

**BENDIGO-OPHIR GOLD PROJECT**  
**PROPOSED LAND USE CONSENT AND CONDITIONS FOR**  
**ACTIVITIES WITHIN THE JURISDICTION OF CENTRAL OTAGO**  
**DISTRICT COUNCIL**  
**UPDATED 28 AUGUST 2026**

*These conditions are the clean updated condition sets following the four conditions workshops held in July and August 2026 with planning experts from Otago Regional Council, Central Otago District Council, the Department of Conservation and Kā Rūnaka.*

*The conditions shaded in light grey wash are where some of the parties have not had sufficient time to fully consider the proposed amendments including as a result of gaining technical advice (with any final comments expected to be provided by 7 September 2026).*

*Comments are included for some conditions to record points of disagreement between MGL and one or more parties, and to identify conditions where discussion between MGL and parties are in progress and are expected to be resolved by 14 September 2026.*

*Cross references to other conditions have been updated and are highlighted in yellow wash for ease of [wha](#) finding and checking the accuracy of those cross references when the conditions are finalised. In some instances, a short description of the condition being cross referenced is also provided in square brackets.*

**CONSENT HOLDER:** Matakanui Gold Limited

**ACTIVITY AUTHORISED:** Land Use Consent to establish, operate, maintain, [close and rehabilitate](#), [and ultimately close](#) an open pit and underground mining operation, referred to as the Bendigo-Ophir Gold Project ("BOGP"), including all mining operations within the Project Site identified on **Plan 1 - Project Overview Plan** annexed as part of **Attachment 2 – Plans in Schedule One**, and all associated ancillary, monitoring, mitigation, off-setting and compensation activities and supporting infrastructure and activities within, and in the vicinity of, the Project Site as shown on **Plan 2 – BOGP Consent Area** annexed as part of **Attachment 2 – Plans in Schedule One**, subject to the following conditions.

**Commented [ST1]:** The closure of the open pit and underground mining operation should occur before the rehabilitation activities are complete. Rehabilitation should be the only activity which can continue indefinitely (see later condition). To reflect this, change the order and remove "ultimately".

**Commented [ST2]:** Plan 1 in Schedule 1 does not show the Project Site

**Commented [ST3]:** The reference to the Project Site and then "in the vicinity of" is confusing here. It might be better to refer to the BOGP Consent Area and beyond. In particular, much of the monitoring, mitigation, off-setting and compensation activities and supporting infrastructure is way outside the Project Site, and even the Consent Area.



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## ATTACHMENTS

Attachment A: BOGP Site Layout and Nearest Noise Sensitive Receivers

Attachment B: Cushionfield Habitat

Attachment C: Potential Invertebrate Effects Area

Attachment D: Habitat boundary for *Sporophylla oenospora*

Attachment E: Thomson Gorge Road Widening



## COMPLIANCE WITH COMMON CONDITIONS FOR LAND USE CONSENT AND REGIONAL CONSENTS

| No. | Condition                                                                                                                                                                                                                                                              |
|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1   | The exercise of this consent is subject to compliance with the Common Conditions in <b>Schedule One</b> . Acronyms, abbreviations and defined terms set out in the Common Conditions have the same meaning for the purposes of this consent and associated conditions. |

## SCOPE OF ACTIVITIES

| No. | Condition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2   | <p>The activities authorised by this consent <u>include are</u> those listed in Condition 3 below, as described in more detail in the consent documentation listed in Attachment 1 to the Common Conditions that apply to Central Otago District Council and Otago Regional Council. This documentation includes:</p> <ul style="list-style-type: none"> <li>(a) The Substantive Application and Assessment of Environmental Effects prepared by Mitchell Daysh Limited dated 31 October 2025 and supporting technical documents submitted by Matakanui Gold Limited (the “<b>Consent Holder</b>”) to the Environment Protection Authority (“<b>EPA</b>”) in support of authorisations for the BOGP under the Fast-track Approvals Act 2024;</li> <li>(b) Additional and / or amended technical documents and management plans submitted by the Consent Holder to the EPA during the post-lodgement phase of the BOGP application; and</li> <li>(c) Various responses to further information requested by administering agencies and the Expert Panel during the post-lodgement phase of the BOGP application.</li> </ul> <p><u>Where more recent information (of that listed above) is inconsistent with, or varies from, earlier information, the more recent information shall prevail.</u></p> |
| 3   | <p>The activities authorised by this consent <u>include are</u> those listed below:</p> <ul style="list-style-type: none"> <li>(a) The staged establishment and operation of the RAS Open Pit and Underground Mine and SRX Open Pit, which will remain as pit lakes with adjacent benched pit walls at closure;</li> <li>(b) The establishment of the CIT Open Pit, which will be progressively backfilled with waste rock from the RAS Open Pit and rehabilitated at the completion of mining activities;</li> <li>(c) The establishment and operation of the SRE Open Pit, which will be progressively backfilled with waste rock before becoming an engineered landform for the adjoining SRX Open Pit;</li> <li>(d) The establishment and use of an engineered Tailings Storage Facility (“<b>TSF</b>”) in the upper reach of Shepherds Valley including clean and dirty water diversion channels;</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                  |

**Commented [ST4]:** The conditions should be clear as to what activities are authorised

**Commented [ST5]:** There needs to be an additional clause or advice note here that states where more recent responses or applicant information is inconsistent with, or varies from, earlier information, the more recent response or information shall prevail.

**Commented [ST6]:** As above



| No. | Condition                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (e) | The establishment of three engineered landforms, one in the Shepherds Valley (“ <b>Shepherds ELF</b> ”), one in the Rise and Shine Valley (“ <b>SRX ELF</b> ”) and one in a small unnamed tributary of the Rise and Shine Creek (“ <b>Western ELF</b> ”) to permanently store <u>extracted overburden</u> waste rock;                                                                                                                                                      |
| (f) | A <u>conventional</u> hard-rock gold processing plant in the lower reach of Shepherds Valley, along with associated processing infrastructure and ancillary activities. This includes the establishment of an all-purpose service corridor along Shepherds Valley (“ <b>Shepherds Service Corridor</b> ”) and the realignment of Shepherds Creek to form the Shepherds Creek Clean Water Diversion Channel (“ <b>Shepherds CWDC</b> ”);                                    |
| (g) | The establishment of mine offices, a laboratory, ablution blocks, carparks, workshops and equipment servicing infrastructure in the lower Shepherds Valley;                                                                                                                                                                                                                                                                                                                |
| (h) | The establishment of temporary soil, vegetation, weathered boulder and brown rock stockpiles and storage areas around the Project Site;                                                                                                                                                                                                                                                                                                                                    |
| (i) | Infrastructure associated with the taking of groundwater from the Bendigo Aquifer via an existing lawfully established bore and a proposed new bore for use largely in mining-related and ancillary activities. Water will be conveyed to the processing plant via a pipeline over a distance of approximately 6.5 km;                                                                                                                                                     |
| (j) | The establishment of a water storage pond (“ <b>Shepherds Silt Pond</b> ”) at the base of the Shepherds ELF and water storage tank(s) for use at the processing plant, dust suppression and drinking water supply;                                                                                                                                                                                                                                                         |
| (k) | The establishment of supporting infrastructure / activities within the Project Site, such as the upgrade of Ardgour Road and Thomson Gorge Road to provide improved access to the BOGP, internal mine access and haul roads, water pipelines and underground utilities, and electricity supply to the Project Site from Lindis Crossing and Matilda Rise;                                                                                                                  |
| (l) | <u>The proposed temporary closure of parts of Thomson Gorge Road, enhancement of Thomson Gorge Road east of the project and the closure of an undeveloped road (“paper road”) in the lower Shepherds Valley whilst mining operations and rehabilitation activities are undertaken;</u>                                                                                                                                                                                     |
| (m) | Fenced and secured explosive magazines and explosive emulsion mixing facilities <u>in locations shown on Plan 1 - Project Overview Plan in Attachment 2 – Plans in Schedule One (located outside the mining operations area on the Bendigo / Ardgour terraces);</u>                                                                                                                                                                                                        |
| (n) | The establishment of supporting infrastructure associated with the BOGP on the Bendigo / Ardgour terraces, including temporary construction workers accommodation ( <u>which may include partly in the form of</u> a caravan park), general security buildings, first aid and administration offices, a geology complex (including a core and sample storage area, offices and laboratory), waste management areas, contractor laydown yards and an electrical substation; |
| (o) | The establishment of two aggregate pits on existing agricultural land on the Bendigo / Ardgour terraces;                                                                                                                                                                                                                                                                                                                                                                   |

**Commented [ST7]:** Meaning? Suggest superfluous descriptor.

**Commented [ST8]:** A resource consent cannot authorise a road closure.



| No. | Condition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|     | <p>(p) <del>Exploration activities, including land disturbance associated with establishment of drill pads and any necessary access tracking, up to a total of no more than 3 hectares within the BOGP Consent Area outside beyond the Direct Disturbance Footprint (“DDF”) (refer to Plan 2 – BOGP Consent Area in Schedule One);</del></p> <p>(q)(p) While no mining operations are proposed, nor allowed, on the public conservation land adjoining the Project Site, the following activities will be undertaken to maintain and/or improve public access and amenity:</p> <ul style="list-style-type: none"> <li>(i) The realignment of Thomson Gorge Road, via Ardgour Station (“<b>Ardgour Rise</b>”), to provide public access between the Bendigo / Ardgour terraces and the Thomsons Saddle;</li> <li>(ii) The establishment of a replacement walking route to provide access to the historic Come-in-Time Battery (and closure of existing walking access to the Come-In-Time Battery to prevent access to the BOGP Project Site);</li> <li>(iii) An upgrade to the intersection of State Highway 8 (“<b>SH8</b>”) and Ardgour Road to provide safe and suitable access to the Project Site whilst appropriately managing effects on the wider transport network;</li> <li>(iv) Crack willow management activities within the Bendigo and Clearwater Creeks; and</li> <li>(v) All necessary activities that are ancillary to those listed above;</li> </ul> <p>(r)(q) Earthworks associated with the damming, diverting and reclamation of watercourses and the establishment of erosion and sediment control measures (including various clean and dirty water diversion channels);</p> <p>(s)(r) Salvaging and relocating notable plants, invertebrates, lizards, and habitat features (e.g. wood, weathered rock) in accordance with various management plans;</p> <p>(t)(s) Ecological rehabilitation and enhancement across 480 hectares within the Project Site;</p> <p>(u)(t) Offset and compensation measures which include ecological restoration and habitat enhancement, <del>including establishment and management of two predator-exclusion fenced sanctuary areas (the Bendigo Sanctuary Area and the Battery Hill Sanctuary Area)</del> across 2,219 hectares of habitat in the landscape surrounding the Project Site; and</p> <p>(v)(u) The undertaking of mine remediation and closure activities.</p> <p><del>Activities not listed above may also be carried out, provided they are directly related to, and form part of, the BOGP Project as described in the Substantive Application and Assessment of Environmental Effects prepared by Mitchell Daysh Limited dated 31 October 2025 and supporting technical documents submitted by the Consent Holder to the EPA in support of its application for authorisation of the BOGP under the Fast-track Approvals Act 2024.</del></p> |

**Commented [ST9]:** Plan 2 does not show the DDF. It does show the Project Site.

**Commented [ST10]:** The effects of this activity have not been assessed [Heritage Hearing Transcript: p 21-22 (Woods); physical impact to sites outside the footprint will be avoided; Ecology Hearing Transcript p 20 - (Barber); p 41-42 (Anderson); p 139 (Baber - scope was the DDF, no knowledge or understanding outside of that)]

**Commented [ST11]:** The Battery Hill Sanctuary Area is out of scope and its effects have not been assessed

**Commented [ST12]:** As above

**Commented [ST13]:** This needs to be updated to refer to Condition 2, due to the extensive amount of subsequent documentation including many project changes.

