

**From:** [Permissions Hamilton](#)  
**To:** [permissions](#)  
**Subject:** FW: Kiwi Wildlife Authority Permit Application - SH3 Mt Messenger  
**Date:** Thursday, 1 March 2018 3:09:22 pm  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[Application form 9\\_completed & signed.pdf](#)  
[B1 Kiwi Management Plan.docx](#)  
[B10.1 Project Location Map.pdf](#)  
[Wildlife permit application Kiwi Attachments.docx](#)

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**From:** 9(2)(a)  
**Sent:** Monday, 26 February 2018 2:07 p.m.  
**To:** Permissions Hamilton <permissionshamilton@doc.govt.nz>  
**Cc:** 9(2)(a) 9(2)(g)(ii)  
**Subject:** Kiwi Wildlife Authority Permit Application - SH3 Mt Messenger

To whom it may concern,

Please find attached a Wildlife Authority Application to permit radio tracking of kiwi for the SH3 Mt Messenger project.

Please note that re: Attachment E1 Iwi Consultation. Consultation with Ngati Tama is currently taking place. Due to the short time frame available to lodge a permit application prior to the planned commencement of activities requiring a permit, this application has been submitted prior to receiving written evidence of consultation. This will be emailed directly to the appointed permissions advisor as soon as possible.

If you require anything else, please do let me know.

Best wishes

9(2)  
\\

9(2)(a) | **Team Leader - Ecology**

PhD, MSc (Hons), BSc (Hons)

**Tonkin + Taylor - Exceptional thinking together**

Level 5, 711 Victoria Street, Hamilton 3204 | PO Box 9544, Hamilton, New Zealand

9(2)(a)

[www.tonkintaylor.co.nz](http://www.tonkintaylor.co.nz)



To send me large files you can use my [file drop](#)

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9



# Wildlife Act Authority (General)

## Application form 9

This application form is only for the following activities involving any animal protected under the Wildlife Act 1953 (which does not include marine mammals)

Catch, handle, release wildlife at one site

- Disturb or kill wildlife or their eggs
- Catch and/or hold wildlife for rehabilitation – up to 3 months
- Hold wildlife in permanent captivity, if already held in captivity

# Using this application form

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## Completing the application



**Save** – You can save this application form to your digital device and edit or fill it in your own time.



**Fill** – You can fill this application digitally using Microsoft word.



**Print** – You can print this application form and fill it manually, or you can fill it digitally, then print it.



**Submit** – This application form can be submitted by email or by post.



**Email** – Email your application and all the required labelled attachments to:  
permissionshamilton@doc.govt.nz



**Post** – Post your application and all the required labelled attachments to:  
Permissions Team  
Private Bag 3072  
Hamilton 3240

## Application checklist

- Have you included labelled attachments as required for your activities (including maps, testimonials, and consultations)?
- Have you read the section regarding liability of the applicant for payment of fees?
- Have you checked if your application requires a CITES permit or EPA application and included these as applicable?
- Have you signed your application (digitally or manually)?

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## Navigation



**Hints** – Use the links through the hints column on the right hand side of the application form



**Scroll** – Simply use your mouse or keyboard arrows to scroll through the document page-by-page.

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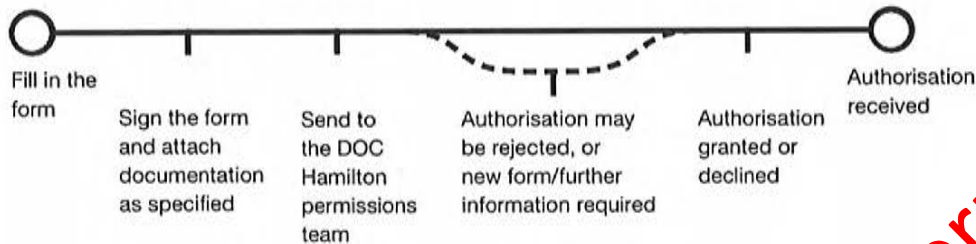
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## Before you start

All efforts in putting together a detailed application are greatly appreciated and will allow the Department to effectively and efficiently process your application.

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## Process



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## Applications for proposals of activities are categorised as either standard or complex proposals:

- Standard proposals are those activities that are likely to have little or no significant effect on conservation values. These will normally be processed within fifteen working days of receiving the application, please also see the fee section below.
- Complex proposals are those activities likely to have more significant effects, and therefore require careful consideration and may take up to six weeks to process, please also see the fee section below.

## Consultation:

- Consultation is required on most applications. In general iwi have 20 working days to respond to DOC once we make a formal request. If there are considerable iwi values to consider they may request a further 20 working days to respond. If no response is received from iwi within the specified period DOC will continue to process your application, as we may be able to locate relevant information about their interests from other sources.

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## Contact

Permissions Team  
Private Bag 3072  
Hamilton 3240

+64 27 308 8958  
permissionshamilton@doc.govt.nz

! Please take the timeframes below into consideration when submitting your application.

! An application is deemed complete when all information requested has been received.

! Any amendments requested after lodgement may require a Form 9a variation application to be completed resulting in a delay of processing of your application.

! Please see also the [fees section](#).

! For more information please see the [iwi consultation section](#).

# Section A | Applicant details

Full name (registered company, institute, organisation, or individual)

New Zealand Transport Agency

! Enter your details in the grey fields.

Legal status of applicant:

Individual       Trust       Registered company  
 Research institute      Other (specify)

! Please attach a copy of Trust Deed

Registration number (if company, trust or incorporated society)

Trading name (if different from applicant name)

Any previous Authorisations held?  Yes  No

If yes, please provide Authority number

Postal address

NZ Transport Agency, C/- Mt Messenger Alliance  
Level 4, 180 Taranaki St, Wellington 6011

Street address (if different from postal)

! You must provide a New Zealand address for service.

Registered office of company or incorporated society (if applicable)

Phone

9(2)(a)

Website

nzta.govt.nz

Contact person and role

9(2)(a) (Tonkin + Taylor), Lead Project Ecologist

Phone

9(2)(a)

Mobile

9(2)(a)

! Please fill these three fields for your company contact person or if you are applying as an individual.

Email

9(2)(a)



## Section B | Activities

### 1. Research/species management project description.

If the activity is research or species management, then please specify the purpose of the research or management activity.

Please provide a brief summary paragraph (100 words or less) here:

The NZ Transport Agency (the Transport Agency) proposes to construct and operate a new section of SH3, between Uruti and Ahititi to the north of New Plymouth, Taranaki (the Project). The Transport Agency has lodged a resource consent application and notice of requirement for the Project, captured in an Assessment of Effects on the Environment (AEE) dated December 2017. The Project traverses areas of vegetation which provides habitat for North Island brown kiwi. This permit application is for conducting species management of North Island brown kiwi to ensure they are not harmed by the project works.

Pre-construction monitoring of kiwi using certified kiwi dog team to locate kiwi, radio transmitters will be attached and radio tracking will be undertaken over a month to determine kiwi territory distribution around the construction footprint.

If kiwi eggs are found they will be uplifted and taken to an approved egg incubation facility.

During construction, prior to machinery working near a kiwi territory, a thorough check of the area at dawn will be undertaken. If kiwi are located, they will be transferred to another part of its known territory away from construction activities.

! Attach a copy of your research / management project proposal to this form and label it Attachment B1.

Please provide a more detailed summary of your proposal here:

Please see the detailed Kiwi Management Plan for Mount Messenger Bypass attached (B1).

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## Section B (continued) | **Activities**



**2. Species name and threat classification**

Please list the common and scientific name/s and threat classification of all protected species for which the authorisation is sought.

**!** A New Zealand classification system guide can be found [here](#) on the DOC website.

Common name	Scientific name	NZ threat classification
1. North Island Brown Kiwi	1. Apteryx mantelli	1. At risk - Declining
2.	2.	2.
3.	3.	3.
4.	4.	4.
5.	5.	5.

**3. Activities**

**3.1. Actions**

Please select all the actions that are applicable to the activity you wish to carry out involving wildlife on and/or off public conservation land.

- Catch and handle wildlife on site
- Take samples from wildlife
- Take or destroy the eggs of wildlife
- Attach identification bands to wildlife
- Mark – tag or attach other scientific apparatus (except bands) to wildlife
- Catch and temporarily hold wildlife in captivity (less than 3 months)
- Transfer captive wildlife from one holding facility to another holding facility
- Kill wildlife
- Hunt, disturb, kill or catch alive protected wildlife that are causing damage

Other:

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## Section B (continued) | Activities

### 3.2. Purpose

Please select or specify the purpose of the activity.

Traditional/cultural use

Education

Species management

Museum display/collection

Rehabilitation of sick/injured animals

Other: Construction of road upgrade bypassing Mt Messenger section of SH3

Research

Protection of potentially impacted species

3.3. Is Animal Ethics approval required?

Yes

No

Don't know

! If yes, please attach evidence of Animal Ethics Approval

### 4. Authorisation term and activity timeframes

#### 4.1. Authorisation term

Authorisations will be granted for a limited term. Please specify the start and end dates you would like your proposed authorisation to cover and explain why this term is sought. e.g. '10 years' or 'July 2015 – March 2015.'

! If you apply for more than 10 years, processing may take longer as longer term impacts will need to be assessed and there may be additional legal requirements.

Term: March 2018 - March 2021

Reason: To complete pre-construction monitoring and locate kiwi in the vicinity of works, to undertake kiwi management during construction to ensure no kiwi are harmed and relocate outside of footprint if necessary. This timeframe allows for any potential project delays. This will also allow for testing of any permanent kiwi fences built alongside the road to ensure that they work.

! See Authorisations and Special Conditions for your information.

## Section B (continued) | Activities

### 5. Number to be caught, held or killed

Where possible, please state:

The target number of individuals of each species of protected wildlife to be caught, held or killed and what proportion of the local and global species population you estimate would be affected by your activity.

Species	# of individuals	Proportion/population
1. North Island brown kiwi	Unknown dependant upon works, potentially 10-15 pairs.	0.4% of regional population
2.		
3.		

**!** If your application is not to catch, hold or kill a live animal (i.e. you are applying to hold specimens), please go to Question 10.

### 6. Method/s of capture

Please describe the methods to be used to safely, efficiently and humanely catch, hold or kill the animals and identify relevant animal ethics processes.

All captures will be made by suitably accredited handlers. Full details of capture, handling, radio tracking and translocation techniques are documented in the Kiwi Best Practice Manual.

See also Kiwi Management Plan in attachment B1.

