

APPENDIX 11.A - PROPOSED WILDLIFE ACT 1953 AUTHORITY AND CONDITIONS

SCHEDULE 1

1	Authorised activity (including the species, any approved quantities and collection methods) (Subject to Schedule 2, clause 2, Schedule 3)	A. The activities authorised by this Authority are: a. Survey, capture, handling, salvage, translocation and incidental killing of the protected wildlife listed in Schedule 4 associated with the construction, operation and rehabilitation of the Buller Plateaux Continuation Project Consent Area (see Map 1 in Schedule 5). b. Hold the wildlife listed in Schedule 4 of this Authority for the following amount of time: i. Great Spotted Kiwi / Roroa will not be held for more than 45 hours without feeding post capture. ii. Western weka will not be held for more than 45 hours without feeding post capture. iii. Lizards will not be held for more than 24 hours for relocation. iv. Powelliphanta shall be released as soon as practical following capture and in all cases on the same day of capture (within 24 hours). c. Undertake works affecting the habitat of wildlife listed in Schedule 4. d. Undertake biodiversity monitoring of the wildlife listed in Schedule 4. e. Physically mark the wildlife listed in Schedule 4 using radio transmitters, bands, tags and transponders for roroa and unique identification tags for snails >20mm in diameter. f. To disturb, injure or kill the wildlife species listed in Schedule 4. g. Any accidental disturbance, injury or killing of wildlife species listed in Schedule 4 that may arise from any of the activities undertaken during the Buller Plateaux Continuation Project where protected wildlife remains. (together, the Authorised Activities) B. Methodology: a. Methodologies are set out in:
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		i. Substantive Application, Wildlife Act Approvals. ii. Terrestrial Ecological Impact Assessment (EcoLogical Solutions, 2026a). iii. Assessment of Likely Impacts on <i>P. patrickensis</i> (Lloyd's Ecological Consulting, 2026a). iv. Future Trajectories and General <i>P. patrickensis</i> Snail Recovery Plan (Lloyd's Ecological Consulting, 2026b). v. Avifauna Management Plan (Bathurst, 2026n). vi. Lizard Management Plan (Bathurst, 2026p). vii. Pest Control and Elimination Plan (Bathurst, 2026af). viii. Biodiversity Outcome Monitoring Plan (Bathurst, 2026t). ix. Rehabilitation Management Plan (Bathurst, 2026m). b. This includes: i. Rorua: Capture using certified conservation dogs and accredited handlers; radio-tagging and banding per Kiwi Best Practice Manual; shepherding; egg uplift and pin feather sampling for genetics. ii. South Island robin: Clap traps baited with mealworms; mist nets; hand nets; drop traps. iii. South Island fernbird: Mist-netting with taped playback calls; sweep-netting; spotlighting capture at night. iv. Western weka: Live-capture cage traps; transport boxes to DOC standards; canvas bags in rugged terrain; single bird per compartment; release near dusk into pest-controlled habitat. v. Lizards: Systematic manual salvage by hand; ground artificial cover objects; lizard dog detection; drone detection; sterilised equipment; ventilated two-litre plastic containers for transport ≤24 hours and released ≥20m apart. vi. Powelliphanta snails: Nocturnal searches in warm wet conditions (>6°C, >75% humidity); bare-hand salvage; two-litre perforated containers with damp litter; max 5 snails per container; relocation within 24 hours to nearest pest exclusion fenced area; snails released
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		individually on the same day as capture (within 24 hours) in an upright position. vii. Helm's stag beetle: Capture and relocation via vegetation direct transfer only. viii. Vegetation clearance and habitat stripping across approximately 755 ha within the Project sub-areas; directional felling to reduce damage to adjacent habitats; delineation of disturbance footprints; vegetation direct transfer to retain habitat structure.
2	The Land (Schedule 2, clause 2)	Buller Plateaux Continuation Project Consent Area shown in orange hatching (see Map 1 in Schedule 5).
3	Personnel authorised to undertake the Authorised Activity (Schedule 2, clause 3)	The following personnel are authorised in addition to any other person under the direct supervisor of the people named in Schedule 1.3. Great spotted kiwi/roeroa: accredited kiwi handlers, certified conservation dog teams, trained personal, on site certified kiwi practitioner. Western Weka: accredited handlers and trained personnel. Robin and Fernbird: suitably qualified and experienced personnel. Lizards: Project herpetologist, appropriately trained field ecologists and Bathurst staff trained by the Project herpetologist. Powelliphanta: experienced snail staff and snail experts.
4	Term (Schedule 2, clause 4)	60 years from the grant of the approval
5	Approval Holder's address for notices (Schedule 2, clause 8)	Bathurst Resources Limited and BT Mining Limited Level 12, 1 Willeston Street Wellington Central Wellington 6011
6	Grantor's address for notices	

SCHEDULE 2

STANDARD TERMS AND CONDITIONS OF THE APPROVAL

1. Interpretation

- 1.1. The Approval Holder is responsible for the acts and omissions of its employees, contractors or agents. The Approval Holder is liable under this Approval for any breach of the terms of the Approval by its employees, contractors or agents as if the breach had been committed by the Approval Holder.
- 1.2. Where obligations bind more than one person, those obligations bind those persons jointly and separately.

