

6. The EPA received the substantive application for Hananui Aquaculture Project on 26 November 2025 by Ngāi Tahu Seafood Resources Limited. The EPA must, in consultation with the relevant administering agencies and relevant consent authorities, decide whether this substantive application complies with section 46 of the Act by 17 December 2025.
7. As set out in more detail below, the EPA must decide whether the application is complete and either:
 - provide the application to the Panel Convener for consideration and decision by the expert consenting panel (if complete and within scope); or
 - return it to the person who lodged it (if incomplete and not within scope).

Project and Scope

8. The project is described in Schedule 2 of the Act as:

Develop a finfish marine farm, including—

 - *4 separate marine farms each consisting of 2 blocks of approximately 10 circular net pens*
 - *installing approximately 5 anchored barges as operational bases.*
9. The approximate geographical location is identified in Schedule 2 of the Act as:

2,500 hectares within the coastal marine area, 2 to 6 kilometres north of the Stewart Island/Rakiura coastline, 13 kilometres northwest of Oban, Southland
10. In section 1.1 of the Substantive Application (SA), the applicant states that the marine farms will be positioned within an approximate 1,285-hectare area, 2 - 6 km from the shore. The project will be developed in two stages:
 - Stage 1: Consists of one block of 10 pens at each of the four farm sites;
 - Stage 2: As a maximum, a second block of 10 pens will be introduced at each of the four farm sites.
11. In Table 6.1 of the SA, the applicant confirms it intends to install one barge per marine farm.
12. The description the applicant has provided within the application material is largely consistent with what is listed in Schedule 2 of the Act. While the applicant notes it intends to install one barge per marine farm (total of four), and Schedule 2 lists “*approximately 5 anchored barges*”. I consider this does not materially affect the project to the point that it is no longer within scope.
13. The Applicant also intends to install navigational aids, including buoys, marks and lighting, to indicate the proposed site to seafarers and to mark any navigational risks. I consider that these associated activities would be involved in, or support and be subsidiary to the project referred to in Schedule 2. Because of this, they fall within the definition of ‘project’ as defined in s 4 of the Act and are within scope of this project.

14. It is noted that the applicant proposes the site to be 1,285 hectares (rather than 2,500 hectares as listed in Schedule 2's Approximate geographical location). Although the project proposed project area is reduced, I consider that it is still within the confines of the approximate geographical location listed in Schedule 2 area.
15. Given the above information, I consider the application to be within scope of the project listed in Schedule 2 of the Act.

Legislative context

16. The EPA must decide whether the substantive application complies with section 46(2) of the Act. A substantive application complies with section 46(2) of the Act, if the application:
 - complies with sections 42, 43 and 44;
 - relates solely to a listed project or a referred project;
 - the EPA considers that, on the face of the application, the project does not appear to involve an ineligible activity; and
 - any fee, charge, or levy payable under the Fast-track Approvals (Cost Recovery) Regulations 2025 (the Regulations) in respect of the application is paid.

Section 42 Requirements

17. Section 42 of the Act states that an authorised person may lodge a substantive application for one project or substantive applications for each stage of a project. Section 42(4) lists the approvals that may be sought under the Act.
18. This application has been lodged by Ngāi Tahu Seafood Resources Limited. This person is an authorised person as listed under schedule 2 of the Act.
19. The approvals being sought are:
 - Resource consents that would otherwise be applied for under the RMA (under Section 42(4)(a) of the FTAA); and
 - Wildlife approvals that would otherwise be authorities applied for under the Wildlife Act (under Section 42(4)(h) of the FTAA).
20. All of the above listed approvals are of the type set out in section 42(4) of the Act.
21. For each of the approvals sought, the applicant is eligible to apply for any corresponding approval under a specified Act.
22. The applicant is also seeking an aquaculture decision. However, does not change the s 42 assessment above because an aquaculture decision is not specified in section 42(4) but rather forms part of the process in a resource consent.

Section 43 Requirements

23. Section 43 of the Act sets out the requirements for a substantive application. The substantive application was lodged in the form and manner approved by the EPA. Assessment of section 43 requirements is included at Appendix 1.

Section 44 Requirements

24. Section 44 of the Act requires that the information provided by the applicant under section 43 must be specified in sufficient detail to satisfy the purpose for which it is required. Assessment of section 44 sufficiency is included at Appendix 1.

25. In assessing the sufficiency of information provided by the applicant, we rely on the information provided to us through consultation with each relevant administering agency and consent authority, as summarised in Appendix 2.

26. As set out in more detail in Appendix 2, the agencies consulted have advised that the information required by section 44 is provided in **sufficient** detail to satisfy the purpose for which it is required.

Ineligibility

27. The EPA needs to decide whether it considers that, on the face of the application, the project does not appear to involve an ineligible activity, as defined in section 5 of the Act. As the EPA has to consider this on the face of the application, the EPA is only able to consider information contained in the application materials.

28. The list of ineligible projects includes activities:

- on land returned under a Treaty settlement, on identified Māori Land, on Māori customary land, on land set apart as Māori reservation, or in a customary marine title or protected customary rights area without written permission from the rights holder;
- on Māori customary land, or land set apart as Māori reservation under Part 17 of Te Ture Whenua Māori Act 1993;
- in a customary marine or protected customary rights area without written agreement from the rights holder/group;
- within an aquaculture settlement area without the required authorisation;
- activities that would be prevented under section 165J, 165M, 165Q, 165ZC, or 165ZDB of the RMA (which deal with occupation of space in the common marine and coastal area); or
- that require permissions on national reserves held under the Reserves Act 1977 ; or
- on land listed under clauses 1 to 11 or 14 of Schedule 4 of the Crown Minerals Act 1991 (and clauses 12 and 13 for mining activities).

29. I consider that, on the face of the application, the project does not appear to involve an ineligible activity.

Fees and levies

30. The EPA has received all fees, charges and levies payable by the applicant under the Regulations for the substantive application as follows:
- Application fee in the sum of \$250,000 plus GST;
 - Levy in the sum of \$140,000 plus GST.

Consultation

31. We have consulted with and considered consultation responses from the following relevant administering agencies and relevant consent authorities:
- With Environment Southland Regional Council, Southland District and Invercargill City Council and the Ministry for the Environment for an approval described in [section 42(4)(a) (resource consent)]
 - with the Department of Conservation for an approval described in section 42(4)(h) (Wildlife Act wildlife approval)
32. A summary of the consultation is included at Appendix 2.

Assessment of compliance for each section of each application form

33. We have assessed the application materials against the relevant checklists in the prescribed application form. Each assessment is contained within the appropriate approval checklist. These are included in Appendix 1 for ease of reference.
34. My view is that the application does comply with section 46 and the EPA may now notify the applicant of its decision.
35. The EPA must now decide whether the substantive application has a competing application under section 47(3) (under delegation from the Minister for Infrastructure under section 47(10)) within 10 working days from the date of the completeness decision.
36. Once the EPA has made the decision under section 47(3), the EPA can provide the application to the panel convener to commence consideration and decision of the application by the panel.

