

Matters of Control and Discretion, Rules PZ 5, PZ 8, PZ 10 & PZ 11

Provision	Location of Information	Assessment
Rule PZ 5: Controlled - Maintenance Dredging Activities		
<p><i>Any discharge and disturbance (including removal of sand, shingle, shell, or other natural material) of, the foreshore or seabed associated with maintenance dredging is a controlled activity.</i></p> <p><i>The Regional Council has reserved its control over the following matters: [see below]</i></p>		<p>Maintenance dredging to provide under-keel clearance for vessels will be done on an as needed basis to maintain an operational depth of 16 m below CD within sitting basins and the shipping channel of Stella Passage.</p>
<p>PZ 5(a) The area, quantity, location and timing of disturbance and discharge.</p>	<p>Substantive Application Report (SAR) sections 4.4 and 4.5 pp. 109 – 120.</p> <p>Dredge Management Plan sections 6 and 7 (SAR Appendix 8)</p> <p>Dredging conditions 4.3 and 20 (SAR Appendix 5)</p> <p>Drawing 320-59-6 (attached)</p>	<p>The area to be disturbed by maintenance dredging is smaller than the area (marked as “<i>Additional Area to maintain following future development...</i>”) that is anticipated by drawing 324-56E (Shipping Channels Subject to Maintenance Dredging) of Schedule 9 to the RCEP to be subject to maintenance dredging.</p> <ul style="list-style-type: none"> > Area and Location: The location and area of future maintenance dredging is as per the capital dredging area and location shown on drawing 320-59-1 lodged with the application. However, for the avoidance of doubt POTL has prepared drawing 320-59-6 (attached) specific to future maintenance dredging. The dredged materials will be deposited at the established deposition sites authorised by POTL’s existing consent no 65807; > Quantity: Maintenance dredging volumes will vary depending on deposition over time as a function of weather and upper harbour land management practices. It is anticipated that the volume extracted to maintain the shipping channel at the required depth of 16 m below CD would be comparable to current maintenance dredging extraction volumes within Stella Passage which have been up to approximately 41,000 m³ in the past 10 years; and > Timing: Maintenance dredging is typically done on an annual basis. The interval between maintenance dredging campaigns can be more or less than 12 months depending on sediment deposition and the availability of dredging plant. <p>The dredging methodology, including timing restrictions such as overflow and tidal restrictions, is set out in the draft Dredge Management Plan attached as Appendix 8 to the SAR, and in sections 4.4 and 4.5 at pp. 109 – 120 of the SAR. The details of each dredging campaign must be communicated to the SPDAG, Tauranga Moana Iwi Customary Fisheries Trust and/or the Ngā Mātarae Charitable Trust, the Department of Conservation and the Regional Council prior to commencement, and a dredging completion report must be provided to the Regional Council as per the proposed dredging conditions 4.3 and 20.1 (Appendix 5 to the SAR).</p>
<p>PZ 5(b) Effects on the hydrodynamic and geomorphic regime of the harbour and open coastline, including maintenance of beaches and related sediment transport processes.</p>	<p>SAR section 6.9 Hydrodynamic and Sedimentation Effects pp. 202 – 205.</p> <p>Assessment of Effects on Hydrodynamics and Sedimentation, Table 13 (SAR Appendix 13)</p>	<p>Sedimentation: Discharge of fines as a turbid plume from a dredge is the dominant potential environmental impact. The dredging plumes are largely confined to the deeper parts of channels downstream from the dredge due to their density and the use of controlled overflows from the dredge hopper. Most sediment within the plumes is deposited on the seafloor close behind the dredge.</p> <p>Computer modelling, and observations during previous maintenance and capital dredging projects, shows that negligible sediment is transported into shallow subtidal and intertidal areas that could potentially be adversely affected. The available data indicates that the range of natural turbidity within Te Awanui exceeds TSHD turbidity levels outside the mixing zone.</p> <p>On this basis, the proposal’s effects on sediment deposition processes in Te Awanui are assessed as being very low outside the confines of the existing channels. With adherence to the mitigation measures recommended in this report, these effects would reduce to negligible.</p> <p>The sediment being excavated predominantly consists of pristine Pleistocene terrestrial and marine sediments that contain no anthropic contaminants. Potential contamination is limited to the 0.2 - 0.5 m thickness of surficial sediments disturbed by sediment transport, bioturbation, and anthropic activities. This sediment will be diluted with deeper uncontaminated sediment, and largely completely confined to the dredge hopper for disposal.</p> <p>With adherence to the mitigation measures recommended in this report, the effects of contamination will be negligible. See the assessment of sedimentation effects at section 4 (from page 20) of Appendix 13 to the SAR for more details.</p>

