

APPENDIX 33

STATUTORY PLANNING ASSESSMENT TABLES

Whangarei District Plan Policy Assessment Table

Port Zone

Provision	Assessment
Objective PORTZ-O1 – Regionally Significant Infrastructure Recognise and provide for the importance of the Port as regionally significant infrastructure and the contribution it makes to the economic and social wellbeing of the District and Region.	The Port Zone provisions are of limited and contextual relevance to the proposal. The proposal is assessed as infrastructure / Regionally Significant Infrastructure in this scenario, but it is not assessed as a port activity and the drydock, shipyard and associated reclamation are not located in the Port Zone. The only elements within the Port Zone are the landward access and parking components from Marsden Bay Drive, which serve a supporting function. Those access and parking components are enabled as permitted activities within the Port Zone under the WDP, confirming that they are anticipated and appropriate in that location. The Port Zone framework nevertheless provides relevant context because the proposal adjoins Northport, which is itself Regionally Significant Infrastructure. The proposal supports a compatible marine industrial environment, while being designed and operated so that it does not constrain the efficient and safe operation of Northport, its transport connections or future authorised port development. Effects associated with the Port Zone interface are localised and operational in nature. They are addressed through traffic and access design, parking and servicing arrangements, lighting controls, safety management and construction / operational management conditions. Public access to the coastal environment is maintained in a modified form through replacement access arrangements and the relocated fishing platform, subject to operational, safety and security constraints. Cultural effects are more appropriately assessed under the tangata whenua, coastal and regional provisions. To the extent the proposal interfaces with Port Zone land, cultural values are recognised through the proposed cultural monitoring, management plan involvement, reporting and accidental discovery framework. Overall, the proposal is not inconsistent with the Port Zone provisions. The fact that the only components within the Port Zone are permitted activities further supports that conclusion. Those provisions are relevant only to the port context and the limited access / parking interface, and are not relied on to characterise the proposal as a port activity.
Objective PORTZ-O2 – Current Operation and Future Development Recognise the unique characteristics of the Port and provide for: 1. The efficient and effective ongoing operation of Port activities within the Port Zone without undue constraints; and 2. The future development and expansion of Port operations and activities within the Port Zone.	
Objective PORTZ-O3 – Adverse effects Manage the adverse effects of the Port and port activities on the environment.	
Objective PORTZ-O4 – Public Access to the Coastal Marine Area Maintain, and where practicable enhance, public access, use and enjoyment to and along the Coastal Marine Area, provided it does not adversely affect the efficient and safe operation of the Port.	
Objective PORTZ-O6 – Cultural Values To recognise and provide for the relationship of Māori and their culture and traditions with their cultural landscapes in the future development and expansion of the Port.	
Policy PORTZ-P1 – Regional Significance	

To recognise the regional significance of the Port by providing for a wide range of existing and future port operations and port activities within the Port Zone.

Policy PORTZ-P5 – Adverse effects

To manage adverse effects of the Port and associated port activities by:

1. Limiting the height of buildings and outdoor storage areas to minimise adverse visual amenity effects while recognising the operational requirements of the Port;
2. Minimising adverse effects of noise and light spill while recognising the operational requirements of the Port; and
3. Managing the effects of earthworks (other than earthworks associated with flood control works) to ensure such works do not divert flood flow onto neighbouring properties or deplete flood plain storage capacity.

Policy PORTZ-P6 – Public Access to the Coastal Marine Area

To manage public accessways to and along the Coastal Marine Area by:

1. Recognising the need for public walking access to and along the Coastal Marine Area; and
2. Maintaining, enhancing, and developing public accessways to and along the Coastal Marine Area.
3. Only restricting public accessways to and along the Coastal Marine Area where it is necessary to:
 - a. Protect public health and safety; or
 - b. Ensure the efficient and effective operation of the Port is not compromised.
 - c. Meet the requirements of other regulations and legislation.

Policy PORTZ-P9 – Cultural Values

Ensure activities within the Port Zone are undertaken in a manner which recognises and provides for the cultural values associated with cultural landscapes by:

1. Limiting the height of buildings and outdoor storage areas to minimise adverse effects on cultural landscapes; and

2. Requiring an assessment of cultural values where these may be adversely affected by future development within the Port Zone.

DGD District Growth and Development

Provision	Assessment
Objective DGD-O5 Incompatible Activities and Reverse Sensitivity Avoid conflict between incompatible land use activities from new subdivision, use and development.	The proposal is compatible with the established industrial and marine/industrial context at Marsden Point. It will not introduce a sensitive activity into an industrial environment, nor will it constrain existing lawful industrial or port related operations. Potential effects on surrounding residential and recreational environments are addressed through traffic, noise, lighting, stormwater, air quality and public access conditions. The proposal is therefore consistent with the direction to avoid conflict between incompatible land uses.
Policy DGD-P2 Incompatible Land Uses and Reverse Sensitivity To manage the establishment and location of new activities and expansion of existing activities to avoid conflicts between incompatible land uses.	The proposal is compatible with the established industrial and marine/industrial context at Marsden Point. It will not introduce a sensitive activity into an industrial environment, nor will it constrain existing lawful industrial or port related operations. Potential effects on surrounding residential and recreational environments are addressed through traffic, noise, lighting, stormwater, air quality and public access conditions. The proposal is therefore consistent with the direction to avoid conflict between incompatible land uses.
Objective DGD-O6 Indigenous Biodiversity Identify and protect the values and attributes of indigenous biological diversity (Significant Natural Areas) and maintain the extent and diversity of other indigenous biodiversity.	The proposal engages indigenous biodiversity values within the Coastal Environment and coastal marine area, including intertidal and subtidal habitat, shorebird foraging and roosting habitat, northern New Zealand dotterel, marine mammal values and potential kororā / little blue penguin habitat. The Coastal Avifauna Assessment identifies a moderate ecological effect on northern New Zealand dotterel associated principally with permanent loss of some foraging habitat and temporary disturbance. The effect is not expected to result in material adverse harm to the taxon, compromise local population viability or affect persistence across its natural range. The principal unresolved ecological issue is the permanent loss and modification of intertidal and subtidal habitat, including habitat within the One Tree Point–Marsden Bay Significant Ecological Area. Those effects are principally governed by the NZCPS, RPS and RPN, but remain relevant context for the District Plan biodiversity objectives. The proposal reduces effects through location and footprint refinement, suspended structures where practicable, construction controls, species specific management,

	marine mammal procedures, kororā protection measures, biosecurity controls, stormwater and washwater treatment, dredging controls, monitoring and proposed conditions. Those measures reduce effects but do not replace the habitat permanently occupied or dredged. The proposal is therefore only partially consistent with DGD-O6.
Objective DGD-O7 Onsite and Reticulated Infrastructure Provide efficient and effective onsite and reticulated infrastructure in a sustainable manner and co-ordinate new land use and development with the establishment or extension of infrastructure and services.	The servicing strategy integrates private and public / shared systems where appropriate, including controlled discharge of process water to trade waste and treatment of general stormwater before discharge. The proposal therefore gives effect to the objective by providing infrastructure in a coordinated and sustainable manner.
Objective DGD-O8 Cultural Values Ensure that growth and development takes into account Māori cultural values.	The proposal is located within an area of cultural significance to tangata whenua, including Patuharakeke, Te Parawhau and Ngātiwai, and directly engages Māori cultural values associated with Whangārei Harbour, Poupouwhenua / Marsden Point, coastal waters, mahinga mātaihai, wāhi tapu, customary activities and taonga species. The proposal recognises those values through the application material, available iwi / hapū planning documents and proposed conditions providing for tangata whenua involvement in relevant management plans, cultural monitoring where appropriate, accidental discovery procedures, ecological and coastal monitoring, reporting and implementation. Residual cultural effects remain because the proposal involves reclamation, dredging, permanent occupation and modification of the coastal marine area, and effects on ecological systems and mahinga mātaihai values. Those effects are not characterised as fully resolved or agreed at this stage. Overall, the proposal is partially consistent with this provision. Māori cultural values are recognised and taken into account, and conditions provide an ongoing pathway for kaitiakitanga to inform implementation and monitoring, but consistency is qualified by the residual cultural effects that remain.
Objective DGD-O9 Land Use and Transport Planning Maintain and enhance accessibility and safety for communities and integrate land use and transport planning.	The proposal maintains and enhances accessibility and safety, and integrates land use and transport planning, through appropriate intersection design and the adequate provision of parking. The FLOW traffic assessment confirms that transport effects can be managed through conditions, consistent with this policy.
Objective DGD-O10 Hazards Minimise the risks and impacts of natural hazard events, including the influence of climate change, on people, property, and infrastructure.	Natural hazard and climate change effects have been addressed through the reclamation level and coastal edge design (rock revetment). The design responds to the coastal setting and is intended to avoid or minimise risk to people, property, infrastructure and the regional economy over the design life of the project.

Objective DGD-O13 Identification and Protection Regionally Significant Infrastructure is identified and protected.	The proposal has been designed to ensure that existing regionally significant infrastructure (most relevantly Northport) is protected from adverse effects. The proposal does not introduce sensitive activities that would result in reverse sensitivity effects or constrain port operations. Access, traffic, lighting, noise and servicing are configured to operate independently of port activities (except where agreed) and to avoid operational conflict. The marine/industrial nature of the proposal is compatible with the established port environment. Accordingly, the proposal is consistent with DGD-O13.
Objective DGD-O14 Recognised Benefits The benefits of Regionally Significant Infrastructure are recognised and provided for.	The proposal directly engages this objective because it is assessed as Regionally Significant Infrastructure in this scenario. The project's benefits include improved drydock / ship lift and marine maintenance capability, support for commercial, naval and specialist vessel servicing, reduced reliance on overseas facilities, improved maritime resilience, employment, investment and flow on benefits for the Northland marine industrial economy. Those benefits are reinforced by the project's Schedule 2 FTAA status and by the NPS-I direction to recognise and provide for the benefits, functional need and efficient delivery of infrastructure. The proposal is therefore consistent with DGD-O14, subject to the proposed conditions and management plans securing appropriate management of adverse effects.
Objective DGD-O15 Adverse effects Avoid, remedy, mitigate or offset adverse effects arising from the development, operation, maintenance, and upgrading of Regionally Significant Infrastructure.	The proposal is consistent with the effects management framework in DGD-O15 because adverse effects arising from new RSI are identified and addressed through location and design, construction and operational controls, management plans, monitoring and proposed conditions. The moderate ecological effect on northern New Zealand dotterel is not expected to result in material adverse harm to the taxon. Permanent intertidal and subtidal habitat loss nevertheless remains, together with residual cultural and local landscape effects. Those effects are acknowledged rather than treated as having been eliminated. The proposed ecological and cultural enhancement contribution is an additional response to residual effects and wider harbour values. It is not relied on as a quantified biodiversity offset or as equivalent replacement for the marine habitat lost.
Policy DGD-P3 Natural Hazards	The proposal is located within a coastal hazard setting. However, the proposal is assessed as Regionally Significant Infrastructure in this scenario and has a functional and operational need to locate at the coastal edge and within the CMA, consistent with clause 5 of this policy.

To avoid increasing the risk of natural hazards on people and property by: 1. Assessing the risk of coastal and flood hazards on subdivision, use and development over a 100-year timeframe. 2. Ensuring new subdivision, use and development does not increase the risk from coastal and flood hazards. 3. Ensuring measures to mitigate and adapt to the effects of climate change are provided for in development, growth and transport planning. 4. Ensuring that the risk of natural hazards is assessed when zoning new areas of land for more intensive development. 5. Avoiding locating regionally significant and critical infrastructure within identified hazard zones unless there is a functional or operational need for its location.	Coastal processes, sea level rise, wave climate and tidal conditions are incorporated into the reclamation deck level, coastal edge protection and stormwater design. Seismic and geotechnical hazards, including liquefaction and settlement, are identified and will be addressed through ground improvement and structural design measures. Accordingly, the proposal is consistent with DGD-P3. The location of RSI within a hazard prone coastal environment is justified by functional and operational need, and hazard risk is managed through an integrated design response that is not expected to increase risk to people, property or existing infrastructure, including Northport.
Policy DGD-P4 Amenity To ensure that the scale and nature of new land use activities are commensurate with the anticipated level of amenity and the stated issues and objectives for the relevant zone.	The proposal has been designed to ensure that the scale and nature of the activity is commensurate with the anticipated level of amenity across the full receiving environment, including nearby General Residential Zones (Albany Road, Marsden Cove, One Tree Point and Whangārei Heads). While the activity is of an industrial scale, its location adjacent to an established port and marine industrial environment indicates that it is consistent with the anticipated character of that part of the district. In relation to more sensitive residential receivers, the proposal manages potential adverse amenity effects through a range of mitigation measures including enforceable noise limits, operational controls, and lighting design. These measures respond to the residential amenity expectations of the General Residential Zone, including maintaining reasonable levels of noise, visual amenity and night-time effects, such that effects are moderated to levels that are commensurate with that wider receiving environment. Accordingly, the proposal is consistent with DGD-P4.
Policy DGD-P5 Sustainable Infrastructure To avoid, remedy or mitigate adverse effects on the sustainable provision of infrastructure by ensuring that all subdivision and land use is served by infrastructure and services that are appropriately designed, located and constructed.	The proposal is served by infrastructure and services that are designed for the specific requirements of the drydock / shipyard activity, including access, parking, stormwater treatment, trade waste controls, firefighting / water supply, and operational servicing. The proposal avoids placing unmanaged demand on public infrastructure and provides for upgrades or controls where capacity constraints exist.

Policy DGD-P7 Transport System To enable a safe, effective, efficient, and accessible transport system by: 1. Integrating and coordinating transport and land use planning. 2. Improving access to alternative transport options. 3. Enhancing walkability and cycle connections within urban neighbourhoods and rural villages. 4. Concentrating more intensive urban development in close proximity to public transport infrastructure.	The proposal is consistent with DGD-P7(1) as it is designed to ensure the safe and efficient operation of the transport network, and to avoid, remedy or mitigate adverse transport effects. The FLOW transport assessment demonstrates that the proposed access and existing key intersections will operate with acceptable levels of service, delays, queue lengths and capacity under both opening and future scenarios, confirming that the efficiency and capacity of the network are maintained. The access design achieves appropriate sight distances and accommodates design vehicles, ensuring safe operation. Adverse transport effects are avoided or mitigated through the operational characteristics of the proposal, with most traffic generated outside peak periods, and through the implementation of a Construction Traffic Management Plan to manage construction traffic effects. In respect of DGD-P7(3), the proposal provides for safe and efficient access, servicing and on-site manoeuvring, including appropriate parking, loading and internal access arrangements, and maintenance of walking access to the western side of the reclamation from Papich Road. Accordingly, the proposal responds directly to DGD-P7(1), and relevant aspects of DGD-P7(3), by maintaining the safe and efficient functioning of the transport network and facilitating walking access where practicable.
Policy DGD-P8 Resource Areas To identify and protect biodiversity, outstanding landscapes and features, the natural character of the coastal environment, heritage features, and Sites of Significance to Māori from inappropriate subdivision and development by mapping Resource Areas, and applying rules to protect the values, attributes, characteristics, and qualities of these areas.	The proposal is within the 'Coastal Environment' overlay and in proximity to areas with ecological and cultural values. The project is not in a High Natural Character Area, Natural Open Space Zone, ONF or ONL, which is material to the assessment of appropriateness. The relevant values, attributes, characteristics and qualities of these areas are identified through specialist landscape, natural character, ecology, avifauna, marine mammal and cultural assessments, and are managed through the proposed conditions.
Policy DGD-P9 Special Purpose Zones To provide for specific activities or areas where special circumstances apply by identifying and zoning areas as Special Purpose Zones.	N/A
Policy DGD-P15	The proposal directly gives effect to DGD-P15 because it is assessed as Regionally Significant Infrastructure in this scenario.

Benefits of Regionally Significant Infrastructure To recognise and provide for the social, economic, and cultural benefits of Regionally Significant Infrastructure by enabling its ongoing operation, maintenance, development and upgrading where adverse effects are managed.	The project will provide social and economic benefits through employment, investment, marine servicing capability, support for commercial, specialist and naval vessel maintenance, improved maritime resilience and support for the wider maritime sector. Those benefits are central to the purpose of the project and are reinforced by its Schedule 2 FTAA status and the NPS-I. Adverse effects are managed through the project design, proposed conditions, management plans, monitoring and residual-effects measures where required. The proposal is therefore consistent with DGD-P15.
Policy DGD-P16 New Regionally Significant Infrastructure Manage adverse effects created by new network utilities and Regionally Significant Infrastructure by avoiding, remedying, mitigating, or offsetting (where offered and agreed to), while taking into account the following matters: 1. Benefits of an activity. 2. Any recognition within a national policy statement. 3. Constraints that limit the design and location of the activity. 4. Whether the proposal is a regionally significant infrastructure lifeline utility which meets the foreseeable needs of Northland. 5. The extent to which the adverse effects of the activity can be practicably reduced including any positive effects on the subject site or elsewhere (provided that the positive effects accrue to the community of interest and/or resource affected). 6. Any monitoring programme for identified significant adverse effects with uncertain outcomes which can be addressed by an adaptive management regime where the infrastructure assists in achieving efficient use of land. 7. Whether the infrastructure proposal helps to achieve consolidated development and efficient use of land. 8. Ensuring damage to or loss of relationship of iwi with ancestral sites, sites of significance, wāhi tapu, customary activities and/or taonga is avoided or otherwise agreed to by the affected iwi or hapū.	The proposal is directly assessed under DGD-P16 as new RSI. The policy requires the activity's benefits, national recognition, functional and operational constraints, practicable effects reduction and contribution to consolidated development and efficient land use to be considered together. The Project will provide significant regional and national benefits, including employment and investment, marine servicing capability, reduced offshore servicing dependency, improved maritime resilience and support for commercial, specialist and strategic vessel maintenance. Those benefits are reinforced by the NPS-I and the Project's Schedule 2 FTAA status. The Project has a demonstrated functional and operational need for direct access to navigable water and an integrated land-water platform. Those requirements constrain location and design. The Marsden Point location allows the activity to consolidate within an established maritime industrial node and use existing navigation, transport, servicing and industrial resources. Adverse effects have been reduced through location and footprint selection, suspended structures where practicable, design refinement, construction methodology and timing, source separation and containment, management plans, monitoring, response procedures and proposed conditions. The assessment does not rely on adaptive management as a technical solution to uncertain significant effects. Monitoring and response requirements are used to verify performance and secure compliance with the assessed effects envelope. The moderate ecological effect on northern New Zealand dotterel is not expected to result in material adverse harm to the taxon. Permanent marine habitat loss and residual cultural and local landscape effects nevertheless remain. Clause 8 is addressed by recognising the cultural significance of the area, the residual effects that remain, and the proposed conditions providing for ongoing tangata whenua involvement, monitoring and implementation. Overall, the proposal is consistent with DGD-P16 on a qualified basis.

Policy DGD-P17

Managing Adverse Effects of Existing Regionally Significant Infrastructure

To manage adverse effects created by the operation, maintenance and upgrading of existing network utilities and regionally significant infrastructure by:

1. Allowing adverse effects that are not significant while the maintenance or upgrading is being undertaken.
2. Allowing any adverse effects that, after the conclusion of the maintenance or upgrading, are the same or similar to the adverse effects that existed before the maintenance or upgrading was undertaken.
3. Avoiding, remedying, mitigating, or offsetting (where offered or agreed to) adverse effects, if DGD-P17.1 or DGD-P17.2 do not apply.
4. Taking into account the following matters:
 - a. Benefits of the activity.
 - b. Any recognition within a national policy statement.
 - c. Constraints that limit the design and location of the activity.
 - d. Whether the proposal is a regionally significant infrastructure lifeline utility which meets the foreseeable needs of Northland.
 - e. The extent to which the adverse effects of the activity can be practicably reduced including any positive effects on the subject site or elsewhere (provided that the positive effects accrue to the community of interest and/or resource affected).
 - f. Any monitoring programme for identified significant adverse effects with uncertain outcomes which can be addressed by an adaptive management regime where the infrastructure assists in achieving efficient land use.
 - g. Whether the infrastructure proposal helps to achieve consolidated development and efficient use of land.

This provision is not directly relevant because the proposal is new Regionally Significant Infrastructure, rather than the operation, maintenance or upgrading of existing Regionally Significant Infrastructure.

Effects on existing RSI, particularly Northport, are addressed through the Port Zone contextual assessment, DGD-O13, traffic assessment, construction management and operational separation measures.

TRA Transport

Provision	Assessment
TRA-O1 – Transport Network Provide and maintain a safe, efficient, accessible, and sustainable transport network while avoiding, remedying, or mitigating adverse effects on the environment, adjoining land uses and the surrounding amenity and character.	The proposal relies on access from Marsden Bay Drive and will generate construction and operational traffic. Consistent with TRA-O1, the transport assessment demonstrates that the surrounding transport network can safely and efficiently accommodate the activity, with key intersections operating within acceptable capacity, delay and level of service parameters. The proposal provides for safe and functional access and internal circulation. The effects on the transport network are appropriately managed through the design of the access and intersection, the timing of traffic movements, and proposed management measures, including construction traffic management. The proposal is also located within an established port and marine industrial environment, where the scale and nature of transport movements are consistent with the anticipated transport function and character of the area. Accordingly, the proposal maintains the safe and efficient operation of the transport network and is consistent with TRA-O1.
TRA-O2 – Integrate Transport and Land use planning Integrate land use and transport planning to ensure that land use activities, development and subdivision maintain the safety and efficiency of the transport network.	The proposal maintains and enhances accessibility and safety, and integrates land use and transport planning, through appropriate intersection design and the adequate provision of parking. The FLOW traffic assessment confirms that transport effects can be managed through conditions, consistent with this policy.
TRA-O6 – Future Growth Ensure that future growth can be supported by appropriate transport infrastructure.	The proposal is consistent with TRA-O6 as it provides safe, functional and efficient access, parking and servicing arrangements that respond to the nature and scale of the activity, including under future growth conditions.
Policy TRA-P3 Transport Network Capacity To manage the scale and design of subdivision and development by: 1. Ensuring that there is sufficient capacity within the transport network to cater for the proposal.	Vehicle access is provided via a new connection to Marsden Bay Drive, which achieves appropriate sight distance and accommodates anticipated vehicle movements, supporting safe and effective access to the site. The proposal includes provision for off-site car parking and on-site loading, manoeuvring and servicing areas sufficient to accommodate demand and enable safe internal circulation and operation. The FLOW transport assessment models the operation of the surrounding network in both opening year and future growth scenarios, demonstrating that key intersections operate within acceptable capacity, delay and level of service parameters, confirming

2. Requiring subdividers and developers to meet the costs of any upgrades and/or extensions to the transport network which are directly attributed to measurable impacts of the subdivision or development.	that access and servicing arrangements will remain effective over time. Conditions of consent are proposed that incorporate actions in response to anticipated growth. Accordingly, the proposal provides for access, parking and servicing that supports both the current and anticipated future operation of the transport network and is consistent with TRA-O6 and TRA-P3.
Policy TRA-P7 Access and intersections To ensure that access and intersections are designed and located so that: 1. Good visibility is provided. 2. Vehicle manoeuvres and public and active transport modes are appropriately accommodated. 3. They are sufficiently separated so as not to adversely affect the free flow of traffic.	The access and intersection arrangements are designed to provide safe and efficient movement to and from the site for vehicles, pedestrians and cyclists. The FLOW transport assessment confirms that the proposed Marsden Bay Drive access can achieve appropriate sight distances, accommodate design vehicle movements, and operate without adversely affecting the free flow of traffic on the surrounding network. Parking, loading and manoeuvring areas are provided to accommodate the operational needs of the shipyard and drydock. Construction traffic effects will be managed through a Construction Traffic Management Plan. The proposal is therefore consistent with TRA-O4, TRA-P7 and TRA-P8.
Policy TRA-P8 Vehicle Crossings and Access To require vehicle crossings and associated access to be designed and located to ensure safe and efficient movement to and from sites for vehicles, pedestrians and cyclists by managing: 1. Separation distances between vehicle crossings. 2. Separation distances from intersections, railway crossings and pedestrian crossing facilities. 3. Vehicle crossing sight distances. 4. The number of vehicle crossings per site. 5. The design, formation and construction standards of crossings and access.	
TRA-O4 – Safety and efficiency Provide suitable and sufficient vehicle crossings, access, parking, loading and manoeuvring areas that minimise adverse effects on the safe, effective, and efficient functioning of the transport network.	

Policy TRA-P4 Integrated Transport Assessments To avoid remedy or mitigate adverse effects on the adjacent and wider transport network by requiring Integrated Transport Assessments for large scale developments and subdivisions.	The proposal is consistent with TRA-P4 as it is supported by an Integrated Transport Assessment (ITA), the FLOW transport assessment, that identifies and assesses the transport effects of the activity and informs the design and proposed mitigation measures. The FLOW transport assessment considers the existing and future transport environment, proposed access arrangements, traffic generation, and the effects of both construction and operation on the transport network, including key intersections and surrounding roads. The assessment includes traffic modelling for opening year and future growth scenarios, and demonstrates that the proposal can be accommodated within the existing transport network with acceptable capacity, delay and level of service outcomes. The assessment also identifies measures to manage transport effects, including the design of the site access and intersection, operational characteristics that reduce peak period effects, and the implementation of a Construction Traffic Management Plan to address construction traffic effects. Accordingly, the proposal responds to TRA-P4 by providing an Integrated Transport Assessment that appropriately assesses transport effects and informs the measures required to ensure the safe and efficient operation of the transport network.
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TWM Three Waters Management

Provision	Assessment
Objective TWM-O1 – Connections Ensure that connections to public reticulated three waters networks are provided within Reticulated Stormwater Areas, Reticulated Wastewater Areas, and Reticulated Water Supply Areas.	The proposal is consistent with the TWM objectives and policies. The servicing strategy separates standard stormwater from higher risk operational washwater and process water, and directs each stream to an appropriate treatment, reticulation or disposal pathway. Standard rainfall runoff from roofs, roads and low-risk hardstand areas will be pre-treated and discharged to the Northport stormwater pond system or another authorised treatment and discharge pathway. Higher risk washwater and process runoff will be isolated from the stormwater system, captured, buffered, treated where required, and directed to trade waste or another authorised disposal pathway. The Hawthorn Geddes assessment confirms that the Northport pond system has
Objective TWM-O2 – Reticulated Networks Maintain the effectiveness, efficiency and sustainability of reticulated three waters networks.	
Objective TWM-O3 – Integrated infrastructure	

Plan and provide for three waters infrastructure in an integrated and comprehensive manner.	sufficient treatment and volumetric capacity to receive standard stormwater from the shipyard, subject to the required collection and conveyance network adaptations. Final design certification, treatment performance standards, monitoring, maintenance, reporting and response actions will be secured through conditions. On that basis, stormwater, washwater and wastewater effects are managed in a manner consistent with the TWM provisions.
Objective TWM-O4 – Private systems Ensure that private three waters systems are provided where connections are not provided to public reticulated networks.	
Objective TWM-O5 – Adverse effects Minimise adverse effects from stormwater and wastewater on people, property, infrastructure, the receiving environment, and cultural values.	
Policy TWM-P1 Three Waters Infrastructure To ensure that three waters resources are appropriately managed by requiring subdivision and development to provide three waters infrastructure that: 1. Is coordinated, integrated and compatible with the existing infrastructure and capacities. 2. Enables the existing public reticulated network to be expanded or extended to adjacent land where that land is within a Reticulated Stormwater Area, Reticulated Wastewater Area or Reticulated Water Supply Area.	
Policy TWM-P3 Capacity To manage the scale and design of subdivision and development where connection is proposed to public reticulated three waters networks to ensure that there is sufficient capacity in the public reticulated networks, or where necessary require upgrades and/or extensions to the public reticulated networks to enable appropriate subdivision and development.	
Policy TWM-P4 Future Development To ensure that three waters infrastructure is designed to accommodate the anticipated servicing requirements of plan enabled development in the locality.	

Policy TWM-P2**Reticulated Areas**

To sustainably and efficiently manage three waters resources by avoiding private three waters systems where connection to the public reticulated network is practicable in a Reticulated Stormwater Area, Reticulated Wastewater Area or Reticulated Water Supply Area.

Policy TWM-P6**Private Systems**

To ensure that where connection to a public reticulated three waters network is not available or practicable that provision can be made for:

1. A water supply.
2. The treatment, disposal, and where appropriate attenuation, of stormwater in a way that does not lead to significant adverse effects on or off site.
3. Management of wastewater via:
 - a. An on-site wastewater treatment system; or
 - b. Approval to connect to a private wastewater system.

Policy TWM-P8**Integrated Three Waters Assessments**

To require Integrated Three Waters Assessments for large scale developments to:

1. Provide three waters infrastructure in an integrated and comprehensive manner.
2. Enable and recognise the benefits of green infrastructure and low impact design.

Policy TWM-P9**Infrastructure**

To require subdividers and developers to meet the fair and reasonable costs of any upgrades or extensions of public reticulated three waters infrastructure which are attributed to the impacts of the subdivision or development.

LIGHT Lighting

Provision	Assessment
Objective LIGHT-O1 Provision of Lighting Artificial lighting is provided to enable activities to occur outside of daylight hours and to support the health, safety and security of people, communities, and their property.	Artificial lighting is required for safety, security, navigation and operational reasons. The proposal is consistent with this objective because lighting will be provided to enable safe operation outside daylight hours while being subject to design controls to manage spill, glare and ecological / amenity effects.
Objective LIGHT-O3 Lighting infrastructure The subdivision and development of land provides artificial lighting infrastructure to support the safety and security of people and property and to maintain public pedestrian and traffic safety.	Lighting infrastructure will be provided to support safe pedestrian, vehicle and operational movement within the site and at the access interface. The proposal is consistent with this objective.
Policy LIGHT-P2 Health and safety To enable the use of artificial lighting where it is required for health and safety reasons, traffic, cyclist and pedestrian safety or navigational purposes.	Artificial lighting will be provided for health and safety, traffic movement, pedestrian safety and navigational / operational purposes. The policy directly supports lighting for those purposes, subject to controls on intensity, direction, timing and spill.
Objective LIGHT-O2 Adverse effects Artificial lighting maintains, and where appropriate enhances, the amenity and character of the surrounding environment while avoiding, remedying, and mitigating adverse effects associated with light spill and glare.	The receiving environment includes industrial and coastal environments as well as more sensitive residential viewpoints. Lighting effects are addressed through directional fittings, shielding, intensity controls and operational management measures designed to minimise effects on amenity and character to the extent practicable.
Policy LIGHT-P1 Amenity and character To maintain, and where appropriate enhance, the amenity and character of each zone by controlling the intensity, location and direction of artificial lighting.	The receiving environment includes industrial and coastal environments as well as more sensitive residential viewpoints. Lighting effects are addressed through directional fittings, shielding, intensity controls and operational management measures designed to minimise effects on amenity and character to the extent practicable.

SI Signs

Provision	Assessment
Objective SIGN-O1 – Provision for Signs Signage is provided for across a range of zones where: 1. It maintains, or where appropriate enhances, the character and amenity of the surrounding zone. 2. It does not adversely impact heritage values, the transport network, pedestrian and cyclist safety, or impede the efficient use of infrastructure. 3. It is provided in a manner which is efficient, legible and functional.	The proposal is consistent with SIGN-O1, SIGN-P1 and SIGN-P3, which seek to ensure that signage is located, designed and of a scale that maintains safety (including traffic safety), is compatible with the surrounding environment, and avoids or mitigates adverse effects on visual amenity. Signage associated with the proposal will be limited in scale and functional in nature, relating primarily to identification, wayfinding and operational requirements within an established port and marine industrial environment. In this context, signage is consistent with the anticipated character of a working port environment and does not introduce visual clutter or dominance beyond that expected.
Policy SIGN-P1 – Scale and Intensity To provide for signage across a range of zones at a scale and intensity which ensures that the signage maintains the character and amenity of these zones and traffic safety within these zones by: 1. Requiring signage to relate to the goods or services available on site. 2. Limiting the size, location, and design of signage. 3. Requiring the consideration of cumulative effects of signage, taking into account whether the signage in conjunction with existing signs will create visual clutter or other adverse cumulative effects on amenity values or traffic safety.	In terms of traffic and public safety, signage is not of a nature, scale or location that would result in distraction, confusion or obstruction for road users, and will be designed and positioned to ensure that the safe and efficient operation of the surrounding transport network is maintained. In relation to amenity and visual effects, signage will be appropriately integrated into the overall design and operation of the facility, ensuring that effects are avoided, remedied or mitigated, particularly in relation to visibility from surrounding environments, including more sensitive locations at distance. Accordingly, the location, design and scale of signage associated with the proposal are consistent with the intent of SIGN-O1, SIGN-P1 and SIGN-P3, in that signage supports the operation of the activity while maintaining safety and appropriately managing visual and amenity effects.
Policy SIGN-P3 – Health and Safety Signs To provide for signage required to protect the health and safety of the community and enable navigation.	

Riparian and Coastal Margins

Provision	Assessment
RCM-O1 – Objective 1 Preservation of the natural character of riparian margins and the coastal environment.	The proposal will result in a change to natural character values within the immediate vicinity of the site, primarily associated with reclamation, built form and operational activities within the coastal environment. This reflects the scale and nature of the activity and cannot be fully avoided. However, the proposal is located within an existing port and marine industrial environment at Marsden Point, where natural character has already been substantially modified by established reclamation, port infrastructure and industrial activity. In that context, the proposal represents an extension and consolidation of that modified environment, rather than introduction of development into an area of high or predominantly natural character. The design of the proposal incorporates measures to avoid, remedy or mitigate adverse effects on coastal processes, water quality and adjacent environments, such that the functional and physical characteristics of the wider coastal environment are not materially degraded beyond the existing level of modification. Accordingly, while the proposal results in a localised reduction in natural character at the site, it is not inconsistent with RCM-O1, having regard to the existing modified character of the receiving environment and the management of adverse effects.
RCM-O2 – Objective 2 Protection of Significant Ecological Areas, Built Heritage, Sites of Significance to Māori, riparian habitats and Outstanding Landscapes and natural features, within the coastal environment and alongside rivers and streams.	The proposal affects coastal ecological values, including intertidal and subtidal habitat within the One Tree Point–Marsden Bay Significant Ecological Area, shorebird habitat, northern New Zealand dotterel, marine mammal values and potential kororā habitat. The moderate ecological effect on northern New Zealand dotterel is not expected to result in material adverse harm to the taxon. The Project will nevertheless permanently remove and modify intertidal and subtidal habitat and affect values and characteristics of the Significant Ecological Area. Those habitat effects cannot be reversed within the Project footprint. The proposal reduces effects through location and footprint refinement, suspended structures where practicable, construction controls, species specific management, water quality and biosecurity controls, monitoring and proposed conditions. The proposal is therefore only partially consistent with RCM-O2. The principal habitat related policy issues are addressed under the NZCPS, RPS and RPN.
RCM-O3 – Objective 3	The proposal affects existing access arrangements but provides replacement public access and a relocated fishing wharf. Public access is therefore maintained.

