

Our Reference: A942119

Consent No. RM16.138.18

WATER PERMIT

Pursuant to Section 104B of the Resource Management Act 1991, the Otago Regional Council grants consent to:

Name: Oceana Gold (New Zealand) Limited

Address: 22 MacLaggan Street, Dunedin

To dam water for the purpose of operating the Coal Creek Freshwater Dam

For a term expiring 1 October 2051

Location of consent activity: Macraes Gold Project, approximately 6.5 kilometres to the northwest of the intersection of Macraes Road and Red Bank Road, Macraes Flat.

Legal description of consent location: Pt Section 2 Blk V Highlay SD

Map Reference: Within a 1 kilometre radius of NZTM 2000: E1392830
N4979584

Conditions

Specific

1. This consent shall be exercised in conjunction with Land Use Consent RM16,138.02, Discharge Permit RM16.138.07, Discharge Permit RM16.138.08 Water Permit RM16.138.16 and any subsequent variations to these consents
2. The Camp Creek Freshwater dam shall be generally sited as shown on Appendix I.
3. For the purpose of Section 125 of the Resource Management Act 1991, this consent shall not lapse.
4. The maximum volume of water impounded in the Coal Creek Freshwater dam shall not exceed 685,000 cubic metres at the normal top water level.
5. The Coal Creek Freshwater dam shall be designed for an operating basis earthquake with a recurrence interval of 150 years and a maximum design earthquake with a recurrence interval of 2,500 years.
6. The consent holder shall immediately notify the Consent Authority if the consent holder has reasonable grounds for considering that the dam is, or has become, dangerous.

Performance Monitoring

7. (a) Prior to the exercise of this consent, the consent holder shall establish a fund of NZ\$30,000 for provision of trout exclusion devices to protect native fish habitat, particularly Taieri flathead galaxias (*Galaxias depressiceps*). Within 6 months the consent holder shall commence consultation with the Department of Conservation to determine suitable locations for the trout exclusion devices, with some preference to be given to locations within the Mare Burn catchment.
(b) The consent holder shall provide the Consent Authority with details of the determined locations of the trout exclusion devices.

(c) The trout exclusion devices shall be designed or supplied by a suitably qualified person.

(d) The trout exclusion devices shall be installed within 24 months of the locations being determined.

(e) The trout exclusion devices shall be maintained in good working order for the duration of this consent. Records shall be kept of all inspections and maintenance and those records shall be provided to the Consent Authority upon request.

8. (a) The consent holder shall submit a Project Overview and Annual Work and Rehabilitation Plan to the Consent Authority by 31 March each year that will cover the forthcoming year. The consent holder may, at any time, submit to the Consent Authority an amended Project Overview and Annual Work and Rehabilitation Plan. The Project Overview and Annual Work and Rehabilitation Plan shall include, but not be limited to:

i) A description and timeline of intended key mining activities for the duration of the mining operation including a plan showing the location and contours of all existing and proposed structures at completion of mining;

ii) A description (including sequence, method and form) of mining operations, monitoring and reporting carried out in the last 12 months;

iii) A detailed description (including sequence, method and form) of all mining operations, monitoring and reporting, not covered by a separate management plan intended to be carried out in the next 12 months

iv) An explanation of any departure in the last 12 months from the previous Project Overview and Annual Work and Rehabilitation Plan;

v) Plans showing the contours (at 5 metre intervals) and footprints of all works and structures and any proposed changes at the end of the next 12 months;

vi) A description and analysis of any unexpected adverse effects on the environment that have arisen as a result of the exercise of the consent in the last 12 months and the steps taken to deal with it and the results of those steps;

vii) A description and analysis of any non-compliance events that have occurred in the last 12 months and the steps taken to deal with it and the results of those steps;

viii) A full report describing and evaluating the mitigation measures used in the last 12 months and any that are proposed to be implemented in the next 12 months. This should detail where further mitigation has been proposed as a result of a non-compliance event and/or any adverse effects on the environment;

ix) Details of the annual review of any Management Plans or Manuals, including, but not limited to; Tailings Storage Facility Operations, Maintenance and Surveillance Manuals, Tailings Storage Facility Emergency Action Plans, Erosion and Sediment Control Plans, Waste Rock Stack Operations and Management Plans, Water Quality Management Plans and the Dust Management Plan;

x) An overview of the monitoring and reporting programme for the previous 12 months and any changes proposed for the next 12 months;

xi) A detailed section on rehabilitation including, but not limited to the following:

