

Version Note:

This version of the conditions has been updated to reflect:

- NTS' response to Minute 4 from the Hearing Panel
- NTS' response to comments made by invited parties on the application (s53 comments)
- NTS' response to the Department of Conservation's s51 report
- The Department of Conservation's comments on the NTS response to Minute 4
- Environment Southland's comments on the NTS response to Minute 4.

RESOURCE CONSENT CONDITIONS

Condition number	Updated condition	Comment										
Details of Permit												
	<table border="1"> <tr> <td>Purpose for which permit is granted:</td> <td>Marine farming of King Salmon (<i>Oncorhynchus tshawytscha</i>) at a site located off the northern coast of Rakiura/Stewart Island, including: (a) All associated structures, activities in the coastal marine area, occupation of the common marine and coastal area, disturbance of damage to and deposition on the seabed, and any other ancillary activities (b) All associated discharges to water (c) The associated use of coastal water for marine farming.</td> </tr> <tr> <td rowspan="2">Location:</td> <td>- site locality</td> <td>Coastal marine area from between 2 and 6 kilometres offshore from mean high water springs along the northern coastline of Rakiura/Stewart Island, as shown on Plan A in Appendix B.</td> </tr> <tr> <td>- receiving environment</td> <td>Coastal marine area</td> </tr> <tr> <td>Expiry date:</td> <td colspan="2">25 years from the commencement of the consent</td> </tr> </table>	Purpose for which permit is granted:	Marine farming of King Salmon (<i>Oncorhynchus tshawytscha</i>) at a site located off the northern coast of Rakiura/Stewart Island, including: (a) All associated structures, activities in the coastal marine area, occupation of the common marine and coastal area, disturbance of damage to and deposition on the seabed, and any other ancillary activities (b) All associated discharges to water (c) The associated use of coastal water for marine farming.	Location:	- site locality	Coastal marine area from between 2 and 6 kilometres offshore from mean high water springs along the northern coastline of Rakiura/Stewart Island, as shown on Plan A in Appendix B.	- receiving environment	Coastal marine area	Expiry date:	25 years from the commencement of the consent		
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	<p>Wherever used in the conditions:</p> <p>Entanglement refers to an incident where a seabird, shark or marine mammal becomes trapped or constrained by ropes, nets, lines or structures associated with the marine farm to the extent that direct human intervention is required to free the individual or individuals.</p> <p>SQEP means a suitably qualified and experienced professional. The qualifications and experience of the relevant SQEP shall be set out in the related document or otherwise provided to the Consent Authority upon request.</p> <p><u>Threatened means, in relation to Conditions 31(a), 38(a) and 45(a), species assessed as Threatened under the New Zealand Threat Classification System (Nationally Critical, Nationally Endangered, or Nationally Vulnerable), and species listed as Vulnerable, Endangered, or Critically Endangered on the IUCN Red List.</u></p>	<p>Amendment proposed in response to Question 1 Minute 4. Note that definitions of entanglement and SQEP are not shown in track changes as they were already present in the proposed consent conditions in the substantive application.</p> <p>Environment Southland response to Minute 5: 'ES has reviewed this content and is comfortable with the additional definitions proposed by the applicant.... ES notes the applicant's position with respect to definitions of "extreme environmental conditions" and "best practicable measures" – i.e. that definitions for these are not required for the reasons as outlined. While ultimately a decision for the panel, ES accepts the rationale as outlined by the applicant for not including these definitions.</p> <p>Department of Conservation response to Minute 5: 'On further consideration, a definition for "Threatened" and "Indigenous" to support conditions 31(a), 38(a) and 45(a) may be helpful...All three conditions refer to species "threatened in the IUCN red list, and condition 45(a) refers to "indigenous shark taxa". The term "threatened" is not a formal classification under the IUCN red list, but rather is a collective term for the threat levels of</p>										

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	<i>Note: In addition to the definitions outlined above, where a word or phrase used in a specific condition requires definition, that definition is provided as a note after the relevant condition.</i>	vulnerable, endangered and critically endangered. DOC's s53 comments proposed a change to condition 45(a) to ensure alignment with international obligations, however upon further review, DOC's view is that it would be appropriate to retain the original wording of this condition if the following definitions are included'. <i>NTS response: NTS agrees with the inclusion of a definition of 'threatened' and has therefore proposed an amendment to the interpretation section to provide this, as the word appears in more than one condition. It is not clear to NTS how a definition of 'indigenous' provides any assistance with the consent conditions, and it is not a term that is defined in any other marine aquaculture consents that NTS can find. No amendment has therefore been proposed to include that definition.</i>
	General conditions <i>Note: In addition to the conditions of this consent, activities undertaken under this consent must also be undertaken in compliance with any applicable national regulations.</i> [proposed amendment in response to DOC comment on application re Condition 65]	
1	The activities authorised by this consent must be undertaken in general accordance with the application lodged with the Environmental Protection Authority on 26 November 2025 (FTAA-2511-1138) and the documents identified in Appendix A of this consent, except where modified by the conditions of this consent.	
2	Where these resource consent conditions require a document (such as a report, Management Plan or amendment or review of a Management Plan) to be 'certified' the following process shall be followed:	
	(a) The consent holder shall give the consent authority at least 20 working days' notice that certification is going to be requested, to allow the consent authority to organise any technical experts it may require;	
	(b) The document shall be provided to Manager Resource Management, Environment Southland for certification that it:	
	i. <u>contains suitable methods and procedures that will achieve the document's objectives as established in consent conditions;</u>	Amendment proposed in response to Question 3 Minute 4 Environment Southland response to Minute 5: 'ES is generally comfortable with the applicant's response to this element, and ES agrees that the applicant's proposed rewording of Clause 2(b)(i) would add some further clarity'. The Department of Conservation made no comment on this matter (DOC response to Minute 5)
	ii. contains the information required to be included in the document by consent conditions; <u>and</u>	Consequential amendment
	iii. <u>is in general accordance with the draft management plans that formed part of the consent holder's substantive application and the draft Environmental Monitoring and Management Plan dated 22 May 2026, except as amended to:</u> <u>A. respond to new information not available at the time the resource consent was granted, including but not limited to, information arising from monitoring; or</u> <u>B. align the management plans with consent conditions; or</u> <u>C. align with new or updated national instruments or updated best practice guidance; or</u> <u>D. incorporate comments made by Environment Southland, the Department of Conservation, Ministry for Primary Industries or representatives of Ngā Rūnanga ki Murihiku.</u>	Amendment proposed in response to Questions 9 and 29 Minute 4, updated to reference provision of the draft EMMP as well. Environment Southland response to Minute 5: 'Environment Southland is supportive of these proposed additions to Condition 2(b)' and 'ES considers that the applicant's proposed approach would address this issue'. The Department of Conservation made no comment on this matter (DOC response to Minute 5)

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	(c) Environment Southland may take such advice from suitably qualified persons as it considers necessary to satisfy itself that the document submitted for certification achieves the requirement of the relevant condition(s);	
	(d) Should the document, in the opinion of the consent authority, achieve the criteria identified in the applicable consent conditions, the consent authority shall notify the consent holder accordingly and the consent holder may commence activities consistent with the document on receipt of written confirmation (certification) from Manager, Resource Management, Environment Southland;	
	(e) Should the document, in the opinion of the consent authority, not achieve the criteria identified in the applicable consent conditions, then the consent authority shall notify the consent holder providing reasons why it will not certify the document.	Amendment proposed in response to Question 4 Minute 4 Environment Southland response to Minute 5: 'ES is supportive of these additions to Condition 2'. The Department of Conservation made no comment on this matter (DOC response to Minute 5)
	(f) If the consent holder receives written notice from the consent authority in accordance with clause (e) that certification of a document will not be provided, the consent holder may re-submit the document following review of the consent authority's reasons, and with any necessary amendments, and request certification again. Conditions 2 (b) to 2 (e) would apply to a re-submitted document and the process shall be repeated until the Manager, Resource Management, Environment Southland is able to certify that the document achieves the criteria in the applicable consent conditions;	Amendments proposed in response to Question 4 Minute 4 Environment Southland response to Minute 5: 'ES is supportive of these additions to Condition 2'. The Department of Conservation made no comment on this matter (DOC response to Minute 5)
	(g) Minor and technical amendments to each certified document (such as updating relevant contact details, hyperlinks or references to external content) may be made without certification by Manager Resource Management, Environment Southland. A version of the document with minor and technical amendments must be provided to the Manager Resource Management, Environment Southland within one month of the amendment. Where this management plan relates to an approval under the Wildlife Act, a copy must also be provided to the Department of Conservation.	Amendment proposed in response to DOC comments on application (section 5.1).
	Advice Note: The documents subject to the certification process that is set out in condition 2 are the Marine Mammal Management Plan, the Sea Bird Management Plan, the Shark Management Plan, the Biosecurity Management Plan, any Stage Progression Report, the Environmental Monitoring and Management Plan and any Farm Movement Plan.	Amendment proposed in response to Question 2 Minute 4, and updated to reflect structure of draft EMMP provided to the Panel on 22 May 2026. Environment Southland response to Minute 5: 'ES is comfortable with the applicant's suggested alternative approach, while also noting this is ultimately the panel's call'.
3	The Consent Holder must implement the certified documents required by the conditions of this consent and all works and activities authorised by this consent must be carried out in accordance with the certified documents required by the conditions of this consent.	No amendment proposed in response to DOC comments on application (section 5.1): DOC requested the inclusion of a new condition following Condition 79: <u>All marine farms must be operated and monitored in accordance with a certified EMMP throughout the life of the project.</u> Condition 3 requires <u>all</u> certified documents (e.g. all marine species management plans, and the EMMP) to be implemented by the consent holder, and therefore achieves what DOC was requesting without having to repeat the condition in each set of conditions relating to a particular document.
4	If there are inconsistencies between the conditions of this consent and the documents identified in Appendix A of this consent, the conditions of this consent shall prevail.	
5	The Consent Holder must pay any monitoring charge or charges to recover the actual and reasonable costs incurred by the Consent Authority, including charges incurred through the use of technical experts/specialists engaged by the Consent Authority for the purposes of monitoring conditions of this consent (such as reviews of the required Management Plans) to ensure compliance with the conditions of this consent.	

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Condition number	Updated condition	Comment
Lapse date		
6	This consent shall lapse ten years from the date of commencement. The consent shall be given effect to (in terms of Section 125 of the RMA) once any marine farm structure has been installed in accordance with the conditions of this consent.	
Occupation		
7	Exclusive occupation of the common marine and coastal area (to the exclusion of the public and other users of the coastal marine area) shall be limited to the area of the marine farm structures, including mooring lines and anchors, not exceeding more than 200 metres around the structures (measured outwards from the compensation buoys on the mooring grid and from the sides of the feed barges) or extending beyond the area shown on Plan A attached to and forming part of these conditions.	
8	Exclusive occupation must not exceed an area of 460 hectares across all the marine farms authorised by this consent and exclusive occupation areas around farms blocks relocated in accordance with conditions 10 and 83 may be substituted for those shown on Plan A.	
9	This consent provides for preferential occupation of the consented area shown on Plan A attached to and forming part of these conditions, with the exception of the area identified in Condition 0. Except to the extent that it is necessary for public safety or to achieve the purpose of this consent, members of the public must not be excluded from the area of preferential occupation.	
	<p><u>Interpretation</u> <u>For the purpose of Conditions 7 – 9:</u> Exclusive occupation means a restriction of access to an area of the coastal marine area to the person(s) or company that holds consent to occupy the space unless the consent holder grants permission for others to have access. Preferential occupation means the general public is allowed to use an area of the coastal marine area that is subject to a consent to occupy space, except in circumstances where the consent holder wants to use the area.</p>	<p>Amendment proposed in response to Question 1 Minute 4, noting that the wording of both proposed definitions has been updated slightly from that included in the NTS response to Minute 4</p> <p>Environment Southland response to Minute 5: 'ES has reviewed this content and is comfortable with the additional definitions proposed by the applicant'.</p> <p>The Department of Conservation made no comment on this matter (DOC response to Minute 5)</p>
Structures		
10	Marine farm structures first installed at the consented site must be located generally as shown on Plan A attached to and forming part of this consent or within 250 metres of the positions shown on that plan. If any farms are relocated in accordance with Condition 0 they must be located generally in the alternative farm locations shown on Plan A or within 500 metres of any initial farm positions shown on Plan A.	
11	<p>At least 20 working days prior to the first installation of marine farming structures at the site, the Consent Holder must provide to the Consent Authority a peer reviewed Engineering Design Report prepared by a SQEP that includes the following information:</p> <p>(a) The consented site's estimated extreme environmental conditions associated with a minimum 1-in-50-year return period (peak current speed, significant wave height, and wind speed) and reasonably predictable natural hazards within which the sea pens and feed barges fixings and moorings have been designed to function securely;</p> <p>(b) Design drawings for the mooring systems, anchors and anchor blocks required for securing the sea pens and feed barges at the site;</p> <p>(c) An analysis demonstrating that the specified anchors, anchor blocks, moorings (i.e. ropes and chains), connecting hardware (e.g. plates and shackles) and containment systems are designed to function within the design limits specified for the site's estimated extreme environmental conditions; and</p> <p>(d) Specifications and design of the sea pens (floating collars and fish enclosures) to be utilised and an analysis demonstrating that they are designed to function within the site's estimated extreme environmental conditions.</p>	

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	<p><i>Condition 0 notes:</i></p> <ul style="list-style-type: none"> - <i>For the purposes of condition 0, a SQEP shall be a Chartered Professional Engineer or hold a similar professional title from an appropriate engineering registration authority that is a signatory of the Washington Accord (1989), e.g. European Engineer (EUR ING) or P.Eng (registered professional engineer).</i> - <i>The combination of design conditions should reflect realistic extreme events, consistent with best practice for the design of marine structures. The baseline conditions, based on the initial assessment included in the application, are as follows:</i> <ul style="list-style-type: none"> o <i>Peak current speed at 5 to 7 m depth: 1.57 m/s</i> o <i>Significant wave height (Hs): 3.48 m</i> o <i>10-minute mean wind speed at 10 m elevation: 29.5 m/s</i> <p><i>These values may be refined through future studies to improve the accuracy of the design basis prior to the completion of the Report required by condition 0.</i></p> <p><i>- <u>There are a number of recommendations made in the Front-End Engineering Design Report, identified in Appendix A of these conditions, for preparing the Engineering Design Report, some of which may need to be undertaken in advance of preparing the Engineering Design Report. This includes a recommendation that an acoustic doppler current meter be deployed at the northern end of the site for one year.</u></i></p>	<p>Amendment proposed in response to Questions 27 and 28 Minute 4</p> <p>Environment Southland response to Minute 5: 'ES has no further comments, but will review the revised condition suite in detail when received'.</p> <p>The Department of Conservation made no comment on this matter (DOC response to Minute 5)</p>
12	<p>At least 20 working days prior to the first installation of marine farming structures at the site, the Consent Holder must provide to the Consent Authority a Maritime Construction Safety Management Plan (MCSMP) that has been prepared by a SQEP in consultation with the Harbourmaster.</p>	<p>No amendment proposed in response to Question 5 Minute 4 – NTS has provided an explanation for why a draft Maritime Construction Safety Management Plan has not been provided.</p> <p>Environment Southland response to Minute 5: 'ES accepts the applicant's position in this regard as to why a draft has not been provided now; while also noting that an appropriate MCSMP will still be required in due course under Condition 12 of the proposed conditions, and that the applicant acknowledges this requirement'.</p> <p>The Department of Conservation made no comment on this matter (DOC response to Minute 5).</p>
13	<p>The objective of the MCSMP is to mitigate the risks associated with marine farm construction activities <u>and/or farm breakaway events</u> that occur within the marine environment to staff and contractors at the marine farm and to mariners.</p>	<p>Amendment proposed in response to Environment Southland comments on application (paragraph 2.2) and to Ruapuke Island Group comments on application (paragraph 21)</p>
14	<p>The MCSMP must at a minimum include the following information:</p> <ul style="list-style-type: none"> (a) List of parties involved in the construction and their roles and responsibilities (b) List of parties who may be impacted by the work and so who need to be communicated with (c) The safety priorities (d) The construction / installation methodology (e) A hazard register <u>(f) Controls that will be employed to minimise the identified potential risks</u> <u>(g) An Emergency Operating Procedure (EOP) for farm breakaway events</u> (h) Communication channels, requirements and triggers. 	<p>Amendment proposed in response to Environment Southland comments on application (paragraph 2.2) and to Ruapuke Island Group comments on application (paragraph 21)</p>
15	<p><u>(a) Initial construction and installation of the marine farm and any future construction or installations at the marine farm, including progression to stage 2, shall be undertaken in accordance with the MCSMP.</u></p> <p><u>(b) In addition, the Emergency Operating Procedure (EOP) shall be implemented for ongoing operation of marine farms at the site</u></p>	<p>Consequential update</p>

