
MINUTE
Request for s 51 report for Bledisloe North Wharf and Fergusson North
Berth Extension [FTAA-2502-1028]
(10 April 2025)

[1] This Minute directs the EPA to obtain advice and a report from the Department of Conservation pursuant to s 51 of the Fast-Track Approvals Act 2024 ('the Act').

[2] Port of Auckland Ltd have applied for a wildlife approval to authorise the capture, handling and relocation of Little Penguin/kororā under the Wildlife Act 1953.

[3] I have read:

- (a) 'Legal considerations of behalf of Port of Auckland Limited', prepared by Russell McVeagh.
- (b) 'Substantive application for wildlife approval' prepared by Bentley & Co in support of the substantive application, and attachments 31 (Assessment of ecological effects) and 33 (Draft little penguin management plan).

[4] Pursuant to s 51(1) of the Act, if the Department of Conservation does not agree with or wishes to amplify upon the summary of law provided by Russell McVeagh, it is to file advice.

[5] Pursuant to s 51(2)(c) of the Act, if the Department of Conservation does not agree with or wishes to amplify upon the expert and planning assessment

lodged in support of the wildlife approval, it is to file a report in accordance with schedule 7, clause 3.

[6] For the avoidance of doubt, the Department of Conservation does not need to respond if it concurs with the expert and planning assessments and legal submissions filed.

[7] If the Department of Conservation responds to the draft conditions, it is to do so suggesting amendments (if required). Any advice or report received will be provided by the EPA to persons listed in s 51(5) of the Act.

Time frame for responding

[8] The timetable for filing advice or report is set out in s 51(4)(a) of the Act.

[9] The EPA is to request the Department of Conservation's advice by **1 May 2025** if it does **not** intend to respond.

A handwritten signature in black ink, appearing to read 'Jane'.

Jane Borthwick

Panel convener for the purpose of the Fast-track Approvals Act 2024