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		<p>Hydrodynamics: Numerical modelling and measurements taken before and after previous capital dredging campaigns shows that the effects of dredging on hydrodynamics are predominantly confined to the channels within the Port area of Te Awanui. Modelling specifically developed for the proposal shows a reduction in peak tidal velocities, and a small change in the durations of ebb and flood flows resulting from the dredging. The changes are at the limit of resolution of available instrumentation, and are less than the natural weather-induced variations.</p> <p>On this basis, the effects of the proposed dredging on hydrodynamic processes in Te Awanui beyond the shipping channels are assessed as negligible. Within the shipping channels the proposal's effects are assessed as very low to low. See the assessment of hydrodynamic effects at section 5 (page 33 onwards) of Appendix 13 to the SAR for more details.</p>
PZ 5(c) Effects on fisheries, indigenous biodiversity and ecosystems	<p>SAR sections 6.6 (Marine Ecology Effects), 6.7 (Marine Mammal Effects) and 6.8 (Avifauna Effects) pp. 184 – 202</p> <p>Assessment of Effects on Marine Ecological Values pp. 39 – 65 (SAR Appendix 14)</p> <p>Assessment of Effects on Marine Mammals (SAR Appendix 6) Table 1 pp. ii – iv</p> <p>Assessment of Potential Effects on Birds section 6.0 pp. 31 – 32 (SAR Appendix 2)</p> <p>Peer Review of Avifauna Assessment (SAR Appendix 2b)</p>	<p>The project does not propose any dredging of Te Paritaha, any other shellfish beds, nor any mataitai reserve.</p> <p>Table 21 at section 6.6 of the SAR summarises the technical assessment conclusions that following the deployment of mitigation measures, the project will have “nil” adverse effects on marine ecology. Section 7.3 of the Marine Ecology Assessment (Appendix 14 to the SAR states:</p> <p><i>“There are not predicted to be wide-ranging effects on any species or habitat outside of the dredging, reclamation and occupation footprint”; and, “The dredging, reclamation and occupation will not have any foreseeable cumulative/synergistic effects with other environmental stressors such as climate change, habitat degradation (e.g., the discharge of sediment and contaminants from land), fish stocks etc and it will not affect species with known decline trends (e.g., pipi on Te Paritaha and seagrass)”.</i></p> <p>Table 22 at section 6.7 of the SAR summarises the assessment conclusions regarding the likelihood and magnitude of effects on marine mammals. Underwater noise from pile driving (i.e. unrelated to maintenance or capital dredging) has the greatest potential to adversely affect marine mammals. Consequently, the proposal includes comprehensive mitigation measures as specified in the Marine Mammals Management Plan, which is implemented by consent conditions.</p> <p>Section 6.8 of the SAR summarises potential project effects on avifauna, which can be characterised as the exposure of birds to construction activities and associated noise, and in the case of the Mount Maunganui wharves, relocation of the gull colony and penguin burrows to new sites nearby. No effects on avifauna are expected to arise as a result of the maintenance dredging.</p>
PZ 5(d) The release and spread of harmful aquatic organisms.	<p>SAR section 10.6.6.3 p. 280</p> <p>Dredging condition 4.3(g); reclamation and structures condition 16.1 (SAR Appendix 5)</p> <p>Dredge Management Plan p. 12 (SAR Appendix 8)</p>	<p>The likelihood of harmful aquatic organisms establishing as a result of the project is limited by the obligations that New Zealand's biosecurity legislation places on POTL and on shipping companies to manage risk.</p> <p>These regulatory arrangements are described in section 8 (at p. 12) of the draft Dredge Management Plan (Appendix 8 to the SAR). The Dredge Management Plan is implemented by Condition 8 of the draft dredging conditions set (Appendix 5 to the SAR).</p> <p>Additionally, Condition 4.3(g) of the dredging conditions set specifies that POTL's pre-commencement notification of the impending dredging must detail the measures to be implemented to prevent the spread of invasive species.</p> <p>Furthermore, Table 26 (page 230) of the SAR notes that POTL will contribute \$27,000 to the regional council's biosecurity programme, to extend surveillance of invasive species at the new wharf structures. This is embedded as condition 16.1 of the reclamation and structures condition set.</p> <p>Consequently, while biosecurity is managed through non-RMA legislation, the application addresses this matter through:</p> <ul style="list-style-type: none"> > A financial contribution to the Regional Council biosecurity surveillance of the new wharves; and > The requirement for the Dredge Management Plan and the pre-commencement dredging notification to define the biosecurity management response.
PZ 5(e) Coastal water quality including the provisions of Section 3 – Coastal Discharges and Schedule 13 to this Plan.	SAR pp. 71, 120, 124 – 126, 179, 188, 203-205, 226, 230, 309	Contaminant concentrations within the sediments to be dredged are low and present an extremely low risk of leaching contaminants into the water column in concentrations above water quality guidelines (SAR, p. 71). Section 4.5.1 (p. 120) of the SAR recounts that testing of the sediments to be dredged indicates compliance with default guideline levels for contamination. The Assessment of Effects on Hydrodynamics and Sedimentation (SAR Appendix 13) confirms (pp. 1-2) that the effects of contamination will be minimal.

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	<p>Assessment of Effects on Marine Ecological Values pp. 40 – 80 (SAR Appendix 14)</p> <p>Assessment of Effects on Marine Mammals, pp. iii - iv (SAR Appendix 6)</p> <p>Assessment of Effects on Hydrodynamics and Sedimentation, pp. 40 - 43 (SAR Appendix 13)</p> <p>Draft Dredge Management Plan p. 11 (SAR Appendix 8)</p> <p>Reclamation and structures conditions 6.2, 7.5, 7.10, 8.1, 10.1 and 11; dredging conditions 6.1, 6.2, 14.2(b) and 16 (SAR Appendix 5)</p>	<p>Water quality effects are addressed by the proposed consent conditions, including the Sediment Discharge Controls and Contingency Measures set out at sections 5 to 7 and 9 (pp. 9 - 11 and 13 - 14) of the draft Dredge Management Plan (SAR Appendix 5). Additionally, potential effects on Māori cultural values associated with water quality are sought to be managed by conditions requiring POTL to contribute funding towards projects that aid the restoration of the Harbour’s environmental health, as well as an audit of existing discharges into Te Awanui (SAR. P. 179; condition 15.1 of the reclamations and structures conditions set; conditions 18.1 and 18.4 of the dredging conditions set).</p> <p>The proposed monitoring of and controls over dredging and discharge activities have been used successfully in previous dredging activities to manage water quality impacts, and provide adequate adaptive management capacity. The project’s effects on water and sediment quality are assessed as very low from a Western science standpoint (SAR pp. 188, 203 - 205, 230)</p> <p>In terms of the Coastal Discharges chapter and Schedule 13 of the RCEP, it is noted that:</p> <ul style="list-style-type: none"> > Schedule 13 (Principles on Biodiversity Offsets) is irrelevant because where effects on biodiversity are not avoided, they are mitigated to a low, very low or negligible level as set out in the marine ecology, marine mammals and avifauna assessments. On this basis, there are no residual adverse effects of a level that requires biodiversity offsetting; > Rule CD 9 does not apply because rules PZ 5, PZ 10 and PZ 11 cover specified Port Zone dredging and reclamations; > The matters in policy CD 1 are addressed in the Marine Ecology, Marine Mammal and Hydrodynamics and Sedimentation assessments. These reports conclude that the project will avoid creating any significant adverse effects. For example, refer to: <ul style="list-style-type: none"> > Section 7 (pp. 45 – 70) of the Assessment of Effects on Marine Ecological Values, which concludes with Table 10 summarising the effects assessed. That table confirms that the project effects (including cumulative effects) on marine ecology values are “Low” or as “Very Low” without mitigation, and will be “Nil” with mitigation measures deployed; > Pages iii-iv of the Marine Mammal Assessment, which summarise the report conclusions, being that with implementation of the Marine Mammals Management Plan, project effects on marine mammals will be of minor magnitude; > Pages 37 38 and 40 - 43 of the Hydrodynamics and Sedimentation report, which address the project’s potential effects on current velocities, shoreline erosion and kai moana, concluding that such effects either will not arise, or where changes may occur, will be innocuous. <p>Policy CD 2 of the RCEP cross-refers to adverse effects specified in Schedule 10 to the RCEP. None of those effects are anticipated to occur to a more than minor and temporary level, as follows:</p> <ul style="list-style-type: none"> > <i>Change in water colour/visual clarity:</i> RCEP Schedule 10 lists two items relating to water clarity. A conspicuous change in water clarity will arise within the dredging plume. This temporary effect will dissipate with distance from the dredging. Based on historic (1995) trials within Stella Passage and observations of subsequent dredging, a plume generated from dredging can dissipate by 50-60% at 100 m from the dredged area. Section 7 of the Dredge Management Plan proposes methods to minimise sediment discharges. These include turbidity limits, the use of a green valve and ensuring that dredging on the flood tide does not use overflow. Furthermore, the areas to be dredged, and reclaimed are not used for recreational bathing (as the area is an active shipping channel). The nearest recreational bathing areas are at Aerodrome Bridge and Whareroa Marae. The proposed turbidity controls will maintain water clarity in these areas - refer to proposed dredging conditions 8 and 16, and to proposed reclamation and structures conditions 7.5, 8.1, 10.1 and 11 (noting 11(f), (g) and (l)) for example; > <i>Significant adverse effects on aquatic life:</i> The marine ecology and marine mammal assessments conclude that the effects on aquatic life will be nil or minimal and well within the capacity of mitigation measures to control; > <i>Production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials:</i> Sea foam can form within the dredge hopper and dredging with overflow therefore can produce sea foam. Sea foam is not uncommon within the CMA. It disperses quickly and would be minimal beyond the extent of the dredging plume. unlikely to extend . The use of a green valve and limitations on dredging overflow (e.g. dredging conditions 6.1 and 14.2(b)) will minimise the occurrence of this temporary, innocuous effect; > <i>Objectionable odours:</i> Some materials agitated by the dredge could be anaerobic and create an odour. Based on POTLs previous dredging works, such odours only occur intermittently and are most prominent at the dredge, which (being within the shipping channel) is at a significant distance from other receptors. POTL has not received odour complaints in previous dredging campaigns. Materials pumped ashore to form the reclamations would be free of organic material and therefore not expected to cause odours. Any imported fill must be ‘clean’ as per reclamation and structures condition 6.2. If any odour

