



MILL ROAD STAGE 1 – FAST TRACK APPROVALS ACT (FTAA) APPLICATION

PART E – WILDLIFE ACT APPROVAL

Contents

1.	INTRODUCTION	1
2.	WILDLIFE APPROVAL	1
3.	INFORMATION REQUIREMENTS	1
4.	ASSESSMENT	5
5.	PROPOSED CONDITIONS	6

Appendices

APPENDIX E1	LIZARD MANAGEMENT PLAN
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1. INTRODUCTION

This substantive application seeks a wildlife approval under section 42(4)(h) of the FTAA for activities that would otherwise be an offence under the Wildlife Act 1953.

This Part of the SAR describes the activities for which approval is sought and addresses the specific matters and information requirements in Schedule 7 of the FTAA.

This Part should be read alongside the relevant technical assessments and supporting information contained in the SAR, which provide the details underpinning the approvals sought for the Project. The documents particularly relevant to this application for wildlife approval are the:

- a) Terrestrial Ecology Assessment (**Appendix C4**);
- b) Terrestrial Management Plan (**TMP**) (**Appendix C5**);
- c) Lizard Management Plan (**LMP**) (**Appendix E1**); and
- d) Design Plans (**Appendix H1**)

Part B of the SAR contains an overview of the Project, the existing environment and the Project description. Part C identifies the RMA approvals sought including resource consents, the proposed alterations to existing Designation 6786 and the supporting assessment of effects for these approvals.

2. WILDLIFE APPROVAL

NZTA seeks a wildlife approval for the handling, salvage, transfer/relocation and release (and incidental killing) of native lizards protected under the Wildlife Act 1953. A duration of 20 years is sought for the approval, which is required to facilitate the construction of the Project.

3. INFORMATION REQUIREMENTS

The FTAA Schedule 7, clause 2(1) information requirements are addressed in Table 1-1, the Terrestrial Ecology Assessment (**Appendix C4**), TMP and LMP (see **Appendices C5 and E1**).

Table 1-1: Information requirements for Wildlife Approval as per Schedule 7, clause 2 of the FTAA

Clause	Information required	Application Reference and Response
2(1)(a)	Specify the purpose of the proposed activity.	A wildlife approval is sought for the handling, salvage, transfer / relocation (and incidental killing) of native lizards to facilitate the construction of the Project.
2(1)(b)	Identify the actions the applicant wishes to carry out involving protected wildlife and where they will be carried out (whether on or off public conservation land).	NZTA proposes to undertake vegetation clearance and earthworks throughout the Project footprint, including in three SEAs and [REDACTED]. These works will require the handling, salvage and transfer/relocation (and incidental killing) of native lizards, to enable the management of actual and potential effects on protected wildlife. The lizards will be relocated to the following two release sites (see section 9 the LMP: [REDACTED] This wildlife approval does not involve any public conservation land. See the following documents for further details: • Appendix C4 Terrestrial Ecology Assessment: Section 5.6.4

