

## Port of Tauranga fast-track application on hold after judicial review upheld

A judicial review of Port of Tauranga's fast track application for the Stella Passage development has been upheld. The High Court has determined that the Environmental Protection Authority (EPA) should not have accepted the Port's application as the project was not as described in schedule 2 of the legislation.

The Fast-track Panel that was due to commence on 1 September has been put on hold pending further direction from the Court.

Port of Tauranga Chief Executive, Leonard Sampson, said it was clearly ludicrous that a project worth hundreds of millions of dollars to the NZ economy could be unnecessarily delayed yet again – this time by a few words missing from a schedule due to a drafting oversight.

The Port was clear in its description of the Stella Passage development when it applied to be included in Schedule 2 of the Fast-track Approvals Act, making it clear that the project included the Mount Maunganui wharves. The Port of Tauranga Stella Passage resource consent has always included the Sulphur Point and Mount Maunganui wharves.

The Judge's decision agrees that whilst it may have been left out by mistake, there is no discretion, and the EPA should not have accepted the application based on the current wording in the schedule of the legislation.

"We are turning away shipping lines that want to call at Tauranga. In the last month, the Port has had to turn away a proposed new service to the Americas that would have provided New Zealand importers and exporters with an estimated \$65 million to \$90 million per annum in international freight savings. The delays are preventing a much-needed boost to the New Zealand economy," said Mr Sampson.



The Environment Court has already established that the environmental impact from the Stella Passage development will, from a Western science perspective, be minor in the short-term and negligible in the long-term. However, Port of Tauranga has been unable to reach agreement with opposing iwi and hapū parties on the appropriate level of mitigation for the cultural impacts of the development.

Port of Tauranga is urging the Government to act quickly and rectify the wording in the fast-track legislation to resolve the situation.

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**Port of Tauranga**

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