Maintain and enhance public access, where appropriate, to and along the coast and rivers.	
RCM-O4 – Objective 4 Recognise and protect riparian margins and the coastal environment as natural hazard buffers.	To the extent that the objective is engaged, the proposal has been designed such that it will not exacerbate natural hazards or adversely affect the functioning and stability of adjacent coastal or riparian environments, including through the management of reclamation design, stormwater and operational discharges. Accordingly, the proposal is consistent with RCM-O4 in that it avoids adverse effects on riparian margins and does not compromise their natural hazard or environmental functions.
RCM-O5 – Objective 5 The relationship of tangata whenua with their sites and other taonga is enhanced.	The proposal is located within an area of cultural significance to tangata whenua, including Patuharakeke, Te Parawhau and Ngātiwai, and directly engages Māori cultural values associated with Whangārei Harbour, Poupouwhenua / Marsden Point, coastal waters, mahinga mātaītai, wāhi tapu, customary activities and taonga species. The proposal recognises those values through the application material, available iwi / hapū planning documents and proposed conditions providing for tangata whenua involvement in relevant management plans, cultural monitoring where appropriate, accidental discovery procedures, ecological and coastal monitoring, reporting and implementation. Residual cultural effects remain because the proposal involves reclamation, dredging, permanent occupation and modification of the coastal marine area, and effects on ecological systems and mahinga mātaītai values. Those effects are not characterised as fully resolved or agreed at this stage. Overall, the proposal is partially consistent with this provision. Māori cultural values are recognised and taken into account, and conditions provide an ongoing pathway for kaitiakitanga to inform implementation and monitoring, but consistency is qualified by the residual cultural effects that remain.
Policy RCM-P1 Riparian Management To avoid the adverse effects of land use activities on the natural character and functioning of riparian margins of water bodies and the coast.	The proposal will result in adverse effects on natural character within the immediate vicinity of the site, associated with reclamation, built form and operational activities. These effects cannot be fully avoided, given the scale of the activity and its functional and operational requirement for a coastal location. However, the proposal is located within an existing port and marine industrial environment at Marsden Point, where natural character has already been substantially modified by reclamation, port infrastructure and established industrial activity. In that context, the proposal represents an extension and consolidation of an already modified environment, rather than development within an area of high or predominantly natural character. The design of the proposal incorporates measures to avoid adverse effects where practicable, and otherwise remedy or mitigate residual effects, including in relation to coastal processes, water quality and adjacent environments, such that the wider

	coastal environment is not materially degraded beyond its existing level of modification. Accordingly, while adverse effects on natural character at the site are not fully avoided, the proposal is not inconsistent with the intent of Policy 11.4.1, having regard to the highly modified receiving environment, the functional need to locate in the coastal environment, and the implementation of measures to avoid and mitigate effects to the extent practicable.
Policy RCM-P2 Separation Distances To ensure that land use activities avoid, remedy, or mitigate adverse effects on water quality, by means which may include separating land use activities from water bodies and coastal waters and by encouraging the retention and enhancement of riparian vegetation as buffer areas.	Given the functional need for direct CMA access, physical separation from coastal waters cannot be the primary mitigation mechanism. Instead, water quality is protected by containment, treatment, monitoring and separation of contaminant streams. This is consistent with the policy because it allows alternative means to avoid, remedy or mitigate water quality effects.
Policy RCM-P7 Public Health and Safety To avoid the creation of esplanade reserves on sites where the provision of an area for public access would impair public health and safety.	N/A – no esplanade reserves are proposed.
Policy RCM-P9 Cultural Protection To set aside esplanade reserves and to create esplanade strips to protect areas of significance to Māori.	RCM-P9 is of limited relevance to the proposal, as reserves already exist in the vicinity of the proposal.
Policy RCM-P10 Hierarchy of Values To give priority to conservation values, cultural importance, hazard mitigation and public health and safety over recreation and public access values where there is a conflict between values.	The proposal is generally consistent with RCM-P10. Conservation values, cultural importance, natural hazard mitigation and public health and safety have informed the design and effects management framework. Public access and recreation outcomes are retained in a modified form through access to the western side of the reclamation and the relocated fishing platform. Those access outcomes are appropriately constrained by public safety, operational security, ecological management and cultural considerations. The policy is therefore met on a qualified basis. Higher order conservation, cultural and safety values are prioritised, while a practical public access outcome is retained where compatible with the working marine industrial environment.

Policy RCM-P16 Riparian and Coastal Margins To maintain and, where appropriate, enhance riparian vegetation.	The proposal is generally consistent with RCM-P16, which seeks to retain existing vegetation and avoid, remedy or mitigate adverse effects from vegetation removal, particularly where ecological values are present. The proposal does not involve the removal of terrestrial vegetation, and therefore retains the existing terrestrial vegetative cover within and adjacent to the site. The proposal will require the removal of a limited number of juvenile mangrove trees adjacent to the existing western edge of the Northport reclamation. These mangroves are located within a highly modified marine industrial environment and are assessed as having limited ecological value, reflecting their disturbed and artificial context. In that context, vegetation removal has been avoided to the extent practicable, with clearance confined to what is necessary to enable the proposal, and the resulting adverse effects are low in ecological terms. Accordingly, while there is some vegetation clearance associated with a small number of mangrove trees, the proposal is broadly consistent with RCM-P16, having regard to the absence of terrestrial vegetation removal, the limited ecological value of the affected vegetation, and the constrained nature of the works.
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WB Waterbodies

Provision	Assessment
Objective WB-O1 Preservation and Protection The preservation of the natural character of water bodies and their margins, and the protection of them from the adverse effects of inappropriate subdivision, use and development.	The proposal adjoins and occupies the CMA and therefore will result in a change to natural character values in the immediate area of the works. That change cannot be fully avoided. However, the proposal is located adjacent to an established port and marine industrial environment where coastal character is already modified, and it has a functional need for direct marine access. In that context, the proposal is not “inappropriate” in principle, provided adverse effects on waterbody margins and natural character are managed through design and conditions. The design includes measures to manage coastal processes, stormwater and operational discharges so the wider waterbody environment is protected from inappropriate adverse effects beyond the existing modified baseline.
Objective WB-O2 Effects of Activities	The proposal involves marine activities and coastal works (including dredging/reclamation interfaces and vessel operations) that have potential to generate adverse environmental effects if unmanaged. Consistent with WB-O2, those effects are

Activities on the surface of water bodies do not result in adverse environmental effects.	addressed through a package of design and operational controls, including ship navigation and safety management. Subject to those controls, activities on surface of the sea are not expected to result in unmanaged adverse environmental effects.
Policy WB-P1 Adverse Effects To ensure that the adverse effects of subdivision, use and development adjoining water bodies or the coastal marine area, or activities on the surface of water bodies or the coastal marine area, on water quality and quantity (including ground water), natural character, and cultural and ecological values of water bodies and the coastal marine area, are avoided, remedied, or mitigated.	The proposal manages water quality effects by separating standard stormwater from higher risk operational water and directing each stream to an appropriate treatment, containment or authorised discharge pathway. This avoids untreated operational contaminants entering the coastal marine area. Natural character effects are localised but cannot be fully avoided. They are addressed through the Project's location beside an established maritime industrial node, the coastal edge design and the measures identified in the landscape and natural character assessments. Ecological effects are addressed through location and design, construction controls, species specific procedures, water quality and biosecurity controls, monitoring and proposed conditions. The moderate ecological effect on northern New Zealand dotterel is not expected to result in material adverse harm to the taxon. Permanent marine habitat loss nevertheless remains and is principally addressed under the regional coastal and biodiversity framework. Cultural effects are recognised and addressed through the proposed conditions and continuing involvement, while acknowledging that residual cultural effects remain. Overall, the proposal is consistent with the effects management direction in WB-P1 on a qualified basis.

ECO Ecosystems and Indigenous Biodiversity

Provision	Assessment
Objective ECO-O1 Maintenance and enhancement of the life-supporting capacity of ecosystems, and the biodiversity of the District.	The proposal avoids, remedies or mitigates ecological effects where practicable through site and method selection, footprint refinement, suspended structures where practicable, construction and timing controls, species specific procedures, water quality and biosecurity controls, monitoring and proposed conditions. The moderate ecological effect on northern New Zealand dotterel is not expected to result in material adverse harm to the taxon. Permanent intertidal and subtidal habitat loss nevertheless remains. The proposed ecological and cultural enhancement contribution is an additional response to residual effects and wider harbour values, but is not relied on as a quantified biodiversity offset or equivalent replacement for the habitat lost.
Objective ECO-O2 Protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna from inappropriate subdivision, use and development.	
Policy ECO-P1	

Significant Indigenous Vegetation and Significant Habitats of Indigenous Fauna To recognise as significant, and provide protection for, indigenous vegetation and habitats of indigenous fauna, including indigenous wetlands, which are of Moderate, Moderate-High, High and Outstanding value using the criteria set out in Schedule 17A.	The proposal is therefore only partially consistent with ECO-P4.
Policy ECO-P4 Effects To avoid, remedy or mitigate the adverse effects of land use activities on areas of indigenous vegetation and significant habitats of indigenous fauna, including areas of value to tangata whenua, as determined by Schedule 17A , so as to maintain its ecological values.	
Policy ECO-P2 Significant Ecological Areas To maintain the ecological values of significant indigenous vegetation and the significant habitats of indigenous fauna in the Living 3 and Open Space Environments.	N/A
Policy ECO-P3 Enhancement To promote the enhancement of areas of significant indigenous vegetation and significant habitats of indigenous fauna that have been, or may be, degraded by inappropriate subdivision, use and development.	The proposal is not primarily an ecological enhancement project. Any enhancement relevance is limited to measures actually proposed and secured through conditions, including the ecological and cultural enhancement contribution. That contribution is additional to the effects management measures and is not relied on as equivalent replacement for the marine habitat permanently lost.

NH Natural Hazards (Operative Whangārei District Plan)

Provision	Assessment
Objective NH-O1 Adverse Effects of Natural Hazards	The proposal is located within a coastal environment where hazard exposure cannot be fully avoided due to functional need. Consistent with the objective's "avoid as far as

The adverse effects of natural hazards on people, property and the environment are avoided, as far as practicable, or otherwise remedied or mitigated.	
Policy NH-P1 Natural Hazard Effects To ensure that subdivision, use and development do not increase the risk from, occurrence of, or the adverse effects of natural hazards.	practicable” wording, the design embeds hazard response through reclamation levels, and edge protection (rock revetment). Seismic hazards (including liquefaction and settlement risk) are identified and will be addressed through design and anticipated ground improvement and structural responses. In addition, the proposal is designed so that it does not increase hazard risk beyond the site as confirmed through expert modelling and assessment. Accordingly, hazard effects are avoided where practicable and otherwise mitigated through a design led approach.
Policy NH-P2 Location of Activities To avoid subdivision, use and development in identified natural hazard areas where the natural hazard is likely to impact adversely upon human health and safety, property, and infrastructure.	The proposal cannot fully avoid a hazard prone coastal location because the activity has a functional and operational requirement for navigable water access. The policy is therefore addressed by demonstrating that adverse hazard impacts on health and safety, property and infrastructure are avoided or mitigated through design responses (including elevation, and coastal edge protection).
Policy NH-P4 Sea Level Rise To ensure that all buildings or structures in the coastal environment should be located so as to avoid the effects of a forecast 50 cm rise in global sea level this century.	The concept design explicitly incorporates sea level rise allowances (including an assumed ~0.46 m over 50 years) and sets reclamation/platform levels accordingly, so that buildings and structures are located and designed to avoid unacceptable exposure to sea level rise effects. Final compliance will be confirmed through detailed design.
Policy NH-P5 Coastal Hazards To avoid the need to implement hazard protection works when locating new subdivision, use and development in the coastal environment.	The proposal includes coastal edge protection works (rock revetments and piling) as a fundamental component of the reclamation and wharf design. While this means the policy cannot be met in a literal sense, the works are a necessary and integrated design element to enable the safe operation of the facility which has a functional and operational need to be located in this dynamic coastal environment.
Policy NH-P6 Mitigation measures To ensure that mitigation measures in response to natural hazards do not, themselves, produce adverse effects on the environment and are designed and located to achieve their purpose.	The proposed hazard mitigation measures have been subject to expert assessment which conclude there will not be related adverse effects on the surrounding environment.

NH Natural Hazards (Plan Change 1)

Provision	Assessment
Objective NH-O1 Natural Hazard Risk The risks associated with natural hazards and their impacts on people, property, communities, infrastructure, electricity infrastructure, and the environment are identified, assessed, and managed. Policy NH-P1 Risk Identification To identify land that may be subject to natural hazards over the foreseeable future, including flooding, coastal inundation/flooding, coastal erosion, land instability, and mining subsidence hazards. Policy NH-P2 Risk Assessment To require assessment of natural hazard risk by a suitably qualified and experienced person prior to subdivision and where	The proposal engages with natural hazard risk in a coastal and marine environment where hazards such as coastal erosion, coastal inundation, storm surge, sea level rise and geotechnical risks associated with reclamation and ground improvement are relevant. Natural hazard risks have been identified and assessed through technical investigations, including coastal, geotechnical and civil engineering inputs. These assessments consider the nature, likelihood and consequences of hazard events, the dynamic coastal environment, and the risks associated with the proposed activity, including potential effects within and beyond the site. The proposal adopts a design led approach to managing natural hazard risk, including reclamation levels that respond to sea level rise, coastal edge protection, and ground improvement and structural design measures to address geotechnical hazards. The nature and scale of the activity, including its industrial character and functional need to locate within the coastal environment, are also material to the assessment of risk and appropriate response. The proposal does not transfer or increase natural hazard risk to surrounding land or infrastructure. Risk is managed on-site through the design and layout of development, and through measures that avoid, mitigate or reduce risk to people, property, infrastructure and the environment. Residual risks are managed through the proposed design and through conditions requiring detailed design certification, monitoring, maintenance and monitoring and

appropriate prior to use and development of land. The risk assessment must include consideration of:

1. The likelihood and consequences of a natural hazard event.
2. Uncertain or dynamic nature of natural hazards present within the site.
3. The type of activity being undertaken and the consequences of a natural hazard event in relation to the activity.
4. Any increase of natural hazard risk within the site and surrounding area, transfer of risk to other sites, or creation of new natural hazard risk.
5. Any measures to avoid, mitigate or reduce risk.

Policy NH-P3

Risk Management

To minimise natural hazard risk giving consideration to:

1. The nature, frequency, and scale of the natural hazard event(s) present within the site.
2. The existing and potential risks and adverse effects of natural hazard event(s) on people, property, communities, infrastructure, electricity infrastructure, and the environment within and beyond the site.
3. The location and design of land use and development, including vehicular access routes.
4. The nature, scale, location, and design of earthworks and vegetation clearance activities.
5. The proposed use of the site, including location of vulnerable activities.
6. The ability to adapt to long term changes in natural hazards.
7. The operational need or functional need for the activity to be in this location.

Policy NH-P4

Risk Reduction

To support risk reduction by:

1. Directing vulnerable activities to locations which will minimise the risk of natural hazards.
2. Where appropriate, implementing risk reduction measures such as:

response where necessary. On that basis, natural hazard risks are identified, assessed and managed in a manner consistent with NH-O1, NH-P1, NH-P2 and NH-P3.

a. Designing, including engineering design, for relocatable or recoverable structures. b. Providing for setbacks from hazard susceptible areas. c. Maintaining, protecting, restoring, or enhancing natural defences against natural hazards. 3. Locating and designing subdivision, use and development so that hazard risk is not transferred to, or increased for other properties. 4. Requiring measures to reduce the risk from natural hazard events to people, property, and the environment at the time of redevelopment or change in land use.	
Objective NH-O2 Subdivision, Land Use, and Development Manage, and where appropriate avoid, subdivision, land use and development, particularly vulnerable activities, in areas subject to natural hazards. Policy NH-P6 Tsunami Hazards To require subdivisions in areas at risk of coastal flooding/inundation to be designed to facilitate safe and efficient evacuation in the event of a tsunami, including through: 1. Installation of tsunami sirens in appropriate locations where practicable. 2. Transport network design that accounts for evacuation routes. Policy NH-P8 Adaptive planning To support an adaptive planning approach to managing the risks from natural hazards by considering future capability for climate change adaptation at the resource consenting stage,	The proposal is located within a coastal hazard environment where avoidance of hazard exposure is constrained by the functional and operational need for a marine industrial activity. In this context, the proposal does not direct vulnerable activities into hazard prone areas, but instead involves infrastructure and industrial development that is inherently more resilient to natural hazard effects. Risk reduction is achieved through an integrated design response, including reclamation levels that respond to sea level rise, coastal edge protection, and geotechnical design measures that address site specific hazard risks. These measures reduce risk to people, property, infrastructure and the environment to the extent practicable, and ensure that hazard risk is not transferred to, or increased for, surrounding land. The nature of the proposal does not lend itself to conventional risk reduction measures such as relocation, setbacks or reliance on natural defences. Instead, risk is managed through engineered design and land use response that is appropriate to the scale, function and location requirements of the activity. On that basis, the proposal achieves risk reduction through a design led and context specific approach, and is consistent with the intent of Policy NH-P4.

including by ensuring that development does not restrict future adaptation options. Policy NH-P11 Vulnerability To recognise that there are some land uses and development, such as, non – habitable buildings, structures, infrastructure, rural, and industrial land uses, that have the ability to be resilient to the adverse effects of flooding events and can be carried out in flood hazard areas. Policy NH-P15 Vulnerability To recognise that there are some land uses and development such as infrastructure, non-habitable buildings, and rural land uses that are resilient to the adverse effects of coastal hazards and can be carried out in coastal hazard areas.	
Objective NH-O3 Existing Development Do not increase natural hazard risk to existing development and encourage measures to reduce risk where appropriate. Objective NH-O4A Existing Infrastructure The operation, maintenance and repair, and minor upgrading of existing infrastructure and electricity infrastructure in areas subject to natural hazard risk is enabled. Policy NH-P7A Existing Infrastructure To enable the operation, maintenance and repair, and minor upgrading of existing infrastructure and electricity infrastructure on land identified as susceptible to natural hazards.	The proposal does not increase natural hazard risk to existing development. Hazard risks are managed through reclamation levels, coastal edge protection and geotechnical design measures, such that risk remains internalised within the site and is not transferred to surrounding land, infrastructure or communities. The proposal does not relate to the operation, maintenance or upgrading of existing infrastructure and therefore Objective NH-O4A and Policy NH-P7A are of limited relevance. To the extent they apply, the proposal does not compromise the ongoing operation or resilience of existing infrastructure within the wider area, particular Northport operations immediately adjacent to the Project. Existing development is not intensified in a manner that increases vulnerability to flood or coastal hazard risk. Instead, the proposal introduces industrial infrastructure that is inherently more resilient to hazard effects than sensitive land uses, and is designed to appropriate levels having regard to flood and coastal hazard parameters, including sea level rise. Accordingly, the proposal does not increase natural hazard risk to existing development and manages hazard risk in a manner consistent with NH-O3, and is not inconsistent with NH-O4A, NH-P7A, NH-P10 and NH-P14.

Policy NH-P10**Existing Development**

To minimise flood hazard risk in existing developed areas through redevelopment or changes in land use that reduce the vulnerability to adverse effects from flood hazards including by:

1. Requiring alterations to existing buildings containing vulnerable activities to achieve a minimum freeboard above a 100 year flood event.
2. Redevelopment incorporating flood resilient design.
3. Managing the risk for vulnerable activities by minimising intensification of existing vulnerable activities on land subject to flooding in a 100 year flood event; and encouraging the re-location of vulnerable activities to land outside of areas subject to flooding in 10 and 100 year flood events.
4. Remedying or mitigating flood hazards risk where practicable.

Policy NH-P14**Existing Development**

To minimise coastal hazard risk in areas with existing development and land use including by:

1. Requiring all subdivision plans to identify building areas outside coastal hazard areas and assess the location and design of vehicular access routes.
2. Managing the intensification of existing development, in particular residential and other vulnerable activities, within areas at risk from coastal hazards.
3. Providing for setbacks for coastal hazard areas, and require additions to avoid being located closer to the hazard than the existing buildings located in CEHAS.
4. Requiring appropriate finished floor level for new buildings and alterations and modifications to existing buildings to meet minimum standards including an allowance for a 1% AEP flood event plus sea level rise.

5. Designing for relocatable or recoverable structures when altering or modifying existing buildings. 6. Encouraging managed retreat by relocation, removal or abandonment of structures in CEHAs. 7. Assessing new development against the most recent data and projections on sea level rise.	
Objective NH-O4B New or Modified Infrastructure Enable new or modified infrastructure and electricity infrastructure, particularly regionally significant infrastructure and critical infrastructure, in areas subject to natural hazard risk where risks are appropriately managed, and infrastructure is appropriately designed. Policy NH-P7 New Infrastructure To provide for new infrastructure and electricity infrastructure on land identified as being susceptible to natural hazards where: 1. There is a functional need or operational need to locate in this location; and 2. The proposed location within the identified hazard area is the most appropriate (taking into account social, cultural, and economic costs and benefits) to service the needs of the community; and 3. The infrastructure and electricity infrastructure has been designed with consideration given to its resilience, integrity and function during a natural hazard event; and 4. Risks to people, property, communities, and the environment are reduced to the greatest extent practicable; and 5. Consideration has been given to the ability to respond and adapt to long term effects such as climate change. Policy NH-P9 New Subdivision, Land Use and Development	The proposal directly engages Objective NH-O4B and Policy NH-P7 as new Regionally Significant Infrastructure located within a coastal hazard environment where there is a clear functional and operational need for a marine-based facility to locate within the Coastal Environment and CMA. That functional need is demonstrated by the requirement for direct access to navigable water, berthage, dredged manoeuvring areas, haul-out capability and associated marine industrial infrastructure, and the Marsden Point location represents the most appropriate location having regard to the established port and marine industrial context, and associated economic, social and operational benefits. In that context, alternative locations outside the hazard environment are not practicable. Natural hazard risk has been appropriately addressed through the design of the proposal, including reclamation levels that respond to sea level rise, coastal edge protection, and geotechnical design measures to address hazards such as liquefaction and settlement. The design ensures that the infrastructure maintains its integrity and functionality during hazard events and that risks to people, property, infrastructure and the environment are reduced to the greatest extent practicable and are not transferred to surrounding land. The proposal also incorporates consideration of long-term climate change effects, including sea level rise, and provides for monitoring and response through detailed design and conditions, ensuring the ability to respond to future hazard conditions over the life of the development. In relation to Policies NH-P9 and NH-P13, the proposal involves industrial infrastructure rather than vulnerable activities, and is designed to be resilient to flood and coastal hazard effects. The design incorporates appropriate finished levels and ensures that hazard risk is contained within the site and does not exacerbate risk to other properties, with adequate access maintained for operational and emergency purposes. On that basis, the proposal provides for new infrastructure within a hazard prone coastal environment where there is a clear functional need, and where hazard risks are appropriately identified, assessed and managed through design and conditions, and is therefore consistent with NH-O4B and NH-P7, NH-P9 and NH-P13.

To ensure that the location and design of new subdivision and development on land subject to flood hazards does not increase the risk of adverse effects on people, property, and the environment including by:

1. Subdivision plans identifying building areas that will not be subject to inundation or material damage in a 100-year flood event.
2. Built development within the 10-year flood hazard area being of the type and design that is not subject to material damage in a 100-year flood event.
3. New built development containing vulnerable activities achieving a minimum freeboard above a 100-year flood event.
4. Commercial and industrial buildings being of the type/design that are not subject to material damage in a 100-year flood event.
5. Not exacerbating or creating a flood hazard for other properties.
6. Ensuring adequate vehicular access is available to serve development.

Policy NH-P13

New Subdivision, Land Use and Development

To ensure that the location and design of new greenfield subdivision, land use and development within coastal hazard areas does not increase the risk of adverse effects from coastal hazards on people, property, communities, and the environment, and takes into account the potential long term effects of climate change on greenfield subdivision and land use change in areas potentially affected by a high projection scenario including by:

1. Requiring subdivision plans to identify and locate building areas outside of coastal hazard areas and provide safe vehicular access.
2. Limiting new uses and development within CEHA0, CEHA1, CFHA0 and CFHA1.

3. Requiring appropriate finished floor levels to meet minimum standards, including an allowance for a 1% AEP flood event and sea level rise. 4. Assessing new development against the most recent data and projections on sea level rise projections.	
Objective NH-O5A Natural Defences Existing natural systems and features that contribute to reducing the impacts of natural hazards are recognised and maintained, protected, restored, or enhanced. Policy NH-P16 Natural Defences To provide for the protection, restoration, and enhancement of natural defences against coastal hazards including planting and dune restoration projects, and beach replenishment and nourishment.	The proposal is located within a modified coastal environment where existing natural coastal systems and features have already been substantially altered by reclamation, port infrastructure and marine industrial development. In that context, there are limited intact natural defences at the site that contribute to reducing natural hazard risk. Regardless, the proposal does not involve the removal or degradation of identified natural defence systems that materially contribute to coastal hazard protection at a wider scale. To the extent that any natural features are present, effects are localised and do not compromise the functioning of the wider coastal environment. The proposal is therefore consistent with NH-O5A and NH-P16 in the context of a highly modified coastal environment.
Objective NH-O5B Existing Defences New development does not impede access to or compromise existing natural or man-made defences or natural hazard structural mitigation assets. Policy NH-P12 Defences 1. To avoid activities that reduce or remove, flood defences or otherwise result in an increase in the extent of flood hazards and; 2. To enable appropriate hazard mitigation measures to be created to protect existing development. Policy NH-P17 Hard Protection Structures	The proposal is located within a modified coastal environment where existing engineered defences are already present, including reclamation edges and coastal protection structures associated with Northport. The proposal does not impede access to, or compromise the functioning of, existing natural or man-made hazard defences or structural mitigation assets, and is designed to operate independently of those systems. The proposal incorporates its own engineered hazard mitigation measures, including coastal edge protection and appropriately designed reclamation structures, which complement rather than undermine the wider hazard management context. The incorporation of hard protection structures is an integral part of the proposal and reflects the functional and operational need for infrastructure to be located within a dynamic coastal environment. In this case, hard protection structures represent the most practicable option to enable the safe and effective operation of Regionally Significant Infrastructure, where non-structural alternatives are not feasible. These structures are designed as part of an integrated engineering response, with consideration given to their location, design and performance to avoid, remedy or mitigate adverse environmental effects, including effects on coastal processes and cultural values to the extent practicable. On that basis, the proposal does not compromise existing defences, provides appropriate hazard mitigation measures within the site, and incorporates appropriately

To ensure that new subdivision, land use, development, and redevelopment, excluding regionally significant infrastructure and critical infrastructure, are located and designed in a way that avoids the need for new or upgraded hard protection structures.

Policy NH-P18

Appropriate Hard Protection Structures

To recognise that hard protection structures located landward of mean high water springs may be the best practicable option to protect existing development against coastal hazards in the following circumstances:

1. The level of hazard risk reduction that the proposed structure is seeking to achieve is appropriate and cannot reasonably be achieved through nonstructural options; or
2. The structure is the only practical means of protecting existing regionally significant infrastructure or critical infrastructure; or
3. The structure is the most appropriate method having regard to the entire area potentially affected by the hazard, and the work forms part of a long-term hazard management strategy that represents the best practicable option for the future; and
4. It can be demonstrated that the benefits of mitigation outweigh the adverse effects on the environment.

Policy NH-P19

Hard Protection Structures Location and Design

To ensure that, where hard protection structures are the best practicable option to protect existing development in accordance with NH-P18, they are located and designed to avoid, remedy or mitigate adverse effects on the environment. This includes:

1. Locating structures as far landward of mean high-water springs as practicable to retain as much natural beach as possible.

designed hard protection structures where necessary, and is therefore consistent with NH-O5B and NH-P12, NH-P17, NH-P18 and NH-P19.

2. Requiring that structures to protect private assets are not located on public land unless there is significant public or environmental benefit in doing so. 3. Ensuring effects on cultural values, are avoided as far as practicable and otherwise mitigated.	
Objective NH-O6 Climate Change Positive contributions towards climate change outcomes and the potential effects of climate change are taken into account when managing subdivision, land use, and development. Policy NH-P5 Climate Change To ensure that: 1. The potential effects of climate change over at least 100 years, including sea level rise, rainfall, flooding, drought and others, are considered when assessing natural hazard risks. 2. The positive effects of proposed activities on climate change outcomes are taken into account when managing subdivision, land use, and development.	The proposal directly engages Objective NH-O6 and Policy NH-P5 as it involves development within a coastal hazard environment where the effects of climate change, including sea level rise and changes in storm intensity and coastal processes, are relevant. The potential effects of climate change have been taken into account through the identification and assessment of natural hazard risks and the incorporation of those risks into the design of the proposal. This includes reclamation levels that respond to sea level rise projections, coastal edge protection, and stormwater design that considers extreme events, ensuring that the development is resilient over its anticipated design life. The proposal also adopts an adaptive approach to hazard management, with detailed design, monitoring and maintenance requirements providing the ability to respond to changing hazard conditions over time. This ensures that long-term climate change effects are considered and incorporated into both the initial design and ongoing operation of the development. The proposal is not primarily directed at achieving positive climate change outcomes; however, to the extent relevant, it provides a resilient form of infrastructure that supports the safe and efficient operation of the marine industrial environment in the context of future hazard conditions. On that basis, the proposal takes into account the potential effects of climate change over the long term and incorporates appropriate design and monitoring and response responses, and is therefore consistent with NH-O6 and NH-P5.
Policy NH-P9A Whenua Māori To manage natural hazard risk in a way that: 1. Recognises the need for some land uses and activities to occur within whenua Māori (Māori land) to support the cultural, social, and economic wellbeing of tangata whenua.	The proposal does not specifically involve whenua Māori (Māori land) and therefore the direct application of Policy NH-P9A is limited. However, the proposal is located within an area of cultural significance to tangata whenua and engages broader cultural values associated with ancestral lands, coastal waters and associated resources. To the extent that the policy is relevant, the proposal recognises the relationship of tangata whenua with affected environments through the existing cultural assessment framework and proposed conditions, including provision for tangata whenua involvement in management plans, monitoring and implementation. These

2. Enables tangata whenua to exercise rangatiratanga and kaitiakitanga over their ancestral lands. 3. Provides opportunities for the use and incorporation of mātauranga Māori and tikanga Māori in decision making.	mechanisms provide a pathway for kaitiakitanga and allow for the incorporation of mātauranga Māori and tikanga Māori in decision-making processes where relevant. The proposal does not constrain the ability of tangata whenua to exercise rangatiratanga and kaitiakitanga over their ancestral lands and waters beyond the effects already identified and assessed in the broader cultural effects assessment. Those residual cultural effects are acknowledged and addressed through the proposed conditions framework. On that basis, the proposal recognises the intent of Policy NH-P9A and is not inconsistent with its direction.
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CBM Cross Boundary Matters

Provision	Assessment
Objective CBM-O1 The integrated management of natural and physical resources across local authority boundaries.	The proposal is consistent with the CBM provisions, which seek to ensure the integrated management of natural and physical resources across local authority boundaries, including through coordination between territorial and regional authorities and appropriate engagement with tangata whenua.
Policy CBM-P1 Regional and District Councils To develop appropriate processes and protocols with which adjacent authorities and the Northland Regional Council may deal with cross boundary issues, with particular regard to the clarification of roles between Regional and District Councils. Such processes include: - Combined approaches to resource consent processing through joint hearing procedures; - Notification to other local authorities on applications with effects that may cross media and/or jurisdictional boundaries. - Regular liaison at Council officer level with other local authorities on resource management issues.	The proposal spans the interface between Whangarei District Council jurisdiction (land use, transport, servicing and amenity) and Northland Regional Council jurisdiction (coastal marine area, discharges, dredging, ecology and navigation). In that context, the proposal inherently requires an integrated approach to assessment and decision-making, consistent with Objective CBM-O1. This integration is achieved through the structure of the application and supporting material, including: - A coordinated FTAA application framework addressing both land based and CMA components; - Aligned technical assessments (coastal processes, ecology, stormwater, wastewater, traffic and cultural effects); and - A set of proposed conditions addressing effects across jurisdictional boundaries. These elements give effect to Policies CBM-P1 and CBM-P2 by: - Enabling clarity of roles between regional and district authorities, - Ensuring that cross boundary effects (e.g. discharges, coastal processes, access, ecology) are assessed together rather than in isolation, and
Policy CBM-P2 Local Authority Boundaries	

To develop processes for dealing with effects from subdivision, use or development that cross local authority boundaries, to achieve integrated resource management.	▪ Supporting a coordinated consenting pathway under the FTAA, which replaces the need for separate but related approval processes.
Policy CBM-P3 Tangata Whenua To consult with tangata whenua concerning cross boundary issues, and to provide for the consideration of iwi/hapu issues where these cross local authority boundaries.	In relation to Policy CBM-P3, tangata whenua values and relationships are not confined by administrative boundaries and are relevant across both the terrestrial and coastal environments. The proposal recognises this by: ▪ Addressing effects on harbour waters, coastal margins and associated cultural landscapes, and ▪ Providing for ongoing involvement through management plans, monitoring and conditions. Accordingly, the proposal achieves the integrated management outcome sought by the CBM Chapter by ensuring that cross boundary resource management issues are addressed in a coordinated, comprehensive and effects based manner, and is therefore consistent with the intent of the Chapter.

CE Coastal Environment

Provision	Assessment
Objective CE-O1 Identify and protect the qualities and characteristics that contribute to the natural character of the Coastal Environment from inappropriate subdivision, use and development.	The qualities and characteristics of natural character relevant to this location have been identified through landscape, coastal and natural character assessments. Those values are not of a high or predominantly natural character, and the proposal does not extend development into an undeveloped coastal environment.

	While the proposal will result in a further localised reduction in natural character, it is not inappropriate in this location having regard to the existing modified environment and the functional need for a coastal location.
Objective CE-O2 Avoid adverse effects on the characteristics and qualities of identified Outstanding Natural Character Areas.	Not directly applicable. The proposal is not located within an Outstanding Natural Character Area, and no such values are affected.
Objective CE-O3 Avoid significant adverse effects and avoid remedy or mitigate other adverse effects on the natural character, natural features and natural landscapes of the Coastal Environment including identified High Natural Character Areas.	The proposal is not located within a High Natural Character Area. The expert landscape and natural character assessment does not identify significant adverse effects. Other adverse effects on natural character are not fully avoided at the site scale but are generally appropriate given the modified nature of the existing environment.
Objective CE-O4 Manage the cumulative effects of subdivision, use and development on the amenity, landscape, and ecological values of the Coastal Environment.	The proposal manages cumulative effects by: ▪ Consolidating development within an already modified industrial node; ▪ Integrating with existing reclamation and infrastructure rather than expanding into a new coastal context; and ▪ Implementing an effects management framework addressing water quality, ecology and visual effects cognisant of the effects of other existing and consented development in the locality.
Objective CE-O5 Direct development to established coastal villages and areas with existing development while retaining the values of undeveloped parts of the coast.	The proposal is located adjoining the established Marsden Point/Northport marine industrial environment. It does not extend development into undeveloped or sensitive parts of the coast and is therefore consistent with the spatial directive to concentrate coastal development in already modified locations.
Objective CE-O6 Maintain and enhance public access to and along the coast where appropriate.	The proposal affects existing access but provides replacement access arrangements, and a relocated public fishing platform. Public access is therefore maintained and, in some respects, enhanced, subject to necessary operational and safety constraints.
Objective CE-O7 Avoid increasing the risk of social, environmental, and economic harm from coastal hazards.	The proposal incorporates: ▪ Reclamation levels responding to sea level rise; ▪ Coastal edge protection; and ▪ Stormwater design for extreme events.

