

BEFORE THE PANEL CONVENER

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

AND

IN THE MATTER of an application by Carter Group Limited under section 42
of the FTAA for the Ryans Road Industrial Development.

APPLICATION NO. FTAA-2504-1054

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

18 June 2025

Susan Newell Senior Solicitor DOC Te Papa Atawhai Private Bag 4715 Christchurch 8140 Telephone: 027 408 3306 Email: snewell@doc.govt.nz	Emma Fahey Permissions Advisor DOC Te Papa Atawhai PO Box 10420 Wellington 6140 Telephone: 04 219 0386 Email: efahey@doc.govt.nz
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Introduction

1. This memorandum has been prepared on behalf of the Director-General of Conservation (**D-G**). It responds to a minute of the Panel Convener dated 16 June 2025 in respect of the Ryans Road Industrial Area [FTAA-2504-1054] (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.
 - b) The timing of the panel decision.
3. This memorandum addresses the matters identified in Schedules 1 and 2 of the Minute, as relevant to the two decisions required of the Panel Convener set out at paragraph 2 of the Minute.
4. The memorandum focuses on the approval sought under section 42(4)(h), being a wildlife approval as defined in Clause 1 of Schedule 7.
5. The D-G 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. The one evidentiary/factual matter the D-G has identified is that the application did not identify a receiving site for salvaged wildlife to be re-located to. Therefore, the Panel will need to obtain further information about a salvage site and consider the site suitability and any site preparation requirements, to inform decisions about a wildlife authorisation and appropriate conditions.
6. The D-G is not in a position to advise the Convener about the complexity of the resource consent component of the Project.
7. The D-G’s representatives will attend the conference.

Appointment of panel members

8. 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 (herpetofauna and freshwater habitat).

9. 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.
10. 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.
11. 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, which the D-G does not oppose if the Convener is so minded.

Issue (b) – Timing of panel decision

12. 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.
13. 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. 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.
14. 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, particularly in respect of the receiving site for salvaged wildlife, as noted in paragraph 5 above.
15. 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 component of this Project.

Conclusion

16. The D-G's representatives will be happy to elaborate further on any of the above points at the conference set for 24 June 2025 at 10 am.

17. The D-G confirms willingness to engage directly with the applicant and Panel as necessary to advance the progress of the application.

S Newell
Counsel for the Director-General of Conservation