

Appendix B: Conditions related to a partial revocation or amendment

Condition Compensation deed (condition precedent).

Before any revocation takes effect, the applicant must enter into a Compensation Deed with DOC that provides for the funding and delivery of the items below (XXXX). Payment milestones and securities must be agreed before the covenant instrument is uplifted.

Technical and Operational to apply to any change

These conditions are suggested for consideration under the Panel's powers to set land-use conditions on the amendment or revocation of a conservation covenant. They could apply whether the Panel grants a reduced partial revocation or an amendment. Monetary/compensation provisions are addressed elsewhere and are not repeated here.

A. Cross-cutting decision gates and mapping

1. Before any instrument takes effect, the Applicant must file for certification:
 - a. a legal description and GIS shapefile of the hatched (revocation) and red (variation) areas as per C.14; and
 - b. a values-based constraints map identifying no-go areas (heritage connective fabric; high-value flora/fauna micro-habitats; wetlands by type with buffers).
 - c. *Effect:* No works rely on the decision until certified by DOC.
2. Submit and obtain DOC certification for all baseline deliverables required by these conditions (heritage fabric condition, spring-annual datasets, non-vascular flora, lizard detections, invertebrate inventory, wetland eco-hydrology model). No works may commence in the relevant area until the corresponding baseline is certified.
3. Provide an incident management response plan that unifies monitoring for heritage, vegetation/flora, wetlands, lizards, invertebrates and access, sets thresholds and adaptive-response rules, and cross-links with dust, traffic, blasting and biosecurity plans. Certify prior to works.
4. At the landowner's expense, appoint an independent heritage/ecology/hydrology auditor to undertake an annual compliance audit; publish the audit report and implement all corrective actions within DOC-approved timeframes.
5. Where thresholds are exceeded or key deliverables are not provided by the due date, DOC may direct immediate cessation, require remedy, and withhold further certifications until compliance is restored.

B. Heritage landscape

6. Map and protect as no-go the connective fabric (water races/reservoirs/dams, battery terraces and platforms, settlement nodes, tramways/aerial routes and historic paths) consistent with the landscape-scale reading of values. No ground disturbance within no-go areas.
7. Maintain continuous public foot-access. Where closures are unavoidable, provide detours of equal or higher quality (surface, gradient, width, safety separation from vehicles) and like-for-like interpretation/vantage points. Include reinstatement KPIs and independent verification.

8. Certify an Archaeological and Heritage Management Plan that integrates the archaeological authority and sets out pre-works investigation/recording, accidental discovery procedures, fabric protection, monitoring, and archiving. Complete pre- and post-condition surveys for all at-risk fabric.
9. Implement peak particle velocity thresholds, design standoffs, and real-time monitoring. Exceedance triggers automatic hold/modify and re-assessment before recommencing.

C. Vegetation & threatened flora

10. No revocation, variation, or works may affect the mapped Shepherds Creek stronghold or its dust-sensitive buffer. Where dust is the pathway, include automatic stop-work triggers and revised controls.
11. Submit the complete 2025 spring-annual dataset (GPS tracks, photos, field forms, methods, timing) and a plan for re-survey in suitable windows to address inter-annual variability. Certify before any works in areas containing or adjacent to mapped herbfield/cushionfield.
12. Provide a non-vascular (bryophytes/lichens) survey for rock outcrops, seepages and herbfield/shrubland ecotones; and re-type broad classes (e.g., “mixed shrubland”) into field-verified units (kānuka vs tree-daisy/*Coprosma* mosaics; depleted vs native herbfield/shrubland). Update constraints maps accordingly.
13. Incorporate DOC-verified Threatened/At-Risk records (e.g., *Sonchus novae-zelandiae*, *Carmichaelia vexilata*, *Carmichaelia crassicaulis*) into area significance and revise avoidance/buffer mapping before works.
14. Define dust deposition thresholds for sensitive communities (spring-annuals, cushionfields) and require responsive controls (suppression, staging, wind holds) and edge-effect buffers at the vegetation boundary.

D. Wetlands Ecosystems

15. Submit a conceptual and quantitative model of groundwater–wetland connectivity that distinguishes seep, fen, swamp, marsh, resolves vertical/lateral gradients and seasonal dynamics, and maps type-specific extents. Certify performance standards for each type (water-level percentiles, soil moisture/redox, temperature, vegetation indices) before dewatering or diversion commences.
16. Where augmentation is used, define chemistry (major ions, alkalinity, nutrients, DOC) and thermal envelopes compatible with receiving wetlands/streams. Install sentinel bores and loggers, and set automatic adjust/stop-work triggers for envelope exceedance.
17. Quantify the loss of contributing area due to mine landforms; demonstrate no net degradation in runoff generation, peak attenuation, and baseflow support to wetlands; include this in the IMRP with corresponding monitoring and triggers.
18. Provide a post-closure hydrology model and define the end-state (by wetland type), including any enduring management actions. No surrender of obligations until end-state is evidenced.

E. Lizards (herpetofauna)

19. Provide a complete detections map (coordinates, methods, effort; surveyed vs unsurveyed) and conduct targeted surveys for Lake’s skink and jewelled gecko in likely micro-habitats (rocky gullies, complex shrublands, wetland edges). Certify before works in those areas.

20. Embed avoidance of high-value micro-habitats (tors/outcrops, boulder fields, cushion vegetation, riparian/wetland edges) and require micro-siting of any necessary infrastructure to avoid disturbance.
21. Certify a plan that sets objectives, outcomes, success metrics, monitoring design, and adaptive triggers (including stop-work) and requires DOC-approved SEQEs to implement salvage where strictly necessary.
22. No salvage may occur until a purpose-built, pest-exclusion fenced receiver (including mouse control) is certified as suitable (habitat, carrying capacity, no adverse effects on resident populations) and the release protocol is approved.

F. Invertebrates

23. Reconcile the species inventory; deposit vouchers; obtain independent taxonomic confirmation for contentious records (e.g., “new” *Megadromus*). Certify before works in uplift areas.
24. Map hotspots (e.g., *Raoulia* swards with *Rhypodes* concentrations; *Neoramia* endemism foci) with occupancy/abundance and detection probabilities; apply no-go or micro-siting to avoid them.
25. Where intervention is proposed (salvage/rearing/translocation), provide survival/viability probabilities (with and without intervention), confidence intervals, time-to-target, and adaptive triggers up to activity curtailment; integrate with the IMRP.

G. Recreation / Condition 9 (visitor experience)

26. Maintain continuous public foot-access through Rise and Shine; where closures are unavoidable, provide equal or higher-quality detours and like-for-like interpretation. Reinstate to agreed KPIs (surface class, drainage, furniture, signage); verify independently.
27. Provide real-time public notifications of blast windows and temporary closures; install on-site wayfinding and digital updates; stand-down if signage or separation cannot be achieved.

H. Compliance mechanics (non-financial)

28. Notify DOC of any exceedance or incident within 5 working days; submit a root-cause analysis and corrective action plan within 20 working days; implement as approved.
29. Maintain a controlled document register; any change to a certified plan requires DOC approval and a variations log showing implications for all cross-referenced plans.
30. Maintain monitoring datasets (raw and processed), survey materials (GPS, photos, field forms) and make publicly available all annual reports, audit findings and certified plans, except where personal or culturally sensitive.