Barrytown Minerals Project
Southern Block

Appendix P2 - Draft Wildlife Act Approval Conditions

SCHEDULE 1

1	Authorised activity (Schedule 2, clause 2)	Activity: a) Avian and lizard surveys to confirm individuals at risk due to the mining activity. b) Incidental killing of the eggs, chicks or nesting adults of a protected bird species (other than kororā or tāiko (Western Petrel) at a nest within the area to be mined that cannot be retained without impeding the progress of the dredge, provided the deterrence and detection measures of the certified Avian Management Plan have been implemented and the nest has been recorded under Special Condition 13B before works proceed. c) Fencing to exclude kororā from active mining areas. d) Handling of grounded or injured birds (including tāiko). e) Handling of uninjured kororā that cannot be safely shepherded without physical contact, and their release into a confirmed unoccupied burrow on the fenced coastal edge. f) Capture, temporary holding (not exceeding 12 hours) and relocation of lizards to remove them from clearance areas, and their liberation at a release site identified in the certified Lizard Management Plan. g) Incidental injury or killing of lizards during salvage and vegetation clearance, and euthanasia of injured lizards on veterinary advice. h) Enhancement/augmentation of lizard habitat at release sites. **Advice note**: Deterring birds from nesting, and the protection and monitoring of nests, are required by [WCRC RC-2026-xxxx] and

		the Avian Management Plan. They are not activities requiring authority under the Wildlife Act 1953.
2	The Land (Schedule 2, clause 2)	Areas marked as Application Area within the Southern Block, Barrytown on Figure 1 within the Wildlife Act Authorisation Technical Report together with the lizard release sites identified in the certified Lizard Management Plan. No lizard may be liberated on public conservation land (including the Canoe Creek release site shown in Figure 4 of the draft Lizard Management Plan, dated September 2026) until the Manager's written agreement to the use of that site has been obtained and a copy provided to the Consent Authority.
3	Personnel authorised to undertake the Authorised Activity (Schedule 2, clause 3)	The proposed holders of the Wildlife Approval Authorisation for lizards will be: a) Dr Graham Ussher b) Matt Charteris The proposed holders of the Wildlife Approval Authorisation for birds will be: a) Dr Gary Bramley b) Dr Sarah Withers c) Patrick Stewart d) Matt Charteris; and any other person approved in writing by the Manager under Schedule 2, clause 3.1, who must hold current experience in the capture and handling of seabirds (for tāiko and kororā) or lizards (for lizard salvage), as the case may be.
4	Term (Schedule 2, clause 4)	Thirty five years from the date on which the Approval commences under Schedule 2, clause 4. The Approval Holder must, at intervals not exceeding 10 years from commencement, review the Avian Management Plan and the Lizard Management Plan against current species knowledge, threat classifications and DOC best-practice protocols, and provide the review to the Manager and the Consent Authority (see Special Condition 26).
5	Approval Holder's address for notices (Schedule 2, clause 8)	The Approval Holder's address is: Tāiko Critical Minerals Ltd Attn: Robert Brand

Commented [SD1]: Could the applicant please attach this Figure to the approval as an appendix?

		C/- 100 Mackay Street Greymouth 7805 E: robert.brand@taikocm.co.nz P: +61 421 388 222
6	Department's address for notices	The Department's address is: Buller/Kawatiri Office 72 Russell Street Westport 7825 E: paparoavc@doc.govt.nz P: 0800 275 362
1A	Protected wildlife covered by this Approval (Schedule 7, cl 2(1)(d)–(e) and cl 6(2)(c))	Lizards: a) West Coast green gecko Naultinus tuberculatus (Threatened – Nationally Vulnerable); b) Forest gecko Mokopirirakau granulatus (At Risk – Declining); c) Newman's speckled skink Oligosoma aff. newmani "Westland" (At Risk – Declining); d) Northern grass skink Oligosoma polychroma (Not Threatened); and e) Any other indigenous lizard encountered during salvage. Birds: a) Kororā, Eudyptula minor (At Risk – Declining) – handling and fencing only; b) Tāiko, Procellaria westlandica (At Risk – Naturally Uncommon) – handling of grounded birds only; c) Banded dotterel, d) South Island pied oystercatcher, e) Variable oystercatcher, f) Red-billed gull, g) Pipit (At Risk) and Not Threatened h) protected native birds nesting in pasture or disturbed ground.

