

COVID-19 Recovery (Fast-track Consenting) Act 2020

Kōpū Marine Precinct by Thames-Coromandel District Council

M-6 Minute of the Kōpū Marine Precinct Expert Consenting Panel – 24 February 2022

1. As advised in Minute 1 of the Kōpū Marine Precinct Expert Consenting Panel (the Panel), the application for the Kōpū Marine Precinct under the COVID-19 Recovery (Fast-track Consenting) Act 2020 (the Act), consisted of “*Option 1*” and “*Option 2*”.

Consideration of “*Option 2*”

2. With respect to “*Option 2*”, there is a question as to the activity status of the proposal under the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (NESF), particularly as to whether the proposal constitutes “*Specified Infrastructure*” and can be considered under Regulation 45 of the NESF.
3. The Panel has received comments from several parties on this matter and further information from the applicant (in addition to the information provided in the addendum to the application for “*Option 2*”). The Panel also sought and received legal advice from Derek Nolan QC on the matter.
4. The Panel has come to the view that the proposal for “*Option 2*” can be considered as “*Specified Infrastructure*” and can be considered by the Panel, under Regulation 45 of the NESF and is therefore not a prohibited activity.
5. The Panel will provide full and detailed reasoning on this matter in its decision (when released).

Draft Conditions

6. In accordance with clause 36 of Schedule 6 of the Act, before a panel grants a resource consent, the panel must provide a copy of its draft conditions and invite comment on those draft conditions from the applicant and every person who provided comment on the application.
7. The Panel now provides copies of its draft conditions to the applicant and every person who provided comment on the application and invites comment from those parties on its draft conditions.
8. Comments on draft conditions must be received by the Environmental Protection Authority (EPA) no later than **3 March 2022**.
9. Comments on draft conditions are to be emailed to the EPA at kopu.fasttrack@epa.govt.nz.



Vanessa Hamm

On behalf of the Kōpū Marine Precinct Expert Consenting Panel.