### 7. Samples to be collected

#### 7.1. Sample amounts, methods

Please list exactly what samples are to be taken (e.g. blood, DNA, feathers, etc) and the methods/s to be used, including amounts to be taken (if known).

Sample	Method	Amount
1. NA		
2.		

**!** If no samples are to be collected, please go to Question 8.



3.		
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**7.2. Purpose**

Please state the purpose for which the samples would be taken (e.g. taxonomy, genetic modification, disease screening) and if they will be sent overseas.

Purpose.

Sending overseas?

Yes     No

**!** If you answer **Yes** to sending samples overseas, please download and complete Form9f see [Application forms: Apply for permit](#)

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## Section B (continued) | Activities

### 7.3. Samples for genetic modification

If you will be taking samples for genetic modification, please attach your Environmental Risk Management Authority (ERMA) application and label it attachment B6.2.3.

### 8. Marking, banding, tagging

#### 8.1. Banding

Are you requesting to **band** wildlife?

Yes

No

#### 8.2. Other marking

If you are proposing to mark wildlife with any other mark than a band, please describe the type of marking and details of the method to be used to attach it to ensure the animals' health and safety.

Mark/tag to be fitted

Radio tracking transmitter

Method

Appropriate strapping technique to ensure transmitters stay on safely for 1 year. Transmitters that are designed to be used on kiwi and have been developed in NZ will be used. Egg Timer transmitters will be used as these are designed to detect the onset of breeding.

### 9. Access to Restricted Lands

Special permission is required to enter some public conservation lands that have particularly high levels of protection. If you wish to enter land of any status listed below to carry out the proposed activity, please select the status and state the full name of the land to which permission for access is sought.

Nature Reserve (s20 Reserves Act 1977)

Name of land to be accessed

Part of the wider Parininihi Protection Area (east of SH3), owned by Ngati Tama Custodian Trustee Limited and co-managed with the Department of Conservation

Scientific Reserve (s21 Reserves Act 1977)

Name of land to be accessed



#### Wildlife Act

Authorisations apply to private land and public conservation land. If the location is private land, you will also need the consent of the land owner.



Use [DOCgis](#) to view Conservation Land.

Government Purpose (s22 Reserves Act 1977)

**Name of land to be accessed**

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## Section B (continued) | Activities

Specially Protected Area in a National Park (s13 National Parks Act 1980)

**Name of land to be accessed**

State why?

Wildlife Sanctuary (s9 Wildlife Act 1953)

**Name of land to be accessed**

Wildlife Refuge (s14 Wildlife Act 1953)

**Name of land to be accessed**

### 10. Proposed activity site

#### 10.1. Wild

State the location/s in which the activity will be carried out and why this site is the best option. For specific sites, please include a map (and GPS co-ordinates if available). Attach map and label it attachment B10.1.

The activity will be carried out within the immediate surrounds of the construction footprint of the Mount Messenger Bypass project, as this is where kiwi may be located and exposed to potential harm. See attachment B10.1 for map.

#### 10.2. Captive

Please answer if the live animal/s; specimen/s; or sample/s is to be obtained from another authorised wildlife holder, who has an authorisation to hold the species in captivity or the specimen/sample. Fill in the following information of the person **from** whom the animal/specimen/sample will be obtained.

Name

Address

**!** If proposing to undertake your activity in a National Park, your activity must be essential for management, research, interpretation or educational purposes. Please state why?

**!** Use [DOCgis](#) to view Conservation Land.

**!** If you are intending to receive animals from another authorised holder, ensure they have an authorisation to transfer.



DOC authorisation number

Expiry Date (dd/mm/yyyy)

## Section B (continued) | Activities

### 10.3. Holding live animals

Please fill in this question if you currently hold animals in captivity and wish to continue doing so; or you wish to receive animals held in captivity at another facility; or you wish to hold animals for less than 3 months for rehabilitation.

### 10.4. Captive management programme

Are you part of a co-ordinated captive management programme for the species?  Yes  No

If yes, please state the name of the DOC captive co-ordinator and whether they support this application.

Co-ordinator's name

Supports application?  Yes  No

### 10.5. Holding site

Provide a detailed description of the holding facility/cage including dimensions.

Holding site address:

Description of facility/cage

**!** Please attach written proof of their support and label it attachment B10.4

**!** The applicant must meet the requirements of the DOC Captive Management SOP (available [here](#)) and the facility must meet the requirements of the husbandry manual for the species, where one exists.



## Section B (continued) | Activities

### 11. Management of effects

Please list all actual and potential adverse (or positive) effects of the proposed activity at the site, including effects on the target species, other indigenous species and the ecosystems at the site. Where adverse effects are identified please state what methods will be used to manage those effects.

Effect	Management method
Habitat loss and fragmentation, mortality or injury of North Island brown kiwi	The Kiwi Management Plan (Attachment B1) includes a range of measures, including measures such as kiwi fences, to manage effects on kiwi.
Pest management (positive)	Improve success of breeding kiwi

**!** If you are applying to hold specimens or parts of them, or you are applying to hold wildlife already in captivity, you do not need to answer this question.

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## Section D | Applicant skills and experience

Please provide relevant information relating to your ability to carry out the proposed activity (e.g. details of previous authorisations, membership of professional organisations and relevant qualifications and experience). List full names of all individuals who will be involved in the activity.



Please attach details and label as Attachment D.

All individuals involved in activity

### Full Names

9(2)(a)

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Has the applicant or any company directors, trustees, partners, or anyone involved with the application been convicted of any offence?

Yes

No

If yes please provide details:

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Does the Applicant or any of the company directors, trustees, partners, or anyone involved with the Application have any current criminal charges pending before the court?

Yes

No

If yes please provide details:

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## Section E | Consultation

Many applications require consultation with Tāngata whenua (local Māori), and other interested parties. Please attach proof and details of all consultation, including with hapū or iwi, to this application and label as attachment E1

Please attach any additional written expert views, advice or opinions you have obtained concerning your proposal to support the application and label them attachment E2.

! If you are unsure of any consultation requirements for your proposal, please see the [iwi consultation section](#) or contact your [local DOC Partnerships office](#) to discuss what is required

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# Section F | Fees

## Please note

This section only applies to applications with a commercial focus – which will include applications from registered companies. The Department does not charge fees for non-commercial Wildlife Act authorisations.

## Processing fees

Section 60B of the Conservation Act contains the statutory provisions regarding processing fees.

The Department recovers all direct and indirect costs to process an application from applicants regardless of whether the application is approved or declined. If at any stage an application is withdrawn, the Department will invoice the applicant for the costs incurred by the Department up to that point.

## Standard application fee

The estimated standard application fee is **\$400 +GST**.

This covers most applications. However if your application is likely to have significant effects, is novel, or spans multiple DOC regions, it will require more careful consideration and may take up to 6 weeks to process and cost approximately **\$800 +GST**.

Particularly complex applications may incur further costs – you will be sent an estimate of costs in this situation. We will contact you to advise if the fee is more than the estimated standard cost. Applicants are also entitled to request an estimate of costs at any point, but the Department may impose a charge for preparing such an estimate. Estimates are not binding.

## Paying fees

The Department will ordinarily invoice the applicant for processing fees after a decision has been made on the application, but in some cases interim invoices will be issued.

Please select your method of payment below.

- I have attached a cheque
- I have direct credited the DOC account

Please use the Applicant name and permission number (which the permissions team will give to you) as the references.

**Department of Conservation**  
**Westpac Bank**  
**Account number: 03 0049 0002808 00**

- I do not intend to pay the fees at the time of applying and/or I require an invoice for payment
- I have a purchase order/number from an organisation registered with DOC

! If you are making an application for non-commercial activity, proceed to declaration.

! Applicants are required to pay the processing fees within 28 days of receiving an invoice. The Director-General is entitled to recover any unpaid fees as a debt.

! If you are applying from outside New Zealand we can process a credit card payment – please contact us to request this procedure.

## Section F (continued) | Fees

### Fee waivers and reductions

The Director-General has discretion to reduce or waive processing fees. You may apply for a fee waiver or reduction if you can provide information to the permissions team about how your application meets at least one of the following criteria.

- The activity will make a direct contribution to management
- The activity will support or contribute to the Department's priority outcomes – stated in the Department's 2013 – 2017 Statement of Intent
- There will be other non-commercial public benefits from the activities covered by the authorisation (if approved)
- Activity covered by the authorisation (other than research, collection or educational activities) will make a contribution to the management of, or the public interest in, the lands that are covered by the authorisation

! View the Department's 2013 – 2017 Statement of Intent [here](#) for the priority outcomes.

The Department may obtain further information either from the applicant or from any other relevant source in order to process the application. The applicant will be advised of any information obtained from other sources. The cost of obtaining such information will be charged to and recovered from the applicant. The applicant will be informed as soon as practicable from receipt of the application if further information is required before this application form can be fully processed by the Department.

### Terms and conditions: Account with the Department of Conservation

Have you held an account with the Department before?  Yes  No

If **yes**, under what name?

NZTA

### Terms and conditions: Account with the Department of Conservation

1. I/We agree that the Department of Conservation can provide my details to the Department's Credit Checking Agency to enable it to conduct a full credit check.
2. I/We agree that any change which affects the trading address, legal entity, structure of management or control of the applicant's company (as detailed in this application) will be notified in writing to the Department of Conservation within 7 days of that change becoming effective.
3. I/We agree to notify the Department of Conservation of any disputed charges within 14 days of the date of the invoice.
4. I/We agree to fully pay the Department of Conservation for any invoice received on or before the due date.
5. I/We agree to pay all costs incurred (including interest, legal costs and debt recovery fees) to recover any money owing on this account.
6. I/We agree that the credit account provided by the Department of Conservation may be withdrawn by the Department of Conservation, if any terms and conditions of the credit account are not met.
7. I/We agree that the Department of Conservation can provide my details to the Department's Debt Collection Agency in the event of non-payment of payable fees.



## Section F (continued) | Fees


### Reduction in fees for exceeding processing timeframe

If the Department fails to meet its own processing timeframes the estimate of fees will be reduced at a rate of 1% per day late, up to a maximum of 50% of the total processing fee. The reduction will not apply if the Applicant's actions have delayed the process.

### Additional Fees

You may also be required to pay additional fees. These may include:

- Annual management fee to cover administration time; and/or
- Monitoring fee to cover the cost of monitoring the effects of your activity.

 Please contact the  
Permissions Team to  
discuss whether  
these fees apply.

