

From: 9(2)(g)(ii)
To: 9(2)(g)(ii)
Subject: FW: Mount Messenger Wildlife Act Authority 65458-FAU variation application
Date: Friday, 10 September 2021 8:36:55 am
Attachments: [image001.png](#)

Hi 9(2)(g)(ii) for 94669-FAU there is only the one e-mail. Was with 9(2)(g)(ii) previous advisor asking for his opinion. Basically was an extension of time for attaching transmitters and no problems with that. I took that approach to the context meeting. Other correspondence was by phone rather than e-mails.

From: 9(2)(g)(ii)
Sent: Friday, 11 June 2021 9:16 am
To: 9(2)(g)(ii)
Subject: RE: Mount Messenger Wildlife Act Authority 65458-FAU variation application

Hi 9(2)(g)(ii)

Happy for you to take this one - there doesn't appear to be any change in activity other than date and personnel.

One thought - does the current Authority require them to submit a report by 30 June each year? If not, I think it would be good to put that condition in there so we can keep an eye on what the kiwi population is doing here before/during/after construction.

Cheers

9(2)(g)(ii)

From: 9(2)(g)(ii)
Sent: Thursday, 10 June 2021 9:18 am
To: 9(2)(g)(ii)
Subject: FW: Mount Messenger Wildlife Act Authority 65458-FAU variation application
Importance: High

Hi 9(2)(g)(ii) looks like a simple extending period of monitoring to reflect late start of highway. I can take it if you see no reason to agree to extension. Presumably there is an end date to the monitoring?

Cheers 9(2)(g)(ii)

- 1.
2. Variation activity description. Please provide a brief summary paragraph (100 words or less) here: The variation is required to extend the Mount Messenger Alliance Mount Messenger kiwi tracking programme to reflect the longer pre-construction period now required for the Project. An administrative change of the Authority Holder's address and contact person is also required to reflect the change in Lead Ecologist over the last three years, as well as location of the Lead Ecologist and most relevant project personnel. Variation also required to add additional Authorised Personnel to reflect Project personnel changes over the three year period since the Authority was issued. Would you like to change or add Authorised Personnel for your Current Authority? Yes No, go to next

question. Please provide full name of the personnel. Add: [redacted] 9(2)(g)(ii) accredited kiwi practitioner; [redacted] 9(2)(a) – accredited kiwi practitioner; [redacted] 9(2)(a) [redacted] – accredited chick practitioner, trainee adult practitioner under [redacted] 9(2)(a) [redacted] – trainee practitioner under [redacted] 9(2)(a). Attach a copy of your proposal to this form and label it Attachment B1. See Authorisations and Special Conditions for your information. 2. Are you requesting to vary the term? Yes, provide details in 2.1 No, go to next question. 2.1. Reason for the term request? The Project's preconstruction monitoring phase has been extended to reflect the later construction start date. The kiwi require continued monitoring to ensure any population changes or changes in individual kiwi territories are accounted for and understood, in order to minimise construction impacts on any kiwi within the project's footprint. The construction consenting date may be expected by 30 May 2022, we therefore request term extension until this date

3.

From: [redacted] 9(2)(g)(ii)
Sent: Wednesday, 26 May 2021 5:00 pm
To: permissions <permissions@doc.govt.nz>
Cc: [redacted] 9(2)(g)(ii) [redacted] 9(2)(g)(ii)
[redacted] 9(2)(a)
Subject: Mount Messenger Wildlife Act Authority 65458-FAU variation application
Importance: High

Kia ora,

I'm writing to apply for a variation to the Mt Messenger Bypass kiwi Wildlife Act Authority (WAA) 65458-FAU, due to the extended pre-construction period of the Project.

Please find attached our variation application for minor changes to 65458-FAU being:

- Request for an extension of the term of the Authority;
- Administrative changes – contact person and address; and,
- Additional Authorised Personnel to be added to the Authority; [redacted] 9(2)(g)(ii) and [redacted] 9(2)(a) – accredited kiwi practitioners; [redacted] 9(2)(a) – accredited kiwi chick handler and currently adult trainee practitioner; [redacted] 9(2)(a) – currently a trainee practitioner. [redacted] 9(2)(a) continues to be involved in the kiwi work and trains ecologists including [redacted] 9(2)(a) and [redacted] 9(2)(a)

Please note that this variation will be crucial to the Project's monitoring programme, which benefits North Island brown kiwi as:

- We know how the kiwi population in the area is doing can monitor changes (territory movement, kiwi behaviour via transmitter signal code, incubating periods, feeding periods, check up on individual bird health during transmitter changes); and,
- Eggs are able to be contributed to the Kiwi's for Kiwi programme, allowing the genetic diversity and future generations of the Mount Messenger kiwi to continue where otherwise there is very low recruitment.

Please do not hesitate to get in touch if you need anything more,
Ngā Mihi

9(2)(g)(ii)

Lead Ecologist
Mt Messenger Alliance

M 9(2)(a)



Released under the Official Information Act

From: 9(2)(g)(ii)
To: 9(2)(g)(ii)
Subject: RE: Re: Memo to inform the Decision Maker in relation to Task Assignment DOC-6677039 [94669-FAU] - Waka Kotaki New Zealand Transport Agency
Date: Monday, 23 August 2021 4:41:39 pm
Attachments: [image001.jpg](#)
[image002.png](#)

Ah okay – yes did see he sent that through.

Thanks – had a lovely break! And now, lockdown!

From: 9(2)(g)(ii)
Sent: Monday, 23 August 2021 3:50 pm
To: 9(2)(g)(ii)
Subject: RE: Re: Memo to inform the Decision Maker in relation to Task Assignment DOC-6677039 [94669-FAU] - Waka Kotaki New Zealand Transport Agency

Kia ora 9(2)(g)(ii)

Welcome back! It looks like this one has been approved by 9(2)(g)(ii). The next job would have been to send the applicant which I believe 9(2)(g)(ii) may have done?

On a side note, please be aware that this Authority (and the communications around it) are likely to be subject to OIA 1305 which I believe is being co-ordinated by 9(2)(g)(ii) as well.

Ngā mihi,

9(2)(g)(ii)
Community Ranger
9(2)(a)
Ngāmotu / New Plymouth DOC Office
PO Box 462, New Plymouth 4340,



From: 9(2)(g)(ii)
Sent: Monday, 23 August 2021 3:43 pm
To: 9(2)(g)(ii)
Subject: RE: Re: Memo to inform the Decision Maker in relation to Task Assignment DOC-6677039 [94669-FAU] - Waka Kotaki New Zealand Transport Agency

Hi 9(2)(g)(ii)

Hope all is good with you in lockdown. Your email below came in while I was on leave and I'm still in catch up mode. Did this one get sorted, or are you still waiting on 9(2)(g)(ii) approval?

Thanks
9(2)(g)(ii)

From: 9(2)(g)(ii)
Sent: Friday, 6 August 2021 12:25 pm
To: 9(2)(g)(ii)

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

Subject: RE: Re: Memo to inform the Decision Maker in relation to Task Assignment DOC-6677039 [94669-FAU] - Waka Kotaki New Zealand Transport Agency

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

A Task Assignment [DOC-6677039](#) that was originally assigned to [redacted] 9(2)(g)(ii) (now [redacted] 9(2)(g)(ii)) is nearing completion.

Are you please able to assist with [redacted] 9(2)(g)(ii) consideration of the following Authority [DOC-6738926](#) and accompanying Approval Letter [DOC-6742249](#) for Waka Kotaki New Zealand Transport Agency (related to monitored kiwi) that have been prepared for the Decision Maker as a result of this Task Assignment?

For context, [redacted] 9(2)(g)(ii) was asked to lead the process and make a recommendation to the Decision Maker. The following memo (just signed by [redacted] 9(2)(g)(ii) with a recommended that the Wildlife Authority be granted) was prepared to inform the Decision Maker's decision on this application.

[Memo to inform the Decision Maker in relation to Task Assignment DOC-6677039 \[94669-FAU\] - Waka Kotaki New Zealand Transport Agency - DOC-6743752](#)

If [redacted] 9(2)(g)(ii) approval is forthcoming, could you please:

1. Arrange for the Decision Maker to sign and date the authority and have it witnessed and sign the approval letter
2. Send an email to [redacted] 9(2)(g)(ii) with the signed/witnessed authority and the signed approval letter attached.

Please let me know if you or [redacted] 9(2)(g)(ii) have any questions or if [redacted] 9(2)(g)(ii) would like a Context Meeting set up with the assigned resources for additional context prior to making his decision or to assign any further tasks if needed.

Ngā mihi,

[redacted] 9(2)(g)(ii)
Community Ranger
DDI: [redacted] 9(2)(a)
Ngāmotu / New Plymouth DOC Office
PO Box 462, New Plymouth 4340,



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

Sent: Friday, 6 August 2021 12:01 pm

To: [redacted] 9(2)(g)(ii) <[redacted] 9(2)(g)(ii)>

Subject: RE: Re: Memo to inform the Decision Maker in relation to Task Assignment DOC-6677039 [94669-FAU] - Waka Kotaki New Zealand Transport Agency

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

[redacted] 9(2)(g)(ii) has agreed and signed the Memo – it has been uploaded as a new revision in the link below.

Released under the Official Information Act

Kind regards,

9(2)(g)(ii)

Kaiāwhina

PA to 9(2)(g)(ii) – Director, Partnerships & Engagement

Support Officer to 9(2)(g)(ii) – Operations Manager

Department of Conservation – Te Papa Atawhai

9(2)(a)

From: 9(2)(g)(ii) <9(2)(g)(ii)>
Sent: Friday, 6 August 2021 11:04 am
To: 9(2)(g)(ii) <9(2)(g)(ii)>
Cc: 9(2)(g)(ii) <9(2)(g)(ii)>, 9(2)(g)(ii) <9(2)(g)(ii)>, 9(2)(g)(ii) <9(2)(g)(ii)>

Subject: Re: Memo to inform the Decision Maker in relation to Task Assignment DOC-6677039 [94669-FAU] - Waka Kotaki New Zealand Transport Agency

Kia ora 9(2)(g)(ii)

As discussed, please find linked below the Memo for your consideration that provides a recommendations back to the Director for a decision to be made on Waka Kotaki New Zealand Transport Agency's request to vary a Wildlife Act Authority (65458-FAU).

[Memo to inform the Decision Maker in relation to Task Assignment DOC-6677039 \[94669-FAU\] - Waka Kotaki New Zealand Transport Agency - DOC-6743762](#)

The Decision section of the Memo copied below.

Recommended Action or Next Steps for the Decision Maker:

Agree to recommended that the Decision Maker approve the granting of a Wildlife Authority to Waka Kotahi New Zealand Transport Agency subject to the standard authorisation document and the special conditions listed below:

Agree / Disagree

Signed by 9(2)(g)(ii) Operations Manager for New Plymouth

Comments: The following Authority [DOC-6738926](#) and accompanying Approval Letter [DOC-6742249](#) have been prepared for the Decision Maker to consider.

If you can respond to this email with an indication on whether or not you agree, I can arrange for your electronic signature to be included in this Memo. Once the memo has been updated with your recommendation and signature, the Decision Maker can be informed of your recommendation and can proceed with making his decision for the pre-prepared Authority linked above. If you respond recommending that you agree, I will forward your response to 9(2)(g)(ii)

Please let me know if you have any questions.

Ngā mihi,

9(2)(g)(ii)

Community Ranger

DDI: 9(2)(a)

Ngāmotu / New Plymouth DOC Office
PO Box 462, New Plymouth 4340,



-----Original Appointment-----

From: Context Meetings <ContextMeetings@doc.govt.nz>

Sent: Tuesday, 29 June 2021 11:36 am

To: Context Meetings; 9(2)(g)(ii) 9(2)(g)(ii) 9(2)(g)(ii)

Cc: 9(2)(g)(ii) 9(2)(g)(ii)

Subject: Context meeting - 94669-FAU New Zealand Transport Agency

When: Thursday, 1 July 2021 1:00 pm-1:30 pm (UTC+12:00) Auckland, Wellington

Where: Microsoft Teams Meeting

Hi 9(2)(g)(ii) 9(2)(g)(ii)

As advised, can you please lead this process and provide recommendations back to the Director for a decision to be made. I have declined this meeting for 9(2)(g)(ii)

Please let me know when you need a meeting with 9(2)(g)(ii) to discuss the outcome.

Thanks

9(2)(g)(ii)

-----Original Appointment-----

From: Context Meetings <ContextMeetings@doc.govt.nz>

Sent: Tuesday, 29 June 2021 10:15 am

To: Context Meetings; 9(2)(g)(ii) 9(2)(g)(ii) 9(2)(g)(ii)

Subject: Context meeting - 94669-FAU New Zealand Transport Agency

When: Thursday, 1 July 2021 1:00 pm-1:30 pm (UTC+12:00) Auckland, Wellington.

Where: Microsoft Teams Meeting

Purpose: Decision Maker will lead the team process for the following permissions application.

Please review the relevant application and identify any Critical Issues to bring to the meeting.

Please ensure to arrange meeting rooms amongst yourselves where required.

Please forward this calendar invitation to other team members as required.

Permission No.	Title	Application	Summary	Decision Maker	Team members	Task Assignment
94669-FAU	New Zealand	DOC-	The application is from New Zealand Transport Agency, seeking permission to vary a Wildlife Act Authority (65458-FAU). The Wildlife	9(2)(g)(ii)	Permissions Advisor – 9(2)(g)(ii) Community	DOC-6677039

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Transport Agency	6677013	Act Authority has been expired so this variation application is being treated as a new application.	9(2)(g)(ii)	Ranger - Technical Advisor – 9(2)(g)(ii)
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Permission Ref: 94669-FAU

To: 9(2)(g)(ii) as Operations Director HWT

From: 9(2)(g)(ii) as DDG Operations

Date: 25th June 2021

Task Assignment: Process Variation Request from: New Zealand Transport Agency

The Court of Appeal and Supreme Court judgments in the *PauaMAC5 Inc.* case had ramifications for the types of authorisations delegates of the Director-General of Conservation (DG) can grant under section 53 of the Wildlife Act 1953:

1. An application for **authorisation under section 53 can only be considered if the activity is “catch alive” or “kill”**. Lesser interferences such as disturbance or unsuccessful pursuit can only be authorised if they occur as part of “catch alive or kill”.
2. Authorising “catch alive or kill” envisages something **inherently intentional**. It cannot be used to facilitate or “cover” in case of an accidental action. An example of accidental killing is hitting a bird with your car. Incidental killing would be where an area is bulldozed knowing lizards will be present even though salvage has been undertaken. Accidental cannot be authorised; incidental can.
3. The judgments **also confirmed the purpose of the Act** (essentially to protect wildlife and control game). This means that an activity authorised under section 53 must promote the wider purpose of the Act. Purely anthropocentric activities with no benefit to wildlife would be unlikely to meet the purpose of the Act as there is no element of protection.

For more information on the impacts of the PauaMAC5 case, refer to the Factsheet for Decision Makers [DOC-6108585](#).

Variation Application to Existing Wildlife Act Authority

The Department has received a request from NZTA to vary a Wildlife Act Authority (65458-FAU). The Wildlife Act Authority has been expired so this variation application is being treated as a new application.

