

BENDIGO-OPHIR GOLD PROJECT – PROPOSED MANA WHENUA CONDITIONS

No.	Condition
BOGP Kā Rūnaka Governance Group	
A	(a) Within 1 month of commencement of the consents the Consent Holder must invite the following parties (collectively ‘Kā Rūnaka’) to establish the BOGP Kā Rūnaka Governance Group: (i) Te Rūnanga o Moeraki; (ii) Kāti Huirapa Rūnaka ki Puketeraki; (iii) Te Rūnanga o Ōtākou; and (iv) Hokonui Rūnanga. (b) If the invitation is accepted, membership of the BOGP Kā Rūnaka Governance Group must comprise: (i) Up to four representatives appointed by Kā Rūnaka; and (ii) Up to two representatives appointed by the Consent Holder. (c) An alternate for each representative may also be appointed. (d) By agreement of the BOGP Kā Rūnaka Governance Group: (i) advisors to Kā Rūnaka or the Consent Holder; and/or (ii) representatives from Central Otago District Council, Otago Regional Council and/or the Department of Conservation may be invited to attend BOGP Kā Rūnaka Governance Group meetings as required to support achievement of the purpose set out in Condition B. (e) The BOGP Kā Rūnaka Governance Group will meet quarterly, either in person or online, unless a different meeting frequency is agreed upon between the members. (f) The BOGP Kā Rūnaka Governance Group shall remain in place unless and until the Consent Holder is advised in writing by Kā Rūnaka that they no longer wish to participate.
B	(a) The purpose of the BOGP Kā Rūnaka Governance Group is to maintain oversight by Kā Rūnaka of management of the impacts of the Project on cultural values and to provide for the incorporation of mātauraka in management of these effects. (b) The objectives of the BOGP Kā Rūnaka Governance Group are to: (i) facilitate ongoing engagement and communication between the Consent Holder and mana whenua about the work programme and management of the BOGP Consent Area, including measures to be taken to ensure rehabilitation and offset outcomes are maintained in the long term; (ii) provide a forum for mana whenua to share mātauraka Māori and cultural perspectives relevant to the Project and the environment of the BOGP Consent Area; (iii) enable mana whenua to provide feedback to the Consent Holder on management plans and updates prior to their certification by regulators;

