

13 APPROVALS RELATING TO THE WILDLIFE ACT 1953

13.1 WILDLIFE PERMIT

Schedule 7 (Clause 2) of the Act sets out the information requirements for wildlife approval. Applications for wildlife approval must:

> **Specify the purpose of the proposed activity:**

MP4 is fully described in **Part A.06** of this report. Approvals are required under the Wildlife Act as follows:

- > To catch alive, mark and liberate protected wildlife listed in Schedule 4 (of the Proposed Wildlife Approval Conditions) for the purpose of salvage associated with the vegetation clearance and mining activities within the Project Site;³¹⁹ and
- > To incidentally harm or kill wildlife listed in Schedule 4 (of the Proposed Wildlife Approval Conditions) if the harm or death is not directly intended but is unavoidable and foreseeable and all reasonable effort has been made to meet the conditions in the approval.³²⁰

> **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):**

As discussed in **Part A.09** and **Part A.10** of this report, and in Bioresearches (2026g), OGNZL is proposing fauna (protected wildlife) salvage and relocation as part of the project where habitat clearance is required, or where effects need to be monitored. The MP4 area of suitable lizard habitat is 592 ha (impact footprint, plus 20 m buffer plus 80 m buffer – see Table 3.1, p.15 and Figure 4.1 p.20 of the Lizard Monitoring and Management Plan) and salvage will occur across selected areas in stages according to each stage of mine development. Relocation will occur within 395 ha of suitable lizard habitat in Murphys Link (see Table 4.1 pp.21-27 and Figure 4.2, p.28 of the Lizard Management and Monitoring Plan).

Deterrence of birds prior to nesting and pre-clearance surveys will be carried out for protected birds in all areas of MP4 in accordance with the methodology proposed in the Avifauna Monitoring and Management Plan (pp.18-26). Although these surveys may disturb protected birds, nest protection protocols will be put in place to prevent harm

³¹⁹ Lizard Management and Monitoring Plan pp. 15-44.

³²⁰ Lizard Management and Monitoring Plan pp. 15-44 and Bioresearches (2026a) pp.

being caused to nesting protected birds as described in the Avifauna Monitoring and Management Plan pp.18-26.

None of the activities will be carried out on Public Conservation Land.

> **Include an assessment of the activity and its impacts against the purpose of the Wildlife Act 1953:**

Part A.06 of this report provides a description of the project, **Part A.09** of this report presents an assessment of the effects of the project on biodiversity (including wildlife), and **Part A.10** sets out the measures proposed by OGNZL to manage the effects of the project on native fauna.

The Wildlife Act protects native and introduced species of mammals, birds, reptiles, and amphibians, and regulates many human interactions with these species. It establishes a tiered system of protection for different species, with some species receiving absolute protection and others receiving partial protection.

As set out throughout this report, OGNZL is proposing:

1. Avoidance of Impacts on Threatened and At-Risk Species

Wildlife Act Requirement: *Section 42(4)(h) requires demonstration that adverse effects on wildlife are avoided, remedied or mitigated.*

The project prioritises avoidance of impacts on lizard or bird species including “Threatened” or “At-Risk” lizard or bird species where possible, through careful planning and design. Specific avoidance measures are detailed in Bioresearches (2026a) (p.5 & pp.173-175) and the Avifauna Management Plan (pp.18-26). Where complete avoidance is not feasible, impacts are minimised through the mitigation hierarchy as outlined in Bioresearches (2026a) (Table 7-1, p.263-264).

Compliance Status: *Compliant - avoidance prioritised with documented methodology.*

2. Minimisation of Impacts on Threatened and At-Risk Bird Species During Breeding Season.

Wildlife Act Requirement: *Protection of native birds during vulnerable life stages, particularly breeding periods.*

Pre-clearance surveys for native bird nests will be conducted prior to vegetation removal during the breeding season (September to March inclusive). This timing-based approach minimises disturbance to nesting birds and dependent young. Survey protocols and response procedures are outlined in the Avifauna Management Plan (pp.18-26).