- A description of rehabilitation planned for the next five years;
- A description of proposed rehabilitation methods;
- The details of the location, design (including shape form and contour) and construction of all permanent structures;
- Details of all proposed rehabilitation, topsoil to be stripped and stockpiled, surface pre-treatment and re-use of topsoil on finished areas in the next 12 months;
- Drainage details for disturbed and recently rehabilitated areas;

- Details of any vegetation rehabilitation planned for the next 12 month period, including the areas to be rehabilitated, methods proposed, results of previous trials and rehabilitation work, any further trials proposed, and any revegetation or rehabilitation problems encountered and the steps being taken to resolve these; and
 - Details of the management of areas previously rehabilitated.
- xii) An up to date and detailed calculation of the cost of dealing with any adverse effects on the environment arising or which may arise from the exercise of this consent;
- xiii) An up to date and detailed calculation of the costs of complying with all rehabilitation conditions of this consent;
- xiv) An up to date and detailed calculation of the costs of any monitoring required by the conditions of this consent;
- xv) A contingency closure plan describing in detail the steps that would need to be taken if mining operations stopped in the next 12 months; and
- i) Any other information required by any other condition of this consent and any related consent.
- (b) The Project Overview and Annual Work and Rehabilitation Plan for this consent may be combined with any Project Overview and Annual Work and Rehabilitation Plan required by any other consent held by the consent holder for mining operations at Macraes Flat.
- (c) The consent holder shall provide the Consent Authority with any further information, or report, which the Consent Authority may request after considering any Project Overview and Annual Work and Rehabilitation Plan. This information or report shall be provided in the time and manner required by the Consent Authority.
- (d) The consent holder shall exercise this consent in accordance with the Project Overview and Annual Work and Rehabilitation Plan.
- (e) The consent holder shall design and construct all permanent earthworks to the form shown in the Project Overview and Annual Work and Rehabilitation Plan.
- (f) Each year, the consent holder shall provide the Chairperson of Macraes Community Incorporated, Te Runanga o Moeraki, Kāti Huirapa Rūnaka ki Puketeraki and any successive groups with a copy of the Project Overview and Annual Work and Rehabilitation Plan.

9. (a) Every 5 years from the exercise of this consent, the consent holder shall review the dam's classification.
- (b) The consent holder shall also review the dam's classification if, at any time:
- (i) any building work that requires a building consent is carried out on the dam; and
 - (ii) the building work results, or could result, in a change to the potential impact of a failure of the dam on person, property, or the environment.
- (c) In reviewing the classification of the dam, the consent holder shall:
- (i) apply the criteria and standards for dam safety set out in the New Zealand Dam Safety Guidelines 2015 published by the New Zealand Society of Large Dams (NZSOLD);
 - (ii) give the dam one of the following classifications: low potential impact, medium potential impact or high potential impact; and
 - (iii) submit the classification of the dam to a Chartered Professional Engineer experienced in dam safety for audit.
- (d) Within one month of the review, the consent holder shall provide the Consent Authority with the classification given by the consent holder to the dam and a

certificate from a Chartered Professional Engineer experienced in dam safety that:
(i) states that the classification of the dam accords with the New Zealand Dam Safety Guidelines 2015; and

(ii) states that the engineer is a Chartered Professional Engineer experienced in dam safety.

(e) If the review changes the classification of the dam from low potential impact to medium potential impact or high potential impact, the Consent Authority may review the conditions of this consent to impose conditions relating to dam safety. Conditions shall be consistent with any relevant National Environmental Standards, Regulations, plans and/or the Otago Regional Policy Statement.

10. (a) Prior to exercise of this consent, the consent holder shall provide the Consent Authority with an Operations, Maintenance and Surveillance (OMS) Manual for the dam in accordance with NZSOLD New Zealand Dam Safety Guidelines 2015. The manual shall include:

(i) Key personnel directly involved with the dam and their responsibilities;

(ii) Details of the operation of the dam, including discharge methods and management;

(iii) Maintenance of the dam;

(iv) Details of all proposed surveillance and monitoring including dam safety inspections and plans showing the location of monitoring points;

(v) Specific reference to seepage monitoring with appropriate corrective actions in relation to 'abnormal' seepage flows.