	These measures ensure that the proposal does not increase hazard risk beyond the site and is consistent with this objective.
Objective CE-O9 Encourage the enhancement and rehabilitation of the Coastal Environment.	The proposal is not primarily an enhancement or rehabilitation project. Any positive outcomes are limited to measures actually proposed and secured, including water-quality treatment, replacement public access, ecological management and the proposed ecological and cultural enhancement contribution. Those measures provide additional benefits but do not replace the intertidal and subtidal habitat permanently lost.
Objective CE-O10 Recognise and provide for: a. existing development; b. activities located within the Portland SRIE; and c. regionally significant infrastructure and regionally significant mineral resources; which have a functional or operational need to be located in the Coastal Environment.	The proposal directly engages this objective because it is assessed as infrastructure and Regionally Significant Infrastructure in this scenario. The drydock / shipyard has a functional and operational need to locate in the Coastal Environment and CMA, where vessels can access the facility and be transferred to berthage, haul-out, hardstand, servicing and maintenance areas. The proposal is also located adjoining existing port and marine industrial development at Marsden Point. The objective therefore provides direct support for the proposal, subject to the management of adverse effects under the other Coastal Environment provisions.
Objective CE-O11 To recognise that the Coastal Environment contains undeveloped Māori Land and provide for the special relationship of Māori to this ancestral land.	Not applicable. The proposal does not involve undeveloped Maori Land.
Objective CE-O12 Identify and protect the values and attributes of indigenous biodiversity within the Coastal Environment in accordance with Policy 4.4.1(1) of the Northland Regional Policy Statement 2016 ("Significant Natural Areas").	The proposal affects indigenous biodiversity values within the Coastal Environment, including habitat within the One Tree Point–Marsden Bay Significant Ecological Area. The moderate ecological effect on northern New Zealand dotterel is not expected to result in material adverse harm to the taxon. The Project will nevertheless permanently remove and modify intertidal and subtidal habitat and affect values and characteristics of the Significant Ecological Area. The proposal reduces effects through location and footprint refinement, suspended structures where practicable, construction controls, species specific management, water quality and biosecurity controls, monitoring and proposed conditions. Those measures reduce effects but do not replace the habitat permanently occupied or dredged. The proposal is therefore only partially consistent with CE-O12, with the principal avoidance analysis undertaken under the NZCPS, RPS and RPN.
Objective CE-O13 Avoid significant adverse effects and avoid, remedy, or mitigate other adverse effects of subdivision use and development on	The Project will result in permanent loss and modification of intertidal and subtidal habitat. The Marine Ecology Assessment identifies significant adverse effects on relevant vulnerable coastal habitat values at the applicable scales. Those effects are not fully avoided.

indigenous biodiversity in the Coastal Environment that is not a Significant Natural Area.	The proposal nevertheless reduces effects through location and footprint refinement, suspended structures where practicable, construction and timing controls, species specific management, water quality and biosecurity controls, monitoring and proposed conditions. The proposal is therefore only partially consistent with CE-O13.
Policy CE-P1 To protect natural character, natural features and natural landscapes in the Coastal Environment: a. Avoid adverse effects on the qualities and characteristics of areas identified as Outstanding Natural Character Areas; b. Avoid significant adverse effects and avoid, remedy, or mitigate other adverse effects on the qualities and characteristics of natural character, natural features and natural landscapes outside Outstanding Natural Character Areas; by controlling subdivision and restricting earthworks, mineral extraction activities and farm quarries, the extent of indigenous vegetation clearance, and the location and design of buildings and structures including in relation to ridgelines, skylines and prominent headlands.	The proposal is located outside Outstanding Natural Character Areas and High Natural Character Areas. The relevant direction is therefore to avoid significant adverse effects, and to avoid, remedy or mitigate other adverse effects on natural character, natural features and natural landscapes. The proposal will result in a localised reduction in natural character through reclamation, structures, hardstand and operational activity. However, it is located within an already modified port and marine industrial environment and does not extend development into an undeveloped or highly natural coastal setting. The expert landscape and natural character assessment supports the conclusion that significant adverse effects on natural character and landscape values are avoided. Other effects are managed through location, design, coastal edge treatment, lighting controls, public access arrangements and operational management. Overall, the proposal is consistent with the policy on a qualified basis, recognising that localised change remains but is appropriate in this modified coastal context.
Policy CE-P2 To design development to avoid, remedy or mitigate adverse effects on the natural character, natural features and natural landscapes of the Coastal Environment outside Outstanding Natural Character Areas, by controlling subdivision, managing the visual effects of buildings and structures, and minimising indigenous vegetation clearance and earthworks.	The proposal is located outside Outstanding Natural Character Areas and High Natural Character Areas. The relevant direction is therefore to avoid significant adverse effects, and to avoid, remedy or mitigate other adverse effects on natural character, natural features and natural landscapes. The proposal will result in a localised reduction in natural character through reclamation, structures, hardstand and operational activity. However, it is located within an already modified port and marine industrial environment and does not extend development into an undeveloped or highly natural coastal setting. The expert landscape and natural character assessment supports the conclusion that significant adverse effects on natural character and landscape values are avoided. Other effects are managed through location, design, coastal edge treatment, lighting controls, public access arrangements and operational management. Overall, the proposal is consistent with the policy on a qualified basis, recognising that localised change remains but is appropriate in this modified coastal context.
Policy CE-P3 To assess the scale and significance of effects of subdivision, use and development on the characteristics and qualities of natural character, natural features and natural landscapes in the Coastal Environment by having particular regard to:	The proposal is located outside Outstanding Natural Character Areas and High Natural Character Areas. The relevant direction is therefore to avoid significant adverse effects, and to avoid, remedy or mitigate other adverse effects on natural character, natural features and natural landscapes.

a. The extent of the natural character, natural feature or natural landscape affected: b. The sensitivity of the natural character, natural feature or natural landscape to change, recognising the effects of existing land use: c. The degree of modification, damage, loss or destruction that will result from the activity; d. The duration and frequency of adverse effects; e. Whether adverse effects are reversible or irreversible; f. Whether adverse effects are minor or transitory; g. The potential for spatial or temporal cumulative adverse effects of the proposed activity on its own or in combination with other authorised activities, including permitted activities; and h. Any restoration, rehabilitation or enhancement of the specific characteristics and qualities of the particular natural character, natural feature or natural landscape affected by the activity.	The proposal will result in a localised reduction in natural character through reclamation, structures, hardstand and operational activity. However, it is located within an already modified port and marine industrial environment and does not extend development into an undeveloped or highly natural coastal setting. The expert landscape and natural character assessment supports the conclusion that significant adverse effects on natural character and landscape values are avoided. Other effects are managed through location, design, coastal edge treatment, lighting controls, public access arrangements and operational management. Overall, the proposal is consistent with the policy on a qualified basis, recognising that localised change remains but is appropriate in this modified coastal context.
Policy CE-P4 Avoid adverse effects of subdivision use and development on: a. Indigenous taxa that are listed as threatened or at risk in the NZ Threat classification system lists; b. the ecological values and attributes of areas of indigenous vegetation and habitats of indigenous fauna that are significant using the assessment criteria in Appendix 5 of the Northland Regional Policy Statement 2016; c. the ecological values and attributes of areas set aside for full or partial protection of indigenous biodiversity under other legislation; by controlling subdivision (including weed and pest management) and restricting indigenous vegetation clearance.	Policy CE-P4 requires adverse effects on threatened or at-risk taxa and on the ecological values and attributes of significant habitats to be avoided. The moderate ecological effect on northern New Zealand dotterel is not expected to result in material adverse harm to the taxon. The threatened taxon avoidance outcome may therefore be achieved. The Project will, however, permanently remove and modify intertidal and subtidal habitat within the One Tree Point–Marsden Bay Significant Ecological Area and affect values and attributes for which the area is recognised as significant. Those habitat related avoidance outcomes are not fully achieved. The proposal reduces effects through location and footprint refinement, suspended structures where practicable, construction controls, species specific management, water quality and biosecurity controls, monitoring and proposed conditions. Overall, the proposal is only partially consistent with CE-P4.
Policy CE-P5 Avoid significant adverse effects and avoid, remedy, or mitigate other adverse effects of subdivision use and development on: a. Areas of predominantly indigenous vegetation; b. Habitats of indigenous species that are important for recreational, commercial, traditional, or cultural purposes; and	The Project will permanently remove and modify intertidal and subtidal habitat, including vulnerable coastal habitats and habitat important for ecological, cultural and fisheries related functions. The Marine Ecology Assessment identifies significant adverse effects on relevant habitat values at the applicable scales. Those effects are not fully avoided. The proposal reduces effects through location and footprint refinement, suspended structures where practicable, construction and timing controls, species specific

c. Indigenous ecosystems and habitats that are particularly vulnerable to modification; by controlling subdivision (including weed and pest management) and restricting indigenous vegetation clearance.	management, water quality and biosecurity controls, monitoring and proposed conditions. Other effects are avoided, remedied or mitigated through that framework. The proposal is therefore only partially consistent with CE-P5.
Policy CE-P6 To assess the scale and significance of effects of subdivision, use and development on the values and attributes of Significant Natural Areas and other indigenous biodiversity in the Coastal Environment by having particular regard to: a. The extent of the ecological site affected; b. The sensitivity of the ecological site to change, recognising the effects of existing land uses; c. The degree of modification, damage, loss or destruction that will result from the activity; d. The duration and frequency of adverse effects; e. Whether adverse effects are reversible or irreversible; f. Whether adverse effects are minor or transitory; g. The potential for spatial or temporal cumulative adverse effects of the proposed activity on its own or in combination with other authorised activities, including permitted activities;	The assessment addresses the extent and sensitivity of the ecological sites affected, the degree and permanence of habitat loss, reversibility, cumulative effects and the wider Marsden Bay, Significant Ecological Area and harbour context. The moderate ecological effect on northern New Zealand dotterel is not expected to result in material adverse harm to the taxon. The permanent intertidal and subtidal habitat effects are irreversible within the Project footprint and remain significant at relevant scales. The proposal has been refined to reduce those effects through location and design, suspended structures where practicable, construction and timing controls, species specific management, water quality and biosecurity controls, monitoring and proposed conditions. The assessment therefore applies the factors in CE-P6, while acknowledging that the habitat related avoidance outcomes are not fully achieved.
Policy CE-P8 To manage the visual impacts of buildings in the Coastal Environment outside coastal villages by limiting building height and ensuring exterior colour schemes are of low reflectivity value.	Visual effects are managed principally through the Project's location and consolidation adjoining the existing Northport reclamation, together with the landscape and lighting measures incorporated into the Project design and proposed conditions. Those measures include a Landscape Plan providing for pōhutukawa planting and associated treatment along the western edge of the reclamation, together with lighting controls intended to reduce spill, glare and night-time amenity effects. The Project will nevertheless result in appreciable local visual change, particularly in the Marsden Bay / Albany Road / Blacksmiths Creek receiving environment. The Landscape Assessment identifies high localised landscape and visual effects at the most affected Marsden Bay and Albany Road viewpoints, while those effects reduce materially at the wider harbour scale. Accordingly, the visual effects are managed through the siting and consolidation of the development, together with the proposed landscape and lighting measures, in a manner consistent with the intent of CE-P8.

Policy CE-P15 To promote enhancement and rehabilitation in natural character by encouraging landscape planting that follows landform patterns and softens or screens the appearance of built development.	The proposal is not primarily an enhancement or rehabilitation project, and landscape planting opportunities are constrained by the operational requirements of a working maritime industrial facility. The policy has limited relevance to measures actually proposed and secured, including coastal edge treatment, public access works, water quality improvements and the ecological and cultural enhancement contribution. Those measures provide limited additional benefits but are not relied on as equivalent replacement for the marine habitat lost.
Policy CE-P17 To protect coastal and freshwater quality by using best practice methods to reduce the sedimentation effects of earthworks and by re-vegetating exposed scarps.	This policy is directed at construction phase sedimentation and disturbance effects. The proposal involves reclamation and associated earthworks that have the potential to generate sediment and affect coastal water quality if unmanaged. Those effects are not avoided, given the nature of the activity, but are managed through the application of best practice erosion and sediment control measures, including: ▪ Staging and control of reclamation and earthworks activities; ▪ Implementation of erosion and sediment control measures consistent with recognised best practice; and ▪ Stabilisation of exposed areas as construction progresses. These measures ensure that sedimentation effects are avoided and minimised to the extent practicable, and that adverse effects on coastal and freshwater quality during construction are appropriately controlled. Accordingly, the proposal protects water quality through the application of best practice construction management, consistent with Policy CE-P17.
Policy CE-P19 To protect indigenous vegetation which contributes to either the character and visual quality of the Coastal Environment or protects against natural hazards.	The proposal does not involve extensive removal of indigenous terrestrial vegetation, and is primarily located within the CMA and along an already modified coastal edge. To the extent that indigenous vegetation contributes to coastal character and visual quality, or natural hazard resilience (e.g. shoreline stability), that vegetation is retained where practicable, with removal limited to that necessary to enable the works. Any affected vegetation is confined to a small number of low value coastal vegetation (mangroves), and not of a scale or type that materially contributes to wider coastal character or hazard protection functions. Accordingly, the proposal protects indigenous vegetation contributing to coastal character and hazard function to the extent practicable, and does not result in a material loss of those values, consistent with Policy CE-P19.
Policy CE-P21	This policy is directed at operational water quality outcomes.

To utilise low impact stormwater design to protect coastal water quality and marine ecosystems.	The proposal does not rely solely on low impact stormwater design in the conventional sense, due to the industrial nature and contaminant profile of the activity. Instead, it adopts a treatment train approach that achieves the same underlying outcome of protecting coastal water quality, including segregation of clean stormwater from contaminated operational runoff, containment and pre-treatment of higher risk discharges, including washdown and maintenance activities, and treatment and controlled discharge of stormwater through appropriate systems prior to entering the CMA. This approach reflects best practice, effects based stormwater management, where low impact design principles are supplemented by engineered treatment systems necessary to address higher contaminant loads. Accordingly, the proposal protects coastal water quality and marine ecosystems through an integrated stormwater management framework, consistent with the intent of Policy CE-P21.
Policy CE-P25 To recognise that there can be a functional need to locate, operate and maintain and upgrade infrastructure, commercial and industrial activities in certain locations in the Coastal Environment proximate to existing infrastructure, commercial and industrial activities.	The proposal is directly supported by Policy CE-P25. In this scenario it is assessed as infrastructure / Regionally Significant Infrastructure, and it also has a clear functional and operational need to locate, operate and be maintained in the Coastal Environment proximate to existing infrastructure, commercial and industrial activities. The drydock / shipyard requires direct access to navigable water, berthage, manoeuvring space, haul-out capability, hardstand, servicing areas and stormwater / washwater systems. The Marsden Point location enables those requirements to be met in a modified marine industrial setting adjoining Northport. The policy is therefore a key supportive WDP provision, subject to the management of adverse effects under the other Coastal Environment provisions.

NFL Natural Features and Landscapes

Provision	Assessment
Objective NFL-O2 Protect the characteristics and qualities of identified Outstanding Natural Features and Outstanding Natural Landscapes from inappropriate subdivision, use and development.	The proposal is not located in or on an identified Outstanding Natural Feature or Outstanding Natural Landscape, and no adverse effects on the characteristics or qualities of any ONF or ONL are anticipated. The NFL provisions are therefore of limited relevance. They do not provide a primary basis for support or opposition to the proposal.
Objective NFL-O4	

Promote the conservation, enhancement and rehabilitation of Outstanding Natural Features and Outstanding Natural Landscapes	
Objective NFL-O5 Recognise existing land use and development, including regionally significant infrastructure, form part of the characteristics and qualities of the environment where they are located in or on Outstanding Natural Features and Outstanding Natural Landscapes.	
Policy NFL-P2 To protect Outstanding Natural Features and Outstanding Natural Landscapes from inappropriate subdivision, use and development, with particular regard to their individual characteristics and qualities.	
Policy NFL-P3 Within the Coastal Environment, to avoid adverse effects of subdivision, use and development on the characteristics and qualities of Outstanding Natural Features and Outstanding Natural Landscapes by controlling subdivision and restricting earthworks, mineral extraction, the extent of vegetation clearance, and rural production activities, and the location and design of buildings and structures including in relation to ridgelines, skylines and prominent headlands.	
Policy NFL-P6 To assess the scale and significance of effects of subdivision, use and development on the characteristics and qualities of Outstanding Natural Features and Outstanding Natural Landscapes by having particular regard to: a. The extent of the resource area affected; b. The sensitivity of resource to change, recognising the effects of existing land use; c. The degree of modification, damage, loss or destruction that will result from the activity; d. The duration and frequency of adverse effects; e. Whether adverse effects are reversible or irreversible;	

- f. Whether adverse effects are minor or transitory;
- g. The potential for spatial or temporal cumulative adverse effects of the proposed activity on its own or in combination with other authorised activities, including permitted activities; and
- h. Any restoration, rehabilitation or enhancement of the specific characteristics and qualities of the particular Outstanding Natural Feature or Outstanding Natural Landscape affected by the activity.

Policy NFL-P11

To provide for adverse effects arising from the establishment and operation of regionally significant infrastructure and community facilities, excluding National Grid Electricity Infrastructure, in or on Outstanding Natural Features or Outstanding Natural Landscapes where:

- a. It is demonstrated that there is no practical alternative location;
- b. Regard has been had to Policies NFL-P3 – P5, and taking into account the policies in Section 23 Network Utilities Operations.
- c. Measures are in place to avoid adverse effects, and adverse effects that cannot be avoided are remedied or mitigated to the extent that they are no more than minor.

For the purposes of this policy: Regionally significant infrastructure means those structures and facilities listed within Appendix 3 Regional Significant Infrastructure of the RPS for Northland; and community facilities include district parks, reserves and network infrastructure including roading.

Policy NFL-P8

With respect to coastal hazard management within the Coastal Environment, avoid the use of hard protection structures such as seawalls and rock armouring along with other visible artificial elements where these would adversely affect the characteristics and qualities of the Outstanding Natural Features and Outstanding Natural Landscapes, except where such structures are the only practical means to protect significant existing development or infrastructure.

Policy NFL-P18

To encourage the remediation of the adverse effects from past or existing inappropriate land use activities on Outstanding Natural Landscapes.	
Policy NFL-P19 To recognise the positive effects of development proposals that provide for the enhancement and rehabilitation of previously compromised localised areas within Outstanding Natural Landscapes.	

TWP Tangata Whenua Policies

Provision	Assessment
Objective TWP-O1 Within the respective domains of the exercise of rangatiratanga and kawanatanga, ensure that priority is afforded to the act of protection of taonga of tangata whenua, and to the relationship of tangata whenua and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.	The proposal is located within an area of cultural significance to tangata whenua, including Patuharakeke, Te Parawhau and Ngātiwai, and directly engages Māori cultural values associated with Whangārei Harbour, Poupouwhenua / Marsden Point, coastal waters, mahinga mātaihai, wāhi tapu, customary activities and taonga species. The proposal recognises those values through the application material, available iwi / hapū planning documents and proposed conditions providing for tangata whenua involvement in relevant management plans, cultural monitoring where appropriate, accidental discovery procedures, ecological and coastal monitoring, reporting and implementation. Residual cultural effects remain because the proposal involves reclamation, dredging, permanent occupation and modification of the coastal marine area, and effects on ecological systems and mahinga mātaihai values. Those effects are not characterised as fully resolved or agreed at this stage. Overall, the proposal is partially consistent with this provision. Māori cultural values are recognised and taken into account, and conditions provide an ongoing pathway for kaitiakitanga to inform implementation and monitoring, but consistency is qualified by the residual cultural effects that remain.
Objective TWP-O2 To enable tangata whenua to exercise rangatiratanga and kaitiakitanga over their ancestral lands, waters, sites, waahi tapu and other taonga in the District.	
Objective TWP-O3 In the implementation of this Plan no action will be taken which will knowingly exacerbate registered treaty claims.	
Policy TWP-O1 Interests of Tangata Whenua To ensure that in the use, development and protection of natural and physical resources, the views and interests of the tangata whenua are fully represented at every stage of the process, including the preparation and implementation of the District Plan.	
Policy TWP-O2	

Site of Significance to Māori

To ensure that land use, subdivision and development does not adversely affect Sites of Significance to Māori, or other taonga identified in the District Plan or Hapu Environmental Management Plans.

Policy TWP-O3**Waterbodies**

To ensure that indigenous wetlands, estuaries, coastal environments and waterbodies, of significance to tangata whenua, are maintained and enhanced, and that access for tangata whenua to those water bodies is provided.

Policy TWP-O4**Consultation**

To ensure effective consultation with, and participation of tangata whenua in resource management processes by:

- Fostering partnerships and relationships with the tangata whenua of the area;
- Avoiding unnecessary conflict on resource management issues;
- Recognising and respecting iwi authority and affiliations;
- Acknowledging and providing for historical circumstances and their impacts on resource needs;
- Respecting tikanga Māori;
- Acknowledging the rights of hapu and whanau to speak and act on matters that affect them;
- Allowing tangata whenua time for informed assessments of proposals and to determine their responses, consistent with the time constraints in the Resource Management Act 1991;
- Encouraging applicants to consult tangata whenua, where appropriate.

NAV Noise and Vibration

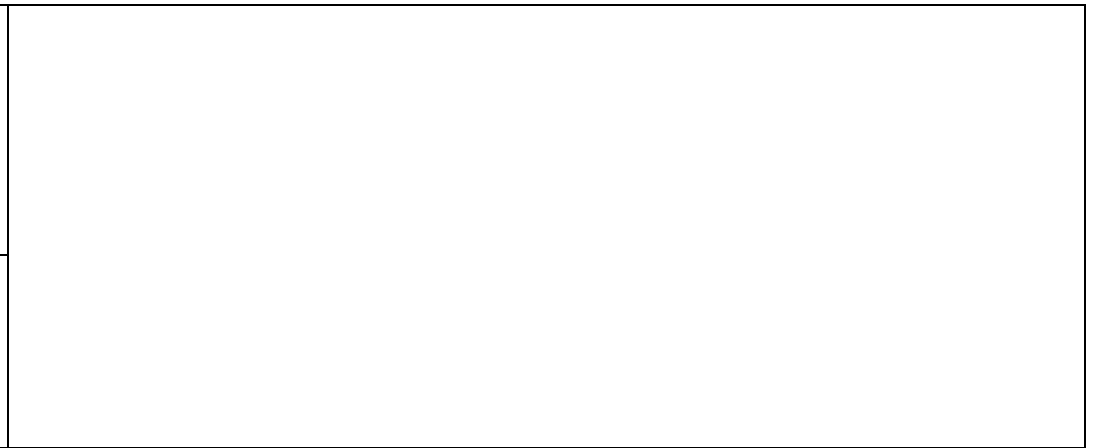
Provision	Assessment
Objective NAV-O1 To enable a mix of activities to occur across a range of Environments, while ensuring that noise and vibration is managed within appropriate levels for the health and wellbeing of people and communities, and for the amenity and character of the local environment.	The proposal enables an activity with potentially high noise generating components within a coastal and marine industrial environment adjoining Northport. A distinction is made between operational noise and construction noise which are subject to different assessment frameworks under the WDP. Operational noise is expected to comply with the applicable Whangārei District Plan operational noise limits, subject to the controls recommended by the acoustic specialist. Those controls include operational management, restrictions on high noise activities where required, and the use of noise screens or equivalent measures for dry abrasive blasting where necessary to ensure compliance. Construction noise is different and is not assessed simply by reference to the operational noise limits. Construction noise and vibration, including piling and dredging related effects, will be managed through construction noise standards, timing restrictions, monitoring and the Construction Noise and Vibration / Site Noise Management Plan framework. Dredging at night will be avoided where necessary to manage noise effects. On that basis, the proposal is consistent with the NAV provisions. Operational noise can be controlled to meet the District Plan limits, and construction noise and vibration are addressed through a separate construction management and conditions framework.
Policy NAV-P1 To establish reasonable noise and vibration limits and controls that enable appropriate activities to operate while maintaining the characteristic amenity values of each Zone.	
Policy NAV-P3 To ensure that high noise generating activities located in noise sensitive areas maintain the characteristic amenity values of each Zone by: - Establishing noise limits that are consistent with anticipated noise and vibration levels in each Environment. - Requiring high noise generating activities to provide suitable mitigation measures to maintain appropriate noise levels for the health and wellbeing of people and communities, and for the amenity and character of the local environment.	
Objective NAV-O2 To ensure that activities that seek a high level of acoustic and vibration amenity do not unduly compromise the ability of other lawful activities to operate.	
Policy NAV-P2 To avoid reverse sensitivity effects by: Requiring suitable acoustic design standards for noise sensitive activities located in or adjacent to areas anticipating high noise levels.	

b. Restricting noise sensitive activities in Environments where they could unduly compromise the continuing operation of appropriate business activities.

c. Considering the use of other mechanisms, such as noise control boundaries, buffer areas or building setbacks, as appropriate tools to protect existing or future activities.

Policy NAV-P5

To ensure that noise associated with activities in open spaces and on public recreational areas is appropriate to the amenity values anticipated in the surrounding environment.



NPS-I, NZCPS, RPS and RPN Assessment Table

National Policy Statement for Infrastructure 2025

Provision	Assessment
Objective The objective of this National Policy Statement is to: 1. ensure the national, regional and local benefits of infrastructure are provided for; 2. enable infrastructure to support the social, economic and cultural wellbeing of people and communities and their health and safety; 3. enable infrastructure to support the development and change of urban and rural environments to meet the diverse and changing needs of present and future generations; 4. ensure infrastructure is well-functioning, resilient and compatible, as far as practicable, with other activities; and 5. ensure infrastructure is delivered in a timely and efficient manner while managing adverse effects from or on infrastructure.	The proposal aligns with the NPS-I objective. It provides national and regional benefits by increasing New Zealand's drydock and marine maintenance capability, supporting commercial and strategic vessel resilience, and enabling employment and investment in Northland. It also supports social and economic wellbeing through a long life infrastructure asset located in an established marine industrial environment. The objective is enabling but requires adverse effects to be managed. The benefits and the functional / operational need for a coastal location are recognised, while ensuring that adverse effects on water quality, indigenous biodiversity, cultural values, public access, noise, transport and coastal processes are managed through design, conditions and monitoring.
Policy 1: Providing for the benefits of infrastructure Decision-makers must ensure that the national, regional or local benefits of infrastructure, relative to any localised adverse effects on the environment, are recognised and provided for. Decision-makers must recognise that the benefits of infrastructure include social, cultural and economic wellbeing, well-functioning urban and rural environments, essential services, environmental protection and restoration, emissions reduction, and resilience to natural hazards and climate change.	The proposal is consistent with Policy 1 because it will deliver infrastructure benefits that are regional and national in character. Those benefits include improved drydock / ship lift and marine maintenance capability, support for commercial, naval and specialist vessel servicing, improved maritime resilience, employment, investment, and support for the wider marine industrial sector. The project's Schedule 2 FTAA status reinforces the significance of those benefits. The policy requires those benefits to be recognised relative to localised adverse effects. The adverse effects are not ignored or understated. They include reclamation and permanent CMA occupation, dredging, habitat loss, avifauna effects, marine mammal behavioural disturbance and temporary habitat exclusion risk during impact piling, cultural effects, landscape and visual change, public access changes, construction effects and operational

	discharges. Acoustic injury to marine mammals is expected to be avoided through the proposed MMMP, source reduction, observation, shutdown and acoustic validation conditions. Those effects are addressed through the proposed conditions and management plans, including the CEMP, dredging management plans, Stormwater and Washwater Management Plan, Avifauna Management Plan, Kororā Management Plan, Marine Mammal Management Plan, Biosecurity Management Plan, Operational Lighting Management Plan and Navigation Safety Management Plan.
Policy 2: Operational need or functional need of infrastructure to be in particular locations and environments Decision-makers must recognise that infrastructure may have an operational need or functional need to operate in, be located in, or traverse particular locations and environments, including to access or connect to natural or physical resources, including other infrastructure, and to manage risks from natural hazards.	The proposal has a clear functional and operational need to locate in and adjacent to the coastal marine area. The drydock / ship lift, berth pocket, dredged access and manoeuvring areas, wharf structures, vessel haul-out system, hardstand, heavy load transfer areas, stormwater and washwater systems, and operational access all need to function as an integrated marine industrial facility directly connected to navigable water. The Marsden Point location responds to those requirements by using a modified working harbour setting adjoining Northport, with access to deep water, sheltered harbour conditions, marine services, transport connections and industrial land. The policy therefore provides strong support for the location and for the coastal components of the proposal.
Policy 4: Enabling the efficient and timely operation and delivery of infrastructure activities Decision-makers must enable the efficient and timely delivery of infrastructure activities, enable opportunities to make more effective use of existing infrastructure, provide flexibility for new or innovative technologies and methods, and enable upgrading where it improves resilience, service levels or environmental outcomes.	The proposal gives effect to Policy 4 because it enables the efficient and timely delivery of infrastructure in a location where it can make effective use of existing and planned physical resources. The project is functionally complementary to Northport and the Marsden Point marine industrial environment, but is not assessed as a port activity. The proposal avoids the inefficiency of establishing a comparable drydock / ship lift facility in a less serviced or less modified coastal location. It also provides flexibility by allowing the final vessel haul-out system to comprise a floating drydock, ship lift or other appropriate lifting mechanism within the assessed design envelope.
Policy 6: Recognising and providing for Māori interests Decision-makers must recognise and provide for Māori interests in relation to infrastructure activities, including by taking into account the outcome of engagement with tangata whenua and providing opportunities for tangata whenua involvement where infrastructure may affect a site or issue of cultural significance to Māori.	The proposal directly engages Policy 6 because it is located within Whangārei Harbour / Marsden Point, where Māori interests and cultural values are known to be significant. Those interests include relationships with Poupouwhenua / Marsden Point, Whangārei Harbour, coastal waters, mahinga kai / mahinga mātaihai, wāhi tapu, cultural landscapes, taonga species and the exercise of kaitiakitanga. The proposal recognises those interests through the AEE, available iwi and hapū planning documents, engagement undertaken for the project, and proposed conditions providing for

	tangata whenua involvement in relevant management plans, cultural monitoring where appropriate, accidental discovery procedures, ecological and coastal monitoring, reporting and implementation. The proposal will nevertheless result in residual cultural effects associated with reclamation, dredging, permanent occupation and modification of the coastal marine area, effects on ecological systems and mahinga kai values, and further change to the relationship of tangata whenua with the harbour. Those effects are not characterised as fully resolved. Overall, the proposal is partially consistent with Policy 6. It recognises Māori interests and provides mechanisms for tangata whenua involvement in implementation and monitoring, but consistency is qualified by the residual cultural effects that remain and the need for robust conditions to secure continuing involvement and response.
Policy 7: Assessing and managing the effects of proposed infrastructure activities When assessing and managing the effects of infrastructure activities, decision-makers must have regard to the extent to which adverse effects have been avoided, remedied or mitigated through route, site or method selection, and must consider the technical and operational requirements and constraints of infrastructure activities.	The proposal is consistent with Policy 7 because the assessment has had regard to the extent to which adverse effects have been avoided, remedied or mitigated through location, footprint and method selection, design refinement, construction sequencing, stormwater and wastewater separation, species specific procedures, navigation controls and public access reconfiguration. The technical and operational constraints are substantial. The infrastructure requires direct access to navigable water, vessel manoeuvring space, berthage, heavy-load transfer capability, hardstand and secure operational areas. Those constraints materially influence the location, footprint and design. The assessment distinguishes between effects that have been avoided or reduced and effects that remain. The moderate ecological effect on northern New Zealand dotterel is not expected to result in material adverse harm to the taxon. The principal unresolved ecological issue is the permanent loss and modification of intertidal and subtidal habitat, including habitat within the One Tree Point–Marsden Bay Significant Ecological Area. Those effects are addressed through the wider statutory reconciliation rather than being characterised as having been eliminated by mitigation.
Policy 9: Managing the effects of new infrastructure and major upgrades New infrastructure and major upgrades must manage adverse effects while recognising the benefits, functional and operational needs, and constraints of	The proposal is supported by Policy 9 because it is new infrastructure with a functional and operational need for this coastal location. The policy requires adverse effects to be

infrastructure. The policy direction supports a structured assessment of site selection, design, conditions and residual effects.	managed while recognising infrastructure benefits, functional and operational needs, and technical and locational constraints. The project's benefits include regional employment and investment, increased marine servicing capability, improved resilience for commercial and strategic vessels, support for Northland's maritime economy, and efficient use of existing transport, marine, industrial and servicing resources. That support is qualified by the permanent loss and modification of intertidal and subtidal habitat and by residual cultural and local landscape effects. The avifauna assessment separately identifies a moderate ecological effect on northern New Zealand dotterel associated principally with habitat loss and disturbance. That effect is not expected to result in material adverse harm to the taxon. Marine mammal acoustic injury is expected to be avoided through the proposed MMMP and associated source reduction, observation, shutdown and acoustic validation requirements, with residual effects relating principally to temporary behavioural disturbance and short-term habitat exclusion during impact piling.
Policy 11: Assessing and managing the interface between infrastructure and other activities Decision-makers must recognise that amenity and interface effects such as noise, vibration, dust and visual effects may be typical of infrastructure and can be managed where practicable but not always completely avoided. The assessment must still address compatibility and effects management through design and conditions.	The proposal engages Policy 11 because it will create interface effects associated with a large marine industrial infrastructure activity adjoining Northport and the wider Marsden Point coastal environment. Relevant interface effects include operational noise, construction noise and vibration, underwater noise, lighting, dust, air discharges, traffic, visual effects, public access changes, health and safety restrictions, and interaction with existing port, industrial, recreational and coastal activities. Those effects are typical of infrastructure of this nature and cannot all be completely avoided. However, they have been assessed and are proposed to be managed through project design, separation of high-risk activities, operational controls, lighting design, air quality controls, noise limits and management plans, construction management, traffic management, navigation safety procedures, public access conditions and complaints / response procedures. Operational terrestrial noise is expected to comply with the relevant permitted operational noise limits subject to the recommended controls. Construction noise, including piling and dredging, is assessed separately and will be managed through construction noise limits, timing restrictions, monitoring and management plan procedures. Underwater noise effects on marine mammals are addressed through source reduction / best practicable option,

	acoustic limits, soft-start and ramp-up procedures, MMOZ / EMMOZ procedures, dredging observation where relevant, observation and shutdown zones, daylight piling controls, acoustic validation, reporting, incident response and the Marine Mammal Management Plan. The proposal is therefore consistent with Policy 11 where the conditions secure the assessed interface controls and management plan framework.
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New Zealand Coastal Policy Statement 2010

Provision	Assessment
Objective 1 To safeguard the integrity, form, functioning and resilience of the coastal environment and sustain its ecosystems, including marine and intertidal areas, estuaries, dunes and land, by: - maintaining or enhancing natural biological and physical processes in the coastal environment and recognising their dynamic, complex and interdependent nature; - protecting representative or significant natural ecosystems and sites of biological importance and maintaining the diversity of New Zealand's indigenous coastal flora and fauna; and - maintaining coastal water quality, and enhancing it where it has deteriorated from what would otherwise be its natural condition, with significant adverse effects on ecology and habitat, because of discharges associated with human activity.	The proposal engages Objective 1 because it involves reclamation, dredging, occupation of the coastal marine area, stormwater discharge, construction activity and ongoing marine industrial operations within Whangārei Harbour. While the site forms part of a modified port edge environment, the wider harbour retains important coastal ecological values, including intertidal habitat, shorebird habitat, marine mammal values and potential kororā / little blue penguin habitat associated with the western revetment. The proposal responds to Objective 1 by recognising that the coastal environment is not simply an industrial receiving environment, and that the integrity, functioning and resilience of coastal ecosystems must be safeguarded. Effects on coastal processes, indigenous biodiversity and water quality have therefore been addressed through the project design and the specialist ecological, coastal, stormwater, dredging, avifauna, marine mammal and kororā assessments. The Project responds to Objective 1 through its location and design, construction methodology, dredging and sediment controls, stormwater and operational runoff treatment, species specific management measures, biosecurity controls, monitoring and proposed conditions. These measures avoid or reduce a range of potential effects on coastal processes, water quality, indigenous biodiversity and ecological functioning. The Project will nevertheless permanently remove and modify intertidal and subtidal habitat, including habitat with significant ecological values. Those effects cannot be fully

	avoided or remedied within the Project footprint and are not treated as having been replaced by the proposed ecological and cultural enhancement contribution. Overall, the Project is partially consistent with Objective 1. The measures incorporated into the Project will safeguard the functioning and resilience of the wider coastal environment and manage effects on water quality and indigenous species to the extent practicable. However, the permanent loss and modification of marine habitat means that the Objective's direction to protect significant natural ecosystems and sites of biological importance is not fully achieved.
Objective 2 To preserve the natural character of the coastal environment and protect natural features and landscape values through: ▪ recognising the characteristics and qualities that contribute to natural character, natural features and landscape values and their location and distribution; ▪ identifying those areas where various forms of subdivision, use, and development would be inappropriate and protecting them from such activities; and ▪ encouraging restoration of the coastal environment.	The proposal is consistent with Objective 2. The relevant natural character, natural feature and landscape values have been identified through the specialist landscape and natural character assessment, and the proposal has been assessed in light of the actual values present at this location. The site forms part of the established Marsden Point / Northport working harbour environment, where natural character has already been substantially modified by reclamation, port infrastructure, industrial activity and associated coastal edge works. The proposal is not located in an Outstanding Natural Character Area, High Natural Character Area, Outstanding Natural Feature or Outstanding Natural Landscape. That context is material to whether the proposed use and development is appropriate. The proposal will result in a localised change to the coastal edge through reclamation, marine structures, buildings, hardstand and operational activity. However, it does not extend development into an undeveloped or predominantly natural coastal environment. Rather, it consolidates marine industrial development adjoining the existing port and industrial node. The expert assessment does not identify significant adverse effects on natural character, and effects on outstanding landscape values are minor or less. The proposal also incorporates design and management measures to address visual, coastal edge, public access, ecological and operational effects. Those measures ensure that other adverse effects on natural character and landscape values are avoided, remedied or mitigated in the context of the receiving environment. Accordingly, the proposal preserves the natural character of the coastal environment and protects natural features and landscape values from inappropriate use and development.

