

**ACCESS ARRANGEMENT**

**CROWN MINERALS ACT 1991**

**Mining Permit 41810**

**BT Mining Limited**

## ACCESS ARRANGEMENT

THIS AGREEMENT for an access arrangement pursuant to section 61 of the Crown Minerals Act 1991 dated \_\_\_\_\_ between the MINISTER OF CONSERVATION (hereinafter together with the Minister's agents referred to as **Minister**) and BT MINING LIMITED a duly incorporated company at \_\_\_\_\_ (**Permit Holder**).

### WHEREAS

- (a) The Land described in the First Schedule is administered by the Department of Conservation pursuant to sections 62 and 25 of the Conservation Act 1987 and the Minister is responsible for that Department;
- (b) The Permit Holder has been granted a mining permit (Mining Permit 41810) by the Minister of Energy pursuant to section 25 of the Crown Minerals Act 1991 to undertake Mining and Mining Operations in and on the Land;
- (c) The Permit Holder has applied for and been granted consents for the Buller Plateaux Continuation Project ("**Project**"). The Upper Waimangaroa Haul Road sub-area forms part of the Project. The Stockton sub-area, in part, crosses the Land and it is in respect of that part only that an access arrangement is sought by the Permit Holder pursuant to Section 59 of the Crown Minerals Act 1991.
- (d) The activities proposed to be carried out on the Land are mining and mining-operation activities, including fly rock deposition, drilling and blasting, extraction, monitoring, water management, tracks and services, vehicle access, safety management, rehabilitation, conservation or biodiversity management works where required, and incidental activities as generally described in the application documents and approvals granted for the Project ("**Activities**").

IT IS AGREED between the Minister of the first part and the Permit holder of the second part that the Permit holder may enter the Land described in the First Schedule subject to the terms and conditions set out below and in the Second Schedule hereto:

## INTERPRETATION

"Access Arrangement" means this agreement for an access arrangement.

"Act" means the Crown Minerals Act 1991.

"Annual Work Programme" and "Work Programme" means the Work Programme referred to in Condition 6(b).

"Department" means the Department of Conservation, or its authorised agent.

"Exploration" has the same meaning as defined in section 2 of the Crown Minerals Act 1991.

"Land" means the land described in the First Schedule and includes all natural and historical features on the Land.

"Minister" means the Minister of Conservation and includes his or her delegate, the Director-General, and his or her authorised officers (including the Operations Director, Operations Manager, Permissions and Land Director and Permission and Land Manager) employees, agents

or contractors.

"Mining" and "Mining and Mining operations" have the same meanings as defined in section 2 of the Crown Minerals Act 1991.

"Permit Holder" includes the Permit Holder, its employees, agents, contractors and assignees.

"Project Description" means the project approved under the Fast-track Approvals Act 2024 and known as the Buller Plateaux Continuation Project.

"Working Day" means any day except:

- a. a Saturday, a Sunday, Good Friday, Easter Monday, Anzac Day, Labour Day, the Sovereign's birthday, Matariki, and Waitangi Day; and
- b. if Waitangi Day, Matariki, or Anzac Day falls on a Saturday or a Sunday, the following Monday; and
- c. a day in the period commencing with 20 December in any year and ending with 15 January in the following year.

## GENERAL AUTHORISATION

1. Subject to compliance with the conditions of this Access Arrangement and approval of a current Annual Work Programme, the Permit Holder may undertake the Mining and Mining Operations on the Land generally in accordance with the Buller Plateaux Continuation Project and particularly as it relates to the Stockton sub-area.