## LAPSE PERIOD AND TERMS OF CONSENT

| No. | Condition                                                                                                                                                                                                                                                                                                                                         |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 4   | Pursuant to Section 87(b) of the Fast-track Approvals Act 2024, this consent will lapse if not given effect to within <u>10.1 years of its date of commencement</u> .                                                                                                                                                                             |
| 5   | Pursuant to Section 96 of the Fast-track Approvals Act 2024, this consent is for <u>16 years, an unlimited term</u> .<br><br><u>All buildings and structures, other than those required for the ongoing restoration activities and management of the remaining essential site infrastructure, must be removed prior to expiry of the consent.</u> |

**Commented [ST14]:** A 10 year lapse is not appropriate for a fast-tracked consent

**Commented [MD15]: Point of Disagreement**  
CODC considers that all BOGP activities up until the active-closure phase should have a 16 year term of consent (comprised of the approximately 2-year site establishment / construction period and the approximately 14 year gold production period as indicated in the application), with only the post-closure activities having an unlimited consent term. This is on the basis that the substantive application does not anticipate an open-ended period in terms of the effects of the activity and the corresponding assessments in the application.

MGL seeks an unlimited land use consent term. As noted above, the 14 year period is an indication (not an absolute certainty). The life of the mine will depend on the amount of gold discovered and the term of the consent, and the benefits arising from the exercise of the consent should not be arbitrarily limited based solely on current resource information. For example, it would be grossly inefficient to re-consent the mining aspects of the BOGP if another six months / 1 year + is required to re-assess the application.

**Commented [ST15R2]:** Sustainable Tarras agrees with CODC

**Commented [ST16]:** It's not clear why this exclusion is here. I think it's just confusing.

**Commented [ST17]:** Sustainable Tarras opposes authorisation of exploration drilling as it has not been assessed, but if it is approved regardless, supports the position of CODC and DOC as to the parameters in (a) to (c)

**Commented [MD18]: In Progress**  
This new clause (a) is generally agreed by all parties, however, CODC and DOC are to advise on whether their experts agree with the 50 m setback distance as part of any comments provided on 7 September 2026.

**Commented [ST19]:** It is not clear if this excludes the Sanctuary Areas and Ardour Restoration Area, all of which lie fully or partly within the BOGP Consent Area (the Bendigo Sanctuary Area is also shown as being within the Project Site area). These areas should be specifically avoided by exploration activities including drilling, especially the restoration areas, and should be named here.

## LOCATION OF MINING OPERATIONS

| No. | Condition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 6   | <p>Mining operations <u>(excluding exploration drilling)</u> can only be undertaken within the Project Site identified on <b>Plan 2 – BOGP Consent Area</b> annexed as part of <b>Attachment 2 – Plans in Schedule One</b>.</p> <p>For the avoidance of doubt, <u>exploration drilling can be undertaken within the Project Site and BOGP Consent Area identified on Plan 2 – BOGP Consent Area annexed as part of Attachment 2 – Plans in Schedule One</u>. However, all exploration activities (including land disturbance associated with establishment of drill pads and any necessary access tracking) must not exceed a total of 3 hectares within the BOGP Consent Area beyond the Direct Disturbance Footprint ("DDF") and must:</p> <ul style="list-style-type: none"> <li>(a) Include the identification and physical marking of all archaeological sites and heritage features within <u>50 m of any proposed exploration activities and then avoid any effect on those sites and features;</u></li> <li>(b) <u>Avoid any wetlands or terrestrial ecology release sites;</u> and</li> <li>(c) Not impact on any environmental outcomes that are to be achieved through the conditions of this Land Use Consent and the Common Conditions in the jurisdiction of the Central Otago District Council and the Otago Regional Council in <b>Schedule One</b>.</li> </ul> |



## NETWORK UTILITIES

| No. | Condition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|-----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7   | <p>Buildings associated with network utilities activities authorised by this consent that are located within the DDF are to:</p> <ul style="list-style-type: none"><li>(a) Have a maximum area of 20 m<sup>2</sup> and a maximum height of 4 m;</li><li>(b) For walls, comprise browns, greens, grey blue, greys, terracotta, tussock and dark reds provided that such colours have a Reflectivity Value (“RV”) of less than 38%;</li><li>(c) For exterior walls, be similar to and darker than the surrounding landscape colours; and</li><li>(d) For roofs, be in a low sheen in any colour that has an RV of less than 32% or comprise unpainted natural products such as timber shingles or slate and be similar to and darker than the surrounding landscape colours.</li></ul> <p><b>Advice Notes:</b></p> <ul style="list-style-type: none"><li>&gt; For the avoidance of doubt, this condition does not in itself authorise buildings that are beyond the scope of the activities listed in Condition 2.</li><li>&gt; Network utilities are defined in the Resource Management Act 1991.</li><li>&gt; The requirements of this condition are sourced from Rule 4.7.6.D of the Central Otago District Plan. It is acknowledged that the RV may need to increase due to the use of natural timber</li></ul> |

## NOISE, VIBRATION AND BLASTING

| No.                              | Condition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|----------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Construction Noise Limits</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 8                                | <p>For the purposes of the following conditions:</p> <p>“Construction work” means any work in connection with the construction, erection, installation, carrying out, repair, maintenance, cleaning, painting, renewal, removal, alteration, dismantling, or demolition of:</p> <ul style="list-style-type: none"><li>(a) Any building, erection, edifice, structure, wall, fence or chimney, whether constructed wholly or partly above or below ground level;</li><li>(b) Any road, motorway, harbour or foreshore works, railway, cableway, tramway, canal, or aerodrome;</li><li>(c) Any drainage, irrigation, or river control work;</li><li>(d) Any electricity, water, gas, or telecommunications reticulation;</li></ul> |

| No. | Condition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|     | <p>(e) Any bridge, viaduct, dam, reservoir, earthworks, pipeline, aqueduct, drive, shaft, tunnel, or reclamation; or</p> <p>(f) Any scaffolding.</p> <p>Construction work includes:</p> <p>(g) Any work in connection with any excavation, site preparation, or preparatory work, carried out for the purpose of any construction work;</p> <p>(h) The use of any plant, tools, gear, or materials for the purpose of any construction work;</p> <p>(i) Any construction work carried out underwater, including work on ships, wrecks, buoys, rafts, and obstructions to navigation; and</p> <p>(j) Any inspection or other work carried out for the purpose of ascertaining whether construction work should be carried out.</p> <p>“Construction noise” means noise arising from any construction work, as defined above.</p> <p>For the avoidance of doubt, in relation to the BOGP the following activities are considered to fall within the definition of construction work:</p> <p>(a) Site establishment activities, including the construction of all buildings and structures within the Project Site, including temporary workers accommodation;</p> <p>(b) Construction of new access roads and road upgrades;</p> <p>(c) Clearance of vegetation and earthworks associated with site establishment activities;</p> <p>(d) Sourcing and processing of construction material, including aggregate pits and concrete batching;</p> <p>(e) Installation or relocation of services or utilities;</p> <p>(f) Construction of erosion and sediment control measures including clean and dirty water diversions channels, underdrains and silt and sediment collection ponds and associated spillways as required;</p> <p>(g) The construction of predator-proof fences and associated structures for the Bendigo and Ardour Sanctuaries; and</p> <p>(h) Deconstruction works on closure of the facilities, e.g. removal of infrastructure and earthworks, and rehabilitation for future land use.</p> <p>For the avoidance of doubt, mining operations and any blasting are not included as construction works for the purpose of the following conditions.</p> |
| 9   | <p>Construction noise must be managed, measured and assessed in accordance with New Zealand Standard NZS6803:1999 “Acoustics – Construction Noise” (“<b>NZ6803</b>”).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |



| No. | Condition |
|-----|-----------|
|-----|-----------|

- 10 With the exception of blasting, the noise level arising from construction activities listed in Condition 8 must comply with New Zealand Standard NZS 6803:1999 “Acoustics – Construction Noise” (“**NZS 6803**”) and must comply with the noise limits set out in the following table.

**Residential and dwellings in rural areas**

| Day                         | Time Period | Long-Term Duration Noise Limits (dBA) |                        |
|-----------------------------|-------------|---------------------------------------|------------------------|
|                             |             | L <sub>Aeq</sub> (dB)                 | L <sub>Amax</sub> (dB) |
| Residential Receivers       |             |                                       |                        |
| Weekdays                    | 0630 – 0730 | 55                                    | 75                     |
|                             | 0730 – 1800 | 70                                    | 85                     |
|                             | 1800 – 2000 | 65                                    | 80                     |
|                             | 2000 – 0630 | 45                                    | 75                     |
| Saturdays                   | 0630 – 0730 | 45                                    | 75                     |
|                             | 0730 – 1800 | 70                                    | 85                     |
|                             | 1800 – 2000 | 45                                    | 75                     |
|                             | 2000 – 0630 | 45                                    | 75                     |
| Sundays and Public Holidays | 0630 – 0730 | 45                                    | 75                     |
|                             | 0730 – 1800 | 55                                    | 85                     |
|                             | 1800 – 2000 | 45                                    | 75                     |
|                             | 2000 – 0630 | 45                                    | 75                     |

- 11 All blasting noise and vibration during the construction phase of the BOGP must comply with the blasting limits in Conditions 17 to 21.

- 12 The construction noise limits in Condition 10 do not apply to any property or site that is:
- (a) Owned by the Consent Holder or a related company; or
  - (b) Owned by a third party which is subject to either a registered covenant or a written agreement (a copy of which is to be provided to the Central Otago District Council) whereby noise effects on the property caused by activities authorised under this consent are not to be taken into account for monitoring and compliance purposes.



| No.                             | Condition |
|---------------------------------|-----------|
| <b>Operational Noise Limits</b> |           |

- 13 The noise rating level from operational activities, including all mining operations but excluding blasting activities, must comply with the following noise limits at or within the notional boundary of any existing dwelling that exists at the commencement date of this consent:

| Time                          | Limit                                                                    |
|-------------------------------|--------------------------------------------------------------------------|
| Daytime<br>0700 to 2200hrs    | 55 dB L <sub>Aeq</sub> (15 min)                                          |
| Night-time<br>2200 to 0700hrs | 40 dB L <sub>Aeq</sub> (15 min)<br>75 dB L <sub>A</sub> F <sub>max</sub> |

"Notional boundary" means a line 20 metres from the façade of any building used for residential activity, or the legal boundary of the site on which a building containing a residential activity is located where the boundary is closer to the building than 20 metres.

**Commented [MD20]: Point of Disagreement**  
CODC Noise and Vibration expert does not agree with the retention of this aspect of condition in accordance with Para 21 of the Noise and Vibration JWS (20 May 2026).

|                                     |  |
|-------------------------------------|--|
| <b>Operational Noise Monitoring</b> |  |
|-------------------------------------|--|

- 14 All noise measurements, predictions and assessments, including for any monitoring undertaken, if required to verify compliance with operational noise limits (e.g. in response to a complaint about noise levels), must be measured in accordance with the provisions of New Zealand Standard NZS6801:2008 Acoustics – Measurement of Environmental Sound and assessed in accordance with the provisions of New Zealand Standard NZS 6802:2008 Acoustics – Environmental Noise.

- 15 The operational noise limits in Condition 13 do not apply to any property or site that is:
- (a) Owned by the Consent Holder or a related company; or
  - (b) Owned by a third party which is subject to either a registered covenant or a written agreement (a copy of which is to be provided to the Central Otago District Council) whereby noise effects on the property caused by activities authorised under this consent are not to be taken into account for monitoring and compliance purposes.

