

Your Comment on the Bledisloe North Wharf and Fergusson North Berth Extension project

Please include all the contact details listed below with your comments and indicate whether you can receive further communications from us by email to substantive@fasttrack.govt.nz.

1. Contact Details			
Please ensure that you have authority to comment on the application on behalf of those named on this form.			
Organisation name (if relevant)	Auckland Conservation Board		
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Home phone / Mobile phone		Work phone	<div>████████████████████</div> <div>████████████████████</div> <div>██████████</div>
Email (<i>a valid email address enables us to communicate efficiently with you</i>)	██		

2. We will email you draft conditions of consent for your comment			
<input checked="" type="checkbox"/>	I can receive emails and my email address is correct	<input type="checkbox"/>	I cannot receive emails and my postal address is correct

The Auckland Conservation Board Commentary on the Fast-Track Proposal for the Bledisloe North Wharf and Fergusson North Berth Extension (FTAA-2503-1028)

Summary of Commentary:

- In this commentary, the Auckland Conservation Board (ACB), restricts itself to matters of the Proposal that have conservation implications.
- The primary potential impacts of the Proposal appear to be those on penguins, marine mammals, lizards, and water quality of the Waitemata Harbour.
- As the Application proposes a relatively small extension of current wharf areas (proportionally ~3%), and most importantly of all, in a location of already highly-modified environment, potential conservation impacts are most likely to occur during the construction phase, rather than in the long term.
- The Proposal appears to have adequately addressed all the major environmental impacts expected during the construction phase, and has produced environmental management plans to minimise these impacts on penguins, marine mammals, and water quality.
- Therefore, based on the information currently available, it is expected that there will be relatively small impacts on wildlife and the environment, ***if*** all proposed amelioration management plans are fully implemented.
- To maintain a minimal impact, there needs to be requirements and monitoring in place to ensure that all such environmental management plans are actually implemented
- The Proposal may result in some potential longer-term climate benefits, due to changes in ship visitation (fewer, larger vessels etc).
- Finally, we provide a list of what the ACB feels should be among the required conditions for this Proposal to proceed, based largely on the recommendations included within the Proposal's environmental and ecological management plans.

Scope of Commentary and Consultation

- The Tāmaki Makaurau Auckland Conservation Board (ACB) is an independent statutory body appointed by the Minister for Conservation. The Board was established by the Conservation Act 1987, s 6L. The Board has a statutory role in advocating its interests in any public forum or in any statutory planning process.
- The ACB here restricts itself to matters of the Proposal that affect conservation of the environment and native wildlife.
- The ACB has sought commentary and input on this Proposal from a range of interested individuals and organisations, although this has been severely restricted by the very short response time permitted.
- Department of Conservation technical staff have provided informal feedback on the potential impact on wildlife, and the adequacy of the proposed management plans.

Major Potential Conservation Impacts of the Proposal

Kororā/little blue penguin Impacts

- During the construction phase, there is potential for physical and disturbance impact on penguins nesting in the current or new rock walls of the wharves. Such impact in the Inner Hauraki Gulf has previously been observed recently, e.g., at the Waiheke Island Kennedy Point marina development ¹.
- According to the biological survey conducted by the applicant ², there is currently no apparent penguin nesting at the construction sites, although infrequent nests have been observed nearby (specifically, one current nest observed east of the site close to the Rescue Centre and Helicopter base).
- As such, there appears to be low risk of immediate impacts on penguins.
- However, there exists a need for constant monitoring of the construction sites to determine if penguins do start nesting (or come ashore) in the vicinity, although there does not appear to be a high likelihood of this, given the infrequency of nesting along this shoreline of the Waitemata Harbour ^{2, 3, 4}.
- The Proposal includes a comprehensive Draft Penguin Management Plan ⁵, which appears to address all the currently known issues, and incorporates learnings from the recent Kennedy Point marina development.
- Specifically, this Management Plan recommends:
 - comprehensive inspection of the rock walls immediately before the construction phase commences
 - regular inspection for presence of penguins
 - if penguins are found, implementation of a construction pause, and authorised removal by qualified staff to an alternate location.
 - pursuant to this potential penguin removal, the applicant is seeking a wildlife approval under the Wildlife Act for the capture, handling and relocating of little penguin, should it be required during construction of the Project.
- One point of concern is that the Management Plan does not appear to specify a sufficiently frequent expert inspection for the presence of penguins during construction (“no less than every 3 months”, section 5.7 LPMP), and appears to rely merely on trained construction workers to observe penguins if present.
- Otherwise, this Management Plan appears to follow all current wildlife recommendations, and to be sufficient to minimise risks to this species, **IF** all minimisation methods are fully implemented, and a more frequent specialist inspection for penguins occurs during construction.
- We note (page 16 of main Proposal document) an advice note that the draft LPMP (Little Penguin Management Plan) will be finalised through the condition of consent. This finalised LPMP (including identifying an acceptable alternate location to which any penguins can be moved) should be required to be approved by the relevant authority before the Proposal proceeds.
- We also note that the Department of Conservation has recently submitted its required Section 51(2)(c) wildlife approval report on this Project ¹⁴. We are reassured that this Report states that, overall, DOC is satisfied with the provisions in the revised LPMP. We further note that DoC recommends that any further changes to the LPMP be reviewed by its experts prior to finalisation.

