

13 October 2025

# Fast-track Approvals Act wildlife approval report

Section 51(2)(c) wildlife approval report for –  
FTAA-2506-1071 Homestead Bay



Department of  
Conservation  
*Te Papa Atawhai*

**Te Kāwanatanga  
o Aotearoa**  
New Zealand Government

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## 1 Introduction

- 1.1 On 23 June 2025, RCL Homestead Bay Limited (RCL/the applicant) lodged a substantive application for Homestead Bay (the Project) with the Environmental Protection Authority (the EPA). On 8 July 2025 the EPA determined that the application was complete and complied with section 46(2) of the Fast-track Approvals Act 2024 (FTAA/the Act). The application was deemed to not have any competing applications or existing resource consent concerns under section 47 of the Act by the EPA on 22 July 2025.
- 1.2 The application is to develop land for commercial and residential use. The Project site spans 163 hectares at Homestead Bay Road, Homestead, Queenstown.
- 1.3 As part of the application, RCL is seeking wildlife approval for the salvage of lizards that are absolutely protected under the Wildlife Act 1953. The activity of salvage includes the capture, handling, release and killing/harm of wildlife.
- 1.4 On 24 July 2025, in accordance with section 51(2)(c) of the Act, the Panel Convener directed the EPA to obtain a report prepared by the Director-General of Conservation in accordance with clause 3 of Schedule 7. This report is due to the EPA on 13 October 2025.
- 1.5 This report provides information relating to proposed activities for which the applicant is seeking a wildlife approval.

## 2 Purpose of the report

- 2.1 This report has been prepared by the Department of Conservation (DOC) on behalf of the Director-General of Conservation and provides commentary to support the Panel's assessment of the application for a wildlife approval. The content of this report has been informed by DOC's technical experts and information from Treaty partners, where available.
- 2.2 In accordance with clause 3 of Schedule 7, this report must address the following matters:
  - The purpose of the Wildlife Act 1953 and the effects of the Project on the protected wildlife that is to be covered by the approval.
  - Information and requirements relating to the protected wildlife that is to be covered by the approval (including, as the case may be, in the New Zealand Threat Classification System or any relevant international conservation agreement).
  - Any conditions that should be imposed to manage the effects of the activity on protected wildlife.
  - Any conditions that should be imposed to recognise or protect a relevant Treaty settlement and any obligations arising under the Marine and Coastal Area (Takutai Moana) Act 2011 or the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019.
- 2.3 DOC's assessment concludes that, subject to recommended conditions, the proposed activities are broadly consistent with the purpose of the Wildlife Act. The lizard management plan (LMP) includes

appropriate methodologies for salvage and relocation, identifies a suitable release site, and proposes habitat enhancement measures.

**2.4** However, DOC recommends consideration be given to the following matters:

- **adaptive management:** the applicant has referred to “adaptive management” in the LMP. DOC agrees with the proposed conditions that link the approval to the version of the LMP dated September 2025. DOC considers that a variation to the wildlife approval is required to authorise any revisions to the LMP. DOC recommends that the Panel request the applicant remove reference to adaptive management from the LMP given the lack of clarity of the scope of modifications this could refer to.
- **marking:** the applicant did not apply for marking, however, refers to it in section 8 of the LMP as part of their post-release monitoring. DOC supports the proposed marking as a monitoring method and recommends the Panel consider this activity when making a decision. Marking protected wildlife without authorisation is an offence under the Wildlife Act.
- **planting:** DOC supports the planting plan proposed in the LMP but is cognisant of the fact that the planting will be carried out by planting contractors rather than the Project herpetologists. DOC recommends a condition requiring that the planting plan is actioned in consultation with the herpetologists and that the LMP is provided to the planting contractors.
- **term:** DOC supports the suggested condition for certification of the LMP at the 10-year anniversary of the wildlife approval being granted.

