

15 April 2026

Fast-track Approvals Act wildlife approval report

Section 51(2)(c) wildlife approval report for –
FTAA-2511-1138 Hananui Aquaculture Project

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1.0 Introduction

- 1.1 On 26 November 2025 Ngāi Tahu Seafood Resources Limited (the Applicant / NTS) lodged a substantive application with the Environmental Protection Authority (EPA) for the Hananui Aquaculture Project (the Project). On 17 December 2025 the EPA determined that the application was complete and complied with section 46(2) of the Fast-track Approvals Act 2024 (FTAA / the Act).
- 1.2 The Hananui Aquaculture Project is a two-stage exposed coastal water salmon farming development, proposed to occupy an approximately 2,500 ha area of the coastal marine area located 2-6 km off the northern coast of Rakiura. The proposal comprises four marine farms within this area.
- 1.3 As part of the application, Ngāi Tahu Seafood Resources Limited is seeking a wildlife approval for the management of effects of the Project on absolutely protected seabird and shark species. The activities for which approval is sought include the capture, holding, handling, releasing, disturbing and incidental killing of wildlife which may result from entanglement and entrapment in the proposed marine farming structures.

2.0 Purpose of the report

- 2.1 This report has been prepared by the Department of Conservation (DOC / the Department) on behalf of the Director-General of Conservation. It provides commentary to support the Panel's assessment of the application for a wildlife approval. The content of this report has been informed by DOC's technical experts and information from Treaty partners where available.
- 2.2 In accordance with clause 3 of Schedule 7, this report must address the following matters:
 - The purpose of the Wildlife Act 1953 and the effects of the Project on the protected wildlife that is to be covered by the approval.
 - Information and requirements relating to the protected wildlife that is to be covered by the approval (including, as the case may be, in the New Zealand Threat Classification System (NZTCS) or any relevant international conservation agreement).
 - Any conditions that should be imposed to manage the effects of the activity on protected wildlife.
 - Any conditions that should be imposed to recognise or protect a relevant Treaty settlement and any obligations arising under the Marine and Coastal Area (Takutai Moana) Act 2011 or Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019.
- 2.3 The Panel Convener has also requested a report pursuant to s 51(1) of the Act advising how the weighting of matters set out in Schedule 7, clause 3 of the Act should be approached, having regard to relevant senior court decisions (attached to this report at **Appendix B**).

3.0 Overview of DOC's report

- 3.1 This report is divided into two key components of the application – activities relating to sharks, and activities relating to seabirds.
- 3.2 Overall, DOC's assessment concludes that, subject to recommended conditions, the proposed activities are broadly consistent with the purpose of the Wildlife Act. The relevant species management plans include appropriate methodologies to mitigate the risks associated with the Project.
- 3.3 DOC's primary outstanding concern is with the Applicant's proposed condition set that places certification of the management plan solely with the council via the resource consent with "opportunity for DOC input". DOC should hold a certification role alongside the council in relation to management plans utilised under approvals where DOC is the relevant regulator. DOC has proposed conditions that facilitate the certification (and subsequent recertification) process for the management plans associated with this approval.
- 3.4 In addition, the following recommendations are made:
- **Photo Error:** DOC notes that there remains an error in the identification of the black shag image within the Seabird Management Plan (SBMP), which depicts a little black shag. DOC suggests that this image be corrected and that an image of a dark-phase Foveaux shag be included, as this species may be confused with black shags in the field.
 - **Euthanasia Protocols:** DOC notes that the SBMP lacks clear guidance on methods of euthanasia and recommends this be addressed by specifying authorisation requirements, approved methods, and decision-making criteria, particularly for threatened species, including when off-site treatment is required versus on-site euthanasia. Some guidance has been provided on this in the conditions.
 - **Updated species information:** It should be noted that the conservation status of birds in Aotearoa, New Zealand¹ is due to be updated in 2026. It is recommended that any changes to the Threat Classifications for seabirds impacted by this proposal be updated accordingly prior to certification of the management plan.
 - **Contact information:** DOC recommends contact information for the Marine Bycatch & Threats team (csp@doc.govt.nz) be included in Appendix 5 of the SBMP in addition to the phone numbers provided. This team is best placed to provide relevant advice in the event of a management response trigger.
- 3.5 DOC has provided commentary on the proposed conditions, including new conditions to provide for DOC certification of the aspects of the plans relevant to the wildlife approval, including a

¹ [Conservation status of birds in Aotearoa New Zealand](#)

review and recertification clause, in line with the timeframes outlined within the resource consent conditions. The conditions and associated commentary can be found at **Appendix C**.

4.0 Sources

4.1 This report draws on information from the substantive application. Application documents specifically referenced in this report include:

- Hananui Aquaculture Project Substantive Application
- Appendix O – Seabird (coastal and marine avifauna) Effects Assessment
- Appendix P – Shark Effects Assessment
- Appendix X – Draft Seabird Management Plan
- Appendix Y – Draft Shark Management Plan
- Appendix DD – Proposed Wildlife Approval Conditions (12 March 2026)

4.2 The assessment in this report is informed by DOC’s technical experts. Their credentials are included at **Appendix A**.

5.0 Matters considered in relation to the criteria for a wildlife approval

5.1 Statutory context

5.1.1 Clause 1 of Schedule 7 of the Act defines “wildlife approval” as “a lawful authority for an act or omission that would otherwise be an offence under any of sections 58(1), 63(1), 63A, 64, 65(1)(f), 70G(1), 70P, and 70T(2) of the Wildlife Act 1953”.

5.1.2 Capture, killing, marking and liberating native sharks and seabirds without lawful authority are all offences under the Wildlife Act:

- Sections 63(1) and 70G(1) make it an offence to “hunt or kill” (the definition of which includes related activities such as “taking”, “capturing” and “disturbing”) protected wildlife without lawful authority. This also includes killing that is incidental, which is that which is not directly intended but is unavoidable and foreseeable as a consequence of carrying out an otherwise lawful activity (s 53A).
- Sections 65(1)(f) and s 70P provide that it is an offence to do anything for which an authority is required under the Wildlife Act or any regulations under that Act:
 - Section 56 establishes that no person may liberate; or capture or attempt to capture or have in their possession for the purpose of liberating, wildlife without the prior written authority of the D-G.
 - Section 38 of the Wildlife Regulations 1955 establishes that no person, Fish or Game Council, or organisation may mark any wildlife without prior written authority from the D-G.

- 5.1.3 The activities proposed (capture, holding, handling, releasing, disturbing and incidental killing of wildlife) can be considered for wildlife approval under the FTAA. A wildlife approval granted under the Act is treated as if it were granted under the Wildlife Act (Schedule 7, clause 7(1)).

