



15 November 2021

Director-General of Conservation
c/o EcoFX Ltd
32 Huiputea Drive
Otorohanga

CC: permissions@epa.govt.nz
Delivery Planner (Biodiversity)

ATTENTION: 9(2)(a), 9(2)(g)(ii)

**VARIATION TO PERMISSION ID 6738612:
MOEHAU – RAT & POSSUM CONTROL OPERATION**

Under section 95A(7)(a) of the Hazardous Substances and New Organisms Act 1996, the following condition/s of the permission ID DOC-6738612 issued to you on 03/08/2021 (“the Permission”) are:

VARIED - End date of permission:

- The operation has been postponed until Winter 2022 due to delays associated with Covid and the end date of the permission has been extended from 15 November 2021 to **11 November 2022**. This change in timeframe does not affect the original assessment of the application, only the end date has changed.

A readiness check will be carried out by DOC staff prior to the operation going ahead to ensure all pre-operational requirements have occurred including the appropriate consultation and notification. Everything will be documented and checked in the operational Compliance Register.

All other conditions of the Permission (see below) remain unchanged.

9(2)(a)

.....
Dan Heinrich, Operations Director, HWT Region

Pursuant to a written delegation from:

- The chief executive of the Environmental Protection Authority for section 95A of the Hazardous Substances and New Organisms Act 1996
- The Director-General of Conservation for sections 53 and 54 of the Wildlife Act 1953
- The administering body for section 50 of the Reserves Act 1977

- The Director-General of Conservation for Section 38 of the Conservation Act 1987

Enc: The original Permission 6738612 (below)

Ref: DOC-6824632

Released under the Official Information Act



03/08/2021

9(2)(a), 9(2)(g)(ii) for the Director-General of
Conservation
EcoFX
32 Huiputea Drive
Otorohanga

CC:
permissions@epa.govt.nz
Delivery Planner
(Biodiversity)

ATTENTION: 9(2)(a), 9(2)(g)(ii),

PERMISSION ID DOC-6738612: MOEHAU — Rat & POSSUM CONTROL OPERATION

SUBSTANCE APPROVAL NUMBER: HSR002424

Having considered application [DOC-6678269](#) and assessment report [DOC-6689522](#), and having considered the adverse effects of the use of *Sodium fluoroacetate 1080* on DOC managed or administered land, I have decided to grant this permission subject to conditions. I consider that granting this permission is in accordance with the purpose of the Hazardous Substances and New Organisms Act 1996, recognizing the life-supporting capacity of ecosystems and the wellbeing of people and communities, and taking into account the principles and other matters in sections 5, 6, 7 and 8 of that Act. I consider that the conditions imposed in this permission are consistent with the approval of the substance.

I also consider that the controlling of pests is in accordance with the General Policy for National Parks (particularly Policy 4.3) and the Conservation General Policy (see Section 4.2). These General Policies have been given effect to through various conservation planning documents and are in line with the purposes of the conservation legislation. I also understand that the controlling of pests and the protection of indigenous biodiversity generally gives effect to the principles of the Treaty of Waitangi. I, therefore, consider that permission to control pests on public conservation land can be granted.

Permission is granted, to take immediate effect, under:

- Section 95A of the Hazardous Substances and New Organisms Act 1996
- Section 53 & 54 of the Wildlife Act 1953
- Section 50 of the Reserves Act 1977
- Section 38 of the Conservation Act 1987

for the Director-General of Conservation, or any other person acting under their authority (including contractors) to apply:

- Pesticide Use - #1 Sodium fluoroacetate 1080 1.5g/kg RS5 cereal pellet aerial
- Pesticide Use - #140 Sodium fluoroacetate 1080 1.5g/kg RS5 cereal pellet aerial

on or after the date of this letter until 30/11/2021; and

to undertake the actions approved under the above Acts on the lands managed or administered by the Department of Conservation and to undertake action

on the other land as authorized by the Wildlife Act 1953, on the lands listed below and shown on the **attached map**:

1. 773.5 ha of the Stony Bay Recreation Reserve, a Recreation Reserve under section 17 of the Reserves Act 1977
2. 89.8 ha of the Fantail Bay Recreation Reserve, a Recreation Reserve under section 17 of the Reserves Act 1977
3. 546.6 ha of the Sandy Bay Recreation Reserve, a Recreation Reserve under section 17 of the Reserves Act 1977
4. 3615.9 ha of the Coromandel Forest Park, a Conservation under part 19 of the Conservation Act 1987.
5. 75.92ha of Hydro Parcel administered by DOC
6. 19.65ha of legal road administered by Thames-Coromandel District Council
7. 73.37ha of private land

Non-toxic prefeed may be applied no earlier than the date of this letter.

This operation is approved for the purpose of controlling rats and possums with the aim of a residual wax tag index of less than 1% by 30 November 2021 and a tracking tunnel index for rats less than 1% by November 2021. It is recognized that this operation may kill other pests.

The permission is given subject to the requirement that the operation:

- Is carried out as generally described in the Application Form submitted 01/06/2021
- Meets the conditions shown in the attached sheets of DOC Performance Standards for Pesticide Uses 1 and 140 and the substance is used in accordance with the EPA's approval of that substance
- Has a readiness check completed to the satisfaction of ^{9(2)(a), 9(2)(g)(ii)} [redacted], Operation Manager prior to any application of non-toxic or toxic bait

Notwithstanding that the permission holder must comply with these requirements, it is acknowledged that indigenous animals may be killed and so this permission authorizes such deaths for the greater protection of indigenous species.

Auditing may occur to establish whether those conditions are being met. If not, the permission may be revoked and further action may ensue. It is an offence to breach this permission's conditions.

The permission may be revoked, or conditions added, deleted or otherwise varied at any time.

^{9(2)(a)} [redacted]

.....

Dan Heinrich, Operations Director, HWT Region

Pursuant to a written delegation from:

- The Chief Executive, Environmental Protection Authority for section 95A of the Hazardous Substances and New Organisms Act 1996
- The Director-General of Conservation for sections 53 and 54 of the Wildlife Act 1953

- The administering body for section 50 of the Reserves Act 1977
- The Director-General of Conservation for section 38 of the Conservation Act 1987

Enc:

Map

DOC Performance Standards

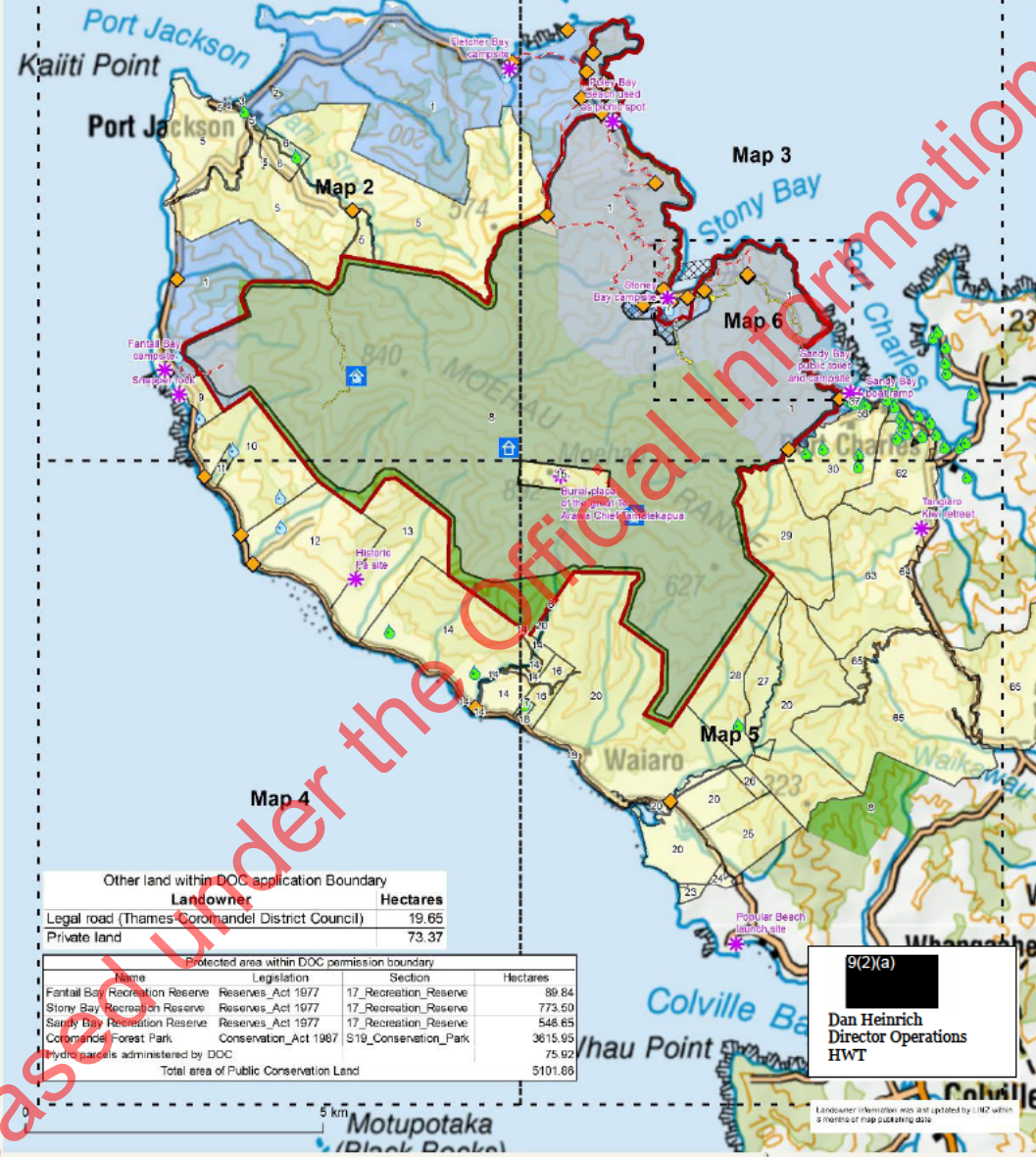
Application Assessment Report [DOC-6689522](#)