## ASSIGNMENT

2. The Permit Holder must not assign, transfer, or sublet any rights herein granted or any part thereof without the prior written consent of the Minister.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

**PRECONDITIONS BEFORE ENTRY TO LAND FOR MINING**

6. The Permit holder must not enter in or on to the Land for the purpose of commencing Mining and Mining and Mining operations until:
  - (a) The documents referred to in Condition 8 have been supplied to the Minister; and
  - (b) The Permit holder has submitted to the Minister an Annual Work Programme in accordance with Condition 62; and
  - (c) Any payments referred to in Conditions 3, 4, 5, 15 and 19 which are due and owing have been paid; and
  - (d) The Minister has approved the plans required to be submitted by Condition 6(b) and has issued the Permit holder an Authority to Enter and Operate as provided by Condition 9.
7. The Minister may require the Permit holder to vary the proposed Annual Work Programme to ensure the Mining and Mining operations are not inconsistent with the conditions of this Access arrangement. Where required by the Minister the Permit holder will amend the proposed Annual Work Programme accordingly.
8. The Permit holder must seek an Authority to Enter and Operate from the Minister. At the time of seeking an Authority to Enter and Operate, the Permit holder will submit to the Minister:
  - (a) A copy of the insurance policies and the premium payment receipts as required in Condition 18 and 19; and
  - (b) A copy of the mining permit granted pursuant to section 25 of the Act; and
  - (c) A copy of all resource consents granted under the Resource Management Act 1991, and a copy of any reports that the Permit holder has been required to submit to the consent authority as a requirement of

any resource consent relating to the mining permit.

9. Upon the Minister being satisfied that the requirements of Conditions 6, 7 and 8 have been met, the Minister will issue the Permit holder with a written "Authority to Enter and Operate" permitting the Permit holder to enter in or on to the Land to commence Mining and Mining operations for a period of 12 months, unless the mining permit has a lesser term remaining.
- 9A. A breach or failure to comply with the requirements of the documents referred to in Condition 6(d), and approved by the Minister, shall be deemed to be a breach of this Access Arrangement, and shall entitle the Minister to exercise any rights or powers which arise from a breach of or failure to comply with the terms of this Access Arrangement.
10. Prior to the expiry of the first Authority to Enter and Operate, and each subsequent Authority to Enter and Operate thereafter, the Permit holder must submit to the Minister for approval a further Annual Work Programme and any other plans or amended plans as required by Condition 6(b) and any other requirements of Conditions 6, 7 and 8 for the succeeding 12 month period (or a lesser period if considered appropriate by the Permit holder).
11. Except as permitted by the Minister, the Permit holder must not after the expiry of an Authority to Enter and Operate, undertake any work prior to each subsequent Authority to Enter and Operate has been issued by the Minister pursuant to Condition 9.
12. The Minister will not unreasonably fail to grant a subsequent Authority to Enter and Operate where the Permit holder has supplied all the required documentation and made all the payments required by Condition 6, and the further Annual Work Programme is consistent with the project description contained in the application for this Access arrangement and the conditions of this Access arrangement.
13. Pending the granting of a subsequent Authority to Enter and Operate the Minister may in his or her discretion, issue an interim Authority to Enter and Operate providing the documents and payments required by Condition 6 have been submitted.

## **INDEMNITIES**

14. The Permit holder must indemnify and keep indemnified the Minister against all claims by any person in respect of any injury, loss or damage (including fire damage) caused or suffered as a result of or arising out of any act or omission of the Permit holder, or otherwise caused as a result of the Mining and Mining operations on the Land.
15. If due to the Permit holder's mining or mining operations the Land or any part of it is assessed as rateable land under the Local Government (Rating) Act 2002, or any amendment to that Act, or the introduction of a new Act in substitution for it, the Permit holder is to pay any of the rates which may be struck in respect of the Land and/or the Mining and Mining operations; but both parties expressly agree that such payment is not to constitute an acknowledgement of exclusive possession by the Permit holder of the Land.
16. The Minister will not be liable for and does not accept any responsibility for damage or interference to the Mining and Mining operations, equipment, buildings or structures, held or erected on the Land due to any cause whatsoever including (without restriction) any acts or omissions by the Minister, their servants, agents, or contractors (other than acts or omissions arising from the wilful misconduct of the Minister, his servants, agents or contractors), natural disaster, vandalism, sabotage, fire, exposure to the elements or any other cause whatsoever.

