Wildlife approvals in the Natural Environment Act (NEA) – Summary

The NEA was passed into law on 30 September 2026, and will allow regional councils to issue wildlife approvals alongside natural resource permits. This fact sheet explains why the NEA enables this and how the new system will work.

Section 134 of the NEA

- This section enables regional councils to issue a wildlife approval alongside a natural resource permit.
- A wildlife approval authorises activities that are otherwise illegal under the Wildlife Act – such as catching, moving, or incidentally harming protected wildlife.

Why this is in the NEA

- The Government decided to include this schedule in the NEA to simplify the approvals process for applicants, while maintaining protections for wildlife.
- Under the previous system, applicants often need two separate approvals for activities that can affect protected wildlife:
  - a resource consent under the Resource Management Act from a council, and
  - a wildlife permit under the Wildlife Act from the Department of Conservation (DOC).
- This dual process can create unnecessary delays, uncertainty, and additional costs for applicants. The NEA streamlines this by enabling a single application through regional councils, who will be able to issue both the natural resource permit and, if sought, a wildlife approval.
- This will apply to projects such as roads, walkways, sea walls, wind farms, mines, and housing developments that affect protected wildlife and require a natural resource permit.

How the new system would work

- Permit authorities will need to apply the framework for wildlife decision-making in **Schedule 3** of the NEA. Decisions on wildlife approvals will not be subject to the NEA's purpose, goals, limits, or broader decision-making structure.
- This framework is based on the wildlife protection settings of the Wildlife Act, with some modifications to support risk-based decision-making.
- Safeguards for protected wildlife are built into the new system. Regional councils will only issue wildlife approvals when:
  - applicants will take reasonable steps to avoid, minimise, and mitigate impacts on individual animals
  - the approval will not reduce the viability of the species affected, or the viability of local wildlife populations of threatened or at risk species
  - they have considered relevant best-practice guidance from DOC.

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Te Papa Atawhai

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How the new system works (continued)

- Councils can seek technical advice from DOC to support decision-making.
- DOC will keep issuing wildlife permits under the Wildlife Act for:
  - activities on Crown-owned public conservation land that DOC manages, and in marine reserves
  - permitted activities under the NEA that do not require a natural resource permit
  - activities involving wildlife that do not require natural resource permits (e.g. for research or species recovery projects).
- NEA permit applicants may choose to seek a wildlife permit from DOC instead of a regional council if they want.
- The Government is committed to upholding Treaty settlement obligations through these reforms. Officials are working with Post Settlement Governance Entities (PSGEs) to ensure commitments are respected.
- The table on page 5 compares key features of the system for wildlife permits issued by DOC under the Wildlife Act, and wildlife approvals that regional councils will issue under the NEA.

Note: Regional councils will not be able to start issuing wildlife approvals unti0 lthe commencement date for the NEA – in 2029 at the earliest.

Frequently asked questions

1. Is the Government reducing wildlife protection to make it easier for development, infrastructure, and mining activities to go ahead?

No. These changes aim to improve efficiency by enabling applicants to seek all the authorisations they need from one agency, while keeping safeguards to protect wildlife.

Wildlife protected by the Wildlife Act will remain protected. It will still be an offence to interact with or affect protected wildlife unless authorised by DOC, a regional council under the NEA, or a panel under the Fast-Track Approvals Act.

The NEA's wildlife approvals framework is based on the wildlife protection settings of the Wildlife Act, with some modifications to facilitate risk-based decision-making.

These changes do not amend the Wildlife Act.

2. What do you mean by risk-based decision making?

Councils will need to consider the threat status of species when making some decisions under the NEA.

Under the NEA, councils must be satisfied that applicants will take reasonable steps to avoid, minimise, and mitigate any adverse effects on individual animals. They must also be satisfied that affected wildlife species will remain viable. These two safeguards apply to all protected wildlife and are the same as in the Wildlife Act.

The NEA also includes a safeguard to protect local populations of threatened and at-risk wildlife.

In comparison, the population safeguard in the Wildlife Act applies to all species – including those that are threatened, at-risk, unclassified, or common and widespread.

This difference is for pragmatic reasons. It is important to maintain local populations of threatened and at-risk species to sustain those species. For common species, changes in local population levels are less likely to put the species at risk overall.

3. How else could protected wildlife be affected by these changes?

Enabling wildlife approvals through the NEA is likely to bring some conservation benefits.

Currently, people often do not know they need authorisation to interact with or affect protected wildlife. Under the NEA, councils will ask all natural resource permit applicants if they are seeking a wildlife approval, leading to better awareness of regulations to protect wildlife.

Councils will also monitor compliance with wildlife approvals, whereas DOC often does not have capacity to actively monitor compliance with wildlife permits.

4. Will councils have the expertise to make these decisions?

The NEA wildlife approvals framework will support councils to make robust decisions by:

- requiring applicants to provide detailed information on wildlife impacts and how these will be managed
- requiring councils to consider any guidance, protocols, or standards related to protected wildlife, issued by DOC
- enabling councils to seek expert advice from DOC for any applications that may affect threatened or at-risk species.

5. What will these changes mean for Treaty settlements?

The Government is committed to upholding Treaty settlements through the resource management reforms.

Redress related to statutory authorisations under the Wildlife Act is included within the NEA requirements to give effect to Treaty settlement redress.

This is accompanied by a commitment for the Crown to enter discussions with post settlement governance entities on how their redress will operate under the NEA.

Table 1: Comparisons of key features between systems

	Wildlife Act permits	NEA wildlife approvals
Trigger	Relies on people knowing they need to seek a wildlife permit.	Regional councils will ask applicants if they are seeking a wildlife approval, unless the applicant has already indicated this.
Treaty of Waitangi clauses	Under section 4 of the Conservation Act, DOC is required to give effect to the principles of the Treaty when issuing wildlife permits.	Clause 11 of the NEA includes a Māori interests goal.
Public notification	No requirements to notify the public of an application.	
Targeted notification	Local Māori organisations are notified, to apply section 4 of the Conservation Act.	PSGEs will receive targeted notification when required to give effect to Treaty settlements.
Hearings	No hearings process.	Hearings may be held. Only those who were notified and made submissions would be heard (i.e. PSGEs when required to give effect to Treaty settlements). Prior to hearings, conferences may be called to work through issues.
Conditions	Approvals can include conditions to manage impacts on protected wildlife and to meet safeguards. This may include offsetting but excludes compensation.	
Individual wildlife safeguards	Applicants need to take reasonable steps to avoid, minimise, and mitigate any adverse effects on individual wildlife (with effects managed in that order).	
Wildlife population safeguards	In relation to incidental harm, an application cannot be approved if this would reduce the viability of a wildlife population.	An application cannot be approved if this would reduce the viability of a population of threatened or at-risk wildlife.
Species safeguards	An application cannot be approved if this would reduce the viability of a protected species.	
Treaty Settlements	DOC gives effect to settlement provisions through its standard operating procedures and specific arrangements.	The Crown will work with PSGEs to seek agreement on how relevant Treaty settlement redress will be given effect in the new system.
Appeals	No appeal mechanism. Decisions can only be judicially reviewed.	The applicant or any person who made a submission can make appeals (i.e. PSGEs who were notified).
Transferability	A wildlife permit cannot be transferred.	A wildlife approval may be transferred to another person.
Monitoring	DOC monitors compliance.	Regional councils monitor compliance.
Enforcement	DOC can prosecute for non-compliance after harm has been done.	Regional councils can issue abatement notices and enforcement orders, and issue fines or prosecute for non-compliance with these.