

BEFORE THE PANEL CONVENER

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

AND

IN THE MATTER of an application by Beachlands South Limited Partnership under section 42 of the FTAA for Beachlands South project.

APPLICATION NO. FTAA-2606-1256

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

24 August 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 a minute of the Panel Convener dated 10 August 2026 in respect of the Beachlands South application (Minute).
2. The Minute refers to an upcoming conference to gather participant views, that will inform decisions of the Panel Convener regarding:
 - a) the appointment of panel members; and
 - b) the timing of the panel decision.
3. This memorandum addresses:
 - a) the matters identified in Schedule 1 of the Minute, as relevant to the two decisions required of the Panel Convener set out at paragraph [2] of the Minute; and
 - b) the issues identified in paragraph [6] of the Minute.

Approvals

4. Approvals relevant to the D-G's interests include:
 - a) a wildlife approval for the capture, handling, temporary holding and relocation of indigenous lizards. The application sets out that low numbers of indigenous lizards may be present in suitable habitat on the subject site, including copper skink (*Oligosoma aeneum*), ornate skink (*Oligosoma ornatum*) and forest gecko (*Mokopirirakau granulatus*); and
 - b) a range of resource consents, including in relation to works in streams, wetlands and the coastal marine area (including reclamations), discharge of wastewater and stormwater, taking, use, damming and diversion of water (including stormwater), earthworks and vegetation clearance.
5. DOC has previously advised the Applicant that a complex fisheries approval may be required for physical works that may impact on waterways and wetlands, however the application does not seek such an approval as part of the FTAA application.

Complexity

6. DOC has reviewed the matters in Schedule 1 of the Minute and considers that the wildlife approval component of this Project is of relatively low complexity, given that the only wildlife approval sought relates to indigenous lizards and only low numbers of indigenous lizards are anticipated (if any).
7. Notwithstanding this, DOC advised in its completeness assessment that it considers that further information is required to fully assess the proposal. For this reason, the assessment of complexity is subject to the following information being provided:
 - a) Ecological field investigations of land at 620, 758 and 770 Whitford-Maraetai Road, which was included in the Project by way of amendment to Schedule 2 on 26 June 2026¹ but excluded from field investigations. These sites may have conservation values such as native forest, some wetland habitat and bordering mangrove forest. Additional field information for these sites will assist with further assessment of the application. In particular, it would mean the desktop assessment and inference from field verification of other parts of the development site would not need to be relied on.
 - b) With respect to the Fauna Management Plan, information on:
 - whether mouse control may be needed for lizard protection
 - confirmation that pest control is to be installed prior to any vegetation clearance
 - the proposed permanent legal protection (e.g. QEII covenant) for the lizard release sites, as this would provide increased certainty around the protection of lizards
 - the release site(s). The information does not confirm the release site (or sites), and discretion for the Applicants' ecologist to choose release site is indicated. Minimum requirements, such as area of new habitat type, should be set out in the Fauna Management Plan.
8. In terms of the resource consents sought, the D-G considers this component of the project to be of medium complexity.

¹ Fast-track Approvals (Buller Plateaux Continuation and Other Projects) Order 2026.

9. The proposal involves a variety of components, including wastewater treatment and disposal (including discharge into the coastal marine area), reclamation of and works in streams and wetlands, as well as various built environment elements. The D-G's key interests in this application include:
 - a) loss of wetlands, streams, indigenous vegetation, and indigenous fauna habitat and effects on sensitive marine habitat;
 - b) effects of construction on avifauna and terrestrial, freshwater and marine fauna (including marine mammals);
 - c) effects of sedimentation on water quality and aquatic ecology, including in relation to the coastal marine area;
 - d) appropriateness of proposed offset and compensation measures.
10. Given the size of the Project and the various components involved there is a significant volume of technical information that will need to be considered by DOC in order to provide reports and comments under sections 51 and 53 and by the Panel in making its determination.
11. DOC has not identified any novel or difficult legal issues relevant to the D-G's interests at this stage.

Issues

12. No specific issues have arisen during pre-lodgement or post-lodgement consultation. DOC has advised the Applicant that the D-G seeks the further information as set out in the completeness assessment, as referred to above.

Panel membership

13. The D-G considers it is appropriate that a panel member with relevant ecological expertise (including coastal water quality and aquatic ecology) is appointed, although recognises that the panel will be guided by reports and advice from the D-G and others.
14. 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.
15. 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

16. The D-G considers that the default time frame would be sufficient for the wildlife approval component of this Project, as it is of low legal, evidential, and factual complexity. The D-G does not have a view on appropriate timeframes for the resource consent elements of decision making, given that its interests do not cover the entirety of the Project.
17. The D-G recommends that the decision-making timeframe accommodate any procedural steps that may be necessary, such as additional information requests by the panel under section 67 of the FTAA. The D-G does not consider a hearing to be necessary on the wildlife approval component of this Project.

Other relevant matters (paragraph 6, Minute 2)

Engagement with DOC

18. On 22 May 2026, the Applicant notified DOC of their intention to lodge the application in June 2026. The application was lodged 26 June 2026. The 20 working days' notice requirement has therefore been met by the applicant.
19. While the Applicant requested fulsome consultation with DOC, limited information was supplied to DOC at the time of the request. DOC requested further information/clarification on 28 May, 4 June and 8 June, and briefly met with the agent for the Applicant on 16 June. The information requested was then provided to DOC.
20. At this meeting, DOC advised that it had had limited opportunity for input prior to lodgement. The agent acknowledged this and sought high-level preliminary comments in the time available. These were provided to the Applicant on 24 June 2026.
21. The Applicant has not engaged with DOC since lodgement of the application. DOC is open to ongoing engagement with the Applicant.

DOC experts

22. At this stage, the following experts for the D-G have been confirmed:

- a) Freshwater ecology – Dave West, Senior Science Advisor
- b) Marine ecology – Greig Funnell, Senior Technical Advisor

23. In addition to the above, the D-G is expecting to confirm additional experts in herpetology, ornithology, coastal and wetland ecology.

Processes to narrow issues

24. No processes have been agreed with the Applicant to narrow issues in respect of this application, but as indicated above, the D-G is willing to engage with the Applicant on outstanding matters.

Principal environmental effects at issue

25. The key issues of interest to the D-G are outlined above. The D-G is in the process of reviewing the application and is not yet in a position to advise of any specific differences in opinion at this stage.

Consent conditions

26. The D-G has not had the opportunity to undertake a fulsome review of the proposed conditions of consent, and therefore the following comments are provided without prejudice.

27. Based on the information provided, the D-G notes that key requirements for vegetation clearance offsetting, freshwater ecology compensation, and marine ecology compensation should be included in consent conditions, not only within draft management plans. Conditions should also include an adequate level detail and should reflect the information in draft management plans.

28. No specific issues have been identified with the conditions relating to the wildlife approval at this stage.

Processes to narrow issues

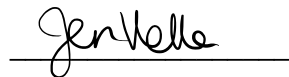
29. As noted above, the D-G is prepared to engage directly with the Applicant and Panel as necessary to resolve or narrow issues. The D-G has advised

the applicant of its willingness to engage once a full team of experts have been stood up.

30. The D-G anticipates that it will be in a position to identify any outstanding issues following preparation of the section 51 report.

Conclusion

31. The D-G's representatives will be happy to elaborate further on any of the above points at the conference set for Thursday 3 September 2026 at 10am.
32. Counsel (Ms Vella) and the DOC Fast Track Lead (Ms Gooderham) will represent the D-G at the Panel Convenor conference.



Jen Vella
Counsel for the Director-General of Conservation