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Tēnā koe Bal

Re: Request for Further Information Request under the Fast track Approvals Act 2024

On 6 May 2026, the Expert Panel issued Minute 5, which among other matters requests further information from the Department of Conservation (DOC / The Department) in accordance with section 67 of the Fast-track Approvals Act 2024 (the Act).

This letter provides a response to the further information requested.

Request

On 8 April 2026, the Panel issued Minute 4 requesting further information from the Applicant.

On 21 April 2026, the Applicant provided a response to that request, which can be viewed here: <https://www.fasttrack.govt.nz/projects/hananui-aquaculture-project/reports-and-advice>

In their comments on the application, both Environment Southland and the Department of Conservation (DOC) advised that there had not been sufficient time to address the Applicant's response to Minute 4 in their comments, but that they would be happy to do so at a later date if it would assist the Panel.

The Panel would appreciate Environment Southland and DOC's views on the response, and request that they provide this information by 18 May 2026.

Response

The Department has reviewed the Applicant's response to Minute 4 and is generally supportive of the additional information provided, including the proposal to provide draft versions of the Seabed and Water Column EMMP and BLMP. Any further comments on specific matters are set out below.

Applicant response to question 1 – definitions

DOC supports the updates made to the interpretation section, including the definitions provided for suitably qualified and experienced person (SQEP); exclusive occupation; preferential occupation; extreme environmental conditions; cardinal marks; special marks; best practicable measures; single year class farms (and others where necessary).

On further consideration, a definition for “Threatened” and “Indigenous” to support conditions 31(a), 38(a) and 45(a) may be helpful and DOC has provided some potential wording for consideration below. All three conditions refer to species “threatened in the IUCN red list, and condition 45(a) refers to “indigenous shark taxa”. The term “threatened” is not a formal classification under the IUCN red list, but rather is a collective term for the threat levels of vulnerable, endangered and critically endangered.

DOC’s s53 comments proposed a change to condition 45(a) to ensure alignment with international obligations, however upon further review, DOC’s view is that it would be appropriate to retain the original wording of this condition if the following definitions are included.

Threatened: species assessed as Threatened under the New Zealand Threat Classification System (Nationally Critical, Nationally Endangered, or Nationally Vulnerable), and species listed as Vulnerable, Endangered, or Critically Endangered on the IUCN Red List.

Indigenous: a species that occurs naturally in New Zealand, having arrived without human assistance, including species that migrate to or visit New Zealand on a regular or irregular basis.

Applicant response to question 6 – condition 21

DOC agrees with the applicant that it would be impractical to specify maximum timeframes for the exemptions proposed under condition 21 (i.e. maintenance activities including biosecurity operations and supervised operational activities). The Department would seek to work closely with the applicant when emergency situations arise, for example to seek to prevent entanglements.

Applicant response to question 11 – condition 66

DOC supports the quantifying of existing ecosystem function as a baseline against which to measure change as suggested in the change to 66 (a). How this will be measured is not detailed in the condition as it is for (b) - (d), which are to be contained within the EMMP required by conditions 74 - 79.

DOC’s s53 comments (3.3.14 and 3.3.15) provide additional suggestions to clarify the wording of condition 66 (a).

Applicant response to question 16 – baseline monitoring for marine mammals and sharks

DOC would like to clarify its s53 comments regarding baseline monitoring of pinnipeds. DOC has had discussions with the applicant, and the intention is for ongoing engagement to collectively build understanding; DOC does not seek any formal changes to the MMMP or consent conditions to address this activity. There are no further concerns or recommendations regarding baseline monitoring requirements for sharks or seabirds as these species are generally well understood in the Foveaux Strait area.

Applicant response to question 17 – conditions 72-73

DOC's s53 comments (para 3.3.25) specifically supported condition 73 (e), as this condition requires that draft EQZ and AMTs are tested against baseline monitoring data, and revised as needed. This verification and validation through monitoring is important given that the draft EQZ and AMTs are based on modelling. Given this, and taking into account Dr Bennett and Dr McGrath's comments, DOC supports the retention of existing conditions 72 and 73.

Applicant response to question 20 – Appendix C triggers / conditions 72-73

As described above in response to question 17, the retention of conditions 72 and 73 is supported.

We trust that the response adequately addresses the information requested. If there are further questions in relation to this response, please contact me or Amelia Wilkinson at

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Nāku noa, nā



Jenni Fitzgerald
Fast Track Applications Manger