

RM230325 Land use consent to establish and operate a gold mine at Teviot Road, Millers Flat

Proposed Conditions of Consent 24 June 2024

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 Master Plan Set dated 24/6/2024.
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 Central Otago District Council (“Council”) all required administration charges fixed by the Council pursuant to section 36 of the Act in relation to:
 - a. Administration, monitoring and inspection relating to this consent; and
 - b. Charges authorised by regulations.

4. The duration of consent shall be 10 years from the commencement of the consent.

Advice Note: *Water Permit RM23.819.02 authorises the taking and use of water for dewatering and dust control purposes associated with this consent. This water permit expires on [date], which is approximately 4 years prior to the expiry of this land use consent. The consent holder must ensure that a renewal water permit is obtained prior to the expiry of RM.819.02, or the scale of operation must be reduced to operate within permitted activity rules for taking and use of water.*

5. All personnel working on the site must be briefed on the contents of this consent document and any documents referred to in the conditions of this consent. A copy of this consent and any documents referred to in the conditions of this consent shall be immediately accessible on site.
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. For the purposes of this condition, this limit excludes site visitors (such as delivery drivers), but includes all employees and contractors engaged by the Consent Holder.
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, land stabilised by vegetation, mulch or other equivalent method, workshop, internal vehicle parking and manoeuvring areas, site office, settling ponds, bunds and any other ancillary activities.
9. The hours of operation are:

- a. 07:00 and 19:00 Monday to Friday, and 07:00 to 13:00 on Saturdays, for all mining and processing activity on the site including associated heavy plant and truck movements. These works must not occur on any Sunday or public holiday.
 - b. Unrestricted in respect of emergency works, machinery maintenance, dust control, and dewatering.
10. The Consent Holder shall appoint a member of staff to be responsible for ensuring that the conditions of this consent are complied with; the “Compliance Officer”.
- a. The Compliance Officer shall be based on site a minimum of three days per week.
 - b. The Consent Holder shall ensure that there is a nominated cover person for the Compliance Officer if the Compliance Officer is unavailable; the “Nominated Cover Person”.
 - c. The Consent Holder shall provide the Compliance Officer’s and the Nominated Cover Person’s name and contact details to the Council (Monitoring@codc.govt.nz) and Aukaha (consents@aukaha.co.nz) prior to commencing mining on the site.
11. The consent holder must erect a sign at the property boundary adjacent to the site access road, which provides a contact phone number to the general public.

Management Plans

- 12.
- a. Prior to undertaking any mining activity authorised by this consent, the Consent Holder must submit the following management plans to the Central Otago District Council (Monitoring@codc.govt.nz) for certification that the Management Plans are consistent with the conditions of this consent:
 - i. Environmental Management Plan
 - ii. Site Emergency Management Plan
 - iii. Wastewater Management Plan
 - iv. Operational Noise Management Plan
 - v. Erosion and Sediment Control Plan
 - vi. Rehabilitation and Enhancement Management Plan

The documents in clauses i. – vi. above are collectively referred to as ‘Management Plans’ in this consent document. Specific requirements for each of these management plans are addressed in conditions 20-30, 35-37, and 42.
 - b. If the Consent Holder has not received a response from the Council within 15 working days of the date of submission for certification to Council of a management plan listed under this condition, the management plan must be deemed certified.
 - c. If the response from the Council is that they are not able to certify the management plans, such a response must include detailed reasons with reference to the conditions of consent that the Council consider the Management Plan does not meet. The Consent Holder must consider any reasons and recommendations provided by the Council, amend the management plan accordingly, and resubmit the management plan for certification to the Council. If the Consent Holder has not received a response

from the Council within 5 working days of the date of resubmission for certification to Council of a management plan listed under this condition, the management plan must be deemed certified.

