



SUBSTANTIVE APPLICATION FOR APPROVALS

Volume C – Wildlife Act Approval

NZ Transport Agency Waka Kotahi
Tauriko West | Tupenga

31 JULY 2026

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GLOSSARY OF ACRONYMS AND ABBREVIATIONS

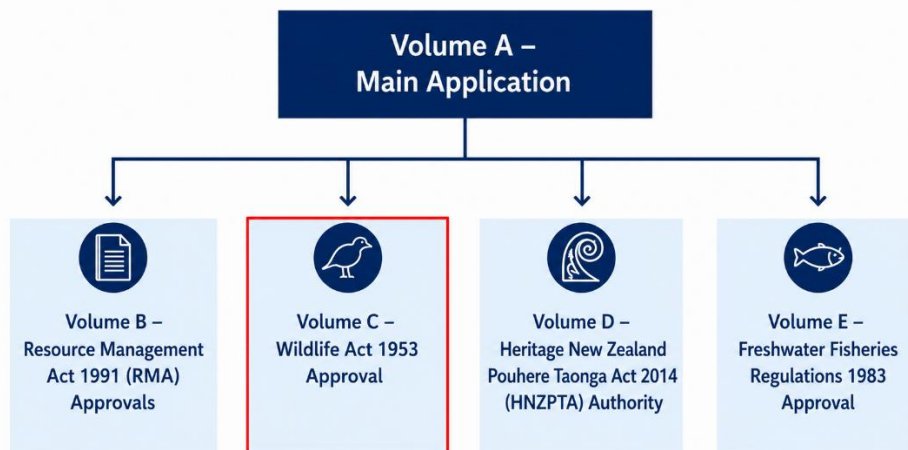
The glossary of acronyms and abbreviations tables in **Volumes A and B** of the Substantive Application apply to this Volume and should be referred to.

1 WILDLIFE ACT 1953 – WILDLIFE APPROVAL

1.1 Overview

Volume C of the Application has been prepared on behalf of NZ Transport Agency Waka Kotahi (NZTA) in support of the wildlife approval required under the Wildlife Act 1953 for the Tauriko West – Tupenga Project (the Project).

Volume C provides the assessment of herpetofauna effects and the proposed approach to lizard management. It should be read in conjunction with **Volume A**, which is the main overarching report for the Application and contains general information relevant to all approvals.



1.2 Approval sought

NZTA seeks a wildlife approval under section 42(h) and Schedule 7 of the FTAA to authorise activities that may otherwise be restricted under the Wildlife Act 1953 in relation to protected native lizards affected by the Project Works.

The approval is sought to authorise the survey, capture, handling, temporary holding, transfer, relocation and release of native lizards, together with any incidental injury or mortality that may occur despite the implementation of appropriate management measures.

A draft Lizard Management Plan (LMP) is included in **Volume C – Appendix A**. NZTA seeks the Panel's approval of the LMP as the framework for managing effects on native lizards and implementing the authorised activities.

The approval is sought for the native lizards specified in Section 1.6 and for a period of 20 years.

This Volume should also be read in conjunction with the Ecological Impact Assessment in **Volume B – Appendix K** and the proposed Wildlife Approval conditions in **Volume C – Appendix B**.

1.3 Purpose of the proposed activity

The proposed activity is the implementation of a lizard effects management programme that enables lizards to be removed from areas of construction risk and relocated to a managed release site before habitat clearance occurs.

The purpose of the proposed activity is to enable the construction of the Project. Project Works will require vegetation clearance, earthworks and other land disturbance within areas that may provide habitat for native lizards.

The Wildlife Approval is required so that protected native lizards can be lawfully surveyed, captured, handled, temporarily held, transferred, relocated and released before and during works that may otherwise

disturb, injure or kill protected wildlife. The approval is also sought to authorise any incidental injury or mortality that may occur despite the implementation of the approved management methods.

It is anticipated that construction of the Project will occur over an approximate 10-year period. Works will be sequenced along the alignment and may occur concurrently in different areas. The timing of activities requiring lizard salvage and relocation will therefore depend on when each work area becomes available for construction. NZTA accordingly seeks a 20-year period within which the Wildlife Approval may be exercised, so that the authorised activities can be undertaken progressively in accordance with the final construction programme.

1.4 Actions in relation to protected wildlife

The actions intended to be carried out under the Wildlife Approval are those identified in Section 1.2.

These actions will be carried out on land within the extent of the Proposed Designation where potential lizard habitat may be affected, on any other land required for Project Works where native lizards or potential lizard habitat may be affected, and at the approved release site identified in the LMP. The Proposed Designation is shown in the drawing package in **Volume A – Appendix C**.