NOTE: Interpretation

- *References in this Approval to the "Department" are to the Department of Conservation.*
- *References in this Approval to the "Manager" are to the person holding the office of Operations Manager, Buller/Kawatiri Office of the Department of Conservation and includes any person authorised by the Operations Manager to act on their behalf in respect of this Approval.*

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 2.
   2.2. Any arrangements necessary for access over private land or leased land are the responsibility of the Approval Holder. The Department does not warrant that such access can be obtained.
   2.3. The Approval Holder must advise the Manager in writing:
      a) not less than 10 working days before lizard salvage commences in each of Sections 1, 2 and 3;
      b) not less than 10 working days before the first kororā survey each year; and
      c) of the Annual Work Programme certified under Condition 5 of [WCRC RC-2026-xxxx and GDC xxxx], within 10 working days of certification.
   2.4. The Approval Holder and Authorised Personnel must carry a copy of this Approval with them at all times while carrying out the Authorised Activity.
   2.5. The Approval Holder must comply with any reasonable request from the Department for access to any wildlife.
   2.6. The Approval Holder may publish research results.

3. Who is authorised?
   3.1. Only the Approval Holder, its employees, contractors and agents and the Authorised Personnel described in Schedule 1, Item 3 are authorised to carry out the Authorised Activity, unless otherwise agreed in writing by the Manager, such agreement is not to be unreasonably delayed or withheld.

4. How long is the Approval for?
   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 Department and the Department'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 Department against all claims, actions, losses and expenses of any nature which the Department may suffer or incur or for which the Department 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 Department'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 Department and any competent authority relating to the conduct of the Authorised Activity. Without limitation, this includes the Conservation Act1987 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 Manager 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 Manager'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 Manager intends to terminate this Approval in whole or in part, the Manager must give the Approval Holder such prior notice as, in the sole opinion of the Manager, appears reasonable and necessary in the circumstances.

8. How are the notices sent and when are they received?
   8.1. Any notice to be given under this Approval by the Department is to be in writing and made by personal delivery, post, 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 post, on the 3rd working day after posting;
      c) 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 Department 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 any 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 Director-General of Conservation for variations to this Approval in line with clause 7(2) of Schedule 7 of the Fast-track Approvals Act

2024. The Director-General may revoke this Approval under clause 7(4) of that Schedule.

SCHEDULE 3

SPECIAL CONDITIONS

Application

1. These special conditions apply to the whole site, known as the Southern Block, encompassing the mining disturbance area, areas outside the mining disturbance area which may be subject to earthworks, rehabilitation areas and any associated buildings and roading.

Consents

2. All Activities authorised by this approval must be undertaken in accordance with the relevant conditions of the Consents for the Southern Block [WCRC RC-2026-xxxx and GDC xxxx] and with the relevant management and monitoring plans, or any amended versions certified under Condition 6 of [WCRC RC-2026-xxxx and GDC xxxx] and listed below. Conditions 13.1 to 13.11 (avian management), 14.1 to 14.7 (lizard management), 16.15 (predator control) and 17.3 to 17.4 (lighting) of the [GDC xxxx], apply as conditions of this Approval as if set out in full.

   The Lizard Management Plan that has been certified under condition 14 of [GDC xxxx] (as revised before each mining section commences under condition 14.2(h)).

   The Avian Management Plan that has been certified under condition 13.7 – 13.9 of [GDC xxxx] and any Penguin Management Plan prepared under condition 13.5.

