



Fisheries New Zealand

Tini a Tangaroa

Recommendation on an aquaculture decision for *Fast-track Approvals Act 2024* application FTAA-2511-1138

Recommendation Paper

Prepared by the Ministry for Primary Industries for the expert panel as the relevant decision-maker under the *Fast-track Approvals Act 2024*.

Application Details

Recommendation date:	15/07/2026
<i>Fast-track Approvals Act 2024</i> application number:	FTAA-2511-1138
Applicant:	Ngāi Tahu Seafood Resources Limited
Date of request:	22/02/2026
Date draft consent conditions received:	09/07/2026
Location of proposed site:	2 to 6 kilometres (km) north of the Stewart Island coastline, 13 km northwest of Oban, Southland
Size of proposed site:	1,285 hectares (ha)
Species listed on application:	Salmon (<i>Oncorhynchus tshawytscha</i>)
Marine farm structures:	Finfish pens

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Purpose

1. This report provides the expert panel (the 'panel') as the relevant decision-maker under the *Fast-track Approvals Act 2024* (the 'Fast-track Act') with a recommendation on an aquaculture decision in accordance with the Fast-track Act.
2. The Ministry for Primary Industries ('MPI') considers the aquaculture activities proposed off the north-eastern coast of Stewart Island in Foveaux Strait for FTAA-2511-1138 will not have an undue adverse effect on the following fishing sectors:
 - recreational - for the reasons set out in this report and summarised in paragraph 90;
 - customary - for the reasons set out in this report and summarised in paragraph 90;
 - commercial - for the reasons set out in this report and summarised in paragraph 123.

Part 1 - Background

Statutory Context

Fast-track Approvals Act 2024

3. Section 3 of the Fast-track Act states that the purpose of the act is “to facilitate the delivery of infrastructure and development projects with significant regional or national benefits”.
4. Section 80 of the Fast-track Act sets out the process for aquaculture decisions required for certain coastal permits (marine farm applications for resource consents) seeking approval under that act. Section 80 also dictates the respective responsibilities of the Environmental Protection Authority (the ‘EPA’), the panel and the chief executive of MPI (the ‘chief executive’) who has responsibility for the *Fisheries Act 1996* (the ‘Fisheries Act’).
5. The Fast-track Act defines:
 - An “aquaculture decision” as a determination or a reservation made by a panel under clause 20 of Schedule 5 of the Fast-track Act.
 - A “determination” as a decision by a panel or a recommendation by the chief executive that they are satisfied that the aquaculture activities authorised by the approval will not have an undue adverse effect on fishing.
 - A “reservation” as a decision by a panel or a recommendation by the chief executive that they are not satisfied the aquaculture activities authorised by the approval will not have an undue adverse effect on fishing.
6. An aquaculture decision must—
 - a) be in writing; and
 - b) define the areas that are subject to the decision; and
 - c) provide reasons for the decision.
7. When making an aquaculture decision, the panel must take into account the purpose of the Fast-track Act and sections 8 to 10 and section 186GB of the Fisheries Act. When considering these, the greatest weight should be given to the purpose of the Fast-track Act. The panel must also have regard to the recommendation on the aquaculture decision made by the chief executive.

8. When making a recommendation on an aquaculture decision under clause 15 of Schedule 5 of the Fast-track Act, the chief executive must take into account sections 8 to 10 and section 186GB of the Fisheries Act, and must also have regard to:
 - a) information held by MPI; and
 - b) information supplied, or submissions made, to the chief executive as part of the information seeking/consultation process under clause 14(3)(b) of the Fast-track Act; and
 - c) information that is forwarded by the panel; and
 - d) any other information that the chief executive has requested and obtained.
9. The chief executive may request information from or consult certain persons in accordance with clause 15 of Schedule 5. That information must be provided to the chief executive within 20 working days of the request.
10. The panel must direct the EPA to provide a copy of its draft consent conditions to the chief executive under section 71 of the Fast-track Act. Within five working days after receiving draft consent conditions, the chief executive must provide the EPA with a recommendation on an aquaculture decision in accordance with clause 15(1) of Schedule 5.
11. In accordance with clause 15(5) of Schedule 5 of the Fast-track Act, if the recommendation to make a determination on an aquaculture decision includes any consent conditions that are material to the recommendation, the recommendation should state that the condition may not be changed or cancelled until the chief executive makes a further aquaculture decision on that area under the Fisheries Act.

Fisheries Act 1996

12. In making a decision or recommendation under the Fast-track Act, the panel and the chief executive assess whether they are or are not satisfied that the aquaculture activities authorised by the approval will not have an undue adverse effect on fishing.
13. "Fishing" is defined in the Fisheries Act as the catching, taking or harvesting of fish, aquatic life, or seaweed, and includes any activity that may reasonably be expected to result in the catching, taking, or harvesting of fish, aquatic life, or seaweed, and any operation in support of or in preparation for those activities. The consideration of the effects on fishing includes effects on commercial, recreational and customary fishing.
14. "Commercial fishing" is defined in the Fisheries Act as taking fish, aquatic life, or seaweed in circumstances where a fishing permit is required by section 89 of that act. Commercial fishing is also regulated by the *Fisheries (Commercial Fishing) Regulations 2001*.

15. Recreational fishing is regulated by the *Fisheries (Amateur Fishing) Regulations 2013* (the 'Amateur Fishing Regulations'). The Amateur Fishing Regulations apply to a person taking or possessing any fish, aquatic life, or seaweed but not to commercial fishers or fish taken for the purpose of sale. Recreational fishers are subject to the recreational fishing rules of the area within which they fish, including daily allowances and size limits, which are reviewed periodically (as needed) by MPI.
16. Different customary fishing regulations apply for different areas; however, customary fishing can be carried out under the Amateur Fishing Regulations and the *Fisheries (South Island Customary Fishing) Regulations 1998* (the 'Customary Fishing Regulations'). Rules exist that allow for customary fishing rights to be exercised outside of daily recreational allowances if the fisher holds a valid customary authorisation under the relevant fisheries regulations.
17. Customary authorisations can be issued only by a guardian (Tangata Kaitiaki, or Tangata Tiaki) who has been appointed by, and represents, the local tangata whenua. Guardians can include authorised representatives of a marae committee, rūnanga or Māori Trust Board.
18. For the purpose of this recommendation, customary fishing differs from recreational fishing if it is undertaken outside of the recreational limits provided in the Amateur Fishing Regulations and is instead authorised by a customary authorisation.

Interpretation of undue adverse effect

19. The Fast-track Act defines an "adverse effect on fishing" as restricting access for fishing or displacing fishing, which is synonymous with section 186(c) of the Fisheries Act. An "undue adverse effect" is not defined in the Fast-track Act or the Fisheries Act; however, the Court of Appeal has endorsed an ordinary meaning approach in which "undue" means "going beyond what is appropriate, warranted or natural".¹
20. The Court has also given the following interpretation on how the undue adverse effect (UAE) test is to be interpreted and applied:

The purpose of the "undue adverse effects" test is to provide protection for existing property rights of commercial, customary and recreational fishers. It does not provide a balancing process whereby the undue adverse effects on fishers (or the sustainability of fisheries resources) are to be weighed against the potential benefits to marine farmers or the public generally.²

¹ *SMW Consortium (Golden Bay) Ltd v Chief Executive of the Ministry of Fisheries* [2013] NZCA 95, at [53].

² *Idem* at [30].

Given that the purpose of the legislation is to allow marine farming, some effect on fishing is to be expected. Minimal or insignificant effects on fishers will therefore not be “undue”. On the other hand, when marine farming will produce a more than minimal or significant effect, then it will be “undue”.³

21. The Court of Appeal also said that:

...the Chief Executive was entitled to recognise that the undue adverse effect test threshold was part of a statutory regime which allowed the existing property rights of commercial fishers to be reduced in value potentially without compensation.⁴

22. Therefore, what constitutes an “undue” adverse effect is a question of fact and degree that can only be determined on a case-by-case basis. Taking its ordinary meaning, an “adverse effect” will be a change to fishing that is unfavourable or otherwise harmful because of the proposed activities. Adding the “undue” element of the test to the concept of “adverse effect” shades the rest of the test considerably. The decision-maker not only has to be satisfied that the proposed activities would bring about an unfavourable or harmful change to fishing, but they must also consider whether the effect is “undue”.
23. Experience has shown that the UAE threshold is most likely to be breached when marine farm developments occur over sedentary (scallop, oyster, cockle) and inshore (lobster, pāua) fisheries. The reason being that the areas where the harvesting of these species can occur tend to be more limited for these stocks—as opposed to more widely distributed and mobile fish stocks such as snapper and tarakihi.

³ *Idem* at [54].

⁴ *Idem* at [55].

Sections 8 to 10 of the Fisheries Act - Purpose and principles

24. When making a decision or recommendation on an aquaculture decision under the Fast-track Act, the panel and the chief executive must take into account the purpose and the environmental and information principles in sections 8 to 10 of the Fisheries Act.

Section 8 - Purpose

(1) The purpose of this [Fisheries] Act is to provide for the utilisation of fisheries resources while ensuring sustainability.

(2) In this [Fisheries] Act,—

ensuring sustainability means—

- a) maintaining the potential of fisheries resources to meet the reasonably foreseeable needs of future generations; and
- b) avoiding, remedying, or mitigating any adverse effects of fishing on the aquatic environment

utilisation means conserving, using, enhancing, and developing fisheries resources to enable people to provide for their social, economic, and cultural well-being.

25. The Supreme Court stated that the purpose incorporates “the two competing social policies reflected in the [Fisheries] Act” and that “both policies are to be accommodated as far as is practicable in the administration of fisheries under the quota management system”.⁵ It also stated “in the attribution of due weight to each policy that [the weight] given to utilisation must not be such as to jeopardise sustainability. Fisheries are to be utilised, but sustainability is to be ensured”.⁶
26. The practical effect of section 8 of the Fisheries Act is that, when deciding something under a particular section of that act, powers must be exercised to promote the policy and objectives of that Act. That is, in deciding whether a proposal fits within the scope of the Fisheries Act, decision-makers must keep section 8 in mind and act in a way that promotes the objectives of the Fisheries Act. Subject to this constraint, however, “the nature and scope of powers and the restrictions on them are as is provided for in the operating provisions of the [Fisheries] Act”.⁷

⁵ *New Zealand Recreational Fishing Council Inc v Sanford Limited and others* [2009] NZSC 54 at [39].

⁶ *Ibid.*

⁷ *Idem* at [59].

Section 9 - Environmental principles

All persons exercising or performing functions, duties, or powers under this [Fisheries] Act, in relation to the utilisation of fisheries resources or ensuring sustainability, shall take into account the following environmental principles:

- a) associated or dependent species should be maintained above a level that ensures their long-term viability;
- b) biological diversity of the aquatic environment should be maintained; and
- c) habitat of particular significance for fisheries management should be protected.

27. “Associated or dependent species” is defined in the Fisheries Act as any non-harvested species taken or otherwise affected by the taking of any harvested species. Associated or dependent species should be maintained above a level that ensures their long-term viability. “Long-term viability” is defined in the Fisheries Act, in relation to a biomass level of a stock or species, as there being a low risk of collapse of the stock or species, and the stock or species has the potential to recover to a higher biomass level.
28. “Biological diversity” is defined in the Fisheries Act as the variability among living organisms, including diversity within species, between species, and of ecosystems.
29. “Habitat of particular significance for fisheries management” is not defined in the Fisheries Act. However, in 2022, MPI consulted on draft guidance for identifying a habitat of particular significance for fisheries management and the operational proposals to take into account the need for these habitats to be protected. In this context, “protection” means taking measures that would avoid, remedy, or mitigate the adverse effect of a decision that could undermine the function of the habitat in providing for the fisheries resource and ecosystem.