1.5 Assessment against the purpose of the Wildlife Act

The Wildlife Act 1953 protects native wildlife and regulates human interactions with protected species. Native lizards are absolutely protected wildlife under the Wildlife Act. As a result, activities that involve catching, handling, holding, transferring, relocating, disturbing, injuring or killing native lizards requires approval.

Project Works may place native lizards at risk during vegetation clearance, earthworks and other land disturbance. The purpose of the approval is therefore to enable a managed intervention that reduces the risk of harm to protected native lizards, rather than leaving those lizards in areas where habitat clearance and earthworks are to occur.

The proposed Wildlife Approval is consistent with the protective purpose of the Wildlife Act because it provides a lawful and structured framework for managing effects on native lizards. The approval will enable pre-clearance survey, salvage and relocation to be undertaken by suitably qualified and experienced herpetologists in accordance with the approved LMP and relevant best practice guidance.

1.6 Species and impacts

Potential lizard habitat within the Proposed Designation includes non-pasture vegetation and microhabitats such as hedges with dense understorey, exotic shelterbelts, tree stands, artificial debris, pampas and flax, rank grass, damp leaf litter, dense ornamental gardens, and complex indigenous or exotic vegetation. These habitats are generally small, modified and fragmented, but may still support native lizards.

The LMP identifies copper skink as the native lizard species most likely to be encountered within the Proposed Designation. Copper skink is classified as At Risk – Declining. The LMP also identifies other native lizard species that could potentially be present, including moko skink, ornate skink, striped skink and crenulate skink. However, copper skink is considered the species most likely to be present in the greatest numbers, with other native species likely to be present only at very low densities, if present at all.

Lizard surveys undertaken for the Project detected three native lizards, two confirmed as copper skinks and one likely copper skink. These were recorded at one survey site in roadside vegetation alongside SH29A. The LMP notes that the absence of native lizards from other survey locations does not confirm absence from the wider Project area, given the cryptic nature of native lizards and the limitations of available survey methods. Approximately 60 plague skinks were also recorded during the surveys, together with a small number of unidentified skinks that moved too quickly to identify.

The species for which approval is sought are summarised in **Table 1** overleaf.

Table 1: Protected native lizards for which approval is sought

Common name (<i>scientific name</i>)	Threat status	Known/predicted presence
Copper skink (<i>Oligosoma aeneum</i>)	At Risk – Declining	Project area and considered the native lizard species most likely to be encountered.
Moko skink (<i>Oligosoma moco</i>)	At Risk – Relict	Potentially present based on available records, habitat and geographic range, but likely at low density if present.
Ornate skink (<i>Oligosoma ornatum</i>)	At Risk – Declining	Potentially present, but not confirmed and likely at low density if present.
Striped skink (<i>Oligosoma striatum</i>)	At Risk – Declining	Potentially present, but not confirmed and likely at low density if present.
Crenulate skink (<i>Oligosoma robinsoni</i>)	At Risk – Declining	Potentially present, but not confirmed and likely at low density if present.
Any other native lizard protected under the Wildlife Act ¹		Included to provide for any protected native lizard unexpectedly encountered during survey, salvage or Project Works.

The survey involved 45 artificial cover objects, with five deployed at each survey site. These were installed in areas of potential habitat and checked on four occasions when weather conditions were suitable. The survey results indicate that native lizards are present within the Proposed Designation, but likely at low density and in localised patches.

The number of native lizards likely to be impacted cannot be confirmed until pre-clearance survey and salvage has been undertaken. However, based on the survey results and the modified and fragmented nature of the habitats within the Proposed Designation, native lizards are expected to be present at low densities and in localised habitat patches.

1.7 Application of best practice standards

The LMP has been developed having regard to the Department of Conservation's Key Principles for Lizard Salvage and Transfer in New Zealand.

The LMP requires lizard management to be undertaken by suitably qualified and experienced herpetologists. It includes decision points and hold points to ensure that vegetation clearance and earthworks only proceed once the relevant salvage requirements have been completed or the Project herpetologist has confirmed that works may proceed.

The LMP also provides for the intensity of salvage to respond to the habitat type, survey results and capture rates. Areas where no native lizards are captured and habitat that is unsuitable, may be cleared following confirmation by the Project herpetologist and subject to the incidental discovery protocol. Areas where native lizards are found, or where habitat cannot be adequately searched by hand, will be subject to further destructive hand searching or mechanically assisted destructive salvage before clearance proceeds.

