

## APPENDIX 1A- Recommended conditions on land use consent (bore)

RM23.819.01 – Land Use Consent to construct a bore for the purpose of digging a mine pit that intercepts groundwater

<b>Specific</b>	
1.	<p>This permit must be carried out in accordance with the plans and all information submitted with the application, detailed below, and all referenced by the Consent Authority as consent number RM23.819.</p> <ul style="list-style-type: none"><li>a) Resource consent application forms, Form 1, Form 5, Form 6, Form 8B, and 9A, signed by the Applicant and dated 18/05/23</li><li>b) Assessment of Environmental Effects, <i>Proposed alluvial gold mine at Millers Flat Resource Consent Applications – Otago Regional Council</i>, prepared by MacDonell Consulting Ltd, dated 16 November 2023</li><li>c) Site Plans, Sheets 1 to 8, prepared by Overview Surveying, dated 26/02/24</li><li>d) Groundwater Assessment, <i>Hawkeswood Mining Limited, - Technical Assessment of Proposed Groundwater Take and Discharge</i>, prepared by Environmental Associates Ltd, dated October 2023</li><li>e) Ecology Report, <i>Tima Burn Aquatic Ecology Assessment</i>, prepared by Water Ways Consulting, dated September 2023</li><li>f) Preliminary Site Investigation, <i>Preliminary Site Investigation 1484 Teviot Road Millers Flat for Hawkeswood Civil Limited</i>, prepared by Environmental Consultants Otago Ltd, dated 28 June 2021</li><li>g) <i>Sampling Summary Report – 1484 and 1534 Teviot Road</i>, prepared by Environmental Consultants Otago Ltd, dated 12 February 2024</li><li>h) Archaeological report, <i>1346 -1536 Teviot Road, Roxburgh, An Archaeological Assessment</i>, Rev. H, prepared by Heritage Properties Ltd 2024, dated March 2024</li><li>i) <i>Site Plan Description</i>, prepared by Hawkeswood Mining Ltd</li><li>j) Site Plans, Sheets 1 to 8, prepared by Overview Surveying, dated 7 March 2024</li></ul> <p>If there are any inconsistencies between the above information and the conditions of this consent, the conditions of this consent will prevail.</p>
2.	<p>This consent must be exercised in conjunction with Water Permit RM23.819.02, Discharge Permit RM23.819.03 and Discharge Permit RM23.819.04.</p>
3.	<p>The mine pit must be set back at least 20 m from the Clutha River/Mata-Au.</p>
4.	<p>The Consent Holder must undertake water quality sampling and reporting, as per the requirements of Discharge Permit RM23.819.03.</p>
5.	<p>Under section 125 of the Resource Management Act 1991, this consent lapses five years after the date of commencement of the consent unless:</p> <ul style="list-style-type: none"><li>a) The consent is given effect to; or</li><li>b) The Consent Authority extends the period after which the consent lapses.</li></ul>
<b>Performance Monitoring</b>	
6.	<p>The Consent Holder must submit a Groundwater Management Plan (GMP) to the Consent Authority at least one month prior to the exercise of this consent for certification that it documents, as a minimum:</p>

	<ul style="list-style-type: none"> <li>a) A plan showing the locations and stages of the mine pit pond and the water quality monitoring network as required under Condition 8 of Discharge Permit RM23.819.03;</li> <li>b) A description of the groundwater quality monitoring required by the conditions of this consent and Discharge Permit RM23.819.03;</li> <li>c) Names and contact details of staff responsible for implementing and reviewing the GMP in order to achieve the requirements of this consent;</li> <li>d) A description of all relevant site operations and procedures, including mobile refuelling procedures and spill responses;</li> <li>e) A description of all environmental effects;</li> <li>f) All consent conditions and any other mitigation measures to be employed to minimise environmental effects and/or adhere to best practice;</li> <li>g) The minimum maintenance frequency for all machinery operated by the Consent Holder and working on the site;</li> <li>h) Confirmation by survey of the highest groundwater levels across the site;</li> <li>i) Relevant monitoring and reporting requirements.</li> </ul>
7.	Activities authorised by this consent shall not commence until the Consent Holder has received written certification of the GMP. Notwithstanding this, the works may proceed if the Consent Holder has not received a response from the Consent Authority within 20 working days of the date of the submission of the GMP.
8.	<p>Any erosion, scour or instability of the bed or banks of the pit that exceeds the extent shown in the consent application must be reinstated or remedied by the Consent Holder. When such reinstatement or remediation is necessary, the Consent Holder shall record the following information and include it in the Annual Groundwater Report required by Condition 12 of this consent:</p> <ul style="list-style-type: none"> <li>a) The location of the reinstatement or remediation works identified on a site plan;</li> <li>b) A description of the nature of the damage that occurred, including photographs;</li> <li>c) An assessment of the likely causes of the damage, including reference to preceding weather conditions, activities taking place in the area, the angle of the pit slopes etc.</li> <li>d) A description of the nature of the reinstatement or remediation works required and when these were carried out; and</li> <li>e) Any changes to be made to site management measures to reduce the likelihood of similar issues arising in future.</li> </ul>
9.	<p>In the event of a discharge of unauthorised contaminant(s) to water or to land in a manner that may enter water, including but not limited to fuel, hydraulic fluid, contaminated soil or leachate, the Consent Holder must:</p> <ul style="list-style-type: none"> <li>a) Undertake all practicable measures as soon as possible to contain the contaminant;</li> <li>b) Ensure that the contaminants and any material used to contain it are removed from the site and disposed of at an authorised landfill;</li> <li>c) Immediately notify the Consent Authority and Millers Flat Water Company of the spill or contamination and of the actions taken and to be taken to remediate and mitigate any adverse environmental effects;</li> <li>d) Immediately have a suitably qualified water quality expert assess the risk of the spill to surrounding bores and provide recommendations on the measures to be taken to address any identified risk;</li> <li>e) Provide a copy of the risk assessment carried out under Condition 9(d) above to the Consent Authority and Millers Flat Water Company within one week and implement all recommendations in the risk assessment;</li> </ul>