Appendix 1: Assessment of section 44 sufficiency

This application seeks the following approval(s) under the Act:

- A resource consent, change to or cancellation of a resource consent: **checklist A**
- A wildlife approval: **checklist E.**
- Information requirements for all applications **checklist J.**

CHECKLIST A – Resource consent, change to or cancellation of a resource consent

Clause, Schedule 5	Information required for an approval described in section 42(4)(a) (resource consent) and/or section 42(4)(b) (change or cancellation of resource consent), Clauses 5-8 of Schedule 5	Application Reference	EPA office use only
5(1)(a)	A description of the proposed activity	Substantive Application, section 6, pages 33-44	Addressed , as stated by the applicant. Section 6.4 (from page 41) of the Substantive Application (SA) discusses the proposed marine farming activities.
5(1)(b)	A description and map of the site at which the activity is to occur, including whether the site is within or adjacent to— (i) a statutory area (as defined in the relevant Treaty settlement Act); or (ii) ngā rohe moana o ngā hapū o Ngāti Porou (as defined in section 11 of the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019); or (iii) a protected customary rights area under the Marine and Coastal Area (Takutai Moana) Act 2011	Substantive Application, section 6.1-6.2, pages 33-34, section 9, pages 57-72, and Appendix A - Eligibility under the FTAA	Addressed , as stated by the applicant. See figures 6-1 and 6-2 (pages 33 and 35 of SA). Also see graphic attachments of site in appendix T part 1. (i) Addressed at page 20 of SA - <i>the Relevant statutory acknowledgements in this location are:</i> <ul style="list-style-type: none"> • Hananui (Mt Anglem) Schedule 18; and • Rakiura/Te Ara a Kiwa (Rakiura/Foveaux Strait Coastal Marine Area) Schedule 104 (ii) Page 25 (table 4-1) - N/A. (iii) Page 34 – N/A.

5(1)(c)	<p>Confirmation that the consent application complies with section 46(2)(a), (b), and (d); being:</p> <ul style="list-style-type: none"> • section 42; and • sections 43 and 44; and • relates solely to a listed project or a referred project; and • any fee, charge, or levy payable under regulations in respect of the application is paid. <p><i>Guidance note: Section 46 provides for the EPA to decide whether the substantive application is complete and within scope. The EPA will need to be satisfied that the application complies with these requirements. These matters are addressed throughout the substantive application form and relevant checklist.</i></p>	<p>Substantive Application, section 1.3, and throughout. Application relates solely to a listed project. All charges and levies have been paid.</p>	<p>Addressed, as stated by the applicant.</p> <p>Page 9 – confirmation of compliance with section 42, 43, 44 of the FTAA.</p> <p>The applicant confirms that the application relates solely to the listed project.</p> <p>Fees and levies paid.</p>
5(1)(d) and 5(6)	<p>The full name and address of—</p> <ul style="list-style-type: none"> (i) each owner of the site and of land adjacent to the site; and (ii) each occupier of the site and of land adjacent to the site whom the applicant is unable to identify after reasonable inquiry; <p>If the applicant is not able to supply the name and address of the owner and each occupier of the site and of land adjacent to the site because the land is Māori land in multiple ownership, the applicant</p>	<p>Substantive Application, section 6.2, pages 33-34</p>	<p>Addressed, as referenced by the applicant.</p> <p>Page 33 of SA - <i>The proposed site is located in the coastal marine area (CMA) at least 2 km offshore from Rakiura. Pursuant to Section 11 of the Marine and Coastal (Takutai Moana) Act 2011, neither the Crown nor any person owns the CMA.</i></p> <p>...</p> <p><i>Land on Rakiura in the vicinity of the site is National Park, also owned by the Crown, with one block of Māori Freehold Land next to Murray River held by the Rakiura Māori Lands Trust (the RMLT).</i></p>

	must include a statement to that effect (clause 5(6)).		<p>I have since confirmed with the applicant that there are also no adjacent coastal permit holders to the proposed Hananui Aquaculture Project site.</p> <p>The applicant states for completeness, the Rakiura Aquaculture Settlement Area is located adjacent to the proposed Hananui Aquaculture Project site. An authorisation to apply for a coastal permit for the occupation of space within the coastal marine area for aquaculture activities has been issued by Environment Southland to Te Rūnanga o Ngāi Tahu, but no coastal permit has been applied for or issued to date for this activity.</p>
5(1)(e)	A description of any other activities that are part of the proposal to which the consent application relates	Substantive Application, section 6.6, page 44	<p>Addressed, as stated by the applicant.</p> <p><i>There are no other activities that are part of the proposal to which the consent application relates.</i></p>
5(1)(f)	A description of any other resource consents, notices of requirement for designations, or alterations to designations required for the project to which the consent application relates	Substantive Application, section 8, pages 47-56	Addressed , as stated by the applicant.
5(1)(g)	An assessment of the activity against sections 5, 6 and 7 of the Resource Management Act 1991	Substantive Application, section 13.3, pages 113-117	<p>Addressed, as stated by the applicant.</p> <p>See table 13-1 from page 114.</p>
5(1)(h) (and also	<p>An assessment of the activity against any relevant provisions in any of the following documents:</p> <ul style="list-style-type: none"> • a national environmental standard: 	Substantive Application, section 8, pages	<p>Addressed, as stated by the applicant.</p> <p>The applicant has provided an assessment of the following documents:</p>

<p>Clauses 5(2) and 5(3))</p>	<ul style="list-style-type: none"> • other regulations made under the Resource Management Act 1991: • a national policy statement: • a New Zealand coastal policy statement: • a regional policy statement or proposed regional policy statement: • a plan or proposed plan: • a planning document recognised by a relevant iwi authority and lodged with a local authority. <p>This assessment must include an assessment of the activity against the requirements set out in clause 5(3) of Schedule 5 being:</p> <ul style="list-style-type: none"> • any relevant objectives, policies or rules in the documents listed; and • any requirement, condition, or permission in any rules in any of those documents; and • any other requirements in any of those documents 	<p>48-55, section 13.5, pages 117-139 and Appendix BB NZCPS Policy 11</p>	<ul style="list-style-type: none"> • New Zealand Coastal Policy Statement 2010 (NZCPS) – from page 118. • Southland Regional Policy Statement 2017 (RPS) – page 125. • Southland Regional Coastal Plan 2013 (RCP) – page 127. • Te Tangi a Taurira the Cry of the People – the relevant iwi management plan – from page 134. • New Zealand Aquaculture Strategy 2019 – from page 136. • New Zealand Aquaculture Development Plan 2025-2030 – from page 137. • Murihiku Southland Aquaculture Pathway 2025 – from page 137. <p>Appendix AA provides an assessment of the relevant policies and objectives from the statutory documents.</p> <p>Appendix BB provides an assessment against policy 11 of the NZCPS.</p>
<p>5(1)(i)</p>	<p>Information about any Treaty settlements that apply in the area covered by the consent application, including—</p> <p>(i) identification of the relevant provisions in</p>	<p>Substantive Application, section 3, pages 17-24</p>	<p>Addressed, as stated by the applicant.</p> <p>Applicant discusses the following treaty settlements relevant to the project (and the relevant redress information):</p>

	<p>those Treaty settlements; and</p> <p>(ii) a summary of any redress provided by those settlements that affects natural and physical resources relevant to the project or project area</p>		<ul style="list-style-type: none"> • Te Rūnanga o Ngāi Tahu Act 1996; • Deed of Settlement 1997, Ngāi Tahu Claims Settlement Act 1998; • Māori Fisheries Settlement 1992 • Māori Commercial Aquaculture Claims Settlement Act 2004 • Principles of the Treaty of Waitangi
5(1)(j)	A list of any relevant customary marine title groups, protected customary rights groups, ngā hapū o Ngāti Porou (where an application is within, adjacent to or directly affecting ngā rohe moana o ngā hapū o Ngāti Porou), or applicants under the Marine and Coastal Area (Takutai Moana) Act 2011;	Substantive Application, section 4.1, pages 25-26, and Appendix A - Eligibility under the FTAA	<p>Addressed, as referenced by the applicant.</p> <p>Customary marine title groups / protected customary rights groups – N/A</p> <p>Ngā hapū o Ngāti Porou – N/A</p> <p>Applicants under the Marine and Coastal Area – addressed in table 4-1 (on page 25) and section 6.2 (page 33).</p>
5(1)(k)	The conditions that the applicant proposes for the resource consent.	Appendix CC - Proposed resource consent conditions	Addressed , as referenced by the applicant.
5(1)(l)	if a notice under section 30(3)(b) or (5) has been received,—	Appendix C - Section 30 Written Notice	Addressed , as referenced by the applicant.