The applicant is applying to extend the term to reflect a later construction date and update authorised personnel and updating contact details. The authorised activities that need the term extending are:

	Authorised activity (including the	a. Activity: <ol style="list-style-type: none"> i. To Catch ii. To handle iii. To attach transmitters b. Species
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	<p>species, any approved quantities and collection methods). (Schedule 2, clause 2)</p>	<p>i. North Island Brown Kiwi (<i>Apteryx mantelli</i>)</p> <p>c. Quantity</p> <p>ii. Up to 15 pairs</p> <p>d. Method</p> <p>iii. All captures will be made by suitably accredited handlers</p>
	<p>The Land (Schedule 2, clause 2)</p>	<p>Immediate surrounds of Mount Messenger Bypass Project</p>
	<p>Personnel authorised to undertake the Authorised Activity (Schedule 2, clause 3)</p>	<p>a. 9(2)(a)</p> <p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p>
	<p>Term (Schedule 2, clause 4)</p>	<p>Commencing on and including 18 April 2018 and ending on and including 17 April 2021</p>
	<p>Authority Holder's address for notices (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>

Fees

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.

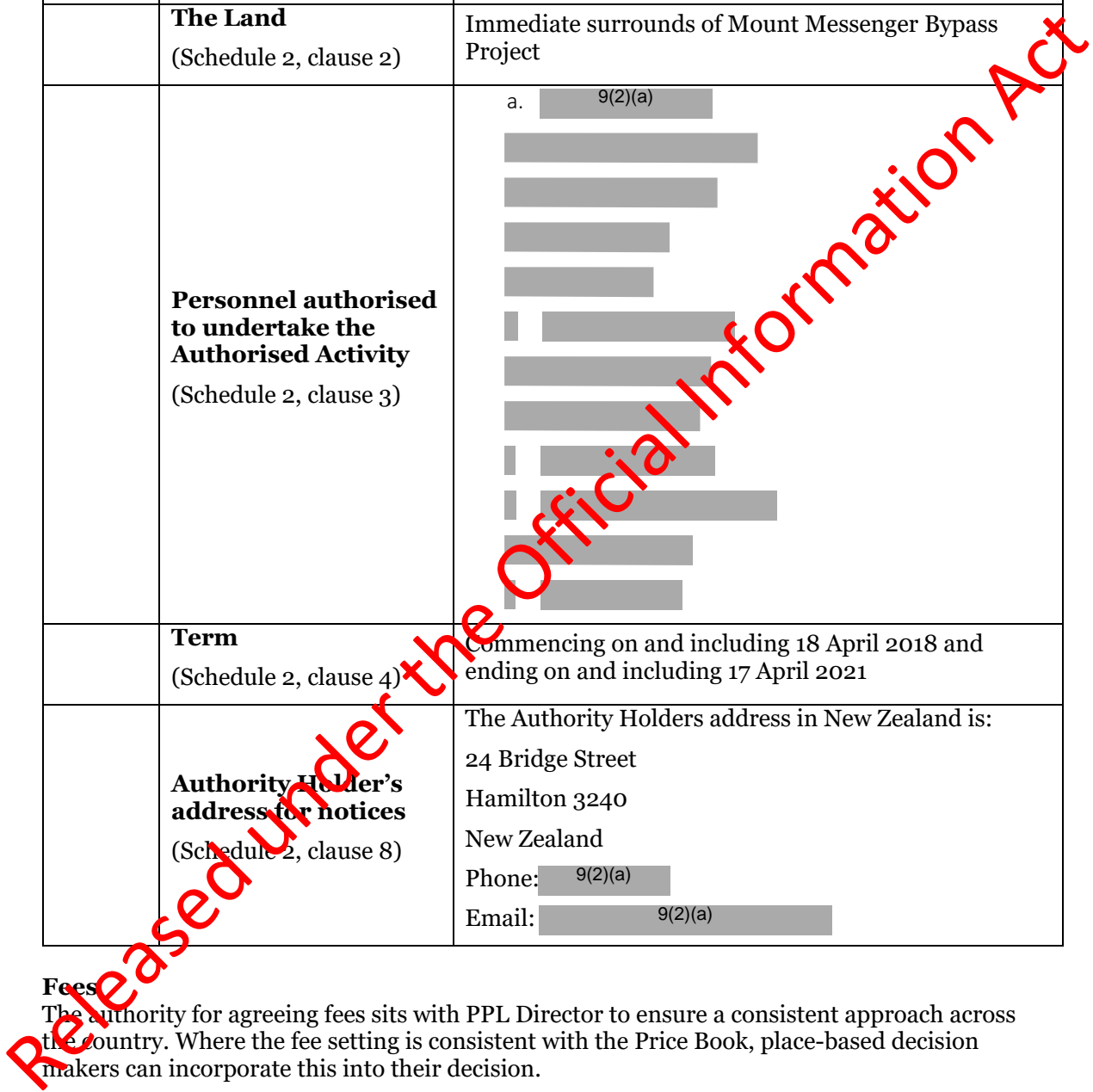
Purpose

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 the purpose of the Wildlife Act 1953 is considered

- 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 1' process steps
- 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 -

Technical Advisor – 9(2)(g)(ii)

Link to Application: [DOC-6677013](#)

Additional Resources:

Permissions Advisor guidance: [DOC-6182664](#)

Court of Appeal DOC legal advice: [DOC-5701834](#) [legally privileged]

Supreme Court DOC legal advice: [DOC-6096829](#) [legally privileged]

Timeframe

Within 20 working days of acceptance of Task Assignment. In this instance, the 20 working days will commence from 29th June 2021.

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From: 9(2)(g)(ii)
To: 9(2)(g)(ii)
Cc: 9(2)(g)(ii); 9(2)(g)(ii)
Subject: Approved Task Assignment DOC-6677039 [94669-FAU] - Waka Kotaki New Zealand Transport Agency
Date: Friday, 13 August 2021 4:46:36 pm
Attachments: [Wildlife Act - Correspondence - Approval Letter - \[94669-FAU\] - DOC-6742249.pdf](#)
[Wildlife Act Authorisation NOT ON public conservation land - \[94669-FAU\] - DOC-6738926.doc](#)
[image001.jpg](#)

Kia ora,

Please see attached signed documentation from 9(2)(g)(ii)

Note I have left the authorisation letter as a word document as it looked like you were going to check the numbered bullet points (highlighted yellow). Please ensure this is a PDF when sending out.

9(2)(g)(ii) – can you please upload the signed authorisation to docCM as I don't have access to.

Ngaa mihi,

9(2)(g)(ii)
Ranger, Regional Operations Support - Hauraki Waikato Taranaki region
Ph: 9(2)(a)

www.doc.govt.nz



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From: 9(2)(g)(ii)
To: 9(2)(g)(ii)
Cc: 9(2)(g)(ii)
Subject: RE: Re: Memo to inform the Decision Maker in relation to Task Assignment DOC-6677039 [94669-FAU] - Waka Kotahi New Zealand Transport Agency
Date: Monday, 9 August 2021 9:53:50 am
Attachments: [image001.jpg](#)
[image002.png](#)

Thanks 9(2)(g)(ii)

I will now save this email to the Permissions record to capture the time spent considering Task Assignment DOC-6677039.

No.	Task description	Accountability	Estimated time req'd to complete task (minutes)	Timeframe (date due)	Date complete	Time taken to complete task (minutes)
1	Prepare for Context Meeting	All resources	15 min each	1/07/2021	1/07/2021	Lead – estimated at 10 min Permissions Advisor – all time captured below (point 7) Technical Advisor - estimated at 20 min Community Ranger – estimated at 20 min Ranger Community (Casual) - estimated 20 min
2	Attend Context Meeting	All resources	30 min each	1/07/2021	1/07/2021	Lead – estimated 30 min Technical Advisor estimated at 30 min Community Ranger - estimated 30

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						min Ranger Community (Casual) - estimated 30 min
3	Prepare memo	Community Ranger	120 min		6/08/2021	Community Ranger - estimated 180 min
4	Seek Lead's recommendation	Community Ranger	5 min			Community Ranger - estimated 10 min
5	Provide recommendation	Lead	10 min			Lead - estimated at 10 min
6	Phone call re: kiwi egg collection	Community Ranger Ranger Community (Casual)	10 min		6/08/2021	Community Ranger - estimated 10 min Ranger Community (Casual) - estimated 10 min
7	Permission Advisor input	Permissions Advisor	-	-	6/08/2021	Permissions Advisor - 285 min

Ngā mihi,

9(2)(g)(ii)

Community Ranger

DDI: 9(2)(a)

Ngāmotu / New Plymouth DOC Office

P.O. Box 162, New Plymouth 4340,

doc



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

Sent: Monday, 9 August 2021 8:14 am

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

Subject: RE: Re: Memo to inform the Decision Maker in relation to Task Assignment DOC-6677039 [94669-FAU] - Waka Kotahi New Zealand Transport Agency

Kia ora 9(2)(g)(ii)

Other than time spent in the context meeting (where I was more an observer) and reading through the concession Special conditions for the variation re: my call to you re kiwi egg collection, possibly 1hr spent in total.

Regards,

9(2)(g)
(ii)

From: 9(2)(g)(ii) <9(2)(g)(ii)>
Sent: Friday, 6 August 2021 1:26 pm
To: 9(2)(g)(ii)
Cc: 9(2)(g)(ii) <9(2)(g)(ii)> 9(2)(g)(ii)
Subject: RE: Re: Memo to inform the Decision Maker in relation to Task Assignment DOC-6677039 [94669-FAU] - Waka Kotaki New Zealand Transport Agency

Thanks 9(2)(g)(ii)

I have entered this in the table below and will save this to the Permissions record once I have a reply from 9(2)(g)(ii) and 9(2)(g)(ii)

Ngā mihi,

9(2)(g)(ii)
Community Ranger
DDI: 9(2)(a)
Ngāmotu / New Plymouth DOC Office
PO Box 462, New Plymouth 4340,

doc

From: 9(2)(g)(ii)
Sent: Friday, 6 August 2021 1:48 pm
To: 9(2)(g)(ii) <9(2)(g)(ii)>
Subject: RE: Re: Memo to inform the Decision Maker in relation to Task Assignment DOC-6677039 [94669-FAU] - Waka Kotaki New Zealand Transport Agency

Hi 9(2)(g)(ii) I spent about 20 minutes on preparation and 30 minutes on context meeting =50 minutes cheers 9(2)(g)(ii)

From: 9(2)(g)(ii) <9(2)(g)(ii)>
Sent: Friday, 6 August 2021 12:41 pm
To: 9(2)(g)(ii) 9(2)(g)(ii) <9(2)(g)(ii)> 9(2)(g)(ii)
Subject: FW: Re: Memo to inform the Decision Maker in relation to Task Assignment DOC-6677039 [94669-FAU] - Waka Kotaki New Zealand Transport Agency

Kia ora 9(2)(g)(ii) and 9(2)(g)(ii)

FYI, this application has been sent to the Director for a decision following the Lead's recommendation for the Wildlife Authority to be approved.

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Can you please respond to this email confirming the time spent on this application, for time recording purposes. Please feel free to just provide a total time for your involvement or utilise the table below for specific tasks.

No.	Task description	Accountability	Estimated time req'd to complete task (minutes)	Timeframe (date due)	Date complete	Time taken to complete task (minutes)
1	Prepare for Context Meeting	All resources	15 min each	1/07/2021	1/07/2021	Lead – estimated at 10 min Permissions Advisor Technical Advisor - estimated at 20 min Community Ranger – estimated at 20 min Ranger Community (Casual)
2	Attend Context Meeting	All resources	30 min each	1/07/2021	1/07/2021	Lead – estimated 30 min Permissions Advisor Technical Advisor estimated at 30 min Community Ranger - estimated 30 min Ranger Community (Casual)
3	Prepare memo	Community Ranger	120 min		6/08/2021	Community Ranger - estimated 180 min
			5 min			Community

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4	Seek Lead's recommendation	Community Ranger				Ranger – estimated 10 min
5	Provide recommendation	Lead	10 min			Lead – estimated at 10 min
6						
7						
7						

Function	Time (minutes)	Date complete
Capture	Unknown	
Summary	Unknown	
Understand	Unknown	
Assign	Unknown	
Pre-application advice*	Unknown	

Ngā mihi,

9(2)(g)(ii)

Community Ranger

DDI: 9(2)(a)

Ngāmotu / New Plymouth DOC Office
PO Box 462, New Plymouth 4340,

doc

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

Sent: Friday, 6 August 2021 12:25 pm

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

Cc: 9(2)(g)(ii) <9(2)(g)(ii)> 9(2)(g)(ii) <9(2)(g)(ii)>

Subject: RE: Re: Memo to inform the Decision Maker in relation to Task Assignment DOC-6677039 [14669-FAU] - Waka Kotaki New Zealand Transport Agency

Kia ora 9(2)(g)(ii)

A Task Assignment [DOC-6677039](#) that was originally assigned to 9(2)(g)(ii) (now 9(2)(g)(ii)) is nearing completion.

Are you please able to assist with 9(2)(g)(ii) consideration of the following Authority [DOC-6738926](#) and accompanying Approval Letter [DOC-6742249](#) for Waka Kotaki New Zealand Transport Agency (related to monitored kiwi) that have been prepared for the Decision Maker as a result of this Task Assignment?

For context, 9(2)(g)(ii) was asked to lead the process and make a recommendation to the Decision Maker. The following memo (just signed by 9(2)(g)(ii) with a recommended that the Wildlife Authority be granted) was prepared to inform the Decision Maker's decision on this application.

[Memo to inform the Decision Maker in relation to Task Assignment DOC-6677039 \[94669-FAU\] - Waka Kotaki New Zealand Transport Agency - DOC-6743752](#)

If 9(2)(g)(ii) approval is forthcoming, could you please:

1. Arrange for the Decision Maker to sign and date the authority and have it witnessed and sign the approval letter
2. Send an email to 9(2)(g)(ii) with the signed/witnessed authority and the signed approval letter attached.

Please let me know if you or 9(2)(g)(iii) have any questions or if 9(2)(g)(iii) would like a Context Meeting set up with the assigned resources for additional context prior to making his decision or to assign any further tasks if needed.

Ngā mihi,

9(2)(g)(ii)
Community Ranger
DDI: 9(2)(a)
Ngāmotu / New Plymouth DOC Office
PO Box 462, New Plymouth 4340,

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From: 9(2)(g)(ii)
Sent: Friday, 6 August 2021 12:01 pm
To: 9(2)(g)(ii) <9(2)(g)(ii)>
Subject: RE: Re: Memo to inform the Decision Maker in relation to Task Assignment DOC-6677039 [94669-FAU] - Waka Kotaki New Zealand Transport Agency

Kia ora 9(2)(g)(iii)

9(2)(g)(iii) has agreed and signed the Memo – it has been uploaded as a new revision in the link below.

Kind regards,

9(2)(g)(ii)
Kalawhina
PA to 9(2)(g)(ii) – Director, Partnerships & Engagement
Support Officer to 9(2)(g)(ii) – Operations Manager
Department of Conservation – Te Papa Atawhai
027 275 3554

From: 9(2)(g)(ii) <9(2)(g)(ii)>
Sent: Friday, 6 August 2021 11:04 am
To: 9(2)(g)(ii) <9(2)(g)(ii)>

Cc: [redacted] <[redacted]> [redacted] <[redacted]> [redacted] <[redacted]> [redacted]

Subject: Re: Memo to inform the Decision Maker in relation to Task Assignment DOC-6677039 [94669-FAU] - Waka Kotaki New Zealand Transport Agency

Kia ora [redacted]

As discussed, please find linked below the Memo for your consideration that provides a recommendations back to the Director for a decision to be made on Waka Kotaki New Zealand Transport Agency's request to vary a Wildlife Act Authority (65458-FAU).