(b) The manual shall be reviewed by an appropriately qualified engineer with suitable experience in dam construction and operation. A copy of the reviewer's report shall be provided to the Consent Authority prior to the exercise of this consent.

(c) The consent holder shall exercise this consent in accordance with the Operations, Maintenance and Surveillance Manual. The consent holder shall review the manual annually and if necessary update it. The Consent Authority shall be provided with any updates of the manual within one calendar month of any update occurring.

11. (a) The consent holder shall submit to the Consent Authority a Site Decommissioning Plan, not less than 12 months before completion of mine operations.

(b) The Site Decommissioning Plan shall be prepared in consultation with Takata Whenua, Macraes Community Development Trust, Macraes Community Incorporated and any successive groups.

(c) The Site Decommissioning Plan shall include but not be limited to:

i) A plan(s) showing the final design and intended contours (at 5 metre intervals) of all permanent structures and works, including but not limited to, waste rock stacks, permanent earthworks, tailings impoundments, dam embankments, water storage reservoirs, pit lakes, water bodies, roads or other works which under this consent or any related consent are authorised or required to remain after the relevant consents expire;

ii) A summary of rehabilitation completed to date, and a summary of rehabilitation required to fulfil the conditions of this consent and any related consents;

iii) Details on infrastructure to be decommissioned, such infrastructure may include buildings, plant, and equipment;

iv) Details of specific infrastructure to remain on-site post-closure. Such infrastructure may include buildings, plant, equipment and any monitoring structures

required by this consent and any related consent to remain after the expiry of the consents;

v) Details on the decommissioning of infrastructure associated with existing art works, heritage sites, tracks and interpretation signage; and

vi) Details of management, any ongoing maintenance, monitoring and reporting proposed by the consent holder to ensure post-closure compliance with numerical standards and mitigation plans.

12. The consent holder shall pay to the Consent Authority, the costs for monitoring, enforcing and administering this consent as agreed upon between the consent holder and the Consent Authority pursuant to Section 36 of the Resource Management Act 1991.
13. In the event of any non compliance with the conditions of this consent, the consent holder shall notify the Consent Authority within 24 hours of the non compliance being detected. Within five working days the consent holder shall provide written notification to the Consent Authority providing details of the non-compliance. This notification will at a minimum include an explanation of the cause of the non compliance, the steps taken to remedy the situation and steps taken to mitigate any future occurrence of the non compliance.
14. The consent holder shall maintain a register of any complaints received regarding their operation. The register shall include, but not be limited to:
 - (a) name and location of site where problem is experienced;
 - (b) nature of the problem;
 - (c) date and time problem occurred, and when reported;
 - (d) action taken by consent holder to remedy the situation and any policies of methods put in place to avoid or mitigate the problem occurring again.

The register of complaints shall be incorporated into the Project Overview and Annual Work and Rehabilitation Plan required by Condition 8 of this consent.

General

15. The consent holder shall ensure that the dam and all its appurtenant component and accessory structures are maintained in a safe and stable condition.
16. The Consent Authority may, within 6 months of receipt of the Cultural Impact Assessment; serve notice of its intention to review the conditions of this consent for the purpose of amending or adding conditions to address mitigation of the effect of the Coronation North Project on cultural values and associations. All costs associated with any such review shall be borne by the consent holder.
17.
 - (a) The consent holder shall provide and maintain in favour of the Consent Authority one or more bonds to secure:
 - i) The performance and completion of rehabilitation in accordance with the conditions of this consent; and
 - ii) The carrying out of the monitoring required by the conditions of this consent; and
 - iii) The remediation of any adverse effect on the environment that may arise from the exercise of this consent.
 - iv) Compliance with Conditions 17(m) to 17(q) of this consent.
 - (b) Before the first exercise of this consent, the consent holder shall provide to the Consent Authority one or more bonds required by Condition 17(a).
 - (c) Subject to the other provisions of this consent, any bond shall be in the form and

on the terms and conditions approved by the Consent Authority.