13. The purpose of the Management Plans is to implement the relevant conditions of this consent. All Management Plans must include (where relevant):
 - a. The purpose/objective of the plan.
 - b. Reference to the conditions of these consents that the management plan implements.
 - c. How each of the relevant conditions have been given effect to.
 - d. Procedures for implementing the relevant plan.
 - e. Feedback mechanisms for adaptive management, including circumstances in which a material change to the management plan would be required.
 - f. An organisational chart showing staff and contractor positions and responsibilities for plan implementation.
 - g. Relevant training and induction procedures and training schedules; and
 - h. Reporting procedures and format for providing the results of any monitoring or surveys required by the plan.
14. Where management plans require the input of an appropriately qualified professional, the Consent Holder must engage an appropriately qualified person to prepare and / or amend the management plan.
15. The Consent Holder may amend a management plan at any time, in a way that is consistent with the conditions of this resource consent, to take into account:
 - a. Any positive measure/s to ensure the stated objectives of the management plan are achieved.
 - b. Any changes required to further reduce the potential for adverse effects;
 - c. Any required actions identified as a result of monitoring.
16. Management plans must be reviewed at least annually. The purpose of the review is to ensure that the Management Plan remains fit for purpose and to address any changes required to respond to any non-compliance or monitoring results in the previous year.
17. Any management plan amended in accordance with condition 15 or reviewed in accordance with condition 16 must be provided to the Central Otago District Council (Monitoring@codc.govt.nz) within 15 working days of its review/amendment, for re-certification in accordance with Condition 12. Where a Management Plan is amended or reviewed, the activity may continue in accordance with the previously certified version of the Management Plan, until the revised version is certified by the Council.
18. A copy of the latest version of the certified Management Plans must be kept on site at all times and all personnel must be made aware of each Plan and their responsibilities under each Plan.
19. Subject to any other conditions of these consents, all activities must be undertaken in accordance with the latest version of the certified Management Plans.

Environmental Management Plan

20. The Consent Holder must operate the site in general accordance with an Environmental Management Plan (EMP). The Objective of the EMP is to provide an overview of operational procedures for compliance with the conditions of consent and to provide an integrated framework for other management plans relevant to the project. The EMP shall include at a minimum the following information:
- a. Staff roles and responsibilities for compliance with resource consent conditions.
 - b. Staff training and induction.
 - c. A summary of other management plans relevant to the project and how they relate to each other and compliance responsibilities.
 - d. Identification of environmental risks and procedures for management of these.
 - e. Incident response.
 - f. Monitoring programmes and reporting of results.
 - g. Communication protocols with Council, neighbours, and mana whenua.
 - h. Complaints management procedures.
 - i. Contingency measures in case of project abandonment.
21. A copy of the draft EMP 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 at least 20 working days to provide feedback on the draft EMP. If no feedback is received from Kā Rūnaka in that timeframe the consent holder is not obliged to wait for feedback. When submitting the EMP for certification in accordance with condition 12, the consent holder shall also provide to Council (Monitoring@codc.govt.nz) a copy of any feedback from Kā Rūnaka, a description of amendments made in response to that feedback and any reasons for changes requested by Kā Rūnaka not being made by the Consent Holder.

Site Emergency Management Plan

22. The Consent Holder must operate the site in general accordance with a Site Emergency Management Plan (SEMP).
- a. The SEMP must detail the procedures to manage the risk from and contingency for:
 - i. Fire
 - ii. Forecast Extreme weather events
 - iii. Flooding.
 - b. The Consent Holder must prepare the EMP in consultation with Fire and Emergency New Zealand (FENZ). A written record of consultation with FENZ shall be provided to enable certification of the EMP in accordance with condition 12.
23. 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.

Wastewater Management Plan

24. The Consent Holder must operate the site in general accordance with a Wastewater Management Plan (WWMP). The objective of the WWMP is to detail the management of wastewater infrastructure on the site to ensure that all wastewater is contained within appropriate facilities and removed from the site. The Wastewater Management Plan must include:
- a. Monitoring requirements for wastewater infrastructure.
 - b. Servicing and maintenance requirements and scheduling.
 - c. Emergency response in the event of a spill.