Section 10 - Information principles

All persons exercising or performing functions, duties, or powers under this [Fisheries] Act, in relation to the utilisation of fisheries resources or ensuring sustainability, shall take into account the following information principles:

- a) decisions should be based on the best available information;
- b) decision-makers should consider any uncertainty in the information available in any case;
- c) decision-makers should be cautious when information is uncertain, unreliable, or inadequate; and
- d) the absence of, or any uncertainty in, any information should not be used as a reason for postponing or failing to take any measure to achieve the purpose of this [Fisheries] Act.

30. Section 2(1) of the Fisheries Act defines “best available information” to mean “the best information that, in the particular circumstances, is available without unreasonable costs, effort, or time.”

Section 186GB of the Fisheries Act - Matters to be considered

31. The panel and the chief executive must take into account section 186GB of the Fisheries Act when making a decision or a recommendation on an aquaculture decision under the Fast-track Act.

Section 186GB – Matters to be considered before aquaculture decision made

(1) In making an aquaculture decision, the chief executive must have regard only to the following matters:

- a) the location of the area that the coastal permit relates to in relation to areas in which fishing is carried out;
- b) the likely effect of the aquaculture activities in the area that the coastal permit relates to on fishing of any fishery, including the proportion of any fishery likely to become affected;
- c) the degree to which the aquaculture activities in the area that the coastal permit relates to will lead to the exclusion of fishing;
- d) the extent to which fishing for a species in the area that the coastal permit relates to can be carried out in other areas;
- e) the extent to which the occupation of the coastal marine area authorised by the coastal permit will increase the cost of fishing; and
- f) the cumulative effect on fishing of any authorised aquaculture activities, including any structures authorised before the introduction of any relevant stock to the Quota Management System (the 'QMS').

(2) If a pre-request aquaculture agreement has been registered under section 186ZH [of the Fisheries Act] in relation to the area that the coastal permit relates to, the chief executive must not have regard to the undue adverse effects on commercial fishing in respect of any stocks covered by the pre-request aquaculture agreement when having regard to the matters specified in subsection (1).

32. "Fishery" is not defined in the Fast-track Act or the Fisheries Act; however, "stock" is defined in section 2 of the Fisheries Act to mean any fish, aquatic life, or seaweed of one or more species that are treated as a unit for the purposes of fisheries management. Therefore, MPI considers a commercial fishery as a fish stock delineated by a Fisheries Management Area ('FMA') or Quota Management Area ('QMA'). Appendix A provides further information on the Fisheries Management System.
33. A "pre-request aquaculture agreement" is defined in the Fast-track Act as having the same meaning as that given in section 186ZD of the Fisheries Act, which is one or more documents, in the approved form, containing the consents required under section 186ZM of the Fisheries Act. Appendix B provides further information on aquaculture agreements.
34. Appendix C provides further information on the statutory context.

Location and Structures

35. Application FTAA-2511-1138 is located in Foveaux Strait, 13 km northwest of Oban and 2-6 km north of the coastline of Stewart Island, Southland (see Map 1). The application is for 1,285 ha (the 'proposed site') in the coastal marine area. The proposed site would be comprised of four separate marine farms consisting of two blocks, each containing ten circular net pens. The pens would be secured to the seabed using a network of mooring lines and anchors. Five similarly anchored barges would be installed at the proposed site to serve as operational bases for the marine farms. Structures lay-out of the proposed site can be found in Appendix D.



Map 1: Location of the proposed site in Foveaux Strait, 13 kilometres northwest of Oban, Stewart Island, Southland.⁸

⁸ Disclaimer: Maps 1 – 3 and all accompanying information (the “Maps”) are intended to be used as a guide only, with other data sources and methods, and should only be used for the purpose for which they were developed. The information shown in the Maps is based on a summary of data obtained from various sources. While all reasonable measures have been taken to ensure the accuracy of the Maps, MPI: (a) gives no warranty or representation in relation to the accuracy, completeness, reliability or fitness for purpose of the Maps; and (b) accepts no liability whatsoever in relation to any loss, damage or other costs relating to any person’s use of the Maps, including but not limited to any compilations, derivative works or modifications of the Maps. The maps are subject to Crown copyright administered by MPI. Data Attribution: This map uses data sourced from LINZ under CC-BY.

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Environment

36. Water depths at the proposed site range from approximately 20 metres (m)–40 m (Wilson *et al.*, 2025). An assessment of seabed effects found the proposed site is located over a sand-dominated substrate (Bennett *et al.*, 2025).
37. The assessment of seabed effects by Bennet *et al.* (2025) found that the benthos at the proposed site supported brittle stars (mostly *Ophiopsammus maculatus*), red and brown drift algae, foliose red algae, bushy and erect bryozoans (including *Orthoscuticella innominata* and *Cinctipora elegans*), reef-building bryozoans (e.g., *Celleporaria agglutinans*), feather hydroids, occasional encrusting bryozoans, sponges (e.g., *Dactylia varia*), ascidians (e.g., sea tulip (*Pyura pachydermatina*), sea cucumbers (*Australostichopus mollis*)), sea stars including 11-armed (*Coscinasterias muricata*) and cushion stars (*Patiriella regularis*), gastropods (including saw shells (*Astraea heliotropium*)) and turret shells (*Maoricolpus roseus*)), large bivalves such as dredge oysters (*Ostrea chilensis*), scallops (*Pecten novaezelandiae*), dog cockles (likely *Tucetona laticostata*), bearded horse mussels (*Modiolus areolatus*), tuatua (*Paphies subtriangulata* and *Oxyperas elongatum*), as well as calcareous tube worms and brachiopods. Blue cod (*Parapercis colias*), leatherjacket (*Meuschenia scaber*), triplefin (*Gilloblennius* sp.) and tarakihi (*Nemadactylus macropterus*) were also observed at the proposed site.
38. The proposed site is not located in any sensitive ecological areas.

Consultation

39. In making a recommendation on an aquaculture decision under the Fast-track Act, the chief executive may seek information or consult certain persons.⁹
40. MPI commenced targeted consultation with tangata whenua and recreational, customary and commercial fishing stakeholders on 30 March 2026. Submissions were invited up to 30 April 2026, giving those potentially affected by the proposed aquaculture activities an opportunity to provide information on their fishing activities at the proposed site. A full list of consulted parties can be found in Appendix E.
41. MPI did not receive any submissions in relation to the targeted consultation carried out on the potential impacts of the proposed site on fishing activities. However, submissions referencing fishing were received as part of the broader consultation undertaken by the panel under the Fast-track Act. Points raised in these submissions that are relevant to sections 8 to 10 of the Fisheries Act, and the matters that must be considered in making an aquaculture decision under section 186GB of the Fisheries Act, are discussed in the Assessment section of this report.

⁹ In accordance with clause 14 of Schedule 5 of the Fast-track Act.

Part 2 - Assessment

42. The following is an assessment of the effects of the proposed aquaculture activities on recreational, customary and commercial fishing. The assessment considers sections 8 to 10 and section 186GB of the Fisheries Act.¹⁰
43. This assessment relates to the 1,285 ha of the proposed site in FTAA-2511-1138.
44. Where relevant, the assessment includes consideration of draft permit conditions forwarded to MPI by the panel in accordance with section 71 of the Fast-track Act.
45. Additionally, in accordance with clause 14 of Schedule 5 of the Fast-track Act, MPI considered all submissions received as part of consultation carried out with persons and organisations having a commercial, recreational or customary fishing interest in the area of the proposed site.
46. As noted in paragraph 41, MPI did not receive any submissions during its consultation process concerning the proposed site's potential impacts on fishing. However, it is acknowledged that submissions received by the panel from the Minister for Māori Development, Te Rūnanga o Ngāi Tahu Ruapuke Island Group whānau, CRA8 Rock Lobster Industry Association Inc., and Seafood New Zealand referenced the proposed site's potential impact on fishing. The submissions and the applicant's responses are included, and has been considered where relevant, in the assessment.

Sections 8, 9 and 10 of the Fisheries Act

47. In making a recommendation on an aquaculture decision, the chief executive must take into account sections 8 to 10 of the Fisheries Act.

Section 8 - Purpose

48. Section 8 of the Fisheries Act states that the purpose of the Fisheries Act is “to provide for the utilisation of fisheries resources while ensuring sustainability”.
49. Utilisation means conserving, using, enhancing and developing fisheries resources to enable people to provide for their social, economic, and cultural well-being.
50. Ensuring sustainability means:
 - maintaining the potential of fisheries resources to meet the reasonably foreseeable needs of future generations; and
 - avoiding, remedying or mitigating any adverse effects of fishing on the aquatic environment.

¹⁰ In accordance with clause 15(3) of Schedule 5 of the Fast-track Act.

51. Utilisation under section 8 is not limited to catching fish. Aquaculture development also provides for the utilisation of fisheries resources through cultivation and production. The “ensuring sustainability” part of section 8 ensures that aquaculture utilisation is not unlimited. Under the Fisheries Act and the wider *Resource Management Act 1991* framework, aquaculture still has to:

- avoid, avoid, remedy, or mitigate environmental effects
- manage biosecurity risks
- protect ecosystem functioning
- avoid undue adverse effects on fishing (as assessed under 186GB of the Fisheries Act).

52. Sustainability and utilisation have a close interrelationship under the Fisheries Act. Most of the management settings for catching fish have an effect on utilisation, such as the QMS, QMA controls, and controls for size, area, method and season. See Appendix A for more information on the Fisheries Management System in New Zealand.

53. The potential for a marine farm to impact sustainability through adverse effects on fish stock productivity and abundance depends on the scale of development, the importance of the area to fish stock biomass and distribution, and fishing effort in the area. If a marine farm adversely impacts stock biomass (B_{MSY}), it will cause an adverse effect on fishing by reducing the total allowable catch (‘TAC’) or through further regulatory measures, such as enhanced monitoring and reporting requirements, adaptive management conditions, spatial restrictions, etc.¹¹

54. However, to date, no information suggests that cumulative aquaculture development has adversely impacted biomass of stocks at a management level. Likewise, no information suggests the proposed site would have an undue adverse effect on maintaining the potential of fishery resources to meet the reasonably foreseeable needs of future generations.

Section 9 - Environmental principles

55. The potential for a marine farm to impact the environmental principles outlined in Section 9 of the Fisheries Act depends on the scale of development and the importance of the area to a fish stock. For example, certain habitats are more significant for fisheries management than others because they are rare or are linked to some stage of the life history of a species. Potential habitats of particular significance for fisheries management include nursery, spawning, or egg laying areas.

¹¹ B_{MSY} is the average stock biomass or level corresponding to maximum sustainable yield (‘MSY’). MSY is the largest annual catch that can be taken over time without reducing the fish stock’s productive potential.

56. Table 1 summarises the consideration of the environmental principles in accordance with section 9 of the Fisheries Act for FTAA-2511-1138, indicating potential habitats of particular significance for fisheries management based on the best available information (peer-reviewed, published sources and the applicant's assessment of the environmental effects (Bennett *et al.*, 2025; Gibbs, 2025).

Table 1: Consideration of the environmental principles under section 9 of the Fisheries Act for FTAA-2511-1138, based on the available information.

