MINUTE 2 OF THE PANEL CONVENER
Convener's Conference Shipyard and Drydock Facility [FTAA-2607-1265]
19 October 2026

[1] A conference will be held on 17 November at 10 am. A MS Teams invite will shortly be sent.

[2] The purpose of this conference is to gather participant views on matters arising in relation to the application filed under the Fast-track Approvals Act 2024. Your views will inform two decisions that I must make as panel convener regarding:

(a) the appointment of panel members;[1]
(b) the timing of the panel decision.[2]

Participants at the panel convener's conference

[3] The following persons[3] are invited to attend the conference:

(a) The authorised person or applicant – Ministry of Business, Innovation and Employment.
(b) The relevant iwi authorities and relevant Treaty settlement entity (see Schedule 3).[4]

[1] FTAA, schedule 3
[2] FTAA, section 79
[3] These people are referred to as 'statutory participants' in the Guidance Note.
[4] FTAA, ss 18(2)(a). Section 7 states, relevantly, all persons performing and exercising functions, powers, and duties under this Act must act in a manner that is consistent with - the obligations

(c) Relevant administering agencies – Department of Conservation.

(d) Relevant local authority – Whangarei District Council and Northland Regional Council.

Timeframe for a decision

[4] The Panel Convener decides the appropriate timeframe for release of the decision on the application. The Convener does so having had regard to the scale, nature, and complexity of the approvals sought (among other matters). Complexity is in part a function of the issues that arise on this application.

[5] If the timeframe for a decision is not appropriate this risks -

(a) insufficient time being allowed, impacting the quality of the decision-making;

(b) not adequately engaging with the wider requirements of public law leaving the decision susceptible to appeal or review; or

(c) an overallocation of time which would not satisfy the procedural principles in section 10 of the Act.

The conference

[6] At the conference participants are invited to:

(a) comment on the extent of engagement by the applicant both before and following lodgement of the application;

(b) the applicant aside, identify in-house experts and external consultants engaged on this project;

(c) record processes agreed with the applicant to narrow or reduce any issues relevant to the application and the decision that the panel is

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arising under existing Treaty settlements. The panel must invite iwi authorities and the Treaty settlement entities and adjacent landowners and occupiers to comment on the application. The panel may also invite other Māori groups with a relevant interest to comment.

required to make;

(d) where there is a difference of opinion between the applicant and any other participant, identify the principal environmental effects at issue;

(e) describe the complexity of this application;

(f) state whether the drafting of proposed consent conditions (including any draft management plan filed) is accepted; and

(g) propose efficient processes to enable the panel to understand, resolve or narrow the scope of any likely issues and indicate how these processes may be accounted for under the decision timeframe.

[7] It is anticipated that the local authorities (and in some case administering agencies) will obtain input from planning and technical advisors to identify the likely issues. However, an assessment of merits is not required at this stage. For information about cost recovery, please refer to the EPA's cost-recovery policy (details below).

Composition of the Panel

[8] I will be seeking the participants' views on the skills, knowledge, and expertise required for persons to be appointed to the panel.

[9] I have written to the Local Authorities separately inviting them to nominate a person for appointment to the panel.

Accessibility and recording of the panel convener's conference

[10] The conference will be held remotely, with access provided to participants. The conference will be recorded, and a copy of the recording will be made available on the fast-track website.

[11] The application documents can be viewed on the fast-track website here.

Cost recovery

[12] Cost recovery for participation in fast-track processes is determined by the FTAA and the Fast-track Approvals (Cost Recovery) Regulations 2025.

[13] Costs for preparing and attending this conference are described in the policy. For information on costs recovery, the link to the policy is found here.

Preparation

[14] I ask that participants take the time to consider the range of matters set out in Schedules 1 and 2 and come prepared to discuss them.

Directions

[15] I direct:

(a) The participants are to file a written response to the matters set out in this Minute, including Schedules 1 and 2 (attached), noting that I have partially populated Schedule 1 for ease of reference.

(b) Written responses and confirmation of attendance are to be filed by **6 November 2026**.



Helen Atkins

Panel Convener for the purpose of the Fast-track Approvals Act 2024

Schedule 1: Participants' estimated timeframe (noting that this has been partially completed by the convener with nominal dates)[5], [6]

Task	**Working days**	**Date**
Panel commencement	N/A	23 November
Invite comment from relevant parties	10 W/D later	7 December
Comments close (ss 53 & 54)	20 W/D later	25 January
Comments close for applicants (s 55)	5 W/D later	1 February
Any other procedural steps, evaluation and decision writing	XXX W/D (say)	
Draft decision is to approve		

[5] Note 1: a draft decision to decline is not included in this timeframe. If the statutory timeframe it is insufficient for applicant to respond, the applicant will need to apply to suspend the application under s 64 FTAA. Consideration should also be given to the timing of ss 70 and 72 steps.

