



# Volume B: Wildlife Permit

Ridgeburn

Fast-track Approvals Act 2025 Substantive Application

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## Referenced Appendices (see main AEE)

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- Volume C: Consultation Summary Report
- Volume E: Substantive Application Information Table
- Appendix 14: Ecological Impact Assessment.

## 1.0 Introduction

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This Wildlife Permit application has been prepared in conjunction with the substantive application to the Environmental Protection Authority ('EPA') to develop a comprehensive residential and mixed-use development on approximately 212 hectares at 122 Morven Ferry Road, Arrow Junction, near Queenstown.

This Volume of the Assessment of Environmental Effects ('AEE') addresses the Wildlife Permit that would otherwise be applied for under the Wildlife Act 1953.

All indigenous lizard species are absolutely protected under the Wildlife Act 1953. As such, any activity involving the capture, handling, disturbance, relocation, or incidental mortality of lizards requires authorisation under that Act.

Various areas of lizard habitat are present throughout the site, and this is mostly characterised by areas of exposed bedrock or piles of rock, with surrounding areas of vegetation. The proposal may involve disturbing this habitat and therefore a Wildlife Permit is required.

Viridis has undertaken an Ecological Impact Assessment (EIA) of the site and proposal and has also prepared a Draft Lizard Management Plan. Refer to **Appendix 14**. The recommendations contained in the EIA, including the need to undertake works in accordance with an approved Lizard Management Plan is secured through the proposed Conditions of Consent.

The species identified or considered likely to be present within the site include McCann's skink (*Oligosoma maccanni*; Not Threatened), tussock skink (*Oligosoma chionocholescens*; At Risk – Declining), and mountain beech gecko (*Woodworthia* "south-western"; At Risk – Declining).

The information provided in this volume of the AEE meets the detailed information and assessment requirements of clause 2 and clause 7 of Schedule 7 of the FTAA. The Draft Lizard Management Plan specifically details the species potentially present, lizard habitat and potential effects of the proposal on that habitat, together with the draft methodology for protection during the works period.

This includes methods for capture, handling, temporary holding, and relocation of lizards, and procedures to manage and minimise the risk of incidental mortality.

It is intended that this report is read in conjunction with the main AEE report.

### 1.1 Purpose of the Report

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This Wildlife Permit application is provided in accordance with the requirements of clause 43(3)(h) of the FTAA.

The information required for an application for archaeological authority is set out clause 2(1) – (2) of Schedule 7.

An FTAA checklist, which confirms that this application meets the requirements for approvals as set out in clause 2 of Schedule 8 is included as **Volume E**.

## 1.2 Disclosure of Convictions or Pending Charges Under the Wildlife Act 1953

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In accordance with Clause 2(1)(l) and Clause 2(1)(m) of Schedule 7 of the FTAA the applicant or any company director, trustee, partner, or anyone else involved with the application has not been convicted of any offence under the Wildlife Act 1953 and 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.

## 1.3 Purpose of the Wildlife Act 1953

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While the Wildlife Act 1953 does not contain an explicit purpose provision, it is considered that the Act's purpose is to protect native wildlife and their habitats.

## 2.0 Proposal

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This section is provided in accordance with clauses 2(1)(a) of Schedule 7 of the FTAA.

A Wildlife Permit granted under the FTAA has the same force and effect as a Permit granted under the Wildlife Act and, for purposes of the Wildlife Act, must be treated as if it were an authority under Part 5 of that Act (Clause 7 of Schedule 7).

Ridgeburn Ltd are seeking approval for a residential subdivision at 122 Morven Ferry Road, Queenstown. Lizards are known to be present within the site. Development will require earthworks and vegetation clearance where lizards are currently located. The purpose of the activity is to salvage lizards from within the works site and relocate them within the same site to areas that will not be impacted by works, and will be subject to habitat enhancement, revegetation and predator control.

The proposed activity includes the capture and handling of lizards on site, the temporary holding of lizards prior to release for up to one working day, being less than 8 hours, the relocation of lizards within the same property, and the incidental killing of any lizards that are not captured despite best-practice efforts.

Viridis has identified the presence of McCann's skink only within the works footprint. However, they also state that the presence of tussock skink (*Oligosoma chionocholescens*) is likely, despite records for the area not reflecting this. They further state that two mountain beech gecko (*Woodworthia "South-western"*) was captured during hand searches of exposed rock cliff habitat on Morven Hill. McCann's skink, tussock skink and mountain beech gecko are considered the target species for the site.

McCann's skink are expected to be more widely distributed across suitable habitat within the site, while tussock skink are likely to be present in areas associated with wetlands and intermittent streams, and geckos are primarily associated with rocky habitats on Morven Hill.

Based on survey results and habitat extent, it is estimated that several thousand McCann's skink, up to several hundred tussock skink, and a small number of geckos may be encountered and require relocation.

Four release sites are proposed within the development. All sites have been selected as they meet the key criteria for a suitable lizard release area. The locations are sufficiently separated from the

works area to minimise, as far as practicable, salvaged lizards from re-entering the construction footprint, while remaining close enough to provide comparable microhabitats and environmental conditions.

The habitat within the release areas is of equal or greater ecological value than the salvage site and will be integrated into the wider open space network. Release locations will be protected in perpetuity via consent notices preventing additional development in these areas and requiring vegetation to be maintained and pest control.