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		<p>complaints were received, then reclamation and structures condition 11.3(m) provides an appropriate complaints receipt and response method;</p> <ul style="list-style-type: none"> > <i>Contaminant effects on recreational contact (bathing) and kai moana:</i> The areas to be dredged and reclaimed are within the shipping channel and are not used for bathing, with the nearest locations used for bathing located further up the harbour (the beach in front of Whareroa Marae and the Harbour Bridge marina beach). Nonetheless, the Hydrodynamics and Sediment assessment confirms that the composition of the sediments to be disturbed is well-understood and there is minimal risk of contamination dispersing as a result of dredging and reclamations, given testing reveals contaminants are within guideline levels and the sediment plumes will not reach areas used for bathing. Maintenance dredging is undertaken regularly in Stella Passage without causing microbiological water quality issues. The shipping channel is well flushed and the project will not introduce new sources of pathogens. As such, the project is not anticipated to create contamination that could compromise human health; > <i>Undesirable biological growths as a result of any discharge:</i> Where material with a high silt content is dredged, limited overflow will be used to control the release of fine organic material, and the silty material will be removed to the consented disposal sites located off the coast (per section 4.4.1.1 pp. 116 - 117 of the SAR, section 7.2 p. 11 of the Dredge Management Plan). Therefore, the discharges associated with the project will not cause any unwanted biological growths; > <i>Changes to water temperature:</i> Discharges associated with dredging and reclamations will not alter the water temperature by more than three degrees, noting discharges will simply return water extracted from Stella Passage; > <i>Changes to dissolved oxygen levels:</i> In terms of dissolved oxygen levels, given Stella Passage is well-flushed, so dissolved oxygen levels are unlikely to reduce beyond the immediate surroundings of the dredge drag-head. Where anaerobic silts (which could reduce dissolved oxygen levels) are agitated, these will be disposed of at the consented offshore disposal sites <p>In terms of policy CD 3, the project's effects on water quality are innocuous, as evidenced by the conclusions of the Hydrodynamics and Sediment assessment. No alternative water quality standards are necessary to categorise the potential effects.</p> <p>Policy CD 4 relates to point source discharges. Discharges from settling ponds associated with reclamations are discussed at pp. 124 – 126 of the SAR, and in sections 8 and 9 of the draft Reclamation and Construction Management Plan. Page 18 of the latter proposes a mixing zone of 250 m for these discharges . Condition 8.1 of the reclamation and structures conditions embeds this.</p> <p>Policy CD 5 addresses the scope for alternative land-based discharge disposal options. Dredging and reclamations are locationally fixed within the CMA and therefore have no scope for land-based disposal.</p> <p>With respect to policy CD 6, for the purposes of clauses (a) and (b) the proposal does not involve wastewater or toxic discharges; for clause (c) land-based treatment is not feasible. In relation to clause (d) the proposal avoids the locations of discrete significant sites recognised in the planning instruments, like Te Paritaha. The proposal has an inherent locational and operational necessity to occur in Te Awanui, which as Appendix G to SAR Appendix 18 identifies, is significant to local iwi and hapū. The consent conditions set out measures and funding relating to the establishment and funding of the SPDAG and an associated programme of work, and these seek to mitigate adverse effects on the values held by iwi/hapū.</p> <p>The matters addressed in policy CD 7 are addressed by section 12.4 (Incidents) of the draft Dredge Management Plan, and are otherwise regulated by the rules CD 9 to CD 13 of the RCEP and the Resource Management (Marine Pollution) Regulations 1998. Dredging conditions 6.2 and 11.1, and conditions 7.10 and 11.3(h) of the reclamation and structures conditions require waste and spill management measures to be deployed.</p> <p>The remaining policies of the RCEP's Coastal Discharges chapter are irrelevant to this project.</p>
<p>PZ 5(f) Effects on other harbour users, navigation and public safety during dredging.</p>	<p>Navigation Safety Assessment, paragraphs 35-46, (Appendix 19 to the SAR)</p> <p>Reclamation and structures condition 17.1; dredging conditions 4.4(e) and 6.4</p>	<p>These matters are addressed by the Navigation Safety Assessment attached as Appendix 19 to the application.</p> <p>The effects during future maintenance dredging will be the same as the status quo. POTL regularly undertakes maintenance dredging under consent 65806 without issues arising. The proposed consent conditions are sufficient to maintain control over these potential effects.</p>
<p>PZ 5(g) Site specific historical or cultural values under ss 6(e) or 7(a) of the RMA</p>	<p>SAR section 10.4.2.3 pp. 262 – 264 addresses section 6(e) matters and</p>	<p>The sections of the SAR referenced in the adjoining column set out:</p>