	<p>f) If requested by the Consent Authority, undertake additional water quality sampling and any other actions necessary to remediate or mitigate any adverse effects on the environment, to the satisfaction of the Consent Authority.</p>
10.	<p>The Consent Holder must ensure that:</p> <ul style="list-style-type: none"> <li>a) All machinery to be operated within exposed groundwater on the site is thoroughly cleaned of vegetation (e.g. weeds), seeds or contaminants at least 10 metres away from any waterbody or water flow channel, prior to entering the site;</li> <li>b) All machinery must be regularly maintained to ensure that no contaminants (including but not limited to oil, petrol, diesel, hydraulic fluid) shall be released into water, or to land where it may enter water, from equipment being used for the works;</li> <li>c) All contaminant storage or re-fuelling areas (other than areas where mobile re-fuelling occurs) are bunded or contained in such a manner so as to prevent the discharge of contaminants to water or to land where it may enter water;</li> <li>d) No machinery shall be maintained, cleaned, stored or refuelled within 10 metres of any waterbody (including exposed groundwater);</li> <li>e) Permanent storage of fuel and lubricants must not occur within 50 metres of any waterbody (including exposed groundwater); and</li> <li>f) Mobile refuelling occurs in accordance with best practice, a drip tray is used at all times for such refuelling, and spill kits are available at the mobile refuelling locations.</li> </ul>
11.	<p>The Consent Holder must maintain a record of any complaints alleging adverse effects from, or related to, the works authorised by this consent. The register must include, but not be limited to:</p> <ul style="list-style-type: none"> <li>a) The date, time, location and nature of the complaint;</li> <li>b) The name, phone number, and address of the complainant, unless the complainant elects not to supply this information;</li> <li>c) Weather conditions at the time of the complaint;</li> <li>d) 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.</li> </ul> <p>The Consent Holder must, within 24 hours, inform the Consent Authority of any complaints received from any person about activities on the site associated with the consented works.</p>
12.	<p>The Consent Holder must submit an Annual Groundwater Report by the 30<sup>th</sup> of June each year which includes the following:</p> <ul style="list-style-type: none"> <li>a) Results of the water quality monitoring carried out in accordance with Condition 4;</li> <li>b) The identity and expertise of the person(s) who collected water samples in accordance with this resource consent;</li> <li>c) Identification of any measures required under Condition 11 d);</li> <li>d) Copies of the complaints record for any complaints in relation to groundwater quality for the preceding 12 months; and</li> <li>e) Details of any affected bores and alternative water supply provided.</li> </ul>
<b>Review</b>	
13.	<p>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 within 3 months of each anniversary of the commencement of this consent, or on receiving monitoring results, for the purpose of:</p>

	<p>a) Adjusting the variables or frequency of the sampling requirements under Condition 4; or</p> <p>b) 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</p> <p>c) Ensuring the conditions of this consent are consistent with any National Environmental Standard or National Planning Standard.</p>
<b>Notes to Consent Holder</b>	
1.	<i>If you require a replacement consent upon the expiry date of this consent, any new application should be lodged at least 6 months prior to the expiry date of this consent. Applying at least 6 months before the expiry date may enable you to continue to exercise this consent under section 124 of the Resource Management Act 1991 until a decision is made on the replacement application (and any appeals are determined).</i>
2.	<i>The Consent Holder is responsible for obtaining all other necessary consents, permits, and licences, including those under the Building Act 2004, the Biosecurity Act 1993, the Conservation Act 1987, and the Heritage New Zealand Pouhere Taonga Act 2014. This consent does not remove the need to comply with all other applicable Acts (including the Property Law Act 2007 and the Health and Safety at Work Act 2015), regulations, relevant Bylaws, and rules of law. This consent does not constitute building consent approval. Please check whether a building consent is required under the Building Act 2004.</i>
3.	<i>Where information is required to be provided to the Consent Authority in condition/s 6 to 12 this is provided in writing to <a href="mailto:compliance@orc.govt.nz">compliance@orc.govt.nz</a>, and the email heading is to reference RM23.819.02 and the condition/s the information relates to.</i>
4.	<i>The Consent Holder will be required to pay the Consent Authority an administration and monitoring charge to recover the actual and reasonable costs incurred to ensure ongoing compliance with the conditions attached to this consent, collected in accordance with Section 36 of the Resource Management Act 1991.</i>
5.	<i>It is the responsibility of the Consent Holder to ensure that the water abstracted under this resource consent is of suitable quality for its intended use. Where water is to be used for human consumption, the consent holder should have the water tested prior to use and should discuss the water testing and treatment requirements with a representative of the Ministry of Health and should consider the New Zealand Drinking Water Standards.</i>
6.	<i>The Consent Holder is advised that water supplied for human consumption may also need to meet the requirements of the Health Act 1956, the Drinking Water Standards for New Zealand 2005 (Revised 2018), and any other Ministry of Health requirements.</i>