

Environmental Protection  
Authority

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**Tēnā koe Fern**

**Re: Request for Further Information under the Fast-track Approvals Act 2024**

On 22 May 2026 the Department of Conservation (the Department) received a request for further information from the Environmental Protection Authority (EPA) in relation to the Stella Passage Development FTAA-2512-1163 in accordance with section 67(3) of the Fast-track Approvals Act 2024 (the Act).

This letter has been prepared on behalf of the Director-General of Conservation by the Department and provides a response to Minute 5 of the Expert Panel and the further information requested.

**Request**

The Panel has stated that the Applicant has provided extensive information in response to the comments received, including multiple statements of evidence addressing the “western science” effects. The Panel therefore seeks clarification from the commenters that raised “western science” matters (other than economics and planning) as to whether their comments have been satisfactorily addressed by the response or whether matters remain in contention.

If the latter, the Panel has stated that it would be assisted by a list of matters in dispute and the expert's indication of whether it is material, such that it may benefit from conferencing.

**Response**

The Department is satisfied that nearly all of its comments on “western science” matters have been adequately addressed in the response by the Applicant. One issue remains in contention.

The outstanding matter relates to comment no.1, being on the Department's proposed conditions on the Wildlife Approval. The applicant's suggested amendments to these proposed conditions are accepted, other than the proposed change to the term of the Wildlife Approval sought. The applicant has indicated a term of 35 years is preferable to the standard 10-year term initially proposed by the Department. The Department's preferred term is 10 years to ensure that the approval keeps up with any changes to species knowledge, threat status, and best practice management and mitigation techniques. Should the Panel decide to grant a 35-year term under the FTAA, we would alternatively seek recertification of the management plan every 10 years to ensure that best practice methods and the current threat status of wildlife is adequately considered over time. Should this approach be adopted, this would need to be reflected in conditions – possible wording below (noting consequential changes to other conditions would also be required, including ensuring appropriate methods are in place and setting out what happens if recertification is not achieved):

*The Approval Holder must review the Avifauna Management Plan as it relates to the wildlife approval and resubmit it to the DOC Tauranga Operations Manager for certification every ten years from the date of approval to ensure it reflects current species knowledge and best practice penguin management and mitigation techniques.*

This matter is material to the Department and it is open to direct conferencing if this is deemed necessary to resolve it.

We trust that this response adequately addresses the information requested. If there are further questions in relation to this response, please contact Jenny Clafferty, the Department's Project Lead. Her contact details are [REDACTED] ph [REDACTED]

Nāku noa, nā



**Jenni Fitzgerald**  
Fast-track Applications Manager