17. The Permit holder must take all reasonable steps to protect the safety of persons present on the Land during Mining and Mining operations and between work periods and will, when required by the Minister, erect protective fencing or erect signposts warning the public of any dangers that may be encountered as a result of the Mining and Mining operations. The Permit holder must take all reasonable steps to mitigate any dangers to the public and will clearly mark any that remain.
- (a) Where the Permit holder, to ensure the safety of the public, employees, plant and equipment, requests the Minister (acting under delegated authority from the Minister) to close public access to the Land the Minister may do so if he or she considers it appropriate.
- (b) The Permit holder will give the Minister reasonable notice of its request so that the Minister can ensure that all reasonable steps are taken to ensure members of the public are made aware of the closure and the reasons for it.
- (c) The Permit holder will be responsible for the costs of ensuring that the public is made aware of the closure.
- [REDACTED]
- [REDACTED]
- [REDACTED]

## **BONDS**

19. Prior to commencing Mining and Mining operations the Permit holder must provide a bond to ensure compliance by the Permit holder with the conditions of this agreement.
- [REDACTED]
20. Notwithstanding Condition 19 the Minister may during consideration of any Annual Work Programme or variation to any Annual Work Programme require the bond amount to be increased/decreased.
21. The bond or bonds will not be released and will remain effective until such time as all conditions of this agreement have been complied with, notwithstanding the completion of Mining and Mining operations. In the event that there is an adverse effect to the Land and its natural resources whether during or after the completion of the Mining and Mining operations which is not permitted by this agreement and could not have reasonably been foreseen, the Permit holder will take all action necessary to mitigate or remedy those adverse effects. If the Permit holder fails to mitigate or remedy those adverse effects to the Minister's satisfaction, the Minister may undertake any necessary action to do so and recover the costs associated with undertaking the work by calling on the bond or bonds.
22. If the Permit holder breaches any condition of this Access arrangement the Minister may call on the bond or bonds, or any portion thereof to ensure compliance with the condition of this Access arrangement.

## **FIRE PRECAUTIONS**

23. The Permit holder must:
- (a) Take all reasonable precautions to ensure no fire hazard arises from the Mining and Mining operations;
  - (b) Not light any fire except by permit issued by the Minister;
  - (c) Not store or permit to be stored fuels or other combustible materials on the Land without the prior written permission of the Minister;
  - (d) Comply with the Ministers' requirements for fire safety equipment and for fire fighting equipment to be kept on the Land.

## **PROTECTION OF THE ENVIRONMENT**

24. The Permit holder must ensure that in respect of all Mining and Mining operations under this Access arrangement:
- (a) Environmental disturbance is minimised and Land affected by Mining and Mining operations is kept stable and free from erosion.
  - (b) There is no land disturbance other than that authorised under this Access arrangement.
  - (c) All indigenous flora and fauna are protected except for disturbance authorised under this access arrangement.
  - (d) No debris, rubbish or other dangerous or unsightly matter will be deposited in or on the Land, or any pollution will occur of any water body, except as permitted by this Access arrangement and any resource consent granted under the Resource Management Act 1991.
  - (e) There will be no destruction, damage or modification to any archaeological site in the area (as defined by the Heritage New Zealand Pouhere Taonga Act 2014) without the authority of the Heritage New Zealand Pouhere Taonga Board of Trustees obtained under section 48 of that Act. The Permit holder must produce any such authority to the Minister.
  - (f) Any protected New Zealand object, or taonga taturu (as defined by the Protected Objects Act 1975), or object of historic significance found in the area or on the Land shall be left in situ, and the Minister and Secretary of Internal Affairs notified as soon as reasonably practicable.
  - (g) Every person under the Permit holder's control entering on to the Land complies with the provisions of this condition (Condition 24).