### 3 Sources

- 3.1** This report draws on information from the substantive application and additional information that the applicant has provided post-lodgement.
- 3.2** DOC and RCL have engaged collaboratively following lodgement of the substantive application in line with the Panel Convener’s recommendation to work together on resolving issues and conditions. This has led to RCL providing an amended Lizard Management Plan (Revised LMP) and Wildlife Approval conditions (Revised conditions) on 19 September 2025. Compared to the LMP lodged with the application (Original LMP), the Revised LMP identifies the total impact areas more accurately and includes additional details about planting and incidental discovery. The assessment and all references in this report to the LMP and conditions are based on the revised documents unless stated otherwise.
- 3.3** The assessment in this report is informed by expert advice from DOC Technical Advisor (fauna), Lynn Adams. Lynn’s credentials are provided in Appendix B.

### 4 Context and background

## 4.1 Project overview

- 4.1.1 The Homestead Bay Project is a proposed development of approximately 2,800 residential allotments, an approximate 1,100 square metre commercial retail precinct, and associated features such as parks, trails and native revegetation.
- 4.1.2 The subdivision includes two properties, Lot 8 DP 443832 and Lot 12 DP 364700, with a combined area of approximately 163 hectares.
- 4.1.3 RCL Homestead Bay Limited is applying for resource consent and wildlife approval under the FTAA.

## 4.2 Summary of wildlife approval sought

- 4.2.1 The applicant seeks a wildlife approval (under s 42(4)(h) of the Act) to handle and relocate indigenous lizards that may be otherwise adversely affected by works associated by the Project. The AEE states that wildlife approval is sought “for the potential destruction of habitat, the killing of lizards and the catch and release of lizards.”
- 4.2.2 Details of the applicant’s proposed lizard management is provided in a LMP prepared by Wildlands, the most recent version of which was provided to DOC on 19 September 2025.
- 4.2.3 The LMP details the methods proposed for native lizard salvage and relocation should species be discovered at the site prior to or during development works. The effects and lizard management actions as described in the LMP are outlined as follows.

### Habitat

- 4.2.4 Approximately 30.8 hectares of potential native lizard habitats were identified onsite, mostly comprising exotic pasture grassland.

### Lizard presence

- 4.2.5 The LMP identifies that the species in Table 1 are, or may be present in the area, based on lizard surveys and records of lizard observations within 20 km of the site.

**Table 1.** Species applied for in the LMP

Common names	Scientific names	Threat status
McCann’s skink	<i>Oligosoma maccanni</i>	Not Threatened
Tussock skink	<i>Oligosoma chionocholescens</i>	At Risk – Declining
Mountain beech gecko	<i>Woodworthia</i> “south-western”	At Risk – Declining

- 4.2.6 Other species were noted in the LMP to have recorded observations; however, approval is not sought for these as they are considered unlikely to be in the area.

### Effects

- 4.2.7 The LMP identifies that the proposed works will result in the removal of approximately 11.88 hectares of lizard habitat across the site. This loss, along with associated site works, may lead to adverse effects such as permanent displacement, injury, or death of individual lizards within the construction area. In addition, construction activities are expected to generate dust, noise and vibrations that could disrupt lizard behaviour and social dynamics in adjacent habitats. The development may also contribute to increased predation pressure from domestic cats and rodents.

#### Lizard management

- 4.2.8 Lizard salvage and relocation is proposed for the confirmed population of McCann's skink, as well as for tussock skink and mountain beech gecko which may be present on the site.

#### *Pre-works vegetation management*

- 4.2.9 The LMP notes that most of the site is currently unsuitable for lizards due to grazing and cropping. However, if grazing stops and rank grassland spreads before development, the site could become suitable habitat for McCann's skink. To prevent this, grazing should continue in undeveloped areas of the site throughout to reduce the risk of lizard dispersal into areas not currently designated as potential lizard habitat.

#### *Lizard salvage*

- 4.2.10 The LMP states that lizard salvage operations in areas impacted by development are primarily focused on highly modified habitats such as shelterbelts and exotic pasture grasslands, which typically support low lizard densities due to poor habitat quality and high predator presence (e.g. mice and hedgehogs). A small patch of grazed tūmatakuru/matagouri shrubland will also be affected. The salvage aims to remove as many McCann's skinks as possible, with efforts staged alongside the subdivision works. Earthworks will begin within two weeks of salvage completion to prevent re-colonisation, and if delays occur, salvage may need to be repeated.
- 4.2.11 Trapping methods referenced in the LMP include funnel and pitfall traps designed to provide shelter and prevent dehydration or predation. Traps will be spaced 5–10 metres apart and checked daily for 7–10 days depending on habitat quality, with salvage extended if high capture rates persist. Manual searching will assist trapping, notably in areas with woody debris or rocks. Captured lizards will be handled according to best practice and released within five hours into enhanced nearby habitats. The Project Herpetologist will oversee salvage duration and methods to ensure effectiveness.