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	<p>SAR section 10.4.3 pp. 264 – 266 addresses section 7(a) matters. SAR sections 3.16, 8.2, 9 and, in particular, 6.4 pp. 164 – 181, provide further assessment</p> <p>Appendix G to SAR Appendix 18</p> <p>Dredging conditions A, 1 – 3, 4.1, 8.3, 12 – 15, 16.4(c), 18, 19 and 22; reclamation and structures conditions A, 1 – 3, 4.1, 7.9, 10.4, 11.3(k)(iii) and (iv), 11.3(n), 11.4, 12.3 - 12.5, 13.4, 14, 15, and 20 (Appendix 5 to the SAR)</p>	<ul style="list-style-type: none"> > the consultation that POTL has undertaken with tangata whenua; > that the feedback received from tangata whenua identifies various potential effects and opposes the project; and > an assessment of these effects from POTL’s perspective and the proposed consent conditions that seek to address the effects identified by tangata whenua (SAR section 6.4, pp. 164 – 181). <p>Table 3 of Appendix G to Appendix 18 to the SAR summarises the Māori cultural values that iwi/hapū describe in CVAs/CIAs as relevant to this project.</p> <p>The conditions that POTL proposes to mitigate effects on Māori cultural values associated with Stella Passage are listed in the adjoining column.</p>																																																
PZ 5(h) The review of conditions and the timing and purpose of that review.	Dredging condition 24; reclamation and structures condition 21 (Appendix 5 to the SAR).	The conditions referenced in the adjoining column provide for the Regional Council’s review of the consent conditions. These were considered by the Regional Council during the consultation undertaken before the application was lodged.																																																
PZ 5(i) The amount and type of any financial contribution.	Refer to the table in the adjoining column, and Appendix 5 to the SAR Assessment of Effects on Marine Ecological Values p. 77 (SAR Appendix 14)	<p>The financial contributions proposed in the proposed consent conditions are tabled below. The rationale for these contributions is discussed in section 6.4 (particularly sub-section 6.4.3) of the SAR, and (in relation to the biosecurity funding contribution) at Table 11 (page 77) of the Marine Ecology assessment report.</p> <table border="1"> <thead> <tr> <th>Condition</th> <th>Funding</th> <th>Reclamation & structures conditions</th> <th>Dredging conditions</th> </tr> </thead> <tbody> <tr> <td>Te Awanui health and abundance projects</td> <td>\$2,000,000 one-off payment</td> <td>15.1</td> <td>18.1</td> </tr> <tr> <td>Establishment of pouwhenua/other structures</td> <td>\$500,000 one-off payment</td> <td>15.2</td> <td>18.2</td> </tr> <tr> <td>Whareroa longitudinal health/wellbeing assessment</td> <td>\$250,000 one-off payment</td> <td>15.3</td> <td>18.3</td> </tr> <tr> <td>Independent audit of discharges into Te Awanui</td> <td>\$100,000 one-off payment</td> <td>15.4</td> <td>18.4</td> </tr> <tr> <td>Whareroa infrastructure projects</td> <td>\$1,000,000 one-off payment plus \$25,000/year for consent term</td> <td>15.5</td> <td>18.5</td> </tr> <tr> <td>Prepare and deliver a Mātauranga Monitoring Plan</td> <td>\$25,000/year for consent term</td> <td>14.5</td> <td>15.5</td> </tr> <tr> <td>Mātauranga Māori State of the Environment report</td> <td>\$100,000 one-off payment</td> <td>-</td> <td>12.1</td> </tr> <tr> <td>Education/research scholarships for iwi/hapū</td> <td>\$250,000 one-off payment</td> <td>-</td> <td>19.1</td> </tr> <tr> <td>Avifauna habitat enhancement projects</td> <td>\$150,000 one-off payment</td> <td>13.4</td> <td>-</td> </tr> <tr> <td>Annual monitoring of Te Paritaha pipi bed</td> <td>Funded by POTL</td> <td>-</td> <td>13</td> </tr> <tr> <td>Māori cultural monitoring of capital dredging</td> <td>Funded by POTL</td> <td>-</td> <td>14</td> </tr> </tbody> </table>	Condition	Funding	Reclamation & structures conditions	Dredging conditions	Te Awanui health and abundance projects	\$2,000,000 one-off payment	15.1	18.1	Establishment of pouwhenua/other structures	\$500,000 one-off payment	15.2	18.2	Whareroa longitudinal health/wellbeing assessment	\$250,000 one-off payment	15.3	18.3	Independent audit of discharges into Te Awanui	\$100,000 one-off payment	15.4	18.4	Whareroa infrastructure projects	\$1,000,000 one-off payment plus \$25,000/year for consent term	15.5	18.5	Prepare and deliver a Mātauranga Monitoring Plan	\$25,000/year for consent term	14.5	15.5	Mātauranga Māori State of the Environment report	\$100,000 one-off payment	-	12.1	Education/research scholarships for iwi/hapū	\$250,000 one-off payment	-	19.1	Avifauna habitat enhancement projects	\$150,000 one-off payment	13.4	-	Annual monitoring of Te Paritaha pipi bed	Funded by POTL	-	13	Māori cultural monitoring of capital dredging	Funded by POTL	-	14
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Provision	Location of Information	Assessment
		POTL to prepare land use policy addressing incompatible activities on POTL land adjacent to Whareroa Marae
		Funded by POTL - 18.6
		Contribution to Regional Council biosecurity programme
		\$27,000 16.1 -

PZ 5(j) Compliance monitoring.

Refer to the conditions tabled in the adjoining column.

The compliance monitoring requirements set out in the proposed consent conditions are tabled below.

Monitoring & reporting requirements	Reclamation & structures conditions	Dredging conditions
Publication of management plans and monitoring reports	4.6	4.5
Water quality monitoring (dredging)	11.3(l)	8.2(d), (e), 8.7, 16
Marine mammal monitoring	3.3(h), 12.9, 12.11, 12.14	3.3(h), 10
Te Paritaha	-	13
Māori cultural monitoring of dredging	-	14
Mātauranga Monitoring Plan	3.3(e) & (f), 14	3.3(e) & (f), 15
Bathymetric surveys	-	17
Provision of monitoring data to the Regional Council	19.1	21
Biosecurity	16.1	4.3(g)

Rule PZ 8: Restricted Discretionary - Buildings and Structures in the Port Zone

With the exclusion of the Sulphur Point North End Berth shown on Map 270-27C contained in Schedule 9 to this Plan, the erection, reconstruction, placement, alteration, extension, removal or demolition of:

(a) Any structure or building (excluding cranes) within the area that the Port of Tauranga Limited has been granted a section 384A occupation permit that is not a permitted, or controlled activity is a restricted discretionary activity.

For the avoidance of doubt, this rule covers:

- (i) The erection or placement, alteration, extension or removal of structures.
- (ii) Occupation of space in the common marine and coastal area by the structure.
- (iii) Disturbance of the foreshore and seabed associated with the activity, including dredging required as part of the construction.
- (iv) Deposition of material in the coastal marine area associated with the activity.
- (v) Any discharge associated with the construction or removal activity.

The Regional Council restricts its discretion to the following matters: [see below]

SAR section 5.1.3.1, Table 18.

The proposed structures (i.e., wharf extensions, revetments, bunker barge and other jetties, berthing piles, dolphins, relocated ferry ramp etc. indicated in drawings 320-64-1A and 320-59-2) are subject to this rule because:

- > This project is not within the Sulphur Point North End Berth shown on Map 270-27C contained in Schedule 9 to the RCEP; and
- > The project is in the area where POTL holds a section 384A occupation permit for (being permit no 04-0128); and
- > The proposed structures are not a permitted or controlled activity.

PZ 8(a) The compatibility of the structure and its intended use with the purpose of the Port Zone.

Sections 1.4, 4 and 10.6.8.2 of the SAR

Sections 1.4 and 4 of the SAR explain the rationale for the project. It is inherent that the proposed structures are compatible with the purpose of the Port Zone, insofar as that purpose is expressed through the zone policies.