## **SUPPLY OF INFORMATION**

25. The Permit holder must lodge with the Minister copies of the renewal of or substitution for any insurance policies including receipts for payment of premiums, any variations to bonds and evidence that the bonds are in force.
26. The Permit holder must provide to the Minister all information required from time to time by the Minister in respect of the use of the Land and any buildings or equipment thereon including any details concerning the Mining and Mining operations and details concerning the numbers of people employed by the Permit holder or

permitted or allowed by the Permit holder to come onto the Land.

27. The Permit holder must submit to the Minister a copy of any application lodged with the Ministry of Business, Innovation and Employment to vary the minerals permit covering the Land including any application to transfer the mining permit to another person or party.
28. The Permit holder must apply for a variation to this Access arrangement should it wish to undertake mining or mining activities on any land managed or administered by the Minister within any variation to the minerals permit granted by the Ministry of Business, Innovation and Employment that is not already covered by this Access arrangement.
29. Notwithstanding Condition 28 it will be at the Minister's discretion as to whether any variation applied for in accordance with Condition 28 is approved or not.

## **MONITORING**

30. The Permit holder must allow the Minister or any other person authorised by the Minister to enter in or on to the Land at any time:
  - (a) To inspect the Land or to consider approval of any Annual Work Programme or other plans, or to monitor compliance with the conditions of this Access arrangement.
  - (b) To undertake any work necessary for the exercise of the Minister's functions and powers in respect of the Land provided that such work will not interfere with the Permit holder's rights under this Access arrangement.
31. Monitoring may include but is not limited to, the taking of soil and water samples, and the taking of a photographic record of activities occurring on the Land subject to the Access arrangement.

## **BANKRUPTCY OR INSOLVENCY**

32. If the Permit holder will become bankrupt or insolvent or have a receiving order made against it or compound with its creditors or being a corporation or company commence to be wound up or carry on its business under a receiver for the benefit of creditors or any of them the Minister may either:
  - (a) Terminate this Access arrangement forthwith by notice in writing to the Permit holder or to the receiver or liquidator or to any person in whom the Access arrangement may become vested; or
  - (b) Give such receiver or liquidator or other person the option of continuing the Access arrangement subject to the provision of a guarantee for the due and faithful performance of the Access arrangement up to an amount to be agreed.

## **TERM**

33. The term of this Access Arrangement will be for a period from the date of execution of this Access Arrangement until the expiry of the Mining Permit or such longer term as may be agreed under this Access Arrangement.

## **BREACH OF CONDITIONS**

34. Subject to Condition 32 if the Permit holder becomes bankrupt, insolvent, or has a

receiving order made against it or is wound up or otherwise ceases to function, the Minister may terminate this Access arrangement by notice in writing. Such notice will not release the Permit holder from liability in respect of any breach of this Access arrangement prior to the termination of the Access arrangement.

35. If the Permit holder is in breach, or fails to observe any of the conditions contained herein or the requirements of any approved Annual Work Programme or any other approved plan, then the Minister may by notice in writing terminate this Access arrangement.
36. Notwithstanding Conditions 34 and 35, termination of this Access arrangement will not release the Permit holder from liability in respect of any breach of this Access arrangement.
37. Upon termination or expiry of this Access arrangement the Minister will not be liable to pay any compensation whatsoever for any buildings, structures or improvements erected by the Permit holder. If requested by the Minister the Permit holder will remove all such buildings and structures and improvements. The Permit holder will repair at its own expense all damage which may have been done by such removal and will leave the Land in a clean and tidy condition for restoration as set out herein. If the Permit holder fails to remove any buildings within a reasonable time of the request of the Minister, the Minister may undertake this work and recover the costs from the Permit holder.

#### MISCELLANEOUS

38. If the Permit holder has:
  - (a) Not paid any compensation payment as provided by Condition 3; or
  - (b) Not submitted an Annual Work Programme to the Minister –

Within two years of the date of execution of this Access arrangement, this Access arrangement will terminate and cease to have any effect.

