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General Conditions for BDC and WCRC	
1.0 General	
1.1	The Consent Holder must carry out the mineral sand mining activities in general accordance with the application, except where revised by subsequent further information provided during the consent application process, including the plan titled “Proposed Site Plan – Nine Mile Project” dated 4 March 2022 and prepared by Westland Mineral Sands Co Ltd, attached as Schedule 1.
1.2	The Consent Holder must ensure all key staff and contractors are made aware of, and have access to, the resource consent conditions prior to the commencement of mining. A copy of these documents must also be readily available onsite.
1.3	All actual and reasonable costs incurred by the Consent Authorities in monitoring, enforcement and administration of this resource consent must be met by the Consent Holder.
2.0 Notification	
2.1	For monitoring purposes, the Consent Holder must notify the Consent Authorities of the following: (a) the intended commencement date of activities at least 5 working days prior to commencement of works on-site; and (b) the intended completion of rehabilitation activities at least 5 working days prior to works ceasing on-site.
3.0 Review of Conditions	
3.1	Pursuant to Section 128(1) of the Act, the Consent Authorities may review any of the conditions of these consents by serving notice on the Consent Holder within a period of 60 working days, commencing on each anniversary of the date of commencement of these consents for any of the following purposes: a) To deal with any adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage. b) To assess the appropriateness of imposed compliance standards, monitoring parameters, monitoring regimes and monitoring frequencies and to alter these accordingly. c) To ensure that any management plan required by these conditions gives effect to conditions of these consents.
4.0 Bond Conditions	
4.1	The Consent Holder must provide and maintain in favour of the Consent Authority a bond or bonds to secure compliance by the Consent Holder with all the conditions of these consents, including the completion of all rehabilitation works required by these consents and to avoid, remedy or mitigate any adverse effects on the environment arising as a result of the exercise of these consents.
4.2	The payment of the bond quantum by the Consent Holder, as required by Condition 4.4 must either be:

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	a) A bond in favour of the Consent Authority for the guarantee sum in a form and executed by a surety acceptable to the Consent Authority; or b) Deposited with and held in a bank account by the Consent Authority
4.3	Where a bond is guaranteed in accordance with Condition 4.2 a), the guarantor must bind itself to pay up to the bond quantum for the carrying out and completion of all obligations of the Consent Holder under the bond.
4.4	The bond (as set at anytime under Condition 4.1) must be held or remain in full force and effect throughout the term of these consents and until all conditions under these consents have been performed unless otherwise agreed by the Consent Authority.
4.5	The amount of the bond must be \$100,000.
4.6	The amount of the bond may be inflation adjusted annually, if requested by the Consent Authority, by the movement of the CPI relative to the CPI at the date when the bond is first provided.
4.7	The Consent Holder will not exercise or must cease exercising these consents: a) Until the bond required by Condition 4.1 has been fully executed by the Consent Holder and guarantor, or has been deposited with the Consent Authority, or b) In respect of any inflation adjusted bond referred to in Condition 4.6 after 30 working days have expired from the date the Consent Holder was notified of the terms of the inflation adjusted bond by the Consent Authority unless the inflation adjusted bond has been executed with the Consent Authority by the Consent Holder and guarantor, or has been deposited with the Consent Authority, or c) In respect of any bond sum changed or reviewed pursuant to Sections 127 or 128 of the Act, after thirty 30 working days have expired from the date the Consent Holder was notified of the decision of the changed or reviewed bond by the Consent Authority unless the changed or reviewed bond has been executed with the Consent Authority by the Consent Holder and guarantor, or has been deposited with the Consent Authority, or d) If, during the term of these consents, the whole or any part of the bond is required to be used for the carrying out and completion of all obligations of the Consent Holder under the bond, unless the full bond has been has been executed with the Consent Authority by the Consent Holder and guarantor, or has been deposited with the Consent Authority.