Ref: DOC-6738612

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- Points of interest
- Not effected by operation
- Effected by operation
- Huts
- Proposed sign locations
- Moehau proposed loading site
- DOC Tracks
- Legal road (Thames-Coromandel District Council)
- Moehau proposed DOC permission boundary
- Proposed application area 4647.8 ha
- Moehau proposed flight corridor
- DOC Public Conservation Land
- Conservation Park
- Reserve
- Marginal Strip
- Private land



Other land within DOC application Boundary	
Landowner	Hectares
Legal road (Thames-Coromandel District Council)	19.65
Private land	73.37

Protected area within DOC permission boundary			
Name	Legislation	Section	Hectares
Fantail Bay Recreation Reserve	Reserves_Act 1977	17_Recreation_Reserve	89.84
Stony Bay Recreation Reserve	Reserves_Act 1977	17_Recreation_Reserve	773.50
Sandy Bay Recreation Reserve	Reserves_Act 1977	17_Recreation_Reserve	548.65
Coromandel Forest Park	Conservation_Act 1987	S19_Conservation_Park	3615.95
Hydro parcels administered by DOC			75.92
Total area of Public Conservation Land			5101.86

9(2)(a)
 Dan Heinrich
 Director Operations
 HWT



Moehau - DOC Permission Application
 Aerial Predator Control 2021

Map 1 - Overview

Area of DOC permission application: 5194.9 ha

Not for navigation | 1/92/923
 Down Copyright Reserved | Eri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community
 Eagle Technology UNZ
 DOC, Geospatial Services | 5/8/2021

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Pesticide Use #140	Sodium fluoroacetate 1.5g/kg Cereal pellet Aerial (Pestex)	Target Pests: Possums, Rats
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Location of operation
Moehau



Caution Period
The estimated caution period for this operation is 8 months after last date of bait application and is subject to compulsory bait and carcass monitoring. This estimated caution period cannot be reduced to less than 4 months, and must be extended if the endpoints for monitoring have not been met at the end of the period.

Performance Standards

Compulsory for all operations

1. For operations targeting rats, prefeed with this pesticide use
2. ~~The DOC Code of practice for aerial 1080 in kea habitat [DOC 2612859](#) must be followed.~~
3. Flight paths to and from the bait loading zones by aircraft equipped with loaded or uncleaned bait sowing equipment must avoid: stocked paddocks, residential dwellings, and any other 'no fly zones' specified by consent providers.
4. An aircraft must not, when flying to or from the treatment area, fly over a public drinking water supply or waterway that is less than 100 metres upstream of a point of extraction from a water source for a drinking water supply (not being a water supply exclusively for stock).
5. For operations targeting possums, baits will have a mean size in excess of 6g and 95% of baits should weigh more than 4g.
6. The baits must be dyed green or blue.
7. The boundaries of the bait preparation and loading site are marked and loading site signs [docdm-181171](#) erected. At the end of every day of the operation (including the final day), the loading site and any storage area must be fenced so that people do not inadvertently enter the site and stock cannot gain access to the area. The fence and signs remain in place until the area is decontaminated.
8. If there is any likelihood that farm stock has been exposed to 1080, the owner must be advised as soon as possible, and stock removed from the area.
9. The product must only be used as specified on the manufacturer's product label.

Information Needs

Compulsory for all operations

Nil

My approval dated 20/08/2021 is subject to these performance standards being met. Compliance monitoring may occur.

 Dan Heinrich, Director Operations,

HWT

Pesticide Use #1	Sodium fluoroacetate 1.5g/kg Cereal pellet Aerial (0.15% 1080 Pellet)	Target Pests: Possums, Rats
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Location of operation
Moehau



Caution Period

The estimated caution period for this operation is 8 months after last date of bait application and is subject to compulsory bait and carcass monitoring. This estimated caution period cannot be reduced to less than 4 months, and must be extended if the endpoints for monitoring have not been met at the end of the period.

Performance Standards

Compulsory for **all** operations

- For operations targeting rats, prefeed with this pesticide use.
- ~~The DOC Code of practice for aerial 1080 in kea habitat [DOC 2612859](#) must be followed.~~
- Flight paths to and from the bait loading zones by aircraft equipped with loaded or uncleaned bait sowing equipment must avoid: stocked paddocks, residential dwellings, and any other 'no fly zones' specified by consent providers.
- An aircraft must not, when flying to or from the treatment area, fly over a public drinking water supply or waterway that is less than 100 metres upstream of a point of extraction from a water source for a drinking water supply (not being a water supply exclusively for stock).
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- If there is any likelihood that farm stock has been exposed to 1080, the owner must be advised as soon as possible, and stock removed from the area.
- The product must only be used as specified on the manufacturer's product label.

Information Needs

Compulsory for **all** operations

Nil

My approval dated 20/08/2021 is subject to these performance standards being met.
Compliance monitoring may occur.

9(2)(a)

Dan Heinrich, Director Operations, HWT

Released under the Official Information Act



Pesticides - Decision Support Document (PDSD) (Assessment of Vertebrate Pesticide Permission)

Application Details	
Applicant ¹	EcoFX Ltd for the authority of the Director General of Conservation
Date received	1/06/2021
Permission Number	94667 - PCO
Substance approval Number (s)	HSR002424
Short description of application	Application Form for Possum and Rat control in the Moehau area
Public Health Permission ID (if applicable)	21-184-BET-WAPH-MOEHAU_2021_Aerial

Document Links	
Application Link	DOC-6678269
Task Assignment	DOC-6678274
Decision Due	12 July 2021 – ext. required due to pending actions and iwi consultation

Resources	
Assessor	9(2)(a), 9(2)(g)(ii)
Permissions Advisor	9(2)(a), 9(2)(g)(ii)
District Office/s where application assessed	Hamilton Office

¹ The Applicant is the Director-General of Conservation for a Departmental operation, including when a contractor is making the application on behalf of the Department. Any such permission should be granted in the name of the Director-General and cover staff and contractors, and addressed to the Director-General, care of the contractor. Where the Application is not the Director-General, provide the External Applicant Name, which will normally be a company and should also include staff and contractors.

Decision Maker

Dan Heinrich - Operations Director, HWT.

Purpose:

To consider the granting of permissions / authorisations for undertaking pest control by aerially applying Sodium fluoroacetate 1080 1.5g/kg RS5 cereal pellets to Moehau Ecological Area (part Coromandel State Forest Park, part Sandy Bay Recreation Reserve and part Stony Bay Recreation Reserve, including private land) by EcoFX Ltd.

It is proposed that the following pesticide uses will be applied:
#1 Sodium fluoroacetate 1080 1.5g/kg RS5 cereal pellet aerial
#140 Sodium fluoroacetate 1080 1.5g/kg RS5 cereal pellet aerial

Overview of application:

Permission is sought for toxic application starting on or after 01 July 2021 and ending on or before 31 October 2021 Non-toxic prefeed will be applied no earlier than 01 July 2021

Time record – Permissions Advisor

Function	Time (minutes)	Date complete
Capture	60	2/06/2021
Summary	25	2/06/2021
Assign	15	9/06/2021
Pre-application advice (usually from local office)	TBC	TBC
Assessor	1440	3/08/2021
Permissions Advisor	240	4/08/2021
Decision Maker	210	To be determined

Task Register – To be filled in by the Permissions Advisor

Tasks as set by the Decision Maker:

No.	Task description	Accountability	Estimated time req'd to complete task (minutes)	Timeframe (date due)	Date complete	Time taken to complete task (minutes)
1	Co-ordinate processing of the application - including communicating with the Applicant and co-ordinating the completion of the Decision Support Document	Assessor		12/07/2021	3/08/2021	30
2	Undertake statutory analysis of the application and overall recommendation for the Decision Maker	Permissions Advisor	120		Click or tap to enter a date.	200
3	Share the decision with the team members on behalf of the Decision Maker	Permissions Advisor	10		Click or tap to enter a date.	TBC
4	Share the decision with those consulted with (including Treaty Partners and the Conservation Board)	Community Ranger/anyone who has consulted			Click or tap to enter a date.	TBC
5	Share the decision with the applicant, EPA and Delivery Planner	Permissions Advisor	10		Click or tap to enter a date.	TBC

Step 1 Confirm application is complete are all documents (listed below) provided?

For guidance see the Processing Applications for VTAs SOP [DOCDM-1490584](#)

See also the Process Map for PPL permissions [DOC-6315017](#)

Complete application form received **Yes**

Are all sections of the DOC Application Form completed to a standard that you can assess them? Where are the information gaps? Is the operational information for treatment blocks clearly separated in each section of the application form where differences exist between them? Does the proposed application meet the grouping standard (see [Applying for DOC permission for external agencies](#) or [Operational planning for animal pest operations SOP](#))? Where required, was the AEE section completed?

