

**IN THE ENVIRONMENT COURT  
AT AUCKLAND**

**MICHAEL RICHARD GUNSON**

Applicant

**THE WAIKATO REGIONAL COUNCIL**

First Respondent

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**THAMES-COROMANDEL DISTRICT COUNCIL**

Second Respondent

**WHANGAMATA MARINA SOCIETY INCORPORATED**

Third Respondent

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**AFFIDAVIT OF KEITH FREDERICK CORBETT IN SUPPORT OF INTERIM  
APPLICATION FOR ENFORCEMENT ORDER**

*Sworn this 24<sup>th</sup> day of September 2008*

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***Filed by:***

**JOHN DEAN LAW OFFICE  
7<sup>TH</sup> Floor Civic Assurance House  
114 Lambton Quay  
Wellington ph 04 472 9369  
Counsel Appearing Jane Helen Hunter  
Victoria Chambers Auckland  
Phone: 09 379 7141  
Email: jane@hunterlaw.co.nz**

I, Dr.Keith Frederick Corbett, of Whangaparoa, swear;

1. My professional background is herpetofaunal conservation in the United Kingdom and across Europe, particularly of threatened species and their habitats.
2. This has involved field studies, habitat associations, habitat management, survey, monitoring, captive breeding, re-introductions, and the implementation of national and international protective legislation.
3. For 22 years I was the appointed Conservation Chair of the learned Societas Europaea Herpetologica, and for 10 years the appointed Chair of IUCN's (International Union for the Conservation of Nature) Species Survival Group for European Amphibians and Reptiles.
4. In 1992 I was awarded an Honorary Doctorate by Gothenburg University for my joint work with them and the governments of Sweden and Turkey.
5. In 2001 I was awarded an M.B.E. in the Queen's New Years Honours List for my services to conservation.
6. I was employed as the Rare Species Conservation Officer for the UK Herpetological Conservation Trust until my retirement to New Zealand in 2003.
7. I had been a long standing member of SRARNZ (Society for the Research on Amphibians and Reptiles in New Zealand) and after first being voted onto their Council, have since become their Treasurer and Membership Secretary.
8. I am also a member of the New Zealand Herpetological Society, and the Hibiscus Coast Committee of the Royal Forest & Bird Protection Society.
9. Beyond an involvement with the Recovery Programme for the critically endangered Otago and Grand Skinks, I have been party to herpetofaunal projects and related RMA matters in North Shore City, Rodney District and Waitakere City. I am presently organizing a DoC supported SRARNZ initiative to provide a Tool-Kit for local and regional planning authorities which would link their RMA Consenting duties with their responsibilities for species legally protected by the Wildlife Act.
10. My main efforts have however been associated with the populations of threatened Ornate and Moko Skinks that I first discovered on the Whangaparaoa Peninsula in 2004.

11. The precarious mainland situation of the Moko (which I shall return to later) led me to enquire into its past and present distribution, habitat requirements, habitat management, habitat restoration, and to become involved with its survey, rescue, relocation and monitoring. During this time I have worked closely with and advised the New Zealand Defence Force in relation to their Whangaparaoa Training Base and lizard conservation in conjunction with military usage.
12. At the same time I have been able to contrast the Moko's habitat selection on offshore islands lacking or with less predatory mammals than the mainland. This has included Great Barrier, Tiritiri Matangi, and Motoura.
13. The national significance of any surviving mainland Moko population soon became apparent and especially of the Whangamata location and habitat. I am deeply concerned at the lack of appropriate measure to protect this site and the Moko Skink resulting in my view in the likely loss of the site and its population unless urgent steps are taken to halt the damage.
14. The recent loss of sites, populations and range put the national situation into stark and dire perspective. It highlights the importance of the Whangamata site. Of the known mainland sites:
  - (i) Mt. Wellington Heritage Park, Auckland, - lost to housing.
  - (ii) Mt. Wiri Quarry, Auckland, one recent sighting only - lost to industry.
  - (iii) Albany Heights Road, Auckland - lost to sub-divisions.
  - (iv) NW. Glenvar Valley, Auckland - lost to housing.
  - (v) Otutataua Stonefields, Auckland, only one previous confirmed sighting, subsequent surveys negative - no appropriate management or pest control.
  - (vi) Kyle Road, Wainoni, Auckland - lost to urban infill and motorway bridge.
  - (vii) Papamoa dunes, BoP. - urban expansion and pressures, none found.
  - (viii) Te Puna, BoP. 1998 reports (via cat kills ?) - situation unclear.
  - (ix) Paihia, Bay of Islands, old record ? - habitat appears lost to coastal tourism.
  - (x) Mangawhai Heads, one killed in invertebrate pit-fall, view point site degraded by parking, picnics, rats - situation poor.
  - (xi) Opoutere Beach, Coromandel, one individual - situation unclear.
  - (xii) Onemana, Coromandel/BoP, record 22 years ago - "
  - (xiii) End of Whangaparaoa peninsula, - sub-populations protected.