	While the proposal will result in localised change, that change is appropriate in this modified working harbour setting and is consistent with Objective 2.
Objective 3 To take account of the principles of the Treaty of Waitangi, recognise the role of tangata whenua as kaitiaki and provide for tangata whenua involvement in management of the coastal environment by: ▪ recognising the ongoing and enduring relationship of tangata whenua over their lands, rohe and resources; ▪ promoting meaningful relationships and interactions between tangata whenua and persons exercising functions and powers under the Act; ▪ incorporating mātauranga Māori into sustainable management practices; and ▪ recognising and protecting characteristics of the coastal environment that are of special value to tangata whenua.	The proposal directly engages Objective 3 because it is located within a coastal environment where tangata whenua have enduring relationships with the harbour, coastal waters, mahinga mātaimai, cultural landscapes, sites of significance and taonga species. The objective is not confined to avoiding physical effects on recorded sites. It requires the principles of Te Tiriti o Waitangi to be taken into account, the role of tangata whenua as kaitiaki to be recognised, and tangata whenua involvement in the management of the coastal environment to be provided for. The Patuharakeke CVA and hapu management plan identifies the harbour and Marsden Point / Poupouwhenua as part of an interconnected cultural landscape and seascape, with values extending across water quality, ecology, customary relationships, access, mahinga kai and kaitiakitanga. The proposal responds to the objective through conditions that can provide for tangata whenua involvement in relevant management plans, cultural monitoring, accidental discovery procedures, ecological and coastal monitoring, and monitoring and response. However, residual cultural effects are likely to remain because the proposal involves reclamation, dredging and permanent modification of part of the coastal marine area. Overall, the proposal is partially consistent with Objective 3. It recognises tangata whenua relationships and provides a mechanism for involvement in management, but the cultural effects are not fully resolved and must be addressed through robust conditions and continuing implementation processes.
Objective 4 To maintain and enhance the public open space qualities and recreation opportunities of the coastal environment by: ▪ recognising that the coastal marine area is an extensive area of public space for the public to use and enjoy; ▪ maintaining and enhancing public walking access to and along the coastal marine area without charge, and where there are exceptional reasons that mean this is not practicable providing alternative linking access close to the coastal marine area; and	The proposal provides for public access along the western side of the reclamation to a relocated fishing platform. That is an appropriate response in principle because it maintains a practical coastal access and fishing outcome within the operational safety constraints of a working shipyard / drydock environment. Conditions of consent will secure the design, timing, permanence, safety, accessibility and management of that access, including any temporary construction stage restrictions and public information requirements.

▪ recognising the potential for coastal processes, including those likely to be affected by climate change, to restrict access to the coastal environment and the need to ensure that public access is maintained even when the coastal marine area advances inland.	
Objective 5 To ensure that coastal hazard risks taking account of climate change, are managed by: ▪ locating new development away from areas prone to such risks; ▪ considering responses, including managed retreat, for existing development in this situation; and ▪ protecting or restoring natural defences to coastal hazards.	The proposal is consistent with Objective 5. The objective is directed at ensuring that coastal hazard risks, including the effects of climate change, are managed through appropriate location, consideration of responses for existing development, and protection or restoration of natural defences. The proposal is located in a coastal hazard prone environment, but that location is necessary because the infrastructure has a functional and operational need for direct access to navigable water and integration with the adjoining port environment. In that context, the relevant question is whether coastal hazard risk has been appropriately identified and managed over the life of the development, rather than whether all coastal hazard exposure can be avoided. The proposal responds to Objective 5 through a design led approach. The reclamation level, coastal edge treatment, stormwater design and engineering response have been developed having regard to sea level rise, coastal processes, storm surge, wave exposure, erosion, accretion and long-term operational resilience. The proposal is also designed so that it does not materially increase coastal hazard risk to people, property, infrastructure or adjoining land. The proposal will involve engineered coastal edge protection as part of the reclamation and wharf design. While this is not a natural defence, it is an integral and necessary component of infrastructure that must be located in the CMA. The proposal does not rely on the removal or degradation of existing natural defences as its hazard response, and coastal processes effects are addressed through the technical design and proposed conditions. Overall, the proposal gives effect to Objective 5 because coastal hazard risk, including climate change risk, has been specifically assessed and managed through the location, design and operation of the infrastructure. The proposal is appropriately located for its function and incorporates measures to maintain its integrity and avoid increasing hazard risk over its design life.

Objective 6 To enable people and communities to provide for their social, economic, and cultural wellbeing and their health and safety, through subdivision, use, and development, recognising that: ▪ the protection of the values of the coastal environment does not preclude use and development in appropriate places and forms, and within appropriate limits; ▪ some uses and developments which depend upon the use of natural and physical resources in the coastal environment are important to the social, economic and cultural wellbeing of people and communities; ▪ functionally some uses and developments can only be located on the coast or in the coastal marine area; ▪ the coastal environment contains renewable energy resources of significant value; ▪ the protection of habitats of living marine resources contributes to the social, economic and cultural wellbeing of people and communities; ▪ the potential to protect, use, and develop natural and physical resources in the coastal marine area should not be compromised by activities on land; ▪ the proportion of the coastal marine area under any formal protection is small and therefore management under the Act is an important means by which the natural resources of the coastal marine area can be protected; and ▪ historic heritage in the coastal environment is extensive but not fully known, and vulnerable to loss or damage from inappropriate subdivision, use, and development.	The proposal is strongly supported by this provision. It has a functional and operational need to be in or immediately adjacent to the coastal marine area: vessels must be able to access the facility, the haul-out / drydock system requires navigable water and manoeuvring space, and the landward platform must be directly connected to heavy load marine industrial operations. Locating the activity beside Northport makes efficient use of an established port and industrial setting rather than dispersing comparable effects into a less modified coastal environment. The benefits are not confined to the applicant. They include regional employment and investment, increased marine servicing capability, improved resilience for commercial and strategic vessels, support for Northland's maritime economy, and more efficient use of existing transport, port and servicing infrastructure. Those benefits are material, but they do not displace the need to manage residual ecological, cultural, water quality, public access, amenity and coastal hazard effects through design, conditions and monitoring.
Objective 7 To ensure that management of the coastal environment recognises and provides for New Zealand's international obligations regarding the coastal environment, including the coastal marine area.	No specific international coastal obligation has been identified that alters the assessment of the proposal. The provision remains relevant at a high level because Whangārei Harbour supports migratory and indigenous coastal species. The proposal responds through avifauna, marine mammal, biosecurity and kororā management measures.

Policy 1 – Extent and characteristics of the coastal environment 1. Recognise that the extent and characteristics of the coastal environment vary from region to region and locality to locality; and the issues that arise may have different effects in different localities. 2. Recognise that the coastal environment includes: a. the coastal marine area; b. islands within the coastal marine area; c. areas where coastal processes, influences or qualities are significant, including coastal lakes, lagoons, tidal estuaries, saltmarshes, coastal wetlands, and the margins of these; d. areas at risk from coastal hazards; e. coastal vegetation and the habitat of indigenous coastal species including migratory birds; f. elements and features that contribute to the natural character, landscape, visual qualities or amenity values; g. items of cultural and historic heritage in the coastal marine area or on the coast; h. inter-related coastal marine and terrestrial systems, including the intertidal zone; and i. physical resources and built facilities, including infrastructure, that have modified the coastal environment.	The proposal is consistent with Policy 1 because the assessment recognises the full coastal environment affected by the proposal, rather than treating the site only as a port or industrial location. Policy 1 requires the coastal environment to be identified by reference to its physical, ecological, natural character, landscape, amenity, cultural and use related characteristics. The proposal is located within the coastal marine area and adjoining the existing Northport / Marsden Point industrial and port environment. It therefore sits within a coastal environment that has a strongly modified working harbour character, but which also remains part of the wider Whangārei Harbour coastal system. The assessment responds to that nuance. It recognises that the site and its immediate setting are influenced by existing reclamation, port infrastructure, dredged navigation areas, industrial activity, coastal edge modification, lighting, traffic and vessel movements. Those characteristics are relevant to the scale and nature of effects, and to whether further marine industrial development is appropriate in this location. At the same time, the assessment recognises that the wider coastal environment includes harbour waters, intertidal areas, coastal processes, shorebird values, potential kororā habitat, marine mammal values, public access and recreational use, and tangata whenua relationships with Whangārei Harbour, Poupouwhenua / Marsden Point and associated coastal resources. Those matters have been addressed through the relevant technical assessments and proposed management responses embodied in the conditions of consent. The proposal will physically alter part of the coastal marine area through reclamation, dredging, structures and operational use. However, the effects are confined to a coastal environment already characterised by port and marine industrial activity, and the relevant coastal characteristics have been identified and assessed at an appropriate scale. The proposal therefore gives effect to Policy 1 by properly recognising both the modified working harbour context and the continuing coastal values that remain relevant to the assessment.
Policy 2 – The Treaty of Waitangi, tangata whenua and Māori In taking account of the principles of the Treaty of Waitangi (Te Tiriti o Waitangi), and kaitiakitanga, in relation to the coastal environment:	Policy 2 is directly engaged because the proposal affects a coastal environment in which tangata whenua have traditional and continuing cultural relationships.

recognise that tangata whenua have traditional and continuing cultural relationships with areas of the coastal environment, including places where they have lived and fished for generations; involve iwi authorities or hapū on behalf of tangata whenua in the preparation of regional policy statements, and plans, by undertaking effective consultation with tangata whenua; with such consultation to be early, meaningful, and as far as practicable in accordance with tikanga Māori; with the consent of tangata whenua and as far as practicable in accordance with tikanga Māori, incorporate mātauranga Māori in regional policy statements, in plans, and in the consideration of applications for resource consents, notices of requirement for designation and private plan changes; provide opportunities in appropriate circumstances for Māori involvement in decision making, for example when a consent application or notice of requirement is dealing with cultural localities or issues of cultural significance, and Māori experts, including pūkenga², may have knowledge not otherwise available; take into account any relevant iwi resource management plan and any other relevant planning document recognised by the appropriate iwi authority or hapū and lodged with the council, to the extent that its content has a bearing on resource management issues in the region or district; and where appropriate incorporate references to, or material from, iwi resource management plans in regional policy statements and in plans; and consider providing practical assistance to iwi or hapū who have indicated a wish to develop iwi resource management plans; provide for opportunities for tangata whenua to exercise kaitiakitanga over waters, forests, lands, and fisheries in the coastal environment through such measures as: bringing cultural understanding to monitoring of natural resources; providing appropriate methods for the management, maintenance and protection of the taonga of tangata whenua; having regard to regulations, rules or bylaws relating to ensuring sustainability of fisheries resources such as taiāpure, mahinga mātaimai or other non commercial Māori customary fishing; in consultation and collaboration with tangata whenua, working as far as	The policy requires those relationships to be recognised, opportunities for tangata whenua involvement to be provided, and relevant iwi resource management plans and cultural information to be taken into account. The proposal responds to those requirements by relying on the available cultural values information and the Patuharakeke Hapu Environmental Management Plan, and by proposing conditions that can provide for tangata whenua input into management plans, cultural monitoring, ecological and coastal monitoring, accidental discovery procedures and monitoring and response. The proposal is not culturally neutral. Reclamation, dredging, coastal edge modification and effects on harbour ecology and mahinga mātaimai are matters of cultural significance. Those effects are acknowledged as residual effects and managed through an ongoing role for tangata whenua in implementation and monitoring. Overall, the proposal is partially consistent with Policy 2. It recognises the relevant tangata whenua interests and provides a pathway for kaitiakitanga and cultural values to inform project delivery, but consistency is qualified because residual cultural effects remain and require careful condition based management.
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practicable in accordance with tikanga Māori, and recognising that tangata whenua have the right to choose not to identify places or values of historic, cultural or spiritual significance or special value: recognise the importance of Māori cultural and heritage values through such methods as historic heritage, landscape and cultural impact assessments; and provide for the identification, assessment, protection and management of areas or sites of significance or special value to Māori, including by historic analysis and archaeological survey and the development of methods such as alert layers and predictive methodologies for identifying areas of high potential for undiscovered Māori heritage, for example coastal pā or fishing villages.	
Policy 3 – Precautionary approach 1. Adopt a precautionary approach towards proposed activities whose effects on the coastal environment are uncertain, unknown, or little understood, but potentially significantly adverse. 2. In particular, adopt a precautionary approach to use and management of coastal resources potentially vulnerable to effects from climate change, so that: a. avoidable social and economic loss and harm to communities does not occur; b. natural adjustments for coastal processes, natural defences, ecosystems, habitat and species are allowed to occur; and c. the natural character, public access, amenity and other values of the coastal environment meet the needs of future generations.	The proposal is consistent with Policy 3 because the assessment has adopted a cautious approach to potential adverse effects on the coastal environment, particularly where the receiving environment supports ecological, cultural and public access values. Policy 3 is relevant because the proposal involves reclamation, dredging, construction within the coastal marine area, stormwater discharge, and ongoing marine industrial activities. These activities have the potential to affect coastal processes, water quality, indigenous biodiversity, avifauna, marine mammals, kororā / little blue penguin, cultural values, public access and amenity. The assessment has therefore proceeded on the basis that these matters require specific identification and management, rather than assuming that the modified port edge setting removes the need for caution. The proposal responds to the policy through specialist technical assessment, conservative design assumptions, species specific management procedures, construction controls, dredging and sediment controls, stormwater and washwater treatment, biosecurity measures, avifauna and marine mammal controls, kororā survey and protection procedures, and enforceable consent conditions. The precautionary response is particularly evident in relation to kororā and marine mammals. Although kororā have not been recorded within the project footprint during surveys to date, the western revetment provides potential habitat and a precautionary wildlife approval and management framework is proposed to avoid injury, mortality or significant disturbance if kororā are encountered. For marine mammals, impact piling is treated as the principal risk activity and is managed through source reduction, soft-start / ramp-up, daylight piling controls, MMOZ / EMMOZ procedures, dredging observation where

	relevant, acoustic validation, incident response and review of management zones to avoid acoustic injury and minimise temporary behavioural disturbance. Overall, the proposal gives effect to Policy 3 because potential adverse effects have been identified and assessed conservatively, and the proposed design, management and consent conditions provide a structured and enforceable response to areas of uncertainty or potential risk.
Policy 4 - Integration Provide for the integrated management of natural and physical resources in the coastal environment, and activities that affect the coastal environment. This requires: a. co-ordinated management or control of activities within the coastal environment, and which could cross administrative boundaries, particularly: i. the local authority boundary between the coastal marine area and land; ii. local authority boundaries within the coastal environment, both within the coastal marine area and on land; and iii. where hapū or iwi boundaries or rohe cross local authority boundaries; b. working collaboratively with other bodies and agencies with responsibilities and functions relevant to resource management, such as where land or waters are held or managed for conservation purposes; and c. particular consideration of situations where: i. subdivision, use, or development and its effects above or below the line of mean high water springs will require, or is likely to result in, associated use or development that crosses the line of mean high water springs; or ii. public use and enjoyment of public space in the coastal environment is affected, or is likely to be affected; or iii. development or land management practices may be affected by physical changes to the coastal environment or potential inundation from coastal hazards, including as a result of climate change; or	The proposal is consistent with Policy 4 because the assessment and proposed conditions address the coastal marine area, adjoining land, existing port infrastructure and wider Marsden Point industrial environment in an integrated way. Policy 4 is relevant because the proposal crosses the land / coastal marine area interface and involves interrelated effects on coastal processes, reclamation, dredging, stormwater, transport access, public access, ecological values, cultural values, infrastructure, port operations and adjacent land uses. Those effects cannot be assessed in isolation because the project is functionally connected to Northport, the surrounding transport network, the adjoining industrial environment and Whangārei Harbour. The proposal responds to this policy by coordinating the marine and land based components of the project. The assessment addresses reclamation and dredging alongside stormwater and washwater treatment, vessel access, construction management, transport access, public access replacement, operational noise, landscape and visual effects, ecology, avifauna, marine mammals, kororā and cultural values. The proposed conditions also provide a mechanism for coordinating the construction and operational controls across the relevant approval areas. The proposal is also consistent with the policy's direction to recognise the connections between the coastal marine area and activities on land. The shipyard and drydock / ship lift require direct access to navigable water, but also require land based hardstand, servicing, access, treatment, storage and operational areas. The project has therefore been assessed as an integrated marine industrial activity, rather than as separate coastal and land use components. Overall, the proposal gives effect to Policy 4 because the application recognises the physical, operational and effects based connections between the CMA, adjoining land,

iv. land use activities affect, or are likely to affect, water quality in the coastal environment and marine ecosystems through increasing sedimentation; or v. significant adverse cumulative effects are occurring, or can be anticipated.	Northport, the transport network and the wider harbour environment, and manages those matters through an integrated assessment and coordinated set of conditions.
Policy 5 – Land or waters managed or held under other Acts 1. Consider effects on land or waters in the coastal environment held or managed under: a. the Conservation Act 1987 and any Act listed in the 1st Schedule to that Act; or b. other Acts for conservation or protection purposes; and, having regard to the purposes for which the land or waters are held or managed: c. avoid adverse effects of activities that are significant in relation to those purposes; and d. otherwise avoid, remedy or mitigate adverse effects of activities in relation to those purposes. 2. Have regard to publicly notified proposals for statutory protection of land or waters in the coastal environment and the adverse effects of activities on the purposes of that proposed statutory protection.	The proposal is consistent with Policy 5. The policy requires particular attention to adverse effects on land or waters in the coastal environment that are held or managed under the Conservation Act 1987, an Act listed in the First Schedule to that Act, or another Act for conservation or protection purposes. The proposal does not involve works within land administered by the Department of Conservation or within a public conservation area. However, the coastal marine area and harbour margins support values that are relevant to conservation and protection purposes, including shorebird habitat, marine mammal values, intertidal ecology and potential kororā / little blue penguin habitat associated with the western revetment. Those values have been assessed through the relevant ecological, avifauna, marine mammal and wildlife approval material. The proposal avoids significant adverse effects on those conservation related values through its design and management response. This includes construction controls, dredging and sediment controls, stormwater and washwater treatment, avifauna management, marine mammal procedures, biosecurity measures, kororā survey and protection procedures, and conditions securing implementation of those measures. Where other adverse effects on conservation related values may occur, they are avoided, remedied or mitigated through the same management framework. There are no known publicly notified proposals for statutory protection of land or waters in the project footprint that would be compromised by the proposal. Overall, the proposal gives effect to Policy 5 because effects on relevant conservation and protection values have been identified and addressed having regard to the purposes for which those values are managed or protected.

Policy 6 – Activities in the coastal environment

1. In relation to the coastal environment:

- a. recognise that the provision of infrastructure, the supply and transport of energy including the generation and transmission of electricity, and the extraction of minerals are activities important to the social, economic and cultural well-being of people and communities;
- b. consider the rate at which built development and the associated public infrastructure should be enabled to provide for the reasonably foreseeable needs of population growth without compromising the other values of the coastal environment;
- c. encourage the consolidation of existing coastal settlements and urban areas where this will contribute to the avoidance or mitigation of sprawling or sporadic patterns of settlement and urban growth;
- d. recognise tangata whenua needs for papakāinga², marae and associated developments and make appropriate provision for them;
- e. consider where and how built development on land should be controlled so that it does not compromise activities of national or regional importance that have a functional need to locate and operate in the coastal marine area;
- f. consider where development that maintains the character of the existing built environment should be encouraged, and where development resulting in a change in character would be acceptable;
- g. take into account the potential of renewable resources in the coastal environment, such as energy from wind, waves, currents and tides, to meet the reasonably foreseeable needs of future generations;
- h. consider how adverse visual impacts of development can be avoided in areas sensitive to such effects, such as headlands and prominent ridgelines, and as far as practicable and reasonable apply controls or conditions to avoid those effects;

The proposal is consistent with Policy 6 because it is infrastructure with a functional and operational need to locate in the coastal environment and coastal marine area, and it is located in a place where that form of development is appropriate.

Policy 6 expressly recognises that infrastructure is important to the social, economic and cultural wellbeing of people and communities. The proposal responds to that direction by providing a marine maintenance, drydock / ship lift and shipyard facility that will support vessel servicing, port related activity, employment, investment, maritime resilience and the economic wellbeing of Whangārei, Northland and New Zealand.

The policy also requires consideration of where development is enabled, where change in the character of the existing built environment is acceptable, and how activities with a functional need to locate in the coastal marine area are provided for in appropriate places. The proposal meets that direction. It requires direct access to navigable water, berthage, manoeuvring space, vessel haul-out capability, hardstand, servicing areas and integration with port related infrastructure. These operational requirements cannot be met in an inland location or by avoiding the coastal marine area.

The Marsden Point / Northport location is appropriate because it is already a modified working harbour environment characterised by port infrastructure, reclamation, dredged access, vessel movements, industrial activity and transport connections. The proposal consolidates further marine industrial infrastructure within that established setting, rather than dispersing it into a less modified or more sensitive coastal location.

Policy 6 also requires public open space, recreation, natural character, amenity, indigenous biodiversity, historic heritage and tangata whenua matters to be recognised in determining the appropriateness of coastal development. The proposal responds to those matters through its design, replacement public access and fishing platform, landscape and natural character assessment, ecological and species specific controls, archaeological assessment, cultural conditions, construction management and operational controls.

Overall, the proposal gives effect to Policy 6 because it provides for infrastructure that has a functional need to locate in the coastal marine area, makes efficient use of an established port and industrial coastal setting, and manages the relevant coastal environment values that inform whether the use and development is appropriate.

i. set back development from the coastal marine area and other water bodies, where practicable and reasonable, to protect the natural character, open space, public access and amenity values of the coastal environment; and j. where appropriate, buffer areas and sites of significant indigenous biological diversity, or historic heritage value. 2. Additionally, in relation to the coastal marine area: a. recognise potential contributions to the social, economic and cultural wellbeing of people and communities from use and development of the coastal marine area, including the potential for renewable marine energy to contribute to meeting the energy needs of future generations; b. recognise the need to maintain and enhance the public open space and recreation qualities and values of the coastal marine area; c. recognise that there are activities that have a functional need to be located in the coastal marine area, and provide for those activities in appropriate places; d. recognise that activities that do not have a functional need for location in the coastal marine area generally should not be located there; and e. promote the efficient use of occupied space, including by: i. requiring that structures be made available for public or multiple use wherever reasonable and practicable; ii. requiring the removal of any abandoned or redundant structure that has no heritage, amenity or reuse value; and iii. considering whether consent conditions should be applied to ensure that space occupied for an activity is used for that purpose effectively and without unreasonable delay.	
Policy 9 – Ports	Policy 9 is not relied on as a primary enabling provision because the proposal is not a port activity. The project is a shipyard / drydock / vessel maintenance activity that is functionally complementary to the adjoining port environment, but it is not itself advanced as a port.

Recognise that a sustainable national transport system requires an efficient national network of safe ports, servicing national and international shipping, with efficient connections with other transport modes, including by: 1. ensuring that development in the coastal environment does not adversely affect the efficient and safe operation of these ports, or their connections with other transport modes; and 2. considering where, how and when to provide in regional policy statements and in plans for the efficient and safe operation of these ports, the development of their capacity for shipping, and their connections with other transport modes.	The policy remains contextually relevant because the proposal adjoins Northport and must be designed and operated so that it does not compromise the efficient and safe operation of the port or its transport connections. The proposal responds to that matter through its access arrangements, navigation safety assessment, dredging and manoeuvring design, construction controls, liaison with the Harbourmaster, and operational separation from existing port activities. On that basis, the proposal is not inconsistent with Policy 9, but the principal enabling support for the proposal is derived from NZCPS Objective 6, Policy 6, Policy 10, the NPS-I, the RPS / RPN RSI provisions, and the project's Schedule 2 FTAA status.
Policy 10 – Reclamations 1. Avoid reclamation of land in the coastal marine area, unless: a. land outside the coastal marine area is not available for the proposed activity; b. the activity which requires reclamation can only occur in or adjacent to the coastal marine area; c. there are no practicable alternative methods of providing the activity; and d. the reclamation will provide significant regional or national benefit. 2. Where a reclamation is considered to be a suitable use of the coastal marine area, in considering its form and design have particular regard to: a. the potential effects on the site of climate change, including sea level rise, over no less than 100 years; b. the shape of the reclamation and, where appropriate, whether the materials used are visually and aesthetically compatible with the adjoining coast; c. the use of materials in the reclamation, including avoiding the use of contaminated materials that could significantly adversely affect water	The proposal is consistent with Policy 10. The policy requires reclamation to be avoided unless specified matters are satisfied, including whether the activity can reasonably occur on land outside the coastal marine area, whether there is a functional need for the activity to be located in the CMA, and whether the reclamation is the most appropriate method for providing for the activity. The proposal has a functional and operational need to be located partly within the coastal marine area. A shipyard and drydock / ship lift facility requires direct physical connection with navigable water, safe vessel access, berthage, manoeuvring space, vessel haul-out capability, heavy load transfer areas and adjoining hardstand. Those elements cannot be provided wholly on land outside the CMA. The reclamation is therefore required to enable the infrastructure to function. The proposal is also located in an appropriate location. It adjoins the existing Northport reclamation and Marsden Point industrial environment, rather than extending reclamation into an undeveloped or highly natural coastal setting. This consolidates marine industrial infrastructure within an existing modified working harbour environment and avoids dispersing comparable infrastructure to a less suitable coastal location. The scale and form of reclamation have been developed to provide the operational area necessary for the drydock / ship lift, wharf structures, hardstand, servicing, access, treatment systems and public access arrangements. The proposal therefore makes efficient use of the reclaimed area and integrates the reclamation with the adjoining port and industrial environment.

quality, aquatic ecosystems and indigenous biodiversity in the coastal marine area; d. providing public access, including providing access to and along the coastal marine area at high tide where practicable, unless a restriction on public access is appropriate as provided for in Policy 19; e. the ability to remedy or mitigate adverse effects on the coastal environment; f. whether the proposed activity will affect cultural landscapes and sites of significance to tangata whenua; and g. the ability to avoid consequential erosion and accretion, and other natural hazards. 3. In considering proposed reclamations, have particular regard to the extent to which the reclamation and intended purpose would provide for the efficient operation of infrastructure, including ports, airports, coastal roads, pipelines, electricity transmission, railways and ferry terminals, and of marinas and electricity generation. 4. De-reclamation of redundant reclaimed land is encouraged where it would: a. restore the natural character and resources of the coastal marine area; and b. provide for more public open space.	Policy 10 also requires adverse effects of reclamation to be assessed and managed, including effects on natural character, ecological values, coastal processes, public access, cultural values, water quality and existing uses of the CMA. Those matters have been addressed through the technical assessments and proposed conditions. The proposal provides replacement public access and a fishing platform, incorporates stormwater and washwater treatment, and includes construction, dredging, ecological, avifauna, marine mammal, kororā and cultural management measures. Overall, the proposal gives effect to Policy 10 because the reclamation is necessary for an activity that must locate in the CMA, is appropriately located adjoining existing port infrastructure, is limited to the area required for the proposed marine industrial function and has been designed and conditioned to manage its effects.
Policy 11 – Indigenous biological diversity (biodiversity) To protect indigenous biological diversity in the coastal environment: a. avoid adverse effects of activities on: i. indigenous taxa⁴ that are listed as threatened⁵ or at risk in the New Zealand Threat Classification System lists; ii. taxa that are listed by the International Union for Conservation of Nature and Natural Resources as threatened;	Policy 11 is a central NZCPS provision for the proposal and requires separate consideration of effects on threatened or at-risk taxa and effects on protected ecosystems and habitats. Northern New Zealand dotterel is a threatened taxon for the purposes of Policy 11(a)(i). The Coastal Avifauna Assessment identifies a moderate overall ecological effect arising principally from permanent loss of some intertidal foraging habitat and temporary disturbance and displacement. Subject to the proposed management measures, injury and mortality will be avoided. The assessment does not identify effects that will materially affect breeding success, recruitment, local population viability, the species' natural range or persistence of the taxon. The proposal is therefore assessed as achieving the avoidance

iii. indigenous ecosystems and vegetation types that are threatened in the coastal environment, or are naturally rare⁶; iv. habitats of indigenous species where the species are at the limit of their natural range, or are naturally rare; v. areas containing nationally significant examples of indigenous community types; and vi. areas set aside for full or partial protection of indigenous biological diversity under other legislation; and b. avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on: i. areas of predominantly indigenous vegetation in the coastal environment; ii. habitats in the coastal environment that are important during the vulnerable life stages of indigenous species; iii. indigenous ecosystems and habitats that are only found in the coastal environment and are particularly vulnerable to modification, including estuaries, lagoons, coastal wetlands, dunelands, intertidal zones, rocky reef systems, eelgrass and saltmarsh; iv. habitats of indigenous species in the coastal environment that are important for recreational, commercial, traditional or cultural purposes; v. habitats, including areas and routes, important to migratory species; and vi. ecological corridors, and areas important for linking or maintaining biological values identified under this policy.	outcome in Policy 11(a)(i) in relation to northern New Zealand dotterel, notwithstanding the habitat loss and moderate ecological effect rating. The proposal is not, however, in full alignment with Policy 11. Reclamation and dredging will permanently remove or modify intertidal and subtidal habitat with significant ecological values. The affected habitat includes intertidal zones and other vulnerable coastal habitats addressed by Policy 11(b), and the Marine Ecology Assessment identifies significant adverse effects on relevant habitat values at the applicable scales. New hard substrate habitat associated with revetments and piles is not ecologically equivalent to the soft sediment, shell gravel, macroalgal and other benthic habitats lost. Marine mammal effects are principally temporary and construction related. Acoustic injury is expected to be avoided through the MMMP and associated controls, while residual behavioural disturbance and temporary habitat exclusion remain subject to enforceable management, monitoring and response requirements. Overall, the threatened taxon avoidance outcome for northern New Zealand dotterel may be achieved, but the habitat related avoidance outcomes in Policy 11(b) are not fully achieved. The proposal therefore achieves the threatened taxon avoidance outcome in relation to northern New Zealand dotterel, but is not fully aligned with the habitat related avoidance outcomes in Policy 11(b).
Policy 12 – Harmful aquatic organisms 1. Provide in regional policy statements and in plans, as far as practicable, for the control of activities in or near the coastal marine area that could have adverse effects on the coastal environment by causing harmful aquatic organisms⁷ to be released or otherwise spread, and include conditions in	The proposal directly engages Policy 12 because it involves dredging, reclamation, wharf structures, vessel movements, vessel maintenance activity, stormwater and washwater management, and ongoing marine industrial operations within the coastal marine area. Those activities have the potential to create pathways for the introduction or spread of harmful aquatic organisms, including marine pest species, where not properly managed. Policy 12 is directed at managing activities in the coastal environment so that the risk of

resource consents, where relevant, to assist with managing the risk of such effects occurring. 2. Recognise that activities relevant to (1) include: a. the introduction of structures likely to be contaminated with harmful aquatic organisms; b. the discharge or disposal of organic material from dredging, or from vessels and structures, whether during maintenance, cleaning or otherwise; and whether in the coastal marine area or on land; c. the provision and ongoing maintenance of moorings, marina berths, jetties and wharves; and d. the establishment and relocation of equipment and stock required for or associated with aquaculture.	introducing or spreading harmful aquatic organisms is reduced. The relevant issue is therefore not only whether marine pests are currently present, but whether the proposal could increase the likelihood of their transfer through construction plant, dredging equipment, vessels, floating infrastructure, hulls, niche areas, ballast or biofouling pathways. The proposal responds to Policy 12 through separate biosecurity management frameworks for construction and operation. The Construction Biosecurity Management Plan will manage construction phase risks associated with vessels, barges, plant, dredging equipment and other equipment entering or operating within the coastal marine area. The Operational Biosecurity Management Plan will manage ongoing risks associated with vessels using the drydock / ship lift and shipyard facility. Those plans include clear procedures for vessel and equipment inspection, cleaning requirements where necessary, record keeping, reporting, response procedures if suspected marine pests are identified, and alignment with applicable marine biosecurity guidance and statutory requirements. This is particularly important because the facility will service vessels and therefore has an ongoing biosecurity pathway risk greater than a passive coastal structure. Subject to those construction and operational biosecurity controls being secured through conditions, the proposal gives effect to Policy 12. The proposal recognises the potential for harmful aquatic organisms to be introduced or spread through both construction and operational pathways, and provides a practical and enforceable mechanism to reduce that risk to an acceptable level.
Policy 13 – Preservation of natural character 1. To preserve the natural character of the coastal environment and to protect it from inappropriate subdivision, use, and development: a. avoid adverse effects of activities on natural character in areas of the coastal environment with outstanding natural character; and b. avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on natural character in all other areas of the coastal environment; including by:	The proposal is consistent with Policy 13. The policy requires the preservation of the natural character of the coastal environment and protection from inappropriate subdivision, use and development. It also requires decision makers to avoid adverse effects on areas of outstanding natural character, and to avoid significant adverse effects and avoid, remedy or mitigate other adverse effects on natural character in all other areas of the coastal environment. The proposal is not located within an area identified as having outstanding or high natural character. It is located adjoining Northport within the Marsden Point working harbour environment, where natural character has been substantially modified by reclamation, port infrastructure, dredged navigation areas, industrial activity, coastal edge modification, lighting, traffic and vessel movements. That context is important because Policy 13 does not

c. assessing the natural character of the coastal environment of the region or district, by mapping or otherwise identifying at least areas of high natural character; and d. ensuring that regional policy statements, and plans, identify areas where preserving natural character requires objectives, policies and rules, and include those provisions. 2. Recognise that natural character is not the same as natural features and landscapes or amenity values and may include matters such as: a. natural elements, processes and patterns; b. biophysical, ecological, geological and geomorphological aspects; c. natural landforms such as headlands, peninsulas, cliffs, dunes, wetlands, reefs, freshwater springs and surf breaks; d. the natural movement of water and sediment; e. the natural darkness of the night sky; f. places or areas that are wild or scenic; g. a range of natural character from pristine to modified; and h. experiential attributes, including the sounds and smell of the sea; and their context or setting.	require all coastal environments to be treated as if they have the same level of natural character. The proposal will result in further localised modification of the coastal environment through reclamation, dredging, marine structures, hardstand, buildings and operational activity. However, that change occurs within an already modified port edge setting and consolidates marine industrial development in a location where such activities are expected and appropriate. It does not extend development into an undeveloped, highly natural or outstanding coastal environment. The Landscape Assessment identifies moderate-high natural character effects at the Albany Road beachfront and Blacksmiths Creek Reserve and moderate effects at Marsden Bay Reserve. Those effects reduce at the wider harbour scale and do not reach the significant adverse effects threshold in Policy 13(1)(b). The relevant natural character effects have been assessed having regard to the actual characteristics of the site and wider setting. The proposal avoids adverse effects on outstanding natural character because no such area is affected. It also avoids significant adverse effects on natural character more generally, with remaining effects addressed through the project layout, coastal edge design, integration with the existing port environment, public access arrangements, ecological measures, construction controls and operational management. Overall, the proposal gives effect to Policy 13 because it preserves the natural character of the coastal environment from inappropriate use and development. While the proposal will result in localised physical change, that change is appropriate in this modified working harbour context and the resulting natural character effects are appropriately avoided, remedied or mitigated.
Policy 14 – Restoration of natural character Promote restoration or rehabilitation of the natural character of the coastal environment, including by: a. identifying areas and opportunities for restoration or rehabilitation; b. providing policies, rules and other methods directed at restoration or rehabilitation in regional policy statements, and plans;	The proposal is of limited relevance to Policy 14.

c. where practicable, imposing or reviewing restoration or rehabilitation conditions on resource consents and designations, including for the continuation of activities; and recognising that where degraded areas of the coastal environment require restoration or rehabilitation, possible approaches include: i. restoring indigenous habitats and ecosystems, using local genetic stock where practicable; or ii. encouraging natural regeneration of indigenous species, recognising the need for effective weed and animal pest management; or iii. creating or enhancing habitat for indigenous species; or iv. rehabilitating dunes and other natural coastal features or processes, including saline wetlands and intertidal saltmarsh; or v. restoring and protecting riparian and intertidal margins; or vi. reducing or eliminating discharges of contaminants; or vii. removing redundant structures and materials that have been assessed to have minimal heritage or amenity values and when the removal is authorised by required permits, including an archaeological authority under the Historic Places Act 1993; or viii. restoring cultural landscape features; or ix. redesign of structures that interfere with ecosystem processes; or x. decommissioning or restoring historic landfill and other contaminated sites which are, or have the potential to, leach material into the coastal marine area.	
Policy 15 – Natural features and landscapes To protect the natural features and natural landscapes (including seascapes) of the coastal environment from inappropriate subdivision, use, and development: a. avoid adverse effects of activities on outstanding natural features and outstanding natural landscapes in the coastal environment; and	The proposal is consistent with Policy 15. The policy requires the protection of natural features and natural landscapes, including by avoiding adverse effects on outstanding natural features and outstanding natural landscapes, and avoiding significant adverse effects and avoiding, remedying or mitigating other adverse effects on other natural features and natural landscapes in the coastal environment.