Date Received:
28/06/2021

(Check the AEE National Standards column on the Status List [docdm-22655](#) to see whether an AEE is required as a national standard for any of the pesticide uses proposed for the operation.)

All sections of the permission have been filled out to a standard that allows assessment. Maps, communication plan, PHU application and AEE have been provided.

Two pesticide uses have been applied for. This is to allow for the logistics team to use either bait to supply the operation. There won't be two pesticides used which require separate treatment blocks.

Are all the proposed pesticide use(s) accepted for use from the EPA? **Yes**

Check the Status List category and if any compulsory restrictions apply. If any compulsory information needs apply, consider if the operation is designed to provide the required information.

No compulsory information needs are required.

Performance standards sheets **Yes**

Is there a performance standard sheet for each pesticide use proposed, and trapping if applicable?

DOC permission map(s) (image file or files) **Yes**

Does the map or maps meet the minimum standards (as stated in Appendix 2 of the [DOC Application Form](#)), including showing proposed warning sign locations and normal points of entry where warning signs must be A3?

No - A3 warning signs are not defined.

New map depicting A3 warning signs sent on 28/06/2021

DOC Pesticide summary shapefiles (N/A to DOC operations and Possum hunters using cyanide paste)	N/A
<p><i>Are the control methods clearly assigned to each treatment block? Do operational boundaries and warning sign locations match the DOC permissions map(s)?</i></p>	
Consultation record including conditions of non-DOC landowner consents.	Yes
<p><i>Iwi and hapū, landowners adjacent to operational area, schools, concessionaires, hunting groups & other interested groups should be identified, contacted and be consulted with (not just informed).</i></p>	
<p><i>Was level of consultation adequate? Should DOC be undertaking consultation itself?</i></p>	
<p>Most consultation was undertaken mostly by EcoFX Ltd. Iwi consultation was undertaken by the department.</p>	
<p>Schools, concessionaires, hunting groups & other interested groups have been identified and notified.</p>	
<p>The communication plan does not provide detail on adjoining landowner consultation - notification only. Further evidence is required. Request for updated communication record sent on 25/06/2021 and updated record received on 28/06/2021.</p>	
<p>The updated communication plan includes communication records for landowners, iwi, etc. Adjoining landowners have still only received notification. This was queried via email on the 29/06/2021. The reply was received on the 29th to point out that Stony Bay residents are not adjoining and will be changed from adjoining to interested parties.</p>	
<p>Consultation is ongoing.</p>	
All required owner/occupier consents obtained?	Yes
<p><i>Are conditions of consent from non-DOC owners evident in the application?</i></p>	
<p>LINZ Consent still outstanding. LINZ have advised they cannot give consent as the parcels are not listed on the LINZ balance sheet.</p>	
<p>9(2)(a), 9(2)(g)(ii) followed up on the LINZ land with our statutory land team and in an email received on 8th July 2021 was informed that we can consider this land as being managed by DOC and don't require permission from anyone else to treat this land as part of the operation.</p>	
<p>TCDC consent sent 16/06/2021</p>	

9(2)(a), 9(2)(g)(ii)	signed consent on 15/06/2021.
<p>Was consultation undertaken with appropriate iwi/hapū?</p> <p>List of consulted iwi was sent to 9(2)(a), 9(2)(g)(ii) to check appropriateness on the 29/06/2021. 9(2)(a), 9(2)(g)(ii) confirmed that the appropriate iwi/hapu have been consulted.</p> <p><i>Should DOC be undertaking consultation itself?</i></p> <p>Communication plan does not show consultation. Notification has been provided to iwi, but detail is missing on responses. Updated communication plan was sent on the 28/06/2021.</p> <p>Updated communications plan shows Iwi consultation is being undertaken by the department and is ongoing. Some iwi groups have responded either showing opposition or support while others are yet to respond. The level of engagement so far is satisfactory.</p>	<p>Yes</p>
Public health permission/ proof of application	<p><i>Proof of application for public health permission is adequate to process the application, as long as the public health permission and associated application form is sighted prior to approval.</i></p> <p>Public Health Permission application provided, the permission will need to be sighted before approval can be given.</p> <p>Public Health Permission received on the 02/08/2021</p> <p>https://doccm.doc.govt.nz/wcc/faces/wccdoc?dID=8623276&dDocName=DOC-6739675</p>
<p>Your confirmation email and subsequent correspondence</p> <p>Further information regarding a map depicting A3 warning signs and a completed consultation record was requested on the 25/06/2021</p> <p>Requested information was sent on the 28/06/2021</p> <p>Thank you for your application for permission to control rats and possums at Moehau.</p> <ul style="list-style-type: none"> • Your application was received on 01/06/2021 • I will be the assessor for your application and a contact point for anything related to its processing. My contact details are below. • I require further information in order to continue with the processing of your application. The information you need to supply is: <ul style="list-style-type: none"> o Evidence of iwi consultation o Maps that identify the location of A3 warning signs 	<p>Yes</p>

- o Evidence of LINZ consent
- o Evidence of adjoining landowner consultation-
The comms plan only identifies notification.
- Processing of your application will resume when this information is supplied to my satisfaction. A decision will be taken on your application within 20 working days from receipt of this further information.

Step 2 Capture treatment blocks in the pesticide application

Your publication of the proposed operation on the DOC Pesticide Summary (N/A to DOC operations and Possum Hunters using cyanide paste)

Include date and note any issues.

N/A

Step 3 Evaluate control method

Is the proposed method suited to the pest problem, treatment area and consultation outcomes?

Your assessment of the control method

Aerial application of toxin is a suitable method as the operational area is large (5194.9 ha) and contains areas of rugged terrain. Aerial 1080 also has the added benefit of targeting multiple pest species, the primary targets being rats and possums but mustelids also being affected via secondary poisoning.

Label directions

Check the product label to ensure that the proposed method detail complies with the label content.

The proposed methodology is consistent with the application detail on the label.

Summary of any technical advice received on the proposed control methods.

None sought

Summary of any community relations - advice received.

None sought

Summary of any Pou Tairangahau - advice received.

None sought

Step 4 Identify and assess risks and adverse effects

Are you satisfied that all risks and adverse effects have been identified?

Are there any gaps in the applicant's assessment of these (where the AEE section was supplied)?

The AEE was reviewed by ^{9(2)(a), 9(2)(g)(ii)} - Operations Lead for TNM - as a result the AEE was updated using information from the latest edition on the pesticide information review for 1080.

Note If no AEE is required, put N/A. AEE requirements are set out in the "status list" DOC 22655.

Relevant points from the DOC Pesticide Information Reviews (PIR).

- 1080 in baits may be defluorinated in 1-2 weeks under favourable conditions. However, under less favourable conditions breakdown may take several weeks and, in extreme cold and drought, 1080 residues could persist in baits for several months.
- Degradation of 1080 is slow in soil and sediments, taking 1-4 weeks under favourable conditions. The rate of degradation will be influenced by the presence of soil or litter micro-organisms, and temperature, soil moisture and rainfall. Sodium monofluoroacetate is highly water soluble so leaching out of soil will occur.
- While the concentration of 1080 in deionised (sterile) water remains relatively constant and independent of temperature, 1080 degradation occurs within 1-2 weeks in natural water. Temperature, and the presence of aquatic plants and microbes all affect 1080 degradation in aquatic environments. Water samples have been collected from streams following numerous pest control operations using 1080. 96.6% of these samples contained no residues of 1080. Where residues were found most of these had less than 1 µg l⁻¹ 1080. Where higher 1080 residues have been found in water, the samples were mostly from very small streams and/or associated with the presence of bait, during aerial operations.
- 1080 has a relatively short half-life in sub-lethally dosed animals and it is metabolised and eliminated from living animals within days. However, it can persist in carcasses for months. The rate of degradation of 1080 in carcasses will depend on moisture, temperature and the presence of micro-organisms.
- A total of 243 NI brown kiwi have been monitored during aerial and handlaid 1080 pellet operations during 8 operations and none have died from poisoning.

Summary of any technical or district advice received

None sought

Other resources consulted (*specify*)

Poutu, N.; Fairweather, A.A.C.; Broome, K. G. 2020: Sodium Fluoroacetate Pesticide Information Review. Version 2020/1. Unpublished report docdm-25427, Department of Conservation, Hamilton, NZ. 134p.

Your assessment of technical risks and adverse effects

Based on the information provided in the AEE and the pesticide information review, the proposed use as stated in the application poses a low risk to native species. Although the risk to native fauna at a population level is low, it is likely some individual deaths will occur during the operation.

Your assessment of non-technical risks

There is a risk of poisoning to livestock and farm dogs as part of the operational area is grazed under concession and there is farmland adjacent to the op area. The adjacent farmland consists of unfenced boundaries where stock have access to the operational area. Risk is low as there has been timely communication in place and measures are put in place to eliminate likelihood of stock gaining access.

The area is also used by pig hunters but is tightly controlled due to the risk posed to kiwi.

There are a number of tracks inside the operational area along with a campground from which the fly site is located with a road running through the operational area to the campground.

Recreational use is low during the winter.