#### *Release site*

- 4.2.12 The initial lizard release site for the first stage of development is a 1.3 hectare area in the lower northern gully of the Project site, currently occupied by radiata pine plantation. This area will be cleared and immediately enhanced with wood piles from the felled pine trees to provide shelter for lizards. Native planting will follow to further improve habitat quality. The application signals the site is proposed to be vested as a Local Purpose Reserve within the Homestead Bay development, and RCL Homestead Bay has committed to protecting it from future development or disturbance. This should be a condition of any approvals for the Project.
- 4.2.13 Additional release areas in the southern gullies will be enhanced after necessary works are completed. These areas will be prepared with rock and wood piles to increase their capacity to support lizard

populations, and further improvements will be made through native planting and pest plant control. All release sites will receive the same habitat enhancement measures and will be legally protected to ensure long-term conservation outcomes for relocated lizards. It is unclear what form this legal protection will take but it should be secured by way of conditions as part of any approvals for the Project.

#### *Adaptive management*

- 4.2.14 Adaptive management is referred to in section 8.0 of the LMP as part of the post-release monitoring and reporting requirements. It is unclear the scope of changes to lizard management actions that “adaptive management” refers to.

#### *Monitoring*

- 4.2.15 The LMP proposes that if over 100 McCann’s skinks or any additional species are salvaged, post-release monitoring should be undertaken to assess the success of the translocation and habitat enhancement. This monitoring will occur during the first season after salvage and will be commissioned by RCL Homestead Bay, with a qualified herpetologist conducting the work.
- 4.2.16 Monitoring will include surveys using artificial cover objects (ACOs), with around 40 placed across the release site, particularly at wood and rock piles where lizards were released. These will be checked over one week during fine weather between November and December. Captured lizards will be measured, sexed, photographed and marked with ID numbers to enable occupancy modelling. This approach allows for estimation of population size and trends over time, helping determine how well the lizards are establishing in their new habitat.

#### *Reporting*

- 4.2.17 A salvage report will be prepared annually for every year that salvage is undertaken, and will include details of the lizard species, capture locations, the number of individuals salvaged and release locations. This report(s) will be provided to relevant stakeholders within six months of the completion of all lizard habitat removal in each year.
- 4.2.18 If post-release monitoring is required, the applicant has committed to producing annual reports for the duration of the Approval.

#### *Term*

- 4.2.19 RCL have requested a 15-year term in the Wildlife Approval Conditions to align with the proposed duration of the resource consent.

## 5 Matters considered in relation to the criteria for a wildlife approval

### 5.1 Statutory context

- 5.1.1 Clause 1 of Schedule 7 of the Act defines “wildlife approval” as “a lawful authority for an act or omission that would otherwise be an offence under any of sections 58(1), 63(1), 63A, 64, 65(1)(f), 70G(1), 70P, and 70T(2) of the Wildlife Act 1953”.
- 5.1.2 Capture, marking, killing and liberating native lizards without lawful authority are all offences under the Wildlife Act:
- Sections 63(1) and 70G(1) provide that it would be an offence to “hunt or kill” (the definition of which includes related activities such as “taking”, “capturing” and “disturbing”) protected wildlife without lawful authority. This also includes killing that is incidental, which is that which is not directly intended but is unavoidable and foreseeable as a consequence of carrying out an otherwise lawful activity (s 53A).
  - Sections 65(1)(f) and s 70P provide that it is an offence to do anything for which an authority is required under the Wildlife Act or any regulations under that Act.
    - Section 56 establishes that no person may liberate; or capture or attempt to capture or have in their possession for the purpose of liberating, wildlife without the prior written authority of the D-G.
    - Regulation 38 of the Wildlife Regulations 1955 establishes that wildlife must not be marked without prior written authority of the D-G.
- 5.1.3 The activities proposed (capturing, disturbing, releasing, killing and marking wildlife) can be considered for wildlife approval under the FTAA. A wildlife approval granted under the Act is treated as if it were granted under the Wildlife Act (Schedule 7, clause 7(1)). Note that while the applicant hasn’t explicitly sought approval for marking, it is proposed in the LMP and it does require approval under the Wildlife Act.