Areas of higher value lizard habitat within the development area (e.g. rocky outcrops and exposed bedrock) have been excluded from development and will be retained unaltered.

Authorisation is also sought for any incidental mortality that may occur despite implementation of best practice management measures.

## 3.0 Assessment

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This section is provided in accordance with clause 2(1)(c) and 5(b) of Schedule 7 of the FTAA.

Viridis has assessed the potential effects of the works on lizards in Section 4.2.2 of the Ecological Assessment and in the Draft Lizard Management Plan. They state that direct effects include mortality during vegetation clearance or habitat disturbance and Injury during physical clearance works. Indirect effects include loss of habitat, habitat fragmentation and temporary noise disturbance. Prior to mitigation, these effects are assessed as moderate, reflecting the extent of habitat disturbance and the presence of lizards within the works footprint.

Relying on the advice of Viridis, the management of the direct effects on lizards can be appropriately mitigated through a salvage and relocation programme as detailed in the Draft Lizard Management Plan. In terms of indirect effects, the riparian revegetation planting proposed as part of the development will appropriately mitigate for the loss of indigenous lizard habitat.

The mitigation approach follows the effects management hierarchy, including avoidance of key habitat features (such as retention of exposed rock areas), remediation through salvage and relocation, and ecological enhancement through revegetation and pest control.

Section 3 of the Draft Lizard Management Plan sets out the proposed measures to manage lizard relocations on site and surveying and monitoring protocols which aligns with current best practice. This includes:

- Appointing a Project Herpetologist to implement the Lizard Management Plan;
- Timing for vegetation clearance (October to April);
- Design parameters for lizard trapping and habitat searches and destructive habitat searches;
- Parameters for lizard handling and containment;
- The steps to be taken in the event of inadvertent lizard injury or death;
- Requirements for completion reporting.

Mitigation is also proposed in the form of ecological enhancement of the four release sites detailed above.

Residual effects primarily relate to the potential for incomplete capture of lizards and incidental mortality during construction works. These effects are inherent to the activity but are minimised through adherence to best practice capture and handling methods.

Taking into account the proposed mitigation measures, it is considered that the potential adverse effects on lizard habitat will be low to less than minor following mitigation and can be appropriately managed through the implementation of the Lizard Management Plan and associated conditions of consent.

## 4.0 Wildlife Act 1953 Assessment

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The Project is located in an area where native lizards are known to be present. While works within suitable lizard habitat and areas occupied by lizards cannot be entirely avoided, impacts have been minimised through project design. Areas of highest habitat value, including rocky outcrops and riparian margins, have been avoided as far as practicable.

To minimise adverse effects on protected lizard species, a salvage and relocation programme will be undertaken prior to and during construction activities, as outlined in the Lizard Management Plan. Lizards captured within the works area will be relocated to suitable habitats elsewhere on the same property. These recipient areas will be enhanced through revegetation, provision of additional habitat features, and ongoing pest plant and pest animal control to improve habitat quality and long-term habitat suitability.

The enhanced habitats will be permanently protected through a proposed consent notice, providing long-term security for relocated lizard populations and their habitat. Based on the findings of Viridis, although the proposed works will result in the disturbance of some lizard habitat, the combination of avoidance measures, salvage and relocation, habitat enhancement, and long-term habitat protection is intended to minimise adverse effects and provide for the continued protection and management of native lizards.

Accordingly, the proposed wildlife activities are considered to align with the purpose of the Wildlife Act 1953 by actively protecting native lizards, minimising impacts on protected wildlife, and securing and enhancing habitat for the long-term benefit of local lizard populations.

## 5.0 Consultation

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This section has been provided in accordance with clause 4 of Schedule 7. The consultation undertaken to date is summarised as follows:

- The Applicant has undertaken pre-lodgement consultation with Department of Conservation (DoC) being the relevant administering agency for approvals under the Wildlife Act 1953. Further details of that consultation is contained in **Appendix C**.
- Feedback from DoC has informed the development of the Lizard Management Plan and the proposed approach to salvage and relocation.

- Following receipt of the Cultural Impact Assessment (CIA) **Appendix 46**, initial discussions have been initiated with Te Ao Mārama Inc. Engagement is ongoing to identify appropriate pathways to address the cultural effects identified in the CIA, including potential mitigation and management measures.

The feedback received to date has been provided to the project team and has been used to inform the development. This feedback will continue to feed into the detailed design as the project proceeds towards physical delivery.

## 6.0 Summary

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In summary, a Wildlife Permit under the Wildlife Act is sought to capture, handle and relocate protected lizard species within the site, and to authorise any incidental mortality associated with the works.

It is considered that:

- All information required under clause 2(1) – (3) of Schedule 8 has been provided;
- The proposed activity has been designed to avoid, remedy and mitigate adverse effects on protected lizard species, including through retention of key habitat, salvage and relocation, and habitat enhancement;
- Appropriate consultation and engagement has been undertaken, noting that engagement with Te Ao Mārama Inc is ongoing and will continue to inform the project as it progresses; and;
- Having considered the actual and potential effects, including implementation of the Lizard Management Plan, the proposal will result in low to less than minor adverse effects on lizard populations and their habitat.

It is therefore concluded that the proposal satisfies the relevant statutory requirements, and that a Wildlife Act authority can be granted under the FTAA.