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16	<p>The Consent Holder may review the MCSMP at any time prior to and during construction, <u>and may further review the EOP at any time during operation of the marine farms</u>. Any reviews <u>of the MCSMP, including the EOP</u>, shall be undertaken by a SQEP in consultation with the Harbourmaster. Any amendment to the MCSMP <u>or the EOP</u> arising from a review shall be provided to the Consent Authority.</p>	Consequential update
17	<p>Requirements prior to and on commissioning of marine farming structures and associated infrastructure:</p> <p>(a) Within 10 working days of completing installation of a set of sea pens and any associated barge, the Consent Holder shall provide 'as built' plans of each block of marine farm structures and barge(s) established, including coordinates for all four corners of each block, and identifying any difference between the 'as built' plans and the engineering report required by Condition 0 to the Consent Authority;</p> <p>(b) If marine farms are re-located within the consented site under Condition 0, updated 'as built' plans shall be provided, consistent with the requirements of Condition (a).;</p> <p>(c) 30 days prior to laying of the cardinal marks, the Consent Holder shall confirm with the Harbourmaster type / model of cardinal buoys, the design of the shapes and the light characteristics and any radio aids intended to be fitted and the coordinates of the intended placement. The Consent holder is to request the Harbourmaster issue Notices to Mariners (NTMs) notifying of the cardinals and their characteristics and the position of the new recommended large vessel anchorages;</p> <p>(d) Within 5 working days of laying of the cardinal marks, the Consent Holder shall provide the Harbourmaster and Land Information NZ (LINZ) Hydrographic Office written details of the light characteristics and any radio aids, if fitted, and coordinates of the position of the marks and request for the 'List of Lights' to be updated and for the farm area to be shown on the associated nautical charts. Unless advised otherwise by the Harbourmaster, the communication with LINZ is to include the updated position of the recommended anchorages currently shown on the charts.</p> <p>(e) Within 10 working days of the construction of each farm block, the Consent Holder shall, provide the Harbourmaster, confirmation that maritime "special marks" have been fitted in accordance with Figure 1 and that their light characteristics are consistent with the extant Maritime NZ Marine farm guidelines.</p> <div data-bbox="296 1113 1127 1512" data-label="Diagram"> </div> <p>Figure 1: Proposed marine farm lighting (left: stage one, right: stage two) where a yellow square denotes a yellow compensation buoy, a yellow circle with an 'X' denotes a yellow special mark with a yellow cross shape on a short post, and a purple drop denotes a flashing yellow light.</p> <p><u>Interpretation</u> <u>For the purposes of Condition 17:</u> Cardinal mark means an aid to navigation with four quadrant marks (north, east, south and west) that indicates the mariner should pass to the named side of the mark (e.g. pass north of a north mark).</p>	<p>Amendment proposed (see following page) in response to Question 1 Minute 4</p> <p>Environment Southland response to Minute 5: 'ES has reviewed this content and is comfortable with the additional definitions proposed by the applicant'.</p> <p>The Department of Conservation made no comment on this matter (DOC response to Minute 5)</p>

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	<p><u>Special mark means an aid to navigation indicating a special area or feature. It is yellow and its topmark is an 'X'.</u></p>													
18	<p>Structures and feed barges installed at any marine farm within the consented site must comply with the following limits and standards:</p> <p><i>Table 1: Structures and feed barges limits and standards</i></p> <table border="1" data-bbox="362 611 1279 1360"> <thead> <tr> <th data-bbox="362 611 676 646">Structures/feed barges</th> <th data-bbox="676 611 1279 646">Limit</th> </tr> </thead> <tbody> <tr> <td data-bbox="362 646 676 682">Number of marine farms</td> <td data-bbox="676 646 1279 682">Maximum of four</td> </tr> <tr> <td data-bbox="362 682 676 831">Number of fixed barges</td> <td data-bbox="676 682 1279 831">One per marine farm Maximum length of 40 metres and width of 12 metres Maximum air draught (overall height above the waterline) shall not exceed 14 metres (excluding appurtenances including aerials, satellite dishes, cranes and other non-superstructure equipment) under any design load conditions</td> </tr> <tr> <td data-bbox="362 831 676 867">Blocks of sea pens</td> <td data-bbox="676 831 1279 867">Maximum of two blocks per marine farm and eight blocks in total</td> </tr> <tr> <td data-bbox="362 867 676 1318">Sea pens</td> <td data-bbox="676 867 1279 1318">Maximum of 10 (maximum circumference of 168 metres) circular pens per block, set out in a 5 x 2 pattern, including above water predator nets up to 6 metres high above water and below water nets up to 22 metres depth, with a minimum clearance of 5m to the seabed Maximum of 80 sea pens in total. Above water bird nets shall be installed and maintained on all sea pen structures. All above and below water structures, including nets, must be made of, painted or otherwise finished in dark material and recessive colours All above water predator nets must have a mesh size equal to or less than 60 millimetres half mesh (knot to knot) There must only be a single below water net for each pen, excluding installed false bottoms. All below water nets used for sea pens must have a mesh size no larger than 40 millimetres half mesh (knot to knot) All nets shall be constructed from predator resistant materials designed, installed and maintained to resist tearing of the nets by seabirds, marine mammals and sharks</td> </tr> <tr> <td data-bbox="362 1318 676 1360">Under water lighting</td> <td data-bbox="676 1318 1279 1360">Maximum of eight 680 watt LED lights per sea pen</td> </tr> </tbody> </table>	Structures/feed barges	Limit	Number of marine farms	Maximum of four	Number of fixed barges	One per marine farm Maximum length of 40 metres and width of 12 metres Maximum air draught (overall height above the waterline) shall not exceed 14 metres (excluding appurtenances including aerials, satellite dishes, cranes and other non-superstructure equipment) under any design load conditions	Blocks of sea pens	Maximum of two blocks per marine farm and eight blocks in total	Sea pens	Maximum of 10 (maximum circumference of 168 metres) circular pens per block, set out in a 5 x 2 pattern, including above water predator nets up to 6 metres high above water and below water nets up to 22 metres depth, with a minimum clearance of 5m to the seabed Maximum of 80 sea pens in total. Above water bird nets shall be installed and maintained on all sea pen structures. All above and below water structures, including nets, must be made of, painted or otherwise finished in dark material and recessive colours All above water predator nets must have a mesh size equal to or less than 60 millimetres half mesh (knot to knot) There must only be a single below water net for each pen, excluding installed false bottoms. All below water nets used for sea pens must have a mesh size no larger than 40 millimetres half mesh (knot to knot) All nets shall be constructed from predator resistant materials designed, installed and maintained to resist tearing of the nets by seabirds, marine mammals and sharks	Under water lighting	Maximum of eight 680 watt LED lights per sea pen	
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19	<p>Except buoys, navigational marks, feed pipes and electrical cables / conduit or otherwise as specifically required by the Harbourmaster or as provided for in the Maritime Construction Safety Management Plan, MMMP or SBMP (whose requirements shall prevail over this condition):</p> <p>(a) The upper works of each barge above the gunwales shall be painted in a nautical colour scheme (such as white and blue);</p> <p>(b) The hull of each barge shall be a dark colour(s) (such as black);</p> <p>(c) All other surface structures at each Salmon Farm shall:</p> <ol style="list-style-type: none"> i. Be painted or finished in dark or recessive colour(s); or ii. Be the natural colour of the materials if these are recessive (such as galvanised carbon steel); and <p>(d) Where reasonably practicable, structures of the same type shall be painted or finished in such a way to allow the whole of each floating part to be discernible and contiguous (such as by using consistent and coherent colours).</p>													

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20	The Consent Holder must, at all times during the exercise of this consent: (a) maintain the marine farm structures, including but not restricted to the associated anchors, lines, buoys, sea pens, nets and feed barges, in good repair, appearance and condition; and (b) ensure the marine farm structures are secured and marked by appropriate navigational aids, so as not to create a navigation safety hazard.	
21	Except during maintenance activities (including biosecurity operations) and supervised operational activities that require the lifting of nets or movement of pens: (a) All nets (above and below water), ropes and mooring lines shall be kept under tension to minimise the potential for entanglement while in use for fish farming; and (b) If nets are not in use for fish farming they shall either be kept taut and weighted, or be removed from the water and stored so that they will not entangle seabirds, sharks or mammals.	No amendment proposed in response to Question 6 Minute 4 – NTS does not consider it practical to include maximum timeframes for the exemptions. Environment Southland response to Minute 5: 'ES accepts the rationale provided by the applicant that these matters can be traversed through operational controls and content in the relevant management plans, which will be subject to independent technical review prior to certification'. Department of Conservation response to Minute 5: 'DOC agrees with the applicant that it would be impractical to specify maximum timeframes for the exemptions proposed under condition 21 (i.e. maintenance activities including biosecurity operations and supervised operational activities). The Department would seek to work closely with the applicant when emergency situations arise, for example to seek to prevent entanglements'
22	If nets, ropes and mooring lines need to be loosened during maintenance activities and supervised operational activities that require the lifting of nets, measures as specified in the Marine Mammal Management Plan, Shark Management Plan and Seabird Management Plan must be implemented to avoid and/or minimise the risk of entanglement.	
23	Sea pens shall be designed and operated to minimise the ability of marine mammals, sharks and diving birds to access dead fish from the bottom of the sea pens.	Amendment proposed in response to Question 7 Minute 4 Environment Southland response to Minute 5: 'A member of ES's senior Compliance staff has reviewed this condition and is generally comfortable with the wording change proposed by the applicant in its response to Minute 4 for Condition 23' The Department of Conservation made no comment on this matter (DOC response to Minute 5)
24	Upon expiry (unless operating under section 165ZH of the RMA or an equivalent provision), surrender or cancellation of the consent, the Consent Holder must remove all marine farm and associated structures from the site and restore any damage or disturbance to the site caused by the physical presence of the structures so that the site is restored as near as practicable to its condition prior to the exercise of this consent within six months of the date of expiry, surrender or cancellation of consent. If the Consent Holder fails to do so, the Council may cause the marine farm structures, including all associated structures, to be removed and the site restored, and may recover the costs incurred by the removal and restoration from the consent holder.	No amendment proposed in response to Question 7 Minute 4 – however NTS wishes to correct the explanation for that originally contained in the response to Minute 4 as follows: As noted in responses contained elsewhere in the response to Minute 4, NTS and its technical advisers are confident that the existing ecological conditions at the site are well understood. Inclusion of the term 'as near as practicable' reflects the fact that it may not be possible to return the site to the <u>exact</u> physical condition prior to the exercise of the consent, not least due to the very active nature of the seabed naturally in the area. Environment Southland response to Minute 5: 'In terms of Condition 24, ES also proposes that the wording "as near as practicable to its condition prior to the exercise of this consent" is replaced with "to a state that the seabed indicators return to a condition that is functionally equivalent to reference conditions from baseline monitoring" or alternatively that an advice note be added to Condition 24 that "as near as practicable" means "that the seabed indicators return to a condition that is functionally equivalent to reference conditions but may not exactly replicate pre-development conditions." NTS response – Condition 24 relates to damage or disturbance caused by the physical presence of structures at the site, rather than enrichment related effects. Enrichment related effects will return to a condition that is functionally equivalent to reference conditions, but that is a process that occurs without interference from the consent holder as outlined in the material on reversibility of effects provided with NTS' response to Minute 3. The amendment sought by ES would therefore not be appropriate for Condition 24. No amendment proposed in response to Question 8 Minute 4 - NTS does not consider that it is necessary to impose the additional requirement for a Closure Plan

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Condition number	Updated condition	Comment
		<p>Environment Southland response to Minute 5: 'While noting the applicant's comments, ES favours a condition requiring a Closure Plan, and considers those matters the applicant has identified should be included in the conditions. ES also suggests that the closure plan should seek to ensure that seabed indicators return to a condition that is functionally equivalent to reference conditions from baseline monitoring'. <i>NTS response – NTS notes the comment from Environment Southland, but remains of the opinion that an additional requirement for a Closure Plan is not necessary, as outlined in the response to Question 8 Minute 4.</i></p> <p>The Department of Conservation made no comment on either of these matters (DOC response to Minute 5)</p>
Navigational safety		
25	The type, design, functionality, and placement of marine farm lighting and marking shall be in accordance with International Association of Marine Aids to Navigation and Lighthouse Authority Guidelines and shall be installed in accordance with the approval provided by the Harbourmaster under his or her Maritime Delegation from the Director of Maritime New Zealand pursuant to sections 200, 444(2) and 444(4) of the Maritime Transport Act 1994.	
26	At least 20 working days prior to the first installation of marine farming structures at the consented site or changes to the location and layout in accordance with condition 0, the Consent Holder must advise the Harbourmaster and must comply with any directions from the Harbourmaster concerning notification of the presence of the marine farming structures to coastal users.	
Farm operations		
27	<p>The consent holder shall ensure that the marine farms are operated so that</p> <p>(e) feed loss from the pens is minimised;</p> <p>b. Fish feeding behaviour and feed loss are monitored during feeding; and</p> <p>c. Total annual feed discharge across all four farms does not exceed:</p> <ol style="list-style-type: none"> During stage 1, 15,000 tonnes; During stage 2, 25,000 tonnes; or During an alternative stage that is undertaken in accordance with recommendations in a certified Stage Progression Report (SPR), an alternative total annual feed discharge, less than 25,000 tonnes, as provided for in the SPR. 	<p>Amendment proposed in response to Question 1 Minute 4 – alternative wording rather than providing a definition of 'best practicable measures'</p> <p>Environment Southland response to Minute 5: 'ES notes the applicant's position with respect to definitions of "extreme environmental conditions" and "best practicable measures" – i.e. that definitions for these are not required for the reasons as outlined. While ultimately a decision for the panel, ES accepts the rationale as outlined by the applicant for not including these definitions'.</p> <p>The Department of Conservation made no comment on this matter (DOC response to Minute 5)</p>
28	<p>Marine farms must be operated as single year class farms and the four marine farms shall be managed on a rotational stocking basis, which means that the farms will be stocked at staggered intervals and that farms will be at different stages across the production cycle.</p> <p><u>Interpretation</u> Single year class means the introduction of a single generation (year-class) of fish.</p>	<p>Amendment proposed in response to Question 1 Minute 4.</p> <p>Environment Southland response to Minute 5: 'ES has reviewed this content and is comfortable with the additional definitions proposed by the applicant'.</p> <p>The Department of Conservation made no comment on this matter (DOC response to Minute 5)</p>
29	Following harvest each marine farm must be fallowed (hold no fish) for a period of no less than three months before introduction of the next year class of smolt. The Consent Holder must keep a record of the date of harvest, the date of restocking, the period of time each marine farm is operating at peak discharge, the dates each farm is fallow and provide a copy to the Consent Authority annually as part of the Annual Report required under condition 0.	
30	Dead fish shall be removed from the sea pens at least twice a week, and daily where possible, provided that weather conditions, farm maintenance, and health and safety requirements permit, and otherwise at the first available period where weather conditions, farm maintenance and health and safety requirements permit.	