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# Section G | Declaration

I certify that the information provided on this application form and all attached additional forms and information is to the best of my knowledge true and correct.

! An Authorisation may be varied or revoked if the information given in this application contains inaccuracies.

Signature (applicant)

9(2)(a)

Date (dd/mm/yyyy)

26/02/2018

Full name (witness)

9(2)(a)

Address (witness)

9(2)(a)

Signature (witness)

9(2)(a)

Date (dd/mm/yyyy)

26/2/2018

This application is made pursuant to Section/s 41(1)(g), 53; 54; 55; and/or 56 of the Wildlife Act 1953 [and (where applicable) Section/s 22; 49; 50; 51; 57; and/or 59 of the Reserves Act 1977; and/or Section/s 5; 13; 14(3) of the National Parks Act 1980; and/or 38 of the Conservation Act].

Applicants should familiarise themselves with the relevant provisions of the Wildlife Act 1953, the Conservation Act 1987, the Reserves Act 1977 and the National Parks Act 1980 relating to authorisations.

The purpose of collecting this information is to enable the Department to process your application. The Department will not use this information for any reason not related to that purpose.

Applicants should be aware that provisions of the Official Information Act may require that some or all information in this application be publicly released.

## For Departmental use

Credit check undertaken?

 Yes No

Comments

Signed

Name

Approved

Name

! Approval is to be by a Tier 4 Manager or above.



## Attachment B1

Mt Messenger Kiwi Management Plan, please see attached as a separate document.

## Attachment B10.1

Location of North Island brown kiwi management, please see map attached as a separate document.

## Attachment D: Applicant Skills and Experience

9(2)(a) – 40+ years in kiwi research, involving many years of radio-tracking and studies on wild birds.

9(2)(a) – DOC trained kiwi worker with a long history in kiwi conservation.

9(2)(a) - DOC trained kiwi worker with a long history in kiwi conservation.

9(2)(a) – Lead ecologist for SH3 Mount Messenger Project. Experience with radio tracking lizards.

9(2)(a) – Lead ecologist for SH3 Mount Messenger Project. Experience surveying Kiwi and other forest birds at Mount Messenger. Radio-tracking experience for long tailed bats in Pureora Forest and Fiordland beech forest working with DOC. Experienced using of TR4 and Ultra radio receivers and Yagi antennae.

9(2)(a) – Experience surveying kiwi and other forest birds at Mount Messenger, Maungatautari, Aroha Island, and Tawhara; fauna management on various large projects; and radio-tracking of long tailed bats in Pureora Forest using TR4 and Ultra radio receivers and Yagi antennae.

9(2)(a) – Experience with capture and translocation of whio to Mt Arthur, banding and fitting radio transmitters, and radio tracking whio for DoC Motueka.

9(2)(a) – Experience using radio telemetry to track a range of species, and in a range of habitats including forest similar to that found at Mt Messenger. This includes mice in mature podocarp forest at Maungatautari Ecological Island; feral ferrets in rural south Waikato; and long-tailed bats in Fiordland beech forest and in Pureora podocarp forest. He is familiar with the use of TR4 and Ultra radio receivers and Yagi antennae.

9(2)(a) - Radio tracking long-tailed bats in Fiordland National Park – tracking of flying bats, tracking of roosting areas and locating of single roost trees within the forest. Tracking work included both day time and night time (early morning) work.

9(2)(a) – Experience surveying Kiwi and other forest birds at Mount Messenger, and radio-tracking long tailed bats in Pureora Forest.

9(2)(a) – Experience surveying Kiwi and other forest birds at Mount Messenger.

9(2)(a) – Experience surveying Kiwi at Mount Messenger and radio-tracking long tailed bats in Pureora Forest.

## **Attachment E1:**

Iwi Consultation. Consultation with Ngati Tama is currently taking place. Due to the short time frame available to lodge a permit application prior to planned commencement of activities requiring a permit, this application has been submitted prior to receiving written evidence of consultation. This will be provided as soon as possible and sent directly to the appointed permissions advisor.

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# Attachment B1: Kiwi Management Plan for Mt Messenger Bypass

## 1. Introduction

### 1.1 Scope and objectives

The purpose of this Kiwi Management Plan (KMP) is to specify procedures to avoid, remedy or mitigate adverse impacts on North Island brown kiwi that may be affected by construction and operation of the Project.

Key objectives of the KMP are to:

- Summarise the current knowledge of the kiwi community within the Project footprint and wider project area;
- Outline potential impacts on kiwi that may eventuate during and post construction;
- Outline management measures before, during and post construction to avoid, minimise and mitigate potential effects of the Project on kiwi; and,
- Provide an overview of a monitoring programme to measure the effects of construction and operation of the Project on kiwi.

### 1.2 Statutory context

The provision of management to avoid, minimise and mitigate adverse effects on native wildlife and associated habitat is a requirement under the Resource Management Act 1991 (RMA) and all native birds are legally protected under the Wildlife Act 1953 (WA).

## 2. Baseline kiwi surveys

### 2.1 Overview of avifauna survey methodologies

A range of survey methodologies were used to establish baseline avifauna information across the Project footprint, proposed mitigation area, and the wider Project area. Full details of surveys undertaken are documented in Baber and McLennan (2017) but are summarised below for North Island brown kiwi.

Nocturnal kiwi surveys were conducted to map the location of calling kiwi at 11 different stations along the proposed alignment on the nights of 18 – 20 December 2017 inclusive (Figure 3 & 4). Surveys began at nightfall (9 pm) continuing through to 1 am, with six observers stationed 200–400 m apart along sections of the proposed alignment. Long tailed cuckoo (*Eudynamys taitensis*) and ruru (*Ninox novaeseelandiae*) were also noted when heard, along with North Island brown kiwi.

### 2.2 Overview of kiwi survey results

#### 2.2.1 Identification of key species

Based on the initial avifauna investigations undertaken to inform the Mt Messenger Ecological Impact Assessments (Baber and McLennan 2017 and Opus 2017), key *At Risk*

species of interest for which breeding habitat occurs within the Project footprint included North Island brown kiwi (*Apteryx mantelli*).

### 2.2.2 Kiwi

The nocturnal kiwi survey conducted in December 2017 (Baber and McLennan 2017) identified five different pairs in the Mangapepeke catchment (Figure 4). The male of the northernmost pair, in the lower part of the catchment, was incubating at the time of the survey, emerging each night at the same place 1.5–2.0 hours after sunset. A second pair was present slightly further up the catchment, where the Mangapepeke Stream splits into two tributaries. The third, fourth, and fifth pairs were all detected in the upper catchment in the western tributary, near or on the route of the proposed alignment.

The kiwi survey identified three pairs in the Mimi River catchment, on or near the alignment (Figure 3). In addition to these pairs, another three males were heard in the catchment, two in the eastern side of the valley, and one alongside the existing road halfway up the southern side of Mt Messenger. Some or all of these males are likely to be paired, indicating that there are probably another five pairs of kiwi living near the proposed alignment on the southern side of the Mt Messenger ridgeline.

The December 2017 surveys confirmed that the proposed alignment is likely to encroach on or bisect the territories of 10–15 pairs of North Island brown kiwi.

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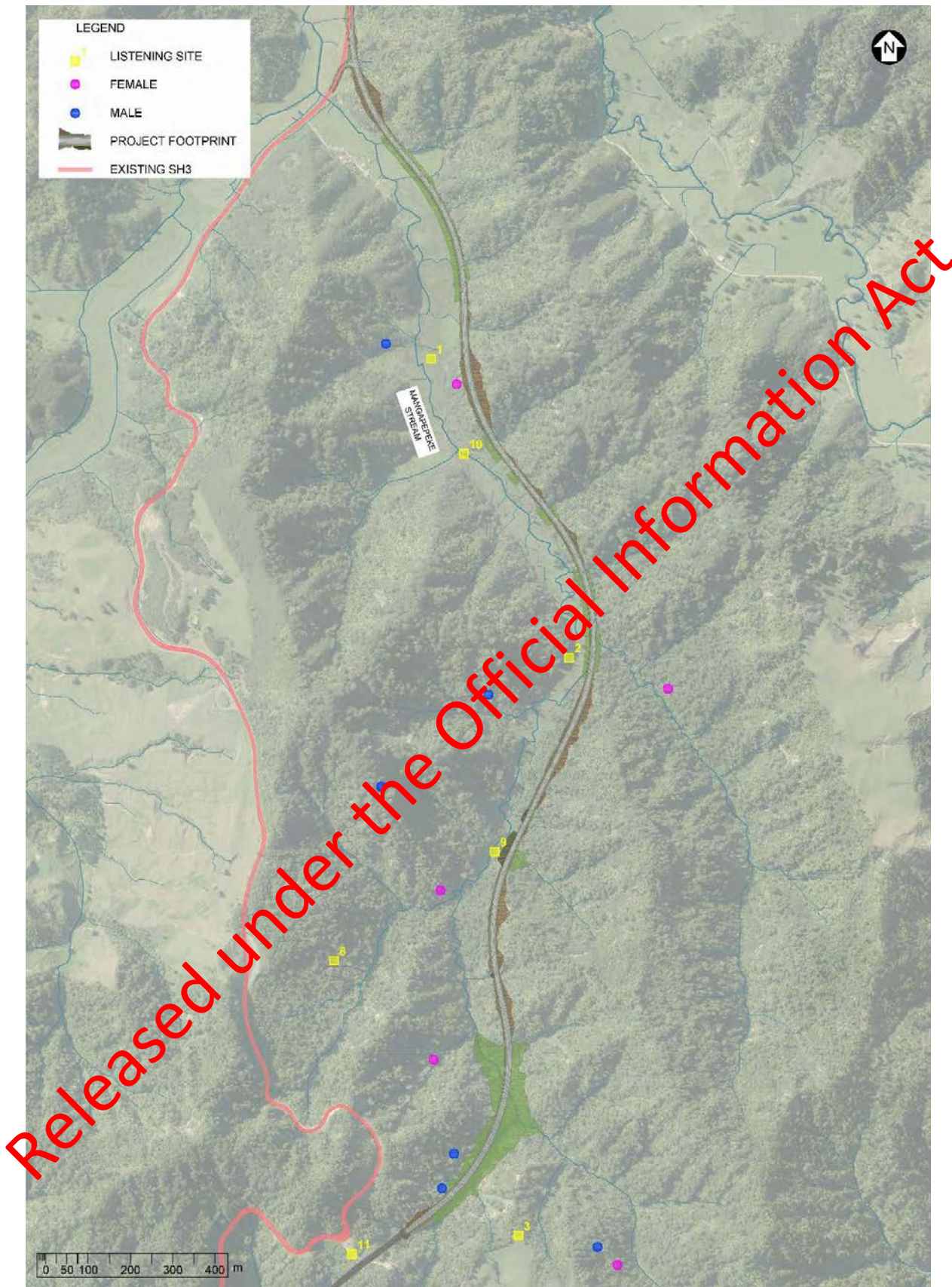