What is the level of risk to native fauna?

The risk to native fauna is low.

“There have been numerous studies examining the effects of aerial poisoning on native non-target populations over the last 20 years. 24 species of native birds, particularly threatened species, have been monitored. None of the studies have identified population level mortality which threatened the viability of the species, although the only reliably calculated mortality rates are for kokako, kiwi, kaka and fernbirds. The upper 95% mortality rates for kokako, kiwi, and kaka are all less than 3.5%. The mean mortality rate for fernbirds is 9.4%. Limited monitoring of short, tailed bats and native frogs has not indicated detectable mortality due to aerial 1080 poisoning.” (Poutu et al. 2020)

Step 5 Calculate estimated caution period and evaluate if risks and adverse effects are at an acceptable level

Estimated caution period for all the pesticide use(s)

Does this differ from the recommended caution period in the caution period calculator?

The estimated caution periods for both PU#1 & #140 are 8 months after bait application and are both subject to compulsory bait and carcass monitoring.

The 8 months has been calculated taking into account weather data from previous operational reports stating the average winter temp is 10 degrees and the site is wet rather than dry (average yearly rainfall 1800mm).

How well does the proposed operation manage potential risks to native fauna?

(i.e. as proposed in the application form or performance standards)

Several mitigating factors are in place which include - the green dye and the mask/lure used which can deter birds, and the type of bait used to reduce chaff which is more likely to be consumed by small birds.

The operation is also using a low sowing rate to reduce the amount of bait available for non-target species once consumed by the target pests.

How well are other potential risks managed (other than to native fauna)?

(i.e. as proposed in the application form or performance standards)

Consultation has occurred with all neighbouring landowners and notification of schools, community groups and other interested parties has occurred to allow for a high level of public awareness around the risks.

Signs will also be placed at all normal points of entry to warn the public of the dangers.

<p>The public health permission also details measures to reduce risk to people such as not applying bait during school and public holidays.</p> <p>There has been a high level of engagement with the local pig hunting club to increase awareness and reduce risk to dogs.</p> <p>Farmers have been offered muzzles and emetics for their dogs and several fencing issues have been noted for which there is ongoing discussion around exclusion.</p> <p>The site lead was emailed on the 28/06/21 to ask what mitigation methods were being put in place on roads, tracks and campgrounds, the site lead responded (28/06/21) saying the road is excluded from the area, and the tracks and campground will be closed.</p>
<p>Are you satisfied with the proposed warning sign locations and normal points of entry?</p> <p>Yes - there are sufficient warning signs</p>
<p>Summary of any technical or community relations advice received</p> <p>None sought</p>
<p>Public health permission, including application form sighted (if not provided at time of application)</p> <p>The PHU permission has been sighted and the conditions do not conflict with the Departments permission conditions for this VTA application.</p>
<p>Other resources consulted (specify)</p> <p>None.</p>
<p>Which additional performance standards should be applied and why? <i>Consider impacts of conditions from other consents. Consider if the additional performance standards specific and auditable and can be justified.</i></p> <p>Note: The applicant must be advised of any extra conditions set down as soon as they are decided on.</p> <p>There are no additional performance measures that need to be applied.</p>
<p>Please list any recommended exemptions or extra conditions specific to this operation here. <i>Example: Remove bait bags and residual bait at the end of the operation.</i></p> <p>There are no extra exemptions or conditions for this operation.</p>

Step 6. Identify location/s and relevant conservation planning documents, recognising that the Conservation General Policy applies to all PCL.

The operation has been applied for at the following location/s:

Public Conservation Land title	Land status	Conservation Management Planning Document(s)	Area (Ha)
Moehau Ecological Area	Ecological Area (s 21 Conservation Act)	Waikato Conservation Management Strategy 2014-2024	–
Fantail Bay Recreation Reserve	Recreation Reserve (s 17 Reserves Act)	Waikato Conservation Management Strategy 2014-2024	89.8 ha
Stony Bay Recreation Reserve	Recreation Reserve (s 17 Reserves Act)	Waikato Conservation Management Strategy 2014-2024	773.5 ha
Sandy Bay Recreation Reserve	Recreation Reserve (s 17 Reserves Act)	Waikato Conservation Management Strategy 2014-2024	546.6 ha
Coromandel Forest Park	Conservation Area (Part 19 Conservation Park)	Waikato Conservation Management Strategy 2014-2024	3615.9 ha
<i>Private Land</i>	Legal Road (TCDC)	19.65ha	168.9ha
	Lands administered by LINZ	75.92ha	
	Land is private ownership	73.37ha	
	total		5194.9ha

Land status check by SLM – ownership of land for Tiakina Nga Manu operations/Moehau land (Crown land managed by DOC):

- Except for Doctors Creek at Stony Bay, the areas identified in blue on the map provided are multiple small areas on the seaward side of the defined land parcels.
- They are between Stony Bay and Sandy Bay Recreation Reserves (administered by DOC under the Reserves Act), and the marine and coastal area.
- Technically, the areas identified are bits of hydro parcel, owned by the Crown, but with management indeterminate.
- However, the survey plans that define the reserve area boundaries are compiled plans. This means that they are compiled from previous surveys, in this instance some undertaken over 100 years ago.
- The map provided for the request does not illustrate these areas particularly well. For most of the coastline, these areas are quite small and should be considered as part of the reserve, as was intended.
- There are some screenshots from DOCgis in this document illustrating some of the larger areas and to help consider tolerance level for risk.

Consultation by DOC with Māori	
Brief analysis/outcome of consultation:	Iwi have been consulted with. Face to face meeting have been undertaken with follow up emails with information. Not all iwi are supportive of the operation but many are and have expressed their support.
For detail, please refer to Communication Plan:	DOC-6507603

Analysis of the Principles of the Treaty of Waitangi

Permissions Advisor: Priya Murthi

Section 4 of the Conservation Act 1987 states ‘This Act shall be so interpreted and administered as to give effect to the principles of the Treaty of Waitangi’. This is applied to all Acts administered by DOC.

The key [principles](#) of the Treaty of Waitangi that apply to DOC’s work are:

1. Partnership – mutual good faith and reasonableness: The Crown and Māori must act towards each other reasonably and in good faith;
2. Informed decision-making: Both the Crown and Māori need to be well informed of the other’s interests and views;
3. Active protection: The Crown must actively protect Māori interests retained under the Treaty as part of the promises made in the Treaty for the right to govern;
4. Redress and reconciliation: The Treaty relationship should include processes to address differences of view between the Crown and Māori.

Discussion:

The Department’s Treaty partners impacted by the proposed activity have been consulted and are supportive of the proposed activity on their lands. Further to this support this analysis will ensure that due consideration is given to our treaty partners position and the Conservation Act 1987 is administered in line with the principles of the Treaty of Waitangi’.

1. Partnership – Mutual good faith and reasonableness has been undertaken by both the crown and our treaty partners through open communication and consultation on the application in question. Feedback has been sought and received on the proposed activity in an open and constructive manner
2. Informed Decision Making – Both the crown and iwi have been provided with sufficient information and time to make a well-informed decision on the application. Such efforts have included the provision of reasonable time for feedback and ensuring that the applicant provided iwi with an easily interpreted summary the proposed activity.
3. Active Protection – The Crown has actively protected Maori interests through undertaking consultation which enables the Department to consider varying perspectives and make a well-informed decision on the proposed activity.
4. Redress and Reconciliation – Redress and reconciliation will be taken into consideration with iwi informed of the final decision and the reasoning behind it. Further discussions will

be held if issues emerge or questions emerge from our treaty partners before, during or after the operation

The application and manner in which the crown has consulted affected tangata whenua meets section 4 of the Conservation Act 1987.

Post Settlement Obligations

Are there any specific post-settlement obligations that relate to the application area? Detail on individual treaty settlement commitments can be found here:

<http://intranet/engagement/tangata-whenua/individual-treaty-settlement-obligations/>

Note: Individual iwi and hapū groups must be consulted with as per agreed protocols in accordance with post settlement obligations.

Discussion:

There are no known post settlement obligations which impact the proposed operation or how iwi are engaged on the Pesticide activity outside of the standard consultation process.

Statutory Analysis – Permissions Advisor: 9(2)(a), 9(2)(g)(ii)

Hazardous Substances and New Organisms Act 1996 (HSNO Act)

Under the HSNO Act, the Environmental Protection Authority (the Authority) has approved the use of certain VTAs but has imposed a requirement that:

No person may apply or otherwise use this substance on land administered or managed by the Department of Conservation unless the person first obtains a permission from the Authority.

All persons exercising powers do so to achieve the purpose of the HSNO Act as set out in section 4:

The purpose of this Act is to protect the environment, and the health and safety of people and communities, by preventing or managing the adverse effects of hazardous substances and new organisms.

1. When exercising the power of decision, to achieve the purpose of the Act, are the principles of section 5 recognised and provided for, being:
 - (a) the safeguarding of the life-supporting capacity of air, water, soil, and ecosystems:
 - (b) the maintenance and enhancement of the capacity of people and communities to provide for their own economic, social, and cultural well-being and for the reasonably foreseeable needs of future generations.