5.2 Purpose of the Wildlife Act

- 5.2.1 The relevant purpose of the Wildlife Act is to protect wildlife.
- 5.2.2 The Wildlife Act creates a tiered system, with different levels of protection required for different species. Most wildlife is absolutely protected – meaning that it cannot be lawfully hunted, killed, harassed or possessed without specific authorisation. The Wildlife Act also identifies wildlife that is not protected.
- 5.2.3 The Applicant is seeking wildlife approval in relation to absolutely protected species. In this report, the application and the effects of the Project are considered against the purpose of the Wildlife Act.
- 5.2.4 A full list of species included in this approval is included in **Appendix D**.

5.3 The role of species management plans

- 5.3.1 Wildlife Act approvals, including those for handling wildlife, typically include approval of a species management plan as part of the process. That is, an applicant provides a species management plan with their application, detailing proposed actions. The detail in the species management plan informs the assessment against the purpose of the Wildlife Act and, if the application is approved, the Wildlife Act authorisation is conditional on compliance with the approved plan.

5.4 Conditions to manage effects on protected wildlife

- 5.4.1 NTS has proposed a set of wildlife approval conditions, which include a 30-year term. DOC has two outstanding concerns with regards to the conditions proposed by the Applicant – who certifies management plans attached to the wildlife approval; and (due to the term of approval sought) providing for regular review and recertification of the relevant management plans.
- 5.4.2 As a mechanism of the FTAA, the Applicant can provide management plans which address both the resource consents and wildlife approval sought. The Applicant's proposed condition set places certification of these management plans solely with Environment Southland via the resource consent, with "opportunity for DOC feedback".
- 5.4.3 DOC considers it highly inappropriate for the council to certify management plans for approvals that it is not the regulator of (i.e. a wildlife approval); nor can it be expected that councils will hold the relevant expertise to do so.
- 5.4.4 Outside of the FTAA, all approvals for handling and harming wildlife are managed under the Wildlife Act 1953 and are regulated by DOC. Under normal statutory processes, the management plans associated with these approvals would be certified by DOC as part of the approval process.

- 5.4.5 While management plans are not a requirement for wildlife approvals under the FTAA, the SMP and SBMP address the requirements of the approval and are critical for managing how the activities involving protected wildlife are carried out. The proposed conditions rely upon both management plans to achieve compliance with the conditions of the approval. By relying on Environment Southland to certify these plans, and manage any reviews and/or subsequent amendments, there is no guarantee that these will remain fit for purpose or will continue to achieve compliance with the conditions of the wildlife approval.
- 5.4.6 DOC's position is that the certification of these management plans should sit within the relevant approvals (by way of conditions) and be certified by the regulator of that approval.
- 5.4.7 For any wildlife approvals granted under the FTAA DOC should hold a certification role alongside the council in relation to management plans utilised under approvals where DOC is the relevant regulator.
- 5.4.8 DOC does not consider that dual certification would be unduly onerous on the Applicant. Instead, it would ensure appropriate oversight and provide assurance that management plans are consistent with best practice. Dual certification by DOC could occur simultaneously with the council process, with joint certification sought in place of feedback. It is not expected that this would cause any delays.
- 5.4.9 Additionally, DOC has suggested an extra condition within the wildlife approval that provides for review and recertification of the management plans by DOC, initially after 2 years, then every 5 years thereafter, in line with the resource consent. Wildlife Act approvals of this type are typically granted for no more than 10 years while the proposed term of the wildlife approval sought is 30 years.
- 5.4.10 Wildlife approvals are typically limited to 10 years because best practice standards, habitat conditions, species knowledge and threat status can change in this timeframe, potentially causing the original management plan to be outdated or ineffective.
- 5.4.11 Implementing a mandatory 5-yearly recertification ensures that the management plan remains aligned with current best practice, reflects any material changes in habitat, and is reviewed at an appropriate and responsible interval. This process should be managed by DOC as the relevant regulator.
- 5.4.12 Recertification of a management plan as proposed by the Applicant provides no certainty to DOC as the relevant regulator that the Approval Holder will continue to follow best practice.
- 5.4.13 See **Appendix C** for the full condition set, including DOC's commentary and tracked changes.

6.0 Sharks

6.1 DOC assessment

- 6.1.1 DOC has reviewed the relevant species information and management plans in relation to the potential effects of the proposed aquaculture activity on protected shark species. DOC notes

that the primary protected shark species that may be impacted by the Project is the great white shark (*Carcharodon carcharias*), which has a strong association with the marine environment of the Stewart Island / Rakiura region.

- 6.1.2 DOC considers that the reports produced by NTS clearly identify the shark species known to occur within the Project area, assess the potential risks posed by the proposed fish farm, and outline appropriate mitigation measures to address those risks. DOC further notes that the Shark Management Plan (SMP) has been amended to incorporate recommendations provided by DOC, particularly in relation to the potential for increased seal predation activity around the fish farm by great white sharks. Such activity could result in interactions between sharks and farm structures.
- 6.1.3 DOC acknowledges that the amended SMP now includes specific actions and response measures intended to minimise the likelihood and consequences of shark interactions with farm infrastructure.
- 6.1.4 Based on the information provided, DOC is satisfied that the Applicant has appropriately identified and incorporated mitigation measures within the SMP to reduce potential interactions between protected shark species and the proposed fish farm. DOC considers that, if implemented as described, the proposed measures provide sufficient protection for sharks in the Project area.

7.0 Seabirds

7.1 DOC Assessment

- 7.1.1 DOC has reviewed the SBMP and seabird assessment for the Hananui Aquaculture proposal. DOC considers that the SBMP adequately addresses the range of seabird interaction scenarios likely to occur once the site becomes operational.
- 7.1.2 DOC notes that the seabird handling protocols and procedures for the treatment of injured wildlife reflect current best practice standards. DOC supports the inclusion of clear guidance to ensure injured birds are held in cool, shaded conditions to minimise the risk of heat stress, and that staff follow defined decision pathways for birds that can be released near the site versus those requiring transfer for ongoing veterinary treatment.
- 7.1.3 DOC considers that the proposed mitigation measures relating to net maintenance, net tautness, and the prompt identification and repair of any defects are appropriate. DOC also supports the proposed lighting mitigation measures, including the use of blackout curtains and the minimisation of unnecessary lighting, which align with recognised best practice for reducing seabird attraction and collision risk.
- 7.1.4 DOC notes that the proposal to employ a full-time wildlife officer is a positive measure that will assist in maintaining consistent standards for wildlife incident response, ensuring staff are appropriately trained, and supporting the ongoing implementation of monitoring and reporting requirements. DOC considers that the monitoring and reporting protocols outlined in the plan

are of a high standard for an emerging aquaculture development however, it is recommended these be included in the conditions. This is reflected in **Appendix C**.

