**General**

1. The gold mining activity must be carried out in accordance with the plans and all information submitted with the application, further information, additional information provided at the hearing and the Site Plans ‘Millers Flat Alluvial Gold Mine’ dated 22/4/2024 prepared by Overview Surveying.
2. If there are any inconsistencies between the information provided in the application and the conditions of this consent, the conditions of this consent will prevail.
3. The consent holder shall pay to the Council all required administration charges fixed by the Council pursuant to section 36 of the Act in relation to:
	1. Administration, monitoring and inspection relating to this consent; and
	2. Charges authorised by regulations.
4. The duration of consent shall be 10 years from the commencement of the consent.
5. The consent holder is to ensure that all persons working on the site have access to the contents of consent documents and understand the consent requirements relevant to their role. A copy of consent documents must be kept on site at all times.
6. The area of mining shall not exceed 68 hectares and the maximum depth of excavation shall be 18 metres.
7. There shall be no more than 30 persons engaged in the activity at any one time.
8. The active work area, comprising the mine pit, internal haul roads and area where rehabilitation is underway shall be a maximum of 12 hectares at any one time. The active work area excludes stockpiling areas, workshop, internal vehicle access, site office, settling ponds, bunds and any other ancillary activities

**Management Plan**

1. Prior to the commencement of mining, a Gold Mine Management Plan (GMMP) shall be provided to the Central Otago District Council, Attn: Monitoring and Enforcement Team Lead. The GMMP shall contain:
	1. The contact details of the Site Manager;
	2. A description of all relevant site operations and procedures;
	3. Measures to be employed to comply with consent conditions;
	4. Relevant monitoring and reporting requirements; and
	5. Details of progressive rehabilitation during the operation of the Gold Mine.

**Diesel Storage**

1. Prior to the exercise of this consent, the Consent Holder must ensure that diesel is stored on-site within a containment facility that adheres to the Health and Safety at Work (Hazardous Substances) Regulations 2017, and shall demonstrate that:
	1. an industry standard hose and filler nozzle with automatic cut-off is fitted for refuelling equipment;
	2. an additional shutoff valve is fitted to the handle and a remote stop push button and cable accessible at the filler nozzle location to stop the pump at the bulk tank;
	3. the bulk onshore fuel tank is double skinned or bunded and is located in an area which is setback 50 metres from water bodies and located above 1 in 100- year flood levels, in a safely accessible location;
	4. the Consent Authority is provided with written notice and a plan which shows the location of the fuel tank prior to the tank be located;
	5. spill kits are located at the tank; and
	6. all staff receive training in the location and use of spill kits.
2. In the event of a spill of fuel or any other contaminants, the consent holder shall clean up the spill as soon as practicable and take measures to prevent a recurrence.
3. The Consent Holder shall inform the Central Otago District Council and Millers Flat Water Company Limited within 24 hours of any spill event greater than 4 litres and shall provide the following information:
	1. The date, time, location and estimated volume of the spill;
	2. The cause of the spill;
	3. The type of contaminant(s) spilled;
	4. Clean up procedures undertaken;
	5. Details of the steps taken to control and remediate the effects of the spill on the receiving environment; and
	6. An assessment of any potential effects of the spill and measures to be undertaken to prevent a recurrence.

**Natural Hazards**

1. Prior to the commencement of mining operations, including the erection of any buildings, sufficient water volume, pressure and flows in accordance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008 shall be provided.
2. Prior to any works onsite the consent Holder shall prepare and submit to Council’s Chief Executive a Site Emergency Management Plan (SEMP), prepared in consultation with Fire and Emergency New Zealand. This should include procedures to manage the risk from and contingency for:
	1. Fire
	2. Forecast Extreme weather events
	3. Flooding

**Transport**

1. The vehicle accesses shall be designed in general accordance with a ‘Diagram D’ accessway as per the Appendix 5B of the NZTA Planning Policy Manual, and as generally shown in the Abley concept drawings dated 23 April 2024.