2. What is being authorised?

- 2.1. The Approval Holder is only allowed to carry out the Authorised Activity on the Land described in Schedule 1, Item 1.
- 2.2. The Approval Holder must advise the Department of Conservation's local Operations Manager(s) ("Manager") prior to carrying out the Authorised Activity (where possible, one week prior).
- 2.3. The Approval Holder and Authorised Personnel must carry a copy of this Approval with them at all times while carrying out the Authorised Activity.
- 2.4. The Approval Holder must comply with any reasonable request from the Grantor for access to any wildlife.
- 2.5. The Approval Holder may publish authorised monitoring or research results.
- 2.6. The Approval Holder must immediately notify the Grantor of any taxa found which are new to science. In addition, the Approval Holder must lodge holotype specimens and a voucher specimen of any new taxa with a recognised national collection.

3. Who is authorised?

- 3.1. The Approval Holder and authorised personal described in Schedule 1, Clause 3 are authorised to carry out the Authorised Activity, unless otherwise agreed in writing by the Grantor.

4. How long is the Approval for - the Term?

- 4.1. This Approval commences and ends on the dates set out in Schedule 1, Item 4.

5. What are the liabilities?

- 5.1. The Approval Holder agrees to exercise the Approval at the Approval Holder's own risk and releases to the full extent permitted by law the Grantor and the Grantor's employees and agents from all claims and demands of any kind and from all liability which may arise in respect of any accident, damage or injury occurring to any person or property arising from the Approval Holder's exercise of the Authorised Activity.
- 5.2. The Approval Holder must indemnify the Grantor against all claims, actions, losses and expenses of any nature which the Grantor may suffer or incur or for which the Grantor may become liable arising from the Approval Holder's exercise of the Authorised Activity.
- 5.3. This indemnity is to continue after the expiry or termination of this Approval in respect of any acts or omissions occurring or arising before its expiry or termination.

6. What about compliance with legislation and Grantor's notices and directions?

- 6.1. The Approval Holder must comply with all statutes, bylaws and regulations, and all notices, directions and requisitions of the Grantor and any competent authority relating to the conduct of the Authorised Activity. Without limitation, this includes the Conservation Act 1987 and the Acts listed in the First Schedule of that Act and all applicable health and safety legislation and regulation.

7. When can the Approval be terminated?

- 7.1. The Grantor may terminate this Approval at any time in respect of the whole or any part of the Land, and/or the whole or any part of the Authorised Activity if:
- (a) the Approval Holder breaches any of the conditions of this Approval; or
 - (b) in the Grantor's opinion, the carrying out of the Authorised Activity causes or is likely to cause any unforeseen or unacceptable effects in relation to protected wildlife.
- 7.2. If the Grantor intends to terminate this Approval in whole or in part, the Grantor must give the Approval Holder such prior notice as, in the sole opinion of the Grantor, appears reasonable and necessary in the circumstances.

8. How are notices sent and when are they received?

- 8.1. Any notice to be given under this Approval by the Grantor is to be in writing and made by personal delivery or email to the Approval Holder at the physical or email address specified in Schedule 1, Item 5. Any such notice is to be deemed to have been received:
- (a) in the case of personal delivery, on the date of delivery;

- (b) in the case of email, on the date receipt of the email is acknowledged by the addressee by return email or otherwise in writing.
- 8.2. If the Approval Holder's details specified in Schedule 1, Item 5 change then the Approval Holder must notify the Grantor within 5 working days of such change.
- 9. What about the payment of costs?**
- 9.1. The Approval Holder must pay the standard Department of Conservation charge-out rates for any staff time and mileage required to monitor compliance with this Approval and to investigate any alleged breaches of the terms and conditions of it.
- 10. Are there any Special Conditions?**
- 10.1. Special conditions are specified in Schedule 3. If there is a conflict between this Schedule 2 and the Special Conditions in Schedule 3, the Special Conditions will prevail.
- 11. Can the Approval be varied?**
- 11.1. The Approval Holder may apply to the Grantor for variations to this Approval in line with clause 7(2) of Schedule 7 of the Fast-track Approvals Act 2024.

SCHEDULE 3

SPECIAL CONDITIONS

SCHEDULE 4

Protected Avifauna Species

Common Name	Scientific Name
Great Spotted Kiwi / Roroa	<i>Apteryx maxima</i>
South Island Fernbird / Mātātā	<i>Poodytes p. punctatus</i>
New Zealand Pipit / Pihoihoi	<i>Anthus novaeseelandiae</i>
South Island Robin / Kakaruwai	<i>Petroica australis</i>
Yellow-crowned parakeet / Kakariki	<i>Cyanoramphus auriceps</i>
Kea	<i>Nestor notabilis</i>
New Zealand bush falcon	<i>Falco novaeseelandiae ferox</i>
Black shag	<i>Phalacrocorax carbo novaehollandiae</i>
Little shag	<i>Phalacrocorax sulcirostris</i>
Long-tailed cuckoo / Koekoeā	<i>Eudynamys taitensis</i>
Banded Dotterel	<i>Charadrius bicinctus bicinctus</i>
Western weka	<i>Gallirallus australis australis</i>

Protected Lizard Species

Common Name	Scientific Name
Westland speckled skink	<i>Oligosoma aff. newmani</i> "Westland"
West Coast green gecko	<i>Naultinus tuberculatus</i>
Forest gecko	<i>Mokopirirakau granulatus</i>

Protected Terrestrial Invertebrate Species

Common Name	Scientific Name
Large land snail	<i>Powelliphanta patrickensis</i>
Mount Augustus snail	<i>Powelliphanta augusta</i>
Helm's Stag beetle	<i>Geodorcus helmsi</i>

SCHEDULE 5