[Memo to inform the Decision Maker in relation to Task Assignment DOC-6677039 \[94669-FAU\] - Waka Kotaki New Zealand Transport Agency - DOC-6743752](#)

The Decision section of the Memo copied below:

<p>Recommended Action or Next Steps for the Decision Maker:</p> <p>Agree to recommended that the Decision Maker approve the granting of a Wildlife Authority to Waka Kotahi New Zealand Transport Agency subject to the standard authorisation document and the special conditions listed below:</p> <p>Agree / Disagree</p> <p>_____</p> <p>Signed by [redacted] Operations Manager for New Plymouth</p> <p>Comments: The following Authority DOC-6738926 and accompanying Approval Letter DOC-6742249 have been prepared for the Decision Maker to consider.</p>
--

If you can respond to this email with an indication on whether or not you agree, I can arrange for your electronic signature to be included in this Memo. Once the memo has been updated with your recommendation and signature, the Decision Maker can be informed of your recommendation and can proceed with making his decision for the pre-prepared Authority linked above. If you respond recommending that you agree, I will forward your response to [redacted]

Please let me know if you have any questions.

Ngā mihi,

[redacted]
Community Ranger

DDI: [redacted]
Ngāmotu / New Plymouth DOC Office
PO Box 462, New Plymouth 4340,



-----Original Appointment-----

Released under the Official Information Act

From: Context Meetings <ContextMeetings@doc.govt.nz>

Sent: Tuesday, 29 June 2021 11:36 am

To: Context Meetings; [redacted] [redacted] [redacted]

Cc: [redacted] [redacted]

Subject: Context meeting - 94669-FAU New Zealand Transport Agency

When: Thursday, 1 July 2021 1:00 pm-1:30 pm (UTC+12:00) Auckland, Wellington.

Where: Microsoft Teams Meeting

Hi [redacted] [redacted]

As advised, can you please lead this process and provide recommendations back to the Director for a decision to be made. I have declined this meeting for [redacted]

Please let me know when you need a meeting with [redacted] to discuss the outcome.

Thanks

[redacted]

-----Original Appointment-----

From: Context Meetings <ContextMeetings@doc.govt.nz>

Sent: Tuesday, 29 June 2021 10:15 am

To: Context Meetings; [redacted] [redacted] [redacted]

Subject: Context meeting - 94669-FAU New Zealand Transport Agency

When: Thursday, 1 July 2021 1:00 pm-1:30 pm (UTC+12:00) Auckland, Wellington.

Where: Microsoft Teams Meeting

Purpose: Decision Maker will lead the team process for the following permissions application.

Please review the relevant application and identify any Critical Issues to bring to the meeting.

Please ensure to arrange meeting rooms amongst yourselves where required.

Please forward this calendar invitation to other team members as required.

Permission No.	Title	Application	Summary	Decision Maker	Team members	Task Assignment
94669-FAU	New Zealand Transport Agency	DOC-6677013	The application is from New Zealand Transport Agency, seeking permission to vary a Wildlife Act Authority (65458-FAU). The Wildlife Act Authority has been expired so this variation application is being treated as a new application.	[redacted]	Permissions Advisor – [redacted] Community Ranger - Technical Advisor – [redacted]	DOC-6677039

Permission Ref: 94669-FAU

To: [redacted] as Operations Director HWT

From: [redacted] as DDG Operations

th

Date: 25 June 2021

Task Assignment: Process Variation Request from: New Zealand Transport Agency

The Court of Appeal and Supreme Court judgments in the *PauaMAC5 Inc.* case had ramifications for the types of authorisations delegates of the Director-General of Conservation (DG) can grant under section 53 of the Wildlife Act 1953:

1. An application for **authorisation under section 53 can only be considered if the activity is “catch alive” or “kill”**. Lesser interferences such as disturbance or unsuccessful pursuit can only be authorised if they occur as part of “catch alive or kill”.
2. Authorising “catch alive or kill” envisages something **inherently intentional**. It cannot be used to facilitate or “cover” in case of an accidental action. An example of accidental killing is hitting a bird with your car. Incidental killing would be where an area is bulldozed knowing lizards will be present even though salvage has been undertaken. Accidental cannot be authorised; incidental can.
3. The judgments **also confirmed the purpose of the Act** (essentially to protect wildlife and control game). This means that an activity authorised under section 53 must promote the wider purpose of the Act. Purely anthropocentric activities with no benefit to wildlife would be unlikely to meet the purpose of the Act as there is no element of protection.

For more information on the impacts of the PauaMAC5 case, refer to the Factsheet for Decision Makers [DOC-6193585](#).

Variation Application to Existing Wildlife Act Authority

The Department has received a request from NZTA to vary a Wildlife Act Authority (65458-FAU). The Wildlife Act Authority has been expired so this variation application is being treated as a new application.

The applicant is applying to extend the term to reflect a later construction date and update authorised personnel and updating contact details. The authorised activities that need the term extending are:

	Authorised activity (including the species, any approved quantities and collection methods). (Schedule 2, clause 2)	a. Activity: i. To Catch ii. To handle iii. To attach transmitters b. Species i. North Island Brown Kiwi (<i>Apteryx mantelli</i>) c. Quantity ii. Up to 15 pairs d. Method iii. All captures will be made by suitably accredited handlers
	The Land (Schedule 2, clause 2)	Immediate surrounds of Mount Messenger Bypass Project
		a. 9(2)(a)

	<p>Personnel authorised to undertake the Authorised Activity (Schedule 2, clause 3)</p>	<p>b. 9(2)(a)</p> <p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p>
	<p>Term (Schedule 2, clause 4)</p>	<p>Commencing on and including 18 April 2018 and ending on and including 17 April 2021</p>
	<p>Authority Holder's address for notices (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>

Fees

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)

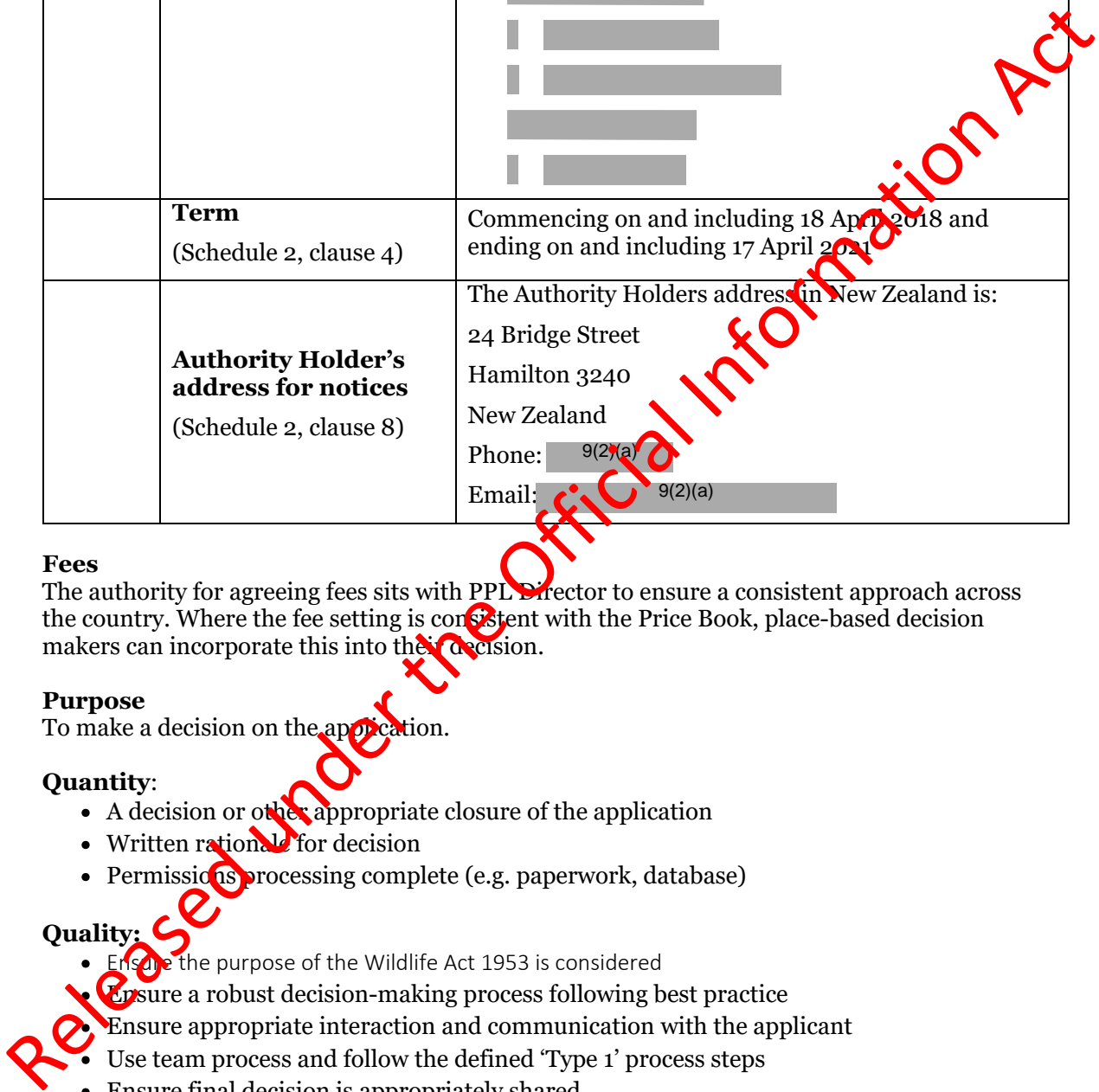
Quality:

- Ensure the purpose of the Wildlife Act 1953 is considered
- 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 1' process steps
- 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 -
Technical Advisor – 9(2)(g)(ii)

Link to Application: [DOC-6677013](https://www.doc.govt.nz/permissions/DOC-6677013)



Additional Resources:

Permissions Advisor guidance: [DOC-6182664](#)

Court of Appeal DOC legal advice: [DOC-5701834](#) [legally privileged]

Supreme Court DOC legal advice: [DOC-6096829](#) [legally privileged]

Timeframe

Within 20 working days of acceptance of Task Assignment. In this instance, the 20 working days will commence from 29th June 2021.

Released under the Official Information Act

From: 9(2)(g)(ii)
To: 9(2)(g)(ii)
Cc: 9(2)(g)(ii)
Subject: RE: Re: Memo to inform the Decision Maker in relation to Task Assignment DOC-6677039 [94669-FAU] - Waka Kotaki New Zealand Transport Agency
Date: Friday, 6 August 2021 3:53:00 pm
Attachments: [image001.jpg](#)
[image002.png](#)

Thanks 9(2)(g)(ii)

From: 9(2)(g)(ii) <9(2)(g)(ii)>
Sent: Friday, 6 August 2021 3:41 pm
To: 9(2)(g)(ii) <9(2)(g)(ii)>
Subject: RE: Re: Memo to inform the Decision Maker in relation to Task Assignment DOC-6677039 [94669-FAU] - Waka Kotaki New Zealand Transport Agency

Hi 9(2)(g)(ii)

I spent 4:45 min on this one

From: 9(2)(g)(ii) <9(2)(g)(ii)>
Sent: Friday, 6 August 2021 1:26 pm
To: 9(2)(g)(ii) <9(2)(g)(ii)>
Cc: 9(2)(g)(ii) <9(2)(g)(ii)> 9(2)(g)(ii)
Subject: RE: Re: Memo to inform the Decision Maker in relation to Task Assignment DOC-6677039 [94669-FAU] - Waka Kotaki New Zealand Transport Agency

Thanks 9(2)(g)(ii)

I have entered this in the table below and will save this to the Permissions record once I have a reply from 9(2)(g)(ii) and 9(2)(g)(ii)

Ngā mihi,

9(2)(g)(ii)
Community Ranger
DDI: 9(2)(a)
Ngāmotu / New Plymouth DOC Office
PO Box 462, New Plymouth 4340,

doc

From: 9(2)(g)(ii) <9(2)(g)(ii)>
Sent: Friday, 6 August 2021 12:48 pm
To: 9(2)(g)(ii) <9(2)(g)(ii)>
Subject: RE: Re: Memo to inform the Decision Maker in relation to Task Assignment DOC-6677039 [94669-FAU] - Waka Kotaki New Zealand Transport Agency

Hi 9(2)(g)(ii) I spent about 20 minutes on preparation and 30 minutes on context meeting =50 minutes cheers 9(2)(g)(ii)

Released under the Official Information Act

From: 9(2)(g)(ii) <9(2)(g)(ii)>
Sent: Friday, 6 August 2021 12:41 pm
To: 9(2)(g)(ii) <9(2)(g)(ii)> 9(2)(g)(ii) <9(2)(g)(ii)> 9(2)(g)(ii)
Subject: FW: Re: Memo to inform the Decision Maker in relation to Task Assignment DOC-6677039 [94669-FAU] - Waka Kotaki New Zealand Transport Agency

Kia ora 9(2)(g)(ii) and 9(2)(g)(ii)

FYI, this application has been sent to the Director for a decision following the Lead’s recommendation for the Wildlife Authority to be approved.

Can you please respond to this email confirming the time spent on this application, for time recording purposes. Please feel free to just provide a total time for your involvement or utilise the table below for specific tasks.

No.	Task description	Accountability	Estimated time req’d to complete task (minutes)	Timeframe (date due)	Date complete	Time taken to complete task (minutes)
1	Prepare for Context Meeting	All resources	15 min each	1/07/2021	1/07/2021	Lead – estimated at 10 min Permissions Advisor Nil I didn’t attend Technical Advisor - estimated at 20 min Community Ranger – estimated at 20 min Ranger Community (Casual)
2	Attend Context	All resources	30 min each	1/07/2021	1/07/2021	Lead – estimated 30 min Permissions Advisor nil io didn’t attend Technical Advisor estimated at

Released under the Official Information Act

	Meeting					30 min Community Ranger - estimated 30 min Ranger Community (Casual)
3	Prepare memo	Community Ranger	120 min		6/08/2021	Community Ranger - estimated 120 min
4	Seek Lead's recommendation	Community Ranger	5 min			Community Ranger - estimated 10 min
5	Provide recommendation	Lead	10 min			Lead - estimated at 10 min
6						
7						
7						

Function	Time (minutes)	Date complete
Capture	Unknown	
Summary	Unknown	
Understand	Unknown	
Assign	Unknown	
Pre-application advice*	Unknown	

Ngā mihi,

9(2)(g)(ii)

Community Ranger

DDI: 9(2)(a)

Ngāmotu / New Plymouth DOC Office

PO Box 462, New Plymouth 4340,

doc

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

Sent: Friday, 6 August 2021 12:25 pm

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

Cc: 9(2)(g)(ii) <9(2)(g)(ii)> 9(2)(g)(ii) <9(2)(g)(ii)>

Subject: RE: Re: Memo to inform the Decision Maker in relation to Task Assignment DOC-6677039 [94669-FAU] - Waka Kotaki New Zealand Transport Agency

Kia ora 9(2)(g)(ii)

A Task Assignment [DOC-6677039](#) that was originally assigned to 9(2)(g)(ii) (now 9(2)(g)(ii)) is nearing completion.

Are you please able to assist with 9(2)(g)(ii) consideration of the following Authority [DOC-6738926](#) and accompanying Approval Letter [DOC-6742249](#) for Waka Kotaki New Zealand Transport Agency (related to monitored kiwi) that have been prepared for the Decision Maker as a result of this Task Assignment?