39. Any notice required to be addressed by either party will in the absence of proof to the contrary be sent by ordinary post or by facsimile during normal business hours and will be deemed to have been received by the other party on such date and at such time upon which the ordinary post or facsimile would have been delivered.
40. The Minister's address, phone and fax number for service will be CI- The Manager, [REDACTED]  
[REDACTED]
41. The Permit Holder's address and email for service will be BT Mining Limited, [REDACTED]  
[REDACTED]

#### DISPUTE RESOLUTION

42. The parties agree to negotiate in good faith to resolve any differences which arise in connection with this Access arrangement.
43. Failing resolution in accordance with Condition 42, any differences and disputes between the parties concerning this Access arrangement, its interpretation, effect or implementation or any act or thing to be done in pursuant thereof (except as otherwise expressly provided) is to be referred to arbitration in New Zealand by a single arbitrator

who is to be mutually agreed upon and, failing agreement, are to be appointed by the President of the New Zealand Law Society.

## **GENERAL**

44. Except where inconsistent with this Access Arrangement, the Permit holder will comply with the provisions of any conservation management strategy or conservation management plan pursuant to Part IIIA of the Conservation Act 1987, together with any amendment or review of any strategy or plan.
45. The Permit holder must at all times comply with all statutes, ordinances, regulations, by-laws or other enactments affecting or relating to the Land or affecting or relating to the Mining and Mining operations including the Health and Safety in Employment Act 1992, the Forest and Rural Fires Act 1977, the Hazardous Substances and New Organisms Act 1996, and the Conservation Act 1987 and all Acts included in its First Schedule.
46. The Permit holder must comply with all conditions contained in this Access Arrangement and within three working days of a request in writing by the Minister supply the Minister with such evidence.
47. A breach or contravention by the Permit holder of any legislation affecting or relating to the Land or affecting or relating to the Mining and Mining operations will be deemed to be a breach of this Access Arrangement.
48. The Permit holder must only operate within the boundaries of the Land.
49. The Permit holder must not use any Land subject to this Access arrangement for any purposes other than those specified in this Access arrangement. Unless otherwise authorised by this Access arrangement, or otherwise approved by the Minister, the Permit holder will not erect, install or operate anything on the Land other than that described in the approved Annual Work Programme or any other approved plans submitted in accordance with Condition 6(b).
50. The headings set out in this Access arrangement have been inserted for convenience and will not in any way limit or govern the construction of this Access arrangement.
51. Nothing in this access arrangement including Special Conditions in the Second Schedule will prevent the Minister from participating in any statutory process in respect to any matter relating to Mining and Mining operations in or on the Land defined in this Access arrangement.
52. If any conditions attached to any resource consent obtained by the Permit holder are in the opinion of the Minister inconsistent with this Access arrangement the Minister may review the provisions of this Access arrangement and this Access arrangement may be varied accordingly.
53. If, in the opinion of the Minister, the Mining and Mining operations of the Permit holder its directors, employees, servants, agents, contractors, assignees or Tributer are having, or may have an adverse effect on the environment and the Minister is of the opinion that the effect can be avoided, remedied or mitigated to an extent satisfactory to the Minister, the Minister may suspend the Access Arrangement until the Permit holder remedies avoids or mitigated the adverse impact to the satisfaction of the Minister.
54. The Minister may suspend the Access Arrangement while the Minister or any other enforcement agency investigates any of the circumstances contemplated in Condition