- 7.1.5 DOC supports the procedures for the release of unharmed birds away from vessels, as well as the requirement to notify appropriately qualified personnel for the treatment of injured wildlife. DOC acknowledges the list of rehabilitation facilities identified in the plan and agrees that the Dunedin Wildlife Hospital is likely to be the most suitable option due to proximity and the expertise of staff in seabird rehabilitation.
- 7.1.6 It is considered that the list of seabird species included in the appendix appropriately reflects the species likely to be encountered at the site.
- 7.1.7 DOC considers that the SBMP generally meets the requirements of the Act in relation to the handling of protected wildlife, and that the proposed measures are likely to improve outcomes for seabirds that may interact with the aquaculture operation.
- 7.1.8 DOC notes that there is one remaining gap in the plan, being the absence of clear guidance on euthanasia procedures. DOC recommends that the plan be amended to specify:
- how authorisation for on-site euthanasia would be obtained (including whether approval from a qualified veterinarian would be required, potentially via remote consultation);
 - approved methods for euthanasia; and
 - clear decision-making guidance for threatened species, including when individuals should be transported offsite for further assessment and treatment versus when euthanasia may be appropriate.
- 7.1.9 DOC acknowledges that the Foveaux Strait region provides important habitat for a range of threatened, at risk, and more common seabird species that breed on nearby offshore islands. DOC notes that while many of these species forage widely and are unlikely to regularly use the Hananui Aquaculture site, there are resident species of national importance, such as hoiho, tītī and Foveaux shag, of which some individuals may forage daily within the proposed footprint.
- 7.1.10 DOC further notes that other threatened species, including the Nationally Critical Whenua Hou diving petrel, breed nearby on Whenua Hou / Codfish Island and have been shown through tracking studies to forage within Foveaux Strait, including areas near the proposed site, while also utilising a broader foraging range.
- 7.1.11 DOC considers that the Applicant has appropriately recognised these seabird values and has identified a suite of mitigation measures aimed at reducing potential adverse effects of the proposed marine farm. DOC notes that some matters remain subject to further clarification, including the final materials proposed for underwater containment structures and pen coverings. However, DOC considers that the proposed mesh types, mesh sizes, and colouring are trending towards designs that are less likely to pose a risk to seabirds.

7.1.12 DOC is satisfied that lighting effects have been appropriately addressed and considers that the spatial scale of the proposed farm is unlikely to result in population level effects on seabird species. DOC acknowledges, however, that the development may result in displacement of some individual seabirds that previously foraged within the affected area.

8.0 Consultation

8.1 Pre-lodgement

8.1.1 The Applicant previously sought consents for the Project under the COVID-19 Recovery (Fast-track Consenting) Act 2020 (CRFTCA). The consultation between the Applicant and DOC throughout that process addressed matters/approvals that would otherwise be sought under the Resource Management Act 1991 (RMA). DOC provided comments to the Expert Panel for the application lodged under the CRFTCA.

8.1.2 Following updates to the proposal, the Applicant consulted with DOC prior to the lodgement of this application, with most of this engagement occurring between July and November 2025. Over this period, DOC has reviewed and provided feedback on draft copies of management plans and conditions associated with the wildlife approvals and the resource consent.

8.2 Post-lodgement

8.2.1 Post-lodgement of the substantive application, DOC and the Applicant have engaged collaboratively to discuss outstanding matters relating to seabirds, marine mammals and the conditions of approval. These discussions have contributed to updated information being provided to the panel. The Applicant provided these documents to the Panel on 12 March 2026.

8.2.2 The engagement has been constructive, and many issues have been resolved and/or appropriately addressed to DOC's satisfaction. This report, along with comments to be submitted under section 53 of the Act outlines where any outstanding issues remain

9.0 Additional information

9.1 International conservation agreements

9.2 The table below outlines the international agreements that are relevant to the approval being sought.

Table 1: International conservation agreements

Relevant Agreement	Signatory date
United Nations Convention on Biological Diversity	1992

International Union for Conservation of Nature (IUCN) – Membership and Contributions for Nature Platform	New Zealand became a member in 1948
Convention on the Conservation of Migratory Species of Wild Animals (CMS)	2000

The United National Convention on Biological Diversity (CBD)

- 9.3 The United Nations Convention on Biological Diversity (CBD) is an international agreement that promotes the development of global targets, national strategies and action plans by countries for the protection, restoration and sustainable use of biodiversity.
- 9.4 As a party to the CBD, New Zealand is required to have a national biodiversity strategy and action plan. Te Mana o te Taiao – Aotearoa New Zealand Biodiversity Strategy 2020 sets out New Zealand’s contribution to reversing the loss of biodiversity worldwide.
- 9.5 Key objectives of the strategy that are relevant to this application include:
- *Biodiversity protection is at the heart of economic activity.*
 - *Natural resources are managed sustainably.*
 - *Management ensures that biological threats and pressures are reduced through management.*
 - *Ecosystems and species are protected, restored, resilient, and connected from mountain tops to ocean depths.*
- 9.6 The application from Ngāi Tahu Seafood Resources Limited adopts management strategies that seek to mitigate adverse impacts that may arise from the development of the Hananui Aquaculture Project. The proposals steps to minimise interactions between protected wildlife and the farms will contribute to protection of biodiversity.

International Union for Conservation of Nature (IUCN)

- 9.7 The IUCN is a globally recognised conservation body and New Zealand’s membership reflects its commitment to biodiversity and ecosystem protection. While the IUCN is not a treaty-level agreement, New Zealand’s contributions to the IUCN’s Contributions for Nature platform and its alignment with global biodiversity targets (e.g. the Kunming-Montreal Global Biodiversity Framework) reflect a strong public commitment to species recovery and habitat protection.
- 9.8 The IUCN Red List status of species named in the application is provided in **Appendix D**.

Convention on the Conservation of Migratory Species of Wild Animals

- 9.9 The Convention on the Conservation of Migratory Species is an international treaty that promotes co-operation to manage threats to migratory species, ensuring the highest level of protection for

endangered species listed in Appendix I, which are those threatened with extinction. Species in Appendix II are those that would benefit from international co-operation. As a party to the Convention, New Zealand has legal obligations to provide immediate protection of species listed in Appendix I and is encouraged to enter into agreements for managing Appendix II species. This obligation is reflected in DOC's comments on conditions below and will also be relevant to the resource consent.

- 9.10 All shark species protected under the Wildlife Act are also absolutely protected under the Convention and are included in Appendix I. These species are listed in Table 2.

Table 2: Convention on the Conservation of Migratory Species of Wild Animals Appendix I species named in the application

Common Name	Scientific Name
White shark	<i>Carcharodon carcharias</i>
Basking shark	<i>Cetorhinus maximus</i>

9.11 Consistency with statutory planning documents and policy

- 9.12 The following statutory planning documents and associated policies are recommended to be considered alongside the wildlife approval sought by this Project.