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Condition number	Updated condition	Comment
	Dead fish removed from sea pens shall be treated and/or stored in such a manner that is bio-secure and does not attract predators and must be disposed of on mainland New Zealand in a biosecure manner.	
Marine mammals		
31	<p>The Consent Holder must undertake the activity authorised by this resource consent so as to:</p> <p>(a) Avoid adverse effects on indigenous marine mammal taxa that are listed as threatened or at risk in the New Zealand Threat Classification System (NZTCS) lists and marine mammals that are listed by the International Union for Conservation of Nature and Natural Resources as threatened.</p> <p>(b) Avoid and/or minimise the risk of entrapment, injury or entanglement of marine mammals and record and report any incidence of injury or mortality of any marine mammals in accordance with measures in a Marine Mammal Management Plan (MMMP).</p> <p>(c) Ensure that its staff and contractors do not:</p> <p>i. feed any marine mammals or discharge/discard anything within the coastal marine area that would attract marine mammals (unless the discharge is authorised and in accordance with the conditions of this consent) in the vicinity of the marine farms or the consented site nor intentionally interact with marine mammals except where such an interaction is authorised by the conditions of this consent.</p> <p>ii. undertake recreational fishing activities at any of the marine farms or while transiting between the marine farms.</p>	<p>No amendment proposed in response to Question 10 Minute 4 – NTS noted in its response that the ‘triggers’ in the draft Seabird Management Plan (section 6.5.1) and the draft Marine Mammal Management Plan (section 1.7) are indicators or thresholds for undertaking a review of management responses and relate to specific events involving individual seabirds and marine mammals. Proposed conditions 31a and 38a serve the purpose of aligning the operation of the HAP with Policy 11 of the NZCPS, the consent holder must avoid adverse effects on certain species (at the species rather than individual level), and is supported by the Department of Conservation.</p> <p>Environment Southland response to Minute 5: Environment Southland made no comment in relation to the relationship between Condition 31(a) and the draft MMP.</p> <p>The Department of Conservation made no comment in relation to this matter (DOC response to Minute 5)</p>
32	Prior to the introduction of marine farm structures, including pens, mooring lines and anchors, the Consent Holder must submit a MMMP prepared by a SQEP to the Manager Resource Management, Environment Southland, for certification in accordance with condition 0.	
33	<p>The objective of the MMMP is to:</p> <p>(a) define the methodology to be used for monitoring, recording and reporting the level of marine mammal presence around the marine farms at the consented site;</p> <p>(b) achieve compliance with the conditions of this consent;</p> <p>(c) minimise and/or mitigate the attraction or avoidance of marine mammals to the marine farms at the consented site;</p> <p>(d) minimise and/or mitigate interactions between marine mammals and marine farm activities and structures; and</p> <p>(e) meet the requirements of the Marine Mammals Protection Regulations 1992 (as may be amended or replaced from time to time) and any permit granted under the Marine Mammals Protection Act 1978.</p>	
34	<p>The MMMP must at a minimum include the following information:</p> <p>(a) a monitoring programme with procedures for recording and reporting:</p> <p>i. marine mammal presence in the vicinity of farm structures;</p> <p>(b) a framework for mitigation and management actions and techniques to avoid and otherwise minimise harmful marine mammal interactions and incidents with farm structures;</p> <p>(c) measures to record and respond to marine mammal interactions/incidents with farm structures;</p> <p>(d) procedures for the implementation of the MMMP, including the training of staff;</p> <p>(e) timeframes for reporting of incidents (entrapment, live entanglement, injury and mortality) to the Consent Authority, the Department of Conservation and papatipu rūnanga;</p> <p>(f) Actions to be taken in the event of any injury or mortality;</p> <p>(g) a process for reviewing the effectiveness of the MMMP at achieving the objectives set out in Condition 0 and updating the MMMP if required to improve its effectiveness;</p>	<p>No amendment proposed in response to Question 9 Minute 4 – NTS noted in its response that advice from NTS’ marine fauna experts is that the results of seabed and water column baseline monitoring will not inform the development and review of the Marine Mammal, management plan as seabed enrichment and water column changes at the level anticipated as a result of the proposed marine farming will not affect marine fauna.</p> <p>Environment Southland made no specific comment in relation to this matter (Envt Sthland response to Minute 5)</p> <p>The Department of Conservation made no comment in relation to this matter (DOC response to Minute 5)</p>

Condition number	Updated condition	Comment
	(h) a management review process that has the flexibility to accommodate future advances in infrastructure and other developments in line with the evolution of the science behind best management practices for management of marine mammal interactions and incidents with marine farms; (i) Contact details for the person who is responsible for the monitoring, reporting and implementation of the MMMP.	
35	The MMMP shall be reviewed by a SQEP as follows: (a) two years after the installation of the first net pens at the site, and every five years thereafter (b) within 30 calendar days of the discovery of any marine mammal mortality or serious injury, or an orca or whale entanglement, associated with or resulting from the consent holder's activities.	
36	Any amendment to the MMMP arising from the reviews set out in condition 0 shall be submitted to Manager Resource Management, Environment Southland, for certification in accordance with condition 0.	
37	In preparing the MMMP under condition 0, and undertaking any reviews under condition 0, the Consent Holder shall seek feedback from: (a) The Department of Conservation; and (b) a representative or representatives of Ngā Rūnanga ki Murihiku. Feedback from these parties, along with an explanation of the Consent Holder's response to the feedback, shall be provided to the Manager Resource Management, Environment Southland as part of material submitted for certification.	
Seabirds		
38	The Consent Holder must undertake the activity authorised by this resource consent so as to: (a) avoid adverse effects on: i. NZTCS Threatened and At Risk seabird species (including juveniles from nearby nesting or roosting sites); and ii. Taxa that are listed by the International Union for Conservation of Nature and Natural Resources (IUCN) as threatened; (b) Otherwise minimise risks to seabirds from debris and foreign objects (including physical structures), artificial lighting, entanglement or collisions, and disturbance of nesting or roosting sites. (c) Minimise and/or mitigate the effects of the attraction of seabirds to the marine farms at the Hananui Aquaculture site (d) Minimise and/or mitigate interactions between seabirds and marine farm activities and structures. (e) 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 a Seabird Management Plan (SBMP); (f) Ensure that its staff and contractors do not intentionally feed seabirds or discharge/discard anything within the coastal marine area that would attract seabirds (unless the discharge is authorised and in accordance with the conditions of this consent) in the vicinity of the marine farms or while transiting between marine farms.	<p>No amendment proposed in response to Question 10 Minute 4 (re the inclusion of triggers for adaptive management in Condition 38) – NTS noted in its response that the author of the draft SBMP has confirmed that an 'adaptive management' regime, as proposed for seabed and water column effects, is not proposed, nor necessary, for managing marine fauna effects. The management plans set out what is more aligned with what can be described as a 'monitoring and response' approach.</p> <p>Environment Southland response to Minute 5: 'Environment Southland considers that the panel has highlighted an important element of the condition suite requiring careful scrutiny. ES would be very willing to participate in further dialogue on this matter either at the conditions workshop in June or prior, in order to seek to ensure that there is sufficient certainty in the relevant adaptive management conditions'.</p> <p>No amendment proposed in response to Question 10 Minute 4 (re misalignment between SBMP and Condition 38) – NTS noted in its response that the 'triggers' in the draft Seabird Management Plan (section 6.5.1) and the draft Marine Mammal Management Plan (section 1.7) are indicators or thresholds for undertaking a review of management responses and relate to specific events involving individual seabirds and marine mammals. Proposed conditions 31a and 38a serve the purpose of aligning the operation of the HAP with Policy 11 of the NZCPS, the consent holder must avoid adverse effects on certain species (at the species rather than individual level), and is supported by the Department of Conservation.</p> <p>Environment Southland response to Minute 5: Environment Southland made no comment in relation to the relationship between Condition 38(a) and the draft SBMP.</p> <p>The Department of Conservation made no comment in relation to either of these matters (DOC response to Minute 5)</p>

Condition number	Updated condition	Comment
39	Prior to the introduction of marine farm structures, including pens, mooring lines and anchors, the Consent Holder must submit a SBMP prepared by a SQEP to the Manager Resource Management, Environment Southland, for certification in accordance with condition 0.	
40	The objective of the SBMP is to: (a) achieve compliance with conditions of this consent; (b) define the methodology to be used for monitoring, recording and reporting seabird interactions around the marine farms; (c) for the first two years of operation of the marine farms at the site, monitor, record and report on seabird behaviours around the marine farms	
41	The SBMP must at a minimum include the following information: (a) A monitoring programme with procedures for recording and reporting seabird interactions and behaviours in the vicinity of marine farms. (b) Mitigation and management actions and techniques to minimise seabird interactions and incidents with farm structures in order to achieve Condition 0. (c) Procedures to record, respond to and report seabird interactions/incidents with farm structures, and timeframes for reporting. (d) Procedures for the implementation of the SBMP, including training of staff. (e) A process for reviewing the effectiveness of the SBMP at achieving the objectives set out in Condition 0 and updating the SBMP if required to improve its effectiveness (f) A management review process that has the flexibility to accommodate future advances in infrastructure and other developments in line with the evolution of the science behind best management practices for management of seabird interactions and incidents with marine farms. (g) <u>Any updates (where necessary) to be consistent with any approval required under the Wildlife Act 1953.</u>	Proposed amendment in response to DOC comments on application (section 5.1)
42	The SBMP shall be subject to review, by a SQEP: (a) two years after the installation of the first net pens at the Hananui Aquaculture site; and (b) every five years thereafter.	
43	Any amendment to the SBMP arising from the reviews set out in condition 0 shall be submitted to Manager Resource Management, Environment Southland for certification in accordance with condition 0.	
44	In preparing the SBMP under condition 0, and undertaking any reviews under condition 0, the Consent Holder shall <u>provide the SBMP to and</u> seek feedback from: (a) The Department of Conservation; and (b) a representative or representatives of Ngā Rūnanga ki Murihiku. <u>The SBMP is to be provided to the parties listed in Condition 44(a) and (b) at least 20 working days prior to being submitted to the Manager, Resource Management, Environment Southland for certification.</u> <u>As part of the material submitted for certification, the Consent Holder must provide a document containing:</u> <ul style="list-style-type: none"> • <u>Feedback from these parties, and</u> • <u>an explanation of the Consent Holder's response to the feedback, including what (if any) amendments have been made in response to the feedback.</u> 	Proposed amendment in response to DOC comments on application (section 5.1)
Sharks		

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Condition number	Updated condition	Comment
45	<p>The Consent Holder must:</p> <ul style="list-style-type: none"> (a) Avoid adverse effects of activities on indigenous shark taxa listed as threatened or at risk in the NZTCS or threatened in the IUCN red list, excluding shark species managed under the Fisheries Act. (b) ensure that its staff and contractors do not feed sharks or undertake recreational fishing activities in the vicinity of the marine farms or while transiting between marine farms; and (c) minimise shark interactions with the marine farms. 	<p>DOC comments on the application (section 5.1) requested an amendment to the wording of this condition that NTS does not accept. This request was superceded by DOC's response to Minute 5, which advised that it would be appropriate to retain the original wording of the condition if definitions of 'threatened' and 'indigenous' were included in the consent. Please refer to Interpretation section at the beginning of this table, where a definition of 'threatened' has been included but not 'indigenous' for the reasons outlined.</p> <p>No amendment proposed in response to PauaMac comments on application (re consent conditions or code of conduct) – however NTS will develop a code of conduct for staff covering recreational activities, including a prohibition on recreational pāua diving while on shift. NTS is happy to share this code of conduct with Pāua MAC 5 and will continue to engage with them on this and related matters.</p>
46	<p>Prior to the introduction of marine farm structures, including pens, mooring lines and anchors, the Consent Holder must submit a Shark Management Plan (SMP) prepared by a SQEP to the Manager Resource Management, Environment Southland, for certification in accordance with condition 0.</p>	
47	<p>The objective of the SMP is to:</p> <ul style="list-style-type: none"> (a) achieve compliance with conditions of this consent; (b) determine how the operation of the marine farms will be managed adaptively to avoid, remedy, and mitigate adverse effects on sharks; (c) ensure best practice is adopted to avoid entanglement or entrapment of sharks, having regard to best international practice, ongoing research and allowing for technological improvement in net design, construction and maintenance; (d) establish reporting and response procedures in the event of protected, threatened, or at-risk shark entrapment, entanglement or death; and (e) establish a monitoring programme to assess the effectiveness of the SMP. 	
48	<p>The SMP must at a minimum include the following information:</p> <ul style="list-style-type: none"> (a) a monitoring programme with procedures for recording and reporting interactions and incidents (entanglement, entrapment, injury and mortalities) with sharks at the marine farms; (b) mitigation and management actions and techniques to minimise shark interactions and incidents with farm structures in order to achieve Condition 0; (c) measures to respond to shark interactions/incidents with farm structures; (d) procedures for the implementation of the SMP, including training of staff; (e) timeframes for reporting of incidents (entrapment, live entanglement, injury and mortality) to the Consent Authority, the Department of Conservation (when a protected species is involved) and papatipu rūnanga; and (f) a management review process that has the flexibility to accommodate future advances in infrastructure and other developments in line with the evolution of the science behind best management practices for management of shark interactions and incidents with marine farms. (g) <u>Any updates (where necessary) to be consistent with any approval required under the Wildlife Act 1953.</u> 	<p>Amendment proposed in response to DOC comments (section 5.1)</p>
49	<p>The SMP shall be subject to review, by a SQEP:</p> <ul style="list-style-type: none"> (a) two years after the installation of the first net pens at the site, and no more than every five years thereafter; and (b) within 30 calendar days of the discovery of any protected shark species mortality or serious injury associated with or caused by the consent holder's activities. 	

