Memo

To: Rowan Johnstone, Port of Tauranga Limited

From: Shawn Gardner, Enspire Consulting Limited

cc: Vanessa Hamm, Holland Beckett Lawyers

Date: February 20th, 2026

Re: **Port of Tauranga Limited Dredging Reconsenting Application – Extant Resource Consents Analysis**

Dear Sir,

Enspire Consulting Limited (**'Enspire'**) has researched the existing resource consents that occur within the area that could be impacted by the Port of Tauranga Channel Dredging and Disposal Reconsenting Project (**'the Project'**). Our intention was to identify any existing consent that are yet to be implemented (hereafter referred to as **'Extant Consents'**). This memorandum summarises our findings.

Introduction

My name is Shawn Cameron Gardner. I am an Intermediate Planner at Enspire, a consultancy that provides planning and process management services and advice.

I am a qualified Planner, having completed a Bachelor of Environmental Science at William & Mary in the United States in 2017 and a Masters of Urban Planning from the University of Auckland in 2020. Further, I am an intermediate member of the New Zealand Planning Institute. I have worked at Enspire since July of 2023.

In my time at Enspire I have undertaken a number of planning-related tasks, including work for District and Regional Councils to process resource consents, work for a broad range of applicants to obtain resource consents and reviews of planning legislation.

Enspire was engaged to undertake the following task in support of the Port of Tauranga Limited's (**'PoTL** or **the Port'**) application under the Fast-track Approvals Act 2024:

*"Engage with staff from the Bay of Plenty Regional Council (**'BoPRC'**) and the Tauranga City Council (**'TCC'**) to identify all unimplemented resource consents within the area that could be impacted by the Proposal and provide a summary of all extant consents."*

This memo follows two previous memos which detailed the extant consents as of October 2023 and January 2025.

Background

PoTL has engaged several experts from a range of fields (listed below) to provide advice that has informed the Project. Shawn Gardner engaged with all the experts in 2023 to define the area that could be impacted by the dredging and disposal activities that the Company is seeking to reconsent. Given that the Project was is in its early stages, all the experts were asked to apply a precautionary and conservative lens to their assessment of the area that could be impacted. Consequently, a very large area was identified.

The following experts were consulted to understand the area of potential impact:

- Airborne Noise (Jon Styles)
- Avifauna (Dr Della Bennet)
- Biosecurity (Dr Lauren Fletcher)

- Economics (Peter Clough)
- Geomorphology & Hydrodynamics (Dr Willem De Lange)
- Landscape & Natural Character (Stephen Brown)
- Marine Ecology (Dr Sharon De Luca)
- Marine Mammals (Dr Helen McConnell)
- Navigation (Geraint Bermingham)
- Recreation (Robert Greenaway)
- Underwater Noise (Dr Matt Pine)
- Water Quality (Dr Mike Stewart)

The consultation with those experts produced the following map, which highlights the possible area of impact.



Figure 1: Possible Area of Impact (Conservatively Derived)

As was the case in the previous memos, consent information from TCC was not obtained because the only way to access the required information is to order a property file at the cost of $68 per consent. This was considered impractical and cost-prohibitive. Furthermore, as TCC's jurisdiction ends at Mean High Water Springs, it is considered that the most consequential consents to PoTL's activities will be those held by the Bay of Plenty Regional Council.

To obtain the information on granted consents that have not been given effect to, on the 20th of January 2026, I once again contacted Anya Lambert (Regulatory Coordinator, BoPRC) to request updated data indicating granted consents for which compliance has not yet started. Ms Lambert provided a series of Excel spreadsheets corresponding to the squares defined in Figure 1 on the 27th of January 2026. These spreadsheets contained information on current resource consents that had been granted in the geographic area indicated and included data on whether BoPRC is currently conducting compliance checks on the listed consents. As noted in previous memos, BoPRC only undertakes compliance checks on consents that have been given effect to, so whether compliance checks are being undertaken is a reasonable proxy for whether a consent has been given effect to.