Consideration	Conclusion
<i>Principle 9(a): Associated or dependent species should be maintained above a level that ensures their long-term viability</i>	
Establishing marine farming structures could potentially affect associated or dependant species that rely on a particular food stock or habitat within the vicinity of the farm (e.g., king shags feeding on flatfish or dolphins feeding on fish). Potential impacts include changes to behaviour, changing access to feeding and breeding grounds and changes in available food supply due to effects on fisheries resources.	Associated and dependant species are defined as non-harvested species. Any impact of FTAA-2511-1138 on non-harvested species would not have an adverse effect on fishing.
<i>Principle 9(b): Biological diversity of the aquatic environment should be maintained</i>	
The aquatic environment is a dynamic system, and many factors influence the way the ecosystem, and the aquatic species within it, respond. Marine farms (both shellfish and finfish farms) could have variable effects on the aquatic environment through: • Discharge of wastes and contaminants (including live shellfish, shell material, organically enriched sediment, biofouling organisms) • Alteration to wave and current dynamics • Flow-on effects of plankton depletion	FTAA-2511-1138 may result in some changes to biological diversity, as discussed below. However, MPI considers these changes are unlikely to significantly impact commercial, customary and recreational fishing. Bennett <i>et al.</i> (2025) stated, “seabed impacts beneath salmon farms are inevitable”, mainly due to uneaten feed and fish faeces which naturally settle downward and accumulate on the seabed. Discharge of wastes and contaminants from the proposed farming activity such as waste feed, pseudofaeces, and other organic material settling on the seafloor can lead to the decreased oxygenation of sediments, impacting benthic biodiversity and causing flow-on effects on species important for fishing (e.g., flatfish and gurnard) by changing the availability and composition of food for these higher-level fish species. The debris may also attract benthic and benthic-pelagic species and draw them into the pelagic community beneath the farm (Taylor & Dempster, 2021). Foveaux Strait, where the proposed site is located, is an energetic coastal system with frequent wave activity and strong tidal currents moving predominantly in a northwest to southeast direction (Wilson <i>et al.</i>, 2025). The proposed farming activity is not expected to alter wave and current

• Changes in nutrient cycling • Changes to the clarity of the water column • Changes to predator-prey interactions • Health and disease implications • Effects on the heterogeneity of wild populations These changes could impact: • the variety and health of marine communities, habitats and ecosystems • the variability of populations of marine organisms throughout their natural range • the genetic variability of species.	dynamics; however, the strong hydrodynamic conditions in Foveaux Strait provide substantial dilution, flushing and vertical and horizontal mixing of farm-generated wastes at the proposed site, balancing water quality issues that may impact biodiversity. The wave and current dynamics may help ensure nutrient levels, phytoplankton responses and dissolved oxygen remain within acceptable ecological limits (Wilson <i>et al.</i>, 2025; Taylor & Dempster, 2021). Nutrients added to surrounding waters through uneaten feed and fish waste can increase nitrogen and phosphorus loads, altering water-column and sediment biogeochemistry. These excess nutrients can drive localised eutrophication, stimulate algal growth, and promote oxygen depletion, thereby disrupting natural nutrient cycling processes. Changes in nutrients paired with increased sediment deposition can also result in changes to the clarity of the water column. The physical characteristics at the proposed site promote the rapid dispersal of farm-generated wastes, limiting the effects on nutrient cycling processes and resulting in low, localised effects on water quality and changes in clarity of the water column. As further noted by Wilson <i>et al.</i> (2025), the potential for increased phytoplankton growth as a result of nutrient enrichment from the proposed farming activity is considered low. Predators are drawn to marine farms because wild fish gather around it. Farm structures act like a fish aggregating device that provides shelter and surfaces to gather around, while chemical cues such as food waste or fish odours further attract them (Taylor & Dempster, 2021). This could cause changes to predator-prey interactions as juvenile fish feeding on zooplankton and small organisms living on the farm's structures will attract predators. Vessels, equipment, and farm stock brought into the proposed site from outside Southland could introduce unwanted pests or diseases that might spread to wild populations causing health and disease implications, impacting biodiversity. However, the risk remains low because activities are confined to a small, well-used area and do not involve remote or sensitive environments. Additionally, mitigation measures proposed in the draft Biosecurity Management Plan (such as the requirement for clean-hull standards for visiting vessels, using hatcheries with strong biosecurity standards, carrying out routine health checks, and cleaning and disinfecting equipment) make it unlikely the proposed farming activity would introduce new, harmful organisms or significantly worsen the spread of species already present. Harmful organisms may arrive naturally from nearby populations or be transported by wildlife such as birds or wild fish, even if the risks of the proposed farming activities are well managed. The proposed site is separated from other aquaculture operations; farm biofouling will be managed and targeted actions implemented to reduce disease risks to wild flat oysters. Additional protections include maintaining good fish health, monitoring
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	water quality, fallowing, cleaning and disinfection protocols, vaccination, health surveillance, net cleaning, and bird-exclusion systems. The risk of natural pathogen spread to other aquaculture areas is also low due to hydrodynamic conditions and distance, with the nearest major aquaculture hub in Big Glory Bay located about 20 km from the proposed site (Forrest & Johnston, 2025). MPI does not expect the proposed site will have significant effects on the heterogeneity of wild populations through changes in species composition, abundance or productivity. The existing species at the site are not diverse and comprise relatively common species typically found in the habitat predominant around Stewart Island and in the Foveaux Strait area. Any changes would be localised and unlikely to have significant wide-scale effects on species important to fishing in the northern Stewart Island area or at a wider scale. According to Taylor and Dempster (2021), overseas research suggests that wild pelagic finfish species play an important role in absorbing nutrient waste from salmon farms, both in surface waters and on the seafloor. However, current models used to predict sedimentation and nutrient dispersal do not account for this process. In New Zealand, very little is known about the size or makeup of midwater fish groups that gather beneath farms, so their contribution cannot currently be measured.
<i>Principle 9(c): Habitat of particular significance for fisheries management should be protected</i>	
Marine farming can impact on habitats that support fish, aquatic life or seaweed. Habitats of significance to fisheries management include nursery, spawning, or egg laying areas.	FTAA-2511-1138 is unlikely to affect a ‘habitat of particular significance for fisheries management’ (‘HPSFM’).¹² No HPSFM or other habitats of particular importance for fish spawning or reproduction have been formally identified in the vicinity of the proposed site (Gibbs, 2025). However, as noted by Gibbs (2025), “the absence of formally identified HPSFM does not necessarily mean that important fish habitats are absent from the proposed site”. Bio-deposition could have an impact on benthic habitat beneath the site or change the nutrient cycling within the sediments creating anoxic conditions and indirectly changing community composition. These alterations could have positive or negative impact on the suitability of the benthic environment for fish stocks important to fishing. Negative bio-deposition effects could include increased suspended sediment levels which may affect the productivity of fish populations.

¹² While not formally defined, MPI interprets section 9c of the Fisheries Act to mean that a habitat of particular significance is an area or areas and with attributes that are important for fisheries management in that they are of especially great importance in supporting life-history stages of fisheries resources.

	Moderate enrichment across the footprint of the proposed site may result in reduced diversity but increased abundance; however, beyond this primary footprint, any associated effects are anticipated to be minor or negligible (Bennett <i>et al.</i>, 2025). The proposed site is located in a sand-dominated seabed habitat which avoids mapped biogenic habitats. The habitat at the site is not unique and not especially significant when compared to the wider FMA. MPI considers the effects of FTAA-2511-1138 on habitats of significance is likely to be minor. The sandy seabed habitat beneath the site is unlikely to excessively change; most finfish species could still use the site to some extent for spawning or as juvenile habitat. Furthermore, the site does not contain other known HPSFM such as shellfish or algal beds, or reefs or cobble habitat.
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Section 10 - Information principles

57. This paper presents the best available information relevant to FTAA-2511-1138 that, in the particular circumstances, is available without unreasonable costs, effort, or time. Uncertainties in the information have been highlighted where relevant and conclusions have been considered cautiously when information is uncertain, unreliable, or inadequate.
58. Table 2 summarises the best available information and key areas of uncertainty, unreliability, or inadequacy in that information. Appendix F has further information regarding fishing reporting and analysis for recreational and commercial fisheries.

Table 2: Consideration of the information principles under section 10 of the Fisheries Act for FTAA-2511-1138.

Best available information	Key areas of uncertainty, unreliability, or inadequacy
MPI considers that the information presented in this paper represents the best available information for assessing the impact of FTAA-2511-1138 on recreational fishing. Information on recreational fishing used in this assessment comes from aerial surveys coupled with boat ramp surveys, Amateur Charter Vessel ('ACV') returns and national interview surveys.	The aerial surveys involve many flights over the course of 12 months, but each flight is a snapshot. The surveys are more likely to record fishing locations of anchored or slow-moving boats than the locations of fishing gear set in the water and left for a period. Therefore, some fishing methods, such as set netting, may not be well-described by the data. Recreational fishers are not required to report catch or fishing locations. MPI is therefore unable to estimate an average annual recreational catch or proportion of recreational catch likely to be affected by the proposed aquaculture activities. Rather, MPI can only assess the effect of the proposed aquaculture activities on recreational fishing based on qualitative information.
MPI considers that the information presented in this paper represents the best available information for assessing the impact of FTAA-2511-1138 on customary fishing. Customary authorisations are the best available information on customary fishing in the vicinity of the proposed site.	Customary fishers are not required to report catch or fishing locations, therefore little quantitative data is available on customary catch taken from the area of the proposed site. Fishing locations for customary authorisations are usually only reported by FMA or QMA, although more specific sites are sometimes identified. Therefore, whether any of the customary authorisations involved fishing in the precise area of the proposed site is uncertain. However, if species caught in the authorisations are found in the site, they could have been fished there.
MPI considers that the information presented in this paper represents the best available information for assessing the impact of FTAA-2511-1138 on commercial fishing.	The <i>Fisheries (Reporting) Regulations 2017</i> came into force on 1 October 2017, starting the transition from paper-based reporting to electronic reporting. The rollout was implemented in stages across the fleet, and electronic reporting became mandatory for all commercial fishers by December 2019. Electronic reporting provides more timely, accurate, and finer-scale catch, effort, and location data than the previous paper-based system, improving both fisheries management and scientific understanding of fish stocks. Commercial fishing effort was historically reported by a set of Statistical Areas providing only coarse-scale information about where commercial fishing occurs. These efforts were apportioned evenly across the statistical area available for fishing, reducing certainty of fishing location at a finer

	scale. However, since 2006/07, fine scale position data for some trawl, line and/or net fishers has been modelled and mapped to estimate fishing intensity for different clusters of fishing.¹³ Fishing data has been averaged over eighteen years to consider natural variation in the abundance and distribution of fish stocks and fishing effort so that likely average future fishing is fairly represented.
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¹³ MPI developed the CatchMapper tool to spatially model the estimated catch from landing data. This informs our assessment, and particularly, Tables 5 and 6. For more information see Osborne (2018).

Consideration of panel's draft conditions

- 59. MPI considers the panel's draft conditions for FTAA-2511-1138 does not impact the assessment of sections 8 to 10 of the Fisheries Act.
- 60. In accordance with clause 15(5) of Schedule 5 of the Fast-track Act, no conditions of the coastal permit are material to the recommended determination.

Section 186GB of the Fisheries Act

- 61. In making a recommendation on an aquaculture decision, the chief executive must take into account section 186GB of the Fisheries Act.
- 62. Section 186GB(1) requires the chief executive to have regard only to six matters when considering effects on fishing.

Recreational and customary fishing

- 63. The recreational and customary fishing matters are assessed below. The location of the coastal permit area relative to fishing areas is assessed separately for recreational and customary fishing. The other matters considered under s 186GB(1) are assessed jointly for recreational and customary fishing.

Section 186GB(1)(a) - Location of the coastal permit area relative to fishing areas – Recreational fishing

- 64. MPI considers that the proposed site is located in an area where little recreational fishing is likely to occur.
- 65. Available recreational fishing data for Stewart Island is sparse, and recent MPI surveys have not included the island, leaving no current information on local fishing patterns. According to Strong (2025), stakeholder feedback and anecdotal observations suggest that recreational fishing around Stewart Island has become increasingly popular and more intensive in recent years, reflecting trends seen elsewhere in New Zealand.
- 66. However, Strong (2025) noted that 2018-2024 ACV recreational catch records indicated that charter and recreational fishing activity has been sparse within the proposed site area. The proposed site itself is considered offshore, and that area is generally used as a transit route to other fishing locations rather than a primary fishing spot.
- 67. Unlike recreational fishing, ACV fishing must be reported to MPI and include the location of fishing and amount of catch. In the 13 fishing years from 2010-2024, 113 ACV reports were received for the 2 square kilometres (km²) area around the proposed site. The proposed site is more popular for amateur charter fishing (8.69 ACV events per km²), than the 20 km² area around it (4.06 ACV events per km²).