Condition number	Updated condition	Comment
50	Any amendment to the SMP arising from the reviews set out in condition 0 shall be submitted to Manager Resource Management, Environment Southland for certification.	
51	<p>In preparing the SMP under condition 0, and undertaking any reviews under condition 0, the Consent Holder shall <u>provide the SMP to and</u> seek feedback from:</p> <p>(a) The Department of Conservation; and (b) a representative or representatives of Ngā Rūnanga ki Murihiku.</p> <p><u>The SMP is to be provided to the parties listed in Condition 51(a) and (b) at least 20 working days prior to being submitted to the Manager, Resource Management, Environment Southland for certification.</u></p> <p><u>As part of the material submitted for certification, the Consent Holder must provide a document containing:</u></p> <ul style="list-style-type: none"> • <u>Feedback from these parties, and,</u> • an explanation of the Consent Holder's response to the feedback, <u>including what (if any) amendments have been made in response to the feedback,</u> 	Amendment proposed in response to DOC comments (section 5.1)
Biosecurity		
52	<p>The consent holder shall operate the farms so as to ensure that it avoids to the greatest extent practicable the risk of introducing or spreading:</p> <p>(a) Marine pests; and (b) Pathogens.</p>	
53	Prior to the installation of farm structures at the marine farms, the Consent Holder must submit a Biosecurity Management Plan (BMP) prepared by a SQEP to the Manager Resource Management, Environment Southland, for certification in accordance with condition 0.	
54	The objective of the BMP is to ensure that the risks of introduction or spread of any marine pest(s) and/or pathogens from the marine farming activities are managed, and reduced to as low a level as practicable.	
55	<p>The BMP must at a minimum include the following information:</p> <p>(a) Identification of generic pathway and on-farm pathogen biosecurity measures to be implemented, including those associated with vessel movements to and from the marine farm; (b) Identification of additional measures for marine pest and biofouling management specific to the risks posed by salmon farming at the consented site; (c) Identification of additional measures for specific pathogen risks posed by salmon farming at the consented site; (d) An outline of staff training to be implemented at the site for mitigating biosecurity risks; and</p>	No amendment proposed in response to NZCA comment on application re reporting requirements for biosecurity – NTS noted in its response that the proposed consent conditions require that feedback is sought from Biosecurity New Zealand when the final BMP is prepared and reviewed, and that the final BMP and any updates to it are certified by Environment Southland. Condition 56 sets out when the BMP is required to be reviewed, including annually. NTS considers that this process provides robust and sufficient checks and balances on the quality and effectiveness of the BMP.
56	<p>The BMP shall be subject to review by a SQEP:</p> <p>(a) Annually; (b) When there is a significant change in operating parameters at the Hananui Aquaculture site that potentially present an altered biosecurity risk to the marine farms or their environment; (c) If new technologies or methods arise that could significantly improve the biosecurity outcomes for the Hananui area; and (d) Where BMP requirements need to be amended to be consistent with any broader regulatory developments (e.g., new regional or national pathway plan rules that are stricter than those currently in the BMP).</p>	

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Condition number	Updated condition	Comment
57	Any amendment to the BMP arising from the reviews set out in condition 0 shall be submitted to Manager Resource Management, Environment Southland for certification.	
58	In preparing the BMP under condition 0, and undertaking any reviews under condition 0, the Consent Holder shall seek feedback from: (a) Biosecurity New Zealand; and (b) a representative or representatives of Ngā Rūnanga ki Murihiku. Feedback from these parties, along with an explanation of the Consent Holder's response to the feedback, shall be provided to the Manager Resource Management, Environment Southland as part of material submitted for certification.	
Waste management		
59	(a) Any floating inorganic waste material or debris that is accidentally lost from the marine farms or from the Consent Holder's or contractors' vessels shall be promptly retrieved, stored and then disposed of at an approved waste facility onshore. (b) From the commencement of the installation of marine farm structures and throughout the construction and operation of the marine farm, the Consent Holder must implement a Waste Management Plan to avoid and minimise the risk of waste materials such as plastics and marine farm debris being discharged into the coastal marine area, including during any transit to and from the site. The Waste Management Plan shall address the risk of waste from construction and operational activities and shall be periodically reviewed to ensure that the waste management measures set out in the plan are effective. A copy of the Waste Management Plan shall be provided to the Consent Authority upon request. (c) The Consent Holder must undertake an annual inspection of the adjacent coastline for any marine farm related waste and debris, and remove any inorganic waste material or debris for disposal at an authorised facility. The Consent Holder must keep a record of these inspections and the amount of waste removed, which must be provided to the Consent Authority as part of the Annual Report required under condition 0.	
Heritage		
60	The Heritage New Zealand Pouhere Taonga Archaeological Discovery Protocol, or an accidental discovery protocol modified to reflect the specific project detail, marine environment and marine conditions that the project is occurring within, shall be operated under for any accidental archaeological discoveries that occur during construction works.	
61	The Accidental Discovery Protocol required under Condition 0 shall be accessible on site at all times during work under this consent. Advice note: <i>Under the Heritage New Zealand Pouhere Taonga Act 2014, the permission of Heritage New Zealand Pouhere Taonga must be sought prior to the modification, damage or destruction of any archaeological site, whether the site is unrecorded or has been previously recorded. An archaeological site is described in the Act as a place associated with pre-1900 human activity, which may provide evidence relating to the history of New Zealand and includes shipwrecks. These provisions apply regardless of whether a resource consent or building consent has been granted by Council.</i>	
Lighting		
62	The Consent Holder must, as far as reasonably practicable, minimise non-navigational lighting used at night, by ensuring: (a) Curtains, blinds or shutters which are effective at preventing light spill at night are provided for all windows on the barges anchored at the marine farms;	

Condition number	Updated condition	Comment
	(b) The curtains, blinds and shutters installed in accordance with clause (a) above are closed to prevent light spill at night, unless required to be open to facilitate the safety of staff; (c) Only external lighting that is required for navigation, deck and boat handling work, or health and safety purposes is installed at the marine farms; (d) Lights for deck and boat handling work are only be used while that work is being undertaken; (e) All external work lights fitted to marine farm structures are to be designed, fitted and operated so as to minimise glare, light spill and reflection, except where required for navigation or health and safety purposes; (f) Light intensity of fitted lighting units is as low as practicable and longer wavelength (“warm white”) colour is used; and (g) That where vessels operate at the marine farm at night, except for vessel navigation lighting, any external lights are only be used to: <ol style="list-style-type: none"> i. Facilitate the safety of staff; ii. Prevent harm to salmon; or iii. Protect each the marine farm structures, or ancillary infrastructure, from damage or failure. 	
Boat traffic		
63	The Consent Holder must, as far as reasonably practicable, minimise boat traffic associated with the marine farm operation within 200 metres of the coastline, subject to allowing for the requirements outlined in Condition 0 below.	
64	Marine farm staff and contractors must only access land on the adjacent coastline via existing landing sites (e.g. those used by tourism and charter operators), unless under specific circumstances (such as search and rescue, clean up, recovery of equipment, pest control, health and safety or attending to an incident involving marine fauna)	
65		Amendment proposed in response to DOC comments (section 5.1) – In its response to comments NTS noted that NTS proposes that Condition 65 is deleted in its entirety and an advice note is added to the proposed consent conditions identifying that activities under the consent need to be undertaken in compliance with any applicable national regulations (which will also include navigational and maritime safety regulations).
<p>Please note: in the consent conditions that follow, up to Condition 80 and then also in relation to Condition 84, NTS has proposed a re-ordering of the conditions to recognise the provision of the draft EMMP to the Panel on 22 May 2026 and to clarify the order of events for management of seabed and water column effects. As a result, all of the headings have been removed from within this set of conditions. At this stage the re-ordered conditions have not been renumbered in order to retain the links with comments made on the conditions to date through the various minutes and the comments process.</p>		
Management of seabed and water column effects		
66	The Consent Holder shall ensure that the marine farming activities authorised by this consent do not cause: <ol style="list-style-type: none"> (a) adverse effects on the <u>existing</u> ecosystem function of biogenic habitat (bryozoan-sponge reefs <u>including associated patchy low-relief bryozoan sponge habitat</u>) and bushy bryozoan thickets); (b) <u>the mean dissolved oxygen concentration 300m in the predominant current direction from the outside edge of the sea pens to fall below 5 mg/L for two successive months;</u> (c) <u>Chlorophyll-a concentrations 800 m in the predominant current direction from the outside edge of the sea pens to be greater than 3.5 µg/L for two successive months; and</u> (d) <u>total nitrogen concentrations <u>at any monitoring station</u> 800 m in the predominant current direction from the outside edge of the sea pens to be more than 50 µg/L above the highest concentration measured at reference sites on the same day for two successive months.</u> <p>Note:</p>	Main track changes – proposed amendments in response to Question 11 Minute 4 Green highlighted text added in response to comment from Environment Southland on the application (Dr N Keely attachment), see also paragraph 25 evidence of Dr Peter Wilson provided as part of NTS response to comments. Yellow highlighted text added in response to comments from DOC on the application (see paragraph 3.3.14 and section 5.1) DOC response to Minute 5 – ‘DOC supports the quantifying of existing ecosystem function as a baseline against which to measure change as suggested in the change to 66 (a). How this will be measured is not detailed in the condition as it is for (b) - (d), which are to be contained within the EMMP required by conditions

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Deleted: a measurable increase in the frequency or magnitude of harmful algal blooms

Condition number	Updated condition	Comment
	<p><i>“Ecosystem function” in clause (a) refers to the role of habitat-forming taxa in providing structure, supporting biodiversity, and maintaining overall habitat condition. <u>“Adverse effects on the ecosystem function of biogenic habitat” will be identified using the indicators set out in Table C-2, Appendix C or any amendments to those indicators pursuant to Condition Y.</u></i></p> <p><i><u>Details of sampling methodologies for determining compliance with (a) – (d) above are contained in the EMMP required by Conditions 74 - 79.</u></i></p>	<p>74 - 79. DOC's s53 comments (3.3.14 and 3.3.15) provide additional suggestions to clarify the wording of condition 66 (a). <i>NTS response: note that NTS has now added text suggested by DOC to the “Ecosystem function” note.</i></p> <p>Environment Southland response to Minute 5 – ‘ES notes that these changes do not fully align with the content of Conditions Appendix C – notably C-1 of the March 2026 condition suite which has some tighter limits. It is also unclear whether there is a depth for total nitrogen monitoring and it would be useful to clarify whether the mean dissolved oxygen concentration is for the entire water column depth’. <i>NTS response: the AMTs in Appendix C-1 and the compliance limits in Condition 66 are deliberately not identical. The AMTs in Appendix C-1 set a threshold for NTS to initiate adaptive management, in order to ensure that the compliance limits in Condition 66 are not exceeded. The matters raised by NTS in relation to depth of total nitrogen monitoring and dissolved oxygen concentrations are covered within the draft EMMP.</i></p> <p>Environment Southland response to Minute 5 (Dr Keeley advice) – ‘I still have a minor disagreement in that I think it could be more explicit and testable. The footnote doesn't go as far as to specify what and how it will be indicated / measured. ‘Ecosystem functions, as indicated by: (?) e.g. epifaunal diversity, prevalence of key habitat forming organisms, prevalence and type of physical 4D structure’? I am happy that “...do not cause...” implies establishing the cause if changes are identified’ and ‘Additional criteria for WQ (66b-d) seems to provide what is needed for testing compliance. I note that, arguably, and for the sake of consistency, 66a lacks comparable testable specifics. See my previous comment on that with some example criteria. The footnote gives a general description of ecosystem function, and the detailed methods are cited as given in the EMMP (NB: I don't have the ability review this presently), which is good. Question remains, whether the main condition needs to be more explicit and testable? I agree that there is precedent for dealing with this ‘novel habitat’ situation and that the actual testable criteria may evolve as the surveys are undertaken. Hence there is some justification to avoid hardwiring very detailed parameters to test into the condition. If this needs to be done for reassurance if testability, then they will require very careful thought. <i>NTS response: the matter Dr Keeley notes about making the condition more explicit and testable has now been addressed by the more explicit link to Appendix C. NTS and its technical experts agree with Dr Keeley that there is justification to avoid hardwiring very detailed parameters into the consent conditions and consider that the condition as now drafted is appropriately detailed.</i></p>
67	<p><u>Marine farming at the site shall be monitored as required by Conditions 74 – 79 and managed in accordance with:</u></p> <p><u>(a) the Environmental Quality Zones (EQZ) and Adaptive Management Triggers (AMT) contained in Appendix C to these conditions; or</u></p> <p><u>(b) any amendment to the EQZ or AMTs made subject to Conditions X and Y and certified in accordance with Condition 2; and</u></p> <p><u>(c) the adaptive management sections of the Environmental Monitoring and Management Plan (EMMP) required by Condition 74.</u></p>	<p>Proposed amendment in response to Questions 12 and 14 Minute 4. Proposed changes to the consent condition provide the context for the adaptive management approach proposed for seabed and water column. The NTS response to Minute 4 also noted that the proposed adaptive management regime relates specifically to seabed and water column effects and not to marine fauna and therefore Conditions 67 to 83 have not been widened to address marine fauna (response to Question 10 Minute 4 explains the difference in approach further)</p> <p>No amendment proposed to conditions in response to Environment Southland comments on application (Dr N Keeley review) relating to introducing an interim benthic survey to test responses in indicators. Dr Bennett responded to this suggestion in her evidence (para 102) and provision is made in the draft EMMP for such a survey. Dr Keeley has indicated that he is satisfied with this approach (Envt Sthland response to Minute 5).</p> <p>Environment Southland response to Minute 5: ‘ES is happy to participate in further dialogue on this aspect (extent of adaptive management regime in conditions)’ and ‘Seeing a draft of this document [the EMMP] would be useful to ES, as it would provide more of a framework around the adaptive management regime / approach proposed’.</p> <p>The Department of Conservation made no comment on this matter (DOC response to Minute 5)</p>
68		<p>Proposed amendment in response to Question 20 Minute 4. Condition 67 has been updated to confirm the AMTs contained in Appendix C.</p>

Deleted: The Consent Holder must operate the marine farm in accordance with the adaptive management regime set out in conditions 68 to 83.

Deleted: The draft Environmental Quality Zones (EQZ) and Adaptive Management Triggers (AMT) included in Appendix C to these conditions shall be reviewed and confirmed as part of the preparation and review of an Environmental Monitoring and Management Plan under conditions 74 and 77.