Clause	Information required	Application Reference and Response
		Appendix E1 LMP: Section 9
2(1)(c)	An assessment of the activity and its impacts against the purpose of the Wildlife Act.	The overarching purpose of the Wildlife Act is to provide legal protection for species classified as wildlife and regulate human interactions with those species. The activities for which wildlife approval is sought by NZTA are consistent with this purpose because they seek to protect native lizards through salvage and relocation prior to construction, reducing the injury / mortality of lizards within areas impacted by vegetation clearance for the Project.
2(1)(d)	List protected wildlife species known or predicted to be in the area and, where possible, the numbers of wildlife present and numbers likely to be impacted.	Protected native lizard species confirmed or potentially present within the Project footprint are identified in Table 2-1 of the LMP and include copper skink (confirmed presence) and ornate skink, elegant gecko, forest gecko and Pacific gecko (all potentially present). Given the limited observations, it is difficult to determine the exact numbers of native lizards present or likely to be impacted. However, based on the LMP author's experience with similar projects and the scale of habitat, it is estimated that fewer than 80 copper skinks and fewer than five individuals of each other lizard species potentially present (ornate skink, elegant gecko, forest gecko and Pacific gecko) may be impacted by the works and require salvage. See Appendix C4 Terrestrial Ecology Assessment: Section 3.8 for further details on survey methods and findings.
2(1)(e)	An outline of impacts on threatened, data deficient, and at-risk wildlife Species (as defined in the New Zealand Threat Classification System).	No Threatened or Data-deficient species have been identified within the Project area. With the exception of Pacific gecko, which is classified as At-Risk – Relict, all protected lizard species within the scope of the wildlife approval sought are classified as At-Risk – Declining. Potential impacts on At-Risk lizard species as a result of Project works include direct mortality or injury to lizards that may be harmed during handling, salvage, transfer / relocation. These impacts will be avoided, minimised, and managed through the implementation of the LMP.
2(1)(f)	A statement of how the methods proposed to be used to conduct the actions involving protected wildlife will ensure that best practice standards are met.	The methods proposed are aligned with best practice for the handling, salvage, and transfer/relocation of native lizards. In particular, the LMP (see section 1.4) follows the DOC best-practice guidelines written in the document entitled 'Key principles for Lizard Salvage and Transfer in New Zealand'. The LMP (see section 5.1) also recognises that salvage methods should follow the guidance provided in the Herpetofauna inventory and monitoring toolbox (Department of Conservation, 2012).

Clause	Information required	Application Reference and Response
2(1)(g)	A description of the methods to be used to safely, efficiently, and humanely catch, hold, or kill the animals and identify relevant animal ethics processes.	Details of the methods of capture and handling of lizards by experienced ecologists are contained in the LMP. Section 4 of the LMP sets out required competencies and responsibilities of those persons implementing the lizard salvage, transfer and release activities, along with the timing and habitat types for implementation. Table 4-2 sets out a staged approach to salvage activities, both pre-clearance and during clearance. Section 5 of the LMP provides further detail on methods to be used sequentially during these stages. Protocols for incidental discovery of protected lizards and dealing with injured or dead lizards are provided in sections 6 and 7 of the LMP, respectively. The methodology has been considered alongside the nine principles of lizard salvage as set out by the DOC Lizard Technical Advisory Group. Specific procedures for the transportation of salvaged lizards are included in section 8 of the LMP, to minimise stress associated with capture and transportation.
2(1)(h)	A statement of the location or locations in which the activity will be carried out, including a map (and GPS coordinates if available).	Handling and salvage of protected lizards will occur (if lizards are found) within all potential native lizard microhabitats within the non-pasture vegetation present within the Project construction footprint. Specific areas identified include [REDACTED]. The locations of the SEAs are shown in 'Ecological Features' maps in Appendix A of the LMP (Appendix E1). The relocation sites for salvaged lizards are [REDACTED]. These are shown in the 'Ecological Restoration Extents' maps in Appendix B of the LMP. Further detail on the release sites is included in section 9 of the LMP.
(2)(1)(i)	A statement of whether authorisation is sought to temporarily hold or relocate wildlife.	Authorisation is sought to salvage and transfer/relocate lizards during construction. No wildlife will be temporarily held for more than four hours during transportation and relocation.
2(1)(j)	A list of all actual and potential wildlife effects (adverse or positive) of the proposed activity, including effects on the target species, other indigenous species, and the ecosystems at the site.	Along with native lizards, the Terrestrial Ecology Assessment (Appendix C4) also assessed the actual and potential effects of the Project on native birds, bats, and invertebrates. The Terrestrial Ecology Assessment also considered the broader effects on terrestrial ecological values and ecosystems, including the loss of high value habitat and Significant Trees, potential ecological connectivity and edge effects, and overall biodiversity impacts. As set out in Table 5-8 of the Terrestrial Ecology Assessment, the level of effect on all herpetofauna species present or potentially present was assessed as 'Moderate'. The level of effect on herpetofauna habitats was assessed as ranging between 'Very Low' (for exotic grassland and open space grassland) to 'High' (for WF9 and VS5 forest). These effects levels are prior to mitigation, but after efforts to avoid and minimise the extent of works within high value habitat.