68. Overall, both the existing recreational fishing data and ACV catch data indicate that recreational fishing activity in and around the proposed farm area is relatively low in intensity.
69. Table 3 summarises the assessment of the main methods used and species likely to be caught by recreational fishers at the proposed site, based on recreational fishing surveys, the applicant's assessment of seabed effects (Bennett *et al.*, 2025), ACV data and anecdotal sources. Appendix F provides further information on the sources used.

Table 3: Recreational fishing methods used and species likely to be caught or targeted near and around the area of the proposed site for FTAA-2511-1138, based on the available information.

		Methods used	Species caught or targeted
Source of information	ACV data	The main methods used: hand line on anchor and while drifting, potting and diving.	Main species targeted: blue cod. Main species caught: blue cod, pāua and oysters.
	Recreational fishing survey (Stewart Island, Ruapuke Island & surrounds survey areas, which cover the proposed site)	The main methods used: rod & handline (75% of trips), hand gathering by diving (26%), and dredge, grapple or rake (10%) (Wynne-Jones <i>et al.</i> , 2014, 2019; Heinemann & Gray, 2024).	The main species caught: blue cod (68% of trips), pāua (18%), oysters (10%) and trumpeter (10%) (Wynne-Jones <i>et al.</i> , 2014, 2019; Heinemann & Gray, 2024).
	Other information	The habitats recorded in the assessment of seabed effects support net and rod & handline finfish fishing and diving methods. Diving may occur in the general locality and particularly inshore of the proposed site.	The statements from the environmental assessments suggest that reef species (such as blue cod) are unlikely to be found in the proposed site.

Section 186GB(1)(a) - Location of the coastal permit area relative to fishing areas – Customary fishing

70. MPI considers the proposed site is located where customary fishing may occur and the area may be somewhat important for this activity.
71. Ngāi Tahu has customary fisheries interests in the area of the proposed site. The Te Whaka a Te Wera Mātaitai is located approximately 10 km south of the proposed site in Paterson Inlet, which is also the location of the Ulva Island - Te Wharawhara Marine Reserve. The proposed site also lies within the customary fishing area (rohe moana) of Murihiku Rūnanga.

72. From January 1998 to February 2026, 270 customary fishing authorisations were reported to MPI for Statistical Areas 025-032, which includes the proposed site. Whether any of the authorisations involved fishing in the area of the proposed site is unknown, but some of the species could have been taken in the area.
73. Table 4 summarises likely customary fishing in the proposed site using the available information.

Table 4: Customary fishing methods used and species likely to be caught or targeted in the area of the proposed site for FTAA-2511-1138, based on the available information.

		Methods used	Species caught or targeted
Source of information	Customary authorisations issued	Customary authorisations do not specify fishing methods. However, recreational fishers commonly use rod & handline on anchor and while drifting, potting, hand-gathering by diving, and dredge, grapple or rake. Customary fishers may also use these methods.	The most common species taken: toheroa, blue cod, kina and mussels (unspecified).
	Other information	The habitats recorded in the assessment of seabed effects support net and rod & handline finfish fishing and diving methods. Diving may occur in the general locality and particularly inshore of the proposed site.	The statements from the environmental assessments suggest that reef species are unlikely to be found in the proposed site. The proposed site is too deep for intertidal species (such as toheroa) to occur there.

Section 186GB(1)(b) - Likely effect on fishing

74. As noted, little quantitative data is available on recreational and customary catch taken from the area of the proposed site or Foveaux Strait generally. Therefore, MPI is unable to estimate the volume or proportion of recreational or customary catch likely to be affected by the proposed aquaculture activities. MPI can only assess the effect of the proposed aquaculture activities on recreational or customary fishing based on qualitative information, such as surveys.
75. The proposed site is small relative to surrounding recreational and customary fishing areas (and therefore the affected proportion is low), and no information indicates the area is particularly unique or productive for fishing.
76. A submission to the panel from the Minister for Māori Development requested that the panel consider the impact of FTAA-2511-1138 on customary fishing practices, given the proposed site lies within the customary fishing area (rohe moana) of Murihiku Rūnanga. The applicant advised that effects on customary fishing have been thoroughly assessed and will be managed through proposed conditions and ongoing engagement with Ngāi Tahu.
77. Another submission from Te Rūnanga o Ngāi Tahu noted that the project complements wild fisheries, supports iwi-led development, and provides a contemporary expression of mahinga kai (traditional food-gathering methods/places). It also highlighted that the project is designed to avoid adverse effects on customary fishing practices and on the abundance and accessibility of local mahinga kai resources.
78. The submission from Ruapuke Island Group whānau noted the importance of the rich fisheries around Ruapuke Island and Foveaux Strait, and that the proposed site is unlikely to displace fishing significantly based on current use. However, they emphasized the need for ongoing monitoring and consideration of local knowledge regarding dispersal of farm-related material.
79. Taking into account the submissions received, and noting the relevant context, MPI considers that the proposed activity is unlikely to have more than a negligible adverse effect on customary fishing.

Section 186GB(1)(c) - Exclusion of fishing

80. The proposed marine farming structures are finfish pens. MPI considers that any recreational and customary rod & handline on anchor and while drifting, potting, hand-gathering by diving, and dredge, grapple or rake fishing occurring in the proposed site currently would be excluded because of the risk of entanglement in the finfish pens.
81. MPI considers that rod & handline on anchor and while drifting, potting, hand-gathering by diving, and dredge, grapple or rake fishing could occur outside or around the finfish pens.

Section 186GB(1)(d) - Availability of other areas

82. MPI considers alternative areas around Paterson Inlet and nearby areas in Foveaux Strait could absorb any recreational or customary fishing displaced from the proposed site because:
- the same species expected over the soft substrate at the proposed site could be found in most areas around Paterson Inlet and nearby areas in Foveaux Strait, where this substrate is common. No information suggests the proposed site offers unique habitats or species mix;
 - the same methods used at the proposed site could be used elsewhere nearby; and
 - sufficient alternative areas exist, especially for stationary rod & handline fishing.
83. All of Foveaux Strait and around Stewart Island is available for recreational and customary fishing, apart from Ulva Island-Te Wharawhara Marine Reserve (10 km south of the proposed site).

Section 186GB(1)(e) - Increased cost of fishing

84. While the proposed site is located in an area used for recreational and customary fishing, MPI considers the aquaculture activities at the proposed site are unlikely to increase any cost of these fishing activities. As noted above, the proposed site will only exclude a relatively small area from recreational and customary fishing compared to areas of similar fishing grounds available nearby and therefore is unlikely to increase fishing costs.
85. The proposed site is not unique or especially productive for fishing. MPI has no information to suggest fishing grounds available nearby are any less productive.

Section 186GB(1)(f) - Cumulative effects

86. No aquaculture activities are currently present in the vicinity of the proposed site. However, an estimated 172 hectares of authorised aquaculture activities are in Big Glory Bay, approximately 20 km south of the proposed site. In total, approximately 298 hectares of authorised aquaculture occur within FMA 5. The majority of these authorised aquaculture activities are for shellfish farming.
87. Authorised aquaculture activities may have adversely affected recreational and customary fishing in Big Glory Bay, however MPI considers the cumulative effects are likely to be minor because:
- some recreational and customary fishing (e.g., anchored rod & handline fishing) can still occur around marine farms;

- not all existing marine farms are in popular recreational and customary fishing areas; and
- the total area of the authorised aquaculture activities and the proposed site is relatively small compared to all the space available for recreational and customary fishing in Foveaux Strait.

Consideration of panel's draft conditions

88. MPI considers the panel's draft conditions for FTAA-2511-1138 do not impact the assessment of section 186GB of the Fisheries Act on recreational and customary fishing.
89. In accordance with clause 15(5) of Schedule 5 of the Fast-track Act, no conditions of the coastal permit are material to the recommended determination.

Conclusion on effects on recreational and customary fishing

90. No submissions were received from recreational fishers, and submissions to the panel relating to customary fishing raised no concerns. MPI considers that aquaculture activities within the proposed site will not have an undue adverse effect on recreational or customary fishing for the following reasons:
- while the proposed site covers a substantial area, it is small relative to the total area available around Stewart Island and in Foveaux Strait. There is no evidence to indicate that the site holds particular importance for recreational or customary fishers (s186GB(1)(a) of the Fisheries Act);
 - the likely effect of occupation of the proposed site on recreational or customary fishing is negligible given the amount of fishing activity that occurs at the proposed site (s186GB(1)(b) of the Fisheries Act). No submissions from recreational fishers were received, while submissions to the panel relating to customary fishing raised no concerns;
 - not all recreational or customary fishing methods would be excluded from the proposed site, for example rod & handline fishing could still occur outside of the exclusive use area of the proposed site. Therefore, the degree to which the aquaculture activities at the proposed site will exclude recreational and customary fishing is negligible (s186GB(1)(c) of the Fisheries Act);
 - alternative areas in Foveaux Strait and nearby areas around Stewart Island could absorb the recreational and customary fishing displaced from the proposed site. Also, species targeted and caught by customary and recreational fishers are not unique and therefore could be caught and targeted in other areas (s186GB(1)(d) of the Fisheries Act);
 - occupation of the proposed site is unlikely to increase the cost of recreational or customary fishing as the proposed site is not unique or especially productive

and will only exclude fishers from a relatively small area with similar fishing grounds available nearby (s186GB(1)(e) of the Fisheries Act); and

- the cumulative effect on recreational or customary fishing from authorised aquaculture activities in the area and the proposed site is likely to be minor (s186GB(1)(f) of the Fisheries Act).
- No conditions of the coastal permit are material to the recommended determination (clause 15(5) of Schedule 5 of the Fast-track Act).

Commercial fishing

91. MPI manages commercial catch for nearly all the main fish stocks found within New Zealand's 200 nautical mile (nm) Exclusive Economic Zone ('EEZ') through a QMS by allocating commercial fishing rights as individual transferable quota. The main characteristics of quota are:

- it is owned by an individual or company;
- the right is not created for a fixed term – it is perpetual; and
- it secures a fixed percentage, or share, of the fish stock.

92. Aquaculture activities can affect fishing by having cumulative effects on fisheries resources and modifying habitats important to fisheries resources or by impeding access to fisheries by creating a physical barrier to fishing.

93. No pre-request aquaculture agreement (with commercial fishers) has been registered for FTAA-2511-1138. Appendix B provides further information on aquaculture agreements.

Section 186GB(1)(a) - Location of the coastal permit area relative to fishing areas

94. MPI considers the proposed site is located where there is likely to be minimal commercial fishing.

95. CatchMapper was used to identify the fishing that potentially occurs in the vicinity of the proposed site.¹⁴ The proposed site would be located 2 - 6 km offshore of Stewart Island and commercial fishing may occur nearby. Tables 5 and 6 give the fishing that may occur within the vicinity. Further detail on how MPI analyses commercial fishing can be found in Appendix F.

96. Trawling by vessels over 46 m in length, the harvesting of paddle crabs carrying external eggs and the taking of shellfish (other than rock lobsters, oysters, or crabs) are prohibited within the proposed site area; accordingly, these fishing activities will not occur there.

¹⁴ CatchMapper is a spatial database of all commercial fishing events for the 18 years from October 2007 to September 2025 (see Appendix F for more explanation).

97. The proposed site is too deep for hand-gathering, so this fishing method will not occur in the proposed site.
98. No hard substrate was observed during benthic surveys of the proposed site. Therefore, fishing for species dependent on such habitat, such as reef species, is unlikely at the proposed site.
99. Most of the potentially affected commercial fisheries in Tables 5 and 6 are managed as stock units over FMA 5 (Southland/Fiordland).¹⁵ FMA 5 encompasses the west coast of the South Island at the westernmost point of Awarua Point to Slope Point, Southland and extends out to the 200 nm EEZ. The proposed site is small in relation to the area of the potentially affected fisheries.