b. avoid significant adverse effects and avoid, remedy, or mitigate other adverse effects of activities on other natural features and natural landscapes in the coastal environment; including by: c. identifying and assessing the natural features and natural landscapes of the coastal environment of the region or district, at minimum by land typing, soil characterisation and landscape characterisation and having regard to: i. natural science factors, including geological, topographical, ecological and dynamic components; ii. the presence of water including in seas, lakes, rivers and streams; iii. legibility or expressiveness – how obviously the feature or landscape demonstrates its formative processes; iv. aesthetic values including memorability and naturalness; v. vegetation (native and exotic); vi. transient values, including presence of wildlife or other values at certain times of the day or year; vii. whether the values are shared and recognised; viii. cultural and spiritual values for tangata whenua, identified by working, as far as practicable, in accordance with tikanga Māori; including their expression as cultural landscapes and features; ix. historical and heritage associations; and x. wild or scenic values; d. ensuring that regional policy statements, and plans, map or otherwise identify areas where the protection of natural features and natural landscapes requires objectives, policies and rules; and e. including the objectives, policies and rules required by (d) in plans.	The proposal is not located within an Outstanding Natural Feature or Outstanding Natural Landscape. The expert assessment has not identified significant adverse effects on natural features or natural landscapes. That conclusion is supported by the particular characteristics of the site and setting. The proposal is located within a highly modified port and marine industrial environment, where the coastal edge has already been substantially changed by reclamation, port infrastructure, dredging, vessel movements, lighting, access and industrial activity. The affected area is also limited in spatial extent and forms a logical extension of the existing developed port edge, rather than introducing development into a natural or visually sensitive coastal landscape. The proposal will involve permanent physical change through reclamation, marine structures, buildings, hardstand and operational activity. However, those changes will be read in the context of the existing Northport and Marsden Point industrial environment and will not materially alter the character or values of the wider coastal landscape. The proposal also avoids expansion into less modified parts of the coast and consolidates marine industrial infrastructure in a location where that form of development is appropriate. The Landscape Assessment nevertheless identifies high localised landscape effects at Marsden Bay Reserve and the Albany Road beachfront. Those ratings describe appreciable effects within those local receiving environments. At the wider harbour landscape scale, the effects reduce materially and the broader landscape structure and identity of Whangārei Harbour will remain legible. Overall, the proposal gives effect to Policy 15 because it does not affect any Outstanding Natural Feature or Outstanding Natural Landscape, avoids significant adverse effects on other natural features and landscapes, and manages remaining landscape and visual effects through its location, layout and integration with the existing working harbour environment.
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Policy 17 – Historic heritage Protect historic heritage^a in the coastal environment from inappropriate subdivision, use, and development by: a. identification, assessment and recording of historic heritage, including archaeological sites; b. providing for the integrated management of such sites in collaboration with relevant councils, heritage agencies, iwi authorities and kaitiaki; c. initiating assessment and management of historic heritage in the context of historic landscapes; d. recognising that heritage to be protected may need conservation; e. facilitating and integrating management of historic heritage that spans the line of mean high water springs; f. including policies, rules and other methods relating to (a) to (e) above in regional policy statements, and plans; g. imposing or reviewing conditions on resource consents and designations, including for the continuation of activities; h. requiring, where practicable, conservation conditions; and i. considering provision for methods that would enhance owners' opportunities for conservation of listed heritage structures, such as relief grants or rates relief.	The proposal is consistent with Policy 17. The policy requires historic heritage in the coastal environment to be identified and protected from inappropriate subdivision, use and development. The proposal has been assessed in terms of the historic and archaeological values of the site and surrounding coastal environment. The assessment identifies the historic context of Marsden Point and Whangārei Harbour, including Māori occupation, later European activity, and previously recorded archaeological sites in the wider area. That responds directly to the policy's direction to identify historic heritage before determining whether the proposal is appropriate. The proposal is not expected to directly affect any known recorded archaeological site or scheduled historic heritage item. The main heritage risk is the potential for previously unidentified archaeological material to be encountered during works, particularly given the wider cultural and historical context of the harbour and coastal margins. That risk is appropriately managed through standard archaeological and accidental discovery procedures, including requirements to cease works if suspected archaeological material, kōiwi or taonga are discovered, secure the discovery area, notify the relevant parties, and obtain any required statutory authority before works recommence. Those procedures are important because Policy 17 is concerned not only with known heritage, but also with protecting heritage values that may be identified through the development process. Overall, the proposal gives effect to Policy 17 because historic heritage has been considered at the appropriate scale, no known historic heritage values are expected to be directly affected, and conditions can secure a clear process for protecting any archaeological or cultural heritage material discovered during construction.
Policy 18 – Public Open Space Recognise the need for public open space within and adjacent to the coastal marine area, for public use and appreciation including active and passive recreation, and provide for such public open space, including by:	The proposal is consistent with Policy 18. The policy recognises the need for public open space within and adjacent to the coastal marine area for public use and appreciation of the coastal environment. In applying that policy, the nature of the coastal setting is important. The proposal is located adjoining Northport within an established working harbour and marine industrial environment. It is not a passive recreational coastal setting where

a. ensuring that the location and treatment of public open space is compatible with the natural character, natural features and landscapes, and amenity values of the coastal environment; b. taking account of future need for public open space within and adjacent to the coastal marine area, including in and close to cities, towns and other settlements; c. maintaining and enhancing walking access linkages between public open space areas in the coastal environment; d. considering the likely impact of coastal processes and climate change so as not to compromise the ability of future generations to have access to public open space; and e. recognising the important role that esplanade reserves and strips can have in contributing to meeting public open space needs.	unrestricted public use of the coastal edge would be appropriate. Operational safety, port security, vessel movements, heavy vehicle access and shipyard activities necessarily influence where public access and public open space can safely and practically occur. The proposal will modify part of the coastal marine area and change the existing coastal edge. However, it also provides a defined public access route around the edge of the reclamation and access to a public fishing platform. This maintains an enduring opportunity for the public to access, use and appreciate the coastal marine area, while separating public users from operational shipyard and drydock activities. Policy 18 does not require all parts of the coastal marine area to remain available for public use where infrastructure with a functional need to locate in the CMA is proposed. The relevant outcome is that public open space and public access are provided in a form that is safe, practical and appropriate to the working harbour context. Overall, the proposal gives effect to Policy 18 because it recognises the public value of the coastal edge and provides for public access and recreation, while appropriately managing the operational and safety constraints associated with marine industrial infrastructure.
Policy 19 – Walking access 1. Recognise the public expectation of and need for walking access to and along the coast that is practical, free of charge and safe for pedestrian use. 2. Maintain and enhance public walking access to, along and adjacent to the coastal marine area, including by: a. identifying how information on where the public have walking access will be made publicly available; b. avoiding, remedying or mitigating any loss of public walking access resulting from subdivision, use, or development; and c. identifying opportunities to enhance or restore public walking access, for example where: i. connections between existing public areas can be provided; or ii. improving access would promote outdoor recreation; or iii. physical access for people with disabilities is desirable; or	The proposal is consistent with Policy 19. The policy seeks to maintain and enhance public walking access to, along and adjacent to the coastal marine area, while recognising that restrictions may be appropriate where necessary for reasons such as public safety, security, operational requirements, or protection of sensitive values. The proposal will modify the existing coastal edge through reclamation and marine industrial development. However, public walking access is retained by providing a continuation of walking access from Papich Road to the western side of the reclamation and to the relocated fishing jetty. This ensures that the public will continue to have a practical and defined route to the coastal marine area and to a key recreational destination. The access outcome is appropriate to the working harbour context. Unrestricted access through the shipyard, drydock / ship lift, wharf and operational areas would not be compatible with public safety and the security requirements of the activity. Overall, the proposal gives effect to Policy 19 because walking access to and along the coastal marine area is retained through a defined route from Papich Road to the western

iv. the long-term availability of public access is threatened by erosion or sea level rise; or v. access to areas or sites of historic or cultural significance is important; or vi. subdivision, use, or development of land adjacent to the coastal marine area has reduced public access, or has the potential to do so. 3. Only impose a restriction on public walking access to, along or adjacent to the coastal marine area where such a restriction is necessary: a. to protect threatened indigenous species; or b. to protect dunes, estuaries and other sensitive natural areas or habitats; or c. to protect sites and activities of cultural value to Māori; or d. to protect historic heritage; or e. to protect public health or safety; or f. to avoid or reduce conflict between public uses of the coastal marine area and its margins; or g. for temporary activities or special events; or h. for defence purposes in accordance with the Defence Act 1990; or i. to ensure a level of security consistent with the purpose of a resource consent; or j. in other exceptional circumstances sufficient to justify the restriction. 4. Before imposing any restriction under (3), consider and where practicable provide for alternative routes that are available to the public free of charge at all times.	side of the reclamation and the relocated fishing jetty, while necessary operational and safety constraints are appropriately managed.
Policy 20 – Vehicle access 1. Control use of vehicles, apart from emergency vehicles, on beaches, foreshore, seabed and adjacent public land where:	The proposal is consistent with Policy 20. The policy is directed at controlling vehicle use on beaches, foreshore, seabed and adjacent public land where that use may damage coastal processes, ecological systems, indigenous flora and fauna, historic heritage, fisheries

a. damage to dune or other geological systems and processes; or b. harm to ecological systems or to indigenous flora and fauna, for example marine mammal and bird habitats or breeding areas and shellfish beds; or c. danger to other beach users; or d. disturbance of the peaceful enjoyment of the beach environment; or e. damage to historic heritage; or f. damage to the habitats of fisheries resources of significance to customary, commercial or recreational users; or g. damage to sites of significance to tangata whenua; might result. 2. Identify the locations where vehicular access is required for boat launching, or as the only practicable means of access to private property or public facilities, or for the operation of existing commercial activities, and make appropriate provision for such access. 3. Identify any areas where and times when recreational vehicular use on beaches, foreshore and seabed may be permitted, with or without restriction as to type of vehicle, without a likelihood of any of (1)(a) to (g) occurring.	habitat, sites of significance to tangata whenua, or create danger or disturbance for other users. The proposal does not provide for general vehicle access to the beach, foreshore or seabed. Public access to the relocated fishing jetty will be by walking access, rather than by vehicles onto the coastal edge. That approach is appropriate given the ecological, cultural, recreational and safety values associated with the coastal margin. Vehicle access to the beach or foreshore will only be required for construction and maintenance purposes. Where that occurs, it will be limited to defined work areas, undertaken for a specific operational purpose, and controlled through consent conditions, construction methodology, traffic management, ecological controls, kororā procedures, health and safety requirements and reinstatement obligations where relevant. This controlled approach is consistent with Policy 20 because it enables necessary construction and maintenance access while avoiding unmanaged or unnecessary vehicle use in sensitive coastal areas. It also manages potential effects on intertidal habitat, shorebird values, potential kororā habitat, public safety, tangata whenua values, historic heritage and coastal amenity. Overall, the proposal gives effect to Policy 20 because vehicle access to the beach and foreshore is not generally enabled, and any required access for construction or maintenance will occur in a controlled manner subject to specific conditions / criteria.
Policy 22 – Sedimentation 1. Assess and monitor sedimentation levels and impacts on the coastal environment. 2. Require that subdivision, use, or development will not result in a significant increase in sedimentation in the coastal marine area, or other coastal water. 3. Control the impacts of vegetation removal on sedimentation including the impacts of harvesting plantation forestry. 4. Reduce sediment loadings in runoff and in stormwater systems through controls on land use activities.	The proposal directly engages this policy because it involves reclamation, dredging, construction of marine structures, earthworks and construction phase disturbance adjoining the coastal marine area. Those activities have the potential to generate sediment and turbidity where not properly managed. The proposal responds to Policy 22 through a construction methodology and sediment control framework that is specifically directed at reducing sediment generation and controlling sediment movement before it enters the coastal marine area. This includes erosion and sediment controls for land based works, controls on reclamation construction, dredging methodology, turbidity management, monitoring, and procedures for responding to any exceedances or visible sediment effects.

	The policy is also relevant to stormwater and operational discharges. The proposal separates and treats stormwater, washwater and process water so that sediment and contaminants associated with shipyard activities are not discharged untreated to the coastal marine area. Overall, the proposal gives effect to Policy 22 because sedimentation risks have been identified and are managed through construction controls, dredging controls, treatment systems, monitoring and enforceable conditions.
Policy 23 – Discharge of contaminants 1. In managing discharges to water in the coastal environment, have particular regard to: a. the sensitivity of the receiving environment; b. the nature of the contaminants to be discharged, the particular concentration of contaminants needed to achieve the required water quality in the receiving environment, and the risks if that concentration of contaminants is exceeded; and c. the capacity of the receiving environment to assimilate the contaminants; and: d. avoid significant adverse effects on ecosystems and habitats after reasonable mixing; e. use the smallest mixing zone necessary to achieve the required water quality in the receiving environment; and f. minimise adverse effects on the life-supporting capacity of water within a mixing zone. 2. In managing discharge of human sewage, do not allow: a. discharge of human sewage directly to water in the coastal environment without treatment; and b. the discharge of treated human sewage to water in the coastal environment, unless:	The proposal is consistent with Policy 23. The policy requires particular regard to be had to the sensitivity of the receiving environment, the nature of contaminants, the capacity of the receiving environment to assimilate contaminants, and the need to avoid significant adverse effects and avoid, remedy or mitigate other adverse effects on coastal water quality and ecosystems. The proposal directly engages Policy 23 because it involves stormwater discharges, potential washwater and process water, vessel maintenance activities, dredging related sediment disturbance, and operational activities that could generate contaminants if not properly contained and treated. The proposal responds to the policy by separating clean stormwater from potentially contaminated operational water, and by requiring treatment of shipyard runoff, washwater and other process related flows before discharge or disposal. That distinction is important because shipyard activities may involve contaminants different from ordinary urban stormwater, including sediment, metals, paint residues, antifouling contaminants, hydrocarbons and other vessel maintenance residues. The proposal also manages construction phase discharge risks through erosion and sediment controls, dredging controls, spill prevention, refuelling controls, hazardous substance management and monitoring. Those measures recognise the sensitivity of Whangārei Harbour as a coastal receiving environment and the need to avoid untreated or uncontrolled discharges. Overall, the proposal gives effect to Policy 23 because the discharge pathways have been identified, contaminated water streams are controlled and treated, and coastal water quality effects are managed through design, operational procedures, monitoring and enforceable conditions.

i. there has been adequate consideration of alternative methods, sites and routes for undertaking the discharge; and ii. informed by an understanding of tangata whenua values and the effects on them. 3. Objectives, policies and rules in plans which provide for the discharge of treated human sewage into waters of the coastal environment must have been subject to early and meaningful consultation with tangata whenua. 4. In managing discharges of stormwater take steps to avoid adverse effects of stormwater discharge to water in the coastal environment, on a catchment by catchment basis, by: a. avoiding where practicable and otherwise remedying cross contamination of sewage and stormwater systems; b. reducing contaminant and sediment loadings in stormwater at source, through contaminant treatment and by controls on land use activities; c. promoting integrated management of catchments and stormwater networks; and d. promoting design options that reduce flows to stormwater reticulation systems at source. 5. In managing discharges from ports and other marine facilities: a. require operators of ports and other marine facilities to take all practicable steps to avoid contamination of coastal waters, substrate, ecosystems and habitats that is more than minor; b. require that the disturbance or relocation of contaminated seabed material, other than by the movement of vessels, and the dumping or storage of dredged material does not result in significant adverse effects on water quality or the seabed, substrate, ecosystems or habitats; c. require operators of ports, marinas and other relevant marine facilities to provide for the collection of sewage and waste from vessels, and for	
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residues from vessel maintenance to be safely contained and disposed of; and d. consider the need for facilities for the collection of sewage and other wastes for recreational and commercial boating.	
Policy 24 – Identification of coastal hazards 1. Identify areas in the coastal environment that are potentially affected by coastal hazards (including tsunami), giving priority to the identification of areas at high risk of being affected. Hazard risks, over at least 100 years, are to be assessed having regard to: a. physical drivers and processes that cause coastal change including sea level rise; b. short-term and long-term natural dynamic fluctuations of erosion and accretion; c. geomorphological character; d. the potential for inundation of the coastal environment, taking into account potential sources, inundation pathways and overland extent; e. cumulative effects of sea level rise, storm surge and wave height under storm conditions; f. influences that humans have had or are having on the coast; g. the extent and permanence of built development; and h. the effects of climate change on: i. matters (a) to (g) above; ii. storm frequency, intensity and surges; and iii. coastal sediment dynamics; taking into account national guidance and the best available information on the likely effects of climate change on the region or district.	The proposal is consistent with Policy 24. The policy requires coastal hazards to be identified, including hazards associated with erosion, inundation, storm surge, sea level rise, tsunami, wave effects, sediment dynamics and other natural processes, over at least a 100-year timeframe. The proposal directly engages Policy 24 because it involves new long-life infrastructure within the coastal marine area and coastal edge at Marsden Point. The infrastructure must therefore be assessed against coastal hazard risks over its design life, rather than only against present day coastal conditions. The proposal responds to Policy 24 through the identification and assessment of relevant coastal hazards, including sea level rise, coastal inundation, storm tide, wave exposure, erosion and coastal processes. Those matters inform the reclamation level, coastal edge treatment, wharf and marine structure design, stormwater design and operational resilience of the facility. The proposal is located in a coastal environment where hazard exposure cannot be avoided altogether because the infrastructure requires direct access to navigable water. The relevant issue under Policy 24 is therefore whether the hazards have been properly identified and factored into the design and assessment. They have been. Overall, the proposal gives effect to Policy 24 because coastal hazard risks have been identified at an appropriate scale and timeframe, and those risks have informed the design and management of the infrastructure.

Policy 25 – Subdivision, use and development in areas of coastal risk In areas potentially affected by coastal hazards over at least the next 100 years: - avoid increasing the risk¹⁰ of social, environmental and economic harm from coastal hazards; - avoid redevelopment, or change in land use, that would increase the risk of adverse effects from coastal hazards; - encourage redevelopment, or change in land use, where that would reduce the risk of adverse effects from coastal hazards, including managed retreat by relocation or removal of existing structures or their abandonment in extreme circumstances, and designing for relocatability or recoverability from hazard events; - encourage the location of infrastructure away from areas of hazard risk where practicable; - discourage hard protection structures and promote the use of alternatives to them, including natural defences; and consider the potential effects of tsunami and how to avoid or mitigate them.	The proposal is consistent with Policy 25. The policy requires subdivision, use and development to avoid increasing the risk of social, environmental and economic harm from coastal hazards, avoid redevelopment or change in land use that would increase risk, encourage redevelopment that reduces risk, and avoid hard protection structures unless alternatives are not practicable. The proposal directly engages Policy 25 because it involves new infrastructure in a coastal hazard environment. However, the infrastructure has a functional and operational need to be located in the coastal marine area and adjoining coastal edge. In that context, the policy does not require all coastal development to be avoided; it requires coastal hazard risk to be managed so that risk is not increased inappropriately. The proposal responds to Policy 25 through design measures that account for coastal inundation, sea level rise, storm events, wave exposure and coastal processes. The reclamation, coastal edge, wharf structures, stormwater system and operational layout are designed to provide an appropriate level of resilience for the intended infrastructure use. The proposal is not expected to increase coastal hazard risk to adjoining land, people or infrastructure. It consolidates marine industrial infrastructure in an existing modified working harbour environment, rather than introducing sensitive activities or residential development into a hazard prone coastal location. The proposal will involve engineered coastal edge structures. In this case, those structures are an integral part of the reclamation, wharf and marine infrastructure and are necessary for an activity that must locate at the coastal edge. Overall, the proposal gives effect to Policy 25 because coastal hazard risk has been assessed and incorporated into the design, the proposal does not introduce sensitive activities into a hazardous location, and it is not expected to increase coastal hazard risk beyond the project site.
Policy 26 – Natural defences against natural hazards Provide where appropriate for the protection, restoration or enhancement of natural defences that protect coastal land uses, or sites of significant biodiversity, cultural or historic heritage or geological value, from coastal hazards.	Natural defences are also not a practicable means of providing coastal hazard protection for infrastructure of this nature. The shipyard, drydock / ship lift, wharf structures and reclamation require hard protection structures to ensure resilience against natural hazards. Notwithstanding the above, the proposal does not compromise existing natural defences in the vicinity of the project site.

2. Recognise that such natural defences include beaches, estuaries, wetlands, intertidal areas, coastal vegetation, dunes and barrier islands.	
Policy 27 – Strategies for protecting significant existing development from coastal hazard risk 1. In areas of significant existing development likely to be affected by coastal hazards, the range of options for reducing coastal hazard risk that should be assessed includes: a. promoting and identifying long-term sustainable risk reduction approaches including the relocation or removal of existing development or structures at risk; b. identifying the consequences of potential strategic options relative to the option of “do-nothing”; c. recognising that hard protection structures may be the only practical means to protect existing infrastructure of national or regional importance, to sustain the potential of built physical resources to meet the reasonably foreseeable needs of future generations; d. recognising and considering the environmental and social costs of permitting hard protection structures to protect private property; and e. identifying and planning for transition mechanisms and timeframes for moving to more sustainable approaches. 2. In evaluating options under (1): a. focus on approaches to risk management that reduce the need for hard protection structures and similar engineering interventions; b. take into account the nature of the coastal hazard risk and how it might change over at least a 100-year timeframe, including the expected effects of climate change; and c. evaluate the likely costs and benefits of any proposed coastal hazard risk reduction options.	Policy 27 is not directly relevant to the proposal. The policy is directed at developing strategies for significant existing development that is likely to be affected by coastal hazard risk, including consideration of options such as relocation, removal, abandonment, changes to land use, and hard protection structures. The proposal is for new marine infrastructure, not the protection of existing development from coastal hazard risk. Coastal hazard matters relevant to the proposal are more directly addressed under Objectives 5 and Policies 24, 25 and 26, which deal with the identification and management of coastal hazards and the design of subdivision, use and development in areas potentially affected by coastal hazards.

3. Where hard protection structures are considered to be necessary, ensure that the form and location of any structures are designed to minimise adverse effects on the coastal environment.	
4. Hard protection structures, where considered necessary to protect private assets, should not be located on public land if there is no significant public or environmental benefit in doing so.	

Regional Policy Statement for Northland

Provision	Assessment
Objective 3.1 – Integrated catchment management Integrate the management of freshwater and the subdivision, use and development of land in catchments to enable catchment-specific objectives for fresh and associated coastal water to be met.	The proposal is consistent with Objective 3.1. Although the project is located at the coastal edge rather than within an inland freshwater catchment, land based construction, hardstand activity, stormwater, washwater and earthworks can affect associated coastal water. The assessment therefore treats the land and coastal marine components as connected. The proposal responds to the objective through integrated management of stormwater, process water, washwater, dredging, sediment controls, reclamation construction and discharges to the coastal marine area. Those measures are directed at ensuring that land use and development do not undermine coastal water quality or harbour ecosystem values.
Objective 3.2 – Region wide water quality Improve the overall quality of Northland’s fresh and coastal water with a particular focus on: (a) Reducing the overall Trophic Level Index status of the region’s lakes; (b) Increasing the overall Macroinvertebrate Community Index status of the region’s rivers and streams; (c) Reducing sedimentation rates in the region’s estuaries and harbours;	The proposal is consistent with Objective 3.2. The relevant limb of the objective is the improvement of coastal water quality, particularly reducing sedimentation in harbours and maintaining water quality for recreational and cultural use. The proposal responds through separation of clean stormwater from higher risk operational water, treatment of shipyard runoff and washwater, controls on dredging and construction sediment, spill prevention, discharge monitoring and maintenance obligations. These measures are necessary because shipyard activities may generate sediment, metals, paint residues, antifouling contaminants, hydrocarbons and other contaminants if not contained and treated.

(d) Improving microbiological water quality at popular contact recreation sites, recreational and cultural shellfish gathering sites, and commercial shellfish growing areas to minimise risk to human health; and (e) Protecting the quality of registered drinking water supplies and the potable quality of other drinking water sources.	Subject to the discharge and monitoring conditions being secured, the proposal maintains coastal water quality and avoids untreated or poorly treated discharges to the Whangārei Harbour.
Objective 3.4 – (indigenous ecosystems and biodiversity) Safeguard Northland’s ecological integrity by: a) Protecting areas of significant indigenous vegetation and significant habitats of indigenous fauna; b) Maintaining the extent and diversity of indigenous ecosystems and habitats in the region; and c) Where practicable, enhancing indigenous ecosystems and habitats, particularly where this contributes to the reduction in the overall threat status of regionally and nationally threatened species.	The proposal affects a coastal environment that supports significant indigenous biodiversity values, including intertidal and subtidal habitats, shorebirds, marine mammals and potential kororā / little blue penguin habitat. The Coastal Avifauna Assessment identifies a moderate ecological effect on northern New Zealand dotterel associated principally with permanent loss of some foraging habitat and temporary disturbance. Subject to confirmation in the final avifauna assessment, the effect is not expected to result in material adverse harm to the taxon, compromise local population viability or affect persistence across its natural range. The more substantial issue for Objective 3.4 is the permanent loss and modification of intertidal and subtidal habitat, including habitat within the One Tree Point–Marsden Bay Significant Ecological Area. Those effects reduce the extent and alter the composition and function of affected habitats and cannot be reversed within the project footprint. The proposal protects and manages ecological values through location and footprint refinement, suspended structures where practicable, construction controls, species specific management, marine mammal procedures, kororā protection measures, biosecurity controls, stormwater and washwater treatment, dredging controls, monitoring and proposed conditions. Those measures reduce effects but do not replace the habitat permanently occupied or dredged. The proposal is therefore only partially consistent with Objective 3.4, with the remaining habitat related tension addressed in the overall statutory assessment.
Objective 3.5 – (Enabling economic wellbeing) Northland’s natural and physical resources are sustainably managed in a way that is attractive for business and investment that will improve the economic wellbeing of Northland and its communities.	The proposal is consistent with Objective 3.5. It will establish a substantial marine maintenance, drydock / ship lift and shipyard facility adjoining Northport, supporting regional investment, employment, marine servicing capability and the wider Northland maritime economy. The objective is enabling, but it is framed by sustainable management. The proposal therefore supports the economic wellbeing outcome sought by the objective, while still

	requiring water quality, indigenous biodiversity, cultural, natural character, public access and amenity effects to be managed through design, conditions, monitoring and residual effects measures.
Objective 3.6 – (Economic activities – reverse sensitivity and sterilisation) The viability of land and activities important for Northland’s economy is protected from the negative impacts of new subdivision, use and development, with particular emphasis on either: (a) Reverse sensitivity for existing: (i) Primary production activities; (ii) Industrial and commercial activities; (iii) Mining*; or (iv) Existing and planned regionally significant infrastructure; or (b) Sterilisation of: (i) Land with regionally significant mineral resources; or (ii) Land which is likely to be used for regionally significant infrastructure. *Includes aggregates and other minerals.	The proposal is consistent with Objective 3.6. It does not introduce a sensitive activity into the Marsden Point / Northport industrial and port environment, and it will not constrain the operation, maintenance, upgrading or development of existing or planned regionally significant infrastructure. Rather, the proposal consolidates a compatible marine industrial activity in a location where port related and heavy industrial activities are already established. It supports, rather than sterilises or undermines, the economic use of land and infrastructure important to Northland.
Objective 3.7 – (Regionally significant infrastructure) Recognise and promote the benefits of regionally significant infrastructure, (a physical resource), which through its use of natural and physical resources can significantly enhance Northland’s economic, cultural, environmental and social wellbeing.	The proposal is consistent with Objective 3.7. The objective requires the benefits of regionally significant infrastructure to be recognised and promoted, with particular regard to the role such infrastructure plays in supporting Northland’s economic, social and community wellbeing. The proposal will provide significant economic benefits by increasing drydock / ship lift and marine maintenance capability, supporting commercial and strategic vessel servicing, enabling employment and investment, and strengthening the Marsden Point / Northport marine industrial economy. Those benefits are regional and national in character and are recognised and promoted in the overall assessment. While adverse effects still require management under the relevant protective provisions, the proposal directly gives effect to Objective 3.7 by delivering regionally significant infrastructure that supports Northland’s economic wellbeing.

Objective 3.8 – (Efficient and effective infrastructure) Manage resource use to: (a) Optimise the use of existing infrastructure; (b) Ensure new infrastructure is flexible, adaptable, and resilient, and meets the reasonably foreseeable needs of the community; and (c) Strategically enable infrastructure to lead or support regional economic development and community wellbeing.	The proposal is consistent with Objective 3.8. It optimises the use of existing and planned infrastructure by locating the facility adjoining Northport and connecting with established transport access, harbour approaches, port related services, industrial land, stormwater infrastructure and marine industrial operations. The proposal is also designed as long life infrastructure that responds to foreseeable regional and national marine servicing needs. Its coastal location is necessary for vessel access, manoeuvring, haul out, hardstand transfer and integration with existing marine infrastructure.
Objective 3.12 – (Tangata whenua role in decision-making) Tangata whenua kaitiaki role is recognised and provided for in decision-making over natural and physical resources.	The proposal partially satisfies Objective 3.12. Tangata whenua have enduring relationships with Whangārei Harbour, Poupouwhenua / Marsden Point, coastal waters, mahinga mātaaitai, cultural landscapes, wāhi tapu and taonga species. The proposal affects that coastal environment through reclamation, dredging, coastal edge modification and changes to harbour ecology and use. The objective requires the kaitiaki role of tangata whenua to be recognised and provided for in decision-making. The proposal responds through a condition based pathway for tangata whenua involvement in relevant management plans, cultural monitoring, accidental discovery procedures, ecological and coastal monitoring, and cultural input into implementation. Consistency is qualified because residual cultural effects are likely to remain. The objective is best met if conditions provide for meaningful and continuing tangata whenua involvement in the management of effects on cultural values.
Objective 3.13 – (Natural hazard risk) The risks and impacts of natural hazard events (including the influence of climate change) on people, communities, property, natural systems, infrastructure and our regional economy are minimised by: (a) Increasing our understanding of natural hazards, including the potential influence of climate change on natural hazard events; (b) Becoming better prepared for the consequences of natural hazard events;	The proposal is consistent with Objective 3.13. It is new infrastructure in a coastal hazard environment, but there are justified circumstances for locating it at the coast because the facility requires direct access to navigable water and integration with the adjoining port environment. The proposal responds by identifying and designing for coastal hazard risk, including sea level rise, storm tide, wave exposure, coastal processes and stormwater management over the life of the infrastructure. The reclamation level, coastal edge treatment and engineering design are central to maintaining the integrity and function of the facility during hazard events.

(c) Avoiding inappropriate new development in 10 and 100 year flood hazard areas and coastal hazard areas; (d) Not compromising the effectiveness of existing defences (natural and man-made); (e) Enabling appropriate hazard mitigation measures to be created to protect existing vulnerable development; and (f) Promoting long-term strategies that reduce the risk of natural hazards impacting on people and communities. (g) Recognising that in justified circumstances, critical infrastructure may have to be located in natural hazard-prone areas.	The proposal does not introduce a sensitive activity into a hazard prone location and is not expected to materially increase hazard risk to people, property, adjoining land or other infrastructure.
Objective 3.14 – (Natural character, outstanding natural features, outstanding natural landscapes and historic heritage) Identify and protect from inappropriate subdivision, use and development; (a) The qualities and characteristics that make up the natural character of the coastal environment, and the natural character of freshwater bodies and their margins; (b) The qualities and characteristics that make up outstanding natural features and outstanding natural landscapes; (c) The integrity of historic heritage.	The proposal is consistent with Objective 3.14. The relevant natural character, natural feature, landscape and historic heritage values have been identified and assessed. The site forms part of the established Marsden Point / Northport working harbour environment, where natural character and landscape values have already been substantially modified by reclamation, port infrastructure, dredging, industrial activity and coastal edge works. The proposal is not located in an Outstanding Natural Character Area, High Natural Character Area, Outstanding Natural Feature or Outstanding Natural Landscape. The proposal will result in localised physical change, but not in a natural or visually sensitive coastal landscape. Significant adverse natural character and landscape effects are avoided, and remaining effects are managed in the context of the existing port and industrial setting. Historic heritage risk is addressed through archaeological assessment and accidental discovery procedures.
Objective 3.15 – (Active management) Maintain and / or improve; (a) The natural character of the coastal environment and fresh water bodies and their margins; (b) Outstanding natural features and outstanding natural landscapes;	Objective 3.15 is of limited direct relevance. The proposal is an infrastructure project involving reclamation, dredging, marine structures and shipyard activity, rather than a project whose primary purpose is active management or restoration of natural character, biodiversity, heritage, access or water quality. The proposal does, however, provide for some outcomes that are relevant to the objective, including retained public access to the western side of the reclamation and relocated

(c) Historic heritage; (d) Areas of significant indigenous vegetation and significant habitats of indigenous fauna (including those within estuaries and harbours); (e) Public access to the coast; and (f) Fresh and coastal water quality by supporting, enabling and positively recognising active management arising from the efforts of landowners, individuals, iwi, hapū and community groups.	fishing jetty, water quality management through treatment and discharge controls, and residual ecological effects measures where required.
Policy 4.2.1 – (Improving overall water quality) Improve the overall quality of Northland’s water resources by: (a) Establishing freshwater objectives and setting region-wide water quality limits in regional plans that give effect to Objective 3.2 of this regional policy statement. (b) Reducing loads of sediment, nutrients, and faecal matter to water from the use and development of land and from poorly treated and untreated discharges of wastewater; and (c) Promoting and supporting the active management, enhancement and creation of vegetated riparian margins and wetlands.	The proposal is consistent with Policy 4.2.1. The relevant direction is to reduce sediment loads and poorly treated or untreated wastewater discharges to water. The proposal responds to the policy through erosion and sediment controls, dredging and turbidity management, separation of clean stormwater from higher risk operational water, treatment of shipyard runoff and washwater, trade waste controls where required, discharge monitoring and maintenance obligations. These measures are particularly important because the receiving environment is Whangārei Harbour and the activity may generate sediment, metals, antifouling residues, hydrocarbons and other vessel maintenance contaminants where not properly managed.
Policy 4.4.1 – (Maintaining and protecting significant ecological areas and habitats) (1) In the coastal environment, avoid adverse effects, and outside the coastal environment avoid, remedy or mitigate adverse effects of subdivision, use and development so they are no more than minor on: (a) Indigenous taxa that are listed as threatened or at risk in the New Zealand Threat Classification System lists; (b) Areas of indigenous vegetation and habitats of indigenous fauna, that are significant using the assessment criteria in Appendix 5; (c) Areas set aside for full or partial protection of indigenous biodiversity under other legislation.	Policy 4.4.1 is a key RPS biodiversity provision. In the coastal environment it requires adverse effects on threatened or at-risk taxa and on significant indigenous vegetation and significant habitats of indigenous fauna to be avoided, and significant adverse effects on specified vulnerable ecosystems and habitats to be avoided. Northern New Zealand dotterel is a threatened taxon. The Coastal Avifauna Assessment identifies a moderate ecological effect associated principally with habitat loss and disturbance. Subject to the proposed measures, injury and mortality will be avoided, and the assessment does not identify material effects on breeding success, recruitment, local population viability, natural range or persistence of the taxon. Subject to confirmation in the final avifauna assessment, the threatened taxon avoidance outcome is therefore assessed as achieved.

(2) In the coastal environment, avoid significant adverse effects and avoid, remedy, or mitigate other adverse effects of subdivision, use and development on:

(a) Areas of predominantly indigenous vegetation;

(b) Habitats of indigenous species that are important for recreational, commercial, traditional or cultural purposes;

(c) Indigenous ecosystems and habitats that are particularly vulnerable to modification, including estuaries, lagoons, coastal wetlands, dunelands, intertidal zones, rocky reef systems, eelgrass, northern wet heathlands, coastal and headwater streams, floodplains, margins of the coastal marine area and freshwater bodies, spawning and nursery areas and saltmarsh.

(3) Outside the coastal environment and where clause (1) does not apply, avoid, remedy or mitigate adverse effects of subdivision, use and development so they are not significant on any of the following:

(a) Areas of predominantly indigenous vegetation;

(b) Habitats of indigenous species that are important for recreational, commercial, traditional or cultural purposes;

(c) Indigenous ecosystems and habitats that are particularly vulnerable to modification, including wetlands, dunelands, northern wet heathlands, headwater streams, floodplains and margins of freshwater bodies, spawning and nursery areas.

(4) For the purposes of clause (1), (2) and (3), when considering whether there are any adverse effects and/or any significant adverse effects:

(a) Recognise that a minor or transitory effect may not be an adverse effect;

(b) Recognise that where the effects are or maybe irreversible, then they are likely to be more than minor;

(c) Recognise that there may be more than minor cumulative effects from minor or transitory effects.

The proposal will nevertheless permanently remove and modify intertidal and subtidal habitat, including habitat within the One Tree Point–Marsden Bay Significant Ecological Area. The affected habitat contributes to the values and characteristics for which the area is significant, including benthic communities, shellfish habitat, shorebird feeding resources and fish feeding or nursery functions. The Marine Ecology Assessment identifies high to very high effects at relevant scales. Those habitat related avoidance outcomes are not fully achieved.

The proposal responds through careful location, design and footprint selection, suspended structures where practicable, construction and timing controls, species specific management, water quality and biosecurity controls, monitoring and proposed conditions. These measures reduce the effects but do not eliminate or replace the habitat permanently occupied or dredged.