### 5.2 Purpose of the Wildlife Act

- 5.2.1 The relevant purpose of the Wildlife Act is to protect wildlife.
- 5.2.2 Where removal of lizard habitat is undertaken, lizard salvage will protect, to some extent, lizards that would otherwise be harmed by works (e.g. vegetation clearance) associated with the Project. However, salvage comes with risks. Salvage only protects those animals that are captured. Despite best practice methods, it is unlikely all affected animals will be captured. For those that are captured, successful establishment and survival at the release site is not guaranteed.
- 5.2.3 DOC has developed key principles for lizard salvage and transfer in New Zealand, which are relevant to consider when assessing whether a lizard salvage proposal will adequately protect lizards<sup>1</sup>. The key principles, discussed in this report where applicable, include:

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<sup>1</sup> Key principles for lizard salvage and transfer in New Zealand



- Lizard species' values and site significance must be assessed at both the impact (development) and receiving sites. Actual and potential development-related effects and their significance must be assessed.
- Alternatives to moving lizards must be considered.
- Threatened lizard species require more careful consideration than less-threatened species.
- Lizard salvage, transfer and release must use the best available methodology.
- Receiving sites and their carrying capacities must be suitable in the long term.
- Monitoring is required to evaluate the salvage operation.
- Reporting is required to communicate outcomes of salvage operations and facilitate process improvements.
- Contingency actions are required when lizard salvage and transfer activities fail.

5.2.4 The LMP sets out actions that are intended to protect lizard populations inhabiting the site via salvage and habitat enhancement.

5.2.5 In assessing the application against the purpose of the Wildlife Act, it is relevant to consider protection at both the individual level (e.g. minimising impacts, safe capture and handling) and population level (e.g. taking into account benefits offered by habitat enhancement etc).

5.2.6 Key points relevant to this application are discussed below, and associated recommended revisions to conditions are provided in **Appendix A**.

#### Species

5.2.7 RCL is seeking wildlife authorisation for three native lizard species: McCann's skink, tussock skink, and mountain beech gecko.

5.2.8 DOC agrees with the applicant's assessment of the likelihood of species being present and agrees that the LMP contains appropriate measures for these species. DOC has no concerns with the application being approved for all three proposed species. The applicant has suggested conditions that would require them to notify DOC in the event of any incidental discoveries, which DOC supports.

#### Best practice methods

5.2.9 DOC considers the methodology proposed in the LMP is generally appropriate and that the suggested conditions will ensure best practice is followed.

#### Competencies

5.2.10 It is important that lizard management is led by an ecologist who is suitably experienced to ensure that the LMP is implemented to the necessary standards and lizard welfare is safely managed during capture, handling, transport and release. Training requirements or standards do not exist for lizard handling, and DOC assesses suitable people based on peer review and information that the herpetologist supplies.

- 5.2.11 The LMP identifies that all lizard mitigation work will be carried out by a DOC-authorized herpetologist, supported by qualified ecological staff where appropriate. The personnel named to undertake activities under the wildlife authorisation have been assessed by one of DOC's fauna experts to be suitably qualified and experienced.

#### Release site suitability and enhancement

- 5.2.12 Release sites should be protected from future development, have predators controlled, have appropriate vegetation, and contain adequate refugia.
- 5.2.13 DOC considers the proposed release site is suitable for the confirmed population of McCann's skinks. The site is near the salvage site and sufficiently large provided the habitat is fully developed as proposed.
- 5.2.14 DOC notes that the most substantive protection is the avoidance of key gully habitats, including grey shrublands and talus, which will be enhanced through native planting and pest plant removal. However, the LMP does not quantify these actions, creating uncertainty around the scale of planting and enforceability should an approval be issued.
- 5.2.15 DOC supports the lizard friendly plants included in the planting schedule and attached as Appendix 1 in the LMP. DOC recommends including a condition requiring the planting contractor has a copy of the LMP and is required to follow its requirements to ensure habitat enhancement measures are ecologically sufficient and enforceable, supporting long-term persistence of translocated lizard populations. This may also include working with the Project herpetologist.