Section 186GB(1)(b) - Likely effect on fishing

100. Overall, MPI considers the aquaculture activities at the proposed site will have some effect on commercial fishing, but this will be minor.
101. The fisheries in Tables 5 and 6 were identified by overlaying exclusion areas for each fishing method with the mapped fishing events in CatchMapper. These exclusion areas are also termed the footprints of the proposed site (also refer to paragraph 106).
102. CatchMapper was used to estimate that on average less than 2,045 kilograms (kg) of fish per year were possibly caught from the footprints of the proposed site (from the fisheries assessed as potentially affected in Tables 5 and 6).¹⁶
103. Two CatchMapper model runs are provided below. The first spans all available years (2007–2025) and incorporates data derived from coarse-resolution effort reporting (e.g., oyster (OYU) dredge activity reported at the Statistical Area scale). The second is restricted to the electronic reporting and global position reporting (ERGPR) period only (2019–2025).

¹⁵ FMAs can be seen here <https://fs.fish.govt.nz/Page.aspx?pk=45&tk=389>.

¹⁶ Available data from 18 fishing years to 2024/25.

Table 5: Fisheries identified as potentially occurring within the affected footprints of the proposed site for FTAA-2511-1138 and estimated relative amount caught within the footprints - all available years (2007-2025) that includes data from coarse effort reporting.

All types of fishing detected within proposed farm footprint (and main fishstock)	% of main fishstock caught in footprint of proposed farm
Oyster (OYU5), Dredge	0.63%
Spiny Dogfish (SPD5), Set Net	0.05%
School Shark (SCH5), Set Net	0.05%
Rig (SPO3), Set Net	0.03%
Flatfish (FLA3), Set Net	0.01%
Spiny Dogfish (SPD7), Bottom Trawl	less than 0.01%
Other species (mainly Oyster (OYU5)), Dredge	less than 0.01%
Other species (mainly Rig (SPO3)), Set Net	less than 0.01%
Barracouta (BAR5), Trawl	less than 0.01%
Elephant Fish (ELE5), Set Net	less than 0.01%
Red Cod (RCO3), Trawl	less than 0.01%
Stargazer (STA5), Bottom Trawl	less than 0.01%
Ling (LIN5), Potting	less than 0.01%
Flatfish (FLA3), Trawl	less than 0.01%
School Shark (SCH5), Longline	less than 0.01%
Squid (SQU1T), Jig	less than 0.01%

Table 6: Fisheries identified as potentially occurring within the affected footprints of the proposed site for FTAA-2511-1138 and estimated relative amount caught within the footprints - ERGPR years only (2019-2025).

All types of fishing detected within proposed farm footprints (method and main fish stock)	% of main fish stock caught in footprints of proposed farm
Rig (SPO3), Set Net	0.03%
School Shark (SCH5), Set Net	0.02%
Other species (mainly School Shark (SCH5)), Longline	less than 0.01%

104. The submission to the panel from CRA8 Rock Lobster Industry Association Inc. noted that the proposed farm blocks are located in an area with minimal rock lobster potting activity.

Section 186GB(1)(c) - Exclusion of fishing

105. MPI considers the amount of fishing that will be excluded from the proposed site is likely to be small relative to the size of the fisheries.

106. Marine farms can affect commercial fishing when they are located over established fishing grounds or limit vessels' ability to approach, depart, turn, or tow gear. In addition, fishing cannot take place close to marine farms due to the risk of gear becoming entangled in farm structures, creating exclusion zones (often referred to as "footprints").

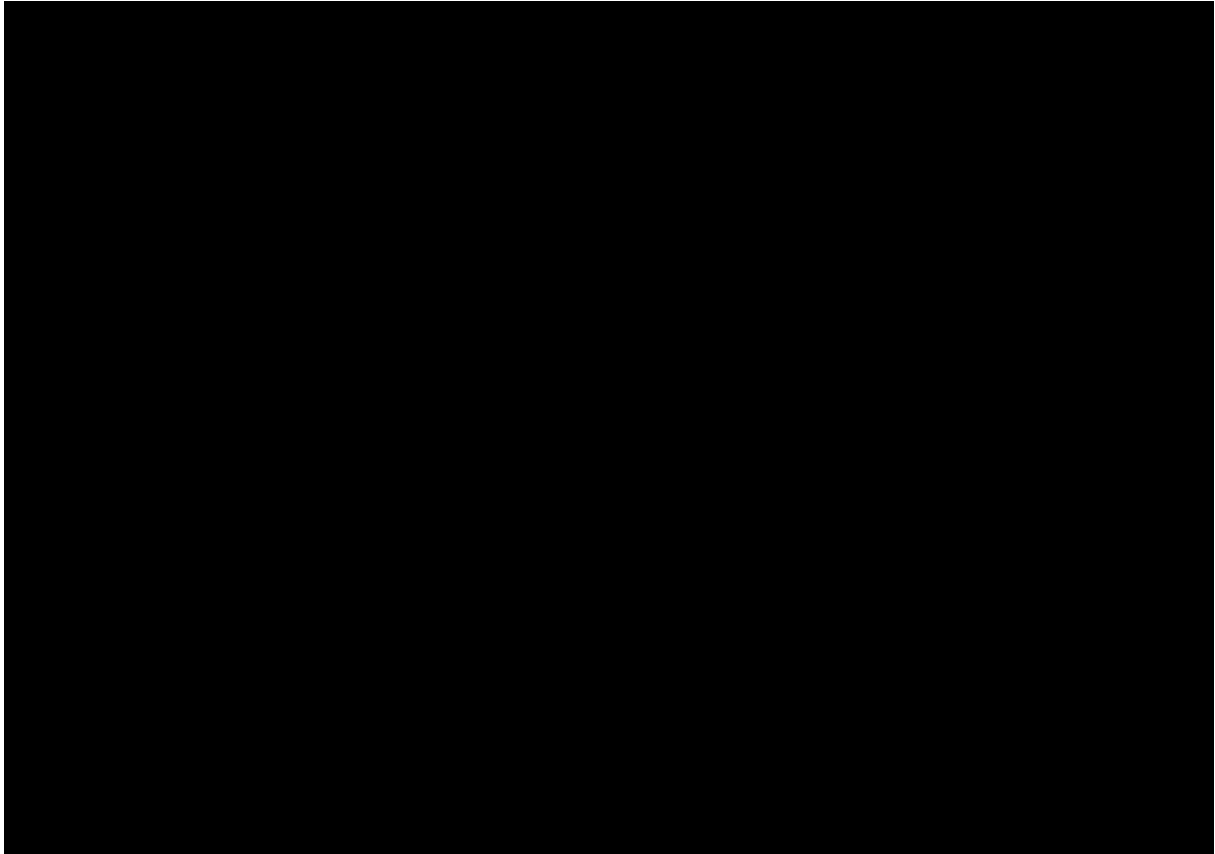
107. The footprints of the proposed site, include appropriate buffer zones around the farms depending on the type of fishing method.¹⁷ Towed fishing methods have larger footprints, and therefore larger areas from which they would be excluded, than static fishing methods.

108. Of the methods that could occur in the vicinity of the proposed site, dredging, set netting, trawling, bottom long lining, potting and jigging would be excluded from within the immediate boundaries of the proposed site due to the risk of entanglement.

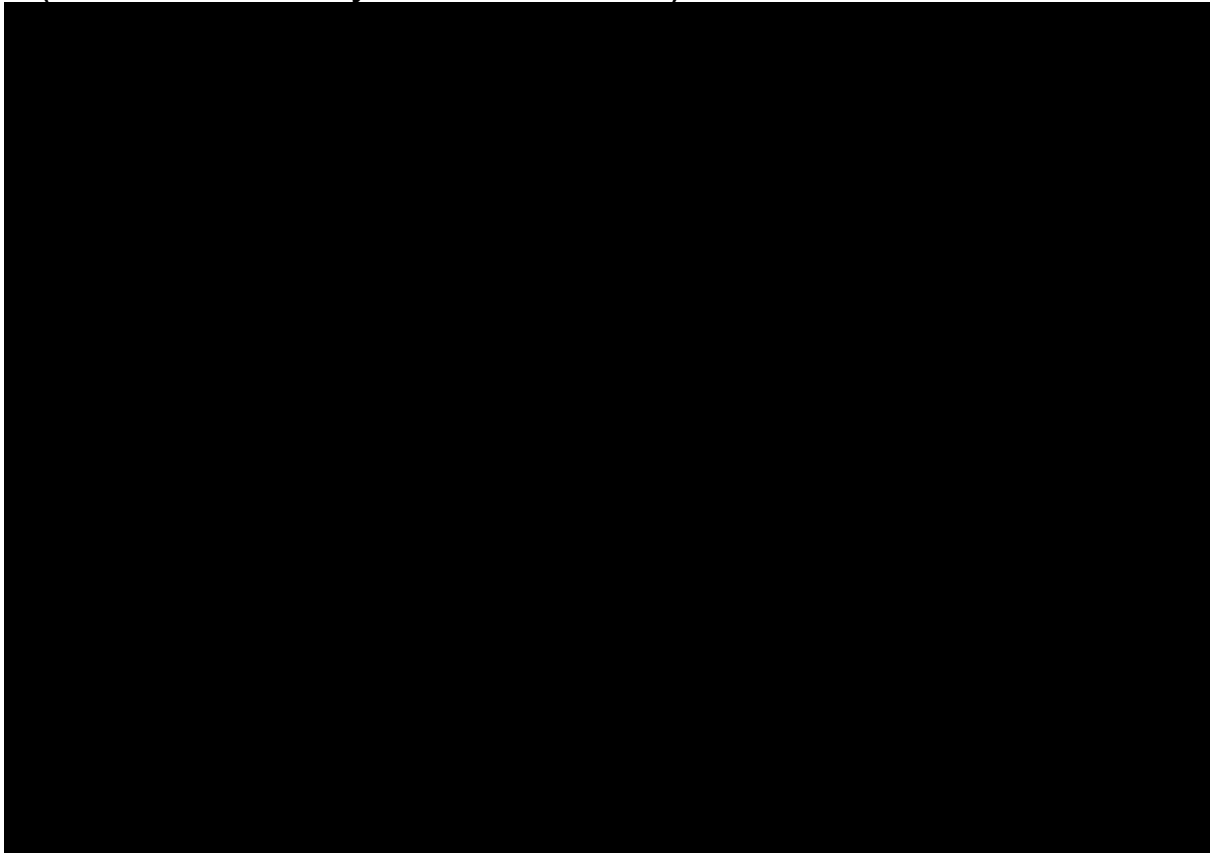
109. Maps 2 and 3 below illustrate trawl tracks relative to seafloor bathymetry. Map 2 shows bottom contacting trawl events, including bottom trawl and midwater trawl tows within 2 m of the seabed from October 1989 to September 2025. Map 3 shows non-bottom contacting fishing event tracks for a range of different fishing methods (e.g., diving, hand-gathering, long lining, potting and set netting), from October 2019 to September 2025.

110. Very few linear trawl track lines were found in the area of the proposed site, and those showed very little seafloor disturbance which is associated with bottom trawling. This trawl track bathymetry imagery, along with reported commercial fishing bottom trawl effort and bottom contacting trawl lines (see Maps 2 and 3), suggests that the proposed site is not an area with a substantial amount of bottom trawl activity. MPI considers the effect on bottom trawling commercial fishers would be relatively small.

¹⁷ The "exclusion zone" used for commercial fishing methods assessed is the coastal permit area, with the exception (where applicable) of dredging, trawling and seining. In sheltered waters, buffers of 50 m, 250 m and 500 m respectively are applied. In open water, buffers of 75 m, 500 m and 500 m respectively are applied.



Map 2: Reported bottom contacting fishing event tracks from October 1989 to September 2025 (redacted commercially sensitive information).



Map 3: Reported non-bottom contacting fishing event tracks from October 2019 to September 2025 (redacted commercially sensitive information).