	<p>(i) a copy of that notice showing that it was received within the time frame specified in section 30(6)(b); and</p> <p>(ii) if a notice has been received under section 30(5), any more up-to-date information that the applicant is aware of about the existing resource consent referred to in the notice.</p>	<p>from Environment Southland</p>	<p>Written notice from Environment Southland Regional Council (ES) was provided within 3 months (letter dated 24 September 2025).</p> <p>ES confirmed in its consultation feedback on 4 December 2025, the written notice was still accurate.</p>
5(4)(a)	<p>An assessment of the activity's effects on the environment that includes the information required by clause 6.</p> <p><i>Guidance note: See rows below for requirements in clause 6.</i></p>	<p>Substantive Application, section 4, pages 25-27, section 10, pages 73-99, section 12, pages 104-112 and section 13.6, pages 139-140</p>	<p>Addressed as stated by the applicant. See additional references in the rows below.</p>
5(4)(b)	<p>An assessment of the activity's effects on the environment that covers the matters specified in clause 7.</p> <p><i>Guidance note: See rows below for requirements in clause 7.</i></p>	<p>Substantive Application, section 10, pages 73-99</p>	<p>Addressed as stated by the applicant. See additional references in the rows below.</p>
6	<p>(1) The assessment of an activity's effects on the environment must include the following information:</p> <p>(a) an assessment of the actual or potential effects on</p>	<p>Substantive Application, section 4, pages 25-27, section 10, pages 73-99,</p>	<p>Addressed, as stated by the applicant, as well as below.</p> <p>a) Section 10, from page 73 of SA as well as various supporting technical reports</p>

<p>the environment:</p> <p>(b) if the activity includes the use of hazardous installations, an assessment of any risks to the environment that are likely to arise from such use:</p> <p>(c) if the activity includes the discharge of any contaminant, a description of—</p> <p>(i) the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and</p> <p>(ii) any possible alternative methods of discharge, including discharge into any other receiving environment:</p> <p>(d) a description of the mitigation measures (including safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effect of the activity:</p> <p>(e) identification of persons who may be affected by the activity and any response to the views of any persons consulted, including the views of iwi or hapū that have been consulted in relation to the proposal:</p> <p>(f) if iwi or hapū elect not to respond when consulted</p>	<p>section 12, pages 104-112 and section 13.6, pages 139-140</p>	<p>(appendices I – U).</p> <p>b) Section 10 does not mention hazardous installations, but section 10.10 (page 97) acknowledges hazardous substances (including fuel for feed barges/generators and biosecurity related chemicals) will be appropriately stored and handled, and the applicant will adopt standard operational procedures to ensure this at all times.</p> <p>c) (i) – Section 13.6-13.7, from page 139 of SA. Also see Appendix M. (ii) – Section 11 of SA (page 100).</p> <p>d) Throughout section 10 and supporting technical reports. Also see draft management plans from appendices V – W.</p> <p>e) Section 4.1 (from page 25) and section 10 (page 73) of SA. Also see appendix F (consultation summary), appendix E (CIA) appendix D (Ngā Hua o Āpiti Hono Tātai Hono report). Also see letter of support from Te Rūnanga o Ngāi Tahu in appendix G.</p> <p>f) N/A.</p> <p>g) Section 12 of the SA and the associated management plans. Also see proposed conditions (appendix CC) and wildlife approval conditions (appendix DD).</p> <p>h) N/A – proposal is not occurring in a protected</p>
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	<p>on the proposal, any reasons that they have specified for that decision:</p> <p>(g) if the scale and significance of the activity's effects are such that monitoring is required, a description of how the effects will be monitored and by whom, if the activity is approved:</p> <p>(h) an assessment of any effects of the activity on the exercise of a protected customary right.</p> <p><i>Guidance note: Clause 6(2) provides that a consent application need not include any additional information specified in a relevant policy statement or plan that would be required in an assessment of environmental effects under clause 6(2) or 7(2) of Schedule 4 of the Resource Management Act.</i></p>		<p>customary rights area. However, the applicant notes on page 30 - Te Rūnanga o Ngāi Tahu has made applications for customary marine title and protected customary rights in the Southland CMA, including over the proposed site.</p>
7	<p>The assessment of an activity's effects on the environment must cover the following matters:</p> <p>(a) any effect on the people in the neighbourhood and, if relevant, the wider community, including any social, economic, or cultural effects:</p> <p>(b) any physical effect on the locality, including landscape and visual effects:</p> <p>(c) any effect on ecosystems, including effects on plants or animals and physical disturbance of habitats in the vicinity:</p>	<p>Substantive Application, section 10, pages 73-99</p>	<p>Addressed, as stated by the applicant as well as below.</p> <p>a) Economic benefits/regional social and community benefits addressed in sections 5.2 and 5.3 of SA (from page 28). Economic assessment provided in appendix I. Cultural impact assessment provided as appendix E (dated 2020 - Ngāi Tahu ki Murihiku confirmed no updates needed. See footnote 4 on pg 9 of AEE).</p> <p>b) Section 10.5 of SA (from page 90), appendix T, Appendix EE. The Mātauranga Māori perspective is conveyed in Ngā Hua o Āpiti</p>

	<p>(d) any effect on natural and physical resources that have aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations:</p> <p>(e) any discharge of contaminants into the environment and options for the treatment and disposal of contaminants:</p> <p>(f) any unreasonable emission of noise:</p> <p>(g) any risk to the neighbourhood, the wider community, or the environment through natural hazards or hazardous installations.</p>		<p>Hono Tātai Hono (Appendix D).</p> <p>c) Throughout section 10.1 – 10.3 (from page 73) and associated technical reports (including effects on the seabed, water column, Marine life, marine mammals, seabirds, sharks, fish etc).</p> <p>d) Effects on recreation and tourism and commercial fisheries have been assessed in section 10.7-10.8 (from page 95) of the SA and within appendix R and appendix S. Cultural impact assessment provided as appendix E (from page 22)</p> <p>e) Effects of discharges discussed in 10.2 (from page 78) and appendix K. Alternative methods of discharge are addressed in section 11 (from page 101) of SA.</p> <p>f) Section 10.9 of SA (from page 96).</p> <p>g) Section 3.5.7 of appendix L (as well as appendix C within on page 85) No hazardous installations are identified. See cl 6(1)(b) above.</p>
5(5)(a)	If a permitted activity is part of the proposal to which the consent application relates, a description that demonstrates that the activity complies with the requirements, conditions, and permissions for the permitted activity (so that a resource consent is not	Substantive Application, section 8.2.3, pages 51-55	Addressed , as stated by the applicant.

	required for that activity under section 87A(1) of the Resource Management Act 1991)		
5(5)(b)	If the activity is to occur in an area that is within the scope of a planning document prepared by a customary marine title group under section 85 of the Marine and Coastal Area (Takutai Moana) Act 2011 or the environmental covenant prepared by ngā hapū o Ngāti Porou under section 19 of the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019, an assessment of the activity against any resource management matters set out in that document	N/A	N/A as stated by the applicant.
5(5)(c)	If the activity is to occur in an area that is taiāpure-local fishery, a mātaimai reserve, or an area that is subject to bylaws made under Part 9 of the Fisheries Act 1996, an assessment of the effects of the activity on the use or management of the area.	N/A	N/A as stated by the applicant.

