

6 May 2026

# Fast-track Approvals Act wildlife approval report

Section 51(2)(c) wildlife approval report for –  
FTAA-2512-1153 Central and Southern Block Mining

# Table of Contents

- 1.0 Introduction ..... 2
- 2.0 Purpose of the report..... 2
- 3.0 Overview of DOC’s report ..... 2
- 4.0 Sources ..... 3
- 5.0 Context and background ..... 3
  - 5.1 Project overview ..... 3
  - 5.2 Summary of wildlife approval sought ..... 4
- 6.0 Matters considered in relation to the criteria for a wildlife approval ..... 4
  - 6.1 Statutory context ..... 4
  - 6.2 Purpose of the Wildlife Act ..... 4
  - 6.3 Information and requirements relating to protected wildlife ..... 5
  - 6.4 The role of species management plans ..... 6
  - 6.5 Application – Lizard Management Plan ..... 6
  - 6.6 Conditions to manage effects on protected wildlife ..... 11
- 7.0 Consultation..... 12
  - 7.1 Pre-lodgement..... 12
  - 7.2 Post-lodgement ..... 12
- 8.0 Additional information ..... 12
  - 8.1 International Conservation Agreements..... 12
  - 8.2 Consistency with statutory planning documents and policy ..... 13
- 9.0 Treaty of Waitangi settlement considerations and obligations ..... 14
  - 9.1 Treaty of Waitangi settlement obligations ..... 14
  - 9.2 Treaty of Waitangi principles ..... 14
- Appendix A: Central and Southern Blocks Mining Project Wildlife Approval Conditions ..... 17
- Appendix B: Technical expert credentials ..... 21

## 1.0 Introduction

- 1.1 On 26 January 2026, Taharoa Ironsands Ltd (TIL) lodged a substantive application with the Environmental Protection Authority (EPA) to continue existing mineral sand extraction, including land preparation works, constructing a water supply reservoir, extracting ironsand material using dry- and wet-mining techniques, processing extracted material, and transporting raw and processed material (the Project).
- 1.2 As part of the substantive application, TIL has applied to capture, temporarily hold, relocate and incidentally kill copper skinks. On 9 March 2026, 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.

## 2.0 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.
- 2.2 This report provides commentary on information provided by the applicant to support the Panel's assessment of the application for a Wildlife Approval. The content of this report has been informed by information from DOC's Treaty partners, where available.
- 2.3 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.

## 3.0 Overview of DOC's report

- 3.1 DOC has assessed the application and has identified the following matters that need to be addressed for the application to be considered consistent with the purpose of the Wildlife Act 1953. Any reference to 'lizards' in this report, refers to the copper skink only. The matters for consideration have been linked to the Key Principles for Lizard Salvage and Transfer in New Zealand<sup>1</sup> to clearly demonstrate which principles are currently not met.
  - 3.1.1 **Surveys (Principle 1):** Insufficient surveys have been conducted, causing a high degree of uncertainty regarding what species are likely present on site.
  - 3.1.2 **Release site (Principles 1 and 6):** A more in-depth assessment of the release site to determine suitability is required as well as an assessment of the risk of flooding from the Wainui Steam and/or ponding from high rainfall events. The type of fencing to be used on the release site to exclude feral animals, as well as the level of monitoring and maintenance to ensure its reliability, has not been specified. The release site may also benefit from further

---

<sup>1</sup> [Key principles for lizard salvage and transfer in New Zealand](#)

enhancement to increase its suitability, and consideration should be given to expanding its size and that of the pest control area if more lizards are found than currently anticipated.

- 3.1.3 **Incidental Discovery Protocol (Principle 9):** The protocol should be amended to remove mention of capturing and holding lizards prior to the arrival of authorised personnel. Only authorised personnel can lawfully capture and hold lizards. If a lizard is discovered, the area should be avoided until authorised personnel can attend and attempt lizard salvage.
- 3.1.4 **Post-release Monitoring (Principle 7):** Monitoring should be triggered when a cumulative total of 20 lizards salvaged is met and should occur for at least three years following each subsequent release of lizard(s).
- 3.1.5 **Compensation:** Without a robust process and long-term focus, the compensation proposed is unlikely to deliver overall protective benefit to impacted lizard populations. Funding should cover both a DOC-certified plan and separate, realistic funding for implementation, operations and monitoring over a meaningful timeframe, ideally at least five years. Additionally, Ngaati Mahuta ki te Hauaauru have expressed interest in determining the administration and implementation of any compensation packages.
- 3.2 Te Nehenehenui and Ngaati Mahuta ki te Hauaauru have raised similar concerns to those outlined above during engagement with DOC. DOC considers granting the authorisation based on the current LMP would not be considered consistent with the Treaty principle of partnership.
- 3.3 DOC considers that, should the above issues be adequately addressed and the recommended conditions incorporated in the Wildlife Approval, the application could be considered consistent with the Wildlife Act.

## 4.0 Sources

- 4.1 This report draws on information from the substantive application and technical advice from Dr Rhys Burns, Senior Technical Advisor at DOC (see Appendix B for Dr Burns' credentials). Application documents specifically referenced in the preparation of this report include:
  - Central and Southern Block Mining Substantive Application
  - Appendix M – Terrestrial Ecology – Fauna Assessment
  - Appendix KK – Wildlife Approval Application Bundle.