53. The Minister may also suspend this Access Arrangement while the Minister or any other enforcement agency investigates any:
- (a) Potential breach of the terms and conditions of this Access Arrangement; or
  - (b) Possible offence by the Permit holder, its directors, employees, servants, agents, contractors, assignees or Tributer under the Crown Minerals Act 1991; Conservation Act 1987, or any of the Acts listed in First Schedule of that Act; or
  - (c) Possible offence by the Permit holder, its directors, employees, servants, agents, contractors, assignees or Tributer under the other Act relevant to the Mining and Mining operations.
55. The Minister may suspend this Access Arrangement for such period as the Minister determines where the Minister is of the opinion the Permit holder has breached any term of this Access Arrangement.
56. If, in the opinion of the Minister, the Mining and Mining operations of the Permit holder or its Tributer are having, or may have an adverse effect on the natural, historic or cultural values of the Land, which are not permitted by this Access Arrangement and could not have reasonably been foreseen, the Minister may:
- (a) Suspend the Access Arrangement until the Permit holder remedies or mitigates such adverse effects to extent satisfactory to the Minister; and/or
  - (b) Review the conditions of this Access Arrangement and impose any further conditions necessary to avoid, remedy or mitigate such adverse effects; and/or
  - (c) Call on the Bond required under condition 19 or any portion thereof to ensure such adverse effects which have occurred are remedied or mitigated.
57. Any temporary suspension may, at the sole option of the Minister be either in whole or in part, and be either immediate or after such time as the Minister allows. Advice of such suspension may be given to the Permit holder wither verbally (followed by a written confirmation as soon as is reasonably practicable) or by notice in writing.
58. During any period of suspension all Mining or Mining operations on the Land must cease, other than activities necessary for the purposes of saving or protecting life or health, or preventing serious damage to property or avoiding and actual or likely adverse effect on the environment. The Permit holder will remain responsible for the health and safety, and the environmental protection of the Land, and will continue to have access to the land for these purposes during the term any suspension, subject to any directions issued by the Minister. The Permit holder will remain liable for all fees and payments requires to be paid under this Access Arrangement during the term of any suspension.
59. The Minister will not be liable to the Permit holder for any losses sustained by the Permit holder by reason of the suspension of the Access Arrangement under Condition 53 to 56 including loss of profits or consequential loss.
60. The Permit holder must pay in full immediately and on demand all costs and fees (including solicitor's costs and fees of debt collection agencies engaged by the Minister) arising out of and associated with steps taken by the Minister to enforce or attempt to enforce the Minister's right and powers under this Access Arrangement including the right to recover outstanding money owed to the Minister.
61. Any failure by the Minister to exercise any right or power under this Access Arrangement does not operate as a waiver and the single or partial exercise of any right or power by the Minister does not preclude any other or further exercise of that or any other right or

power by the Minister.

## SIGNING

Signed by the Minister of Conservation     )  
pursuant to the Crown Minerals Act 1991     )

in the presence of:

.....

.....

Signed on behalf of

By:

Name: .....

Signed .....(Director)

in the presence of:

.....

.....

Name: .....