Clause	Information required	Application Reference and Response
		Whilst handling, salvage and transfer/relocation of protected native lizards is aimed at avoiding and minimizing direct impacts, there are potential risks associated with these activities including: • Direct mortality or injury to lizards which may be harmed during handling, salvage, transfer and relocation; • Disorientation of salvaged lizards after relocation, lack of shelter, increased movement and exposure; • Poor capture rates; • Vulnerability to weather extremes, temperature fluctuations, and reproductive impacts; • Competition for resources with resident lizards at release site(s); • Predation at release site(s), including in live traps; and • Displacement, disturbance, injury or death of lizards unable to be salvaged.
2(1)(k)	Where adverse effects are identified, state what methods will be used to avoid and minimise those effects, and any offsetting or compensation proposed to address unmitigated adverse effects (including steps taken before the project begins, such as surveying, salvaging, and relocating protected wildlife).	Mortality and injury to native lizards during construction will be avoided and minimised through the salvage and transfer/relocation methods contained within the LMP (see sections 5 – 12). The terrestrial ecological effects management package includes management across approximately 27.7 ha, including restoration, enhancement, and enrichment planting within the SEAs and adjacent areas. Approximately 5 ha of restoration and enhancement will focus specifically on providing habitat for native lizards. All planted areas will be subject to 10 years of maintenance and pest plant management, with predator control being implemented for 10 years within [REDACTED] Biodiversity outcomes and pest control efficacy will be subject to monitoring as part of the 10-year management period. Whilst the Terrestrial Ecology Assessment does not specifically quantify the residual level of effect on native lizards following implementation of this mitigation package, the proposed habitat restoration, enhancement and predator control measures are expected to provide benefits for lizard habitat and population viability over time. Consistent with this, the Biodiversity Compensation Model indicates that the management package provides a 36.6% positive benefit to the affected terrestrial ecosystems.
2(1)(l)	A statement of whether the applicant or any company director, trustee, partner, or anyone else involved with the application has been convicted of any offence under the Wildlife Act.	NZTA has not been convicted of any offence under the Wildlife Act.
2(1)(m)	A statement of whether the applicant or any company director, trustee, partner, or	NZTA does not have any currently pending criminal charges under the Wildlife Act.

Clause	Information required	Application Reference and Response
	anyone else involved with the application has any current criminal charges under the Wildlife Act pending before a court.	
2(1)(n)	Provision of proof and details of all consultation, including with hapū or iwi, on the application specific to wildlife impacts.	Mana Whenua NZTA has engaged with Mana Whenua on the Terrestrial Ecology Assessment and the LMP at its regular fortnightly working group hui. Specific hui and workshops have occurred in relation the wildlife approval, the supporting LMP and proposed lizard release sites. The Mana Whenua technical advisors (including an ecology expert) also provided feedback on the draft LMP which informed subsequent amendments. Wider engagement with Mana Whenua is further discussed in Part B. Department of Conservation DOC was initially engaged through the referral process. Subsequent meetings with DOC to discuss the substantive application have taken place as follows: • 25 August 2025: A meeting was held with DOC to provide an introduction and overview of the Project. • 16 September 2025: A high-level discussion took place in relation to the wildlife permit requirements with a specific focus on ecology, and the proposed relocation site/s for lizard salvage. Copies of the draft LMP and ECIA were provided to DOC. • 11 November 2025: DOC provided NZTA with pre-lodgement feedback. The LMP was amended to incorporate the additional information sought by DOC. • 19 August 2026: A meeting was held with DOC to provide an update to the status of the Project and the scope of the substantive application and discuss opportunities for further engagement prior to lodgement.
2(1)(o)	Provision of any additional written expert views, advice, or opinions the applicant has obtained concerning their proposal.	Not applicable.