Conservation General Policy 2005

- 9.13 The Conservation General Policy 2005 (CGP) provides guidance for the administration and management of lands and waters and natural and historic resources managed under conservation legislation including the Wildlife Act.
- 9.14 The CGP does not contain policies specific to the proposed wildlife activities. However, the following provisions are relevant:

11.1(a) Any application for a concession or other authorisation will comply with, or be consistent with, the objectives of the relevant Act, the statutory purposes for which the place is held, and any conservation management strategy or plan.

11.1(c) The Department and all concession and other authorisation holders should monitor the effects of authorised activities on natural resources, historical and cultural heritage, and the benefit and enjoyment of the public, including public access, to inform future management decisions.

- 9.15 The Wildlife Approval application, if progressed with the proposed mitigations and recommendations for improvement set out in this report, is not inconsistent with these provisions.

Stewart Island/Rakiura Conservation Management Strategy and Rakiura National Park Management Plan 2011

- 9.16 The Stewart Island/Rakiura Conservation Management Strategy and Rakiura National Park Management Plan 2011 (CMS/NPMP) outline a comprehensive framework for the management of natural, historic and recreational values across Rakiura conservation land. It provides strategic direction for the Department of Conservation's work under the Conservation Act 1987 and related legislation, outlining a long-term vision, regional objectives, policies and place-based outcomes.
- 9.17 Policies within the CMS/NPMP that DOC considers relevant include:
- *1.7.1 Should only grant authorisations (including variations to existing authorisations) if they are consistent with the outcomes, objectives and policies sought for particular Places (Part 2 - Places) within the Stewart Island/Rakiura CMS area and any other relevant sections of this strategy.*
- 9.18 The Project is proposed within the Stewart Island / Rakiura CMS area. The following outcomes for this Place are relevant:
- the environment and biodiversity of Stewart Island / Rakiura are maintained and enhanced;
 - the homes and habitats of native species are restored and protected against further loss or degradation.
- 9.19 Management objectives within the strategy and plan also address protection of indigenous species, marine species, and conservation values of Stewart Island / Rakiura as a whole.
- 9.20 The CMS/NPMP outlines significant indigenous species present within the CMS area. Species included in this application include hoiho, Fiordland crested penguin, Stewart Island shag and sooty shearwater. Appendix B of the CMS includes a list of taonga species, those relevant to the application are identified in Table 3 of this report.
- 9.21 The wildlife approval application is not inconsistent with the objectives, outcomes or policies of the CMS / NPMP.

10.0 Treaty of Waitangi settlement considerations and obligations

10.1 Treaty of Waitangi settlement obligations

- 10.1.1 Under section 7 of the Act the Panel must act in a manner that is consistent with obligations arising under existing Treaty settlements and customary rights recognised under the Marine and Coastal Area (Takutai Moana) Act 2011 (MACA) and Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019.
- 10.1.2 Ministry for the Environment (MFE) provided a report which sets out the section 18 matters it considered relevant to the application. DOC was not consulted by MFE on this report.
- 10.1.3 DOC agrees that the Treaty settlement relevant to this application is the Ngāi Tahu Claims Settlement Act 1998 (NTCSA). The report also acknowledges the settlement provides for

statutory acknowledgement over the Rakiura / Te Ara a Kiwa (Rakiura / Foveaux Strait) Coastal Marine Area (the Project is located entirely within this area). DOC notes a number of taonga species (listed in schedule 97 of the NTCSA) are likely to be impacted by the proposal, including some seabird species relating to this approval. A list of taonga species relevant to the wildlife approval and resource consents is included in Table 3. In addition, schedule 98 of the NTCSA lists taonga fish and shellfish species that may be found in the vicinity of the Project area at least some of the time. Information within the Wild Fish Report (Appendix Q) suggests this is likely to include giant kōkupu (*Galaxias argenteus*).

- 10.1.4 The report notes that the project area is not within any areas currently recognised protected customary rights or customary marine title under MACA, or any areas set out set out in the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019.
- 10.1.5 DOC has not identified any additional specific conditions that should be imposed for the wildlife approval sought in accordance with section 84 to recognise or protect a relevant Treaty settlement.

Table 3: Taonga species identified within application documents as relevant to proposal

Māori Name	English Name	Scientific name
Species relevant to wildlife approval		
Hoiho	Yellow-eyed penguin	<i>Megadyptes antipodes</i>
Karoro	Southern black billed gull	<i>Larus dominicanus</i>
Kōau / māpunga	Black shag	<i>Phalacrocorax carbo</i>
Kōau / kāruhiruhi	Pied shag	<i>Phalacrocorax varius varius</i>
Kōau / kawaupaka	Little shag	<i>Phalacrocorax melanoleucos brevirostris</i>
Pokotiwaha	Snares crested penguin	<i>Eudyptes robustus</i>
Tawaki	Fiordland crested penguin	<i>Eudyptes pachyrhynchus</i>
Tītī	Sooty shearwater	<i>Puffinus griseus</i>
Tītī / kaikōura tītī	Hutton's shearwater	<i>Puffinus huttoni</i>
Tītī / tāiko	Westland petrel	<i>Procellaria westlandica</i>
Tītī / tītī wainui	Fairy prion	<i>Pachyptila turtur</i>

Tītī / pararā	Broad-billed prion	<i>Pachyptila vittata</i>
Tītī / takahikare	White-faced storm petrel	<i>Pelagodroma marina</i>
Tītī	Cook's petrel	<i>Pterodroma cookii</i>
Tītī / kōrure	Mottled petrel	<i>Pterodroma inexpectata</i>
Toroa	Northern royal albatross	<i>Diomedea sanfordi</i>
Toroa	Southern royal albatross	<i>Diomedea e. epomophora</i>
Toroa	Gibson's wandering albatross	<i>Diomedea antipodensis gibsoni</i>
Toroa	Antipodean wandering albatross	<i>Diomedea antipodensis antipodensis</i>
Toroa	Wandering albatross	<i>Diomedea exulans</i>
Toroa	Southern Buller's mollymawk	<i>Thalassarche b. bulleri</i>
Toroa	New Zealand white-capped albatross	<i>Thalassarche cauta stadi</i>
Toroa	Black-browed albatross	<i>Thalassarche melanophris</i>
Toroa	Campbell Island albatross	<i>Thalassarche impavida</i>
Toroa	Light-mantled albatross	<i>Phoebastria palpebrata</i>
Toroa	Salvin's mollymawk	<i>Thalassarche salvini</i>
Toroa	Chatham Island mollymawk	<i>Thalassarche eremita</i>
Toroa	Grey-headed mollymawk	<i>Thalassarche chrysostoma</i>
Marine Mammals relevant to resource consents		
Kekeno	New Zealand fur seal	<i>Arctocephalus forsteri</i>
Paikea	Humpback whale	<i>Megaptera novaeangliae</i>
Parāoa	Sperm whale	<i>Physeter macrocephalus</i>
Rāpoka/Whakahao	New Zealand sea lion	<i>Phocarctos hookeri</i>

10.2 Treaty of Waitangi principles

10.2.1 DOC's work in preparing this report has been carried out in a manner that, as far as possible, gives effect to the principles of the Treaty of Waitangi² (arising from the obligation on DOC from section 4 of the Conservation Act). The principles most applicable to DOC's role are:

- **Partnership** – mutual good faith and reasonableness.
- **Informed decision-making** - Both the Crown and Māori need to be well informed of the other's interests and views. Consultation is a means to achieve informed decision-making.
- **Active protection** - requires informed decision-making and judgement as to what is reasonable in the circumstances.
- **Redress** – requires recognition of existing rights and interests.