For context, 9(2)(g)(ii) was asked to lead the process and make a recommendation to the Decision Maker. The following memo (just signed by 9(2)(g)(ii) with a recommended that the Wildlife Authority be granted) was prepared to inform the Decision Maker's decision on this application.

[Memo to inform the Decision Maker in relation to Task Assignment DOC-6677039 \[94669-FAU\] - Waka Kotaki New Zealand Transport Agency - DOC-6743752](#)

If 9(2)(g)(ii) approval is forthcoming, could you please:

1. Arrange for the Decision Maker to sign and date the authority and have it witnessed and sign the approval letter
2. Send an email to 9(2)(g)(ii) with the signed/witnessed authority and the signed approval letter attached.

Please let me know if you or 9(2)(g)(ii) have any questions or if 9(2)(g)(ii) would like a Context Meeting set up with the assigned resources for additional context prior to making his decision or to assign any further tasks if needed.

Ngā mihi,

9(2)(g)(ii)

Community Ranger

DDI: 9(2)(a)

Ngāmotu / New Plymouth DOC Office

PO Box 462, New Plymouth 4340,

doc



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

Sent: Friday, 6 August 2021 12:01 pm

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

Subject: RE: Re: Memo to inform the Decision Maker in relation to Task Assignment DOC-6677039 [94669-FAU] - Waka Kotaki New Zealand Transport Agency

Kia ora 9(2)(g)(ii)

9(2)(g)(ii) has agreed and signed the Memo – it has been uploaded as a new revision in the link below.

Kind regards,

9(2)(g)(ii)

Kaiāwhina

PA to 9(2)(g)(ii) – Director, Partnerships & Engagement

Support Officer to 9(2)(g)(ii) – Operations Manager

Department of Conservation – Te Papa Atawhai

9(2)(a)

From: 9(2)(g)(ii) <9(2)(g)(ii)>
Sent: Friday, 6 August 2021 11:04 am
To: 9(2)(g)(ii) <9(2)(g)(ii)>
Cc: 9(2)(g)(ii) <9(2)(g)(ii)>, 9(2)(g)(ii) <9(2)(g)(ii)>, 9(2)(g)(ii) <9(2)(g)(ii)>

Subject: Re: Memo to inform the Decision Maker in relation to Task Assignment DOC-6677039 [94669-FAU] - Waka Kotahi New Zealand Transport Agency

Kia ora 9(2)(g)(ii)

As discussed, please find linked below the Memo for your consideration that provides a recommendations back to the Director for a decision to be made on Waka Kotahi New Zealand Transport Agency's request to vary a Wildlife Act Authority (65453-FAU).

[Memo to inform the Decision Maker in relation to Task Assignment DOC-6677039 \[94669-FAU\] - Waka Kotahi New Zealand Transport Agency - DOC-6742249](#)

The Decision section of the Memo copied below:

Recommended Action or Next Steps for the Decision Maker:

Agree to recommended that the Decision Maker approve the granting of a Wildlife Authority to Waka Kotahi New Zealand Transport Agency subject to the standard authorisation document and the special conditions listed below:

Agree / Disagree

Signed by 9(2)(g)(ii) Operations Manager for New Plymouth

Comments: The following Authority [DOC-6738926](#) and accompanying Approval Letter [DOC-6742249](#) have been prepared for the Decision Maker to consider.

If you can respond to this email with an indication on whether or not you agree, I can arrange for your electronic signature to be included in this Memo. Once the memo has been updated with your recommendation and signature, the Decision Maker can be informed of your recommendation and can proceed with making his decision for the pre-prepared Authority linked above. If you respond recommending that you agree, I will forward your response to 9(2)(g)(ii)

Please let me know if you have any questions.

Ngā mihi,

9(2)(g)(ii)

Community Ranger

DDI: 9(2)(a)

Ngāmotu / New Plymouth DOC Office

PO Box 462, New Plymouth 4340,



-----Original Appointment-----

From: Context Meetings <ContextMeetings@doc.govt.nz>

Sent: Tuesday, 29 June 2021 11:36 am

To: Context Meetings; 9(2)(g)(ii) 9(2)(g)(ii) 9(2)(g)(ii)

Cc: 9(2)(g)(ii) 9(2)(g)(ii)

Subject: Context meeting - 94669-FAU New Zealand Transport Agency

When: Thursday, 1 July 2021 1:00 pm-1:30 pm (UTC+12:00) Auckland, Wellington.

Where: Microsoft Teams Meeting

Hi 9(2)(g)(ii) 9(2)(g)(ii)

As advised, can you please lead this process and provide recommendations back to the Director for a decision to be made. I have declined this meeting for 9(2)(g)(ii)

Please let me know when you need a meeting with 9(2)(a)(iii) to discuss the outcome.

Thanks

9(2)(g)(ii)

-----Original Appointment-----

From: Context Meetings <ContextMeetings@doc.govt.nz>

Sent: Tuesday, 29 June 2021 10:15 am

To: Context Meetings; 9(2)(g)(ii) 9(2)(g)(ii) 9(2)(g)(ii)

Subject: Context meeting - 94669-FAU New Zealand Transport Agency

When: Thursday, 1 July 2021 1:00 pm-1:30 pm (UTC+12:00) Auckland, Wellington.

Where: Microsoft Teams Meeting

Purpose: Decision Maker will lead the team process for the following permissions application.

Please review the relevant application and identify any Critical Issues to bring to the meeting.

Please ensure to arrange meeting rooms amongst yourselves where required.

Please forward this calendar invitation to other team members as required.

Permission No.	Title	Application	Summary	Decision Maker	Team members	Task Assignment
			The application is from New Zealand Transport Agency, seeking		Permissions Advisor – 9(2)(g)(ii)	

Released under the Official Information Act

94669-FAU	New Zealand Transport Agency	DOC-6677013	permission to vary a Wildlife Act Authority (65458-FAU). The Wildlife Act Authority has been expired so this variation application is being treated as a new application.	9(2)(g)(ii)	Liddell Community Ranger - Technical Advisor – 9(2)(g)(ii)	DOC-6677039
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Permission Ref: 94669-FAU

To: 9(2)(g)(ii) as Operations Director HWT

From: 9(2)(g)(ii) as DDG Operations

Date: 25th June 2021

Task Assignment: Process Variation Request from: New Zealand Transport Agency

The Court of Appeal and Supreme Court judgments in the *PauaMAC5 Inc.* case had ramifications for the types of authorisations delegates of the Director-General of Conservation (DG) can grant under section 53 of the Wildlife Act 1953:

1. An application for **authorisation under section 53 can only be considered if the activity is “catch alive” or “kill”**. Lesser interferences such as disturbance or unsuccessful pursuit can only be authorised if they occur as part of “catch alive or kill”.
2. Authorising “catch alive or kill” envisages something **inherently intentional**. It cannot be used to facilitate or “cover” in case of an accidental action. An example of accidental killing is hitting a bird with your car. Incidental killing would be where an area is bulldozed knowing lizards will be present even though salvage has been undertaken. Accidental cannot be authorised, incidental can.
3. The judgments **also confirmed the purpose of the Act** (essentially to protect wildlife and control game). This means that an activity authorised under section 53 must promote the wider purpose of the Act. Purely anthropocentric activities with no benefit to wildlife would be unlikely to meet the purpose of the Act as there is no element of protection.

For more information on the impacts of the PauaMAC5 case, refer to the Factsheet for Decision Makers [DOC-667703585](#).

Variation Application to Existing Wildlife Act Authority

The Department has received a request from NZTA to vary a Wildlife Act Authority (65458-FAU). The Wildlife Act Authority has been expired so this variation application is being treated as a new application.

The applicant is applying to extend the term to reflect a later construction date and update authorised personnel and updating contact details. The authorised activities that need the term extending are:

		<p>a. Activity:</p> <ul style="list-style-type: none"> i. To Catch ii. To handle iii. To attach transmitters
--	--	---

	<p>Authorised activity (including the species, any approved quantities and collection methods). (Schedule 2, clause 2)</p>	<p>b. Species</p> <p>i. North Island Brown Kiwi (<i>Apteryx mantelli</i>)</p> <p>c. Quantity</p> <p>ii. Up to 15 pairs</p> <p>d. Method</p> <p>iii. All captures will be made by suitably accredited handlers</p>
	<p>The Land (Schedule 2, clause 2)</p>	<p>Immediate surrounds of Mount Messenger Bypass Project</p>
	<p>Personnel authorised to undertake the Authorised Activity (Schedule 2, clause 3)</p>	<p>a. 9(2)(a)</p> <p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p>
	<p>Term (Schedule 2, clause 4)</p>	<p>Commencing on and including 18 April 2018 and ending on and including 17 April 2021</p>
	<p>Authority Holder's address for notices (Schedule 2, clause 8)</p>	<p>The Authority Holders address in New Zealand is:</p> <p>24 Bridge Street Hamilton 3240 New Zealand</p> <p>Phone: 9(2)(a)</p> <p>Email: 9(2)(a)</p>

Released under the Official Information Act

Fees

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 the purpose of the Wildlife Act 1953 is considered
- 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 1' process steps
- 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 -

Technical Advisor – 9(2)(g)(ii)

Link to Application: [DOC-6677013](#)

Additional Resources:

Permissions Advisor guidance: [DOC-6182664](#)

Court of Appeal DOC legal advice: [DOC-5701834](#) [legally privileged]

Supreme Court DOC legal advice: [DOC-6096829](#) [legally privileged]

Timeframe

Within 20 working days of acceptance of Task Assignment. In this instance, the 20 working days will commence from 29th June 2021.

Released under the Official Information Act

From: 9(2)(g)(ii)
To: 9(2)(g)(ii)
Cc: 9(2)(g)(ii) 9(2)(g)(ii) 9(2)(g)(ii)
Subject: RE: Re: Memo to inform the Decision Maker in relation to Task Assignment DOC-6677039 [94669-FAU] - Waka Kotaki New Zealand Transport Agency
Date: Friday, 6 August 2021 1:23:04 pm
Attachments: [image001.jpg](#)
[image002.png](#)

Kia ora 9(2)(g)(ii)

I agree with the recommendation. Thanks for all who provided input, much appreciated.

Thanks

9(2)(g)(ii)

From: 9(2)(g)(ii) <9(2)(g)(ii)>
Sent: Friday, 6 August 2021 11:04 am
To: 9(2)(g)(ii) <9(2)(g)(ii)>
Cc: 9(2)(g)(ii) <9(2)(g)(ii)> 9(2)(g)(ii) <9(2)(g)(ii)> 9(2)(g)(ii)

Subject: Re: Memo to inform the Decision Maker in relation to Task Assignment DOC-6677039 [94669-FAU] - Waka Kotaki New Zealand Transport Agency

Kia ora 9(2)(g)(ii)

As discussed, please find linked below the Memo for your consideration that provides a recommendations back to the Director for a decision to be made on Waka Kotaki New Zealand Transport Agency's request to vary a Wildlife Act Authority (65458-FAU).

[Memo to inform the Decision Maker in relation to Task Assignment DOC-6677039 \[94669-FAU\] - Waka Kotaki New Zealand Transport Agency - DOC-6743752](#)

The Decision section of the Memo copied below:

Recommended Action or Next Steps for the Decision Maker:

Agree to recommend that the Decision Maker approve the granting of a Wildlife Authority to Waka Kotahi New Zealand Transport Agency subject to the standard authorisation document and the special conditions listed below:

Agree / Disagree

Signed by 9(2)(g)(ii) Operations Manager for New Plymouth

Comments: The following Authority [DOC-6738926](#) and accompanying Approval Letter [DOC-6742249](#) have been prepared for the Decision Maker to consider.

If you can respond to this email with an indication on whether or not you agree, I can arrange for your electronic signature to be included in this Memo. Once the memo has been updated with your recommendation and signature, the Decision Maker can be informed of your recommendation and can proceed with making his decision for the pre-prepared Authority linked above. If you respond

recommending that you agree, I will forward your response to 9(2)(g)(ii)

Please let me know if you have any questions.

Ngā mihi,

9(2)(g)(ii)
 Community Ranger
 DDI: 9(2)(a)
 Ngāmotu / New Plymouth DOC Office
 PO Box 462, New Plymouth 4340,
 doc

-----Original Appointment-----

From: Context Meetings <ContextMeetings@doc.govt.nz>
Sent: Tuesday, 29 June 2021 11:36 am
To: Context Meetings; 9(2)(g)(ii) 9(2)(g)(ii) 9(2)(g)(ii)
Cc: 9(2)(g)(ii) 9(2)(g)(ii)
Subject: Context meeting - 94669-FAU New Zealand Transport Agency
When: Thursday, 1 July 2021 1:00 pm-1:30 pm (UTC+12:00) Auckland, Wellington.
Where: Microsoft Teams Meeting

Hi 9(2)(g)(ii) 9(2)(g)(ii)

As advised, can you please lead this process and provide recommendations back to the Director for a decision to be made. I have declined this meeting for 9(2)(g)(ii)

Please let me know when you need a meeting with 9(2)(a)(ii) to discuss the outcome.

Thanks
9(2)(g)(ii)

-----Original Appointment-----

From: Context Meetings <ContextMeetings@doc.govt.nz>
Sent: Tuesday, 29 June 2021 10:15 am
To: Context Meetings; 9(2)(g)(ii) 9(2)(g)(ii) 9(2)(g)(ii)
Subject: Context meeting - 94669-FAU New Zealand Transport Agency
When: Thursday, 1 July 2021 1:00 pm-1:30 pm (UTC+12:00) Auckland, Wellington.
Where: Microsoft Teams Meeting

Purpose: Decision Maker will lead the team process for the following permissions application.

Please review the relevant application and identify any Critical Issues to bring to the meeting.

Please ensure to arrange meeting rooms amongst yourselves where required.

Please forward this calendar invitation to other team members as required.

Permission No.	Title	Application	Summary	Decision Maker	Team members	Task Assignment
			The application is from			

Released under the Official Information Act

94669-FAU	New Zealand Transport Agency	DOC-6677013	New Zealand Transport Agency, seeking permission to vary a Wildlife Act Authority (65458-FAU). The Wildlife Act Authority has been expired so this variation application is being treated as a new application.	9(2)(g)(ii)	Permissions Advisor – 9(2)(g)(ii) Community Ranger - Technical Advisor – 9(2)(g)(ii)	DOC-6677039
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Permission Ref: 94669-FAU

To: 9(2)(g)(ii) as Operations Director HWT

From: 9(2)(g)(ii) as DDG Operations

Date: 25th June 2021

Task Assignment: Process Variation Request from: New Zealand Transport Agency

The Court of Appeal and Supreme Court judgments in the *PauMAC5 Inc.* case had ramifications for the types of authorisations delegates of the Director-General of Conservation (DG) can grant under section 53 of the Wildlife Act 1953:

1. An application for **authorisation under section 53 can only be considered if the activity is “catch alive” or “kill”**. Lesser interferences such as disturbance or unsuccessful pursuit can only be authorised if they occur as part of “catch alive or kill”.
2. Authorising “catch alive or kill” envisages something **inherently intentional**. It cannot be used to facilitate or “cover” in case of an accidental action. An example of accidental killing is hitting a bird with your car. Incidental killing would be where an area is bulldozed knowing lizards will be present even though salvage has been undertaken. Accidental cannot be authorised; incidental can.
3. The judgments **also confirmed the purpose of the Act** (essentially to protect wildlife and control game). This means that an activity authorised under section 53 must promote the wider purpose of the Act. Purely anthropocentric activities with no benefit to wildlife would be unlikely to meet the purpose of the Act as there is no element of protection.

