

Amendments are reflected in **red** with ~~strikethrough~~ representing deletions and underlining representing additions.



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RESOURCE CONSENT

Pursuant to Part VI of the Resource Management Act 1991 The West Coast Regional Council hereby grants to:

**BT MINING LIMITED
PO BOX 5963
LAMBTON QUAY
WELLINGTON 6145**

A Resource Consent for the term and upon the conditions hereinafter set forth:

FILE No.:	RC03175
RESOURCE CONSENT No.:	RC03175/1 – RC03175/18
DATE OF COMMENCEMENT:	23 August 2005
TERM:	RC03175/1 – RC03175/16 – 35 Years RC03175/17 (i) – expires 1 April 2027 RC03175/17 (ii) – 35 Years RC03175/18 – RC03175/19 – 35 Years
DATE OF VARIATIONS:	V1: 19 April 2011; Conditions A1.1, A8B.1A, A14.1, B3.11, B8.3, B8.6, B8.7, B8.8, B8.9 B9.9, B9.9A V2: 27 September 2011; Condition A1.1 V3: 23 January 2012; Conditions A1.1, B8.3, description of RC03175/14 V4: 13 January 2012; description of RC03175/6 25 January 2012; extension of lapsing date (Condition A5.1) V5: 18 December 2013; Conditions A1.1 & B8.4 V6: 5 February 2014; Condition A1.1 V7: 15 May 2014; Conditions A1.1, B1.10a, B1.10h, B.12h, B8.5A, B8.5B, B8.7, B8.8, B8.9, B8.10, B8.11, B8.13, B8.18, B9.6 V8: 21 August 2014; Conditions A1.1, B9.14A & B9.14B V9: 5 June 2015; Conditions A1.1, B8.7 & B8.9 V10: 23 January 2026; Conditions B2.5 <u>VX 2026</u>
DATE OF TRANSFER:	31 August 2017; from Solid Energy New Zealand Ltd

LOCATION:

The proposed activities are located on the Stockton plateau between Mt Augustus in the west and Mt William range in the east, including the catchments of upper Waimangaroa river and St Patrick stream. The proposed mine is at an elevation of between 600 to 850 metres above sea level.

Proposed Changes to Cypress Conditions

RESOURCE CONSENTS:

RESOURCE CONSENT NO.	TYPE OF RESOURCE CONSENT	DESCRIPTION
RC03175/1	Land Use Consent	Earthworks and vegetation clearance over approximately 266 hectares of mining permit 41-515 associated with the development and operation of the Cypress Mine.
RC03175/2	Land Use Consent	To disturb the beds of Cypress and Byrne Creeks and their tributaries for the construction and maintenance of diversion channels around the Cypress opencast pits.
RC03175/3	Land Use Consent	To disturb the bed of St Patrick Stream and tributaries for the construction and maintenance of diversion channels from a point upstream of St Pat's Dam water impoundment area to a point downstream of St Pat's Dam, to facilitate mining activities and site water management.
RC03175/4	Land Use Consent	The refurbishment and maintenance of St Pat's Dam and spillway structures, including raising the dam crest and associated disturbance to the bed of St Patrick Stream, to facilitate mine water management and treatment.
RC03175/5	Land Use Consent	The placement and maintenance of culverts and water management structures in St Patrick Stream and associated disturbance to the bed of St Patrick Stream.
RC03175/6	Water Permit	To take water from St Pat's Dam water impoundment for dust suppression purposes.
RC03175/7	Water Permit	To take groundwater seepage and stormwater runoff from within the Cypress opencast pits for dewatering purposes.
RC03175/8	Water Permit	To divert (clean) stormwater runoff from undisturbed areas around the perimeter of the operational mining areas, including opencast workings, haul road, Cypress overburden placement area, soil stockpiles, and St Pat's Dam water impoundment and stormwater runoff from rehabilitated areas of the mine.
RC03175/9	Water Permit	To divert minewater (stormwater runoff and groundwater seepage) from within opencast workings, haul road, Cypress overburden placement area, soil stockpiles, and other ancillary mining activities, to St Pat's Dam water impoundment via drainage channels.
RC03175/10	Water Permit	To divert water in Cypress and Byrne Creeks and their tributaries around the Cypress opencast pits.
RC03175/11	Water Permit	To divert water in St Patrick Stream, upstream of St Pat's Dam water impoundment to a point downstream of St Pat's Dam, to facilitate mining activities and site water management.

RC03175/12	Water Permit	To dam water in St Patrick Stream behind the refurbished St Pat's Dam to form a water impoundment area for water treatment purposes.
RC03175/13	Water Permit	To dam water in St Patrick Stream behind a weir structure upstream of St Pat's Dam water impoundment to facilitate the diversion of the stream around the water impoundment area and St Pat's Dam.
RC03175/14	Discharge Permit	To discharge minewater (stormwater runoff and groundwater seepage) from within opencast workings, haul road, Cypress overburden placement area, soil stockpiles, and other ancillary mining activities, to St Pat's Dam water impoundment, and/or either the SP2 Sump or Mid St Pat's Reservoir or Lower St Pat's Reservoir.
RC03175/15	Discharge Permit	To discharge treated minewater from St Pat's Dam impoundment to St Patrick Stream via a decant outlet pipe and flood overflow spillway.
RC03175/16	Discharge Permit	To discharge (clean) stormwater runoff from perimeter drains and stormwater runoff from rehabilitated areas of the mine to natural watercourses within the catchments of Upper Waimangaroa River and St Patrick Stream.
RC03175/17	Discharge Permit	The deposition of overburden material and waste rock containing potentially acid-forming material, and the associated discharge of contaminants to land from the overburden material and waste rock at: (i) Stockton Mine overburden disposal area (Webb Pit); and (ii) Cypress overburden placement area, and backfilled into Cypress opencast workings.
RC03175/18	Discharge Permit	To discharge sewage and greywater from the Cypress office amenities area to land at the Cypress overburden placement area.
RC03175/19	Discharge Permit	To discharge dust, including coal, into the air from earthworks and mining operations at Cypress Mine, including dust generated from the blasting of rock and coal, vehicle movements, mobile aggregate crushing plant, and the stockpiling, conveying and handling of coal and other materials.
RC03175/20	Water Permit	To dam and divert water during construction phases.
RC03175/21	Discharge Permit	To discharge site stormwater to water during construction phases.

For the Purposes of these consents:

"Consent Authority" means either the West Coast Regional Council or the Buller District Council, singly or jointly, as the case may require, in relation to their respective functions and powers:

"Buller Plateaux Continuation Project" means the project described in Schedule 2 to the Fast-track Approvals Act 2024 and for which an application has been made by Bathurst Resources Ltd, Buller Coal Ltd, Bathurst Coal Ltd, and BT Mining Ltd (together Bathurst) under that Act:

"Management Plan Certification Date" has the same meaning as given to those words under the approvals granted for of the Buller Plateaux Continuation Project; and

"Upper Waimangaroa Haul Road sub-area" means the area identified as such in the application for the Buller Plateaux Continuation Project and shown on the plan attached as Attachment 9.

Proposed Changes to Cypress Conditions

GENERAL CONDITIONS

A1. Method of Operations

- A1.1 All activities authorised by these consents shall be undertaken generally in accordance with the information contained in the Application and Assessment of Environmental Effects dated December 2003 and all supporting technical documents and plans, as provided to the Councils, except where inconsistent with these conditions; and as amended by:
- a) The Cypress Mine Variation of Consent Conditions Application and Assessment of Environmental Effects dated February 2011, and in particular "Figure 2.1 Cypress Mine Layout" shall be replaced by "Figure 2.1A Revised Cypress Mine Layout 2010" and all subsequent figures in the AEE shall be considered in light of this variation.
 - b) The Application and Assessment of Environmental Effects, dated April 2011, and in particular "Attachment 3" to these conditions shall be replaced by "Revised Attachment 3 (6 April 2011)", and "Revised Attachment 4 (15 April 2010)" to these conditions shall be replaced by "Revised Attachment 4 (6 April 2011)".
 - c) The Application and Assessment of Environmental Effects dated December 2011 which provide for the use of either "SP2 Sump" or "Mid St Pat's Reservoir" or the "Lower St Pat's Reservoir" as minewater and stormwater treatment options, separately from or in conjunction with "St Pat's Dam".
 - d) The Application and Assessment of Environmental Effects dated December 2013 which provides for part of the discharge from St Pat's Dam to be piped to the submergence into the old Fly Creek underground workings approximately 800 metres downstream of the dam.
 - e) The Application and Assessment of Environmental Effects dated January 2014, in particular, "Revised Attachment 3" of the consent conditions shall be replaced by "Attachment 3 Revision 2" to show the new location in the Oparara Ecological Area of the kiwi treatment area required by Condition C32. This supersedes variation) above which allowed a change in location of the kiwi treatment area to the Orikaka Ecological Area.
 - f) The Application and Assessment of Environmental Effects dated April 2014 relating to various changes and cancellation of consent conditions.
 - g) The Application and Assessment of Environmental Effects dated 23 July 2014 regarding the temporary storage of Potentially Acid Forming (PAF) material within the Cypress Engineered Land Form (ELF) area until final backfilling of the pit area takes place prior to closure.
 - h) The Application and Assessment of Environmental Effects dated 29 May 2015 to change consent conditions to allow daily manual water quality monitoring to take place Monday to Friday (except public holidays).
 - i) The application and supporting technical documents submitted by Bathurst for the Buller Plateaux Continuation Project to the extent that they relate to variations to the Cypress Mine consent conditions.
- A1.2 The Consent Holder shall retain a suitably qualified and experienced chartered engineer to supervise the development of the site, including all mining areas, the overburden disposal area, the construction of all earth bunds, diversion channels, roads, tracks, and stream crossings. The chartered engineer shall ensure all such areas and any associated structures are constructed in accordance with current accepted engineering practices.
- A1.3 The Consent Holder shall ensure all key staff and contractors are made aware of the conditions of these resource consents to ensure compliance with those conditions.

A2. Fees

- A2.1 The Consent Holder shall pay to the Consent Authority such administration, supervision and monitoring fees as are fixed from time to time by the Consent Authority in accordance with Section 36 of the Act. The Consent Holder shall meet the reasonable costs of compliance of all requirements and conditions of these consents.

A3. Complaints and Non-compliance

- A3.1 The Consent Holder upon receipt of any complaint reported to it by the Consent Authority, shall promptly investigate the complaint, take action to remedy or mitigate the complaint, and inform the Consent Authority as soon as practicable of the details of the cause of the complaint and the action taken.
- A3.2 The Consent Holder shall maintain and keep a complaints register for all activities authorised by these consents. The register shall detail the date, time and type of complaint, cause of the complaint, and the action taken by the Consent Holder in response to the complaint. The register shall be available to the Consent Authority at all reasonable times.
- A3.3 Unless otherwise stated within these consents, in the event of any breach of compliance of the conditions of these consents the Consent Holder shall notify the relevant Consent Authority within 48 hours of the breach being detected. Within 7 days of any breach, the Consent Holder shall provide written notification to the Consent Authority, which explains the cause of the breach, and if the cause was within the control of the Consent Holder, steps, which were taken to remedy the breach and steps which will be taken to prevent any further occurrence of the breach.

A4. Notification of Exercise of Consent

- A4.1 The Consent Holder shall notify the Consent Authority in writing of the intention to exercise any consent at least 3 months prior to, but not more than 6 months prior to, the commencement of any activities authorised by these consents.
- A4.2 Notwithstanding condition A4.1, the Consent Holder shall notify the Consent Authority in writing as soon as practicable of the date that activities first commence under these consents.
- A4.3 The Consent Holder shall notify the Consent Authority in writing of the intention to cease the exercise of these consents at least 12 months prior to the activities under these consents ceasing.

A5. Lapsing of Consents

- A5.1 Pursuant to Section 125(1) of the Act all resource consents except for RC03175/2, RC03175/6, RC03175/8, RC03175/10, RC03175/12, RC03175/18 and RC03175/19 shall lapse on the expiry of seven years after the date of commencement of the consents unless the consents are given effect to before the end of that period or upon application in terms of Section 125(1)(b) of the Act, and the Consent Authority grants a longer period of time. RC03175/2, RC03175/6, RC03175/8, RC03175/10, RC03175/12, RC03175/18 and RC03175/19 shall lapse on the expiry of 10 years after the date of the commencement of the consents, unless the consents are given effect to before the end of that period or upon application in terms of Section 125(1)(b) of the Act.

A6. Review of Conditions

- A6.1 Pursuant to Section 128(1) of the Act, the Consent Authority may review any of the conditions of these consents by serving notice either:

- i. Within a period of one month, commencing six months after the Consent Holder gives notice given under condition A4.2 that activities have commenced under these consents; or
- ii. Within a period of three months, commencing on each anniversary of the date of issue of these consents;

for any of the following purposes:

- a. To deal with any adverse effect on the environment which may arise from the exercise of the consents and which it is appropriate to deal with at a later stage.
- b. To require the adoption of the best practicable option to remove or reduce any adverse effect on the environment.
- c. To assess the appropriateness of imposed compliance standards, monitoring parameters, monitoring regimes and monitoring frequencies and to alter these accordingly.
- d. To take account of any written recommendations made by the Peer Review Panel set up in accordance with condition A18.
- e. To ensure that the objectives of the Powelliphanta "patrickensis" management plan required by condition C37 are achieved taking into account the results of monitoring carried out pursuant to condition C38(c) and the matters referred to in condition A14.4(i).

A7. Performance Bond

A7.1 At all times the Consent Holder shall provide and maintain in favour of the Consent Authorities (jointly for their respective interests) a bond or bonds to:

- a. secure the compliance by the Consent Holder with the conditions of these consents;
- b. secure the completion of rehabilitation and closure in accordance with the Rehabilitation Management and Mine Closure Plans; and
- c. enable the Consent Authorities to monitor any adverse effect on the environment that may arise from the exercise of the consent including monitoring anything which is to be done to avoid, remedy, or mitigate an adverse effect.

A7.1A The amount (quantum) of the bond may vary from time to time but at any given time shall be sufficient to cover the estimated cost at that time (including any contingency) of compliance with all conditions, including (but not limited to):

- a. demolition and removal of plant and buildings;
- b. site clean up, including removal and disposal of contaminated soil;
- c. rehabilitation by re-contouring, spreading sub-soils and topsoil, re-vegetation and weed control until the closure criteria in 7.11a are met;
- d. stabilisation of earthworks and landforms;
- e. ensuring that PAF material in the Cypress backfill is maintained in a saturated state and covered with NAF material;
- f. construction and erosion protection of drainage facilities;
- g. maintenance of roads;
- h. environmental and geotechnical monitoring;
- i. staff costs;

- j. administration and operating costs.
- A7.1B The bond quantum shall be determined using a methodology, generally in accordance with that outlined in section 3 of the report "Cypress Mine — Financial Assurances" prepared by Lane and Associates Limited dated 5 November 2004 (Attachment 5), and shall be set at the 80% level of confidence based on probabilistic calculations using the Monte Carlo simulation technique.
- A7.1C The Consent Holder shall not exercise or shall cease to exercise these consents until the bond or bonds referred to in Condition A7.1 is executed by the Consent Holder and guarantor and deposited with the Consent Authorities.
- A7.2 Notwithstanding condition A7.4, the Consent Holder shall provide a bond or bonds for the quantum for a minimum term of a three years, such term to be renewed for a minimum of a further three years (or such other term as the parties may agree) on each annual anniversary of the date of commencement of these consents (the "date of renewal"). The term of the bond shall be renewed until "Completion of Closure of the Site" in accordance with condition A7.11.
- A7.3 Unless the bond is a cash bond, the performance of the conditions of the bond shall be guaranteed by a guarantor acceptable to the Consent Authorities. The guarantor shall bind itself to pay for the carrying out and completion of any condition in the event of any default of the Consent Holder.
- A7.4 If the Consent Holder is unable at any time to arrange a guarantor for the quantum as set out in condition A7.2, the Consent Holder will provide a cash bond or bonds for the quantum within 60 days of the date of the renewal referred to in condition A7.2.
- A7.5 The bond shall be in a form acceptable to the Consent Authorities.
- A7.6 The bond shall provide that the Consent Holder remains liable under the Resource Management Act 1991 for any breach of these consents which occurs before expiry of these consents and which become apparent during or after the expiry of the relevant consent.
- A7.6A The Consent Holder shall provide the Councils with a report which recommends the amount of the initial bond within 30 days from the date of issue of these consents.
- A7.7 The amount of the bond shall be reviewed and fixed by the Consent Authorities, within 30 days of receipt of the report required by condition A7.6A, and within 30 days of each annual anniversary of the commencement of these consents. Notification of the amount of the bond under this condition shall be advised by written notice (the "review date") by the Consent Authorities to the Consent Holder. In reviewing and fixing the bond the Consent Authorities shall take into account any calculations and other matters submitted in the Annual Work Plan, Rehabilitation Management Plan, Mine Closure Plan, or otherwise, by the Consent Holder which are relevant to the determination of the bond amount. Any calculation or estimates of the costs of the bond or bonds required by Condition A7.1 shall be prepared by an independent advisor, with expertise in mining bond calculation, mutually acceptable to the Consent Holder and the Consent Authorities and shall be supplied to the Consent Authority at least by the annual anniversary of the commencement of these consents.
- A7.8 Should the Consent Holder not agree with the amount of the bond fixed by the Consent Authorities under condition A7.7 then the matter shall be referred to arbitration in accordance with the provisions of the Arbitration Act 1996. Arbitration shall be commenced by written notice ("notice of arbitration") by the Consent Holder to the Consent Authorities advising that the amount of the bond is disputed, such notice to be given within 14 days of the review date under condition A7.7. If the parties cannot agree upon an arbitrator within 7 days of the notice of arbitration, then an arbitrator shall be appointed by the President of the Institution of Professional Engineers of New Zealand. Such arbitrator shall give an award in writing to the parties within 30 days after his or her appointment (the "date of arbitration decision"), unless the parties agree that the date of arbitration decision shall be extended. The Consent Holder shall bear the full and reasonable costs of the parties in connection with this arbitration. In all other respects, the provisions of the Arbitration Act 1996 shall apply. Pending the outcome of

that arbitration, and subject to condition A7.9, the existing bond shall continue in force. That sum shall be adjusted in accordance with the arbitration decision.

- A7.9 If the decision of the arbitrator is not made available by the date of arbitration decision referred to in condition A7.8, then the amount of the bond shall be the sum fixed by the Consent Authorities under condition A7.7, until such time as the arbitrator does give an award in writing to the parties. At that time, the amount of the bond shall be adjusted in accordance with the arbitration decision.
- A7.10 The bond may be varied, cancelled, or renewed at any time by agreement between the Consent Holder and the Consent Authorities provided that cancellation will not be agreed to unless a further or new bond acceptable to the Consent Authorities is available to replace immediately that which is to be cancelled.
- A7.11 The Consent Authorities shall release the bond on the Completion of Closure of the Site. "Completion of Closure of the Site" means rehabilitation of the Site such that conditions (a) to (e) below have been demonstrated by the Consent Holder, to the satisfaction of the Consent Authorities and the Peer Review Panel provided for in Condition A.18, to have been met:

(a) Rehabilitation

As from the date of the Management Plan Certification Date, rehabilitation, closure, and post closure conditions of these Consents shall exclude the Upper Waimangaroa Haul Road sub-area and the conditions of these Cypress Consents shall be applied excluding that area.

Note: rehabilitation, closure and post-closure of the Upper Waimangaroa Haul Road sub-area will be in accordance with the consents granted for the Upper Waimangaroa Haul Road sub-area as part of the Buller Plateaux Continuation Project.

Closure of the Cypress Mine shall be achieved when the vegetation within each major landform is self-sustaining in nature as set out in the table below and it is demonstrated that these closure aims have been achieved and maintained for a minimum period of 5 years.

Major Landform	Closure Targets
Backfilled overburden and out-of pit overburden less than 18 degrees slope - Tussock - Forest and shrubland - Red tussock wetland communities	Mean native vascular plant or rock cover $\geq 90\%$ over the landform. Mean tussock cover of $\geq 75\%$ and mean tussock height $\geq 300\text{mm}$. Mean native vascular plant, rock or coarse wood debris $\geq 90\%$ cover at $\geq 0.5\text{m}$ height or $\geq 75\%$ cover at $\geq 1\text{m}$ height. Minimum 5 native vascular species per 10 m^2 plot 75% of species range established from pre-mining transects. All species present at $> 20\%$ frequency at transect present post-mining. Percentage and frequency of exotic species $<$ or equal to 5%. Mean wet tussock wetland cover $>$ or equal to 90%.
Backfilled overburden and out-of pit overburden greater than 18 degrees slope— Over entire landform	Bare soil $\leq 10\%$ cover
- Tussock - Forest and shrubland	Mean tussock cover of $\geq 75\%$ and mean tussock height $\geq 300\text{ mm}$. Mean native vascular plant, rock or coarse wood debris $\geq 90\%$ cover at $\geq 0.5\text{m}$ height or $\geq 75\%$ cover at 1 m height. Mean native vascular plant cover of $\geq 45\%$.
Highwalls, cut faces.	Native plant cover $\geq 20\%$ in all areas. It treated with re-vegetation mix.
Benches.	Native plant cover $\geq 80\%$ where soil is $\geq 100\text{mm}$ deep.
Soil stockpiles following soil removal shrubland and tussock	Mean native vascular plant, rock or coarse wood debris $\geq 90\%$ cover where soils are $\geq 80\text{mm}$ depth.
All landform types.	Mean <i>Juncus squarrosus</i> cover $\leq 1\%$. No individual plot with a <i>Juncus squarrosus</i> cover $\geq 2\%$. Visible flowering or seeding gorse and broom cover 0% .