10.2.2 For this application, this has included:

- DOC engagement with Treaty partners on the application. We note this has occurred within the context of the fast-track process with prescribed timeframes, and where the Applicant has an obligation to consult and Treaty partners have a right to be invited to comment. The scope of engagement also recognised DOC's role to provide reports and comments on the application, and not in its usual role as decision-maker.
- identifying for the Panel any relevant information from Protocols or relationship agreements prepared in accordance with Settlements (e.g. taonga species);
- ensuring that the information in this report is fully informed by any information from Treaty partners and the impact the activity would have on their interests.

10.2.3 DOC has advised the rūnaka offices and Kaitiaki Rōpū Ki Murihiku (Kā Rūnaka representatives of Waihōpai, Arowhenua, Hokonui and Ōraka-Aparima), and Te Rūnanga o Ngāi Tahu of the application, sharing relevant publicly available information and inviting iwi to engage with DOC where they had concerns relevant to DOC's submission.

10.2.4 DOC understands that the project has been developed alongside Papatipu Rūnanga ki Murihiku and input has been sought from other entities. DOC recognises that Ngāi Tahu Seafood Resources limited is an indirect subsidiary of Te Rūnanga o Ngāi Tahu and that Te Rūnanga have provided a letter of support for the application. DOC notes that affected Māori entities will be invited to provide comments to the Panel on the application as per section 53 of the FTAA.

10.2.5 DOC has not identified any specific conditions that should be imposed to achieve consistency with Treaty principles.

² [Principles of the Treaty of Waitangi and DOC: Apply for permits](#)

Appendix A: Technical expert credentials

DOC has relied on the advice of the following technical experts:

- a. Karen Middlemiss (sharks)
- b. Graeme Taylor (seabirds)
- c. Hendrik Schultz (seabirds - hoiho)

Their credentials are set out below.

Karen Middlemiss

My full name is Karen Lewanne Middlemiss. I hold a PhD in Biological Sciences from the University of Canterbury, specialising in fish physiology and behaviour.

I am based in Nelson/Whakatū and have worked for the Department of Conservation/Te Papa Atawhai (DOC) since 2019 as a Senior Marine Science Advisor. Prior to this, I worked as a marine research assistant at the Cawthron Institute and have contributed to marine research in New Zealand and Europe at institutions with a focus on marine species, including aquaculture and laboratory research. In my current role as a conservation biologist, I provide scientific and technical advice to support the conservation of protected marine fishes and reptiles, including sharks, and translate scientific research into applied management and conservation outcomes. My work includes field research, developing research strategies, advising on Wildlife Act matters related to sharks, contributing to the New Zealand Threat Classification for Chondrichthyans, and supporting development and implementation of the National Plan of Action for Sharks.

I am also New Zealand's incoming Scientific Councillor to the Convention on Migratory Species (CMS), an international council of scientific experts that provides scientific and technical guidance underpinning global conservation actions for highly migratory species (including sharks).

Graeme Taylor

I have a Master of Science degree from Canterbury University (1985) and have been working fulltime in the Department of Conservation since 1990. I have been providing advice on seabird issues since I started in DOC. My current role is a Principal Science Advisor, Marine Species, with national and international expertise on seabirds. I have published over 150 peer-reviewed papers and book chapters on a wide variety of conservation topics. I am providing specialist advice about seabird values associated with the Foveaux Strait area and any conflicts with the proposed marine farm.

I have been New Zealand's representative on the Science Council of the Convention on Migratory Species (CMS) since 2016 and member of the Oceania region Sessional Committee for CMS. I was also Convenor of the Birds New Zealand Scientific Committee for eight years. I have been a member of the New Zealand Threat Classification committee for bird species since 2005.

My experience covers a broad range of topics in respect to seabird ecology, distribution, behaviour and potential impacts on offshore industries having provided past advice to Planning Tribunal hearings

and Environment Court/EPA proceedings on offshore deep-sea mining and aquaculture proposals as well engagement with industry around planning for offshore windfarm developments. I have also managed projects investigating population level impacts of fisheries bycatch on seabird species. I have led or been a team member researching over 25 different seabird species using satellite, GPS and archival logging tags to better understand bird movements, spatial distribution and overlap with current and proposed industries. I am familiar with the Foveaux Strait region having done 12 or more visits for work and private trips across the past 45 years.

Hendrik Schultz

I have a PhD in biology from the University of Auckland (with focus on seabird foraging ecology), and a German diploma (MSc equivalent) in marine ecology. I have worked for DOC since June 2019 as a Marine Technical Advisor, coordinating hoiho/yellow-eyed penguin recovery and managing seabird conservation projects (albatrosses and petrels). As part of this role, I have provided detailed scientific advice around threats and mitigations for hoiho, ranging from human induced threats such as bycatch, to disease and environmental impacts.

On 23 March 2026, I have started an 18-month secondment as a Senior Marine Protection Advisor in the National Marine Protection Team. I have previously provided evidence (Coastal Environment) on the proposed Otago Regional Policy Statement.

Appendix B: Weighing of legal matters to be taken into account

Introduction

1. This report responds to the Panel Convener's Minute dated 28 January 2026, directing the EPA to obtain advice from the Department of Conservation on "how the weighting of matters set out in the relevant schedules should be approached, having regard to relevant senior court decisions".
2. The Minute refers to the matters set out in Schedule 7, clause 3 of the FTAA (wildlife approval) which the FTAA directs must be addressed by the Director-General's s 51(2) reports.³

Weighting generally

3. Generally, the weighting to be accorded to relevant considerations by a statutory decision maker is for that decision maker to determine,⁴ however where a statute directs the weight to be given to a matter, that direction must be given effect to.⁵
4. The senior courts have recognised that apparently disproportionate, inadequate or undue weight attached to a relevant factor can lead to judicial consideration of whether the weighting applied was within the limits of reason, and hence, whether the ultimate decision was unreasonable in an administrative law sense. A court may set aside an administrative decision which has failed to give adequate weight to a relevant factor of great importance, or which has given excessive weight to a relevant factor of no great importance.⁶
5. Accordingly, mandatory relevant considerations must be given genuine consideration and weighting by statutory decision makers.

