the Environment and/or Minister of Conservation accepts your application for referral to an expert consenting panel, you will then need to lodge a consent application and/or notice of requirement for a designation (or to alter a designation) in the approved form with the Environmental Protection Authority. The application will need to contain the information set out in Schedule 6, clauses 9-13 of the Act.
- Information presented to the Minister for the Environment and/or Minister of Conservation and shared with other Ministers, local authorities and the Environmental Protection Authority under the Act (including officials at government departments and agencies) is subject to disclosure under the Official Information Act 1982 (OIA) or the Local Government Official Information and Meetings Act 1987 (LGOIMA). Certain information may be withheld in accordance with the grounds for withholding information under the OIA and LGOIMA although the grounds for withholding must always be balanced against considerations of public interest that may justify release. Although the Ministry for the Environment does not give any guarantees as to whether information can be withheld under the OIA, it may be helpful to discuss OIA issues with the Ministry for the Environment in advance if information provided with an application is commercially sensitive or release would, for instance, disclose a trade secret or other confidential information. Further information on the OIA and LGOIMA is available at [www.ombudsman.parliament.nz](http://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.

Released under the provision of  
the Official Information Act 1982