Compliance Status: *Compliant - proactive surveys prevent harm during any breeding periods.*



3. Lizard Salvage and Relocation Using Established Methodologies

Wildlife Act Requirement: *Use of methods to capture and relocate protected wildlife to suitable habitat.*

A detailed assessment of the proposed salvage and relocation activities against the Wildlife Act Authority salvaging principles is provided in the Lizard Management and Monitoring Plan pp.16-42. Lizard salvage and relocation will employ some methodologies from DOC's Inventory and Monitoring Toolbox: Herpetofauna, in order to balance salvage with the scale of the Project. These techniques have been adapted within the Lizard Management and Monitoring Plan to account for site conditions, to ensure that the salvage and relocation of each lizard species will minimise adverse effects, support the survival of affected populations, and contribute to positive long-term outcomes for indigenous lizards. The proposed methodology also takes into account recent experience with lizard salvage at the Macraes Operation (CCP2 and Coronation North 5).

Compliance Status: *Compliant - nationally recognised methodologies adapted for local conditions with transparent acknowledgment of Project constraints and adoption of pragmatic "best practicable effort" approach. For practical reasons, this project does not apply the full suite of lizard salvage methods advocated in the DOC toolbox, nor will it undertake salvage for native lizards over the entire Project footprint.*

4. Suitable Habitat for Relocated Wildlife

Wildlife Act Requirement: *Provision of suitable habitat for relocated wildlife species.*

Suitable habitat features including replacement rock habitat will be created in Murphys Link relocation site as described in the Lizard Management and Monitoring Plan (pp.45-49). This approach maintains habitat complexity and provides refuge sites for relocated lizards.

The Lizard Management and Monitoring Plan provides the framework for habitat enhancement and protection at Murphys Link through active management (not passive habitat provision), active predator control, and habitat feature deployment that makes the lizard salvage and relocation programme compliant with Wildlife Act requirements, particularly the requirement for suitable long-term receiving sites with adequate carrying capacity.

Compliance Status: *Compliant - habitat structure preservation supports wildlife relocation success in the areas where habitat structure enhancement is undertaken.*

5. Predation Pressure Reduction and Enhanced Ecological Connectivity

Wildlife Act Requirement: *Long-term protection and enhancement of wildlife populations beyond immediate mitigation.*



The project delivers benefits through comprehensive predator control and landscape-scale habitat enhancement. Reduced predation pressure benefits native fauna including lizards and birds, while improved ecological connectivity facilitates population movement and genetic exchange across the landscape. The net positive outcomes, quantified in Bioresearches (2026g) (p.55 and pp.59-60) are achieved through integrated management detailed throughout the Lizard Management and Monitoring Plan, the Avifauna Management Plan and the Pest Control and Elimination Plan.

Compliance Status: *Compliant - exceeds minimum requirements through landscape-scale conservation gains.*

6. Pest Exclusion Fence Construction and Maintenance

Wildlife Act Requirement: *Protection of wildlife from introduced predators.*

Pest exclusion fencing will be constructed around key ecological areas and maintained for the term of consent or until mammalian pest eradication is achieved across the landscape. The fence will be 1.9 to 2 m in height and likely to comprise of wire mesh attached to wooden posts and a wide horizontal mesh skirt facing outwards, extending no less than 400 mm from the base of the fence and also pinned 50–100 mm underground. To stop pests getting over, a folded and/or rolled sheet steel hood is mounted on top of the mesh, which extends 250–350 mm horizontally towards the outside of the protected area. This infrastructure provides immediate protection for resident and translocated wildlife from introduced predators, supporting population recovery and establishment. Technical specifications and maintenance protocols are detailed in the Pest Control and Elimination Plan (pp.35-38).

Compliance Status: *Compliant - physical barriers provide proven protection from predation.*

Given these measures, it is considered that the proposals for managing accidental discovery of additional protected species, potential disturbance of protected native birds and inadvertent protected bird injury or death are consistent with the intent of the Wildlife Act for birds.

The envisaged handling of protected lizards, capture and relocation of protected lizards, incidence of injury or death of protected lizards and accidental discovery of additional protected species is considered appropriate given the compensation proposed in Bioresearches (2026g) (pp.42-49), although it deviates from Department of Conservation guidelines by employing a limited subset of salvage methods and restricting salvage activities to a portion of the project footprint.