- 16 The Consent Holder must implement the best practicable options to minimise noise at all times.

|                                      |  |
|--------------------------------------|--|
| <b>Blasting and Vibration Limits</b> |  |
|--------------------------------------|--|

- 17 Surface blasting in the open pits or for construction works may only occur between 10 am and 96 pm on Monday to Friday. Underground blasting is permitted to occur at any time.



| No. | Condition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 18  | <p>To ensure public safety, the Consent Holder must ensure that the public is excluded within a 500 m of the location of any blasting events. <u>Such exclusions must not exceed one hour per day, on 3 days per week, with such exclusions published in advance on social media and the Consent Holder's website.</u></p> <p><b>Advice Note:</b> Compliance with this condition in relation to blasting events for construction works and in the Come-in-Time Open Pit may require the temporary exclusion of the public in the vicinity of the Come in Time Battery within the Bendigo Historic Reserve.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 19  | <p>Prior to any blasting events occurring in the Come-in-Time Open Pit, the Consent Holder must enter into an agreed protocol with the Department of Conservation regarding the procedures that will be undertaken to achieve compliance with Condition 18 to the extent it relates to the Bendigo Historic Reserve. A copy of the agreed protocol is to be provided to the Central Otago District Council within 10 working days of it being completed and prior to any blasting events.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 20  | <p>In relation to the nearby dwellings (shown on <b>Attachment A – BOGP Site Layout and Nearest Noise Sensitive Receivers</b> to this Land Use Consent), vibration from blasting activities affecting dwellings must be measured and assessed in accordance with Appendix J of Australian Standard AS 2187-2:2006 <i>Explosives – Storage and use Part 2: Use of explosives</i>, and the Consent Holder must ensure that:</p> <p>(a) <u>Blasting is managed to ensure that, in any calendar year, 95% of airblast levels do not exceed 115 dBL<sub>Zpeak</sub>, with a maximum of 120 dBL<sub>Zpeak</sub>, when measured and assessed at any point within the notional boundary of any rural dwelling;</u></p> <p>(b) Blasting vibration must not exceed a peak particle velocity of 5 mm/s for 95% of blast events in any calendar year, with a maximum of 10 mm/s for up to 5% of blast events in any calendar year when measured and assessed at the foundation of any dwelling; and</p> <p>(c) Blasting vibration must not exceed a peak particle velocity of 0.3 mm/s when measured and assessed at the foundation of any dwelling for underground blasting undertaken between 9 pm and 10 am.</p> <p>The limits of a peak particle velocity of 5 mm/s can only be exceeded in circumstances where the blast was designed to comply with 5 mm/s and where the exceedance was due to an unforeseeable factor such as an unusual ground propagation characteristic or some other unpredictable reason.</p> |
| 21  | <p>The limits in Condition 20 do not apply to any property or site that is:</p> <p>(a) Owned by the Consent Holder or a related company; or</p> <p>(b) Owned by a third party which is subject to either a registered covenant or a written agreement (a copy of which will be provided to the Central Otago District Council) whereby vibration effects on the property caused by activities authorised under this consent are not to be taken into account for monitoring and compliance purposes.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

**Commented [ST21]:** Limits should be imposed on the frequency of blasting events that require temporary exclusion of the public in the vicinity of the Come in Time Battery

**Commented [ST22]:** Invalid for uncertainty

**Commented [MD23]: Point of Disagreement**  
Amendments in Condition 17(a) and (b) not agreed by experts as per Para 33-35 of Noise and Vibration JWS (20 May 2026). CODC expert wants alternative condition. If the 95% / 5% approach is adopted by the Panel, the new text at the end of the condition is to be included as supported by CODC expert.

If the 95% / 5% approach is *not* adopted by the Panel, then CODC seek that Condition 17 should be replaced in its entirety with the following:

*Vibration from blasting activities affecting dwellings must be measured and assessed in accordance with Appendix J of Australian Standard AS 2187-2:2006 Explosives – Storage and use Part 2: Use of explosives, and the Consent Holder must ensure that:*

*a. Blasting is managed to ensure that, in any calendar year, 95% of airblast levels do not exceed 115 dBL<sub>Zpeak</sub>, with a maximum of 120 dBL<sub>Zpeak</sub>, when measured and assessed at any point within the notional boundary of any rural dwelling; and*

*b. Blasting vibration must not exceed a peak particle velocity of 5mm/s measured and assessed at the foundation of any dwelling; and*

*c. Blasting is only conducted between the hours of 7am and 8pm*

**Commented [ST23R2]:** Sustainable Tarras supports CODC except that surface blasting should only occur between 10 am and 6 pm

| No.                                                     | Condition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|---------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Construction Noise and Vibration Management Plan</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 22                                                      | <p>All construction work must be undertaken in accordance with a Construction Noise and Vibration Management Plan, certified in accordance with Common Condition C17 (or as amended in accordance with relevant conditions of this consent), the objectives of which are to ensure:</p> <ul style="list-style-type: none"> <li>(a) Construction work authorised by this consent complies with the construction noise limits set out in Condition 10; and</li> <li>(b) <del>To ensure that</del> the best practicable option is identified and adopted to minimise noise effects at surrounding properties.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 23                                                      | <p>To achieve the objectives of the Construction Noise and Vibration Management Plan in Condition 22, the plan must as a minimum, address the management measures set out in Annexure E of the NZS6803:1999 <i>Acoustics - Construction Noise</i> and address the following matters:</p> <ul style="list-style-type: none"> <li>(a) The proposed measures to be used to control construction noise generating activities and ensure compliance with the construction noise limits in Condition 10;</li> <li>(b) The methods and procedures to identify and require the adoption of the best practicable options for minimising noise and vibration from the major-noise and vibration generating components of construction works;</li> <li>(c) Measures to minimise noise from construction-related vehicle movements on Ardour Road and Thomson Gorge Road, including all practicable measures such as voluntary speed reductions on those roads and scheduling construction traffic movements during daytime hours;</li> <li>(d) The procedure for effectively managing noise-related complaints and responses to those complaints;</li> <li>(e) The role of the Consent Holder's staff in the management of construction noise and the nomination of specific staff member(s) responsible for overseeing the implementation and upkeep of the Construction Noise and Vibration Management Plan;</li> <li>(f) The methods and procedures to ensure that staff are initially and then regularly trained in noise management and noise minimisation;</li> <li>(g) A description of all relevant records to be kept (such as for training, complaints, monitoring and actions to reduce noise and vibration); and</li> <li>(h) Compliance reporting requirements.</li> </ul> |
| <b>Operational Noise Management Plan</b>                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 24                                                      | <p>All mining operations must be undertaken in accordance with the Operational Noise Management Plan, certified in accordance with Common Condition C17 (or as amended in accordance with relevant conditions of this consent), the objectives of which are to ensure:</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |



| No. | Condition                                                                                                                                                                                                                             |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|     | <p>(a) The operational noise limits set out in Condition 13 are not exceeded; and</p> <p>(b) <del>To ensure that</del> the best practicable option is identified and adopted to minimise noise effects at surrounding properties.</p> |

|    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
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| 25 | <p>To achieve the objectives of the Operational Noise Management Plan in Condition 24, the plan must include:</p> <p>(a) The proposed measures to be used to control operational noise generating activities and ensure compliance with the operational noise limits set out in Condition 13;</p> <p>(b) The methods and procedures to identify and require the adoption of the best practicable options for minimising noise from the major-noise generating components of the operational mining phase;</p> <p>(c) Methods and procedures to maintain the surfaces of roads in a smooth condition to minimise noise emissions;</p> <p>(d) The procedures for effectively managing noise-related complaints and responses to those complaints;</p> <p>(e) The role of the Consent Holder's staff in the management of operational noise and the nomination of specific staff member(s) responsible for overseeing the implementation and upkeep of the Operational Noise Management Plan;</p> <p>(f) Measures to minimise noise from vehicle movements on Ardgour Road and Thomson Gorge Road, including all practicable measures such as voluntary speed reductions on those roads and scheduling construction traffic movements during daytime hours;</p> <p>(g) The methods and procedures to ensure that staff are initially and then regularly trained in noise management and noise minimisation;</p> <p>(h) A description of all relevant records to be kept (such as for training, complaints, monitoring and actions to reduce noise and vibration); and</p> <p>(i) Compliance reporting requirements.</p> |
|----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

#### Blasting Noise and Vibration Management Plan

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| 26 | <p>All blasting activities, including blasting during construction, must be undertaken in accordance with a Blasting Noise and Vibration Management Plan ("BNVMP"), certified in accordance with Common Condition C17, (or as amended in accordance with relevant conditions of this consent), the objectives of which are to ensure:</p> <p>(a) All construction, development and production blasts are preceded by test blasts to determine attenuation constants that will be used for all subsequent blasts;</p> <p>(b) All blasting activities comply with the requirements of Conditions 17 to 21 (Blasting and Vibration Limits); and</p> |
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| No. | Condition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
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|     | <p>(c) Vibration and air-overpressure effects from blasting on nearby properties, residents and heritage structures are <del>minimised</del><u>avoided</u>.</p> <p><b>Advice Note:</b> For the avoidance of doubt, in relation to clause (a) tests blasts are required to ensure the applicable blasting and vibration limits can be complied with and will be required where blast propagation conditions may differ across the site (i.e. not necessarily before every blast).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 27  | <p>To achieve the objectives of the Blasting Noise and Vibration Management Plan (“BNVMP”) in Condition 26, the plan must, as a minimum, include:</p> <p>(a) Contact details for the following:</p> <ul style="list-style-type: none"> <li>(i) Site Manager responsible for receiving and managing all blasting and related complaints; and</li> <li>(ii) The person responsible for blast design, monitoring and compliance;</li> </ul> <p>(b) Provision for records of every blast event to be maintained that must include the following:</p> <ul style="list-style-type: none"> <li>(i) Time and duration of blast event;</li> <li>(ii) Locations of blasts;</li> <li>(iii) Total amount of explosive used and the maximum instantaneous charge weights;</li> <li>(iv) Detonation methods and delay sequence of the blast event;</li> <li>(v) Volume of rock blasted;</li> <li>(vi) Vibration monitoring results from all seismographs (fixed and in relation to complaints); and</li> <li>(vii) Predictions of compliance for every blast event using the scaled distance method and based on the vibration measurements from the fixed seismograph;</li> </ul> <p>(c) Details of how blast events will be restricted to blast windows to increase the predictability for neighbours;</p> <p>(c)(d) <u>Methods of advising people living in the vicinity in advance of the intended blasting programme to be undertaken over the subsequent month.</u></p> <p>(e)(e) <u>Methods and procedures for test blast design, firing and monitoring to provide the information necessary (including attenuation constants) for all future blast designs;</u></p> <p>(e)(f) <u>The methods and procedures for ensuring that the vibration from all blast events is monitored and recorded from at least one permanent fixed seismograph location (for example at Ardgour Terrace) and to ensure that all results are used to inform all future / subsequent blast designs to ensure compliance with the vibration limits in Condition 20;</u></p> <p>(f)(g) <u>A requirement to ensure that the results of all vibration measurements (including fixed and in relation to complaints) are used in the design of all subsequent blasts;</u></p> <p>(g)(h) <u>Protocols to be followed for all blasts to ensure the objective of the BNVMP are achieved;</u></p> |



| No.                                                                  | Condition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
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|                                                                      | <p>(h) Measures to avoid any effects of blasting on heritage sites and features (see Condition 32 below); and</p> <p>(i) Procedures for ensuring that all equipment used for monitoring, equipment calibration and vibration measurement procedures <b>must</b> comply with Australian Standard AS2187.2:2006 <i>Explosives - Storage and Use - Use of explosives</i>.</p>                                                                                                                                                                                                                                                                                                  |
| 28                                                                   | If a complaint is received in relation to air over-pressure or vibration from blasting activities, at least one seismograph meeting the requirements of ISO 4866:2010, or sound level meter meeting the requirements of NZS6801:2008, must be deployed to measure the air over-pressure or vibration from at least the next five blast events in locations where complaints have been made.                                                                                                                                                                                                                                                                                 |
| 29                                                                   | <p>In the event that the deployment of the seismograph required by Condition 28 shows that the vibration limits in Condition 20 are being exceeded, the Consent Holder must:</p> <p>(a) Implement mitigation actions to ensure compliance in accordance with the certified BNVP; and</p> <p>(b) Submit a report to the Central Otago District Council within one month of the exceedance event which includes:</p> <p>(i) The records for the blast event collected; and</p> <p>(ii) The mitigation actions taken to ensure future compliance.</p> <p><u>Compliance with condition 29 does not preclude enforcement action for the breach of condition 20.</u></p>          |
| 30                                                                   | <p>The Consent Holder must provide a Blast Summary Report to the Central Otago District Council annually as part of the Annual Monitoring and Compliance Report (required by Common Condition C12 in Schedule One). The blasting summary report must include the following:</p> <p>(a) Confirmation of blasting actions (including all blasts for maintenance / safety purposes) taken during the previous reporting period;</p> <p>(b) All vibration related complaints received during the current reporting period and monitoring and mitigation actions taken by the Consent Holder; and</p> <p>(c) Any seismograph measurement results recorded during the period.</p> |
| 31                                                                   | <p>Blast event records and records of any complaints received must be kept and maintained for 12 months after completion of each blast as part of mining operations at the BOGP.</p> <p>Records must be available for perusal by to the Central Otago District Council and its representatives on request.</p>                                                                                                                                                                                                                                                                                                                                                              |
| <b>Blasting Vibration in relation to Heritage Sites and Features</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