Condition number	Updated condition	Comment
		<p>Environment Southland response to Minute 5: 'ES supports this change [confirming that AMTs apply from consent grant]'.</p> <p>The Department of Conservation made no comment on this matter (DOC response to Minute 5)</p>
74	<p>Following the commencement of this consent, the Consent Holder must submit an EMMP prepared by a SQEP to the Manager Resource Management, Environment Southland, for certification in accordance with condition 0.</p>	<p>No amendment proposed in response to Question 19 Minute 4, but note that a draft EMMP has now been provided to the Panel. It is proposed that the EMMP will include the information required for pre-development (baseline) monitoring and the plan will therefore need to be provided to Environment Southland for certification following the commencement of the consent, so that it can guide pre-development monitoring.</p> <p>Environment Southland response to Minute 5: 'ES is supportive of a draft BLMP and draft Seabed and Water Column EMMP being circulated prior to commencement of consent. The draft plans would provide more certainty as to the final form of the BLMP and Water Column EMMP as well as a further opportunity to provide feedback'. <i>NTS response – NTS notes that certification of the draft EMMP provided on 22 May 2026 is not being sought prior to grant of consent. Certification of the final EMMP will be required after the commencement of the consent, and the submitted plan will be in general accordance with the draft provided to the Panel.</i></p>
75	<p>The objectives of the EMMP are to:</p> <p>(a) Detail the monitoring programme that will be implemented to assess the effects of the marine farming activity on the water column and seabed, including pre-development (baseline) monitoring;</p> <p>(b) Detail the adaptive management regime that will be implemented under this consent;</p> <p>(c) Achieve compliance with condition 0;</p> <p>(d) Detail how the EQZ and AMT may be adjusted throughout the term of the consent, subject to Conditions X and Y;</p> <p>(e) and</p> <p>(f) _____</p>	<p>Amendment proposed in response to Questions 14 and 20 Minute 4, noting that a draft EMMP has now been provided to the Panel. Conditions 75(e) and (f) have been reordered and reference to pre-development (baseline) monitoring added to what is now Condition 75(a).</p> <p>Environment Southland response to Minute 5: 'ES supports this change' and 'Seeing a draft of this document [the EMMP] would be useful to ES, as it would provide more of a framework around the adaptive management regime / approach proposed'. <i>NTS response – NTS notes that certification of the draft EMMP provided on 22 May 2026 is not being sought prior to grant of consent. Certification of the final EMMP will be required after the commencement of the consent, and the submitted plan will be in general accordance with the draft provided to the Panel.</i></p> <p>The Department of Conservation did not specifically respond to this matter (DOC response to Minute 5)</p> <p>Response to Environment Southland comments on application (Dr N Keeley review re Condition 75(a)): Condition 66 is being proposed as the compliance limit for seabed and water column effects. That is, Condition 66 sets an obligation that is to be met from the commencement of the consent and failure to meet the requirements in Condition 66 would constitute a breach of the consent conditions. Dr Keeley noted (in the Environment Southland response to Minute 4, where he included references to the NTS response to comments), that this clarified the point that he had raised.</p>
76	<p>The EMMP must be prepared taking into account relevant recommendations in the "Recommendations for seabed monitoring at the proposed Hananui salmon farming area" and the "Water Column Assessment" submitted with the application lodged with the Environmental Protection Authority on 26 November 2025 (FTAA-2511-1138) and the draft EMMP submitted to the Environmental Protection Authority on 22 May 2026 and, at a minimum, include the following information:</p> <p>(a) The seabed and water column monitoring plan that will be implemented to assess the actual effects of the marine farming activity against the AMT, including:</p> <p>i. Pre-development and operational monitoring;</p> <p>ii. Sampling locations, including sampling locations that will provide sufficient pre-development (baseline) information should farm locations be amended in accordance with Conditions 10 and 83;</p> <p>iii. Duration and timing of sampling;</p> <p>iv. Sampling design and analytical methods to be used;</p>	<p>Amendments proposed in response to Questions 17, 18 and 19 Minute 4, including rolling pre-development monitoring requirements into EMMP. Amendments to what is now Condition 76(a)(ii) in response to Department of Conservation comments on the application (section 5.1) but omitting the reference to 'alternative intermediary stages' that DOC was seeking. Intermediary stages would not involve any farm relocation.</p> <p>Environment Southland response to Minute 5: ES is supportive of a draft BLMP and draft Seabed and Water Column EMMP being circulated prior to commencement of consent. The draft plans would provide more certainty as to the final form of the BLMP and Water Column EMMP as well as a further opportunity to provide feedback. <i>NTS response – NTS notes that certification of the draft EMMP provided on 22 May 2026 is not being sought prior to grant of consent. Certification of the final EMMP will be required after the commencement of the consent, and the submitted plan will be in general accordance with the draft provided to the Panel.</i></p>

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Deleted: that will be used for the adaptive management process during different stages under this consent

Deleted: Detail the adaptive management regime that will be implemented under this consent;

Deleted: Detail the monitoring programme that will be implemented to assess the effects of the marine farming activity on the water column and seabed.

Deleted: <#>Confirmation of the Environmental Quality Zones for the relevant marine farm stage;¶

Condition number	Updated condition	Comment
	<p>v. Parameters to be analysed;</p> <p>vi. An assessment of <u>any</u> changes <u>as a result of pre-development monitoring</u> and why these are justified; and</p> <p>vii. Reporting requirements to be met in the Annual Report.</p> <p>(b) <u>The EQZ and AMT, consistent with Condition 67,</u> against which monitoring results shall be compared and which will be used as triggers for adaptive management actions to ensure compliance with condition 0;</p> <p>(c) A description of the different marine farm adaptations that may be implemented if the AMT are exceeded;</p> <p>(d) A model review framework that identifies the model validation and re-modelling requirements for progression between stages.</p> <p><u>Interpretation:</u></p> <p><u>Model validation means the systematic use of monitoring and operational data, including actual feed inputs and measured environmental responses, to compare depositional model predictions against observed conditions and quantitatively and qualitatively assess the accuracy, reliability, and fitness-for-purpose of the depositional model under operational conditions.</u></p>	<p>Response to Environment Southland comments on application (Dr N Keeley review): With respect to the comment on the importance of monitoring of harmful algal blooms Dr Wilson's evidence states that 'The EMMP will make this clear, including the frequency, locations, and reporting requirements for phytoplankton monitoring'. Dr Keeley then further responded as part of Environment Southland's response to Minute 5: 'I am satisfied that the identification of HAB's is covered in the early stages. I recommend giving consideration to targeted HAB monitoring in the longer-term (once the phyto assemblage has been repeatedly characterised). There are tools for effectively looking for toxins or target species that will be cheaper and less labour intensive than full taxonomy. Perhaps this may be considered for the monitoring plan'. <i>NTS response – the matters raised by Dr Keeley have been considered in the draft EMMP provided to the Panel on 22 May 2026 and can continue to be considered in subsequent versions of the EMMP provided to the Council for certification, recognising Dr Keeley's statement about the long-term nature of his comment.</i></p> <p>Response to Question 22 Minute 4: Depositional modelling to support any proposed relocation of marine farms is provided for by Condition 83(a)(iv) and NTS therefore does not consider that any amendment is needed to Condition 76(c).</p> <p>Environment Southland made no specific response to NTS' suggestion that Condition 76(c) (now 76(d)) did not need to be altered (Envt Sthland response to Minute 5)</p> <p>The Department of Conservation made no comment in relation to this matter (DOC response to Minute 5)</p>
72	<p><u>Pre-development (baseline),</u> monitoring under the <u>EMMP</u> shall occur for the following minimum durations:</p> <p>(a) 24 months for seabed monitoring of biogenic habitats;</p> <p>(b) 12 months for seabed monitoring of sandy habitats;</p> <p>(c) 12 months for water column monitoring.</p>	<p>NTS response to Question 16 Minute 4 re baseline (pre-development) monitoring for marine mammals and sharks: Pre-construction monitoring is proposed in the draft MMMP submitted as part of the application to benchmark the levels of presence for dolphins and whales in and around the HAP site. The consent conditions relevant to marine mammals do not explicitly state that pre-construction monitoring of marine mammals is required. However, the conditions, as now modified in response to Questions 9 and 29, require the MMMP to be in general accordance with the draft MMMP submitted as part of the application. Pre-construction monitoring of other marine mammals (pinnipeds), seabirds and sharks is not proposed in the respective management plans nor as conditions of consent. The marine species' experts that prepared the effects assessments and management plans submitted as part of the application have confirmed that the data on marine species within the HAP site and the wider Te Ara a Kiwa contained in the effects assessments provide adequate baseline (pre-construction) information. The authors of those plans do not consider that further pre-construction monitoring is necessary or useful for managing effects on marine fauna.</p> <p>Environment Southland response to Minute 5 re baseline monitoring of marine mammals and sharks: 'ES does not have a current technical position on the necessity for such pre-construction monitoring and cannot obtain further external technical feedback in the time available'.</p> <p>Department of Conservation response to Minute 5 re baseline monitoring of pinnipeds: 'DOC does not seek any formal changes to the MMMP or consent conditions to address this activity. There are no further concerns or recommendations regarding baseline monitoring requirements for sharks or seabirds as these species are generally well understood in the Foveaux Strait area'.</p> <p>Note NTS' response to Question 17 Minute 4, if the Panel is minded to accept NTS' proposal in answer to Questions 18 and 19 of Minute 4 Conditions 72 and 73 could be deleted, has not been actioned in this version of the conditions.</p> <p>Environment Southland response to Minute 5: ES supports retaining Conditions 72 and 73 to require baseline monitoring and associated reporting to be retained as specified in these conditions.</p>

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Deleted: <#>The seabed and water column monitoring plan that will be implemented to assess the actual effects of the marine farming activity against the AMT, including:
 Confirmation of the Environmental Quality Zones for the relevant marine farm stage;
 Sampling locations;
 Duration and timing of sampling;
 Sampling design and analytical methods to be used;
 Parameters to be analysed;
 An assessment of changes from the Baseline Monitoring Plan and why these are justified; and
 Reporting requirements to be met in the Annual Report.

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Condition number	Updated condition	Comment
		<p>DOC response to Minute 5: DOC's s53 comments (para 3.3.25) specifically supported condition 73 (e), as this condition requires that draft EQZ and AMTs are tested against baseline monitoring data, and revised as needed. This verification and validation through monitoring is important given that the draft EQZ and AMTs are based on modelling. Given this, and taking into account Dr Bennett and Dr McGrath's comments, DOC supports the retention of existing conditions 72 and 73.</p> <p>No amendment proposed in response to Environment Southland comments on application (Dr N Keeley review) relating to the timing of surveys. From the NTS response to comments: With respect to the comment that the condition should be more explicit on the number of times that surveys are conducted, both experts recommend that this level of detail should be included in the draft EMMP which NTS has offered to provide to the Panel. Dr Keeley then replied (as part of Environment Southland's response to Minute 5): 'The clarification and specification are good and appropriate. One caveat would be that my understanding is that the largest perturbation to the benthos is likely to be from a major storm/ wave event, not necessarily linked to seasonal or annual cycles. It is conceivable that 2 years of monitoring does not capture such an event, and it then occurs during production. I don't think that this possible eventuality warrants requiring that pre-development monitoring is continued until this happens, but perhaps it is worth adding something into the monitoring plan, whereby a re-survey of select reference sites may be triggered in response to a suspected major sediment transportation event? (Monitoring wave data)'. <i>NTS response – this matter has been addressed in the draft EMMP provided to the Panel on 22 May 2026.</i></p> <p>No amendment proposed in response to Environment Southland comments on application (Dr N Keeley review) in relation to harmful algal blooms. From the NTS response to comments: With respect to the comment on the importance of monitoring of harmful algal blooms Dr Wilson's evidence states that 'The EMMP will make this clear, including the frequency, locations, and reporting requirements for phytoplankton monitoring'. Dr Keeley then further responded as part of Environment Southland's response to Minute 5: 'I am satisfied that the identification of HAB's is covered in the early stages. I recommend giving consideration to targeted HAB monitoring in the longer-term (once the phyto assemblage has been repeatedly characterised). There are tools for effectively looking for toxins or target species that will be cheaper and less labour intensive than full taxonomy. Perhaps this may be considered for the monitoring plan'. <i>NTS response – the matters raised by Dr Keeley have been considered in the draft EMMP provided to the Panel on 22 May 2026 or can be considered in the version of the EMMP provided to the Council for certification.</i></p>
73	<p>Prior to the introduction of fish to the marine farms, the Consent Holder shall provide a Pre-Development (Baseline) Monitoring Report which analyses the results of the pre-development monitoring, and is prepared by a SQEP, to the Consent Authority. The report shall include:</p> <p>(a) A description of the monitoring undertaken;</p> <p>(b) An assessment of the results of the monitoring;</p> <p>(c) Details of the existing environment (environmental parameters, benthic habitats) at the time of monitoring based on the monitoring results;</p> <p>(d) Recommendations for any updates to the monitoring section of the EMMP;</p> <p>(e) Recommendations for any updates to the AMT required to address monitoring recommendations under Condition 73(d). Note: any such updates will be subject to the process outlined in Conditions X – Y.</p>	<p>Note NTS' response to Question 17 Minute 4, if the Panel is minded to accept NTS' proposal in answer to Questions 18 and 19 of Minute 4 Conditions 72 and 73 could be deleted, has not been actioned in this version of the conditions.</p> <p>Environment Southland response to Minute 5: ES supports retaining Conditions 72 and 73 to require baseline monitoring and associated reporting to be retained as specified in these conditions.</p> <p>DOC response to Minute 5: DOC's s53 comments (para 3.3.25) specifically supported condition 73 (e), as this condition requires that draft EQZ and AMTs are tested against baseline monitoring data, and revised as needed. This verification and validation through monitoring is important given that the draft EQZ and AMTs are based on modelling. Given this, and taking into account Dr Bennett and Dr McGrath's comments, DOC supports the retention of existing conditions 72 and 73.</p> <p>Amendment to Condition 73(d) proposed in response to Questions 17, 18 and 19 Minute 4, on the basis that draft EMMP has now been provided to the Panel.</p> <p>Amendment to Condition 73(e) proposed in response to Question 20 Minute 4 and the amendments proposed to Conditions 67 and 68 above.</p>

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- Deleted:** Environmental (Water Column and Seabed) Monitoring and Management Plan (
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- Deleted:** An assessment of the suitability of the draft Environmental Quality Zones (EQZ) and Adaptive Management Triggers (AMT) contained in Appendix C to this consent and recommendations for EQZ and AMT to be confirmed within the EMMP.