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4.8	The Consent Holder must complete such work requested in respect of which any bond or deposit is held, within the time period nominated by the Consent Authority's written request.
4.9	If the consents are transferred in part or whole to another party or person, the bond must continue until any outstanding work at the date of transfer is completed to ensure compliance with the conditions of these consents, unless the Consent Authority are satisfied adequate provisions have been made to transfer the liability to the new Consent Holder.
4.10	In the event of any such transfer of the consents, the Consent Holder must ensure that the transfer forthwith provides a replacement bond to the Consent Authority on the terms required by the Bond Conditions.
5.0 Annual Work Programme	
5.1	Before mining commences and thereafter on or before the anniversary date of the commencement of these consents, the Consent Holder must submit a programme of work ("Annual Work Programme") for certification by the Consent Authorities detailing: ○ The proposed works to be carried out over the subsequent year including: ▪ Equipment to be used; ▪ Areas of topsoil and overburden stripping and stockpile locations; ▪ New areas of land disturbance that will be mined during the forthcoming year; ▪ Access tracks; ▪ Drill/prospecting sites and other tracks to be constructed; and ▪ Any other site works within the consent area. ○ The approximate open volume of the working pit at the start of the year including depth of excavations and the area of the working pit. ○ The rehabilitation works to be carried out over the subsequent year including: ▪ Areas of unrestored land (i.e. all land not finally topsoiled and revegetated) at the beginning of the new year; ▪ The area that will be fully rehabilitated during the forthcoming year; ▪ Maximum slope angles, bench heights and widths of recontoured ground, if applicable; and ▪ Rehabilitation method and technique including replacement of topsoil and vegetation cover. ○ Description of measures to prevent adverse effects on natural waters, including drainage works within the consent area, and the collection and treatment of site run-off before discharge to natural waters.

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	Measures that must be adopted to ensure soil conservation and slope stability are controlled.
5.2	The following plan(s) must also be submitted as part of the Annual Work Programme: - A detailed plan or aerial photograph showing: - The open working area at the start of the year; - Proposed mine path for the year including haul and access roads; - Rehabilitated ground behind the open area; - Location of existing and intended topsoil or overburden dumps; - Location of natural waterbodies; - Location of present and intended drainage works and settling ponds; and - Any other site works within the consent area. - An updated Erosion and Sediment Control Plan in accordance with condition 24.0. - Results of surface water quality and water level monitoring from the previous 12 months. - Any proposed updates to Management Plans submitted in accordance with the respective conditions of consent. - An annual operational water quality monitoring report required by the WMP. - An annual summary of dust deposition monitoring required by Condition 23.2 for the preceding 12 months. - A geotechnical report which confirms the proposed pit slope geometry to ensure a stable landform.
5.3	The Consent Holder must provide the Consent Authority with any further information, which the Consent Authority may reasonably request after considering any Annual Work Programme. This information must be provided in a timely manner as required by the Consent Authority.
6.0 Management Plans	
6.1	At least 20 working days prior to undertaking any activities authorised by these consents, the Consent Holder must provide to the Consent Authorities the following management plans for certification in accordance with conditions of this consent: Lighting Management Plan

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	• Transport Management Plan • Avian Management Plan • Lizard Management Plan • Dust Management Plan • Rehabilitation Management Plan • Water Management Plan • Monitoring and Mitigation Plan • Erosion & Sediment Control Plan (collectively Management Plans)
6.2	All Management Plans must include (where relevant): a) The purpose of the plan; b) Reference to the relevant conditions; c) How each of the relevant conditions have been given effect to d) Identification of specifications and procedures for implementing the relevant plan; e) Audit check lists; f) Monitoring programmes and/or protocols; g) Feedback mechanisms for adaptive management, including circumstances in which a material change to the management plan would be required h) An organisational chart showing staff and contractor positions and responsibilities for plan implementation; and i) Relevant training and induction procedures and schedules
6.3	Site activities must not commence until the management plans required in condition 6.1 have been certified by the Consent Authorities.
6.4	If the Consent Holder has not received a response from the Consent Authorities within one month of the date of submission of the management plans under Condition 6.1, the management plans must be deemed certified. If the response from the Consent Authorities is that they not able to certify the management plans, the Consent Holder must consider any reasons and recommendations provided by the Consent Authorities, amend the management plans accordingly, and resubmit the management plans to the Consent Authorities.
6.5	The Consent Holder may amend the management plans at any time to take into account: a) Any positive measure/s to ensure the stated objectives of the management plans are achieved; b) Any required actions identified as a result of monitoring under these consents; and c) Any changes required as a result of actions identified in the Annual Work Programme. Where management plans require the input of an appropriately qualified person, any amendments to those management plans must also be undertaken by the appropriately qualified person.