Having obtained this information, I used the spreadsheets in conjunction with BoPRC's consents mapping tool to obtain information on extant consents within the defined area of effect.

Bay of Plenty Regional Council Extant Consents

From the spreadsheets provided by Ms Lambert, a total of twenty-six (26) consents were identified for which compliance has not started. Six of these are connected activities under one consent number, with one having five sub-consents, one having three sub-consents and three having two sub-consents making the total number of unique consent numbers twenty-two (17). Of these consents, only 4 from the previous report remained. I then used the BoPRC mapping tool to record the location of all 26 consents geographically (Figure 2).

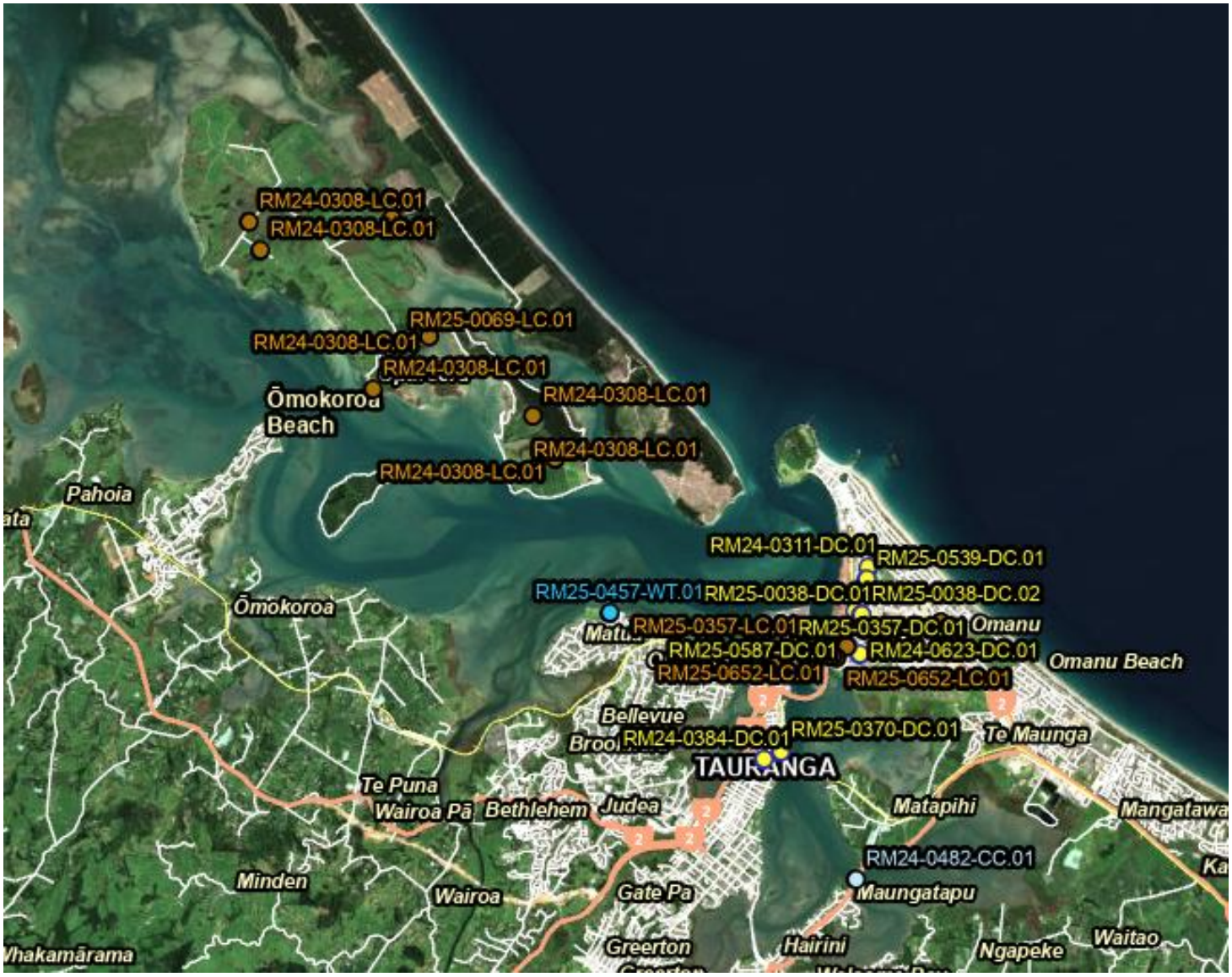


Figure 2: Location of each extant consent, with brown indicating land use consents, yellow indicating discharge consents, blue indicating water takes and light blue indicating coastal consents

Below are the extant consents identified by Ms Rennie identified in her January 2025 report that remain unchanged:

RM24-0308
This resource consent consists of five connected consents under the same number and applies to eight locations across Matakana and Rangiwāea Islands. This consent has been granted to ESR Limited to install eight non-geothermal bores for groundwater monitoring. This consent permits bore drilling and testing processes and was granted on 1st August 2024 and will expire on 31st July, 2026.

The Section 42A report outlines that the bores will be drilled at depths ranging from 6 to 50m and drilling fluids will be discharged to land in compliance with environmental standards to avoid contamination or hazards. These bores will be used for groundwater testing and will not involve any abstraction, dredging or coastal disturbances. The concentrated locations and low volume of water used for drilling and testing are very unlikely to have an adverse impact on the Project. Because of this, I do not consider this consent to be a concern for the Port.

RM24-0311
This consent applies to 40 Kawaka Street, Mount Maunganui. This consent has been granted to Tauranga City Council for the disturbance and remediation of contaminated land, and the discharge of the associated contaminants. This consent is part of the development for an upgraded carpark at the consent address. This consent permits earthworks of approximately 550m^3 of contaminated soil