(d) Any bond shall be given or guaranteed by a surety acceptable to the Consent Authority.

(e) The surety shall bind itself to pay for the carrying out and completion of the conditions of consent which are the subject of the bond on default by the consent holder or the occurrence of any adverse environment effect requiring remedy; during or after the expiry of this consent.

(f) The amount of each bond shall be fixed annually by the Consent Authority which will take into account any calculations and other matters submitted by the consent holder relevant to the determination of the amount to be bonded in the Project Overview and Annual Work and Rehabilitation Plan required for by condition 15 of RM16.138.02, condition 6 of RM16.138.05, condition 8 of RM16.138.06, condition 10 of RM16.138.10, condition 8 of RM16.138.17 and RM16.138.18.

(g) The amount of the bond(s) shall include:

i) The estimated costs of complete rehabilitation in accordance with the conditions of consent on the completion of the mining operations proposed for the next year and described in the Project Overview and Annual Work and Rehabilitation Plan.

ii) The estimated costs of:

- Monitoring in accordance with the monitoring conditions of the consent;
- Monitoring for and of any adverse effect of the activity authorised by this consent which may become apparent during or after expiry of this consent;
- Monitoring any rehabilitation required by this consent.

iii) Any further sum which the Consent Authority considers necessary for monitoring and dealing with any adverse effect on the environment that may arise from the exercise of the consent whether during or after the expiry of this consent.

(h) The amount shall be calculated for the duration of this consent and for a period of 20 years after its expiry.

(i) If, on review, the total amount of bond to be provided by the consent holder is greater or less than the sum secured by the current bond(s), the consent holder, surety and the Consent Authority may, in writing, vary the amount of the bond(s).

(j) While the liability of the surety is limited to the amount of the bond(s), the liability of the consent holder is unlimited.

(k) Any bond may be varied, cancelled, or renewed at any time by written agreement between the consent holder, surety and Consent Authority.

(l) The costs (including the costs of the Consent Authority) of providing, maintaining, varying and reviewing any bond shall be paid by the consent holder.

(m) For a period of 20 years from the expiry or surrender of this consent the consent holder shall provide in favour of the Consent Authority one or more bonds.

(n) The amount of the bond to be provided under Condition 17(m) shall include the amount (if any) considered by the Consent Authority necessary for:

i) Completing rehabilitation in accordance with the conditions of this consent.

ii) Monitoring for and of any adverse effect on the environment that may arise from the exercise of the consent.

iii) Monitoring any measures taken to prevent, remedy or mitigate any adverse effect on the environment that may arise from the exercise of this consent.

iv) Dealing with any adverse effect on the environment which may become apparent after the surrender or expiry of this consent.

v) Contingencies.

(o) Without limitation, the amount secured by the bond given under Condition 17(m) may include provision to deal with structural instability or failure, land and water

contamination, and the failure of rehabilitation in terms of the rehabilitation objectives and conditions of this consent. Costs shall include costs of investigating, preventing, remedying or mitigating any adverse effect.

(p) The bond(s) required by Condition 17(m) must be provided on the earlier of:

- i) 12 months before the expiry of this consent.
- ii) Three months before the surrender of this consent.

(q) Conditions 17(c), (d), (e), (h), (i), (j) and (k) apply to the bond(s) required by Condition 17(m).

Review

19. The Consent Authority may, in accordance with Sections 128 and 129 of the Resource Management Act 1991, serve notice on the consent holder of its intention to review the conditions of this consent within 3 months of each anniversary of the commencement of this consent for the purpose of:
- (a) determining whether the conditions of this consent are adequate to deal with any adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage; or
 - (b) ensuring the conditions of this consent are consistent with any National Environmental Standards Regulations, relevant plans and/or the Otago Regional Policy Statement; or
 - (c) reviewing the frequency of monitoring or reporting required under this consent; or
 - (d) reviewing the need for public liability insurance cover to be held by the consent holder.
 - (e) reviewing the conditions of this consent to impose conditions relating to dam safety if the potential impact classification of the dam changes from low to medium or low to high, in accordance with Condition 9.

Appendix I

RM16.138.18