**Commented [ST24]:** This condition assumes non-compliance with consent conditions and enables a management and reporting response rather than enforcement



| No. | Condition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
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| 32  | <p>Vibration from blasting must not exceed the limit in Line 3 of <i>DIN 4150-3:2016 Vibrations in Buildings – Part 3: Effects on structures</i> (“<b>DIN 4150-3</b>”) in relation to any heritage features located beyond the DDF unless a suitably qualified expert for Central Otago District Council agrees that repair and / or non-invasive mitigation (e.g. sandbagging, plywood shoring) will provide protection to ensure no material damage to the structure so that an alternative vibration limit from <i>AS 2187-2:2006 Explosives – Storage and use, Part 2: Use of explosives</i> can be applied. The expert will specify the alternative vibration limit which will be either Line 1 or Line 2 of <i>AS 2187-2:2006 Explosives – Storage and use, Part 2: Use of explosives</i>.</p> <p><u>A HNZPT-approved archaeologist must be onsite during development of pre-blasting dilapidation surveys. All protocols must be in place before mining commences.</u></p> <p><u>Any damage caused by blasting must be stabilised/restored.</u></p> <p>The Blast Noise and Vibration Management Plan (“<b>BNVMP</b>”) required by Condition <b>26</b> must include the following in relation to heritage structures beyond the DDF and within the 500 m setback of the Rise and Shine (“<b>RAS</b>”), Come-in-Time (“<b>CIT</b>”) and Srex (“<b>SRX</b>”) Open Pit crests (noting this setback must be increased where site-specific measurement or prediction shows the DIN 4150-3 Line 3 contour extends beyond the 500 m setback for any permitted blast):</p> <ul style="list-style-type: none"> <li>(a) A protocol for identifying and classifying heritage structures and features, informed by input from a suitably qualified expert;</li> <li>(b) Structure-specific vibration limits for each identified heritage structure, established in consultation with a suitably qualified expert;</li> <li>(c) Dilapidation survey requirements to document the baseline condition of each heritage structure before blasting commences;</li> <li>(d) The methods to demonstrate compliance with the structure-specific vibration limits; and</li> <li>(e) Records of all vibration measurements undertaken on or near heritage structures.</li> </ul> <p><b>Advice Note:</b> <i>Suitably qualified expert may be a heritage expert or structural heritage engineer or heritage stone mason as applicable to the nature of the structure.</i></p> |

**Commented [ST25]:** Per Matt Sole evidence

## FENCING

| No.        | Condition                                                                                                                                                                                                                                              |
|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 33         | <p>The Consent Holder must manage access to the Project Site for public safety purposes which may include, but not be necessarily limited to, the installation of security fencing, <u>security</u> signage and other access restriction measures.</p> |
| <b>NEW</b> | <p><u>The entire site must be enclosed within a rabbit proof fence which is checked monthly.</u></p>                                                                                                                                                   |

**Commented [ST26]:** due to the lack of pest control (ie firearms ) within the construction area



| No. | Condition                                                                                                                                                                                                                                                                                                                                                                      |
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| 34  | On the completion of mining activities authorised by this consent, the Consent Holder must provide a secure fence around any areas previously subjected to mining activities to the extent necessary to ensure public safety. These areas must be specified in the final Mine Closure Plan required by Condition <b>C137</b> of the Common Conditions in <b>Schedule One</b> . |

## LIGHTING (CONSTRUCTION AND OPERATION)

| No. | Condition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
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| 35  | <p>Where luminaires are visible from external locations or are high output floodlights:</p> <ul style="list-style-type: none"> <li>(a) They must be installed such that their light producing faces are <u>facing downwards and horizontal to the ground as far as reasonably practicable</u>;</li> <li>(b) Luminaires must be aimed away from external locations (i.e. into the Project Site); and</li> <li>(c) <u>They must be of luminous intensity not exceeding the limits set out in AS/NZS 4282:2023 "Control of the obtrusive effects of outdoor lighting" for the Environmental Zone A0 – Intrinsically Dark A1 – Dark.</u></li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 36  | <p>The final lighting arrangement must be modelled to demonstrate compliance with AS/NZS 4282:2023 and, where practicable and safe to do so, the principles of the Dark Sky Chapter Provisions of the Central Otago District Plan, as follows:</p> <ul style="list-style-type: none"> <li>(a) All fixed exterior lighting must be directed away from any adjacent roads, residential properties and lakes;</li> <li>(b) <u>All outdoor lighting (excluding mobile equipment) must be shielded from above the light source in such a manner that no direct light is emitted above the horizontal.</u></li> <li>(c) Only light-emitting diode ("LED"), low pressure sodium and high-pressure sodium lamps are to be used;</li> <li>(d) The lighting design shall demonstrate compliance with the obtrusive lighting limits of AS/NZS4282:2023 for the Environmental Zone <u>A0 – Intrinsically Dark A1 – Dark</u>, except where additional illuminance <u>has been demonstrated to be necessary for is required for operational practicality or health and safety requirements and certified as a valid exemption in the operative Lighting Management Plan</u>; and</li> <li>(e) All permanent exterior luminaires shall have zero upward light ratio (ULR = 0) when installed.</li> </ul> |
| 37  | To minimise ecological impacts, the Consent Holder must use lighting with the following characteristics:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

**Commented [ST27]:** The site should be characterised as Environmental Zone A0 (Intrinsically dark) not A1 (relying on Simpson and Boyle evidence) so that lighting maintains the site's existing intrinsic quality

**Commented [MD28]: Point of Disagreement**  
CODC considers that alternative wording from the Dark Sky Chapter is appropriate as follows:  
"All outdoor lighting shall be shielded from above the light in such a manner that the edge of the shield is below the light source to mitigate the impacts of lighting."

MGL seeks retention of existing wording as the CODC proposal would require a much greater number of lights to achieve the same outcome. The BOGP Project Site is not within a Dark Sky area in the District Plan and the above provision is not applicable.

**Commented [ST28R2]:** Sustainable Tarras supports CODC on clause b. The site may not be within an official dark sky area but it is elevated, and there is reason to minimise such effects, including general Plan policy and that it is a ONL.

**Commented [ST29]:** This is necessary to avoid condition (d) enabling any lighting MGL considers necessary for operational reasons - with the effects of such lighting not having been assessed



| No. | Condition |
|-----|-----------|
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- (a) For fixed lighting (~~such as for~~ the construction workers accommodation and office ~~areas~~); and [specify any other areas]:
- (i) Low-output, warm-coloured LED lighting at 3,000K (or less);
  - (ii) Building-mounted lighting with supplementary lighting for pathways and car parking areas away from buildings, using low pole mounted (no more than 4.5 m high) sharp cutoff and zero up-light lighting and / or zero-up-light bollard lighting, to limit horizontal and vertical light spill; and
  - (iii) Automated timing controls, dimming functions, and movement sensors to reduce unnecessary luminance (except for task-specific lighting where there is a health and safety requirement for neutral daylight or high colour rendering properties and safety shower lighting).
- (b) For fixed lighting (~~for such as~~ the processing plant and infrastructure areas and [any other areas covered]):
- (i) Horizontal and upward lighting fixture controls to contain light spill where practicable.

The Consent Holder must avoid direct lighting toward the high-value ecosystems (i.e. cushionfields / mixed depleted herbfield and grassland) and any occupied bird nests as shown in **Attachment B** - to this Land Use Consent unless it is necessary to maintain health and safety.

~~This condition does not apply to vehicles and mobile plant that is temporarily located at a work site and repositioned as part of normal operations but must apply to any plant or equipment that remains in a fixed location for more than seven consecutive days.~~

**Commented [ST30]:** It is unclear which fixed lighting is covered by (a) and which is covered by (b), and this condition needs to also cover mobile plant and vehicle lighting

- 38
1. Before any lighting is installed at the Project Site, the Consent Holder must undertake photometric modelling to confirm the level of light spill at the boundary of the 1,183-hectare Potential Invertebrate Effects Area (shown in **Attachment C** to this Land Use Consent).
  2. If the photometric modelling identifies a risk of light spill exceeding 0.3 lux at or beyond the boundary of the Potential Invertebrate Effects Area, lighting specifications or placement must be adjusted to meet 0.3 lux at the boundary prior to installation.
  3. All photometric modelling must be documented and made available to the Central Otago District Council upon request.

**Commented [ST31]:** See comment on Attachment C.

- 39
1. Light spill must not exceed 0.3 lux at or within the habitat boundary for the two identified *Sporophylla oenosporea* individuals (shown on **Attachment D** to this Land Use Consent).
  2. The Consent Holder must confirm compliance through:
    - (a) Photometric modelling before lighting is installed within the vicinity of the habitat boundary; and
    - (b) Biennial field measurements during night-time operations.



| No. | Condition                                                                                                                                   |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------|
| 3.  | This photometric modelling and field measurements must be documented and made available to the Central Otago District Council upon request. |

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| 40 | The Consent Holder must, as part of detailed design, demonstrate that the emitted flux from lighting with a colour temperature greater than 3000K is no greater than 10% of total emitted flux (including fixed lighting and mobile lighting platforms)-) <u>and does not exceed 4000K, with the latter permitted only for demonstrated safety reasons or in emergency responses.</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 41 | <p>Within six months of the commencement of this consent, the Consent Holder must engage a suitably qualified and experienced independent lighting engineer to model and review the lighting arrangements proposed for the construction / site establishment activities and mining operations for the BOGP and confirm that the lighting complies with Conditions <b>35 to 40</b> of this consent.</p> <p>The lighting engineer undertaking this review must not be the lighting designer responsible for preparing the lighting design for the project.</p> <p>A copy of the certification from the suitably qualified and experienced independent lighting engineer required under this condition must be held on site and provided to the Central Otago District Council.</p> <p>Where the review identifies that the lighting design does not comply with the consent conditions, the lighting design must be modified and recertified to demonstrate compliance.</p> |

#### Lighting Management Plan

|    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 42 | <p>The Consent Holder must prepare, and all mining operations <u>must be</u> undertaken in accordance with, a Lighting Management Plan, certified in accordance with Common Condition <b>C17</b> (or as amended in accordance with the relevant conditions of this consent). The Lighting Management Plan must set requirements for all fixed and mobile lighting, including vehicle lighting <u>where practicable</u>. It must include an intent, scope, applicable legislation, roles and responsibilities, certification process and a complaints process.</p> <p>The Lighting Management Plan must set out the requirements for all fixed, mobile, and construction artificial lighting to be used as a part of the mine works, including:</p> <ol style="list-style-type: none"> <li>Use lighting with a colour temperature of <math>\leq 3000K</math>, <u>except where a higher colour temperature is demonstrated to be necessary for operational safety</u>;</li> <li>Reduce intensity / output of fittings to the minimum required for safety;</li> <li>Direct and tilt all lighting downward, avoiding spill onto roads, waterbodies, and residential areas;</li> <li>Apply a “start dark, add light only where needed” approach to all lighting decisions;</li> <li>Strategically locate lighting rigs to take advantage of natural landform shielding; and</li> </ol> |
|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**Commented [MD32]: Point of Disagreement**  
CODC seek for this exception to be deleted unless more parameters can be provided on what is defined as 'operational safety' and what is being proposed to minimise the effects of any additional lighting with higher temperatures.

MGL seeks to retain this exemption in the condition on the basis that the safety of people (mine employees working at nighttime) is of paramount importance and should not be compromised by inadequate lighting.

**Commented [ST32R2]:** ST agrees with CODC



| No. | Condition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
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|     | <p>(f) Installation of <a href="#">blockout</a> blinds to windows and glass doors where buildings are to be used after dark, <a href="#">and requirements that the blinds are used</a>.</p> <p>The Lighting Management Plan must include Lighting Audit requirements and Periodic Review.</p> <p>The Lighting Management Plan must be prepared by a suitably qualified and experienced lighting professional.</p>                                                                                                                                                                                                                                                                                                                                                                      |
| 43  | Where lighting complaints are received and substantiated, the Consent Holder must implement reasonable and practicable mitigation measures.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 44  | <p><del>The Consent Holder must raise the outer edges of the Shepherds Engineered Landform during daytime hours, and work within the inner sections during night-time hours as far as reasonably practicable, to minimise the effects of vehicle lighting at night. To avoid vehicle lighting causing light spill beyond the site or into the sky.</del></p> <p><a href="#">(a) The outer edges of the ELFs must be constructed, during daylight hours, to a higher elevation than the inner working area.</a></p> <p><a href="#">(b) Haul roads must be situated within cuts.</a></p> <p><a href="#">(c) During night-time hours, vehicles requiring lighting shall only be used within the inner area of ELFs, within pits, and within haul roads that are situated in cuts.</a></p> |

**Commented [ST33]:** In accordance with Wilson and White recommendations (JWS and response to RFI 8).

This should not be limited to Shepherds ELF.