1.8 Survey, capture and holding methods

The LMP sets out a staged approach to the survey, capture and relocation of native lizards. Salvage will be undertaken within the lizard active season, between October and April, when lizards are more active and more likely to be detected and safely captured.

The proposed methods include:

- Identification of suitable lizard microhabitats before vegetation clearance or earthworks;
- Deployment of artificial cover objects and pitfall traps in suitable microhabitats;
- Checking of traps and salvage devices by the Project herpetologist;
- Targeted destructive hand searching where required;
- Mechanically assisted destructive salvage where habitats cannot be effectively searched by hand;

¹ Any other protected native lizard species unexpectedly encountered within the Project area and capable of occurring within the relevant ecological district or geographic range.

- Incidental discovery protocols where lizards are found during works; and
- Safe transport and release of captured lizards to the approved release site.

Artificial cover objects and pitfall traps will be established in suitable microhabitats before clearance. Trapping will continue until there are no captures in a location for a minimum of three consecutive nights, following which the Project herpetologist will determine whether the area can be cleared or whether further salvage is required.

Targeted hand searching will include raking leaf litter, hand clearance of herbaceous vegetation or debris, and turning over large debris. Where habitats cannot be effectively searched by hand, mechanically assisted destructive salvage will be undertaken using suitable machinery under the supervision and direction of the Project herpetologist.

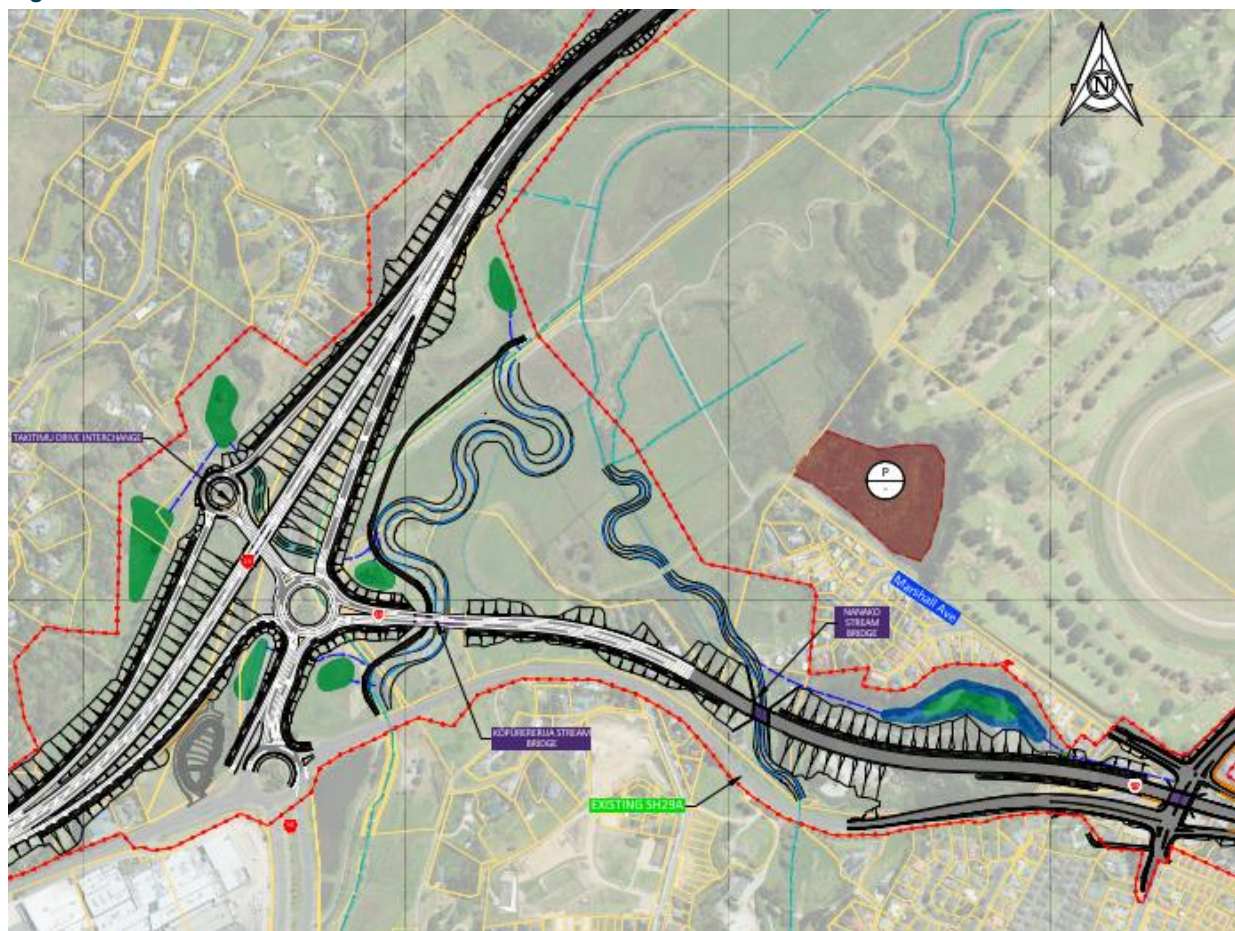
Captured lizards will be held only for the minimum time necessary before release. They will be transported in secure, ventilated containers containing appropriate cover material to reduce stress and will be released on the same day as capture where practicable.