(5) For the purpose of clause (3) if adverse effects cannot be reasonably avoided, remedied or mitigated then it may be appropriate to consider the next steps in the mitigation hierarchy i.e. biodiversity offsetting followed by environmental biodiversity compensation, as methods to achieve Objective 3.4.	
Policy 4.4.2 – (supporting restoration and enhancement) Support voluntary efforts of landowners and community groups, iwi and hapū, to achieve Objective 3.15.	The proposal is not advanced as a voluntary restoration or enhancement project. Any relevance arises through the ecological and cultural enhancement contribution and other measures that may support ecological protection or enhancement. The proposal is therefore not inconsistent with Policy 4.4.2, but the policy does not provide a primary basis for support.
Policy 4.5.2 – (Application of the Regional Policy Statement – Maps) The Regional Policy Statement Maps of high and outstanding natural character and outstanding natural features and outstanding natural landscapes identify areas that are sensitive to subdivision, use and development. The maps of these areas identify where caution is required to ensure activities are appropriate. However, suitably qualified assessment at a site or property-specific level can be used to demonstrate lesser (or greater) sensitivity to particular subdivision, use and development proposals given the greater resolution provided.	The proposal is not located in an Outstanding Natural Character Area, High Natural Character Area, Outstanding Natural Feature or Outstanding Natural Landscape. The expert assessment also confirms that these areas are not adversely affected.
Policy 4.5.3 – (Assessing, identifying, and recording historic heritage) Historic heritage resources (areas, places, sites, buildings, or structures either individually or as a group) are identified taking into account one or more of the following criteria: (a) Archaeological and / or scientific importance: the resource contributes significantly to our understanding of human history or archaeological research; (b) Architecture and technology: the structure or building is significant due to design, form, scale, materials, style, period, craftsmanship, construction technique or other unique element / characteristic; (c) Rarity: the resource or site is unique, uncommon or rare at a district, regional or national level;	The archaeological assessment identifies the historic and archaeological context of Marsden Point and the wider harbour, including Māori occupation, later European activity and recorded archaeological sites in the wider area. No known recorded archaeological site or scheduled historic heritage item is expected to be directly affected. The main risk is the discovery of previously unidentified material during works. That risk is addressed through accidental discovery procedures, including cessation of works, protection of the discovery area, notification of relevant parties and any required statutory authority before works recommence.

(d) Representativeness: the resource is an excellent example of its class in terms of design, type, use, technology, time period or other characteristic; (e) Integrity: the resource retains a high proportion of its original characteristics and integrity compared with other examples in the district or region; (f) Context: the resource forms part of an association of heritage sites or buildings which, when considered as a whole, become important at a district, regional or national scale; (g) People and events: the resource is directly associated with the life or works of a well-known or important individual, group or organisation and / or is associated with locally, regionally or nationally significant historic events; (h) Identity: the resource provides a sense of place, community identity or cultural or historical continuity; (i) Tangata whenua: the resource place or feature is important to tangata whenua for traditional, spiritual, cultural or historic reasons; and (j) Statutory: the resource or feature is recognised nationally or internationally, including: a World Heritage Site under the World Heritage Convention 1972; is registered under the Historic Places Act 1993; or is recognised as having significant heritage value under a statutory acknowledgement or other legislation.	
Policy 4.6.1 – Managing effects on the characteristics and qualities (<i>sic</i>) natural character, natural features and landscapes (i) In the coastal environment: a) Avoid adverse effects of subdivision use, and development on the characteristics and qualities which make up the outstanding values of areas of outstanding natural character, outstanding natural features and outstanding natural landscapes. b) Where (a) does not apply, avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of subdivision, use and development on natural character, natural features and natural landscapes.	The proposal is consistent with Policy 4.6.1. The policy requires adverse effects on outstanding natural character, outstanding natural features and outstanding natural landscapes to be avoided, and significant adverse effects on other natural character and landscape values to be avoided, with other effects avoided, remedied or mitigated. The proposal is not located in an outstanding or high natural character area, outstanding natural feature or outstanding natural landscape. It is located within a modified port edge environment where reclamation, port infrastructure, dredging, vessel movements, lighting and industrial activity already influence the coastal character. The proposal will result in localised physical change through reclamation, marine structures, hardstand and operational activity. However, it consolidates marine industrial development adjoining the existing port, avoids expansion into less modified coastal areas, and does not

Methods which may achieve this include: (i) Ensuring the location, intensity, scale and form of subdivision and built development is appropriate having regard to natural elements, landforms and processes, including vegetation patterns, ridgelines, headlands, peninsulas, dune systems, reefs and freshwater bodies and their margins; and (ii) In areas of high natural character, minimising to the extent practicable indigenous vegetation clearance and modification (including earthworks / disturbance, structures, discharges and extraction of water) to natural wetlands, the beds of lakes, rivers and the coastal marine area and their margins; and (iii) Encouraging any new subdivision and built development to consolidate within and around existing settlements or where natural character and landscape has already been compromised. (2) Outside the coastal environment avoid significant adverse effects and avoid, remedy or mitigate other adverse effects (including cumulative adverse effects) of subdivision, use and development on the characteristics and qualities of outstanding natural features and outstanding natural landscapes and the natural character of freshwater bodies. Methods which may achieve this include: a) In outstanding natural landscapes, requiring that the location and intensity of subdivision, use and built development is appropriate having regard to, natural elements, landforms and processes, including vegetation patterns, ridgelines and freshwater bodies and their margins; b) In outstanding natural features, requiring that the scale and intensity of earthworks and built development is appropriate taking into account the scale, form and vulnerability to modification of the feature; c) Minimising, indigenous vegetation clearance and modification (including earthworks / disturbance and structures) to natural wetlands, the beds of lakes, rivers and their margins. (3) When considering whether there are any adverse effects on the characteristics and qualities of the natural character, natural features and landscape values in terms of (1)(a), whether there are any significant adverse	result in significant adverse natural character or landscape effects. Remaining visual and amenity effects are managed through location, layout and integration with the working harbour setting.
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effects and the scale of any adverse effects in terms of (1)(b) and (2), and in determining the character, intensity and scale of the adverse effects: a) Recognise that a minor or transitory effect may not be an adverse effect; b) Recognise that many areas contain ongoing use and development that: (i) Were present when the area was identified as high or outstanding or have subsequently been lawfully established (ii) May be dynamic, diverse or seasonal; c) Recognise that there may be more than minor cumulative adverse effects from minor or transitory adverse effects; and d) Have regard to any restoration and enhancement on the characteristics and qualities of that area of natural character, natural features and/or natural landscape.	
Policy 4.6.2 - (Maintaining the integrity of heritage resources) (1) Protect the integrity of historic heritage resources that have been identified in plans in accordance with Policy 4.5.3 and Method 4.5.4(3): a) By avoiding significant adverse effects of subdivision, use and development and avoiding, remedying or mitigating other adverse effects (including cumulative adverse effects) on historic heritage in the following way: (i) Requiring careful design and location of subdivision, use and development to retain heritage buildings and other physical elements of historic heritage and where practical enhance public use and access; (ii) Restricting the demolition / relocation of and / or inappropriate modifications, additions or alterations to physical elements of historic heritage; (iii) Recognising that the integrity of many historic heritage resources relies on context and maintain these relationships in the design and location of subdivision, use and development; (iv) Recognising the collective value of groups of heritage buildings, structures and / or places, particularly where these are representative of Northland's	No known recorded archaeological site or scheduled historic heritage item is expected to be directly affected. The proposal nevertheless occurs in a harbour setting with cultural and historical associations, so accidental discovery procedures are necessary to protect any previously unidentified archaeological material, kōiwi or taonga.

historic settlements, architecture or periods in history and maintain the wider character of such areas; and (v) Restricting activities that compromise important spiritual or cultural values held by Māori / Mana Whenua and / or the wider community in association with particular heritage places or features. (2) Despite the above: a) Clause 1 does not apply where natural hazards threaten the viability of regionally significant infrastructure and / or public health and safety; or b) Regionally significant infrastructure proposals that cannot meet 4.6.2(1) may still be appropriate after assessment against the matters in Policy 5.3.3(3).	
Policy 4.7.1 – (Promote active management) In plan provisions and the resource consent process, recognise and promote the positive effects of the following activities that contribute to active management: a) Pest control, particularly where it will complement an existing pest control project / programme; b) Soil conservation / erosion control; c) Measures to improve water quality in parts of the coastal marine area where it has deteriorated and is having significant adverse effects, or in freshwater bodies targeted for water quality enhancement; d) Measures to improve flows and / or levels in over allocated freshwater bodies; e) Re-vegetation with indigenous species, particularly in areas identified for natural character improvement; f) Maintenance of historic heritage resources (including sites, buildings and structures); g) Improvement of public access to and along the coastal marine area or the margins of rivers or lakes except where this would compromise the conservation of historic heritage or significant indigenous vegetation and / or significant habitats of indigenous fauna;	Policy 4.7.1 is of limited direct relevance because the proposal is not primarily an active management project. It is a marine infrastructure proposal involving reclamation, dredging and shipyard / drydock activity. The aspects most relevant to the policy are the retained public access to the western side of the reclamation and relocated fishing jetty, water quality controls, and any residual ecological measures required by conditions.

h) Exclusion of stock from waterways and areas of significant indigenous vegetation and / or significant habitats of indigenous fauna; i) Protection of indigenous biodiversity values identified under Policy 4.4.1, outstanding natural character, outstanding natural landscapes or outstanding natural features either through legal means or physical works; j) Removal of redundant or unwanted structures and / or buildings except where these are of historic heritage value or where removal reduces public access to and along the coast or lakes and rivers; k) Restoration or creation of natural habitat and processes, including ecological corridors in association with indigenous biodiversity values identified under Policy 4.4.1, particularly wetlands and / or wetland sequences; l) Restoration of natural processes in marine and freshwater habitats	
Policy 4.7.3 - (Improving natural character) Except where in conflict with established uses promote rehabilitation and restoration of natural character in the manner described in Policy 4.7.1 in the following areas: (a) Wetlands, rivers, lakes, estuaries, and their margins; (b) Undeveloped or largely undeveloped natural landforms between settlements, such as coastal headlands, peninsulas, ridgelines, dune systems; (c) Areas of high natural character; (d) Land adjacent to outstanding natural character areas, outstanding natural features, and outstanding natural landscapes; (e) Remnants of indigenous coastal vegetation particularly where these are adjacent to water or can be linked to establish or enhance ecological corridors; and (f) The areas or values identified in Policy 4.4.1 (protecting significant areas and species).	The proposal does not involve restoration of natural character and will result in further localised physical modification of the coastal edge. However, the site is already substantially modified by port and marine industrial activity, and restoration of natural character is not a practical or realistic outcome for the project footprint.

Policy 4.8.1 – (Demonstrate the need to occupy space in the common marine and coastal area) (1) Only consider allowing structures, the use of structures and other activities that occupy space in the common marine and coastal area where: (a) They have a functional need to be located in the common marine and coastal area, unless the structure, use or activity is consistent with Policy 4.8.1(2); (b) It is not feasible for the structure, the use or the occupation of space to be undertaken on dry land (land outside the common marine and coastal area), unless it is consistent with Policy 4.8.1(2); (c) It is not feasible to use an existing authorised structure; and (d) The area occupied is necessary to provide for or undertake the intended use. (2) Occupation of space and structures (and their use) that are contrary to Policy 4.8.1(1) (a) and (b) may be appropriate where they will make a significant positive contribution to the local area or the region. (3) If the public are excluded from using a structure or common marine and coastal area, the exclusion is: (a) Only for the time period(s) and the area necessary to provide for or undertake the intended use ;or (b) Necessary to ensure the integrity of the structure; or (c) Necessary to ensure the health and safety of the public.	The proposal is consistent with Policy 4.8.1. The shipyard, drydock / ship lift, wharf structures, dredging and associated coastal occupation have a functional need to be located in the common marine and coastal area because vessels must access the facility from navigable water and be transferred to adjoining hardstand and servicing areas. The intended activity cannot reasonably be undertaken on dry land, and the use of an existing authorised structure would not provide the required haul out, berthage, manoeuvring, heavy load and working area functions. Public exclusion from operational areas is justified where required for health and safety, port security, vessel movements and the integrity of the infrastructure. Public walking access is retained to the western side of the reclamation and the relocated fishing jetty.
Policy 4.8.3 – (Coastal permit duration) When determining the expiry date for coastal permits to occupy space in the common marine and coastal area, particular regard will be had to: (a) The security of tenure for investment (the larger the investment, the longer the consent duration); (b) Aligning the expiry date with other coastal permits to occupy space in the surrounding common marine and coastal area;	The proposal is a substantial long life infrastructure investment involving reclamation, wharf structures, vessel haul out infrastructure, hardstand and associated operational systems. A longer consent duration is appropriate to provide security for that investment and to reflect the enduring nature of the infrastructure. The occupied space is required for a use that has a functional and operational need to be located in the coastal marine area. There is no evident competing demand for the same space that would justify a shorter duration, given the location adjoining Northport and the purpose built nature of the reclamation and marine infrastructure.

(c) The reasonably foreseeable demands for the occupied water space by another type of activity (the greater the demands, the shorter the consent duration); and (d) Certainty of effects (the less certain the effects the shorter the consent duration).	The effects of the proposal have been assessed through the technical reports. The principal effects are sufficiently understood to support the consent duration sought, including effects on coastal processes, water quality, dredging, transport, noise, natural character, public access, archaeology, marine mammals, kororā and biosecurity. The key residual uncertainty relates to ecological and avifauna outcomes, particularly the moderate residual effect on northern New Zealand dotterel. The application responds to that matter through proposed monitoring, and management measures. Overall, the proposed coastal permit duration is appropriate under Policy 4.8.3 because it reflects the scale and investment life of the infrastructure, the functional need to occupy the CMA, the absence of a more appropriate competing use of the occupied space, and the level of certainty provided by the technical assessments and proposed management framework.
Policy 4.8.4 – (Private use of common marine and coastal area) Recognise activities which provide a net gain in environmental and / or public benefit from persons occupying space in the common marine and coastal area.	The occupation is primarily for regionally significant infrastructure rather than environmental enhancement. However, the proposal provides significant public benefit through national and regional marine servicing capability, employment, economic resilience, efficient use of an established port environment, and retained walking access to the western side of the reclamation and relocated fishing jetty.
Policy 5.1.2 – (Development in the coastal environment) Enable people and communities to provide for their wellbeing through appropriate subdivision, use, and development that: (a) Consolidates urban development¹ within or adjacent to existing coastal settlements and avoids sprawling or sporadic patterns of development; (b) Ensures sufficient development setbacks from the coastal marine area to; (i) maintain and enhance public access, open space, and amenity values; and (ii) allow for natural functioning of coastal processes and ecosystems;	The proposal is appropriate in this location because it is infrastructure with a functional need to be located in the coastal marine area, is located adjoining the existing Northport / Marsden Point industrial environment, and avoids dispersing comparable marine industrial effects to a less modified coastal location. It is supported by access, servicing, stormwater, washwater treatment and construction / operational management arrangements. Public access is retained to the western side of the reclamation and relocated fishing jetty. The appropriateness of the proposal remains subject to the more specific provisions addressing biodiversity, cultural values, water quality, natural character and coastal

¹ For the purpose of Policy 5.1.2 ‘urban development’ means subdivision, land use or development intended for mixed-use, commercial, industrial activities and all development where the primary purpose is residential use, except where it is ancillary to a lawfully established rural activity.

(c) Takes into account the values of adjoining or adjacent land and established activities (both within the coastal marine area and on land); (d) Ensures adequate infrastructure services will be provided for the development; and (e) Avoids adverse effects on access to, use and enjoyment of surf breaks of national significance for surfing. Note: In determining the appropriateness of subdivision, use and development, all policies and methods in the Regional Policy Statement must be considered, particularly policies relating to natural character, features and landscapes, heritage, natural hazards, indigenous ecosystems and fresh and coastal water quality.	hazards, all of which have been addressed through the design and in the conditions of consent.
Policy 5.1.3 – (Avoiding the adverse effects of new use(s) and development) Avoid the adverse effects, including reverse sensitivity effects of new subdivision, use and development, particularly residential development on the following: (a) Primary production activities in primary production zones (including within the coastal marine area); (b) Commercial and industrial activities in commercial and industrial zones; (c) The operation, maintenance or upgrading of existing or planned² regionally significant infrastructure³; and (d) The use and development of regionally significant mineral resources.⁴	The proposal will not create reverse sensitivity or sterilisation effects. It is a compatible marine industrial activity adjoining Northport and will support, rather than constrain, existing and planned port and infrastructure operations. Operational effects such as traffic, noise, lighting and public access are managed through design and conditions so that conflicts with surrounding activities are avoided or minimised.
Policy 5.2.1 – (Managing the use of resources) Encourage development and activities to efficiently use resources, particularly network resources, water and energy, and promote the reduction and reuse of waste.	The proposal is consistent with Policy 5.2.1. It promotes efficient use and development of natural and physical resources by locating regionally significant infrastructure adjoining Northport, where it can operate in direct association with an established port and marine industrial environment.

² In this instance, planned means the infrastructure has been identified and provided for in a; notice of requirement designation, resource consent, a regional or district plan, the Northland Regional Land Transport Strategy or a document prepared using the special consultative process under the Local Government Act 2002.

³ See also Policy 5.3.1.

⁴ See also Policy 5.3.4.

	The location provides important operational synergies with existing port resources, including navigable harbour access, tug services, customs and quarantine facilities, port related servicing, industrial land, transport access and existing stormwater infrastructure, including the Northport pond system. These resources are directly relevant to the efficient construction and operation of a shipyard and drydock / ship lift facility. The proposal also avoids the inefficiency of establishing a standalone coastal facility in a less serviced or less modified location. By consolidating a coastal dependent marine maintenance activity beside Northport, the proposal makes more efficient use of existing infrastructure, services and industrial land while limiting the dispersal of comparable effects into other parts of the coastal environment.
Policy 5.2.2 - (Future-proofing infrastructure) Encourage the development of infrastructure that is flexible, resilient, and adaptable to the reasonably foreseeable needs of the community.	The proposal improves infrastructure resilience by providing additional drydock / ship lift and marine maintenance capability in Northland, within an established port and marine industrial setting. The facility will support the servicing and maintenance of commercial, port related and other large vessels, reducing reliance on more distant facilities and improving the resilience of maritime operations. The proposal has also been designed with flexibility in mind. The drydock / ship lift or vessel haul-out system, wharf structures, hardstand, laydown areas and servicing infrastructure are intended to accommodate a range of vessel types and maintenance requirements. That flexibility is important because vessel servicing needs will change over time, and the infrastructure must be capable of adapting to different vessel sizes, operational requirements and maintenance demands. The proposal has also been designed to be resilient to coastal hazards. The reclamation level, coastal edge treatment, stormwater design and marine structures are informed by coastal processes, sea level rise, storm surge, wave exposure and long-term operational requirements. This supports the ongoing functionality of the infrastructure in a coastal hazard environment. Overall, the proposal gives effect to Policy 5.2.2 by providing resilient, flexible and adaptable infrastructure that supports present and future maritime servicing needs.
Policy 5.2.3 - (Infrastructure, growth, economic development) Promote the provision of infrastructure as a means to shape, stimulate and direct opportunities for growth and economic development.	The expert economic assessment confirms that the proposal will deliver positive economic benefits by increasing drydock / ship lift and marine maintenance capability in Northland, supporting commercial and strategic vessel servicing, and strengthening the Marsden Point / Northport marine industrial economy. The economic assessment identifies benefits

	associated with employment creation, regional investment, business activity and multiplier / flow-on effects for supporting industries and services. The economic benefits are regionally significant. The facility will generate direct employment through construction and operation, while also supporting indirect economic activity in marine services, engineering, transport, logistics, trades, professional services and port related operations. The proposal therefore contributes to a more resilient and diversified regional economy. The proposal also makes efficient use of its location adjoining Northport, where it can operate in association with existing port resources, transport access, industrial land and supporting services. That reinforces the economic benefits by consolidating marine industrial activity in an established working harbour environment. Overall, the proposal gives effect to Policy 5.2.3 because it provides regionally significant infrastructure that supports employment, investment, business activity and wider economic wellbeing in Northland, while addressing adverse effects through the project design, technical management measures and proposed conditions.
Policy 5.3.1 - (Identifying regionally significant infrastructure) The regional and district councils shall recognise the activities identified in Appendix 3 of this document as being regionally significant infrastructure.	The proposal is consistent with Policy 5.3.1. The proposal is assessed as regionally significant infrastructure. That status is important because it brings the RPS infrastructure provisions directly into the assessment and requires the benefits, functional need, operational constraints and efficient delivery of the infrastructure to be recognised alongside the management of adverse effects.
Policy 5.3.2 - (Benefits of regionally significant infrastructure) Particular regard shall be had to the significant social, economic, and cultural benefits of regionally significant infrastructure when considering and determining resource consent applications or notices of requirement for regionally significant infrastructure.	The proposal provides regionally significant infrastructure and delivers benefits. Those benefits include increased drydock / ship lift and marine maintenance capability, improved resilience for commercial and strategic vessel servicing, employment and investment in Northland, and support for the wider Marsden Point / Northport marine industrial economy. The economic benefits are a central consideration under this policy. The project will generate direct employment and flow-on / multiplier benefits for supporting industries and services, including marine services, engineering, trades, transport, logistics, professional services and port related activities.

	Accordingly, Policy 5.3.2 provides strong support for the proposal. The identified benefits are significant regional and national benefits of the infrastructure and must be given particular weight in the overall assessment.
Policy 5.3.3 Policy – Managing adverse effects arising from regionally significant infrastructure (1) Allow adverse effects arising from the establishment and operation of new regionally significant infrastructure and the re-consenting of existing operations where: (a) The proposal is consistent with Policies 4.4.1(1), 4.4.1(2), 4.6.1(1)(a), 4.6.1(1)(b), 4.6.1(2) and 4.6.2(1); (b) The proposal does not result in established water quality limits or environmental flows and / or levels being exceeded or otherwise could lead to the over-allocation of a catchment (refer to Policy 4.1.1); (c) Damage to and / or loss of the relationship of iwi with ancestral sites, sites of significance, wāhi tapu, customary activities and / or taonga is avoided or otherwise agreed to by the affected iwi or hapū; and (d) In addition to the matters outlined in 1) (a) – (c) above, other adverse effects are avoided, remedied or mitigated to the extent that they are no more than minor. (2) Allow adverse effects arising from the maintenance and upgrading of established regionally significant infrastructure wherever it is located, where: (a) The adverse effects whilst the maintenance or upgrading is being undertaken are not significant; and (b) The adverse effects after the conclusion of the maintenance or upgrading are the same or similar to before the activity being undertaken. (3) When managing the adverse effects of regionally significant infrastructure decision makers will give weight to: (a) The benefits of the activity in terms of Policy 5.3.2;	The proposal does not rely solely on the enabling pathway in clause (1). In particular, the proposal does not fully align with clause 1, because there are residual indigenous biodiversity and cultural effects, and because not all adverse effects can be characterised as no more than minor. The proposal must therefore be assessed under the wider evaluative framework within part 2 of the policy. On that basis, particular weight is given to the regional and national benefits, its functional and operational need for a coastal location, the constraints that limit its design and location, the alternatives considered, and the extent to which adverse effects have been avoided, remedied, mitigated, offset or compensated. The application addresses adverse effects through proposed conditions, management plans, monitoring, species specific controls and cultural involvement mechanisms. Accordingly, while the proposal does not satisfy the strict clause (1) pathway in full, it can be reconciled with Policy 5.3.3 through the policy's wider assessment framework for regionally significant infrastructure.

(b) Whether the activity must be recognised and provided for as directed by a national policy statement; (c) Any constraints that limit the design and location of the activity, including any alternatives that have been considered which have proven to be impractical, or have greater adverse effects; (d) Whether the proposal is for regionally significant infrastructure which is included in Schedule 1 of the Civil Defence Emergency Management Act as a lifeline utility and meets the reasonably foreseeable needs of Northland. (e) The extent to which the adverse effects of the activity can be practicably reduced. Such an assessment shall also take into account appropriate measures, when offered, to provide positive effects, either within the subject site or elsewhere provided that the positive effects accrue to the community of interest and / or resource affected; and (f) Whether a monitoring programme for any identified significant adverse effects with unknown or uncertain outcomes could be included as a condition of consent and an adaptive management regime (including modification to the consented activity) is used to respond to such effects. (g) Whether the infrastructure proposal helps to achieve consolidated development and efficient use of land.	
Policy 7.1.1 – (General risk management approach) Subdivision, use and development of land will be managed to minimise the risks from natural hazards by: (a) Seeking to use the best available information, including formal risk management techniques in areas potentially affected by natural hazards; (b) Minimising any increase in vulnerability due to residual risk; (c) Aligning with emergency management approaches (especially risk reduction);	The proposal is consistent with Policies 7.1.1 and 7.1.3. Together, these policies require natural hazard risk to be identified using the best available information, managed over an appropriate timeframe, and addressed so that new use and development do not increase social, environmental or economic harm from natural hazards. Policy 7.1.1 provides the general risk management framework. The proposal responds to that framework through a design led assessment of coastal hazard exposure, including sea level rise, storm surge, wave exposure, erosion, accretion, inundation and long-term coastal processes. The reclamation level, coastal edge treatment, marine structures and

(d) Ensuring that natural hazard risk to vehicular access routes and building platforms for proposed new lots is considered when assessing subdivision proposals; and (e) Exercising a degree of caution that reflects the level of uncertainty as to the likelihood or consequences of a natural hazard event.	stormwater design have been developed having regard to those risks and the long-life nature of the infrastructure.
Policy 7.1.3 – (New subdivision, use and development within areas potentially affected by coastal hazards (including high risk coastal hazard areas)) Within areas potentially affected by coastal hazards over the next 100 years (including high risk coastal hazard areas), the hazard risk associated with new use and development will be managed so that: (a) Redevelopment or changes in land use that reduce the risk of adverse effects from coastal hazards are encouraged; (b) Subdivision plans are able to identify that building platforms are located outside high risk coastal hazard areas and these building platforms will not be subject to inundation and / or material damage (including erosion) over a 100-year timeframe; (c) Coastal hazard risk to vehicular access routes for proposed new lots is assessed; (d) Any use or development does not increase the risk of social, environmental or economic harm (from coastal hazards); (e) Infrastructure should be located away from areas of coastal hazard risk but if located within these areas, it should be designed to maintain its integrity and function during a hazard event; (f) The use of hard protection structures is discouraged and the use of alternatives to them promoted; and (g) Mechanisms are in place for the safe storage of hazardous substances.	Policy 7.1.3 is directly relevant because the proposal involves new use and development within an area potentially affected by coastal hazards over the next 100 years. The policy recognises a preference for infrastructure to be located away from coastal hazard risk, but where infrastructure is located within such areas it is designed to maintain its integrity and function during a hazard event. This is the relevant limb of the policy for this proposal. The shipyard, drydock / ship lift and wharf infrastructure have a functional and operational need to be located at the coastal edge and within the coastal marine area. The proposal therefore manages risk through engineering design, finished levels, coastal edge protection, stormwater design, hazardous substance controls and operational management, rather than by avoiding the coastal hazard area altogether. Overall, the proposal gives effect to these policies because coastal hazard risk has been specifically identified and incorporated into the design of the infrastructure. The proposal does not introduce a sensitive activity into the coastal hazard environment, does not materially increase hazard risk to other land or infrastructure, and provides an engineered and operationally appropriate response to maintaining the integrity and function of the facility over its design life.

Policy 7.1.5 – New regionally significant infrastructure and critical infrastructure: New regionally significant infrastructure and critical infrastructure: (1) Must be designed to maintain, as far as practicable, its integrity and function during natural hazard events; and (2) May be considered appropriate to locate within flood and coastal hazard areas, even if it cannot meet policies 7.1.2 or 7.1.3 provided: (a) There is a need to be located within the flood hazard and / or coastal hazard area; and (b) infrastructure providers have demonstrated that the proposed location within the hazard area is the most appropriate (taking into account social, cultural, and economic costs and benefits) to service the needs of the community; and (c) An engineer’s assessment identifies the potential for the infrastructure to exacerbate flood and erosion hazard risk on neighbouring properties, and where the assessment shows that risk will be exacerbated; the assessment must outline ways this risk can be minimised.	The proposal has a functional and operational need to be located at the coastal edge and within the coastal marine area. The drydock / ship lift, wharf structures, reclamation and associated marine servicing areas require direct access to navigable water, vessel manoeuvring space and an integrated landward operating platform. The location adjoining Northport is the most appropriate location because it enables the infrastructure to operate in association with existing port resources, marine industrial land, transport access, stormwater infrastructure and supporting services. The proposal has been assessed against coastal hazard and climate change risks, including sea level rise, storm surge, wave exposure, erosion, accretion and coastal processes. The reclamation level, coastal edge treatment, marine structures and stormwater design respond to those risks and are directed at maintaining the integrity and function of the infrastructure over its design life. The coastal processes assessment has not identified an increased flood or erosion hazard risk to neighbouring properties or the surrounding environment. The proposal therefore addresses the policy’s specific concern that new infrastructure within a hazard area must not exacerbate hazard risk beyond the site. Overall, the proposal gives effect to Policy 7.1.5 because it is regionally significant infrastructure with a functional need for the coastal location, it has been designed for resilience during natural hazard events, and the coastal processes assessment confirms that it does not increase hazard risk to other properties or the surrounding environment.
Policy 7.1.6 – Climate change and development When managing subdivision, use and development in Northland, climate change effects will be included in all estimates of natural hazard risk, taking into account the scale and type of the proposed development and using the latest guidance and best available information on the likely effects of climate change on the region or district.	The proposal is consistent with Policy 7.1.6. Climate change effects have been included in the assessment of coastal hazard risk having regard to the scale, type and design life of the infrastructure. These effects are fundamental to the proposed design response.
Policy 7.2.2 – Establishing the need for hard protection structures Priority will be given to the use of non-structural measures over the use / construction of hard protection structures when managing hazard risk. New hard protection structures may be considered appropriate when:	Natural or non-structural defences are not a practicable hazard management response for a reclamation, wharf and drydock / ship lift facility that must interface directly with navigable water. The coastal edge structures are integral to the design, operation, and resilience of the infrastructure.

(a) The level of hazard risk reduction that the proposed structural asset is seeking to achieve is appropriate and cannot reasonably be achieved through non-structural options; OR (b) They will provide protection for concentrations of vulnerable existing development and the works form part of a long-term hazard management strategy that represents the best practicable option for the future; and (c) The financial costs of non-structural measures (compared to the costs of the hard protection structure that will achieve the desired level of hazard risk reduction) are too high for the community; and (d) It can be demonstrated that the benefits of mitigation outweigh the adverse effects and that the form and location of the hard protection structure is such that any adverse effects on the environment are minimised. Hard protection structures, when considered necessary to protect private assets, should not be located on public land unless there is significant public or environmental benefit in doing so.	
Policy 8.1.1 – Tangata whenua participation The regional and district councils shall provide opportunities for tangata whenua to participate in the review, development, implementation, and monitoring of plans and resource consent processes under the Resource Management Act 1991.	The proposal affects a coastal environment of cultural significance, including Whangārei Harbour, Poupouwhenua / Marsden Point, coastal waters, mahinga mātaītai, cultural landscapes and taonga species. The proposal provides a condition based pathway for tangata whenua participation in relevant management plans, cultural monitoring, accidental discovery procedures, ecological and coastal monitoring, and cultural input. Consistency is qualified because residual cultural effects are likely to remain.
Policy 8.1.2 – The regional and district council statutory responsibilities The regional and district councils shall when developing plans and processing resource consents under the Resource Management Act 1991 (RMA): (a) Recognise and provide for the relationship of tangata whenua and their culture and traditions with their ancestral land, water, sites wāhi tapu, and other taonga; (b) Have particular regard to kaitiakitanga; and	The proposal recognises that the harbour and Marsden Point / Poupouwhenua form part of an interconnected cultural landscape and seascape. Reclamation, dredging, coastal edge modification, effects on ecological systems and changes to mahinga mātaītai are likely to give rise to residual cultural effects. The proposal responds through conditions providing for tangata whenua involvement in management plans, cultural monitoring, accidental discovery procedures, ecological and coastal monitoring, and cultural input into implementation. Consistency remains qualified because those measures respond to, but do not fully resolve, the cultural effects of the proposal.

(c) Take into account the principles of the Treaty of Waitangi including partnership.

Regional Plan for Northland

Provision	Assessment
F.1.2 – Water quality Manage the use of land and discharges of contaminants to land and water so that: 1) existing water quality is at least maintained, and improved where it has been degraded below the river, lake or coastal water quality standards set out in H.3 Water quality standards and guidelines, and 2) the sedimentation of continually or intermittently flowing rivers, lakes and coastal water is minimised, and 3) the life-supporting capacity, ecosystem processes and indigenous species, including their associated ecosystems, of fresh and coastal water are safeguarded, and the health of freshwater ecosystems is maintained, and 4) the health of people and communities, as affected by contact with fresh and coastal water, is safeguarded, and 5) the health and safety of people and communities, as affected by discharges of sewage from vessels, is safeguarded, and 6) the quality of potable drinking water sources, including aquifers used for potable supplies, is protected, and 7) the significant values of outstanding freshwater bodies and natural wetlands are protected, and 8) kai is safe to harvest and eat, and recreational, amenity and other social and cultural values are provided for.	The proposal responds to this objective by separating clean stormwater from higher risk operational water, collecting and treating drydock / shipyard runoff and washwater, controlling trade waste where required, managing dredging and construction sediment, and providing monitoring and response procedures. These measures are necessary because shipyard activities can generate sediment, metals, hydrocarbons, antifouling residues and other contaminants if not properly contained and treated.

F.1.3 – Indigenous ecosystems and biodiversity In the coastal marine area and in fresh waterbodies, safeguard ecological integrity by: 1) protecting areas of significant indigenous vegetation and significant habitats of indigenous fauna, and 2) maintaining regional indigenous biodiversity, and 3) where practicable, enhancing and restoring indigenous ecosystems and habitats to a healthy functioning state, and reducing the overall threat status of regionally and nationally Threatened or At Risk species, and 4) preventing the introduction of new marine or freshwater pests into Northland and slowing the spread of established marine or freshwater pests within the region.	The proposal affects a coastal marine area that supports indigenous biodiversity values, including intertidal habitat, shorebirds, marine mammals and potential kororā / little blue penguin habitat. It also creates a biosecurity pathway risk through construction vessels, dredging equipment, floating infrastructure and operational vessel servicing. The key residual biodiversity issue is northern New Zealand dotterel. The avifauna assessment identifies a moderate effect from permanent foraging habitat loss and construction / operational disturbance or displacement. Effects on other avifauna species are low to very low, and direct injury or mortality is not expected to be the key effect. The proposal protects and maintains biodiversity through avifauna management, marine mammal procedures, kororā survey and protection measures, biosecurity controls, stormwater and washwater treatment, dredging controls, monitoring and conditions. For marine mammals, acoustic injury is expected to be avoided through the MMMP, source reduction, observation, shutdown and acoustic validation conditions, while residual effects are expected to relate primarily to temporary behavioural disturbance and short-term avoidance or displacement during piling. Consistency with F.1.3 is ultimately achieved through effects management measures established through a robust set of conditions of consent.
F.1.5 – Enabling economic wellbeing The use and development of Northland’s natural and physical resources is efficient and effective and managed in a way that will improve the economic, social and cultural well-being of Northland and its communities.	Objective F.1.5 seeks the efficient and effective use and development of Northland’s natural and physical resources in a way that will improve the economic, social and cultural wellbeing of Northland and its communities. The proposal gives direct effect to that direction. It enables a substantial regionally significant infrastructure project within an established marine industrial location adjoining Northport, where the use of coastal space, port related services, transport connections, industrial land and stormwater infrastructure can occur efficiently and effectively. The expert economic assessment identifies significant positive economic effects, including direct job creation, regional investment, increased marine servicing capability, and multiplier / flow-on benefits for supporting industries and services. Those benefits are particularly important in the Northland context and extend beyond the applicant to the wider marine, engineering, transport, logistics, trades, professional services and port related sectors.