## RECREATION

| No. | Condition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
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| 45  | The Consent Holder must provide a public viewing area of the mining operations within the Project Site from the proposed re-alignment of Thomson Gorge Road (referred to as Ardour Rise) which is required to be constructed under Condition <a href="#">67</a> , with suitable interpretation about the BOGP, in the same style as that currently provided for at the historic Come-In-Time Battery within the Bendigo Historic Reserve.                                                                                                                                                                                         |
| 46  | <p>The existing walking access to the historic Come-In-Time Battery within the Bendigo Historic Reserve must be closed to restrict access to the BOGP Project Site and, prior to closing access to Thomson Gorge Road, the Consent Holder must provide and continue to maintain alternative walking access to the Come-In-Time Battery. <a href="#">The alternative access route must be informed by a heritage assessment.</a></p> <p><b>Advice Note:</b></p> <p><i>For the avoidance of doubt, this resource consent does not remove the requirement to obtain any separate approvals required under other legislation.</i></p> |

**Commented [ST34]:** Per Joint Witness Statement



| No. | Condition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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|     | <i>The construction, operation and maintenance of this alternative walking access to the Come-in-Time Battery within the Bendigo Historic Reserve <del>and</del> must be authorised by a concession granted by the Minister of Conservation or the Director-General of Conservation under the Conservation Act 1987. The Consent Holder must also comply with all conditions of this concession prior to undertaking works <del>in</del> on the Bendigo Historic Reserve.</i>                                                                                                                                                                                        |
| 47  | The Consent Holder must ensure that existing recreation access to the Ardgour and Bendigo Conservation Areas is maintained throughout the operational life of the BOGP, subject to Condition 18 which places temporary public access restrictions to land within 500 m of blasting events.                                                                                                                                                                                                                                                                                                                                                                           |
| 48  | The Consent Holder must provide a cycling, walking and equestrian track as near as possible to the alignment of the existing Thomson Gorge Road (at the time of granting consent) which links Ardgour Terrace with Thomsons Saddle upon the completion of mining operations within the Project Site. The track must be developed to Grade 3 Standard in accordance with NZCT Guidelines and Standards New Zealand Handbook "SNZ HB 8630:2004 - Tracks and Outdoor Visitor Structures".                                                                                                                                                                               |
| 49  | <p>The outcomes required by Conditions 47 and 48 shall be secured, as necessary, by way of easements in gross over land within the BOGP Consent Area in favour of the Department of Conservation providing for public access to Public Conservation Land to the extent that the practical access arrangements extend beyond public roads. Any such easements must include the right to convey dogs and firearms.</p> <p>Within <del>insert timeframe</del> the Consent Holder must provide Central Otago District Council evidence to confirm that an appropriate instrument has been registered on the land titles in favour of the Department of Conservation.</p> |

**Commented [ST35]:** ST's comment on condition 18 seeks a limit on extent of public access restrictions which at the moment could be unlimited

**Commented [MD36]: In Progress**  
DOC has confirmed they are willing to have the easements in favour of them instead of CODC as it relates to providing access to DOC administered Public Conservation land. The details of this are in progress and will be resolved by DOC and MGL by 14 September 2026.

## HAZARDOUS SUBSTANCES MANAGEMENT

| No.             | Condition                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|-----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Overview</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 50              | <p>All hazardous substances must be stored and / or contained in accordance with the following requirements where applicable:</p> <ul style="list-style-type: none"> <li>(a) Hazardous Substances and New Organisms Act 1996 and associated Regulations;</li> <li>(b) Health and Safety at Work Act 2015 and Health and Safety at Work (Hazardous Substance) Regulations 2017;</li> <li>(c) Australian Standard AS1940 – 2009;</li> </ul> |



| No. | Condition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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|     | <p>(d) Environmental Protection Authority's Hazardous Substances (Hazardous Property Controls) Notice 2017; and</p> <p>(e) Other legislation and standards listed in the certified Hazardous Substances Management Plan required under Condition 53.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 51  | <p>The Consent Holder must ensure that diesel is stored on-site within a containment facility that adheres to the Health and Safety at Work (Hazardous Substances) Regulations 2017, and must demonstrate that:</p> <p>(a) An industry standard hose and filler nozzle with automatic cut-off is fitted for refuelling equipment;</p> <p>(b) A remote stop push button and cable is accessible at the filler nozzle location to stop the pump at the bulk tank;</p> <p>(c) Bulk fuel tanks are double skinned or banded with impermeable material and located in a safely accessible location such that any spill is prevented from entering any adjacent watercourses;</p> <p>(d) The Central Otago District Council is provided with written notice and a plan which shows the location of static fuel tanks prior to the tank being located;</p> <p>(e) Spill kits are located at all static and mobile fuel tanks and made available to all working areas; and</p> <p>(f) All staff receive training in the location and use of spill kits.</p> |

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| No. | Condition |
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52 The volumes of hazardous substances stored within the BOGP Consent Area must not exceed the following volumes:

**General Project Site:**

| Substance                               | Maximum Volume | Storage Location                                                                                                                                                                                                                                                                                                                                                                                       |
|-----------------------------------------|----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Diesel                                  | 300,000 L      | Various impermeable, bunded double skin storage containers located throughout the Project Site (including the Ardour Terrace Site and Shepherds Valley Site) in accordance with CODC standards and WorkSafe NZ Regulations (Health and Safety at Work (Hazardous Substances) Regulations 2017).<br><br>Mobile trailers in accordance with Land Transport Rule: Dangerous Goods 2005 and NZS 5433:2012. |
| LPG                                     | 900 kg         | Cylinders connected to the service (predominantly at the processing plant area).                                                                                                                                                                                                                                                                                                                       |
| Oils and greases (including waste oils) | No limit       | Bulk tanks and drums within bunded areas with oil traps and signage located at workshops across the Project Site.                                                                                                                                                                                                                                                                                      |
| Transformer oil                         | 20,000 L       | Substation within the Ardour Terrace Site (stored within the transformer casing).                                                                                                                                                                                                                                                                                                                      |
| Flocculant poly aluminium chloride      | 5,000 L        | Water treatment plant.                                                                                                                                                                                                                                                                                                                                                                                 |
| Sewage                                  | 40,000 L       | Underground tanks prior to treatment.                                                                                                                                                                                                                                                                                                                                                                  |

**Pit Mining / Explosives and Emulsion Facilities:**

| Substance          | Maximum Volume | Storage Location                                                       |
|--------------------|----------------|------------------------------------------------------------------------|
| Emulsion Explosive | 50,000 kg      | Emulsion Facility (approved storage in accordance with NZS 4701:2001). |
| Detonators         | 10,000 kg      | WDA Class 1 Storage Area (in one magazine).                            |
| Detonator Boosters | 10,000 kg      | WDA Class 1 Storage Area (in one magazine).                            |



| No. | Condition |
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**Processing Plant Area:**

| Substance                 | Maximum Volume | Storage Location          |
|---------------------------|----------------|---------------------------|
| Sodium Cyanide            | 44,000 kg      | Tank (22 tonne isotainer) |
| Leach Aid                 | 500 kg         | Reagents Shed             |
| Quicklime (90% CaO avail) | 60,000 kg      | Silo (30 tonne)           |
| Hydrated lime             | 35,000 kg      | Reagents Shed             |
| Sodium Metabisulphite     | 50,000 kg      | Reagents Shed             |
| Copper Sulphate           | 25,000 kg      | Reagents Shed             |
| Ferric Chloride           | 30,000 kg      | Reagents Shed             |
| Activated Carbon          | 25,000 kg      | Reagents Shed             |
| Sodium Hydroxide          | 44,000 kg      | Tank (22 tonne bulk tank) |
| Hydrochloric Acid         | 44,000 kg      | Tank (22 tonne bulk tank) |
| Flocculant                | 3,000 kg       | Reagents Shed             |
| Borax                     | 700 kg         | Gold room                 |
| Silica                    | 700 kg         | Gold room                 |
| Potassium Nitrate         | 700 kg         | Gold room                 |
| Soda Ash                  | 700 kg         | Gold room                 |

**Hazardous Substances Management Plan**

53 The Consent Holder must prepare and implement a Hazardous Substances Management Plan (“HSMP”), certified in accordance with Common Condition **C17** (or as amended in accordance with relevant conditions of this consent).

The objective of the HSMP is to identify details of hazardous substances to be stored and used, containment methods (including to avoid contaminants entering water bodies), management of spills, leaks and any emergency precautions, [minimise risks to people and the environment](#), to



| No. | Condition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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|     | <p>facilitate the safe, responsible and compliant management of hazardous substances and to avoid contaminants entering water bodies.</p> <p>To achieve the objective above, the HSMP must include:</p> <ul style="list-style-type: none"> <li>(a) Roles and responsibilities, including certified handler requirements;</li> <li>(b) Procedures for managing hazardous substances including: <ul style="list-style-type: none"> <li>(i) Process for new or changed hazardous substances used or stored;</li> <li>(ii) Management of hazardous substances register and inventory and safety data sheets;</li> <li>(iii) Transportation of hazardous substances;</li> <li>(iv) Labelling and signage requirements;</li> <li>(v) Storage and containment requirements;</li> <li>(vi) Procedures to minimise the risk of contamination, including contingency measures to prevent any contaminants entering water bodies;</li> <li>(vii) Spill response procedure(s) which sets out a management framework (including trigger responses) for the different categories of hazardous substances to be stored and used within the Project Site;</li> <li>(viii) Certified handlers;</li> <li>(ix) Disposal of hazardous substances; and</li> <li>(x) Storage compliance certificates required;</li> </ul> </li> <li>(c) Summary of inventory of substances to be stored (type, volume and location);</li> <li>(d) Emergency response approach;</li> <li>(e) Training; and</li> <li>(f) Record keeping, monitoring, review and audit requirements and corrective action process.</li> </ul> |
| 54  | In the event of a spill of fuel or any other contaminants, the Consent Holder must clean up the spill as soon as detected and take measures to prevent a recurrence.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 55  | <p>The Consent Holder must inform the Central Otago District Council (monitoring@codc.govt.nz) within 24 hours of any spill event that occurs outside of contained areas and exceeds the relevant trigger for that hazardous substance in the Spill Response Procedure required under Condition 53 and must provide the following information:</p> <ul style="list-style-type: none"> <li>(a) The date, time, location and estimated volume of the spill;</li> <li>(b) The cause of the spill;</li> <li>(c) The type of contaminant(s) spilled;</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

**Commented [ST37]:** Is this a procedure? Needs clarifying.



| No. | Condition                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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|     | <p>(d) Clean up procedures undertaken <a href="#">and disposal of contaminants and contaminated material</a>;</p> <p>(e) Details of the steps taken to control and remediate the effects of the spill on the receiving environment;</p> <p>(f) An assessment of any potential effects of the spill and measures to be undertaken to prevent a recurrence; and</p> <p>(g) A copy of any expert advice obtained by the Consent Holder in responding to the spill.</p> |
| 56  | To avoid exceeding the bund capacity for sodium cyanide storage at the Processing Plant Pad, the Consent Holder must ensure that the water storage tank is generally kept empty and may only be filled when a sodium cyanide delivery is imminent.                                                                                                                                                                                                                  |
| 57  | As part of the establishment of the Processing Plant Pad, the Consent Holder must construct a catch fence or grizzly screen upstream of the Processing Plant to catch coarser particulate from any debris flows that may occur down the catchment to the west of the Come-in-Time Open Pit.                                                                                                                                                                         |

## TRANSPORTATION

| No.                                                  | Condition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>State Highway 8 and Ardgour Road Intersection</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 58                                                   | <p><a href="#">Prior to completion of the State Highway 8 and Ardgour Road intersection upgrade detailed below, any use of the intersection by Project traffic shall be managed in accordance with the certified Access Road Construction Traffic Management Plan ("ARCTMP").</a></p> <p>The Consent Holder must, <a href="#">prior to construction or operation of the BOGP, within 12 months of the commencement of this consent</a> upgrade the intersection of State Highway 8 and Ardgour Road to:</p> <p>(a) Include a right turn bay on State Highway 8 from the southwest into Ardgour Road. This must be designed in accordance with New Zealand Transport Agency Traffic Control Devices Manual Part 4 (Intersections) October 2024 and Section 15 (including Figure 15.5 "Markings for right turn bays in rural areas"), and Austroads 'Guide to Road Design Part 4: Intersections and Crossings – General' dated May 2023;</p> <p>(b) Extend sightlines and ensure that two-way movement of trucks turning in and out of Ardgour Road can be accommodated. The detailed design, addressing these matters, must be prepared in accordance with Austroads 'Guide to Road Design Part 4: Intersections and Crossings – General' dated May 2023 and the NZTA Planning Policy Manual 2007, and as determined through the detailed design process; and</p> <p>(c) Incorporate consequential changes to roadside infrastructure including roadside barrier changes, flag lighting, and signage as determined through detailed design processes. Design</p> |

### Commented [MD38]: Point of Disagreement

CODC's technical expert would prefer that the State Highway 8 intersection upgrade occurs prior to the construction or operation of the BOGP. If this is not the case, additional detail is required to mitigate the increase in traffic as a result of the first 12 months of the construction phase. The information provided to date does not satisfactorily address effects on a temporary basis (refer to Condition 48).