Figure 1. North Island brown kiwi listening sites and calls in the Mimi catchment



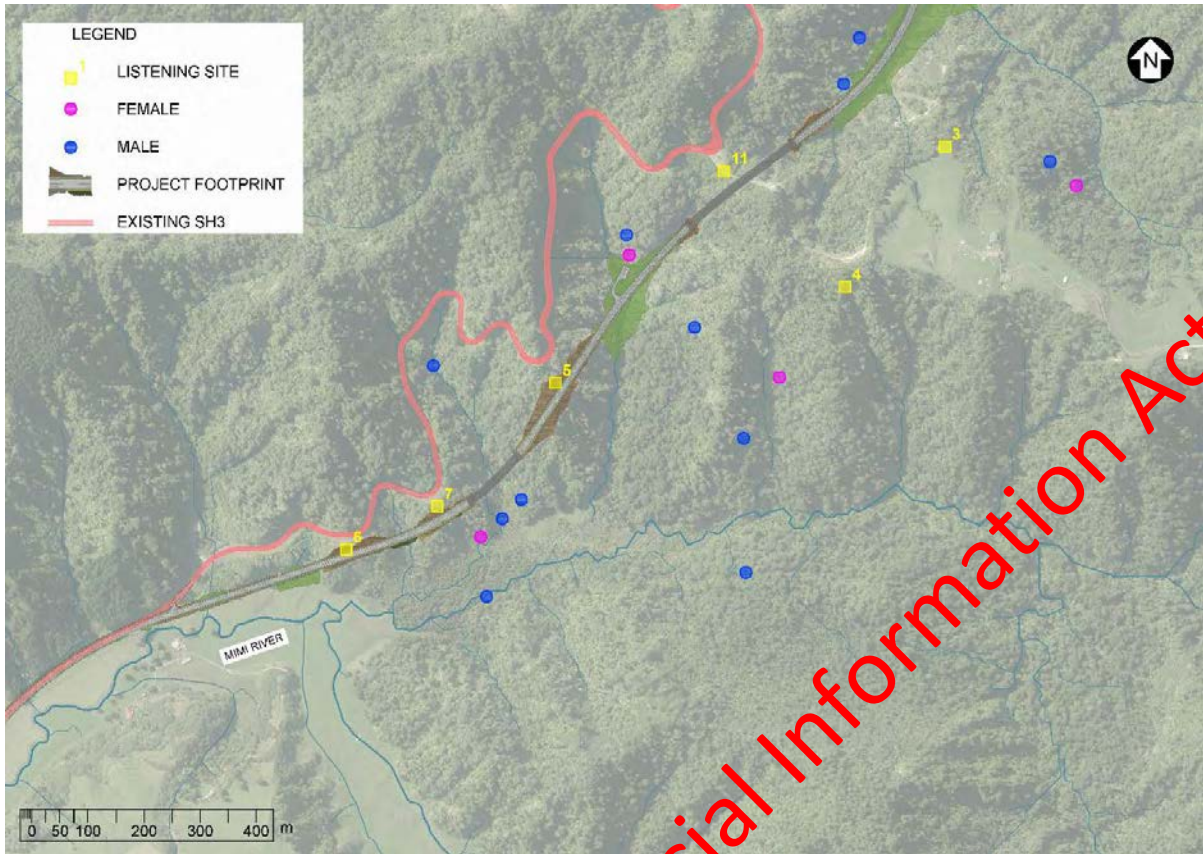


Figure 2. North Island brown kiwi listening sites and calls in the Mangapepeke catchment

### 3. Ecological impacts on avifauna

The Assessment of Ecological Effects – Avifauna (Technical Report 7e, Volume 3 of the AEE; Baber and McLennan 2017) and supplementary report (McLennan 2018) have identified a range of potential ecological effects on the avifauna along and adjacent to the Project footprint.

Potential effects as a result of road construction include:

- Direct removal or degradation of habitat used for nesting or foraging;
- The creation of habitat edge effects;
- Direct mortality of nests and their contents;
- Habitat fragmentation and isolation;
- Construction noise disturbance; and,
- Sediment runoff to wetlands and watercourses affecting the quality of wetland bird habitat.

Potential ongoing effects resulting from operation and maintenance of the road include:

- Effect of vehicle noise on birds;

- Decreased landscape and habitat connectivity through fragmentation;
- Mortality or injury on roads through bird strike or road kill;
- The increased presence of people and introduced species in previously less accessible areas;
- Lost opportunities for creating wildlife corridors; and,
- Degradation of the quality of the wetland and riparian habitat of wetland bird species.

## 4. Impact Management

Measures to avoid, minimise and mitigate effects on North Island brown kiwi identified from the baseline surveys are outlined below.

### 4.1 Kiwi Management

#### 4.1.1 Pre-construction kiwi management

##### Kiwi catching and kiwi radio tracking programme

A pre-construction kiwi catching programme will be undertaken with certified specialist kiwi dogs to locate and catch those kiwi known from the December (2017) nocturnal surveys to be living in or near the Project footprint. Trained dogs have been used to locate kiwi for a long time. Richard Henry pioneered this technique in the late 19th century as he moved hundreds of kiwi from the mainland to many islands in Fiordland. Most dogs are used solely for finding kiwi in their daytime shelters, but a small number of dogs are specially certified to be used at night to indicate the presence of kiwi nearby (Robertson and Colbourne, 2017).

The catching effort will be undertaken by experienced kiwi dogs and handlers, working closely with survey staff, who will listen for calling kiwi in the last few hours of darkness of each night, then direct the dog teams to locations where kiwi are known to be roosting. The Department of Conservation regards the handler and dog as a team, and this team must be duly certified and permitted under the Wildlife Act (1953) before working with kiwi. The certification process, standard operating procedures and reporting forms are available in DOC's Conservation dog/handler Standard Operating Procedure. Full details of kiwi dog requirements and best practice methods are provided in the Kiwi Best Practice Manual (2017).

Once caught, each kiwi will be radio-tagged with a 'smart egg-timer' transmitter, using standard methods of attachment. On adult kiwi, the radio transmitters will be checked and replaced after 12 months: on juveniles, the transmitter and straps will be checked and changed more frequently, depending on the age of the juvenile and its rate of growth.

Transmitters that are specially designed for kiwi have been developed in New Zealand and will be used in this programme.

The alignment construction programme could last for up to three years, meaning that some kiwi along or near the alignment could be radio-tagged for the same length of time. Paired adults usually lay two clutches of two eggs between July and February. The 'egg-timer' transmitters signal when males start to incubate, and thus enable observers to detect the onset of breeding without actually approaching (and potentially disturbing) nests. Up to 20 kiwi will be caught and radio tagged based on findings from baseline surveys (see section 2). Best practice radio tracking protocols will be followed, as detailed in Neill and Jansen (2014). Full details of handling, measuring and marking requirements that will be followed are provided in the Kiwi Best Practice Manual (2017).

The main kiwi catching effort along the alignment will be undertaken in autumn 2018. Once tagged, each kiwi will be tracked during the day and night for about a month to determine the approximate shape and size of its territory, and the extent to which its territory overlaps with the alignment. A total of 50 independent locations will be obtained for each kiwi, sufficient to establish whether or not it resides predominately inside or outside the Project footprint. These tracking locations will also reveal the whereabouts of its daytime shelters, information that could prove useful if the birds ever have to be moved out of harm's way during the construction process (see below). Kiwi change roosts regularly, often re-using roosts that they occupied some days or weeks ago, but seldom using the same one for two days in a row. The pre-construction monitoring of kiwi will show where the kiwi territories are and associated maps will be produced to guide further work. Once the kiwi which are at risk within the Project footprint have been identified and located, these birds will become the focus of monitoring during construction.

#### Timing

As stated above, the main catching effort will be undertaken in autumn 2018. The first round of transmitter replacements will be undertaken in autumn 2019. These catching and handling periods coincide with the non-breeding season of kiwi and have been selected to minimise disturbance or harm to nesting birds. There is some evidence that handling birds shortly before breeding will delay breeding or prevent it altogether for the season, and handling adult birds on nests will almost certainly cause nest desertions (Robertson and Courne, 2017). The best practice manual identifies the period from mid-May to late December as the time when kiwi should not be caught or handled (Table 1).

**Table 1.** Egg laying season and exclusion period for North Island brown kiwi

TAXON	MAIN EGG-LAYING SEASON	EXCLUSION PERIOD
North Island brown kiwi	Mid-June to December	Mid-May to late December



### Kiwi capture techniques

Catching kiwi is stressful for the birds, and can cause injury to the bird or handler, or the desertion of nests. Consequently, the proposed activities in this management plan will require appropriate permits issued by the Department of Conservation under the Wildlife Act (1954). All captures must be made by suitably accredited handlers. Full details of capture, handling, radio tracking and translocation techniques are documented in the Kiwi Best Practice Manual (2017).

#### **4.1.2 During-construction kiwi management**

The main objective of the during-construction kiwi management protocols is to ensure that no kiwi or their eggs and chicks are harmed or killed by machinery during vegetation clearance and substrate disturbance. It is recommended that vegetation removal is to occur as much as possible outside of the main breeding period which is mid-June to January.

The following protocols will be followed and undertaken by Project ecologists and appropriately trained contractors:

#### Kiwi relocation

When machines are working within or in close proximity to a known kiwi territory, the kiwi resident in that territory will be radio-tracked each day to check whether or not they are in the critical path of clearance works. These safety checks will be undertaken at dawn, in a 30 minute to 60 minute window, when kiwi have ceased moving and settled in daytime roosts, but before the onset of the day's construction activities. If kiwi are found to be at risk of harm, they will be physically picked up and moved immediately in an approved kiwi box to another roost in a safe location in another part of their territory. The location of alternative roosts will be known because of the kiwi territory mapping exercise conducted during the pre-construction phase (see section 4.1.1). Construction team members who will be appropriately trained in radio tracking and kiwi handling will be responsible for the daily radio tracking checks and moving the birds.