For more information on the impacts of the PauMAC5 case, refer to the Factsheet for Decision Makers [DOC-6193585](#).

Variation Application to Existing Wildlife Act Authority

The Department has received a request from NZTA to vary a Wildlife Act Authority (65458-FAU). The Wildlife Act Authority has been expired so this variation application is being treated as a new application.

The applicant is applying to extend the term to reflect a later construction date and update authorised personnel and updating contact details. The authorised activities that need the term extending are:

	a. Activity:
	i. To Catch
	ii. To handle

	<p>Authorised activity (including the species, any approved quantities and collection methods). (Schedule 2, clause 2)</p>	<p>iii. To attach transmitters</p> <p>b. Species</p> <p>i. North Island Brown Kiwi (<i>Apteryx mantelli</i>)</p> <p>c. Quantity</p> <p>ii. Up to 15 pairs</p> <p>d. Method</p> <p>iii. All captures will be made by suitably accredited handlers</p>
	<p>The Land (Schedule 2, clause 2)</p>	<p>Immediate surrounds of Mount Messenger Bypass Project</p>
	<p>Personnel authorised to undertake the Authorised Activity (Schedule 2, clause 3)</p>	<p>a. 9(2)(a)</p> <p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p> <p>[Redacted]</p>
	<p>Term (Schedule 2, clause 4)</p>	<p>Commencing on and including 18 April 2018 and ending on and including 17 April 2021</p>
	<p>Authority Holder's address for notices (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>

Released under the Official Information Act

Fees

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 the purpose of the Wildlife Act 1953 is considered
- 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 1’ process steps
- 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 -
Technical Advisor – 9(2)(g)(ii)

Link to Application: [DOC-6677013](#)

Additional Resources:

Permissions Advisor guidance: [DOC-6182664](#)
Court of Appeal DOC legal advice: [DOC-5701834](#) [legally privileged]
Supreme Court DOC legal advice: [DOC-6096829](#) [legally privileged]

Timeframe

Within 20 working days of acceptance of Task Assignment. In this instance, the 20 working days will commence from 29th June 2021.

Released under the Official Information Act

From: 9(2)(g)(ii)
To: 9(2)(g)(ii)
Subject: 94669-FAU Waka Kotahi NZTA kiwi transmitters renewal WA
Date: Thursday, 5 August 2021 10:17:42 am
Importance: High

Hi 9(2)(g)(ii)

Attached for 9(2)(g)(ii) consideration is the decision support document and draft authority for the above.

I have also attached a draft approval letter as approval is anticipated.

You have access to all documents.

[DOC-6726887](#) Decision Support Document

[DOC-6738926](#) Authority

[DOC-6742249](#) Approval Letter

If approval is forthcoming, please:

1. Arrange for the Decisionmaker to fill out the decisionmaker section of the decision support document and sign
2. Arrange for the Decisionmaker to sign the authority and have it witnessed and sign the approval letter
3. Scan email to me the authority, decision support document and approval letter.

Please confirm approval with me via email so that I can change the status of the application in the permissions database from pending to approved.

Can you please arrange for an update of time spent by staff members (including decisionmaker) in the decision support document, for time recording purposes.

Thanks

Best Regards

9(2)(g)(ii)

Released under the Official Information Act

From: 9(2)(g)(ii)
To: 9(2)(g)(ii)
Cc: 9(2)(g)(ii) 9(2)(g)(ii)
Subject: RE: Re: Context Meeting notes
Date: Tuesday, 3 August 2021 11:11:39 am
Attachments: [image001.jpg](#)
[image002.png](#)

Yes, just identify the project lead (John in this case) to make sure all staff are qualified

Cheers 9(2)(g)(ii)

From: 9(2)(g)(ii) <9(2)(g)(ii)>
Sent: Tuesday, 3 August 2021 10:48 am
To: 9(2)(g)(ii) <9(2)(g)(ii)>
Cc: 9(2)(g)(ii) 9(2)(g)(ii) <9(2)(g)(ii)>
Subject: RE: Re: Context Meeting notes

Kia ora 9(2)(g)(ii)

Thank you for your comments. Further to this, I note that the current Authority currently just lists Authorised Personnel. So in order to capture this in a new Authority, I'm picking that you would recommend just identifying the project lead (I'm assuming that this would be 9(2)(a)) then including some wording to the effect that 9(2)(a) would then be responsible for ensuring that only suitably qualified workers that are all on the kiwi handler database operate under this Authority or if banding kiwi is undertaken, only level three banders apply?

<p>Personnel authorised to undertake the Authorised Activity (Schedule 2, clause 3)</p>	<p>a. 9(2)(a)</p> <p>[Redacted list of personnel]</p>
--	---

Ngā mihi,

9(2)(g)(ii)
Community Ranger
DDI: 9(2)(a)
Ngāmotu / New Plymouth DOC Office
PO Box 462, New Plymouth 4340,

doc



From: 9(2)(g)(ii) <9(2)(g)(ii)>
Sent: Tuesday, 3 August 2021 9:04 am
To: 9(2)(g)(ii) <9(2)(g)(ii)> 9(2)(g)(ii) <9(2)(g)(ii)>
Cc: 9(2)(g)(ii)
Subject: RE: Re: Context Meeting notes

Hi 9(2)(g)(ii) rather than listing all the names for an amendment to a permit, in the past we have just insisted that the project leader only employs suitably qualified workers that are all on the kiwi handler database or if banding kiwi are under the authority of a level three bander. That way if someone leaves and needs to be replaced then the permit doesn't need to be reissued. We still have control if something goes wrong, it is up to the project lead to provide details of staff in the annual report.

Cheers 9(2)(g)(ii)

From: 9(2)(g)(ii) <9(2)(g)(ii)>
Sent: Monday, 2 August 2021 2:24 pm
To: 9(2)(g)(ii) <9(2)(g)(ii)> 9(2)(g)(ii) <9(2)(g)(ii)>
Cc: 9(2)(g)(ii) <9(2)(g)(ii)>
Subject: RE: Re: Context Meeting notes

Kia ora 9(2)(g)(ii)

To answer your query, there was no task to undertake consultation issued. At the Context Meeting we discussed that this was a Type 1 process (as per the Task Assignment) and that there was no Quality component that related to engagement with affected iwi or stakeholders. However, it was noted that there could be a risk if a decision is made without iwi being involved – this was to be included in the memo which I am populating now that we can confirm that you have no additional CI's.

9(2)(g)(ii) to answer 9(2)(g)(ii) previous query, can you comment on whether or not you would be happy with the changes to Authorised Personnel (i.e. that the new proposed Authorised Personnel are suitably qualified?).

- Additional Authorised Personnel to be added to the Authority; 9(2)(g)(ii) and 9(2)(a) – accredited kiwi practitioners; 9(2)(a) - accredited kiwi chick handler and currently adult trainee practitioner; 9(2)(a) - currently a trainee practitioner. 9(2)(a) continues to be involved in the kiwi work and trains ecologists including 9(2)(a) and 9(2)(a).

Ngā mihi,

9(2)(g)(ii)
Community Ranger
DDI: 9(2)(a)
Ngāmotu / New Plymouth DOC Office
PO Box 462, New Plymouth 4340,

Released under the Official Information Act

doc

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

Sent: Monday, 2 August 2021 1:01 pm

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

Subject: FW: Re: Context Meeting notes

Importance: High

Hi 9(2)(g)(ii) 9(2)(g)(ii)

Was iwi consultation required for this application – if so has this finished?

Best Regards

9(2)(g)(ii)

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

Sent: Monday, 2 August 2021 12:58 pm

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

Subject: RE: Re: Context Meeting notes

Hi 9(2)(g)(ii)

If the memo to 9(2)(g)(ii) 9(2)(g)(ii) doesn't relate to this variation/new application then it can be sent from your office to 9(2)(g)(ii). I don't have any critical issues other than – has a tech advisor commented on new personnel – are they suitably qualified?

Best Regards

9(2)(g)(ii)

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

Sent: Thursday, 1 July 2021 1:13 pm

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

Cc: 9(2)(g)(ii) <9(2)(g)(ii)> 9(2)(g)(ii) <9(2)(g)(ii)>

Subject: Re: Context Meeting notes

Kia ora 9(2)(g)(ii)

Hope you are well? Just wanted to touch base after the Context Meeting today to pass on some of the notes from this meeting. 9(2)(g)(ii) 9(2)(g)(ii) please feel free to amend/add to these noted as required.

Notes:

- 9(2)(g)(ii) provided some background context along the lines of this application being for the same activity as previously authorised under 65458-FAU with this request being treated as a new application with regards to the new components only – i.e., changes to personnel and a term end date being the only considerations with all conditions remaining unchanged if approved).
- 9(2)(g)(ii) raised the importance of reporting (Annual and Final report).
- 9(2)(g)(ii) and 9(2)(g)(ii) discussed previous viewpoints around the use of kiwi fences in respect to the wider NZTA Mt Messenger Project.
- 9(2)(g)(ii) and I discussed what iwi consultation had occurred for the previous WAA.

- I talked to the Quality components of the Task Assignment and noted that we were required to follow a Type 1 Process for this Task Assignment.

Outcome:

9(2)(g)(ii) indicated that he was generally supportive a providing a recommendation to 9(2)(g)(ii) to approve this application but wanted to review previous advice that informed 9(2)(g)(ii) decision to approve 65458-FAU in 2021. No specific critical issues were raised, and 9(2)(g)(ii) asked that the following be captured in any resulting DSD/report/memo for 9(2)(g)(ii) consideration:

1. NZTA should be advised of the importance of reporting and raising any issues early when undertaking works where kiwi are known to be present.
2. That there are potentially unresolved issues with respect to the use of kiwi fences – a resolution unknown at this stage and this may not be relevant to this application but should be noted (to note: 9(2)(g)(ii) may have a specific comment to make once he has undertaken further review).
3. That there may be some risks if a decision is made without iwi being involved.

Next steps:

9(2)(g)(ii) are you please able to advise on whether or not you have any Critical Issues that you would like 9(2)(g)(ii) 9(2)(g)(ii) or myself to consider. In addition, I believe that a brief memo may be the appropriate place to capture 9(2)(g)(ii) recommendation for 9(2)(g)(ii) to consider and wanted to see if you concurred or of you had an alternative suggestion that would be more appropriate to use for the Type 1 Process.

Ngā mihi,

9(2)(g)(ii)
Senior Community Ranger (Acting)
DDI: 9(2)(a)
Ngāmotu / New Plymouth DOC Office
PO Box 462, New Plymouth 4340,

doc

-----Original Appointment-----

From: Context Meetings <ContextMeetings@doc.govt.nz>

Sent: Tuesday, 29 June 2021 11:36 am

To: Context Meetings; 9(2)(g)(ii) 9(2)(g)(ii) 9(2)(g)(ii)

Cc: 9(2)(g)(ii) 9(2)(g)(ii)

Subject: Context meeting - 94669-FAU New Zealand Transport Agency

When: Thursday, 1 July 2021 1:00 pm-1:30 pm (UTC+12:00) Auckland, Wellington.

Where: Microsoft Teams Meeting

Hi 9(2)(g)(ii) 9(2)(g)(ii)

As advised, can you please lead this process and provide recommendations back to the Director for a decision to be made. I have declined this meeting for 9(2)(g)(ii)

Please let me know when you need a meeting with 9(2)(a)(ii) to discuss the outcome.

Thanks

9(2)(g)(ii)

-----Original Appointment-----

From: Context Meetings <ContextMeetings@doc.govt.nz>

Sent: Tuesday, 29 June 2021 10:15 am

To: Context Meetings; [redacted] 9(2)(g)(ii) [redacted] 9(2)(g)(ii) [redacted] 9(2)(g)(ii)

Subject: Context meeting - 94669-FAU New Zealand Transport Agency

When: Thursday, 1 July 2021 1:00 pm-1:30 pm (UTC+12:00) Auckland, Wellington.

Where: Microsoft Teams Meeting

Purpose: Decision Maker will lead the team process for the following permissions application.

Please review the relevant application and identify any Critical Issues to bring to the meeting.

Please ensure to arrange meeting rooms amongst yourselves where required.

Please forward this calendar invitation to other team members as required.

Permission No.	Title	Application	Summary	Decision Maker	Team members	Task Assignment
94669-FAU	New Zealand Transport Agency	DOC-6677013	The application is from New Zealand Transport Agency, seeking permission to vary a Wildlife Act Authority (65458-FAU). The Wildlife Act Authority has been expired so this variation application is being treated as a new application.	[redacted] 9(2)(g)(ii)	Permissions Advisor – [redacted] 9(2)(g)(ii) Community Ranger - Technical Advisor – [redacted] 9(2)(g)(ii)	DOC-6677039

Permission Ref: 94669-FAU

To: [redacted] 9(2)(g)(ii) as Operations Director HWT

From: [redacted] 9(2)(g)(ii) as DDC Operations

Date: 25th June 2021

Task Assignment: Process Variation Request from: New Zealand Transport Agency

The Court of Appeal and Supreme Court judgments in the *PauaMAC5 Inc.* case had ramifications for the types of authorisations delegates of the Director-General of Conservation (DGC) can grant under section 53 of the Wildlife Act 1953:

1. An application for **authorisation under section 53 can only be considered if the activity is “catch alive” or “kill”**. Lesser interferences such as disturbance or unsuccessful pursuit can only be authorised if they occur as part of “catch alive or kill”.
2. Authorising “catch alive or kill” envisages something **inherently intentional**. It cannot be used to facilitate or “cover” in case of an accidental action. An example of accidental killing is hitting a bird with your car. Incidental killing would be where an area is bulldozed knowing lizards will be present even though salvage has been undertaken. Accidental cannot be authorised; incidental can.

3. The judgments **also confirmed the purpose of the Act** (essentially to protect wildlife and control game). This means that an activity authorised under section 53 must promote the wider purpose of the Act. Purely anthropocentric activities with no benefit to wildlife would be unlikely to meet the purpose of the Act as there is no element of protection.

For more information on the impacts of the PauaMAC5 case, refer to the Factsheet for Decision Makers [DOC-6193585](#).

Variation Application to Existing Wildlife Act Authority

The Department has received a request from NZTA to vary a Wildlife Act Authority (65458-FAU). The Wildlife Act Authority has been expired so this variation application is being treated as a new application.

The applicant is applying to extend the term to reflect a later construction date and update authorised personnel and updating contact details. The authorised activities that need the term extending are:

	<p>Authorised activity (including the species, any approved quantities and collection methods). (Schedule 2, clause 2)</p>	<p>a. Activity:</p> <ul style="list-style-type: none"> i. To Catch ii. To handle iii. To attach transmitters <p>b. Species</p> <ul style="list-style-type: none"> i. North Island Brown Kiwi (<i>Apteryx mantelli</i>) <p>c. Quantity</p> <ul style="list-style-type: none"> ii. Up to 15 pairs <p>d. Method</p> <ul style="list-style-type: none"> iii. All captures will be made by suitably accredited handlers
	<p>The Land (Schedule 2, clause 2)</p>	<p>Immediate surrounds of Mount Messenger Bypass Project</p>
	<p>Personnel authorised to undertake the Authorised Activity (Schedule 2, clause 3)</p>	<p>9(2)(a)</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>
	<p>Term</p>	

Released under the Official Information Act

	(Schedule 2, clause 4)	Commencing on and including 18 April 2018 and ending on and including 17 April 2021
	Authority Holder's address for notices (Schedule 2, clause 8)	The Authority Holders address in New Zealand is: 24 Bridge Street Hamilton 3240 New Zealand Phone: 9(2)(a) Email: 9(2)(a)

Fees

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 the purpose of the Wildlife Act 1953 is considered
- 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 1' process steps
- 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 -
Technical Advisor – 9(2)(g)(ii)

Link to Application: [DOC-6677013](#)

Additional Resources:

Permissions Advisor guidance: [DOC-6182664](#)
Court of Appeal DOC legal advice: [DOC-5701834](#) [legally privileged]
Supreme Court DOC legal advice: [DOC-6096829](#) [legally privileged]

Timeframe

Within 20 working days of acceptance of Task Assignment. In this instance, the 20 working days will commence from 29th June 2021.

