



Date: 6 September 2019

To: Hilary Aikman, Director National Operations

From: s 9(2)(a), 9(2)(g)(ii) Legal Services Manager

**Subject: NEW PERMISSION TO REPLACE PERMISSION 5957031 – TE MARUIA
RAT CONTROL OPERATION 2019**

Purpose

1. To consider revoking Permission ID 5957031 and granting a new Permission (ID 6040500) which incorporates changes for undertaking 1080 aerial and hand laid pest control operations at Te Maruia.

Te Maruia Permission granted on 16 July 2019

2. On 16 July 2019 the Deputy Director-General Operations, Mr Mike Slater, granted Permission 5957031 (dated 12 July 2019) to the Director-General of Conservation for a sodium fluoroacetate (1080) (aerial and hand laid) rodent control operation.
3. The permission has not yet been exercised but the Te Maruia operation is due to commence when the next weather window appears.
4. As originally proposed, the target maximum sowing rate was set at 1.5kg/ha for toxic 1080 baits in the operation area. The Department's technical advisory group (TAG) has revised the bait application rate for this, and some other operations, to ensure more even bait spread. This is at an increased rate of 2kg/ha being spread. This adjustment aims for complete bait coverage to reach all rats. To give effect to this a change to the permission is required.
5. On reviewing the granted permission it was recognised that there were some typos and that operation dates would need to be changed. The changes include recognising that this is a rat control operation, as opposed to a rodent control operation. It is expected that mice and possums may be killed by the 1080, but the control is directed at rats.
6. Given these changes along with the sowing rate, it is proposed that the existing permission be revoked and a new one granted. Revoking the earlier permission and granting a new one is a much cleaner and less-confusing approach.

Assessment

7. Departmental staff prepared an assessment report based on the Standard Operating Procedure (SOP) approved by the Environmental Protection Authority for consideration of the use of vertebrate pesticides for the initial permission. This assessment has been updated to take account of the TAG advice about changing the sowing rates from 1.5kg/ha to 2kg/ha and incidental information including the change in timing. The revised assessment, along with the application, are attached for your consideration.

8. As the change from 1.5kg/ha to 2kg/ha for the operational area does not change the potential effects of the operation in a material way, you can rely on the supporting memorandum (6008839) dated 15 July 2019 and considered by Mike Slater on 16 July 2019 when Permission 5957031 was granted, You are not, however, bound to make the same decision as Mr Slater in relation to granting this permission.

Decision

It is recommended that you:

1. **Note** the need for the changes as set out in the above memo;

Agree / Disagree

2. **Agree**, given the limited nature of the changes and the support of the Department's technical staff, that you adopt the analysis already undertaken in respect of the benefits and potential adverse effects and risks for the granting of Permission 5957031, noting that the assessment report has been updated with information about the increase of sowing rate from 1.5kg/ha to 2.0kg/ha, and further information regarding the timing, hand-laying and private land components of this operation;

Agree / Disagree

3. **Agree**, under sub-delegation from the chief executive of the Environmental Protection Authority and delegation from the Minister of Conservation and the Director-General of Conservation, to revoke Permission 5957031 to enable the changes needing to be made through a replacement Permission.

Agree / Disagree

4. **Agree** that the proposed permission and conditions consider the adverse effects of the use of sodium fluoroacetate (1080) on DOC managed or administered land and that granting the permission is in accordance with the purpose of the Hazardous Substances and New Organisms Act 1996, recognising the life-supporting capacity of ecosystems and the well-being of people and communities and taking into account the principles and other matters in sections 5, 6, 7 and 8 of that Act;

Agree / Disagree

5. **Agree**, under sub-delegation from the chief executive of the Environmental Protection Authority, to grant permission under s 95A of the Hazardous Substances and New Organisms Act for the use of 1080 on the land managed or administered by DOC in the operation area;

Agree / Disagree

6. **Agree** you are satisfied that, in the area of the operation, rats are causing damage to wildlife and the killing of this unprotected wildlife will meet the purpose of the Wildlife Act 1953;

Agree / Disagree

7. **Agree**, under delegation from the Director-General of Conservation, to grant an authorisation under section 54 of the Wildlife Act for the killing of rats in the operation

area (covering land managed and administered by DOC and other land) by the use of 1080;

Agree / Disagree

8. **Agree** that, for the purpose of providing greater protection for protected indigenous species, individual protected wildlife may be killed as a result of this operation even though the conditions on the permission are complied with, and that this is in accordance with the purpose of the Wildlife Act;

Agree / Disagree

9. **Agree**, under delegation from the Director-General of Conservation, to grant an authorisation under section 53 of the Wildlife Act for the killing of protected indigenous wildlife for the purpose of greater protection of indigenous wildlife in the operation area (covering land managed and administered by DOC and other land);

Agree / Disagree

10. **Agree**, in relation to the area of operation within the Nelson Lakes National Park, that this operation is in accordance with the purpose of the National Parks Act 1980 and is consistent with the Nelson Lakes National Park Management Plan;

Agree / Disagree

11. **Agree**, in relation to the area of operation within the Nelson Lakes National Park and under delegated authority from the Minister of Conservation, to authorise under section 51A of the National Parks Act the killing of non-indigenous animals (particularly rats);

Agree / Disagree

12. **Agree**, in relation to the area of operation within the Nelson Lakes National Park and under delegated authority from the Minister of Conservation, to authorise under section 5 of the National Parks Act the possible killing of indigenous animals as part of this pest control operation;

Agree / Disagree

13. **Agree**, in relation to the area of operation that is conservation area that the hunting of animals by the use of poison is in accordance with the purpose of the Conservation Act 1987, that no conservation management plan applies (but the operation is in accordance with the relevant conservation management strategies and conservation general policy), and that public safety has been provided for;

Agree / Disagree

14. **Agree**, in relation to the area of operation that is conservation area and under delegated authority from the Director-General, to grant a permit under section 38 of the Conservation Act for hunting animals by the use of poison;

Agree / Disagree

15. **Agree**, in relation to the area of operation that is scenic reserve and local purpose reserve, that the killing of fauna by the use of poison is in accordance with the purpose of the Reserves Act 1977, the management of the scenic reserves and local purpose

reserve, and the relevant conservation management strategies and conservation general policy;

Agree / Disagree

16. **Agree**, in relation to the area of operation that is scenic reserve and under delegated authority from the Minister, to authorise the killing of fauna on the reserve as part of this pest control operation;

Agree / Disagree

17. **Agree**, in relation to the area of operation that is local purpose reserve and under delegated authority from the Director-General as administering body, to authorise the killing of fauna on the reserve as part of this pest control operation;

Agree / Disagree

18. If you have agreed to the above, **sign** the attached Permission ID 6040500 which immediately revokes Permission 5957031 and immediately replaces it with a new permission covering the above matters; **initial** the attached Maps; **initial** the pages of the Assessment report, and **initial and sign** the attached replacement DOC Performance Standard Sheets for Pesticide Use #1, #2, #140 and #141.

Agree / Disagree

s 9(2)(a)

s 9(2)(a), 9(2)(g)(ii) Legal Services Manager

Decision made by me on 6th September 2019

s 9(2)(a)

Hilary Aikman, Director National Operations