111. Seafood New Zealand acknowledged in their submission to the panel that changes to the application have reduced potential effects on local trawl fisheries and that current impacts on finfish fisheries, including blue cod potting and occasional set netting, are relatively minor. However, concerns were raised about the cumulative effects of increasing spatial closures and aquaculture developments in the region, particularly the potential displacement and redistribution of fishing effort, noting that data limitations make it difficult to fully assess these wider impacts. The applicant responded that the boundaries in the original application had been modified to minimise impacts on local trawl fisheries.
112. The submission from the Ruapuke Island Group whānau noted that there has been little or no oyster dredging within the proposed site in recent years, and that use of the site by other fishers has been minimal. Based on the available information, the submission considered that the proposed site is unlikely to result in significant displacement of fishing activity.
113. The proposed site overlaps with several local fisheries, including oyster, blue cod, set net, and rock lobster, and is near pāua, kina, and bottom trawl fishing areas. Available information indicates that any displacement of commercial fishing activity would be minor across all species and fishing methods. While there may be some adverse effects on individual fishers who use the area, these effects are expected to be no more than minor and will not affect fisheries at a broader level.

Section 186GB(1)(d) - Availability of other fishing areas

114. Commercial fishing is known to occur in the area of the proposed site, but to a small extent (see Tables 5 and 6). MPI considers alternative areas are available in Foveaux Strait and FMA 5 to absorb most or all commercial fishing displaced by the activities at the proposed site because:
- the annual catches of each species potentially caught at the proposed site are a small percentage of the total catches for those species within FMA 5 (Tables 5 and 6);
 - the same methods as those possibly used at the proposed site could be used elsewhere in FMA 5 for each fish stock; and
 - the fisheries habitat in the proposed site is not special or unique.

Section 186GB(1)(e) - Increased cost of fishing

115. While the proposed site is located in an area used for commercial fishing, MPI considers the aquaculture activities at the proposed site are unlikely to increase any cost of commercial fishing. The proposed site will exclude a relatively small area from commercial fishing compared to areas of similar fishing grounds available nearby and therefore is unlikely to increase commercial fishing costs. The proposed site is not unique or especially productive for fishing. MPI has no information to suggest fishing grounds available nearby are any less productive.

Section 186GB(1)(f) - Cumulative effects

116. A cumulative effect on commercial fishing includes the total effect of all authorised aquaculture activities (existing aquaculture) in the relevant QMA or FMA. MPI uses CatchMapper to produce an estimated average annual catch loss (kgs) for every fish stock potentially caught from each proposed farm in the QMA or FMA. The kg estimated catch is then calculated as a proportion (%) of the fish stock in relevant QMA or FMA.
117. A majority of the authorised aquaculture space around Stewart Island occurs in Big Glory Bay (approximately 172 ha of authorised aquaculture space occurs in Big Glory Bay, with around 289 ha of authorised aquaculture space in FMA 5). The authorised aquaculture around Stewart Island (which includes Big Glory Bay), makes up 58% of the aquaculture in FMA 5. Situated approximately 20 km north of Big Glory Bay, the offshore location of the proposed site is expected to have minimal impact on fishers, as alternative areas remain available. The existing aquaculture may have affected commercial fishing through displacement from previous fishing grounds; however, fishers have likely adapted fishing practices throughout the development of these farms.
118. In their submission to the panel, Seafood New Zealand raised concerns about cumulative effects of spatial closures (regulatory, voluntary, marine reserves, and aquaculture) in the Otago/Southland area, and the potential for displacement of fishing effort into other areas.
119. CatchMapper quantifies the amount (kg and %) of fishing displaced from authorised aquaculture activities and the proposed site. This assumes that all the catch displaced would be lost from the affected fisheries. However, finfish are mobile and, as they will likely pass through marine farms, can also be caught outside the farms. As such, the cumulative CatchMapper outputs do not mean the amount of displaced fishing is lost from the fishery. For mobile and wide-ranging finfish species the actual amount is likely to be less.
120. Accordingly, MPI considers the cumulative effects on commercial fishing, including from aquaculture activities at the proposed site, are relatively small. For any of the mobile fish stocks potentially affected by aquaculture activities at the proposed site, the highest cumulative impact is assessed as 3.45% effect on total catch of snapper (SNA3). As snapper is a mobile and wide-ranging finfish species and could be caught elsewhere in FMA 5, this total cumulative impact is likely less. The amount of additional catch that could be displaced at the proposed site is not significant (as set out in Tables 5 and 6).

Consideration of panel's draft conditions

121. MPI considers the panel's draft conditions for FTAA-2511-1138 do not impact the assessment of section 186GB of the Fisheries Act on commercial fishing.
122. In accordance with clause 15(5) of Schedule 5 of the Fast-track Act, no conditions of the coastal permit are material to the recommended determination.

Conclusion on effects on commercial fishing

123.MPI considers the aquaculture activities that may operate within the proposed site will not have an undue adverse effect on commercial fishing because:

- a minimal amount of commercial fishing for mobile finfish species occurs in the proposed site, with the species caught in the site widely distributed and fished across FMA 5 (s186GB(1)(a) of the Fisheries Act);
- effects on commercial fishing catch will be minor, as noted above CatchMapper estimated that on average less than 2,045 kg of fish per year were caught from the footprints of the proposed site (s186GB(1)(b) of the Fisheries Act);
- dredging, set netting, trawling, bottom long lining, potting and jigging would be excluded from the footprint of the proposed site, but available information suggests that the proposed site is not an area with a substantial amount of commercial fishing (s186GB(1)(c) of the Fisheries Act);
- alternative fishing grounds are available within FMA 5 for any fishing excluded from the proposed site, given the percentages caught in the proposed site are small proportions of the total catch of the relevant fish stocks. Furthermore, finfish are mobile and not restricted to the particular area of the proposed site (s186GB(1)(d) of the Fisheries Act);
- occupation of the proposed site is unlikely to increase the cost of commercial fishing as the proposed site is not unique or especially productive and will only exclude a relatively small area with similar fishing grounds available nearby (s186GB(1)(e) of the Fisheries Act); and
- the cumulative effect of any authorised aquaculture activities on commercial fishing for any of the mobile fish stocks potentially affected by the proposed site is relatively small, with the highest effect assessed as 3.45% effect on SNA3 (s186GB(1)(f) of the Fisheries Act).
- No conditions of the coastal permit are material to the recommended determination (clause 15(5) of Schedule 5 of the Fast-track Act).

Part 3 - Aquaculture Decision Recommendation

124. MPI has assessed FTAA-2511-1138 in accordance with sections 8 to 10 and 186GB(1) and (2) of the Fisheries Act. MPI has carefully considered the best available information in accordance with clause 15(2) of Schedule 5 of the Fast-track Act.

125. MPI is satisfied, based on all relevant information available, that the activities proposed for the area authorised by FTAA-2511-1138 will not have an undue adverse effect on:

- a) recreational fishing;
- b) customary fishing; and
- c) commercial fishing.

126. Therefore, in accordance with clauses 15(4) to 15(6) of Schedule 5 of the Fast-track Act, MPI's recommendation is a determination for FTAA-2511-1138.

127. The area of the determination totals 1,285 ha within the following coordinates (NZTM2000):

FTAA-2511-1138 (1,285 ha):

Point	Easting	Northing
1	1,223,058.77	4,812,924.93
2	1,224,183.26	4,812,056.52
3	1,222,819.81	4,810,649.41
4	1,222,318.28	4,809,351.87
5	1,224,431.23	4,806,009.00
6	1,223,692.94	4,805,372.03
7	1,219,859.29	4,809,792.19

128. The reasons for the recommendation are set out in this report and summarised in paragraphs 54, 90 and 123 of this report.

129. In accordance with clause 15(5) of Schedule 5 of the Fast-track Act, no conditions of the coastal permit are material to the recommended determination.

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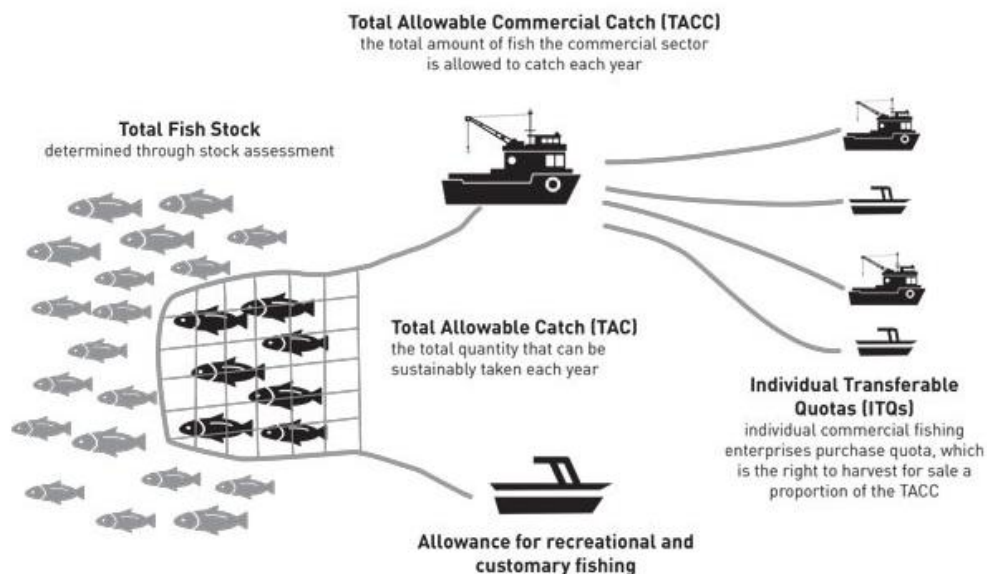
Appendices

Appendix A: The Fisheries Management System

1. Most fish species important to New Zealand's fisheries are managed under the QMS. For species managed under the QMS, there is an annual limit of how much can be caught. This is the TAC, which is allocated amongst the various uses of the fishery: customary fishing, recreational fishing, and any other sources of mortality of the stock. The balance of the TAC is then allocated to commercial users through quota holdings as the total allowable commercial catch (the 'TACC'). The TAC limits are set by the Minister for Oceans and Fisheries under the Fisheries Act.
2. For other sources of fishing related mortality, otherwise unaccounted for mortality (e.g., illegal harvest) needs to be accounted for within the TAC. No explicit guidance exists as to whether the aim is to take actions to reduce this mortality, or to attribute it to a sector or an individual fisher.
3. A FMA is one of the ten regions that the New Zealand 200 nm EEZ is divided into for fisheries management purposes. A QMA is an area within which a designated fish stock is managed under the QMS and is generally based around FMAs.

How quota works

4. Quota is a share in a fish stock. The total number of quota shares for each fish stock is always 100,000,000. Quota owners get Annual Catch Entitlement ('ACE') which gives them the right to catch a certain amount of a fish stock during one fishing year. The amount of ACE that a quota owner receives depends on how much quota they own and the TACC for that fish stock in that fishing year.



Recreational Fishing

5. For the recreational sector, the Fisheries Act contains little by way of an overall management framework beyond the initial allocation. However, recreational fishing areas (subject to use of the dispute resolution process) are referenced. Regulations place restrictions on recreational fishing activity (size, area, methods, bag limits). However, little guidance exists as to how these tools are used. No checks and balances are in place (i.e., no reporting obligations) other than general compliance with fishing restrictions. Recreational surveys of recreational catch can inform subsequent actions but do not provide a check and balance on the actions of individual fishers.
6. Recreational fishers also have a general right to go fishing provided they do not sell their catch, and they keep within relevant regulatory controls. While this right is not transferable and thus does not have the same attributes as the commercial right, it is a strong common law-based access right and must be provided for under the Fisheries Act. If an aquaculture proposal had an undue adverse effect on recreational fishing, this would diminish the benefits that recreational fishers gain from their activity.