#### Nesting kiwi

Throughout the kiwi breeding season (July to February) the signals from egg timer transmitters on male kiwi will be checked weekly to determine which birds are incubating and when they began doing so. Nesting kiwi potentially at risk of disturbance (i.e. those in the immediate path of construction activities, or those within 40 m of construction activities) will be identified and left to incubate naturally until the risk of disturbance triggers the intervention threshold (i.e. construction activities approach within 40 m). The nests will then be located exactly, and their contents removed, following the procedures and protocols recommended in the Kiwi Best practice Manual. All eggs and young chicks recovered from nests will be taken to a permitted incubation and chick-rearing facility, most likely Kiwi

Encounter in Rotorua. Later, the resulting offspring will be released back into the PMA, or elsewhere, depending on Iwi and DOC advice.

In all cases, eggs will be uplifted only when they have been incubated naturally for at least 20 days. Eggs taken before this time (i.e. within 3 weeks of laying) generally have low hatch rates, or sometimes produce young with development problems (Robertson and Colbourne, 2017). If a recently established nest is found in a disturbance zone, construction activities in that area will cease till the eggs can be safely uplifted at 20+ days of age.

#### **4.1.3 Post-construction kiwi management**

##### Permanent kiwi fencing

Once construction of the road is complete, some parts of it may need permanent kiwi fencing to prevent kiwi entering the road area and being killed by vehicles. The information gathered from the kiwi territory mapping exercise conducted during the pre-construction phase will be useful to identify where these areas may be. Clearly pairs with territories that straddle the new formation are likely to be at greatest risk. In these cases, 1.2 high m fences with kiwi-proof mesh netting will be erected along the road edge to restrict the birds to one side of the formation, or to guide them to culverts which will enable them to travel safely under the road without risk of harm.

##### Signage

Appropriate signage will be erected along the road alignment alerting motorists of the presence of kiwi in the area.

##### Post-construction kiwi survey within/around Project footprint

A kiwi census survey will be conducted every three years following completion of road construction. Nocturnal kiwi surveys will be undertaken following the same method used in the baseline survey (see Baber and McLennan 2017 for detailed methods) and the locations of calling kiwi at different stations around the completed road will be mapped. These data will then be compared against baseline survey results documented in Baber and McLennan (2017).

##### Post-construction kiwi monitoring in proposed pest management area (PMA)

Post-construction monitoring of kiwi will be also conducted for up to 12 years, every three years following the start of predator control in the proposed. Nocturnal kiwi surveys will be conducted in the same areas as baseline surveys (due to be surveyed in late March 2018) within the PMA. The locations of kiwi calls will be mapped and the call data collected post-construction will then be compared against the baseline survey results collected in March 2018.

## 5. Accidental bird injury and mortality during construction

In the event of finding a dead or injured native bird, the following procedures will be implemented:

- (i) Injured native birds should be taken immediately to a vet approved by DOC for assessment, see Table 2 for details.
- (ii) Birds should be placed in a cool dark material-lined box/bag by or under the direction of a Project ecologist to ensure the bird is handled appropriately.
- (iii) The local DOC office or DOC hotline (if after hours) should be contacted no longer than two hours after the injured or dead bird is found.

**Table 2.** Contact information for approved contact in the event native bird injury or mortality occurs

Vet clinic/zoo or other specialist	
Name	
Contact details	
Address	

**Table 3.** DOC contact information

Local DOC office	
After hours	0800 DOCHOTLINE (0800 362 486)

DOC and veterinary advice shall be sought in conjunction with a Project ecologist when considering the rehabilitation requirements of any injured native birds (for example legislative requirements will need to be considered). Once the vet has made an assessment the Project ecologist and vet will determine any rehabilitation action required and the longer-term future for the bird/s.

If the bird is dead or euthanised by the vet, it must be taken to the local DOC office as soon as practicable.

## 6. Reporting

The following reports (and associated data) will be prepared and made available to the Department of Conservation (DOC) and Taranaki District Council following completion of associated work activities, as outlined in previous sections of this management plan:

1. Pre-construction kiwi management report
2. Annual during-construction kiwi management report
3. Kiwi post-construction monitoring (3-yearly)

## 7. Permitting requirements

Under the Wildlife Act (1953), a permit for any manipulation of kiwi, which includes activities outlined in Table 4 must be obtained. The activities involved in executing this management plan are indicated in Table 4.

**Table 4.** Kiwi activities involved in this Project which require a Wildlife Permit

Kiwi activity	Activity involved in this Project
Using dogs to locate kiwi	✓
Catching and handling kiwi	✓
Photographing kiwi in nests	✓
Marking kiwi with bands, wing tags or transponders	✓
Attaching radio-transmitters to kiwi	✓
Taking blood or feather samples from kiwi	
Transferring kiwi to a new site	✓
Uplifting eggs or chicks from a nest as part of Operation Nest Egg™ (ONE)3	✓
Holding dead kiwi, including for kiwi aversion training	
Holding kiwi in captivity	

## 8. Training requirements

A formal accreditation system for handling kiwi has been introduced to ensure that current best practice is being followed and the welfare of kiwi is the top priority when they are being manipulated in any way. The Kiwi Recovery Group maintains a register of accredited handlers. Accredited handlers will be involved in the kiwi radio tracking programme detailed in section 4.1.

Project ecologists and Project contractors, who will be involved in relocating kiwi if found in the critical path during construction works, will be formally trained in handling kiwi and radio tracking techniques and will need to become officially accredited. To be added to the register of accredited handlers, the Project ecologists and contractors will declare that they have read the relevant sections of the DOC Kiwi Best Practice Manual (2017), and will also supply a letter of recommendation from an accredited trainer for the particular task(s) being registered for, e.g. catching, holding, measuring or blood sampling kiwi. Two members of the team that is likely to undertake the work are approved trainers. The Project ecologists and contractors will also be made aware of the health and safety considerations and risks associated with kiwi handling, as documented in the DOC Kiwi Best Practice Manual (2017).



## 9. Cultural considerations and consultation

During the Project planning process, there will be adequate consultation with local stakeholders and tangata whenua, to ensure that all parties are aware of the proposed work and involved where appropriate. In the event that kiwi are to be moved during the construction phase of the Project, the spiritual significance of such events to tangata whenua will be recognised at both ends of the transfer process, and local Iwi will be involved where appropriate.

## 10. References

Baber, M and McLennan, J.A. 2017. Technical Report 7e Assessment of Ecological Effects – Avifauna, in Volume 3 of the Assessment of Effects on the Environment, SH3 Mt Messenger Bypass

Neill, E.; Jansen, P. 2014: Ground-based radio tracking: a best practice protocol. Department of Conservation, Wellington, 19 p

McLennan 2018. Assessment of Ecological Effects – Avifauna Supplementary Report for SH3 Mt Messenger Bypass

Opus 2017. Mt Messenger Bypass Investigation: Bird Baseline Survey and Preliminary Assessment of Effects. New Zealand Transport Agency.

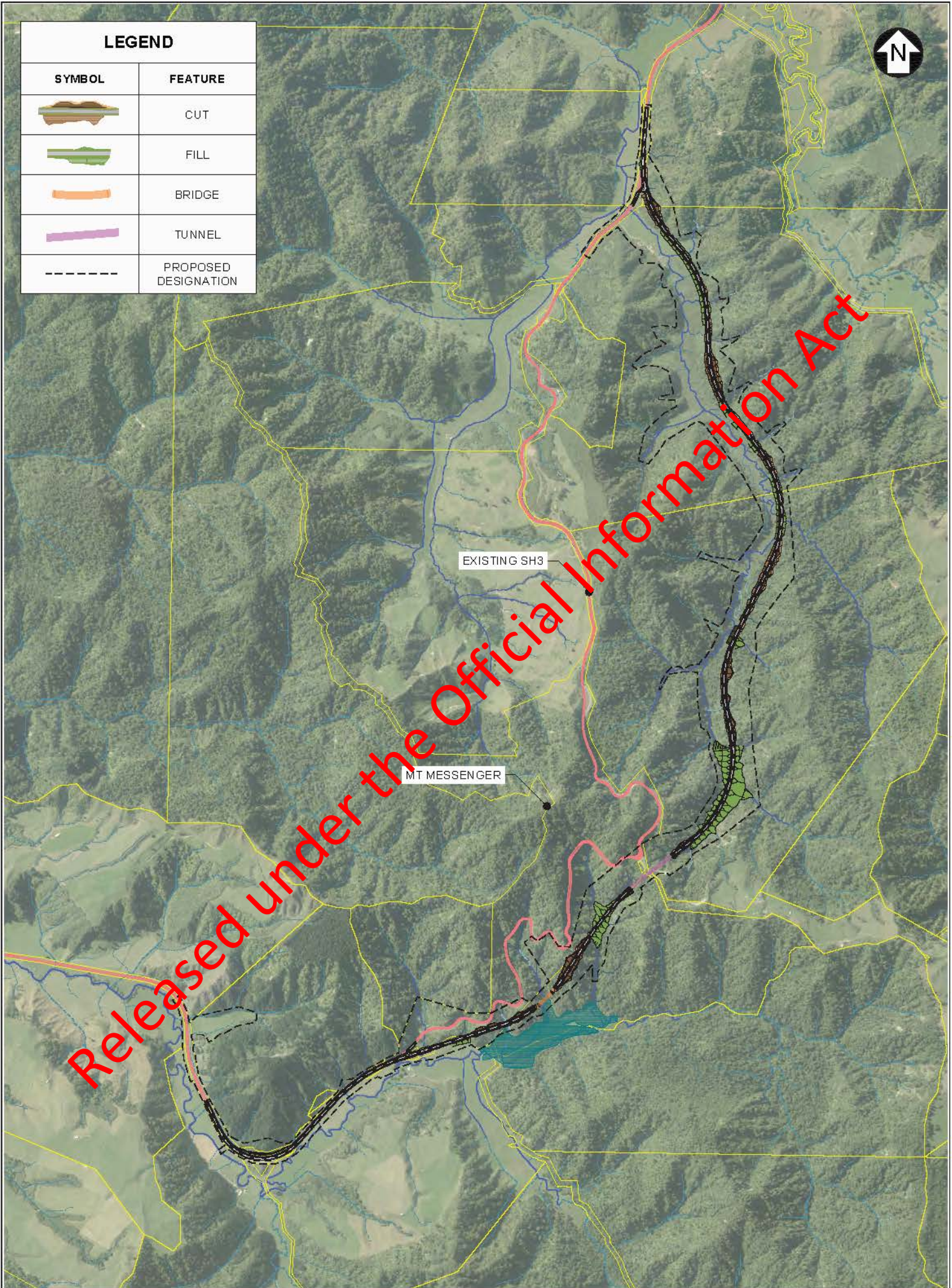
Robertson, H.; Colbourne, R. 2017: Kiwi Best Practice Manual. Department of Conservation, Wellington, 113 p

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**LEGEND**

SYMBOL	FEATURE
	CUT
	FILL
	BRIDGE
	TUNNEL
	PROPOSED DESIGNATION



Title Mt Messenger Bypass Scale 1:20000 (A4) 1:10000 (A2) Original Size A2			<b>MT MESSENGER BYPASS</b>	Approved <b>NOT FOR CONSTRUCTION</b>
			<b>PROJECT ALIGNMENT</b>	Status <b>FOR INFORMATION</b>
			Drawing Number <b>FIGURE 1.1</b>	Revision <b>A</b>





To: 9(2)(g)(ii)

From: 9(2)(g)(ii)

Date: 15<sup>th</sup> March 2018

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**Task Assignment: Process Application from New Zealand Transport Agency**

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**Context**

**Wildlife Act Application**

Application to catch, handle and attach transmitters to North Island brown kiwi for species management purposes. If kiwi eggs are found, it is proposed that they will be uplifted and taken to an incubation facility. If kiwi are found within the project footprint, it is proposed that they will be moved a short distance so they are out of harm's way.