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	<i>Advice Note: Some management plans have ongoing annual review requirements which are required in order to avoid, remedy or mitigate effects. These specific review requirements are stipulated in the relevant conditions of this consent.</i>
6.6	Any amended Plans must be provided to the Consent Authorities within 20 working days of their review, for certification in accordance with Condition 6.1.
6.7	The Plans must not be amended in a way that contravenes the matters set out in the conditions for the respective Plans.
6.8	A copy of the latest version of the Plans must be kept on site at all times and all key personnel must be made aware of the contents of each Plan and their responsibilities under each Plan.
6.9	Subject to any other conditions of these consents, all activities must be undertaken in accordance with the latest version of the Plans.
7.0 Method of Operations	
7.1	The mine boundaries must be clearly marked before any earthworks take place, with the 5m setback from major drains , 10m setback from the eastern vegetation , 20m setback from Blind River and 40m setback from Okari Road and Silverstream wetlands clearly identified.
7.2	The maximum disturbed area of the mine pit must not exceed 2 hectares and total site disturbance must not exceed 5 hectares at any one time. <i>Advice note: the 2 hectare mine pit disturbance area relates to the open pit perimeter and does not include the disturbance associated with topsoil removal, waste/tails backfilling activity or rehabilitation activity.</i>
7.3	The Consent Holder must strip soil material ahead of operations and stockpile it for rehabilitation purposes. Stockpiled soil must be protected from erosion caused by water and wind as far as practicable.
7.4	The Consent Holder must not bury or remove any topsoil or soil material suitable as a growing medium from the site.
8.0 Rehabilitation	
8.1	The Consent Holder must provide a Rehabilitation Management Plan to the Consent Authorities detailing rehabilitation strategies for all facilities and operational areas of the mine to achieve the following rehabilitation objectives: a) Reinstatement of the dune landform to a similar profile and contour as the adjacent dunes; b) Reinstatement of drainage patterns; c) Ensure short and long term stability of the reinstated landform; d) Protect Okari Road and Silverstream wetlands, Blind River and the coastal forest along the eastern Site boundary from the effects of erosion and sediment generation; and

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	e) Establishment of an appropriate vegetation cover. <i>Advice Note: All Management Plans are required to adhere to the requirements of Condition 6.0.</i>
8.2	The Rehabilitation Management Plan must detail measures which address the following as a minimum: a) Contour and stability of all post-mining landforms; b) Establishment of pasture cover over all disturbed land; c) Restoration of drainage discharge channels; d) Protection of water and soils from the effects of erosion; e) The achievement of water quality standards in the long term to protect aquatic values, for water leaving all previously disturbed sites/areas, and any post-mining monitoring requirements; f) Removal of buildings, equipment and structures; and g) Post-mining weed and pest control requirements.
8.3	The Consent Holder must maintain a programme of progressive rehabilitation and revegetation of the Site in accordance with the Rehabilitation Management Plan required by Condition 8.1.
8.4	If for any reason active mining ceases for more than 6 months, all disturbed areas must be rehabilitated as required by the conditions of these consents within 12 months from the date of the last mining works.
9.0 Complaints and Non-Compliance	
9.1	Upon receipt of any complaint, the Consent Holder must promptly investigate the complaint, take action to remedy or mitigate the cause of the complaint and inform the Consent Authorities within 48 hours of the report, of the details of the complaint and the action taken.
9.2	The Consent Holder must maintain a complaints register for all aspects of operations in relation to these consents. The register must: a) detail the date, time and type of complaint, b) cause of the complaint, and c) the action taken in response to the complaint.
9.3	The register must be available to Councils at all reasonable times. Complaints which may infer non-compliance with the conditions of these consents, must be referred to the Consent Authorities within 48 hours of the report.
9.4	In the event of any breach of compliance of the conditions of these consents the Consent Holder must notify the Consent Authorities within 48 hours of the breach being detected. Within 5 working days of any breach the Consent Holder must provide written notification to the relevant Consent Authorities which explains the cause of the breach, and if the cause was within the control of the Consent Holder, steps which were taken to remedy the breach and steps which must be taken to prevent any further occurrence of the breach.