Weighting under the Fast-track Approvals Act 2024

6. The Schedules to the FTAA list mandatory considerations that decision-making Panels must take into account, when determining applications for the various approvals that can be granted under the Act.⁷
7. The only directive regarding weighting contained in the FTAA, is that the "greatest weight" is to be given to the purpose of the FTAA.⁸
8. While described in the FTAA as "criteria",⁹ the mandatory matters to be taken into account can be described as "factors", in the sense that they are matters to be assessed on the basis of their qualities, rather than quantities. They establish the foundation for assessment rather than the outcome

³ The schedule clauses referenced in the Minutes exclude consideration of the purpose of the FTAA from the ambit of the request. However, in order to respond to the Panel Convener's request in relation to consideration of weighting, it is necessary to refer to the purpose of the FTAA given the statutory directive that this consideration be given "the greatest weight" relative to other mandatory considerations (i.e. relative to the matters that must be addressed by the Director General's s 51 reports). This advice has therefore been prepared on that basis.

⁴ See, for example *Huakina Development Trust v Waikato Valley Authority* [1987] 2 NZLR (HC) 188 at 223: The weight to be given to the evidence in the balancing exercise ... is a matter for the primary tribunal and the Planning Tribunal on appeal.

⁵ *Quarantine Waste (New Zealand) Ltd v Waste Resources Ltd* [1994] NZRMA 529 (HC) at 540: "Unless the statute otherwise directs, the weight to be given to particular relevant matters is one for the consent authority, not the Court, to determine."

⁶ See, for example *Thames Valley Electric Power Board v NZFP Pulp and Paper Ltd* [1994] LGHNZ 17 (CA).

⁷ See Schedule 7, clause 5 (wildlife approval).

⁸ This directive occurs multiple times in the FTAA, including at Schedule 7, clause 5 (wildlife approval).

⁹ This is the terminology used in the titles for each of the relevant clauses listed in fn 5.

of it.¹⁰ Accordingly, the criteria, or factors, are not tick-boxes to be crossed off a list but are matters that must be qualitatively assessed.

9. The FTAA does not direct how much relative weight should be given to, or between, relevant matters other than the purpose of the FTAA. Nor does the FTAA specify how much greater weight should be accorded to its purpose relative to other mandatory considerations. It may be the case that some of the factors listed in the relevant clauses may be found to have no relevance. Consequently, that factor will have no weight accorded to it in the balancing exercise.
10. While the purpose of the FTAA is to be given the greatest weight, the purpose of the FTAA does not automatically outweigh all other considerations. By listing other considerations besides the purpose of the FTAA, it is implicit that weight be attached to them, and that they should receive genuine consideration where relevant.¹¹
11. Accordingly, while the greatest weight is to be accorded to the purpose of the FTAA, it does not follow that when qualitatively assessed, the regional or national benefits of a project must necessarily outweigh other considerations, in combination or in isolation, such as the adverse environmental effects of a project. The extent of regional or national benefits will vary between projects. Also, adverse effects will vary between projects in nature and severity. Each factor must be qualitatively assessed and those assessments weighed. Where they pull in different directions, they must be weighed against each other.
12. The issue of legislatively directed weighting was considered by the Court of Appeal in *Enterprise Miramar Peninsula Inc v Wellington City Council*,¹² when considering the application of s 34 the Housing Accords and Special Housing Areas Act 2013 (HASHAA). Section 34 provides:

34 Consideration of applications

(1) An authorised agency, when considering an application for a resource consent under this Act and any submissions received on that application, must have regard to the following matters, giving weight to them (greater to lesser) in the order listed:

- (a) the purpose of this Act:
- (b) the matters in Part 2 of the Resource Management Act 1991:
- (c) any relevant proposed plan:
- (d) the other matters that would arise for consideration under—
 - (i) sections 104 to 104F of the Resource Management Act 1991, were the application being assessed under that Act:
 - (ii) any other relevant enactment (such as the Waitakere Ranges Heritage Area Act 2008):

¹⁰ *Western Bay of Plenty District Council v Bay of Plenty Regional Council* [2017] NZEnvC 147, at [117]-[118].

¹¹ See also s 85(3)(b) of the FTAA which provides for the decline of a FTAA application if the adverse impacts are sufficiently significant to be out of proportion to the project's regional or national benefits that the Panel has considered

¹² *Enterprise Miramar Peninsula Inc v Wellington City Council* [2018] NZCA 541.

(e) the key urban design qualities expressed in the Ministry for the Environment's *New Zealand Urban Design Protocol (2005)* and any subsequent editions of that document.

12. The Court held that all the listed matters must first be individually assessed prior to the exercise of weighing them in accordance with the prescribed hierarchy (in that case, the listed matters in subsection (1)(b)–(e) could not properly be weighed alongside the purpose of HASHAA under subs (1)(a) if that purpose has first been used to effectively neutralise the matters listed in subs (1)(b)–(e)).¹³
13. Applying that approach to the FTAA, the relevant matters should first be individually assessed, uninfluenced by the purpose of the FTAA, “before standing back and conducting an overall balancing” where the purpose of the FTAA is to be given greatest weight.¹⁴ It would be an error of law to use the purpose of the FTAA to eliminate or reduce individual assessment of the other specified mandatory relevant considerations.¹⁵

¹³ *Enterprise Miramar Peninsula Inc*, at [53].

¹⁴ *Enterprise Miramar Peninsula Inc*, at [52]. Note that the FTAA does not take the same cascading hierarchy of “greater to lesser” weight, but only that the “greatest weight” be given to the purpose.

¹⁵ *Enterprise Miramar Peninsula Inc*, at [55]-[59]

Appendix C: Conditions

The table below responds to *Appendix DD – Proposed wildlife approval conditions*, provided by Ngāi Tahu Seafood Resources Limited on 12 March 2026.

Condition #	Proposed condition with track-changed suggestions	Comments and reasoning
Schedule 1		
3	Personnel authorised to undertake the Authorised Activity (Schedule 2, clause 3) a. Suitably trained marine farm staff b. Suitably qualified and trained vets c. Additional personnel as may be approved in writing by the Grantor <u>Department of Conservation</u> .	For clarity, the use of Grantor has been replaced where this relates to the functions of the Department of Conservation.
6	Grantor <u>The Department</u> 's address for notices The Grantor <u>Department</u> 's address for all correspondence is: Rakiura National Park Visitor Centre, Main Road, Halfmoon Bay, Stewart Island Phone: 03 219 0009 Email: stewartisland@doc.govt.nz <u>And</u> <u>Permissions Team Level 4</u> <u>73 Rostrevor Street Hamilton 3204</u> <u>Email: permissionshamilton@doc.govt.nz</u>	As above. It is recommended the permissions contact information be included for this approval.
Schedule 2		
2	In accordance with Conditions 42-44 and 49-51 of Resource Consent [to add reference] the Approval Holder may make amendments to any of the management plans provided that feedback is sought from DOC.	DOC has major concerns with the current drafting that places certification of the management plan solely with the council via the resource consent with "feedback from DOC".