Erosion and Sediment Control Plan

25. The Consent Holder must operate the site in accordance with an Erosion and Sediment Control Plan (ESCP). The objective of the ESCP is to ensure that all sediment-laden stormwater and dewatering water is discharged to land and to prevent discharge to surface waterbodies. The ESCP must include:
- a. A map showing the location of all works;
 - b. Plans showing the location of sediment control measures, on-site catchment boundaries, sources of runoff and discharge to land / infiltration areas;
 - c. Measures to prevent discharges of sediment-laden water to surface water bodies and beyond the boundaries of the site;
 - d. Drawings and specifications of sediment control measures;
 - e. A methodology for stabilising the site entrance and exit points and any measures employed to prevent off-site tracking of sediment and other materials from the site;
 - f. Inspection and maintenance procedures for the sediment control measures;
 - g. Sampling procedures and protocols;
 - h. A methodology for stabilising the site and appropriate decommissioning of all erosion and sediment control measures after works have been completed.
26. The ESCP must be prepared by a suitably qualified person with experience in erosion and sediment control in accordance with Auckland Council Guideline Document GD05 *Erosion and sediment control guide for land disturbing activities in the Auckland region*, or equivalent industry guideline.
27. The ESCP may be staged. An ESCP relating to a future stage must be certified by the Council in accordance with condition 12 prior to the commencement of work in that stage.

Dust suppression

28. The Consent Holder must operate the site in general accordance with a Dust Management and Monitoring Plan (DMP). Prior to commencing the activity, the Consent Holder shall provide to the Council (Monitoring@codc.govt.nz) written confirmation that the DMP has been certified by Otago Regional Council in accordance with condition 8 of resource consent RM23.819.04.

Archaeological sites

29. The Consent Holder must operate the site in general accordance with an Archaeological Management Plan (AMP) approved by Heritage New Zealand Pouhere Taonga. Prior to commencing the activity, the Consent Holder shall provide to the Council (Monitoring@codc.govt.nz) written confirmation that the AMP has been approved by Heritage New Zealand Pouhere Taonga.

Advice Note: *The Consent Holder holds Archaeological Authority (2024/438) in relation to this site and work, which provides authorisation for works in relation to archaeological sites under the Heritage New Zealand Pouhere Taonga Act 2014.*

30. The Consent Holder must comply with the recommendations of the Archaeological Report, prepared by New Zealand Heritage Properties Ltd, Revision H dated March 2024, 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 (Monitoring@codc.govt.nz) within one month of the changes being made. The following key mitigation measures recommended by the Archaeological Report must be implemented:

- a. Test trenching in the vicinity of the Tima Burn in accordance with section 9.2.2 and Figure 9-3 (page 112) must be undertaken prior to the commencement of Stage 4.
- b. Archaeological monitoring must be undertaken in accordance with section 9.2.2 and Figure 9-3 (page 112).
- c. The Applicant must operate under the on-call protocol described in the AMP, when working in areas outside the archaeological monitoring areas described in Figure 9-3.
- d. Salvage and display of artefacts on the site in accordance with section 9.2.2, prior to the expiry of this resource consent.
- e. Erection of interpretation signs adjacent to the Clutha Gold Cycle Trail in accordance with section 9.2.2, prior to the expiry of this resource consent.

31. Manawhenua representatives from Kāti Huirapa Rūnaka ki Puketeraki, Te Rūnanga o Ōtākou and Hokonui Rūnanga, must be invited to attend test trenching works recommended by the Archaeological Report, which forms part of the Master Plan Set referenced in condition 1. Manawhenua must be given at least 10 working days notice of the start date of the test trenching.

Annual work program and reporting

32. An annual work program for the following calendar year must be prepared and submitted to the Central Otago District Council (Monitoring@codc.govt.nz) by 1 December annually. An annual work program must be provided prior to the commencement of mining. The annual work program for the first year of operation may be submitted at any time prior to the commencement of mining.

- a. The annual work program must include:
 - i. maps highlighting the planned extent of mining activity with associated GPS coordinates, including planned areas of mining and rehabilitation,
 - ii. estimated area and depth of earthworks to be undertaken,
 - iii. an estimate of the current active work area in accordance with condition 8,
 - iv. a programme for the construction and disestablishment of any bunds, and
 - v. the progression of the project in relation to planned staging.