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Buller District Council Conditions	
10.0 Hours of Operation	
10.1	The mining activities must comply with the following hours of operation: ○ Mining Operations – 0800-2200 ○ Processing Plant - 24 hours a day / 7 days a week <i>Advice Note: In addition to condition 10.1, further restrictions on transport operations are contained in Condition 16.0 Transport.</i>
11.0 Buildings	
11.1	Buildings associated with the mining activity must be constructed and located generally in accordance with the site plan titled “Proposed Site Plan – Nine Mile Project” dated 4 March 2022 and prepared by Westland Mineral Sands Co Ltd (Schedule 1) and the updated plant drawings submitted as part of the resource consent application (Schedule 2).
11.2	The colours to be used for all buildings and structures must be grey and non-reflective.
11.3	The Consent Holder must move all buildings at the completion of the term of consent.
12.0 Site Access	
12.1	The site access must be upgraded to provide a left turn deceleration lane that is consistent with Waka Kotahi NZTA Diagram D for a 100km/hr speed environment, attached as Schedule 4 .
12.2	Vegetation at the accessway must be trimmed to achieve a 160m visibility splay consistent with a 100km/hr design speed in ‘Road Traffic Standard 6 – Guidelines for Visibility at Driveways’.
12.3	Prior to any works being undertaken in accordance with 12.1 above, the Consent Holder must submit engineering designs and plans identifying the extent of the proposed road construction works, together with a Design and Access Statement prepared in accordance with NZS4404:2010. The engineering designs must include details of all aspects of the alterations and certification from a Chartered Professional Engineer practising in Civil Engineering that all proposed works comply with NZS 4404:2010. The designs are to be approved by Council’s Infrastructure Manager prior to physical works being undertaken.
12.4	All construction work on road reserve is to be undertaken by a Council approved contractor.
13.0 Road Safety Measures	
13.1	At least 60 working days prior to commencing trucking of Heavy Mineral Concentrate, the Consent Holder must make payment of \$13,500 + GST to the Council. The contribution is for the express purpose of completing road safety measures identified as being funded by the Consent Holder in Section 5 of the WSP report titled: “Westland Mineral Sands Co. Ltd Transport Impact Assessment”, dated 16 th February 2022, which will be undertaken by the Council as the road controlling authority.

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14.0 Lighting	
14.1	Lighting must not exceed 10 lux spill (horizontal and vertical) of light onto any adjoining property, measured at any point more than 2m inside the boundary of the adjoining property.
14.2	A Lighting Management Plan must be prepared by a suitably qualified and experienced professional and provided to Council's Planning Department. The objective of the LMP is to ensure that lighting remains within the limits approved under this consent and to avoid or mitigate adverse effects on residents and wildlife. <i>Advice Note: All Management Plans are required to adhere to the requirements of Condition 6.0.</i>
14.3	As a minimum, the LMP must require: ○ Compliance with the District Plan 10 lux spill lighting limit; ○ Adherence to the Australian Government's National Light Pollution Guidelines for Wildlife January 2020 (or subsequent revision); including but not limited to: • All fixed lighting must be directed downward, shielded to avoid light spill outside of permitted activity limits and avoid operating in the yellow orange spectrum; • Lights must only illuminate the object or area intended; • Fixed lights must be mounted as close to the ground as practicable while still achieving site lighting requirements; • External lighting must be minimised on the seaward side of buildings to minimise light spill toward the coast; • external lighting must be minimised and use the lowest intensity lighting possible, while ensuring compliance with workplace health and safety requirements.
14.4	The consent holder must conduct a lighting audit of the site, within 20 working days of commencement of mining operations, and at least once annually thereafter, to confirm compliance with conditions 14.1 and 14.3. The audit must be carried out by a qualified lighting technician, and reviewed by a suitably qualified ecologist. The results and confirmation of compliance with conditions 14.1 and 14.3 must be submitted to the Council's Planning Department within 10 working days of receipt of the audit. <i>If compliance is not achieved, the Consent Holder must investigate and implement additional mitigation required to achieve compliance. The consent holder must submit a report to Council within 10 working days of the audit detailing the mitigation measures that will be implemented and must undertake a further compliance monitoring report within 10 working days of any mitigation measure being implemented to demonstrate the effectiveness of that mitigation.</i>
15.0 Noise	
15.1	Prior to the commencement of any night-time activities on site, a report from a suitably qualified and experienced acoustic specialist must be submitted to Council's Planning

