

Fast-track Approvals Act 2024

MINUTE 6 OF THE EXPERT PANEL

Unsolicited and late correspondence received
Hananui Aquaculture Project
[FTAA-2511-1138]

18 June 2026

Introduction

[1] The EPA has received three further unsolicited comments, these being:

- a) A request from Save Animals From Exploitation (**SAFE**) for reasons why they weren't invited to comment, dated 8 May 2026.
- b) The provision of certain reports provided by Forest and Bird, dated 8 May 2026.
- c) A memorandum from Rakiura Tītī Islands Administering Body, dated 2 June 2026.

[2] While there is no legal obligation to consider these further comments, the Panel has nonetheless asked to view the material received. After reviewing that material and again despite there being no legal obligation to do so, the Panel has issued this Minute to record a response.

SAFE

[3] SAFE provided an initial unsolicited comment on 1 May 2026. The Panel discussed this and resolved not to accept the comment for consideration, and conveyed this in its Minute 5 on 6 May 2026. On 8 May 2026, a further email was

received:

“I am seeking transparency regarding the expert panel’s decision to decline SAFE’s request to include information that is directly relevant to assessing the potential establishment of a large-scale fish farming operation. The panel has invited comments from several commercial marine farming organisations and a major industry body (Southern Inshore Fisheries Management Company Ltd/Seafood NZ) that stands to benefit from the Hananui project, while refusing to consider critical information addressing animal welfare, despite no fish welfare or fish behaviour experts being included among the invited parties. This decision, in our view, warrants a clear explanation.”

[4] The Panel acknowledges the role of SAFE and its important advocacy for animal welfare. The Panel has reviewed the material provided by SAFE, and confirms its previous decision not to accept SAFE’s prior request to make a formal “comment” under the Fast-Track Approvals Act 2024 (**FTAA**).

[5] Other than those from whom comments must be sought, the Panel may exercise discretion as to any additional parties from whom comments are sought, and the Panel is not obliged to give reasons as to why comments were or were not sought from any particular party.

[6] Nonetheless, despite that the Panel’s decision not to accept the unsolicited material as a formal comment, it may provide some comfort to SAFE to record that the Panel members are conscious of the environmental matters raised and can confirm that these are front of mind in our consideration, and to note that no part of any approval under the FTAA will derogate from any obligation of any entity to comply with the Animal Welfare Act 1999 (s 96, FTAA and s 23, Resource Management Act 1991).

Forest and Bird

[7] Forest and Bird emailed the EPA on 8 May 2026 stating:

“Forest & Bird would like to share some reports, commissioned by Environment Southland, which may be useful for additional information and decision making in the Hananui Aquaculture Project Fast Track. Forest & Bird obtained these reports through a LGOIMA [Local Government Official Information and Meetings Act 1987 request]. The reports attached are:

- *Wildlands Consultants (2019) Potential Natural Ecosystems and Significant Natural Areas for Indigenous Biodiversity in Southland Region; and*
- *Dragonfly Data Science (2020) Marine areas of ecological significance in Southland/Murihiku; and*
- *NIWA (2021) Assessment of Southland Marine Significant Ecological Areas.*

Forest & Bird have reviewed the information provided by both the applicant and Environment Southland and have not been able to find reference to these reports. Forest & Bird believe these reports contain important information relating to the application and the existing environment which will benefit the panel in its decision making.”

[8] It is unclear how Forest and Bird proposed that the Panel formally receive this unsolicited information. The Panel is proceeding on the basis that it is a request to make a late comment. Forest and Bird had previously requested that the Panel exercise its discretion to invite them to comment, however as recorded in Minute 5, the Panel declined to do so.

[9] Given that the reports from Forest and Bird were obtained from Environment Southland, the Panel would expect that Environment Southland

would be aware of, or have otherwise considered the content of these reports as part of its significant involvement in the process to date. Further, as a matter of process, accepting information at this late stage would raise the possibility, as a matter of natural justice, of needing to allow any other party to make comments on the contents of the reports. The Panel therefore resolves not to accept these reports as part of the record of its decision making.

Rakiura Tītī Islands Administering Body

[10] The Rakiura Tītī Islands Administering Body (RTIAB) emailed the EPA on 2 June 2026 attaching a memorandum. The opening of the memorandum stated:

“The Rakiura Tītī Islands Administering Body (RTIAB) respectfully provides this memorandum to assist the Panel in its deliberations on the Hananui Aquaculture Project.

RTIAB acknowledges that formal submission periods have closed. This memorandum does not introduce new evidence. It is provided in response to matters arising from the applicant’s response to comments dated 7 May 2026, and to clarify procedural and cultural matters already raised in RTIAB’s submission dated 30 April 2026.

This memorandum does not raise new matters but seeks to clarify RTIAB’s existing position in light of the applicant’s response to comments dated 7 May 2026 and the Environmental Monitoring and Management Plan (EMMP) dated 22 May 2026.

RTIAB respectfully requests that the Panel exercise its discretion to consider this memorandum for that limited purpose.

RTIAB considers the matters outlined below to be directly relevant to the Panel’s statutory obligations and to the robustness of the decision-making framework.”

[11] Unlike both SAFE and Forest and Bird, the Rakiura Tītī Islands Administering

Body was a party from whom comment was initially sought by the Panel. The matters raised in the memorandum relate to the proposed conditions, and affected parties are limited to RTIAB and the Applicant.

[12] Given the relevance to the conditions, it is the Panel's preference that, rather than attempt to deal with the matters raised in isolation, the better approach would be for RTIAB to attend the proposed conditions workshop being held on 23 June 2026. The Panel understands from the EPA that RTIAB is attending that workshop, and looks forward to all parties discussing the matters raised then.

[13] On that basis, the Panel formally accepts the memorandum filed on 2 June 2026, a copy of which can be viewed on the fast-track website, here: <https://www.fasttrack.govt.nz/projects/hananui-aquaculture-project/correspondence>

A handwritten signature in blue ink, appearing to read 'Bal Matheson', with a long horizontal flourish extending to the right.

Bal Matheson KC

Hananui Aquaculture Project Expert Panel Chair