Condition number	Updated condition	Comment
78	The Consent Holder may initiate a review of the EMMP, to be undertaken by a SQEP, <u>during or at the conclusion of pre-development (baseline) monitoring to update content including methodologies, adjust sampling intensity, or expand or decrease monitoring scope where monitoring results indicate this is appropriate.</u>	Consequential amendment proposed in response to Questions 17, 18 and 19 Minute 4 (with the rolling into the EMMP of the baseline monitoring requirements) to provide for amendment of the EMMP as a result of pre-development monitoring.
84	The consent holder shall produce an Annual Report and shall provide it to the Consent Authority within three months of the anniversary of the commencement of the consent, <u>and then annually from that date, throughout the life of the project.</u> The Annual Report shall include: (a) Details of all monitoring undertaken in accordance with the conditions of this consent; (b) Actual Annual Feed discharged during the year covered by the Annual Report; (c) A record of harvestable number of salmon; (d) Comparison of the annual monitoring data with the compliance limits in condition 0, AMT in the EMMP and requirements in conditions 0 (Marine Mammals), 0 (Seabirds), 0 (Sharks) and 0 (Biosecurity); (e) A description of actions that have been or will be implemented where monitoring data or incident records indicate non-compliance with consent conditions or a Management Plan or other document certified under this consent; and (f) All other information required to be included in the Annual Report under a condition of this consent and Management Plan or other document certified under this consent.	Amendment proposed in response to DOC comments on application (see section 5.1)
77	The EMMP shall be subject to review, by a SQEP: (a) <u>As part of any Stage Progression Report prepared in accordance with condition (c);</u> (b) <u>As part of any marine farm relocation undertaken pursuant to Condition 83; and</u> (c) Not more than 5 yearly thereafter.	Amendment proposed in response to Question 22 Minute 4 Environment Southland response to Minute 5: 'ES supports the applicant's proposed amendments to Condition 77'. The Department of Conservation made no comment in relation to this matter (DOC response to Minute 5)
79	Any amendment to the EMMP arising from the reviews set out in conditions 0 and 0 shall be submitted to Manager Resource Management, Environment Southland for certification <u>in accordance with Condition 2.</u>	
New	<u>In preparing the EMMP under Condition 76, and undertaking any reviews under Conditions 77 or 78, the consent holder shall seek feedback from a representative or representatives of Ngā Rūnanga ki Murihiku. That feedback, along with an explanation of the consent holder's response to the feedback shall be provided to the Manager, Resource Management, Environment Southland as part of material submitted for certification.</u>	In preparing these updated consent conditions NTS has realised that it omitted to include liaison with mana whenua in relation to the EMMP and would like to take the opportunity to rectify this.
X	<u>Notwithstanding Condition 67 and Figure 1 in Appendix C, the size and shape of the Seabed Environmental Quality Zones may be reviewed and amended by the consent holder once fish have been introduced to the marine farms, (to enable comparison with the zone outlines contained in Figure 1 where monitoring results indicate that the size or shape of the EQZ should be amended to better reflect observed seabed conditions, depositional patterns, solids flux, or the residual solids footprint from discharges at the marine farms) and amended by the consent holder after 3 years of operation or after each marine farm has completed a full harvest and fallow period (whichever is the later). If the consent holder seeks to amend the shape and area of the Seabed Environmental Quality Zones the following process shall be followed:</u> (a) <u>The consent holder shall provide the consent authority with a report prepared by a SQEP, that assesses the results of at least three years' of seabed monitoring, provides an indication of the solids flux and residual solids footprint from discharges at the marine farms and proposes amendments to the zones;</u>	Proposed amendment in response to Question 15 Minute 4, yellow highlights show updates from that response as a result of further work on the adaptive management approach. Environment Southland response to Minute 5 – 'ES considers this additional wording may add future clarity and would be happy to discuss this aspect further'. Environment Southland response to Minute 5 (Dr N Keeley advice): 'I would note that an adjustment that does not increase total area would naturally be treated differently to a significant increase in footprint area. Also that, should any adjustments implicate biogenic habitat, that would need special consideration. This places addition onus on the consenting authority but is also hard to avoid'. <i>NTS response – noted and agreed. The requirement for the consent authority to certify any alteration to the zones allows the council to exert control on any proposal by NTS to significantly increase the size of the footprint area, while the condition as a whole allows more minor adjustments to be provided for.</i>

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Condition number	Updated condition	Comment
	<u>(b) The consent authority certifies that any alteration to the zones will not result in the seabed effects being inconsistent with the conditions of this consent.</u>	The Department of Conservation made no comment on this matter (DOC response to Minute 5)
Y	<p><u>Notwithstanding Condition 67 and Appendix C, the AMTs may be reviewed and amended by the consent holder:</u></p> <p><u>(a) During the period of pre-development (baseline) monitoring to address any monitoring recommendations that arise;</u></p> <p><u>(b) Once fish have been introduced to the marine farms, in order to improve certainty that the AMTs can be applied and appropriately reflect the enrichment levels allowed within the EQZs;</u></p> <p><u>Provided that, at all times, the AMTs ensure that Condition 66 continues to be met, and that the following process for amending AMTs is followed:</u></p> <p><u>(c) The consent holder shall provide the consent authority with a report prepared by a SQEP, that assesses the results of monitoring, provides analysis and reasoning for any proposed changes to the AMTs, and proposes specific AMT amendments;</u></p> <p><u>The consent authority certifies that any alteration to the AMTs will not result in the seabed or water column effects being inconsistent with the conditions of this consent.</u></p>	Consequential amendment from the amendment proposed in response to Question 20 Minute 4. With confirmation of the AMT through the consent conditions, a mechanism needs to be provided for them to be altered as farming occurs at the location, recognising advice from all technical experts that setting indicators for biogenic habitat in particular is difficult prior to introducing fish to the marine farms.
Baseline monitoring		
69		<p>Proposed amendment in response to Questions 17 and 18 Minute 4, requirements for pre-development monitoring have been rolled into EMMP and a draft EMMP provided.</p> <p>Environment Southland response to Minute 5: 'ES notes the additional content put forward by the applicant to explain the need for an BLMP, which also links to the applicant response to Questions 18 and 19' and 'ES is supportive of a draft BLMP and draft Seabed and Water Column EMMP being circulated prior to commencement of consent. The draft plans would provide more certainty as to the final form of the BLMP and Water Column EMMP as well as a further opportunity to provide feedback'. <i>NTS response – NTS notes that certification of the draft EMMP provided on 22 May 2026 is not being sought prior to grant of consent. Certification of the final EMMP will be required after the commencement of the consent, and the submitted plan will be in general accordance with the draft provided to the Panel.</i></p>
70		<p>Proposed amendment in response to Questions 17 and 18 Minute 4, requirements for pre-development monitoring have been rolled into EMMP and a draft EMMP provided.</p> <p>Environment Southland response to Minute 5: 'ES notes the additional content put forward by the applicant to explain the need for an BLMP, which also links to the applicant response to Questions 18 and 19' and ES is supportive of a draft BLMP and draft Seabed and Water Column EMMP being circulated prior to commencement of consent. The draft plans would provide more certainty as to the final form of the BLMP and Water Column EMMP as well as a further opportunity to provide feedback'. <i>NTS response – NTS notes that certification of the draft EMMP provided on 22 May 2026 is not being sought prior to grant of consent. Certification of the final EMMP will be required after the commencement of the consent, and the submitted plan will be in general accordance with the draft provided to the Panel.</i></p>
71		<p>Proposed amendment in response to Questions 17 and 18 Minute 4, requirements for pre-development monitoring have been rolled into EMMP and a draft EMMP provided.</p> <p>Environment Southland response to Minute 5: 'ES notes the additional content put forward by the applicant to explain the need for an BLMP, which also links to the applicant response to Questions 18 and 19' and ES is supportive of a draft BLMP and draft Seabed and Water Column EMMP being circulated prior to commencement of consent. The draft plans would provide more certainty as to the final form of the BLMP and</p>

Deleted: Following the commencement of this consent, the Consent Holder must submit a Baseline Monitoring Plan (BLMP) prepared by a SQEP to the Manager Resource Management, Environment Southland, for certification in accordance with condition 2.

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Condition number	Updated condition	Comment
		Water Column EMMP as well as a further opportunity to provide feedback'. <i>NTS response – NTS notes that certification of the draft EMMP provided on 22 May 2026 is not being sought prior to grant of consent. Certification of the final EMMP will be required after the commencement of the consent, and the submitted plan will be in general accordance with the draft provided to the Panel.</i>
Staging		
80	<p>Progression from Stage 1, or any alternative stage, to Stage 2 shall only occur if:</p> <p>(a) A minimum of two full production cycles has been completed at Stage 1 during which:</p> <ol style="list-style-type: none"> i. At least 12,500 tonnes of feed has been used across all four farms in two 12-month periods; ii. The marine farm has been operated and monitored in accordance with the certified EMMP; or <p>(b) An alternative stage has been completed in accordance with recommendations in the relevant Stage Progression Report (SPR) and has been operated and monitored in accordance with the certified EMMP; and</p> <p>(c) a SPR for the completed stage has been prepared by a SQEP, <u>recommends that progression from Stage 1 or any alternative stage is appropriate</u>, and <u>has been</u> certified by the Manager Resource Management, Environment Southland in accordance with condition 0</p>	<p>No amendment proposed in response to Question 23 Minute 4: The NTS response noted that NTS has confirmed with its technical experts in relation to marine fauna that their assessments were completed on the basis of the full development, rather than only Stage 1. The only effects for which a staged approach was recommended were those on the seabed and water column (taking a precautionary approach even though adverse effects at the full Stage 2 development are not anticipated to be significant). As the relevant technical reports note, no significant effects on marine fauna are anticipated at Stage 2 of the project, and therefore progression from Stage 1 to Stage 2 does not contain any requirements in relation to marine fauna.</p> <p>Environment Southland response to Minute 5: 'ES has no firm view on this matter, which is ultimately a panel decision'.</p> <p>The Department of Conservation made no comment in relation to this matter (DOC response to Minute 5)</p> <p>Amendment proposed in response to DOC comments on application (section 5.1)</p>
81	The objective of the SPR is to determine whether the marine farm can progress to Stage 2, <u>or any alternative stage</u> , while continuing to comply with condition 0.	Consequential to amendments proposed to Conditions 80 and 82.
82	<p>Each SPR:</p> <p>(a) Must include analysis of the results of monitoring undertaken in accordance with EMMP;</p> <p>(b) Must include a description and analysis of any modelling required by the EMMP; and</p> <p>(c) Must recommend one of the following based on monitoring and modelling:</p> <ol style="list-style-type: none"> i. Progression to Stage 2; ii. Progression to Stage 2, but incorporating adaptive management measures to address matters identified through monitoring or modelling; or iii. <u>Progression to alternative stage, with maximum annual feed discharge level, farm location and minimum stage duration to be specified in the SPR</u> iv. <u>No progression until appropriate remedial actions are taken, in the event that progression is not possible while continuing to comply with Condition 66.</u> <p><u>Notes:</u></p> <ul style="list-style-type: none"> - <i>Any alternative maximum feed discharge level specified in accordance with condition iii shall not exceed 25,000 tonnes across all four farms.</i> - <i>While a SPR is being prepared and certified, production may continue under the current stage subject to meeting the compliance limit in condition 0 and other conditions of this consent.</i> 	Amendment proposed in response to DOC comments on application (section 5.1)
Alternative farm locations		
83	<p>As part of the adaptive management of the marine farm, the Consent Holder may relocate marine farms to the alternative farm sites shown on Plan A and / or to any location within 500 m of the initial farm site, subject to:</p> <p>(a) Preparation of a Farm Movement Plan (FMP). The purpose of an FMP is to confirm that the relocation will satisfactorily address issues identified through the adaptive management process and that the potential adverse effects of the changed layout relating to seabed deposition and the safety of the</p>	No amendment proposed in response to Question 21 Minute 4 – the NTS response noted that a Draft Farm Movement Plan (FMP) cannot be provided at this stage...All of the elements that are needed for an FMP need to be undertaken on a site specific basis. It is neither practicable nor meaningful to undertake these tasks for every possible relocation scenario that could arise in response to future triggers or compliance matters. A Farm Movement Plan is intended to be a targeted, fit-for-purpose document that responds to a specific trigger requiring farm movement, rather than a hypothetical exercise covering all potential relocation options that may never eventuate.

Condition number	Updated condition	Comment
	<p>marine farm structures will not exceed those considered at the time of granting the consent. An FMP shall be prepared by SQEPs and, at a minimum, shall include the following information:</p> <ul style="list-style-type: none"> i. A clear description of the trigger or issue that has prompted the relocation proposal; ii. A seabed survey of the alternative location must confirm that the outside edge of the sea pens will not be located within 500 m of any biogenic habitat situated outside the Proposal Area boundary shown on Plan A; iii. Confirmation that the marine farm structures can be safely and securely installed and maintained at the new location(s); iv. Depositional modelling that demonstrates continued compliance with limits in condition 0 and that seabed deposition effects from the relocated farm(s) will remain within the AMT in the EMMP; and <p>(b) Submission of the FMP to the Manager Resource Management, Environment Southland, for certification in accordance with condition 2; and</p> <p>(c) Providing updated “as-built” plans to the Consent Authority in accordance with condition (b) and notifying the Harbourmaster of the relocated farms and the associated amended exclusive occupation area.</p>	<p>Environment Southland response to Minute 5: ‘ES notes the applicant’s response and is comfortable with proposed condition 83, which makes a final Farm Movement Plan contingent on a peer-reviewed Engineering Design Report for the proposed location, an additional seabed survey of the new location (to evaluate a new baseline) and site-specific depositional modelling’.</p> <p>The Department of Conservation made no specific comment in relation to this matter (DOC response to Minute 5)</p>
Review		
85	<p>The consent authority may, in accordance with Sections 128 and 129 of the Resource Management Act, serve notice, during the months of August to October each year or if non-compliance with the conditions of this consent is determined, of its intention to review the conditions of the consent for the purposes of:</p> <ul style="list-style-type: none"> (a) Dealing with any adverse effect on the environment which may arise from the exercise of this consent and which is appropriate to deal with at a later stage, or (b) Considering any changes to information on the effects of marine farming, particularly information gained from monitoring, or (c) <u>Considering any changes required to the adaptive management approach implemented at the site, or</u> (d) Complying with the requirements of a regional plan, national environmental standard, or national planning standards. 	<p>Amendment proposed in response to Question 24 Minute 4.</p> <p>Environment Southland response to Minute 5: ‘ES supports the inclusion of an additional ground of review for purposes of making the adaptive management framework more effective and robust in relation to effects management. ES considers that such an approach provides greater certainty’.</p> <p>The Department of Conservation made no comment in relation to this matter (DOC response to Minute 5)</p>
Hananui Community, Environmental and Health & Education Funds		
86	<p>The Consent Holder shall establish and maintain the following funds to support positive social, cultural, environmental, and community outcomes associated with the Hananui Aquaculture Project:</p> <ul style="list-style-type: none"> (a) Hananui Community Funds – to support community projects that are important to local communities. Two separate sub-funds shall be established for the Rakiura and Bluff communities, to be managed by trustees comprising local community representatives, including Rūnanga representatives residing within each community. (b) Hananui Environmental Fund – to support local projects and initiatives that enhance or restore the Murihiku environment. The fund shall be governed by the Consent Holder and include a project-selection panel comprising representatives of local organisations, Rūnanga, and external experts as required. (c) Hananui Health and Education Fund – to support health and education outcomes for people within the Murihiku takiwā through initiatives such as treatment, targeted public-health programmes, and scholarships. The fund shall be managed by persons with relevant health-care and education expertise and include Rūnanga representation. 	<p>No amendment needed in response to Question 25 Minute 4, which sought information on the total likely funds available annually (see NTS response to Minute 4 for further detail).</p> <p>Environment Southland response to Minute 5: ‘ES is supportive of the creation of these funds, and notes that these will provide useful potential sources of funding for relevant, worthy causes’.</p> <p>The Department of Conservation made no comment in relation to this matter (DOC response to Minute 5)</p> <p>No amendment proposed in response to Ruapuke Island Group comments on the application (paragraph 20(a) and (b)), where NTS noted that the community funds are intended to deliver broader, equitable benefits to the Bluff and Rakiura communities. It is not intended, nor is condition 86 written in a way that precludes, RIG from engaging with the community fund trustees and applying for funding for relevant projects. Any applications would be considered at the discretion of the trustees, in accordance with the established fund criteria.</p>
87	<p>Prior to the stocking of Hananui site, the Consent Holder shall prepare a Fund Governance and Implementation Plan. The Plan shall:</p>	

Condition number	Updated condition	Comment
	(a) Describe the governance structure, decision-making framework, and membership composition for each fund; (b) Identify transparent criteria for the selection, approval, and monitoring of supported projects; and (c) Outline annual reporting requirements to the Consent Authority and participating communities.	
88	For its first contribution, the Consent Holder shall make a total annual financial contribution across all four funds listed in condition 86 of a minimum of 10 cents per fish harvested in the preceding year. <u>Annually following the first contribution, the minimum contribution per harvested fish shall be adjusted to reflect changes in the Consumer Price Index, All Groups, as published by Statistic New Zealand.</u>	Amendment proposed in response to Question 26 Minute 4. Environment Southland response to Minute 5: 'ES is supportive of the applicant's proposed approach'. The Department of Conservation made no comment in relation to this matter (DOC response to Minute 5)
89	In any financial year where the Consent Holder can demonstrate that the aquaculture operations have experienced a material financial loss or other exceptional circumstances, the Consent Holder may defer all or part of the annual contribution, provided that: (a) Written notice and justification are provided to the Consent Authority and fund-governance bodies; and (b) Deferred contributions are recorded and made up in subsequent financial years once operations return to profitability.	
90	The first contribution to each fund shall be made within 12 months of the first commercial harvest from Stage 1 operations.	