Note i: The above criteria will be measured in randomly located plots stratified by landform and vegetation type (forest, tussock or other), and may be stratified by age.

Note ii: Coarse wood is defined as wood with a diameter $> 100\text{ mm}$; boulders/stones are defined as having a diameter $> 50\text{ mm}$; native plants are defined as those within the vicinity of Cypress Mine and listed in the species list in Attachment 1.

Note iii: % cover is defined as the percentage of the ground within a quadrat which is occupied by the above-ground parts of each species, rock or coarse woody debris when viewed from above.

Note iv: height is measured as standing height excluding the flowering stems.

The rehabilitation assessment for Completion of Closure of the Site shall be undertaken by a suitably experienced and qualified plant ecologist.

(b) Water Quality

Water compliance limits in Condition B8.9 at the locations specified in condition B8.9 shall not be exceeded in the preceding year.

(c) Landforms

To ensure a stable landform upon completion of the mining works.

(d) Groundwater within Waste Dumps and Backfill Areas

It is proven that the design criteria for the saturation of the acid generating materials in the backfill and areas of the north and south pit have been achieved and there is no evidence of acid generation in groundwater monitoring sites down gradient of the mine site.

(e) Compliance with Conditions

Compliance with all other conditions of these consents can be demonstrated at the time of Completion of Closure of the Site.

A7.13 All costs relating to the bond shall be paid by the Consent Holder.

A7.14 The Consent Holder shall not exercise or shall cease to exercise these consents if:

- a. Notice of arbitration has not been given under condition A7.8, and the bond quantum required under condition A7.7 has not been provided to the Consent Authorities within 30 days of the review date referred to in condition A7.7; or
- b. Notice of arbitration has been given under condition A7.8, and
 - i. the bond quantum determined by arbitration has not been provided to the Consent Authorities within 30 days of the date of arbitration decision referred to in condition A7.8; or
 - ii. in accordance with condition A7.9, the bond quantum fixed under condition A7.7 has not been provided to the Consent Authorities within 40 days of the appointment of the arbitrator referred to in condition A7.8;

whichever occurs first; or

- c. The term of the bond has not been renewed for a further term in accordance with condition A7.2, unless a cash bond has been provided to the Consent Authorities in accordance with condition A7.4.

A7.15 Section 109 of the Resource Management Act 1991 shall apply to any bond.

A7.16 Where a cash bond is paid the interest which is earned on the deposit shall accrue to the Consent Authority and when the deposit is repaid to the Consent Holder the Consent Holder shall be entitled to receive all interest (less resident withholding tax and any bank fees) together with the deposit sum unless the Consent Authority has had to use the deposit sum (or part of it) in remedying any non-compliance with this consent, in which case the Consent Authority will provide the Consent Holder with a full breakdown of interest earned and the costs of remedying the non-compliance.

~~A8A. Post-Closure Kiwi and Powelliphanta Habitat Enhancement Bond~~ As from the date of the Management Plan Certification Date condition A8A shall only apply to the kiwi enhancement programme required by condition C32. A8A.1 Prior to the Councils releasing the Performance Bond in accordance with condition A7.12, the Consent Holder shall provide and maintain in favour of the Buller District Council a separate bond or bonds to cover the estimated costs of monitoring and maintenance of the site related to the kiwi habitat enhancement programme required by conditions C32 to C34 of these consents, and the Powelliphanta "patrickensis" management programme required by conditions C35 to C38 of these consents, and the predator control plan required by conditions C39 to C41 of these consents.

A8A.1A The bond quantum shall be determined using a methodology generally in accordance with that outlined in section 4 of the report "Cypress Mine — Financial Assurances" prepared by Lane Associates Limited dated 5 November 2004 (Attachment 6) and shall be set at the 80% level of confidence based on probabilistic calculations using the Monte Carlo simulation technique.

A8A.2 Conditions A7.2 to A7.10, A7.11 and A7.13 to A7.16 shall apply, with any appropriate amendments, to the Post-Closure Kiwi and Powelliphanta Habitat Enhancement Bond or bonds.

A8A.3 The amount of the bond or bonds shall be reviewed and fixed annually by the Buller District Council on the anniversary of the commencement of the consents.

A8A.4 The Buller District Council shall not release the Post-Closure Kiwi and Powelliphanta Habitat Enhancement Bond until the rehabilitated mine site has been shown to support, for a period of no less than 5 years, an estimated population of at least 1,000 mature Powelliphanta "patrickensis" individuals, over at least a similar proportion of the rehabilitated pit areas as that in which Powelliphanta "patrickensis" were recorded in November 2004 (as identified in the report entitled "A Survey for the Endemic Land Snail Powelliphanta "Patrickensis" within the Proposed Cypress Mine Area and a Proposed Predator Exclusion Fenced Area", dated November 2004).

A8B. Post-Closure Capitalisation Bond

As from the date of the Management Plan Certification Date, rehabilitation, closure, and post closure conditions of these Consents shall exclude the Upper Waimangaroa Haul Road sub-area and the conditions of these Cypress Consents shall be applied excluding that area.

Note: rehabilitation, closure and post-closure of the Upper Waimangaroa Haul Road sub-area will be in accordance with the consents granted for the Upper Waimangaroa Haul Road sub-area as part of the Buller Plateaux Continuation Project.

A8B.1 Prior to the exercise of these consents, the Consent Holder shall provide and maintain in favour of the West Coast Regional Council and the Buller District Council (jointly for their respective interests) a bond or bonds to cover the estimated costs of monitoring for and of any adverse effect and of measures taken to avoid, remedy, or mitigate any adverse effect which may become apparent after Completion of Closure of the Site.

A8B.1A The amount (quantum) of the bond may vary from time to time but at any given time shall be sufficient to cover the estimated cost at that time (including any contingency) of:

- a. an annual weed control programme;
- b. assessing and repairing damage to the cover of the overburden area;
- c. general site maintenance such as drain clearance;
- d. water and sediment monitoring;
- e. quarterly site inspections to assess the integrity of backfill and covers drains, geotechnical structures, flora, health, etc;
- f. geotechnical reviews of the integrity of the toe embankment (if built) and St Pa'ts Dam, and where necessary, remedial work;
- g. ensuring that PAF material in the Cypress backfill is maintained in a saturated state and covered with NAF material.

- h. additional geotechnical reviews following extreme events (earthquake or intensive rainfall) and, where necessary remedial work;
- i. access road maintenance;
- j. project management costs;
- k. credible risk events that exist in the post closure period.

A8B.2 Conditions A7.2 to A7.10 and A7.13 to A7.16 shall apply, with any appropriate amendments, to the Post-Closure capitalisation bond or bonds.

A8B.2A The bond quantum shall be determined using a methodology generally in accordance with Attachment 7 (section 5 of and Appendix C to the report "Cypress Mine — Financial Assurances" prepared by Lane Associates Limited dated 5 November 2004), and shall be set at the 80% level of confidence based on probabilistic calculations using the Monte Carlo simulation technique. As a minimum, the method of identifying and quantifying post-closure risk events required of sub-clause j. in condition A8B.1A shall comply with AS/NZS 4360:2004 Risk Management.

A8B.3 The amount of the bond or bonds shall be reviewed and fixed annually by the Councils on each anniversary of the commencement of the consents, until the Consent Holder settles the full quantity of the post closure capitalisation sum in an appropriate fund or other financial instrument as approved by the Councils.

A8B.4 The capitalisation bond or bonds shall be converted into a payment by the Consent Holder to the Councils of the required capital sum prior to the Completion of Closure of the Site, whereupon the capitalisation bond or bonds shall be released by the Councils.

A9. Management and Action Plans

A9.1 Prior to undertaking any activities authorised by these consents, the Consent Holder shall provide to the Consent Authorities the following plans prepared in accordance with conditions A10, A11, A12, A13, A14, A15, A17:

- Contingency and Response Plan
- Construction and Earthworks Management Plan
- Geochemistry and Overburden Management Plan
- Hazardous Substance Management Plan
- Rehabilitation Management Plan
- Mine Closure Plan
- Environmental Monitoring Plan

The management plans shall generally be in accordance with the "Draft Environmental Management Plans for the Proposed Cypress Mine" (Solid Energy New Zealand Limited, May 2004), as provided by the Consent Holder for the consent hearing. As from the Management Plan Certification Date, in relation to the Upper Waimangaroa Haul Road sub-area the management plans prepared for the Upper Waimangaroa Haul Road sub-area under the consents for the Buller Plateaux Continuation Project will take precedence and in the event of any conflict between management plans required under these Consents and those management plans, the management plans for the Upper Waimangaroa Haul Road sub-area shall prevail.

A9.2 Subject to A9.1 and any other conditions of these consents, all activities shall be undertaken in accordance with the latest version of the Plans.

A9.3 The Plans shall be reviewed annually by the Consent Holder and may be amended accordingly to take into account:

- Any recommendations of the Peer Review Panel set up under condition A18.
- Any required actions identified as a result of monitoring under these consents.
- Any changes required as a result of actions identified in the Annual Work Plans.

The Consent Holder shall consult with the Department of Conservation regarding any proposed changes to the Rehabilitation Management Plan. The Consent Holder shall provide the Consent

Authorities with any changes made to any of the Plans.

- A9.4 The Plans shall not be amended in a way that contravenes the objectives set out for the respective Plans, in accordance with conditions A10, A11, A12, A13, A14, A15, A17.
- A9.5 The Consent Holder shall report annually in the Annual Work Plan to the Consent Authorities on compliance with the Plans.
- A9.6 A copy of the latest version of the Plans shall be kept on site at all times and all key personnel shall be made aware of each Plans' contents.

A10. Contingency and Response Plan

- A10.1 A Contingency and Response Plan shall be prepared that sets out the procedures to be followed by the Consent Holder and parties under its control in the event of accidents or other events that may result in adverse environmental effects.
- A10.2 The Contingency and Response Management Plan shall, as a minimum, address the actions to be taken with regard to the following matters:
- a. Accidental spills of oil, fuel or chemicals.
 - b. Rupture or spillage from any pipeline, container, tanker or store tank used at the mine site.
 - c. Spillages during transportation of hazardous substances to or from the mine site.
 - d. A list of all hazardous substances and potentially contaminating materials (excluding potentially acid generating waste rock) held on-site and the procedures to be adopted in the event of spillage of any of these substances or materials.
 - e. Emergency response procedures and emergency contacts during the event of—
 - Power failure
 - Fire
 - Natural event/disaster
 - f. The personnel who will be on-site and their responsibilities, such that the provisions of the plan can be implemented at all times.
 - g. A training schedule for staff and contractors, which shall include identification of contractors' responsibility and liability for non-compliance with consent conditions.
- A10.3 The Consent Holder shall deal with accidents or events requiring an emergency response in accordance with the Contingency and Response Plan.

A11. Construction and Earthworks Management Plan

- A11.1 A Construction and Earthworks Management Plan shall be prepared that sets out the practices and procedures to be adopted to ensure that all resource consent conditions relating to earthworks during the construction phase or carried out outside the limits of the site water management system are complied with.
- A11.2 The Construction and Earthworks Management Plan shall provide for the following objectives:
- a. To ensure a stable landform in areas where there is potential for failure outside the water management system.
 - b. To create visually acceptable landforms and final surfaces for rehabilitation.
 - c. To minimise the overall area of disturbance, so as to reduce the potential impact on vegetation, native fauna, and waterways.
 - d. To ensure the Mt William ridgeline remains intact as required by condition C44.
 - e. To ensure the conservation of overburden, soil and vegetation for subsequent use in the backfills and rehabilitation.
 - f. To ensure that appropriate monitoring and reporting of all activities is undertaken in accordance with the resource consent conditions.
 - g. To minimise sediment generation and sediment laden runoff.

A11.3 The Construction and Earthworks Management Plan shall, as a minimum, address the following:

- a. A description of the sequence for construction of access and haul roads, and all activities authorised by these consents.
- b. A description of the sequence of construction of sediment control facilities and water management systems including diversion drains and St Pat's Dam.
- c. A description of the means by which the site boundary shall be marked and maintained so as to prevent any disturbance outside the mine footprint.
- d. A description of the earthwork procedures used to ensure the stability of the roads and all landforms, and measures used to avoid erosion and minimise runoff and sediment generation.
- e. A description of the means by which rehabilitation of the highwall will be facilitated sequentially as the high wall benches are constructed.
- f. A description of the means by which the highwall benches will be ~~integrated~~ integrated with the adjacent forest for the purposes of kiwi habitat enhancement.
- g. A description of the specific sediment control measures available to be used.
- h. Any earthworks activities outside the limits of the water management system and the process of selection of the appropriate control.
- i. A description of the documentation and information management and approvals processes to be used in implementing the plan, and a description of the process for monitoring performance and changes to the plan based on monitoring activity.
- j. The personnel who will be on-site and their responsibilities, such that the provisions of the plan can be implemented at all times.
- k. A training schedule for staff and contractors.

A11.4 For the purpose of these conditions, the term "construction phase" shall include all construction activities up until the time that coal is extracted from the pits on a continuous basis or at times when activities related to extension of infrastructure and water management areas and to pre-stripping or other activities provided for in the annual work plan are being carried out beyond the limits of the water management system.

A12. Geochemistry and Overburden Management Plan

A12.1 A Geochemistry and Overburden Management Plan shall be prepared that sets out the practices and procedures to ensure the separation of stripped overburden of varying geology or geochemistry and the correct fill scheduling and destination with appropriate rock/chemistry type.

A12.2 The Geochemistry and Overburden Management Plan shall, as a minimum, address the following:

- a. Details of the proposed geochemical testing of the overburden in order to grade the material for correct designation to Stockton Mine, the overburden placement area or pit backfill, as required by the conditions of consent RC03175/17 (Deposition of overburden and backfill of pits).
- b. An outline of the placement protocols for the overburden at the mine and any methods required to manage acidification.
- c. The scheduling of the overburden and backfill placement, with excavation volumes and fill demands.
- d. Any other matters required to be addressed to manage the overburden in accordance with design documentation and conditions of consent.
- e. Operating protocols required to implement the testing of classification systems.
- f. The documentation and data management procedures required to implement the plan.
- g. The personnel who will be on-site and their responsibilities, such that the provisions of the plan can be implemented at all times.

- h. A training schedule for staff and contractors.

A13. Hazardous Substances Management Plan

A13.1 A Hazardous Substances Management Plan shall be prepared that sets out the practices and procedures to be adopted to ensure that hazardous substances are managed so that their storage and use is carried out safely and will not adversely affect the environment.

A13.2 The Hazardous Substances Management Plan shall, as a minimum:

- a. Identify hazardous substances including explosives which are used in the mining operations;
- b. Set out the practices and procedures to be adopted to ensure that conditions A10.1 to A10.3 (Contingency and Response Plan) will be met;
- c. Describe the storage and handling procedures for hazardous substances;
- d. Provide details of the regular inspection and maintenance of the mining plant, vehicles and equipment, sumps and washdown pads.

A14. Rehabilitation and Rehabilitation Management Plan

As from the Management Plan Certification Date, rehabilitation, closure, and post closure conditions of these Consents shall exclude the Upper Waimangaroa Haul Road sub-area and the conditions of these Consents shall be applied excluding that area.

Note: rehabilitation, closure and post-closure of the Upper Waimangaroa Haul Road sub-area will be in accordance with the consents granted for the Upper Waimangaroa Haul Road sub-area as part of the Buller Plateaux Continuation Project.

A14.1 The Consent Holder shall undertake rehabilitation and re-vegetation, to achieve an outcome generally in accordance with Figure 3.16 of the AEE (Refer Attachment 2 of these conditions) and in accordance with the following objectives:

- a. In the short-term to create stable landforms by establishing a native vegetation cover and erosion-resistant surfaces that have physical and chemical characteristics that favour growth of sustainable plant communities and manage runoff and sediment generation; and
- b. In the medium to long-term, to establish ecosystems similar in plant and animal species diversity and functioning to undisturbed ecosystems adjacent to the site that help the constructed landforms blend into the adjacent landscape and prevent erosion and sediment generation. In relation to stream function, the rehabilitation objective is for stream channel width to match the expected flow and for stream channels to be constructed so as to reflect existing channel complexity, including sinuosity and the removal of culverts where practicable.
- c. To prevent weeds and pests invading the site so far as is reasonably possible, and otherwise to eradicate or control weeds and pests on the site.
- d. To develop a self-sustaining ecosystem.
- e. Red tussock communities (including red tussock wetland communities) are to be established in the western part of the rehabilitated valley floor in the north pit, including the western slope of the toe embankment (unless the toe embankment is not built), and the floor of the south pit.

A14.2 A Rehabilitation Management Plan shall be prepared that details the rehabilitation objectives set out in condition A14.1, strategies and procedures for all facilities and operational areas to be adopted during operation of the mine and the post-mining phase in order that compliance with

all other conditions of these consents can be achieved.

A14.4 The Rehabilitation Management Plan shall, as a minimum, address the following:

- a. The rehabilitation objectives set out in condition A14.1 and methods in light of the constraints placed on rehabilitation planning at the mine, including constraints on vegetation growth, climatic constraints, slopes, aspects and local soil and overburden characteristics, including objectives for the completion of each area in accordance with the criteria in condition A7.11 (a).
- b. Preferred species and methods for rehabilitation of the various areas of the mine site, including wetland environments and banks of stream channels and specification that all planting stock be sourced from the Stockton/Denniston Plateau area.
- c. The overall design of the rehabilitated landscape, taking into account the need to provide:
 - (i) habitat linkages, for example, for kiwi on the highwall benches,
 - (ii) the introduction of aquatic bryophytes into new stream channels;
 - (iii) the direct transfer of at least twelve hectares of red tussock wetland communities from Happy Valley to an intermediate site. The red tussock wetland communities shall be maintained on the intermediate site and then relocated into the rehabilitated red tussock area identified in condition A14.1e;
 - (iv) varied topography, across the backfill to create a sympathetic landscape and avoid an engineered appearance;
 - (v) the reinstatement of the catchment divide between St Patrick and Cypress Streams, in consultation with Ngāti Waewae; and
 - (vi) rehabilitation procedures that will maximise the blending of the rehabilitated haul road and high walls within the adjacent landscapes.
- d. The rehabilitation procedures to be used for different areas of the overburden placement area, pit backfills, roads, highwalls, stream diversion channels and banks.
- e. The management practices associated with the identification, prioritisation, salvage, stripping and stockpiling of soil, tussock, other vegetation and other rehabilitation resources such as logs and weathered boulders.
- f. Identification of the key weed and pest species and the management principles adopted in the mine planning stages with respect to weed and pest control, and the risks and contingency measures in relation to weeds and pests including the means by which earthmoving machinery and equipment (including vehicles used in rehabilitation at the mine site) will be cleaned prior to their removal from the Stockton plateau mining areas.
- g. The means by which weeds will be controlled and closure targets for weeds met during all stages of mine life, with particular reference to gorse, *Juncus squarrosus* and other weed species.
- h. Methods for monitoring the success of rehabilitation of native plant species on major landforms and vegetation types, following establishment and at least 3 yearly intervals including (for terrestrial plants) minimum top soil depth and rooting depth and for aquatic bryophytes the species present, percentage cover and distribution in relation to the introduction locations. Trigger point methods for active intervention following each monitoring exercise shall be included. (modified for clarity and to include the monitoring of aquatic bryophytes).
- ~~i. The means by which the information gathered on preferred *Powelliphanta* habitat during the annual collections as required by condition C38a will be incorporated into the rehabilitation plan to provide, where practicable, for *Powelliphanta* habitat in the rehabilitated mine.~~
- j. The definition of self-sustaining and mine closure, in accordance with the stated target in condition A7.11 (a).

- k. The personnel who will be on-site and their responsibilities, such that the provisions of the plan can be implemented at all times.
 - l. A training schedule for staff and contractors.
 - m. Provision for fire protection.
- A14.5 The Consent Holder shall, as far as practicable and to the satisfaction of the Peer Review Panel, ensure that rehabilitation is carried out such that the performance of any modified landform, watercourse, or any permanent structures and facilities under a Probable Maximum Flood or Maximum Credible Earthquake do not result in damage to landforms or structure greater than those that would have occurred under natural slope and landform conditions.
- A14.6 The Consent Holder shall undertake progressive rehabilitation of all disturbed areas including highwall benches as areas of practical working size become available, in accordance with the Annual Work Plan and the Rehabilitation Management Plan.
- A14.7 The Consent Holder shall, as far as practicable, salvage topsoil and forest duff from areas to be disturbed. All salvaged material shall be used for rehabilitation purposes in accordance with the principle of achieving a minimum of 100mm of topsoil on forest and shrubland rehabilitation and 300mm of topsoil on tussock rehabilitation over subsoils and/or 1.5-3m of non-acid generating overburden.
- A14.8 The Consent Holder shall utilise, wherever practical given the characteristics of the land, direct transfer methods of rehabilitation.
- A14.9 The Consent Holder shall translocate, as far as practicable, existing vegetation to the banks of new stream channels.
- A14.10 Seed and plant resources shall be genetically sourced from the locality or Ngakawau Ecological District from at least 500m above sea level.
- A14.11 Tussock that has been removed from the mine areas in accordance with the Rehabilitation Management Plan shall not be buried or destroyed, but shall be utilised as soon as possible in rehabilitation, and if surfaces for rehabilitation are unavailable, shall be stockpiled for re-use either within the mining permit area or at Stockton Mine, as far as possible.
- A14.12 Any machinery utilised for any rehabilitation activities, including excavation of topsoil, that is brought onto or moved from the Cypress site must be cleaned before and after use in order to minimise the potential for weed species to be introduced onto or off the site.
- A14.13 The Consent Holder shall translocate representative samples of the wetland vegetation other than red tussock for storage and later 'seeding' or nucleus establishment within the rehabilitated red tussock vegetation in the area identified in condition A14.1e.

