

Expert Panel Draft Wildlife Act Approval

Note to readers:

NZTA's suggested changes on the Panel's draft decision are shown in **blue font**.

Further changes suggested by NZTA in response to DOC's comments on the Panel's draft decision are shown in **green font**.

STATE HIGHWAY 1 NORTH CANTERBURY WOODEND BYPASS PROJECT (BELFAST TO PEGASUS) [FTAA-2512-1157] – DRAFT WILDLIFE ACT **AUTHORITY-APPROVAL CONDITIONS**

Wildlife Act **Authority-Approval** for wildlife located on private land

SCHEDULE 1

1	Authorised activity (including the species, any approved quantities and collection methods) (Schedule 2, clause 2)	A. <u>Activity:</u> a) To catch alive and liberate, relocate lizards; b) To handle lizards for the purpose of data collection; and c) To incidentally harm or harm or kill lizards for the purpose of protecting the Lizards by way of salvage along with post-relocation monitoring at Relocation Sites. B. <u>Lizard Species:</u> Canterbury grass skink (<i>Oligosoma aff. polychroma</i> Clade 4) .
2	The Land (Schedule 2, clause 2)	Catching alive lizards in c Construction areas involving vegetation clearance including: a) Cam River / Ruataniwha to Williams St b) Quarry Lakes – Woodened Beach Road c) Woodened Beach Road – Gladstone Road d) Gladstone Road – SH1 e) Pegasus Interchange Liberating Relocating and releasing lizards in the following sites (as shown on Schedule 4): a) Primary Relocation Site: Barkers Road (Lot 1 DP 423296, Lot 2 DP 423296, Lot 1 DP 359788, and Lot 2 DP 359788), and b) Contingency Relocation Site: Barkers Road (Lot 3 DP 423296)
3	Personnel authorised to undertake the Authorised Activity (Schedule 2, clause 3)	Lead Herpetologist: a) Rieke Behrens b) David Pickett c) Christopher Woolley d) Sam Heggie Gracie

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		Other Suitably Qualified Persons Herpetologists: a) Liz Curry b) Jamie MacKay c) Nicki van Zyl d) Sam Mulcock e) Shaun Morgan f) Ashleigh Johnston g) Tarryn Wyman h) Josh Forrest Other personnel under the supervision of Lead Herpetologist. a) Cid Shearman b) Bex Diederichson c) Matt Barson d) Pippa McAnergney e) Tyler Eaton-Palmer f) Paul Dyer g) Danielle Cairns h) Laura Francis [to be confirmed]; and Additional personnel as may be approved in writing by DOC as per Schedule 3 Condition 9.
4	Term (Schedule 2, clause 4)	Commencing on ## August 2026 and ending on ##August 2046.
5	Authority Approval Holder's address for notices (Schedule 2, clause 7)	The Authority Approval Holder's address in New Zealand is: New Zealand Transport Authority (Waka Kotahi) BNZ Centre Level 1/120 Hereford Street Christchurch Central City Christchurch 8011 Phone: 0800 822 422 Email: consents@nzta.govt.nz
6	Department of Conservation's (the Department) address for notices	The Department's address for all correspondence is: Department of Conservation Christchurch Office Level 3 Grand Central 161 Cashel Street Christchurch 8011 Email: christchurch@doc.govt.nz

SCHEDULE 2: STANDARD TERMS AND CONDITIONS OF THE AUTHORITY APPROVAL

Commented [NZTA1]: NZTA considers that Schedule 2 is unnecessary and should be deleted in its entirety, however this has not been shown in tracked changes.

1. Interpretation

- 1.1. The Authority Approval Holder is responsible for the acts and omissions of its employees, contractors or agents. The Authority Approval Holder is liable under this Authority Approval for any breach of the terms of the Authority Approval by its employees, contractors or agents as if the breach had been committed by the Authority Approval Holder.
- 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 Authority 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 Authority Approval Holder. In granting this authorisation approval the Department does not warrant that such access can be obtained.
- 2.3. The Authority 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 Authority Approval Holder intends to carry out the Authorised Activity.
- 2.4. The Authority Approval Holder and Authorised Personnel must keep onsite or carry a copy of this Authority Approval with them at all times while carrying out the Authorised Activity.
- 2.5. The Authority Approval Holder must comply with any reasonable request from the Department for access to any wildlife.
- 2.6. The Authority Approval Holder may publish authorised research results.
- 2.7. The Authority Approval Holder must immediately notify the Department of any taxa found which are new to science. In addition, the Authority Approval Holder must lodge holotype specimens and a voucher specimen of any new taxa with a recognised national collection.

