

UNDER

the Fast Track Approvals Act 2024 (the
FTAA)

IN THE MATTER

of the Port of Tauranga Ltd for the Stella
Passage Development Project listed in
Schedule 2 of the FTAA

FTAA-2512-1163

**MEMORANDUM ON BEHALF OF NGĀTI RANGINUI FISHERIES TRUST AND NGĀTI
RANGINUI IWI SOCIETY IN RESPOSNE TO
MINUTE 1 – CONVENOR’S CONFERENCE**

DATED 4 MARCH 2026

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MAY IT PLEASE THE PANEL CONVENOR:

1. This memorandum is filed on behalf of the Ngāti Ranginui Fisheries Trust (**NRFT**) and Ngāti Ranginui Iwi Society (**NRIS**) in response to Minute 1 dated 2 March 2026.
2. Paragraph [16] of the Minute indicates that written memoranda are not required unless participants wish to express views different to those of the Applicant as to timeframe. NRFT and NRIS take a different position on the appropriate timeframe, particularly having regard to the matters identified at paragraph [10] of the Minute, which inform that decision.
3. This memorandum builds upon NRFT and NRIS' earlier memorandum dated 27 June 2025.

Principal issues in contention – para [10](a)

4. NRFT and NRIS consider that the principal issues in contention remain largely unchanged from those identified in the first application. In particular, cultural effects — including cumulative cultural effects — remain at issue.
5. As recorded in the earlier post-conference Minute of 15 August 2025, cultural matters were identified as significant and unresolved, and were relied upon as a reason for allowing 80 working days following invited comments.
6. Nothing has occurred since the withdrawal of the first application that materially narrows those issues.

Engagement prior to lodging – para [10](b)

7. There was little meaningful engagement with NRFT or NRIS prior to lodgement of the second application.

8. NRFT and NRIS were advised by the Port on 19 December 2025 that it intended to pursue a new Fast Track application rather than proceed with the referred project.
9. Although the second substantive application appears to have been lodged on 23 January 2026, the Port did not advise NRFT and NRIS of this (along with a link to the application material) until 1 March 2026.
10. Accordingly, there has been limited opportunity for participants to engage on issues or conditions prior to the recommencement of the Fast-track process.

Proposed consent conditions – para [10](c)

11. Given the limited engagement prior to lodgement, NRFT and NRIS have not yet had a meaningful opportunity to assess the extent to which the proposed consent conditions address the matters raised previously, including cultural matters.
12. The cultural conditions in particular require careful and properly resourced review, including engagement at a tikanga and governance level.
13. It would be artificial to treat the existence of similar draft conditions to those previously advanced as evidence of narrowed issues, given that the underlying concerns remain substantively unresolved.

Expert panel process – para [10](d)

14. Cultural matters remain central to the issues in contention. Processes that enable the Panel to hear directly from mana whenua — whether through a hearing, workshop or similar forum — may assist the Panel to better understand those issues and the proposed cultural mitigation.
15. Allowance should therefore be made within the decision timeframe for such processes if the Panel considers them appropriate.

Decision timeframe – para [10](e)

16. The Applicant proposes an additional 80 working days following receipt of invited comments.
17. NRFT and NRIS consider that a modest extension would be appropriate.
18. A timeframe of approximately 100-120 working days would better allow for the potential processes identified above and for meaningful consideration of the cultural issues that remain at large.

Conclusion

19. In summary:
 - (a) The principal issues in contention remain largely unchanged;
 - (b) Engagement prior to lodgement was limited; and
 - (c) A modest extension of the decision timeframe would better enable the Panel to consider those issues.
20. NRFT and NRIS will attend the conference and are willing to engage constructively in identifying processes that allow the Panel to understand and address cultural issues in a manner consistent with the procedural principles of the FTAA and tikanga.



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