Yes / ~~Ne~~

Discussion:

The proposed activity concerns the use of pesticide on public conservation land for pest control purposes. Pests targeted include invasive and introduced species which are known to adversely impact the environment and the *life-supporting capacity of air, water, soil, and ecosystems*. The targeted elimination of pests through the use of pesticide is likely to enhance the economic, social, and cultural well-being of communities negatively impacted by the presence of pests.

The proposed activity is consistent with Section 5 of the Hazardous Substances and New Organisms Act 1996.

2. When exercising the power of decision, to achieve the purpose of the Act, have the matters in section 6 been taken into account, being:

- (a) the sustainability of all native and valued introduced flora and fauna:

Discussion:

The use of aerially applied 1080 will promote the sustainable management of valued native flora and fauna. The purpose of this operation is to reverse the decline of native species. It is possible deaths could occur in some bird species though population recovery is normally within one breeding season. The control of pests falls within the scope of sustainable management.

- (b) the intrinsic value of ecosystems:

Discussion:

Pest control measures are essential to ensure that the condition of New Zealand's native ecosystems is maintained in order to ensure the ongoing survival of native and valued introduced species and the protection of indigenous biodiversity. 1080 is the only tool currently available to achieve rapid and effective pest control in difficult terrain, and is, in this case, critical to ensuring the sustainability of native and valued introduced flora and fauna and the intrinsic value of ecosystems.

- (c) public health:

Discussion:

Adverse effects can be adequately managed by the controls and by the overall management regime for 1080. The Ministry of Health is responsible for ensuring that the provisions of the HSNO Act are complied with where it is necessary to protect public health. The EPA has delegated the function of granting permissions for the use of selected VTAs (to medical officers of health and health protection officers who are also warranted HSNO enforcement officers. Human health is therefore also considered through the public health permission.

- (d) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, valued flora and fauna, and other taonga:

Discussion

The relationship of Maori, culture, traditions, ancestral land, and the value placed on flora and fauna as taonga has been considered through consultation on the proposed activity. Acting Pou Tairangahau for the District ^{9(2)(a), 9(2)(g)(ii)} [REDACTED] has provided advice on the relevant iwi/hapu to be consulted with for both the Moehau and Papakai operations. All iwi/hapu who claim mana whenua and/or have an interest in the Moehau area have been consulted. Most are supportive or not opposed, Ngati Rongo-U are the only group strongly opposed. Ngati Rongo-U are opposed to toxins and request that trapping be used instead. Concerns also include effects on insects, rongoaa, pigs and community health. They have placed a rahui on the area with the aim of stopping the operation.

- (e) the economic and related benefits and costs of using a particular hazardous substance or new organism:

Discussion:

The use of 1080 has significant benefits for New Zealand, particularly in relation to the environment and the market economy.

- (f) New Zealand's international obligations.

Discussion:

The use of 1080 enables New Zealand to meet requirements of international obligations associated with animal health, biodiversity and conservation, including the World Organisation for Animal Health Terrestrial Animal Health Code, the Convention on Biological Diversity, and the UNESCO Convention Concerning the Protection of the World Cultural and Natural Heritage 1972.

3. When exercising the power of decision has the precautionary approach in section 7 been taken into account being the need for caution in managing adverse effects where there is scientific and technical uncertainty about those effects?

Yes / ~~Ne~~

A precautionary approach has been displayed throughout the planning and preparation of the proposed activity. The pesticides proposed for use are known to be hazardous substances and as such caution will be taken to manage possible adverse effects. The assessor has outlined mitigation practices throughout this document which includes recommendations around caution periods, the placement of toxin warning signs and other forms of risk mitigation.

The proposed activity is consistent with Section 7 of the Hazardous Substances and New Organisms Act 1996.

4. When exercising the powers of decision has account been taken of the principles of the Treaty of Waitangi (Te Tiriti o Waitangi)

Yes / ~~Ne~~

An assessment of the principles of the treaty of Waitangi and Section 4 of the Conservation Act 1987 has occurred. Such an assessment can also be applied to Section 8 of the Hazardous Substances and New Organisms Act 1996. As such the principles of the Treaty of Waitangi has been taken into account through consultation and other means

5. In accordance with section 95A(3) has the following been considered:

- (a) the adverse effects involved in the use or uses of the substance to which the application relates; and
- (b) the conditions (if any) that the decision maker thinks should be imposed as part of the permission.

Note: These conditions are related to conditions which are set out in the performance sheets attached to the permission as well as the conditions/requirements in the permission letter.

Yes / ~~Ne~~

Adverse effects involved in the use of substances to which this application relates have been discussed throughout this document by the assigned assessor. Conditions which will be imposed by the decision maker as part of any permission for the use of such substances are outlined in the associated Permissions letter. Conditions noted in the Permissions Letter will mitigate any possible adverse effects from the proposed activity.

6. Can a permission under section 95A of the HSNO Act be recommended?

Yes / ~~No~~

Discussion:

Based on the above assessment Permission can be recommended for approval under section 95a of the Hazard Substances and New Organisms Act 1996

Wildlife Act 1953

7. A principal purpose of the Wildlife Act is the protection and control of wildlife within New Zealand. Any Wildlife Act authorisations can apply to the whole operational area, regardless of land ownership.

Are individual protected wildlife likely to be killed (are deaths virtually certain) in this operation, even if that is not desired?

Yes / ~~No~~

Discussion:

It is well understood that the death of protected wildlife is likely to occur as part of the proposed operation. The death of protected wildlife through the implementation of this operation and others is unintended although not unexpected due to the nature of pesticides.

Internal Department of Conservation guidance notes that authorities can be granted for the incidental killing of protected specimen as a result of by-catch. Such an activity can be approved when conservation benefit outweighs anticipated adverse effects of the proposed activity.

8. Are conditions imposed that will limit such incidental deaths?

Yes / ~~No~~

Discussion:

The associated Permissions Letter authorising the use of pesticides contains relevant conditions to mitigate adverse effects and limit incidental deaths. As noted above conditions will be imposed by the decision maker as part of any permission for the use of pesticide substances which may impact protected specimen under the Wildlife Act 1953.

9. In these circumstances can it be recommended that an authorisation be granted by the Director-General under section 53 of the Wildlife Act to kill protected wildlife as a result of this operation because it will, in the longer term, aid the protection of wildlife?

Yes / ~~No~~

10. Section 54 enables the Director-General to authorise the killing of animals that he is satisfied are causing damage to other wildlife or land. Are the targeted animals causing damage so that a section 54 authorisation can be granted?

Note: If the operation is to be on a wildlife sanctuary (s 9 of the Wildlife Act), wildlife refuge (s 14 of the Wildlife Act), or a wildlife management reserve (s 14A of the Wildlife Act) then specific consideration will be needed in accordance with the requirements of the Wildlife Act and the conditions that apply to those areas.²

Yes / ~~No~~

Discussion:

Pests targeted in the proposed pesticide operation are known to cause damage to Conservation Land and other specimen protected under the Wildlife Act 1953. The Director-General is enabled to take appropriate measures and authorise the killing of animals that are causing damage to wildlife or land.

Wild Animal Control Act 1977

11. Section 17 enables the Minister to authorise the hunting or killing of wild animals (including deer, chamois, thar, goats and pigs) on land administered by the Department.
12. Does the operation seek to target wild animals on land administered by the Department?

Yes / ~~No~~

Discussion:

No wild animals will be targeted as part of the proposed operation. The operation instead targets possums and rats.

13. Would the hunting or killing of wild animals be consist with the Conservation General Policy, any relevant wild animal control plan, and the relevant conservation management strategy?

Discussion:

Conservation General policy is silent on the proposed activity and as such it is not inconsistent with Conservation General Policy 2005. The Waikato Conservation Management Strategy 2014-2024 states that priority is to “control and manage animal pests and wild animals... protect populations of threatened and at-risk species within Waikato”.

14. Can authorisation under section 17 of the Wild Animal Control Act 1977 be recommended to be granted by the Minister?

Yes / ~~No~~

Discussion:

² Domestic animals, rabbits, hares, and most invertebrates are not “animals” for the purposes of the Wildlife Act, and so section 54 authorisation is not needed where those species are targeted. Deer, chamois, goats, thar and pigs are not “wildlife” for the purposes of the Wildlife Act, and so section 54 authorisation is not needed where those species are targeted. Those species are “wild animals” subject to the Wild Animals Control Act 1977.

The proposed pesticide operation is consistent with provisions set out in section 197 of the Wild Animal Control Act 1977 and as such can be recommended for approval.

National Parks Act 1980

15. Does the operation area include a National Park?

Yes / No (if No, then move to next heading)

Conservation Act 1987

16. Authorisation under the Conservation Act is concerned with conservation areas. Although the authorisation for “hunting” both indigenous animals and pests can be granted under s 38, the specific tests for each type of conservation area have to be considered.

What types of conservation area are included in the proposed operation area?

<i>Title</i>	<i>Section</i>	<i>Considerations</i>
Conservation Park	19	Natural and historic resources protected and, subject to that, facilitate public recreation and enjoyment.
Ecological areas	21	Managed to protect value for which area is held: the protection, maintenance, and management of native trees and other plants, and for the protection of native wildlife, and for scientific purposes. ³

17. If there is wilderness area within the operation area can a recommendation be made to the Minister to grant an authorisation, (noting limits on vehicle and helicopter use)?

Yes / No

Discussion:

Not applicable as no Wilderness Areas are under application

18. Is the operation in accordance with the relevant tests which apply to the conservation areas (other than wilderness) within the operation area?