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	Department confirming that the proposed processing plant and associated equipment that operates at night does not exceed the following noise levels: ○ Cumulative noise from all static processing plant: 60 dB $L_{aeq(15\text{ min})}$ at 50 metres from the north and west side of the enclosures, measured at a height of 1.5m above the existing ground level.
15.2	Cumulative noise from the processing plant may only be permitted to exceed the above noise level if it can be demonstrated that noise levels received at the property boundaries will not exceed the limits provided in Condition 15.5.
15.3	The Consent Holder must undertake noise monitoring to demonstrate compliance with the noise limits in Condition 15.5: a) within 30 days of mining and processing operations occurring, and b) when mining operations first occur within 100 metres of any dwelling at Lot 3 DP 13269 BLK III Steeples SD, if a dwelling is constructed and a Certificate of Code Compliance has been issued under the Building Act 2004; If compliance is not achieved, the Consent Holder must investigate and implement additional mitigation required to achieve the noise limits as soon as practicable. The consent holder must submit a report to Council within 60 working days of the relevant monitoring report detailing the mitigation measures that will be implemented and must undertake a further compliance monitoring report within 10 working days of any mitigation measure being implemented to demonstrate the effectiveness of that mitigation. The Consent Holder must undertake compliance noise monitoring within 30 days of mining and processing operations occurring to demonstrate compliance with the noise limits of Condition 15.5. If compliance is not achieved, the Consent Holder must investigate and implement additional mitigation required to achieve the noise limits as soon as practicable. The consent holder must submit a report to Council within 3 months of the monitoring report detailing the mitigation measures that will be implemented and must undertake a further compliance monitoring report within 14 days of any mitigation measure being implemented to demonstrate the effectiveness of that mitigation. All noise monitoring results must be provided to Council within 1 week of completion of each monitoring visit.
15.4	All noise monitoring results must be provided to Council within 5 working days of completion of each monitoring visit.
15.5	Mining and processing activities must be undertaken such that the following noise limits are not exceeded at the property boundary of any dwelling existing at the date consent is granted (excluding any dwelling on the site), and at the property boundary of Lot 3 DP 13269 BLK III Steeples SD if a dwelling is constructed and a Certificate of Code Compliance has been issued under the Building Act 2004: ○ Daytime (0800-2200): 55 dB $L_{aeq(15\text{ min})}$ ○ Night-time (2200-0800): 45 dB $L_{aeq(15\text{ min})}$ and 75 dB L_{AFmax}