2.1 The Approval Holder shall prepare a Shark Management Plan (SMP) and Seabird Management Plan (SBMP) (“Management Plans”). The purpose of the Management Plans is to minimise adverse effects of the Project on protected wildlife.

It is not appropriate for the Council to certify management plans or any subsequent amendments related to the wildlife approval when it is not the regulator.

2.2 The Management Plans must:

- a. be prepared by a Suitably Qualified and Experienced Person;
- b. meet the objectives set out in conditions 4 (SBMP) and 9 (SMP)
- c. include the information set out in condition 5 (SBMP) and 10 (SMP)

DOC must hold a certification role (alongside the council with respect to RMA approvals) in relation to management plans related to the wildlife approval.

This would ensure appropriate oversight and provide assurance that plans are consistent with best practice.

2.3 At least 20 working days before the introduction of marine farm structures, including pens, mooring lines and anchors, the Approval Holder must submit the Management Plans to the local Operations Manager of the Department of Conservation (stewartisland@doc.govt.nz), for certification in accordance with Condition 2.2.

It is expected that some changes and/or an advice note will need to be included in the resource consent conditions to align the dual certification process for this approval and the Environment Southland consents. DOC will provide further comments on this matter under section 53 of the Act.

2.4 The certified Management Plans shall be implemented and complied with for the duration of the Approval.

Advice Note: the resource consents for the Project include a condition that requires the preparation and implementation of an SMP and SBMP. The Approval Holder may prepare one of each of these Management Plans that meets both the conditions of the resource consents and this Approval.

-
- 2A (New) The Approval Holder must review the SMP and SBMP and resubmit to DOC for recertification:
- a. two years after the installation of the first net pens at the Hananui Aquaculture site
 - b. every 5 years thereafter

DOC supports the term of reviews to the management plans proposed within the resource consent conditions however, given the proposed 30-year term of the approval is recommended that a mandatory recertification be included at these intervals.

The purpose of the review process is to ensure that the amended SMP and SBMP gives effect to the conditions of this Approval, taking into account current species knowledge, best practice methods and mitigation techniques.

Implementing a mandatory recertification ensures that the management plans remain aligned with current best practice, reflects any material changes in habitat, and is reviewed at an appropriate and responsible interval. This requirement will provide certainty to DOC as the relevant regulator that the Approval Holder is continuing to follow best practice.

3	<p>The Approval Holder must undertake the activity authorised by this Wildlife Act Approval so as to avoid and/or mitigate the risk of entrapment, injury or entanglement of seabirds and record and report any incidence of injury or mortality of any seabirds in accordance with the Seabird Management Plan (SBMP) <u>certified through the conditions of this approval</u> required under the conditions of Resource Consent <u>[to add reference]</u>.</p>	<p>Amendment recommended to clarify the relevance of the SBMP for the wildlife approval.</p>
7A (New)	<p><u>Euthanasia, if deemed necessary, must take place according to the most recent edition of the New Zealand National Bird Banding Scheme Bird Bander's Manual.</u></p>	<p>Addition to conditions 6 and 7 recommended to ensure appropriate methods of euthanasia are used for the species covered by this approval.</p> <p>The description of how to euthanise a badly injured bird is on Page 32 of the manual. For seabirds DOC recommends either decapitation or a hard blow to the head as the most humane options</p> <p>See Melville, D.S. 2011 New Zealand National Bird Banding Scheme bird banders manual..pdf</p>
8 (New)	<p><u>Monitoring and Reporting</u></p> <p><u>Following the installation of the marine farms the Approval holder must undertake weekly dusk and dawn surveys at each of the four farms for a minimum of 2 years.</u></p> <p><u>The Approval Holder must keep a record of all seabird incidents/interactions with the farm and all records obtained from the routine seabird monitoring.</u></p> <p><u>The Approval Holder must provide these records annually, within three months of the anniversary of the commencement of the consent, to the DOC Operations Manager, Rakiura (stewartisland@doc.govt.nz), and permissionshamilton@doc.govt.nz, for the term of the authorisation.</u></p> <p><u>The details of any tags, transponders or bands found on live or dead marked individuals, and any bands/tags/marks removed for any reason, must be recorded and reported as instructed on the</u></p>	<p>Annual reporting to the 'consent authority' is proposed within the SBMP, given DOC's previous comments about the management of this approval, it is recommended the reporting be included within these conditions and provided to DOC. This condition also aims to further enforce the routine monitoring proposed in the SBMP.</p> <p>The timing is proposed to align with the reporting requirements proposed in the resource consent conditions.</p>

DOC website: <http://www.doc.govt.nz/our-work/bird-banding/reporting-a-bird-band/>

All monitoring and reporting must be undertaken in accordance with the SBMP.

8 The Approval Holder must undertake the activity authorised by this Wildlife Act Approval so as to minimise shark interactions with the marine farms in accordance with the Shark Management Plan (SMP) certified through the conditions of this approval required under the conditions of Resource Consent [to add reference].

As above.

9 The objective of the SMP is to:

- achieve compliance with conditions of this approval;
- determine how the operation of the marine farms will be managed adaptively to avoid, remedy, and mitigate adverse effects on sharks;
- ensure best practice is adopted to avoid entanglement or entrapment of protected sharks, including those listed in Convention for Migratory Species, having regard to best international practice, ongoing research and allowing for technological improvement in net design, construction and maintenance;
- establish reporting and response procedures in the event of protected, ~~threatened, or at risk~~ shark entrapment, entanglement or death; and
- establish a monitoring programme to assess the effectiveness of the SMP.

This approval applies to shark species protected under the Wildlife Act, not all shark species.

Additional comments to recognise international treaty obligations as identified in section 9.

12 (New) **Reporting**

The Approval Holder must keep a record of all shark incidents/interactions with the marine farm.

The Approval Holder must provide these records annually, within three months of the anniversary of the commencement of the consent, to the DOC Operations Manager, Rakiura (stewartisland@doc.govt.nz), and permissionshamilton@doc.govt.nz, for the term of the authorisation.

As above, this condition is recommended to ensure the reporting proposed within the SMP is provided to DOC. This is standard across Wildlife Act approvals.

Any incident with a protected shark must be reported to DOC within 24 hours of the incident.

All reporting must be undertaken in accordance with the SMP.

XX (New) **Liabilities**

The Approval Holder agrees to exercise the Approval at their own risk and releases, to the full extent permitted by law, the Director-General and the Director-General's employees and agents from all claims and demands of any kind and from all liability which may arise in respect of any accident, damage, or injury occurring to any person or property arising from the Approval Holder's exercise of the Approval.

The following mechanical conditions are recommended in addition to those proposed by the Applicant to enable the ongoing management of the approval.

