

**BEFORE THE PANEL CONVENER**

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

**AND**

**IN THE MATTER** of an application by Ngāi Tahu Seafood Resources Limited under section 42 of the FTAA for the Hananui Aquaculture Project.

**APPLICATION NO.** FTAA-2511-1138

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

16 February 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 11 February 2026 in respect of the Hananui Aquaculture 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.
  - 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 primarily 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's representatives will attend the conference.

**Complexity**

6. The Applicant is seeking a wildlife approval for the capture, holding, handling, releasing, disturbing and incidental killing of seabirds and protected shark species which may result from their entanglement and entrapment in the proposed marine farming structures. DOC has reviewed the matters in Schedule 1 of the Minute and considers that this component of this Project is of relatively low complexity.
7. The Applicant has been pro-active in engaging with the Department on this Fast-track application, with consultation first being requested in May 2025 and regular engagement continuing through to and after the substantive application being lodged in November. The Applicant also has previously undertaken engagement with the Department for a similar application that was processed under the COVID-19 Recovery (Fast-track Consenting) Act 2020 (the FTCA). This Application was declined by the Independent Panel in February 2023.
8. DOC considers the complexity of the resource consent component of the Project is of moderate to high complexity.

9. DOC considers that the principal issues of contention for the resource consent component are likely to be the impacts the proposal will have on the receiving environment, including to marine mammals, benthic environments, seabirds and marine fauna. DOC recognises that due to the scale of the Project, and the lack of comparable examples in New Zealand there is likely to be significant uncertainty about the scale of impacts in this type of largely unmodified environment.
10. The drafting of the consent conditions within the substantive application are broadly acceptable, however DOC considers that improvements could be made and continues to engage with the Applicant to this end.

### **Appointment of panel members**

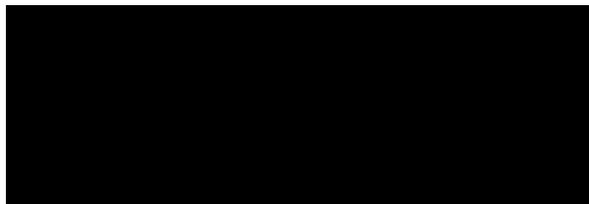
11. In terms of the D-G's interests, key matters to be considered in this application are effects on absolutely protected wildlife, natural character and landscape effects, and on conservation matters dealt with as part of the proposed resource consents (marine species and ecosystems).
12. DOC considers 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.
13. The Panel Convener may also wish to consider the appointment of a Panel member with landscape expertise with a focus on landscape, natural character and visual amenity, and/or the Panel may like to consider seeking independent advice on this matter given the location of the Project, and the level of subjectivity associated with landscape assessments.
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. Due to the complexity of the application, there may be merit in appointing more than the default number of panel members.

### **Issue (b) – Timing of panel decision**

16. 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.
17. It is likely 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 about the timeframes needed to determine the resource consents and aquaculture decision will be provided by other attendees at the conference.
18. DOC 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 and/or expert conferencing on particular issues.
19. DOC 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**

20. The D-G's representatives will be happy to elaborate further on any of the above points at the conference set for 18 February 2026 at 10am.
21. The D-G confirms ongoing willingness to engage directly with the Applicant and Panel as necessary to advance the progress of the application.



Matt Pemberton  
Counsel for the Director-General of Conservation