

WILDLIFE APPROVAL

THIS AUTHORITY is made this [Date] day of [Month] 2025

PARTIES:

The Director-General of Conservation and the Minister of Conservation (the **Department**)

Westpower Limited (the **Wildlife Approval Holder**)

BACKGROUND

- A. The Director-General of Conservation and the Minister of Conservation are empowered to issue authorisations or consents for specified acts under the Wildlife Act 1953.
- B. The Wildlife Approval Holder proposes to construct the Waitaha Hydro Scheme (**Scheme**).
- C. The Wildlife Approval Holder has applied for a wildlife approval under the Fast-track Approvals Act 2024 in relation to the Scheme.
- D. A wildlife approval granted under the Fast-track Approvals Act 2024 has force and effect for its duration, and according to its terms and conditions, as a lawful authority for the purposes of Part 5 of the Wildlife Act 1953 for the act or omission for which the approval was granted and is treated as if it were granted under that Act.
- E. This wildlife approval under the Fast-track Approvals Act 2024 in relation to the Scheme was granted by an expert panel on [add date].

OPERATIVE PARTS

The Wildlife Approval Holder has been authorised by an expert panel under the Fast-track Approvals Act 2024 to undertake the activities specified in this approval, subject to the terms and conditions contained in this approval and its schedules.

SCHEDULE 1: AUTHORISED ACTIVITY

1.	Authorised activity (Schedule 2, clause 2)	<p>The activities authorised are:</p> <ul style="list-style-type: none"> a) To catch, salvage and relocate native lizards listed in Schedule 4 from the Scheme footprint. b) To gently guide whio / blue duck away from blasting and helicopter use areas. c) In the unlikely event if it is required, to capture and relocate avifauna and long-tailed bats listed in Schedule 5 in accordance with the AMP and BMP. d) To incidentally harm or kill wildlife listed in Schedule 5 if the harm or death is not directly intended but is unavoidable and foreseeable and all reasonable effort has been made to meet the conditions in the approval. <p><u>Methodology:</u></p> <ul style="list-style-type: none"> a) As set out in the Avifauna Management Plan included in Appendix 36 of the application documents. b) As set out in the Bat Management Plan included in Appendix 37 of the application documents. c) As set out in the Lizard Management Plan included in Appendix 38 of the application documents.
2.	The Land (Schedule 2, clause 2)	As shown on the maps in Schedule 6.
3.	Personnel authorised to undertake the Authorised Activity (Schedule 2, clause 3)	A suitably qualified and experienced expert with expertise relevant to the protected wildlife species concerned and others under the direct supervision of the suitably qualified and experienced expert.
4.	Term (Schedule 2, clause 4)	[insert date of approval] to [insert date 15 years from date of approval]
5.	Wildlife Approval Holder's address for notices (Schedule 2, clause 8)	<p>The Wildlife Approval Holder's address for notices is:</p> <p>146 Tainui Street</p> <p>PO Box 375</p> <p>Greymouth</p>
6.	Department's address for notices	<p>The Department's address for all correspondence is:</p> <p>[obtain from DOC's West Coast office]</p>

SCHEDULE 2: STANDARD TERMS AND CONDITIONS OF THE APPROVAL

1. Interpretation

- 1.1 The Wildlife Approval Holder must provide a copy of these conditions to its employees, contractors or agents and explain the obligations under the conditions.
- 1.2 Where obligations bind more than one person, those obligations bind those persons jointly and separately.