over a 3,860m^2 area. Further, the consent permits the remediation of asbestos-contaminated soils and soils containing heavy metals, organochloride pesticides, and hydrocarbons. As well as discharge management for the disposal of contaminated soils to licensed facilities and the management of stormwater through erosion and sediment controls and the containment of potentially contaminated runoff. This consent was granted on July 31st 2024 and will expire on August 1st, 2029.

This site is 550m from Tauranga Harbour and conditions outlined in the combined Officer's report have been set out to ensure the environmental effects are localised. Due to this, I am confident there will be no interference with the Project, therefore I will not discuss it further.

RM24-0384
Resource consent RM24-0384 is located at 153 and 159 Durham Street, Tauranga and has been granted to Durham Street GP Limited for land disturbance of contaminated land for site preparation for a new five-story commercial building. This consent allows soil disturbance of approximately 800m^3 over the site area – including soil contaminated with cadmium, zinc and copper. Further, soils that do not meet the clean fill criteria are consented to be removed to a licensed offsite facility to be disposed.

This consent was approved on 24th September, 2024 and will expire on 30th September, 2029. Again, given the distance and the nature of the activities for this consent, I am confident this consent will not impact the Port's Project, therefore I will not discuss it further.

RM24-0482
This resource consent is situated at the Coastal Marine Area next to the SH29A Maungatapu Bridge. This consent was granted to New Zealand Transport Agency to temporarily disturb the ground and habitat for geotechnical investigations regarding seismic vulnerability of the bridge structure surrounding the Coastal Marine Area and on the land near SH29a. This consent involves the drilling of two boreholes (30m deep and 120mm wide) and two cone penetration tests. The boreholes will be backfilled after investigations are concluded. This consent was granted approval on November 6th, 2024 and will expire on October 31st, 2029. Because this consent involves temporary, low-impact geotechnical investigations and is localised in an area over 1.5km from the Port, I am confident this resource consent will not interfere with the Project and does not warrant any concerns, therefore, I have not discussed it any further.