3. All Activities authorised by this Approval that are undertaken in accordance with the certified management plans listed in Condition 2 must also be undertaken in accordance with relevant current DOC-approved herpetofauna and avifauna protocols or DOC SOPs that are in place at the time the activity is undertaken. This includes the Department of Conservation 'Herpetofauna inventory and monitoring toolbox' and "Key principles for lizard salvage and transfer in New Zealand" (2019 or any subsequent revision of those documents).

4. In accordance with Condition 6.5 of [WCRC RC-2026-xxxx and GDC xxxx], the Approval Holder may make amendments to any of the management plans referred to in Condition 2 above at any time, subject to any relevant certification requirements, provided that each amended plan is provided to the Manager for comment at least 10 working days before it is submitted for certification by WCRC and a copy of the certified plan is provided to the Manager within 10 working days of certification.

Lizard Capture and Handling

5. Lizards must only be handled by, or under the direct supervision of, Authorised Personnel named in this application.

5A. No vegetation clearance or ground disturbance may commence in any of Sections 1, 2 or 3 of the Mining Disturbance Area until:

a) the pre-mining lizard survey of all potential lizard habitat in that Section of the Mining Disturbance Area and of the proposed release site(s) has been completed within the lizard season and within 6 months before clearance;
b) the results and the Project herpetologist's release-site suitability assessment have been provided to the Manager and the Consent Authority; and
c) the Lizard Management Plan has been revised to reflect the results and certified.

5B. Where survey or salvage detects West Coast green gecko or any other Threatened lizard, the species-specific survey, salvage and release protocol in the Lizard Management Plan applies and the Manager must be notified within 2 working days of the first detection.

6. Lizard capture and relocation must be undertaken between 1 October and 30 April when lizards are most active, and must continue until no lizards have been captured for four consecutive trapping days. Trapping must occur for a minimum of 5 consecutive trapping days for all species and a minimum of six consecutive trapping days for any Threatened species.

7. Capture and handling of lizards must involve only techniques that minimise the risk of infection or injury to the animal, following methods described in the Herpetofauna inventory and monitoring toolbox http://www.doc.govt.nz/our-work/biodiversity-inventory-and-monitoring/herpetofauna/.

8. The Approval Holder must ensure all live capture traps are covered to protect lizards from exposure and minimise stress.

9. The Approval Holder must ensure all live capture traps are checked daily within 12 hours of sunrise.

10. The Approval Holder must sterilise any instruments that come in contact with the lizards and/or are used to collect or measure lizards between each location. A separate holding bag must be used for each animal. All gear should be thoroughly cleaned and dried between sites.

11. The Approval Holder must ensure lizards are temporarily held individually in a suitable container (e.g. breathable cloth bag) and held out of direct sunlight to minimise the risk of overheating, stress, and death.

11A. Lizards may be liberated only at a release site identified in the certified Lizard Management Plan. At each release site not fewer than five rock-stack refugia will be built to the specifications of Lennon (2023)[1] and Herbert et al. (2023)[2] have been constructed before

[1] Lennon, O. 2023. Mitigation translocation for conservation of New Zealand skinks. MSc thesis, Te Herenga Waka – Victoria University of Wellington
[2] Herbert, S.M., Knox, C., Clarke, D. and Bell, T.P. 2023. Use of constructed rock piles by lizards in a grassland habitat in Otago, New Zealand.

salvage commences. One additional refuge must be constructed for every five lizards salvaged.

11B. Post-release monitoring of relocated lizards must be undertaken for not less than two lizard seasons after any release at which (a) any Threatened or At Risk lizard is relocated, or (b) more than 30 lizards in total are relocated. The Lizard Management Plan must specify the monitoring method and the response actions available where monitoring indicates that relocated lizards are not persisting. Actions may include additional refugia, use of an alternative release site identified in the plan, or review of methods with the Manager.

11C. No rat-only or mustelid-only predator control may be undertaken within, or within 200 m of, any lizard release site. Any predator control required under Condition 16.15 of [GDC xxxx] must be designed in consultation with the Project herpetologist.