## 5.0 Context and background

### 5.1 Project overview

- 5.1.1 TIL are proposing to continue their existing ironsand mining operation, concentration and processing facilities at the Central and Southern Blocks of the Taharoa Mine (Project Site). The Project Site has a history of disturbance and mining has continued across the site since the late 1970s.
- 5.1.2 TIL's operation was previously authorised under resource consents issued by Waikato Regional Council (WRC) in 2006 which expired on 31 December 2020. TIL lodged an application to renew the consents in July 2020 and is currently operating under s124 of the RMA.
- 5.1.3 An Independent Hearing Panel appointed by WRC in 2024 granted the necessary consents for mining that does not interact with groundwater (mining that interacts with groundwater is known as 'wet-mining'). This decision has been appealed in the Environment Court. Under the FTAA, TIL is seeking to continue mining, including wet-mining, and requesting amendments to conditions.

- 5.1.4 This FTAA substantive application is different from the 2020 RMA application as it includes:
- Mining activities within 100 m of a wetland, but no closer than 30 m to the wetland.
  - Mining seven of the lower value wetland areas, and to potentially alter the hydrology of, and discharge water into, other wetlands.
  - Harvesting approximately 60.6 ha of radiata pine trees from the eastern side of the Southern Block.
- 5.1.5 Proposed works that relate to the Wildlife Approval sought include vegetation and topsoil removal, overburden removal and ironsand extraction, and stabilisation and rehabilitation.

## 5.2 Summary of wildlife approval sought

- 5.2.1 TIL's substantive application report states that Wildlife Approval is sought for the specific actions within the Project Site of:
- *“capturing lizards using pitfall / funnel traps and by hand;*
  - *handling lizards to identify species, measure and photograph them;*
  - *releasing lizards into a prepared release site; and*
  - *incidental killing of lizards that could not be captured”* (pg. 2, Appendix KK – Lizard Management Plan).
- 5.2.2 The Wildlife Approval sought is for copper skink only. The Lizard Management Plan (LMP) provided with the application outlines the proposed management actions in more detail.

## 6.0 Matters considered in relation to the criteria for a Wildlife Approval

### 6.1 Statutory context

- 6.1.1 Schedule 7 clause 1 defines "Wildlife Approval" as meaning a lawful authority for an act or omission that would otherwise be an offence under any sections 56(1), 58(1), 63(1), 63A, 64, 65(1)(f), 70G(1), 70P, and 70T(2) of the Wildlife Act 1953.
- 6.1.2 Section 56(1) provides that, without the prior authority of the Director-General, no person shall capture, attempt to capture, or have in possession for the purpose of liberation any wildlife.
- 6.1.3 Sections 63(1) and 70G(1) of the Wildlife Act 1953 provide that the following activities undertaken without lawful authority are offences:
- The activities of “hunt or kill” of any absolutely protected or partially protected wildlife.
  - The incidental killing of such wildlife.
  - Possession of such wildlife.
- 6.1.4 The activities proposed (capturing, releasing and killing) can be considered for Wildlife Approval under the FTAA. A Wildlife Approval granted under the FTAA is treated as if it were granted under the Wildlife Act (Schedule 7, clause 7(1)).

### 6.2 Purpose of the Wildlife Act

- 6.2.1 The relevant purpose of the Wildlife Act is to protect wildlife.

- 6.2.2 The Wildlife Act creates a tiered system, with different levels of protection required for different species. Absolutely protected wildlife cannot be lawfully hunted, killed, harassed or possessed without specific authorisation. The Wildlife Act also identifies wildlife that is not protected.
- 6.2.3 TIL are seeking wildlife approval in relation to absolutely protected species, being copper skink. In this report, the application and the effects of the Project are considered against the purpose of the Wildlife Act.

**6.3 Information and requirements relating to protected wildlife**

- 6.3.1 The New Zealand Threat Classification System (NZTCS) is a national system used to assess the conservation status of species found in New Zealand. NZTCS uses expert assessment and objective criteria, such as population size, trends and distribution, to place species into standard threat categories. The system is administered and used by DOC, along with other decision-makers, to prioritise conservation management and to identify species that may be at higher risk to adverse effects from activities or development.
- 6.3.2 Copper skink (*Oligosoma aeneum*) has a risk status of At Risk – Declining. As per the NZTCS, this threat category is applied to species with a population ranging from moderate to very large, that are forecast to decline between 10 to 70% over 10 years, or three generations<sup>2</sup>.
- 6.3.3 Copper skink are cryptic by nature and inhabit areas with good ground cover in open and shaded areas of forests. Copper skink can also be found in urban areas, in thick rank grass, compost heaps, under rocks and other debris. Development of urban and suburban areas has resulted in the relative rareness of copper skink in these habitats.
- 6.3.4 DOC has developed key principles for lizard salvage and transfer in New Zealand<sup>3</sup>, which are relevant to consider when assessing whether a lizard salvage proposal will adequately protect lizards. In brief, the nine principles for lizard salvage are as follows:

**Table 1: The key principles for lizard salvage and transfer in New Zealand**

Number	Principle
1	Lizard species’ values and site significance must be assessed at both the impact (development) and receiving sites.
2	Actual and potential development-related effects and their significance must be assessed.
3	Alternatives to moving lizards must be considered
4	Threatened lizard species require more careful consideration than less-threatened species.
5	Lizard salvage, transfer and release must use the best available methodology.
6	Receiving sites and their carrying capacities must be suitable in the long term.
7	Monitoring is required to evaluate the salvage operation

<sup>2</sup> For more detail, please refer to the NZTCS website: <http://nztics.org.nz/content/CATEGORIES>

<sup>3</sup> [Key principles for lizard salvage and transfer in New Zealand](#)

8	Reporting is required to communicate outcomes of salvage operations and facilitate process improvements.
9	Contingency actions are required when lizard salvage and transfer activities fail

6.3.5 Salvage is a mitigation activity, intended to reduce the severity of the impact of an otherwise lawful activity, on lizards. The nine principles outlined above should be adhered to for all development-related salvage and transfer operations, to maximise the likelihood of a successful salvage.