	Overall, the proposal is strongly consistent with F.1.5 because it enables efficient and effective use and development of natural and physical resources in a way that will improve Northland's economic wellbeing, while also supporting wider social and community benefits through employment, investment and enhanced maritime capability.
F.1.6 – Regionally significant infrastructure Recognise the national, regional and local benefits of regionally significant infrastructure and renewable energy generation and enable their effective development, operation, maintenance, repair, upgrading and removal.	F.1.6 requires the benefits of regionally significant infrastructure to be recognised and its effective development, operation and maintenance to be enabled. The proposal will provide substantial regional and national benefits by increasing drydock / ship lift and marine maintenance capability, supporting commercial and strategic vessel servicing, strengthening maritime resilience, and enabling employment and investment in Northland. The proposal also makes efficient use of its location adjoining Northport, where it can operate in association with existing port resources, navigable harbour access, transport connections, industrial land, supporting services and stormwater infrastructure. That relationship is important because it enables the facility to function effectively as part of the wider Marsden Point / Northport marine industrial environment. Overall, the proposal gives effect to F.1.6 because it recognises and enables the development, operation and maintenance of regionally significant infrastructure that supports Northland's economic wellbeing, infrastructure resilience and marine servicing capability.
F.1.8 – Use and development in the coastal marine area Use and development in the coastal marine area: 1) makes efficient use of space occupied in the common marine and coastal area, and 2) is of a scale, density and design compatible with its location, and 3) recognises the need to maintain and enhance public open space and recreational opportunities, and 4) is provided for in appropriate places and forms, and within appropriate limits.	F.1.8 recognises that use and development in the CMA can provide for the economic, social and cultural wellbeing of people and communities, while requiring adverse effects on the coastal marine area and freshwater bodies to be managed. The reclamation is necessary to enable the proposed drydock / ship lift and shipyard activity. The facility requires direct connection to navigable water, wharf structures, vessel manoeuvring space, heavy load transfer areas, hardstand, servicing areas, treatment systems and safe operational access. Those elements cannot be provided effectively without a reclaimed platform adjoining the coastal marine area. The design report confirms that the reclamation footprint has been limited to what is necessary to enable the activity.

	The proposal also responds to the effects management component of F.1.8 through the design of the reclamation, dredging methodology, coastal processes assessment, stormwater and washwater treatment, sediment controls, ecological and avifauna measures, biosecurity controls, public access arrangements and proposed conditions. Overall, the proposal gives effect to F.1.8 because the reclamation is necessary, efficient and limited to the footprint required for the proposed infrastructure, while adverse effects are addressed through the design, management measures and conditions.
F.1.9 – Tangata whenua role in decision-making Tangāta whenua's kaitiaki role is recognised and provided for in decision-making over natural and physical resources.	The proposal affects that relationship through reclamation, dredging, coastal edge modification, effects on ecology and changes to harbour use. It responds through conditions that provide for tangata whenua involvement in relevant management plans, cultural monitoring, accidental discovery procedures, ecological and coastal monitoring, and cultural input into implementation. Consistency is qualified because residual cultural effects are likely to remain. The objective is best met through conditions that provide for meaningful and continuing tangata whenua involvement in decision-making during construction and operation.
F.1.10 – Natural hazard risk The risks and impacts of natural hazard events (including the influence of climate change) on people, communities, property, natural systems, infrastructure and the regional economy are minimised by: 1) increasing the understanding of natural hazards, including the potential influence of climate change on natural hazard events and the potential impacts on coastal biodiversity values, and 2) becoming better prepared for the consequences of natural hazard events, and 3) avoiding inappropriate new development in 100-year flood hazard areas and coastal hazard areas, and 4) not compromising the effectiveness of existing natural and man-made defences against natural hazards, and 5) enabling appropriate hazard mitigation measures to be implemented to protect existing vulnerable development, and	The proposal responds through design measures that account for climate change, sea level rise, storm tide, wave exposure, coastal processes and stormwater management. The reclamation level, coastal edge treatment and marine structural design are central to maintaining the integrity and function of the facility during hazard events. The proposal is not expected to materially increase hazard risk to people, adjoining land, infrastructure or natural systems.

6) promoting long-term strategies that reduce the risk of natural hazards impacting on people, communities and natural systems, and 7) recognising that in justified circumstances, critical infrastructure may have to be located in natural hazard-prone areas, and 8) anticipating and providing for, where practicable, landward migration of coastal biodiversity values affected by sea-level rise and natural hazard events.	
F.1.11 – Improving Northland’s natural and physical resources Enable and positively recognise activities that contribute to improving Northland's natural and physical resources.	F.1.11 is relevant to the extent that it involves the improvement of physical infrastructure, together with condition based management of water quality, public access and residual ecological effects.
F.1.12 – Natural character, outstanding natural features, historic heritage and places of significance to tangata whenua Protect from inappropriate use and development: i) the characteristics, qualities and values that make up: a) outstanding natural features in the coastal marine area and in fresh waterbodies, and b) areas of outstanding and high natural character in the coastal marine area and in fresh waterbodies within the coastal environment, and c) natural character in fresh waterbodies outside the coastal environment, and d) outstanding natural Landscapes in the coastal marine area	The proposal is not located in an Outstanding Natural Feature, Outstanding Natural Landscape, Outstanding Natural Character Area or High Natural Character Area. Rather, it is located in a modified working harbour environment adjoining Northport. Natural character and landscape effects are therefore assessed in that context and are not significant. Historic heritage is addressed through archaeological assessment and accidental discovery procedures. Tangata whenua values remain important because the harbour and Marsden Point / Poupuwhenua form part of an interconnected cultural landscape and seascape. Consistency is qualified in relation to cultural values and depends on conditions providing for tangata whenua involvement and cultural management of residual effects.
F.1.13 – Air quality Human health, ambient air quality, cultural values, amenity values and the environment are protected from significant adverse effects caused by the discharge of contaminants to air.	The shipyard activity has potential air quality effects from abrasive blasting, coating, painting, dust and odour generating activities. Those effects are addressed through encapsulation of high risk activities, operational controls, an air quality management framework, maintenance requirements, monitoring where required and complaint response procedures. Subject to those controls, discharges to air are not expected to compromise health, amenity, cultural values or other regionally significant infrastructure in the Marsden Point airshed.

F.1.14 – Hazardous substances and contaminated land Protect human health, and minimise the risk to the environment, from: 1) discharges of hazardous substances, and 2) discharges of contaminants from contaminated land.	The objective requires risks from hazardous substances and contaminated land to be managed so that adverse effects on people, property and the environment are avoided or mitigated. The proposal responds through a range of management measures secured by conditions of consent.
Policy D.1.1 – When and analysis of effects on tangata whenua and their taonga is required A resource consent application must include in its assessment of environmental effects an analysis of the effects of an activity on tangāta whenua and their taonga if one or more of the following is likely: 1) adverse effects on mahinga kai or access to mahinga kai, or 2) any damage, destruction or loss of access to wāhi tapu, sites of customary value and other ancestral sites and taonga with which Māori have a special relationship, or 3) adverse effects on indigenous biodiversity in the beds of waterbodies or the coastal marine area where it impacts on the ability of tangāta whenua to carry out cultural and traditional activities, or 4) the use of genetic engineering and the release of genetically modified organisms to the environment, or 5) adverse effects on tāiapure, mataitai or Māori non-commercial fisheries, or 6) adverse effects on protected customary rights, or 7) adverse effects on sites and areas of significance to tangāta whenua mapped in the Regional Plan (refer I Maps Ngā mahere matawhenua).	The proposal involves reclamation, dredging, occupation of the coastal marine area, effects on indigenous biodiversity, changes to the coastal edge, and potential effects on mahinga mātaītai, Māori non-commercial fisheries, cultural practices and taonga species. Those matters fall within the triggers in D.1.1 for an analysis of effects on tangata whenua and their taonga. The application is being made under the FTAA and must be assessed within that statutory framework. A project specific assessment of cultural effects has not been provided. However, the application recognises the cultural significance of Whangārei Harbour, Poupouwhenua / Marsden Point, coastal waters, mahinga mātaītai, cultural landscapes, wāhi tapu and taonga species, drawing on the available Patuharakeke cultural values material and relevant iwi / hapū planning material. The application responds to D.1.1 by identifying the types of effects that are likely to be of cultural relevance, including effects associated with reclamation, dredging, coastal edge modification, indigenous biodiversity, water quality, mahinga mātaītai and access to coastal resources. It also proposes conditions to provide for tangata whenua involvement in relevant management plans, cultural monitoring, accidental discovery procedures, ecological and coastal monitoring, and implementation of measures addressing residual ecological effects. Overall, the proposal is partially consistent with D.1.1. The matters that trigger the need for an analysis of effects on tangata whenua and their taonga are acknowledged, and the application includes a condition based response based on the information currently available. However, it is recognised that cultural effects are not fully resolved and that the proposed conditions have an important role in providing a structured pathway for tangata whenua input into implementation and monitoring.
D.1.2 – Requirements of an analysis of effects on tangata whenua and their tangata whenua	D.1.2 is directly relevant because D.1.1 is triggered. The policy specifies what an analysis of effects on tangata whenua and their taonga must contain, including detail that

If an analysis of the effects of an activity on tangāta whenua and their taonga is required in a resource consent application, the analysis must: 1) include such detail as corresponds with the scale and significance of the effects that the activity may have on tangāta whenua and their taonga, and 2) have regard to (but not be limited to): a) any relevant planning document recognised by an iwi authority (lodged with the Council) to the extent that its content has a bearing on the resource management issues of the region, and b) the outcomes of any consultation with tangāta whenua with respect to the consent application, and c) statutory acknowledgements in Treaty Settlement legislation, and 3) follow best practice, including requesting, in the first instance, that the relevant tangāta whenua undertake the assessment, and 4) specify the tangāta whenua that the assessment relates to, and 5) be evidence-based, and 6) incorporate, where appropriate, mātauranga Māori, and 7) identify and describe all the cultural resources and activities that may be affected by the activity, and 8) identify and describe the adverse effects of the activity on the cultural resources and cultural practices (including the effects on the mauri of the cultural resources, the cultural practices affected, how they are affected, and the extent of the effects), and 9) identify, where possible, how to avoid, remedy or mitigate the adverse effects on cultural values of the activity that are more than minor, and 10) include any other relevant information.	corresponds with the scale and significance of effects, and regard to relevant iwi planning documents and consultation outcomes. The proposal is an FTAA application and has been prepared on the basis of the cultural information currently available, including the Patuharakeke cultural values report and the Patuharakeke Hapu Environmental Management Plan. That information identifies the cultural significance of Whangārei Harbour, Poupouwhenua / Marsden Point, coastal waters, mahinga mātaimai, cultural landscapes, wāhi tapu, customary relationships and taonga species. The application recognises that reclamation, dredging, occupation of the coastal marine area, coastal edge modification, effects on indigenous biodiversity, water quality and mahinga mātaimai are matters that may affect tangata whenua and their taonga. The proposed conditions of consent respond by providing a framework for tangata whenua involvement in relevant management plans, cultural monitoring, ecological and coastal monitoring, accidental discovery procedures, and implementation of measures addressing residual ecological and cultural effects. Overall, the proposal is partially consistent with D.1.2. The application addresses the matters required by the policy to the extent practicable within the FTAA process and on the basis of the information available. However, cultural effects are not fully resolved, and the proposed conditions are therefore important in providing a structured pathway for tangata whenua input into implementation, monitoring and the management of effects on taonga.
D.1.3 – Affected persons	D.1.3 is relevant because it identifies persons who must be considered affected for notification purposes where adverse effects on specified tangata whenua resources and activities are minor or more than minor.

The following persons must be considered an affected person regarding notification where the adverse effects on the following resources and activities are minor or more than minor: See Table 14	The proposal is being considered under the FTAA, which has its own statutory process for identifying and inviting comments from relevant persons and groups. Accordingly, D.1.3 does not operate as a standard RMA notification rule for this application. However, it remains relevant as a policy indication of the types of tangata whenua interests that warrant particular attention where the activity may affect mahinga kai, wāhi tapu, ancestral sites, taonga, indigenous biodiversity, Māori non-commercial fisheries, protected customary rights, or mapped sites and areas of significance to tangata whenua. The proposal engages those matters because it involves reclamation, dredging, coastal edge modification, effects on indigenous biodiversity and potential effects on mahinga mātaihai, cultural practices and taonga species within Whangārei Harbour. The application responds by identifying the relevant cultural context and by proposing conditions that provide a pathway for tangata whenua involvement in management plans, monitoring, accidental discovery procedures, ecological and coastal monitoring, and implementation of measures addressing residual effects. Overall, D.1.3 is addressed through the FTAA participation process and the application's proposed condition framework. While the policy's standard notification mechanism is modified by the FTAA, the underlying purpose of recognising affected tangata whenua interests remains relevant and has informed the application's approach to cultural effects and implementation.
D.1.4 – Managing effects on places of significance to tangata whenua Resource consent for an activity may generally only be granted if the adverse effects from the activity on the values of Places of Significance to tangāta whenua in the coastal marine area and water bodies are avoided, remedied or mitigated so they are no more than minor.	D.1.4 addresses the circumstances in which an application that may adversely affect a place of significance to tangata whenua is granted. The policy is framed cautiously, but its wording is not an absolute prohibition. It provides that consent may generally only be granted where adverse effects on the identified values are no more than minor or where tangata whenua are satisfied with the proposed management of effects. The proposal is being considered under the FTAA, which establishes the statutory decision-making framework for the application. In that context, D.1.4 remains relevant as a regional policy direction, but it does not operate as a standalone veto or separate consenting gateway. No specific mapped or recorded place of significance to tangata whenua has been identified within the project footprint. However, the wider Marsden Point / Poupouwhenua and Whangārei Harbour environment is culturally significant, and the proposal may affect values associated with that wider cultural landscape through reclamation, dredging,

	coastal edge modification, indigenous biodiversity effects, water quality, mahinga mātaimai and access to coastal resources. The application responds to D.1.4 by recognising those values and proposing conditions that provide for tangata whenua input into relevant management plans, cultural monitoring, accidental discovery procedures, ecological and coastal monitoring, and the implementation of measures addressing residual effects. Overall, the proposal is partially consistent with D.1.4. The proposal does not directly affect any identified place of significance within the project footprint, but it is located within a culturally significant harbour environment. Cultural effects are therefore acknowledged and addressed through the proposed condition framework, while the ultimate assessment of whether approval is appropriate sits within the FTAA decision-making framework.
D.1.5 – Places of significance to tangata whenua For the purposes of this Plan, a place of significance to tangāta whenua: 1) is in the coastal marine area, or in a water body, where the values which may be impacted are related to any of the following: a) soil conservation, or b) quality and quantity of water, or c) aquatic ecosystems and indigenous biodiversity, and 2) is: a) a historic heritage resource, or b) ancestral land, water, site, wāhi tapu, or other taonga, and 3) is either: a) a Site or Area of Significance to tangāta whenua, which is a single resource or set of resources identified, described and contained in a mapped location, or b) a Landscape of Significance to tangāta whenua, which is a collection of related resources identified and described within a mapped area, with the relationship between those component resources identified, and	D.1.5 defines what is to be treated as a “place of significance to tangata whenua” for the purposes of the Regional Plan. The provision is relevant because the proposal is located within the coastal marine area and within the wider Whangārei Harbour / Poupouwhenua cultural landscape. Those broader cultural values are acknowledged in the application, particularly in relation to ancestral waters, mahinga mātaimai, customary relationships, indigenous biodiversity and taonga species. However, D.1.5 is more specific than a general recognition of cultural significance. It refers to identified sites, areas or landscapes of significance to tangata whenua that are described and spatially mapped for Plan purposes. On the information currently available, no such mapped or recorded place of significance to tangata whenua is located within the project footprint. Accordingly, the proposal is best assessed as affecting a wider culturally significant harbour environment, rather than directly affecting a specific D.1.5 mapped place of significance. That distinction is important for the application of D.1.4. The application nevertheless responds to the wider cultural context through proposed conditions for tangata whenua input into relevant management plans, cultural monitoring, accidental discovery procedures, ecological and coastal monitoring, and implementation of measures addressing residual effects.

4) has one or more of the following attributes:

a) historic associations, which include but are not limited to:

- i. stories of initial migration, arrival and settlement, or
- ii. patterns of occupation, including permanent, temporary or seasonal occupation, or
- iii. the sites of conflicts and the subsequent peace-making and rebuilding of iwi or hapū, or
- iv. kinship and alliances built between areas and iwi or hapū, often in terms of significant events, or
- v. alliances to defend against external threats, or
- vi. recognition of notable tupuna, and sites associated with them, or

b) traditional associations, which include but are not limited to:

- i. resource use, including trading and trading routes between groups (for instance – with minerals such as matā/obsidian), or
- ii. traditional travel and communication linkages, both on land and sea, or
- iii. areas of mana moana for fisheries and other rights, or
- iv. use of landmarks for navigation and location of fisheries grounds, or
- v. implementation of traditional management measures, such as rāhui or tohatoha (distribution), or

c) cultural associations, which include but are not limited to:

- i. the web of whanaungatanga connecting across locations and generations, or
- ii. the implementation of concepts such as kaitiakitanga and manākitanga, with specific details for each whanau, hapū and iwi, or

d) spiritual associations which pervade all environmental and social realities, and include but are not limited to:

i. the role of the atua Ranginui and Papatūānuku, and their offspring such as Tangaroa and Tāne, or ii. the recognition of places with connection to the wairua of those with us and those who have passed away, or iii. the need to maintain the mauri of all living things and their environment, and 5) must: a) be based on traditions and tikanga, and b) be endorsed for evidential purposes by the relevant tangāta whenua community, and c) record the values of the place for which protection is required, and d) record the relationship between the individual sites or resources (landscapes only), and e) record the tangāta whenua groups determining and endorsing the assessment, and f) geographically define the areas where values can be adversely affected.	
Policy D.2.1 – Rules for managing natural and physical resources Include rules to manage the use, development and protection of natural and physical resources that: 1) are the most efficient and effective way of achieving national and regional resource management objectives, and 2) are as internally consistent as possible, and 3) use or support good management practices, and 4) minimise compliance costs, and 5) enable use and development that complies with any relevant National Policy Statement, the Regional Policy Statement for Northland and the objectives and policies of this Plan, and 6) focus on effects and, where suitable, use performance standards.	Policy D.2.1 is primarily a plan making provision, but it confirms the RPN's effects based approach to managing natural and physical resources through efficient, effective and internally consistent rules.

Policy D.2.2 – Social, cultural and economic benefits of activities Regard must be had to the social, cultural and economic benefits of a proposed activity, recognising significant benefits to local communities, Māori and the region including local employment and enhancing Māori development, particularly in areas of Northland where alternative opportunities are limited.	The proposal strongly supports D.2.2. The policy requires regard to be had to the social, cultural and economic benefits of a proposed activity, including significant benefits to local communities, Māori and the region, local employment, and opportunities for development in areas where alternatives may be limited. The expert economic assessment identifies significant positive economic effects from the proposal, including direct job creation, regional investment, increased marine servicing capability, and multiplier / flow-on benefits for supporting industries and services such as marine services, engineering, trades, transport, logistics, professional services and port related activities. Those benefits are directly relevant to D.2.2. The proposal will support employment, investment and economic activity in Northland, strengthen the Marsden Point / Northport marine industrial economy, and provide wider regional benefits through increased maritime servicing capability. Overall, the proposal gives effect to D.2.2 because it delivers the type of social and economic benefits the policy requires decision makers to have regard to, particularly benefits for local communities and the region through employment, investment and business activity.
Policy D.2.3 – Climate change and development Particular regard must be had to the potential effects of climate change on a proposed development requiring consent under this Plan, taking into account the scale, type and design-life of the development proposed and with reference to the latest national guidance and best available climate change projections.	The proposal is consistent with D.2.3. The policy requires regard to be had to the effects of climate change, including sea level rise and changes in the frequency or intensity of natural hazard events. Climate change has been integral to the design response. The proposal is long life infrastructure located at the coastal edge and within the coastal marine area, where exposure to sea level rise, storm surge, wave effects, inundation and coastal processes must be addressed at the outset. The reclamation level, coastal edge treatment, stormwater design, marine structures and operational layout have been developed having regard to future coastal hazard conditions and the need to maintain the function and resilience of the facility over its design life. The coastal processes assessment has also considered whether the proposal would increase hazard risk to neighbouring properties or the surrounding environment, and has not identified such risks.

	Overall, the proposal gives effect to D.2.3 because climate change and coastal hazard risk have informed the design of the infrastructure, rather than being treated as matters to be addressed later.
Policy D.2.5 – Benefits of regionally significant infrastructure Particular regard must be had to the national, regional and locally significant social, economic, and cultural benefits of regionally significant infrastructure.	The proposal is regionally significant infrastructure in the form of a drydock / ship lift and marine maintenance facility adjoining Northport. Its benefits are substantial and extend beyond the applicant. The expert economic assessment identifies significant positive economic effects, including direct job creation, regional investment, increased marine servicing capability, and multiplier / flow on benefits for supporting industries and services such as marine services, engineering, trades, transport, logistics, professional services and port related activities. The benefits are directly relevant to D.2.5 and must be given particular weight. The proposal will strengthen the Marsden Point / Northport marine industrial economy, improve New Zealand’s vessel servicing capacity, support commercial and strategic vessel resilience, and contribute to employment and economic activity in Northland. Overall, the proposal gives effect to D.2.5 because it delivers significant social and economic benefits from regionally significant infrastructure, and those benefits must be expressly recognised and given particular regard in the overall assessment.
Policy D.2.7 – Minor effects arising from the establishment and operation of regionally significant infrastructure Enable the establishment and operation (including consenting) of regionally significant infrastructure by allowing any minor adverse effects providing: 1) The regionally significant infrastructure proposal is consistent with: a) all policies in Section D.1 Tangāta whenua, and b) Rule D.2.16 Managing adverse effects on historic heritage, and c) D.2.17 Managing adverse effects on natural character, outstanding natural landscapes and outstanding natural features, and d) Rule D.2.18 Managing adverse effects on indigenous biodiversity, and	Policy D.2.7 is enabling where the residual adverse effects of RSI are minor or have been reduced to no more than minor through the available effects management methods. The proposal gains some support from that enabling intent, but it cannot rely solely on D.2.7 because the permanent intertidal and subtidal habitat effects and residual cultural and local landscape effects are greater than minor. Those effects are more appropriately assessed under Policy D.2.9, which expressly provides the framework for determining the appropriateness of RSI where effects exceed those contemplated by Policies D.2.6 and D.2.7.

2) the regionally significant infrastructure proposal will not likely result in over-allocation having regard to the allocation limits in H.4.3 Allocation limits for rivers, and 3) other adverse effects arising from the regionally significant infrastructure are avoided, remedied, mitigated or offset to the extent they are no more than minor.	
Policy D.2.9 – Appropriateness of regionally significant infrastructure proposals When considering the appropriateness of a regionally significant infrastructure activity in circumstances where adverse effects are greater than envisaged in Policies D.2.6 and D.2.7, have regard and give appropriate weight to: 1) the benefits of the activity in terms of D.2.5, and 2) whether the activity must be recognised and provided for by a national policy statement, and 3) any demonstrated functional need for the activity, and 4) the extent to which any adverse environmental effects have been avoided, remedied or mitigated by route, site or method selection, and 5) any operational, technical or location constraints that limit the design and location of the activity, including any alternatives that have been considered which have proven to be impractical, or have greater adverse effects, and 6) whether the activity is for regionally significant infrastructure which is included in Schedule 1 of the Civil Defence Emergency Management Act as a lifeline utility and meets the reasonably foreseeable needs of Northland, and 7) the extent to which the adverse effects of the activity can be practicably reduced, inclusive of any positive effects and environmental offsets proposed, and 8) whether an adaptive management regime (including modification to the consented activity) can be used to manage any uncertainty around the occurrence of residual adverse effects, and 9) whether the activity helps to achieve consolidated development and the efficient use of land and resources, including within the coastal marine area.	Policy D.2.9 is the principal RPN framework for determining whether RSI with adverse effects is appropriate. It requires the Project’s benefits, recognition in national direction, functional need, alternatives, operational and locational constraints, effects management and contribution to consolidated development and efficient resource use to be considered together. The proposal is strongly supported by clauses addressing benefits and national direction. The Economic Impact Assessment and Regional and National Public-Interest Benefits Report identify significant regional and national benefits, including employment, investment, increased marine servicing capability, reduced offshore servicing dependency, improved maritime resilience and strengthened domestic vessel maintenance capability. The NPS-I also requires infrastructure benefits, functional and operational need, technical constraints and efficient delivery to be recognised and provided for. The proposal has a demonstrated functional and operational need for direct access to deep navigable water and an integrated land–water operating platform. The alternatives assessment has considered location, form and method and has not identified a practicable alternative that provides the assessed function while avoiding the permanent intertidal and subtidal habitat effects. Locating beside Northport makes use of an established maritime industrial node, existing navigation and transport connections, marine services, industrial land and supporting infrastructure. Adverse effects have been reduced through location and footprint selection, suspended structures where practicable, design refinement, construction methodology and timing, source separation and containment, management plans, monitoring, response procedures and proposed conditions. The moderate ecological effect on northern New Zealand dotterel is not expected to result in material adverse harm to the taxon. The principal unresolved ecological effects are the permanent loss and modification of intertidal and

	subtidal habitat, including effects on the values and characteristics of the One Tree Point–Marsden Bay Significant Ecological Area and on vulnerable coastal habitats. The Project will also achieve consolidated development and efficient use of land and coastal marine area resources by extending an established maritime industrial node and locating predominantly within the MPPZ. Taken together, the Policy D.2.9 considerations support the conclusion that the Project is appropriate RSI, notwithstanding the identified tension between the permanent marine habitat effects and Policy D.2.18.
Policy D.2.11 – Protection of regionally significant infrastructure When considering new use and development activities that could adversely affect the ongoing operation, maintenance, upgrade or development of regionally significant infrastructure; ensure that the regionally significant infrastructure is not compromised.	The proposal will not compromise existing regionally significant infrastructure (most relevantly in this case Northport). It is a compatible marine industrial activity adjoining Northport and supports the wider port and infrastructure environment. Access, traffic, safety, noise, public access and operational interface matters are managed through design and conditions so that existing infrastructure operations are not adversely constrained.
D.2.13 – Marine and freshwater pest management Manage the adverse effects from marine pests, and pests within the beds of freshwater bodies, by: 1) recognising that the introduction or spreading of pests within the coastal marine area and freshwater bodies could have significant and irreversible adverse effects on Northland's environment, and 2) recognising that the main risk of introducing and spreading pests is from the movement of vessels, structures, equipment, materials, and aquaculture livestock, and 3) decision-makers applying the precautionary principle when there is scientific uncertainty as to the extent of effects from the introduction or spread of pests, and 4) imposing conditions on resource consents requiring that best practice measures are implemented so that risk of introducing or spreading pests is effectively managed as a result of the consented activity.	The proposal directly engages with D.2.3 because it involves construction vessels, barges, dredging equipment, marine structures, vessel movements and ongoing vessel servicing. It responds through separate Construction Biosecurity Management Plan and Operational Biosecurity Management Plan requirements. Those plans address inspection, cleaning, record keeping, reporting, response procedures and alignment with applicable marine biosecurity requirements. Subject to those conditions, the proposal provides an enforceable pathway to manage the risk of introducing or spreading harmful aquatic organisms.

D.2.14 – Resource consent duration When determining the expiry date for a resource consent, have particular regard to: 1) security of tenure for investment (the larger the investment, then generally the longer the consent duration), and 2) the administrative benefits of aligning the expiry date with other resource consents for the same activity in the surrounding area or catchment, and 3) certainty of effects (the less certain the effects, the shorter the consent duration), and 4) whether the activity is associated with regionally significant infrastructure (generally longer consent durations for regionally significant infrastructure), and 5) the following additional matters where the resource consent application is to re-consent an activity: a) the applicant’s past compliance with the conditions of any previous resource consent or relevant industry guidelines or codes of practice (significant previous non-compliance should generally result in a shorter duration), and b) the applicant’s voluntary adoption of good management practice (the adoption of good management practices that minimise adverse environmental effects could result in a longer consent duration).	The proposal is consistent with D.2.14. The policy requires particular regard to be had to consent duration, including security of tenure for investment, alignment with other related consents, certainty of effects, and whether the activity is associated with regionally significant infrastructure. The proposal is a substantial long life infrastructure investment involving reclamation, wharf structures, vessel haul out infrastructure, hardstand, treatment systems and associated operational infrastructure. A longer consent duration is appropriate to provide security for that investment and to reflect the enduring nature of the infrastructure. The activity is also associated with regionally significant infrastructure, which D.2.14 identifies as a matter generally supporting longer consent durations. The occupied coastal space is required for a use that has a functional and operational need to be located in the coastal marine area. There is no evident competing demand for the same space that would justify a shorter duration, given the location adjoining Northport and the purpose built nature of the reclamation and marine infrastructure. The effects of the proposal have been assessed through the technical reports. The principal effects are sufficiently understood to support the consent duration sought, including effects on coastal processes, water quality, dredging, transport, noise, natural character, public access, archaeology, marine mammals, kororā and biosecurity. The key residual uncertainty relates to ecological and avifauna outcomes, particularly the moderate residual effect on northern New Zealand dotterel. The application responds to that matter through proposed monitoring, and management measures. Overall, the proposed consent duration is appropriate under D.2.14 because it reflects the scale and investment life of the infrastructure, its association with regionally significant infrastructure, the functional need to occupy the CMA, the absence of a more appropriate competing use of the occupied space, and the level of certainty provided by the technical assessments and proposed management framework.
D.2.15 – Recognising other plans and strategies When considering a resource consent application have regard to issues, uses, values, objectives and outcomes identified in an operative plan or strategy adopted by the Regional Council that has followed a consultation process carried out in accordance with the consultative principles and procedures of the	Policy D.2.15 is relevant to the extent other plans and strategies inform the assessment, including iwi and hapū management plans, coastal management strategies, biosecurity guidance, transport planning and any relevant harbour or port related strategies. The proposal responds by recognising the Northport / Marsden Point working harbour context, tangata whenua planning material, regional infrastructure direction, biosecurity

Local Government Act 2002, to the extent that the content of the plan or strategy has a bearing on the resource management issues of the region.	risk, transport access, coastal hazard information and public access outcomes. The policy does not determine the application, but it supports an integrated assessment across the relevant planning and strategy framework.
D.2.16 – Managing adverse effects on historic heritage Manage the adverse effects of activities on historic heritage by: 1) avoiding significant adverse effects on the characteristics, qualities and values that contribute to historic heritage, and 2) recognising that historic heritage sites and historic heritage areas in the coastal marine area identified in I Maps Ngā mahere matawhenua have been identified in accordance with the criteria outlined in Policy 4.5.3 of the Regional Policy Statement for Northland, and 3) recognising the following as being significant adverse effects to be avoided: a) the destruction of the physical elements of historic heritage, and b) relocation of the physical elements of historic heritage, and c) alterations and additions to the form and appearance of the physical elements of historic heritage, and d) loss of context to the surroundings of historic heritage, taking into account the scale of any proposal, and 4) recognising that despite (2), there are not likely to be significant adverse effects if: a) the historic heritage has already been irreparably damaged as assessed by a suitably qualified and experienced heritage professional and there are significant health and safety or navigational safety risks if it were to remain, or b) alterations, additions, repair or maintenance will not result in the loss, or significant degradation of, any values contributing to it being historic heritage in accordance with Policy 4.5.3 of the Regional Policy Statement, or c) the context of the historic heritage in its present location has already been lost and any damage to the historic heritage during relocation can be avoided, and	The archaeological assessment identifies the historic and archaeological context of the site and wider harbour. No known recorded archaeological site or scheduled historic heritage item is expected to be directly affected. The main heritage risk is the potential discovery of previously unidentified archaeological material, kōiwi or taonga during works. That risk is appropriately managed through accidental discovery procedures, cultural monitoring where required, notification requirements and any necessary statutory authority before works recommence.

5) determining the likely adverse effects of proposals by taking into account:

a) the historic heritage values of the historic heritage sites or historic heritage areas as described in the assessment reports available on the Regional Council's website, and

b) the outcomes of any consultation with:

i. Heritage New Zealand Pouhere Taonga (particularly where an item is listed by Heritage New Zealand Pouhere Taonga and/or is an archaeological site requiring an 'authority to modify'), the Department of Conservation or any other appropriate body with statutory heritage protection functions, and

ii. tangāta whenua in instances where historic heritage has identified values of significance to tangāta whenua, and

c) where considered necessary, a historic heritage impact assessment produced by a suitably qualified and experienced heritage professional, and 235

d) any values identified in addition to those listed in Policy 4.5.3 of the Regional Policy Statement for Northland 2016 including:

i. vulnerability (the resource is vulnerable to deterioration or destruction or is threatened by land use activities), and

ii. patterns (the resource is associated with important aspects, processes, themes or patterns of local, regional or national history), and

iii. public esteem (the resource is held in high public esteem for its heritage or aesthetic values or as a focus of spiritual, political, national or other social or cultural sentiment), and

iv. commemorative (the resource has symbolic or commemorative significance to past or present users or their descendants, resulting from its special interest, character, landmark, amenity or visual appeal), and

v. education (the resource contributes, through public education, to people's awareness, understanding and appreciation of New Zealand's history and cultures), and

6) recognising that appropriate methods of avoiding, remedying or mitigating adverse effects may include: a) careful design, scale and location proposed in relation to historic heritage values, including proposed use and development adjacent to historic heritage, and b) the use of setback, buffers and screening from historic heritage, and c) reversing previous damage or disturbance to historic heritage, and d) improving the public use, value, or understanding of the historic heritage, and e) the development of management and conservation plans, and f) gathering and recording information on historic heritage by a suitably qualified and experienced heritage professional, and g) implementing the stabilisation, preservation and conservation principles of the ICOMOS156 New Zealand Charter Revised 2010, and 7) determining if an archaeological advice note or Accidental Discovery Protocol advice note should be included if there is a possibility of unrecorded archaeology being encountered or the proposal will or may affect recorded archaeological sites. An advice note will outline that work affecting archaeological sites is subject to an authority process under the Heritage New Zealand Pouhere Taonga Act 2014, and 8) recognising that for the purposes of Section 95E of the RMA, Heritage New Zealand Pouhere Taonga under the Heritage New Zealand Pouhere Taonga Act 2014 is an affected person in relation to resource consent applications under the RMA affecting: a) any listed items in this Plan, also listed under the Heritage New Zealand Pouhere Taonga Act 2014, and b) are pre-1900 recorded and unrecorded archaeological sites.	
Policy D.2.17 – Managing adverse effects on natural character, outstanding natural landscapes and outstanding natural features Manage the adverse effects of activities on natural character, outstanding natural landscapes and outstanding natural features by:	The proposal is consistent with D.2.17. The proposal is not located in an Outstanding Natural Feature, Outstanding Natural Landscape, Outstanding Natural Character Area or High Natural Character Area.

1) avoiding adverse effects of activities as outlined in Table 17: Adverse effects to be avoided.

Table 17: Adverse effects to be avoided

Place / value	Location of the place	Effects to be avoided
Areas of Outstanding Natural Character Outstanding Natural Features Outstanding Natural Landscapes	Coastal marine area and freshwater bodies in the coastal environment.	Adverse effects on the characteristics, qualities and values that contribute to make the place outstanding.
Natural Character (incl. High Natural Character) Other Natural Features and Landscapes	The coastal marine area and freshwater bodies in the coastal environment.	Significant adverse effects on the characteristics, qualities and values that contribute to Natural Character or other natural features and landscapes.
Natural Character Outstanding Natural Features Outstanding Natural Landscapes	Freshwater bodies outside the coastal environment.	Significant adverse effects on the characteristics, qualities and values that contribute to Natural Character or which make the Natural Character or landscape outstanding.

2) recognising that, in relation to natural character in waterbodies and the coastal environment (where not identified as outstanding natural character), appropriate methods of avoiding, remedying or mitigating adverse effects may include:

- a) ensuring the location, intensity, scale and form of activities is appropriate having regard to natural elements and processes, and
- b) in areas of high natural character in the coastal environment, minimising to the extent practicable indigenous vegetation clearance and modification (seabed and foreshore disturbance, structures, discharges of contaminants), and
- c) in freshwater, minimising to the extent practicable modification (disturbance, structures, extraction of water and discharge of contaminants), and

3) recognising that in relation to outstanding natural features in water bodies outside the coastal environment, appropriate methods of avoiding, remedying or mitigating adverse effects may include:

The landscape and natural character assessment confirms that the site forms part of a modified port edge environment, where natural character and landscape values have already been substantially changed by reclamation, dredging, port infrastructure, coastal edge modification and industrial activity.

The proposal will result in further localised modification through reclamation, marine structures, hardstand and operational activity. However, the landscape assessment confirms that those effects are to be understood in the context of the existing Northport / Marsden Point working harbour environment. The proposal consolidates marine industrial development in that established setting and does not extend development into an undeveloped or highly natural coastal landscape.

Natural character effects are assessed as moderate-high at the Albany Road beachfront and Blacksmiths Creek Reserve and moderate at Marsden Bay Reserve. The Landscape Assessment also identifies high localised landscape effects at Marsden Bay Reserve and the Albany Road beachfront. Those local ratings reduce materially at the wider harbour scale.