A15. Mine Closure Plan

- A15.1 A Mine Closure Plan shall be prepared that sets out the practices and procedures to be adopted to ensure mine planning and implementation is undertaken such that closure of the site can be achieved in accordance with the conditions of these consents, including the stated targets in condition A7.11.
- A15.3 The Mine Closure Plan shall address:
- a. The design and development of a new drainage system for the backfilled pit areas and overburden areas directing clean runoff to St Patrick Stream, the Waimangaroa River and other smaller watercourses;
 - b. The activities required to dis-establish those diversion drains, culverts and structures that will not remain as permanent watercourses after mine closure;
 - c. The water management steps required at mine closure;

- d. The structures (including engineered landforms) that will remain after mine closure;
- e. The dis-establishment of St Pat's Dam, if the Dam is to be dis-established;
- f. Any continued monitoring and weed, pest and fire control;
- g. The personnel who will be on-site and their responsibilities, such that the provisions of the plan can be implemented at all times;
- h. A training schedule for staff.

A16. Annual Work Plan

A16.1 Before exercising these consents, the Consent Holder shall submit the first Annual Work Plan to the Consent Authority and thereafter submit an Annual Work Plan one-month prior to each anniversary of the date of commencement of the consents.

A16.2 The Annual Work Plan shall include:

- a. A description of all the mining operations, mitigation measures, rehabilitation, monitoring and reporting carried out in the last 12 months.
- b. A detailed description of all mining operations, mitigation measures, rehabilitation, monitoring and reporting intended to be carried out in the next 12 months with an approximate timetable of events.
- c. Long-term projections and intentions for mining operations in relation to the future exercise of these consents.
- d. An explanation of any intended departure from any previous Annual Work Plan in the next 12 months.
- e. A description and analysis of any unexpected adverse effect on the environment that has arisen as a result of the exercise of the consents in the last 12 months and the steps taken to rectify it, and the results of those steps.
- f. Identification of any particular issues that have arisen or are expected to arise as a result of operations, geological conditions or monitoring results.
- g. A summary of any complaints received and the mitigation measures adopted.
- h. Plans showing the footprint actual contours of all works and structures and any proposed changes in contours at 10 metre intervals at the end of the next 12 months.
- i. The proposed method of closure should final closure occur within the next 12 months.
- j. Report on compliance with the Plans prepared under conditions A10 to A17, B1.9, B1.11, B2.6, C30, ~~C33, C37 and C40~~.

A16.3 The Consent Holder shall provide the Consent Authority with any further information, or report, which the Consent Authorities may reasonably request after reconsidering any Annual Work Plan. This information or report shall be provided in the time and manner required by the Consent Authority.

A16.4 The Annual Work Plan shall comply with all other conditions of the consents and the Consent Holder shall exercise the consents in accordance with the Annual Work Plan.

A16.5 The Consent Holder may, at any time, amend and resubmit an Annual Work Plan to the Consent Authority provided it complies with all other conditions of the consents.

A17. Environmental Monitoring Plan and Report

A17.1 An Environmental Monitoring Plan shall be prepared that sets out a schedule of monitoring to

be undertaken, and requirements for reporting of the results in accordance with the conditions of these consents.

A17.2 The Consent Holder shall prepare and submit to the Consent Authority and to the Peer Review Panel an Annual Environmental Monitoring Report one month prior to each anniversary of the commencement of these consents. The monitoring period to be included in each report shall be for the 12-month period ending two months prior to the anniversary of the commencement of these consents. A copy shall also be provided to the Department of Conservation.

A17.3 As a minimum the Annual Environmental Monitoring Report shall:

- a. Detail all environmental monitoring undertaken;
- b. Summarise all the data collected, as required under the Environmental Monitoring Plan and any other condition of these consents. This should including graphical presentation, statistical summations of monitoring data and critically analyse the information in terms of compliance and environmental effects.
- c. Highlight and discuss any important environmental trends.
- d. Compare results obtained over the reporting period with the results that were predicted, during the pre-mining investigations, to occur and the results obtained from previous reporting periods.
- e. Report and discuss any operational difficulties, changes or improvements, which would result in a notable variation of water quality or volume discharged.
- f. Report and discuss any difficulties in compliance with, and breaches of, the conditions of the consent and the measures adopted to rectify problems.
- g. List any maintenance works needed, proposed or undertaken to ensure compliance with the conditions of the consent or to facilitate operations.
- h. Outline any changes to the monitoring programme that may be required to allow compliance to be determined.

A18. Peer Review

A18.1 Prior to undertaking any activities authorised by these consents, the Consent Holder shall engage, at its cost, a peer review panel (the "Peer Review Panel"). The members of this Panel shall be fully independent of the planning, design, and construction of the Cypress mine and all its associated facilities, and shall not be a director, employee or agent of the Consent Holder.

A18.2 The primary functions of the Peer Review Panel are to ensure that the conditions of design, construction, operation and maintenance of engineered works are met and that such work is undertaken by appropriately qualified personnel in accordance with internationally recognised best technical and environmental practice; to assess and review the plans for the rehabilitation and closure of the site; to advise and report to the Consent Authority on the adoption of the best practicable option to remove or reduce any adverse effect on the environment; and to assess and review the Environmental Monitoring Plan and Report required by Condition A17. The Peer Review Panel shall report to the Consent Authority in accordance with condition A18.8.

A18.3 The Peer Review Panel shall comprise a minimum of three technical specialists who between them have demonstrated expertise in the following fields:

- i. Geochemistry, with recognised experience in management of acid rock drainage;
- ii. Civil and geotechnical engineering, with recognised experience in mine development (including cut and overburden dump design) and associated infrastructure;
- iii. Water and wastewater management, with experience in assessing effects on aquatic ecosystems and water quality;

- iv. Rehabilitation, with experience in terrestrial ecology, mine revegetation and rehabilitation.

In addition, to the technical specialists, the Consent Authorities may provide administrative support and assistance to the Peer Review Panel.

- A18.4 The members of the Peer Review Panel, and their defined field(s) of expertise, shall be endorsed by the Chief Executive Officer (or appointed representative) of both Consent Authorities prior to appointment to the Panel.
- A18.5 Each member of the Peer Review Panel, when acting as a Peer Reviewer, shall act only in his/her area of expertise, but the full Panel shall review all rehabilitation/closure plans.
- A18.6 All design plans shall be submitted for peer review prior to them being actioned and in addition, progress and construction peer reviews will be carried out on site annually or at other intervals agreed to by the Consent Authorities.
- A18.7 The Consent Holder shall provide the Peer Review Panel with all records, monitoring reports, management plans, annual work plans, designs, and other relevant information, that the Panel requests, and shall afford the Panel full access to the site at all reasonable times.
- A18.8 The Peer Review Panel shall report directly to the Consent Authorities in writing and make such recommendations as it sees fit on all matters which arise during any review, other than on draft proposals submitted to it by the Consent Holder and which are superceded. Such reporting shall be provided to the Consent Authorities at 6 month intervals, or at longer intervals if agreed by the Consent Authorities.

A19. Community Liaison Meeting

- A19.1 On two occasions in the first year in which these consents are exercised and thereafter on one occasion per year throughout the duration of the consents, the Consent Holder shall publicly advertise and convene a public community liaison meeting in Granity (or other suitable local venue), to present the results of monitoring undertaken over the year, compliance with consent conditions, a summary of mining operations proposed for the next year, and any proposed changes to the management or operation of the mine site. Notice of the meeting shall also be sent to representatives of the following parties:

- The Consent Authorities and the members of the Peer Review Panel
- Ngakawau River Watch Inc.
- Buller Conservation Group
- Department of Conservation
- West Coast Tai Poutini Conservation Board
- Te Runaka O Ngati Waewae
- Royal Forest & Bird Protection Society Inc.

B1. GENERAL CONDITIONS FOR CONSENTS RC03175/1 to RC03175/21

B1A As from the Management Plan Certification Date, rehabilitation, closure, and post closure conditions of these Consents shall exclude the Upper Waimangaroa Haul Road sub-area and the conditions of these Cypress Consents shall be applied excluding that area.

Note: rehabilitation, closure and post-closure of the Upper Waimangaroa Haul Road sub-area will be in accordance with the consents granted for the Upper Waimangaroa Haul Road sub-area as part of the Buller Plateaux Continuation Project.

- B1.1 The General Conditions of Consent set out in Part A shall apply to these consents.

- B1.2 The following conditions shall apply to the West Coast Regional Council consents RC03175/1 to RC03175/21.
- B1.3 Prior to undertaking any activities authorised by these consents, the Consent Holder shall provide to the Consent Authority the following plans prepared in accordance with conditions B1.9, B1.11 and B2.6:
- Water Management Plan
 - Boundary Effects Management Plan
 - Dust Management Plan
- B1.4 Subject to any other conditions of these consents, all activities shall be undertaken in accordance with the latest version of the Plans referred to in condition B1.3.
- B1.5 The Plans shall be reviewed annually by the Consent Holder and may be amended accordingly to take into account:
- Any recommendations of the Peer Review Panel set up under condition A18
 - Any required actions identified as a result of monitoring.
 - Any changes required as a result of actions identified in the Annual Work Plans.
 - Any changes to the design of the facilities or changes in international best practice.
- The Consent Holder shall consult with the Department of Conservation regarding any proposed changes to the Boundary Effects Management Plan. The Consent Holder shall provide the Consent Authorities with any changes made to any of the Plans.
- B1.6 The Plans shall not be amended in a way that contravenes the objectives set out for the respective Plans, in accordance with conditions B1.9, B1.11, and B2.6.
- B1.7 The Consent Holder shall report annually in the Annual Work Plan to the Consent Authorities on compliance with the Plans.
- B1.8 A copy of the latest version of the Plans shall be kept on site at all times and all key personnel shall be made aware of each Plan's contents.

Water Management Plan

- B1.9 A Water Management Plan shall be prepared that sets out the practices and procedures to be adopted to ensure compliance with the conditions of these consents for the purpose of:
- a. Setting out the methods and activities by which the water quality criteria and standards required under any condition of these consents will be met.
 - b. Addressing the development and management of the water management and treatment system, including the operation of the St Pat's Dam, settlement and water treatment area, the in-pit sumps, the drains and diversions.
 - c. Describing how the conditions will be monitored and reported to the Consent Authority.
 - d. Setting out the methods and activities by which surface water, groundwater levels and quality will be monitored.
- B1.10 The Water Management Plan shall, as a minimum, address the following matters:
- a. *Deleted.*
 - b. The scheduling of activities required as the operations at the site commence to ensure that all watercourses are protected from the start of construction activities and the conditions of the consents can be met.

- c. Details of the operation of the proposed water management system at Cypress Mine.
- d. The location and design criteria of the key features of the water treatment system and their operation, including St Pat's Dam, the in-pit sump and all drains, diversions and culverts.
- e. The management of water inventories, water levels and pumping rates and the management of retained sediment levels.
- f. The water management methods used to ensure the separation of clean and operational water and to treat the discharges to the appropriate quality specified by the consent conditions and water quality performance standards.
- g. The inspection and maintenance schedules of the water diversion and treatment system which will be carried out to ensure that the diversion and water treatment system and water management practices are working effectively and to identify any further management, maintenance, or treatment requirements.
- h. *Deleted.*
- i. The methods used to collect and store water samples and any specialised techniques required.
- j. An outline of the analysis and reporting of the results obtained from the water quality monitoring.
- k. The location of groundwater monitoring sites, monitoring frequency and compliance limits to assess the effects of discharges from the Cypress Mine and from the Webb Pit on groundwater.
- l. The proposed installation and monitoring of wells around the north pit and the south pit.
- m. The methods and frequency proposed for long term monitoring.
- n. Contingency measures dealing with water-related issues, power failure, spills, natural events, non-compliance and any unforeseen events.
- o. The personnel who will be on-site and their responsibilities, such that the provisions of the plan can be implemented at all times.
- p. A training schedule for staff and contractors.

Boundary Effects Management Plan

B1.11 A Boundary Effects Management Plan shall be prepared in consultation with the Department of Conservation that sets out the practices and procedures to be adopted to ensure compliance with the conditions of the consents and for the purpose of:

- a. Minimizing potential adverse effects from mining activities on red tussock communities and other vegetation outside the boundaries of the mine.
- b. Protecting the red tussock and herbfield communities outside of the proposed mine area.

The plan shall cross reference the Construction and Earthworks Management Plan, prepared under condition A11, and the Dust Management Plan, prepared under condition B2.6.

B1.12 The Boundary Effects Management Plan shall, as a minimum:

- a. Identify the activities to be undertaken adjacent to Cypress Stream and identify any activities undertaken on the site which will affect vegetation outside the boundaries of the mine;

- b. Identify any relevant consent conditions and water quality performance standards;
- c. Describe the proposed fencing of the edge of the mine pit;
- d. Provide a vegetation map showing the areas potentially affected at the mine boundary;
- e. Describe the diversion of mine runoff and drainage away from Cypress Stream to avoid adverse effects;
- f. Describe the proposed monitoring of the water quality in Cypress Stream and of the riparian and surrounding vegetation, to ensure that the stream and vegetation health are not adversely affected by the adjacent mining activities;
- g. Outline contingency measures in the event of spills or infiltration of contaminants into Cypress Stream from the adjacent mining activities;
- h. Address the protection of bryophyte localities and habitats including aquatic bryophyte plot 11 (more recently identified as Site 2) identified in Figure 5.5 of the AEE containing an abundance of *Pachyglossa tenacifolia* and *Eoisotachis nigella*;
- i. Describe the marking of all boundaries ahead of the construction of diversions and drains, vegetation removal and stripping activities that precede mining;
- j. The personnel who will be on-site and their responsibilities, such that the provisions of the plan can be implemented at all times;
- k. A training schedule for staff and contractors.

B2. AIR EMISSIONS

RC03175/19 - Discharge Permit. To discharge dust, including coal, into the air from earthworks and mining operations at Cypress Mine, including dust generated from the blasting of rock and coal, vehicle movements, mobile aggregate crushing plant, and the stockpiling, conveying and handling of coal and other materials.

RC03175/19 has a term of 35 years and is subject to the following conditions:

- B2.1 The Consent Holder shall undertake the activities authorised by this consent in accordance with the General Conditions set out in Part A and B1 of these consents and the Dust Management Plan.
- B2.2 The Consent Holder shall operate mining and associated processes and other operations in such a manner so as to ensure that emission of dust is reduced to a practicable minimum, and in any case, does not result in deposited particulate greater than 4 grams per square metre per 30 day period (as measured by deposit gauges) beyond the boundary of the Consent Holder's land. A minimum of 6 deposit gauges shall be located as follows:
 - i. Two gauges within Happy Valley adjacent to the red tussock area (one at the southern end and one at the northern end), approximately 25 metres from the edge of the mine footprint;
 - ii. One gauge within 100 metres of the haul road adjacent to the office area and another within 100 metres of the overburden area;
 - iii. Two gauges within 100 metres of the haul road between the overburden area and the Stockton mine disposal area.

The location of the deposit gauges referred to in (ii) and (iii) above, shall take into consideration the prevailing wind direction, wind velocities and topography.

- B2.3 Dust deposition monitoring shall be carried out as set out in ISO/DIS 4222.2 Air Quality — Measurement of Atmospheric Dustfall or equivalent method.

- B2.4 When operations commence, the deposit gauges shall be monitored weekly for the first three months or for a longer period until the monitoring results show that dust suppression is effective. Once a record exists demonstrating that dust deposition is within the consent limit, monitoring shall be carried out monthly.
- B2.5 A vegetation survey of the red tussock and herbfield shall be undertaken Biennially (every two years), preferably during a 'drier' period.

Dust Management Plan

- B2.6 A Dust Management Plan shall be prepared that sets out the practices and procedures to be adopted in order that compliance with condition B2.2 can be achieved and the effects of air discharges are minimised to the greatest extent possible.
- B2.7 The Dust Management Plan shall, as a minimum, address the following matters:
- a. Sources of dust and other discharges and their potential impacts;
 - b. Any significant changes/alterations throughout the life of the project that may result in changes to the quantity and nature of dust and other discharges;
 - c. Techniques and methods which will be used to avoid or eliminate all off site visible discharges to air, and the programme for rehabilitation and revegetation of areas of the site in order to minimise dust emissions;
 - d. Details of the proposed air quality monitoring programme for the Cypress Mine including:
 - details of the monitoring methodology;
 - location and number of sampling stations;
 - siting of sampling stations to avoid erroneous results and vandalism;
 - collection of samples and undertaking analyses;
 - reporting and submitting results to the Consent Authority.
 - e. Training of operators and contractors to help prevent and control dust emissions;
 - f. Procedures to deal with air quality complaints.

B3. VEGETATION REMOVAL AND EARTHWORKS

RC03175/1 - Land Use Consent. Earthworks and vegetation clearance over approximately 266 hectares of mining permit 41-515 associated with the development and operation of the Cypress Mine.

RC03175/1 has a term of 35 years and is subject to the following conditions:

- B3.1 The Consent Holder shall undertake the activities authorised by this consent in accordance with the General Conditions set out in Part A and B1 of these consents.
- B3.2 The Consent Holder shall undertake the activities authorised by this consent in accordance with the provisions of the current Annual Work Plan, prepared in accordance with condition A16; the Construction and Earthworks Management Plan, prepared in accordance with condition A11; and the Water Management Plan, prepared in accordance with condition B1.9.
- B3.3 All activities authorised by this consent shall be implemented under the supervision of persons with appropriate experience in the supervision of civil engineering construction works.

Soil Conservation and Erosion Control

- B3.4 The Consent Holder shall ensure that all vegetation clearance and earthworks under this consent are progressive and that the smallest area possible is cleared using methods that cause

least disturbance to vegetation outside the areas being cleared.

- B3.4A The Consent Holder shall ensure that no area is cleared of vegetation without being excavated or re-vegetated in accordance with the Rehabilitation Management Plan for a period of more than 24 months, unless that area is required to be maintained in a non-vegetated state for the purposes of infrastructure, site access, water management, geochemical, or geotechnical requirements.
- B3.5 Unless otherwise stated in these consents, all sediment control practices during construction of the diversion drains shall be undertaken in accordance with the principles outlined in the document prepared by the Auckland Regional Council, Technical Publication No 90, March 1999 "Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region". Specific modifications to the design criteria in TP90 where required, and shall include, but not be limited to, those matters set out in condition B12.6 a. to f.
- B3.6 There shall be no bulk earthworks or mining operations undertaken until such time as the water management system (diversion drains and St Pat's Dam refurbishment) is constructed and operating.
- B3.7 The Consent Holder shall be responsible for the structural integrity and maintenance of all works associated with the exercise of this consent, and for any erosion control and energy dissipation works, which become necessary as a consequence of the exercise of this consent.
- B3.8 The Consent Holder shall, prior to the exercise of this consent, and thereafter annually, report details of the areas to be cleared, and the procedures to be used, in disposing of the cleared material in accordance with the Annual Work Plan prepared under condition A16.
- B3.9 The Consent Holder shall avoid, to the greatest extent practicable, sidecasting of material alongside the roads.
- B3.10 All roads shall be adequately serviced with watertables, cut-offs and culverts to control surface water runoff and minimise the scouring of road surfaces, watertables, cut-offs and culvert outfalls. The minimum design criteria for such facilities shall be such that they will convey, or contain, the runoff from and continue to function in rainfall events up to the 10% Annual Exceedance Probability ("AEP") critical (10 minute duration) storm event.
- B3.11 The geotechnical design of the highwalls, the overburden placement areas and the toe embankment (if built) shall be designed by an appropriately qualified civil engineer. The design specifications shall be supplied to the Consent Authority with the relevant Annual Work Plan prepared in accordance with condition A16.

B4. ACTIVITIES IN AND OVER THE BEDS OF STREAMS

RC03175/2 - Land Use Consent. To disturb the beds of Cypress and Byrne Creeks and their tributaries for the construction and maintenance of diversion channels around the Cypress opencast pits.

RC03175/3 - Land Use Consent. To disturb the bed of St Patrick Stream and tributaries for the construction and maintenance of diversion channels from a point upstream of St Pat's Dam water impoundment area to a point downstream of St Pat's Dam, to facilitate mining activities and site water management.

RC03175/5 - Land Use Consent. The placement and maintenance of culverts and water management structures in St Patrick Stream and associated disturbance to the bed of St Patrick Stream.