CHECKLIST E – Wildlife approval

Clause, Schedule 7	Information required for an approval described in section 42(4)(h) (Wildlife Act approval), clause 2 of Schedule 7	Application Reference	EPA office use only
2(1)(a)	Specify the purpose of the proposed activity	Substantive Application, section 15.2.1, pages 145-146	Addressed , as stated by the applicant.
2(1)(b)	Identify the actions the applicant wishes to carry out involving protected wildlife and where they will be carried out (whether on or off public conservation land) <i>Guidance note: Under clause 2(2) if the substantive application is to be lodged by more than 1 authorised person, the reference to the applicant in subclause (1)(b) is to the authorised person who is identified in the application as the proposed holder of the wildlife approval.</i>	Substantive Application, section 15.2.2, page 146	Addressed , as stated by the applicant.
2(1)(c)	An assessment of the activity and its impacts against the purpose of the Wildlife Act	Substantive Application,	Addressed , as stated by the applicant.

		section 15.2.3, pages 146-147	Also see section 10.3 (page 81).
2(1)(d)	List protected wildlife species known or predicted to be in the area and, where possible, the numbers of wildlife present and numbers likely to be impacted	Substantive Application, section 15.2.4, page 147	Addressed , as stated by the applicant. See table 1 of appendix P (page 11) and Appendix 2 of Appendix O (PDF page 99) of protected species known/predicted. Information on the number of species present is discussed in section 15.4.2 of the SA.
2(1)(e)	An outline of impacts on threatened, data deficient, and at- risk wildlife species (as defined in the New Zealand Threat Classification System)	Substantive Application, section 15.2.5, page 147	Addressed , as stated by the applicant. See table 9-2 (page 66) and section 10.3 from page 81 of SA (further assessed in appendix O and P).
2(1)(f)	A statement of how the methods proposed to be used to conduct the actions involving protected wildlife will ensure that best practice standards are met	Substantive Application, section 15.2.6, page 148	Addressed , as stated by the applicant.
2(1)(g)	A description of the methods to be used to safely, efficiently, and humanely catch, hold, or kill the animals and identify relevant animal ethics processes:	Substantive Application, section 15.2.7, page 148	Addressed , as referenced by the applicant. See section 6 of Appendix O – from page 9. See section 4 of appendix P - from page 17. Also see the draft marine mammals and seabird management plans.

2(1)(h)	A statement of the location or locations in which the activity will be carried out, including a map (and GPS co-ordinates if available)	Substantive Application, section 15.2.8, page 148	Addressed , as referenced by the applicant. See figure 6-1 of SA (on page 33).
2(1)(i)	A statement of whether authorisation is sought to temporarily hold or relocate wildlife	Substantive Application, section 15.2.9, page 148	Addressed , as stated by the applicant.
2(1)(j)	A list of all actual and potential wildlife effects (adverse or positive) of the proposed activity, including effects on the target species, other indigenous species, and the ecosystems at the site	Substantive Application, section 15.2.10, page 149	Addressed , as stated by the applicant.
2(1)(k)	Where adverse effects are identified, state what methods will be used to avoid and minimise those effects, and any offsetting or compensation proposed to address unmitigated adverse effects (including steps taken before the project begins, such as surveying, salvaging, and relocating protected wildlife)	Substantive Application, section 15.2.11, page 149	Addressed , as stated by the applicant. Applicant confirms there are no unmitigated adverse effects. See section 2 of appendix X. See section 2.1 of appendix Y. Also see proposed wildlife conditions in appendix DD.
2(1)(l)	A statement of whether the applicant or any company director, trustee, partner, or anyone else involved with the application has been convicted of any offence under the Wildlife Act	Substantive Application, section 15.2.12, page 149	Addressed , as stated by the applicant.

2(1)(m)	A statement of whether the applicant or any company director, trustee, partner, or anyone else involved with the application has any current criminal charges under the Wildlife Act pending before a court	Substantive Application, section 15.2.13, page 149	Addressed , as stated by the applicant.
2(1)(n)	Provision of proof and details of all consultation, including with hapū or iwi, on the application specific to wildlife impacts	Substantive Application, section 15.2.14, page 149	Addressed , as stated by the applicant. Also see section 10.3 (page 81) of AEE and appendix F
2(1)(o)	Provision of any additional written expert views, advice, or opinions the applicant has obtained concerning their proposal	Substantive Application, section 15.2.15, page 149	Addressed , as referenced by the applicant.

CHECKLIST J – Listed project information requirements

Section, Fast-track Approvals Act	Information required for a substantive application under section 43(2) and section 13(4)	Application Reference	EPA office use only
13(4)(a)	a description of the project and the activities it involves	Substantive Application, section 6, pages 33-44	Addressed , as stated by the applicant.
13(4)(c)	information to demonstrate that the project does not involve any ineligible activities (other than activities that may be the subject of a determination under section 23 or 24)	Appendix A - Eligibility under the FTAA	Addressed , as stated by the applicant.
13(4)(d)	a description or map of the whole project area that identifies its boundaries in sufficient detail to enable consideration of the referral application	Substantive Application, section 6.1-6.2, pages 33-34, and section 9, pages 57-72	Addressed , as stated by the applicant. Also see appendix T part 1.
13(4)(e)	the anticipated commencement and completion dates for construction activities (where relevant)	Ngāi Tahu Seafood anticipates that a period of 12 – 24 months of baseline monitoring will be required	Addressed , as stated by the applicant.