Provision	Location of Information	Assessment
		<p>The Port Zone policies are assessed in section 10.6.8.2 (pp. 292 – 294) of the SAR. Given they are related to/necessary for vessel berthing, the structures are compatible with the Port Zone, and are in the area of future development shown in the Port Outline Development Plan at Schedule 9 of the RCEP.</p>
<p>PZ 8(b) The finished visual appearance when viewed from a public place.</p>	<p>SAR section 6.11 Section 9.1 of the Landscape Effects Report (Appendix 17 to the SAR) Appendices 17a & 17b to the SAR</p>	<p>Section 6.11 of the SAR summarises the findings of the Landscape Effects Report (Appendix 17 to the SAR). That report considers the project’s landscape effects from multiple public viewpoints.</p> <p>Section 9.1 (pp. 104-5) of the Landscape Effects Report concludes that the project will have a very low order of effects on natural character values, and a low level of adverse landscape effect, except a view from Whareroa Marae, where the second stage extension of the Sulphur Point wharves (the southernmost 100 m of wharf extensions) is assessed as having a moderate adverse landscape effect. The Landscape Effects Report concludes the project’s landscape and natural character effects are acceptable.</p> <p>Appendices 17a and 17b to the SAR include before/after images to compare the appearance of project structures against existing conditions.</p>
<p>PZ 8(c) The effects of glare and lighting.</p>	<p>In relation to landscape and natural character matters: SAR section 6.11; section 8.8 of the Landscape Effects Report (SAR Appendix 17); night-time images in SAR Appendix 17b; the lighting assessment (SAR Appendix 17c)</p> <p>Regarding avifauna: SAR section 6.8, section 5 of the Assessment of Potential Effects on Birds (SAR Appendix 2) and section 4 of the Avifauna Management Plan (Appendix 2a to the SAR)</p> <p>Regarding marine mammals: Table 1 (p. iii) and section 5 (pp. 68 – 69) of the Assessment of Effects on Marine Mammals (SAR Appendix 6)</p> <p>In relation to aircraft safety matters: SAR section 6.15; SAR Appendix 20; reclamation and structures conditions 18.5 and 18.6 (SAR Appendix 5); the district council conditions (SAR Appendix 5a)</p>	<p><i>Landscape:</i> Section 8.8 of the Landscape Effects Report, attachments 37 – 41 within Appendix 17b to the SAR and the outdoor lighting report at Appendix 17c to the SAR address night-time effects from a landscape and natural character perspective. This assessment is summarised in section 6.11 of the SAR.</p> <p>The outdoor lighting report (Kern Consultants, 15 September 2022, referenced in the Landscape Effects Report as Appendix A) was inadvertently omitted from the application package lodged with the EPA (note that this report refers to the installation of “three new cranes” as this was what was proposed at the time – this application now seeks consent for four cranes and the Landscape Effects Report addresses the effects of four cranes). It is labelled as Appendix 17c to the SAR and is attached to this response. Paragraphs 29-30 of this lighting report confirm that the proposed lighting will meet both the City Plan criteria and New Zealand standard for outdoor lighting.</p> <p><i>Avifauna:</i> Section 6.8 of the SAR (page 197) summarises the Avifauna Assessment findings which include consideration of the effects of artificial lighting at night on birds. These effects are to be controlled via the mitigation measures set out at point 2.0 (page 56) of section 4 of the Avifauna Management Plan provided as Appendix 2a to the SAR.</p> <p><i>Marine mammals:</i> Section 5 of the Assessment of Effects on Marine Mammals concludes that the effects of artificial lighting on marine mammals are of remote likelihood and negligible magnitude.</p> <p><i>Aircraft safety:</i> The considerations relating to the provision and maintenance of crane lighting for aircraft safety are summarised at section 6.15 of the SAR supported by the information provided in Appendix 20 to the SAR, notably condition 1 of the Navigable Airspace Determination issued by the Civil Aviation Authority. The district council land use consent conditions (SAR Appendix 5a) and conditions 18.5 and 18.6 of the reclamations and structures conditions set address the lighting required for aeronautical safety.</p>
<p>PZ 8(d) Structural integrity.</p>	<p>SAR sections 4.5.1, 4.5.2, 4.6.2, 4.6.5, 4.6.6, 4.6.10 – 4.6.12 and 4.6.14</p> <p>Reclamation and structures conditions 4.7, 6.1(e), 6.3, 7.1, 7.2, 9.2 and 18.6</p>	<p>Sections 4.5.1 and 4.5.2 (pp. 120 – 124) of the SAR describe the construction methodology for the revetment slopes.</p> <p>Section 4.6.2 (SAR p. 129) states “ <i>The general structural arrangement of the proposed wharf extensions will be similar to that used for the Sulphur Point northern extension in 2013 (Figure 67). That design exemplifies the type of structural form engineers and contractors are combining to produce earthquake-resistant designs through modern construction techniques. The design will comply with the Building Act 2004, relevant New Zealand and international technical loadings and material standards and codes of compliance of the day</i>”.</p> <p>Section 4.6 of the SAR (pp. 120 - 139) describes the construction methodology for the wharf extensions including the piling methodology (sections 4.6.5 and 4.6.6), seismic separation (section 4.6.10), ground improvements (section 4.6.11), seawall modifications (section 4.6.12), and the geotechnical investigations that will be required pre-construction (section 4.6.14).</p>

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		The consent conditions referenced in the adjoining column oblige POTL to maintain appropriate engineering oversight of the design and construction of the project structures (including regulatory review of a final design statement) to ensure a safe and fit-for-purpose outcome.
PZ 8(e) Effects on the hydrodynamic and geomorphic regime of the harbour.	SAR section 6.9 Hydrodynamic and Sedimentation Effects (pp. 202 – 205) Assessment of Effects on Hydrodynamics and Sedimentation pp. 33 – 37 (SAR Appendix 13)	Pages 33 – 37 of the Assessment of Effects on Hydrodynamics and Sedimentation (SAR Appendix 13) presents the potential hydrodynamic effects of the project and characterises these effects as minimal. Section 6.9 of the SAR summarises this assessment.
PZ 8(f) Effects during construction on other harbour users, aviation, navigation and public safety.	Navigation Safety Assessment paragraphs 35-46 (SAR Appendix 19) Reclamation and structures condition 17.1; dredging conditions 4.4(e) and 6.4 (SAR Appendix 5)	The Navigation Safety Assessment (Appendix 19 to the SAR) discusses construction (dredging) and post-construction (operational) effects on navigational safety. It confirms (paragraphs 37 – 43) the dredging presents no new or unknown risks, given dredging vessels will follow the established procedures that are used for POTL’s recurring maintenance dredging campaigns. Notification will be given to alert other harbour users to the presence of dredging as detailed at paragraph 41 of this report. The Navigation Safety Assessment furthermore notes that operational effects post-construction will be much the same as the status quo, as the project will facilitate approximately 24 additional vessel calls per month, or 1-2 vessels per day. No effects on aviation are anticipated, given the agreement of the relevant parties as provided in Appendix 20 to the SAR.
PZ 8(g) Management of hazardous substances (for buildings, structures or areas used for the storage or handling of hazardous substances).	N/A	No structures associated with this project will be used for the storage or handling of hazardous substances.
PZ 8(h) The review of conditions and the timing and purpose of that review.	Reclamation and structures condition 21 (SAR Appendix 5)	The proposed conditions were considered by the Regional Council in the course of consultation undertaken before the application was lodged. No issues were raised in relation to the scope of the proposed review conditions.
PZ 8(i) The amount and type of any financial contribution.	Please see commentary addressing Rule PZ 5(i)	The commentary addressing Rule PZ 5(i) earlier in this table sets out the proposed contributions associated with this project.
PZ 8(j) Compliance monitoring.	Reclamation and structures conditions 11.3 , 12.6 and 12.7, 13, 16.1 and 19 Sections 8, 9, 11, 12 and 14 of the draft Reclamation and Construction Management Plan (Appendix 7 to the SAR) Sections 3.2, 3.4 – 3.12, 3.15 and 6.3 of the Marine Mammals Management Plan (Appendix F to Appendix 6 to the SAR) Section 3 of the Avifauna Management Plan (Appendix 2a to the SAR).	During the construction period, monitoring will be carried out in accordance with the draft Reclamation and Construction Management Plan (SAR Appendix 7), draft Marine Mammal Management Plan (Appendix F to SAR Appendix 6) and draft Avifauna Management Plan (SAR Appendix 2a). These management plans require monitoring of water quality affected by construction works, monitoring for the presence of marine mammals within the shutdown zones, acoustic monitoring of piling work, monitoring of bird presence at the sand pile, monitoring of erosion and dust controls in works areas. Post-construction, the wharves will be monitored as part of the Regional Council’s biosecurity programme and POTL will contribute funding to support this (reclamation and structures condition 16.1).
PZ 8(k) The quantity, location and timing of discharge.	Reclamation and structures conditions 7.10, 7.11, 8 and 11.3(l). SAR section 4.5.3 (pp. 124-126) SAR section 6.9.3.3 (p. 204)	Discharges from construction activities will be temporary and localised, with dispersion contained by way of silt curtains and the control of overflow from dredging. Settling ponds associated with the reclamations will be managed in accordance with the limits specified in reclamation and structures condition 8. SAR section 4.5.3 sets out the methodology for constructing and managing the settling ponds to be used in conjunction with the development of the reclamations.