RC03175/2, RC03175/3 and RC03175/5 have terms of 35 years and are subject to the following conditions:

- B4.1 The Consent Holder shall undertake the activities authorised by these consents in accordance with the General Conditions set out in Part A and B1 of these consents.
- B4.2 The Consent Holder shall undertake the activities authorised by these consents in accordance with the provisions of the current Annual Work Plan prepared in accordance with condition A16;

the Construction and Earthworks Management Plan, prepared in accordance with condition A11; and the Water Management Plan, prepared in accordance with condition B1.9.

- B4.3 All activities authorised by these consents shall be implemented under the supervision of persons with appropriate experience in the supervision of civil engineering construction works.

Soil Conservation and Erosion Control

- B4.4 The Consent Holder shall ensure that all works authorised by these consents are progressive and that the smallest area possible is disturbed using methods that cause least disturbance to waterways and vegetation outside the areas being cleared.
- B4.5 The Consent Holder shall be responsible for the structural integrity and maintenance of all works associated with the exercise of these consents, and for any erosion control and energy dissipation works, which become necessary as a consequence of the exercise of these consents.
- B4.6 The Consent Holder shall ensure that all activities authorised by these consents are carried out so that machinery activity in the bed of any waterway is kept to a minimum.
- B4.7 Unless otherwise stated in these consents, all sediment control practices during construction of the diversion drains shall be undertaken in accordance with the principles outlined in the document prepared by the Auckland Regional Council, Technical Publication No 90, March 1999 "Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region". Specific modifications to the design criteria in TP90 where required and shall include, but not be limited to, those matters set out in condition B12.6 a. to f.
- B4.8 The Consent Holder shall ensure that, to the greatest extent practicable, structures built under these consents do not cause erosion or scour of stream beds or river banks.

Water Quality

- B4.9 There shall be no refuelling of equipment or machinery within 5 metres of any surface waterway.

Engineering Specifications

- B4.10 The crossings over St Patrick Stream shall be designed by a chartered civil engineer to accommodate a minimum of a 100 year return period flood event. The design specifications for the crossings shall be supplied to the Consent Authority with the first Annual Work Plan.

B5 CLEAN STORMWATER DIVERSIONS

RC03175/8 - Water Permit. To divert (clean) stormwater runoff from undisturbed areas around the perimeter of the operational mining areas, including opencast workings, haul road, Cypress overburden placement area, soil stockpiles, and St Pat's Dam water impoundment and stormwater runoff from rehabilitated areas of the mine.

RC03175/10 - Water Permit. To divert water in Cypress and Byrne Creeks and their tributaries around the Cypress opencast pits.

RC03175/11 - Water Permit. To divert water in St Patrick Stream, upstream of St Pat's Dam water impoundment to a point downstream of St Pat's Dam, to facilitate mining activities and site water management.

RC03175/13 - Water Permit. To dam water in St Patrick Stream behind a weir structure upstream of St Pat's Dam water impoundment to facilitate the diversion of the stream around the water impoundment area and St Pat's Dam.

RC03175/16 - Discharge Permit. To discharge (clean) stormwater runoff from perimeter drains and stormwater runoff from rehabilitated areas of the mine to natural watercourses within the catchments of Upper Waimangaroa River and St Patrick Stream.

RC03175/8, RC03175/10, RC03175/11, RC03175/13 and RC03175/16 have terms of 35 years and are subject to the following conditions:

- B5.1 The Consent Holder shall undertake the activities authorised by these consents in accordance with the General Conditions set out in Part A and B1 of these consents.
- B5.2 The Consent Holder shall undertake the activities authorised by these consents in accordance with the provisions of the current Annual Work Plan prepared in accordance with condition A16; the Construction and Earthworks Management Plan, prepared in accordance with condition A11; and the Water Management Plan, prepared in accordance with condition B1.9.
- B5.3 All activities authorised by these consents shall be implemented under the supervision of persons with appropriate experience in the supervision of civil engineering construction works.
- B5.4 The St Patrick Stream diversion shall discharge as closely as is practicable to St Pat's Dam. The south pit stormwater diversion shall discharge as closely as is practicable to the south pit.
- B5.5 Prior to the expiry of the consent and following decommissioning of the diversion drains, the Consent Holder shall remove and rehabilitate all diversion drains constructed under these consents, other than the south pit diversions and the western haul road diversions (which will not be decommissioned), in accordance with the Rehabilitation Management Plan prepared in accordance with condition A14.

Soil Conservation and Erosion Control

- B5.6 The Consent Holder shall ensure that all earthworks and vegetation clearance under these consents are progressive and that the smallest area possible is cleared using methods that cause least disturbance to waterways and vegetation outside the areas being cleared.
- B5.7 The Consent Holder shall ensure that sediment losses to natural water from the exercise of these consents are avoided and that silt control measures are in place prior to the exercise of this consent, except where associated with the extension of the mine site water management system.
- B5.8 The Consent Holder shall ensure that all activities authorised by these consents are carried out so that machinery activity in the bed of any waterway is kept to a minimum.
- B5.9 Unless otherwise stated in these consents, all sediment control practices during construction of the diversion drains shall be undertaken in accordance with the principles outlined in the document prepared by the Auckland Regional Council, Technical Publication No 90, March 1999 "Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region". Specific amendments to the design criteria in TP90 where required, and shall include, but not be limited to, those matters set out in condition B12.6 a. to f.
- B5.10 The Consent Holder shall ensure that, to the greatest extent practicable, structures authorised by these consents do not cause erosion or scour of stream beds or river banks.
- B5.11 The Consent Holder shall be responsible for any necessary erosion prevention or remediation measures along the length of the diversion drains, which shall include satisfactory provision for energy dissipation.

Diversion Drain Specifications

- B5.12 Diversion channels and associated works shall be subject to a design and construction analysis and detailed engineering design in accordance with the plans listed under condition B5.2 and reviewed by the Peer Review Panel, in accordance with condition A18. These will include the following:
 - a. Highwall diversion drains will be designed in such a way that should they breach, drainage will be to the pit.
 - b. The St Patrick Stream cleanwater diversion drain will be designed to carry a flow of one cubic metre per second. Overflows of the diversion drain will be to St Pat's Dam.

- c. Diversion drains on the rehabilitated surfaces, around the south pit and any other permanent features will be designed to a 1% AEP flood.
- d. Non-permanent road drains, cut off drains and drains that will only be used during the operating period will be designed to a 10% AEP flood.

Stormwater Discharge Monitoring

B5.13 The Consent Holder shall monitor the water quality in Waimangaroa River for total suspended solids, at weekly intervals, at a point 200 metres downstream of the diversion of Cypress and Byrne Creeks into the river.

Rehabilitated Areas and Rehabilitation

- B5.14 Any clean stormwater and run-off from rehabilitated areas of the mine shall not be diverted to natural watercourses until the Consent Holder has demonstrated that total suspended solids and pH of the water is not statistically higher/more acidic than the immediate receiving waters, with 90% confidence, based on a minimum of 12 consecutive months of data.
- B5.15 The Consent Holder shall ensure that stormwater intercepted by rehabilitated and undisturbed land is not affected by mining operations prior to being discharged.
- B5.16 The Consent Holder shall rehabilitate and revegetate, where practicable, all disturbed areas of land associated with the exercise of these consents as soon as practicable after completion of the works.

B6. MINEWATER DIVERSIONS

RC03175/7 - Water Permit. To take groundwater seepage and stormwater runoff from within the Cypress opencast pits for dewatering purposes.

RC03175/9 - Water Permit. To divert minewater (stormwater runoff and groundwater seepage) from within opencast workings, haul road, Cypress overburden placement area, soil stockpiles, and other ancillary mining activities, to St Pat's Dam water impoundment via drainage channels.

RC03175/7 and RC03175/9 have terms of 35 years and are subject to the following conditions:

- B6.1 The Consent Holder shall undertake the activities authorised by these consents in accordance with the General Conditions set out in Part A and B1 of these consents.
- B6.2 The Consent Holder shall undertake the activities authorised by these consents in accordance with the provisions of the current Annual Work Plan prepared in accordance with condition A16; the Construction and Earthworks Management Plan, prepared in accordance with condition A11; and the Water Management Plan, prepared in accordance with condition B1.9.
- B6.3 No water from mining and overburden disposal areas shall be discharged to natural water without being first diverted to the water management and treatment system.
- B6.4 The rate of water abstraction from the Cypress opencast pits for dewatering purposes, shall not exceed 600 litres per second.

Diversion Drain Specifications

- B6.5 Diversion channels and associated works shall be designed and constructed to ensure that any discharge from the diversion drain along the embankment shall be to the pit rather than to the red tussock area, in accordance with designs provided with the plans listed under condition B6.2 and reviewed by the Peer Review Panel, in accordance with condition A18.

B7. ST PAT'S DAM

RC03175/4 - Land Use Consent. The refurbishment and maintenance of St Pat's Dam and spillway structures, including raising the dam crest and associated disturbance to the bed of St Patrick Stream, to facilitate mine water management and treatment.

RC03175/12 - Water Permit. To dam water in St Patrick Stream behind the refurbished St Pat's Dam to form a water impoundment area for water treatment purposes.

RC03175/4 and RC03175/12 have terms of 35 years and are subject to the following conditions:

- B7.1 The Consent Holder shall undertake the activities authorised by these consents in accordance with the General Conditions set out in Part A and B1 of these consents.
- B7.2 The refurbishment of St Pat's Dam shall be designed to NZSOLD low potential impact category standards (including provisions for seismic loading) by a suitably qualified engineer. The design specification for the refurbishment shall be supplied to the Consent Authority with the first Annual Work Plan prepared in accordance with condition A16.
- B7.3 The raising of the dam crest associated with refurbishment of St Pat's Dam shall not be raised by more than 2 metres above the existing (pre-mining) level.
- B7.4 The Consent Holder shall undertake the activities authorised by these consents in accordance with the provisions of the current Annual Work Plan prepared in accordance with condition A16; the Construction and Earthworks Management Plan, prepared in accordance with condition A11; and the Water Management Plan, prepared in accordance with condition B1.9.
- B7.5 Unless otherwise stated in these consents, all sediment control practices during construction of the diversion drains shall be undertaken in accordance with the principles outlined in the document prepared by the Auckland Regional Council, Technical Publication No 90, March 1999 "Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region". Specific amendments to the design criteria in TP90 where required, and shall include, but not be limited to, those matters set out in condition B12.6 a. to f.
- B7.6 The Consent Holder shall be responsible for the structural integrity and maintenance of all works associated with the exercise of these consents, and for any erosion control and any energy dissipation works which become necessary as a consequence of the exercise of these consents.
- B7.7 The Consent Holder shall ensure that all activities authorised by these consents are carried out so that machinery activity in the bed of any waterway is kept to a minimum.
- B7.8 The Consent Holder shall ensure that, to the greatest extent practicable, structures and works authorised by these consents do not cause erosion or scour of stream beds or river banks.

St Pat's Dam and Spillway Specifications

- B7.9 The refurbishment of St Pat's Dam, spillway and associated works shall be constructed in accordance with designs provided with the plans listed under condition B7.4 and reviewed by the Peer Review Panel, in accordance with condition A18.

B8. TREATED WATER DISCHARGE TO ST PATRICK STREAM

RC03175/14 - Discharge Permit. To discharge minewater (stormwater runoff and groundwater seepage) from within opencast workings, haul road, Cypress overburden placement area, soil stockpiles, and other ancillary mining activities, to St Pat's Dam water impoundment, and/or either the SP2 Sump or Mid St Pat's Reservoir or Lower St Pat's Reservoir.

RC03175/15 - Discharge Permit. To discharge treated minewater from St Pat's Dam impoundment to St Patrick Stream via a decant outlet pipe and flood overflow spillway.

RC03175/14 and RC03175/15 have terms of 35 years and are subject to the following conditions:

- B8.1 The Consent Holder shall undertake the activities authorised by these consents in accordance with the General Conditions set out in Part A and B1 of these consents.
- B8.2 The Consent Holder shall undertake the activities authorised by these consents in accordance with the provisions of the Annual Work Plan, prepared in accordance with Condition A16; and the Water Management Plan, prepared in accordance with condition B1.9.
- B8.3 No water from the following areas shall be discharged to natural waters without first passing through the water management and treatment system:
- mine operational areas
 - haul roads
 - overburden placement site
 - facility areas
 - soil stockpiles

For the purposes of these consents, the water management and treatment system consists of the system of drains, diversions, sumps, pumps flocculant use and a treatment plant within the catchment of the St Pats Dam, the St Pat's Dam treatment pond itself, and/or any one of the SP2 Sump or Mid St Pat's Reservoir or Lower St Pat's Reservoir.

In the event that the SP2 Sump or the Mid St Pat's Reservoir or the Lower St Pat's Reservoir is constructed and operational and minewater is diverted directly from the Cypress pit to one of these facilities rather than passing through St Pat's Dam the Conditions B8.7 to B8.12 of this consent do not apply.

- B8.4 The discharge point of treated water from St Pat's Dam reservoir to St Patrick Stream shall be immediately downstream of the Dam, or by pipeline, at a point approximately 800 metres downstream of the Dam where the stream flows into the old Fly Creek underground mine workings.
- B8.5 The collection, analysis and presentation preservation of all samples collected in accordance with these conditions (excluding aquatic ecology monitoring) shall be undertaken using standard methods for the Examination of Water and Wastewater (18th Ed. 1992) APHA, AWWA and WEF, or equivalent or superseding methods.
- B8.5A The monitoring required by these conditions shall be undertaken by EITHER an independent contractor, OR an appropriately qualified person(s) employed by the Consent Holder, with the exception that an additional set of samples shall be collected by an appropriately qualified independent contractor who shall not be a director or employee of the Consent Holder on three separate occasions in the first year of operational monitoring; two separate occasions in the second year of operational monitoring and then once per annum unless a marked difference is found between the Consent Holder's samples and the external samples; OR by automated sampling methods where these are able to be applied.

- B8.5B The Consent Holder shall invite one representative of the community (appointed by those present at any Community Liaison Meeting convened under Condition A19.1) to accompany the qualified person(s) and/or contractors referred to in Condition B8.5A when undertaking any manual sampling required by these conditions.

Discharge Rate

B8.6 *Deleted.*

Discharge and Receiving Water Monitoring and Limits

- B8.7 The Consent Holder shall undertake a water quality monitoring programme of the discharges and receiving waters in accordance with the table below.

(a) **Monitoring Programme**

Parameter	Frequency	Monitoring Locations
Turbidity	Continuous	8W telemetry
Turbidity	Daily [#]	8W
Conductivity	Continuous	8W telemetry
pH	Continuous	8W telemetry
Calcium Magnesium	Weekly *	8W
Acidity	Daily [#]	8W
Metals - Dissolved Iron - Dissolved Aluminium - Dissolved Zinc - Dissolved Nickel - Dissolved Cadmium - Dissolved Lead	See Condition B8.9a	8W
Dissolved Nickel Dissolved Cadmium Dissolved Lead Conductivity pH Turbidity TSS	Annual until South Pit stripping commences, then sampling shall be undertaken monthly	6W 7W
Stream Flow Rate	Continuous	8W

Notes to Table:

* After 12 months, the Consent Authority may authorise the frequency of monitoring to decrease to no less frequently than monthly.

[#] Daily is defined as manual sampling to be conducted Monday to Friday, except on public holidays and randomly on three separate days during a calendar year on either Saturday, Sunday or a public holiday as chosen by the Consent Authority and notified to the Consent Holder not less than 5 days prior to the day of monitoring.

- B8.8 St Pat's Dam discharge shall be monitored prior to the discharge entering St Patrick Stream (monitoring site SPD). Monitoring site 8W, where both telemetered and grab sample data are obtained, is located in St Patrick Stream just downstream of the point at which the clean water diversion from upper St Patrick Stream enters St Patrick Stream below St Pat's Dam at or about map reference NZMG E2418095 N5945343.
- B8.9 The discharge into St Patrick Stream from St Pat's Dam and from the stormwater diversion discharges shall not cause the limits listed in table below to be exceeded at monitoring site 8W:

(a) Receiving Waters Compliance Limits (at monitoring Site 8W)

Parameter	Compliance Limits
Turbidity	25 NTU – 30 day rolling median
pH	≥ 4.0 – 90 day 90 th percentile
	$< 3.6^*$
Acidity	$> 14 \text{ g/m}^3$
Dissolved Iron	5 g/m^3
Dissolved Aluminium (Al)	1 g/m^3
Dissolved Zinc (Zn)	0.15 g/m^3
Dissolved Nickel (Ni)	0.05 to 0.15 g/m^3
Dissolved Cadmium (Cd)	0.00018 to 0.003 g/m^3
Dissolved Lead (Pb)	0.001 to 0.005 g/m^3

Notes to Table

- * Based on daily sampling, as defined in Notes to Table # of Condition B8.7, if pH is < 3.6 and the acidity is $> 14 \text{ g/m}^3$, the Consent Holder shall take one sample each day for the following four days on which manual daily samples are taken. These samples should be analysed for dissolved metals: aluminium, iron, zinc, nickel, cadmium and lead. If the four day average of the samples undertaken exceeds the relevant criteria in Table B8.9a, that criteria shall be deemed to have been exceeded.
- # Additional monitoring data, specifically conductivity, can be used as a tool to cross check the validity of any metal exceedance.
- ^ Ecotoxicology site specific trigger value at hardness of 2.4 g/m^3 . If hardness adjustments are made, the hardness-dependent algorithms in table 3.4.3 in ANZECC (2000) should be used.

B8.10 *Deleted.*

B8.11 In addition to the monitoring at site 8W, monitoring for conductivity, turbidity, dissolved nickel, cadmium, lead and pH shall also be undertaken at sites 6W (Waimangaroa River - Byrne Creek, at or about map reference NZMS 260 L29:166-428) and 7W (Cypress Stream, at or about map reference NZMS 260 L29:172-437) to ensure that mining activities in the catchments are having no measurable effect on water quality (see monitoring programme table above). The monitoring shall be described in the Water Management Plan, prepared in accordance with condition B1.9.

B8.12 The discharge shall not result in the production of conspicuous oils, grease or films, scums or foams, or floatables.

Aquatic Ecology Monitoring

B8.13 Aquatic invertebrate and periphyton monitoring (including bryophytes) shall be undertaken at least once annually in late summer-autumn at the following locations:

- A site on St Patrick Stream, in the vicinity of site 8W (Site 1).
- At two sites upstream of St Pat's Dam on St Patrick Stream, one between the north pit and St Pat's Dam (Site 2) and one upstream of all mining activities (Site 3).
- A site on Cypress Stream, in the vicinity of site 7W (Site 4).
- At a site in the Waimangaroa River, approximately 200m downstream of all diversions around the south pit (Site 5).

B8.14 Invertebrates and periphyton monitoring under condition B8.13 shall consist of periphyton thickness and percentage cover, bryophyte species present, macro-invertebrate taxa richness

and relative abundance, Macro-invertebrate Community Index (MCI) and EPT scores. Monitoring shall be undertaken on a day on which there has been no rainfall for the preceding two days and no major flood event in the preceding two weeks. Wherever practicable, sites that have been sampled in the past shall be used.

Site-specific Criteria

- B8.15 The Consent Holder shall carry out a programme to develop a site specific compliance value for aluminium, zinc, nickel, cadmium and lead in St Patrick Stream. The programme required to develop such site specific values shall include:
- a. Further detailed environmental chemistry and ecological studies on streams in the Cypress area (including local streams unmodified or affected by mining activities) with a range of aluminium, zinc, nickel, cadmium and lead concentrations and ecological factors.
 - b. Laboratory based toxicological studies using local organisms occurring in the stream and site water to include study of mitigating and synergistic effects.
 - c. Careful monitoring of discharges and receiving environments.
 - d. Best practice scientific evaluation of the data and development of criteria values.
- B8.16 The programme design shall be peer reviewed by the Peer Review Panel set up in accordance with condition A18. The design and peer review report will be provided to council for review prior to first exercise of the consent. The information developed by the Consent Holder and any recommendations relating to compliance limits in condition B8.9 shall be provided to Consent Authority within two years of the date of first exercise of these consents.
- B8.17 Within a period of 3 months from the date of receipt of the report, the council may serve notice to review condition B8.9 under section 128 of the Act for the purposes of reviewing the adequacy of the compliance values for aluminium, zinc, nickel, cadmium and lead at site 8W to deal with actual or potential adverse effects on St Patrick Stream.
- B8.18 Pit sump pump/s shall be operated in order that the water management system functions correctly. The Consent Holder shall:
- a. continuously record the pit sump flow; and
 - b. monitor the pit sump discharge in order to assist with managing the chemistry of the discharge authorised by this consent, with particular regard to identifying specific water treatment or water management needs and the management of metal mass loadings.
 - c. manage the pit sump water discharge to avoid, where practicable, batch discharges to St Patrick Stream containing high mass loading of contaminants at all times.

B9. OVERBURDEN PLACEMENT AND BACKFILLING OF PITS

RC03175/17 - Discharge Permit. The deposition of overburden material and waste rock containing potentially acid-forming material, and the associated discharge of contaminants to land from the overburden material and waste rock at:

- (i) Stockton Mine overburden disposal area (Webb Pit); and**
- (ii) Cypress overburden placement area, and backfilled into Cypress opencast workings.**

RC03175/17 (i) has a term to expire on 1 April 2027 and RC03175/17 (ii) has a term of 35 years.

RC03175/17 (i) and (ii) are subject to the following conditions:

B9.1 The Consent Holder shall undertake the activities authorised by this consent in accordance with 223877.0188 16067229.1

the General Conditions set out in Part A and B1 of these consents.