#### Adaptive management

- 5.2.16 The LMP refers to "adaptive management" in section 8.0 of the LMP, it is unclear exactly the scope of actions that adaptive management may refer to. The conditions drafted by RCL state that all works relating to lizard fauna "must occur in accordance with the Lizard Management Plan prepared by Wildlands dated September 2025".
- 5.2.17 Any changes to the LMP would require a variation of the wildlife approval to update the conditions to amend the reference to a later-dated LMP version. Adopting an adaptive management approach could lead to changes in methodology necessitating an update to the LMP. Such a variation could be considered and, if appropriate, authorised by the Director-General of Conservation in accordance with clause 7(2) of Schedule 7 of the Act.
- 5.2.18 DOC recommends that reference to "adaptive management" is removed from the LMP as its inclusion introduces uncertainty by implying that changes to methodology are enabled and do not require further approval.

#### Monitoring and reporting

- 5.2.19 The post-salvage monitoring proposed is appropriate.

#### Marking

- 5.2.20 The Applicant has proposed marking lizards with ID numbers as part of their post-release monitoring. DOC supports that marking be included in the approval.

#### Term

- 5.2.21 Considering the applicant's revised condition set requiring recertification of the LMP with DOC at the 10-year mark, DOC accepts a term of 15 years to be appropriate.

Incidental killing and overall wildlife protection

- 5.2.22 The application seeks a wildlife approval to catch, kill and relocate (and mark) lizards.
- 5.2.23 DOC takes the view that, in general, the proposed lizard management actions are aligned with the Wildlife Act's purpose of wildlife protection. Subject to recommended conditions being imposed and complied with, the proposed actions provide acceptable mitigation measures, even if there are some incidental deaths.

### **5.3 Information and requirements relating to protected wildlife**

- 5.3.1 The threat status of species identified in the LMP that may be present in the area are provided in Table 1.
- 5.3.2 McCann's skinks are widespread in the eastern South Island. The species occupies similar habitats to southern grass skinks, although tends to prefer rockier and drier habitats. DOC considers that the management actions proposed in the LMP will be suitable for this species.
- 5.3.3 Tussock skinks are common in the Canterbury and Otago regions, where it is a generalist and tolerates a range of habitats including coastal dune habitat, wetlands, grassland, shrublands, rocky shrubland, screes, tussock, stony riverbeds and even cities. DOC considers that the management actions proposed in the LMP will also be suitable for this species.
- 5.3.4 Mountain beech geckos are found in the south-western South Island, from Fiordland to the Old Man Range. The species inhabits mature indigenous forests, rocky scrub/grasslands, boulder fields and scree. DOC considers that the management actions proposed in the LMP will also be suitable for this species.

### **5.4 The role of species management plans**

- 5.4.1 For wildlife salvage approvals issued outside of the fast-track process, the standard process is that a species management plan is approved as part of the process. That is, an applicant provides a species management plan with their application, detailing proposed actions to manage effects. The detail in the species management plan forms part of the assessment against the purpose of the Wildlife Act and, if the application is approved, the Wildlife Act authorisation is conditional on compliance with the approved plan.
- 5.4.2 The draft conditions provided by RCL follow this same process. The conditions require approved activities to be undertaken in accordance with a dated version of the LMP, meaning that a variation would be required to make any changes to what the applicant has set out in the agreed LMP. DOC supports this approach.

### **5.5 Conditions to manage effects on protected wildlife**

- 5.5.1 Following consultation with DOC, the applicant has suggested conditions in line with best practice. DOC accepts the conditions provided by the applicant on 19 September 2025. DOC recommends an additional condition below in **Appendix A** to reflect the comments above.
- 5.5.2 The edits are suggested with consideration of section 83 of the Act – DOC considers that each condition would not be more onerous than necessary to address the reason for which it is set.