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		Section 6.9.3.3 of the SAR recounts that disturbance and discharges associated with pile driving and reclamation construction will be minimal and manageable. Piles will be installed by driving, which generates less sediment than the 'jetting' installation method.
PZ 8(l) Coastal water quality including the provisions of Section 3 – Coastal Discharges and Schedule 13 to this Plan.	Reclamation and Construction Management Plan pp. 15 – 18 (SAR Appendix 7) SAR section 4.5.3 pp. 124 – 126 Reclamation and structures condition 8.1 Please also refer to the response to Rule PZ 5(e) earlier in this table.	The commentary regarding Rule PZ 5(e) provided earlier in this table addresses the relevant provisions of the Coastal Discharges chapter of the RCEP. As noted therein, discharges emanating from works to install piles and construct reclamations will be controlled as set out in sections 8 and 9 of the Reclamation and Construction Management Plan and section 4.5.3 of the SAR (pp. 124 – 126) and condition 8.1 of the reclamation and structures conditions set.
PZ 8(m) The area, quantity, location and timing of any disturbance or deposition.	SAR pp. 106 – 109 and 120 Drawings 320-64-1A and 320-59-2 (Appendix 29 to the SAR) Assessment of Effects on Hydrodynamics and Sedimentation, p. 31 (SAR Appendix 13)	The areas and locations of proposed structures are shown on the plans at Appendix 29 to the SAR. Project staging is described at section 4.2, pp. 106 – 109 of the SAR. As noted at page 31 of the Assessment of Effects on Hydrodynamics and Sedimentation (SAR Appendix 13), observations of piledriving undertaken in the course of constructing wharves, Tauranga Harbour Crossing and Tauranga Bridge Marina indicate very localised sediment disturbance, and no significant plume generation. Page 120 of the SAR explains that testing of the channel floor has revealed contaminant levels are within the guideline range.
PZ 8(n) The materials deposited.	Assessment of Effects on Hydrodynamics and Sedimentation (SAR Appendix 13)	Page 42 of the Assessment of Effects on Hydrodynamics and Sedimentation (SAR Appendix 13) notes that the excavated material will have no impacts in terms of entrained contaminants and be suitable to be deposited in the Port's existing consented offshore deposition site or as fill for the reclamations.
PZ 8(o) Site specific historical or cultural values under ss 6(e) or 7(a) of the RMA.	SAR sections 3.16 (pp. 94-5) and 6.4 (pp. 164 -181) Table 3 to Appendix G of SAR Appendix 18 and the CVRs and CIAs attached as SAR Appendix 18a The proposed consent conditions (SAR Appendix 5) including dredging conditions 1.1, 3.3, 4.3, 8.3, 12 - 15, 16.4(b), 18.1 – 18.6, 19.2, 19.3 and 22.1, and, reclamation and structures conditions 1.1(h), 4.1(a), 7.9, 11.4, 12 – 15, 20.1	Section 3.16 of the SAR highlights the importance of Te Awanui as a whole, and discrete sites within Te Awanui, to tangata whenua and this detail is presented further in Table 3 of Appendix G to Appendix 18 to the SAR. Section 6.4 of the SAR summarises the Māori cultural effects, as identified through the consultation process and by reference to the CVRs and CIAs received, as: <ul style="list-style-type: none"> > Impacts on the ability for tangata whenua to exercise kaitiakitanga and on whanaungatanga and whakapapa; > Loss of cultural identity and displacement; > Impacts on the mauri of Te Awanui/Tauranga Harbour through adverse water quality and hydrodynamic effects; > Impacts on kaimoana species and mahinga kai; > Impacts on taonga species, including avifauna and marine mammals; and > Effects specific to Whareroa Marae. Table 3 of Appendix G to Appendix 18 (Cultural Consultation Report) to the SAR summarises the intersections between Māori cultural values and the project, as identified in the reports prepared by iwi/hapū. POTL's response to these effects is presented in section 6.4.3 of the SAR and is embedded into the proposed conditions of consent (Appendix 5 to the SAR) including those listed in the adjoining column. Broadly, the conditions require POTL to facilitate and collaborate with the SPDAG at both operational and strategic levels; provide management plans and information to the SPDAG for feedback; specify measures to manage noise and protect marine mammals and avifauna; specify an accidental discovery protocol; and, specify financial contributions that POTL must make to support projects associated with Whareroa Marae and Te Awanui including: <ul style="list-style-type: none"> > Harbour abundance and enhancement projects; > Matauranga reporting and monitoring;