***Advice note:*** *Approval is required by the Central Otago District Council for the upgrade of any accessway prior to construction in accordance with the CODC Roading Bylaw 2023.*

1. Prior to either access way being used to serve the mine site, they shall be upgraded in accordance with approved engineering plans.
2. Heavy vehicle movements associated with the mine shall be scheduled so as to not coincide with pick and drop off times at Millers Flat School or be required access the mine via a part of the roading network that does not pass the school.

***Advice note:*** *If transportation of machinery into or out of the site is anticipated to affect the normal operating conditions of the transport network, the Consent Holder may require a traffic management plan. The consent holder must verify that any requirements of the CODC Roading Bylaw 2023 are met, and that any necessary permits are obtained from the New Zealand Transport Agency / Waka Kotahi.*

**Wastewater management**

1. Prior to the commencement of mining, two portaloos shall be established onsite and a Wastewater Management Plan shall be prepared and submitted to Central Otago District Council’s Chief Executive.

**Annual work program and reporting**

1. An annual work program must be prepared and submitted to the Central Otago District Council, and must, at a minimum include, but not be limited to:
	1. Maps highlighting the extents of the activity and also the associated GPS coordinates;
	2. Monitoring requirements;
	3. The means of receiving and dealing with any complaints; and
	4. Emergency contact phone numbers.
2. A record of activity undertaken in accordance with this consent must be submitted to the Central Otago District Council by 28 February annually and made available for inspection at other times upon request. The report must at a minimum include:
	1. Records showing the location of activity in the previous calendar year, including the provision of GPS coordinates, area and depth of earthworks undertaken, and the progression through the stages.
	2. A record of any complaints received including:
		1. The date, time, location and nature of the complaint;
		2. The name, phone number, and address of the complainant, unless the complainant elects not to supply this information;
		3. Action taken by Consent Holder to remedy the situation and any policies or methods put in place to avoid or mitigate the problem occurring again.
3. The duration of mining in Stage 2 shall be no longer than 2 years.

**Operational Matters**

***Bunds***

1. Bunding shall be established in accordance with the site plans dated 22 April 2024. The consent holder shall ensure that prior to the commencement of mining in each stage or sub-stage, bunding is established in the locations shown on the specific sheet numbers referenced in the table below. Bunds may be disestablished in accordance with the staging noted on the site plans (dated 22/4/2024).

|  |  |
| --- | --- |
| Mining Stage | Sheet number showing locations of bunds required for the stage |
| 1 | 2 |
| 2 | 3 |
| 3 | 4 |
| 3B | 5 |
| 4 | 6 |
| 4, after reinstatement of the cycle trail to the existing alignment | 8 |

1. The height of these bunds must be no less than 3 metres except for the bund in stage 2, which must be 4 metres high along the northern boundary of the site, and at least 300m down the north-western side of stage 2 and 700m down the north-eastern side of stage 2.

**Advice note:** Minimum 4m high bunds are required for the mitigation of noise effects, as described in Hegley Acoustics Report 22048 *Proposed Alluvial Mining Millers Flat Assessment Of Noise Effects*, dated 20 March 2023.

1. Bunding shall be grassed and irrigation must be implemented if necessary to ensure successful establishment of grass.
2. Bunding immediately adjoining 1334 Teviot Road shall be vegetated as soon as practicable following construction of the bund and irrigated as necessary to achieve and maintain at least 80% grass cover.