(xiv) Cape Brett, - 1998 record proposes survival, status unknown.

15. Whangamata would therefore appear to support one of only 3 significant Moko populations remaining on the mainland.
16. From a conservation and study point of view this makes the population and site very significant. There are observed differences between off shore island Moko Skink and mainland Moko Skink that should be studied.
17. I dispute recent claims that local authorities and the developers only learned of the Moko presence in April 08, my letter of 27<sup>th</sup> Sept.07 had informed the former, while I now see that there was already a DoC "ARDs" Moko record for Nov.05 from the Whangamata Causeway.
18. An article for the SRARNZ Newsletter last year led to a response from an ex DoC employee (now Environment Waikato) who was surprised that we were not aware of Mokos at Whangamata that were long known from the area between Hetherington and Casement(?) Roads.
19. Further enquiries, including from DoC Thames, then confirmed that the public regularly saw Mokos basking on the top edges of the Hetherington Road causeway.
20. I then visited the area on 22/9/07 accompanied by two other field herpetologists with Moko experience, M.Habgood and D.Craddock, in order to assess its habitat situation.
21. This proved to be less than satisfactory because of localized Pampas and Kikuyu Grass spraying on TCDC. reserves and from ongoing vegetation clearance on the adjoining private land. Locals made us aware of the proximity of the proposed Marina development but we had no details.
22. On my return to Auckland :
  - (i) I made a submission to the current TCDC public consultation on the management of the Whangamata reserves, detailing their Wildlife Act responsibilities to the protected, declining, and threatened Moko Skink. This submission began "I wish to bring to your notice the wildlife implications of your present consultation and for which your serious consideration is now sought., and was copied to DoC in Thames . Annexed and marked "A" is a copy of the document I sent.
  - (ii) I telephoned DoC about the Moko and the ongoing habitat damage which they promised to investigate. They recognised the potential significance and mitigation need within the Marina development, but advised me that Bioresearchers had carried

out the environmental assessment and produced the then agreed mitigation programme.

(iii) I then telephoned Bio researchers whose Director (Graham Don) confirmed that their assessment had not included herpetofauna, but that he was confident that his coastal planting could eventually be used by Mokos. He also confirmed that his "mitigation" included spraying out Pampas and Kikuyu grass the very habitat of the Skink.

23. It then took correspondence from May – July 08 to elicit any written response from TCDC and its CEO to my initial submission; this proved to be wholly unsatisfactory in terms of their attitude for protected wildlife. Annexed and marked "B-H" are copies of the correspondence.
24. I was particularly concerned to hear that the necessary prior rescue of Mokos as part of the Marina development was under-resourced and being done in mid-winter. Nevertheless, their herpetologist's diligence did at least salvage some Mokos by dissecting their Pampas Grass refugia.
25. Based on my observations during site visits, this rescue has since been effectively stopped, but the major earthworks have continued along with habitat damage and loss. I witnessed this during an additional site visit on the 17 September 2008. I had intended to give an independent estimate of the remaining area and time required for Moko rescue. Annexed and marked "I" are photographs that I took during this visit.
26. Inexplicably and to my mind inexcusably, TCDC had greatly extended the Kikuyu spraying and Pampas clearance in the known Moko habitat off Hetherington Road. Annexed and marked "J" are photographs of this clearance.
27. Having promptly visited DoC's Thames' office to report and pursue these problems, I found that it is closed on Wednesdays. On phoning them on the 18<sup>th</sup> September 2008, discovered that there was a detailed consultation draft for revised mitigation which aspired to reach a compromise between Moko conservation and the landscaping requirements for the Marina area.
28. DoC kindly sent this to me on the 19 September 2008 and I responded as requested by the 22 September 2008. Annexed and marked "K" is the consultation document and "L" is my response.
29. This draft programme had also been sent for comment to DoC's recently formed North Island Skink Recovery Group, logical, but there are doubts that they will have awareness of the Moko's mainland constraints in terms of habitat requirements.