1.9 Location of activity and release site

The Wildlife Approval is sought for the Proposed Designation and any other land required for the Project Works where those works may affect native lizards or potential lizard habitat. This includes areas of vegetation clearance, earthworks, construction access, construction yards, material storage, and any other land disturbance associated with the Project.

The proposed lizard release site is located within woody vegetation in the Kōpūrerua Valley, near the bottom of Marshall Avenue. The release site is shown on **Figure 1** and is legally described as Part Allotment 25 Te Papa Parish (RT 624214).

Figure 1: Lizard release site



The land is Crown land administered by Tauranga City Council (TCC). TCC has advised that it is supportive of the site being used for the release of lizards. See **Volume C - Appendix C** for this correspondence. A formal agreement is currently being developed by NZTA and TCC to formalise this arrangement. No lizards will be transferred to the release site until the necessary landowner approval or other formal authority to use and manage the site has been secured.

The release site is approximately 200 m from the nearest part of the Proposed Designation and is located between Takitimu Drive and SH29A in the Kōpūrerua Valley. Its proximity to the Project footprint will reduce lizard transfer time and associated stress, and means salvaged lizards are likely to be relocated within the same local population context. The site is also relatively central to the areas where lizard salvage may be required.

The site contains established woody vegetation, which will provide shade and cooler, damper conditions suitable for copper skink. It also includes areas that can be enhanced through weed removal, woody debris placement, ground cover planting and other habitat improvements. An existing pest control network is present in the wider vegetation community, which will be extended or intensified around the release site as required by the LMP.

The release site will be prepared and enhanced before release, including through woody debris placement, native planting, soft release pens and predator control.

1.10 Actual and potential effects

The actual and potential effects on protected native lizards are described in the LMP and assessed in the Ecological Impact Assessment (EclA) (**Volume B – Appendix K**). The principal effects are:

- (a) Injury or mortality during vegetation clearance, earthworks and other land disturbance;
- (b) Permanent loss or modification of potential and occupied lizard habitat; and
- (c) Displacement of lizards from habitat within the Project footprint.

The effects are expected to be greatest where works affect non-pasture vegetation and microhabitats that provide cover, refuge and foraging opportunities for native lizards. Copper skink is the species most likely to be affected. Other native lizard species may be present, but are expected to occur at low densities, if present.

Without management, vegetation clearance and earthworks could result in injury or mortality of native lizards and loss of occupied habitat. The LMP assesses the potential magnitude of effect on copper skink as up to Moderate in relation to habitat loss and construction-related injury or mortality. Operational effects are assessed as Negligible, reflecting the modified and fragmented nature of the existing landscape and the presence of existing roads within the Project area.

Given the limited dispersal ability of copper skinks, the focus of the Wildlife Approval is on construction-phase salvage and relocation and managing habitat loss through release site preparation and enhancement.

1.11 Methods to avoid and minimise effects

Effects on protected native lizards will be avoided and minimised through implementation of the approved LMP and the proposed Wildlife Approval conditions.

The key methods include:

- Identifying and mapping potential lizard habitat before works commence;
- Undertaking salvage during the lizard active season, where practicable;
- Sequencing vegetation clearance so that salvage can occur before habitat removal;
- Using artificial cover objects, pitfall traps, hand searching and mechanically assisted salvage as appropriate to the habitat type and level of risk;
- Stopping works and applying the incidental discovery protocol if lizards are found unexpectedly;
- Transferring captured lizards to an approved release site as soon as practicable;
- Enhancing the release site through woody debris placement, native planting and soft release pens;

- Implementing predator control at the release site; and
- Reporting salvage and relocation outcomes to the DOC.

1.12 Applicant status

Neither NZTA nor any director, trustee, partner or other person involved in the Application has been convicted of, or currently faces charges for, an offence under the Wildlife Act. This statement is made for the purposes of clauses 2(1)(l) and 2(1)(m) of Schedule 7 of the FTAA.