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	Noise must be measured and assessed in accordance with New Zealand noise standards: NZS 6801:2008 “Acoustics – Measurement of Environmental Sound” and NZS 6802:2008 “Acoustics -Environmental Noise”, respectively. <i>Advice note: A dwelling is proposed to be constructed on Lot 3 DP 13269 Blk III Steeples SD, however the date at which this may or may not be constructed is uncertain due to additional approvals being required for this activity. The consent condition ensures that if this dwelling is constructed, the noise limits will apply at the property boundary at that time as with other existing dwellings.</i>
15.6	Construction activities must be conducted in accordance with NZS 6803: 1999 “Acoustics – Construction Noise” and must comply with the “typical duration” noise limits contained within Table 2 of that Standard. <i>Advice Note: Construction activities include the formation of access roads, any required boundary bunds and planting, sheet piling, and the construction of the processing plant and load out area. For the avoidance of doubt, overburden stripping at the mine site must not be considered construction except where this is required for the formation of noise control bunds.</i>
15.7	The Consent Holder must adopt the Best Practicable Option (BPO) to minimise noise and vibration at all times. This includes regular replacement of worn parts, maintenance of mufflers, lubrication of all moving parts to avoid squeaks and squeals, appropriate operation of all equipment, and maintenance of access roads.
15.8	Vehicles or equipment must not be fitted with tonal or beeper reversing alarms.
16.0 Transport	
16.1	Truck movements associated with removal of heavy mineral concentrate must be limited to 30 per day and 3 per hour between the hours of 0800-2000 Monday to Friday, and kept to a minimum on weekends.
16.2	The Consent Holder must manage operations to minimise weekend heavy vehicle movements as much as possible. A record must be kept of heavy vehicle movements, including an explanation of the reason for any weekend heavy vehicle movements, and this must be supplied to the Consent Authority if requested. <i>Advice Note: For the purposes of the Transport conditions, a movement is defined as being a movement either to or from the site. A truck and trailer unit entering and leaving the site is therefore 2 movements.</i>
16.3	In addition to the restrictions in condition 16.1, there must be no heavy vehicle movements: ○ 30 minutes either side of nautical dusk and nautical dawn between McKay Road and the site boundary; ○ During school bus pick up and drop off times between McKay Road and the site boundary; ○ On public holidays; ○ During the Cape Classic annual surf event.
16.4	All mine related traffic must adhere to the following maximum speed restrictions:

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	Heavy Vehicles • The Esplanade – 40km/hr • Star Tavern Corner (Cape Foulwind/Lighthouse/Tauranga Bay Road's intersection) – 30km/hr • Carters Beach area – Brunnings Road to Bradshaws Road – 80km/hr • Northbound at the Okari Road/Tauranga Bay Road Intersection (including past the access to 4 Okari Road) – 25km/hr All Vehicles • Tee intersection of Tauranga Bay/Seal Colony Road via Okari Road to Mine Site entrance – 40km/hr • Mine Site entrance to processing plant area – 30km/hr.
16.5	The Consent Holder must install a Speed Management System on its trucks to monitor truck speeds. Records must be kept of any non-compliance with the speed restrictions required in Condition 16.4 and must include the action taken to ensure future breaches do not occur.
16.6	A Transport Management Plan (TMP) must be prepared by the Consent Holder and provided to Council's Planning Department detailing the measures and procedures to be adopted for all mine related traffic. The objectives of the TMP are to: ○ Ensure the safe and efficient operation of the road transport network around the Cape Foulwind area; ○ Avoid, remedy or mitigate potential transport related effects on residents and visitors to the Cape Foulwind area; ○ Avoid effects on the Little Blue Penguin and other threatened species. <i>Advice Note: All Management Plans are required to adhere to the requirements of Condition 6.0.</i>
16.7	As a minimum the TMP must address the following: ○ Speed restrictions and route ○ Details of protocols to manage vehicle interactions; ○ Noise mitigation measures ○ Little blue penguin mitigation measures ○ Dust mitigation measures ○ Light pollution mitigation measures. <i>Advice Note: Any works within road reserve will require the approval of the Road Controlling Authority, which may require a separate approval process prior to works being commenced.</i>
16.8	The TMP must be updated in the instance a <i>trend</i> in road safety incidents arises that demonstrates that the existing measures are insufficient to adequately address road safety issues. The update will include practicable measures to mitigate the identified issues, to the satisfaction of Council. <i>Advice Note: a 'trend' requires that the issues are: not due to non-compliance with the TMP, related to the Consent Holders' drivers' conduct, recurring and within the control of the Consent Holder to mitigate.</i>