B9.2 The Consent Holder shall undertake the activities authorised by these consents in accordance with the provisions of the current Annual Work Plan prepared in accordance with condition A16; the Construction and Earthworks Management Plan, prepared in accordance with condition A11; Geochemistry and Overburden Management Plan, prepared in accordance with condition A12; and the Water Management Plan, prepared in accordance with condition B1.9.

B9.3 The Consent Holder shall ensure that the diversion and drainage systems associated with the overburden placement areas are installed and operational prior to the deposition of any overburden and waste rock to the overburden placement areas;

Overburden Classification and Management

B9.4 Overburden shall be classified according to the following table and the system outlined in the Geochemistry and Overburden Management Plan. Classification shall be carried out by appropriately qualified persons who shall be available to operators in the pit at all times.

(a) Classification by Lithology and Sampling for Reclassification

Unit/Material	Geochemistry Classification by Lithology	Sampling Requirement for Re-classification
Quaternary Soils	Assume all non-acid. May contain some fine-grained.	No sampling required
Brunner Coal Measures (BCM)	Assume all acid-forming. Can be field tested to re- classified as non-acid or low-risk. Not fine grained.	<u>Discretionary</u> : Geochemical sampling only required if BCM is to be reclassified, for example space constraints require more low-risk or non-acid category material.
Kaiata within 30m of BCM contact	Assume all acid-forming. Can be field tested to re- classified as non-acid or low-risk. Likely to be fine grained, may require testing to confirm.	<u>Discretionary</u> : Geochemical sampling only required for reclassification, for example if space constraints require more low-risk or non-acid category material.
Kaiata more than 30m above BCM contact	Likely to be non-acid forming or low-risk, requires field testing to confirm. Likely to be fine grained, may require testing to confirm	<u>Required</u> : Sampling required to confirm materials or categorise or may be undertaken to design specific controls (e.g. limestone addition)
		☐ Paste pH ☐ NAG pH ☐ NAG acidity
Granite	Assume all non-acid. Not fine grained without processing.	No sampling required.
Coal		No sampling required except on final coal floor.

B9.5 Where material is classified by visual inspection as being acid-forming by the Lithology categories outlined in table (a) in condition B9.4, it shall only be re-classified as low-risk or non-acid material by geochemical sampling and analysis.

B9.6 Where geochemical sampling and analysis has been carried out to confirm a geochemical classification or to re-classify material under table (a) in condition B9.4, the criteria in table below shall be applied.

(a) Classification Scheme for Defining Acidic and Non-Acidic Overburden

Waste Rock Material Type	NAPP (kg H₂SO₄/tonne)	Final NAG pH
Potentially Acid Forming (PAF)	>10	<4.5
Potentially Acid Forming – Low Capacity (LAF)	0 to 10	<4.5
Non Acid Farming (NAF)	Negative	≥4.5
Uncertain – requires further testing*	Positive	≥4.5
Uncertain – requires further testing*	Negative	<4.5
Uncertain – requires further testing*	Positive	<4.5

* Further testing may include repeat testing to confirm results; data interrogation; paste pH; kinetic or sequential NAG; kinetic test (and comparison to similar existing kinetic tests); and other tests as required.

B9.7 When material has been classified according to the conditions of this consent, it may be transferred to a disposal location according to the criteria in the table below.

(a) Disposal by Geochemical Classification

Material Destination or Zone	Material Description
Bulk overburden fill with ARD management systems	Any material. Preferably only acid-forming material to maximise volume management.
Bulk overburden fill, low ARD risk	Any material meeting the non-acid or low-risk chemical classification.
Lift topping material inside fill	Fine-grained, Kaiata, any geochemistry.
Underdrainage	Coarse Granite
Final Cover	
(i) Lower filter and capillary zone	Graded materials, low-acid risk
(ii) Core	Non-acid fine-grained Kaiata
(iii) Upper filter and capillary zone	Graded granite or non-acid BCM
(iv) Erosion resistant surface	Granite
(v) Re-vegetation layer	Quaternary and soils
Surface drainage channels (closure)	Granite
Road sheeting	Granite
Road fills	Non-acid or low-risk

Notes to Table

ARD Acid Rock Drainage
BCM Brunner Coal Measures

B9.8 No overburden shall be removed or disposed unless it has been classified and provision made for its acceptance at destination locations in accordance with the conditions of this consent and the

protocols outlined in the Geochemistry and Overburden Management Plan, prepared in accordance with condition A12.

B9.8A Backfill placement within the area of the north pit that is to be planted in red tussock as per condition 14.1e shall be carried out in a manner that ensures that the soil and subsoil will retain a hydrological regime suitable to maintain red tussock wetland vegetation.

B9.8B

- a. The Consent Holder shall install a network of lysimeters, soil moisture probes or other soil moisture measurement devices at a density of 1 per 10 hectares in the red tussockland of the north pit prior to commencing mining of the north pit to determine the baseline soil moisture conditions present.
- b. Once the north pit has been backfilled, the final topography created and the soils replaced, the Consent Holder shall install a similar number of lysimeters, soil moisture or other soil moisture measurement devices in the red tussock area.
- c. The Consent Holder shall monitor the soil measurement devices referred to in condition B9.8(b) above for a period of 5 years following their installation so as to ascertain whether soil moisture conditions reflect natural conditions determined in accordance with condition B9.8B(a) above. Should monitoring indicate that soil moisture conditions on backfill surfaces where red tussock is planted do not reflect the natural conditions required to maintain red tussock vegetation, the Consent Holder shall undertake immediate steps to ensure that the appropriate soil moisture conditions develop. Such steps may include reconstruction of drainage systems to provide for greater ponding of water, the installation of barriers to lateral groundwater movement, and the re-grading of slopes.

B9.8C The backfill of the pits shall be designed such that its performance under a Probable Maximum Flood or Maximum Credible Earthquake does not result in loss of containment of the PAF material.

Engineering specifications

B9.9 Before commencing construction activities, the Consent Holder shall commission a suitably qualified and experienced person to undertake a detailed site investigation and prepare a design for the overburden placement areas, and the toe embankment if built. The investigation and design shall include:

- a. Foundation permeability between the proposed overburden placement areas with particular emphasis on local groundwater profiles, potential seepage and mitigation measures;
- b. Overburden placement area proportions and dimensions including side and top slopes;
- c. Deposition procedures to enhance drainage and the construction of seal layers with associated drainage;
- d. The seepage interception and drainage system;
- e. Recommendations for monitoring and construction of the overburden placement areas.

B9.9A The toe embankment if built shall be designed to NZSOLD low potential impact category standards (including provision for seismic loading) by an appropriately qualified engineer. The design engineer shall certify that the toe embankment has been designed to withstand a Maximum Credible Earthquake without failure of the components required for its function to maintain containment of PAF material within the backfill.

B9.9B The overburden placement landform shall be designed by an appropriately qualified engineer such that the drainage systems will ensure the passage of a 1% AEP flood flow.

B9.9C The overburden placement landform will be designed by an appropriately qualified engineer such that its performance under a Maximum Credible Earthquake does not result in the displacement

of material into adjoining watercourses.

- B9.10 On completion of the investigation and design required by condition B9.9, the Consent Holder shall provide to the Consent Authority a report containing the results of the investigation and the proposed design for the overburden placement areas.
- B9.11 An appropriately qualified engineer experienced in the construction of overburden and waste rock filled structures shall supervise the construction of the overburden placement areas.
- B9.12 Evidence of the compliance with the designs and recommendations in the report required by condition B9.10 during construction, operations and decommissioning shall be submitted to the Consent Authority in the form of a certificate from a suitably experienced person.

Monitoring

- B9.13 The Consent Holder shall undertake a sampling and monitoring programme on a monthly basis to verify overburden placement area geochemistry.

As from the Management Plan Certification Date B9.14A and B9.14B shall be deleted.

Note: a replacement consent for RC03175/01(i) is being sought as part of the Buller Plateaux Continuation Project.

~~B9.14A The Consent Holder shall undertake a sampling and monitoring programme at a monitoring point to be established within 100 metres of New Zealand Map Grid 5948512 : 2415895 at six monthly intervals, in the event that Cypress overburden is deposited in the Webb Pit, to verify that groundwater down gradient of the Webb Pit is unaffected by the deposition of overburden within the Webb Pit.~~

~~B9.14B The Consent Holder shall sample the Twin Stream at NZMS 141515 six monthly, in the event that Cypress overburden is deposited in the Webb Pit, for the following parameters to verify that water quality is unaffected by the deposition of overburden within the Webb Pit:~~

- ~~• pH~~
- ~~• Conductivity~~
- ~~• Turbidity~~
- ~~• Suspended Solids~~
- ~~• Chloride~~
- ~~• Sulphate~~
- ~~• Nitrate-N~~
- ~~• Calcium~~
- ~~• Magnesium~~
- ~~• Hardness (total)~~
- ~~• Aluminium~~
- ~~• Arsenic~~
- ~~• Boron~~
- ~~• Cadmium~~
- ~~• Copper~~
- ~~• Iron~~
- ~~• Manganese~~
- ~~• Nickel~~
- ~~• Zinc~~
- ~~• Mercury~~

- B9.15 The Consent Holder shall undertake a sampling and monitoring programme to verify the following at a frequency in accordance with the specifications included in the Geochemistry and Overburden Management Plan:

- a. Moisture and air void characteristics of the low permeability areas of the overburden placement areas;
- b. Oxygen concentration profiles.

B9.16 The collection, analysis and presentation of all samples collected in accordance with these conditions shall be undertaken using standard methods for the Examination of Water and Wastewater (18th. Ed. 1992) APHA, AWWA and WEF, or equivalent or superseding methods.

Reporting

B9.17 In addition to the reporting requirements in accordance with condition A17 of these consents, the Consent Holder shall report on the results of the following:

- a. The monitoring programme undertaken in accordance with condition B9.13 to B9.15; and
- b. The slope of phreatic surface in the backfilled north and south pits.

B10. ENVIROPAK DISCHARGE TO GROUND

RC03175/18 - Discharge Permit. To discharge sewage and greywater from the Cypress office amenities area to land at the Cypress overburden placement area.

RC03175/18 has a term of 35 years and is subject to the following conditions:

B10.1 The Consent Holder shall undertake the activities authorised by this consent in accordance with the General Conditions set out in Part A and B1 of these consents.

B10.2 The discharge of sewage and greywater shall be via a trickle discharge from a septic tank system.

B10.3 Prior to the exercise of this consent, the Consent Holder shall submit to the Consent Authority:

- An engineered design that takes into account the need to ensure appropriate percolation, loading and monitoring for the effluent disposal system; and
- The maintenance schedule for the effluent treatment disposal system.

B10.4 Effluent discharged from the aerated wastewater treatment system shall not exceed 4000 litres/day, nor shall the effluent exceed the following discharge standards:

- 20 milligrams per litre (BOD5);
- 30 milligrams per litre (Suspended Solids);
- 200 faecal coliforms per 100 millilitres.

B10.5 The Consent Holder shall provide the Consent Authority with a Certificate of Compliance to verify installation of the effluent disposal system has been installed in accordance with the engineered design submitted under condition B10.3.

B11. WATER ABSTRACTION FOR DUST SUPPRESSION

RC03175/6 - Water Permit. To take water from St Pat's Dam water impoundment for dust suppression purposes.

RC03175/6 has a term of 35 years and is subject to the following conditions:

B11.1 The Consent Holder shall undertake the activities authorised by this consent in accordance with the General Conditions set out in Part A and B1 of these consents.

B11.2 The Consent Holder may take up to 100 litres per second from St Pat's Dam for dust

suppression purposes.

- B11.3 The Consent Holder shall monitor and record the volume of water abstracted under this consent and the quality of water used to spray areas where it is possible for dust suppression spray to reach vegetation.

B12. DIVERSION OF WATER AND DISCHARGE OF CONTAMINANTS INTO WATER DURING CONSTRUCTION PHASES

RC03175/20 - Water Permit. To dam and divert water during construction phases.

RC03175/21 - Discharge Permit. To discharge site stormwater to water during construction phases.

- B12.1 The Consent Holder shall undertake the activities authorised by these consents in accordance with the General Conditions set out in Part A and B1 of these consents. "Construction phase" is defined in condition A11.4.
- B12.2 The activities authorised by these consents include temporary damming, diversion, stream crossing, culvert construction works in streams and erosion control required for the initial development of the site infrastructure or its ongoing development and which are:
- Required to enable construction works to commence; or
 - Required to manage water and stormwater and control sediment generation during construction; or
 - Required during the construction of and prior to the completion of the site water management system; or
 - Required during the operation of the site water management system to extend, upgrade or modify the system and other infrastructure.
 - Included in the latest Annual Work Plan.
- B12.3 The Consent Holder must notify the Consent Authority two weeks prior to any activities being undertaken in reliance on these consents if the activities meet the requirements of B12.2(a) or B12.2(b) but are not included in the latest Annual Work Plan.
- B12.4 The Consent Holder shall undertake the activities authorised by these consents in accordance with the provisions of the current Construction and Earthworks Management Plan prepared in accordance with condition A11.
- B12.5 All stormwater runoff from construction areas shall be directed through sediment control facilities prior to discharge to natural watercourses.
- B12.6 Activities authorised by this consent shall be carried out in general accordance and as relevant with the principles outlined in section B1, B2, and B3 of the document prepared by the Auckland Regional Council, Technical Publication No 90, March 1999 "Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region" (TP90). Specific modifications to the design criteria and procedures outlined in TP90 will be required to address the shorter exposure times expected for construction activities and the greater design rainfall intensities in the area of the construction works. Such modifications shall include but not be limited to;
- Where a design rainfall is required to be calculated the 10% AEP rainfall shall be used. This is assumed to be a 24 mm/10 minute peak rainfall intensity for structures designed to convey water or where peak flows, velocity or flow is involved (rather than retention) (eg TP90, B1.1).
 - The design of sediment ponds (TP 90 B2.1) shall be based on providing 320 m3 of storage per hectare of contributing catchment for catchments with slope 6 degrees or less and length 200 m or less or 480 m3 of storage per hectare of contributing catchment for catchments with slope more than 6 degrees and length more than 200m.

- c. Primary and emergency spillway design for temporary sediment ponds shall be carried out on a case by case basis and all design criteria and calculations are to be submitted with the Construction Management Plan. Generally the requirement in condition B12.5 (a) shall apply to the design of service or primary spillways while emergency spillway design shall be based on a 1% AEP for ponds greater than 1000 m3 in total volume and 10% AEP for ponds less than 1000 m3 total volume.
- d. Rainfall design criteria may be modified by pro-rating downward based on the expected life of the structure in the construction schedule. A structure expected to be in service for 2 months before the catchment is incorporated into the permanent site water management system and the structure decommissioned may be designed based on a 50% AEP storm.
- e. No temporary pond structure shall impound more than 4000 m3 in total without specific design.
- f. The Consent Holder may submit alternative designs or alternative design criteria documentation for sediment control works for approval by the Consent Authority provided it is accompanied by an analysis of the failure or overtopping risks and an appropriate alternative mitigation strategy.

B12.7 Specific works and design controls for the activities authorised by these consents shall be included in the Construction and Earthworks Management Plan prepared in accordance with condition A11.

B12.8 A description of the activities undertaken in reliance on these consents (which identifies the works undertaken, the control measures applied and the success of those control measures) shall be included in the Annual Work Plan in accordance with condition A16.

B12.9 The Consent Holder shall remove sediment/fines from the sediment control facilities as required, to ensure the effective operation of those facilities. Notwithstanding this, sediment/fines shall be removed when the sediment control facilities are 50% full. The Consent Holder shall keep a record of all maintenance carried out on the sediment control facilities, including when sediment/fines were removed and where they were disposed.

B12.9 The Consent Holder shall minimise the period of activities authorised by these consent as far as practicable.

Rehabilitation

B12.10 The Consent Holder shall rehabilitate and re-vegetate, where practicable, all disturbed areas of land associated with the exercise of these consents as soon as practicable after completion of the works.

Monitoring and Receiving Waters Compliance Limits

B12.11 For days when there have been two or more consecutive days of less than 5mm rainfall on each day, the Consent Holder shall take two samples not less than 4 hours apart at site 8W (when construction activities are occurring in the St Patrick Stream catchment) and/or site 6W (when construction activity is occurring in the Waimangaroa River catchment) and analyse those samples for total suspended solids (TSS). Sampling is not required to be carried out within two hours of any authorised activity being carried out directly in the bed of St Patrick Stream or its tributaries or tributaries of the Waimangaroa River.

B12.12 Should the TSS concentration of any sample exceed 20 g/m3, then the Consent Holder shall immediately inspect the construction site, and where necessary undertake additional TSS sampling, to identify what the source of the TSS is and if it is the result of construction activity. If it is the result of construction activity, then the Consent Holder shall identify what if any mitigation measures are required to reduce the TSS levels, and implement those mitigation measures as soon as practicable.

B12.13 The TSS concentration of any single sample shall not exceed 50 g/m³. If any sample does exceed 50g/m³, then the Consent Holder shall immediately inform the Consent Authority and implement immediate steps to identify and mitigate the source of the TSS, and if necessary (where implemented mitigation measures are insufficient) cease operations until TSS concentrations return to less than 20g/m³.

C BULLER DISTRICT COUNCIL CONDITIONS

RC03/164 Land Use Consent	To undertake coal mining and mining operations, including construction and use of access roads.
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RC03/164 has a term of 35 years and is subject to the following conditions:

C1A As from the Management Plan Certification Date, rehabilitation, closure, and post closure conditions of these Consents shall exclude the Upper Waimangaroa Haul Road sub-area and the conditions of these Cypress Consents shall be applied excluding that area.

Note: rehabilitation, closure and post-closure of the Upper Waimangaroa Haul Road sub-area will be in accordance with the consents granted for the Upper Waimangaroa Haul Road sub-area as part of the Buller Plateaux Continuation Project.

C1. The general conditions of consent set out in Part A shall apply to this consent.

C2. Prior to undertaking any activities authorised by these consents, the Consent Holder shall provide to the Buller District Council the following plans prepared in accordance with conditions C30, C33, C37, C40 and C42:

- Noise Management Plan
- Kiwi Management Plan
- *Powelliphanta 'patrickensis'* Management Plan
- Predator Control Plan
- Waste Management Plan

C3. Subject to any other conditions of this consent, all activities shall be undertaken in accordance with the latest version of the Plans referred to in Condition C2. As from the Management Plan Certification Date the requirement for a Kiwi Management Plan, *Powelliphanta 'patrickensis'* Management Plan and a Predator Control Plan shall be met by the preparation and certification of the Avifauna, Pest Control and Elimination, and Powelliphanta Snail management plans under the Buller Plateaux Continuation Project approvals and conditions and C4, C33-C34, C36-38, C39(b) and (c) and C4041 shall no longer apply in respect of those plans.

~~C4. The Plans may be reviewed annually by the Consent Holder and may be amended accordingly to take into account:~~

- ~~• Any recommendations made by the Peer Review Panel set up under condition A18.~~
- ~~• Any required actions identified as a result of monitoring.~~
- ~~• Any changes required as a result of actions identified in the Annual Work Plan.~~

~~The Consent Holder shall consult with the Department of Conservation regarding any proposed changes to the Kiwi Management Plan, *Powelliphanta 'patrickensis'* Management Plan and Predator Control Plan. The Consent Holder shall consult with Ngati Waewae and the West Coast Conservation Board regarding any proposed changes to the Kiwi Management Plan. The Consent Holder shall provide the Buller District Council with any changes made to the Plans.—~~

C5. The Plans shall not be amended in any way that contravenes the objectives set out for the respective Plans.

- C6. A copy of the latest version of the plans shall be kept on site at all times and all key personnel shall be made aware of each Plan's contents.
- C7. Unsealed access and haul roads shall be maintained to avoid nuisance dust emissions.
- C8. As far as practicable, lighting shall be focused and shaded to minimise glare and light spill so as not to create a nuisance to residents, traffic, or to act as a distraction to wildlife.
- C9. The colours to be used for all buildings and structures shall be recessive and shall be approved by the Manager Regulatory Services, Buller District Council, prior to construction.
- C10. The maximum speed limit on the Haul road shall be 60 km/hr.
- C11. The use of the Millerton road for the transport of coal from Cypress Mine shall be restricted to emergencies or when the aerial ropeway is not operational.
- C12. ~~The Consent Holder shall provide a pedestrian access across the Stockton—Cypress Haul Road, with appropriate signposting.~~

This condition was
removed by BDC 8th

Rehabilitation

Feb 2023

- C13. Immediately following the commencement of activities under this consent, the Consent Holder shall initiate and maintain a programme of progressive rehabilitation and revegetation of the site and in accordance with the Rehabilitation Management Plan prepared in accordance with condition A14.
- C14. Tussock that has been removed from the mine areas in accordance with the Rehabilitation Management Plan shall not be buried or destroyed, but shall be stockpiled for re-use either within the mining permit area or at Stockton Mine, as far as possible.

Hours of Operation

- C15. Mining and ancillary activities may operate 24 hours a day, seven days a week.