Bird Capture and Handling

12. Disturbance of avifauna via the use of deterrents must meet the requirements outlined in the Avian Management Plan.

13. Avifauna will not be handled except:
    a) in cases of accidental discovery of injured, sick or dead avifauna;
    b) to recover grounded seabirds, including uninjured grounded tāiko which must be managed in accordance with Condition 22; or
    c) where an uninjured kororā cannot be safely shepherded away from an at-risk location without physical contact. In which case it may be caught and relocated by Authorised Personnel to a confirmed unoccupied burrow on the fenced coastal edge.

    In each case in accordance with the relevant section of the Avian Management Plan.

13A. No kororā occupying a burrow containing viable eggs or live chicks, and no egg or chick of kororā, may be handled, relocated or disturbed until the chicks have fledged, the eggs are confirmed non-viable, or the breeding attempt is confirmed abandoned. Nothing in this Approval authorises; the killing of kororā or tāiko, or, the destruction of any nest of a protected bird, that can be retained without impeding the progress of the dredge.

13B. Before works proceed at any nest to which Item 1(d) of Schedule 1 applies (handling of grounded or injured birds), the project ornithologist must:
    a) record the species, location, nest contents and breeding stage, and
    b) confirm in writing that the deterrence and detection surveys required by the Avian Management Plan were carried out in that area in the current season.

    These records must be reported to the Manager under Special Condition 21 within 5 working days and considered in the annual review of the Avian Management Plan.

14. Handling of birds in the circumstances above requires minimal contact, placement in a lined, dark box held in a cool, draught-free location and immediate contact with the Department of Conservation for instruction on how to keep avifauna safe and where to transport avifauna for care by a suitably experienced and qualified handler.

Ownership and holding of Absolutely Protected Wildlife

15. This Approval gives the Approval Holder the right to hold absolutely protected wildlife for no longer than 12 hours in accordance with the terms and conditions of the Approval, but the wildlife remains the property of the Crown.

16. Unless expressly authorised by the Manager in writing, the Approval Holder must not donate, sell or otherwise transfer to any third party any wildlife, material, including any genetic material, or any material propagated or cloned from such material, collected under this Approval.

Death of wildlife

17. If any protected wildlife is found dead; the Approval Holder must contact the Manager's Buller/Kawatiri Office at paparoavc@doc.govt.nz (0800 275 362), with known details of the animal's history, and, in the case of kororā or tāiko, must also notify Te Rūnanga o Ngāti Waewae. Then, if the Manager requests it, the body must be sent to Massey University Wildlife Post Mortem Service for necropsy.

18. In that eventuality; the Approval Holder must, if requested by the Grantor Manager:
    a) ensure that the body is to be chilled if it can be delivered within 24 hours, or frozen if it will take longer than 24 hours to deliver.
    b) ensure appropriate measures are taken to minimise further deaths.
    c) discuss with the Manager whether it is necessary to halt all further handling until full investigations of death(s) occur.
    d) pay for any costs incurred in investigation of the death.

Records

19. All survey, salvage, handling and release records must be made available for inspection at reasonable times by officers of the Manager.

Lizard Salvage Reporting

20. Lizard Salvage Reporting must meet the requirements outlined in the Lizard Management Plan and conditions of [GDC xxxx]. The Project herpetologist's report on each salvage operation must be provided to the Manager within 20 working days of its completion, with capture records submitted to the DOC Herpetofauna Database.

Bird Discovery Reporting

21. The Approval Holder must notify and report to the Manager as follows:
    a) immediate contact with the DOC hotline (0800 DOC HOT) in instances where injured avifauna or grounded tāiko are discovered.
    b) immediate contact with the Buller/Kawatiri Department of Conservation office in the case of any deceased kororā or tāiko discovered within the site.
    c) reporting of any interactions with wildlife identified through monitoring (including wildlife cameras) on a weekly basis from 14 September to 31 January each year, and on a monthly basis from 1 February to 13 September. Each report must identify:
        i) any Threatened or At Risk bird entering the active mining area;