Significant adverse effects on natural character, landscape and visual values are avoided. Remaining effects are appropriately managed through the proposal's location, layout, scale, coastal edge design and integration with the existing port and industrial environment.

a) requiring that the scale and intensity of bed disturbance and modification is appropriate, taking into account the feature's scale, form and vulnerability to modification of the feature, and b) requiring that proposals to extract water or discharge contaminants do not significantly adversely affect the characteristics, qualities and values of the outstanding natural feature, and 4) recognising that uses and development form part of existing landscapes, features and waterbodies and have existing effects.	
D.2.18 – Managing adverse effects on indigenous biodiversity Manage the adverse effects of activities on indigenous biodiversity by: 1) in the coastal environment: a) avoiding adverse effects on: i. indigenous taxa that are listed as Threatened or At Risk in the New Zealand Threat Classification System lists, and ii. areas of indigenous vegetation and habitats of indigenous fauna that are assessed as significant using the assessment criteria in Appendix 5 of the Regional Policy Statement, and iii. areas set aside for full or partial protection of indigenous biodiversity under other legislation, and b) avoiding significant adverse effects and avoiding, remedying or mitigating other adverse effects on: i. areas of predominantly indigenous vegetation, other than areas of mangroves to be pruned or removed for one of the purposes listed in D.5.26, and ii. habitats of indigenous species that are important for recreational, commercial, traditional or cultural purposes, and iii. indigenous ecosystems and habitats that are particularly vulnerable to modification, including estuaries, lagoons, coastal wetlands, intertidal zones,	Policy D.2.18 requires separate consideration of effects on threatened or at-risk taxa, effects on the values and characteristics of significant indigenous habitats, and significant adverse effects on vulnerable coastal ecosystems and habitats. Northern New Zealand dotterel is a threatened taxon to which D.2.18(1)(a)(i) applies. The Coastal Avifauna Assessment identifies a moderate ecological effect associated principally with permanent loss of some foraging habitat and temporary disturbance. Subject to the proposed measures, injury and mortality will be avoided, and the assessment does not identify material effects on breeding success, recruitment, local population viability, natural range or persistence of the taxon. The proposal is therefore assessed as avoiding material adverse harm to the taxon for the purposes of D.2.18(1)(a)(i). The proposal is not, however, in full alignment with D.2.18. It will permanently remove and modify intertidal and subtidal habitat within the One Tree Point–Marsden Bay Significant Ecological Area. The affected habitat supports values and characteristics for which the area is recognised as significant, including benthic communities, shellfish habitat, shorebird feeding resources and fish feeding or nursery functions. Those effects engage D.2.18(1)(a)(ii). The Marine Ecology Assessment also identifies significant adverse effects on intertidal and associated vulnerable coastal habitats, engaging D.2.18(1)(b). The system wide direction in D.2.18(5) is relevant. The assessments consider the Project footprint in the wider Marsden Bay, Significant Ecological Area and harbour context. That wider context informs the scale and consequence of the effects, but the permanent habitat loss remains irreversible and the habitat related avoidance outcomes are not fully achieved.

rocky reef systems, eelgrass, northern wet heathlands, coastal and headwater streams, spawning and nursery areas and saltmarsh, and

2) outside the coastal environment:

a) avoiding, remedying or mitigating adverse effects so they are no more than minor on:

i. indigenous taxa that are listed as Threatened or At Risk in the New Zealand Threat Classification System lists, and

ii. areas of indigenous vegetation and habitats of indigenous fauna, that are significant using the assessment criteria in Appendix 5 of the Regional Policy Statement, and

iii. areas set aside for full or partial protection of indigenous biodiversity under other legislation, and

b) avoiding, remedying or mitigating adverse effects so they are not significant on:

i. areas of predominantly indigenous vegetation, and

ii. habitats of indigenous species that are important for recreational, commercial, traditional or cultural purposes, and

iii. indigenous ecosystems and habitats that are particularly vulnerable to modification, including wetlands, wet heathlands, headwater streams, spawning and nursery areas, and

3) recognising areas of significant indigenous vegetation and significant habitats of indigenous fauna include:

a) Significant Ecological Areas, and

b) Significant Bird Areas, and

c) Significant Marine Mammal and Seabird Areas, and

4) recognising damage, disturbance or loss to the following as being potential adverse effects:

a) connections between areas of indigenous biodiversity, and

The design, location and management methods identified in D.2.18(6) are reflected in the Project through footprint refinement, suspended structures where practicable, construction and timing controls, species-specific management, water quality and biosecurity controls, monitoring and proposed conditions. Those measures reduce effects but do not replace the habitat permanently occupied or dredged.

Overall, the threatened taxon avoidance outcome is assessed as achieved in relation to northern New Zealand dotterel, but the habitat-related avoidance outcomes in D.2.18 are not fully achieved.

b) the life-supporting capacity of the area of indigenous biodiversity, and c) flora and fauna that are supported by the area of indigenous biodiversity, and d) natural processes or systems that contribute to the area of indigenous biodiversity, and 5) assessing the potential adverse effects of the activity on identified values of indigenous biodiversity, including by: a) taking a system-wide approach to large areas of indigenous biodiversity such as whole estuaries or widespread bird and marine mammal habitats, recognising that the scale of the effect of an activity is proportional to the size and sensitivity of the area of indigenous biodiversity, and b) recognising that existing activities may be having existing acceptable effects, and c) recognising that discrete, localised or otherwise minor effects impacting on the indigenous biodiversity may be acceptable, and d) recognising that activities with transitory effects may be acceptable, and 6) recognising that appropriate methods of avoiding, remedying or mitigating adverse effects may include: a) careful design, scale and location proposed in relation to areas of indigenous biodiversity, and b) maintaining and enhancing connections within and between areas of indigenous biodiversity, and c) considering the minimisation of effects during sensitive times such as indigenous freshwater fish spawning and migration periods, and d) providing adequate setbacks, screening or buffers where there is the likelihood of damage and disturbance to areas of indigenous biodiversity from adjacent use and development, and e) maintaining the continuity of natural processes and systems contributing to the integrity of ecological areas, and	
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f) the development of ecological management and restoration plans, and 7) recognising that significant residual adverse effects on biodiversity values can be offset or compensated: a) in accordance with the Regional Policy Statement for Northland Policy 4.4.1, and b) after consideration of the methods in (6) above, recognising the benefits of activities that: a) include the restoration and enhancement of ecosystems, habitats and indigenous biodiversity, and b) improve the public use, value or understanding of ecosystems, habitats and indigenous biodiversity.	
D.2.19 – Managing adverse effects on land-based values and infrastructure When considering an application for a resource consent for an activity in the coastal marine area or in, on or under the bed of a freshwater body, recognise that adverse effects may extend beyond the coastal marine area or the freshwater body to: 1) significant areas and values including: a) Areas of outstanding and high natural character, and b) Outstanding natural landscapes, and c) Outstanding natural features, and d) Historic heritage, and e) Areas of significant indigenous biodiversity, and f) Places of significance to tangāta whenua, and 2) land-based infrastructure including: a) toilets, and	The proposal responds to D.2.19 by assessing effects across the land / coastal marine area interface. The assessment addresses effects on adjoining and nearby land based values and infrastructure, including public walking access from Papich Road to the western side of the reclamation and relocated fishing jetty, transport access, noise, lighting, stormwater infrastructure, coastal processes, archaeology, natural character, landscape values, tangata whenua values and indigenous biodiversity. The policy also requires regard to be had to any demonstrated functional need for the activity. That matter is central here. The drydock / ship lift, wharf structures, vessel manoeuvring areas, reclamation, hardstand and servicing areas must operate together as an integrated marine industrial facility. The activity therefore has a functional and operational need to occupy the coastal marine area and connect directly with adjoining land based infrastructure and services. The nature and scale of effects have been assessed in that context. The proposal is located adjoining an established port and industrial environment and is not within an Outstanding Natural Landscape, Outstanding Natural Feature, Outstanding or High Natural Character Area, or mapped place of significance to tangata whenua within the project footprint. Effects extending beyond the CMA are addressed through design, access arrangements, management plans, monitoring and proposed conditions.

b) car parks, and c) refuse facilities, and d) boat ramps, and e) boat and dinghy storage, and when considering a proposal that has adverse effects that may extend beyond the coastal marine area or the freshwater body, decision-makers should have regard to: 3) any demonstrated functional need for the activity, and 4) the nature and scale of effects, and 5) the proximity of mapped Outstanding Natural Landscapes outside the coastal marine area and the potential for activities in the coastal marine area to have adverse effects on the identified natural values, characteristics and qualities of such Outstanding Natural Landscapes, and 6) the need to impose conditions on resource consents for those activities in order to avoid, remedy or mitigate these adverse effects.	Overall, the proposal is consistent with D.2.19 because it recognises the potential for coastal marine area activities to affect adjoining land based values and infrastructure, assesses those effects at the appropriate interface scale, and responds through a coordinated design and condition framework that reflects the functional need for the activity to connect the CMA with adjoining port and marine industrial land.
D.2.20 – Precautionary approach to managing effects on significant indigenous biodiversity That decision makers adopt a precautionary approach where the adverse effects of proposed activities are uncertain, unknown or little understood, on: 1) indigenous biodiversity, including Significant Ecological Areas, Significant Bird Areas and other areas that are assessed as significant under the criteria in Appendix 5 of the Regional Policy Statement; and 2) the coastal environment where the adverse effects are potentially significantly adverse, particularly in relation to coastal resources vulnerable to the effects of climate change.	The proposal responds to D.2.20 through species specific assessment and management. In relation to kororā, surveys have not recorded kororā within the project footprint to date, but the western revetment provides potential habitat. The application therefore adopts a precautionary approach through survey, monitoring, exclusion, handling and relocation procedures, and a wildlife approval framework to avoid injury, mortality or significant disturbance if kororā are encountered. The policy is also relevant to avifauna. The avifauna assessment identifies a moderate residual effect associated with permanent loss of foraging habitat and construction / operational disturbance or displacement. Effects on other avifauna species are assessed as low to very low, and direct injury or mortality is not expected to be the key effect. Accordingly, the proposal addresses D.2.20 in two ways. Uncertain or potential effects, including effects on kororā and marine mammals, are managed through precautionary species specific procedures. For marine mammals, those procedures include source reduction, soft-start / ramp-up, daylight piling controls, MMOZ / EMMOZ procedures,

	dredging observation where relevant, acoustic validation, incident response and review of management zones to avoid acoustic injury and minimise temporary behavioural disturbance. Known residual effects, including the moderate residual effect on northern New Zealand dotterel and permanent marine habitat loss, are identified directly in the ecological assessments and addressed through the Project specific avoidance, mitigation, monitoring and management measures to the extent practicable.
D.3.1 - General approach to managing air quality When considering resource consent applications for discharges to air: 1) ensure that discharges of contaminants to air do not occur in a manner that causes, or is likely to cause, a hazardous, noxious, dangerous or toxic effect on human or animal health or ecosystems, and 2) apply the best practicable option when managing the discharge of contaminants listed in the National Environmental Standards Air Quality, and 3) H.1 Stack height requirements when assessing height requirements for fuel burning devices of more than 40KW capacity, and 4) consider the use of air dispersion modelling where the effects of a discharge are likely to be significant on sensitive areas, and 5) take into account the Ambient Air Quality Guidelines (Ministry for the Environment, 2002) when assessing the effects of the discharge on ambient air quality, and 6) take into account the cumulative effects of air discharges and any constraints that may occur from the granting of the consent on the operation of existing activities, and 7) recognise that discharges to air may have adverse effects across the property boundary (including reverse sensitivity effects) and adverse effects on natural character, and 8) take into account the current environment and surrounding zoning in the relevant district plan including existing amenity values, and 9) consider the following factors when determining consent duration:	The proposal involves activities with potential air quality effects, including abrasive blasting, coating, painting, dust and odour generating activities. These effects are addressed through encapsulation of high risk activities, operational controls, equipment maintenance, monitoring where required, complaint response procedures and an air quality management framework. Subject to those controls, discharges to air are capable of being managed so that significant adverse effects on human health, amenity, cultural values and the environment are avoided.

a) scale of the discharge including effects, and b) regional and local benefits arising from the discharge, and c) location of the discharge including its proximity to sensitive areas, and d) alternatives available, and 10) use national guidance produced by the Ministry for the Environment, including: a) the Good Practice Guide for Assessing and Managing Odour (Ministry of the Environment, 2016), and b) the Good Practice Guide for Assessing and Managing Dust (Ministry of the Environment, 2016), and c) the Good Practice Guide for Assessing Discharges to Air from Industry (Ministry for the Environment, 2016), or d) any subsequent update or revision of these national guidance documents, and 11) generally enable discharges of contaminants to air from industrial and trade premises provided the best practicable option for preventing or minimising the adverse effects of the discharge is adopted and significant adverse effects on human health, amenity values and ecosystems are avoided.	
D.3.2 – General approach to managing adverse effects of discharges to air Adverse effects from the discharge of contaminants to air are managed by: 1) avoiding, remedying, or mitigating cross-boundary effects on dust, odour, smoke and spray sensitive areas from discharges of dust, smoke, agricultural spray drift and odour; and 2) protecting dust, odour, smoke and spray-sensitive areas from exposure to dangerous or noxious levels of gases or airborne contaminants; and 3) recognising that land use change can result in reverse sensitivity effects on existing discharges to air, but existing discharges should be allowed to continue where appropriate.	Consistent with these policies, construction and shipyard activities with air discharge potential are to be controlled through encapsulated work areas, operational procedures, maintenance, monitoring where necessary, complaint response and management plan requirements. Those measures are directed at preventing dust, odour, overspray and other contaminants from causing adverse effects beyond the site or adding materially to cumulative effects in the Marsden Point airshed.

D.3.4 – Dust and odour generating activities When considering resource consent applications for discharges to air from dust or odour generating activities: 1) require a dust or odour management plan to be produced where there is a likelihood that there will be objectionable or offensive discharges of dust or odour at the boundary of the site where the activity is to take place, or where the activity is likely to cause a breach of the ambient air quality standard for PM10 in Schedule 1 of the National Environmental Standard for Air Quality. The dust or odour management plan must include: a) a description of dust or odour generating activities, and b) potentially affected dust sensitive areas or odour sensitive areas, and c) details of good management practices that will be used to control dust or odour to the extent that adverse effects from dust or odour at the boundary of the site are avoided, remedied or mitigated, and 2) take into account any proposed use of low dust generating blasting mediums when assessing the effects of fixed or mobile outdoor dry abrasive blasting or wet abrasive blasting.	
D.3.6 – Activities in the Marsden Point airshed The Marsden Point Air Quality Strategy must be taken into account when considering resource consent applications for discharges to air in the Marsden Point airshed as shown in I Maps Ngā mahere matawhenua. In particular, resource consent applications involving the discharge of sulphur dioxide (SO₂) to air must avoid adverse effects on the operation of regionally significant infrastructure within the Marsden Point airshed.	The proposal is not principally an SO₂ emitting activity which is one of the main focuses of the Marsden Point Air Quality Strategy. The other relevant air quality issues relate to dust, odour, overspray and contaminants associated with vessel maintenance. Those effects are addressed through encapsulated work areas, operational controls and an air quality management framework. The proposal is not expected to adversely affect the operation of regionally significant infrastructure within the Marsden Point airshed.
D.4.1 – Maintaining overall water quality When considering an application for a resource consent to discharge a contaminant into water or onto or into land where it may enter water or onto land where it may enter water:	The proposal directly engages D.4.1 because the shipyard and drydock / ship lift facility has the potential to generate contaminants that are materially different from ordinary stormwater. These include sediment, metals, hydrocarbons, antifouling residues, paint residues, washwater contaminants, hazardous substance residues and contaminants associated with vessel maintenance activities.

1) ensure that the quality of fresh and coastal water is at least maintained, and 2) where a water quality standard in H.3 Water quality standards and guidelines is currently met: a) ensure that the quality of water in a river, lake or the coastal marine area will continue to meet the standards in H.3 Water quality standards and guidelines; and b) consider whether any improvements to water quality are required in order to achieve F.1.2 Water quality; 3) where a water quality standard in H.3 Water quality standards and guidelines is currently exceeded, ensure that any resource consent for a new discharge will not, or is not likely to, cause or contribute to a further exceedance of a water quality standard in H.3 Water quality standards and guidelines; 4) where a water quality standard in H.3 Water quality standards and guidelines is currently exceeded and the exceedance of the water quality standard is caused or contributed to by an existing activity for which a replacement resource consent is being considered, ensure any replacement resource consent granted for the existing discharge includes a condition(s) that: a) requires the quality of the discharge to be improved over the term of the consent to reduce the contribution of the discharge to the exceedance of the water quality standard in H.3 Water quality standards and guidelines; and b) sets out a series of time bound steps, demonstrating how the activity will be managed to achieve the water quality improvements required by (4)(a). 5) ensure that the discharge will not cause an acute toxic adverse effect within the zone of reasonable mixing 6) where a discharge will, or is likely to, cause or contribute to: a) an exceedance of the coastal sediment quality guidelines in H.3.4 Coastal sediment quality guidelines, or b) a transitory exceedance of the toxicants, metals and metalloids standard in Table 22: Water quality standards for ecosystem health in rivers, and the activity is associated with the establishment, operation, maintenance or upgrade of	The application responds to the policy by separating clean stormwater from high risk operational water streams. Shipyard runoff, washwater and process water are collected, treated and managed through dedicated treatment or disposal pathways, rather than being discharged untreated to the coastal marine area. Construction phase risks are also addressed through erosion and sediment controls, dredging and turbidity management, spill prevention, hazardous substance controls, monitoring and response procedures. These measures are directed at ensuring that reclamation, dredging, earthworks and construction activities do not cause unacceptable sedimentation or contaminant effects in Whangārei Harbour. The policy also contains a specific pathway for discharges associated with the establishment, operation, maintenance or upgrade of regionally significant infrastructure where transitory exceedances or higher contaminant levels may arise in a particular location. That pathway is relevant to the proposal, but it does not remove the need to safeguard ecosystem values. The application responds by proposing treatment, monitoring, discharge quality controls and response procedures to ensure that any discharge limits are appropriate to the receiving environment and the ecosystem values present. Overall, the proposal gives effect to D.4.1 because the discharge pathways have been identified, higher risk water streams are separated and treated, construction and dredging risks are controlled, and water quality effects are managed through enforceable treatment, monitoring and response requirements.
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Regionally Significant Infrastructure, determine whether higher levels of contaminants in the particular location affected by the discharge can be provided for while still achieving F.1.2 Water quality, and set appropriate levels of contaminants in accordance with best practice methodology to safeguard the ecosystem values present at the location affected by the discharge; and 7) where existing water quality is unknown, or the effect of a discharge on water quality is unknown, the activity must be managed using a precautionary approach, which may include adaptive management.	
D.4.2 – Industrial or trade wastewater discharges to water An application for resource consent to discharge industrial or trade wastewater to water will generally not be granted unless the best practicable option to manage the treatment and discharge of contaminants is adopted.	The proposal directly engages D.4.2 because shipyard and drydock / ship lift activities may generate high risk water streams, including washwater, runoff from vessel maintenance areas, sediment laden water, metals, hydrocarbons, paint residues, antifouling residues and other contaminants associated with marine maintenance activities. Consistent with this policy, the expert stormwater assessment adopts a best practicable option approach by distinguishing between clean stormwater and higher risk operational water, and by requiring the collection, treatment and controlled management of contaminated runoff, washwater and process water. This ensures that potentially contaminated water streams are managed at source and treated through appropriate systems before discharge or disposal, rather than being released untreated to the coastal marine area. The proposal also provides for operational controls, monitoring, maintenance and response procedures to ensure that the treatment system continues to perform as intended. Overall, the proposal gives effect to D.4.2 because the expert stormwater assessment identifies the relevant contaminant pathways and applies the best practicable option for managing industrial and trade wastewater through separation, collection, treatment, monitoring and controlled discharge or disposal.
D.4.4 – Zone of reasonable mixing When determining what constitutes the zone of reasonable mixing for a discharge of a contaminant into water, or onto or into land in circumstances which may result in that contaminant (or any other contaminant emanating as a	The proposed discharge limits will apply an appropriate dilution factor to account for reasonable mixing in the receiving environment, as monitoring of discharge quality will take place at the source rather than in the receiving environment.

result of a natural process from that contaminant) entering water, have regard to: 1) using the smallest zone necessary to achieve the required water quality in the receiving waters as determined under Policy D.4.1, and 2) ensuring that within the mixing zone contaminant concentrations and levels of dissolved oxygen will not cause acute toxicity effects on aquatic ecosystems.	Overall, the proposal gives effect to D.4.4 because any reliance on mixing is limited and quantified through the proposed dilution factor, while water quality is controlled at source to ensure that receiving water quality is maintained and acute toxicity effects within the mixing zone are avoided.
D.4.6 – Discharges of hazardous substances to land or water 1) Where a substance is approved under the Hazardous Substances and New Organisms Act 1996 to be discharged to land or water, good management practices must be used to avoid, as far as practicable, accidental spillages and adverse effects on: a) non-target organisms, and b) the use and consumption of water by humans or livestock, and 2) where a substance is not approved under the Hazardous Substances and New Organisms Act 1996 to be applied to land or into water, activities involving the use, storage or disposal of those hazardous substances must be undertaken using the best practicable options to: a) as a first priority, avoid a discharge (including accidental spillage) of the hazardous substance onto land or into water, including reticulated stormwater systems, and b) as a second priority, ensure, where there is a residual risk of a discharge of the hazardous substance, including any accidental spillage, it is contained on-site and does not enter surface waterbodies, groundwater or stormwater systems.	The policy requires good management practice and best practicable options to avoid discharges as a first priority, and to contain any residual risk on site so substances do not enter water, groundwater or stormwater systems. The proposal responds through bunding, containment, storage and handling procedures, spill prevention, emergency response, separation of contaminated water streams, treatment and trade waste controls secured by conditions.
D.4.27 – Land preparation, earthworks and vegetation clearance When assessing an application for a resource consent for an earthworks, vegetation clearance or land preparation activity and any associated discharge of a contaminant, ensure that the activity: 1) will be done in accordance with established good management practices, and	D.4.27 is relevant to the land based earthworks associated with the access and car parking areas. The land based works will be limited in extent and will be undertaken in accordance with best practice erosion and sediment control measures. Those controls will be designed to

2) avoids significant adverse effects, and avoids, remedies or mitigates other adverse effects on: a) drinking water supplies, and b) areas of high recreational use, and c) aquatic ecosystem health, indigenous biodiversity in water bodies and coastal water and receiving environments that are sensitive to sediment or phosphorus accumulation.	manage exposed surfaces, runoff, sediment mobilisation and any associated discharge risk during construction. The policy requires land preparation and earthworks to use good management practice, avoid significant adverse effects, and avoid, remedy or mitigate other effects on aquatic ecosystem health, indigenous biodiversity and sensitive receiving environments. The proposal responds to that direction through the proposed consent conditions, including requirements for a Construction Management Plan and an associated Sediment Control Plan. Those plans will secure the construction methodology, erosion and sediment controls, inspection, maintenance and monitoring requirements for the access and car parking works. Overall, the proposal gives effect to D.4.27 because the land based earthworks are limited to the access and car parking components and will be managed through proposed conditions requiring best practice erosion and sediment control, including a Construction Management Plan and Sediment Control Plan, to avoid sediment effects on the coastal receiving environment.
D.5.8 – Coastal Commercial Zone and Marsden Point Port Zone Purpose Recognise that the purpose of the Coastal Commercial Zone and Marsden Point Port Zone is to enable the development and operation of existing and authorised maritime-related commercial enterprises or industrial activities located within these zones.	The proposal is a maritime related industrial activity and RSI located predominantly within the MPPZ. Policy D.5.8 is therefore directly relevant because it reflects a deliberate regional planning choice to enable maritime related commercial and industrial activity in this location. The Project relies on the locational advantages identified by the policy framework, including direct access to navigable water, proximity to Northport and marine services, transport connections, industrial land and an established modified coastal edge. It is not advanced as a port activity, but its function and location are consistent with the purpose of the MPPZ. Policy D.5.8 provides important spatial support for the Project, subject to the other applicable effects management and protective provisions.
D.5.9 – Coastal Commercial Zone and Marsden Point Port Zone Development in the Coastal Commercial Zone and the Marsden Point Port Zone will generally be appropriate provided it is: 1) consistent with:	Policy D.5.9 states that development in the MPPZ will generally be appropriate where it is consistent with existing or anticipated adjoining development or is associated with RSI. The Project satisfies both criteria. It is a maritime related industrial activity consistent with the established and anticipated development of the adjoining Northport and Marsden

a) existing development in the Coastal Commercial Zone or the Marsden Point Port Zone, and b) existing development on adjacent land above mean high water springs, and c) development anticipated on the land above mean high water springs by the relevant district plan, or 2) associated with regionally significant infrastructure in the Marsden Point Port Zone. Development that is inconsistent with 1) or 2) will not necessarily be inappropriate.	Point area, and it is RSI. The Project is designed and conditioned so that it does not compromise the safe and efficient operation of Northport or other established activities. The policy therefore provides a specific spatial signal supporting the Project in this location, while remaining subject to the other applicable effects management and protective provisions.
D.5.20 - Reclamation Reclamation of land in the coastal marine area shall be avoided unless all the following criteria are met: 1) land outside the coastal marine area is not available for the proposed activity; 2) the activity which requires the reclamation can only occur in or adjacent to the coastal marine area; 3) there are no practicable alternative methods of providing the activity; and 4) the reclamation will provide significant regional or national benefit.	D.5.20 is directive because reclamation is to be avoided unless all four listed criteria are met. In this case, each criterion is satisfied. First, land outside the coastal marine area is not available for the activity in any practical sense. The proposal requires a direct physical interface with navigable water so that vessels can berth, manoeuvre, be hauled out or drydocked, and then be transferred to adjoining hardstand and servicing areas. Second, the activity can only occur in or adjacent to the coastal marine area. A shipyard and drydock / ship lift facility depends on navigable water, wharf structures, vessel access, manoeuvring space, heavy load transfer areas and an immediately adjoining landward operating platform. Those components must function together as an integrated marine industrial facility. Third, there is no practicable alternative method that would provide the activity in the same way while avoiding reclamation. Existing authorised structures do not provide the required combination of berthage, vessel haul out, working platform, hardstand, servicing, treatment and access functions. A wholly land based or less connected option would not meet the functional and operational requirements of the proposal. The design report confirms that the reclamation footprint has been limited to what is necessary to enable the activity. Fourth, the reclamation will provide significant regional and national benefits. The proposal will establish regionally significant infrastructure, increase New Zealand's drydock / ship lift and marine maintenance capability, support commercial and strategic vessel servicing, strengthen maritime resilience, and generate employment, investment and flow on economic benefits for Northland.

	Overall, the proposal gives effect to D.5.20 because the reclamation is necessary for an activity that must locate in or adjacent to the CMA, there is no practicable non-reclamation alternative that would achieve the same infrastructure outcome, the footprint is limited to what is required, and the proposal will deliver significant regional and national benefits.
D.5.21 – Reclamation When considering proposed reclamations, have particular regard to the extent to which the reclamation and intended purpose would provide for the efficient operation of infrastructure, including ports, airports, coastal roads, pipelines, electricity transmission, railways and ferry terminals, and of marinas and electricity generation.	The reclamation is central to the efficient operation of the proposed drydock / ship lift and shipyard facility. It provides the landward operating platform required for vessel haul out, heavyload transfer, hardstand, laydown, servicing, treatment systems, access and safe operational circulation, directly adjoining navigable water and wharf structures. The reclamation also enables the infrastructure to function efficiently in association with Northport and the wider Marsden Point marine industrial environment. That location allows the facility to use existing harbour access, port related services, transport connections, industrial land and stormwater infrastructure, rather than requiring a standalone facility in a less suitable location. Overall, D.5.21 provides strong support for the proposal because the reclamation is required to provide for the efficient operation of regionally significant marine infrastructure.
D.5.24 – Dredging, disturbance and deposition activities Dredging, disturbance and deposition activities should not: 1) cause long-term erosion within the coastal marine area or on adjacent land, and 2) cause damage to any authorised structure.	The proposal includes capital dredging and future maintenance dredging to provide safe navigation, berth access and vessel manoeuvring for the drydock / ship lift and shipyard facility. Those activities have been assessed in the expert coastal processes report. The coastal processes assessment confirms that the proposed dredging, disturbance and associated works are not expected to cause long-term erosion within the coastal marine area or on adjacent land, and are not expected to damage authorised structures. That directly addresses the matters identified in D.5.24. Overall, the proposal gives effect to D.5.24 because the expert coastal processes assessment confirms that the relevant erosion and authorised structure effects have been assessed and are not expected to arise.
D.5.25 – Benefits of dredging, disturbance and deposition activities Recognise that dredging, disturbance and deposition activities may be necessary: 1) for the continued operation of existing infrastructure, or	The proposed dredging, disturbance and deposition activities are necessary to provide and maintain safe vessel access, berthage and manoeuvring for the drydock / ship lift and shipyard facility. Those activities support Regionally Significant Infrastructure and provide important navigation and economic benefits.

2) for the operation, maintenance, upgrade or development of regionally significant infrastructure, or 3) to maintain or improve access and navigational safety within the coastal marine area, or 4) for beach re-nourishment or replenishment activities, or 5) to protect, restore or rehabilitate ecological or recreational values, or 6) when it is undertaken in association with the deposition of material for beneficial purposes, including the restoration or enhancement of natural systems and features that contribute towards reducing the impacts of coastal hazards.	The dredging and maintenance dredging will be managed through dredging methodology, turbidity monitoring, ecological controls, coastal processes assessment, marine mammal management, including dredging observation where relevant, and response conditions. Subject to those controls, the proposal is consistent with D.5.25.
D.5.27 – Underwater noise 1) adopt the best practicable option to manage noise so that it does not exceed a reasonable level, and 2) in the case of marine seismic surveying, demonstrate compliance with Code of Conduct for Minimising Acoustic Disturbance to Marine Mammals from Seismic Surveying Operations (Department of Conservation, 2013), and 3) avoid adverse effects on marine mammals listed as Threatened or At Risk in the New Zealand Threat Classification System, and 4) avoid, remedy or mitigate other adverse effects on marine mammals, having regard to the location and duration of the proposed activity and the benefits of activities: a) to be undertaken in association with scientific research and analysis, or b) involving the maintenance or enhancement of navigational safety in permanently navigable harbour waters, or c) to be undertaken in association with the operation, maintenance and protection of regionally significant infrastructure, or d) that mitigate natural hazards.	D.5.27 is directly relevant because the proposal will generate underwater noise during piling, dredging and other marine construction works. The proposal adopts the best practicable option to manage underwater noise through acoustic limits, acoustic validation, soft-start and ramp-up procedures, daylight piling controls, marine mammal observation, shutdown zones, reporting and the Marine Mammal Management Plan. Hearing injury effects are expected to be avoided. Residual effects are expected to relate primarily to temporary behavioural disturbance, masking and short-term avoidance of, or displacement from, parts of Whangārei Harbour during active piling. Those effects remain a material NZCPS Policy 11 and regional policy consideration because threatened or at-risk marine mammal species may use or approach the harbour. Those effects are distinguished from permanent habitat loss effects: acoustic injury is expected to be avoided, and the remaining effect is temporary, construction related and subject to enforceable management, monitoring and response conditions. The proposal is therefore qualifiedly consistent with D.5.27, subject to the proposed underwater noise and marine mammal conditions being secured.

D.5.8 – Mangrove removal – purpose

Subject to D.2.18 Managing adverse effects on indigenous biodiversity, mangrove pruning or removal may be appropriate where:

- 1) it is demonstrated that the purpose of the mangrove removal in 2 a) to n) below can be achieved; and
- 2) it is necessary to maintain, restore or improve one or more of the following:
 - a) biodiversity, aquatic ecosystem health, natural features, or scheduled historic places, or
 - b) critical habitats that have recently been displaced by mangroves, such as seagrass meadows and shell bank roost areas, or
 - c) the removal of mangrove seedlings is in areas from within which mangroves have previously been lawfully removed, or
 - d) public recreation and walking access to, or along, the coastal marine area, or
 - e) connections with reserves or publicly owned land and the coast, or
 - f) public use and public amenity values, or
 - g) water access for vessels and navigation, or
 - h) public health and safety, including sightlines and traffic safety, or
 - i) access to the coast from marae, or to areas of traditional use, or
 - j) ongoing authorised activities, or
 - k) infrastructure, or
 - l) maintenance of drainage channels, control of flooding or erosion caused by mangroves, or
 - m) tidal flows, or
 - n) scientific research, and 3) its purpose is not for the improvement of private views.

The policy recognises that mangrove removal may be appropriate where it is necessary for infrastructure. In this case, removal is required to enable the construction, operation and maintenance of the shipyard / drydock infrastructure.

The proposal therefore meets the relevant purpose in D.5.8, with the effects of mangrove removal addressed through the ecological, avifauna, sediment control and construction management measures proposed as part of the application.

D.5.9 – Mangrove removal – adverse effects When considering resource consents for mangrove removal, take into account effects specific to the removal of seedlings or of mature trees and shrubs, and have regard to a range of potential adverse effects, in particular: 1) effects on ecological values, including: a) disturbance, displacement or loss of fauna and habitat, and b) disturbing or displacing birds classified as threatened or at risk in the New Zealand Threat Classification System, particularly within Significant Bird Areas, and c) disturbing ecological sequences, or corridors, and d) removal of a buffer to sensitive ecological areas, and e) disturbance of the foreshore and seabed, including compaction, sediment redistribution, and mangrove biomass deposition, and 2) increased risk of coastal erosion where mangroves provide a buffer against coastal processes causing erosion, and 3) effects on tāngata whenua cultural values, and 4) amenity impacts from removal and disposal including noise, smoke, odour and visual impacts, and 5) short and long-term effects on local sediment characteristics and hydrodynamics, and 6) changes to Natural Character.	The marine ecology assessment has considered the relevant effects of the removal of the small number of juvenile mangrove trees and has not identified adverse effects of concern.
D.6.1 – Appropriate of hard protection structures Priority will be given to the use of non-structural measures over the use and construction of hard protection structures when managing hazard risk. New hard protection structures may be considered appropriate when: 1) alternative responses to the hazard (including soft protection measures, restoration or enhancement of natural defences against coastal hazards and	The proposed coastal edge structures, including rock revetments and sheet piling, are integral to the functioning and resilience of the infrastructure. They are not standalone or ad hoc protection works; they form part of the reclamation and marine infrastructure design required to enable the facility to operate safely and effectively. D.6.1 expressly recognises that hard protection structures may be appropriate where they are the only practical means to protect existing or planned regionally significant infrastructure. That is the relevant pathway here. The proposal is regionally significant

abandonment of assets) are demonstrated to be impractical or have greater adverse effects on the environment, or 2) they are the only practical means to protect: a) existing or planned regionally significant infrastructure, or b) existing core local infrastructure, or c) concentrations of existing vulnerable development, and d) they provide a better outcome for the local community, district or region, compared to no hard protection structure, and the works form part of a long-term hazard management strategy, which represents the best practicable option for the future. Hard protection structures, when considered necessary to protect private assets, should not be located on public land unless there is significant public or environmental benefit in doing so.	infrastructure, and hard protection is necessary to protect and maintain the integrity of the reclamation, wharf structures, hardstand and vessel haul-out infrastructure over the life of the project. Overall, the proposal gives effect to D.6.1 because the hard protection structures are necessary for planned regionally significant infrastructure, and alternative non-structural responses are not practical for infrastructure of this nature.
D.6.2 – Design and location of hard protection structures New hard protection structures must: 1) be located as far landward as possible in order to retain existing natural defences against coastal hazards as much as possible, and 2) be designed and constructed by a suitably qualified and experienced professional, and 3) incorporate the use of soft protection measures where practical, and 4) be designed to take into account the nature of the coastal hazard risk and how it might change over at least a 100-year time-frame, including the projected effects of a sea level rise, using the latest national guidance and best available information.	The proposed hard protection structures, including rock revetments and sheet piling, are integral to the reclamation, wharf and drydock / ship lift infrastructure. They will be designed and constructed by suitably qualified and experienced professionals in accordance with clause (2). Soft protection measures are not a practical response for infrastructure of this nature. The facility must interface directly with navigable water and requires a stable engineered coastal edge to support reclamation, wharf structures, vessel access, hardstand and heavy load operations. The design also responds to clause (4). Coastal hazard risk, including sea level rise, storm tide, wave exposure and coastal processes over the design life of the infrastructure, has been accounted for in the reclamation level, coastal edge treatment and marine structural design. Overall, the proposal gives effect to D.6.2 because the hard protection structures are necessary for the proposed infrastructure, will be professionally designed, soft protection is not practical for the required marine industrial function, and long-term coastal hazard and climate change risks have been incorporated into the design response.