#### 6.4 The role of species management plans

6.4.1 Applications to catch, handle, liberate and incidentally kill wildlife are typically considered under s 53 of the Wildlife Act. A species management plan enables DOC to assess how the proposed activities will avoid, remedy or mitigate effects on wildlife, and whether the application aligns with the overall purpose of the Wildlife Act.

6.4.2 A Wildlife Act authorisation granted under s 53 often includes conditions which require the Authority Holder to comply with the species management plans provided with the application. When an Authority Holder wishes to amend or vary the species management plan, the Authority Holder must apply for a variation to their Authority. This allows DOC to check the proposed changes and ensure they do not reduce the level of protection for wildlife.

#### 6.5 Application – Lizard Management Plan

6.5.1 The application includes a Lizard Management Plan (LMP), which DOC has reviewed to assess how the applicant proposes to avoid, remedy or mitigate effects on wildlife and whether the application aligns with the purpose of the Wildlife Act. The following discussion relates directly to the LMP and highlights aspects of the LMP which should be improved or remedied to ensure the salvage principles are met and there is protective benefit for impacted lizard populations as required by the Wildlife Act.

##### Surveys (Principle 1)

6.5.2 Surveys carried out in 2021 and 2022 by SLR, described in Appendix M, indicated that no lizards were present within the Site. However, as lizards are cryptic by nature and many lizards are classified as At Risk by the NZTCS, their potential presence at low densities within suitable habitat should be considered.

6.5.3 TIL has determined that copper skink are the only lizard species likely to be present within the Project site and has therefore applied to salvage copper skink only. The DOC Herpetofauna (BioWeb) Database<sup>4</sup> records identify three additional species of lizards within 30 km of the Project Site (Table 2); however, records for this area are relatively sparse.

**Table 2. Lizard species that may be present within the Project Site.**

Common Name	Scientific Name	Threat status (NZTCS)
Copper skink	<i>Oligosoma aeneum</i>	At Risk - Declining

<sup>4</sup> [What is the Amphibian and Reptile Distribution Scheme: Herpetofauna data collection](#)

Forest gecko	<i>Mokopirirakau granulatus</i>	At Risk - Declining
Pacific gecko	<i>Dactylocnemis pacificus</i>	Not Threatened
Elegant gecko	<i>Naultinus elegans</i>	At Risk - Declining

- 6.5.4 **DOC considers that there is a high degree of uncertainty regarding what species of skink are likely to be present on site.** While the use of Artificial Cover Objects (ACOs) to survey was appropriate, as was the season (September), the density of devices (20 used in total) and geographic coverage of the site was poor. No survey was undertaken in the southern part of the Southern Block nor manual searches done in the southern dunes. Additionally, the amount of person hours used for manual searches has not been stated and other methods, such as pitfall traps or G-minnow traps, have not been utilised. DOC has provided feedback that it may be beneficial to include other lizard species in the authority (in addition to copper skink) however TIL did not wish to proceed on that basis.

#### Effects of project on wildlife

- 6.5.5 Potential effects of the Project on wildlife are outlined in the LMP section 5.4 (Appendix KK) and are summarised briefly here as:
- Habitat loss and fragmentation.
  - Injury, death or disturbance during vegetation clearance.
  - Disturbance and sub-lethal stress to lizards caused by noise, dust and vibrations.
  - Pest control proposed at the release site, offset site and all buffer zones.
- 6.5.6 DOC has not identified any additional effects of the Project on wildlife.

#### Proposed methods of mitigation – pre-clearance surveys

- 6.5.7 Due to the nature of the proposed activity, avoiding lizards will not be possible as the proposal allows for the removal of all vegetation within the Project Site except in mining exclusion areas. Salvage is proposed as the primary mitigation method due to the relatively small size of the potential lizard habitats identified.
- 6.5.8 Pre-clearance surveys will be undertaken using the following method:
- Survey will occur for a minimum of five days at all identified potential habitats, using tracking tunnels and traps suitable for the habitat type (e.g. artificial retreats, G-minnow traps, mesh funnel traps and pitfall traps). Manual and visual searches will also be conducted during this time.
  - Trapping will occur in suitable weather with tunnels and traps deployed with approximately 10 m spacings.
  - Upon detection of lizards, salvage will commence immediately and trapping intensity will increase to 5 m spacings in an approximate grid layout. The habitat area will be fenced with lizard-proof fencing to prevent lizards dispersing and trapping will occur for a maximum of 10 days (including the 5-day survey period). Lizards will be held in individual cloth bags and relocated to the release site within two hours.

- Mechanical habitat removal will be employed to capture any remaining lizards, if lizards continue to be trapped on the tenth day of trapping. This includes using a digger with a claw attachment to 'scrape back' grassy habitats and deconstruct pampas tussocks.
- If no lizards are detected after five days of survey, trapping will cease in the area, and no further management will be required.