Customary Fishing

7. For the customary sector, the Fisheries Act provides recognition of several customary management tools (e.g., taiāpure, mātaītai, rāhui (temporary closures)). The exercise of customary fishing rights governing take is defined in regulation. While the Customary Fishing Regulations have reporting requirements, limited checks and balances exist (such as kaitiaki appointments, possession of customary permit, etc.).
8. Māori customary fishing rights are defined and protected by the provisions of the 1992 *Fisheries Deed of Settlement* (the 'Fisheries Deed of Settlement'), the *Treaty of Waitangi (Fisheries Claims) Settlement Act 1992* (the 'TOW(FC)S Act') and the Fisheries Act. The *Fisheries Deed of Settlement* and the TOW(FC)S Act require the Crown to make regulations that recognise and provide for customary food gathering by Māori, and the special relationship between tangata whenua and places of importance for customary food gathering, to the extent that such food gathering is not commercial in any way. The Crown has made regulations for that purpose, the most significant being the *Fisheries (South Island Customary Fishing) Regulations 1999* and the *Fisheries (Kaimoana Customary Fishing) Regulations 1998*. These enable tangata whenua (hapu and iwi) to autonomously manage their own customary harvest, within the sustainability constraints of the Fisheries Act, in accordance with customary practice and purposes, and to take the quantity of fish that is required for the customary non-commercial purposes of the iwi.
9. By nature, customary fishing is generally restricted to specific fishing grounds within the tribal domain, or rohe, of the hapu or iwi. In many cases customary practices specify harvest methods, such as seasonal focus on specific species. Therefore, customary fishing may be adversely affected by activities that remove access to traditional fishing grounds or limit customary practices, as customary fishing cannot be as easily relocated as either recreational or commercial fishing.

Commercial Fishing

10. For the commercial sector, the Fisheries Act specifies in some detail the operation of the QMS, supported by detailed regulation. As mentioned previously, the QMS was introduced in October 1986 and controls the overall catches for virtually all the main fish stocks found within New Zealand's 200 nm EEZ. In the QMS, a total catch limit is set at a sustainable level. Within the TAC, recreational and customary take is allowed for, and other mortality, and a TACC is set. Commercial fishing rights are allocated as Individual Transferable Quota ('ITQ') giving the ITQ owner a property right.
11. ITQ is a form of property right, held in perpetuity. Quota rights provide commercial fishers with transferability and security of access to fisheries resources. This allows for the efficient use of capital and labour and provides incentives to invest, enhance, develop and protect the resource. ITQ is a property right entitling holders to harvest or take fish from a certain QMA. However, ITQ does not give a right to access space in the QMA in priority, or at the exclusion, of other interests or activities. Also, holding quota does not guarantee continuous access to the entire QMA to which it relates.
12. If a new marine farm is established that prevents a quota holder from accessing the fishing area beneath the farm, that decision does not reduce their quota. However, the marine farm preventing access to the area to which it relates and preventing the fisher from harvesting the quota held may in effect remove their property right. In this case, whether quota has been rendered ineffective, in whole or in part, will be a question of fact and degree that can only be determined on a case-by-case basis.

Protecting the Fisheries Settlement

13. The Fisheries Deed of Settlement, signed between the Crown and Māori in 1992 and the TOW(FC)S Act, settled longstanding fisheries grievances. The TOW(FC)S Act dealt with both commercial fisheries and customary non-commercial fishing, which was a cornerstone of the settlement. Most iwi indicated that, without adequate provision for customary non-commercial fishing, there would not be an agreement on the fisheries settlement as a whole.
14. The Fisheries Deed of Settlement and the TOW(FC)S Act also provided for the settlement of Māori commercial claims to fisheries. The settlement allocated Māori (through the Treaty of Waitangi Fisheries Commission) fishing quota and shares in fishing companies. Māori at an iwi and national level now own approximately 40% of all commercial fishing quota and have interests in the harvesting or processing of a further 20% of quota.
15. While the TOW(FC)S Act precludes Māori bringing further claims against the Crown based on commercial fishing rights, the Crown must still act in accordance with the principles of the Treaty of Waitangi when making decisions that affect Māori interests. More so because the interest of Māori in fishing, both commercial and non-commercial, are derived from and protected by the undertakings of the Crown in the settlement of treaty grievances with Māori.

16. Māori settled their fisheries grievances with the Crown, in part on the basis of receiving something of value (fishing quota). Māori do, however, hold the reasonable expectation that the rights that flow from owning quota will endure.

Appendix B: Aquaculture agreements and compensation declarations

1. The Fisheries Act provides a mechanism for a coastal permit applicant to reach agreement with quota owners of potentially affected fish stocks to manage and compensate for those impacts. These provisions are found in Part 9A Subpart 4.

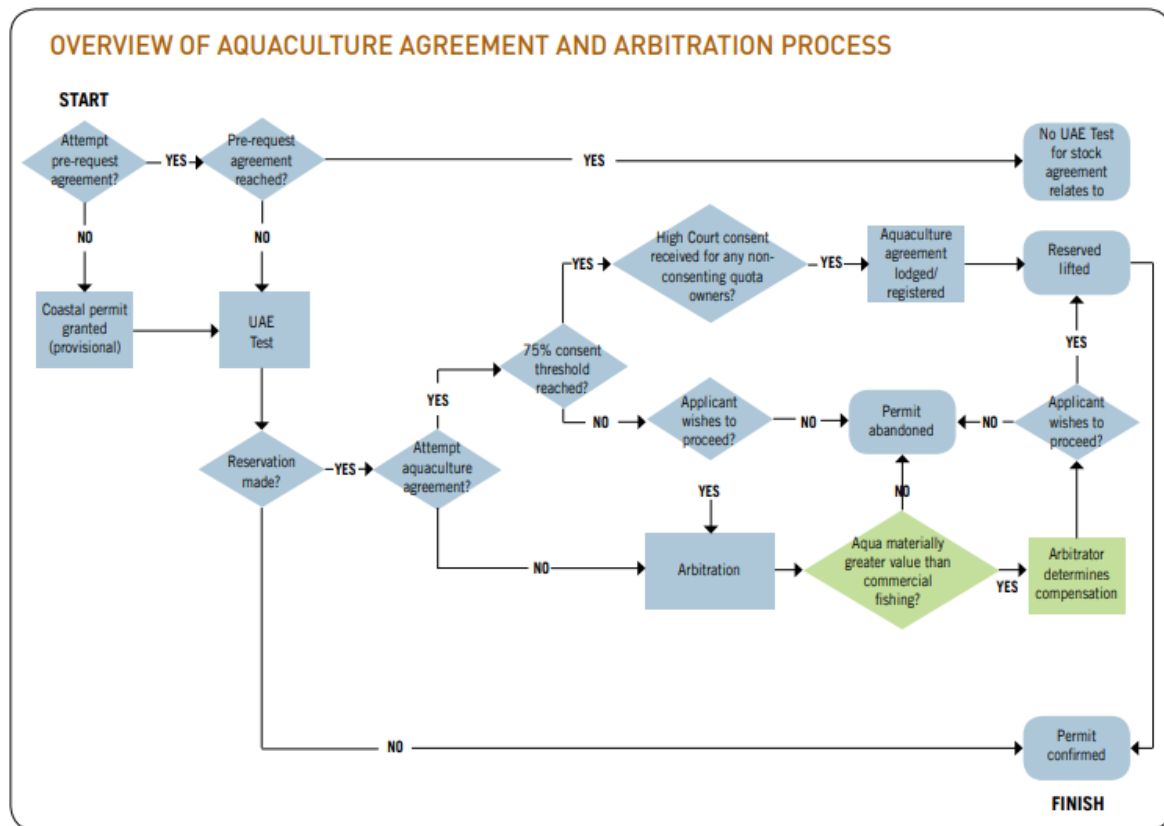
Aquaculture agreements

2. A pre-request aquaculture agreement is a voluntary agreement made before MPI undertakes the undue adverse effects (UAE) test. Section 186ZD of the Fisheries Act defines a “pre-request aquaculture agreement” as one or more documents, in the approved form, containing the consents required under section 186ZM of the Fisheries Act. If the authorised person for the project wishes to lodge a pre-request aquaculture agreement in relation to the area, they must lodge it with the chief executive before lodging the substantive application. Effects on any QMS stocks covered by a pre-request aquaculture agreement are not included in the UAE test.
3. An aquaculture agreement is a voluntary agreement made after the UAE test if there is a reservation (an undue adverse effect) on commercial fishing for a QMS stock. Section 186ZD of the Fisheries Act defines an “aquaculture agreement” as one or more documents, in the approved form, containing the consents required under section 186ZF of the Fisheries Act; from quota owners whose consent is necessary for aquaculture agreement. Aquaculture agreements must be registered in accordance with section 186ZH of the Fisheries Act.
4. Both types are negotiated aquaculture agreements that require agreement of the owners of at least 75% of the quota shares for the relevant fish stock. With 75% agreement, the coastal permit holder may apply to the High Court to get consent on behalf of the other quota owners to reach the required 100%. If there is more than one affected stock (that is subject to the reservation), there must be agreement for all the affected stocks for the reservation to be completely lifted. Any quota owners who do not consent to an aquaculture agreement are still paid compensation.

Compensation declaration through arbitration

5. In the case of a reservation on commercial fishing for a QMS stock, the coastal permit holder may request an independent arbitration process to determine compensation if an aquaculture agreement is not reached, with or without an attempt to negotiate. A compensation declaration means a statutory declaration to the effect that compensation has been provided, in accordance with sections 186ZN and 186ZQ of the Fisheries Act, to all affected quota owners. A compensation declaration must be registered in accordance with section 186ZHA of the Fisheries Act. The coastal permit holder may request that an arbitrator determine the amount of compensation to be paid to quota owners for QMS stocks covered by the reservation. However, an arbitrator can only determine compensation if the proposed aquaculture activities would provide more economic value to New Zealand than the affected fishing. The arbitrator will not be able to review the findings of the UAE test (that is, the aquaculture decision). The arbitrator’s role will be limited to determining the amount of compensation to be paid for any undue adverse effect that was determined by the aquaculture decision.

6. An overview of the aquaculture and agreement and arbitration process is provided below.



Appendix C: Additional Statutory Context

Fast-track Approvals Act 2024

1. Section 7 of the Fast-track Act requires all persons performing and exercising functions, powers, and duties under this Act to act in manner consistent with obligations arising under existing Treaty settlements, customary rights recognised under the *Marine and Coastal Area (Takutai Moana) Act 2011*, and *Ngā Rohe Moana o Ngā Hapūo Ngāti Porou Act 2019*.
2. Clause 20 of Schedule 5 of the Fast-track Act states the considerations the panel must have when making an aquaculture decision. The panel's aquaculture decision may differ to, but must have regard to, the recommendation on the aquaculture decision made by the chief executive under clause 15 of Schedule 5 of the Fast-track Act.
3. Section 48 of the Fast-track Act states that if the EPA receives a substantive application seeking an approval described in section 42(4)(a) or (b) for aquaculture activities to be undertaken in the coastal marine area, the EPA must, at the same time as providing the application to the panel convener, request that the chief executive make a recommendation, in accordance with clauses 14 to 16 of Schedule 5, on the aquaculture decision to be made under section 80.
4. Clause 14(1) of Schedule 5 of the Fast-track Act states that the chief executive may seek information or consult certain persons for the purpose of making a recommendation on an aquaculture decision. This can include—
 - a) the applicant;
 - b) any fisher whose interests may be affected; and
 - c) persons and organisations that the chief executive considers represent the classes of persons who have customary, commercial, or recreational fishing interests that may be affected by the granting of the coastal permit or change to, or cancellation of, the conditions of the coastal permit.
5. Clause 14(3) of Schedule 5 of the Fast-track Act outlines that if the chief executive seeks information or consults persons or organisations under this clause, the chief executive must do so at the same time as the panel seeks written comments on the application for the resource consent; and the persons or organisations must provide the information or submissions to the chief executive within 20 working days after the chief executive's request.
6. Clause 15 of Schedule 5 of the Fast-track Act states the considerations the chief executive must have when making a recommendation to the panel on an aquaculture decision.
7. Clause 15(5) of Schedule 5 of the Fast-track Act states that if the chief executive recommends a determination, the recommended determination may—
 - a) specify any condition of the coastal permit that is material to the recommendation and that relates to the character, intensity, or scale of the aquaculture activities; and

- b) state that the condition may not be changed or cancelled until the chief executive makes a further aquaculture decision in relation to the area affected by the change or cancellation under the Fisheries Act.
- 8. Clause 15(6) of Schedule 5 of the Fast-track Act states that if the chief executive recommends a reservation, the recommended reservation must also include—
 - a) whether the reservation relates to customary, recreational, or commercial fishing, or a combination of them; and
 - b) if the reservation relates to commercial fishing, the stocks and areas concerned, specifying any stocks subject to the quota management system and any other stock not subject to the quota management system; and
 - c) any other matters required to be included by regulations made under the Fisheries Act, as if the recommended reservation were an aquaculture decision made under that Act.
- 9. Clause 16 of Schedule 5 of the Fast-track Act specifies an order in which recommendation requests to the panel on aquaculture decision are to be processed.