2. What is being authorised?

- 2.1 The Wildlife Approval Holder is only allowed to carry out the Authorised Activity on the Land described in Schedule 1, Item 2.
- 2.2 Any arrangements necessary for access over private land or leased land are the responsibility of the Wildlife Approval Holder.
- 2.3 The Wildlife Approval Holder must advise the Department of Conservation's local Operations Manager(s) prior to carrying out the Authorised Activity in the District (where possible, one week prior), when the Wildlife Approval Holder intends to carry out the Authorised Activity.
- 2.4 The Wildlife Approval Holder and Authorised Personnel must carry a copy of this approval with them at all times while carrying out the Authorised Activity.
- 2.5 The Wildlife Approval Holder must comply with any reasonable request from the Department for access to any wildlife.
- 2.6 The Wildlife Approval Holder may publish authorised research results.
- 2.7 The Wildlife Approval Holder must immediately notify the Department of any taxa found which are new to science.

3. Who is authorised?

- 3.1 Only the Wildlife Approval Holder and the Authorised Personnel described in Schedule 1, Item 3 are authorised to carry out the Authorised Activity, unless otherwise agreed in writing by the Department.

4. How long is the approval for – the Term?

- 4.1 This approval commences and ends on the dates set out in Schedule 1, Item 4.

5. What are the liabilities?

- 5.1 The Wildlife Approval Holder agrees to exercise the approval at the Wildlife Approval Holder's own risk and releases to the full extent permitted by law the Department and the Department'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 Wildlife Approval Holder's exercise of the Authorised Activity.
- 5.2 This indemnity is to continue after the expiry or termination of this approval in respect of any acts or omissions occurring or arising before its expiry or termination.

6. What about compliance with legislation and Department's notices and directions?

- 6.1 The Wildlife Approval Holder must comply with all statutes, bylaws and regulations, and other statutory instruments associated with the Land. Without limitation, this includes the Conservation Act 1987 and the Acts listed in the First Schedule of that Act and all applicable health and safety legislation and regulation.
- 6.2 The Wildlife Approval Holder will comply with all notices, directions and requisitions of the Department and any competent authority relating to the conduct of the Authorised Activity.

7. Are there limitations on public access and closure?

- 7.1 The Wildlife Approval Holder acknowledges that the public conservation land being part of the Land is open to the public for access and that the Department may close public access to that public conservation land during periods of high fire hazard or for reasons of public safety or emergency.

8. How are notices sent and when are they received?

- 8.1 Any notice to be given under this approval by the Department is to be in writing and made by personal delivery, by pre-paid post or email to the Wildlife Approval Holder at the address, fax number or email address specified in Schedule 1, Item 5. Any such notice is to be deemed to have been received:
- (a) in the case of personal delivery, on the date of delivery;
 - (b) in the case of post, on the 3rd working day after posting;
 - (c) in the case of email, on the date receipt of the email is acknowledged by the addressee by return email or otherwise in writing.
- 8.2 If the Wildlife Approval Holder's details specified in Schedule 1, Item 5 change then the Wildlife Approval Holder must notify the Department within 5 working days of such change.

9. What about the payment of costs?

- 9.1 The Wildlife 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.
- 9.2 The Department of Conservation may at any time furnish the Wildlife Approval Holder with an invoice for costs identified in Schedule 2, clause 10.1 of this approval. The Wildlife Approval Holder will pay the invoice within 20 working days of receipt of that invoice. The date of receipt of the invoice will be determined in accordance with Schedule 2, clauses 9.1(a) to 9.1(c) of this approval.

10. Biosecurity

- 10.1 The Wildlife Approval Holder must take all precautions to ensure weeds and non-target species are not introduced to the Land; this includes ensuring that all tyres, footwear, gaiters, packsand equipment used by the Wildlife Approval Holder, its staff and clients are cleaned and checked for pests before entering the Land.

11. Are there any Special Conditions?

- 11.1 Special conditions are specified in Schedule 3. In the event of inconsistency or conflict, the Special Conditions will prevail over this Schedule 2.

12. Can the approval be varied?

- 12.1 The Wildlife Approval Holder may apply to the Department for variations to this approval in accordance with clauses 7(2) and (3) of Schedule 7 of the Fast-track Approvals Act 2024.