The NZTA is proposing that a new section of SH3 be built between Uruti and Ahititi to the North of New Plymouth. The project traverse's areas of vegetation which provides habitat for NI brown kiwi.

The nocturnal kiwi survey conducted in December 2017 (Baber and McLennan 2017) identified five different pairs in the Mangapepeke catchment (Figure 4). The male of the northernmost pair, in the lower part of the catchment, was incubating at the time of the survey, emerging each night at the same place 1.5-2.0 hours after sunset. A second pair was present slightly further up the catchment where the Mangapepeke Stream splits into two tributaries. The third, fourth, and fifth pairs were all detected in the upper catchment in the western tributary, near or on the route of the proposed alignment.

The kiwi survey identified three pairs in the Mimi River catchment, on or near the alignment (Figure 3). In addition to these pairs, another three males were heard in the catchment, two in the eastern side of the valley, and one alongside the existing road halfway up the southern side of Mt Messenger. Some or all of these males are likely to be paired, indicating that there are probably another five pairs of kiwi living near the proposed alignment on the southern side of the Mt Messenger ridgeline.

The December 2017 surveys confirmed that the proposed alignment is likely to encroach on or bisect the territories of 10-15 pairs of North Island brown kiwi.

**Proposed term**

March 2018 – March 2021

**Proposed location**

Immediate surrounds of the Mount Messenger Bypass Project (map attached)

**Iwi Consultation**

Consultation with Ngati Tama is currently taking place. Due to the short time frame available to lodge a permit application prior to planned commencement of activities requiring a permit, this application has been submitted prior to receiving written evidence of consultation. This will be provided as soon as possible and sent directly to the appointed permissions advisor.



**If this activity cannot take place in your area, an active decision must still be made to decline the application.**

The authority for agreeing fees sits with PPL Director to ensure a consistent approach across the country. Where the fee setting is consistent with the Price Book, place based decision makers can incorporate this into their decision.

**Purpose**

To make a decision on the application.

**Quantity:**

- A decision or other appropriate closure of the application
- Written rationale for decision
- Permissions processing complete (e.g. paperwork, database)

**Quality:**

- Ensure appropriate engagement with iwi/hapu/whanau
- Ensure stakeholders are appropriately consulted
- Ensure a robust decision-making process following best practice
- Ensure appropriate interaction and communication with the applicant
- Use team process and follow the defined 'Type 2' process steps
- Utilise resources provided
- Request changes to resources if required
- Ensure final decision is appropriately shared
- Assess and escalate critical issues
- Learn how to shorten the cycle time

**Resources**

Permissions Advisor – 9(2)(g)(ii)

Community Ranger – To be assigned by the Decision Maker

Technical Advisor – 9(2)(g)(ii)

**Link to Application:** <https://doccm.doc.govt.nz:443/wcc/faces/wccdoc?dDocName=DOC-5434487>

**Timeframe**

Within 20 working days of acceptance of Task Assignment. In this instance, the 20 working days will commence from 19<sup>th</sup> March 2018.





## Permission Decision Support Document

### Application Details

Decision Maker	9(2)(g)(ii)	Acting Director Operations, Hauraki, Waikato, Taranaki
Applicant	NZTA	
Permission Number	65458-FAU	
Permission Type	Wildlife Act authorisation	

### Key Dates

Application received	7 March 2018
Task Assignment assigned	15 March 2018
Context Meeting	20 March 2018
Check-In Meeting	6 April 2018
Decision due	19 April 2018

### Document Links

Application	<a href="#">DOC-5434487</a>
Task Assignment	<a href="#">DOC-5434482</a>

### Resources

Permissions Advisor	9(2)(g)(ii)
District Office	
Science and Policy	

## Cost Recovery

Function	Time (minutes)	Date complete
Capture	15	7.3.2018
Summary	45	9.3.2018
Understand		
Assign	15	15.3.2018

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# 1. Task Register

Permissions Advisor to complete Task Register following the Context Meeting and any Check In meetings. At each meeting, task team members assigned a task how long they estimate the time will take to complete (total time to complete, not when it will be completed by). All tasks must be assigned a due date by the Decision Maker.

Tasks as set by the Decision Maker:

No.	Task description	Accountability	Estimated time req'd to complete task (minutes)	Timeframe (date due)	Date complete	Time taken to complete task (minutes)
1	Co-ordinate the processing of the application - including (but not limited to) communicating with the Applicant, managing the Permissions Database record, and co-ordinating the completion of the Decision Support Document	9(2)(g)(ii)			17.3.2018	200 mins
2	Undertake a statutory analysis of the application	9(2)(g)(ii)			17.3.2018	30 mins
3	Share the decision with the team members on behalf of the Decision Maker	9(2)(g)(ii)				
4	Share the decision with those consulted with (including Treaty Partners and the Conservation Board)	Community Ranger/anyone who has consulted				
5	9(2)(g)(ii) to email NZTA, outlining the following <ul style="list-style-type: none"> <li>• Movement of the adult kiwi is not necessary</li> <li>• It is acceptable to remove any eggs that are located but these must be taken to</li> </ul>				20.3.2018	10 mins

	<p>an approved facility (this is not clear in your application)</p> <ul style="list-style-type: none"> <li>• Pest and predator control must be undertaken</li> <li>• Transmitters are fitted - handlers must be accredited for handling kiwi</li> <li>• Kiwis are not handled during the breeding season ie June to January</li> <li>• Recommend no fence be built as it will prevent the dispersal of juveniles and in effect with divide the population</li> <li>• Signage that kiwis are possible on the road should be put in place</li> <li>• Kiwi Best Practice outlined in Kiwi Best Practice Manual must be adhered to</li> <li>• At least 8 pin feathers collected from each kiwi caught for determining genetic make-up of that population. Full bill measurement and weight of kiwi taken each time kiwi handled to determine age structure of population.</li> <li>• Birds to be marked with bands or transponders to determine if birds are surviving well along the road with time particularly when transmitters are removed.</li> <li>• Reports on any kiwi killed by construction and annual report on kiwi captures to grantor of permit</li> </ul>					
	<p>Check In Meeting: - There seems to be differing opinions on whether a fence should be</p>					

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<p>erected or not. As kiwis are very territorial  9(2)(g)(ii) suggested that a fence not be erected as  it could split the population. NZTA have been  in discussions with 9(2)(g)(ii) (none of us were  aware of this) &amp; 9(2)(g)(ii) suggests a fence should  be erected. 9(2)(g)(ii) to discuss with 9(2)(g)(ii) and get  back to the team.</p>					
<p><b>NOTE: Decision Maker changed from 9(2)(g)(ii)  9(2)(g)(ii) to 9(2)(g)(ii) as documents to  be signed and 9(2)(g)(ii) is currently acting  Director. 9(2)(g)(ii) attended context and check  in meetings but 9(2)(g)(ii) has been briefed by  9(2)(g)(ii) and is happy to approve and  sign documents</b></p>					

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## 2. Purpose

To make a decision on the application.

## 3. Context

Application to catch, handle and attach transmitters to North Island brown kiwi for species management purposes. If kiwi eggs are found, it is proposed that they will be uplifted and taken to an incubation facility. If kiwi are found within the project footprint it is proposed that they will be moved a short distance so they are out of harm's way.

The NZTA is proposing that a new section of SH3 be built between Uruti and Ahititi to the North of New Plymouth. The project traverse's areas of vegetation which provides habitat for NI brown kiwi.

The nocturnal kiwi survey conducted in December 2017 (Baber and McLennan 2017) identified five different pairs in the Mangapepeke catchment (Figure 4). The male of the northernmost pair, in the lower part of the catchment, was incubating at the time of the survey, emerging each night at the same place 1.5-2.0 hours after sunset. A second pair was present slightly further up the catchment, where the Mangapepeke Stream splits into two tributaries. The third, fourth, and fifth pairs were all detected in the upper catchment in the western tributary, near or on the route of the proposed alignment.

The kiwi survey identified three pairs in the Mimi River catchment, on or near the alignment (Figure 3). In addition to these pairs, another three males were heard in the catchment, two in the eastern side of the valley, and one alongside the existing road halfway up the southern side of Mt Messenger. Some or all of these males are likely to be paired, indicating that there are probably another five pairs of kiwi living near the proposed alignment on the southern side of the Mt Messenger ridgeline.

The December 2017 surveys confirmed that the proposed alignment is likely to encroach on or bisect the territories of 10-15 pairs of North Island brown kiwi.

### Additional Context from meeting

SH3 Mt Messenger is steep and very windy road, there are several tunnels,

### Relevant details about the Applicant

Credit check result	N/A - Existing customer
Compliance with previous permission conditions	No breaches that Dept is aware of
Relevant convictions	No convictions relating to the activity applied for

## 4. Critical Issues

- Movement of the adult kiwi is not necessary
- It is acceptable to remove any eggs that are located but these must be taken to an approved facility (this is not clear in your application)

- Pest and predator control must be undertaken
- Transmitters are fitted – handlers must be accredited for handling kiwi
- Kiwis are not handled during the breeding season ie June to January
- Recommend no fence be built as it will prevent the dispersal of juveniles and in effect with divide the population
- Signage that kiwis are possible on the road should be put in place
- Kiwi Best Practice outlined in Kiwi Best Practice Manual must be adhered to
- At least 8 pin feathers collected from each kiwi caught for determining genetic make-up of that population. Full bill measurement and weight of kiwi taken each time kiwi handled to determine age structure of population.
- Birds to be marked with bands or transponders to determine if birds are surviving well along the road with time particularly when transmitters are removed.
- Reports on any kiwi killed by construction and annual report on kiwi captures to grantor of permit.