***Noise and vibration***

1. With exception to a water cart for dust control or dewatering pumps, all mining and processing activity on the site, including heavy plant and truck movements, must only take place between 07:00 and 19:00, Monday to Friday, and 07:00 to 13:00, on Saturdays.
2. With exception to emergency works, machinery maintenance, dust control, and dewatering, works must not be undertaken on any Sunday or public holiday.
3. All activities must be conducted to ensure the following noise limits are not exceeded at any point within a notional boundary or at any point within the Rural Residential Resource Area.
	1. On any day 07:00 to 22:00: 55 dBA L10
	2. 22:00 to 07:00 the following day: 40 dBA L10 and 70 dBA Lmax.
4. Site-based trucks, plant, and machinery must not be fitted with tonal reversing alarms. Broadband reversing alarms are permitted.
5. All vibration generated on the site must comply with the guideline vibration values of DIN 4150-3:1999 Vibrations in buildings – Part 3: Effects on structures.
6. The consent holder must submit an Operational Noise Management Plan (ONMP) to Central Otago District Council before any construction, mining or processing activity authorised by this consent takes place. The objectives of the ONMP are to set out the methods and procedures required to adopt the best practicable option for minimising noise and vibration emissions from all aspects of the consented activities, and to ensure that noise and vibration consistently complies with the consented limits. The ONMP must include:
	1. The consented noise and vibration limits.
	2. Requirements and procedures for noise monitoring to ensure consistent compliance with the noise limits in this consent.
	3. Procedures for communicating effectively with neighbours.
	4. Procedures for receiving and responding to complaints about noise and vibration.
	5. Procedures for staff and contractors to follow to minimise noise and vibration emissions.
	6. Practicable management and mitigation measures for complying with the consented limits and reducing noise and vibration effects at the neighbouring notional boundaries.

**Lightspill**

1. Prior to the use of onsite lights, a suitably qualified person shall measure and verify that lighting complies with Condition 33 of this consent.
2. No activities are permitted to result in greater than 10 lux spill (horizontal and vertical) of light onto any adjoining property or road, measured at the boundary of a road or the notional boundary of a neighbouring property. The amount of light that may be spilled onto a neighbouring property may be increased by not more than 100%, in cases where the activity on that neighbouring property is not residential.

**Landscape**

1. Gravel stockpiles shall be no higher than 7 metres above natural ground level.
2. Areas where mining is complete shall be reinstated as soon as possible to blend naturally with surrounding contours and shall be established in pasture.
3. All works including bunds shall be set back a minimum of 20 metres from the banks of the Tima Burn and the Clutha River / Mata-au.
4. All containers and buildings on the site are to be finished in the same colour, which shall be Resene Iron Sand (LRV – 9%). The container shelter fabric shall be a dark green colour to blend as close as possible with the containers.

**Signage**

1. Prior to the closure of the paper road on the southern and northern side of the site, signage shall be established to inform the public of the duration of the closure of the relevant paper road. Information signage shall be established to detail the location of the alternative access.
2. Prior to the relocation of the cycle trail, signage shall be established to inform the public of the duration of the relocation of the cycle trail. Information signage shall be established to detail the location of the alternative route.

***Advice note****: Any signage on the site should be designed and sited to comply with Rule 4.7.6H of the Central Otago District Plan, or resource consent sought.*

**Public access**

1. Prior to restricting public access to the Clutha River / Mata-au via the paper road adjacent to 1534 Teviot Road, Millers Flat, the consent holder shall provide an alternative public access route to the Clutha River / Mata-au within 1km of the existing location and constructed to a similar standard.
2. The consent holder shall ensure that mining work does not prevent public access to the Clutha Gold cycle trail. The cycle trail may be temporarily diverted in accordance with the approved plans, to enable ongoing public use and access.

**Dust suppression**

1. The consent holder shall comply with the Dust Management Plan provided with resource consent application RC230325 throughout the duration of this consent. The Dust Management Plan may be amended at any time. Any amendments must be:
	1. Only for the purpose of improving the efficacy of the dust control measures and must not result in an increase in dust nuisance off-site;
	2. Consistent with the conditions of this resource consent; and
	3. Submitted in writing to the Central Otago District Council, prior to any amendment being implemented.
2. A minimum of two individuals shall be trained to implement the dust management plan.

**Archaeological sites**

1. The Consent Holder must comply with the recommendations of the Archaeological Report, prepared by New Zealand Heritage Properties Ltd, dated March 2024 and provided as part of the application for RC230325, and any subsequent versions if modifications are required by Heritage New Zealand Pouhere Taonga. Any subsequent editions of the Archaeological Report must be provided to Central Otago District Council within one month of the changes being made.
2. Manawhenua representatives from Kāti Huirapa Rūnaka ki Puketeraki, Te Rūnanga o Ōtākou and Hokonui Rūnanga, shall be invited to attend test trenching works specified in Figure 9-4 of the Archaeological Report. Manawhenua shall be given at least 10 working days notice of the start date of the test trenching.