Microsoft Teams meeting

Join on your computer or mobile app

[Click here to join the meeting](#)

[Learn More](#) | [Meeting options](#)

From: 9(2)(g)(ii)
To: 9(2)(g)(ii) 9(2)(g)(ii)
Cc: 9(2)(g)(ii)
Subject: RE: Re: Context Meeting notes
Date: Tuesday, 3 August 2021 10:34:46 am
Attachments: [image001.jpg](#)
[image002.png](#)

Perfect thanks 9(2)(g)(ii)

From: 9(2)(g)(ii) <9(2)(g)(ii)>
Sent: Tuesday, 3 August 2021 9:04 am
To: 9(2)(g)(ii) <9(2)(g)(ii)> 9(2)(g)(ii) <9(2)(g)(ii)>
Cc: 9(2)(g)(ii) <9(2)(g)(ii)>
Subject: RE: Re: Context Meeting notes

Hi 9(2)(g)(ii) rather than listing all the names for an amendment to a permit, in the past we have just insisted that the project leader only employs suitably qualified workers that are all on the kiwi handler database or if banding kiwi are under the authority of a level three bander. That way if someone leaves and needs to be replaced then the permit doesn't need to be reissued. We still have control if something goes wrong, it is up to the project lead to provide details of staff in the annual report.

Cheers 9(2)(g)(ii)

From: 9(2)(g)(ii) <9(2)(g)(ii)>
Sent: Monday, 2 August 2021 2:24 pm
To: 9(2)(g)(ii) <9(2)(g)(ii)> 9(2)(g)(ii) <9(2)(g)(ii)>
Cc: 9(2)(g)(ii)
Subject: RE: Re: Context Meeting notes

Kia ora 9(2)(g)(ii)

To answer your query, there was no task to undertake consultation issued. At the Context Meeting we discussed that this was a Type 1 process (as per the Task Assignment) and that there was no Quality component that related to engagement with affected iwi or stakeholders. However, it was noted that there could be a risk if a decision is made without iwi being involved – this was to be included in the memo which I am populating now that we can confirm that you have no additional CI's.

9(2)(g)(ii) to answer 9(2)(g)(ii) previous query, can you comment on whether or not you would be happy with the changes to Authorised Personnel (i.e. that the new proposed Authorised Personnel are suitably qualified?).

- Additional Authorised Personnel to be added to the Authority; 9(2)(g)(ii) and 9(2)(a) – accredited kiwi practitioners; 9(2)(a) - accredited kiwi chick handler and currently adult trainee practitioner; 9(2)(a) - currently a trainee practitioner. 9(2)(a) continues to be involved in the kiwi work and trains ecologists including 9(2)(a) and 9(2)(a)

Ngā mihi,

9(2)(g)(ii)
Community Ranger
DDI: 9(2)(a)
Ngāmotu / New Plymouth DOC Office

PO Box 462, New Plymouth 4340,

doc

From: 9(2)(g)(ii) <9(2)(g)(ii)>
Sent: Monday, 2 August 2021 1:01 pm
To: 9(2)(g)(ii) <9(2)(g)(ii)> 9(2)(g)(ii) <9(2)(g)(ii)>
Subject: FW: Re: Context Meeting notes
Importance: High

Hi 9(2)(g)(ii) 9(2)(g)(ii)

Was iwi consultation required for this application – if so has this finished?

Best Regards

9(2)(g)(ii)

From: 9(2)(g)(ii)
Sent: Monday, 2 August 2021 12:58 pm
To: 9(2)(g)(ii) <9(2)(g)(ii)>
Subject: RE: Re: Context Meeting notes

Hi 9(2)(g)(ii)

If the memo to 9(2)(g)(ii) 9(2)(g)(ii) doesn't relate to this variation/new application then it can be sent from your office to 9(2)(g)(ii). I don't have any critical issues other than – has a tech advisor commented on new personnel – are they suitably qualified?

Best Regards

9(2)(g)(ii)

From: 9(2)(g)(ii) <9(2)(g)(ii)>
Sent: Thursday, 1 July 2021 3:18 pm
To: 9(2)(g)(ii) <9(2)(g)(ii)>
Cc: 9(2)(g)(ii) <9(2)(g)(ii)> 9(2)(g)(ii) <9(2)(g)(ii)>
Subject: Re: Context Meeting notes

Kia ora 9(2)(g)(ii)

Hope you are well? Just wanted to touch base after the Context Meeting today to pass on some of the notes from this meeting. 9(2)(g)(ii) 9(2)(g)(ii) please feel free to amend/add to these noted as required.

Notes:

- 9(2)(g)(ii) provided some background context along the lines of this application being for the same activity as previously authorised under 65458-FAU with this request being treated as a new application with regards to the new components only – i.e., changes to personnel and a term end date being the only considerations with all conditions remaining unchanged if approved).
- 9(2)(g)(ii) raised the importance of reporting (Annual and Final report).
- 9(2)(g)(ii) and 9(2)(g)(ii) discussed previous viewpoints around the use of kiwi fences in respect to the wider NZTA Mt Messenger Project.

Released under the Official Information Act

- 9(2)(g)(ii) and I discussed what iwi consultation had occurred for the previous WAA.
- I talked to the Quality components of the Task Assignment and noted that we were required to follow a Type 1 Process for this Task Assignment.

Outcome:

9(2)(g)(ii) indicated that he was generally supportive a providing a recommendation to 9(2)(g)(ii) to approve this application but wanted to review previous advice that informed 9(2)(g)(ii) decision to approve 65458-FAU in 2021. No specific critical issues were raised, and 9(2)(g)(ii) asked that the following be captured in any resulting DSD/report/memo for 9(2)(g)(ii) consideration:

1. NZTA should be advised of the importance of reporting and raising any issues early when undertaking works where kiwi are known to be present.
2. That there are potentially unresolved issues with respect to the use of kiwi fences – a resolution unknown at this stage and this may not be relevant to this application but should be noted (to note: 9(2)(g)(ii) may have a specific comment to make once he has undertaken further review).
3. That there may be some risks if a decision is made without iwi being involved.

Next steps:

9(2)(g)(ii) are you please able to advise on whether or not you have any Critical Issues that you would like 9(2)(g)(ii) 9(2)(g)(ii) or myself to consider. In addition, I believe that a brief memo may be the appropriate place to capture 9(2)(g)(ii) recommendation for 9(2)(g)(ii) to consider and wanted to see if you concurred or of you had an alternative suggestion that would be more appropriate to use for the Type 1 Process.

Ngā mihi,

9(2)(g)(ii)
Senior Community Ranger (Acting)
DDI: 9(2)(a)
Ngāmotu / New Plymouth DOC Office
PO Box 462, New Plymouth 4340.

doc

-----Original Appointment-----

From: Context Meetings <ContextMeetings@doc.govt.nz>

Sent: Tuesday, 29 June 2021 11:36 am

To: Context Meetings; 9(2)(g)(ii) 9(2)(g)(ii) 9(2)(g)(ii)

Cc: 9(2)(g)(ii) 9(2)(g)(ii)

Subject: Context meeting - 94669-FAU New Zealand Transport Agency

When: Thursday, 1 July 2021 1:00 pm-1:30 pm (UTC+12:00) Auckland, Wellington.

Where: Microsoft Teams Meeting

Hi 9(2)(g)(ii) 9(2)(g)(ii)

As advised, can you please lead this process and provide recommendations back to the Director for a decision to be made. I have declined this meeting for 9(2)(g)(ii)

Please let me know when you need a meeting with 9(2)(a)(iii) to discuss the outcome.

Thanks

9(2)(g)
(ii)

-----Original Appointment-----

From: Context Meetings <ContextMeetings@doc.govt.nz>

Sent: Tuesday, 29 June 2021 10:15 am

To: Context Meetings; 9(2)(g)(ii) 9(2)(g)(ii) 9(2)(g)(ii)

Subject: Context meeting - 94669-FAU New Zealand Transport Agency

When: Thursday, 1 July 2021 1:00 pm-1:30 pm (UTC+12:00) Auckland, Wellington.

Where: Microsoft Teams Meeting

Purpose: Decision Maker will lead the team process for the following permissions application.

Please review the relevant application and identify any Critical Issues to bring to the meeting.

Please ensure to arrange meeting rooms amongst yourselves where required.

Please forward this calendar invitation to other team members as required.

Permission No.	Title	Application	Summary	Decision Maker	Team members	Task Assignment
94669-FAU	New Zealand Transport Agency	DOC-6677013	The application is from New Zealand Transport Agency, seeking permission to vary a Wildlife Act Authority (65458-FAU). The Wildlife Act Authority has been expired so this variation application is being treated as a new application.	9(2)(g)(ii)	Permissions Advisor – 9(2)(g)(ii) Community Ranger - Technical Advisor – 9(2)(g)(ii)	DOC-6677039

Permission Ref: 94669-FAU

To: 9(2)(g)(ii) as Operations Director HWT

From: 9(2)(g)(ii) as DDG Operations

Date: 25th June 2021

Task Assignment: Process Variation Request from: New Zealand Transport Agency

The Court of Appeal and Supreme Court judgments in the *PauaMAC5 Inc.* case had ramifications for the types of authorisations delegates of the Director-General of Conservation (DG) can grant under section 53 of the Wildlife Act 1953:

1. An application for **authorisation under section 53 can only be considered if the activity is “catch alive” or “kill”**. Lesser interferences such as disturbance or unsuccessful pursuit can only be authorised if they occur as part of “catch alive or kill”.
2. Authorising “catch alive or kill” envisages something **inherently intentional**. It cannot be used to facilitate or “cover” in case of an accidental action. An example of accidental killing is hitting a bird with your car. Incidental killing would be where an area is bulldozed knowing lizards will be present even though salvage has been undertaken.

Accidental cannot be authorised; incidental can.

3. The judgments **also confirmed the purpose of the Act** (essentially to protect wildlife and control game). This means that an activity authorised under section 53 must promote the wider purpose of the Act. Purely anthropocentric activities with no benefit to wildlife would be unlikely to meet the purpose of the Act as there is no element of protection.

For more information on the impacts of the PauMAC5 case, refer to the Factsheet for Decision Makers [DOC-6193585](#).

Variation Application to Existing Wildlife Act Authority

The Department has received a request from NZTA to vary a Wildlife Act Authority (65458 FAU). The Wildlife Act Authority has been expired so this variation application is being treated as a new application.

The applicant is applying to extend the term to reflect a later construction date and update authorised personnel and updating contact details. The authorised activities that need the term extending are:

	<p>Authorised activity (including the species, any approved quantities and collection methods). (Schedule 2, clause 2)</p>	<p>a. Activity:</p> <ul style="list-style-type: none">i. To Catchii. To handleiii. To attach transmitters <p>b. Species</p> <ul style="list-style-type: none">i. North Island Brown Kiwi (<i>Apteryx mantelli</i>) <p>c. Quantity</p> <ul style="list-style-type: none">ii. Up to 15 pairs <p>d. Method</p> <ul style="list-style-type: none">iii. All captures will be made by suitably accredited handlers
	<p>The Land (Schedule 2, clause 2)</p>	<p>Immediate surrounds of Mount Messenger Bypass Project</p>
	<p>Personnel authorised to undertake the Authorised Activity (Schedule 2, clause 3)</p>	<p>a. 9(2)(a)</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>

Released under the Official Information Act

	Term (Schedule 2, clause 4)	Commencing on and including 18 April 2018 and ending on and including 17 April 2021
	Authority Holder's address for notices (Schedule 2, clause 8)	The Authority Holders address in New Zealand is: 24 Bridge Street Hamilton 3240 New Zealand Phone: [REDACTED] 9(2)(a) Email: [REDACTED] 9(2)(a)

Fees

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 the purpose of the Wildlife Act 1953 is considered
- 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 1' process steps
- Ensure final decision is appropriately shared
- Assess and escalate critical issues
- Learn how to shorten the cycle time

Resources

Permissions Advisor – [REDACTED] 9(2)(f)(i)

Community Ranger -

Technical Advisor – [REDACTED] 9(2)(g)(ii)

Link to Application: [DOC-6677013](#)

Additional Resources:

Permissions Advisor guidance: [DOC-6182664](#)

Court of Appeal DOC legal advice: [DOC-5701834](#) [legally privileged]

Supreme Court DOC legal advice: [DOC-6096829](#) [legally privileged]

Timeframe

Within 20 working days of acceptance of Task Assignment. In this instance, the 20 working days will commence from 29th June 2021.

Microsoft Teams meeting

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From: 9(2)(g)(ii)
To: 9(2)(g)(ii) 9(2)(g)(ii) 9(2)(g)(ii)
Cc: 9(2)(g)(ii)
Subject: RE: Re: Context Meeting notes
Date: Monday, 2 August 2021 3:27:28 pm
Attachments: [image001.jpg](#)
[image002.png](#)

Hi 9(2)(g)(ii)

One of the conditions of the old permit was that kiwi cant be handled between june and january inclusive. Don't NZTA want to do monitoring this year before potential Mt Messenger construction in February?

From: 9(2)(g)(ii) <9(2)(g)(ii)>
Sent: Monday, 2 August 2021 2:24 pm
To: 9(2)(g)(ii) <9(2)(g)(ii)> 9(2)(g)(ii) <9(2)(g)(ii)>
Cc: 9(2)(g)(ii)
Subject: RE: Re: Context Meeting notes

Kia ora 9(2)(g)(ii)

To answer your query, there was no task to undertake consultation issued. At the Context Meeting we discussed that this was a Type 1 process (as per the Task Assignment) and that there was no Quality component that related to engagement with affected iwi or stakeholders. However, it was noted that there could be a risk if a decision is made without iwi being involved – this was to be included in the memo which I am populating now that we can confirm that you have no additional CI's.

9(2)(g)(ii) to answer 9(2)(g)(ii) previous query, can you comment on whether or not you would be happy with the changes to Authorised Personnel (i.e. that the new proposed Authorised Personnel are suitably qualified?).

- Additional Authorised Personnel to be added to the Authority; 9(2)(g)(ii) and 9(2)(a) – accredited kiwi practitioners; 9(2)(a) - accredited kiwi chick handler and currently adult trainee practitioner; 9(2)(a) - currently a trainee practitioner. 9(2)(a) continues to be involved in the kiwi work and trains ecologists including 9(2)(a) and 9(2)(a)

Ngā mihi,

9(2)(g)(ii)
Community Ranger
DDI: 9(2)(a)
Ngāmotu / New Plymouth DOC Office
PO Box 462, New Plymouth 4340,



From: 9(2)(g)(ii) <9(2)(g)(ii)>
Sent: Monday, 2 August 2021 1:01 pm
To: 9(2)(g)(ii) 9(2)(g)(ii) <9(2)(g)(ii)>
Subject: FW: Re: Context Meeting notes
Importance: High

Hi 9(2)(g)(ii) 9(2)(g)(ii)

Was iwi consultation required for this application – if so has this finished?