[6] Note 2: the order of ss 69, 70 and 72 steps may differ case-by-case. On a decision to approve, sequencing s 72 before s 70 is simplest, albeit requiring more time than running ss 72 and 70 steps in parallel.

Draft decision and conditions to Ministers (s 72)	XXX W/D (say)	
Response from Ministers (s 72)	XXX W/D (say)	
Applicant response to Ministers comments (if any)	XXX W/D (say)	
Draft conditions and decision to participants (s 70(1))	XXX W/D (say)	
Participant comments on draft conditions (s 70(2))	XXX W/D (say)	
Applicant response to participants on conditions (s 70(4))	XXX W/D (say)	
If not agreed, procedural step in relation to draft conditions	XXX W/D (say)	

Evaluate and finalise decision	XXX W/D (say)	
Decision release	XXX W/D (say)	

Schedule 2 – Matters to consider when preparing for conference

Approvals

[1] The number and range of approvals sought.

Complexity

[2] The level of complexity will have a bearing on the appropriate frame for decision making and may include:

(a) Legal Complexity: novel or difficult legal issues -
  (i) involve untested law or interpretation of statute;
  (ii) involve application for multiple approvals;
  (iii) interface with two or more statutes; and
  (iv) engage constitutional law and public law.

[3] Evidentiary Complexity: stemming from the volume, type, or technical nature of evidence -

(i) includes challenges like managing expert reports or dealing with conflicting factual or opinion evidence; and
(ii) often involve technical or scientific analysis.

[4] Factual Complexity: arises from the volume and nature of evidence -

(i) requires careful management of extensive information or reports, including expert opinion in specialised fields; and
(ii) necessitates analysis of technical, scientific, or highly specialised subject matter are involved.

Issues

[5] In addition to the matters noted in the Minute, describe:

(a) the issues that have arisen during pre-lodgement and post-lodgement consultation and engagement.

(b) if the application concerns an activity the same or similar to one previously lodged with a consent authority, state how requests for information pursuant to section 92 of the RMA have been addressed in this application.

(c) any statutory process that coincides with the 30-working day period (if proposed).

Mātauranga and tikanga

[6] Iwi authorities and Treaty settlement entities are invited to discuss:

(a) advise whether tikanga is relevant to the application, how the panel might receive assistance on those matters, and the time required for this to occur;

(b) seek guidance on any requirement to protect sensitive information.

Panel membership

[7] Consider:

(a) the knowledge, skills and expertise required to decide the application under clause 7(1) of Schedule 3.9

(b) whether there are factors that warrant the appointment of more than four panel members, such as:

(i) the circumstances unique to a particular district or region; or

(ii) the number of applications that have to be considered in that particular district or region; or

(iii) the nature and scale of the application under consideration; or

(iv) matters unique to any relevant iwi participation legislation.

Procedural requirements

[8] Consider and prepare to indicate:

(a) willingness to engage directly with the panel as necessary to advance progress of the application efficiently (briefings, meetings, conferencing).
(b) the timing of expert conferencing or wānanga;
(c) the referral of two or more participants or topics to mediation;

[9] the requirement for any form of hearing process including:

(i) disputed facts or opinions;
(ii) proposed conditions; or
(iii) legal issues.

Anything else?

Is there any other information needed to decide time frames or panel composition?

Schedule 3: relevant iwi authorities and relevant Treaty settlement entities invited to attend[7]

Copy to:

[1] Te Rūnanga o Ngāti Whātua, representing Ngāti Whātua;

[2] Ngātiwai Trust Board, representing Ngātiwai;

[3] Patuharakeke Te Iwi Trust Board, representing Patuharakeke;

[4] Te Rūnanga a Iwi o Ngāpuhi, representing Ngāpuhi;

[5] Te Rūnanga o Ngāti Hine, representing Ngāti Hine;

[6] Te Rūnanga a Iwi o Ngāpuhi, mandated iwi organisation/iwi aquaculture organisation;

[7] Ngātiwai Trust Board, mandated iwi organisation/iwi aquaculture organisation;

[8] Te Rūnanga o Ngāti Whātua, mandated iwi organisation/iwi aquaculture organisation; and

[9] Te Ohu Kaimoana.

[10] Other Māori groups with relevant interests[8]

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[7] FTAA, s 18(2)(a)
[8] FTAA, s 18(2)(k)