## 6 Consultation

### 6.1 Pre-lodgement

6.1.1 The applicant engaged with DOC between February 2025 and April 2025. DOC provided a summary of pre-lodgement consultation to the applicant on 7 April 2025.

6.1.2 In summary, DOC advised:

- Additional details about mitigation strategies, including release site and species information would be required to meet information sufficiency requirements.
- The application for wildlife approval should follow the information requirements of the Act.
- It was recommended that the information provided in the substantive application was separated by the various approvals sought.
- Further guidance on wildlife approvals under the Act was provided.

### 6.2 Post-lodgement

6.2.1 Post-lodgement of the substantive application, DOC and the applicant have engaged collaboratively to discuss outstanding issues with the lizard management plan. Meetings were held between DOC and the applicant on 25 August 2025 and 14 September 2025, and with other participants on 15 September 2025. The updated LMP and wildlife approval conditions, along with other application documents were provided to DOC on 19 September 2025 and are used as the basis of this report.

6.2.2 In contrast to the LMP initially submitted, the Revised LMP includes:

- Updated information and quantification of the proposal's effects on lizard habitat.
- Additional information about planting and release site enhancement.
- Additional information and clarification about incidental discovery protocols.
- An updated set of conditions to align with best practice and facilitate the management of the approval.

## 7 Additional information

### 7.1 International Conservation Agreements

7.1.1 The table below outlines the international agreements that relate to the protected wildlife that is to be covered by the approval.

**Table 2: International conservation agreements**

Relevant agreement	Signatory date
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United Nations Convention on Biological Diversity	1992
International Union for Conservation of Nature (IUCN) – Membership and Contributions for Nature Platform	New Zealand became a member in 1948

#### The United National Convention on Biological Diversity (CBD)

- 7.1.2 The United Nations Convention on Biological Diversity (CBD) is an international agreement that promotes the development of global targets, national strategies and action plans by countries for the protection, restoration and sustainable use of biodiversity.
- 7.1.3 As a party to the CBD, New Zealand is required to have a national biodiversity strategy and action plan. Te Mana o te Taiao – Aotearoa New Zealand Biodiversity Strategy 2020 sets out New Zealand's contribution to reversing the loss of biodiversity worldwide.
- 7.1.4 Key objectives of the strategy that are relevant to this application include:
- *Biodiversity protection is at the heart of economic activity.*
  - *Natural resources are managed sustainably.*
  - *Management ensures that biological threats and pressures are reduced through management.*
  - *Ecosystems and species are protected, restored, resilient, and connected from mountain tops to ocean depths.*
- 7.1.5 The application from RCL seeks to develop modified land in a way that means impacts on resident indigenous lizard populations are mitigated. The proposal to salvage lizards and enhance lizard habitats at the relocation site via planting and pest control will contribute to protection of biodiversity.

#### International Union for Conservation of Nature (IUCN)

- 7.1.6 The IUCN is a globally recognised conservation body and New Zealand's membership reflects its commitment to biodiversity and ecosystem protection. While the IUCN is not a treaty-level agreement, New Zealand's contributions to the IUCN's Contributions for Nature platform and its alignment with global biodiversity targets (e.g. the Kunming-Montreal Global Biodiversity Framework) reflect a strong public commitment to species recovery and habitat protection.
- 7.1.7 The IUCN Red List status of species named in the LMP is provided in Table 3.

**Table 3. IUCN Red List status of species named in application**

Common name	Scientific name	IUCN Red List status
McCann's skink	<i>Oligosoma maccanni</i>	Least Concern (stable)
Tussock skink	<i>Oligosoma chionocholescens</i>	Least Concern (decreasing)

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Mountain beech gecko	<i>Woodworthia</i> “south-western”	Not listed
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## 7.2 Consistency with statutory planning documents and policy

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

7.2.2 The application is not inconsistent with the relevant statutory planning provisions. However, consideration needs to be given to:

- conserving any threatened and at-risk species to ensure their persistence
- protecting freshwater fisheries, fish habitat and fish passage.