Yes / No

Discussion:

The proposed pesticide application is consistent with the purpose for which the conservation areas listed above are held. Long term the natural values associated with listed conservation areas are protected and enhanced through such operations.

19. If yes, note that section 17A of the Conservation Act requires all conservation areas to be managed in accordance with the Conservation General Policy and the relevant conservation

³ The Moehau Ecological [Area Notice](#) 1977.

management strategy. Policy 4.1(a) recognises the importance of indigenous species, habitats, and ecosystems; and Policy 4.2(b) provides the following policy direction:

- i) preventing pests becoming established, including illegal and inadvertent transfers;
- ii) eradicating newly naturalised pests at places, where practicable;
- iii) eradicating, containing, or reducing the range of pests that are established but not widespread, where practicable; and
- iv) controlling widespread pests where this is required to protect indigenous species, habitats, and ecosystems, where eradication or containment of them is not practicable

20. Is the operation in accordance with Conservation General Policy and any relevant conservation management strategy?

Yes / ~~No~~

Discussion:

The proposed pesticide operation is consistent with Conservation general policy and the relevant Conservation Management Strategy which supports pest eradication through appropriate measures.

The application is consistent with the Conservation General Policy and the Waikato Conservation Management Strategy (CMS) (2014-2024) which supports pest eradication through appropriate measures. Waikato CMS Objectives (Part 1, 5.1.1.1) includes objectives and priorities to protect and restore and maintain the diversity of New Zealand's natural heritage including threatened, at risk and iconic species by controlling and managing pest species.

Section 38

Under section 38 of the Conservation Act the Director-General may, if it is in accordance with a management plan (if any) and having had regard to the safety of the public, issue permits for hunting. Hunting for the purposes of this section includes the use of poison.

21. Is there a management plan for all or some of the conservation area?

Yes / No

22. If so, would the issue of a hunting permit to kill pests and indigenous animals be in accordance with it?

Yes / ~~No~~

23. If there is no management plan, would the hunting be in accordance with the conservation management strategy and/or conservation general policy? [Note, Section 4.2 of the conservation general policy identifies the need to manage pest threats.]

Yes / ~~No~~

Discussion:

The relevant Conservation Management Strategy and Management Plan are consistent in their approach to enable hunting to eradicate pests and control other wildlife threats. Conservation General Policy is silent on the proposed activity. The issuing of a permit to undertake pest control operations is appropriate and in accordance with the management strategy.

24. Has public safety has been provided for?

Yes / ~~No~~

Discussion:

Appropriate mitigation measures (outlined by the assessor in this document) will be taken to account for public safety during and after the proposed pesticide operation.

25. Can a hunting permit under section 38 of the Conservation Act be recommended to be granted by the Director-General?

Yes / ~~No~~

Discussion:

The proposed activity is consistent with relevant criteria to recommend the approval of a hunting permit under section 28 of the Conservation Act 1987

Reserves Act

25. Is any of the operation area a scenic, historic, nature or scientific reserve?

~~Yes~~ / No (if No, then move to next heading)

Discussion:

Not applicable as the locations are recreation reserves under s 17

26. If yes, will the killing of fauna (both pests and indigenous species) be in accordance with the management of that reserve type (Refer s 18 historic; s 19 scenic; s 20 nature; and s 21 scientific)?

~~Yes~~ / ~~No~~ N/A

27. Will the reserve be managed in accordance with any conservation management plan, conservation management strategy and / or Conservation General policy?

~~Yes~~ / ~~No~~ N/A

28. Can a recommendation be made to the Minister to authorise the killing of fauna on such reserves? [Note such a recommendation cannot be made if an authorisation under the Wildlife Act is not recommended.]

~~Yes~~ / ~~No~~ N/A

29. Is the land within the operational area recreational, government purpose or local purpose reserve?

Yes / ~~Ne~~

Discussion:

Recreation reserves are for the purpose of providing areas for the recreation and sporting activities and the physical welfare and enjoyment of the public, and for the protection of the natural environment and beauty of the countryside, with emphasis on the retention of open spaces and on outdoor recreational activities, including recreational tracks in the countryside (s 17(1) of the Reserves Act). Having regard to this general purpose, the reserve is required to be administered so that public has freedom of entry and access to the reserve, subject to any lawful restrictions (s 17(2)(a)). Where scenic, historic, archaeological, biological, geological, or other scientific features or indigenous flora or fauna or wildlife are present on the reserve, those features or flora or fauna or wildlife are to be managed and protected to the extent compatible with the primary purpose of the reserve (s 17(2)(b)).

The primary purpose of the reserve, providing for recreation, sporting activities and the physical welfare and enjoyment of the public, will be affected by the operation. There will be a short-term potential impact on public recreation and enjoyment given the restrictions that are imposed as a result of the use of hazardous substances. This is, however, for a temporary period and the protection of natural resources has primacy over public recreation and enjoyment.

To the extent that this operation is about the control of possums and rats, it is in accordance with the administration of recreation reserves, as the control of possums and rats will protect the natural environment. It is also in accordance with the general purpose of the Reserves Act as set out in section 3 which includes “ensuring, as far as possible, the survival of all indigenous species of flora and fauna, both rare and commonplace, in their natural communities and habitats”. There is, however, the potential that indigenous fauna may be killed during this operation. You, as a commissioner for this reserve, need to determine if this can be authorised.

30. If yes, who is the administering body?

There is no administering body.

31. If there is no administering body, authorisation for an operation in a recreation, government purpose, or local purpose reserve will need to be granted by a “Commissioner” appointed by the Director-General, who has all the powers of an administering body (Reserves Act 1977, s 62(1)).⁴

You are an appointed Commissioner. On the basis of the general purpose of the Reserves Act and the administration of recreation reserves, you can approve the killing of fauna on the reserves, under s 50 of the Reserves Act.

Will the killing of fauna (both pests and indigenous) be in accordance with the management of that reserve type? (Refer s 17 recreation; s 22 government purpose; and s 23 local purpose).

Yes / ~~Ne~~

32. Will the reserve be managed in accordance with any conservation management plan, conservation management strategy and / or Conservation General policy?

Yes / ~~Ne~~

⁴ See “List of Commissioners under the Reserves Act 1977”: DOC-[2750343](#).

Discussion:

The reserves under application will continue to be managed in accordance with relevant conservation management plans, strategies, and general policy throughout and after the proposed operation.

33. Can a recommendation be made to the Commissioner to authorise the killing of fauna on such reserves? [Note such a recommendation cannot be made if an authorisation under the Wildlife Act is not recommended.]

Yes / ~~No~~

Discussion:

The proposed pesticide application meets all relevant statutory tests to support a recommendation for the commissioner to authorise the killing of Fauna on the listed reserves.

Conclusion

1. On the basis of the above analysis, can a permission be recommended to the decision maker?

Yes / ~~No~~

Discussion:

The proposed pesticide application on listed Public Conservation Land has received a statutory assessment and an informed recommendation can now be made. Please refer to the recommendation below for further information.

2. Is the proposed permission document consistent with the application?

Yes / ~~No~~

Discussion:

The permission document drafted by the assigned assessor is consistent with the activities applied for in the application received from the Direct General of Conservation.

Make a recommendation *Should the application be approved or declined?*

What key points should the approving manager have drawn to their attention?

The operation follows current agreed best practice
The operation has occurred before.
Iwi consultation is ongoing.
All adjoining landowner consultation has occurred.

Is approval or decline recommended?
*If declined, summarise reasons.
If approved, is a readiness check recommended (DOC operations only - see Pre-Operational Step 7 of the [Operational planning for animal pest operations SOP](#))?*

This operation is recommended for approval.

A readiness check and audit of this operation are recommended.

Recommendations and Prepare Documents	
For recommended approval: <i>Attached correct draft letter of permission, DOC Performance Standards sheet(s) and map(s) of operational boundaries.</i>	DOC-6738612
For recommended decline: <i>Attach draft letter of decline including a summary of reasons.</i>	Approval recommended

Recommendations and decision making
<p>Recommendations</p> <p>Statutory analysis indicates that the application is not contrary to legislation and meets relevant sections of the Hazardous Substances and New Organisms Act 1996, Wildlife Act 1953, Conservation Act 1987 and Reserves Act 1977. In addition to this the application is not inconsistent with Conservation General Policy 2005 and meets tests under PauaMac5 through the provision of clear conservation benefit. No consideration of the Wild Animal Control Act 1977 was required as the targeted species (Wallabies) are not interpreted as Wild Animals.</p> <p>Iwi comment on the proposed operation was sought via consultation. Feedback received was in support with some treaty partners showing interest in assisting with the operation.</p> <p>The proposed activity is consistent with Department Operational Policy and is expected to produce desired conservation outcomes through the provision of pest control which will positively impact ecosystems in the long term. Such a view is supported by the Assessor through their technical analysis of the application. Sufficient safety measures will be undertaken throughout the proposed pesticide operation and the following months.</p> <p>In this case any adverse effects can be avoided, remedied, or mitigated by adherence to conditions recommended for inclusion in authorising permissions letter. In conjunction with listed conditions, it is recommended that the application is approved under the standard terms and conditions specified in the accompanying authority.</p> <p>It is recommended that you:</p> <ol style="list-style-type: none"> 1. Consider the application, and assessment report; 2. Note that the consultation undertaken by the applicant and the Department is sufficient to meet the obligations to give effect to the principles of the Treaty of Waitangi (section 4 Conservation Act); 3. Agree to grant a permission in the name of EcoFX Ltd, which will cover staff and contractors; <p>Agree / Disagree</p>