- b. Any substantial departure from the annual work program shall be advised to the Central Otago District Council (Monitoring@codc.govt.nz) with an updated annual work programme. For the purposes of this condition, a substantial departure is defined as a variation of more than 10% in the area of earthworks, depth of earthworks, or length of bunding to be constructed and/or disestablished.
33. A record of activity undertaken in accordance with this consent for the previous calendar year must be submitted to the Central Otago District Council (Monitoring@codc.govt.nz) by 28 February annually. The report must at a minimum include:
- a. Records showing the location of activity in the previous calendar year, including the matters listed in condition 32(a)(i) – (iv).
 - b. A record of any complaints received, including the information listed in condition 34.
 - c. A description and analysis of any unexpected adverse effects that have arisen as a result of activities within the last 12 months, the steps taken to address those adverse effects and measures implemented to avoid a repeat occurrence of them.

Complaints

34. The Consent Holder must maintain a record of any complaints alleging adverse effects arising from, or related to, the works activities authorised by this consent; the “Complaints Register”.
- a. The Complaints Register must include:
 - i. The date, time, location, and nature of the complaint.
 - ii. The date, time, location and nature of any incident related to the complaint.
 - iii. The name, phone number, email and address of the complainant, unless the complainant elects not to supply this information.
 - iv. Details of actions taken by Consent Holder to remedy the situation, including actions taken on site to remedy the issue, correspondence with the complainant and any policies or methods put in place to avoid or mitigate the problem occurring again.
 - b. The Complaints Register must be provided to Council on request and annually as required in condition 33.
 - c. Upon receipt of any complaint that alleges non-compliance with the conditions of this consent, the Consent Holder must promptly investigate the complaint, and take necessary action to ensure the activity is compliant with the conditions of this consent.

Closure and rehabilitation

35. The Consent Holder must operate the site in general accordance with a Rehabilitation and Enhancement Management Plan (REMP). The objectives of the Rehabilitation and Enhancement Management Plan must be to:
- a. Detail procedures for closure and disestablishment of the mine;
 - b. Ensure progressive rehabilitation of the site to agricultural use; and
 - c. Provide for an ecological enhancement project in the surrounding area, either adjoining the Tima Burn or adjoining the Clutha / Mata-au or on the Consent Holder’s land adjacent to the Clutha / Mata-au margin.

36. The Rehabilitation and Enhancement Management Plan must include:
- a. Procedures for decommissioning of the mine infrastructure and removal of all structures, machinery and plant from the site.
 - b. Methods to preserve the topsoil resource and health.
 - c. The final planned 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.
 - d. Methods and timeframes for re-grassing and restoring agricultural productivity of the mined land.
 - e. Specification of an ecological enhancement project comprising at least 3,000m² of native planting in a non-agricultural location near to the site and adjoining the Tima Burn. Should the Consent Holder be unable to obtain landowner permission for planting adjoining the Tima Burn, this condition may be complied with by planting in an alternative location near to the site adjoining the Clutha / Mata-au or on the Consent Holder's land adjacent to the Clutha / Mata-au margin.
 - f. A description of the timeline for the ecological enhancement project, whereby the first half shall be undertaken at the first available planting season after Stage 1 and the second half shall be undertaken at the first available planting season after Stage 2 of the mining operations.
37. A copy of the draft REMP must be provided to Kāti Huirapa Rūnaka ki Puketeraki, Te Rūnanga o Ōtākou and Hokonui Rūnanga (Kā Rūnaka) via Aukaha. Kā Rūnaka must be afforded at least 20 working days to provide feedback on the draft REMP. If no feedback is received from Kā Rūnaka in that timeframe the consent holder is not obliged to wait for feedback. When submitting the REMP for certification in accordance with condition 12, the consent holder must also provide to Council (Monitoring@codc.govt.nz) a copy of any feedback from Kā Rūnaka, a description of amendments made in response to that feedback and any reasons for changes requested by Kā Rūnaka and not made by the Consent Holder.
38. At the completion of mining and before the expiry of this consent, at the consent holder's cost, the consent holder must arrange for a section 108(2)(d) Resource Management Act 1991 covenant in favour of Central Otago District Council which is to be registered on parcel of land on, or adjacent to, the mine footprint. The covenant must provide for the following:
- a. A minimum area of 3,000m² to be planted with indigenous vegetation as an ecological enhancement planting project (the 'planting'). The area must be fenced to exclude livestock, and no pastoral farming must occur within the fenced area.
 - b. The protection of the planting required by (a) in perpetuity. No structures may be established, or indigenous vegetation removed from the planting area marked out in the covenanted area.
 - c. The consent holder must submit the plans for the planting project to the Central Otago District Council (monitoring@codc.co.nz) for certification that it is consistent with conditions 38(a) and 36(e) above.