#### Proposed mitigations – release site (Principle 1 and 6)

- 6.5.9 The proposed release site is 1 ha of replanted vegetation within the Wainui Stream buffer. The release site is connected to a wider buffer area and TIL reserved land in the east. No further mining is proposed in the land to the south, and this land will gradually be rehabilitated providing further habitat. A survey has not been undertaken at the release site therefore resident lizard populations are unknown, as is the extent of habitat enhancement that will be required.
- 6.5.10 Habitat enhancement through the placement of wood disk piles or log piles will be undertaken at the release site. Pest control will also be undertaken to suppress rats, mice, ferrets, stoats, hedgehogs and possums. Pest control monitoring is not proposed; however, a record of maintenance and bait/toxin top-ups will be kept as an indirect measure of predator activity.
- 6.5.11 **DOC raises the following considerations in relation to the proposed release site:**
- A more in-depth assessment of the release site to determine lizard suitability is required as well as an assessment of risk of flooding from the Wainui Stream and/or ponding from high rainfall events.
  - Additionally, the 1 ha release site is very small to defend from pest incursions so consideration should be given to buffer areas. Fencing is proposed to keep feral animals out however the type of fencing is not specified nor the level of monitoring and maintenance which will be provided to ensure it reliably excludes feral animals for the term of the approval.
  - The release site may benefit from additional vegetation planting to increase its suitability for lizards salvaged as part of the Project.
  - Consideration should be given to expanding the release area size and the pest control area if more lizards are found than currently anticipated.

#### Proposed mitigations – Incidental Discovery Protocol

- 6.5.12 The Incidental Discovery Protocol, as per the LMP, states if a lizard is discovered during works following lizard salvage:
- All activities within a 10 m radius must cease immediately. The area may be fenced off if the lizard came from a habitat feature.
  - The Project Herpetologist will be notified within 2 hours of sighting.
  - Where possible the lizard should be captured and held in a breathable container.
  - Lizard shall be kept until Project Herpetologist is able to attend and identify and assess health of the lizard.
  - If a deceased lizard is found, it should be photographed and the Project Herpetologist must be contacted.
  - If an injured lizard is found, the Project Herpetologist must be contacted immediately for advice. A veterinarian may need to be contacted. DOC will be notified of the finding.

- 6.5.13 **DOC does not support the Incidental Discovery Protocol, as the actions outlined encourage mining staff to capture lizards and hold them in captivity until the Project Herpetologist can attend.** This could potentially take several days, and it is inappropriate for untrained individuals to attempt to capture and hold lizards. Allowing untrained individuals to capture and hold lizards will increase the chances of lizards being killed, injured or shedding their tails.
- 6.5.14 Only those persons listed on a Wildlife Approval have legal authority to undertake the activities of capture and hold, and only those species listed in a Wildlife Approval are covered by that approval, requiring positive identification prior to capture which untrained individuals are unlikely to be able to do.
- 6.5.15 This element of the Incidental Discovery Protocol should be removed. Instead, the area where the lizard was seen should be avoided until the Project Herpetologist can attend and attempt to salvage the lizard.

#### Proposed mitigations – reports and post-release monitoring

- 6.5.16 Reports will be provided to DOC by 30 June each year of the activity occurring. Amphibian/ Reptile Distribution Scheme (ARDS) cards will be submitted to DOC by the Project Herpetologist within one month following the end of salvage. The LMP outlines the information required in the report.
- 6.5.17 Post release monitoring will only be triggered if more than 50 copper skinks are salvaged and released within the release area. Monitoring will include annual repeat surveys using methods outlined above, with the objective of assessing population persistence and breeding for up to three years following release.
- 6.5.18 **DOC considers this post release monitoring to be insufficient.** Post-release monitoring should occur if more than 20 copper skinks are salvaged and released, rather than the 50 proposed. Monitoring should occur for a minimum of three years, and be timed from the latest cohort released, rather than three years maximum proposed. The 20-lizard threshold to trigger monitoring should be the cumulative total of all lizards salvaged, and once this is passed, monitoring should occur for at least three years following each subsequent release of lizard(s) of any number.

#### Proposed mitigations – compensation

- 6.5.19 The mitigations outlined above are not considered sufficient to provide overall protective benefit to impacted lizard populations, therefore compensation is proposed by the Applicant. The compensation recipient group should be a local group supporting wildlife through pest control, weed management or habitat enhancement. The recipient group will be determined through consultation with mana whenua and other stakeholders. The recipient group will be confirmed prior to first salvage, with compensation payable as salvages are completed. Compensation payments are cumulative, with a maximum of \$20,000 payable unless a Threatened lizard is captured (noting that capture of any species other than copper skink would be an offence under the Wildlife Act as the authorisation sought only relates to that species).

**Table 3 – Proposed compensation**

Number of Copper Skink	Monetary Compensation
0	-
1 to 20	\$10,000
21 – 49	\$15,000
50+	\$20,000
Any Threatened (per NZTCS) lizard species	\$1,000 per lizard

**6.5.20 DOC considers compensation to be problematic to assess and raises the following issues for consideration:**

- Compensation should be targeted towards the impacted species (copper skink). However, it could be used to ‘trade-up’ and benefit more threatened species in the immediate area.
- DOC should be consulted with, and agree on, the recipient group and compensation project. A suitable site, management measures and outcomes would need to be declared.
- Compensation should include the employment of a suitably qualified person to write a plan (certified by DOC) and then the cost of implementing that plan could be put into conditions.
- It is difficult to assess whether the proposed monetary compensation is sufficient, particularly given the cost of personnel and required infrastructure (e.g. bait stations, toxins, traps, monitoring gear).
- An alternative could be a fund for setting up the compensation project, then operational money to enable monitoring, data collation and reporting.
- Ideally the compensation project would continue indefinitely, or at minimum for five years. A project that runs for a single season will have negligible impact.
- The compensation approaches are inherently uncertain, and therefore a robust process is required to leverage the best possible long-term outcome.
- Treaty Partner consultation should be undertaken in relation to compensation. Ngaati Mahuta ki te Hauaauru have expressed interest in determining the administration and implementation of any compensation packages.

Competencies - proposed personnel

6.5.21 TIL has proposed personnel to be authorised under the Wildlife Approval (refer to Appendix A – Central and Southern Blocks Mining Project Wildlife Approval Conditions).

