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22 October 2021

[REDACTED]

REF: OIA-8841

Dear [REDACTED]

**Request made under the Official Information Act 1982**

Thank you for your email of 27 September 2021 requesting the following information under the Official Information Act 1982 (the Act):

1. A copy of the MOU between DOC and NZTA referenced [here](#).
2. Copies of NZTA's Wildlife Act Authorisations for works relating to the State Highway 3 Mt. Messenger bypass site.
3. Copies of any analysis, briefing documents, advice or internal memos in relation to these authorisations, particularly in relation to native bats.

On 30 September Waka Kotahi NZ Transport Agency sought clarification on question 3 of your request and you stated that:

*If NZTA has Wildlife Act authorities for the activities we refer to in Q2, we are interested in any analysis as to the required scope of the authorities, and separately, any analysis as to whether the actual activities fell within the scope of the authorities as-issued.*

*If NZTA does not have Wildlife Act authorities for the activities referred to in Q2, we are interested in any analysis dealing with how NZTA came to a view that authorities are not required. This would include the general conclusions of any legal advice, if any (and not of course the detailed substance of that advice).*

The attached schedule details the documents that fall within the scope of your request and are enclosed.

Six of the 10 documents that fall within the scope of your request were released to you on 14 October 2021 in response to the request you made to the Department of Conservation.

In your email of 27 September 2021 responding to our acknowledgement of your request, you stated that at this stage you were unlikely to require names of staff members. So, we have considered those names and the names of other public servants as well as contact details to be outside of the scope of this request.

If you would like to discuss this reply with the Waka Kotahi, please contact Chris Nally, Principal Project Manager, by email to [chris.nally@nzta.govt.nz](mailto:chris.nally@nzta.govt.nz).

Yours sincerely

A handwritten signature in black ink, appearing to read 'M. Kinvig', with a stylized flourish underneath.

**Mark Kinvig**

National Manager Infrastructure Delivery

**OIA-8841 Document Schedule**

Ref	Document	Date	Description
1.	Attachment 1 - 15.10.2018. Approved drone concession MMA.pdf	15 October 2018	Release in full.
2.	Attachment 2 - 65458-FAU variation app-9a.pdf	2 September 2019	Release in full.
3.	Attachment 3 - 71405-AIR Contract (DOC signed).pdf	11 January 2019	Release in full.
4.	Attachment 4 - 20201221.MMA.DOC wildlife-act-authority-application-9.pdf	30 August 2019	Release in full.
5.	Waka_Kotahi_and_DOC_MOU_signed_July_2020.pdf	June 2020	Already been released to you by the Department of Conservation.
6.	15.10.2018.Approved bat WAA incl variation MMA.pdf	15 October 2018	Already been released to you by the Department of Conservation.
7.	19.04.2018.Approved kiwi WAA MMA.pdf	19 April 2018	Already been released to you by the Department of Conservation.
8.	21.03.2017.Approved WAA lizards MMA.pdf	21 March 2017	Already been released to you by the Department of Conservation.
9.	30.10.2017. Approved bat WAA. MMA.pdf	30 October 2017	Already been released to you by the Department of Conservation.
10.	Wildlife Act Authorisation NOT ON public conservation land - 94669-FAU - DOC-6738926.pdf	13 August 2021	Already been released to you by the Department of Conservation.