- d. The plans for the planting project used must be provided to Kāti Huirapa Rūnaka ki Puketeraki, Te Rūnanga o Ōtākou and Hokonui Rūnanga (Kā Rūnaka) via Aukaha. Kā Rūnaka must be afforded at least 20 working days to provide feedback on the planting plans. If no feedback is received from Kā Rūnaka in that timeframe the consent holder is not obliged to wait for feedback. When submitting the plans for the enhancement project for certification in accordance with condition 38(c), the consent holder must also provide to Council (Monitoring@codc.govt.nz) a copy of any feedback from Kā Rūnaka, a description of amendments made in response to that feedback and any reasons for changes requested by Kā Rūnaka and not made by the Consent Holder.

39. All mine closure, rehabilitation of the entire site and ecological enhancement projects described in the REMP must be completed prior to this resource consent expiring.

Noise and vibration

40. Subject to the following, 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 Residential Resource Area.

- a. On any day 07:00 to 22:00: 55 dBA L_{10}
- b. 22:00 to 07:00 the following day: 40 dBA L_{10} and 70 dBA L_{max} .

This condition does not apply to the notional boundary of any dwelling:

- i. owned by the consent holder,
- ii. owned by Jacks Ridge Limited, or
- iii. located within the mine site.

41. Site-based trucks, plant, and machinery must not be fitted with tonal reversing alarms. Broadband reversing alarms are permitted.

42. 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.

43. The consent holder must prepare an Operational Noise Management Plan (ONMP). 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:

- a. The consented noise and vibration limits.
- b. Requirements and procedures for noise monitoring to ensure consistent compliance with the noise limits in this consent.
- c. Procedures for communicating effectively with neighbours.
- d. Procedures for receiving and responding to complaints about noise and vibration.
- e. Procedures for staff and contractors to follow to minimise noise and vibration emissions.

- f. Practicable management and mitigation measures for complying with the consented limits and reducing noise and vibration effects at the neighbouring notional boundaries.

Bunds

44. Bunding shall be established in accordance with the Master Plan Set 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 (Master Plan Set dated 21/6/2024).

| 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 |

45. 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 as specified above 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.

46. Bunding shall be grassed and irrigation must be implemented as necessary to ensure successful establishment of grass.

Lightspill

47. 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.

48. Prior to the commencement of mining using lighting, a suitably qualified person shall measure and verify that lighting complies with Condition 47 of this consent. A copy of the certification shall be held on site and provided to Council on request.

Diesel Storage

49. Prior to the commencement of mining, 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:
- a. an industry standard hose and filler nozzle with automatic cut-off is fitted for refuelling equipment;
 - b. 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;
 - c. the bulk onshore fuel tank is double skinned or bunded and is located in a safely accessible location, in an area which is setback 50 metres from water bodies and located above 1 in 100- year flood levels, as shown on the ORC Mapped Flood Hazard on the GeoSolve drawing 'Flood Hazard Assessment Site Plan' (included in the Master Plan Set dated 21/6/24). ;
 - d. 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;
 - e. spill kits are located at the tank; and
 - f. all staff receive training in the location and use of spill kits.
50. 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.
51. The Consent Holder shall inform the Central Otago District Council (Monitoring@codc.govt.nz) and Millers Flat Water Company Limited (mfwater@gmail.com) within 24 hours of any spill event greater than 4 litres and shall provide the following information:
- a. The date, time, location and estimated volume of the spill;
 - b. The cause of the spill;
 - c. The type of contaminant(s) spilled;
 - d. Clean up procedures undertaken;
 - e. Details of the steps taken to control and remediate the effects of the spill on the receiving environment; and
 - f. An assessment of any potential effects of the spill and measures to be undertaken to prevent a recurrence; and
 - g. Copy of any expert advice obtained by the consent holder in responding to the spill.