4. Agree that the proposed permission and conditions consider the adverse effects of the use of Sodium fluoroacetate 1080 1.5g/kg RS5 cereal pellet aerial on DOC managed or administered land and that granting the permission is in accordance with the purpose of the HSNO Act, recognising the life-supporting capacity of ecosystems and the well-being of people and communities and taking into account the principles of that Act;

Agree / ~~Disagree~~

5. Agree, under sub-delegation from the Chief Executive of the Environmental Protection Authority, to grant permission under s 95A of the Hazardous Substances and New Organisms Act for the use of Sodium fluoroacetate 1080 1.5g/kg RS5 cereal pellet aerial on the land managed or administered by DOC in the operation area;

Agree / ~~Disagree~~

6. Agree you are satisfied that, in the area of the operation, pests are causing damage to wildlife and land so killing of these pests in general accordance with the application will meet the purpose of the Wildlife Act;

Agree / ~~Disagree~~

7. Agree, under delegation from the Director-General of Conservation, to grant an authorisation under **section 54 of the Wildlife Act** for the killing of possums and rats in the operation area in accordance with the methods identified in the application;

Agree / ~~Disagree~~

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

Agree / ~~Disagree~~

9. Agree, under delegation from the Director-General of Conservation, to grant an authorisation under **section 53 of the Wildlife Act** for the killing of protected indigenous wildlife for the purpose of greater protection of indigenous wildlife in the operation area;

Agree / ~~Disagree~~

10. Agree, in relation to the area of operation that the Coromandel Forest Park hunting of animals by the use of poison is in accordance with the purpose of the Conservation Act, any conservation management plan that applies, and but the operation is in accordance with the relevant conservation management strategy and conservation general policy), and that public safety has been provided for;

Agree / ~~Disagree~~

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

Agree / ~~Disagree~~

12. Agree, in relation to the area of operation that is specially protected conservation area, being a wilderness area under the Conservation Act that the operation is in conformity with relevant conservation management strategy, and you are satisfied the operation is desirable for the preservation of the area's indigenous natural resources;

Agree / ~~Disagree~~

13. Agree, as a Commissioner of the reserve, to authorise under section 50 of the Reserves Act the killing of fauna on the reserve as part of this pest control operation (Note this cannot be agreed to unless you have agreed to grant an authorisation under s 53 of the Wildlife Act);

Agree / ~~Disagree~~

14. If you have agreed to the above, sign the attached letter of Permission (which includes DOC Performance Standards sheet(s) and map(s) of operational boundaries).
- Letter
 - PS sheets
 - Map(s)

Permissions Advisor to send documents for legal peer review

Peer review

Has this been peer reviewed by legal?

Yes / ~~No~~

Decision Maker

Decision made by:

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

9(2)(a)

.....
Daniel Heinrich, Director Operations
Pursuant to the delegation dated 15 September 2015

20/08/2021

Date

Decision Maker comments - Rationale for Decision

ENDS

Released under the Official Information Act



**PERMISSION FOR USE OF
VERTEBRATE TOXIC AGENT(S) AND
OTHER HAZARDOUS SUBSTANCE(S)**

Approved Hazardous Substance Permission Form Version 5: 14 June 2018
Pursuant to section 95A of the
Hazardous Substances and New Organisms Act 1996

To 9(2)(a), 9(2)(g)
Of EcoFx Limited
32 Huiputea Drive,
PO Box 248,
Otorohanga 3900

Application Identification Code 21-028-BNL-TAUPH

Operation Name Moehau Possum and Rat Control Operation 2021

Application Location Moehau Treatment Area (Nothern tip of the Coromandel)
Approximately 5149.9 hectares of operational area

Territorial Local Authority(s) Thames-Coromandel District Council

Purpose of Operation Possum & Rat Control

I Braden Leonard, being a person acting under powers delegated by the Environmental Protection Authority (the Authority), GRANT PERMISSION for the USE of the vertebrate toxic agent(s) and/or other hazardous substance(s) listed in SCHEDULE 1, in the area(s) indicated on the maps in SCHEDULE 3, subject to the CONDITIONS set out in SCHEDULE 1 and SCHEDULE 2 attached hereto for those hazardous substance(s);

This Permission replaces the Permission issued on (date): N/A

Application Identification Code of replaced/revoked Permission: N/A

Braden Leonard

Signed:

Name: Braden Leonard

Title: HSNO Enforcement Officer/Health Protection Officer

Date Issued: 5th November 2021

Contact Person: Braden Leonard

This permission expires on 11th November 2022

Appeals. Section 125 (1A) of the Hazardous Substances and New Organisms (HSNO) Act: A person may appeal to the District Court against a decision of the Authority, under section 95A about the terms and conditions of a permission held by the person.

Notice of Appeal: Section 127 of the HSNO Act: Before or immediately after the filing and service of a notice of appeal, the appellant shall serve a copy of the notice on the Authority, and every other party to the proceedings, and any other person who made a submission to the Authority.

**PERMISSION CONDITIONS:
SCHEDULE 1 (Vertebrate Toxic Agent(s) and/or other Hazardous Substance(s))**

Application Identification Code: 21-028-BNL-TAUPH

Application Location: Moehau Treatment Area (Nothern tip of the Coromandel)

Total operation size: Approximately 5149.9 hectares of operational area

Vertebrate Toxic Agent or other Hazardous Substance Information (take from p3&4 of the application form as appropriate- modify based on risk assessment) Print additional copies of this page if more than 3 vertebrate toxic agent(s) and/or other hazardous substances are to be used			
Vertebrate Toxic Agent or other Hazardous substance:	Strength:	Form:	Application rate ¹
Sodium Fluoroacetate	0.15% w/w	Pellets	1.5kg/Ha
HSNO Approval Number: HSR002424 (Pellets)			
Start Date of application: 11th November 2021		Last Date of application: 11th November 2022	
Aerial Application			

¹ For aerial application only. A maximum application rate applies for some hazardous substances, eg HSR002424.

PERMISSION CONDITIONS:

SCHEDULE 2 (Vertebrate Toxic Agent(s) and/or other Hazardous Substance(s))

Application Identification Code: 21-028-BNL-TAUPH

Application Location: Moehau Treatment Area (Nothern tip of the Coromandel)

Total operation size: Approximately 5149.9 hectares of operational area

The requirements specified under the Hazardous Substances and New Organisms 1996 (HSNO) Act, its regulations, EPA Notices and Approvals for Vertebrate Toxic Agents and other hazardous substances granted under the HSNO Act and Health and Safety at Work (Hazardous Substances) Regulations 2017 are requirements, which must be met.

A person acting under a delegation from the Authority may impose additional conditions to address local circumstances. In addition to requirements specified under the HSNO Act and HSW (Hazardous Substances) Regulations, the following conditions shall apply:

Notifications

CONDITION 1: Start date

The applicant shall advise Braden Leonard of Toi Te Ora Public Health and 9(2)(a), 9(2)(g) c/o Waikato District Health Board of the commencement of the application of the VTA(s), and any pre-feed treatment dates, at least 24 hours before commencing application.

CONDITION 2: Changes to permission

The applicant shall advise Braden Leonard of Toi Te Ora Public Health in writing of any changes to the applicant's proposed operation. If any circumstances relating to the application change (such as changes in operational areas and application types/rates) then this permit is not valid and the applicant must re-seek permit approval with the new circumstances taken into consideration.

CONDITION 3: Warning sign removal

The applicant shall advise Braden Leonard of Toi Te Ora Public Health and 9(2)(a), 9(2)(g) c/o Waikato District Health Board in writing of their intention to remove warning signs from the operational area.

CONDITION 4: Complaints and incidents

All incidents or complaints relating to the operation shall be reported to Braden Leonard within 24 hours of the incident or complaint.

CONDITION 5: Duration of permission

This approval is granted for the period commencing 11th November 2021 to 11th November 2022. Braden Leonard of Toi Te Ora Public Health shall be notified if there is any alteration to the intended date of the application.

If the applicant wishes to continue the operation after this date, they should contact Braden Leonard of Toi Te Ora Public Health at least two weeks before the expiry date of the original approval period.

No permission may be extended beyond 12 months from the original start date.

CONDITION 6: Landowner notification

Before commencing the operation, the applicant shall notify occupiers and, as far as practicable, owners of land, dwellings or buildings within and immediately abutting the operational area.

The notice must be given sufficiently prior to, but within two months of, the proposed application of the VTA(s). If requested by the person notified, notification shall be repeated at a mutually agreed time before the proposed application.

The notice shall specify:

- i. the approximate date on which the VTA will be applied
 - ii. the name and nature of the VTA
 - iii. a description of the area over which the VTA will be applied
 - iv. the name and address of the person responsible for applying the VTA
 - v. information on safety and precautions with respect to the VTA(s) being used.
-

CONDITION 7: School notification

Before commencing the operation, the applicant shall notify schools, kōhanga reo, kindergartens and early childhood centres that are known to use the operational area. The notice must be given sufficiently prior to, but within two months of, the proposed application of the VTA(s).