30. These revised proposals present many problems for the Mokos survival, let alone conservation. and do not recognise the national significance of the Whangamata population.
31. The likely incompatibility of landscaping for screening and the Moko's need for open conditions for basking is not addressed.
32. The relative time needed for habitat restoration is majorly out of step with that for Moko rescue and the supposedly phased site development.
33. The problematic extension of usable habitat on a new rock wall/groynes is particularly optimistic and its claimed significant contribution is scarcely in line with the guiding Precautionary Principle from the Rio Convention.
34. In short, too many of the proposals would be inadequate and ineffective to maintain a permanent Moko Skink in situ.
35. In more detail, site problems that will detrimentally affect the Moko Skink survival include :
- (i) the continuation of extensive earth works;
  - (ii) the effective cessation of prior rescue;
  - (iii) the non-availability of any practical Moko exclusion fencing material;
  - (iv) the underlying dependence on screening landscaping, determined in ignorance of the Moko's occurrence and significance and preferred habitat;
  - (v) the time constraint for the establishment of replacement habitat – yet to be started;
  - (vi) the under-estimate of Moko habitat lost and to be lost, and hence the in my view mis-guided over estimate ("50%") of that to be protected/restored;
  - (vii) the absence of appropriate decisions on the fate/husbandry of rescued Moko;
  - (viii) the lack of TCDC co-operation at any level and their continuing habitat destruction without due mitigation;
36. I feel that proper consultation needs to be undertaken to assess the significance of the site from a national perspective and what the appropriate steps should be to address the presence of the Moko Skink. If this is not done it seems clear to me that the population and site will be lost. I do not accept the steps presently taken address either the significance of a mainland site nor the appropriate steps to ensure the skink survival.

Sworn at Manly, WHANGAPARAOA  
This 24<sup>th</sup> day of September 2008)  
before me

*M. Gorbey - JP.*

MAURICE GOBBEY  
24 ONEPU LANE  
WHANGAPARAOA

A Justice of the Peace.

Sworn by..... Keith F. Corbett.

*K.F. Corbett*

This is the annexure marked with the letter "A" referred to in the annexed affidavit of Keith Frederick Corbett sworn before me at <sup>Manly, Whangaparāoa</sup> this 24<sup>th</sup> day of September 2008.

*McIlroy - J.P.*  
A Justice of the Peace.

Keith F. Corbett

*[Signature]*



'A'

**the2corbett**

**From:** "the2corbett" <the2corbett@xtra.co.nz>  
**To:** customer.services@tcdc.govt.nz  
**Sent:** 27 September 2007 14:46  
**Subject:** Re: Whangamata Reserves Management Plan : Protected Moko Skink.

----- Original Message -----

**From:** the2corbett  
**To:** customer.services@tdc.govt.nz  
**Cc:** JGaukrodger@doc.govt.nz ; panderson@doc.govt.nz ; dtowns@doc.govt.nz ; dcraddock@xtra.co.nz ; melinda@te-gahere.co.nz  
**Sent:** Thursday, September 27, 2007 1:50 PM  
**Subject:** Whangamata Reserves Management Plan : Protected Moko Skink.

Dear Sirs,

I wish to bring to your notice the wildlife implications of your present consultation and for which your serious consideration is now sought.