6.5.22 DOC has assessed the qualification and competencies of the proposed authorised personnel and is satisfied that Katherine Muchna (Project Herpetologist), Matt Turner and Jonny Beech have the necessary qualifications and competencies required.

6.5.23 DOC is not satisfied that Alice Dee meets the required qualifications and competencies. DOC recommends that a condition is added to allow personnel, such as Alice Dee, to operate under the supervision of the named personnel above.

#### Term

6.5.24 The applicant has proposed a term of 10 years, to ensure the initial stages of operation are adequately covered. The applicant intends to apply for a variation to extend the term as required beyond the initial 10-year term.

6.5.25 A term of 10 years is consistent with other Wildlife Approvals granted and consistent with standard Wildlife Act Authorities. As discussed in the Key Principles for Lizard Salvage and Transfer in New Zealand<sup>5</sup>, lizard salvage is a developing practice, with DOC expecting improvements to be made to current methodologies. Re-assessment of the activity in 10 years' time would allow for any improvements in methodology to be incorporated into subsequent authorities, as well as taking into account any updated information about the species, including any change in threat status.

#### Incidental killing and overall wildlife protection

6.5.26 Death is identified as a potential effect of the Project and the LMP proposes actions to minimise the risk of death or injury.

6.5.27 Currently, the LMP does not meet all the nine principles of lizard salvage, and therefore overall wildlife protection has not been achieved. However, DOC notes that should the highlighted issues be adequately addressed, a net benefit to populations may be achieved which would align the application with the purpose of the Wildlife Act.

6.5.28 If the proposed conditions are amended, or not included, protected wildlife may be harmed and therefore the grant of a Wildlife Approval may be inconsistent with the purpose of the Wildlife Act.

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

6.6.1 The applicant has provided a set of draft conditions for the Wildlife Approval. DOC has recommended changes and additional conditions aligned with best practice. Recommended conditions are in Appendix A.

6.6.2 DOC notes that certification has been proposed, in part because previous Fast-track Wildlife Approvals have included certification. DOC raises the following considerations:

- It has been proposed that the LMP will be submitted for certification 20 working days before Project Works commence. Lizard salvage requires suitable lizard attracting devices to be put out at least six weeks before they become effective in attracting lizards. If Project Works commence within 20 working days of sending DOC the LMP, there is a possibility that lizards will be put at risk.
- DOC cannot guarantee how long an LMP will take to get certified, as this will depend on what changes may need to be made to the LMP.
- DOC has proposed amendments to the conditions to mitigate the above outlined risk.

---

<sup>5</sup> [Key principles for lizard salvage and transfer in New Zealand](#)

- For additional context, when processing standard applications, DOC typically includes a requirement for the Applicant to abide by the LMP in the conditions of the Authority. A Wildlife Authority would not be granted if DOC had concerns regarding the LMP.
- 6.6.3 This recommendation includes 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.
- 6.6.4 The Panel can set conditions on a wildlife approval, under Schedule 7, clause 6 of the Act, and must:
- a. *consider whether the condition would avoid, minimise, or remedy any impacts on protected wildlife that is to be covered by the approval; and*
  - b. *where more than minor residual impacts on protected wildlife cannot be avoided, minimised, or remedied, ensure that they are offset or compensated for where possible and appropriate; and*
  - c. *take into account, as the case may be, the New Zealand Threat Classification System or any relevant international conservation agreement that may apply in respect of the protected wildlife that is to be covered by the approval.*

## 7.0 Consultation

### 7.1 Pre-lodgement

- 7.1.1 Prior to lodgement, DOC met with TIL on 25 August 2025 and was given an overview of the application. DOC was not provided with any draft documents or technical reports prior to lodgement.

### 7.2 Post-lodgement

- 7.2.1 TIL did not provide draft proposed Wildlife Authority conditions as part of the application. DOC subsequently worked with TIL on a set of draft conditions and agreed to some standard conditions. The Panel requested these by 21 April 2026, however due to time constraints, DOC was unable to complete the management plan condition requirements and agreed with TIL that these would be provided as part of this s 51 report.
- 7.2.2 TIL has not seen the version of conditions attached to this report. DOC acknowledges TIL’s willingness to work together to reach agreement on conditions.

## 8.0 Additional information

### 8.1 International Conservation Agreements

- 8.1.1 The table below outlines the international agreements that are relevant to the protected wildlife that is to be covered by the approval.

**Table 4: International conservation agreements**

Relevant Agreement	Signatory date
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)**

- 8.1.2 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.
- 8.1.3 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 national contribution to reversing the loss of biodiversity worldwide.
- 8.1.4 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.*
- 8.1.5 The application from TIL seeks to access natural resources in a way that biodiversity and ecosystem impacts are minimised or mitigated. Potential residual effects are proposed to be offset, including by a pest management project and compensation. However, as outlined in the previous sections, a number of outstanding issues remain to ensure protection of biodiversity.

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

- 8.1.6 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.
- 8.1.7 The IUCN Red List status of species named in the application is provided in the table below.

**Table 5. IUCN Red List status of species named in application.**

Common name	Scientific name	IUCN Red List status
Copper skink	<i>Oligosoma aeneum</i>	Least Concern (stable)

**8.2 Consistency with statutory planning documents and policy**

- 8.2.1 The following statutory planning documents and associated policies are relevant to the consideration of the wildlife approval sought for this Project.

**Conservation General Policy 2005**

- 8.2.2 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.
- 8.2.3 Under policy 7 of the CGP, DOC should undertake statutory advocacy to protect natural resources, particularly when indigenous terrestrial species are threatened with loss or decline.
- 8.2.4 The CGP does not contain policies specific to the proposed wildlife activities. The application is not inconsistent with the CGP.