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		<ul style="list-style-type: none"> > Establishment of pou; > Research and scholarships; > Health studies; and > Marae infrastructure investments.
Rule PZ 9 – Cranes exceeding the permitted height or location		
<i>The erection, reconstruction, placement, alteration or extension of any wharf crane that exceeds the permitted height or location in Rule PZ 4 is a restricted discretionary activity. The Regional Council restricts its discretion to the following matters: [see below]</i>	SAR p. 147	The permitted height and location of Port cranes is discussed in Table 18 (p. 147) of the SAR. The two more northerly cranes exceed the permitted height limit while the two more southerly cranes exceed the permitted locational criterion. Consequently, all four of the four proposed cranes require consent under Rule PZ 9.
(a) The impact on the airport height restrictions identified in map sheets 9c, 10c, 11c, 12c, 13c, 14c, and 15c.	SAR section 6.15 pp. 222-223 SAR Appendix 20	Section 6.15 of the SAR addresses the potential effects of the cranes on the matters specified at rule PZ 9. The Aeronautical Study, Navigable Airspace Determination and written agreement to the grant of consent by the Chief Executive of the Airport Authority underscore that the matters of discretion can be addressed by way of consent conditions. The consent conditions referenced in the adjoining column will ensure the effects of the cranes are appropriately managed.
(b) The safe operation of Tauranga City Airport.	Conditions 18.1 – 18.6 of the draft reclamation and structures conditions and conditions 1 – 6 of the draft district council land use condition set (SAR Appendix 5a)	
Rule PZ 10: Specified Dredging Activities		
<i>Any discharge and disturbance (including removal of sand, shingle, shell, or other natural material) of, the foreshore or seabed for the following activities as shown on Plan 270-67 in Schedule 9 to this Plan:</i>	SAR pp. 150-151	Table 18 of the SAR (pp. 150-151) outlines the resource consent requirements under clauses (b), (c) and (d) of this rule, as the proposed capital dredging will intersect the areas referenced in these clauses.
(a) Construction of the Sulphur Point North End Berth and Shipping Channel,		
(b) Construction of the Sulphur Point Wharf Extension South Sitting Basin and Shipping Channel,		
(c) Deepening of the Sulphur Point Town Reach,		
(d) The Mount Maunganui Wharfs Future Berth Deepening as shown on Plan 270-25B, and		
(e) Deeping of the existing entrance passing lane,		
<i>is a restricted discretionary activity. The Regional Council restricts its discretion to the following matters: [see below]</i>		
PZ 10(a) The area, quantity, location and timing of disturbance and discharge.	Drawings 324-64-1A and 320-59-1C (SAR Appendix 29) SAR Figures 43, 51 and 52 (pp. 98, 107) Draft Dredge Management Plan (SAR Appendix 8) Dredging conditions 4.3 and 20.1 (SAR Appendix 5)	<p>The area to be disturbed by capital dredging is smaller than the area (marked as “<i>Additional Area to maintain following future development...</i>”) that is anticipated by drawing 324-56E (Shipping Channels Subject to Maintenance Dredging) of Schedule 9 to the RCEP to be subject to maintenance dredging.</p> <ul style="list-style-type: none"> > Area and Location: The location and area of the proposed capital dredging is shown on drawings 324-64-1A and 320-59-1C (SAR Appendix 29). Deposition of the dredged spoil will be either to land to form the reclamations (as per section 4.5.3 “<i>Pump Ashore</i>” of the SAR), or to the established deposition areas authorised by POTL’s consent no 65807; > Quantity: The proposed capital dredging volume is that which is necessary to lower the channel to 16 m below CD, as shown on Figure 43 of the SAR. Table 3 of the SAR specifies that the proposed dredging volumes are approximately 850,000 m³ in stage 1 and approximately 650,000 m³ in stage 2 – a total of approximately 1.5 Mm³, albeit 800,000 m³ of the volume in stage 1 is already authorised by POTL’s consent 62920.

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		<p>> Timing: The capital dredging will be done in stages as described in section 4.2 (pp. 106 – 109) and shown on figures 51 and 52 of the SAR.</p> <p>The dredging methodology, including timing restrictions such as overflow and tidal restrictions, is set out in the draft Dredge Management Plan attached as Appendix 8 to the SAR. The details of each dredging campaign must be communicated to the SPDAG, Tauranga Moana Iwi Customary Fisheries Trust and/or the Ngā Mātarāe Charitable Trust, the Department of Conservation and the Regional Council prior to commencement, and a dredging completion report must be provided to the Regional Council as per proposed dredging conditions 4.3 and 20.1 (Appendix 5 to the SAR).</p>
PZ 10(b) Effects on the hydrodynamic and geomorphic regime of the harbour and open coastline.	Please refer to the response provided to Rule PZ 5(b)	This matter is addressed by the response provided to Rule PZ 5(b) earlier in this table.
PZ 10(c) Effects on marine life and ecosystems.	Please refer to the response provided to Rule PZ 5(c)	This matter is addressed by the response provided to Rule PZ 5(c) earlier in this table.
PZ 10(d) The release and spread of harmful aquatic organisms.	Please refer to the response provided to Rule PZ 5(d)	This matter is addressed by the response provided to Rule PZ 5(d) earlier in this table.
PZ 10(e) Coastal water quality including the provisions of Section 3 – Coastal Discharges and Schedule 13 to this Plan.	Please refer to the response provided to Rule PZ 5(e)	This matter is addressed by the response provided to Rule PZ 5(e) earlier in this table.
PZ 10(f) Effects on other harbour users, navigation and public safety during construction.	Please refer to the response provided to Rule PZ 5(f)	This matter is addressed by the response provided to Rule PZ 5(f) earlier in this table.
PZ 10(g) Site specific historical or cultural values under ss 6(e) or 7(a) of the RMA.	Please refer to the response provided to Rule PZ 5(g)	This matter is addressed by the response provided to Rule PZ 5(g) earlier in this table.
PZ 10(h) The review of conditions and the timing and purpose of that review.	Please refer to the response provided to Rule PZ 5(h)	This matter is addressed by the response provided to Rule PZ 5(h) earlier in this table.
PZ 10(i) The amount and type of any financial contribution.	Please refer to the response provided to Rule PZ 5(i)	This matter is addressed by the response provided to Rule PZ 5(i) earlier in this table.
PZ 10(j) Compliance monitoring.	Please refer to the response provided to Rule PZ 5(j)	This matter is addressed by the response provided to Rule PZ 5(j) earlier in this table.
Rule PZ 11 Specified Reclamations		
<p><i>The discharge, reclamation and deposition onto the foreshore or seabed for the following reclamations shown in Schedule 9 to this Plan:</i></p> <p><i>(a) Construction of the Sulphur Point Wharf Extension South to accommodate the future wharf extension shown on drawing 270-27 in Schedule 9 to this Plan; and</i></p> <p><i>(b) Construction of the Mt Maunganui Wharf Extension South to accommodate the future wharf extensions shown on drawing 270-68 in Schedule 9 to this Plan;</i></p> <p><i>is a restricted discretionary activity.</i></p> <p><i>The Regional Council restricts its discretion to the following matters: [see below]</i></p>	Figures 33, 34, 44 and 45 (pp. 65-66) of the SAR	Figures 33 and 34 of the SAR replicate drawings 270-27 and 270-68 from RCEP Schedule 9. It can be seen by comparison with figures 44 and 45 of the SAR that the proposed reclamations are the same (at Sulphur Point) or smaller than (at Mount Maunganui) the reclamations anticipated by the RCEP.
PZ 11(a) The matters listed in Policy PZ 13.	SAR Section 6.14 pp. 220 – 221	> PZ 13(a) The potential effects on the site of climate change, including sea level rise, over no less than 100 years