I apologise for missing your deadline (last Friday) but have had a deal of catching up to achieve before submitting, including a days site visit with herpetological colleagues once we had appreciated the timely significance of your current exercise.

I strongly support your Objectives and Policies concerning **Ecosystems & Biodiversity**, and **Flora & Fauna**, but at the same time cannot see how this could be implemented for the Moko Skink without further targeted deliberations. Meanwhile, the effects of adverse management should be offset and minimised.

Background.

While this species (*Oligosoma moco*) is still found on those offshore islands comparatively lacking mammalian pests, its NZ mainland status has declined to near extinction. Recent urban development and inappropriate management has now caused the loss of 6 of its 8 such known localities. The 7th being recently discovered in my area, and the 8th being at Whangamata - here the Marina decision and the failure of its prior environmental assessment and mitigation to include reptiles is now exacerbating the situation

This species is now officially listed as Threatened, and like all NZ lizards is fully protected under the provisions of the Wildlife Act. Thus killing or disturbance are amongst disallowed actions and for which there is a 'mens rea' clause that effectively covers reckless cf. deliberate actions. In other words, actions and activities which were likely to have had such effect even when not undertaken with that deliberate purpose.

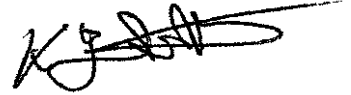
Our field research strongly points to the Moko's mainland survival being dependant on a sufficient ground vegetation to provide not only cover, prey, humidity, home range 'edges', etc., but also some protection and physical warning against the foraging of alien mammal predators such as the 2 species of cats and the 3 mustelids. Such essential refuge and habitat is nowadays not always provided by native vegetation, and indeed **Kikuyu** and **Pampas** are often key.

With careful planning and particular attention to Moko populations, replacement native plantings should be established **before** their existing habitat(s) are mown down and/or sprayed. Recommended planting alternatives would include :

This is the annexure marked with the letter "B" referred to in the annexed affidavit of Keith Frederick Corbett sworn before me at *Manly, Whangaparaoa* this *24<sup>th</sup>* day of September 2008.

*McLachlan - J.P.*  
A Justice of the Peace

Keith F. Corbett



'B'

**the2corbett**

**From:** "the2corbett" <the2corbett@xtra.co.nz>  
**To:** <Steve.Ruru@tcdc.govt.nz>  
**Sent:** 16 May 2008 10:27  
**Subject:** Fw: Whangamata Reserves Management Plan : Protected Moko Skink.

Dear Mr.Ruru,

I am writing to you as Chief Executive to protest at the administrative behaviour of your staff. I say behaviour since I cannot judge whether this is due to incompetence, obstruction, lack of co-operation, or a mixture of some or all ?

This is now beyond any personal level of complaint since we are dealing with a failure to recognise or abide by national criminal law, namely the Wildlife Act - please note the content of the forwarded e-mail below, and not least its first sentence.

As you can see, I wrote this by way of detailed submission almost eight months ago Having heard no response, not even the common courtesy of an acknowledgement, I contacted your Council on the 4th March and was eventually rung back by an Alicia (Oye?) who assured me that "the Management Team would sort this out and would respond a.s.a.p."

Another eleven weeks have elapsed and not even a postcard !!

Whangamata is the second only population of the protected Moko Skink to have survived on mainland New Zealand and its killing and disturbance is legally forbidden.

There is currently a belated and poorly resourced exercise underway to rescue Moko Skinks from habitat to be lost to the Marina development, but it has now been noted that their best known habitat at Whangamata - the causeway road bank - has just been heavily sprayed ! Presumably by or under contract to your Council ?

Returning to the submission content of my September e-mail, why was I not informed of or invited to the anticipated Hearing ?

I now await a full reply at your Council's earliest opportunity.

Yours sincerely,  
 Dr.Keith Corbett, MBE.,

— Original Message —

**From:** the2corbett  
**To:** customer.services@tcdc.govt.nz  
**Sent:** Thursday, September 27, 2007 2:46 PM  
**Subject:** Fw: Whangamata Reserves Management Plan : Protected Moko Skink.