### Conservation General Policy 2005

7.2.3 The Conservation General Policy 2005 (CGP) provides guidance for the administration and management of lands and waters and natural and historic resources managed under conservation legislation including the Wildlife Act.

7.2.4 The CGP does not contain policies specific to the proposed wildlife activities, however, the following policies are relevant:

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

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

*11.1(d) ...authorisation holders will be responsible for the safe conduct of their operations, including the safety of staff, clients, contractors, and the public, and compliance with relevant safety standards and legal obligations.*

### Otago Conservation Management Strategy 2016

7.2.5 The Otago Conservation Management Strategy (CMS) describes the conservation values of Otago. It provides guidance for DOC's work in the form of a vision, objectives, outcomes for places, policies and milestones.

7.2.6 Objectives of the CMS DOC considers relevant include:

*1.5.1.1 The diversity of New Zealand's natural heritage is maintained and restored, with priority given to:*

- a) *conserving a full range of New Zealand's ecosystems to a healthy functioning state, with an emphasis on the priority ecosystem units in Appendix 4;*
- b) *supporting the work of others to maintain and restore ecosystem types selected from Appendix 2;*

- c) *conserving threatened species to ensure persistence, with an emphasis on those species listed in Appendix 5;*
- d) *maintaining or restoring populations of nationally iconic species that occur locally, with an emphasis on those species listed in Appendix 7; and*
- e) *conserving significant geological features, landforms and landscapes, including those listed in Appendix 9, where they are on public conservation lands waters.*

*1.5.1.4 Advocate for the protection of priority heritage, such as: priority ecosystem units and threatened species; and significant geological features, landforms and landscapes at risk of permanent degradation selected from Appendix 9.*

*1.5.1.6 Work with landowners, Ministry for Primary Industries, Fish and Game Councils, local government and other agencies, and advocate for the:*

- a) *protection of freshwater fisheries, fish habitat and fish passage;*
- b) *preservation of threatened indigenous freshwater species; and*
- c) *maintenance and improvement of habitat connectivity and water quality from the headwaters of waterways to the coast.*

*1.5.1.14 Work with businesses and others to foster greater engagement and support for conservation and the management of natural resources through the application of best conservation and environmental management practices.*

*1.5.5 Conservation gains from more business partnerships*

*1.5.5.3 Seek opportunities to work with businesses that are looking for ways to demonstrate their commitment to and engagement with conservation.*

7.2.7 Policies of the CMS DOC considers relevant include:

*3.1.9 Process authorisations in accordance with the relevant legislation, this CMS and the provisions of the Conservation General Policy 2005 and the General Policy for National Parks 2005.*

*3.1.10 Monitor authorised activities and their effects, including cumulative effects, on a regular and ongoing basis.*

*3.1.11 Should not grant authorisations that are inconsistent with the objectives, outcomes and policies in Part Ones, the outcomes and policies for Places in Part Two, or the policies in Part Three.*

7.2.8 The proposed site is part of Western Lakes and Mountains / Ngā Puna Wai Karikari a Rākaihautū Place. The outcomes for this place include the prevention of further local extinctions, with populations of threatened and at-risk species showing signs of recovery within their natural range. At the same time, the mountains, lakes, and rivers continue to be celebrated as cherished natural wonders. They attract both international and domestic visitors, offering a stunning backdrop for a wide range of outdoor adventures and recreational activities, while supporting distinctive indigenous ecosystems and species.

- 7.2.9 The CMS also identifies important ecosystems, habitat types and indigenous flora and fauna present within Otago that occur within the Project site (CMS Appendices 2 and 5). These include regenerating scrub with matagouri, wetland and various gecko and skink species.

