

Fast-track Approvals Act 2024

MINUTE 7 OF THE EXPERT PANEL

Draft conditions and draft decision
Hananui Aquaculture Project
[FTAA-2511-1138]

9 July 2026

Introduction

[1] The purpose of this Minute is to:

- a) Inform parties of the Panel's draft decision and draft conditions and to direct the Environmental Protection Authority (EPA) to;
 - i) Invite comments on the draft conditions of consent from specified parties under section 70 of the Fast-track Approvals Act 2024 (the Act);
 - ii) Provide the draft conditions to the Director-General of the Ministry for Primary Industries (MPI) for the purposes of clause 15 of Schedule 5 of the Act (section 71 of the Act); and
 - iii) Invite comments on the draft decision and draft conditions from specified Ministers under section 72 of the Act.
- b) Record the outcome of the Conditions Workshop that occurred in Christchurch on 23 June 2026;
- c) Respond to further correspondence from Forest and Bird, received on 6 July 2026; and
- d) Request further information pursuant to section 67 of the Fast-track Approvals Act 2024 (the Act).

Section 70 of the Act

[1] In accordance with section 70 of the Act, the Panel directs the EPA to invite comments on the draft conditions from the Applicant, everyone who provided comments under section 53, and all relevant local authorities or statutory bodies.

[2] Section 70(2)(a) requires the Panel to set the date by which comments on the draft conditions must be received. The Panel therefore directs that comments on the draft conditions must be received by **17 July 2026**.

[3] As detailed in s 70(4) of the Act, if the Applicant wishes to respond to the comments on the draft conditions, it must do so no later than 5 working days after the date on which comments close. Any response from the Applicant is therefore due by **24 July 2026**.

[4] The Panel would appreciate it if the Applicant could, as part of any reply on or before 24 July 2026, confirm the extent to which any responses are being put forward on an agreed basis between the Applicant and the entity to which the Applicant is responding.

Section 71 of the Act

[5] In accordance with section 71 of the Act, and at the same time as it complies with section 70(1) of the Act, the Panel directs the EPA to provide the draft conditions to the Director-General of the Ministry for Primary Industries (MPI) for the purposes of clause 15 of Schedule 5 of the Act.

[6] Clause 15 of Schedule 5 directs that the Director-General MPI must provide a recommendation on the aquaculture decision within 5 working days after receipt of the draft conditions. The recommendation is therefore due on **17 July 2026**.

Section 72 of the Act

[7] In accordance with section 72 of the Act, the Panel directs the EPA to invite

comments from the Minister for Māori Crown Relations: Te Arawhiti and the Minister for Māori Development on the draft decision, including any draft conditions.

[8] Section 72(2) requires that the Ministers be allowed 10 working days to comment on the draft decision, including any assessments made by the panel in relation to relevant Treaty settlements and any draft conditions related to that assessment. Comments from the Ministers are therefore due on **24 July 2026**.

Administrative matters

[9] The Panel's draft decision and draft conditions can be viewed on the fast-track website, here: <https://www.fasttrack.govt.nz/projects/hananui-aquaculture-project/draft-decision-and-conditions>

[10] Comments under both section 70 and section 72 can be filed via email to: Substantive@fasttrack.govt.nz.

[11] The recommendation from the Director-General MPI can be filed via the application portal.

Conditions Workshop

[12] As indicated in Minute 5, on 23 June 2026, a conditions workshop was held to discuss the remaining areas of dispute regarding the conditions. The workshop was held at the Sudima Hotel in Christchurch, with the Panel, and representatives of the Applicant, and Rakiura Tītī Islands Administering Body attending in person. Representatives from Environment Southland (ES), the Department of Conservation (DOC), CRA8 Rock Lobster Industry Association Inc., and Te Ao Mārama Inc. attended remotely.