**Geotechnical**

1. Batter angles of the mine pit adjacent to Teviot Road shall be no steeper than 45 degrees unless specifically advised by a suitably qualified geotechnical expert. This advice shall be in writing and a copy provided to Central Otago District Council.

**Closure and rehabilitation**

1. Within twelve months of the commencement of consent, the consent holder shall provide a Rehabilitation Plan which addresses the following matters:
	1. The final surface contour of land following completion of mining, including any on-site drainage patterns. The final site contour is to integrate with the surrounding landform and restore the site to its pre-existing landform, except that the Council green waste tip on Section 92 Block VIII Benger SD is to be filled in and the tailings dump on Section 90 Block VIII Benger SD is to be removed.
	2. Methods to preserve topsoil and restore agricultural productivity of the mined land.
	3. Methods and timeframes for rehabilitation of mined land, including backfilling, regressing and reinstatement of farm infrastructure.
	4. Methods for ecological enhancement in a non-agricultural location near to the site.

A copy of the draft rehabilitation plan shall be provided to Kāti Huirapa Rūnaka ki Puketeraki, Te Rūnanga o Ōtākou and Hokonui Rūnanga (Kā Rūnaka) via Aukaha. Kā Rūnaka shall be afforded a minimum of 20 working days to provide feedback on the draft rehabilitation plan. The consent holder shall provide to the Central Otago District Council a copy of the rehabilitation plan and Kā Rūnaka feedback.

1. When the mining operation is complete, the Rehabilitation Plan shall be implemented. Rehabilitation of the entire site is to be completed prior to this resource consent expiring.

**Bond**

1. Prior to the first exercise of these consents, the consent holder must enter into an enforceable written agreement acceptable to the Central Otago District Council, that provides for a bond in favour of Central Otago District Council pursuant to sections 108(2)(b) and 108A of the Resource Management Act 1991. The purpose of the bond is to for implementing the Closure and Rehabilitation Plan as detailed in Condition (49), in the event of any default by the Consent Holder.
2. The bond must be a cash bond or bank bond provided by a registered trading bank of New Zealand; acceptable to the Central Otago District Council.
3. The bond amount must be sufficient to cover the activities listed in Condition (49).
4. The Consent Holder must engage suitably qualified and experienced persons to assess the maximum costs of the activities listed in Condition (49) and to subsequently peer review that assessment.
5. The bond amount may be adjusted by the Central Otago District Council giving notice on the fifth anniversary of the commencement of this consent and every five years thereafter. The consent holder must provide a report to the Central Otago District Council which addresses whether the bond quantum should be revised. The purpose of the adjustment is to reflect changes in the risk profile of the mine or to the Consumer Price Index. The Central Otago District Council must engage a suitably qualified and experienced person to peer review the report and respond within two months of receipt of the report on the appropriateness of any proposed revised bond quantum.
6. If the consent holder and the Central Otago District Council cannot agree on the terms of the bond, the dispute must be resolved through an agreed disputes resolution process or referred to arbitration.
7. The costs of, and incidental to, the preparation of all bond documentation, including the Central Otago District Council’s costs, must be met by the consent holder.
8. If these consents are transferred in part or whole to another party or person, the bond lodged by the transferor must be retained until a replacement bond is entered into by the transferee to ensure compliance with conditions of these consents.
9. For the avoidance of doubt, the enforceable written agreement may provide for the bond to be held after the expiry of these consents.

**Review of consents**

1. The Consent Authority may, in accordance with Sections 128 and 129 of the Resource Management Act 1991, serve notice on the Consent Holder of its intention to review the conditions of this consent during the period of three months either side of the date of granting of this consent each year, or within two months of any enforcement action taken by the Consent Authority in relation to the exercise of this consent, for the purpose of:
	1. Determining whether the conditions of this consent are adequate to deal with any adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage, or which becomes evident after the date of commencement of the consent; or
	2. Reviewing the frequency of monitoring or reporting required under this consent.