

# Fast-track Approvals Act 2024

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## MINUTE 2 OF THE EXPERT PANEL

Invitations to comment on the application  
Hananui Aquaculture Project  
[FTAA-2511-1138]

30 March 2026

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[1] This Minute addresses invitations to comment on the Hananui Aquaculture Project application under section 53 of the Fast-track Approvals Act 2024 (the Act).

[2] In accordance with section 53(2) of the Act, the Expert Panel (Panel) must invite comments from persons listed in sections 53(2) (a) to (n). **Appendix 1** provides the list of prescribed persons relevant to this project.

[3] Section 53(2)(h) and (i) state that the owners and occupiers of the land adjacent to the land that the application relates to must be invited to comment, however due to the proposed location of the project off the coast of Rakiura/Stewart Island, no such parties exist.

[4] Under section 53(3) of the Act, the Panel may invite comments from any other person it considers appropriate. Although there is no statutory obligation to give reasons as to why the Panel has exercised its discretion in the manner it has, the Panel briefly records its reasons to assist those who might have an interest in this aspect of this process.

[5] As noted earlier, the Act establishes a deliberately limited participation

regime. Section 53(2) prescribes an “extensive list” of persons who must be invited to comment, reflecting Parliament’s judgement as to the “circle of interests that are genuinely and most impacted” by a decision: relevant local authorities, relevant iwi authorities and specified Māori interests, relevant Ministers and administering agencies, and owners/occupiers (including adjoining owners/occupiers) of affected land or sites. Wider groups that may have a general advocacy interest are not included within s 53(2): that exclusion appears deliberate and reflects the FTAA’s purpose and design.

[6] Section 53(3) confers a discretion to invite “any other person the panel considers appropriate”, but the discretion must be exercised to promote the policy and objective of the Act and should therefore be used sparingly and on a principled basis. Central to the exercise of the Panel’s discretion in this regard is whether a person from whom comment might be sought under s 53(3) would be able to provide evidence to the Panel that is centrally (rather than peripherally) relevant. The Panel has also considered whether information that could be provided by such parties is otherwise provided as part of the substantive application, would be likely to be provided through those from whom comments are to be sought under s 53(2), or could be addressed through targeted requests for further information.

[7] Having regard to those matters and bearing in mind the nature of evidence (including expert evidence) received from the applicant and that is likely to be received from parties from whom comments must be sought, the Panel has determined that it is appropriate to invite comment from the additional parties identified in **Appendix 2**. In summary, those parties comprise:

- a) Te Ao Mārama Incorporated, which includes representatives of the four Murihiku Papatipu Runanga, being Ōraka Aparima, Waihōpai, Awarua and Hokonui. That organisation assists mana whenua to exercise their role as Kaitiaki and as Treaty partners with councils and central government.

- b) Iwi entities with a recognised interest in Te Ara a Kiwa, including on and around islands in the immediate vicinity of the Project.
- c) Fishing and diving entities who operate in and around Rakiura/Te Ara a Kiwa.
- d) Economic development agencies, a Rakiura-based community and environment trust, and a business promotion group.
- e) The Yellow-eyed Penguin Trust.

[8] For completeness, the Panel records that it received correspondence from two parties requesting that they be invited to comment under s 53(3). The Panel has carefully considered the matters raised in that correspondence but have decided against exercising its discretion to invite either of those parties to comment. (One of those parties sent a copy of that correspondence directly to a Panel member – in that regard, all parties are reminded that any correspondence must be through the EPA, and it is never appropriate to communicate directly with a Panel member about any hearing.)

[9] The invitation to comment is dated 30 March 2026, and the date for comments is 20 working days from this date (s 54 of the Act). The date that invited comments on the application must be received is therefore **30 April 2026**.

[10] Comments may be filed with the EPA:

- a) by email to [substantive@fasttrack.govt.nz](mailto:substantive@fasttrack.govt.nz);
- b) by post to Private Bag 63002, Wellington 6140, New Zealand; or
- c) in person to Stewart Dawson's Corner, 366 Lambton Quay, Wellington 6011

[11] The application documents can be viewed on the fast-track website, here:  
<https://www.fasttrack.govt.nz/projects/hananui-aquaculture-project/substantive-application>

[12] Relevant reports and advice from other parties can be viewed here:  
<https://www.fasttrack.govt.nz/projects/hananui-aquaculture-project/reports-and-advice>

A handwritten signature in blue ink, reading "Bal Matheson". The signature is written in a cursive style with a long horizontal line extending to the right.