- > **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:**



Lizards

Bioresearches (2026d) used modelling to estimate the number of lizards within the project site following field surveys (p. 83).³²¹ They estimate the number of lizards to be impacted as approximately:

- > 155,000 McCann's skinks (*Oligosoma maccanni*) – 'Not Threatened';
- > 162,000 Southern grass skinks (*Oligosoma chionochloescens*) – 'At Risk–Declining';
and
- > 11,000 Kōrero geckos (*Woodworthia* "Otago/Southland large") – 'At Risk–Declining'

Birds

The following bird species were detected on the Project Site during field surveys, however, estimates of impacted bird numbers are not possible. This information is contained in Bioresearches (2026e) (pp.44-48):

- > Eastern falcon (*Falco novaeseelandiae*) – Threatened (Nationally Vulnerable);³²²
Regionally Vulnerable;³²³
- > Banded dotterel (*Charadrius bicinctus*) – At-Risk (Declining), Regionally Vulnerable;
- > South Island pied oystercatcher (*Haematopus finschi*) – At-Risk (Declining),
Regionally Vulnerable;
- > New Zealand pipit (*Anthus novaeseelandiae*) – At-Risk (Declining), Regionally Not
Threatened;
- > Fernbird (*Poodytes punctatus*) – At-Risk (Declining), Regionally Declining;
- > Silvereye (*Zosterops lateralis*) – Not Threatened, Regionally Declining;
- > Australasian shoveler (*Spatula rhynchotis*) – Not Threatened, Regionally Not
Threatened;
- > Grey teal (*Anas gracilis*) – Not Threatened, Regionally Not Threatened;
- > Grey warbler (*Gerygone igata*) – Not Threatened, Regionally Not Threatened;
- > Kererū (*Hemiphaga novaeseelandiae*) – Not Threatened, Regionally Not Threatened;

³²¹ A closed-population model (Huggins-type) was used (i.e., assuming no births, deaths, immigration, or emigration during the study period) to estimate numbers present (Bioresearches, 2026d).

³²² Robertson et al., 2021

³²³ Jarvie et al., 2025

- > New Zealand scaup (*Aythya novaeseelandiae*) – Not Threatened, Regionally Not Threatened;
- > Paradise shelduck (*Tadorna variegata*) – Not Threatened, Regionally Not Threatened;
- > Pied stilt (*Himantopus leucocephalus*) – Not Threatened, Regionally Not Threatened;
- > Pūkeko (*Porphyrio melanotus*) – Not Threatened, Regionally Not Threatened;
- > Sacred kingfisher (*Todiramphus sanctus*) – Not Threatened, Regionally Not Threatened;
- > South Island fantail (*Rhipidura fuliginosa*) – Not Threatened, Regionally Not Threatened;
- > *Southern black-backed gull (*Larus dominicanus*) – Not Threatened, Regionally Not Threatened;
- > *Spur-winged plover (*Vanellus miles*) – Not Threatened, Regionally Not Threatened;
- > Swamp harrier (*Circus approximans*) – Not Threatened, Regionally Not Threatened;
- > Tūī (*Prosthemadera novaeseelandiae*) – Not Threatened, Regionally Not Threatened;
- > Welcome swallow (*Egretta novaehollandiae*) – Not Threatened, Regionally Not Threatened; and
- > White-faced heron (*Egretta novaehollandiae*) – Not Threatened, Regionally Not Threatened.
- > **Outline impacts on threatened, data deficient, and at-risk wildlife species (as defined in the New Zealand Threat Classification System):**

Part A.09 of this report contains an assessment of effects on native fauna / wildlife species.

Native Bats

Bioresearches (2026f) considers ecological values of bats for MP4, and confirms that there are no pekapeka, or any other bat species, located within or adjacent to the Macraes Operation, including MP4 (Bioresearches, 2026f, pp.23-25).

Lizards

Two native lizard species recorded within the Project Site are At Risk (Declining), Southern grass skinks (*Oligosoma chionocholes*) and Kōrero geckos (*Woodworthia "Otago/Southland large"*) (Bioresearches, 2026d, pp.91).

Birds

Five native bird species are recorded within the Project Site as Threatened (Nationally Vulnerable) or At Risk (Declining) as follows (Biosearches, 2026e pp.92-93):

- > Eastern falcon (*Falco novaeseelandiae*) – Threatened (Nationally Vulnerable);³²⁴ Regionally Vulnerable;³²⁵
- > Banded dotterel (*Charadrius bicinctus*) – At-Risk (Declining), Regionally Vulnerable;
- > South Island pied oystercatcher (*Haematopus finschi*) – At-Risk (Declining), Regionally Vulnerable;
- > New Zealand pipit (*Anthus novaeseelandiae*) – At-Risk (Declining), Regionally Not Threatened;
- > Fernbird (*Poodytes punctatus*) – At-Risk (Declining), Regionally Declining;

Invertebrates

While only a limited number of Threatened and At Risk species have been recorded within or near the Macraes Operation (most notably the moths *Orocrambus sophistes* (Nationally Vulnerable) and *Bityla sericea* (Naturally Uncommon), the presence of these species within the MP4 footprint remains uncertain and may be highly localised or transient (Biosearches, 2026c, pp.48-54).