SCHEDULE 3: SPECIAL CONDITIONS

1. General

- 1.1 The Authorised Activity must be carried out in accordance with the documents listed in Schedule 1, Item 1.
- 1.2 The provisions of the resource consent conditions (where relevant to this approval) and the Avifauna Management Plan, Bat Management Plan and Lizard Management Plan form a part of this approval and the Wildlife Approval Holder will undertake the Authorised Activity, in accordance with those management plans and relevant resource consent conditions.

2. Lizard capture, salvage and relocation

- 2.1 The Wildlife Approval Holder must undertake lizard capture, salvage and relocation as set out in the Lizard Management Plan.
- 2.2 The Wildlife Approval Holder must sterilise any instruments that come in contact with the lizards and/or are used to collect or measure lizards between each location. A separate holding bag must be used for each animal. All equipment should be thoroughly cleaned and dried between sites.
- 2.3 The Authority Holder must ensure lizards are held temporarily in a suitable container (e.g. breathable cloth bag) and placed out of direct sunlight to minimise the risk of overheating, stress and death between capture and salvage, and relocation to the adjoining receiving site.

3. Incidental death of protected wildlife

- 3.1 If any Threatened, At Risk or Data Deficient species should be incidentally killed in the construction of the Scheme, the Wildlife Approval Holder must:
 - (a) inform the Department within twenty-four (24) hours of the death;
 - (b) chill the body if it can be delivered within seventy-two (72) hours of the death, or freeze the body if delivery will take longer than seventy-two (72) hours;
 - (c) send the body to [add] for necropsy along with details of the animal's history;
 - (d) pay [add] for any costs incurred in investigation of the death of any Threatened, At Risk or Data Deficient species; and
 - (e) if required by the Department, cease the Authorised Activity for a period determined by the Department.

4. Injured protected wildlife and euthanasia

- 4.1 If any protected wildlife are incidentally injured as part of the Authorised Activity or in the course of undertaking activities associated with the Scheme, the Wildlife Approval Holder must contact a suitably qualified person to get advice on management of the protected wildlife, including how to best address the injury.

- 4.2 If protected wildlife is incidentally harmed by the Wildlife Approval Holder, the Wildlife Approval Holder will take all reasonable steps to rehabilitate protected wildlife, in line with the advice of a suitably qualified person.
- 4.3 The Wildlife Approval Holder is authorised to appoint a qualified veterinarian to euthanize injured animal(s) on the recommendation of the suitably qualified person. Once euthanised, the Wildlife Approval Holder will deal with the protected wildlife in accordance with condition 3.
- 4.4 The Wildlife Approval Holder must notified the Department of Conservation's [West Coast Operations Manager(s)] within twelve (12) hours of euthanizing protected wildlife. The notification will include details of the species of wildlife euthanised and personnel involved in the authorization of the wildlife.

5. Reporting

- 5.1 The Wildlife Approval Holder must undertake reporting as set out in the Avifauna Management Plan, Bat Management Plan and Lizard Management Plan.

6. Ownership of protected wildlife

- 6.1 All wildlife remains the property of the Crown. This includes any dead wildlife, live wildlife, any parts thereof, any eggs or progeny of the wildlife, genetic material and any replicated genetic material.
- 6.2 Unless expressly authorised by the Department in writing, the Wildlife Approval Holder must not donate, sell or otherwise transfer to any third party any wildlife collected or otherwise obtained under this approval.

SCHEDULE 4: LIZARDS THAT THE WILDLIFE APPROVAL HOLDER IS AUTHORISED TO CATCH, SALVAGE AND RELOCATE

Common name	Scientific name	NZ threat classification
Northern grass skink	<i>Oligosoma polychroma</i>	Not Threatened
Forest gecko	<i>Mokopirirakau granulatus</i>	At Risk – Declining
Newman's speckled skink	<i>Oligosoma newmani</i>	At Risk – Declining
West Coast green gecko	<i>Naultinus tuberculatus</i>	Threatened – Nationally Vulnerable