## 8 Treaty of Waitangi settlement considerations and obligations

### 8.1 Treaty of Waitangi settlement obligations

- 8.1.1 Under section 7 of the Act the Panel must act in a manner that is consistent with obligations arising under existing Treaty Settlements.
- 8.1.2 The Ministry for the Environment (MFE) provided a report which sets out the section 18 matters it considered relevant to the application. DOC was not consulted by MFE on this report.
- 8.1.3 DOC has read the section 18 report and agrees that the primary matter for consideration by the Panel will be the statutory acknowledgement over nearby Whakatipu-wai-māori (Lake Wakatipu), provided for by the Ngāi Tahu Claims Settlement Act 1998. DOC notes that the affected lizard species are not listed in Schedule 97 as taonga species, although they may still have significance to Ngāi Tahu.
- 8.1.4 DOC has not identified any additional specific conditions that should be imposed for the wildlife approval sought in accordance with section 84 to achieve consistency with a relevant Treaty settlement.

### 8.2 Treaty of Waitangi principles

- 8.2.1 DOC's work in preparing this report has been carried out in a manner that, as far as possible, gives effect to the principles of the Treaty of Waitangi<sup>2</sup> (arising from the obligation on DOC from section 4 of the Conservation Act). The principles most applicable to DOC's role are:

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

- 8.2.2 For this application, this has included:

- DOC engagement with Treaty partners on the application. We note this has occurred within the context of the fast-track process with prescribed timeframes, and where the applicant has an obligation to consult and Treaty partners must be invited to comment. The scope of engagement also recognised DOC's role to provide reports and comments on the application, and not in its usual role as decision-maker.

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



- Identifying for the Panel any relevant information from protocols or relationship agreements prepared in accordance with settlements (e.g. taonga species).
- Ensuring that the information in this report is fully informed by any information from Treaty partners and the impact the activity would have on their interests.

8.2.3 DOC has advised Treaty partners listed in Table 4 of the application, sharing relevant publicly available information. DOC notes that affected Māori entities will be invited by the Panel to provide comments on the application.

**Table 4: Māori entities DOC sent Homestead Bay application notification to**

Māori Entities
Te Rūnanga o Ōtākou
Te Rūnanga o Puketereraki
Te Rūnanga o Moeraki
Hokonui Rūnanga
Te Rūnanga o Ōraka-Aparima
Waihōpai Rūnaka
Te Rūnanga o Awarua

8.2.4 RCL have undertaken their own engagement and summarised responses from Aukaha, Te Ao Marama Inc and Ka Rūnaka. In relation to the wildlife approval application, no recommendations from Treaty partners were explicitly mentioned in the consultation summary document. However, it was noted that the proposed native planting of 19 ha will provide biodiversity corridors and will facilitate a recreational network through the site and towards the lake.

## Appendix A: Conditions

The applicant has proposed conditions relating to lizard management in their wildlife approval conditions. DOC is satisfied with the condition set provided to the Panel on 19 September 2025. DOC has proposed an additional condition to facilitate ongoing management of the approval. If this condition is accepted along with the recommendations identified in section 3.0 of this report, DOC would be satisfied that the approval would be in line with the purpose of the Wildlife Act and provide for the protection of absolutely protected wildlife.

Additional Condition proposed by DOC	DOC comments
The Approval Holder shall ensure that the planting contractor has a copy of the LMP and is instructed to follow the requirements to create lizard suitable habitat, as outlined in the LMP.	Additional condition encouraging the planting plan in the LMP to be shared with the planting contractor.

## Appendix B: Expert credentials

DOC has relied on the advice of the technical expertise of Lynn Adams – Technical Advisor (fauna).

*My full name is Lynn Karen Adams. I hold the degrees of BSc and MSc, in Biological Sciences. For the past 28 years, I have worked for the Department of Conservation (the Department) in a variety of roles focused on species conservation management. Since 2003 my roles have been to provide technical advice, support and delivery of terrestrial indigenous fauna conservation programmes (based in Twizel, West Coast and Wellington, Whanganui, Hawkes Bay, Canterbury and Nationally).*

*I have undertaken extensive monitoring and management programmes on native New Zealand fauna, including translocations, pest control and wide-scale restoration. Most of these studies have been designed to assist with conservation management for Threatened or At-Risk species and more recently (last 15 years) has focused on NZ lizard species.*

*I am the leader of the New Zealand Lizard Technical Advisory Group (for 14 years), a group of experts who provide advice on the conservation management of lizard species nationally. I also lead the Hihi Recovery Group and the Tuatara Recovery Group.*