	<p>before any structures are installed on site.</p> <p>Construction of the infrastructure for the project would also commence once consent has been granted and would include:</p> <ul style="list-style-type: none">• Supply agreements;• Vessel procurement, outfitting and construction;• Barge construction and commissioning;• Mooring, pen and net construction and assembly. <p>Smolt and broodstock will also need to be</p>	
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	<p>produced for the operation. Ngāi Tahu Seafood forecasts that it will take 3 - 5 years to complete the construction phase of the project. At the end of the construction phase salmon farming would commence at the site. If monitoring over time shows that the full proposed development can proceed at the site, the overall development is likely to take approximately 5-8 years.</p>	
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13(4)(f)(i)	a statement of whether the project is planned to proceed in stages and, if so an outline of the nature and timing of the stages	Substantive Application, section 6.4.1, pages 42-43	Addressed , as stated by the applicant.
13(4)(h)	a description of the anticipated and known adverse effects of the project on the environment	Substantive Application, section 10, pages 73-99	Addressed , as stated by the applicant and noted in the checklists above.
13(4)(i)	a statement of any activities involved in the project that are prohibited activities under the Resource Management Act 1991	N/A	N/A as stated by the applicant.
13(4)(j)	a list of the persons and groups the applicant considers are likely to be affected by the project, including— <ul style="list-style-type: none"> (i) relevant local authorities: (ii) iwi authorities and groups that represent hapū that are parties to relevant Mana Whakahono ā Rohe or joint management agreements: (iii) other relevant iwi authorities: (iv) relevant Treaty settlement entities: (v) relevant protected customary rights groups and customary marine title groups: 	Substantive Application, section 4.1, pages 25-26	Addressed , as stated by the applicant. Noting that (v), (vi), and (viii) are N/A.

	<p>(vi) ngā hapū o Ngāti Porou, if the project area is within or adjacent to, or the project would directly affect, ngā rohe moana o ngā hapū o Ngāti Porou:</p> <p>(vii) relevant applicant groups under the Marine and Coastal Area (Takutai Moana) Act 2011:</p> <p>(viii) persons with a registered interest in land that may need to be acquired under the Public Works Act 1981:</p>		
13(4)(k)	<p>a summary of—</p> <p>(i) the consultation undertaken for the purposes of section 29 and any other consultation undertaken on the project with the persons and groups referred to in paragraph (j); and</p> <p>(ii) how the consultation has informed the project:</p>	<p>Substantive Application, section 4, pages 25-27, and Appendix F - Consultation summary</p>	<p>Addressed, as stated by the applicant.</p>
13(4)(l)	<p>a list of any Treaty settlements that apply to the project area, and a summary of the relevant principles and provisions in those settlements</p>	<p>Substantive Application, section 3, pages 17-24</p>	<p>Addressed, as stated by the applicant.</p>
13(4)(m)	<p>a description of any processes already undertaken under the Public Works Act 1981 in relation to the</p>	<p>N/A</p>	<p>N/A as stated by the applicant.</p>

	project		
13(4)(n)	a statement of any relevant principles or provisions in the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019	N/A	N/A as stated by the applicant.
13(4)(o)	information identifying the parcels of Māori land, marae, and identified wāhi tapu within the project area	Substantive Application, section 6.2, pages 33-34	Addressed , as stated by the applicant. Also see table 13-1, page 115 of SA, and the cultural impact assessment (appendix E).
13(4)(p)	a statement of whether the applicant is seeking a determination under section 23 and, if so, an assessment of the effects of the activity on the relevant land and on the rights and interests of Māori in that land	The applicant is not seeking a determination under section 23.	Addressed , as stated by the applicant.
13(4)(q)	a statement of whether the applicant is seeking a determination under section 24(2) and, if so, a description of— <ul style="list-style-type: none"> (i) the scale and adverse effects of the existing electricity infrastructure; and (ii) how, if at all, that scale or those adverse effects are anticipated or known to change as a result of the maintenance, upgrading, or continued operation of the infrastructure 	The applicant is not seeking a determination under section 24(2).	Addressed , as stated by the applicant.

13(4)(r)	<p>a statement of whether the applicant is seeking a determination under section 24(4) and, if so,—</p> <ul style="list-style-type: none"> (i) a description of every alternative site considered by the applicant (or, if the referral application is lodged by more than 1 person, any of those persons) for the construction and operation of the new electricity lines (the activity); and (ii) for each alternative site considered,— <ul style="list-style-type: none"> (A) a statement of the anticipated and known financial cost of undertaking the activity; and (B) a description of the anticipated and known adverse effects of undertaking the activity; and (C) a description of the anticipated and known financial cost and practicality of available measures to avoid, remedy, mitigate, offset, or compensate for the anticipated and known adverse effects of the activity; and (D) a description of any issues (including financial cost) that would make it impractical to undertake the activity on 	<p>The applicant is not seeking a determination under section 24(4).</p>	<p>Addressed, as stated by the applicant.</p>
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	<p>the site; and</p> <p>(E) an assessment of whether it would be reasonable and practical to undertake the activity on the site, taking into account the matters referred to in subparagraphs (A) to (D) and any other relevant matters</p>		
13(4)(s)	a description of the applicant's legal interest (if any), or if the application is lodged by more than 1 person, the legal interest of any of those persons) (if any), in the land on which the project will occur, including a statement of how that affects the applicant's ability to undertake the work	N/A	N/A as stated by the applicant.
13(4)(t)	an outline of the types of consents, certificates, designations, concessions, and other legal authorisations (other than contractual authorisations or the proposed approvals) that the applicant considers are needed to authorise the project, including any that the applicant considers may be needed by someone other than the applicant	The applicant does not consider that any other consents, certificates, designations, concessions or other legal authorisations are needed to authorise the project.	Addressed , as stated by the applicant.

13(4)(u)	<p>whether any activities that are involved in the project, or are substantially the same as those involved in the project, have been the subject of an application or a decision under a specified Act and,—</p> <p>(i) if an application has been made, details of the application:</p> <p>(ii) if a decision has been made, the outcome of the decision and the reasons for it:</p>	Substantive Application, section 7, pages 45-46	Addressed , as stated by the applicant.
13(4)(v)	a description of whether and how the project would be affected by climate change and natural hazards	The Government’s Aquaculture Strategy 2019 notes that research is beginning into how climate change over the next 100 years may affect aquaculture in New Zealand and the New Zealand Aquaculture Development Plan 2025-2030	Addressed , as stated by the applicant.

		<p>sets the Government an action to support the industry in planning and implementing actions for increased resilience to climate change. The project will require the provision of smolt from land-based hatcheries where research is moving in the direction of production of smolt that can better withstand the effects of climate change. Research is also ongoing in New Zealand to adapt marine farming to</p>	
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		<p>species that are more tolerant to increasing water temperatures. As an example, Ngāi Tahu Seafood has been working with The New Zealand Plant and Food Research Institute since 2015 to help advance tamure/snapper aquaculture. Space for marine farming in Murihiku is therefore likely to be able to be used for an evolving industry over the coming decades. Climate projections</p>	
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	<p>suggest that water temperatures at the sea-surface will increase by 0.8 – 2.5oC by 2100. Climate change may have some effect on water temperatures at some times of the year at the site in the long term, but is not expected to cause significant effects within the term of any resource consent issued. Extreme wave events (defined as a continuous 12-hour period with wave heights exceeding 4, 6</p>	
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		<p>or 8 metres) are also expected to increase in southern New Zealand. Engineering design for the proposed marine farms has been based on a more detailed local model that predicts maximum 1 in 10 year and 1 in 50-year wave height and the structures, moorings and anchors have been designed to withstand these conditions (see Appendix J).</p>	
13(4)(w)	<p>if the application is lodged by more than 1 person, a statement of the proposed approval to be held by each of those persons</p>	N/A	N/A as stated by the applicant.