### MGL response:

- NZTA is the road controlling authority in respect of the SH8 / Ardgour Road intersection.
- MGL has reached full agreement with NZTA as to what should occur and when in relation to the SH8 / Ardgour Road intersection upgrade and those outcomes are specified in Conditions 39-42. Conditions 46-48 relate to the Access Road Construction Traffic Management Plan and set out what must occur in relation to temporary traffic measures, including those measures required prior to the upgrade of the SH8 / Ardgour Road intersection (which have been agreed by NZTA).

**Commented [ST38R2]:** ST agrees with CODC and relies on Peter Martineau evidence

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of roadside barriers must be in accordance with Austroads design guidance. Design of flag lighting must be in accordance with New Zealand Transport Agency lighting policy for flag lighting (3 lights) and the design of signage must be in accordance with New Zealand Transport Agency Traffic Control Devices Manual and Rule for signage.

NEW The Consent Holder must, prior to construction or operation of the BOGP, assess the suitability of the single lane bridge adjacent to the SH8/Ardgour Road intersection to convey traffic associated with implementation of this consent, and implement any upgrade required as a result of that assessment.

Commented [ST39]: Martineau evidence

59 The Consent Holder must:

- (a) Prior to commencing construction of the State Highway 8 / Ardgour Road intersection upgrade works, submit the final design drawings for the intersection upgrade to Central Otago District Council for engineering approval that the design meets the requirements of Condition 58 (a) to (c). The final design drawings must also be accompanied by the independent design safety audit required by Condition 60 below, as well as written confirmation from the New Zealand Transport Agency that it is satisfied that the final design drawings meet New Zealand Transport Agency and Austroads standards; and
- (b) Upon completion of the upgrade to the State Highway 8 / Ardgour Road intersection and any agreed actions from the post construction safety audit, provide to the Central Otago District Council, for certification documentary evidence that the upgrades have been completed in accordance with the design approved under Condition 59(a) and any agreed actions from the post construction safety audit required by Condition 60. This documentary evidence must also include written confirmation from the New Zealand Transport Agency that it is satisfied the upgrade of the intersection, including any agreed actions from the post construction safety audit, have been satisfactorily completed.

60 The design of the proposed upgrade of the intersection of State Highway 8 and Ardgour Road must be subject to an independent design safety audit and post construction safety audit. The audits are to be carried out by safety auditors experienced in highway intersection design, appointed in consultation with NZ Transport Agency / Waka Kotahi. Any changes recommended as a result of the safety audits, including design changes and post construction changes, must be agreed ("agreed actions") with the Central Otago District Council in consultation with NZ Transport Agency / Waka Kotahi.

Any changes to the intersection that are recommended in agreed actions from the post construction safety audit shall be undertaken within two months of the completed safety audit, unless different timing is agreed with Central Otago District Council in consultation with the NZ Transport Agency / Waka Kotahi taking into account the level of risk associated with the safety concern and the practicable ability to implement the change within the two-month period.



| No. | Condition                                                                                                                                                                                                                                                                   |
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| 61  | The Consent Holder must not establish or place any structures, buildings or stockpiles of materials sited in that triangle of land formed by the straight line between two points measured 15 m in each direction from the intersection point of the legal road boundaries. |

#### Thomson Gorge Road Widening

|    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 62 | <p>The Consent Holder must, <b>within 12 months of the commencement of this consent</b> and at its own cost, widen Thomson Gorge Road between Ardour Road and the proposed new intersection of Thomson Gorge Road and the proposed new site access road (approximately 1.6 km) as shown in <b>Attachment E</b> to this Land Use Consent to provide a minimum two-way sealed carriageway width of 6.5 m.</p> <p>The Consent Holder must:</p> <ol style="list-style-type: none"> <li>Prior to commencing the widening works, submit final design drawings for the widening to the Central Otago District Council for certification that they meet the requirements of this condition and relevant design standards; and</li> <li>Upon completion, provide documentary evidence that the upgrades certified under (a) have been completed.</li> </ol> |
|----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

#### Ardour Road (between State Highway 8 and Thomson Gorge Road)

|    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
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| 63 | <p><b>Within 12 months of the commencement of the consents</b>, the Consent Holder is to prepare a pavement management plan, including baseline condition, monitoring, and maintenance and rehabilitation requirements that are as a direct result of BOGP, including attention to measures to enable deployment of rapid edge break remediation where identified.</p>                                                                                                                                                                                                                                                                               |
| 64 | <p><b>Within 12 months of the commencement of the consents</b>, Ardour Road is to be upgraded at the Consent Holder's cost as follows:</p> <ol style="list-style-type: none"> <li>Widen to a minimum sealed width of 6.5 m, subject to the completion of a vehicle tracking assessment of all curves to determine that a 6.5 m width is sufficient;</li> <li>Provision of an edge line and curve signage delineation in accordance with NZ Traffic Control Devices Manual; and</li> <li>Management of adjacent vegetation in the road reserve to maximise forward sight lines in accordance with Austroads Guide to Road Design guidance.</li> </ol> |
| 65 | <p>The Consent Holder is to seek approval from Central Otago District Council to implement a 60 km/h temporary speed limit during the upgrading of Ardour Road as part of a temporary traffic management plan prepared in accordance with NZ Guide to Temporary Traffic Management.</p>                                                                                                                                                                                                                                                                                                                                                              |
| 66 | <p><b>Within 12 months of the commencement of the consents</b>, the Consent Holder must enter a Developer Agreement / Transportation Deed with Central Otago District Council relating to financial</p>                                                                                                                                                                                                                                                                                                                                                                                                                                              |

#### Commented [MD40]: Point of Disagreement

CODC's position is that the road should be upgraded prior to the construction or operation of the BOGP to ensure safety and avoid disruption.

MGL considers that within the first 12 months is appropriate and avoids any unnecessary delay to the commencement of mine establishment.

#### Commented [ST40R2]: ST agrees with CODC

#### Commented [MD41]: Point of Disagreement

CODC's position is that the road should be upgraded prior to the commencement of consent to ensure safety and avoid disruption.

MGL considers that within the first 12 months is appropriate and avoids an unnecessary delay to the commencement of mine establishment.

#### Commented [ST41R2]: ST agrees with CODC - MGL's position also assumes no mine traffic on the rest of Ardour Rd to the north of intersection

#### Commented [MD42]: Point of Disagreement

CODC's position is that the road should be upgraded prior to the commencement of consent to ensure safety and avoid disruption.

MGL has accepted the remainder of CODC's condition changes, but considers that within the first 12 months is appropriate and avoids an unnecessary delay to the commencement of mine establishment.

#### Commented [MD43]: Point of Disagreement

CODC's position is that the Developer Agreement should be put in place prior to any works commencing.

MGL agrees that a Developer Agreement must be entered into prior to physical works occurring on CODC roads. That is one of the main reasons why all of these conditions refer to the physical works occurring within 12 months of the commencement of consent to enable time for these agreements and engineering approvals to be maintained without delaying the establishment of the mine. During the initial 12 month period, Conditions 46-48 specify the temporary traffic management arrangements to occur until such a time as the permanent upgrades are completed. The later addresses safety and disruption issues.

#### Commented [ST43R2]: ST agrees with CODC



| No.                                                     | Condition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|---------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                         | <p>contribution to changes in pavement rehabilitation and widening post construction, informed by pavement monitoring during construction, currently planned funding timelines for pavement rehabilitation without the project, changes in pavement performance measures, and more detailed investigations of pavement composition where necessary.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Establishment of Ardgour Rise</b>                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 67                                                      | <p>Prior to the closure of Thomson Gorge Road to the public for mining operations, the Consent Holder must construct an alternative vehicle route to Thomson Gorge Road to maintain public access to the Dunstan Mountains, referred to as Ardgour Rise, generally in accordance with the alignment shown on <b>Plan 1 – Project Overview Plan</b> annexed as part of <b>Attachment 2 – Plans in Schedule One</b>.</p> <p><u>The alternative route must provide a like-for-like replacement for Thomson Gorge Road, largely replicating its existing standards for vehicles and recreational access in terms of gradient, exposure and safety.</u></p> <p>The purpose of this alternative vehicle route is to ensure that there is a satisfactory alternative public access route <u>for vehicles and other forms of transport including cycling</u> between Ardgour Terrace and Thomsons Saddle that bypasses the Project Site when Thomson Gorge Road is closed for mining operations.</p> <p>Where the proposed road realignment passes through areas of native vegetation, the footprint of the road should be limited to minimise disturbance, with native tussock and seed recovered from within the road footprint where practicable and incorporated within batter slopes.</p> <p>Exposed fill batters must be seeded as soon as practicable following completion to encourage revegetation of an equivalent landcover with surrounding areas and assist with reducing broader visibility of exposed soil.</p> |
| 68                                                      | <p>Prior to commencing the construction of Ardgour Rise required by Condition 67 above, the Consent Holder must submit final design drawings (including the route) to the Central Otago District Council for engineering approval that the proposed design meets the road design standards and outcomes set out in the report “<i>Ardgour Rise Road Safety Review</i>” dated 30 July 2026 prepared by Stantec New Zealand.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 69                                                      | <p>Within six months of the completion of the construction of Ardgour Rise, the Consent Holder must survey the road alignment and apply for a subdivision consent from Central Otago District Council to enable the creation of fee simple Record(s) of Title so that the road (within Ardgour Station and the Ardgour Conservation Area) can be vested in the Central Otago District Council. Provided that the subdivision consent is granted by Central Otago District Council, the Consent Holder must, within the following three months, vest Ardgour Rise in Central Otago District Council.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Access Road Construction Traffic Management Plan</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

#### Commented [MD44]: In Progress

The conditions for Ardgour Rise have not been considered at the workshops as they are pending confirmation from CODC and MGL engineers regarding agreement on the design.