- Colville school (Primary)
- Colville Pre-school
- Coromandel Area School
- Coromandel Community Pre-school
- Coromandel Rudolf Steiner
- Coromandel Playcentre
- Te Kura Kaupapa Maori O Harataunga

If requested by the institution notified, notification shall be repeated at a mutually agreed time before the proposed application. The notice shall specify:

- i. the approximate date on which the VTA will be applied
 - ii. the name and nature of the VTA
 - iii. a description of the area over which the VTA will be applied
 - iv. the name and address of the person responsible for applying the VTA
 - v. information on safety and precautions with respect to the VTA(s) being used.
-

CONDITION 8: Health Services Notification

The applicant shall notify the nearest/local health services of the proposed application of the VTA(s). Nearest/local health services include GPs and other primary health services, ambulance services and hospitals.

- Colville Community Health Centre and Trust
- Coromandel Family Health Medical Centre
- Te Korowai Hauora o Hauraki
- St Johns Ambulance, Coromandel
- Thames Hospital
- Auckland Regional Rescue Helicopter Trust
- Waikato Westpac Trust Helicopter

The notice must be given sufficiently prior to, but within two months of, the proposed application of the VTA(s). The notice shall specify:

- i. the approximate date on which the VTA will be applied
 - ii. the name and nature of the VTA
 - iii. a description of the area over which the VTA will be applied
 - iv. the name and address of the person responsible for applying the VTA
 - v. information on safety and precautions with respect to the VTA(s) being used.
-

CONDITION 9: Public notification

The notice must be given sufficiently prior to, but within two months of, the proposed application of the VTA(s). The notice shall specify:

- i. the approximate date the VTA(s) will be applied
- ii. the name and nature of the VTA(s)
- iii. a description of the area over which the VTA(s) will be applied
- iv. the location(s) where the public may view maps of the area over which the VTA(s) will be applied and the times when such maps can be viewed
- v. the name and address of the person responsible for applying the VTA(s).

The applicant must provide a copy of the public notice, and the date(s) and media in which it was published to Braden Leonard of Toi Te Ora Public Health before commencing the operation. If the time between the notification and proposed toxic application date is going to be more than two months then the applicant shall supply the above information concerning the re-publication of the notice.

Accidental direct exposure to VTAs**CONDITION 10: Exclusion from public areas**

No Vertebrate Toxic Agent (VTA) shall be **AERIALY** applied within the distances listed below, and not where it is within sight of, the following huts, access points, camping and public areas:

- Sandy Bay boat ramp public toilets and picnic area (150 metres)
 - Stony Bay campsite (80 metres)
 - Boat access in Sandy Bay (150 metres)
 - Poley Bay (50 metres)
-

CONDITION 12: Exclusion from roads

No VTA shall be **AERIALLY** applied within the distances listed below and not where it is within sight of the following roads and lay-bys:

- Stoney Bay Road (50 metres)
-

CONDITION 13: Exclusion from dwellings

No VTA shall be applied within 150 m of (or within a different distance if mutually agreed in writing with the occupiers), and not be visible from, dwellings or 'built-up areas'.

CONDITION 15: Aerial exclusions

An aircraft that is carrying out an aerial application must not, when flying to or from the area where the VTA is applied, fly over the following 'no fly' areas:

- Stoney Bay other than the prescribed flight transit corridor at;

Point 1. E1817145	N5957111
Point 2. E1817630	N5957203
Point 3. E1817014	N5956819
Point 4. E1817463	N5956903

Points 1 & 2 make the northern boundary line of the flight corridor and Points 3 & 4 the southern boundary line of the flight corridor

CONDITION 16: Aerial applications to tracks and first clearances

The applicant may aerially apply 1080 to the following walking and vehicle tracks but not during or within 24 hours of the start of school holidays, public holidays or public holiday weekends:

- Stoney Bay Mountain Bike track
- Coromandel Walkway
- Fantail Bay Walking track
- The Shag Bay look out
- Stoney Bay Fishing Track (Only the first 100 metres of this track from Stoney Bay Road at the southern end to be cleared. For remainder of the track the 1080 cereal bait will be left in situ)

If the applicant aerially applies 1080 to any of the above listed tracks, they shall inspect those tracks as soon as possible and not more than 24 hours after the VTA application and make reasonable efforts to find and remove all bait and, if encountered, animal carcasses.

CONDITION 18: GPS track logs

A GPS track log shall be recorded and maintained for each track clearance and the applicant shall provide a copy to Braden Leonard of Toi Te Ora Public Health within 2 weeks.

CONDITION 19: Sign contents

All warning signs must include an international symbol for toxic substances (eg, skull and crossbones) and a statement advising that children and pets should not be allowed to wander (eg, 'WATCH CHILDREN at all times').

CONDITION 20: Sign maintenance

During the period in which the bait remains toxic, all warning signs shall be inspected immediately before the commencement of school holidays, public holidays or public holiday weekends.

Any signs that are damaged, vandalised or otherwise become illegible shall be replaced within 24 hours of discovery of the damage.

Contamination of water supplies

CONDITION 22: Domestic water supply: notification

The applicant shall notify the intended operation to all people who source their domestic water supply from the water extraction point:

- from within the operational area; or
- within 3 kilometres of the operational area where the water source is a surface waterway that flows through or rises within the operational area.

The notice must be given sufficiently prior to, but within two months of, the proposed application of the VTA(s).

If requested by the person notified, notification shall be repeated at a mutually-agreed time before the proposed application.

CONDITION 25: Domestic water supply: mitigation*

For an aerial application of 1080, applicants must provide mitigation to all households and huts/ camping areas that source their domestic water supply from the water extraction point:

- from inside the operational area; or
- within 3 km of the operational area where the water source is a surface waterway that flows through or rises within the operational area if mitigation is requested by household occupiers or managers of huts/camping grounds.

Unless other mitigation measures have been mutually agreed in writing between the applicant and the water supply owner/occupier and provided to Braden Leonard of Toi Te Ora Public Health prior to the operation commencement, mitigation shall involve either or both of the following:

- No 1080 shall be applied within 50 m of the water supply intakes. For flowing surface waterways, the 50 m exclusion shall extend for a length of 200 m upstream from the point of intake.
- The domestic water supply shall be temporarily disconnected until such time as water testing finds no detectable VTA. If no temporary water source is available, an adequate alternative potable water supply (to be used for drinking and cooking) will be provided to the affected household; the amount per day to be agreed with the household, until testing is completed.

CONDITION 26: Water supply testing

The conditions must conform to the current Landcare Research Protocol for Environmental Water Sampling and Testing associated with 1080 Pest Control Operations.

Where water testing reveals VTA contamination, the alternative potable water supply shall be maintained until such time as a repeat test confirms no detectable VTA contamination.

CONDITION 31: Water supply mitigation: reporting

The applicant shall maintain a list of water mitigation measures provided under Conditions 25 and 30, which shall be available, on request, to Braden Leonard, ^{9(2)(a), 9(2)(g)(ii)} of Toi Te Ora Public Health.

CONDITION 32: Water supply testing: reporting

The applicant shall provide, or arrange for the provision of, the outcome of all water testing to Braden Leonard of Toi Te Ora Public Health within 24 hours of receipt of the testing results.

In the event that water testing reveals VTA contamination, the applicant shall discuss any further proposed mitigation measures with Braden Leonard of Toi Te Ora Public Health and continue testing in accordance with the requirement for monitoring to establish compliance with the Drinking-Water Standards of New Zealand.

Additional conditions

CONDITION 34: Log Report

A log report must be compiled of activities associated with the aerial application of vertebrate toxic agent(s). The log shall as a minimum include:

- time, date and place of application
- amount of vertebrate toxic agent applied and formulation
- list of supervising operators
- names of subcontractors with services provided
- name, address and rating number of pilot(s)
- any incidents that occurred and problems that arose during the operation including the investigation undertaken and where necessary the remedial action
- any involuntary compliance transgressions of conditions in this approval, including reason for transgression and remedial action taken
- records/results of track, road, lodge, hut and shelter clearances for baits including
 - track, road, lodge, hut, shelter, dwelling, public building
 - date and time of clearance
 - person(s) undertaking clearance
 - number of baits found and cleared

The applicant shall send this record to Braden Leonard of Toi Te Ora Public Health within four weeks of the date of the vertebrate toxic agent being laid unless a public health issue arises with the application for which these details must be audited and are therefore requested by the Braden Leonard of Toi Te Ora Public Health to be sent through with greater urgency.

CONDITION 35: DGPS Flight Line Map

Differential Global Positioning System (DGPS) shall be used at all times for aircraft carrying bait-sowing equipment.

An electronic copy of the DPGS download for the operation shall be sent to Braden Leonard of Toi Te Ora Public Health.

This shall occur within 4 weeks of the date of the vertebrate toxic agent being laid unless a public health issue arises with the application for which these details must be audited and are therefore requested by Braden Leonard of Toi Te Ora Public Health to be sent through with greater urgency.

Released under the Official Information Act

PERMISSION CONDITIONS: SCHEDULE 3 (Maps)

Application Identification Code: 21-028-BNL-TAUPH

Application Location: Moehau Treatment Area (Nothern tip of the Coromandel)

Total operation size: Approximately 5149.9 hectares of operational area

Operational maps are attached.

Released under the Official Information Act