

BEFORE THE PANEL CONVENER

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

AND

IN THE MATTER of an application by Fulton Hogan Land Development Limited under section 42 of the FTAA for the Parkburn Subdivision project.

APPLICATION NO. FTAA-2607-1271

**MEMORANDUM FROM THE DIRECTOR-GENERAL OF CONSERVATION
RESPONDING TO MINUTE 2 OF THE PANEL CONVENER**

7 October 2026

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Introduction

1. This memorandum has been prepared on behalf of the Director-General of Conservation (D-G) by the Department of Conservation (DOC). It responds to Minute 2 of the Panel Convener dated 18 September 2026 in respect of the Parkburn Subdivision application (the “Minute”).
2. The Minute refers to an upcoming conference, to gather participant views, that will inform decisions of the Convener regarding:
 - a) Appointment of Panel members; and
 - b) The timing of the Panel decision.
3. This memorandum addresses the matters identified in paragraph 7 and Schedule 2 of the Minute.
4. The memorandum focuses on the approvals sought under section 42(4) of the Fast-track Approvals Act 2024 (FTAA) being:
 - A concession (section 42(4)(e)); and
 - A wildlife approval (section 42(4)(h)).

Engagement

5. DOC provided a formal pre-lodgement advice summary prior to the referral application.
6. The Applicant contacted DOC again for engagement prior to lodgement of the substantive application. On 15 June 2026, DOC met with the Applicant and their ecologist and provided feedback on the information requirements of the wildlife approval. DOC provided further advice via email regarding the requirements for a concession.
7. Following lodgement of the substantive application, DOC met with the Applicant to discuss elements of the proposed concession.

Expertise being commissioned by the Department

8. DOC has engaged Jacqui Wairepo to provide comments on matters relating to lizards.

Principal issues of contention

9. The key issues relevant to the D-G primarily relate to effects on and relocation of lizards, including:
 - a) The suitability of the proposed lizard release site; and
 - b) The adequacy of the proposed contingency measures should the number of salvaged lizards exceed current estimates; and
 - c) The adequacy of the monitoring proposal.

Processes agreed with the Applicant to narrow or reduce issues

10. DOC anticipates ongoing consultation with the Applicant to seek to narrow or reduce the issues that remain in contention (subject to the consenting process allowing time and scope for this to happen).

Changes to application

11. A number of changes have been made by the Applicant to the concession application in response to feedback provided by DOC during the completeness assessment. These changes include updated conditions documents and additional information clarifying the proposed concession activities.
12. DOC anticipates that additional changes may result from ongoing discussions relating to the wildlife approval.

Complexity

13. DOC considers the wildlife approval component of this Project is of medium complexity, while the concession component is considered to be of low complexity.
14. DOC is not in a position to advise the Panel Convener about the complexity of the resource consent component of the Project.

Conditions

15. DOC considers that amendments to conditions are necessary to ensure the ongoing protection of existing lizard populations, the process for certifying management plans, and the application of conditions to the relevant consents.

16. DOC has not reviewed the updated concession conditions in full but considers that further amendments are likely to be minor and can be addressed and resolved in consultation with the applicant or through DOC's section 51 report.
17. DOC will provide advice on appropriate concession fees through its section 51 and/or section 78 reports.

Processes to resolve and narrow issues

Appointment of Panel members

18. In terms of the D-G's interests, key matters to be considered in this application are effects on absolutely protected wildlife, and on conservation matters dealt with as part of the proposed resource consents (avifauna, herpetofauna and freshwater values), and the proposed concession.
19. The D-G considers it is appropriate that the Panel Convener appoints a Panel that contains relevant ecological expertise, albeit recognising that the Panel would be guided by reports and advice from the D-G and others.
20. An understanding of effects on wildlife and biodiversity values that would be required to assess resource consent issues associated with this project is likely to be sufficient to enable appropriate decision making on the wildlife approval.
21. The D-G considers that, in terms of the D-G's interests, appointing more than the default number of Panel members is not required. The D-G recognises that matters outside of the D-G's interests may warrant appointment of additional members.

Timing of Panel decision

22. The D-G agrees that the relevant matters for setting an appropriate time frame for consideration of this Project are the scale, nature, and complexity of the approvals sought, and any other matter raised by the application.
23. The D-G considers that the default time frame would likely be sufficient for the wildlife approval and concession components of this Project. It is expected that specific advice around timeframes needed to decide on the

resource consent elements of the Project to be provided by other attendees of the conference.

24. The D-G recommends that the timeframe accommodate any procedural steps that may be necessary, such as additional information requests by the Panel under section 67 of the FTAA.
25. The D-G considers that exactly what procedural steps will be necessary and appropriate will need to be determined by the Panel once the key issues have crystallised but notes that it is unlikely a hearing would be required on the wildlife approval or concession components of this Project.

Conclusion

26. DOC's representatives will be happy to elaborate further on any of the above points at the conference set for Monday, 12 October 2026 at 2.00 pm.
27. DOC confirms willingness to engage directly with the applicant and Panel as necessary to advance the progress of the application.
28. DOC's representatives will attend the conference.

Ellieda Komene
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