

BEFORE THE PANEL CONVENER

IN THE MATTER of the Fast-track Approvals Act 2024 (**FTAA**)

AND

IN THE MATTER of an application by Bell Road Limited Partnership under section 42 of the FTAA for the Wairakei South project

APPLICATION NO. FTAA-2605-1227

**MEMORANDUM FROM THE DIRECTOR-GENERAL OF CONSERVATION RESPONDING
TO MINUTES OF THE PANEL CONVENER**

Dated 21 July 2026

Barrister Instructed: Jeremy Prebble Hawkstone Chambers Jeremy.prebble@hawkstone.co.nz	Emily Bayliss Fast Track Project Lead Department of Conservation Te Papa Atawhai Wellington Phone: [REDACTED] Email: [REDACTED]
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Introduction

1. This Memorandum is filed on behalf of the Director-General of Conservation (**D-G**), in response to the Panel Convener's directions set out in Minute 2 dated 14 July 2026 (the **Minute**) ahead of the Panel Convener's Conference to be held on 23 July at 10 am.
2. The Department of Conservation (**DOC** or **the Department**) is the relevant administering agency in respect of a wildlife approval, as defined in Schedule 7 clause 1, under s 42(4)(h) sought by Bell South Limited Partnership (the **Applicant**) under s 42(4) of the Fast-track Approvals Act 2024 (the **Act**).
3. **Confirmation of attendance at forthcoming conference**
The D-G confirms his representatives will attend the Panel Convener's conference. Attendees will be:

- a. Emily Bayliss, Fast Track Project Lead, [REDACTED]

Comment on matters listed at Schedule 1 of the Minute

4. The D-G has reviewed Schedule 1¹ and advises that Wildlife Act approval for activities relating to lizards is sought, and is the only conservation approval sought from DOC. We address the matters raised in Schedule 1 of the Minute, in turn;

Complexity

- a. the application has a moderate level of complexity in respect of the conservation approval listed above.
 - i) this application does not raise novel or untested legal issues;
 - ii) conservation approval sought by the Application is confined to activities related to lizards only;
 - iii) the Application requires consideration of the interface between multiple statutes and the Act, noting, in a fast-track context this is not unusual.

¹ In Minute 2 of the Panel Convener Wairakei South Convener's Conference, dated 14 July 2026

- b. the application requires (and the applicant has provided) expert assessments and report across multiple fields with corresponding complex analysis of technical and scientific subject matter.
5. In summary, the D-G considers the complexity of this project is **moderate** as it relates to the conservation approvals. The D-G is not able to advise on the resource consent applications and archaeological approvals sought.

Issues

- a. No issues have arisen with the Applicant during pre-lodgement or post-lodgement consultation and engagement.
- b. We have not identified that the Application concerns an activity which is considered the same or similar to one previously lodged with a consent authority.
- c. The D-G considers the default timeframe would be sufficient for the wildlife approval component of this Project, as it is of moderate legal, evidential, and factual complexity. The D-G is not aware of any statutory process that coincides with the 30-working day period.

Panel membership

- 6. The D-G considers it appropriate for the Panel Convener to appoint a panel member with relevant ecological expertise to assist with decision making on the wildlife approval. This will also assist with consideration of the resource consent applications.
- 7. The D-G does not consider it is necessary to appoint members beyond the default number for consideration of the DOC approvals. The D-G acknowledges that other matters may warrant appointment of additional panel members.

Procedural requirements

- 8. The D-G considers the default timeframe would be sufficient for the wildlife approval component of this Project, as it is of moderate legal, evidential, and factual complexity. The D-G anticipates that advice on appropriate timeframes to decide the resource consent and archaeological authority components of the Project will be provided by other attendees at the conference.

9. The D-G confirms willingness to continue to engage with the Applicant as well as Tauranga City Council (TCC) and Western Bay of Plenty District Council (WBOPDC) to progress this application.
10. The D-G recommends the timeframe should accommodate any procedural steps required by the Panel, such as additional information requests or expert conferencing and/ or conditions workshops if appropriate.
11. It will be for the Panel, once appointed, to determine what procedural steps are appropriate once key issues have been identified. The D-G considers it unlikely a hearing would be required for the DOC approvals components of the Project.

Other matters

12. The D-G's representatives will be happy to elaborate as they are able at the conference set for 23 July 2026 at 10 am.
13. The D-G confirms willingness to continue to engage with the Applicant as well as TCC and WBOPDC to progress this application.
14. The D-G's representative will attend the conference.



Linda Kirk

Department of Conservation

Fast Track Applications Manager