

From: s 9(2)
To: [Fast Track Consenting](#)
Subject: FW: Stella Passage development
Date: Thursday, 4 February 2021 9:13:37 am
Attachments: [image001.png](#)

Sending to this Inbox as it is relevant to the Ports of Tauranga Stella Passage Wharves and Dredging Project. Can you please file this into Enquire as Further Information Received?

Arron

From: Laura Neale s 9(2)(a)
Sent: Thursday, 4 February 2021 9:11 AM
To: Arron Cox s 9(2)(a)
Cc: Rebecca Perrett s 9(2)(a); Vanessa Hamm s 9(2)(a)
Subject: Stella Passage development

MFE CYBER SECURITY WARNING

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Hi Arron

Hope you are well. We have received Bay of Plenty Regional Council's comments on the Port's Stella Passage fast track application

We would like to address one point in particular made in the comments regarding the lack of detailed assessments of effects on sediment transport or changes to water speed and hydrodynamic functions, or potential effects on marine species. During our consultation with MfE both informally and formally via the teams meeting we had on 19 November 2020, we were actively discouraged from submitting full reports, with the reason being that this stage of the process is not about undertaking a merits analysis of the proposal and is about assessing the proposal against the purpose of the Act. The only reports that were provided were those that DOC was emphatic about having.

You will understand that it is therefore disappointing for the Port to now see that this is being raised in comments by the Regional Council - which we assume will then go to the Minister. We would expect that MfE would include in its briefing to the Minister a clarification on this point, to make it clear that it was MfE and not the Port who was responsible for deciding what reports were required at this stage. An alternative is that we simply provide the assessments now.

We also wish to make comments regarding the Tauranga City Council comments. Given the activity the Port is seeking consent for is a restricted discretionary activity, the comments made by TCC regarding the impacts on the local transport networks and three waters sit outside the matters to which discretion has been reserved in the Regional Coastal Environment Plan, so will not be a matter for the decision maker.

Can we please set up a call to discuss this with you.

Many thanks
Laura



Laura Neale / Solicitor
DDI s 9(2)(a)

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