Transport

52. 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 Roadway Bylaw 2023.

53. Prior to the commencement of mining activity, the southern vehicle access shall be upgraded in accordance with approved engineering plans. The northern vehicle access shall be upgraded prior to the commencement of stage 3.

54. Heavy vehicle movements associated with the mine shall be scheduled so they do not pass Millers Flat School between 8am and 9am and 2pm and 3pm on any school day.

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 Roding Bylaw 2023 are met, and that any necessary permits are obtained from the New Zealand Transport Agency / Waka Kotahi.*

Water Supply

55. The Consent Holder shall not undertake any works that impact the water infrastructure identified in Figure 1 below unless the Consent Holder has received written consent from the Millers Flat Water Company to do so and written confirmation from the Millers Flat Water Company that a suitable alternative has been agreed for the provision of water infrastructure for any water users that are affected.

Advice note: *Any alternative water supply to affected water users referenced in condition 55 will be provided at the Consent Holders cost.*

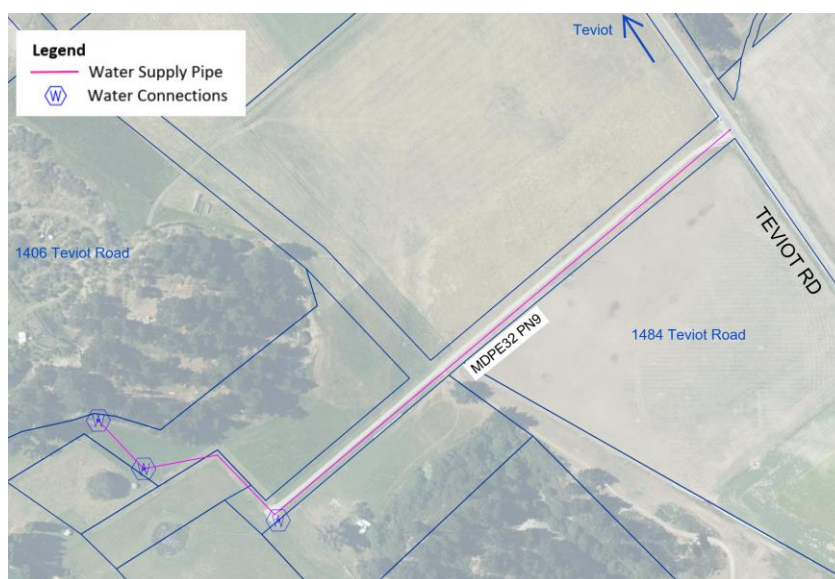


Figure 1 Millers Flat Water Company infrastructure within the mine footprint.

Landscape

56. Gravel stockpiles must be no higher than 7 metres above natural ground level.

57. Areas where mining is complete must be reinstated as soon as practicable to blend naturally with surrounding contours and must be established in pasture and irrigated as necessary to ensure successful establishment of grass.

58. The mine pit shall be set back a minimum of 20 metres from the typical wetted channel of the Tima Burn and the Clutha River / Mata-au.

- a. The consent holder shall establish survey pegs to demarcate the 20 metre setback to ensure compliance with this condition.
- b. Survey pegs must be established prior to earthworks occurring within 100 metres of a watercourse.
- c. Survey pegs are not required and/or may be removed:
 - i. when a bund is located between the earthworks and the watercourse, or
 - ii. when earthworks are further than 100m from the watercourse.

59. 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 be visually recessive in the landscape.

Public access

60. Prior to restricting public access to the Clutha River / Mata-au via the paper road adjacent to 1534 Teviot Road, Millers Flat an alternative public access route to the Clutha River / Mata-au must be provided within 1km of the existing location and constructed to a similar standard. Signage must be established to inform the public of the duration of the closure and the location of the alternative access.