Bal Matheson KC  
**Hananui Aquaculture Project Expert Panel Chair**

## Appendix 1

### Parties invited to Comment under section 53(2) of the Act

53(2)(a)	the relevant local authorities	<ul style="list-style-type: none"> <li>• Environment Southland</li> <li>• Southland District Council</li> </ul>
53(2)(b)	the relevant iwi authorities	<ul style="list-style-type: none"> <li>• Te Rūnanga o Ngāi Tahu</li> </ul>
53(2)(c)	any relevant Treaty settlement entities, including, to avoid doubt,— (i) an entity that has an interest under a Treaty settlement within the area to which the substantive application relates; and (ii) an entity operating in a collective arrangement, provided for under a Treaty settlement, that relates to that area	<ul style="list-style-type: none"> <li>• Te Rūnanga o Ngāi Tahu</li> <li>• Hokonui Rūnanga</li> <li>• Waihōpai Rūnaka</li> <li>• Te Rūnanga o Awarua</li> <li>• Te Rūnanga o Ōraka Aparima</li> <li>• Te Ohu Kaimoana</li> </ul>
53(2)(d)	any protected customary rights groups and customary marine title groups whose protected customary rights area or customary marine title is within the area to which the substantive application relates	N/A
53(2)(e)	any applicant group under the Marine and Coastal Area (Takutai Moana) Act 2011 that is identified in the report prepared under section 18 or 49 and seeks recognition of customary marine title or protected customary rights within the area to which the substantive application relates	<ul style="list-style-type: none"> <li>• Ngāi Tahu Whanui (MAC-01-13-002 / CIV-2017-485-280)</li> </ul>
53(2)(f)	ngā hapū o Ngāti Porou if the area to which the substantive application relates is within or adjacent to, or the activities to	N/A

	which it relates would directly affect, ngā rohe moana o ngā hapū o Ngāti Porou	
53(2)(g)	the tangata whenua of any area within the area to which the substantive application relates that is a taiāpure-local fishery, a mātaimai reserve, or an area that is subject to bylaws or regulations made under Part 9 of the Fisheries Act 1996	<ul style="list-style-type: none"> <li>• Waihōpai Rūnaka</li> <li>• Te Rūnanga o Awarua</li> <li>• Te Rūnanga o Ōraka Aparima</li> <li>• Hokonui Rūnanga</li> </ul>
53(2)(h)	owners of the land to which the substantive application relates	N/A
53(2)(i)	occupiers of the land to which the substantive application relates unless, after reasonable inquiry, an occupier cannot be identified	N/A
53(2)(j)	the Minister for the Environment and other relevant portfolio Ministers	<ul style="list-style-type: none"> <li>• Minister for Biosecurity</li> <li>• Minister for the Environment</li> <li>• Minister for Hunting and Fishing</li> <li>• Minister for Māori Development</li> <li>• Minister for Oceans and Fisheries</li> <li>• Minister for Regional Development</li> <li>• Minister for the South Island</li> <li>• Minister for Sport and Recreation</li> </ul>
53(2)(k)	relevant administering agencies	<ul style="list-style-type: none"> <li>• Department of Conservation</li> <li>• Ministry for the Environment</li> </ul>
53(2)(l)	any requiring authority that has a designation on land to which the substantive application relates or on land adjacent to that land	N/A
53(2)(m)	if the approvals sought in the substantive application include—	<ul style="list-style-type: none"> <li>• Director-General of Conservation</li> </ul>

	<p>(i) an approval described in section 42(4)(a) or (d) (resource consent or designation), the persons and groups listed in clause 13 of Schedule 5:</p> <p>(ii) an approval described in section 42(4)(e) (concession), the persons listed in clause 5 of Schedule 6:</p> <p>(iii) an approval described in section 42(4)(g) (conservation covenant), the persons listed in clause 44 of Schedule 6:</p> <p>(iv) an approval described in section 42(4)(h) (wildlife approval), the persons listed in clause 4 of Schedule 7:</p> <p>(v) an approval described in section 42(4)(k) (marine consent), the persons listed in clause 5 of Schedule 10:</p> <p>(vi) an approval described in section 42(4)(l) or (m) (access arrangement), the persons listed in clause 5 of Schedule 11</p> <p>(vii) an approval described in section 42(4)(n) (mining permit), the person listed in clause 18 of Schedule 11.</p>	<ul style="list-style-type: none"> <li>• Iwi authorities and groups that represent hapū that are parties to relevant Mana Whakahono ā Rohe or joint management agreements (none identified)</li> <li>• New Zealand Conservation Authority</li> <li>• Southland Conservation Board</li> <li>• New Zealand Fish and Game Council</li> <li>• Game Animal Council</li> </ul>
53(2)(n)	any persons or groups specified by the Minister under section 27(3)(b)(iii).	N/A

## Appendix 2

### Additional parties invited to Comment under section 53(3) of the Act

Te Ao Mārama Incorporated	Yellow-eyed Penguin Trust
Tangata Tiaki of Pikomamaku Mātaitai Reserve - Fisheries Notice 2010 (No. F527)	Stewart Island / Rakiura Community & Environment Trust (SIRCET)
Tangata Tiaki of Te Whaka ā Te Wera Mātaitai Reserve - Fisheries Notice 2004 (No. F310)	Great South – The Southland Regional Development Agency
Ruapuke Island Group whānau	The BCO5 Association (BCO5)
Rakiura Tītī Islands Administering Body	Bluff Oyster Management Company (BOMC)
Rakiura Māori Land Trust	CRA8 Rock Lobster Industry Association Inc
Rakiura Tītī Islands Committee	PauaMAC5 Inc
Ministry for Primary Industries	Southern Inshore Fisheries Management Company Ltd (Southern Inshore)
Stewart Island Promotion Association	DiveSouth Fishing and Diving Club