**Waikato Conservation Management Strategy 2014**

- 8.2.5 The purpose of a conservation management strategy is to implement general policies and establish objectives for the integrated management of natural and historic resources, including any species, managed by the Department, and for recreation, tourism, and other conservation purposes.
- 8.2.6 The Waikato Conservation Management Strategy (CMS) 2014 describes the conservation values present in Waikato and provides guidance for DOC's work in the form of a vision, objectives, outcomes for Place, policies and milestones.
- 8.2.7 Section 5 'Waikato by 2025' outlines the role of DOC in preventing the decline and ensuring the persistence of Threatened and At Risk species both on and off public conservation land. Lizards in general are listed as locally treasured species. Objectives include conserving Threatened species to ensure persistence emphasis on those species listed in Appendix 6. Copper skink is not listed in Appendix 6.
- 8.2.8 The Project Site is not located within a Place listed in Part Two. Sites not within a Place require less detailed management than those covered in a specified Place.
- 8.2.9 The CMS does not contain policies specific to the proposed wildlife activities. The application is not inconsistent with the CMS.

## 9.0 Treaty of Waitangi settlement considerations and obligations

### 9.1 Treaty of Waitangi settlement obligations

- 9.1.1 Under section 7 of the Act the Panel must act in a manner that is consistent with obligations arising under existing Treaty settlements.
- 9.1.2 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.
- 9.1.3 DOC has read the report and agrees that the Treaty settlement relevant to this application is the Maniapoto Claims Settlement Act 2022. Additionally, DOC has a relationship agreement with Te Nehenehenui provided for by the Maniapoto deed of settlement which requires DOC to follow basic principles when consulting with Te Nehenehenui.

### 9.2 Treaty of Waitangi principles

- 9.2.1 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 (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.
- 9.2.2 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 have a right to 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.

- 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.

9.2.3 DOC has not identified any specific conditions that should be imposed to achieve consistency with Treaty principles.

9.2.4 DOC received information from Ngaati Mahuta ki te Hauaauru and Te Nehenehenui on the wildlife authorisation application, and this feedback has been taken into account when preparing this report.

#### Ngaati Mahuta ki te Hauaauru

9.2.5 Ngaati Mahuta ki te Hauaauru advised DOC that it was not provided a chance by the applicant to review Appendix KK and Appendix M prior to application lodgement.

9.2.6 A summary of the approval sought was provided by the applicant, however the compensation package was not discussed with Ngaati Mahuta ki te Hauaauru entities. Ngaati Mahuta ki te Hauaauru request that proposed conditions clearly reference that Ngaati Mahuta ki te Hauaauru consultation must be given significantly more weight than proposed, particularly in determining the administration and implementation of any compensation packages.

#### Te Nehenehenui

9.2.7 Te Nehenehenui has advised DOC that it does not support the LMP in its current form and suggested provisions need to be strengthened in order to address adverse effects on indigenous lizard populations. Te Nehenehenui's comments are as follows:

- **Term** – The wildlife authorisation is sought for 10 years, and the proposed mining consent is 35 years. There is uncertainty regarding species management over the subsequent 25 years. Te Nehenehenui proposes that any variation or extension of the authorisation should be subject to demonstration of no-net loss over the initial 10 year period. This should be independently verified and findings shared with mana whenua.
- **Monitoring** – The monitoring proposed provides little assurance of long-term population viability or indication of successful relocation. The trigger of 50 "At Risk" lizards is too high, and significant adverse effects might occur without any monitoring requirement. The maximum period of three years monitoring seems too short to assess long-term population.
- **Relocation** – Relocation of indigenous fauna is inherently uncertain and the LMP does not appear to address this. Te Nehenehenui is interested in DOC's perspective on relocation as a successful or reliable mitigation measure, and whether the LMP should be required to set out relocation 'success criteria' and/or consequences if relocation fails. Without these, the LMP is simply setting the framework to observe species decline.
- **Incidental Discovery Protocol** – While designed to be reactive, it appears to confirm that salvage methodology will not work within this large mining area. The cessation of all activities in a 10 m radius around where the lizard was observed seems too small and it is not clear how machinery operators will be able to prevent lizard injury or death during works.
- **Adaptations to the LMP** – Section 6.4.6 'Adaptative Management' allows for "minor flexibility or adaptations" to the LMP to be made at the discretion of the Project

Herpetologist. While amendments may be appropriate, the current wording is unconstrained. At a minimum, the LMP should define what constitutes a “minor” change and require prior approval from DOC. This would ensure any amendment is linked to monitoring results and there is a clear rationale that the change will improve outcomes for lizard populations.

- 9.2.8 The granting of an authorisation based on the current LMP would not be considered consistent with the principles of partnership, informed decision making and active protection, applicable under section 4 of the Conservation Act, without further consultation/alteration to the LMP.

## Appendix A: Central and Southern Blocks Mining Project Wildlife Approval Conditions

### DEFINITIONS

The table below defines the acronyms and terms used in the Wildlife Approval conditions. Defined terms are capitalised.

Proposed amendments to the condition set provided to the Panel on 21 April 2026 are coloured red.