XX (New) **Compliance with Legislation and Director-General's Notices and Directions**

The Approval Holder must comply with all statutes, bylaws, and regulations, and all notices, directions, and requisitions of the Director-General and any competent authority relating to the exercise of the Approval.

XX (New) **Employees, Contractors, or Agents**

The Approval Holder is responsible for the acts and omissions of its employees, contractors, and agents.

The Approval Holder is liable under the Approval for any breach of its terms by employees, contractors, or agents, as if the breach were committed by the Approval Holder.

Where obligations bind more than one person, those obligations bind those persons jointly and separately.

Appendix D: Protected species identified as potentially present within the Project area

Common Name	Species	Conservation Status (NZCTS)	IUCN Red List Status
White shark	<i>Carcharodon carcharias</i>	Threatened - Vulnerable	Vulnerable - Decreasing
Basking shark	<i>Cetorhinus maximus</i>	Threatened - Endangered	Endangered - Decreasing
Antipodean wandering albatross	<i>Diomedea antipodensis antipodensis</i>	Threatened – Nationally Critical	Endangered - Decreasing
Gibson's wandering albatross	<i>Diomedea antipodensis gibsoni</i>	Threatened – Nationally Critical	Not Listed
Salvin's mollymawk	<i>Thalassarche salvini</i>	Threatened – Nationally Critical	Vulnerable
Whenua Hou diving petrel	<i>Pelecanoides whenuahouensis</i>	Threatened – Nationally Critical	Critically Endangered - Increasing
Hoiho	<i>Megadyptes antipodes</i>	Threatened – Nationally Endangered	Endangered - Decreasing
Black petrel	<i>Procellaria parkinsoni</i>	Threatened – Nationally Vulnerable	Vulnerable - Stable
Foveaux shag	<i>Leucocarbo stewarti</i>	Threatened – Nationally Vulnerable	Not Listed
Grey-headed mollymawk	<i>Thalassarche chrysostoma</i>	Threatened – Nationally Vulnerable	Endangered - Decreasing
Hutton's shearwater	<i>Puffinus huttoni</i>	Threatened – Nationally Vulnerable	Endangered - Stable
Light-mantled sooty albatross	<i>Phoebastria palpebrata</i>	Threatened – Nationally Vulnerable	Near Threatened - Decreasing
Northern royal albatross	<i>Diomedea sanfordi</i>	Threatened – Nationally Vulnerable	Endangered - Decreasing
Southern royal albatross	<i>Diomedea e. epomophora</i>	Threatened – Nationally Vulnerable	Vulnerable - Stable
Spotted shag	<i>Stictocarbo p. punctatus</i>	Threatened – Nationally Vulnerable	Least Concern

Buller's shearwater	<i>Puffinus bulleri</i>	At Risk - Declining	Vulnerable - Stable
Fiordland crested penguin	<i>Eudyptes pachyrhynchus</i>	At Risk - Declining	Near Threatened - Decreasing
NZ white-capped albatross	<i>Thalassarche cauta steadi</i>	At Risk - Declining	Not Listed
Red-billed gull	<i>Larus novaehollandiae scopulinus</i>	At Risk - Declining	Not Listed
Sooty shearwater	<i>Puffinus griseus</i>	At Risk - Declining	Near Threatened - Decreasing
Southern Buller's mollymawk	<i>Thalassarche b. bulleri</i>	At Risk - Declining	Near Threatened - Stable
Southern little penguin	<i>Eudyptula minor</i>	At Risk - Declining	Least Concern - Stable
White-fronted tern	<i>Sterna striata striata</i>	At Risk - Declining	Near Threatened - Decreasing
Northern giant petrel	<i>Macronectes halli</i>	At Risk - Recovering	Least Concern - Increasing
Pied shag	<i>Phalacrocorax varius varius</i>	At Risk - Recovering	Least Concern
Variable oystercatcher	<i>Haematopus unicolor</i>	At Risk - Recovering	Least Concern - Increasing
Campbell Island albatross	<i>Thalassarche impavida</i>	At Risk – Naturally Uncommon	Vulnerable - Increasing
Chatham Island mollymawk	<i>Thalassarche eremita</i>	At Risk – Naturally Uncommon	Vulnerable - Stable
Snares Cape petrel	<i>Daption c. capense</i>	At Risk – Naturally Uncommon	Least Concern - Stable
Snares crested penguin	<i>Eudyptes robustus</i>	At Risk – Naturally Uncommon	Vulnerable - Stable
Westland petrel	<i>Procellaria westlandica</i>	At Risk – Naturally Uncommon	Endangered
Black shag	<i>Phalacrocorax carbo novaehollandiae</i>	At Risk - Relict	Least Concern - Increasing

Broad-billed prion	<i>Pachyptila vittata</i>	At Risk - Relict	Least Concern - Decreasing
Cook's petrel	<i>Pterodroma cookii</i>	At Risk - Relict	Vulnerable - Increasing
Fairy prion	<i>Pachyptila turtur</i>	At Risk - Relict	Least Concern - Stable
Flesh-footed shearwater	<i>Puffinus carneipes</i>	At Risk - Relict	Near Threatened - Decreasing
Fluttering shearwater	<i>Puffinus gavia</i>	At Risk - Relict	Least Concern - Decreasing
Grey petrel	<i>Procellaria cinerea</i>	At Risk - Relict	Near Threatened - Decreasing
Grey-backed storm petrel	<i>Garrodia nereis</i>	At Risk - Relict	Least Concern - Decreasing
Little shag	<i>Phalacrocorax melanoleucos</i>	At Risk - Relict	Not Listed
Mottled petrel	<i>Pterodroma inexpectata</i>	At Risk - Relict	Near Threatened - Decreasing
Southern diving petrel	<i>Pelecanoides urinatrix chathamensis</i>	At Risk - Relict	Not Listed
White-faced storm petrel	<i>Pelagodroma marina</i>	At Risk - Relict	Least Concern - Decreasing
Australasian gannet	<i>Morus serrator</i>	Not Threatened	Least Concern - Increasing
Black-bellied storm petrel	<i>Fregetta tropica</i>	Not Threatened	Least Concern - Decreasing
Grey-faced petrel	<i>Pterodroma macroptera gouldi</i>	Not Threatened	Least Concern - Decreasing
White-chinned petrel	<i>Procellaria aequinoctialis</i>	Not Threatened	Vulnerable - Decreasing
White-faced heron	<i>Egretta novaehollandiae</i>	Not Threatened	Least Concern
White-headed petrel	<i>Pterodroma lessonii</i>	Not Threatened	Least Concern – Decreasing

Black-browed albatross	<i>Thalassarche melanophris</i>	Non-resident Native - Coloniser	Least Concern - Increasing
Southern giant petrel	<i>Macronectes giganteus</i>	Non-resident Native - Migrant	Least Concern - Increasing
Wandering albatross	<i>Diomedea exulans</i>	Non-resident Native - Migrant	Vulnerable - Decreasing