3. Who is authorised?

- 3.1. Only the Authority 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, such agreement is not to be unreasonably delayed or withheld.

4. How long is the Authority Approval for – the Term?

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

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

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- 5.1. The [Authority Approval](#) Holder must comply with all statutes, bylaws and regulations, and all notices, directions and requisitions of the Department and any competent authority relating to the conduct of the Authorised Activity. 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. When can the [Authority Approval](#) be terminated?**
- 6.1. The Department may terminate this [Authority Approval](#) at any time in respect of the whole or any part of the Land, and/or the whole or any part of the Authorised Activity if:
- a) the [Authority Approval](#) Holder breaches any of the conditions of this [Authority Approval](#); or
 - b) in the Department's opinion, the carrying out of the Authorised Activity causes any unforeseen or unacceptable effects.
- 6.2. If the Department intends to terminate this [Authority Approval](#) in whole or in part, the Department must give the [Authority Approval](#) Holder such prior notice as, in the sole opinion of the Department, appears reasonable and necessary in the circumstances.
- 7. How are notices sent and when are they received?**
- 7.1. Any notice to be given under this [Authority Approval](#) by the Department is to be in writing and made by personal delivery, by pre-paid post or email to the [Authority 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.
- 7.2. If the [Authority Approval](#) Holder's details specified in Schedule 1, Item 5 change, then the [Authority Approval](#) Holder must notify the Department within 5 working days of such change.
- 8. What about the payment of costs?**
- 8.1. The [Authority Approval](#) Holder must pay the standard Department of Conservation charge-out rates for any staff time and mileage required to monitor compliance with this [Authority Approval](#) and to investigate any alleged breaches of the terms and conditions of it.
- 9. Are there any Special Conditions?**
- 9.1. Special conditions are specified in Schedule 3. If there is a conflict between this Schedule 2 and the Special Conditions in Schedule 3, the Special Conditions will prevail.
- 10. Can the [Authority Approval](#) be varied?**
- 10.1. The [Authority Approval](#) Holder may apply to the Department for variations to this [Authority Approval](#) in accordance with clauses 7(2) and (3) of Schedule 7 of the Fast-track Approvals Act 2024.

SCHEDULE 3: SPECIAL CONDITIONS

Abbreviation/term	Meaning
Approval Holder	New Zealand Transport Agency Waka Kotahi
Construction Works	Those works involving vegetation clearance which are necessary to construct and establish the Project, excluding those works authorised by Wildlife Approval 119946-FAU
Director General	Director-General of Conservation
DOC	Department of Conservation
LMP	Lizard Management Plan
Lizards	Canterbury grass skink (<i>Oligosoma aff. polychroma</i> Clade 4)
Material Change	Material Change means any change to the LMP that would materially alter the management of effects on Lizards, where that change may increase the risk of injury or mortality to Lizards, reduce the likelihood of successful relocation, or reduce the ability to comply with the conditions of this approval. For the avoidance of doubt, the addition of personnel authorised under condition WA-69 of Schedule 3 is not a Material Change to the LMP
Project	State Highway 1 North Canterbury – Woodend Bypass Project (Belfast to Pegasus)
SQP	Suitable Qualified Person: A person (or persons) who is competent and experienced in the field of expertise that is relevant to a particular task or action directed by a condition
Whitiora	Whitiora Centre Limited: Mandated by Te Ngāi Tūāhuriri Rūnanga to provide advice on and in relation to this Wildlife Approval
Working Day	A day of the week other than— (a) a 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 (b) if Waitangi Day or Anzac Day falls on a Saturday or a Sunday, the following Monday; and (c) a day in the period commencing on 20 December in any year and ending with 10 January in the following year.