61. The consent holder must 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 Master Plan Set dated 21/6/2024, to enable ongoing public use and access. Prior to the relocation of the cycle trail, signage must be established to inform the public of the duration of the relocation of the cycle trail, and 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. This resource consent does not authorise any non-compliance with District plan signage standards.*

Geotechnical and Flood Hazard

62. The Consent Holder must manage stability of pit slopes throughout the duration of this land use consent when mining operations are taking place, by ensuring that:

- a. For the initial pit and pond excavation, the preliminary slope configuration must be constructed with an overall slope angle not exceeding 45°.
- b. Pit crests and batter slopes adjacent to Teviot Road must be set out by survey to avoid over-excavation.
- c. Surface water, including both stormwater and on-site water courses, shall be managed to minimise infiltration into ground behind the pit slopes.
- d. A setback of 7.5 m (horizontally) from the crest of the mine pit must be maintained from Teviot Road (as defined by the road reserve boundaries) and the electrical transmission network.
- e. The above restrictions apply until such time as Central Otago District Council is advised in writing by the Consent Holder that following an assessment and associated

report being completed by a suitably qualified geotechnical specialist that modified controls, as certified in that report, will adequately provide for pit and pond stability.

63. In the event that a Red Rainfall or Flooding Warning is issued by MetService that is relevant for the site, any open parts of the mine pit shown to be within the ORC Mapped Flood Hazard on the GeoSolve drawing 'Flood Hazard Assessment Site Plan' (included in the Master Plan Set dated 21/6/24) are buttressed to as shallow a batter angle as reasonably practical, prior to the event occurring.

Bond

64. Within six months of the commencement of this resource consent, the Consent Holder shall enter into an enforceable agreement acceptable to the Council that provides a bond, pursuant to Sections 108(2)(b) and 108A of the Resource Management Act 1991.

65. The purpose of the bond is to secure, in the event of any default by the consent holder:

- a. Compliance with all the conditions of this consent that address site rehabilitation;
- b. Compliance with the methodology for stabilising the site and appropriate decommissioning of all erosion and sediment control measures after works have been completed in accordance with the certified ESCP;
- c. The completion of rehabilitation and closure in accordance with the certified REMP; and
- d. Any future monitoring and maintenance obligations of the consent holder as required by the REMP including:
 - i. Site inspections and remediation;
 - ii. Final cover and landform requirements.

66. The bond must be a cash bond or bank bond provided by a registered trading bank of New Zealand, acceptable to the Council. The guarantor shall bind itself to pay up to the bond quantum for the carrying out and completion of all obligations of the Consent Holder under the bond.

67. The Consent Holder shall provide a report to the Council which specifies all matters covered by Condition 65 of this consent and identifies the matters to be bonded for, all assumptions, costs, and risk elements that inform the recommended bond amount.

68. If the Council do not within fifteen working days give notice to accept the bond amount derived in accordance with Conditions 67, it will at the consent holder's cost peer review the report prepared in accordance with Condition 67 and within 30 days of that notice report, confirm the alternative amount of the bond.

69. If the Consent Holder and the Council cannot agree on the terms of the bond, including the bond amount and any revised bond, the dispute must be resolved through an agreed dispute resolution process or referred to arbitration at the cost of the Consent Holder. This condition relates to the setting of the bond amount in accordance with Condition 67, and the revised bond amount in accordance with Condition 68.

70. On the fifth anniversary of this consent being given effect to and every five years thereafter, the Consent Holder must provide a report to the 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 alluvial gold mine or to the Consumer Price Index. The Council may peer review the report and must respond within three months of receipt of the report on the appropriateness of any proposed revised bond quantum.
71. If the consent is transferred in part or whole to another party or person, the bond lodged by the transferor shall be retained until any outstanding work at the date of transfer is completed or a replacement bond is entered into by the transferee, to ensure compliance with conditions of the consent unless the Council is satisfied adequate provisions have been made to transfer the liability to the new Consent Holder.
72. The Council shall release the bond once the site has been deemed to be closed by the Council following completion of the actions referred to in Condition 39.
73. All reasonable costs of, and incidental to, the preparation of documentation to meet Conditions 64 to 72, including the consent authorities' costs, shall be met by the Consent Holder.

Review of consents

74. 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, or on receiving monitoring results, for the purpose of:
 - a. 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
 - b. Reviewing the frequency of monitoring or reporting required under this consent to alter these; and
 - c. To ensure that any required management plan gives effect to the conditions of these consents.