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- (iv) support the preparation and oversee the implementation of the Cultural Health Programme and cultural rehabilitation standard as described in Condition E below;
 - (v) provide a forum for consideration of concerns identified by mana whenua in the Cultural Health Programme and/or as a result of other monitoring, and consideration of proposals for actions to address these concerns;
 - (vi) provide access to the BOGP Consent Area for the purposes of mahika kai harvest, cultural monitoring and other customary practices;
 - (vii) facilitate involvement of mana whenua, and use of appropriate tikaka, in activities involving taoka species (including monitoring, salvage and relocation of species, reporting of injury or death of species, and revegetation); and
 - (viii) support initiatives that recognise and provide for mana whenua values associated with the environment of the BOGP Consent Area and that support and build awareness of the ongoing relationship of mana whenua to the area.
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- C (a) The Consent Holder must:
- (i) Record the main points arising from each meeting of the BOGP Kā Rūnaka Governance Group and make that record available to all members of the Group within 10 working days following each meeting, with such record to be approved as true and correct with any necessary amendments by the Kaitiaki Governance Group no later than its next meeting;
 - (ii) Provide a written response to proposals and recommendations made by the BOGP Kā Rūnaka Governance Group, except where the Group agrees this is not necessary;
 - (iii) At each meeting of the group, report on the following occurrences since the previous meeting:
 - A. Record of death or injury of birds or lizards;
 - B. Complaints received and any actions taken in response, as recorded under Condition C9A NEW; and
 - C. Activities of the Community Liaison Group established under Condition X.
 - (iv) Provide the opportunity for the BOGP Kā Rūnaka Governance Group to submit advice to the independent bond assessor to be taken account of in the annual calculation of the bond required by Condition C123.
 - (v) Within 5 working days of their completion, provide the following reports to the BOGP Kā Rūnaka Governance Group for consideration:
 - A. The Annual Work Programme required by Condition C11; and
 - B. The Annual Monitoring and Compliance Report required by Condition C12.
- (b) Within 30 working days of receipt of the Annual Monitoring and Compliance Report, the BOGP Kā Rūnaka Governance Group must provide an Annual Kaitiaki Oversight Report to the Consent Authorities. Contents of this report will include:
- (i) A summary of the Group's activities in the previous year;
 - (ii) Reporting on the results of any monitoring carried out during that year; and
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	(iii) Identification of any concerns and/or recommendations relating to that monitoring or to the findings of the Annual Monitoring and Compliance Report.
D	The Consent Holder must: (a) Provide a venue for BOGP Kā Rūnaka Governance Group meetings at the Consent Holder's cost; (b) Meet the reasonable costs of all appointed Rūnaka representatives associated with them attending BOGP Kā Rūnaka Governance Group meetings and undertaking the functions of the BOGP Kā Rūnaka Governance Group; and (c) Resource any other reasonable needs or costs associated with the functioning of the Joint Steering Group, including the costs of the Cultural Health Programme described in Conditions E to H.
Cultural health programme	
E	(a) Within 6 months of its establishment, the BOGP Kā Rūnaka Governance Group shall commission a baseline cultural health assessment for the BOGP Consent Area. The scope and approach of the assessment will be determined by the Group. As a minimum, the scope will include: (i) Assessment of the health of wāhi tūpuna, taoka species and wai māori; and (ii) Assessment of the risks of Project activities to the existing cultural health. (b) Within 12 months of completion of the baseline cultural health assessment, the BOGP Kā Rūnaka Governance Group will identify a programme to address cultural health risks associated with the mine operation. This programme may include, but is not limited to: (i) Involvement of mana whenua and incorporation of mātauraka into management approaches, rehabilitation activities and environmental monitoring; (ii) Appropriate amendments to management and monitoring plans; (iii) Additional rehabilitation or offset measures; (iv) Other measures to recognise cultural impacts and enhance cultural health; (v) Measures to increase awareness among Project staff and the general public about the associations of Kāi Tahu to the BOGP Consent Area; and (vi) Timeframes for implementation of agreed measures. (c) The programme will include: (i) Development of a cultural rehabilitation standard to form the basis for actions by the Consent Holder to remediate the whenua and wai during the operational phase; (ii) A cultural health monitoring programme incorporating 3-yearly monitoring against the baseline cultural health assessment and any additional monitoring agreed by the BOGP Kā Rūnaka Governance Group, and (iii) An associated programme for review of management plans to address the results of monitoring. (d) Reporting on the cultural health programme will form part of the Annual Kaitiaki Oversight Report provided for in Condition C.

Feedback on draft management plans and updates to management plans

- F The Consent Holder must:
- (a) At least 15 working days prior to their submission for certification, seek advice and input from Kā Rūnaka on draft management and monitoring plans required by the conditions of this consent, and any updates to these plans;
 - (b) For any feedback received within 10 working days of the plans being provided to Kā Rūnaka, record a response to that feedback, setting out the extent to which the feedback has been implemented in the management/ monitoring plan. Where the feedback has not been implemented, the reasons for this as well as any alternative proposals to address the concern(s) must be recorded.
 - (c) Provide the record of response in (b) together with the management or monitoring plan or update to Kā Rūnaka and also provide this information to the Consent Authority when lodging the management or monitoring plan for certification.

Advice note: Prior to establishment of the BOGP Kā Rūnaka Governance Group as set out in Condition A, draft documents for feedback are to be provided to Kā Rūnaka via the following: [email to be confirmed]. When the BOGP Kā Rūnaka Governance Group is operating, communication will be via Kā Rūnaka representatives in that group.

ASSOCIATED AMENDMENTS NEEDED TO OTHER PROPOSED CONDITIONS

Proposed amendments are highlighted, with changes shown in underlining and strikethrough.

D.03 – Schedule One – Common Conditions for CODC and ORC Consents**Condition C113: COVENANT**

No.	Condition
C113	Prior to the cessation of mining operations, the Consent Holder must at its own cost register covenants in a form to be approved by Central Otago District Council, which provide legal protection in perpetuity in relation to the environmental outcomes for the following offset and compensation areas: (a) Mine Regeneration Zones; (b) The Ardgour Restoration Area; (c) The Bendigo and Ardgour Sanctuaries; and (d) The DDF to the extent it is located within the Mine Regeneration Zones. The environmental outcomes that are to be specified in the covenant referred to above are: (a) The ongoing maintenance of the landscape and ecological values within the areas the subject of the covenant post mining, including the enhanced state of some of those values as a result of the implementation of consent conditions (including the implementation of various management plans) relating to the Bendigo-Ophir Gold Project granted by an Expert Panel under the Fast-track Approvals Act 2024 in October 2026; (b) The exclusion of domestic livestock except to the extent it is beneficial for the maintenance and potential enhancement of ecological values;

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- (c) The protection of archaeological sites and the heritage landscape (including sites and features);
 - (d) Outcomes of the Cultural Health Programme identified in accordance with Condition E; and
 - (e) Public access as shown on **Plan 8 – Landscape Closure Plan in Attachment 1** to these conditions.