SCHEDULE 5: WILDLIFE KNOWN OR PREDICTED TO BE IN THE SCHEME AREA

Common name	Scientific name	NZ threat classification
Long-tailed bat	<i>Chalinolobus tuberculatus</i>	Threatened – Nationally Critical
Northern grass skink	<i>Oligosoma polychroma</i>	Not Threatened
Forest gecko	<i>Mokopirirakau granulatus</i>	At Risk – Declining
Newman's speckled skink	<i>Oligosoma newmani</i>	At Risk – Declining
West Coast green gecko	<i>Naultinus tuberculatus</i>	Threatened – Nationally Vulnerable
Kea	<i>Nestor notabilis</i>	Threatened – Nationally Endangered
Blue duck / Whio	<i>Hymenolaimus malacorhynchos</i>	Threatened – Nationally Vulnerable
South Island kākā	<i>Nestor m. meridionalis</i>	Threatened – Nationally Vulnerable
Long-tailed cuckoo	<i>Eudynamys taitensis</i>	Threatened – Nationally Vulnerable
Bush falcon / Karearea	<i>Falco novaeseelandiae</i>	Threatened – Nationally Increasing
Grey duck	<i>Anas superciliosa</i>	Threatened – Nationally Vulnerable. <i>Possible they are hybrid mallard-grey which are Not Threatened.</i>
Yellow-crowned parakeet / Kākāriki	<i>Cyanoramphus auriceps</i>	At Risk – Declining
South Island pied oystercatcher	<i>Haematopus finschi</i>	At Risk – Declining
South Island robin	<i>Petroica a. australis</i>	At Risk – Declining
South Island fernbird	<i>Bowdleria p. punctata</i>	At Risk – Declining
New Zealand pipit	<i>Anthus n. novaeseelandiae</i>	At Risk – Declining
Black shag	<i>Phalacrocorax carbo novaehollandiae</i>	At Risk – Relict
Little shag	<i>Phalacrocorax melanoleucos brevirostris</i>	At Risk – Relict
Western weka	<i>Gallirallus a. australis</i>	Not Threatened
Welcome swallow	<i>Hirundo n. neoxena</i>	Not Threatened

Common name	Scientific name	NZ threat classification
South Island tomtit	<i>Petroica m. macrocephala</i>	Not Threatened
South Island fantail	<i>Rhipidura f. fuliginosa</i>	Not Threatened
Brown creeper	<i>Mohoua novaeseelandiae</i>	Not Threatened
Tui	<i>Prosthemadera n. novaeseelandiae</i>	Not Threatened
Bellbird	<i>Anthornis m. melanura</i>	Not Threatened
Grey warbler	<i>Gerygone igata</i>	Not Threatened
South Island rifleman	<i>Acanthisitta chloris chloris</i>	Not Threatened
New Zealand kingfisher	<i>Todiramphus sanctus vagans</i>	Not Threatened
Morepork	<i>Ninox n. novaeseelandiae</i>	Not Threatened
Shining cuckoo	<i>Chrysococcyx l. lucidus</i>	Not Threatened
New Zealand pigeon / Kererū	<i>Hemiphaga novaeseelandiae</i>	Not Threatened
White-faced heron	<i>Egretta n. novaehollandiae</i>	Not Threatened
Pied stilt	<i>Himantopus himantopus leucocephalus</i>	Not Threatened
Silvereye	<i>Zosterops l. lateralis</i>	Not Threatened
Little owl	<i>Athene noctua</i>	Introduced and naturalised
Pukeko	<i>Porphyrio m. melanotus</i>	Not Threatened
Swamp harrier	<i>Circus approximans</i>	Not Threatened
Paradise shelduck	<i>Tadorna variegata</i>	Not Threatened
Common redpoll	<i>Carduelis flammea</i>	Introduced and naturalised

SCHEDULE 6: MAP OF THE LAND COVERED BY THE APPROVAL