13(4)(x)	a summary of compliance or enforcement actions (if any), and the outcome of those actions, taken against the applicant (or if the application is lodged by more than 1 person, any of those persons) under a specified Act	Appendix B - Compliance record of the applicant	Addressed , as stated by the applicant.
13(4)(y)	Please provide the information specified below for the relevant approval(s) sought. This is the information specified in the relevant schedule.		
13(4)(y)(i), clause 2 of Schedule 5	<p>Resource consent or designation</p> <p>(a) an assessment of the project against—</p> <p>(i) any relevant national policy statement; and</p> <p>(ii) any relevant national environmental standards; and</p> <p>(iii) if relevant, the New Zealand Coastal Policy Statement; and</p>	Substantive Application, section 13.5, pages 117-139	<p>Addressed, as stated by the applicant.</p> <p>Page 118 of SA states- <i>the relevant statutory planning documents and other relevant documents are considered to be:</i></p> <ul style="list-style-type: none"> • <i>New Zealand Coastal Policy Statement 2010 (NZCPS)</i> • <i>Southland Regional Policy Statement 2017 (RPS)</i> • <i>Southland Regional Coastal Plan 2013 (RCP)</i> • <i>Te Tangi a Tauira The Cry of the People – the relevant iwi management plan</i> • <i>Stewart Island/Rakiura Conservation Management Strategy and Rakiura National Park Management Plan 2012.</i> • <i>New Zealand Aquaculture Strategy 2019</i> • <i>New Zealand Aquaculture Development Plan 2025-2030</i> • <i>Murihiku Southland Aquaculture Pathway 2025</i>

			<p><i>There are no national environmental standards or other regulations that are relevant to the application.</i></p> <p>These documents above have been assessed from section 13.5 (from page 117) and in appendix AA.</p>
	<p>(iv) in relation to any proposed approval that is a resource consent, whether, to the best of the applicant's knowledge, there are any existing resource consents of the kind referred to in section 30(3)(a).</p> <p><i>Guidance note: If the application is to be lodged by more than 1 person, the reference to the applicant in subclause (1)(b) is to the person who will be identified in the application as the proposed holder of the resource consent.</i></p>	<p>Appendix C - Section 30 Written Notice from Environment Southland</p>	<p>Addressed, as referenced by the applicant.</p>
<p>13(4)(y)(ii), clause 3 of Schedule 5</p>	<p>Change or cancellation of resource consent condition</p> <p>The information to be provided under section 13(4)(y)(ii) is information about whether and how the change or cancellation of the condition is material to the implementation or delivery of the project.</p>	<p>N/A</p>	<p>N/A as stated by the applicant.</p>
<p>13(4)(y)(iii), clause 4 of Schedule 5</p>	<p>Certificate of compliance</p> <p>The information required to be provided under section 13(4)(y)(iii) is information that shows the activity that the certificate of compliance is intended to cover can be done lawfully in the particular</p>	<p>N/A</p>	<p>N/A as stated by the applicant.</p>

	<p>location without a resource consent. Include information that shows that</p> <p>the activity that the certificate of compliance is intended to cover can be done lawfully in the particular location without a resource consent.</p>		
<p>13(4)(y)(iv), clause 2 of Schedule 6</p>	<p>Concession</p> <p>(1) The information in subclause (2) is required to be provided under section 13(4)(y)(iv) if a proposed concession includes a lease and—</p> <p>(a) the lease would be for a term (including any renewals) that will or is likely to be more than 50 years; and</p> <p>(b) the granting of the lease would trigger a right of first refusal or a right of offer or return.</p> <p>(i) Confirmation that the applicant has written agreement from the holder of the right of first refusal or right of offer or return to waive that right for the purposes of the proposed lease.</p> <p><i>Guidance note: If the application is to be lodged by more than 1 person, the reference to the applicant in subclause</i></p> <p><i>(2) is to the person who is to be identified in the application as the proposed holder of the concession</i></p>	<p>N/A</p>	<p>N/A as stated by the applicant.</p>

	<i>(clause 2(3) of Schedule 6).</i>		
13(4)(y)(v), clause 23 of Schedule 6	<p>Land exchange</p> <p>(ii) The information required to be provided under section 13(4)(y)(b) is (a) - (e) below:</p> <p><i>Guidance note: If the substantive application is to be lodged by more than 1 person, the reference to the applicant in subclause (2)(d) is to the person who is to be identified in the application as the person proposed to exchange land (clause 23(2) of Schedule 6).</i></p> <p>a) a description of both land areas proposed for exchange (for example, maps showing areas and location, addresses, and legal descriptions where possible:</p>	N/A	N/A as stated by the applicant.
	b) the financial value of the land proposed to be acquired by the Crown:	N/A	N/A as stated by the applicant.
	c) a brief description of the conservation values of both pieces of land, including an explanation of why the exchange would benefit the conservation estate:	N/A	N/A as stated by the applicant.
	d) if the land exchange would trigger a right of first refusal or a right of offer or return, confirmation that the applicant has written agreement from the holder of the right of first refusal or right of offer or return	N/A	N/A as stated by the applicant.

	that the holder has agreed to waive that right for the purpose of the land exchange:		
	<p>e) confirmation by the applicant that no part of any land to be exchanged by the Crown is –</p> <p>(iii) land listed in Schedule 4; or</p> <p>(iv) a reserve declared to be a national reserve under section 13 of the Reserves Act 1977</p>	N/A	N/A as stated by the applicant.
13(4)(y)(vi), clause 2 of Schedule 9	<p>Standard or complex freshwater fisheries activity approval</p> <p>(1) The information required to be provided under section 13(4)(y)(vi) is the following:</p> <p>(a) whether an in-stream structure is proposed (including formal notification of any dam or diversion structure) and the extent to which this may impede fish passage; and</p> <p>(b) whether any fish salvage activities or other complex freshwater fisheries activities are proposed.</p>	N/A	N/A as stated by the applicant.
13(4)(y)(vii), clause 2 of Schedule 10	<p>Marine consent</p> <p>The information required to be provided under section 13(4)(y)(vii) is–</p> <p>(a) information about whether the Minister of</p>	N/A	N/A as stated by the applicant.

	Conservation is an affected person:		
	<p>(b) additional information about whether the applicant has already made an application for a consent under the EEZ Act in relation to the project, and, if so,—</p> <p>I. details of any application made; and</p> <p>II. the decisions made on that application; and</p> <p>III. information about the matters that the Minister may consider under section 22(6):</p>	N/A	N/A as stated by the applicant.
	<p>(c) additional information (in a summary form) about compliance or enforcement action taken against the applicant by the EPA under the EEZ Act.</p> <p><i>Guidance note: If the application is to be lodged by more than 1 person, the reference to the applicant in subclause (1)(b) is to the person who is to be identified in the application as the proposed holder of the marine consent (clause 2(2) of Schedule 10).</i></p>	N/A	N/A as stated by the applicant.
13(4)(y)(viii), clause 2 of Schedule 11	<p>Access arrangement</p> <p>(i) Confirmation that the applicant has complied with section 12(2) (for the purposes of section 13(4)(y)(viii)).</p>	N/A	N/A as stated by the applicant.

