

BEFORE THE PANEL CONVENERS UNDER THE FAST-TRACK APPROVALS ACT 2024

IN THE MATTER OF an application for resource consents and a wildlife approval under the Fast-track Approvals Act 2024 by Port of Tauranga Limited for activities associated with a listed project, being the Stella Passage Development

MEMORANDUM OF COUNSEL ON BEHALF OF PORT OF TAURANGA LIMITED

DATED 3 JULY 2025



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MAY IT PLEASE THE PANEL CONVENERS:

1. This memorandum is filed on behalf of Port of Tauranga Limited, the applicant for the listed Stella Passage Development project (**Project**).
2. Further to the Panel Conveners' conference on 2 July 2025, we understand that the Conveners are going to seek clarification on aspects of the Ministry for the Environment's (**MfE**) Section 18 report on Treaty Settlements and other obligations for the Project (**s 18 Report**) following comments made by Counsel for the Ngāti Ranginui Iwi Society Incorporated.
3. As discussed in the conference, we are also concerned with an aspect of the s 18 Report and respectfully request that the Panel Conveners seek clarity from the MfE on this matter. Our concern is that the wording of the s 18 Report could be interpreted in a way that implies that the Project's footprint overlaps with the footprint of the Te Maunga o Mauao Mātaitai Reserve (**Mātaitai Reserve**).
4. We draw your attention to the following paragraphs in the s 18 Report which gives rise to our concern:

23. *The project area overlaps with Te Maunga o Mauao Mātaitai Reserve...*

...

60. *As noted at paragraph 23, the project area overlaps with Te Maunga o Mauao Mātaitai Reserve...*

5. We confirm that the footprint of the Project does not overlap with the footprint of the Mātaitai Reserve. A map showing the proximity of the Mātaitai Reserve to the Project's footprint is annexed to this memorandum which illustrates that there is no overlap.

6. We respectfully request that the Panel Conveners seek clarification from the MfE on this matter.

DATED this 3rd day of July 2025.



Vanessa Hamm / Cory Lipinski
Counsel for Port of Tauranga Limited

Annexure One - Project Footprint and Maitaitai Reserve Footprint

MATAITAI RESERVE: 

815000North

811000North

810000North

373000East

374000East

375000East

376000East

377000East

Sulphur Point

SULPHUR POINT WHARF
EXTENSION & RECLAMATION

STELLA PASSAGE SHIPPING
CHANNEL EXTENSION

MOUNT MAUNGANUI WHARF
EXTENSION, DOLPHINS &
RECLAMATION

MOUNT MAUNGANUI
MINOR STRUCTURES



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MATAITAI RESERVE & STELLA PASSAGE DEVELOPMENT

SCALES: (A4)

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DATE	02.07.25
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LAST PLOT DATE

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