Blasting

- C16. A programme of blasting times shall be notified publicly by way of notice erected at the road entrance to the mine area and by circular or public advertisement to local residents, DOC, West Coast Regional Council and the Buller District Council prior to any such blasting taking place and at regular intervals not exceeding twelve months thereafter. Changes to the blasting programme shall be notified at least three days prior to implementation.
- C17. Blasting shall be restricted to the hours between half an hour after sunrise to half an hour before sunset.
- C18. Details of all blasts shall be entered into a record book kept for that purpose and shall be available to the Buller District Council on request.
- C19. The peak overall sound pressure level due to air blast shall not exceed 128dB linear unweighted measured at any private residence not owned by the Consent Holder.
- C20. Ground vibration levels measured at any residence not owned by the Consent Holder shall not exceed 10mm per second peak particle velocity measured in the frequency range of 3 hertz to 20 hertz, thereafter NZS 4403 Code of Practice for the Storage, Handling and Use of Explosives or any other Codes of Practice which may from time to time be current shall apply.
- C21. The Consent Holder shall monitor blasting activities. Monitoring sites shall be located at the boundary between the Stockton CML and the Cypress MP area.
- C22. The Consent Holder shall monitor blasting at three monthly intervals for at least 12 months following the commissioning of the open pits. In the event of the above monitoring indicating compliance with the conditions, the frequency of monitoring will change from three monthly to six monthly periods.

C23. During the course of mining the Consent Holder shall make best endeavours to identify and recover any remnants of historic mining prior to areas being disturbed. A person approved by the Historic Places Trust will be employed by the Consent Holder to undertake documentation of artefacts if and when recovered in the course of exercising this consent. The Consent Holder shall provide records of the recovery, identification and distribution of these objects to the West Coast Filekeeper of the New Zealand Archaeological Association.

C24. The Consent Holder shall prepare, in consultation with Ngati Waewae, and provide to the Consent Authority a Cultural Heritage Management Plan. The purpose of the Cultural Heritage Management Plan is to ensure that any cultural materials found at Stockton Mine are evaluated and if necessary, protected. The plan may be amended during the term of this consent, in consultation with the Consent Authority and provided the key outcomes are achieved.

C25. The Cultural Heritage Management Plan shall discuss cultural connections to the Cypress Mine site and surrounding area and will identify any sites of particular cultural significance. The plan will describe the protocols should mining uncover any artefact or material that may be of early origin. Prior to exercising any right granted by the consents the Consent Holder will, in consultation with Ngati Waewae and Ngai Tahu, develop a cultural Liaison Plan which will, among other matters, include provision for regular for regular meetings separate to those required by condition A19.1. This plan will also facilitate the involvement of Ngati Waewae in the appropriate cultural recognition of the diversion of waters from their natural catchments at the commencement of mining the North Pit and their return to their natural catchments when the flows are reinstated as per A14.4(v).

C26. Subject to the express provisions of this condition the noise level shall be measured and assessed in accordance with the requirements of New Zealand Standards NZS 6801:1991 Measurement of Sound and NZS 6802:1991 Assessment of Environmental Sound. In particular, the provisions of NZS 6802:1991, 5dB corrections for noise with special audible characteristics will apply to noise measurements and assessments.

C27. The L_{10} level as measured at or within any residentially zoned boundary of a property not owned by the Consent Holder, or the notional boundary of any existing dwelling not owned by the Consent Holder, shall not exceed the following limits, except by mutual agreement: Monday-Saturday 7.00am to 9.00pm 50 dBA
 L_{10} All other times 45 dBA L_{10}
 $L_{(max)}$ 70 dBA

C28. All equipment and machinery shall be regularly maintained to ensure noise levels are as low as reasonably attainable but at no time shall they exceed the levels permitted by the consent.

C29. During the constructional phase of the mining operation, the noise levels shall comply with the recommended upper limits for levels of construction work noise received in residential areas listed in NZS 6803P:1984 The Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work at or within any residentially zoned boundary of a property not owned by the Consent Holder, or the notional boundary of any existing dwelling not owned by the Consent Holder.

C30. A Noise Management Plan shall be prepared which sets out the practices and procedures to be adopted to ensure compliance with the conditions of this consent for the purpose of ensuring that the impacts of the proposed mining activities on noise in the local area are minimised.

C31. The plan shall, as a minimum:

- a. identify mining activities that potentially generate noise within the context of background noise on the Stockton Plateau;
- b. describe any noise monitoring and reporting requirements set out in the resource consent conditions;
- c. discuss noise management measures;
- d. describe noise control measures that will be used at Cypress Mine to minimise noise at and from the mine site;
- e. outline details of relevant vehicle or plant specifications and vehicle maintenance requirements to

avoid excessive noise production and details of speed restrictions placed on parts of the site to minimise noise.

Kiwi Habitat Enhancement

C32. The Consent Holder shall undertake a programme of great spotted kiwi management which shall have two objectives:

- a. To minimise the effects from mining activities on great spotted kiwi living within or immediately alongside Cypress Mine; and
- b. To enhance the survival rates of great spotted kiwi within the treatment area shown on ~~revised~~ **Attachment 3 Second Revision, dated 8/07/2014, dated 6 April 2011**, while mining operations are in progress (subject to the one year delay allowed by Condition 39(a)), and for a period of 20 years, plus the extended period referred to in Condition C39(a), following cessation of coal extraction from the site.

Advice Note: the Avifauna Management Plan covers the obligations set out in condition C32.

~~C33. A Kiwi Management Plan shall be prepared in consultation with the Department of Conservation and Te Runanga o Ngati Waewae, which sets out the practices and procedures to be adopted to ensure compliance with the conditions of this consent.~~

~~C34. The plan shall, as a minimum, address the following:~~

- ~~a. The options for the management of kiwi present within the mine site, including but not limited to: (i) the monitoring/tracking of kiwi within the site and surrounds (ii) management of birds within the vicinity of the site should the decision be taken to leave them there (iii) the capture and/or removal of those birds within the proposed mine area and surrounds should the decision be made to remove them from the site; and (iv) the management and destination of captured birds should the decision be made to remove the birds from the site and surrounds~~
- ~~b. The mechanism for determining which of the options addressed under a. above is expected to hold the best outcome for kiwi.~~
- ~~c. Kiwi habitat enhancement measures to be carried out within the pit during rehabilitation (for example, construction measures to integrate the highwall benches with adjacent forest).~~
- ~~d. Contingencies to review the size of the predator control area or implement protective rearing in the event that management targets are not achieved.~~
- ~~e. The monitoring that will be undertaken to assess progress towards the objectives of the management plan.~~

Powelliphanta "patrickensis" Management

C35. The Consent Holder shall undertake a programme of *Powelliphanta "patrickensis"* management, the objective of which is to:

- a. increase the population of *Powelliphanta "patrickensis"* in the vicinity of Cypress Mine while mining operations are in progress, and for a period of 20 years following cessation of coal extraction from the site.
- b. Provide suitable habitat in the rehabilitated mine site by the completion of the programme which supports an estimated population density level of at least 1,000 mature *Powelliphanta "patrickensis"* individuals, over at least a similar proportion of the rehabilitated pit areas in which *Powelliphanta "patrickensis"* were present in November 2004 (as identified in the report entitled "A Survey for the Endemic Land Snail *Powelliphanta "patrickensis"* within the Proposed Cypress Mine Area and a Proposed Predator Exclusion Fenced Area", dated November 2004")

~~C36. Prior to undertaking any activities authorised by these consents, the Consent Holder shall undertake a study which has the objective of removing as many *Powelliphanta* as practicable from the proposed mining development area prior to mining and relocating them (having regard to the genetic integrity of the~~

~~Powelliphanta~~ population in the receiving area) into the snail enhancement area, as referred to in condition C39b.

~~C37. A *Powelliphanta* "patrickensis" Management Plan shall be prepared in consultation with the Department of Conservation which sets out the practices and procedures to be adopted to ensure compliance with the conditions of this consent.~~

~~C38. The plan shall, as a minimum, address the following:~~

- ~~a. Methods to be adopted in an annual *Powelliphanta* "patrickensis" "search and collect" programme which shall be prepared with reference to the study required by condition C36, including details of habitat data collection, and the methods by which *Powelliphanta* are to be translocated to the snail enhancement area. The capture and relocation of *Powelliphanta* shall be undertaken in a staged manner in consultation with the Department of Conservation and Ngati Waewae. An annual average of two weeks "search and collect" time per by a team of five people (10 days each) shall be undertaken, in a manner which enables the concurrent collection of habitat data for *Powelliphanta*.~~
- ~~b. The timing and means by which *Powelliphanta* will be translocated back into the rehabilitated mine area~~
- ~~c. The monitoring that will be undertaken to assess progress towards the objectives of the management plan.~~

Predator Control Plan

C39. (a) The Consent Holder shall undertake a programme of predator control which shall consist of measures to enhance the survival rates of great spotted kiwi and other forest birds in the great spotted kiwi predator control area shown on ~~revised Attachment 3 Second Revision, dated 8/07/2014, dated 6 April 2011, (the 1,200ha treatment area).~~

Baseline monitoring within the great spotted kiwi predator control area shown on ~~revised Attachment 3 Second Revision, dated 8/07/2014, dated 6 April 2011, (the 1,200ha treatment area),~~ which is necessary in order to comply with Condition C41g, shall be completed within one year of the commencement of mining activities. The predator control programme within the great spotted kiwi predator control area shown on ~~revised Attachment 3 Second Revision, dated 8/07/2014, dated 6 April 2011, (the 1,200ha treatment area)~~ shall commence immediately following completion of the baseline monitoring, and shall continue throughout the duration of mining operations and for a period of 20 years, plus an equivalent period to that between the commencement of mining activities and the commencement of predator control, following cessation of coal extraction from the site.

- ~~(b) The Consent Holder shall undertake a programme of predator control during mining operations and for a period of 20 years following cessation of coal extraction from the site which shall consist of measures to increase survival rates and population size of *Powelliphanta* "patrickensis" within that area shown on revised Attachment 4, dated 6 April 2011, (the expanded snail enhancement area).~~
- ~~(c) The Consent Holder shall undertake a programme of predator control during mining operations and for a period of 20 years following cessation of coal extraction from the site which shall consist of measures to protect vegetation on the rehabilitated mine surfaces from browsing mammals.~~

~~C40. A Predator Control Plan shall be prepared in consultation with the Department of Conservation which sets out the practices and procedures to be adopted to ensure compliance with the conditions of this consent and to ensure that all aspects of great spotted kiwi and *Powelliphanta* "patrickensis" management and habitat enhancement are carried out in an integrated manner and at the necessary stage of mining to maximise the benefits of the programme for both species. The plan shall ensure that flexibility is retained in relation to the use of predator control methods such as poisons and other enhancements components to ensure the best practice methods are adopted to achieve the required outcomes.~~

~~C41. The plan shall, as a minimum, provide for the following:~~

- ~~a. The control of predators on kiwi, principally stoat and possum, within the great spotted kiwi predator control area shown on revised Attachment 3 Second Revision, dated 8/07/2014, dated 6 April 2011. Flexibility shall be retained in relation to the methods adopted to achieve the required outcome, such as but not limited to, the final location and boundaries of the great spotted kiwi predator control area.~~

- b. ~~The control of predators within the mine site, including the rehabilitated areas and the 400 metre buffer surrounding the mine site.~~
- c. ~~The means by which the Consent Holder shall control rats (and, if necessary, thrush), and shall endeavour to reduce possums in the expanded snail enhancement area shown on revised Attachment 4 dated 6 April 2011 to barely detectable levels.~~
- d. ~~A 1080 intervention response (or other control agent determined in consultation with the Department of Conservation) to be undertaken by the Consent Holder in years with a predicted highly increased rat abundance, as indicated by Department of Conservation standard tracking tunnel indices and current best practice for rat control.~~
- e. ~~An intervention density of greater than or equal to 3% mean Residual Trap Catch index for possums with not more than any two lines being greater than 10% RTC before aerial 1080 application (or other control agent determined in consultation with the Department of Conservation) shall occur across the expanded snail enhancement area shown on Revised Attachment 4, dated 6 April 2011. The RTC method is that set out in Possum Population Monitoring using the Trap Catch Method National Control Agencies April 2004, or any subsequent updated version of this document.~~
- f. ~~Specifications for monitoring to ensure the Consent Holder is able to demonstrate compliance with the requirements of conditions of C39-41 and the Predator Management Plan.~~

Waste Management Plan

- C42. A Waste Management Plan shall be prepared, the purpose of which is to minimise the waste and litter generated from the mining operation, to maximise recycling and reuse opportunities and to avoid or minimise any pollution risk associated with the waste generated at the site, to eliminate on site disposal of litter and to isolate organic waste from rodents.
- C43. The Waste Management Plan shall, as a minimum:
- a. identify the waste generated at the project site, workshop and administration offices and identify the waste that can be reused, recycled, disposed of on site and disposed of off site;
 - b. describe the methods to minimise waste generation and to reuse or recycle materials where feasible;
 - c. describe the transport and disposal of waste off site

Mt William Range Escarpment Protection

- C44. The Consent Holder shall carry out mining operations in a manner which ensures that the ridge line of Mt William is not adversely affected.

Financial Contributions

- C45. A financial contribution of cash shall be paid to Buller District Council for the provision of reserves and facilities, as provided for in Part 8 of the Buller District Plan. The calculation for assessing the financial contribution shall be 0.5% of the total value of the development. The Consent Holder shall advise Council of the value of the proposed development, and shall pay the cash amount of the contribution to the Buller District Council prior to the commencement of any works covered by this consent. The calculation of the development contribution shall be based on the estimated costs of the following components of the activity:
- Construction of buildings (i.e. total cost of all buildings)
 - Costs of drainage works and formation of all haul roads (excluding roads within the pits)
 - Costs associated with removal of vegetation (excluding costs of direct transfer of plants and trees, and costs of planting vegetation and other rehabilitation).

Mine Closure

- C46. Immediately following the cessation of activities under this consent, the Consent Holder shall initiate and maintain a programme of mine closure in accordance with the Mine Closure Plan prepared in accordance

with condition A12. This shall include consideration of the future use of the haul roads for public access through the site.

Limit on extraction of coal

- C47. Notwithstanding any other condition in this consent, the extraction of coal from the site shall cease by the fifteenth anniversary of the commencement of ~~this consent~~ coal extraction.

Highwall Design

- C48. The Permanent highwalls shall be designed by an appropriately qualified engineer to withstand a 1 in 150 year seismic event with a dynamic factor of safety at not less than 1.1.

Recommended Area for Protection and Use of Land Within MP 41-515

- C49A. The Consent Holder shall, pursuant to s40 of the Crown Minerals Act 1991, surrender that part of MP 41-515 which relates to the areas marked "A" and "C" on the plan in Attachment 8 in accordance with the Deed between Solid Energy New Zealand Limited and the Director General of Conservation dated 28 February 2005.
- C49B. Until areas "A" and "C" on the plan in Attachment 8 are surrendered, the consent Holder shall not use those areas in a manner which is inconsistent with the protection of the landforms and ecosystems which exist within it or so as to have an adverse effect on those landform and ecosystem values.
- C49C. The Consent Holder shall use not use that part of the Stockton Coal Mining Licence marked "B" on the plan in attachment 8 in a manner which is inconsistent with the protection of the landforms and ecosystems which exist within it or so as to have an adverse effect on those landform and ecosystem values.
- C49D. Subject to any resource consents granted in future, the Consent Holder shall ensure that mining or mining operations within Mining Permit 41-515, or have an effect which is inconsistent with the protection of the landforms and ecosystems values present on that land, or have an adverse effect on those values.

NOTES:

1. The Consent Holder shall be aware that they will require building consents for the following structures from the Buller District Council:
 - Bridges
 - Installation of septic tank or other effluent systems
 - Any dams over 3 metres high and retaining more than 20,000 cubic metres of water or tailings
 - Any road construction requiring retaining walls, gabion baskets, etc, more than 1.5 metres high and supporting the road
 - Infrastructure and ancillary buildings
 - Administration building, including training and first aid
 - Amenities and ablution facilities
 - Workshops and stores
 - Plant control room
 - Fuel storage area including bunded walls
 - Fencing over 2 metres in height
2. In carrying out re-location of *Powelliphanta*, the Consent Holder shall be aware that they will require Department of Conservation approvals under the Wildlife Act.

Attachment 4 to be deleted.

x



Gerard McCormack
CONSENTS & COMPLIANCE MANAGER

Proposed Changes to Cypress Conditions

ATTACHMENTS FOR CONSENT CONDITIONS

ATTACHMENT 1

Species List -Condition A 7.11(a)

Species List — Native Revegetation

Dicot Trees and Shrubs

Common Names

<i>Archeria traversii</i>	
<i>Aristotelia fruticosa</i>	
<i>Brachyglottis rotundifolia</i>	
<i>Carpodetus serratus</i>	Putaputaweta
<i>Cassinia leptophylla</i> (var <i>vauvilliersii</i>)	
<i>Coprosma acerosa</i>	
<i>Coprosma cheesemanii</i>	
<i>Coprosma colensoi</i>	
<i>Coprosma crenulata</i>	
<i>Coprosma foetidissima</i>	Stinkwood
<i>Coprosma grandifolia</i>	Raurekau
<i>Coprosma elatirioides</i>	
<i>Coprosma propinqua</i>	
<i>Coprosma pseudocuneata</i>	
<i>Coprosma</i> sp. aff. <i>Colensoi</i>	
<i>Coprosma "taylorae"</i> (<i>Coprosma parviflora</i>)	
<i>Cyathodes empetrifolia</i>	Mountain mingimingi
<i>Cyathodes juniperina</i>	Prickly mingimingi
<i>Dacrydium cupressinum</i>	Rimu
<i>Dracophyllum longifolium</i>	Inaka
<i>Dracophyllum oliveri</i>	
<i>Dracophyllum palustre</i>	
<i>Dracophyllum politum</i>	
<i>Dracophyllum pronum</i>	
<i>Dracophyllum traversii</i>	Mountain neinei
<i>Dracophyllum uniflorum</i>	
<i>Elaeocarpus hookerianus</i>	Pokaka
<i>Epacris alpina</i>	
<i>Epacris pauciflora</i>	
<i>Gaultheria antipoda</i>	Snowberry
<i>Gaultheria depressa</i>	
<i>Gaultheria macrostigma</i>	
<i>Griselinia littoralis</i>	
<i>Griselinia lucida</i>	Broadleaf
<i>Halocarpus bidwillii</i>	Bog pine
<i>Halocarpus biformis</i>	Pink pine
<i>Hebe canterburiensis</i>	
<i>Hebe gracillima</i>	
<i>Hebe odora</i>	
<i>Lagarostrobos colensoi</i>	Silver pine
<i>Lepidothamnus intermedius</i>	Yellow-silver pine
<i>Lepidothamnus laxifolius</i>	Pygmy pine
<i>Leptospermum scoparium</i>	Manuka
<i>Leucopogon fasciculatus</i>	Mingimingi
<i>Libocedrus bidwillii</i>	Cedar
<i>Metrosideros diffusa</i>	
<i>Metrosideros umbellata</i>	Southern rata
<i>Myrsine divaricata</i>	Weeping matipo
<i>Myrsine nummularia</i>	
<i>Myrsine salicina</i>	Toro
<i>Neomyrtus pedunculata</i>	Rohutu
<i>Nothofagus fusca</i>	Red beech

<i>Nothofagus menziesii</i>	Silver beech
<i>Nothofagus solandri</i> var. <i>cliffortioides</i>	Mountain beech
<i>Nothofagus truncata</i>	Hard beech
<i>Olearia arborescens</i>	
<i>Olearia avicenniifolia</i>	
<i>Olearia colensoi</i>	Leatherwood
<i>Olearia virgata</i> var. <i>implicata</i> ¹	
<i>Pentachondra pumila</i>	
<i>Peraxilla tetrapetala</i> ¹	
<i>Phyllocladus alpinus</i>	Mountain toatoa
<i>Pimelea gnidia</i>	
<i>Pittosporum anomalum</i>	
<i>Pittosporum rigidum</i>	
<i>Podocarpus hallii</i>	Hall's totara
<i>Pseudopanax anomalus</i>	
<i>Pseudopanax crassifolius</i>	Lancewood
<i>Pseudopanax linearis</i>	
<i>Pseudopanax simplex</i>	Haumakaroa
<i>Pseudowintera colorata</i>	Horopito
<i>Pseudowintera traversii</i>	
<i>Quintinia acutifolia</i>	Quintinia
<i>Weinmannia racemosa</i>	Kamahi

Dicots Herbs

<i>Anisotome aromatica</i>	
<i>Brachyglottis bellidioides</i> 'crassus' sensu Allan 1961	
<i>Celmisia alpina</i>	
<i>Celmisia dubia</i>	
<i>Celmisia gracilentia</i>	
<i>Celmisia graminifolia</i> agg.	
<i>Celmisia parva</i>	
<i>Celmisia sessiliflora</i>	
<i>Centella uniflora</i>	Centella
<i>Colobanthus apetalus</i>	
<i>Craspedia</i> sp. aff. <i>Minor</i>	
<i>Crassula</i> sp. ¹	
<i>Donatia novae-zelandiae</i>	
<i>Drosera arcturi</i>	
<i>Drosera spathulata</i>	
<i>Drosera stenopetala</i>	
<i>Euphrasia wettsteiniana</i>	
<i>Forstera sedifolia</i>	
<i>Forstera tenella</i>	
<i>Gentiana bellidifolia</i>	
<i>Gentiana spenceri</i>	
<i>Gentiana townsonii</i>	
<i>Gnaphalium limosum</i>	
<i>Gonocarpus aggregatus</i>	
<i>Gonocarpus micranthus</i>	
<i>Gunnera monoica</i>	
<i>Hydrocotyle heteromeria</i>	
<i>Hydrocotyle novae-zealandiae</i>	
<i>Hypericum japonicum</i>	
<i>Kelleria dieffenbachii</i>	
<i>Leptinella squalida</i> var. <i>mediana</i>	
<i>Leptostigma setulosa</i>	
<i>Liparophyllum gunnii</i>	
<i>Microseris scapigera</i>	
<i>Mitrasacme montana</i> var. <i>helmsii</i> ²	
<i>Myosotis pygmaea</i>	

Common Names

Neopaxia sessiliflora
Nertera balfouriana
Nertera ciliata
Nertera depressa
Nertera scapanioides
Nertera villosa
Oreomyrrhis ramosa
Oreostylidium subulatum
Ourisia macrocarpa
Ornithopus perpusillus
Phyllachne colensoi
Plantago lanigera
Plantago triandra
Pratia angulata
Ranunculus sp. cf. *Foliosus*
*Ranunculus gracilipes*¹
Raoulia glabra
Raoulia grandiflora
Selliera radicans
Utricularia dichotoma
Viola cunninghamii
Viola filicaulis

Panakenake

Sedges and Rushes

Baumea tenax
Baumea teretifolia
Carex carsei
Carex dissita
Carex flagellifera
Carex sp.
Carpha alpina
Centrolepis ciliata
Empodisma minus
Gaimardia setacea
Isolepis reticularis
Juncus acuminatus
Juncus articulatus
Juncus gregiflorus
Juncus pauciflorus
Juncus planifolius
Lepidosperma australe
Luzula banksiana var *migrata*
Luzula picta
Luzuriaga parviflora
Oreobolus impar
Oreobolus pectinatus
Oreobolus strictus
Schoenus maschalinus
Schoenus pauciflorus
Uncinia filiformis
Uncinia gracilentia
Uncinia uncinata

Common Names

Pakihi rush

Wire rush

Square sedge

Comb sedge

Grasses

Chionochloa australis
Chionochloa juncea
Chionochloa rubra ssp. *Occulta*
Lachnagrostis sp.
Microlaena avenacea
Microlaena thomsonii

Common Names

Carpet grass

Red tussock

Rytidosperma nigricans

Orchids

*Corybas macranthus*¹
Dendrobium cunninghamii
Earina autumnalis
Lyperanthus antarcticus
Prasophyllum colensoi
Thelymitra cyanea
Thelymitra pauciflora
Thelymitra sp.