Summaries of the additional extant consents since the last report are provided below:

RM24-0623
This consent is located just northeast of Whareroa Marae, within the industrial area near the Port. The consent was granted on the 1st of May 2024 and will expire on the 28th of February 2035. The purpose of the consent is to authorise the emissions of greenhouse gases from a Crude Tall Oil and Crude Sulphur Turpentine processing plant. This consent was required under the National Environmental Standards for Greenhouse Gas Emissions from Industrial Process Heat 2023 (**'NES-GHG'**). The site has been in operation as a Crude Tall Oil and Crude Sulphate Turpentine processing plant since at least 2005. It is therefore considered that this consent largely represents the continuation of an existing activity and, furthermore, because the activity relates to an air discharge it is unlikely to impact on the proposed dredging consents, I therefore do not comment on it further.

RM24-0642
This consent is issued to PoTL for earthworks disturbance to facilitate the extension of a shed (Shed 16) at Sulphur Point Wharf. The consent was granted on the 4th of July 2024 and will expire on the 30th of June 2040. Given that the consent holder is PoTL, I am confident that any potential conflicts with PoTL's proposed dredging have been considered and will not be of concern. I therefore have not investigated this consent further.

RM25-0038
This consists of two consents for discharge to air resulting from the operation of an industrial formaldehyde production and resin manufacturing facility on Totara Street. The consents were granted on the 7th of October 2025. While both RM25-0038-DC.01 and RM25-0038-DC.02 are consents for discharges to air, RM25-0038-DC.01 is for a consent under the BOPRC Regional Natural Resources Plan (RNRP), and RM25-0038-DC.02 is for consent under the NES-GHG. RM25-0038-DC.01 expires on the 30th of September 2045 and RM25-0038-DC.02 expires on the 30th of September 2035. The s42A Officer's report indicates that the plant has been in operation since 1970 and that it is used for the manufacture of resin and adhesives for the timber industry. As these consents essentially represent an ongoing activity which also consists of a discharge to air (being an activity that is unlikely to interfere with PoTL's dredging proposal), I conclude that this consent poses no real risk to PoTL's proposal and therefore have chosen not to provide further comment on it.

RM25-0069
This consent is for the installation of a single non-geothermal bore for the provision of domestic water supply on Matakana Island. The spreadsheet provided by Ms Lambert shows that the consent was granted on the 26th of February 2025 and will expire on the 30th of December 2027. Groundwater abstraction for domestic purposes is likely to be at a low volume and therefore does not pose a risk to PoTL's dredging proposal.

RM25-0186
This consent is to permit the discharge of greenhouse gases from a 2.8 Megawatt natural gas boiler for the heating of water and the production of steam in support of productions at the Inghams poultry feed mill at 170 Totara Street. It was granted on the 9th of May 2025 and will expire on the 31st of May 2035. This is a continuation of an ongoing operation that required consent with the passage of the NES-GHG in 2023. Considering the existing nature of this operation and the character of the activity (namely discharge to air), I consider that this consent does not conflict with PoTL's proposed activities.

RM25-0266
This consent is held by Fulton Hogan Limited for the drilling of an environmental groundwater sampling bore through rotary coring. The consent was granted on the 21st of May 2025 and expires on the 30th of December 2027. A sampling bore on land is unlikely to have any impact on PoTL's proposal. I therefore do not comment further on this consent.

RM25-0357
This is a set of discharge and land use consents held by PoTL for operations to install 18 new Automated Stacking Cranes over four phases at Sulphur Point. The consents were granted on the 17th of December 2025 and expire on the 31st of December 2045. As these consents are held by PoTL, I am confident that any potential conflicts with the proposed dredging have been considered. I therefore have not investigated these consents any further.