Abbreviation/term	Meaning/definition	
Approval Holder	Taharoa Ironsands Limited	
Authorised Activity	To capture, temporarily hold and relocate any Lizards in Potential Lizard Habitat for the purpose of salvaging them prior to habitat clearance works, and the incidental killing of Lizards during Project Works.	
Authorised Personnel	a) Katherine Muchna (Project Herpetologist) b) Matt Turner c) Jonny Beech d) <del>Alice Dee</del> e) <del>Additional personnel as may be approved in writing by DOC</del> Suitably qualified personnel under the direct supervision of the named Authorised Personnel.	
DOC	Department of Conservation	
Lizards	<b>Common Names(s)</b>	<b>Scientific Name</b>
	Copper skink	<i>Oligosoma aeneum</i>
LMP	Lizard Management Plan	
Potential Lizard Habitat	The areas of potential lizard habitat within the Project Site comprising approximately 14.77 ha, not including mining exclusion areas and identified on Maps 4 and 5 in the draft LMP dated 16 October 2025 or otherwise defined in the LMP.	
Project	Central and Southern Blocks Mining Project listed under Schedule 2 of the Fast-track Approvals Act 2024.	
Project Site	The Central and Southern Block of the land legally described as Taharoa C Block.	
Project Works	The activities within the Project Site that may impact Lizards in Potential Lizard Habitat, if present, including: <ul style="list-style-type: none"> <li>• Vegetation and topsoil removal;</li> <li>• Overburden removal and ironsand extraction (including habitat clearance); and</li> <li>• Stabilisation and rehabilitation.</li> </ul>	
Release Area	The 1-hectare area of replanted vegetation within the Wainui Stream buffer (approximate location 38.168676 latitude, 174.717035 longitude). See Map 6 of the Draft Lizard Management Plan for Wildlife Approval Application dated October 2025).	
Working Day	A day of the week other than— <ol style="list-style-type: none"> <li>Saturday, a Sunday, Waitangi Day, Good Friday, Easter Monday, Anzac Day, the Sovereign's birthday, Te Rā Aro ki a Matariki/Matariki Observance Day, and Labour Day; and</li> </ol>	

Abbreviation/term	Meaning/definition
	<p>(b) if Waitangi Day or Anzac Day falls on a Saturday or a Sunday, the following Monday; and</p> <p>(c) a day in the period commencing on 20 December in any year and ending with 10 January in the following year.</p>

- WA1 The Approval shall expire 10 years after the date the Approval is granted.
- (a) The Approval Holder shall prepare a final LMP. The purpose of the LMP is to protect Lizards within the Potential Lizard Habitat on the Project Site.
  - (b) The LMP shall be prepared ~~and signed off by Authorised Personnel~~ by a suitably qualified and experienced person, follow best practice in terms of hygiene and animal welfare, and include:
    - (i) Identification of Potential Lizard Habitats within the Project Site to be surveyed;
    - (ii) Pre-salvage surveying requirements and methodologies to identify any Lizards within Potential Lizard Habitats prior to Project Works;
    - (iii) Translocation methods of any Lizards identified in Potential Lizard Habitats;
    - (iv) Protocols for:
      - 1 Hygiene (Lizard disease) protocols to minimise the risk of disease transmission;
      - 2 Currently accepted best practice protocols to minimise the risk of injury or death to Lizards during lizard management; and
      - 3 Incidental death associated with salvage.
    - (v) Measures for the creation and enhancement of Lizard habitat within the Release Area; and
    - (vi) Post-release monitoring and reporting requirements.
    - (vii) Identification of a suitable Release Area.
    - (viii) Animal pest control and animal pest monitoring measures to protect Lizards at the Release Area.
  - (c) ~~At least 20 Working Days before starting Project Works,~~ The LMP shall be provided to DOC for certification that the LMP satisfies the requirements of WA2-1(a) and (b).
  - (d) Once the LMP is certified by DOC, Project Works can commence no sooner than 10 weeks from date of certification. During this period the Approval Holder must:
    - (i) Set up the lizard capture infrastructure, and
    - (ii) Allow for six weeks for 'settling in' of infrastructure, then
    - (iii) Proceed with two weeks of lizard capture.
  - (e) The certified LMP shall be implemented and complied with for the duration of this authorisation.
  - (f) The Approval Holder may update the LMP by submitting the amended LMP in writing to DOC for certification in accordance with WA2-1(c).

**Advice note:** the application documents contain a draft LMP which will be finalised through this condition.

- WA2 The Authorised Activity shall be carried out:
- (a) By Authorised Personnel;
  - (b) In accordance with the LMP;
  - (c) During the period 30 September to 1 May inclusive (date range applies to capturing, temporarily holding and relocating lizards only); and
  - (d) For relocation, within the Release Area.
- WA3 The Approval Holder must pay the Department of Conservation's standard 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.
- WA4 The Director-General may revoke this Approval at any time in respect of the whole or any part (pursuant to clause 7(4) of Schedule 7 of the Fast-track Approvals Act 2024) if:
- (a) The Approval Holder breaches any of the conditions of this Approval; or
  - (b) In the Director-General's opinion, the carrying out of the Approval has caused or is likely to cause any unforeseen or unacceptable effects on Lizards.

If the Director-General intends to revoke this Approval in whole or in part, the Director-General must give the Approval Holder such prior warning and then prior notice as is reasonable and necessary in the circumstances.

- WA5 The Approval Holder must comply with all notices, directions, and requisitions of the Director-General.
- WA6 The Authority Holder must review the LMP and resubmit it to the Director-General for certification before the expiry of the Approval, if it intends to seek a renewal to extend the term of the Approval. The objective of the review is to re-assess habitat conditions and characteristics and update the LMP to reflect current species knowledge, best practice lizard management and mitigation techniques.

~~WA7 Lizards may only be handled by Authorised Personnel.~~

- WA8 Capture and handling methods must involve only techniques that minimise the risk of infection or injury to the animal and must follow those described in the Herpetofauna inventory and monitoring toolbox <http://www.doc.govt.nz/our-work/biodiversity-inventory-and-monitoring/herpetofauna/>.