— Original Message —

**From:** the2corbett  
**To:** customer.services@tcdc.govt.nz  
**Cc:** JGaukrodger@doc.govt.nz ; panderson@doc.govt.nz ; dtowns@doc.govt.nz ; dcraddock@xtra.co.nz ; melinda@te-ngahere.co.nz  
**Sent:** Thursday, September 27, 2007 1:50 PM  
**Subject:** Whangamata Reserves Management Plan : Protected Moko Skink.

Dear Sirs,

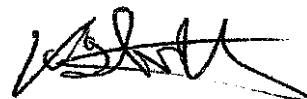
I wish to bring to your notice the wildlife implications of your present consultation and for which your serious consideration is now sought.

I apologise for missing your deadline (last Friday) but have had a

This is the annexure marked with the letter "D" referred to in the annexed affidavit of Keith Frederick Corbett sworn before me at *Mandy, Whangaparaoa* this *24<sup>th</sup>* day of September 2008.

*Willsoke* - J.P.  
A Justice of the Peace.

Keith F. Corbett.





9 June 2008

Keith Corbett  
48 Kensington Terrace  
Golf Harbour  
WHANGAPAROA  
Auckland

Dear Keith

**Whangamata Reserve Management Plan**

Thank you for your email received 16 May 2008 addressed to Steve Ruru, Chief Executive.

We note that your submission to the draft Whangamata Reserve Management Plan was sent into Council via email on 27 September 2007, six days after the closing of submissions on 21 September 2007. Thames-Coromandel District Council is not required to accept or respond to submissions after the closing date has passed.

On 5 March 2008, Thames-Coromandel District Council staff contacted you by phone informing you of your late submission arrival. Alicia Oye also provided you with various people you could contact in relation to your concerns regarding moko skinks in the Whangamata area.

A number of submissions were received in relation to moko skinks throughout the draft Whangamata Reserve Management Plan submission process. These submissions were considered and resulted in additional information being included in the Moana Anu Anu Estuary Reserve and Hetherington Road Reserve within the plan. Please note that the Reserve Management Plan does not apply to roads, therefore does not cover the causeway.

The Whangamata Reserve Management Plan was adopted by Council on 9 April 2008. Information within your submission can be considered when the plan comes up for review. Thames-Coromandel District Council Parks and Reserves Field Representative, Lou Mackwell, is available to contact in relation to the reserves indicated within your submission. I would also suggest contacting John Gaukrodger of Department of Conservation to discuss the preservation of moko skinks in Whangamata.

'C'

**the2corbett**

**From:** "Bev Bremner" <bev.bremner@tcdc.govt.nz>  
**To:** <the2corbett@xtra.co.nz>  
**Sent:** 19 May 2008 10:46  
**Subject:** Whangamata Reserves Management Plan : Protected Moko Skink.

Jr Corbett

Thank you for your email, received by the Chief Executive.

The Reserve Management Plan process was managed by Sam Marshall, Area Manager Whangamata, and your concerns have been forwarded to Sam who has been asked to respond to you directly.

Should you have any further concerns in the meantime however, please feel free to contact Sam at Council's Whangamata office (08 865 0060 ) or by email – [sam.marshall@tcdc.govt.nz](mailto:sam.marshall@tcdc.govt.nz).

**Bev Bremner**

Executive PA to Chief Executive and Mayor  
 Thames-Coromandel District Council

-----Original Message-----

**From:** the2corbett [mailto:the2corbett@xtra.co.nz]  
**Sent:** Friday, 16 May 2008 10:28  
**To:** Steve Ruru  
**Subject:** Fw: Whangamata Reserves Management Plan : Protected Moko Skink.

Dear Mr.Ruru,

I am writing to you as Chief Executive to protest at the administrative behaviour of your staff. I say behaviour since I cannot judge whether this is due to incompetence, obstruction, lack of co-operation, or a mixture of some or all ? This is now beyond any personal level of complaint since we are dealing with a failure to recognise or abide by national criminal law, namely the Wildlife Act - please note the content of the forwarded e-mail below, and at least its first sentence.