4. ASSESSMENT

In considering NZTA's application for wildlife approval, the panel must take into account (giving the greatest weight to (a))¹:

- The purpose of the FTAA;
- The purpose of the Wildlife Act 1953, and the effects of the Project on native lizards that are to be covered by the approval; and

¹ Schedule 7, clause 5 FTAA.

- c) Information and requirements relating to the native lizards (including the New Zealand Threat Classification System or any relevant international conservation agreement).

Granting the wildlife approval sought by NZTA is consistent with the purpose of the FTAA, as it is essential to facilitate the delivery of the Project. The vegetation clearance and earthworks required to construct the Project will result in the potential adverse effects on protected native lizards. In the absence of lizard management measures (handling, salvage, transfer/relocation) it is highly likely that construction works would result in injury or mortality of native lizards, which is an offence under the Wildlife Act.

The wildlife approval is consistent with the purpose of the Wildlife Act, being the protection of species classified as wildlife. The activities it will authorise will allow NZTA to undertake the necessary and appropriate measures to protect native lizards during the construction of the Project by reducing risks to lizards associated with vegetation clearance and earthworks.

Whilst handling, salvage, and transfer/relocation of protected native lizards is aimed at avoiding and minimising direct impacts, there are potential risks associated with these activities, including:

- Direct mortality or injury to lizards which may be harmed during handling, salvage, transfer and relocation.
- Disorientation of salvaged lizards after relocation, lack of shelter, increased movement and exposure.
- Poor capture rates.
- Vulnerability to weather extremes, temperature fluctuations, and reproductive impacts.
- Competition for resources with resident lizards at release site(s).
- Predation at release site(s), including in live traps.
- Displacement, disturbance, injury or death of lizards unable to be salvaged.

The LMP has been developed to manage these risks and the inclusion of lizard-specific habitat enhancement and predator control at release sites as part of the terrestrial mitigation package will further minimise adverse effects following transfer/relocation of salvaged lizards (see section 9). Notwithstanding this, the LMP also includes contingency actions and processes for data collection and reporting and post-release monitoring (see sections 10 – 12).

Overall, NZTA is seeking authorisation for activities involving the handling, salvage, transfer and relocation (and incidental killing) of native lizards that would otherwise breach the Wildlife Act. These activities are necessary to protect native lizards during construction of the Project and will be undertaken in accordance with the measures set out in the LMP. Granting the approval would enable implementation of those management measures while also enabling construction of the Project, consistent with the purpose of the FTAA.

5. PROPOSED CONDITIONS

The conditions proposed below by NZTA for the wildlife approval will ensure that impacts on native lizards will be avoided, minimised or remedied.²

The conditions also take into account the New Zealand Threat classification System,³ primarily through the requirement to implement a comprehensive LMP. The LMP provided in **Appendix E1** has been prepared by a SQP, follows best practice, and sets out translocation methods, protocols, monitoring requirements, and measures to support the creation and enhancement of lizard habitat. Lizards found within the Project extent will be relocated to the lizard release sites, within [REDACTED]

² Schedule 7, clause 6(2)(a) FTAA

³ Schedule 7, clause 6(2)(c) FTAA

Condition number	Condition
WA1	The Wildlife Approval shall expire 20 years after the date the Approval is granted.
WA2	The Project shall be undertaken in general accordance with the Lizard Management Plan dated August 2026. The LMP shall be implemented and complied with from the Start of Construction (or for the stage of works to which the LMP applies).
WA3	The LMP may be amended without further process provided that the amendment remains consistent with the objective of the LMP. Mana Whenua shall be invited to comment on any amendment to the LMP in accordance with Condition WA3. The Approval Holder shall record any feedback received from Mana Whenua including how that feedback has been addressed and if the feedback has not been addressed, the reasons why.

APPENDIX E1 LIZARD MANAGEMENT PLAN