- > **State how the methods proposed to be used to conduct the actions specified under paragraph (b) will ensure that best practice standards are met:**

This information is contained throughout the Lizard Management and Monitoring Plan and the Avifauna Monitoring and Management Plan. Further measures are contained in the Invertebrate Management and Monitoring Plan and the Residual Effects Terrestrial Restoration Plan. These plans are provided in **Part C** of these application documents.

- > **Describe the methods to be used to safely, efficiently, and humanely catch, hold, or kill the animals and identify relevant animal ethics processes:**

This information is contained in the Lizard Management and Monitoring Plan (pp.16-42), provided in **Part C** of these application documents.

- > **State the location or locations in which the activity will be carried out, including a map (and GPS co-ordinates if available):**

³²⁴ Robertson et al., 2021

³²⁵ Jarvie et al., 2025

This information is contained in Bioresarches (2026a) (pp.16-19) and the Lizard Management and Monitoring Plan (p.20), provided in **Part C** of these application documents.

> **State whether authorisation is sought to temporarily hold or relocate wildlife:**

This information is detailed in the Lizard Management and Monitoring Plan (pp.38-39), provided in **Part C** to these application documents. Only Lizards will be relocated. Lizards will be transferred and released daily and, under exceptional circumstances, will be held in containment boxes for up to 12 hours before being released at the relocation site.

> **List 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:**

Part A.09 of this report contains a detailed description of the actual and potential effects of the project on wildlife (and their habitats). This is based on the information contained in Bioresarches (2026a) (pp.80-268) and Bioresarches (2026g) (pp.23-73).

The Pest Control and Elimination Plan, Residual Effects Terrestrial Restoration Plan and the Vegetation and TAR Flora Management Plan (provided in **Part C** of the application documents) each have aspects that identify or contribute to positive effects for protected lizards and protected birds at the site, including a remnant Otago skink population in the proposed pest exclusion fenced area of the MEEA.

> **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):**

Part A.09 and **Part A.10** of this report, as well as the proposed conditions contained in **Part D** to these application documents, detail how OGNZL is proposing to manage the actual and potential effects of the project on wildlife.

This information is contained in the Lizard Management and Monitoring Plan and the Avifauna Monitoring and Management Plan. Further measures are contained in the Invertebrate Management and Monitoring Plan and the Residual Effects Terrestrial Restoration Plan. These plans are provided in **Part C** of these application documents.

> **State 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 1953:**

No company director, trustee, partner, or anyone else involved with the application has been convicted of any offence under the Wildlife Act.

- > **State whether the applicant or any company director, trustee, partner, or anyone else involved with the application has any current criminal charges under the Wildlife Act 1953 pending before a court**

No company director, trustee, partner, or anyone else involved with the application has any current criminal charges under the Wildlife Act pending before a court.

- > **Provide proof and details of all consultation, including with hapū or iwi, on the application specific to wildlife impacts:**

Part A.08 of this report contains details of the consultation undertaken associated with the Project.

- > **Provide any additional written expert views, advice, or opinions the applicant has obtained concerning their proposal.**

OGNZL has commissioned several expert reports to assess the effects of the project and to set out measures to manage the effects on wildlife, provided in **Part B** and **Part C** of this substantive application, including:

- > Bioresearches (2026a);
- > Bioresearches (2026b);
- > Bioresearches (2026c);
- > Bioresearches (2026d);
- > Bioresearches (2026e);
- > Bioresearches (2026f);
- > Bioresearches (2026g);
- > Lizard Management and Monitoring Plan;
- > Avifauna Monitoring and Management Plan;
- > Invertebrate Management and Monitoring Plan;
- > The Pest Control and Elimination Plan;
- > Vegetation and TAR Flora Management Plan; and
- > Residual Effects Terrestrial Restoration Plan.