Fisheries Act 1996 and regulations

- 10. Section 186GB(1)(b) of the Fisheries Act requires an assessment of the likely effects of the aquaculture activities on fishing of any fishery including the proportion of any fishery likely to be affected.
- 11. Parts 3 and 4 of the Fisheries Act focus on “stocks” for the purpose of setting and allocating TAC and managing species within the QMS. Section 186GB also refers to “stock” with specific regard to adverse effects on commercial fishing. So, MPI considers a commercial fishery as a fish stock delineated by a FMA or QMA. A “cumulative effect” on commercial fishing includes the total effect of all authorised aquaculture activities within the relevant QMA or FMA.
- 12. For recreational and customary fishing, a fishery is not usually defined at the stock level. Instead, MPI considers the practical extent of each recreational or customary fishery in relation to the proposed site. For customary fishing, this assessment is primarily focused within the relevant rohe of the affected iwi.
- 13. Section 186GB(2) of the Fisheries Act says that if a pre-request aquaculture agreement has been registered under section 186ZH of the Fisheries Act in relation to the areas that the coastal permit relates to, the decision-maker must not have regard to the undue adverse effects on commercial fishing in respect of any stocks covered by the pre-request aquaculture agreement when having regard to the matters specified in section 186GB(1).
- 14. Section 186ZM of the Fisheries Act applies in relation to the pre-request aquaculture agreement with all necessary modifications, including that the reference to the chief executive in section 186ZM(9) of the Fisheries Act must be read as a reference to the panel that considers the substantive application under the Fast-track Act.

15. The *Fisheries (South Island Customary Fishing) Regulations 1998* (the “South Island Regulations”) define customary food gathering as the traditional rights confirmed by the Treaty of Waitangi and the *Treaty of Waitangi (Fisheries Claims) Settlement Act 1992*, being the taking of fish, aquatic life, or seaweed or managing of fisheries resources, for a purpose authorised by Tangata Tiaki/Kaitiaki, including koha, to the extent that such purpose is consistent with tikanga Māori and is neither commercial in any way nor for pecuniary gain or trade.
16. The South Island Regulations and regulation 50 and 51 of the Amateur Fishing Regulations provide for Tangata Tiaki/Kaitiaki to determine the customary purpose for which fish, aquatic life, or seaweed may be taken, methods used, seasons fished, size and quantity taken etc. The South Island Regulations and regulations 50 and 51 do not contemplate restrictions under the Fisheries Act on the quantity of fish taken or the methods used to take fish. Should tangata whenua fish without customary authorisations, all the recreational limits under the Amateur Fishing Regulations apply.

Appendix D: Location and Layout Maps

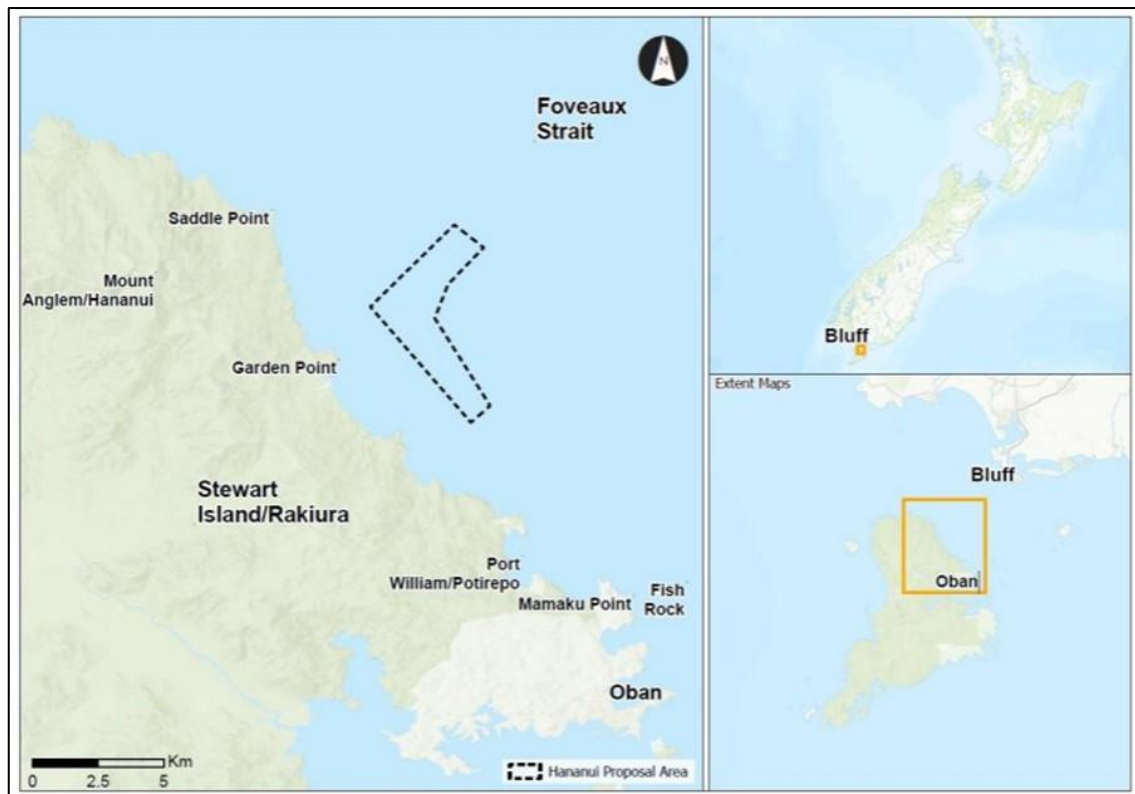


Figure 1: Copy of the site map showing the location for FTAA-2511-1138 (taken from application FTAA-2511-1138).

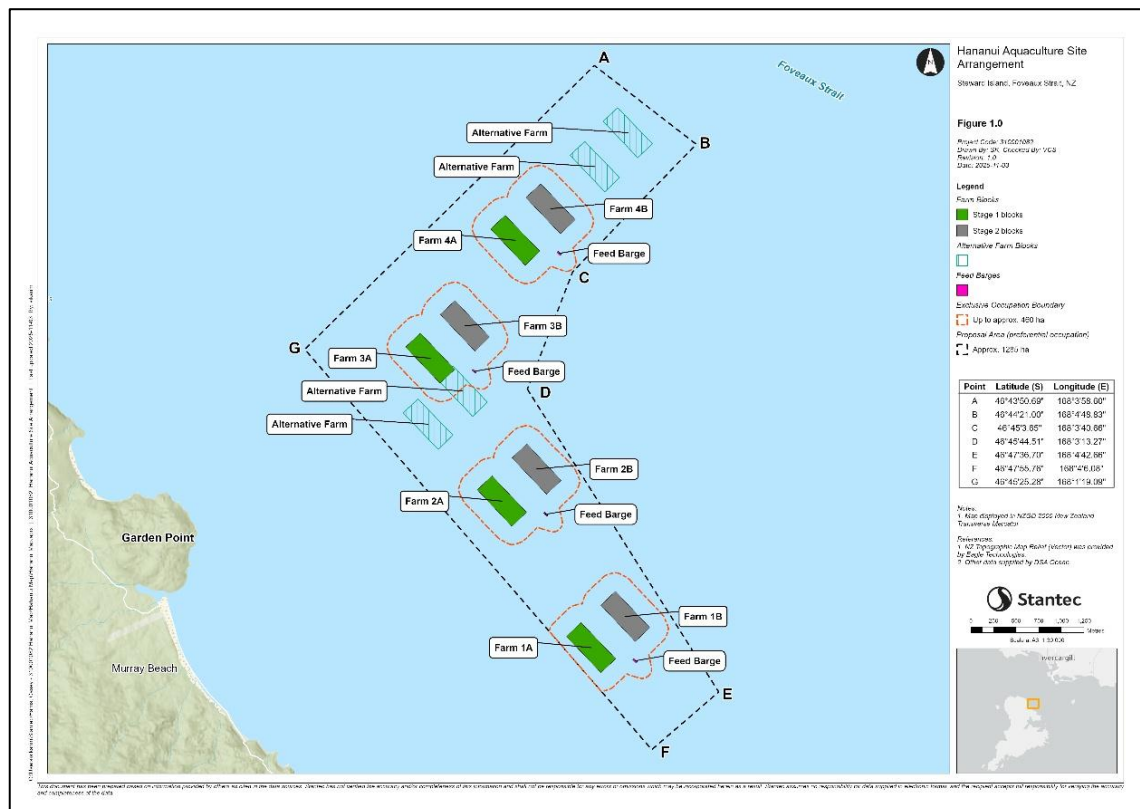


Figure 2: Copy of the site map showing the layout plan for FTAA-2511-1138 (taken from application FTAA-2511-1138).

Appendix E: Tangata whenua and stakeholders consulted by MPI

Commercial fishers	Recreational fishers	Tangata whenua
BCO5 and PAUMAC5 Association Chair	Recreational Fisheries Mailing List – regional fishers (571 fishers were notified regarding consultation)	Te Rūnaka o Awarua
Bluff Oyster Management Company		Waihōpai Rūnaka
Cando Fishing Limited		Ōraka Aparima Rūnaka
Kina Industry Council		Hokonui Rūnanga
New Zealand Rock Lobster Industry Council		
Pāua Industry Council		
Port Chalmers Fishermen's Co-operative Society		
Seafood New Zealand		
Talley's		
Te Ohu Kaimoana		

Appendix F: Fishing Reporting and Analysis

Fisheries boundaries

1. Fisheries reporting historically occurred by general Statistical Area. Within New Zealand's EEZ are 120 of these areas and this provides for more fine scale data to be collected than at an FMA scale.

Recreational Fishing

2. Information on recreational fishing used in this assessment comes from:
 - ACV returns. Charter fishing must be reported to MPI, and reports include location of fishing and catches; and
 - three national interview surveys in the 2011–12, 2017–18 and 2022–23 fishing years (Wynne-Jones *et al.*, 2014, 2019; Heinemann & Gray, 2024).

Commercial fishing reporting and CatchMapper analysis

3. Historically, fishing catches were reported by a set of Statistical Areas providing only coarse-scale information about where commercial fishing occurs. However, since 2007/08 vessels over 6 m long that have used trawl or line fishing methods have reported the start position of each fishing event by latitude and longitude to within 1 minute, which equates to around 1 nm. Since 2006/07, start positions for netting methods have reported to within 2 nm. Using this fine scale position data, MPI has modelled and mapped fishing intensity for different clusters of fishing, characterised by a type of fishing gear and the main species caught. This detail can be commercially sensitive and may not be publicly released.
4. Fishing effort that is only reported by Statistical Area was apportioned evenly across the area available for fishing, although some areas are likely to include more productive habitats than others. The parts of the Statistical Area available for fishing for each type of fishing method are defined by using all available information (including regulated closures, bathymetry, seabed substrate, and consultation with fishers) about where the method is likely to be used. Where fishing is reported to the Statistical Area level, uncertainty increases as to where fishing events have taken place within the Statistical Area.
5. The amount of all mapped fishing events that overlap with a proposed site's footprints is calculated. Trip landings are apportioned to the overlapping part of each event. These are summed and annually averaged for each fishery cluster and fish stock to estimate the amount of fish likely to have been landed within the footprints. MPI has used this, along with institutional information to inform Tables 5 and 6 and the commercial fishing assessment.
6. The amount of fishing was averaged over October fishing years 2007/08 to 2024/25. Eighteen years is long enough to consider natural variation in the abundance and distribution of fish stocks and fishing effort so that likely average future fishing is fairly represented.