1.13 Consultation

Section 4 of Volume A of this SAR sets out the details of the consultation that has been undertaken in relation to the Project and wildlife impacts. This has included engagement with Ngāi Tamarāwaho, Ngāti Hangarau and Ngāti Kahu through Tupenga on ecological matters as part of the wider Project engagement process.

The LMP also recognises that consultation with hapū forms part of the Wildlife Act approval process. Further engagement with DOC, hapū and TCC will be undertaken as required in relation to the implementation of the LMP, including the proposed Kōpūrerua Valley release site, release site management, and any matters required by the Wildlife Act approval conditions.

1.14 Expert inputs

Clause 2(1)(o) of Schedule 7 of the FTAA requires any additional written expert views, advice, or opinions obtained concerning the proposal to be provided. The expert material relied on for the Wildlife Approval is the EclA prepared by Boffa Miskell Limited in **Volume B – Appendix K**, and the LMP in **Volume C – Appendix A**. No additional written expert views, advice or opinions have been obtained in relation to the Wildlife Approval application.

1.15 Assessment criteria

Schedule 7, clause 5 of the FTAA sets out the matters the Panel must take into account when considering an application for a Wildlife Approval. Those matters are assessed in **Table 2** below.

Table 2: Assessment against Schedule 7 criteria

FTAA Requirement	Response
Purpose of the FTAA	• Granting the Wildlife Act approval will support delivery of the Project, which is a listed project under the FTAA and has significant national and regional benefits as described in Volume A – Section 1.7 of this SAR. • The approval is required to enable the Project Works to proceed where they may affect protected wildlife.
Purpose of the Wildlife Act 1953 and effects on protected wildlife	• The purpose of the Wildlife Act is to protect wildlife. The Project may affect protected wildlife through vegetation clearance, earthworks and other construction activities. • The effects of the Project on lizards will be managed through pre-clearance surveys, salvage and relocation where required, construction management measures, release-site enhancement and the proposed conditions.
Information and requirements relating to protected wildlife	• Section 1.6 above identifies the lizard species that may be present within the Project area, including their threat status under the New Zealand Threat Classification System. The proposed management approach has been developed with reference to those species, their habitat requirements and the potential effects of the Project.

Overall, the Wildlife Approval sought is consistent with the relevant Schedule 7 assessment criteria.

1.16 Proposed conditions

Proposed Wildlife Approval conditions are included in **Volume C – Appendix B**.

The conditions require NZTA to implement and comply with the approved LMP, the purpose of which is to ensure that adverse effects of the Project on protected native lizards are avoided or minimised and mitigated as appropriate.

The conditions also establish a process for amendments to the LMP. Minor amendments may be made without DOC certification where they do not materially change the intent, outcomes or level of protection provided by the LMP. Any amendment that materially changes the intent, outcomes or level of protection provided by the LMP must be submitted to DOC for certification before implementation.

Before a material amendment is submitted to DOC, NZTA must provide it to the Tangata Whenua Engagement Group for comment. The material submitted to DOC must include a summary of any feedback received and how that feedback has been considered.

The detailed requirements for survey, salvage, handling, temporary holding, transfer, relocation, release-site preparation, predator control, incidental discoveries, post-release monitoring and reporting are contained in the approved LMP and are secured through the condition requiring its implementation.

1.17 Conclusion

In considering the Wildlife Approval, the Panel must give greatest weight to the purpose of the FTAA, before considering the purpose of the Wildlife Act 1953, the effects on protected wildlife and the proposed conditions. Those matters are addressed in Section 1.15 above.

NZTA seeks that the Panel:

- (a) Grants the Wildlife Approval under section 42(4)(h) and Schedule 7 of the FTAA to authorise the activities identified in Section 1.2;
- (b) Approves the LMP in **Volume C – Appendix A** as the framework for managing effects on protected native lizards and implementing the activities authorised by the Wildlife Approval; and
- (c) Imposes the proposed conditions in **Volume C – Appendix B**.

The Wildlife Approval is required to enable the lawful management of protected native lizards that may be affected by vegetation clearance, earthworks and other land disturbance associated with the Project.

The LMP confirms that copper skink is the native lizard species most likely to be encountered within the Project footprint, with other native lizard species potentially present at low densities. Without appropriate management, Project Works could result in injury or mortality of lizards and the loss or modification of their habitat.

Those effects will be managed through implementation of the approved LMP, including survey, salvage and relocation, release-site enhancement, predator control, incidental discovery procedures, and monitoring and reporting where required.

On this basis, the Wildlife Approval and associated approval of the LMP are appropriate and should be granted.