As you can see, I wrote this by way of detailed submission almost eight months ago. Having heard no response, not even the common courtesy of an acknowledgement, I contacted your Council on the 14th March and was eventually rung back by an Alicia (Oye?) who assured me that "the Management Team would sort this out and would respond a.s.a.p." Another eleven weeks have elapsed and not even a postcard !!

Whangamata is the second only population of the protected Moko Skink to have survived on mainland New Zealand and its killing and disturbance is legally forbidden.

There is currently a belated and poorly resourced exercise underway to rescue Moko Skinks from habitat to be lost to the Marina development, but it has now been noted that their best known habitat at Whangamata - the causeway road bank - has just been heavily sprayed ! Presumably by you or under contract to your Council ?

Returning to the submission content of my September e-mail, why was I not informed of or invited to the anticipated Hearing ?

I now await a full reply at your Council's earliest opportunity.

Yours sincerely,  
 Keith Corbett, MBE.,

This is the annexure marked with the letter "C" referred to in the annexed affidavit of Keith Frederick Corbett sworn before me at Manly, Whangaparaoa this 24<sup>th</sup> day of September 2008.

*William Hayes* - J.P.  
A Justice of the Peace.

Keith F. Corbett.  
*[Signature]*

This is the annexure marked with the letter "E" referred to in the annexed affidavit of Keith Frederick Corbett sworn before me at *Manly, Wanganui* this *24<sup>th</sup>* day of September 2008.

*Willis* - J.P.  
A Justice of the Peace.

Keith F. Corbett.

~~*Keith F. Corbett*~~



'E'

**the2corbett**

---

**From:** "the2corbett" <the2corbett@xtra.co.nz>  
**To:** <Steve.Ruru@tcdc.govt.nz>  
**Sent:** 11 June 2008 11:27  
**Subject:** Whangamata Reserves : protected Moko Skinks.

Dear Mr.Ruru,

I wrote to you over 3 weeks ago to protest at the lack of any response (or acknowledgement) to my submission and legal advice concerning the above matter within an 8 month period. I received a short e-mail from your Executive PA on the 19th May saying that your Whangamata Area Manager had been asked to respond directly. However, in the intervening weeks - nothing !

Just how much longer do you contemplate that this administrative incompetence and discourtesy should continue ?  
From my position I will feel forced to take the matter beyond your Council unless I receive a full response and explanation by **Friday 20th June.**

Yours faithfully,  
Dr.Keith Corbett, MBE.

This is the annexure marked with the letter "F" referred to in the annexed affidavit of Keith Frederick Corbett sworn before me at *Madhy, Mangalore* this *24<sup>th</sup>* day of September 2008.

*William Coakley - JP.*  
A Justice of the Peace.

Keith F. Corbett.  
*[Signature]*

E

the2corbett

**From:** "the2corbett" <the2corbett@xtra.co.nz>  
**To:** <sam.marshall@tcdc.govt.nz>  
**Cc:** <Steve.Ruru@tcdc.govt.nz>  
**Sent:** 03 July 2008 20:38  
**Subject:** Whangamata reserves/Marina development : Moko Skink.

Dear Mr.Marshall,

Thank you for your long awaited response of 9th June. I have to conclude that you show no sign whatsoever of grasping the legal implications, and I greatly regret your lack of positive response or co-operation which should have dealt with the situation on your land over 9 months ago. Now there would appear to be little or no time left for an acceptable outcome.