	<p><i>Guidance note: If the referral application is to be lodged by more than 1 person, the reference to the applicant in subclause (1) is to the person who is to be identified in the application as the proposed holder of the access arrangement (clause 2(2) of Schedule 11).</i></p>		
<p>13(4)(y)(ix), clause 15 of Schedule 11</p>	<p>Mining permit</p> <p>(1) For the purposes of section 13(4)(y)(ix), the information is—</p> <p>(a) a copy of the relevant exploration permit or existing privilege to be exchanged for a mining permit that entitles the holder to mine a Crown owned mineral:</p> <p>(b) the name and contact details of the proposed permit participants and the proposed permit operator:</p> <p>(c) a proposed work programme for the proposed permit, which may comprise committed work, committed or contingent work, or both:</p> <p>(d) evidence of the technical or financial capability of the proposed permit holder to comply with and give proper effect to the work programme:</p> <p>(e) information about the proposed permit holder’s history of compliance with mining or</p>	<p>N/A</p>	<p>N/A as stated by the applicant.</p>

	<p>similar permits and their conditions:</p> <p>(f) the proposed date on which the substantive application is intended to be lodged:</p> <p>(g) if the authorised person proposes to provide information under section 37, the date on which the person intends to provide that information:</p> <p>(h) The proposed duration of the permit:</p> <p>(i) if the proposed approvals include a mining permit for petroleum,—</p> <p>(i) a map of the area over which the mining permit application is intended to be made, the area in which the surrender of an exploration permit or existing privileges is proposed (which must be same area as the area over which the mining permit application is intended to be made), and the extent of the resource to which the development plan relates:</p> <p>(ii) the resources and reserves relating to the project, estimated in accordance with the Petroleum Resources Management System:</p> <p>(iii) a high-level overview of the following:</p> <p>(A) the proposed field development plan:</p> <p>(B) the proposed date for the commencement</p>		
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	<p>of petroleum production:</p> <p>(C) the economic model for the project:</p> <p>(D) the proposed duration of the proposed mining permit:</p> <p>(E) decommissioning plans:</p> <p>(j) if the proposed approvals include a mining permit for minerals other than petroleum,—</p> <p>(i) a map of the area over which the mining permit application is intended to be made, the area in which the surrender of an exploration permit or existing privileges is proposed (which must be same area as the area over which the mining permit application is intended to be made), and the extent of the resource and reserves to which the development plan relates:</p> <p>(ii) for minerals other than gold or silver, a report or statement confirming the ownership of the minerals targeted:</p> <p>(iii) whether the application will be for a Tier 1 or Tier 2 permit:</p> <p>(iv) an estimate of the mineral resources and reserves relating to the project, including a summary on acquisition of the data and</p>		
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	<p>the data underpinning the estimate (such as information on sample locations, grade, and geology):</p> <ul style="list-style-type: none"> (v) an indicative mine plan: (vi) a high-level overview of the following: <ul style="list-style-type: none"> (A) the proposed mining method: (B) the proposed date for the commencement of mining and estimated annual production: (C) the economic model for the project: (D) the status of or anticipated timing for completing any prefeasibility or feasibility studies: (E) the proposed methods for processing mined material and handling and treating waste: (F) anticipated plans for mine closure and rehabilitation. <p>(2) For the purpose of subclause (1)(j)(iv), for a Tier 1 permit application the resources and reserves relating to the project are to be estimated in accordance with a recognised reporting code such as JORC or NI 43-101</p>		
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Appendix 2: Consultation Summary

The following agencies were consulted with to inform the assessment of the application for completeness. Each agency was requested to confirm whether the application documentation provided by the EPA regarding the proposal as provided by the applicant meets the requirements of sections 42 and 43 of the Act and is provided in sufficient detail to satisfy the purpose of the Act in accordance with section 44 of the Act.

The feedback received from all relevant administering agencies and consent authorities is provided verbatim below.

Environment Southland Regional Council (ES) provided brief response confirming it considers that the application is substantially complete and that the relevant ES consents have been applied for. ES also confirmed the section 30 notice remains accurate.

Southland District Council (SDC) confirmed that no resource consents otherwise required under the Resource Management Act 1991 (RMA) fall within SDC's jurisdiction, and accordingly SDC is not a consenting authority for the purposes of this application.

The Department of Conservation confirmed that the application for a wildlife approval meets the requirements of section 42, 43 and 44 of the Act.

Invercargill City Council and the Ministry for the Environment (MfE) did not provide any comment.

1. Consultation with Environment Southland Regional Council, Southland District Council and Invercargill City Council as the relevant consent authority and the Ministry for the Environment as the administering agency for the following approvals under the Resource Management Act 1991:

- Resource consent (section 42(4)(a) of the Act)

Response from Environment Southland Regional Council

Tēnā koe,

Thank you for the opportunity to review this substantive application in terms of Section 46 of the Fast Track Approvals Act, and to provide feedback.

Environment Southland has reviewed this application in terms of Section 42 and 43 of the Act and in terms of its relevant planning documents and considers that the application is substantially complete and that the relevant Environment Southland consents have been applied for.

I also confirm that the Section 30 notice (that there are no other resource consents at the proposed site) remains accurate.

Environment Southland notes that, as per the Fast Track July 2025 Practice and Procedure Guidance Note Page 4, an assessment of the merits of the application is not sought under Section 46. Environment Southland would intend to provide further substantive comment in due course, at the appropriate stages of the process.

Response from Southland District Council

Kia Ora,

Request for feedback on FTAA -2511-1138 substantive application for the Hananui Aquaculture Proposal regarding

Thank you for your correspondence dated 28 November 2025 regarding the Hananui Aquaculture Proposal.

The Southland District Council (SDC) confirms that no resource consents otherwise required under the Resource Management Act 1991 (RMA) fall within SDC's jurisdiction, and accordingly SDC is not a consenting authority for the purposes of this application. Notwithstanding this, SDC requests that it continues to be regarded as a relevant local authority and, as such, be afforded the opportunity to provide comment and input throughout the progression of this process.

SDC further confirms its view that the information supplied by the applicant satisfies the requirements of sections 42 and 43 of the Act, and that the level of detail provided is adequate for the purposes set out in section 44 of the Act. However, SDC acknowledges that the

determination of compliance with these provisions rests with the relevant consenting authorities and defers to them for any final confirmation.

Response from Invercargill City Council

Kia ora, thanks for contacting me earlier today.

I understand that Jonathan Shaw (Group Manager – Consenting and Environment) has already indicated that ICC will not be providing any feedback on this application.

Response from the Ministry for the Environment

Tēnā koe,

Consultation regarding the updated substantive application under the Fast-track Approvals Act (2024) (the Act) –Hananui Aquaculture Project—Applications for Replacement Resource Consents

Thank you for your letter dated 28 November 2025 regarding Ngāi Tahu Seafood Resources Limited’s updated substantive applications under the Act. MfE as relevant administering agency does not have any comment on whether the documentation meets the requirements of sections 42 and 43 of the Act or whether it is in sufficient detail to satisfy the purpose for which it is required.

We appreciate MfE being consulted and note that the responsibility for making these determinations sits with the EPA. MfE will provide comment on whether future applications meet the requirements of these sections where it holds relevant information to contribute to that determination.

2. **Consultation with the Department of Conservation** as the administering agency for the following Acts:
 - an approval described in section 42(4)(h) (Wildlife Act wildlife approval)

Response from the Department of Conservation

Compliance with information requirements

Our detailed assessment of the information requirements for the relevant approvals is provided in the attached tables. In summary, DOC's advice is **that the application for a wildlife approval meets the requirements** of section 42(2), 43(1)(e)(ii), and 44 of the Act.