**Commented [ST45]:** Conditions 67 and 68 do not implement the agreed conclusions of the Recreation JWS. All recreation experts agreed that Ardgour Rise should provide a like-for-like replacement for Thomson Gorge Road, largely replicating its existing standard, and that further design work was required to moderate its consistent steep gradients so as better to maintain recreational access. The revised design has not resolved that issue. Mr Kennett's 20 August evidence identifies 4,880 m of the revised alignment exceeding 12.5%, compared with 1,390 m on Thomson Gorge Road, together with materially greater length, altitude and exposure. Conditions 67–68 contain no like-for-like outcome, maximum-gradient or recreational-design standard. They require only a “satisfactory alternative public access route” and compliance with an engineering road-safety review. Those requirements do not secure the recreational outcome agreed by the recreation experts.



| No. | Condition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 70  | <p>The Consent Holder must prepare and implement the Access Road Construction Traffic Management Plan (“ARCTMP”), certified in accordance with Common Condition C17, <del>for as amended in accordance with relevant conditions of this consent</del>.</p> <p>The purpose of the ARCTMP is to manage traffic safety risks, mitigate adverse effects on the road network, protect road condition, and minimise effects on other road users and the surrounding community.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 71  | <p><b>Objectives</b></p> <p>The objectives of the ARCTMP are to set out how the Consent Holder will manage construction and operational traffic to and from the Project Site to address the following:</p> <ul style="list-style-type: none"> <li>(a) Safety: Protect the safety of workers, road users, and pedestrians by managing the risks associated with construction-related traffic;</li> <li>(b) Minimise disruption: Reduce the impact of construction traffic on public roads, residents, and businesses by maintaining traffic flow and access;</li> <li>(c) Manage vehicle movements: Control the entry, exit, and movement of construction vehicles to prevent congestion, delays, and conflicts with general traffic;</li> <li>(d) Regulatory compliance: Meet Central Otago District Council and NZTA / Waka Kotahi requirements for construction activities on or near roadways;</li> <li>(e) Promote effective communication: Provide clear information to all stakeholders, including road users, residents, and emergency services, about traffic changes and disruptions; and</li> <li>(f) Support project efficiency: Coordinate traffic operations to support timely and cost-effective delivery of the construction project.</li> </ul> |
| 72  | <p><b>Management Plan Requirements</b></p> <p>To achieve these objectives, the ARCTMP must include, as a minimum:</p> <ul style="list-style-type: none"> <li>(a) A traffic safety risk assessment for construction and <del>operational</del>operation phases of the BOGP;</li> <li>(b) Forecast traffic volumes by project stage and vehicle type;</li> <li>(c) Management of over-weight and over-dimension loads including routes, timing, piloting, and contingencies;</li> <li>(d) The details of a heavy vehicle driver code of conduct restricting speed to 20 kph when passing school buses, students waiting for buses or walking in the road reserve, unsealed roads, interactions with stock driving / crossing on access roads, and public road users <del>(including farm and horticultural vehicles, pedestrians, cyclists and equestrians);</del>;</li> <li>(e) Methods and requirements for traffic and pavement monitoring, repair, and post-construction rehabilitation. This is to include traffic and pavement monitoring with quarterly reporting during</li> </ul>                                                                                                                                                                        |

**Commented [ST46]:** Not applicable for a certification process.



| No. | Condition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|     | peak construction activities (greater than 50 heavy vehicle movements per day) reducing to annual thereafter;                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| (f) | A staff travel plan describing measures to be adopted to minimise private vehicle travel movements to work, including providing staff bus and ride share arrangements;                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| (g) | The methods and approaches to coordinate with local landowners on the local road access route to determine stock moving or crossing needs and frequency on the roads, and advice for notification and disseminating information to project staff;                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| (h) | Road Controlling Authority (“RCA”) Approval requirements for road improvements and works in the road reserve and expected temporary traffic management measures and plan guidance for implementation by contractors (as necessary). This must include: <ul style="list-style-type: none"> <li>(i) An application to the CODC to implement a temporary 60 km/h speed limit on the access route to the Project Site from State Highway 8 (“SH8”) (being Ardgour Road and Thomson Gorge Road) during BOGP construction activities until such time as the Ardgour Road upgrade in Condition 64 is completed; and</li> <li>(ii) Where Project traffic uses the intersection of State Highway 8 and Ardgour Road prior to completion of its upgrade, site-specific temporary traffic management for the intersection that is prepared in accordance with the NZTA / Waka Kotahi Guide to Temporary Traffic Management. This site-specific temporary traffic management must demonstrate how safe and efficient operation of the intersection will be maintained, including any necessary traffic controls, staging, or restrictions on vehicle movements; and</li> <li>(iii) Communication, complaints procedures and community liaison requirements.</li> </ul> |

#### Additional Requirements

|    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 73 | Matilda Rise and Thomson Gorge Road south of the new Ardgour Rise road are to be used by <a href="#">mine site traffic</a> , by exception only under the following circumstances: <ul style="list-style-type: none"> <li>(a) As directed by a road controlling authority or emergency personnel;</li> <li>(b) Where the origin or destination of the trip associated with the mine site is located on Matilda Rise or Thomson Gorge Road south of the new Ardgour Rise Road; and</li> <li>(c) Where authorised by an approved temporary traffic management plan.</li> </ul> |
|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

## ARCHAEOLOGY AND HERITAGE

| No.               | Condition |
|-------------------|-----------|
| Heritage Features |           |



| No. | Condition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| NEW | Prior to any works within the DDF commencing, the Consent Holder must undertake a comprehensive pre-disturbance survey of the wider project area that includes an assessment of sites in their broader heritage landscape context.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| NEW | <p>(a) Prior to establishing the Battery Hill fenced sanctuary, the Kohinoor syndicate alluvial workings G41/256 must be mapped to encompass the connecting water race and downstream workings G41/258, 259 and 60.</p> <p>(b) The sanctuary boundary must avoid bisecting the Kohinoor Syndicate alluvial workings as mapped in accordance with (a).</p> <p>(c) Land disturbance and other works to establish must avoid disturbance of any heritage features, including the Kohinoor syndicate alluvial workings.</p> <p>(d) Public access to the heritage features within the Battery Hill fenced sanctuary must be enabled.</p>                                                                                                                                    |
| NEW | An archaeologist must be present whenever the land surface is modified from its current surface.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 74  | The Consent Holder must maintain a representative photographic record of any archaeological working (pre-1900) and any artefact of heritage value (post-1900) encountered as part of the mining activities authorised by this consent and must use its best endeavours to retrieve items from the historic sites that might be useful for displays and interpretation.                                                                                                                                                                                                                                                                                                                                                                                                 |
| 75  | <p>Within 12 months of the completion of the on-site archaeological work, the Consent Holder must ensure that a final report, completed following the Archaeological Report Guideline (AGS12 2023), is submitted to the Heritage New Zealand Pouhere Taonga Senior Archaeologist for inclusion in the Heritage New Zealand Pouhere Taonga Archaeological Reports Digital Library, to the Cromwell Museum and the NZAA Central Filekeeper, including:</p> <p>(a) One hard copy and one digital copy of the final report is to be sent to Heritage New Zealand Pouhere Taonga; and</p> <p>(b) Digital copies of the final report are to be sent to the NZAA Central Filekeeper, Central Otago District Council, Cromwell Museum and takata whenua via Aukaha.</p>        |
| 76  | <p>All archaeological artefacts (pre-1900) and artefacts of heritage value (post-1900) retrieved in accordance with Condition 74 should be retained and offered to the Cromwell Museum, excluding Māori artifacts which must be dealt with in accordance with the Accidental Discovery Protocol and the Protected Objects Act 1975.</p> <p>Stone from the stone huts, dam, culverts and revetments should be repurposed for landscaping or other purposes where it will be visible to future visitors to the project area or offered to Cromwell Museum or other local heritage organisations for re-use. Prior to their re-use, all stone should be kept in a secure storage location, with material from each site stored discretely to preserve the provenance.</p> |

**Commented [ST47]:** This condition would partly implement Matt Sole's recommendation (cannot be fully implemented because this work would have to have been done to inform the consent decision)

**Commented [ST48]:** There is no new assessment of the heritage features within the Battery Hill proposed fenced sanctuary and effects of the BOGP on those features, and no conditions specifically addressing this new impact on heritage.

Addressed in Matt Sole statement dated 7 September.

**Commented [ST49]:** There should be a requirement for an archaeologist to be present whenever the surface is modified (as proposed above), otherwise this condition is unlikely to be met. While it may be a requirement of an archaeological authority, it should also be a resource consent condition.



## CONTAMINATED LAND

| No.                         | Condition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|-----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Soil Management Plan</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 77                          | The Consent Holder must prepare and implement the Soil Management Plan (“ <b>SMP</b> ”) certified in accordance with Common Condition <b>C17</b> , <i>(or as amended in accordance with relevant conditions); and which forms part of the consents.</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 78                          | <p><b>Objective</b></p> <p>The objective of the SMP is to specify suitable management measures for the safe and effective management of soils at the BOGP Consent Area that have the potential to result in an adverse risk to human health and / or ecological receptors if inappropriately managed. This objective includes:</p> <ul style="list-style-type: none"> <li>(a) Ensuring the effective management, preservation, and rehabilitation of soil resources taking into account preexisting soil quality, structure, and fertility;</li> <li>(b) Managing soils in a manner that enables successful future revegetation and long-term ecosystem recovery on disturbed sites;</li> <li>(c) Managing and monitoring soils in a way that prevents exposure to harmful contaminants, reduces dust generation, and ensures safe conditions for workers and surrounding communities; and</li> <li>(d) Managing soils in a manner that prevents erosion, contamination, and degradation, thereby protecting surrounding ecosystems, water quality, and biodiversity and ensuring long term environmental sustainability.</li> </ul> |
| 79                          | <p><b>Management Requirements</b></p> <p>To achieve the objective set out in Condition <b>78</b> above, the SMP must include, as a minimum:</p> <ul style="list-style-type: none"> <li>(a) A summary of the known site history, identified Hazardous Activities and Industries List (“<b>HAIL</b>”) areas and expected contamination conditions as well as the investigation methodology for sampling to be undertaken prior to works commencing in the identified HAIL areas;</li> <li>(b) Identification of construction and operational risks associated with key mine sources that have the potential to adversely impact human health or ecological receptors;</li> <li>(c) The contaminated land-related soil management requirements;</li> <li>(d) Standard soil management requirements, including those for topsoil, dust management, erosion and sediment control;</li> <li>(e) Roles and responsibilities; and</li> <li>(f) Monitoring, compliance and reporting requirements.</li> </ul>                                                                                                                                 |



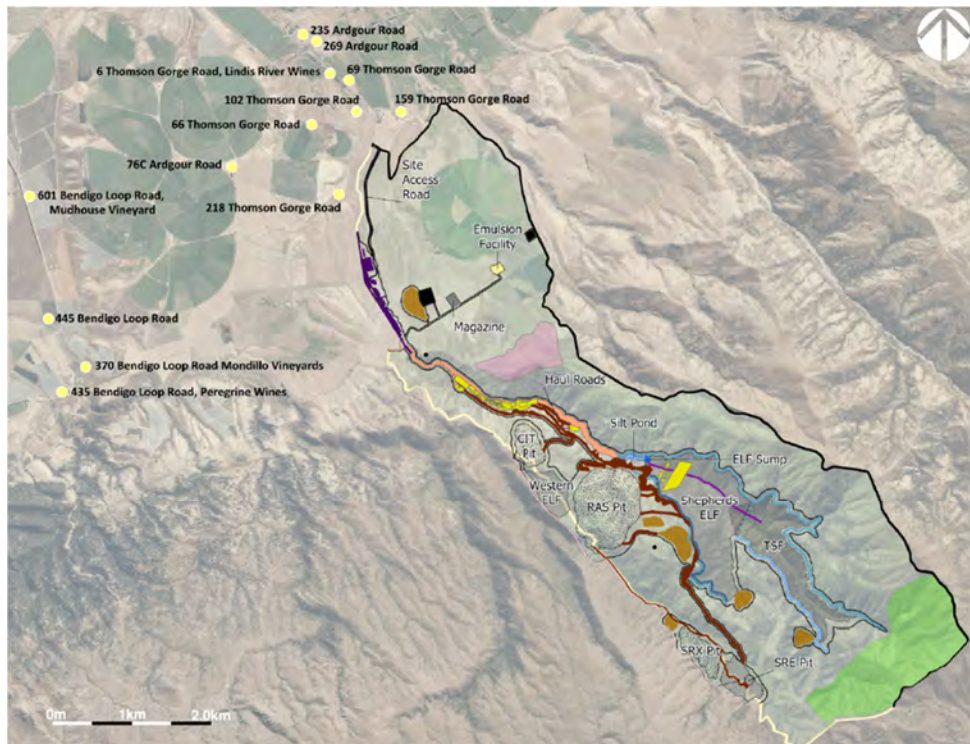
| No. | Condition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
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| 80  | <p data-bbox="272 447 573 468"><b>Limits, Standards and Requirements</b></p> <p data-bbox="272 489 992 541">The following specific limits, standards and requirements must be included in, and achieved through the implementation of the SMP required under Condition 78:</p> <ul style="list-style-type: none"> <li data-bbox="272 562 1013 636">(a) The delineation of any arsenic and cadmium-bearing soils in all areas where soils have not been delineated (i.e. the north and eastern portion of the SRX Pit). These soils are to be considered arsenic-bearing and / or cadmium-bearing until: <ul style="list-style-type: none"> <li data-bbox="305 657 997 709">(i) All arsenic concentrations at the perimeter of the investigation area are less than 70 mg/kg; and</li> <li data-bbox="305 730 1013 783">(ii) All cadmium concentrations at the perimeter of the investigation area are less than 33 mg/kg;</li> </ul> </li> <li data-bbox="272 804 1045 846">(b) The separation of topsoil stockpile areas between high arsenic and cadmium-bearing soils and low arsenic and cadmium bearing soils by: <ul style="list-style-type: none"> <li data-bbox="305 867 1045 919">(i) Ensuring arsenic-bearing soils with arsenic concentrations greater than 70 mg/kg are sent to a high arsenic and cadmium-bearing stockpile or the Western ELF or SRX ELF; and</li> <li data-bbox="305 940 1045 993">(ii) Ensuring cadmium-bearing soils with cadmium concentrations greater than 33 mg/kg are sent to a high arsenic and cadmium-bearing stockpile or the Western ELF or SRX ELF;</li> </ul> </li> <li data-bbox="272 1014 1013 1056">(c) Ensuring arsenic and cadmium-bearing soils are not mixed with non-arsenic and cadmium bearing soils during stockpiling;</li> <li data-bbox="272 1077 1029 1129">(d) Only using arsenic and cadmium-bearing topsoil to rehabilitate areas with naturally elevated levels of these elements;</li> <li data-bbox="272 1150 1013 1203">(e) Establishing vegetation cover that is resistant to wind erosion on all arsenic and cadmium-bearing topsoil stockpiles to minimise dust and soil erosion; and</li> <li data-bbox="272 1224 1013 1297">(f) Installing erosion and sediment controls for all arsenic and cadmium-bearing topsoil stockpiles to direct run-off to dedicated sediment retention ponds that are separate to the main erosion and sediment control devices used for the Project Site.</li> </ul> <p data-bbox="272 1318 997 1392">The results of the soil testing and delineation activities undertaken in accordance with this condition are to be included as part of Annual Monitoring and Compliance Report required by Common Condition C14 in Schedule One.</p> |
| 81  | <p data-bbox="272 1434 1029 1507">Any updates to the SMP must be prepared by a suitably qualified and experienced professional in accordance with <i>Contaminated Land Management Guideline No.1: Reporting on Contaminated Sites in New Zealand, Ministry for the Environment (revised 2021)</i>.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 82  | <p data-bbox="272 1549 1029 1623">The Consent Holder must, prior to mine closure, complete a Detailed Site Investigation (“DSI”) in the relation to the parts of the DDF that have been used for the storage and use of hazardous substances and in areas of the site where chemical spills have been reported.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |



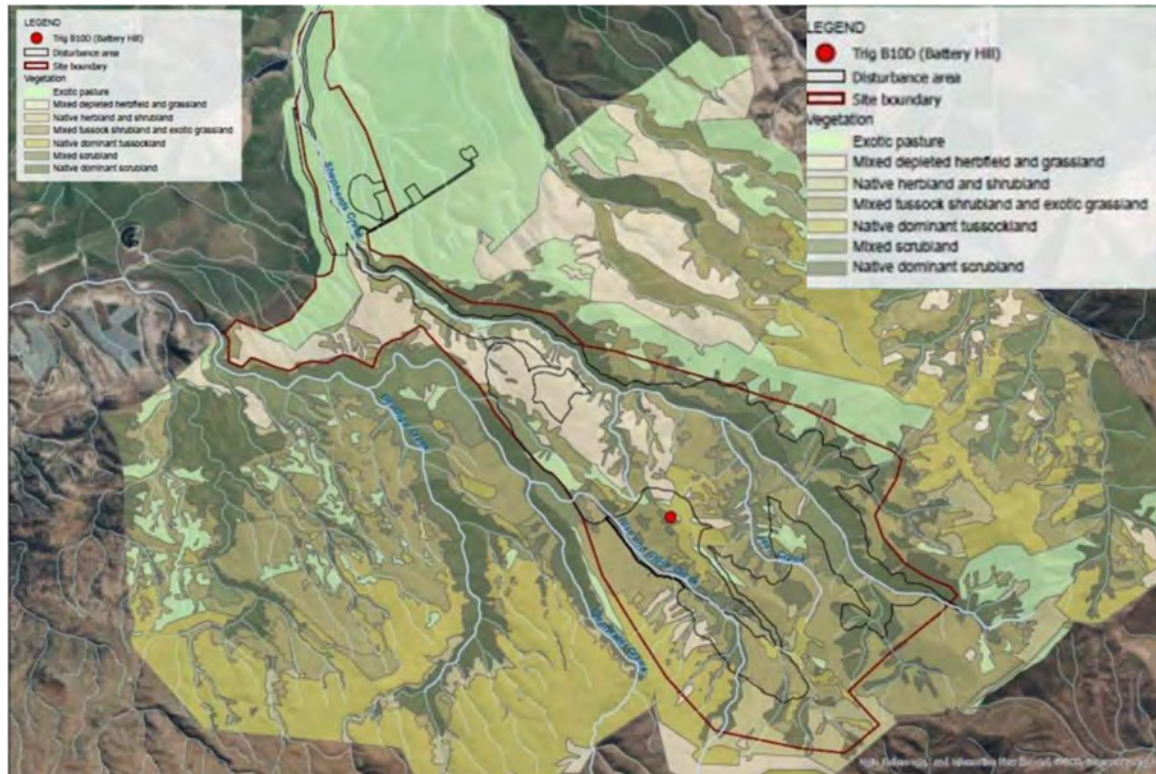
| No. | Condition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|     | <p>Any recommendations in the DSI must be completed as part of the mine closure. Where contamination is identified at concentrations that pose a risk to post-closure land use, remediation and validation will be undertaken and documented in a Remediation Action Plan (“<b>RAP</b>”) and Site Remediation and Validation Report (“<b>SRV</b>”).</p> <p>The DSI, and RAP and SRV (if required), must be prepared by a Suitably Qualified and Experienced Practitioner (“<b>SQEP</b>”) and provided to the Central Otago District Council within 10 working days of their completion.</p> |

## ATTACHMENTS TO LAND USE CONSENT

### Attachment A: BOGP Site Layout and Nearest Noise Sensitive Receivers

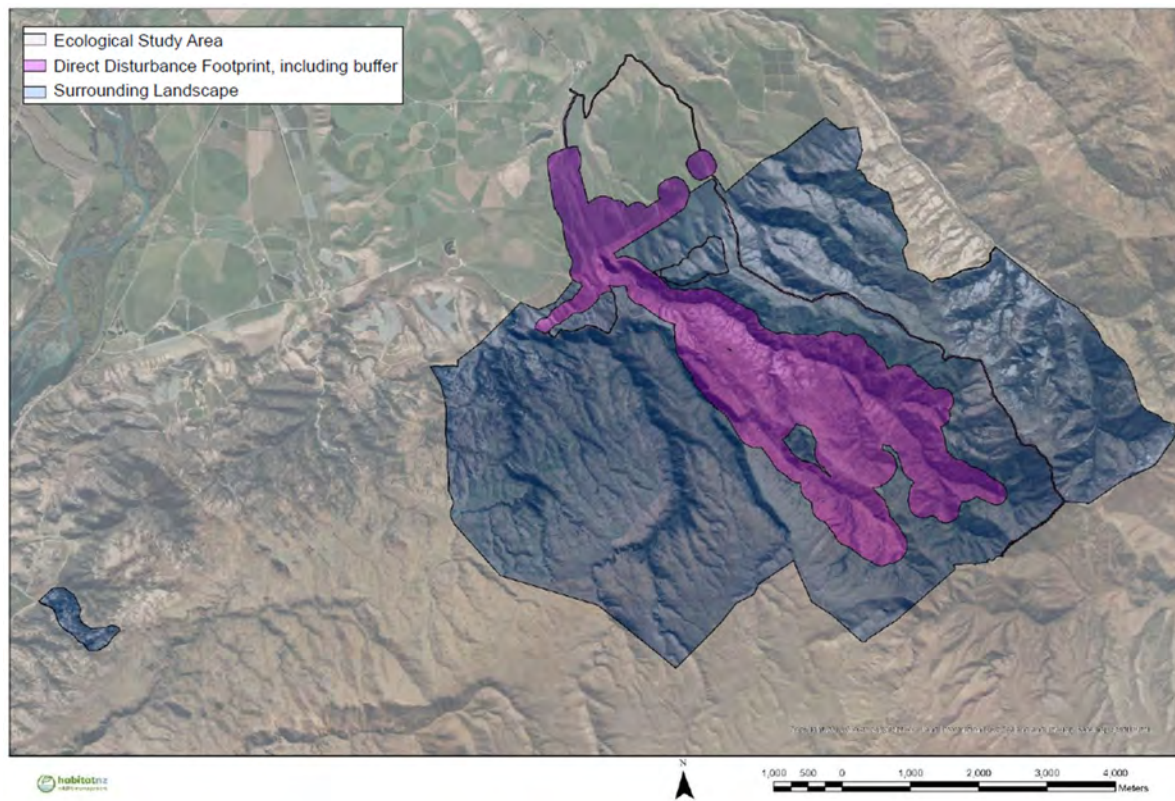


## Attachment B: Cushionfield Habitat



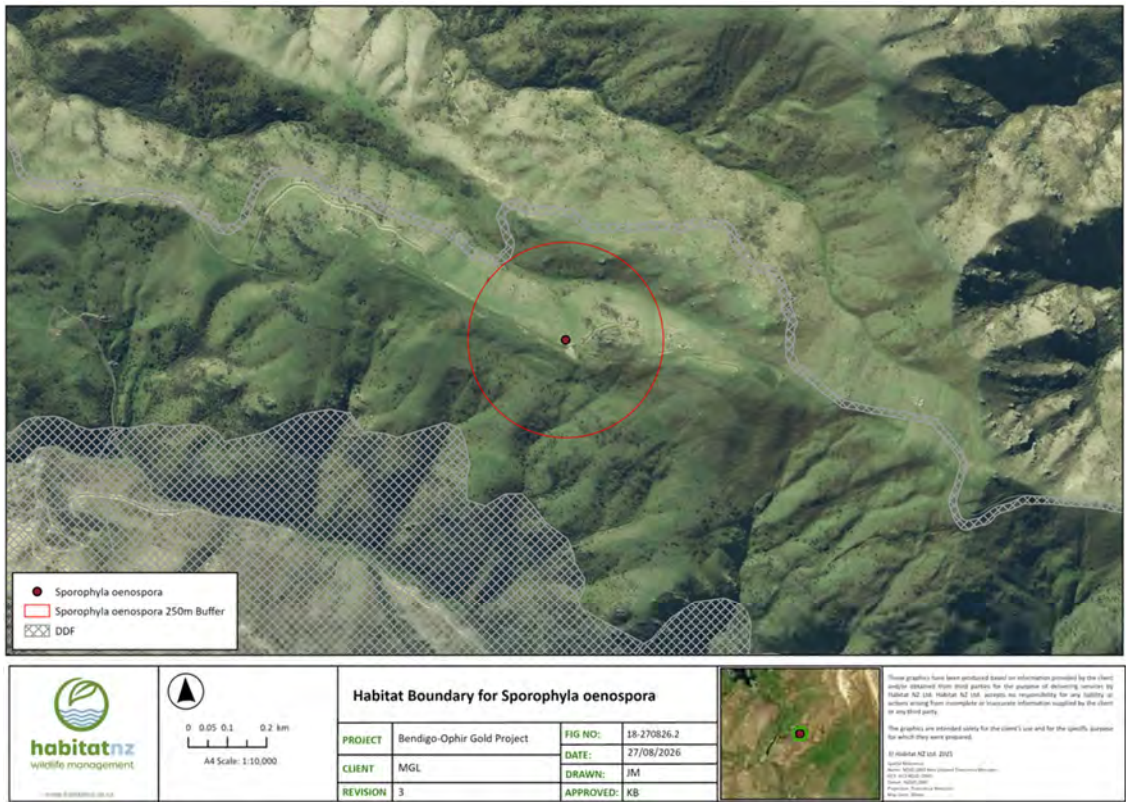
**Note:** In this attachment, 'Mixed depleted herbfield and grassland' category is the 'Cushionfields'.

**Attachment C: Potential Invertebrate Effects Area (Shown as Purple Shaded Area)**



**Commented [ST50]:** The colour scheme is not helpful, and is difficult to interpret in relation to condition 38. Requires clarification.

Attachment D: Habitat Boundary for *Sporophyla oenospora*



**Attachment E: Thomson Gorge Road Widening (shown in Pink)**