ii) any injured or dead bird, grounded tāiko, near miss or vehicle strike;
iii) the species, number, date, time, location, nature and outcome of each interaction;
iv) any nest recorded under Special Condition 13B;
v) any use of artificial lighting at night under Condition 17.3 of [GDC xxxx] and the result of the search under Special Condition 24; and
vi) any capture, handling, relocation or corrective action undertaken. Wildlife camera footage must be retained for 12 months and provided on request

d) An annual bird management report supplied each year by 30 June including details of mining activity, methods and results of avian surveys, any deterrents employed, nesting attempts and outcomes, any strikes/near misses/deaths of protected avifauna, autopsy outcomes, lighting audit findings, and revisions to the AMP.

22. If a live grounded tāiko is found, the Approval Holder must ensure that:
a) the bird is captured by hand where practicable, rather than using a net, to minimise handling and stress;
b) unless otherwise directed by DOC, the bird is held in a cool or moderate-temperature, draught-free location and protected from noise, vibration and light;
c) the bird is placed in a sturdy, ventilated and appropriately lined transport box made from a durable material, such as strong plastic or wood, and is not held or transported in a cage;
d) the transport box is large enough for the bird to turn around comfortably without touching the sides;
e) the DOC hotline is contacted as soon as practicable and any instructions provided by DOC are followed; and
f) the bird is transported to the DOC Punakaiki office as soon as practicable for assessment.

The Approval Holder must not release a grounded Westland petrel. Any subsequent care or release of the bird must be undertaken or authorised by DOC.

23. If an injured or sick kororā is found within the site, the Approval Holder must ensure that:
a) the bird is handled by a suitably trained person wearing appropriate gloves;
b) the bird is placed in a sturdy, well-ventilated and appropriately lined box;
c) the bird is held in a cool, draught-free location and protected from noise, vibration and light to minimise stress;
d) DOC is contacted as soon as practicable and any instructions provided by DOC are followed; and
e) the bird is transported to the DOC Punakaiki office as soon as practicable, unless otherwise directed by DOC.

The Approval Holder must not release an injured or sick kororā unless authorised or directed to do so by DOC.

Lighting, grounded Tāiko and corrective action

24. On any night on which artificial lighting is used outdoors within the Land under Condition 17.3 of [GDC xxxx], the Approval Holder must ensure that a targeted ground search for

grounded tāiko of every illuminated area and the ground within 100 m of it is completed during the hours of darkness within one hour of the lights being turned off or, at the latest, one hour before sunrise and before vehicle movements or other site activities begin. Searches must be undertaken by a person trained in identifying, handling and managing grounded seabirds. The date, duration and location of the lighting event, the area searched, the search result and any action taken must be recorded.

25. If a grounded or dead tāiko or other seabird is found in the search required by condition 24, the Approval Holder must:
    a) immediately investigate the likely cause and, where the cause is a light source under the Approval Holder's control, modify or extinguish it;
    b) complete a lighting audit by a suitably qualified person within 20 working days, in consultation with the Manager, and provide the audit, any revision of the Avian Management Plan and the corrective actions to be implemented to the Manager; and
    c) where a second bird is found within 50 m of the dredge pond within four weeks of the first, cease all use of external lighting at the dredge pond. External lighting at the dredge pond may resume only when the corrective measures have been implemented and a suitably qualified ecologist has reported to the Manager and the Consent Authority that the cause has been addressed. Resumption is not permitted only because 15 January has passed.

Review and Consultation

26. The Approval Holder must:
    a) review the Avian Management Plan annually, and the Lizard Management Plan before mining commences in each Section of the Mining Disturbance Area, and at intervals not exceeding 10 years, and review both plans against current species knowledge, threat classifications and DOC protocols;
    b) provide each reviewed plan to the Manager and Te Rūnanga o Ngāti Waewae for comment at least 10 working days before submission to the Consent Authority for certification, with any comments received attached; and
    c) provide the certified plan to the Manager within 10 working days of certification.