~~WA9 The DOC Operations Manager for Te Kuiti must be contacted immediately (tekuiti@doc.govt.nz) by Authorised Personnel (engaged by the Approval Holder) for further advice if Lizard species other than those authorised are located within the footprint of the development or within the Release Area.~~

- WA10 (a) If any Lizards die during salvage activities ~~the Authorised Activities~~, the Approval Holder must inform the Te Kuiti DOC Operations Manager (tekuiti@doc.govt.nz) within 48 hours and follow the instructions of the Manager. This may include:
- (i) Chilling the body if it can be delivered within 72 hours of the mortality, or freeze the body if delivery will take longer than 72 hours; and
  - (ii) Sending the body to Massey University Wildlife Postmortem Service for necropsy or as otherwise advised by the Te Kuiti DOC Operations Manager, along with details of the animal's history;
  - (iii) Paying for any costs incurred in investigation of the death of any lizard; and/or
  - (iv) Ceasing the Approved Activity within the Potential Lizard Habitat for a period determined by the DOC Operations Manager.

- (g) For the avoidance of doubt condition WA~~11~~10 applies to Lizard deaths that are associated with salvage activities and does not apply to incidental deaths that occur during Project Works. The purpose of clause (a) is to ensure the methodologies and practices for catch, transfer and release are functioning successfully and to require investigation in the event that deaths occur during salvage activities.

WA11 If any Lizards are found injured on the Project Site, Authorised Personnel must be contacted to get advice on management of the lizard. Injured lizard(s) may be euthanised on recommendation of Authorised Personnel or a veterinarian.

WA12 If a Lizard is discovered during works, activities in a 10 m radius around where the lizard was observed must cease immediately and searches for any other lizards must be carried out and the remaining requirements of the Incidental Discovery Protocol outlined in the certified Lizard Management Plan must be complied with.

WA13 An annual report summarising any Lizard salvage and relocation activities must be prepared and submitted to DOC (tekuiti@doc.govt.nz and permissionshamilton@doc.govt.nz) within 30 days from the completion date of the salvage. Specifically, this report is to include:

- (a) Results of any Lizard salvage and relocation work. Should ~~native~~-Lizards be found, then the following will also be included in the report:
- (i) Photos illustrating Lizard salvage methods utilised;
  - (ii) Photos of Lizards captured (including photos of the salvage and relocation areas);
  - (iii) A map showing the location of lizard upon capture and upon release;
  - (iv) The species and number of any Lizards detected, captured, and released; and
  - (v) The results of all surveys and monitoring.
- (b) Descriptions of how any Lizard management activities outlined in the LMP and relevant conditions detailed in the wildlife approval were followed including animal pest captures and animal pest monitoring results;
- (c) An Amphibian and Reptile Distribution Scheme (ARDS) card detailing information relating to captured lizards (also to be provided to herpetofauna@doc.govt.nz); and
- (d) A brief summary regarding the outcomes of implementing the LMP, including any improvements/changes that should be implemented in future.

Advice Note: This approval is for copper skink and does not authorise any activities in relation to any other lizard species.

## Appendix B: Technical expert credentials

### Dr Rhys James Burns

I am employed as a Technical Advisor (Terrestrial Ecology/Fauna) with the Department of Conservation Te Papa Atawhai (DOC) in the Terrestrial Biodiversity Unit and am based at the Rotorua office. I have held this position, or equivalent positions, since 2004.

My role at DOC is to provide ecological advice to conservation practitioners both within DOC and external to DOC (such as iwi and community groups). I also provide advice to DOC decision-makers in relation to DOC's permissions system. This includes assessments for both Resource Management Act 1991 (RMA) and Wildlife Act 1953 applications. For Wildlife Act applications, I am tasked with providing ecological advice as to whether a permission should be granted and, if so, what conditions should be attached to the permission.

I have a BSc (Hons) and PhD in Biochemistry from the University of Otago. I completed my PhD in 1997. Since working for DOC continuously since 1997, I have accumulated and applied knowledge on the management of New Zealand ecosystems and species.

Between 1997 and 1999 I was based at Pureora Forest Park where I monitored a range of avifauna species (for example, robins, kōkako, fernbird, tomtit and ruru) to assess the impact of pest control on these species, and how their populations responded to management.

Between 1999 and 2004 I monitored a radio-transmitted kiwi population in northern Te Urewera and oversaw the stoat trapping at this site for several years. I was also a contributing or lead author for reports that summarised all the activities occurring in this mainland island ecosystem restoration project.

Between 2004 and 2013, I was a Technical Support Officer (Fauna) for the East Coast Hawke's Bay Conservancy, and then the East Coast Bay of Plenty Conservancy.

I have been in my current role (Technical Advisor - Terrestrial Fauna), or similar roles that includes Ecology and Ecosystems, since 2013. In this role, I have a mandate to deliver advice to DOC staff where needed over the entire country.

I have experience in assessing applications that have the potential to have effects on a variety of Threatened and At Risk (under the New Zealand Threat Classification System) native birds across a range of habitats in New Zealand. This has included the assessment of activities that require resource consents, including the Mt Messenger Bypass, Awakino Tunnel Bypass, Kaiwaikawe windfarm and Dome Valley Waste Management landfill.

I have also gained experience in many projects that have monitored the response of a variety of native birds to various pest control methods as well as assessing many applications under the Wildlife Act, including for translocations and the effects of developmental projects on avifauna.

I am a member of the New Zealand Ecological Society and the Ornithological Society of New Zealand (Birds NZ).

I have been the leader of DOC's Weka Recovery Group for 18 years, the leader of DOC's Kōkako Recovery Group for one year (and member for 9 years) and a member of DOC's Frog Recovery Group for 19 years.