

Jacob Paget

From: Neil Deans s 9(2)(a)
Sent: Tuesday, 18 June 2024 7:19 am
To: Listed Projects; Max Gander-Cooper
Cc: John Galilee; Meredith Lawry
Subject: FW: [IN-CONFIDENCE]FTA282 Listed projects application Bledisloe North Wharf and Fergusson North Berth Extension Project

Kia ora e Max

Please find following some information from DOC on this application. Although the Hauraki Marine Park is adjacent, there is no public conservation land directly affected by the proposal. As far as we are aware, there are no grounds for this project being ineligible for Fast Track consideration.

Relevant Treaty settlements are set out below.

Wildlife Act approvals may be required for penguins based on similar work on Waiheke Island. There may be marine mammal effects, which are not addressed through Fast Track.

Nga mihi

Neil Deans

Advisor – RM Reform

Department of Conservation—*Te Papa Atawhai*
Level 2, Conservation House, Wellington 6143
s 9(2)(a)

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Conservation leadership for our nature

Tākina te hī, tiakina te hā, o te ao tūroa

From: John Galilee s 9(2)(a)
Sent: Monday, June 17, 2024 5:13 PM
To: Neil Deans s 9(2)(a)
Cc: Alex Rogers s 9(2)(a); Meredith Lawry s 9(2)(a); Rebecca Rush s 9(2)(a); Fiona McKenzie s 9(2)(a)
Subject: RE: [IN-CONFIDENCE]FTA282 Listed projects application Bledisloe North Wharf and Fergusson North Berth Extension Project

Kia ora Neil –

We have gathered together the information you were seeking as follows:

We need to know whether any PCL which is out of scope of Fast Track is in the project area, such as National Park, Wildlife or Forest Sanctuary, Nature or National Reserve, or Ramsar site.

There is no PCL within the project area. The project area is entirely within the coastal marine area.

It does lie within the Hauraki Gulf Marine Park, although that does not make it ineligible.

It is also helpful to know if there are other potential issues affecting wildlife for which approvals will be required under this application, although those may not be grounds for ineligibility ie. any DOC-related approvals that would be needed (they have already indicated the need for Wildlife Act and Conservation Act approvals). If there are any wildlife, freshwater fisheries or land access permissions for mining which may require DOC approvals.

We have not identified a need for any other permissions.

We have identified the following potential issues affecting wildlife. It is possible that kororā/little penguin may inhabit areas in the vicinity, something that needs to be checked and considered after our experience with the Kennedy Point marina construction project on Waiheke. It is also possible that marine mammals may pass near the vicinity.

Secondly, please advise if there are any Treaty settlements relevant to the project site. We don't need to contact the Treaty partner (due to confidentiality) but do need to advise our colleagues at MfE running the eligibility assessment if this is a potential risk for eligibility and upholding Treaty settlements.

There are no areas of PCL that have been returned to iwi as Treaty settlement redress within the project area.

As broader context the DOCGIS Treaty layer identifies the following Treaty settlement redress that includes the project area:

- Te Kawerau a Maki are noted as having Cultural Redress ie. this is within their Area of Interest
- Ngāti Tamaoho have Statutory Acknowledgement over the Waitematā (the waterway that work will be undertaken in) and a Conservation Protocol Area (Relationship Agreement)
- The Tāmaki Collective have Right of First Refusal and a Conservation Protocol Area (Relationship Agreement)
- Ngāti Whatua Ōrakei have a Conservation Protocol Area
- Ngai Tai ki Tāmaki have a Conservation Protocol area (Relationship Agreement)

Other iwi with interests in this area include:

- Ngāti Paoa
- Ngāti Tamaterā
- Ngāti Te Ata
- Ngāti Whanaunga
- Te Akitai Waiohua
- Te Patukirikiri

Please come back to me if you require anything further.

JG

John Galilee
Statutory Manager | Pou Ture Whenua
Auckland | Tāmaki Makaurau Office
Phone: s 9(2)(a)

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From: Neil Deans s 9(2)(a)
Sent: Monday, June 17, 2024 7:07 AM
To: John Galilee s 9(2)(a)
Cc: Alex Rogers s 9(2)(a); Meredith Lawry s 9(2)(a)
Subject: FW: [IN-CONFIDENCE]FTA282 Listed projects application Bledisloe North Wharf and Fergusson North Berth Extension Project

Kia ora e John

Another Fast Track application for you, at the Port of Auckland. There appears to be some kind of overlay in this area in DOC GIS but you will know the details. I have not contacted you yet as it came in early today, so please acknowledge receipt of this email.

I would appreciate if one of your team could have a look at this for eligibility for Fast Track consenting. Note this is confidential.

In summary, we need to know what, if any, PCL is directly affected by the project and the status of that land, to confirm it is not ineligible for Fast Track consideration.

It helps to know if there are any wildlife, freshwater fisheries or land access permissions for mining which may require DOC approvals.

We also need to know if there are any Treaty settlements which may be affected that we can advise to MfE.

Can you please provide your summary advice by COB on Wednesday 19 June.

Many thanks

Neil Deans

Advisor – RM Reform

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Tākina te hī, tiakina te hā, o te ao tūroa

From: Listed Projects <ListedProjects@mfe.govt.nz>
Sent: Monday, June 17, 2024 6:46 AM
To: Neil Deans s 9(2)(a); Meredith Lawry s 9(2)(a)
Cc: Max Gander-Cooper s 9(2)(a)
Subject: [IN-CONFIDENCE]FTA282 Listed projects application

Kia ora Neil and Meredith

This listed project application is for FTA282 – Bledisloe North Wharf and Fergusson North Berth Extension Project.

The application is for port expansion. The application refers to a Wildlife Act approval. The project records of title also include Part IV Conservation Act, but no approvals are sought under the Conservation Act.

Could you please provide comment on:

- whether the project requires any other DOC-related approvals
- if you are aware of anything that would render the project ineligible under clause 18 of the Bill
- if you are aware of any Treaty settlement matters which relate to the project site – such as local protocols
- any other relevant matter?

If possible, could you please provide your feedback by COB **20 June 2024**.

Please let me know if there is anything I can do to assist.

Ngā mihi

Max Gander-Cooper (he/him)

Senior Policy Analyst | Kaitātari Kaupapa Here Matua

Ministry for the Environment | Manatū Mō Te Taiao

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