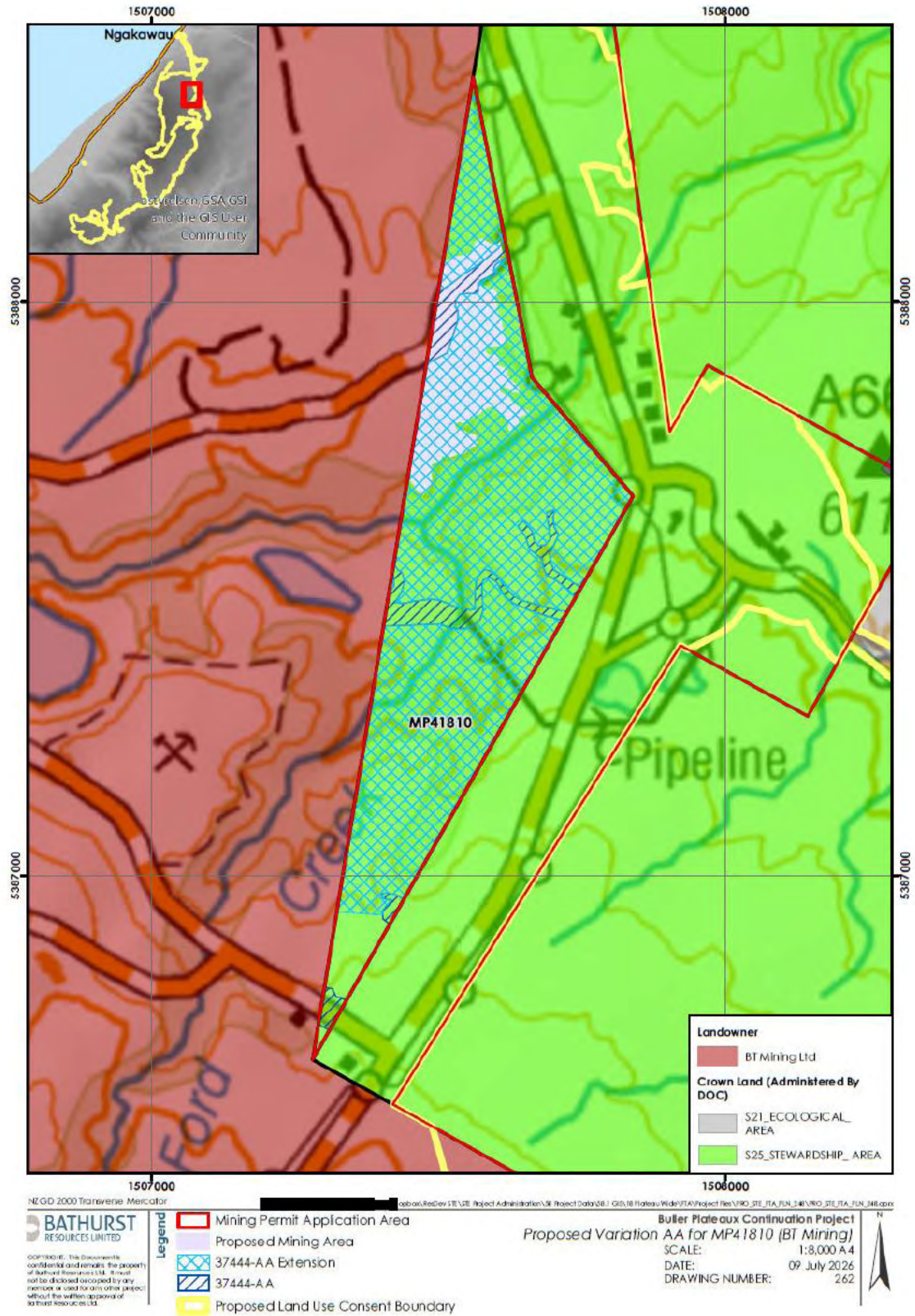
Signed ..... (Director)

in the presence of:

.....

.....

## FIRST SCHEDULE



## **SECOND SCHEDULE**

### **SPECIAL CONDITIONS: ACCESS ARRANGEMENT FOR MINING PERMIT 41 810**

NOTE: These conditions are in addition to the conditions in the main body of the access arrangement and do not in any way affect the generality of those conditions.

#### **ANNUAL WORK PROGRAMME CONDITIONS**

62. Before undertaking any Mining or Mining operations under this Access arrangement, the Permit holder will submit to the Minister for approval the first Annual Work Programme and therefore annually submit for approval a new Work Programme for the succeeding 12-month period.

The Annual Work Programme will include:

- (a) A recent aerial photograph or plan at an appropriate scale showing the Mining permit boundary and the conservation land boundary and the location of all proposed Mining and Mining operations for the forthcoming 12 months.
  - (b) A description of all Mining related activities including operations, mitigation measures, monitoring and reporting carries out in the previous 12 months.
  - (c) A detailed description of all Mining operations, mitigation measures, monitoring and reporting intended to be carried out in the 12 next months with an approximate timetable of events.
  - (d) A description and analysis of any unexpected adverse effects on the environment that has arisen as a result of activities within the last 12 months and the steps taken to mitigate or remedy any effects that resulted.
  - (e) Any other information required by other conditions of this agreement or that is required by any resource consent held by the Permit holder relating to this Mining operation.
63. The Permit holder must undertake all work in accordance with the approved Annual Work Programme.
64. The Permit holder may, at any time, submit to the Minister for approval an amended Annual Work Programme.