Further observations

In addition to the compliance requirements, DOC makes the following observations:

DOC notes the 30-day notice period discussed in section 15.2.6 of the Substantive Application may contravene the Wildlife Act which states: ... *if you accidentally or incidentally kill or injure protected wildlife, you must **report the incident as soon as practicable and within 48 hours to an authorised officer*** (such as a ranger or fisheries officer). This requirement applies to absolutely protected species and partially protected marine wildlife. Failure to report within this timeframe is an offence under section 63B and section 70M of the Wildlife Act.

It is noted that reporting is also addressed in the Shark Management Plan.

Listed project requirements under section 43(2)

The table below provides information to assist the EPA in relation to consideration of the matters required for listed projects for a substantive application under section 43(2) of the Act. This section requires additional information for listed projects that would otherwise have been required during the referral process. Where this information duplicates other requirements it will be addressed elsewhere.

Relevant section	Is the information present?	Application document reference	Is the information provided in sufficient detail?	Comments
13(4)(j): <ul style="list-style-type: none"> relevant Treaty settlement entities relevant protected customary rights groups and customary marine title groups relevant applicant groups under the Marine and Coastal Area (Takutai Moana) Act 2011: persons with a registered interest in land that may need to be acquired under the Public Works Act 1981 	Y	Substantive application – section 4.1 (pp. 25-26)	Y	
13(4)(k) a summary of the consultation undertaken for the purposes of section 11/ 29 and any other consultation undertaken on the project with the persons and groups referred to in paragraph (j) and how that consultation has informed the project	Y	Substantive application – section 4 (pp.25-27) Appendix F	Y	
13(4)(l) a list of any Treaty settlements that apply to the project area, and a summary of the relevant principles and provisions in those settlements	Y	Substantive application – section 3 (pp.17-24)	Y	
13(4)(n) a statement of any relevant principles or provisions in the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019:	N/A	N/A	N/A	
13(4)(o) information identifying the parcels of Māori land, marae, and identified wāhi tapu within the project area:	Y	Substantive application – section 6.2 - (pp.33-34)	Y	
13(4)(m) a description of any processes already undertaken under the Public Works Act 1981 in relation to the project:	N/A	N/A	N/A	
13(4)(u) whether any activities that are involved in the project, or are substantially the same as those involved in the project, have been the subject of an application or a decision under a specified Act and,— (i) if an application has been made, details of the application: (ii) if a decision has been made, the outcome of the decision and the reasons for it	Y	Substantive application – section 7 (pp.45-46)	Y	
13(4)(x) a summary of compliance or enforcement actions (if any), and the outcome of those actions, taken against the applicant (or if the referral application is lodged by more than 1 person, any of those persons) under a specified Act:	Y	Appendix B	Y	

Applications for wildlife approvals

Section 43(1)(e)(ii) requires that a substantive application must comply with the applicable requirements listed in subsection (3). The applicable requirements for a wildlife approval are identified in s 43(3)(h), being clause 2 of Schedule 7. This analysis is included below.

Relevant section	Is the information present?	Application document reference	Is the information provided in sufficient detail?	Comments
Schedule 7 clause 2(1) - For the purposes of section 43(3)(h), an application for a wildlife approval must include the following information:				
(a) specify the purpose of the proposed activity:	Yes	Substantive Application – Section 15.2.1 (pp.145-146)	Yes	
(b) identify the actions the applicant wishes to carry out involving protected wildlife and where they will be carried out (whether on or off public conservation land):	Sharks Yes Seabirds Yes	Substantive Application – Sections 6.1, 6.2 (p.33) and 15.2.2 (p.146) Appendix P	Sharks Yes Seabirds Yes	
(c) include an assessment of the activity and its impacts against the purpose of the Wildlife Act 1953:	Sharks Yes Seabirds Yes	Substantive Application – Sections 10.3 (pp.81-88) and 15.2.3 (pp. 146-147).	Sharks Yes Seabirds Yes	
(d) list protected wildlife species known or predicted to be in the area and, where possible, the numbers of wildlife present and numbers likely to be impacted:	Sharks Yes Seabirds Yes	Substantive Application – Section 15.2.4 (p.147) Appendix O	Sharks Yes Seabirds Yes	
(e) outline impacts on threatened, data deficient, and at-risk wildlife species (as defined in the New Zealand Threat Classification System):	Sharks Yes Seabirds	Substantive Application – Section 15.2.5 (p.147) and Table 9-2 under the headings, <i>Seabirds</i> , and <i>Sharks</i> Appendix O Appendix P	Yes	
(f) state how the methods proposed to be used to conduct the actions specified under paragraph (b) will ensure that best practice standards are met:	Sharks Yes Seabirds Yes	Substantive Application – Section 15.2.6 (p.148) Appendix O Appendix P	Sharks Yes Seabirds Yes	
(g) describe the methods to be used to safely, efficiently, and humanely catch, hold, or kill the animals and identify relevant animal ethics processes:	Sharks Yes Seabirds Yes	Substantive Application – Section 15.2.7 (p.148) Appendix Y Appendix X	Sharks Yes Seabirds Yes	
(h) state the location or locations in which the activity will be carried out, including a map (and GPS coordinates if available):	Sharks Yes Seabirds Yes	Substantive Application – Section 15.2.8 (p.148) and see 6.1 (p.33)	Sharks Yes Seabirds Yes	
(i) state whether authorisation is sought to temporarily hold or relocate wildlife:	Sharks Yes Seabirds Yes	Substantive Application – Section 15.2.9 (p.149)	Sharks Yes Seabirds Yes	

Relevant section	Is the information present?	Application document reference	Is the information provided in sufficient detail?	Comments
(j) list all actual and potential wildlife effects (adverse or positive) of the proposed activity, including effects on the target species, other indigenous species, and the ecosystems at the site:	Sharks Yes Seabirds Yes	Substantive Application – Section 10.3(pp. 81-87) Appendix O Appendix P	Sharks Yes Seabirds Yes	Substantially meets the criteria but the report does not seem to consolidate effects on ecosystems into this effects assessment, albeit it may be found elsewhere.
(k) where adverse effects are identified, state what methods will be used to avoid and minimise those effects, and any offsetting or compensation proposed to address unmitigated adverse effects (including steps taken before the project begins, such as surveying, salvaging, and relocating protected wildlife):	Sharks Yes Seabirds Yes	Substantive Application – Section 12.5 (pp.110-112) Appendix X Appendix Y	Sharks Yes Seabirds Yes	No salvage or relocation of wildlife is needed prior to operations.
(l) state whether the applicant or any company director, trustee, partner, or anyone else involved with the application has been convicted of any offence under the Wildlife Act 1953:	Yes	Substantive Application – Section 15.2.12 (p.149)	Yes	
(m) state whether the applicant or any company director, trustee, partner, or anyone else involved with the application has any current	Yes	Substantive Application – Section 15.2.13 (p.149)	Yes	
criminal charges under the Wildlife Act 1953 pending before a court:				
(n) provide proof and details of all consultation, including with hapū or iwi, on the application specific to wildlife impacts:	Yes	Substantive Application – Sections 10.3 (pp.81-88) and 15.2.14 (p.149) Appendix F	Yes	
(o) provide any additional written expert views, advice, or opinions the applicant has obtained concerning their proposal.	Yes	Substantive Application – Section 15.2.15 (p.149) Appendix O Appendix P Appendix X Appendix Y	Yes	