The covenant is to be in favour of the Central Otago District Council (being the relevant Territorial Authority) and place an obligation to achieve the environmental outcomes set out above on the owner of the land to which the covenant relates.

Condition C114: BOGP BIODIVERSITY AND HERITAGE ENHANCEMENT FUND

Because the details of this condition are still being discussed with the Department of Conservation, we have not provided drafting amendments here. The proposal is for Kā Rūnaka to be involved in the governance of this fund and for the scope of the fund to include projects identified through the Cultural Health Programme described above, as well as other projects in Central Otago relating to wāhi tūpuna, mahika kai or taoka species.

Conditions C123, C124: BOND

No.	Condition
C123	The amount of the bond must be calculated annually by a suitably qualified and experienced independent assessor engaged by the Consent Holder and submitted for approval by the Councils. The amount of the bond must be sufficient to cover the estimated costs (including contingencies) of meeting the requirements of C119, taking into account: (a) The methodology set out in the Lane Associates Limited report “Bendigo-Ophir Gold Project Bond Introduction” dated 27 May 2025; (b) The Annual Works Programme required by Common Condition C11 (Schedule One); (c) The Mine Closure Plan; (d) <u>Any advice received from the Kaitiaki Governance Group/ Kā Rūnaka in respect of cultural risks associated with the activities undertaken by the Consent Holder and the implementation of the cultural rehabilitation standard for the mine site as provided for in Condition E;</u> and (e) The extent that funds are set aside in escrow or held by the Matakinui Trust for the purposes of post-closure management of the ecological rehabilitation and enhancement areas in accordance with Condition NEW below (shown on Plan 3 in Attachment 1 to these conditions); The amount of the bond must be advised in writing to the Consent Holder at least one month prior to the review date.
C124	The amount of the bond to achieve the purposes set out in Condition C119 include: (a) The estimated costs (including any contingencies necessary) of rehabilitation and closure in accordance with the conditions of this consent, on completion of the mining

operations proposed for the next year and described in the Rehabilitation and Closure Plan;

- (b) Any further sum which the suitably qualified and experienced independent assessor recommended by the Consent Holder and approved by the Councils consider necessary to allow for remedying any adverse effect on the environment, including cultural effects, that may arise from the exercise of this consent;
 - (c) The estimated costs of monitoring, in accordance with the monitoring conditions of this consent until completion of closure of the site;
 - (d) Any further sum which the suitably qualified and experienced independent assessor recommended by the Consent Holder and approved by the Councils consider necessary for monitoring any adverse effect on the environment that may arise from the exercise of this consent including monitoring anything which is done to avoid, remedy, or mitigate an adverse effect; and
 - (e) Any further sum required for the Councils to establish the Matakinui Trust provided it has not already been established by the Consent Holder in accordance with Conditions CX-X.
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Condition NEW: MATAKINUI TRUST

(These conditions have not yet been numbered by the applicant. The amendment relates to the third of the conditions under this heading.)

No.	Condition
NEW	The purpose, membership, functions, responsibilities and powers of the Matakinui Trust shall be recorded in a Trust Deed <u>which must be developed with input from Kā Rūnaka and approved by the Councils and the Department of Conservation.</u> The Trust must comprise no less than five and no more than seven trustees (with the trustees to appoint a chair with a casting vote in the event that an even number of trustees are appointed). The composition of the Trustees is to include: (a) One trustee appointed by Kā Rūnaka; (b) Two trustees appointed by the Councils; (c) One trustee appointed by DOC; and (d) One trustee appointed by Matakanui Gold Limited for the duration of closure phases of the mine. The composition of the trustees must reflect the skills required to manage the post-closure responsibilities associated with the BOGP. The trustees may appoint additional trustees beyond those appointed above, including a trustee from the community, at their discretion. Advice Note: Any future amalgamation of the Councils does not reduce the number of trustees to be nominated by the Councils or any future successor(s).