[13] The Panel and attendees went through the Applicant's most recent version

of the proposed conditions of consent from start to finish, with more time spent on areas of dispute or other interest. A recording of the workshop can be viewed on the fast-track website, here: <https://www.fasttrack.govt.nz/projects/hananui-aquaculture-project/conferences,-workshops-and-hearings>

[14] The Panel requested the following from specific parties during the workshop:

- a) The Applicant and ES to discuss and agree on wording for Condition 11 and the suite of conditions relating to decommissioning.
- b) DOC to confirm if they are comfortable with the Seabird Management Plan (SBMP) and Shark Management Plan (SMP), and if not what amendments they would seek.

[15] Responses from the above parties can be viewed here: <https://www.fasttrack.govt.nz/projects/hananui-aquaculture-project/reports-and-advice>

Forest and Bird correspondence

[16] The Royal Forest and Bird Protection Society of New Zealand Incorporated have communicated with the EPA on a number of occasions in relation to this Project, namely:

- a) Letter to the Panel dated 16 March 2026, addressed in Minute 2.
- b) Email to the Panel dated 8 May 2026, addressed in Minute 6.
- c) Letter to the Panel dated 6 July 2026

[17] The most recent correspondence from Forest and Bird was in response to the Panel's Minute 6. In that correspondence, Forest and Bird stated:

“Forest & Bird email to the Panel on 8 May 2026 attaching those reports was not

intended as a request to provide late comment.

The intention of sending the reports was to ensure that the Panel was aware of these reports and provide them opportunity to seek information on the consideration of these reports from Environment Southland and/or the applicant”.

[18] Paragraph 4 of that correspondence then states:

“Forest & Bird is concerned that the Panel is basing their decision on a lack of information, especially given the identification of significant values of the marine environment in Southland, particularly that of Foveaux Strait where the development is proposed to be located. These reports include considerations on the habitat of Hoiho which is important given that Yellow Eye Penguin Trust didn’t provide comment despite being invited to”.

[19] Subsequent email correspondence from Environment Southland, dated 25 June 2026, confirmed that ES was aware of those reports:

“ES is certainly aware of these reports, having commissioned them previously.

Forest & Bird is correct that the reports were not specifically referenced in the ES substantive comments or other ES inputs to the Hananui FTAA process. The reports are relatively aged and broad-scale, traversing the whole of the Southland Coastal Marine Area, which is approximately 30,000km². The reports are not site-specific and were not prepared for the purpose of consideration of individual consenting applications in the Southland Coastal Marine Area. ES hence considers them of limited relevance to the Panel’s consideration.

ES has focused more specifically, in its provision of inputs to the FTAA process, on the effects of the proposed activities for which approvals are sought in the location in which these are proposed to occur.

Further internal liaison has occurred with senior ES Science staff regarding the reports following Minute 6. They have confirmed the position above.”

[20] Given that Forest and Bird have acknowledged that the reports it provided were not intended to be a request to make a late comment, and given Environment Southland’s confirmation that it was aware of these reports (which is unsurprising given that the reports were obtained from Environment Southland), the Panel does not accept Forest and Bird’s assertion at paragraph 5 that the Panel is “*basing their decision on a lack of information*” or that the Panel should “*test its apparently incorrect assumption with Environment Southland*”.

[21] The Panel reiterates its decision not to accept the reports provided by Forest and Bird.

Further Information requested under section 67

[22] The Panel has assumed that the customary marine title recently obtained by the Ruapuke Island Group does not overlap with the HAP site. To confirm the position, the Panel would be grateful if counsel for the Ruapuke Island Group could provide a map showing the extent of approved customary marine title, if possible at a scale that also shows the HAP site.

[23] The application material refers to a contribution of “\$500m in gross annual revenue” at full scale. Can the Applicant please confirm that this is correct, and advise approximately how many years the HAP might operate “at full scale”.

[24] Finally, can the Applicant and Environment Southland confer and provide an agreed list of resource consent triggers for Appendix A of the Draft Decision. If this has previously been provided and there are no changes to this, then please confirm.



Bal Matheson KC

Hananui Aquaculture Project Expert Panel Chair