Common Names

Other Monocots

Astelia fragrans
Astelia linearis
Astelia nervosa
Cordyline indivisa
Gahnia pauciflora
Gahnia procera
Gahnia xanthocarpa
Libertia pulchella
Phormium cookianum
Phormium tenax

Common Names

Mountain flax

Ferns and Fern Allies

Asplenium flaccidum
Blechnum chambersii
Blechnum discolor
Blechnum fluviatile
Blechnum minus
Blechnum penna-marina
Blechnum procerum
Blechnum novae-zelandiae
Ctenopteris heterophylla
Cyathea cunninghamii
Dicksonia squarrosa
Gleichenia dicarpa
Grammitis magellanica ssp. *Nothofageti*
Grammitis poepigiana
Grammitis billardiieri
Histiopteris incisa
Hymenophyllum armstrongii
Hymenophyllum bivalve
Hymenophyllum demissum
Hymenophyllum flabellatum
Hymenophyllum multifidum
Hymenophyllum revolutum
Leptopteris superba
Lycopodium australianum
Lycopodium fastigiatum
Lycopodium scariosum
Paesia scaberula
Schizaea fistulosa
Schizaea sp.
Sticherus cunninghamii
Sticherus flabellatus
Trichomanes reniforme

Common Names

Hanging spleenwort
Nini
Crown fern
Kiwakiwa
Swamp kiokio

Small kiokio
Kiokio

Wheki
Tangle fern

Water fern

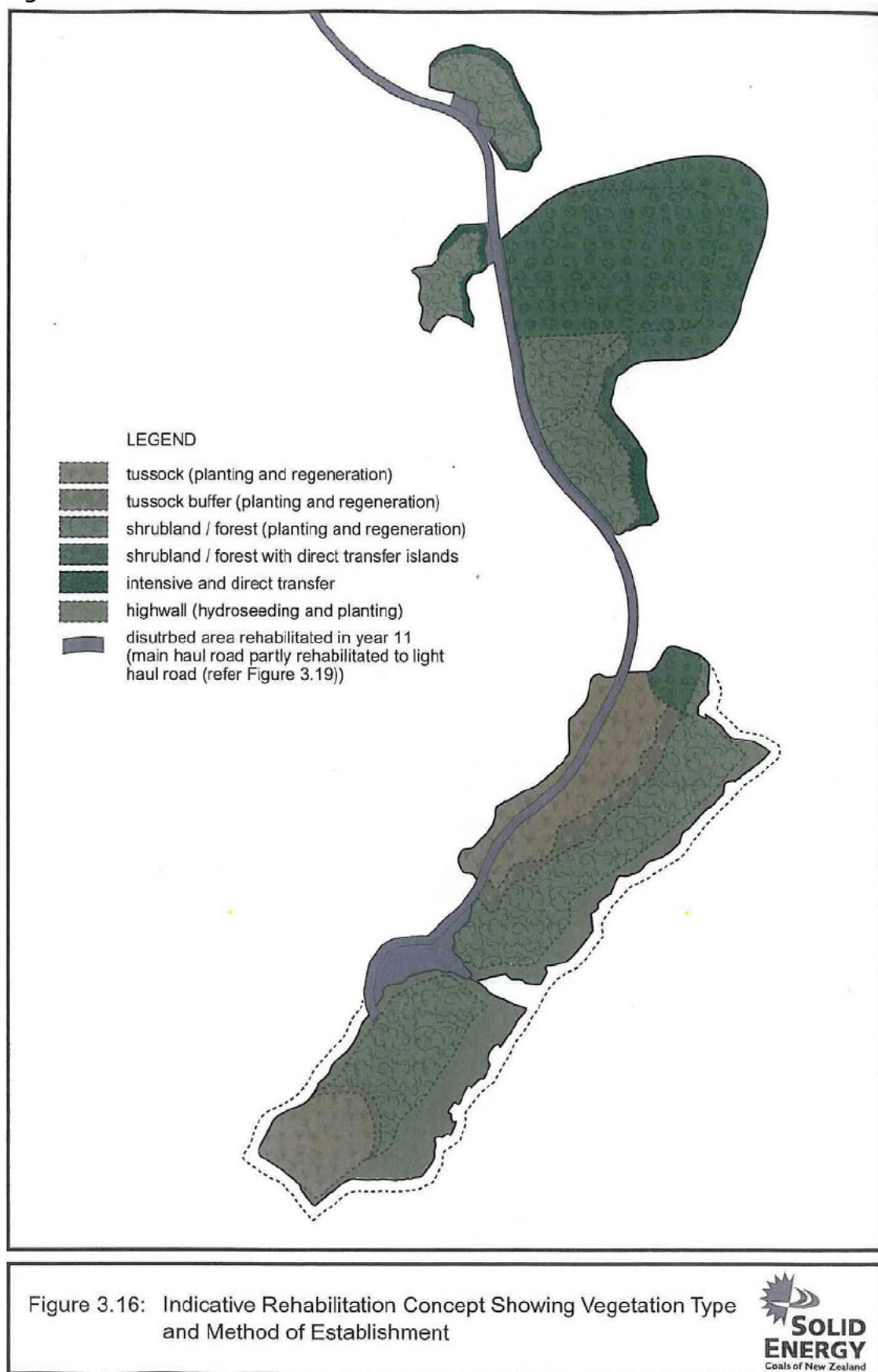
Prince of Wales feathers

Comb fern

Kidney fern

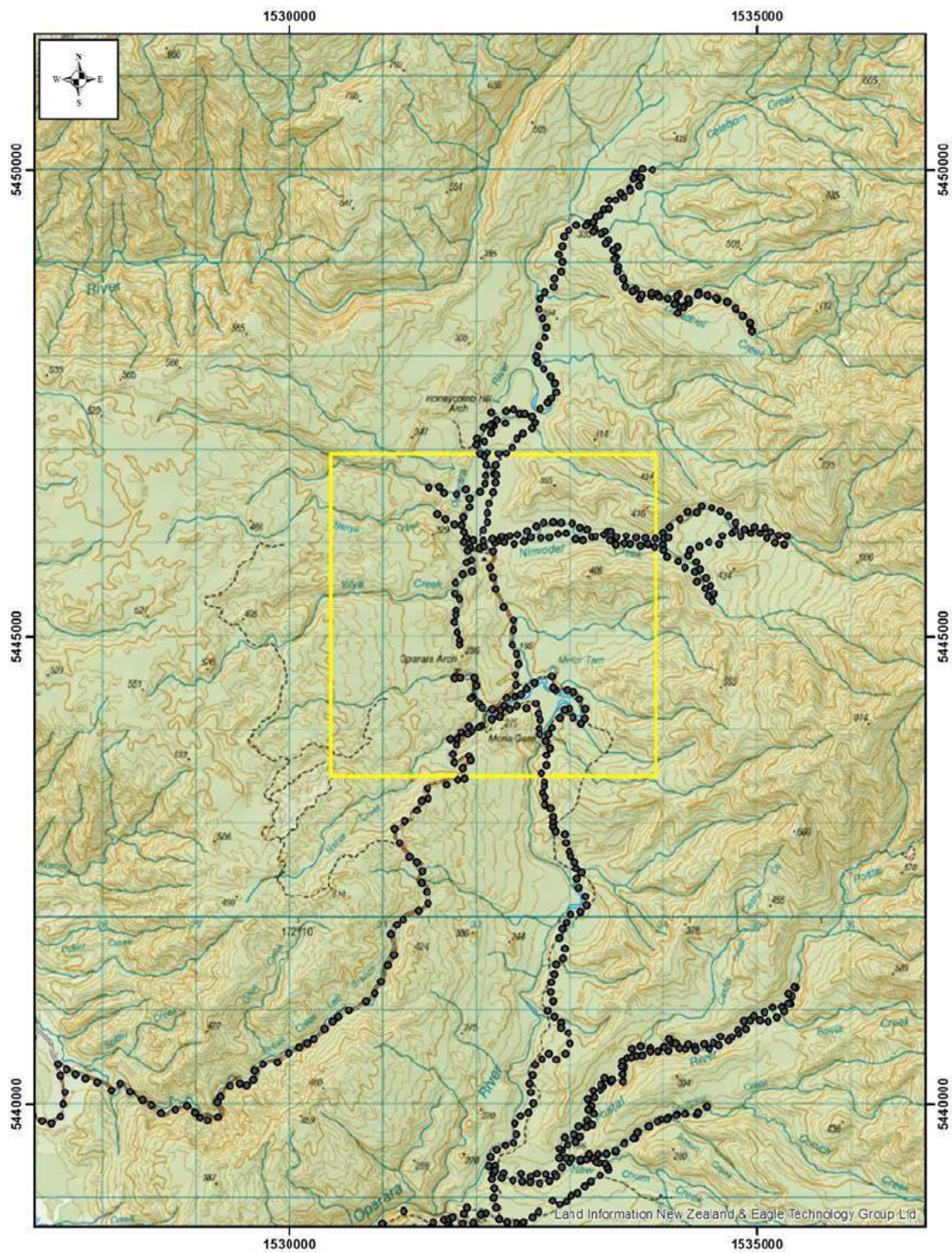
ATTACHMENT 2

Figure 3.16 of the AEE



ATTACHMENT 3 Revision 2

Plan — Kiwi Treatment Area



Proposed Changes to Cypress Conditions

[Section 3 of the report "Cypress Mine – Financial Assurances" prepared by Lane and Associates Limited dated 5 November 2004]

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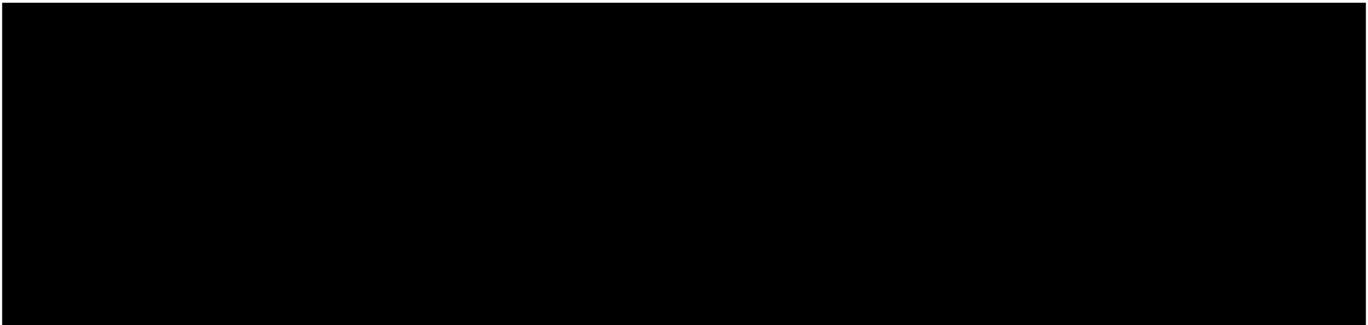
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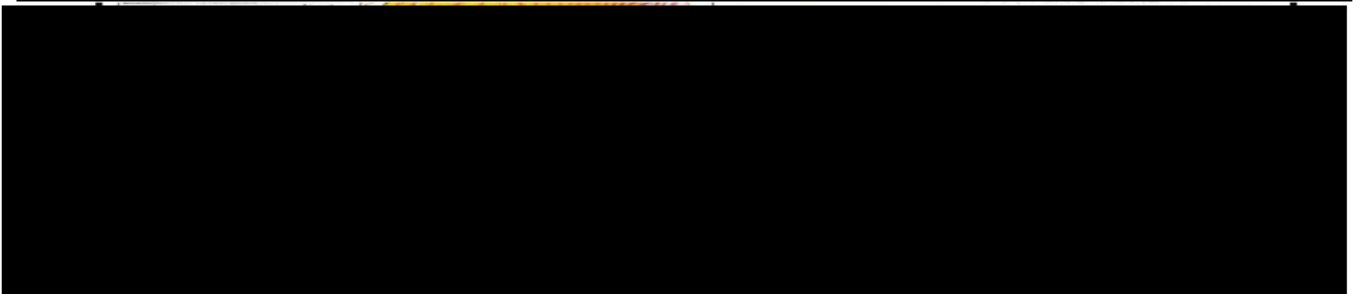
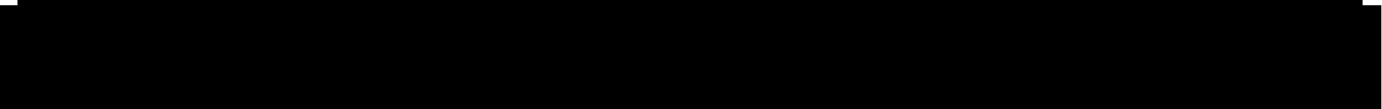
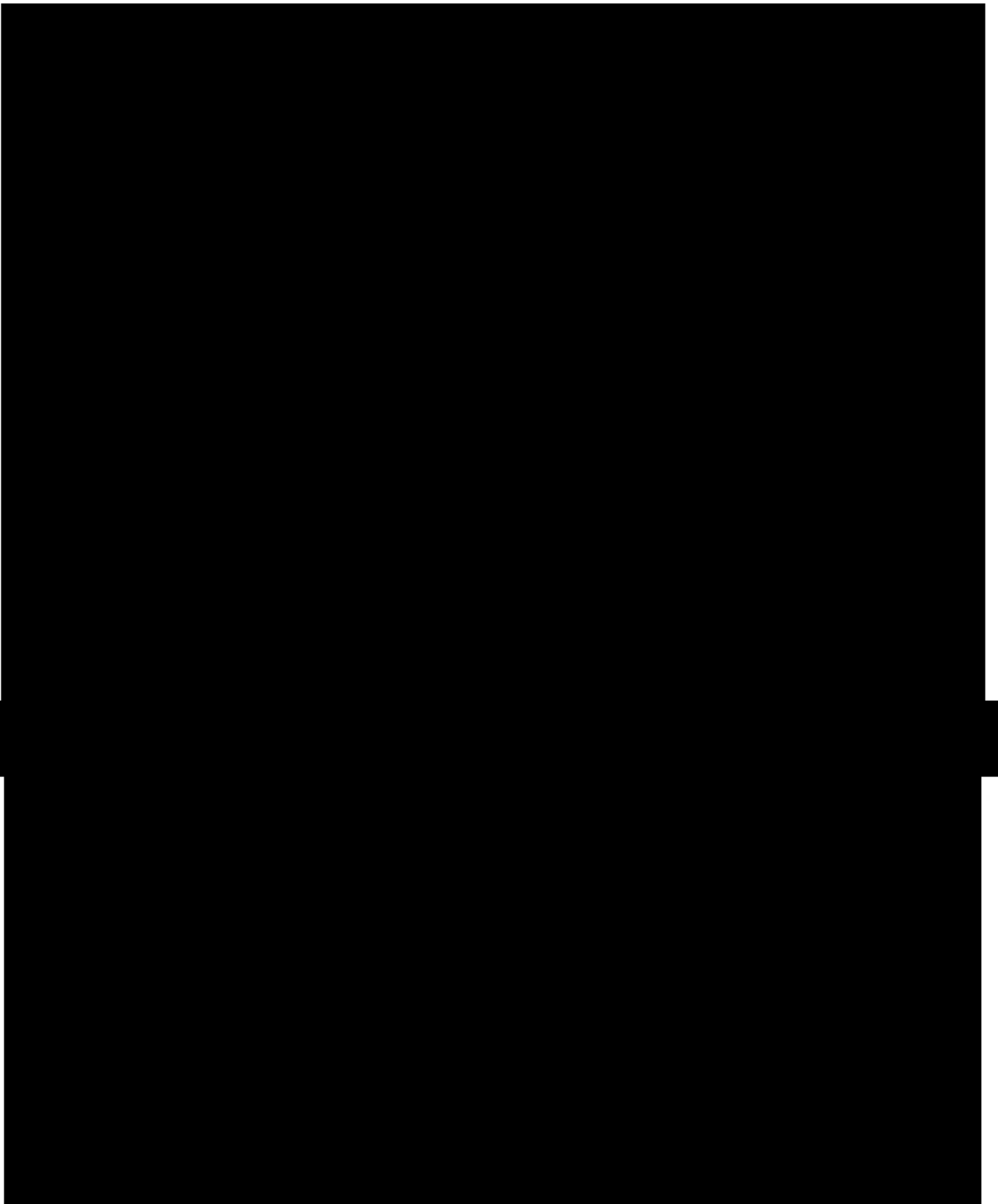
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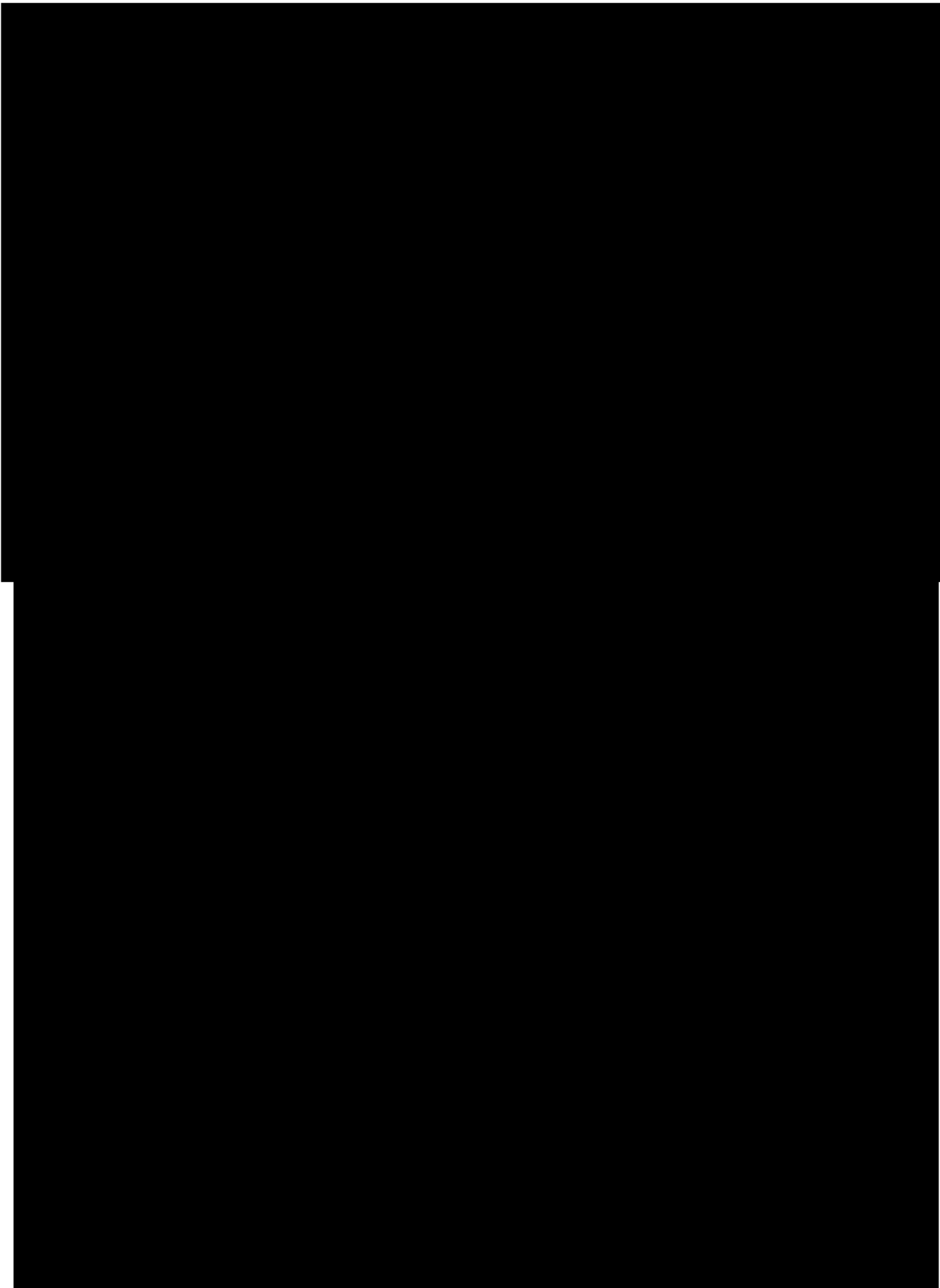
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Proposed Changes to Cross Conditions