RM25-0370
This a consent held by Tauranga City Council to discharge contaminants to land associated with the disturbance of contaminated land at 4 Wharf Street, Tauranga. The consent was granted on the 28th of August 2025 and expires on the 31st of July 2030. The purpose of the disturbance is for the construction of a new wharewaka to house two significant waka: Takitimu and Te Awanui. In order to accommodate this, soil disturbance will be undertaken. This disturbance is limited in size and scale and will be managed by consent conditions including those to limit the extent of contamination and contain stormwater. It is considered that this consent will not impact on PoTL's proposed dredging activities.

RM25-0457
This consent is for the take and use of geothermal fluid for domestic use associated with a private swimming pool at 4 Hartwell Place, Matua. The consent was granted on the 3rd of October 2025 and expires on the 30th of September 2040. The take is to be abstraction from an existing bore on the property. The take of geothermal fluid for domestic use from an existing bore represents an activity of small scale and is not expected to impact PoTL's proposal.

RM25-0539
This consent is held by Dominion Salt Limited for the discharge of greenhouse gases to air from existing heat devices that burn fossil fuels (other than coal) at the Dominion manufacturing site at Mount Maunganui. The conse nt was granted on the 19th of September 2025 and expires on the 30th of September 2035. As with several other consents in this report, this consent was applied for in response to the introduction of the NES-GHG. Similarly to those other consents, this represents a continuance of an existing activity that is also discharge to air and is therefore considered to have no meaningful impact on PoTL's proposal.

RM25-0587
This consent is granted to Fulton Hogan Ltd for works required to upgrade their existing bitumen processing plant, including transitioning from natural gas heating to electricity, upgrading their onsite stormwater systems, and expanding on-site staff facilities. The consent was granted on the 26th of November 2025 and expires on the 30th of December 2027. The purpose of the consent is to authorise the taking of groundwater for dewatering and the discharge of contaminated dewatering water to land to enable the works described above. This represents an activity of relatively small scale with confined impacts. I do not anticipate that this consent will pose a risk to PoTL's dredging proposal.

RM25-0652
This is three connected consents granted to Balance Agri-Nutrients Limited for the installation of three cold water bores and the associated discharge of drilling fluid to land at 161 Hewletts Road for the purpose of groundwater monitoring. The consent was granted on the 2nd of November 2025 and expires on the 30th of December 2027. As with other consents analysed in this report, the drilling of monitoring bores is an activity that is of a confined scope and scale and unlikely to impact PoTL's proposed activities. I therefore make no further comment on this consent.

RM25-0760
This is a set of two consents issued to Mount Maunganui Aquatic Centre Trust, Alastair Stinton and Ian Glover for the drilling of two warm water bores at 565 Maunganui Road. The consents were granted on the 16th of December 2025 and expire on the 30th of December 2027. The purpose of the bores is to heat a swimming pool, with one bore being a production bore and the other being a reinjection bore. As with other consents for the drilling of bores, I do not consider this consent to be a risk to PoTL's proposed activities and do not discuss it further.