Compliance with Management Plans ~~and Relevant Resource Consent Conditions~~

1. All activities authorised by this Approval must be undertaken in accordance with the LMP (reference 11320-AUR-0350-PWI-EN-PLN-0010[C] Rev D) dated June 2026 attached as Schedule 5 to this Approval (or as amended in accordance with conditions ~~WA-2~~ or ~~WA-3~~ below). The LMP must be implemented and complied with for the duration of the Construction Works (or the stage of the work to which the LMP applies).
2. Except for Material Changes, the LMP attached as Schedule 5 to this Approval may be amended

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without the need for certification and shall thereafter be provided to DOC and Whitiara for information.

3. The ~~Authority Approval~~ Holder may propose Material Changes to the LMP at any time. Any proposed Material Changes must be prepared by a SQP and must be submitted to the DOC ~~via permissions@doc.govt.nz Operations Manager for Mahaanui~~ for certification by the Director-General of Conservation that the LMP, as amended by the Material Change, remains appropriate for achieving the purpose of reducing the injury and mortality of lizards during Construction Works and post-relocation monitoring

4. At least 10 Working Days before providing the Material Change to the DOC Operations Manager in accordance with condition WA.3, the proposed Material Change must be provided to Whitiara for review and comment. The Approval Holder must consider any written feedback received from Whitiara and update the proposed Material Change in response to feedback as the Approval Holder considers appropriate, prior to providing the Material Change to the DOC Operations Manager for certification

Advice Note: Certification must not be unreasonably withheld or delayed and certification or a response from DOC is expected to take no longer than 30 working days.

5. Any Material Changes may only be implemented once certification has been received.
6. The Approval Holder must review the LMP and resubmit it to the Director-General ~~via permissions@doc.govt.nz~~ for certification on or before the 10-year anniversary date of the Approval date. 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
7. The DOC Operations Manager for Mahaanui must be contacted immediately for further advice if lizard species that are not covered by this Approval are located within the footprint of the development or within the relocation and release site.
8. Capture and handling methods must involve only techniques that minimise the risk of ~~stress~~, infection ~~and~~ 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-andmonitoring/herpetofauna/>.
9. In addition to those personnel authorised to undertake the Authorised Activity, additional ~~Lead Herpetologists or Other Suitably Qualified Persons personnel~~ may ~~undertake the Authorised Activity handle Lizards~~ where the DOC Operations Manager for Mahaanui has agreed in writing. When seeking written agreement, the Approval Holder shall provide evidence of the additional person's relevant qualifications and experience. ~~DOC agreement is not necessary for other personnel under the supervision of Lead Herpetologist.~~