#### **OTHER CONDITIONS**

##### **Stormwater**

65. The Permit holder must control on-site stormwater runoff to comply with the requirements of the Resource Management Act 1991 at all times.

##### **Rehabilitation**

66. The Permit holder must submit to the Minister for approval a Rehabilitation Plan no less than 6 months prior to either, this agreement expiring, or the Permit holder no longer requiring use of the Land, whichever occurs first. The Rehabilitation Plan must include:
- (a) A description of how the Land will be recontoured, and the final lay of the Land.
  - (b) A description of the plant species to be planted and the number of plants proposed to be planted.
  - (c) A description of stormwater flow paths from the final Land contour, and how whether or not any measures are proposed to treat the stormwater.
  - (d) Measures proposed to control weeds, and proposed monitoring frequencies of the site to assess whether or not any weed invasion has occurred post use of the Land.
67. That the power line and pipeline structures must be removed when they are no longer required or at the expiry of this Access arrangement and the area rehabilitated. This is to include reshaping of the land, the spreading of soil or non-acid forming overburden material as a rooting medium to a minimum of 10cm deep on disturbed areas, and the planting of native species suitable to the plateau environment.

#### Dogs

68. The Permit holder must not take any dog or other domestic animal on to the Land unless written approval from the Minister has been obtained.

#### Weed and Pest Control

69. The Permit holder must ensure that all plant and equipment to be used for Mining and Mining operations on the Land permitted for by this Access arrangement are as far as practicable, clean and free of any exotic weed and seed material prior to entry on to the Land; and
70. The Permit holder must ensure that areas adjacent to the road (Millerton haul road) will have ongoing weed control, and will comply with any reasonable direction of the Minister regarding such weed control, throughout the term of the access arrangement.

#### Removal of Material

71. The Permit holder must not store or dump any materials on the Land, unless the Minister has given prior written approval for the item(s) to be present.

#### Berms

72. The construction of berms must be to the minimum size required to fulfil their safety purposes and where possible will avoid areas of existing indigenous vegetation.

#### Historic sites

73. That sites containing remains of previous mining in the area be avoided as far as practicable.
74. Upon the discovery of any historical or archaeological object or artefact not authorised for destruction, damage or modification by Heritage New Zealand Pouhere Taonga, the Permit holder shall immediately cease Mining or Mining operations and protect from damage any such object or artefact, and shall forthwith notify the Minister. Conditions protecting the historical or archaeological object or artefact, shall be defined by the Minister and/or Heritage New Zealand Pouhere Taonga, and must be adhered to by the Permit holder.
75. The Permit holder will be required to record the location and details of any historic site and object/artefact found on, in or under the Land. The Permit holder will protect from damage any historic site and object/artefact, and contact the Department on finding any such sites and objects/artefacts.

#### Storage and Structures

76. The Permit holder must not erect/place on the Land any sheds, containers or similar structures unless the prior written approval from the Minister has been obtained.

#### Didymo

77. The Permit holder must comply with all guidelines and notices put out by Biosecurity New Zealand regarding measures to avoid spreading the pest organism *Didymosphenia geminata* and any other pest organism identifies during the term of this Access Arrangement. Refer to [www.biosecurity.govt.nz](http://www.biosecurity.govt.nz)

#### Cultural Sites

78. The Permit holder will be required to record the location and details of any cultural site and/or object/artefact found on, in or under the Land including Koiwi Tangata (human bones) or Toanga (artefacts/middens). On finding such site or object/artefact the Permit holder will cease work immediately and contact:
  - (a) the Department; and
  - (b) Te Rūnanga o Ngāti Waewae Chairperson, [REDACTED]
  - (c) Tumuaki, Te Runanga o Makaawhio, [REDACTED]