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Conditions Appendix C – Draft Environmental Quality Zones and Adaptive Management Triggers

C-1 Water Quality

Recommended water quality AMTs, based on recommendations in the Water Column Assessment submitted with the resource consent application, are that the farm operation shall not cause:

- a. Total Nitrogen concentrations at any monitoring station 300m in the predominant current direction from the outside edge of the sea pens, to exceed 30 µg/L above the highest concentration measured at any reference site in the same month for two successive months;
- b. Chlorophyll-a concentrations in nearby sheltered embayments, to exceed 3.5 µg/L for two successive months and be attributed to marine farm activities;
- c. DO concentrations 300m in the predominant current direction from the outside edge of the sea pens, to fall below 6 mg/L for two successive months. DO concentration shall be measured from a depth profile with data averaged within 1 m depth bins.

Commented [FL1]: Amendment proposed in response to Environment Southland (N Keeley) comment on application. Dr Keeley has confirmed (ES response to Minute 5) that the proposed amendment satisfies his original comment.

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Commented [FL2]: All amendments consequential to proposed amendment to Condition 66 in response to Question 11 Minute 4 and in response to reviewing conditions in relation to adaptive management in response to Question 14 Minute 4

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Commented [FL3]: Proposed amendment in response to Question 15 Minute 4

C-2 Seabed

C-2.1 Sandy seabed

Recommended Environmental Quality Zones for Stage 1 and Stage 2 (Figure 1) are:

- Zone 1 (blue line in figure) or the zone of maximum effect (0.5 kg m² yr⁻¹ solids flux contour).
- Zone 2 (orange line in figure) is the primary footprint (7 g·m⁻² residual solids contour).
- Beyond Zone 2 is a spatially defined area extending 3 km in the predominant current flow direction (north-west / south-east) and 2 km cross-current from the Zone 2 boundary. This area encompasses the 0.7 g·m⁻² residual solids footprint and extends beyond it to capture the maximum spatial extent at which farm-related effects may be detectable.

For areas outside of the Beyond Zone 2 area, natural conditions are expected with no effects attributable to farm activities.

Recommended AMTs for each zone are set out in Table C-1.

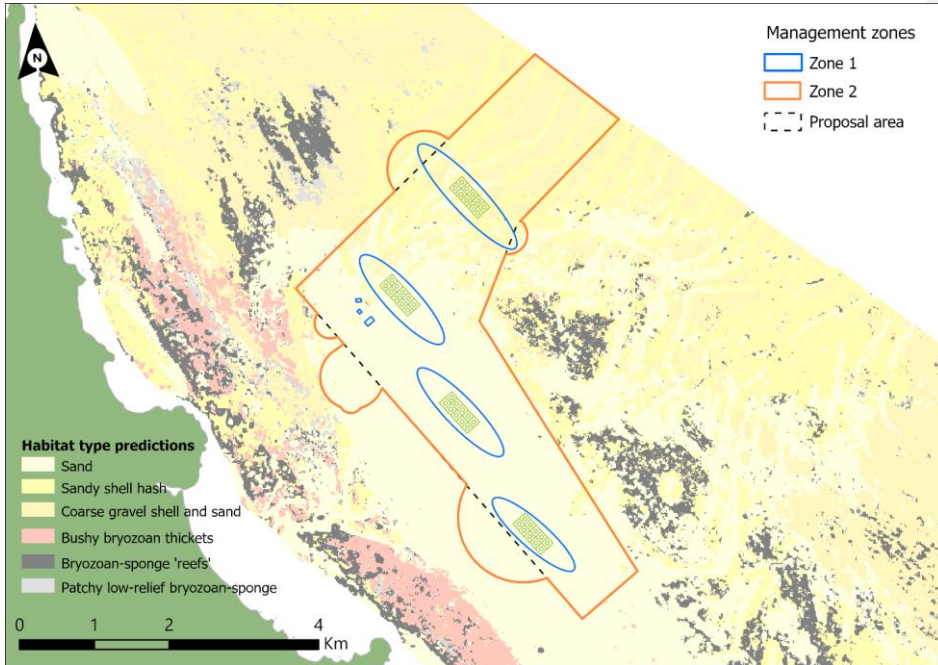


Figure 1A. Hananui proposal area with overlaid management zones based on Stage 1 feed inputs.

Commented [FL4]: Amended figure in response to Env't Sthland (N Keeley) comment on application.

No amendment proposed in response to DOC comment on application (section 5.1) in relation to depiction of 'Beyond Zone 2' as explained in paragraphs 34 - 36 of Dr Bennett's evidence in response.

Deleted: Zone 1 = the zone of maximum effect defined by the 0.5 kg·m²·yr⁻¹ solids flux footprint, Zone 2 = the primary footprint defined by the 7 g·m⁻² residual solids footprint, Beyond Zone 2 = spatially defined area 3 km northwest / southeast and 2 km cross-current from the Zone 2 boundary. ...

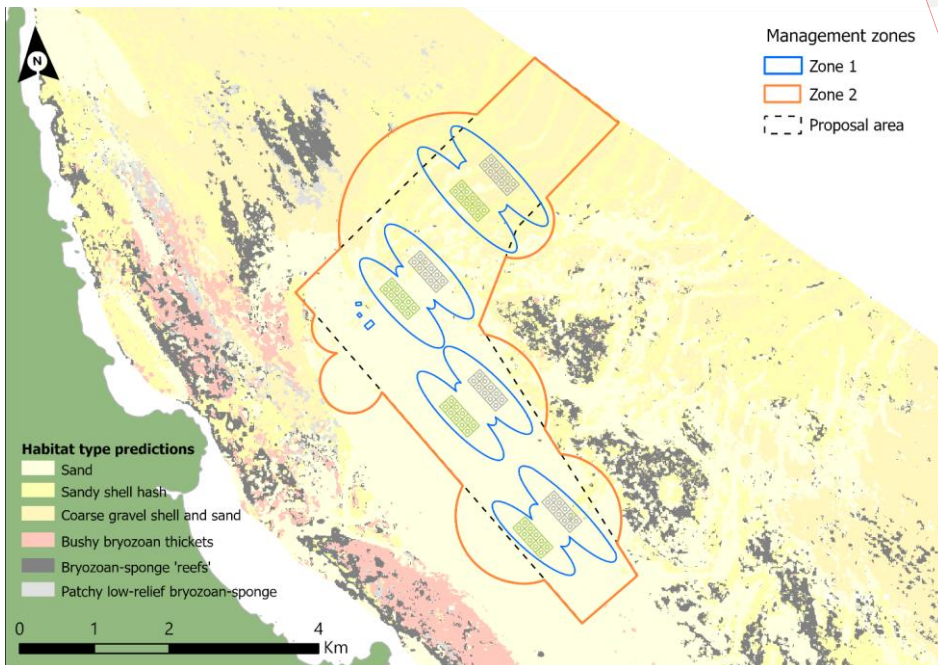


Figure 1B: Hananui proposal area with overlaid management zones based on Stage 2 feed inputs

Commented [FL5]: Figure included in response to Question 15 Minute 4. Zone 1 boundaries smoothed in response to Environment Southland (N Keeley) comment on application.

C2-2 Biogenic Habitat

The farm layout has been designed to minimise deposition of farm-derived material on biogenic habitats. While low-level inputs may occur through resuspension, far-field deposition and accumulation are expected to be minimal and may not be readily detectable. Biogenic habitat monitoring is a precautionary measure, designed to provide early detection of an effect if it arises, through an approach that employs a broad range of monitoring tools.

Given the limited precedent for organic enrichment effects on key taxa and the time required for such effects to become detectable, establishing **AMT** for biogenic habitats at this stage would be premature. Instead, potential adverse impacts to ecosystem function should be assessed through multiple lines of evidence relative to background conditions and over time, allowing farm-related effects to be distinguished from natural variability and changes in individual indicators to be interpreted in the context of broader ecosystem change, in accordance with Table C-2.

Commented [FL6]: This and all equivalent changes - Question 13 Minute 4 and response to DOC comment on application (section 5.1)

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Table C-1. Guiding environmental principles, adaptive management triggers (AMT) and indicators, associated thresholds and response triggers for sandy habitats. Under the tiered monitoring approach, Tier 1 indicators are to be used routinely to assess environmental impact and, when breached, should trigger Tier 2 surveys. S^2_{UV} = total free sulphides, (ultraviolet (spectrophotometry) method), b-MBI = bacterial Metabarcoding Biotic Index, DO = dissolved oxygen, AMBI = AZTI's Marine Biotic Index, BQI = Benthic Quality Index, N = total abundance, S = taxa richness, H' = Shannon–Wiener diversity index, d = Margalef's diversity index, J' = Pielou's evenness.

Guiding principles – sandy habitats	AMT indicators and associated thresholds	Response trigger
Zone 1		
Peak production: full-suite monitoring		
Farm shall not become very highly enriched (all areas < cf. ES 5)	<p>AMT for identifying very high enrichment (ES 5):</p> <ul style="list-style-type: none"> Quantitative indicators (station average): <ul style="list-style-type: none"> $S^2_{UV} > 800 \mu\text{M}$ or standard method Redox / pH index > 3.0 b-MBI > 4.5 Macrofaunal indicators (AMBI > 5.1, BQI < 2.6, expert judgement that other available indicators [e.g., N, S, H', J' and d] indicate very high enrichment) Station average near-bottom water column DO < 90% reference White, anaerobic bacterial coverage > 50%. <ul style="list-style-type: none"> Visible free outgassing from sediments. 	If two or more AMT are triggered, farm management response actions, as outlined in the EMMP, should be initiated.
Interim stations: tiered monitoring		
Farm shall not become very highly enriched (all areas < cf. ES 5)	<p>Tier 1 AMT for identifying very high enrichment (ES 5):</p> <ul style="list-style-type: none"> Quantitative indicators (station average): <ul style="list-style-type: none"> $S^2_{UV} > 800 \mu\text{M}$ or standard method / in tandem for a while Redox / pH index > 3.0 Station average near-bottom water column DO < 90% reference White, anaerobic bacterial coverage > 50% Visible free outgassing from sediments. <p>Tier 2 AMT for identifying very high enrichment (ES 5, archived):</p> <ul style="list-style-type: none"> Quantitative indicators (station average): 	Tier 2 is triggered when any two or more Tier 1 indicators are triggered at any station or outgassing is observed; archived Tier 2 samples should be processed. If Tier 2 indicators are exceeded, farm management response actions, as outlined in the EMMP, should be initiated.

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Commented [FL7]: Except as otherwise identified, minor changes through this table to align with draft EMMP provided to the Panel on 22 May 2026.

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Commented [FL8]: No amendment proposed in relation to Env't Sthland comment on application (N Keeley) re use of indicators for assessing compliance, which was responded to in paras 96 and 97 of Dr Bennett's evidence for NTS. Dr Keely has advised (Env't Sthland comment on Minute 5) that he is happy with Dr Bennett's response.

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Commented [FL9]: This and all similar changes proposed in response to Question 14 Minute 4 and DOC comment on application (section 5.1)

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Guiding principles – sandy habitats	AMT indicators and associated thresholds	Response trigger
	<ul style="list-style-type: none"> o b-MBI > 4.5¹ o Macrofaunal indicators (AMBI > 5.1, BQI < 2.6, expert judgement that other available indicators [e.g., N, S, H', J' and d] indicate very high enrichment). 	
Zone 2		
<p>Zone 2 shall not become highly enriched (all areas < cf. ES 4)</p>	<p>Tier 1 AMT for identifying high enrichment (ES 4):</p> <ul style="list-style-type: none"> • Station average: <ul style="list-style-type: none"> o S²_{UV} > 500 µM² o b-MBI > 4² <p>Tier 2 AMT for identifying high enrichment (ES 4): Quantitative macrofaunal indicators (station average):</p> <ul style="list-style-type: none"> o AMBI > 4.4* o BQI < 4.0* o Expert judgement that other available indicators (e.g., N, S, H', J' and d) indicate high enrichment. 	<p>Tier 2 should be triggered when either or both Tier 1 indicators are exceeded at <u>the Beyond Zone 2 stations</u>.</p> <p>Farm management response (see EMMP) should be initiated when Tier 2 indicators are triggered (AMBI, BQI, expert judgement) at any Zone 2 station. <i>If only expert judgement available, indications of high enrichment = farm response action required. If AMBI and BQI can be calculated, then 2/3 indicators triggered = farm management response triggered.</i></p>
Beyond Zone 2		
<p>Beyond Zone 2 shall not become moderately enriched (all areas < cf. ES 3)</p> <p>Minor enrichment permitted but not sufficient to cause ecological degradation or loss of biodiversity</p>	<p>Tier 1 AMT for identifying moderate enrichment (ES 3):</p> <ul style="list-style-type: none"> • Station average: <ul style="list-style-type: none"> o S²_{UV} > 250 µM or, > upper 95% CI value for relevant reference stations o b-MBI > upper 95% CI value for relevant reference stations.¹⁹ <p>Tier 2 AMT for identifying moderate enrichment (ES 3): Quantitative macrofaunal indicators (station average):</p> <ul style="list-style-type: none"> o AMBI > upper 95% CI for relevant reference stations o BQI < lower 95% CI for relevant reference stations 	<p>Tier 2 should be triggered when either or both Tier 1 indicators are exceeded at the Beyond Zone 2 stations.</p> <p>Farm response actions (see EMMP) should be initiated when Tier 2 indicators are triggered (AMBI, BQI, expert judgement) at any of the Beyond Zone 2 stations.</p>

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Commented [FL10]: No amendment proposed in response to Evt Sthland comments on application (N Keeley) in relation to whether the marine farms are causing effects, but is covered in draft EMMP (as was indicated in the evidence of Dr Bennett at paras 99 and 100). Dr Keely has advised (Evt Sthland comment on Minute 5) that he is happy with Dr Bennett's response.