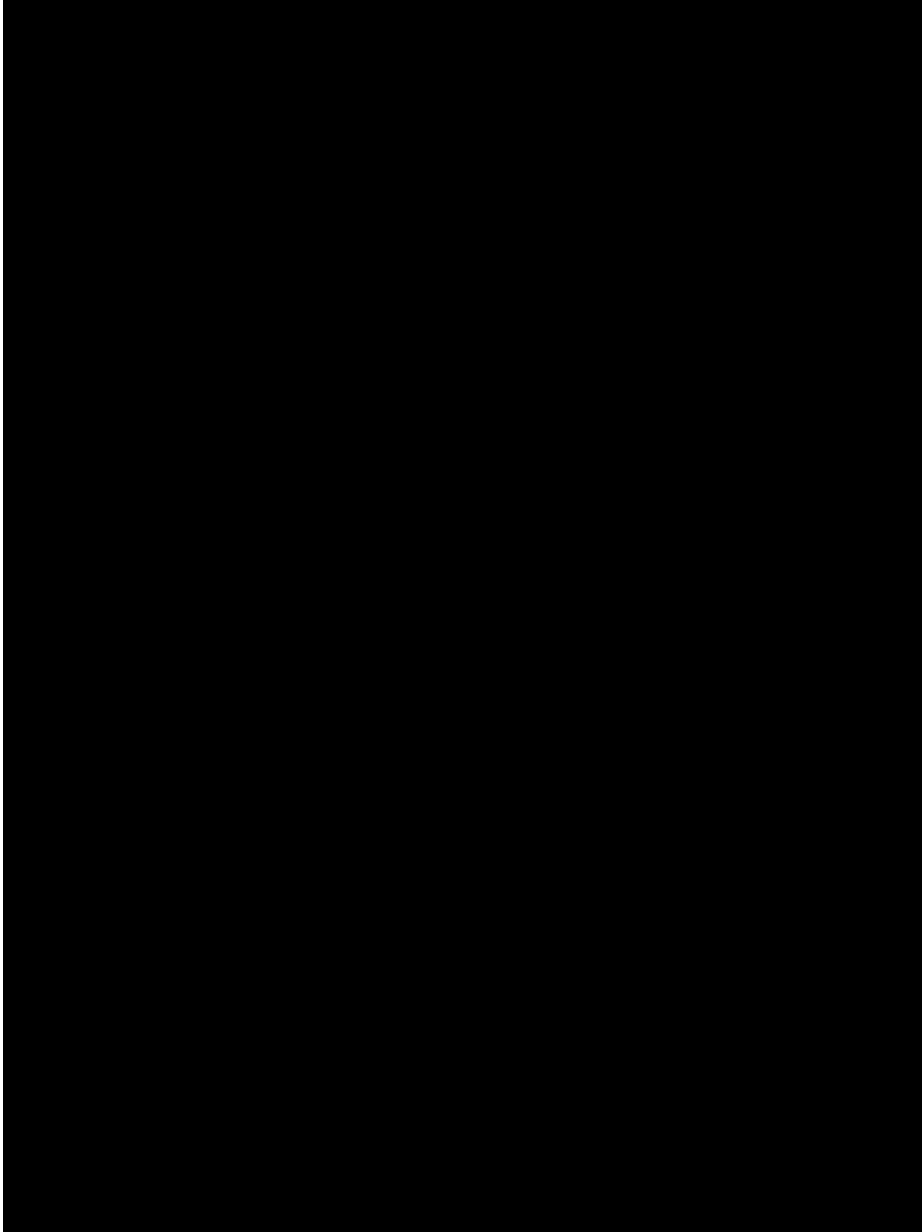
10. If any lizards are found injured, the Lead Herpetologist must be contacted to get advice on

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management of the lizard. Injured lizard(s) may be euthanised on recommendation of the Lead Herpetologist or a veterinarian [if the SQP on-site has the skills to humanely euthanise](#).

11. If any lizards die during the Authorised Activity, the Approval Holder must:
 - a) inform the DOC Operations Manager for Mahaanui (christchurch@doc.govt.nz) within 48 hours, chill the body if it can be delivered within 72 hours, or freeze the body if delivery will take longer than 72 hours; and
 - b) send the body to Massey University Wildlife Postmortem Service for necropsy or as otherwise advised by the DOC Operations Manager for Mahaanui, along with details of the animal's history;
 - c) pay any costs incurred in investigation of the death of any lizard; and
 - d) if required by the DOC Operations Manager for Mahaanui, cease the Activity for a period determined by the DOC Operations Manager.
12. For the avoidance of doubt condition 11 applies to lizard deaths that are associated with the Authorised Activity, and does not apply to incidental deaths that occur during Construction Works. The purpose of clause (a) is to ensure the methodologies and practices for catch, transfer and liberation are functioning successfully and to require investigation in the event that deaths occur during salvage activities.
13. A report is to be submitted in writing to the DOC Operations Manager for Mahaanui by 30 September each year (covering the proceeding 1 July – 30 June period) during the Authorised Activity; summarising outcomes, in accordance with the Lizard Management Plan. Each report must include:
 - a) The Fast Track reference number;
 - b) The number of any animals collected and relocated and released;
 - c) The GPS location (or a detailed map) of the collection point(s) and release point(s);
 - d) Results of all surveys, monitoring or research;
 - e) Details of habitat enhancement, predator control, and fencing;
14. This Approval gives the Approval Holder the right to hold absolutely protected wildlife for no longer than 12 hours in accordance with the terms and conditions of the Approval. All absolutely protected 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.
15. [Lizard capture, handling and liberation must only be undertaken between 1 October and 30 April when lizards are most active.](#)

SCHEDULE 4: LIZARD RELOCATION SITES



SCHEDULE 5: LIZARD MANAGEMENT PLAN