
MINUTE 4 OF THE EXPERT PANEL

Re-organisation of proposed conditions and other clarifications

Bledisloe North Wharf and Fergusson North Berth Extension
[FTAA-2503-1028]

(11 July 2025)

[1] This Minute seeks clarification from the Port of Auckland Limited (the Applicant) in relation to logistical matters associated with the proposed conditions of consent, and other related matters, to assist the Panel with its deliberations.

[2] On 27 June 2025, the Panel received comments from invited parties pursuant to section 53 of the Fast-track Approvals Act 2024 (FTAA). On 7 July 2025, the Panel received a response from the Applicant in relation to the invited comments. The response provided by the Applicant included an updated set of proposed resource consent conditions as Attachment 1.

[3] The Panel notes that the conditions proposed in Attachment 1 to the Applicant's response are not grouped by resource consent type or activity, and there is no distinction between conditions relating to Bledisloe North Wharf and Fergusson North Berth.

[4] The Panel requests that in the interests of efficiency and to reflect best practise, the Applicant re-organises the proposed conditions to meet the following requirements, and provides them to the EPA and to those parties from whom comments on the application were sought:

- (a) The conditions be separated into two sets, one for Bledisloe North and for the Fergusson North Berth. (The Panel's understanding is that the Wildlife Act approval only applies to the Bledisloe North

works.)

- (b) Within each of those two sets, the conditions are grouped separately by consent ‘type’ ie, there is a set of conditions applying to the land use consent, the coastal permits and the discharge permits, noting that there may well be some “common” or “general” conditions that might apply to all consents.

[5] While acknowledging that there is a formal circulation of conditions still to occur under section 70 of the FTAA, the Panel considers that it would also be assisted if the following matters were clarified by the Applicant in its updated set of conditions:

- (a) Who are “Mana Whenua” referred to in condition 18(d), and should any specific iwi be identified as is proposed in condition 13?
- (b) For the purpose of conditions 25 and 52(c), what is the definition of “the Port of Auckland”?
- (c) In respect of condition 34A, does the applicant consider it appropriate for there to more certainty about the obligations, particularly temporally, about the transfer of Captain Cook and Marsden Wharves to Auckland Council?

[6] The Panel requests that the Applicant provides the requested information by 5pm Wednesday 16 July 2025.

[7] The Panel also welcomes the comments of parties that were invited to provide comments under section 53 of the FTAA. These are to be received by 5pm Friday 18 July 2025.



Phil Mitchell
Chair

For and on behalf of the Expert Panel