Proposed Changes to CYR



[Section 4 of the report "Cypress Mine — Financial Assurances" prepared by Lane Associates Limited dated 5 November 2004]

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Proposed Changes to Cyprus Conventions

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[Section 5 of and Appendix C to the report "Cypress Mine — Financial Assurances" prepared by Lane Associates Limited dated 5 November 2004]

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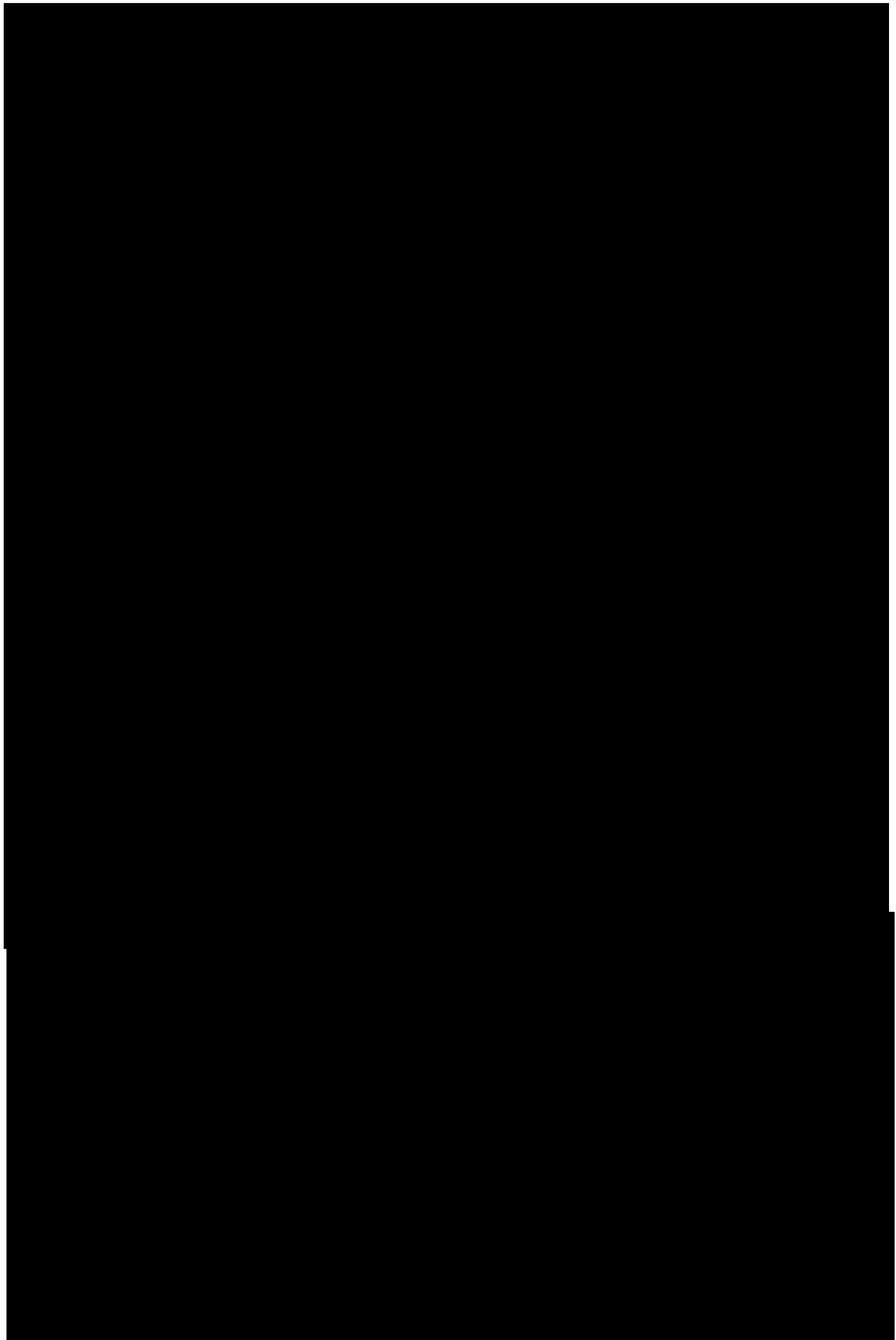
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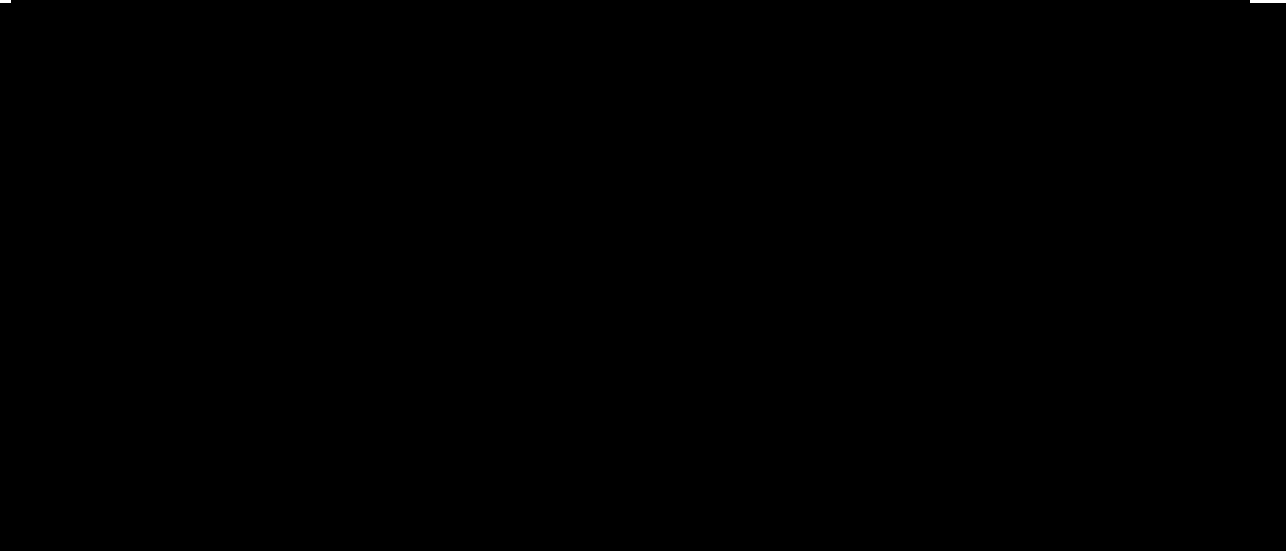
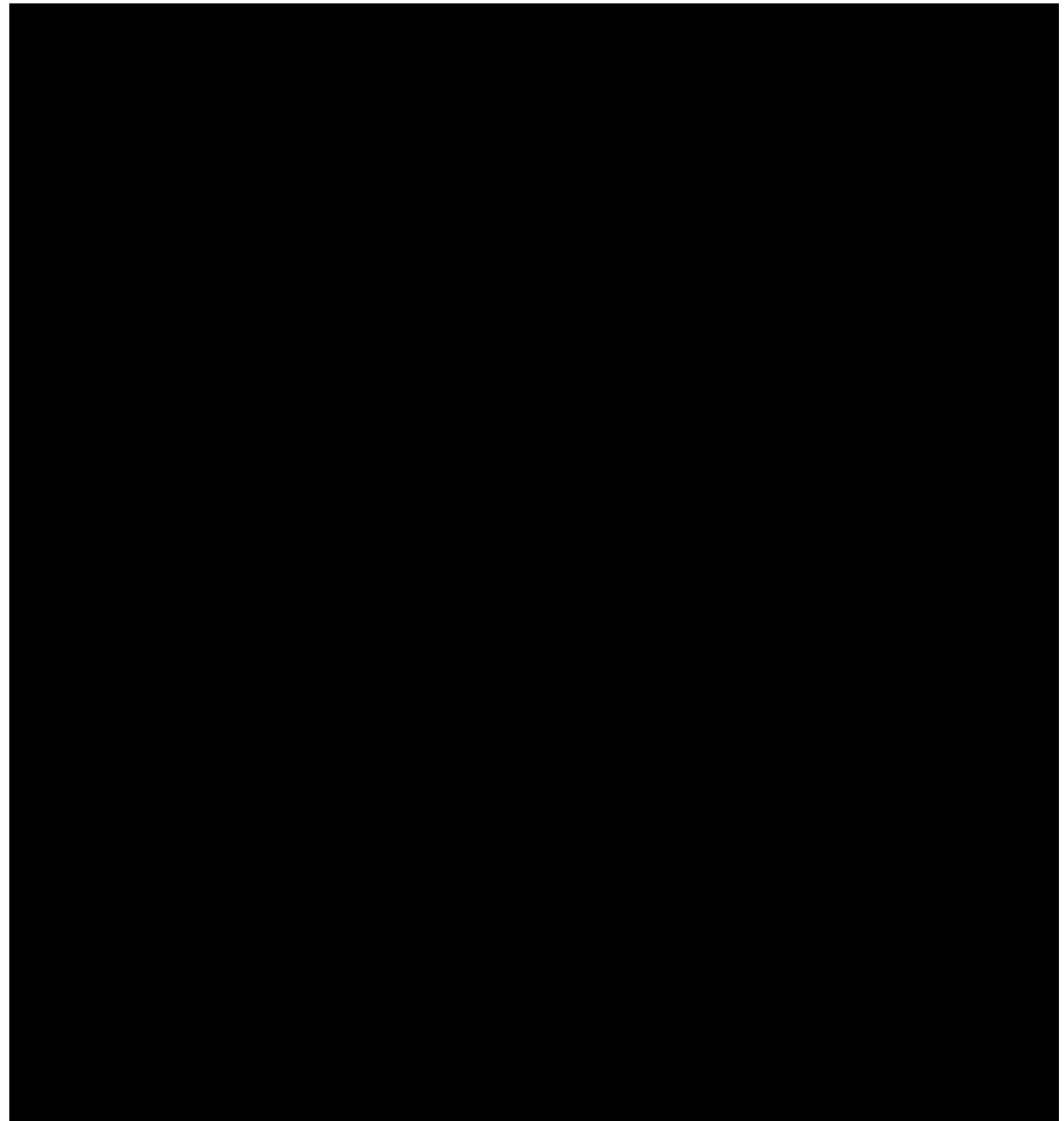
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[REDACTED] of the slip was estimated to involve a few weeks work at a median cost of \$14,750.

[REDACTED]

[REDACTED]

[REDACTED]

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■ [REDACTED]

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[REDACTED]		[REDACTED]	[REDACTED]	[REDACTED]
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[REDACTED]		[REDACTED]	[REDACTED]	[REDACTED]

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APPENDIX C

RISK ASSESSMENT METHODOLOGY

[REDACTED]

[REDACTED]
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[REDACTED]
[REDACTED]
[REDACTED]

Country	Year	Value
Algeria	2010	0.000000
Algeria	2011	0.000000
Algeria	2012	0.000000
Algeria	2013	0.000000
Algeria	2014	0.000000
Algeria	2015	0.000000
Algeria	2016	0.000000
Algeria	2017	0.000000
Algeria	2018	0.000000
Algeria	2019	0.000000
Algeria	2020	0.000000
Algeria	2021	0.000000
Algeria	2022	0.000000
Algeria	2023	0.000000
Algeria	2024	0.000000
Algeria	2025	0.000000
Algeria	2026	0.000000
Algeria	2027	0.000000
Algeria	2028	0.000000
Algeria	2029	0.000000
Algeria	2030	0.000000
Algeria	2031	0.000000
Algeria	2032	0.000000
Algeria	2033	0.000000
Algeria	2034	0.000000
Algeria	2035	0.000000
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Algeria	2046	0.000000
Algeria	2047	0.000000
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Algeria	2105	0.000000
Algeria	2106	0.000000
Algeria	2107	0.000000
Algeria	2108	0.000000
Algeria	2109	0.000000
Algeria	2110	0.000000

██████████

[illegible]

[REDACTED]

[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
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[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]

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- 3. [REDACTED]

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[REDACTED]

[REDACTED]

- 1. [REDACTED]
- 2. [REDACTED]
- 3. [REDACTED]

[REDACTED]

[REDACTED]

- 1. [REDACTED]
- 2. [REDACTED]

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1. [REDACTED]
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[REDACTED]

I [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

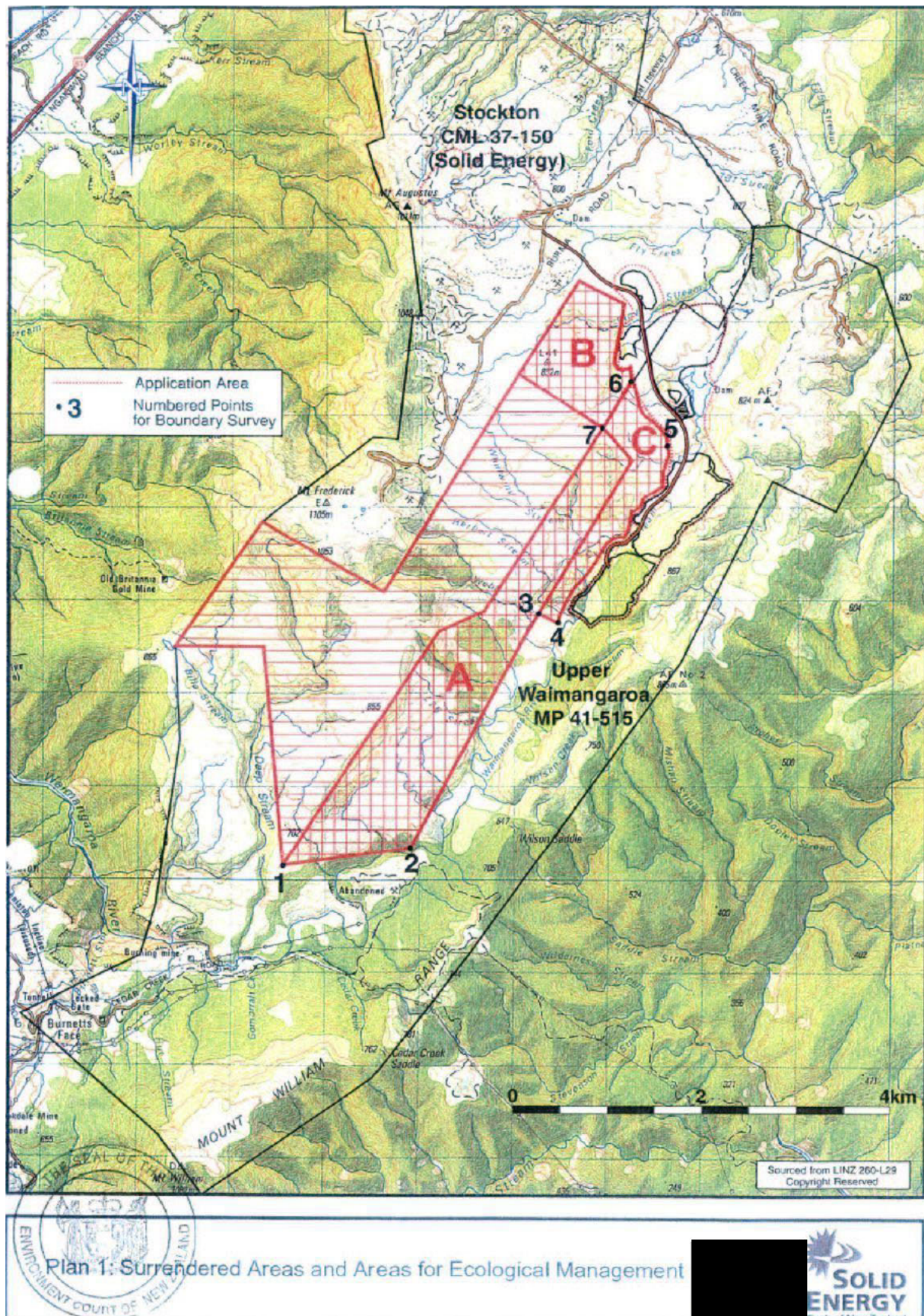
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[REDACTED]

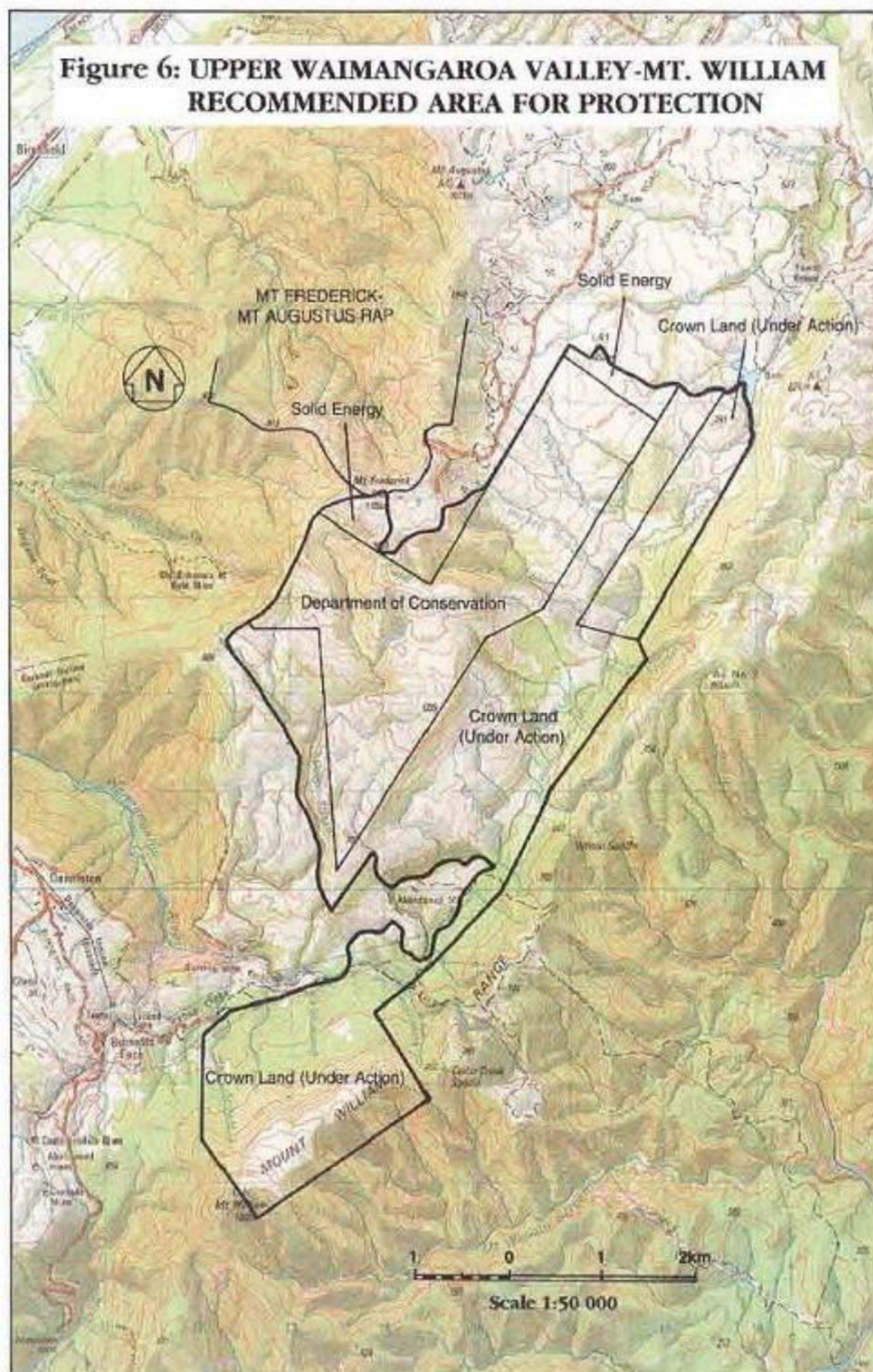
I [REDACTED]
[REDACTED]

Proposed Changes to Cypress Conditions

ATTACHMENT 8

[Plan attached to Deed between Solid Energy New Zealand Limited and Director-General of Conservation dated 28 February 2005)





Attachment 9: Location of the Upper Waimangaroa Haul Road

