

[REDACTED]  
08 May 2025

Conservation House  
18-32 Manners Street  
Te Aro, Wellington, 6011  
doc.govt.nz

Ref: OIAD-5028

Tēnā koe [REDACTED]

Thank you for your request to the Department of Conservation (DOC), received on 17 March 2025, for the following:

1. *the total number of authorisations to kill wildlife under s 53 of the Wildlife Act 1953 since January 2020;*
2. *of those:*
  - a. *the total number of authorisations under s 53 of the Wildlife Act 1953 to kill wildlife that remain in use;*
  - b. *the number of s 53 of the Wildlife Act 1953 to kill wildlife as part of development or RMA related processes;*
  - c. *the number of authorisations under s 53 s of the Wildlife Act 1953 to kill wildlife for cultural or traditional use; and*
3. *a list of the companies or other publicly known entities who hold current authorisations to kill wildlife under s 53 of the Wildlife Act 1953.*

On 10 April 2025, following correspondence from DOC related to substantial manual collation associated with preparing a response, your colleague Sarah Gwynn refined the request (on your behalf) to the following:

- *Total number of Wildlife authorisations issued since 4 November 2022 to today, including a breakdown of the total number of the Wildlife Act Authorities, and the number of s 53 of the Wildlife Act 1953 to kill wildlife as part of development or RMA related processes or for cultural or traditional use; and*
- *Copies of the Wildlife authorisations issued since 4 November 2022 to today.*

The second bullet point request for copies of these Wildlife Act authorisations is being processed under OIAD-5127, as this is additional to your previous request.

We have considered your request under the Official Information Act 1982 (the OIA).

On 11 April 2025, we extended the timeframe to respond to your request to 15 May 2025. As noted in our letter informing you of this extension, this extension was necessary due to extensive collation, which was deemed necessary given the public interest. The information provided has been produced via a manual process, as there is no ability in the relevant DOC databases to document what section of an Act a permit is processed under (nor detail regarding the inclusion of specific clauses). Upwards of 80 hours of work has been put into pulling information from different sources, combining datasets, and manually checking nearly 500 individual records to check what section permissions were processed under and what clauses were included to provide a data set that is as accurate as possible at this time.

## **Response**

Your questions and our responses are listed below:

- 1. The total number of authorisations to kill wildlife under s 53 of the Wildlife Act 1953 since January 2020*

Since 4 November 2022, approximately 103 authorities have been issued under section 53 of the Act which contain authorisations to kill. Please note that an authority is determined to authorise killing if directly stated under Schedule 1, Clause 1 of the authorisation for the purposes of this response.

- 2. The total number of authorisations under s 53 of the Wildlife Act 1953 to kill wildlife that remain in use*

There are approximately 100 authorisations under section 53 of the Act which contain authorisations to kill that have been issued since 4 November 2022 to date that have an active status.

An active status means that the term end date of the permit has not passed but does not necessarily mean that it is in active use by the holder. DOC issues permits for a set period time, during which an activity can be carried out at any point without notification to DOC. We are therefore unable to confirm whether the activity the permit was issued for has been started, is underway, or has finished.

- 3. The number of s 53 of the Wildlife Act 1953 to kill wildlife as part of development or RMA related processes.*

The database does not record whether a permit was processed as part of development or Resource Management Act (RMA) processes. This information is also not held by the DOC RMA team. Your request is therefore refused under section 18(e) of the OIA – the information does not exist.

*4. The number of authorisations under s 53 s of the Wildlife Act 1953 to kill wildlife for cultural or traditional use*

The DOC database does not record what purpose the activity is applied for. As a significant amount of time has already been undertaken to produce the data for the responses above, it was determined that a sample of the 103 authorisations identified in relation to Question 1 would be checked. A sample check was undertaken for an hour by two resources, in which the documents of 28 of the 103 authorisations were checked. Of these, no holders had checked the box for “Traditional/cultural use” in the Purpose section of their application.

You are entitled to seek an investigation and review of my decision by writing to an Ombudsman as provided by section 28(3) of the OIA.

**Additional relevant context**

The Wildlife Act 1953 regulates human interactions with protected wildlife. Under the Act, it is unlawful to kill protected wildlife except with lawful authority. DOC provides authorisations to ‘incidentally kill’ protected wildlife (i.e. kill species while doing an otherwise lawful activity) under two sections – section 53 and section 71.

In a recent High Court ruling, the Court decided it was unlawful for DOC to authorise the incidental killing of protected species under section 53 of the Act unless there is a direct connection between that killing and protecting wildlife. DOC has advised operators currently holding Wildlife Act authorisations for projects involving the incidental killing of wildlife to continue to undertake their activities consistent with the conditions of their authorisations and take all reasonable steps to ensure wildlife is not harmed.<sup>1</sup>

In response to the ruling, the Minister of Conservation announced<sup>2</sup> urgent targeted legislative amendments to the Act to ensure it can continue to be interpreted and applied as it has to date. The amendments will enable what was understood to be the ‘status quo’ to continue – with important protections for wildlife, so that DOC can keep regulating and authorising the same kinds of activities it has in the past.

After these immediate changes are delivered, DOC expects to continue its work to repeal and replace the Act, which is more than 70 years old. This is a complex and time-consuming process. It is essential to conduct a thorough review to ensure that no important aspects are missed, and that the new legislation is robust and fit for purpose.

---

<sup>1</sup> [DOC statement: ELI vs DOC - S53 Wildlife Act - Mt Messenger](#)

<sup>2</sup> [Wildlife Act fix will enable economic growth with animal protection | Beehive.govt.nz](#)

Please note that this letter (with your personal details removed) may be published on DOC's website.

Nāku noa, nā

A handwritten signature in black ink, appearing to read 'Phillippa Fox', with a stylized flourish at the end.

Phillippa Fox  
Director Regulatory Authorisations  
Department of Conservation  
*Te Papa Atawhai*