Best Regards

9(2)(g)(ii)

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

Sent: Monday, 2 August 2021 12:58 pm

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

Subject: RE: Re: Context Meeting notes

Hi 9(2)(g)(ii)

If the memo to 9(2)(g)(ii) 9(2)(g)(ii) doesn't relate to this variation/new application then it can be sent from your office to 9(2)(g)(ii). I don't have any critical issues other than – has a tech advisor commented on new personnel – are they suitably qualified?

Best Regards

9(2)(g)(ii)

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

Sent: Thursday, 1 July 2021 3:18 pm

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

Cc: 9(2)(g)(ii) <9(2)(g)(ii)> 9(2)(g)(ii) <9(2)(g)(ii)>

Subject: Re: Context Meeting notes

Kia ora 9(2)(g)(ii)

Hope you are well? Just wanted to touch base after the Context Meeting today to pass on some of the notes from this meeting. 9(2)(g)(ii) 9(2)(g)(ii) please feel free to amend/add to these notes as required.

Notes:

- 9(2)(g)(ii) provided some background context along the lines of this application being for the same activity as previously authorised under 65458-FAU with this request being treated as a new application with regards to the new components only – i.e., changes to personnel and a term end date being the only considerations with all conditions remaining unchanged if approved).
- 9(2)(g)(ii) raised the importance of reporting (Annual and Final report).
- 9(2)(g)(ii) and 9(2)(g)(ii) discussed previous viewpoints around the use of kiwi fences in respect to the wider NZTA Mt Messenger Project.
- 9(2)(g)(ii) and I discussed what iwi consultation had occurred for the previous WAA.
- I talked to the Quality components of the Task Assignment and noted that we were required to follow a Type 1 Process for this Task Assignment.

Outcome:

9(2)(g)(ii) indicated that he was generally supportive of providing a recommendation to 9(2)(g)(ii) to approve this application but wanted to review previous advice that informed 9(2)(g)(ii) decision to approve 65458-FAU in 2021. No specific critical issues were raised, and 9(2)(g)(ii) asked that the following be captured in any resulting DSD/report/memo for 9(2)(g)(ii) consideration:

1. NZTA should be advised of the importance of reporting and raising any issues early when undertaking works where kiwi are known to be present.
2. That there are potentially unresolved issues with respect to the use of kiwi fences – a resolution unknown at this stage and this may not be relevant to this application but should be noted (to note: 9(2)(g)(ii) may have a specific comment to make once he has undertaken further review).
3. That there may be some risks if a decision is made without iwi being involved.

Next steps:

9(2)(g)(iii) are you please able to advise on whether or not you have any Critical Issues that you would like 9(2)(g)(ii) 9(2)(g)(iii) or myself to consider. In addition, I believe that a brief memo may be the appropriate place to capture 9(2)(g)(ii) recommendation for 9(2)(g)(ii) to consider and wanted to see if you concurred or of you had an alternative suggestion that would be more appropriate to use for the Type 1 Process.

Ngā mihi,

9(2)(g)(ii)
 Senior Community Ranger (Acting)
 DDI: 9(2)(a)
 Ngāmotu / New Plymouth DOC Office
 PO Box 462, New Plymouth 4340,



-----Original Appointment-----

From: Context Meetings <ContextMeetings@doc.govt.nz>

Sent: Tuesday, 29 June 2021 11:36 am

To: Context Meetings; 9(2)(g)(ii) 9(2)(g)(ii) 9(2)(g)(ii)

Cc: 9(2)(g)(ii) 9(2)(g)(ii)

Subject: Context meeting - 94669-FAU New Zealand Transport Agency

When: Thursday, 1 July 2021 1:00 pm-1:30 pm (UTC+12:00) Auckland, Wellington.

Where: Microsoft Teams Meeting

Hi 9(2)(g)(ii) 9(2)(g)(ii)

As advised can you please lead this process and provide recommendations back to the Director for a decision to be made. I have declined this meeting for 9(2)(g)(ii)

Please let me know when you need a meeting with 9(2)(a)(iii) to discuss the outcome.

Thanks
 9(2)(g)(ii)

-----Original Appointment-----

From: Context Meetings <ContextMeetings@doc.govt.nz>

Sent: Tuesday, 29 June 2021 10:15 am

To: Context Meetings; 9(2)(g)(ii) 9(2)(g)(ii) 9(2)(g)(ii)

Subject: Context meeting - 94669-FAU New Zealand Transport Agency

When: Thursday, 1 July 2021 1:00 pm-1:30 pm (UTC+12:00) Auckland, Wellington.

Where: Microsoft Teams Meeting

Released under the Official Information Act

Purpose: Decision Maker will lead the team process for the following permissions application.

Please review the relevant application and identify any Critical Issues to bring to the meeting.

Please ensure to arrange meeting rooms amongst yourselves where required.

Please forward this calendar invitation to other team members as required.

Permission No.	Title	Application	Summary	Decision Maker	Team members	Task Assignment
94669-FAU	New Zealand Transport Agency	DOC-6677013	The application is from New Zealand Transport Agency, seeking permission to vary a Wildlife Act Authority (65458-FAU). The Wildlife Act Authority has been expired so this variation application is being treated as a new application.	9(2)(g)(ii)	Permissions Advisor – 9(2)(g)(ii) Community Ranger - Technical Advisor – 9(2)(g)(ii)	DOC-6677039

Permission Ref: 94669-FAU

To: 9(2)(g)(ii) as Operations Director HWT

From: 9(2)(g)(ii) as DDG Operations

Date: 25th June 2021

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Community Ranger -

Technical Advisor – 9(2)(g)(ii)

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Microsoft Teams meeting

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From: 9(2)(g)(ii)
To: 9(2)(g)(ii)
Subject: RE: Renewal of kiwi monitoring Wildlife Permit, Mt Messenger
Date: Thursday, 22 July 2021 10:31:46 am
Attachments: [image001.jpg](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Kia ora 9(2)(g)(ii)

Apologies if you weren't there! 9(2)(g)(ii) ran the meeting. I'm on catch-up with this concession and involvement is mainly due to my early involvement with the Alliance/Wildlife Act applications before leaving the Department 2 yrs ago - so am little help with layered details. I haven't seen anything written that you are specifically 'tasked' to do however, consideration for timelines were discussed and a concession running in parallel which mentioned you so I think catching up with 9(2)(g)(ii) for clarity would be advantageous.

Hope this helps

9(2)(g)(ii)

From: 9(2)(g)(ii) <9(2)(g)(ii)>
Sent: Wednesday, 21 July 2021 4:44 pm
To: 9(2)(g)(ii) <9(2)(g)(ii)>
Subject: RE: Renewal of kiwi monitoring Wildlife Permit, Mt Messenger

Thx 9(2)(g)(ii) were there any tsks assigned to me I wasn't at the context meeting?

Best Regards

9(2)(g)(ii)

From: 9(2)(g)(ii) <9(2)(g)(ii)>
Sent: Wednesday, 21 July 2021 11:57 am
To: 9(2)(g)(ii) <9(2)(g)(ii)>
Subject: FW: Renewal of kiwi monitoring Wildlife Permit, Mt Messenger

Kia ora 9(2)(g)(ii)

Firstly, sorry to hear you've been away on sick leave for such a long duration. That can't be easy. Hope things are ticking along ok now though

Apologies for invading this space, but am just clocking-in to see how are things moving with this WP renewal? As context, we're a bit short staffed in NP at the moment - which is why I've popped back into the fold for the time being to assist where necessary.

I appreciate we've had a context meeting for this WP and there have been a few tasks assigned, but if you need any additional support from the local office - please cc' me in as I know 9(2)(g)(ii) is pretty snowed under and currently away on leave today - and I'm around.

Also, as an FYI in the background:

<https://www.stuff.co.nz/taranaki-daily-news/300360799/groups-application-for-leave-to-appeal-mt-messenger-decision-rejected-by-supreme-court>

Take care,
Kind regards

Nga mihi

9(2)(g)(ii)

Ranger – Community (Casual)
Ngamotu/New Plymouth office

Mobile: 9(2)(a)



From: 9(2)(g)(ii) <9(2)(g)(ii)>
Sent: Wednesday, 21 July 2021 7:22 am
To: 9(2)(g)(ii) <9(2)(g)(ii)>, 9(2)(g)(ii) <9(2)(g)(ii)>
Subject: Fwd: Renewal of kiwi monitoring Wildlife Permit, Mt Messenger

Fyi

Get [Outlook for Android](#)

From: 9(2)(a) <9(2)(a)>
Sent: Tuesday, July 20, 2021 8:33:14 PM
To: 9(2)(g)(ii) <9(2)(g)(ii)>
Cc: 9(2)(g)(ii) <9(2)(g)(ii)>
Subject: RE: Renewal of kiwi monitoring Wildlife Permit, Mt Messenger

Hi 9(2)(g)(ii)

I spoke with 9(2)(g)(ii) about this a little over a week ago. We would like the renewal as soon as possible just so we can continue the kiwi monitoring work and know we can replace transmitters etc when necessary. If we could have it by mid-August at the latest that would be appreciated.

9(2)(g)(ii) reminded me that we need to provide a report of the findings over the period of the last permit. 9(2)(g)(ii) has produced a draft report which I am currently reviewing. A final version should be in your email in-boxes by early next week at the latest.

Regards

9(2)(a)

From: 9(2)(g)(ii) <9(2)(g)(ii)>
Sent: Tuesday, 20 July 2021 4:50 pm
To: 9(2)(a) <9(2)(a)>
Cc: 9(2)(g)(ii) <9(2)(g)(ii)>
Subject: RE: Renewal of kiwi monitoring Wildlife Permit, Mt Messenger
Importance: High

Hi 9(2)(a)

Unfortunately I've been away on sick leave for nearly 4 weeks since 8 June. I talked to 9(2)(g)(ii) about this last week and will give him a call tomorrow. When is your ETA for obtaining a decision?

Best Regards

9(2)(g)(ii)

From: 9(2)(a) <9(2)(a)>
Sent: Tuesday, 29 June 2021 11:18 am
To: 9(2)(g)(ii) <9(2)(g)(ii)>
Subject: Renewal of kiwi monitoring Wildlife Permit, Mt Messenger

Hi 9(2)(g)(ii)

A few weeks ago 9(2)(g)(ii) from our Mt Messenger ecology team submitted a request to DOC for the renewal of our kiwi monitoring Wildlife Act Authority for Mt Messenger. She hasn't received any acknowledgement of this from your organisation. Can you confirm that it is being processed and when we can expect to receive the renewed permit?

Thanks

9(2)(a)

9(2)(a) **Principal Environmental Consultant**

BSc (Hons)

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Norris Ward McKinnon House, Level 5, 711 Victoria Street, Hamilton 3240 | PO Box 9544, Hamilton 3240, New Zealand

M 9(2)(a) www.tonkintaylor.co.nz



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From: 9(2)(g)(ii) on behalf of 9(2)(g)(ii)
To: 9(2)(g)(ii) 9(2)(g)(ii) 9(2)(g)(ii) 9(2)(g)(ii) 9(2)(g)(ii)
Subject: Check in mtg - Te Waka Kotahi WA authorisation application

Hi there

Scheduling a check in meeting. This time looks to suit most although 9(2) you look to have time booked out until 10.30am so please advise if this isn't anything that can be moved. Limited options unfortunately with 9(2) availability.

Thanks

9(2)

Microsoft Teams meeting

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Click here to join the meeting <https://teams.microsoft.com/l/meetup-join/19%3ameeting_ZTM3NTJmNmMtZWUzMy00MThhLWI5MDgtYzIzMWVlZmVzEzOTE1%40thread.v2/0?context=%7b%22Tid%22%3a%22f0cbb24f-a2f6-498f-b536-6eb9a13a357c%22%2c%22Oid%22%3a%220fe8f125-4a33-4825-a65b-8a40316ee225%22%7d>

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Released under the Official Information Act

From: 9(2)(g)(ii) on behalf of 9(2)(g)(ii)
To: [Context Meetings](#)
Subject: Declined: Context meeting - 94669-FAU New Zealand Transport Agency

9(2)(g) has asked 9(2)(g)(ii) to lead this process with support from 9(2)(g)(ii). 9(2) will provide context and recommendations to 9(2) when a decision is required.

9(2)

Released under the Official Information Act

From: 9(2)(g)(ii) on behalf of 9(2)(g)(ii)
To: [Context Meetings](#)
Subject: RE: Context meeting - 94669-FAU New Zealand Transport Agency
Date: Tuesday, 29 June 2021 11:34:00 am

Hi there – please see the email from me yesterday re this. 9(2)(g)(ii) has asked 9(2)(g)(ii) to lead the meeting and 9(2)(g)(ii) will be the CR resource, so I will forward this to 9(2)(g)(ii) and 9(2)(g)(ii) and decline for 9(2)(g)(ii)

Regards
 9(2)(g)(ii)

-----Original Appointment-----

From: Context Meetings <ContextMeetings@doc.govt.nz>
Sent: Tuesday, 29 June 2021 10:15 am
To: 9(2)(g)(ii) 9(2)(g)(ii) 9(2)(g)(ii)
Subject: Context meeting - 94669-FAU New Zealand Transport Agency
When: Thursday, 1 July 2021 1:00 pm-1:30 pm (UTC+12:00) Auckland, Wellington.
Where: Microsoft Teams Meeting

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Please ensure to arrange meeting rooms amongst yourselves where required.