Regarding the substance of your reply :-

1. While my advice was couched within a broader submission to your then consultation on Whangamata Reserves management, it was **entirely** concerning the Moko Skink and its habitat.
2. This e-mail of the 27th September 2007 had the stated subject of Whangamata Reserves Management Plan : Protected Moko Skink. **It began quite clearly with "I wish to bring to your notice the wildlife implications of your present consultation and for which your serious consideration is now sought."**  
The inordinate delay and the points in 3.& 4. below scarcely reflect any kind of consideration ?
3. You would appear to have disregarded the legal constraints and indeed failed to respond in any way on this central issue.
4. I do not accept that you/TCDC has the democratic right not to accept or respond to a "submission" that was an explained and mere 6 days late.  
Is that the way your Council deals with the public and our concerns?
- 5.No staff have directly contacted me, other than by response to what by then was my somewhat frustrated phone calls to TCDC. In the event, **all that Alicia Oye could say (after enquiring internally) was that she understood that the Management Team would sort this out and respond a.s.a.p. You must now be aware from the correspondance - that they/you did not !**
6. As for your claim that I was then provided with various people to contact, that is rubbish, and not least since the land in question was TCDC's;
- 7.Your suggestion that I contact John Kaukrodger at DoC is simply redundant for if you bother to read my e-mail of 27/9/08 you will note that it was openly copied to John.
8. In terms of the Causeway habitats not being covered by your Reserves management, fine, but did you pass this onto the relevant Department ? I particularly ask this since further contractual spraying has recently been reported from there, and represents another potential offence.

The situation is now that should your Department carry out, or contract, or permit the further spraying or machine clearance of Pampas or Kikuyu grass on the Beach Reserve **before** an adequate Moko rescue is completed, you will be liable to a private prosecution. The Wildlife Act fines for such offences are now significant and they will fall on you rather than on TCDC., (and hence the rate-payers).

If on the other hand, TCDC has entered in some sort of lease arrangement with the Marina Society or equivalent, then any summons may well head to Steve Ruru personally as the informed yet negligent individual.

You may take this as much as a promise as a warning.

Yours faithfully,  
 Keith Corbett.

This is the annexure marked with the letter "G" referred to in the annexed affidavit of Keith Frederick Corbett sworn before me at *Mandy, Whangaparaoa* this *24<sup>th</sup>* day of September 2008.

*William Sheehy - J.P.*  
A Justice of the Peace.

Keith F. Corbett.

~~*[Signature]*~~

'G'

**the2corbett**

**From:** "John Rich" <john.rich@tcdc.govt.nz>  
**To:** <the2corbett@xtra.co.nz>  
**Sent:** 11 July 2008 09:33  
**Subject:** Whangamata reserves/Marina development : Moko Skink

Dear Mr Corbett

I am Council's Community Services Manager, with overall responsibility for the management of Council's estate, including reserves. I apologise for not being available during the last three weeks as I have been on leave.

Steve Ruru has forwarded me copies of your correspondence concerning the Moko Skink population which resides in the Hetherington Road area of Whangamata. I thank you for raising issues which are, in my view, very pertinent. The purpose of this email is to summarise Council's future course of action regarding involvement with the management of the Moko Skinks.

Yesterday I wrote formally to the Department of Conservation, requesting advice on how Council moves forward with regard to ongoing management of the Moko Skink on Council estate in the Whangamata area. Naturally, future actions from this organisation will be guided by their response.

I attended an excellent meeting on Wednesday with the Marina Society, representatives of Ngati Pu, Environment Waikato, and John Gaukrodger from the Department of Conservation. John informally outlined DOC's immediate plans for Moko Skink management in the Whangamata area, which included extensive survey work and capturing and holding skinks in sanctuary areas such as Whangamata islands. Both Environment Waikato and TCDC requested that his plans be formalised in writing in a "management plan" and he agreed to provide this by early next week.

TCDC has yet to give formal permission for marina work to commence on its estate. As part of its lease Council will require the Marina Society to work with DOC to address the issues arising from the presence of the Moko Skink.

Please contact me if I can assist further, and thank you for your ongoing interest.

**John Rich**  
Community Services Manager

Thames-Coromandel District Council  
Private Bag, 515 Mackay Street, Thames  
p: 07 8680200 (ext 313) f: 07 8680234  
mob: 0274 902 632  
e: [john.rich@tcdc.govt.nz](mailto:john.rich@tcdc.govt.nz)  
w: [www.tcdc.govt.nz](http://www.tcdc.govt.nz)

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This is the annexure marked with the letter "H" referred to in the annexed affidavit of Keith Frederick Corbett sworn before me at *Maully, Whangaparaoa* this *24<sup>th</sup>* day of September 2008.

*McMahoney - J.P.*  
A Justice of the Peace.

Keith F. Corbett  
*[Signature]*