

FTAA-2505-1055 (Wildlife Act Approval) - Panel's Proposed Conditions - Working Draft

Lizard Management Plan

1. The Approval Holder will comply with the Lizard Management Plan (**LMP**) annexed to this Approval [*Document Ref 67940-Rev-1 to be attached in final version*], throughout the life of the Project (approximately ten years).
2. The Approval Holder may amend the LMP from time to time. Any amendment to the LMP must:
 - a. be prepared by a suitably qualified and experienced person with expertise in lizards;
 - b. meet the objective set out in condition 3;
 - c. include as a minimum the requirements set out in condition 4; and
 - d. must be submitted to the local Operations Manager (auckland@doc.govt.nz) of the Department of Conservation, on behalf of the Director-General of Conservation, for certification that condition 2(a)-(c) have been satisfied.
3. The objective of the LMP is to ensure that actions regarding lizards are carried out in a manner that is appropriately managed, by avoiding, remediating and mitigating the effects of the activities authorised by the Approval on lizards.
4. Any amended LMP must include the following, in a manner that will achieve the objective outlined in condition 3:
 - a. Credentials and contact details of the suitably qualified and experienced ecologist/herpetologist who will implement the plan;
 - b. Timing of the implementation of the LMP;
 - c. A description of methodology for survey, trapping and relocation of lizards rescued including but not limited to:
 - i. salvage protocols;
 - ii. relocation protocols (including method used to identify suitable relocation site(s));
 - iii. nocturnal and diurnal capture protocols;
 - iv. supervised habitat clearance/transfer protocols;
 - v. artificial cover object protocols; and
 - vi. opportunistic relocation protocols;
 - d. A description of the relocation site(s); including:

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- i. provision for additional refugia, if required e.g. depositing salvaged logs, wood or debris for newly released native skinks that have been rescued;
 - ii. any protection mechanisms (if required) to ensure the relocation site is maintained (e.g.) covenants, consent notices etc; and
 - iii. any weed and pest management to ensure the relocation site is maintained as appropriate habitat.
- e. Monitoring methods, including but not limited to:
- i. baseline surveying within the site;
 - ii. baseline surveys outside the site to identify potential release sites for salvaged lizard populations and lizard monitoring sites;
 - iii. ongoing annual surveys to evaluate relocation success;
 - iv. pre and post – relocation surveys; and
 - v. monitoring of effectiveness of pest control and/or any potential adverse effects on lizards associated with pest control; and
- f. A post-vegetation clearance search for remaining lizards.

Lizard capture and handling

- 5. Lizards must only be handled by the Project Ecologist, Chris Wedding, or under the direct supervision of Chris Wedding.
- 6. Lizard capture, handling and relocation must be undertaken between 1 October and 30 April when lizards are most active. Lizard capture, handling and relocation may be undertaken in May only with the prior authority of the Auckland Council.
- 7. Capture and handling methods must involve only techniques that minimise the risk of infection or injury to the animal and shall follow those described in the Herpetofauna inventory and monitoring toolbox <http://www.doc.govt.nz/our-work/biodiversity-inventory-and-monitoring/herpetofauna/>.

Incidental Discovery

- 8. The Auckland DOC Operations Manager is to be contacted immediately (auckland@doc.govt.nz) for further advice if protected wildlife other than those covered by this Approval are located within the footprint of the development or within the release site.

Death of wildlife associated with salvage activities

- 9. If any lizards should die during the activities authorised by this Approval being carried out, the Approval Holder must:

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- inform the Auckland DOC Operations Manager (auckland@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
- send the body to Massey University Wildlife Post Mortem Service for necropsy OR as otherwise advised by the Auckland DOC Operations Manager, along with details of the animal's history; and
- pay for any costs incurred in investigation of the death of any lizard; and
- if required by the Auckland DOC Operations Manager, cease the Authorised Activity for a period determined by the DOC Operations Manager.

Euthanasia

10. If any lizards are found injured as part of the Project, the Approval Holder shall contact the Project Ecologist to get advice on management of the lizard. The Approval Holder is authorised to euthanise injured lizard(s) on recommendation of the Project Ecologist or a veterinarian.

Reporting

11. If lizard salvage and relocation work is carried out under this Approval, a report summarising the salvage and relocation results must be prepared and submitted to the Department of Conservation (DOC) within 30 days of the completion of the work. This report must be certified by a suitably qualified and experienced ecologist/herpetologist (approved to oversee the implementation of the LMP), confirming that all lizard-related works were carried out in accordance with the certified LMP.
 - a. Results of lizard salvage and relocation work. Should native lizards be found, then the following will also be included in the report:
 - Photos illustrating lizard salvage methods utilised.
 - Photos of lizards captured (including photos of the salvage and relocation areas),
 - A map showing the location of lizard upon capture and upon release,
 - The species and number of any lizards detected, captured, and released, and
 - The results of all surveys and monitoring;
 - b. Descriptions of how lizard management activities outlined in the LMP were followed, including conditions detailed in the wildlife approval and associated resource consent conditions;

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- 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 the LMP, including any improvements/changes that should be implemented in future.

Variations

- 12. The Approval Holder may apply to the Director-General for variations to this Approval in accordance with clause 7(2) of Schedule 7 of the Fast-track Approvals Act 2024.

Revocation

- 13. The Director-General may revoke this Approval in whole or in part at any time (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.
 - b. In the Director-General's opinion, the exercise of this Approval has caused, or is likely to cause, any unforeseen adverse 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 notice as is reasonable and necessary in the circumstances.

Costs

- 14. The Approval Holder must pay the standard Department of Conservation charge-out rates for any staff time and mileage required to monitor compliance with this Approval and to investigate any alleged breaches of the terms and conditions of it.

Liabilities

- 15. The Approval Holder agrees to exercise the Approval at its own risk and releases, to the full extent permitted by law, the Director-General and the Director-General's employees and agents from all claims and demands of any kind and from all liability which may arise in respect of any accident, damage, or injury occurring to any person or property arising from the Approval Holder's exercise of the Approval.

Compliance with Legislation and Director-General's Notices and Directions

- 16. The Approval Holder must comply with all statutes, bylaws, and regulations, and all notices, directions, and requisitions of the Director-General and any competent authority relating to the exercise of the Approval.

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Employees, Contractors, or Agents

4. The Approval Holder is responsible for the acts and omissions of its employees, contractors, and agents.
5. The Approval Holder is liable under the Approval for any breach of its terms by employees, contractors, or agents, as if the breach were committed by the Approval Holder.
6. Where obligations bind more than one person, those obligations bind those persons jointly and separately.