Noise impacts on Marine Mammals

- The Proposal appears to provide a good assessment of potential effects of land and sea noise on wildlife, specifically marine mammals (cetaceans and seals) ⁶.
- The provided Management Plan appears to include a good array of impact minimisation methods that are planned to be put in place. These include ⁷:
 - Daily presence of marine mammal spotters in elevated positions to detect morning presence or daily encroachment of any marine mammals.
 - Specific exclusion zones calculated for each of the likely species, calculated from likely levels of noise generated by different piling techniques, and reported levels of noise impact on those species (or closely-related species). ⁸
 - Daily gradual increase in piling noise levels, to allow any marine mammals to move away from area before potentially damaging noise levels are experienced. ⁹
 - Cessation of piling activities if marine mammals come within exclusion zones
 - Use of water bubble curtains to minimise noise transmission. ¹⁰.
- The provided Management Plans should sufficiently minimise risks to marine mammals.
- However, it should be noted that some marine impact zones for some activities are beyond those that could be reasonably monitored (e.g., >500m)
- Therefore, overall, there is a reasonable chance that there will be minimal impacts on marine mammals, ***IF*** all minimisation methods are fully implemented, and marine mammal observers are always in place.

Biosecurity Impacts

- The Proposal appears to provide a suitable Marine Biosecurity management plan for the construction period. ¹¹
- This Plan should adequately avoid the spread of unwanted/biosecurity risk species by construction vessels during construction, ***IF*** all proposed actions are undertaken.

Water quality impacts

- Based on data reported in the Proposal ¹², water turbidity and contaminant effects should be relatively minimal during both the construction phase and after, ***IF*** proposed safeguards are undertaken.

Lizard Impacts

- The provided biological survey of the site ¹³ indicates that no species of concern appear to be present, or likely to be impacted

Conclusions and Conditions

- The Auckland Conservation Board (ACB) has reviewed the documentation relating to this Fast-Track Proposal and had verbal communication with other Board members and specialists in understanding the kororā/little blue penguin nesting and habitat environment.
- The primary potential impacts of the Proposal appear to be those on penguins, marine mammals, and water quality of the Waitemata Harbour.
- As the Application proposes a relatively small extension of current wharf areas (proportionally ~3%), and most importantly of all, in a location of already highly-modified environment, potential conservation impacts are most likely to occur during the construction phase, rather than in the long term.

- We were pleased to see the Little Blue Penguin Management Plan ⁵, outlining measures to maximise protection, and relocation of the penguins if required. This plan should ensure ongoing management of the birds during the construction process.
- Overall, the Proposal appears to have adequately addressed all the major environmental and ecological impacts expected during the construction phase, and has produced environmental management plans to minimise these impacts on penguins, marine mammals, and water quality.
- Therefore, based on the information currently available, it is expected that there will be relatively small impacts on wildlife and the environment, ***IF*** all proposed amelioration management plans are fully implemented.
- To maintain a minimal impact, there needs to be requirements and monitoring in place to ensure that all such environmental management plans are actually implemented
- We provide, below, a list of what the ACB feels should be among the required conditions for this Proposal to proceed, based largely on the recommendations included within the Proposal's environmental and ecological management plans.

Required Conditions to the Proposal

- To maintain a minimal impact, there needs to be requirements and monitoring in place to ensure that all proposed environmental management plans are actually implemented.
- *For Little Penguins:*
 - all aspects of the Little Penguin Management Plan are finalised and approved by the Department of Conservation, including:
 - comprehensive inspection of the rock walls occurs immediately before the construction phase commences
 - more frequent inspection for presence of penguins during construction
 - if penguins are found, implementation of a construction pause, and authorised removal by qualified staff to an approved alternate location.
- *For marine mammals:*
 - Daily presence of marine mammal spotters in elevated positions to detect morning presence or daily encroachment of any marine mammals.
 - During piling, continual monitoring of specific exclusion zones
 - Daily gradual increase in piling noise levels, to allow any marine mammals to move away from area before potentially damaging noise levels are experienced.
 - Cessation of piling activities if marine mammals come within exclusion zones
 - Where necessary, use of water bubble curtains to minimise noise transmission.
- *For Biosecurity:*
 - Strict adherence to the proposed Marine Biosecurity management plan in order to avoid the spread of unwanted/biosecurity risk species by construction vessels.
- *For Water Quality:*
 - implementation of proposed safeguards.

References

1. <https://www.doc.govt.nz/news/issues/waiheke-kennedy-point-marina-development/>
2. Attachment-31-Assessment-of-ecological-effects_Redacted.pdf

3. Informal DoC technical advice, 12 June 2025
4. iNaturalist records, 12 June 2025
5. Attachment-33-Draft-Little-Penguin-Management-Plan_Redacted.pdf
6. Section 6.5.4.2 *in* Attachment-31-Assessment-of-ecological-effects_Redacted.pdf
7. Section 6.0 *in* Attachment-11-Draft-Underwater-Construction-Management-Plan_Redacted.pdf
8. Sections 4.3 & 5.2 *in* Attachment-11-Draft-Underwater-Construction-Management-Plan_Redacted.pdf
9. Section 6.4 *in* Attachment-11-Draft-Underwater-Construction-Management-Plan_Redacted.pdf
10. Section 6.3 *in* Attachment-11-Draft-Underwater-Construction-Management-Plan_Redacted.pdf
11. Section 6.4.3 *in* Attachment-31-Assessment-of-ecological-effects_Redacted.pdf
12. Sections 6.4.4.4 & 9.2.1 *in* Attachment-31-Assessment-of-ecological-effects_Redacted.pdf
13. Section 5.2 *in* Attachment-31-Assessment-of-ecological-effects_Redacted.pdf
14. DOC-s512c-report-on-wildlife-_Bledisloe-FTAA-2503-1028-June-2025.pdf