## 5. Consultation with Treaty Partners

No consultation required as this was undertaken as part of the RMA process for the widening of Mount Messenger

## 6. Contributions

9(2)(g)(ii)

Email NZTA

- Movement of the adult kiwi is not necessary
- It is acceptable to remove any eggs that are located but these must be taken to an approved facility (this is not clear in your application)
- Pest and predator control must be undertaken
- Transmitters are fitted – handlers must be accredited for handling kiwi
- Kiwis are not handled during the breeding season i.e. June to January
- Recommend no fence be built as it will prevent the dispersal of juveniles and in effect with divide the population
- Signage that kiwis are possible on the road should be put in place
- Kiwi Best Practice outlined in Kiwi Best Practice Manual must be adhered to
- At least 8 pin feathers collected from each kiwi caught for determining genetic make-up of that population. Full bill measurement and weight of kiwi taken each time kiwi handled to determine age structure of population.
- Birds to be marked with bands or transponders to determine if birds are surviving well along the road with time particularly when transmitters are removed.
- Reports on any kiwi killed by construction and annual report on kiwi captures to grantor of permit.

9(2)(g)(ii)

Request copy of report be sent to 9(2)(g)(ii) 'Baber & McLennan 2017' as mentioned in application.

Reply email from NZTA 23 March 2018

The first and 6th bullet points are the only ones that require a response. We agree with all of the other bullet points and had 'covered them off' in the original permit application.

There seems to be no clear 'DOC position' on the matters raised in the first and 6th bullet points. Rather it seems to come down to individual opinion.

We have been dealing with [redacted] 9(2)(g)(ii) as the Department's avifauna expert, and have presumed that his views are those of the Department. He supports the management plan that we have prepared to protect kiwi from harm during road construction, and the intention to move adults out of harm's way, when (and if) it becomes necessary to do so.

We therefore request that the permit acknowledges this requirement, and makes provision for it.

[redacted] 9(2)(g)(ii) also supports the use of fences to keep kiwi off the road and/ or to guide them to underpasses/culverts which will allow kiwi to move safely from one side to the other, without the risk of vehicle strike.

The potential use of fences for kiwi protection at Mt Messenger is clearly not one that the permit application needs to address, resolve, or even consider.

But again it would be helpful if the views expressed in the context meeting and passed on to us aligned with those of [redacted] 9(2)(g)(ii) the Department's avifauna representative for the Mt Messenger project.

[redacted] 9(2)(g)(ii)

#### response to NZTA email 27 March 2018

There was not clarity in their application to where they will move the birds. Will it be 20m away from harm's way when bulldozers are heading to a burrow or nest or is it 200m away in which case they could move it into an adjacent pairs territory causing conflict there.? If moved away from Territory then that could cause a vacuum whereby other kiwi could move in (especially young birds) recreating the same problem. I discussed the fence with [redacted] 9(2)(g)(ii) another member of the Kiwi recovery Group and opinion was it would divide territories, maybe pairs and form a barrier for free dispersal in the entire population. i.e in effect making two populations. Underpasses (culverts?) have not been tested on kiwi as to if they will use them. Only the pair next to the culvert potentially will as kiwi are fiercely territorial and other pairs affected won't pass through those territories.

I did have a chat with [redacted] 9(2)(g)(ii) about the fence after the context meeting and yes I think if there is to be a DOC position I suggest this goes in front of the whole Kiwi Recovery Group as that is where the expertise on kiwi lies and where advice should be taken. Otherwise, we agreed with all the other points. While there is some risk to kiwi being hit it should be more than compensated if extensive pest control is built into the proposal.

[redacted] 9(2)(g)(ii)

#### subsequent response to NZTA email 27 March 2018

Sorry I cannot make it to the check in meeting. Thanks for the reports, they would have been useful at the first context meeting. The kiwi survey ran from December to February which is probably the worse time to survey at the end of the breeding season. (also at the end of a severe drought at that time). Best practice would be April to June. Possibly an underestimate of kiwi in the area. I have started reading the consultant's report on pest control. Worth getting opinion from [redacted] 9(2)(g)(ii) and [redacted] 9(2)(g)(ii) on effectiveness of trapping and poisoning for benefit of kiwi. For example 1080 is getting 11% per annum kiwi recruitment in the first year rather than the 3% stated in the report. The report is very out of date with references.

With an area of 1000ha protected with edge effect this will not protect kiwi via trapping only. If that 1000ha was in a complete circle then the radius would only be about 1.8km, in other words a stoat or ferret needs



to move this distance to get to the very middle of the control area from the outside. This is nothing to a stoat. In fact the shape of the management area is rectangle and so edge to centre would be no more than 800m. Ferret control should be equal to stoat control, not sure of effectiveness of Trapinator traps, usually DOC uses DOC250s for ferrets.

Basse and John McLennan 1999 published a paper suggesting 10000 ha would be the minimum size to protect a population of brown kiwi long term.

[Analysis of the impact of stoats, Mustela erminea, on northern brown kiwi, Apteryx mantelli, in New Zealand](#)

B Basse, JA McLennan, GC Wake - Wildlife Research, 1999 - CSIRO

An age-structured population analysis is used to determine recruitment levels and a condition for survival which can assist management decisions and hence improve the viability of populations of northern brown kiwi, Apteryx mantelli, in forests on the New ...

This NZTA consultant report may be underestimating the amount of land to protect for mitigation of kiwi on the highway. I would suggest much more land be protected but also consult with DOCs pest experts.

**Check In Meeting:**

9(2)(g)(ii) to discuss fence and 9(2)(g)(ii) and get back to team. Followed up by emails to 9(2)(g)(ii) email received 17 April from 9(2)(g)(ii) HI 9(2)(g)(ii)

9(2)(g)(ii) has come back to me to say that yes he spoke with 9(2)(g)(ii) and he is happy that the fence is experimental and the wider mitigation is good so no need to deal with either in this permit – Good to go.

Regards  
9(2)(g)(ii)

## 7. Proposed Operating Conditions

*Permissions Advisor to complete. If any operating conditions change as a result of public notification, clearly identify where these have changed.*

### Conditions

**Standard conditions applicable to the proposed activity:**

**Special conditions relevant to this application:**

As included in Schedule 3 of the Authority

**Monitoring**

*Detail monitoring required.*

**Term**

3 years

**Fees**

\$400 + GST

**8. Decision Making**

*Permissions Advisor to complete the Recommendations and relevant Decision sections (setting out options for the Decision Maker to make a decision on). Permissions Advisor to delete sections which do not apply to this application. Do not delete the Decision Maker comments section.*

*Decision Maker to complete the Decision and Decision Maker Comments sections.*

**Recommendations**

Subject to the standard and special conditions of the authority it is recommended that 9(2)(g)(ii)  
9(2)(g)(ii) Acting Operations Director, Hauraki Waikato Taranaki grants a wildlife act authority to NZTA to catch, handle and attach transmitters to North Island Brown Kiwi as part of the SH3 Mount Messenger Bypass Project

**Decision: Authorisation under the Wildlife Act 1953**

- 1. Approve the granting of a wildlife authority to NZTA to the standard authorisation document and the special conditions listed below:

Approve / Decline

Special conditions to be included:

*Decision Maker to list the condition numbers to be included, as per section 7 (Proposed Operating Conditions) of this report.*

9(2)(a)

Signed by 9(2)(g)(ii) Acting Operations Director, Hauraki Waikato Taranaki  
Pursuant to the delegation dated 9 September 2015

19/4/18

Date

**Decision Maker comments**

*Decision Maker to comment on the rationale behind their decision. If there is nothing contentious this can be brief, but if there are differing views between DOC staff and/or DOC and Treaty Partners, or there are multiple options available, or the decision made is different from what is recommended/requested, the rationale for the decision made must be clearly provided*



# Wildlife Act Authority for wildlife on non-public conservation land

Authorisation Number: 65458-FAU

THIS AUTHORITY is made this 19<sup>th</sup> day of April 2018

**PARTIES:**

The Director-General of Conservation and where required the Minister of Conservation (the Grantor)  
AND

New Zealand Transport Agency (the Authority Holder)

**BACKGROUND:**

- A. The Director-General of Conservation is empowered to issue authorisations under the Wildlife Act 1953.
- B. The Authority Holder wishes to exercise the authorisation issued under the Wildlife Act 1953 subject to the terms and conditions of this Authority.

**OPERATIVE PARTS**

In exercise of the Grantor's powers the Grantor **AUTHORISES** the Authority Holder under Section 53 of the Wildlife Act 1953, subject to the terms and conditions contained in this Authority and its Schedules.

9(2)(a)

SIGNED on behalf of the Grantor by 9(2)(g)(ii) Acting Director Operations, Hauraki-Waikato-Tairānaki, acting under delegated authority

in the presence of:

9(2)(a)

Witness Signature

9(2)(g)(ii)

Witness Name:

Witness Occupation: Personal Assistant

Witness Address: 73 Rostrevor St, Hamilton.

A copy of the Instrument of Delegation may be inspected at the Director-General's office at 18-32 Manners Street, Wellington.