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¹ Incorporation of this index at the Hananui proposal area would require validation against infaunal data over at least 2 years before applicability as a Tier 1 AMT indicator.

² Point equivalent to approximately the transition between 'Moderate' and 'Poor' status based on international data published by Fisheries and Oceans, Canada, and Cranford et al. (2020), and as recommended in the Aquaculture Stewardship Council benthic monitoring whitepaper (ASC 2022). Assumes use of the UV spectrophotometry of sediment pore water method.

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Guiding principles – sandy habitats	AMT indicators and associated thresholds	Response trigger
	<ul style="list-style-type: none"> Expert judgement that other available indicators (e.g., N, S, H', J' and d) indicate moderate enrichment. 	<p><i>If only expert judgement available, indications of moderate enrichment = farm response action required.</i></p> <p><i>If AMBI and BQI can be calculated then 2/3 indicators triggered = farm management response triggered.</i></p>

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Table C-2. Guiding environmental principles, indicators for identifying adverse effects to ecosystem function and response triggers for biogenic habitats

Guiding principles – biogenic habitats	Indicators for identifying adverse effects to ecosystem function	Response trigger
No adverse effect sufficient to disrupt ecosystem function	<p>Video footage (video and still imagery) analyses</p> <ul style="list-style-type: none"> Quantitative: <ul style="list-style-type: none"> Statistically significant change in the percent cover of key taxa relative to appropriate reference station(s)³ Statistically significant change in community structure (positive or negative) relative to appropriate reference station(s) Qualitative <ul style="list-style-type: none"> Presence of any fish-farm derived material Evidence of physical disturbance. <p>Habitat mapping</p> <ul style="list-style-type: none"> Statistically significant changes in the total area of habitat extent (m²), structural complexity (rugosity), and / or seafloor composition (proportion of different substrate types) over time. <p>Soft sediment sampling (sentinel stations)</p> <p>Tier 1 AMT for identifying moderate enrichment (ES 3):</p> <ul style="list-style-type: none"> S²-_{UV} > 250 µM or, > upper 95% CI value for relevant reference stations <u>or standard method</u> b-MBI > upper 95% CI value for relevant reference stations. 	<p>If a statistically significant change in cover for key taxa or community structure is detected based on the BACI design and in conjunction with farm activities, farm management actions (<u>see EMMP</u>) should be initiated.</p> <p>Evidence of physical disturbance should be evaluated using expert judgement alongside other indicators, such as farm-waste tracers, to determine whether the farm or external forces (e.g. ship anchoring, oyster dredging) are the likely source.</p> <p>If a statistically significant change in these parameters is detected based on the BACI design <u>and in conjunction with farm activities</u>, farm management actions (<u>see EMMP</u>) should be initiated.</p> <p>If either or both Tier 1 indicators are triggered, expert judgement should be required to assess whether there is evidence of biogenic habitat impact before proceeding to Tier 2.</p>

Commented [FL11]: No amendment proposed in response to DOC comment on application (3.3.28, 3.3.29 and section 5.1) as all technical experts agree that setting of sub-lethal indicators at this stage may be premature.

Commented [FL12]: Except as otherwise identified, minor changes through this table to align with draft EMMP provided to the Panel on 22 May 2026.

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³ Implies the use of a beyond BACI approach to test for a significant control vs impact interaction term. The same statistical design will be applied for univariate (change in the percentage cover of key taxa, total area of extent, habitat extent, rugosity) and multivariate analyses (change in community structure, seafloor composition).

	<p>Tier 2 AMT for identifying moderate enrichment (ES 3):</p> <p>Quantitative macrofaunal indicators</p> <ul style="list-style-type: none"> o AMBI > upper 95% CI for relevant reference stations o BQI < lower 95% CI for relevant reference stations o Expert judgement that other available indicators (e.g., N, S, H', J' and d) indicate moderate enrichment. 	<p>If Tier 2 indicators are triggered (AMBI, BQI, expert judgement) at any of the Beyond Zone 2 stations, farm management response (see EMMP) should be initiated.</p> <p><i>If only expert judgement available, indications of moderate enrichment = farm management response triggered. If AMBI and BQI can be calculated, then 2/3 indicators triggered = farm management response.</i></p>
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WILDLIFE APPROVAL CONDITIONS

Updated condition		Comment
SCHEDULE 1		Response to DOC s51 report – Appendix C, NTS accepts this amendment to the wildlife approval conditions as it is an administrative change.
1	<p>Authorised activity (including the species, any approved quantities and collection methods) (Schedule 2, clause 2)</p> <p>A. <u>Activity:</u></p> <p>a) For the capture, holding, handling, releasing, disturbing and incidental killing of white sharks, basking sharks and seabirds (except black-backed gulls) which may result from their entanglement and entrapment in the proposed marine farming structures.</p> <p>B. <u>Methodology:</u></p> <p>a) The methods in relation to white sharks and basking sharks are set out in the Shark Management Plan</p> <p>b) The methods in relation to seabirds are set out in the Seabird Management Plan</p>	
2	<p>The Land (Schedule 2, clause 2)</p> <p>Within the HAP marine farming site off the northern coast of Rakiura. The coordinates of the site boundaries are as follows:</p> <p>46°43'50.69"S 168° 3'58.60"E 46°44'21.00"S 168° 4'48.83"E 46°45' 3.65"S 168° 3'40.66"E 46°45'44.51"S 168° 3'13.27"E 46°47'36.70"S 168° 4'42.66"E 46°47'55.76"S 168° 4' 6.08"E 46°45'25.28"S 168° 1'19.09"E</p>	
3	<p>Personnel authorised to undertake the Authorised Activity (Schedule 2, clause 3)</p> <p>a) Suitably trained marine farm staff b) Suitably qualified and trained vets c) Additional personnel as may be approved in writing by the <u>Department of Conservation</u>.</p>	
4	<p>Term (Schedule 2, clause 4)</p> <p>[insert date of approval] to [insert date 30 years from date of approval]</p>	
5	<p>Approval Holder's address for notices (Schedule 2, clause 8)</p> <p>The Approval Holder's address in New Zealand is: Physical: Ngāi Tahu Seafood Resources Limited Postal: PO Box 3787, Christchurch 8140 Phone: 021 904 228 Email: thomas.hildebrand@ngaitahu.iwi.nz</p>	
6	<p>The Department's address for notices</p> <p>The <u>Department's</u> address for all correspondence is:</p>	

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		<p>Rakiura National Park Visitor Centre, Main Road, Halfmoon Bay, Stewart Island Phone: 03 219 0009 Email: stewartisland@doc.govt.nz And Permissions Team Level 4 73 Rostrevor Street Hamilton 3204 Email: permissionshamilton@doc.govt.nz</p>	
<p>SCHEDULE 2</p> <p>CONDITIONS OF THE APPROVAL</p> <p>General conditions</p> <p>1. The Approval Holder must implement the documents required by the conditions of this Wildlife Act Approval and all works and activities authorised by this approval must be carried out in accordance with the documents required by the approval.</p>			
<p>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.</p>		<p>Response to DOC s51 report – Appendix C. NTS does not accept DOC’s suggested modifications.</p> <p>NTS prefers that Environment Southland is the certifier of the Seabird Management Plan and Shark Management Plan (along with other management plans) under the RMA resource consent conditions. Detailed reasoning for this is included from counsel for NTS in the response to comments on the application.</p>	
<p>Seabirds</p> <p>3. 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) required under the conditions of Resource Consent [to add reference].</p>		<p>Response to DOC s51 report – Appendix C. NTS does not accept DOC’s suggested modifications.</p> <p>NTS prefers that Environment Southland is the certifier of the Seabird Management Plan and Shark Management Plan (along with other management plans) under the RMA resource consent conditions.</p>	
<p>4. The objective of the SBMP is to:</p> <ul style="list-style-type: none"> a. achieve compliance with conditions of this approval; b. define the methodology to be used for monitoring, recording and reporting seabird interactions around the marine farms; c. for the first two years of operation of the marine farms at the site, monitor, record and report on seabird behaviours around the marine farms 			
<p>5. The SBMP must at a minimum include the following information:</p> <ul style="list-style-type: none"> a. A monitoring programme with procedures for recording and reporting seabird interactions and behaviours in the vicinity of marine farms. b. Mitigation and management actions and techniques to minimise seabird interactions and incidents with farm structures in order to achieve Condition 4. c. Procedures to record, respond to and report seabird interactions/incidents with farm structures, and timeframes for reporting. d. Procedures for the implementation of the SBMP, including training of staff. e. A process for reviewing the effectiveness of the SBMP at achieving the objectives set out in Condition 4 and updating the SBMP if required to improve its effectiveness 			

<p>f. A management review process that has the flexibility to accommodate future advances in infrastructure and other developments in line with the evolution of the science behind best management practices for management of seabird interactions and incidents with marine farms.</p>	
<p>6. In accordance with the Animal Welfare Act 1999, section 11, the Approval Holder may euthanise seabirds in their care if the seabird is:</p> <ul style="list-style-type: none"> a. Suffering unreasonable or unnecessary pain or distress; or b. Is seriously ill or permanently injured and unlikely to survive in the wild; and c. The Approval Holder has the skills to humanely euthanise. 	
<p>7. The Approval Holder must not euthanise seabirds unless:</p> <ul style="list-style-type: none"> a. A veterinarian recommends euthanasia on animal welfare grounds; or b. The Approval Holder euthanises wildlife under direction of the Director-General. 	<p>Response to DOC s51 report – Appendix C. NTS does not accept DOC's suggested additional condition that euthanasia must take place according to the most recent edition of the New Zealand National Bird Banding Scheme Bird Bander's Manual.</p> <p>Dr Bull has indicated (see paragraph 24 of her evidence) that the SBMP will be amended to clarify that birds will not be euthanised on site, this will only be done by a qualified vet. As such, this suggested condition is not considered by NTS to be necessary.</p>
<p>Monitoring and Reporting</p> <p>8. <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 DOC website: Reporting a bird band: Bird banding</u></p> <p><u>All monitoring and reporting must be undertaken in accordance with the SBMP.</u></p>	<p>Response to DOC s51 report – Appendix C. NTS accepts DOC's suggested addition.</p>
<p>Sharks</p> <p>9. 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) required under the conditions of Resource Consent [to add reference].</p>	<p>Response to DOC s51 report – Appendix C. NTS does not accept DOC's suggested modifications.</p> <p>NTS prefers that Environment Southland is the certifier of the Seabird Management Plan and Shark Management Plan (along with other management plans) under the RMA resource consent conditions.</p>
<p>10. The objective of the SMP is to:</p> <ul style="list-style-type: none"> a. achieve compliance with conditions of this approval; b. determine how the operation of the marine farms will be managed adaptively to avoid, remedy, and mitigate adverse effects on sharks; c. ensure best practice is adopted to avoid entanglement or entrapment of <u>protected</u> sharks, having regard to best international practice, ongoing research and allowing for technological improvement in net design, construction and maintenance; 	<p>Response to DOC s51 report – Appendix C. NTS partially accepts DOC's suggested modifications.</p> <p>NTS accepts that amending the condition to refer to "protected" shark species is appropriate in terms of the requirements of the Wildlife Act 1953.</p> <p>Protected shark species are listed in Schedule 7A of the Wildlife Act 1953. In NTS' view introduction of the phrase 'including those listed in Convention for Migratory Species' introduces unnecessary confusion. The list of protected shark species under the Act does not match the list of shark species under the Convention, and it is only the former that can be covered by the wildlife approval.</p>
<ul style="list-style-type: none"> d. establish reporting and response procedures in the event of protected, shark entrapment, entanglement or death; and e. establish a monitoring programme to assess the effectiveness of the SMP. 	<p>Response to DOC s51 report – Appendix C. NTS agrees that removing reference to "threatened, or at risk" from the condition is appropriate, so that the condition matches the requirements of the Wildlife Act 1953.</p>
<p>11. The SMP must at a minimum include the following information:</p> <ul style="list-style-type: none"> a. a monitoring programme with procedures for recording and reporting interactions and incidents (entanglement, entrapment, injury and mortalities) with sharks at the marine farms; 	<p>Consequential amendment.</p>

Deleted: , threatened, or at-risk

<ul style="list-style-type: none"> b. mitigation and management actions and techniques to minimise shark interactions and incidents with farm structures in order to achieve Condition 10; c. measures to respond to shark interactions/incidents with farm structures; d. procedures for the implementation of the SMP, including training of staff; e. timeframes for reporting of incidents (entrapment, live entanglement, injury and mortality) to DOC; and f. a management review process that has the flexibility to accommodate future advances in infrastructure and other developments in line with the evolution of the science behind best management practices for management of shark interactions and incidents with marine farms. 	
<p>12. In the event that all reasonable actions have been attempted to remove an entangled or entrapped live shark, or the condition of the shark deteriorates rapidly, or the shark begins to display more aggressive behaviour that makes it impractical and a health and safety risk to disentangle and release the shark, the Approval Holder may take action to destroy the shark, in accordance with the SMP.</p>	
<p>Revocation</p> <p>13. The Director-General may revoke this Approval in whole or any part at any time (pursuant to clause 7(4) of Schedule 7 of the Fast-track Approvals Act 2024) if:</p> <ul style="list-style-type: none"> a. The Approval Holder breaches any of the conditions of this Approval. b. In the Director-General's opinion, the exercise of this Approval has caused, or is likely to cause, any unforeseen adverse effects on sharks or seabirds. <p>14. If the Director-General intends to revoke this Approval in whole or in part, the Director-General must give the Approval Holder such prior notice as is reasonable and necessary in the circumstances.</p>	
<p>Costs</p> <p>15. The Approval Holder must pay the standard Department of Conservation charge-out rates for any staff time and mileage required to monitor compliance with this approval and to investigate any alleged breaches of the terms and conditions of it.</p>	
<p>Variations</p> <p>16. The Approval Holder may apply to the Director-General for variations to this Approval in accordance with clause 7(2) of Schedule 7 of the Fast-track Approvals Act 2024.</p>	
<p>Liabilities</p> <p>17. <u>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.</u></p>	<p>Response to DOC s51 report – Appendix C. NTS accepts DOC's suggested addition.</p>
<p>Compliance with Legislation and Director-General's Notices and Directions</p> <p>18. <u>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.</u></p>	<p>Response to DOC s51 report – Appendix C. NTS accepts DOC's suggested addition.</p>
<p>Variations Employees, Contractors, or Agents</p> <p>19. <u>The Approval Holder is responsible for the acts and omissions of its employees, contractors, and agents when acting in the course of, or in connection with, the activities authorised by this Approval.</u></p> <p>20. <u>The Approval Holder is liable under this Approval for any breach of its terms by its employees, contractors, or agents, when acting in the course of, or in connection with, the activities authorised by this Approval, as if the breach were committed by the Approval Holder.</u></p>	<p>Response to DOC s51 report – Appendix C.</p> <p>NTS considers that as originally proposed by DOC, the clause could be interpreted broadly and does not clearly exclude unrelated personal conduct outside of work. The proposed amendment therefore includes the adjustment to the wording of the condition suggested by NTS in its response to comments.</p>