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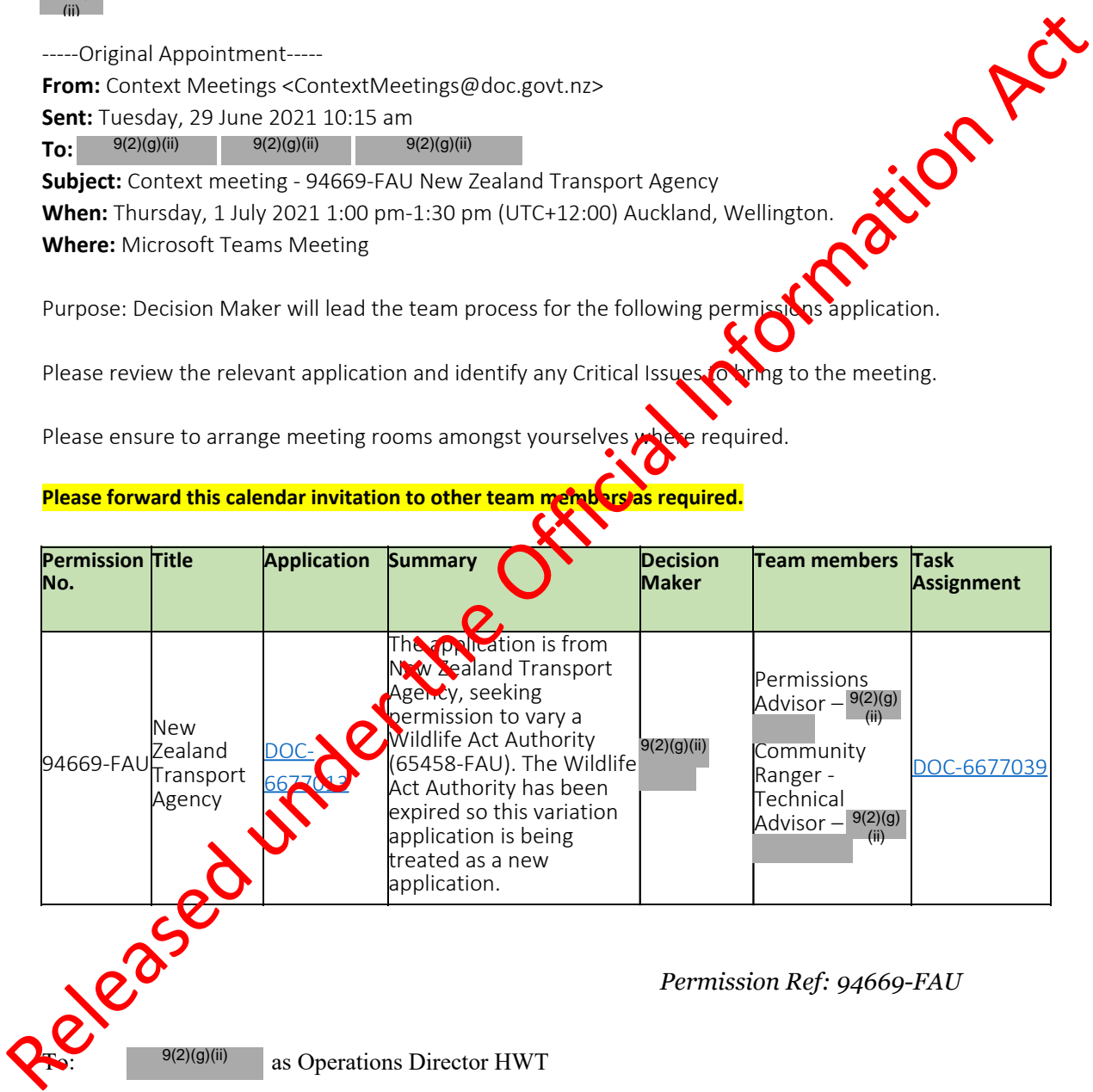
Permission Ref: 94669-FAU

To: 9(2)(g)(ii) as Operations Director HWT
From: 9(2)(g)(ii) as DDG Operations

Date: 25th June 2021

Task Assignment: Process Variation Request from: New Zealand Transport Agency

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1.	<p>Authorised activity (including the species, any approved quantities and collection methods). (Schedule 2, clause 2)</p>	<p>a. Activity:</p> <ul style="list-style-type: none"> i. To Catch ii. To handle iii. To attach transmitters <p>b. Species</p> <ul style="list-style-type: none"> i. North Island Brown Kiwi (<i>Apteryx mantelli</i>) <p>c. Quantity</p> <ul style="list-style-type: none"> ii. Up to 15 pairs <p>d. Method</p> <ul style="list-style-type: none"> iii. All captures will be made by suitably accredited handlers
2.	<p>The Land (Schedule 2, clause 2)</p>	<p>Immediate surrounds of Mount Messenger Bypass Project</p>
	<p>Personnel</p>	<p>a. [Redacted] [Redacted] [Redacted] [Redacted] [Redacted]</p>

3.	authorised to undertake the Authorised Activity (Schedule 2, clause 3)	f. [redacted] 9(2)(a) [redacted] [redacted] [redacted] [redacted] [redacted]
4.	Term (Schedule 2, clause 4)	Commencing on and including 18 April 2018 and ending on and including 17 April 2021
5.	Authority Holder's address for notices (Schedule 2, clause 8)	The Authority Holders address in New Zealand is: 24 Bridge Street Hamilton 3240 New Zealand Phone: [redacted] 9(2)(a) Email: [redacted] 9(2)(b)

Fees

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 measure of the application
- Written rationale for decision
- Permissions processing complete (e.g. paperwork, database)

Quality:

- Ensure the purpose of the Wildlife Act 1953 is considered
- 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 1' process steps
- Ensure final decision is appropriately shared
- Assess and escalate critical issues
- Learn how to shorten the cycle time

Resources

Permissions Advisor – [redacted] 9(2)(g)(ii)
Community Ranger -
Technical Advisor – [redacted] 9(2)(g)(ii)

Link to Application: [DOC-6677013](#)

Additional Resources:

Permissions Advisor guidance: [DOC-6182664](#)
Court of Appeal DOC legal advice: [DOC-5701834](#) [legally privileged]

Supreme Court DOC legal advice: [DOC-6096829](#) [legally privileged]

Timeframe

Within 20 working days of acceptance of Task Assignment. In this instance, the 20 working days will commence from 29th June 2021.

Microsoft Teams meeting

Join on your computer or mobile app

[Click here to join the meeting](#)

[Learn More](#) | [Meeting options](#)

Released under the Official Information Act

From: 9(2)(g)(ii)
To: [permissionsupport](#); [Context Meetings](#)
Cc: 9(2)(g)(ii) 9(2)(g)(ii)
Subject: FW: Task Assignment – Permission 94669-FAU (New Zealand Transport Agency)
Date: Monday, 28 June 2021 4:27:08 pm
Importance: High

Hi there

Please note 9(2)(g)(ii) will lead this process on 9(2)(g)(ii) behalf and then provide recommendations to 9(2)(g)(ii) to enable him to make a decision. I have forwarded this TA to 9(2)(g)(ii) and 9(2)(g)(ii) who will be the Community resource.

Therefore I have declined the context meeting invite on Thursday for 9(2)(g)(ii) and suggest it is rescheduled for 1pm Thursday which looks to suit everyone. Can you please resend, taking 9(2)(g)(ii) off the calendar invite.

Thanks

9(2)(g)(ii)

From: permissionsupport <permissionsupport@doc.govt.nz>

Sent: Friday, 25 June 2021 10:22 am

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

Cc: Context Meetings <ContextMeetings@doc.govt.nz>; 9(2)(g)(ii) 9(2)(g)(ii) 9(2)(g)(ii) <9(2)(g)(ii)> 9(2)(g)(ii) <9(2)(g)(ii)> Michael Slater <m Slater@doc.govt.nz>

Subject: Task Assignment – Permission 94669-FAU (New Zealand Transport Agency)

Kia ora 9(2)(g)(ii)

Please see a Task Assignment ([DOC-6677039](#)) for your consideration. The application is from New Zealand Transport Agency, seeking permission to vary a Wildlife Act Authority (65458-FAU). The Wildlife Act Authority has been expired so this variation application is being treated as a new application.

The applicant is applying to extend the term to reflect a later construction date and update authorised personnel and updating contact details.

The Task Assignment is deemed to be accepted after 2 working days. The 20 working days will commence from 29th June 2021.

The Permissions Advisor is 9(2)(g)(ii) To assist 9(2)(g)(ii) in completion of the Decision Support Document ([DOC-3001655](#)):

Function	Time (minutes)	Date
Capture Time	25	1/6/21
Summary Time	20	3/6/21
Assign Time	15	25/6/21

A member of the Context Meetings team will be in contact with you and any other resources assigned to this application to arrange a context meeting.

A check in meeting must occur unless a decision is made at the context meeting. When a decision is made the rationale for the decision must be shared with all team members.

Please find the full text of the Task Assignment below in the instance that you are unable to access DocCM.

Ngā mihi nui,

9(2)(g)(ii)

Statutory Processes Team

Planning, Permissions and Land Unit

Department of Conservation—*Te Papa Atawhai*

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www.doc.govt.nz

All DOC staff can call 07 858 1232 during work hours to receive support and advice on any permissions-related matter

Permission Ref: 94669-FAI

To: 9(2)(g)(ii) as Operations Director HWT

From: 9(2)(g)(ii) as DDG Operations

Date: 25th June 2021

Task Assignment: Process Variation Request from: New Zealand Transport Agency

The Court of Appeal and Supreme Court judgments in the *PauaMAC5 Inc.* case had ramifications for the types of authorisations delegates of the Director-General of Conservation (DG) can grant under section 53 of the Wildlife Act 1953:

1. An application for **authorisation under section 53 can only be considered if the activity is “catch alive” or “kill”**. Lesser interferences such as disturbance or unsuccessful pursuit can only be authorised if they occur as part of “catch alive or kill”.
2. Authorising “catch alive or kill” envisages something **inherently intentional**. It cannot be used to facilitate or “cover” in case of an accidental action. An example of accidental killing is hitting a bird with your car. Incidental killing would be where an area is bulldozed knowing lizards will be present even though salvage has been undertaken. Accidental cannot be authorised; incidental can.
3. The judgments **also confirmed the purpose of the Act** (essentially to protect wildlife and control game). This means that an activity authorised under section 53 must promote the wider purpose of the Act. Purely anthropocentric activities with no benefit to wildlife would be unlikely to meet the purpose of the Act as there is no element of protection.

For more information on the impacts of the *PauaMAC5* case, refer to the Factsheet for Decision Makers [DOC-6193585](#).

Variation Application to Existing Wildlife Act Authority

The Department has received a request from NZTA to vary a Wildlife Act Authority (65458-FAU). The Wildlife Act Authority has been expired so this variation application is being treated as a new application.

The applicant is applying to extend the term to reflect a later construction date and update authorised personnel and updating contact details. The authorised activities that need the term extending are:

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

Released under the Official Information Act

Fees

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 the purpose of the Wildlife Act 1953 is considered
- 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 1' process steps
- 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 -
Technical Advisor – 9(2)(g)(ii)

Link to Application: [DOC-6677013](#)

Additional Resources:

Permissions Advisor guidance: [DOC-6182664](#)
Court of Appeal DOC legal advice: [DOC-5701854](#) [legally privileged]
Supreme Court DOC legal advice: [DOC-6096829](#) [legally privileged]

Timeframe

Within 20 working days of acceptance of Task Assignment. In this instance, the 20 working days will commence from 29th June 2021.

Released under the Official Information Act

From: 9(2)(g)(ii)
To: 9(2)(g)(ii)
Cc: 9(2)(g)(ii)
Subject: RE: Task Assignment – Permission 94669-FAU (New Zealand Transport Agency)
Date: Monday, 28 June 2021 4:22:29 pm

Okay thanks 9(2)(g)(ii) – I guess as long as 9(2)(a)(ii) has visibility of anything of concern so he can make his decision.

From: 9(2)(g)(ii) <9(2)(g)(ii)>
Sent: Monday, 28 June 2021 3:38 pm
To: 9(2)(g)(ii) <9(2)(g)(ii)>
Cc: 9(2)(g)(ii) <9(2)(g)(ii)>
Subject: RE: Task Assignment – Permission 94669-FAU (New Zealand Transport Agency)

Thanks 9(2)(g)(ii) will do. I have a bit of a concern in that the decision regarding this relates to high risk topic currently subject to an OIA by 9(2)(a)

My recommendation will need to be considered in that context.

Thanks
9(2)(g)(ii)

From: 9(2)(g)(ii) <9(2)(g)(ii)>
Sent: Monday, 28 June 2021 3:16 pm
To: 9(2)(g)(ii) <9(2)(g)(ii)>
Subject: FW: Task Assignment – Permission 94669-FAU (New Zealand Transport Agency)

Hi 9(2)(g)(ii) – just checking you saw this one on Friday?

Thanks
9(2)(g)(ii)

From: 9(2)(g)(ii)
Sent: Friday, 25 June 2021 10:29 am
To: 9(2)(g)(ii) <9(2)(g)(ii)>
Cc: 9(2)(g)(ii) <9(2)(g)(ii)>, 9(2)(g)(ii) <9(2)(g)(ii)>
Subject: FW: Task Assignment – Permission 94669-FAU (New Zealand Transport Agency)

Hi 9(2)(g)(ii)

9(2)(g)(ii) has received the task assignment below which has been assigned to her as decision maker.

Could you please run the process on 9(2)(g)(ii) behalf and come back to 9(2)(g)(ii) with a recommendation, to enable her to make a decision.

Please come back either with any issues or to accept the task.

Thanks
9(2)(g)(ii)

From: permissionssupport <permissionssupport@doc.govt.nz>

Sent: Friday, 25 June 2021 10:22 am

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

Cc: Context Meetings <ContextMeetings@doc.govt.nz>; 9(2)(g)(ii) <9(2)(g)(ii)> 9(2)(g)(ii) <9(2)(g)(ii)> Michael Slater <m Slater@doc.govt.nz>

Subject: Task Assignment – Permission 94669-FAU (New Zealand Transport Agency)

Kia ora 9(2)(g)(ii)

Please see a Task Assignment ([DOC-6677039](#)) for your consideration. The application is from New Zealand Transport Agency, seeking permission to vary a Wildlife Act Authority (65458-FAU). The Wildlife Act Authority has been expired so this variation application is being treated as a new application.

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Ngā mihi

9(2)(g)(iii)

Statutory Processes Team
Planning, Permissions and Land Unit

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From: 9(2)(g)(ii) as DDG Operations

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2.	The Land (Schedule 2, clause 2)	Immediate surrounds of Mount Messenger Bypass Project
3.	Personnel authorised to undertake the Authorised Activity (Schedule 2, clause 3)	a. 9(2)(a) [Redacted] [Redacted] [Redacted] [Redacted] [Redacted] [Redacted] [Redacted] [Redacted] [Redacted] [Redacted]
4.	Term (Schedule 2, clause 4)	Commencing on and including 18 April 2018 and ending on and including 17 April 2021
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Resources

Permissions Advisor – 9(2)(g)(ii)

Released under the Official Information Act

Community Ranger -

Technical Advisor – 9(2)(g)(ii)

Link to Application: [DOC-6677013](#)

Additional Resources:

Permissions Advisor guidance: [DOC-6182664](#)

Court of Appeal DOC legal advice: [DOC-5701834](#) [legally privileged]

Supreme Court DOC legal advice: [DOC-6096829](#) [legally privileged]

Timeframe

Within 20 working days of acceptance of Task Assignment. In this instance, the 20 working days will commence from 29th June 2021.

Released under the Official Information Act

From: assystrequest@doc.govt.nz
To: 9(2)(g)(ii)
Subject: assyst: Concessions and Permits - WARC (Wildlife Act/Research & Collection) Authorisation Applications request with the reference number R214710 has been assigned to you.
Date: Thursday, 24 June 2021 6:16:47 pm

Dear 9(2)(g)(ii)

The following request has been assigned to you. Please keep this request as up to date as possible.

Reference Number : [R214710](#)
Logged By : SPT Assign Permissions
Logged Date : 03/06/2021
Priority : 3
Required by Date : 08/06/2021
Description :

This application has been deemed a priority T6 - WARC seasonal restrictions

Please do not respond to the requestor- they are not involved with the application beyond securing the required resources

Context: The Department has received a request from NZTA to vary a Wildlife Act Authority (65458-FAU). The Wildlife Act Authority has been expired so this variation application is being treated as a new application. The applicant is applying to extend the term to reflect a later construction date and update authorised personnel and updating contact details.

Applicant: New Zealand Transport Agency

Task Assignment: <https://doccm.doc.govt.nz/wcc/faces/wccdoc?dDocName=DOC-6677039>

For further clarity of what preparation is required for Context Meetings for your role please see the attached document:

<https://doccm.doc.govt.nz/wcc/faces/wccdoc?dDocName=DOC-6227809>

Please reply within 2 working days with a Permissions Advisor that will be assigned to this application – this process may take 20 working days at acceptance of the Task Assignment by the Decision Maker.

Please do NOT reply to this email, instead click on the above link to start working on the request.

Many thanks,

9(2)(g)(ii)

Permissions Advisor (400/9087)

Permissions

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

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

Department of Conservation

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