## SCHEDULE 1

1.	<p><b>Authorised activity (including the species, any approved quantities and collection methods).</b> (Schedule 2, clause 2)</p>	<p>a. Activity:</p> <ul style="list-style-type: none"> <li>i. To Catch</li> <li>ii. To handle</li> <li>iii. To attach transmitters</li> </ul> <p>b. Species</p> <ul style="list-style-type: none"> <li>i. North Island Brown Kiwi (<i>Apteryx mantelli</i>)</li> </ul> <p>c. Quantity</p> <ul style="list-style-type: none"> <li>ii. Up to 15 pairs</li> </ul> <p>d. Method</p> <ul style="list-style-type: none"> <li>iii. All captures will be made by suitably accredited handlers</li> </ul>
2.	<p><b>The Land</b> (Schedule 2, clause 2)</p>	<p>Immediate surrounds of Mount Messenger Bypass Project</p>
3.	<p><b>Personnel authorised to undertake the Authorised Activity</b> (Schedule 2, clause 3)</p>	<p>a. 9(2)(a)</p> <p>b.</p> <p>c.</p> <p>d.</p> <p>e.</p> <p>f.</p> <p>g.</p> <p>h.</p> <p>i.</p> <p>j.</p> <p>k.</p> <p>l.</p>
4.	<p><b>Term</b> (Schedule 2, clause 4)</p>	<p>Commencing on and including 18 April 2018 and ending on and including 17 April 2021</p>
5.	<p><b>Authority Holder's address for notices</b> (Schedule 2, clause 8)</p>	<p>The Authority Holders address in New Zealand is: 24 Bridge Street Hamilton 3240 New Zealand Phone: 9(2)(a) Email: 9(2)(a)</p>

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6.	<b>Grantor's address for notices</b>	The Grantor's address for all correspondence is: Permissions Team Level 4 73 Rostrevor Street HAMILTON 3204 Email: <a href="mailto:permissonshamilton@doc.govt.nz">permissonshamilton@doc.govt.nz</a>
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## SCHEDULE 2

### STANDARD TERMS AND CONDITIONS OF THE AUTHORITY

#### 1. Interpretation

The Authority Holder is responsible for the acts and omissions of its employees, contractors or, agents. The Authority Holder is liable under this Authority for any breach of the terms of the Authority by its employees, contractors or agents as if the breach had been committed by the Authority Holder.

Where obligations bind more than one person, those obligations bind those persons jointly and separately.

#### 2. What is being authorised?

The Authority Holder is only allowed to carry out the Authorised Activity in the Land described in Schedule 1, Item 2.

The Authority Holder must advise the Department of Conservation's local Operations Manager(s) one week prior to carrying out the Authorised Activity in the District, when the Authority Holder intends to carry out the Authorised Activity.

Any arrangements necessary for access over private land or leased land are the responsibility of the Authority Holder. In granting this authorisation the Grantor does not warrant that such access can be obtained.

The Authority Holder and Authorised Personnel must carry a copy of this Authority with them at all times while carrying out the Authorised Activity.

The Authority Holder may publish authorised research results.

The Authority Holder must immediately notify the Grantor of any taxa found which are new to science. In addition, the Authority Holder must lodge holotype specimens and a voucher specimen of any new taxa with a recognised national collection.

#### 3. Who is authorised?

Only the Authority 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 Grantor.

#### 4. How long is the Authority for - the Term?

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

#### 5. What are the liabilities?

The Authority Holder agrees to exercise the Authority at the Authority Holder's own risk and releases to the full extent permitted by law the Grantor and the Grantor'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 Authority Holder's exercise of the Authorised Activity.

The Authority Holder must indemnify the Grantor against all claims, actions, losses and expenses of any nature which the Grantor may suffer or incur or for which the Grantor may become liable arising from the Authority Holder's exercise of the Authorised Activity.

This indemnity is to continue after the expiry or termination of this Authority in respect of any acts or omissions occurring or arising before its expiry or termination.

**6. What about compliance with legislation and Grantor's notices and directions?**

The Authority Holder must comply with all statutes, bylaws and regulations, and all notices, directions and requisitions of the Grantor 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.

**7. When can the Authority be terminated?**

The Grantor may terminate this Authority at any time in respect of the whole or any part of Authorised Activity if:

- (a) the Authority Holder breaches any of the conditions of this Authority; or
- (b) in the Grantor's opinion, the carrying out of the Authorised Activity causes or is likely to cause any unforeseen or unacceptable effects.

If the Grantor intends to terminate this Authority in whole or in part, the Grantor must give the Authority Holder such prior notice as, in the sole opinion of the Grantor, appears reasonable and necessary in the circumstances.

**8. How are notices sent and when are they received?**

Any notice to be given under this Authority by the Grantor is to be in writing and made by personal delivery, by pre paid post or email to the Authority 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.

If the Authority Holder's details specified in Schedule 1, Item 5 change then the Authority Holder must notify the Grantor within 5 working days of such change.

**9. What about the payment of costs?**

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

**10. Are there any Special Conditions?**

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.

**11. Can the Authority be varied?**

The Authority Holder may apply to the Grantor for variations to this Authority.

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## SCHEDULE 3

### SPECIAL CONDITIONS

#### 1.0 Myrtle Rust Biosecurity

- 1.1 The Authority Holder and members of their team shall know the plants that are affected by myrtle rust, and what the rust symptoms look like. This serious fungal disease only affects plants in the Myrtle (*Myrtaceae*) family which includes pohutukawa, manuka, kanuka, and ramarama. See <http://www.mpi.govt.nz/protection-and-response/responding/alerts/myrtle-rust>.
- 1.2 The Authority Holder and members of their team shall not park vehicles under myrtle species where vehicles can easily be contaminated while undertaking the Authorised Activity.
- 1.3 The Authority Holder shall carry large black plastic bags and ties, 2% SteriGENE spray bottle and Isopropanol wipes while undertaking the Authorised Activity on Public Conservation Land where *Myrtaceae* are part of the flora.
- 1.4 If the Authority Holder or any members of their team believe they have seen the symptoms of myrtle rust, they are not to touch the plant.
- a. Call the MPI Exotic Pest and Disease Hotline immediately on 0800 80 99 66.
  - b. If possible, take clear photographs, including the whole plant, the whole infected leaf, and a close up of the spores/affected area of the plant.
  - c. Do not touch or try to collect samples as this may increase the spread of the disease.
- 1.5 If the Authority Holder or members of their team believe they are in an infected area, all team members must decontaminate with SteriGENE as per below:
- a. Spray obviously contaminated clothing/hats and then place items in a large plastic bag;
  - b. Tie and spray the outside of the bag;
  - c. Mist spray other clothing being worn;
  - d. Clean and spray all footwear and equipment, including packs, phones, glasses, watches etc.;
  - e. Repeat decontamination steps again at 100m from the infected area and before entering a vehicle.
- 1.6 The Authority Holder and their team members shall have a hot shower and clean their hair as soon as possible to remove any spores (which may be invisible). Clothing worn while undertaking the Authorised Activity must be washed in a hot wash with detergent.

## 2.0 Kauri Dieback Disease biosecurity

- 2.1 The Authority Holder must comply with all guidelines and notices issued by the Kauri Dieback Programme to prevent and avoid the spread of the pest organism Kauri Dieback Disease (*Phytophthora taxon agathis*) as specified on the website <http://www.kauridieback.co.nz/>. This includes ensuring that all vehicles, personal items and equipment are thoroughly cleaned of all visible soil and is sprayed with SteriGENE (formally known as Trigen) solution before entering and when moving between areas where there are kauri.

## 3.0 Transmitter attachment

- 3.1 Transmitters (comprising no more than 5% of an animals body weight) may be attached to up to 15 pairs of North Island Brown Kiwi (*Apteryx mantelli*). The Authority Holder is strongly encouraged to use best practice transmitter harnesses and attachment methods
- 3.2 During the Authorised Activity, any recaptured individuals found to be injured or otherwise adversely affected by a transmitter must have their transmitter removed and not fitted again. A full report of the details of injury must be provided to the Grantor, to help develop best practice.
- 3.3 Every reasonable effort must be made to capture all individuals and remove transmitters at the conclusion of the Authorised Activity.

## 4.0 Reporting

- 4.1 Upon completion of the Authorised Activity, termination or surrender of this Authorisation, the Authority Holder must forward a final copy of the research findings and reports electronically to [permissionshamilton@doc.govt.nz](mailto:permissionshamilton@doc.govt.nz)
- 4.2 A final report must be submitted within one month of its completion and contain the following:
- The Authority Number 65458-FAU;
  - A summary of the findings; and
  - Any implications for conservation management
- 4.3 The Authority Holder acknowledges that the Grantor may provide copies of these reports to tangata whenua and the general public if requested.

## 5.0 Records

- 5.1 All monitoring and trapping records must be made available for inspection at reasonable times by officers of the Grantor

## 6.0 Miscellaneous

- 6.1 The Authority Holder may not move any adult kiwi
- 6.2 The Authority Holder may remove any eggs that are located. Any eggs found shall be taken to an approved facility
- 6.3 Pest and Predator control must be undertaken
- 6.4 Signage that kiwis may be in the area must be put in place

- 6.5 Kiwi Best Practice outlined in Kiwi Best Practice Manual must be adhered to, this can be obtained from the Grantor's local District Office
- 6.6 At least eight (8) pin feathers collected from each kiwi caught for determining genetic makeup of that population. Full bill measurement and weight of kiwi taken each time kiwi are handled to determine age structure of population.
- 6.7 Birds to be marked with bands or transponders to determine if birds are surviving well along the road
- 6.8 Reports on any kiwi killed by construction and annual report on kiwi captures must be supplied to the Grantor by 1 June each year
- 6.9 A suitable fence shall be built to ensure kiwis are 'contained' within the construction area
- 6.10 Kiwis are to be moved up to 100 metres, only if the birds are in danger of being hit by machinery." Kiwis in danger of being hit by machinery shall be moved no less than 20 metres."
- 6.11 Kiwis are not to be handled between June and January inclusive

**7.0 Termination**

- 7.1 A new clause 7.1 (c) is added to Schedule 2, to read as follows:  
"Or for any other reason that the Grantor decides"

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Department of Conservation  
*Te Papa Atawhai*

File Ref: 65458-FAU

18 April 2018

New Zealand Transport Agency  
C/- Tonkin & Taylor  
PO Box 9544  
HAMILTON 3204

ATTENTION: [REDACTED] 9(2)(a)

Dear [REDACTED] 9(2)(a)

**Re: WILDLIFE ACT AUTHORITY APPLICATION 65458-FAU APPROVAL**

I am pleased to advise you that your application for a Wildlife Act Authority has been approved and I am now able to offer you an authority outlining the terms and conditions of this approval. Please find the authority enclosed.

This document contains all the terms and conditions of your authorisation to undertake the activity and represents the formal approval from the Department for New Zealand Transport Agency to carry out the activity.

Please read the terms carefully so that you clearly understand your obligations.

The final cost incurred to process your application was the standard fee of \$400.00 plus GST for commercial organisations. I have arranged for an invoice to be sent to you for this amount.

Yours sincerely,

[REDACTED] 9(2)(a)

[REDACTED] 9(2)(g)(ii)

Acting Operations Director  
Hauraki-Waikato-Taranaki

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