Table 1: Summary of Extant Consents					
Consent Number	**Consent Holder**	**Location**	**Expiry Date**	**Lapse Date**	**Summary of Activity**
RM24-0308	ESR Limited	8 locations across Matakana and Rangiwāea Islands	30/07/2026	01/08/2029	Installation of eight non-geothermal bores for groundwater monitoring
RM24-0311	Tauranga City Council	40 Kawaka Street, Mount Maunganui, Tauranga	31/07/2029	31/07/2029	For the disturbance and remediation of contaminated land and for associated discharges of contaminants to land.
RM24-0384	Durham Street GP Limited	153 & 159 Durham Street, Tauranga	29/09/2029	24/09/2029	Land disturbance of contaminated soil for establishing a new commercial building
RM24-0482	New Zealand Transport Agency	Coastal Marine Area next to the SH29A Maungatapu Bridge	30/10/2029	06/11/2029	Disturb the ground for geotechnical investigations within the Coastal Marine Area (CMA) and on land near SH29A Maungatapu Bridge, Tauranga
RM24-0623	Lawter (NZ) Limited	211 Totara Street, Mount Maunganui	28/02/2035	01/05/2029	For the discharge of greenhouse gases to air from a Crude Tall Oil and Crude Sulphur Turpentine processing plant.
RM24-0642	Port of Tauranga Limited	70 Mirrielees Road, Tauranga	30/06/2040	04/07/2029	The disturbance of land and soil as a result of earthworks that exceed permitted volumes.
RM25-0038-DC.01	Hexion (NZ) Limited	165 Totara Street, Mount Maunganui	30/09/2045	07/10/2030	The discharge of contaminants to air from an industrial resin manufacture site; and The discharge of contaminants to air from burning equipment where the emission stack height does not comply with permitted activity standards.
RM25-0038-DC.02	Hexion (NZ) Limited	165 Totara Street, Mount Maunganui	30/09/2035	07/10/2030	To discharge greenhouse gases to air from an industrial activity that burns fossil fuels other than coal.
RM25-0069	Hauata Palmer	135 Opureora Road, Matakana Island	26/02/2025	Consent lapses after expiry date	To drill a bore for domestic water supply
RM25-0186	Inghams Enterprises (NZ) Pty Limited	170 Totara Street, Mount Maunganui	31/05/2035	09/05/2030	To discharge greenhouse gases to air from an industrial facility that burns fossil fuels other than coal
RM25-0266	Fulton Hogan Limited	202 Totara Street, Mount Maunganui	21/05/2025	Consent lapses after expiry date	To install and operate a new bore for environmental groundwater sampling.

RM25-0357-DC.01	Port of Tauranga Limited	100 Mirrielees Road, Sulphur Point	31/12/2045	17/12/2030	To disturb contaminated land and the associated discharge of contaminants to land that may enter water.
RM25-0357-LC.01	Port of Tauranga Limited	100 Mirrielees Road, Sulphur Point	31/12/2045	17/12/2030	To disturb land and soil as a result of earthworks associated with the construction of automated stacking cranes.
RM25-0370	Tauranga City Council	4 Wharf Street, Tauranga	1/08/2030	Consent lapses after expiry date	To disturb contaminated land and any associated discharge of a contaminant resulting from the disturbance.
RM25-0457	Rebecca Lee Vass, Mark Hewitt Lister	4 Hartwell Place, Matua	30/09/2040	3/10/2030	To take and use geothermal water and heat
RM25-0539	Dominion Salt Limited	89 Totara Street, Mount Maunganui	30/09/2035	19/09/2030	To discharge greenhouse gases to air from existing heat devices that burn fossil fuels other than coal
RM25-0587	Fulton Hogan Limited	154 Hewletts Road, Tauranga	31/12/2027	Consent lapses after expiry date	To discharge a contaminant to land which may enter groundwater; and The take and use of groundwater
RM25-0652	Balance Agri-Nutrients Limited	161 Hewletts Road, Mount Maunganui	31/12/2027	Consent lapses after expiry date	To install a bore and discharge drilling fluids to land
RM25-0760-LC.01	Maunt Maunganui Aquatic Centre Trust, Alastair Stinton, Ian Glover	585 Maunganui Road, Mount Maunganui	31/12/2027	Consent lapses after expiry date	To install a bore in Geothermal Management Group 5, take groundwater for pump testing purposes and discharge drilling and pump testing fluids to land.
RM25-0760-LC.02	Maunt Maunganui Aquatic Centre Trust, Alastair Stinton, Ian Glover	585 Maunganui Road, Mount Maunganui	31/12/2027	Consent lapses after expiry date	To install a bore in Geothermal Management Group 5, take groundwater for pump testing purposes and discharge drilling and pump testing fluids to land.

Please do not hesitate to contact the undersigned if you have any questions or comments in relation to this matter.

Yours faithfully,
Enspire



Shawn Gardner
Intermediate Planner

Quality Assurance Record:	
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