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	<p>Assessment of Effects on Hydrodynamics and Sedimentation pp. 1-2, 31-32, 41-42 (SAR Appendix 13)</p> <p>Landscape Effects Report pp. 62 – 66 and 68 – 84 (SAR Appendix 17)</p>	<p>Section 6.14 of the SAR discusses the climate change-related matters canvassed by Policy PZ 13(a).</p> <ul style="list-style-type: none"> > PZ 13(b) The shape of the reclamation, and, where appropriate, whether the materials used are visually and aesthetically compatible with the adjoining coast <p>The visual effects of the reclamations are discussed at section 8 of the Landscape Effects Report. The assessment undertaken included consideration of the landscape effects of the project from eight key viewpoints. The pages recorded in the adjoining column contain the assessments for each viewpoint.</p> <ul style="list-style-type: none"> > PZ 13(c) The use of materials in the reclamation, including avoiding the use of contaminated materials that could significantly adversely affect water quality, aquatic ecosystems and indigenous biodiversity in the coastal marine area <p>The reclamations may be backfilled with material dredged from Stella Passage, which is not anticipated to contain contaminants, as per pp. 1-2, 31 – 32 and 41 - 42 of the Assessment of Effects on Hydrodynamics and Sedimentation (SAR Appendix 13). As noted in section 4.5.1 (p. 120) of the SAR, testing indicates the channel sediments are free of contaminants. Any fill procured from land-based sources will need to be tested for suitability as backfill as per condition 6.1 of the reclamation and structures condition set. The assessment notes (page 2) that no mitigation is required in relation to potential contamination.</p> <ul style="list-style-type: none"> > PZ 13(d) The ability to remedy, mitigate or off-set significant adverse effects on the coastal environment <p>The technical assessments prepared in support of the project have not identified any significant adverse effects on the coastal environment. The mitigation measures proposed are intended to ensure adverse effects are minimal. There are no residual adverse impacts of a significant level that require the provision of offsets.</p> <ul style="list-style-type: none"> > PZ 13(e) Whether the proposed activity will affect sites of significance to Ngāti Ranginui, Ngāi Te Rangī and Ngāti Pukenga <p>The proposed reclamations adjoin the existing wharves, do not intersect any sites of significance identified in a planning instrument and will maintain the sand pile habitat for avifauna.</p> <ul style="list-style-type: none"> > PZ 13(f) The ability to avoid consequential erosion and accretion, and other natural hazards <p>Pages 37 – 38 of the Assessment of Effects on Hydrodynamics and Sedimentation (SAR Appendix 13) provides specific comments on areas in Te Awanui that have previously been identified as areas of concern in relation to erosion. Table 3 to that report provides supplementary comments. The conclusion is that the reclamations (and other project elements) will not generate any erosion/accretion effects of note.</p>
<p>PZ 11(b) The material, quantity, area, location and timing of deposition, reclamation and discharge.</p>	<p>SAR section 4.2 (p. 106)</p> <p>SAR section 4.5 (pp. 120 – 126)</p> <p>Reclamation and structures conditions 7.5, 7.10, 7.11, 8.1, 8.2 and 11 (SAR Appendix 5)</p> <p>Assessment of Effects on Hydrodynamics and Sedimentation p. 37 (SAR Appendix 13)</p>	<p>Figures 320-64-1 and 320-59-2 show the locations of the reclamations.</p> <p>Section 4.2 of the SAR describes project scheduling including the timing for each reclamation.</p> <p>Section 4.5 of the SAR sets out the methodology for constructing the reclamations, and considers the materials to be used.</p> <p>The Assessment of Effects on Hydrodynamics and Sedimentation (SAR Appendix 13) notes at page 37 that plumes associated with the reclamations will be smaller than those associated with dredging. Given the dredging plumes are assessed as having minimal effects if managed appropriately, it follows that reclamation-generated plumes will be of minimal issue. Reclamation and structures conditions 7.5, 7.10, 7.11, 8.1, 8.2 and 11 provide appropriate safeguards.</p>
<p>PZ 11(c) Effects on the hydrodynamic and geomorphic regime of the harbour.</p>	<p>Please refer to the response provided to Rule PZ 5(b)</p>	<p>Section 5 of the Assessment of Effects on Hydrodynamics and Sedimentation addresses the hydrodynamic effects of constructing the reclamations. It characterises the effects as “... a slight enhancement of the current flow patterns due to increased convergence of the flood flow into the deepened southern extension of the shipping channel, and the strengthening of the ebb jet from the shallow channel into the deeper shipping channel” and goes on to note that “ There are no potential impacts on Te Paritaha, Waipu Bay and other locations beyond Stella Passage due to changed hydrodynamics”.</p>
<p>PZ 11(d) Coastal water quality including the provisions of Section 3 – Coastal Discharges and Schedule 13 to this Plan.</p>	<p>Please refer to the response provided to Rule PZ 5(e)</p>	<p>This matter is addressed by the response provided to Rule PZ 5(e) earlier in this table.</p>
<p>PZ 11(e) Effects on other harbour users, navigation and public safety during construction.</p>	<p>Please refer to the response provided to Rule PZ 5(f)</p>	<p>This matter is addressed by the response provided to Rule PZ 5(f) earlier in this table, noting furthermore that the reclamations will tie into POTL’s landholdings and therefore are inaccessible to the public from the landside environs.</p>

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PZ 11(f) Site specific historical or cultural values under ss 6(e) or 7(a) of the RMA.	Please refer to the response provided to Rule PZ 5(g)	This matter is addressed by the response provided to Rule PZ 5(g) earlier in this table.
PZ 11(g) The review of conditions and the timing and purpose of that review.	Please refer to the response provided to Rule PZ 5(h)	This matter is addressed by the response provided to Rule PZ 5(h) earlier in this table.
PZ 11(h) The amount and type of any financial contribution.	Please refer to the response provided to Rule PZ 5(i)	This matter is addressed by the response provided to Rule PZ 5(i) earlier in this table.
PZ 11(i) Compliance monitoring.	Please refer to the response provided to Rule PZ 5(j)	This matter is addressed by the response provided to Rule PZ 5(j) earlier in this table.

Concluding Statement

The matters over which decision-making control and discretion is reserved are addressed throughout the SAR, within the technical assessments appended to the SAR and by the proposed consent conditions. Key matters include:

- > The dispersal of contaminants and turbidity from the dredging and reclamation plumes, and construction related noise, will not adversely affect marine ecosystems and aquatic species, as detailed in Appendices 6 and 14 to the SAR;
- > As detailed in SAR Appendix 13, the project will not cause notable changes to hydrodynamic and sedimentation processes, nor generate contaminants of concern. Contaminants disturbed by dredging and reclamation will be of low levels (within default guideline levels), as confirmed by testing, and plumes will be confined to the shipping channel. The shipping channel is not an area used for contact recreation;
- > For the reasons stated in SAR Appendix 19, dredging and reclamation activities are not anticipated to affect navigational safety for shipping, and the same is true for the operation of Stella Passage on project completion;
- > For the reasons given in SAR Appendix 20, potential effects on aeronautical safety are addressed by the proposed consent conditions;
- > Māori cultural values intersected by the project are identified in the reports attached as Appendix 18a to the SAR (and the Ngāti Kuku CIA and Ngā Tai ki Mauao Statement of Position which are not included in that appendix). These values (including Ngāti Kuku's) are summarised at Table 3 of Appendix G to Appendix 18 of the SAR. The SAR addresses these effects in section 6.4 and the proposed consent conditions at Appendix 5 to the SAR seek to address these effects;
- > The proposed consent conditions make adequate provision for the preparation, certification and update of management plans for the project, for compliance monitoring measures, and for review of consent conditions; and
- > The draft Avifauna Management Plan, Marine Mammal Management Plan, Reclamation and Construction Management Plan and Dredging Management Plan (appendices 2a, 6, 7 and 8 to the SAR) specify the management measures that POTL will implement to ensure that the project's residual effects are of the low-negligible levels as assessed in the technical assessments that accompany the application.