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17.0 Avian Management	
17.1	An Avian Management Plan (AMP) must be prepared by a suitably qualified and experienced ecologist/ornithologist and provided to Council's Planning Department. The objective of the AMP is to avoid adverse effects on any threatened or at-risk indigenous bird species found to be within or adjacent to the mining footprint, including kororā (Little Blue Penguin), rōroa (great spotted kiwi), pūweto (spotless crane), koekoeā (long-tailed Cuckoo), tōrea (South Island Pied Oyster Catcher), tītī (sooty shearwater), tōrea tai (variable oystercatcher), fairy prion (<i>Pachyptila turtu</i>), matuku (Australasian bittern), Tāiko (Westland Petrel) māātātā (South Island fernbird). <i>Advice Note: All Management Plans are required to adhere to the requirements of Condition 6.0.</i>
17.2	The AMP must detail measures to protect the identified bird species in Condition 17.1 which must include: ○ Monitoring of kororā, to confirm the location of the burrows of birds likely to be affected by vehicle movements on Okari Road and a description of the actions to be taken to avoid effects on those birds, including but not limited to excluding penguins from burrows, construction of fencing (with underpasses as required), provision of artificial nest boxes at sites away from roads, and traffic controls (e.g. speed limits) if required to protect birds crossing roads used by mine traffic; ○ Monitoring of lighting and controls consistent with the Commonwealth of Australia (2020) guidelines in order to minimize light spill from the site and reduce effects on nocturnal birds including seabirds and rōroa; ○ Monitoring to confirm the presence and specific location of māātātā, matuku and pūweto; ○ Methods to avoid effects on birds using Okari Road Wetland and Silverstream Wetland, including but not limited to; ▪ Provision of physical separation of the active mine areas from key habitats for birds, particularly during the breeding season and/or pest control (if required); ▪ Required training of project staff and/or contractors to identify and report the presence of identified at risk and threatened bird species; ▪ Mitigation and management measures to avoid adverse effects on resident avifauna to be incorporated into, and consistent with, the LMP and TMP, including but not limited to: • Controls on lighting; • No heavy vehicle movements 30 minutes either side of nautical dawn and nautical dusk to avoid Little Blue Penguins; • Limiting the speed of vehicles along Okari Road to 40km/hr; • Limiting the speed of vehicles to 30km/hr while on site; and. • Management options which further restrict operations if an unforeseen effect arises.

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	○ Pest control to be undertaken across the site and the adjoining wetland habitat where access can be obtained; ○ Reporting of the records of the site inspections, presence of at risk and threatened bird species, and the avoidance and mitigation measures undertaken via an Annual Bird Management Report to the Buller District Council and the Buller/Kawatiri office of the Department of Conservation in Westport no later than June each year.
17.3	The AMP must be reviewed annually and may be amended at any time by the Consent Holder. Any amendments to the AMP must be submitted to Council and must: ○ achieve the AMP purpose of avoiding effects on any threatened or at-risk indigenous bird species; ○ be consistent with the conditions of this resource consent; and ○ have been reviewed by an appropriately qualified and experienced ecologist/ornithologist. <i>Advice note: any disturbance or relocation of avifauna may require a permit from the Department of Conservation under the Wildlife Act (1953).</i>
18.0 Lizard Management	
18.1	A Lizard Management Plan (LiMP) must be prepared by a suitably qualified and experienced ecologist/herpetologist and provided to Council's Planning Department. The objective of the LiMP is to avoid adverse effects on lizards within or adjacent to the mining area, including the West Coast Green Gecko. <i>Advice Note: All Management Plans are required to adhere to the requirements of Condition 6.0.</i>
18.2	The LiMP must detail measures to protect lizard species present within the vicinity of the mine site, which must include: ○ Survey of suitable lizard habitat prior to any vegetation clearance in order to locate and salvage any resident individuals; ○ Monitoring for presence of lizards within edge habitats; ○ Provision of a 5 m buffer zone around all identified lizard habitat existing one month prior to mining commencing; ○ Fencing the buffer areas with a high (>1 m) silt fence (made from UV stabilised woven polypropylene silt control fabric), to prevent lizards entering the mining area and prevent sediment flowing into intact vegetation; ○ Ongoing dust suppression; ○ Predator control and monitoring if required; ○ Stock fencing of Okari Road Wetland and adjacent remnant coastal forest; and ○ Salvage and relocation as required.
18.3	The LiMP must be reviewed annually and may be amended at any time by the Consent Holder. Any amendments to the LiMP must be submitted to the Council and must:

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	○ achieve the LiMP purpose of avoiding effects on any threatened or at-risk indigenous lizard species; ○ be consistent with the conditions of this resource consent; ○ have been reviewed by an appropriately qualified and experienced ecologist/herpetologist. <i>Advice note: any disturbance or relocation of lizards may require a permit from the Department of Conservation under the Wildlife Act (1953).</i>
19.0 Cultural and Heritage Sites	
19.1	The Consent Holder must undertake all activities in accordance with the Archaeological Management Plan prepared by NZ Heritage Properties Ltd titled: “Cape Foulwind, West Coast, An Archaeological Management Plan for K29/15, K29/16, K29/17, K29/18, K29/19, K29/20, K29/21, K29/23, K29/45 and Unrecorded Sites”, dated October 2021.
19.2	As outlined in the Archaeological Management Plan, the Consent Holder must erect a visible barrier between the mining area and archaeological site K29/16 identified on the site plan titled “Proposed Site Plan – Nine Mile Project” dated 4 March 2022 and prepared by Westland Mineral Sands Co Ltd.
19.3	Archaeological monitoring must be undertaken in accordance with the Archaeological Management Plan. If the Consent Holder identifies any archaeological discoveries or potential areas or sites of historic value, the Consent Holder must adhere to the On-call Protocols set out in the Archaeological Management Plan. <i>Advice Note: The consent holder has obtained an archaeological authority from Heritage New Zealand Pouhere Taonga (Ref: 2022/366) which contains conditions which must be complied with regarding earthworks that may affect archaeological sites, including discovery protocol for koiwi tangata, taonga and Māori artefacts.</i>
20.0 Financial Contribution	
20.1	Should the value of the proposed mine development amount to a total of \$500,000.00 or above, a financial contribution of cash must be paid to Council for the provision of reserves and facilities. The calculation for assessing the financial contribution must be 0.5% of the total value of the development. The Consent Holder must advise Council of the value of the proposed development, and must pay the cash amount to the Council prior to the commencement of any works covered by this consent. The calculation of the financial contribution must be based on the estimated costs of the following components of the activity: a) Construction of buildings (i.e. total cost of all buildings); b) Costs of drainage works and road formation; and c) Cost associated with removal of vegetation (excluding costs of rehabilitation planting etc).

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21.0 Visual screening and planting	
21.1	Within 60 working days of the commencement of construction of the processing plant, the Consent Holder must construct a 3.0m high bund on the northern boundary of the mine site, and plant the bund with native vegetation including mahoe, ngaio, coprosma, manuka, NZ flax and kōhūhū, as shown in the document titled “2112_Nine Mile Mineral Sands Landscape Assessment_Graphic Supplement Rev H”_by Glasson Huxtable Ltd.
21.2	As soon as possible, but no later than 60 working days of the commencement date of this consent, the Consent Holder must plant a native vegetation strip of 3 rows of plants at 2.0m intervals along the boundary of Lot 10 DP 354487 Blk III Steeples SD, comprising Kōhūhū, ngaio, mahoe, coprosma, manuka and NZ flax, as shown on the shown in the document titled “2112_Nine Mile Mineral Sands Landscape Assessment_Graphic Supplement Rev H”_by Glasson Huxtable Ltd.
21.3	Prior to mining commencing, the Consent Holder must construct a 2.5m bund along the southern side of the mine entrance, planted with mahoe, ngaio, coprosma, manuka, NZ flax and kōhūhū as shown on shown in the document titled “2112_Nine Mile Mineral Sands Landscape Assessment_Graphic Supplement Rev H”_by Glasson Huxtable Ltd.
21.4	The Consent Holder must maintain the vegetation required in conditions 21.1-21.3 for the first three years, applying fertiliser and water, and undertake weed control and replace any dead or diseased plants as necessary.

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General Conditions to Apply to all WCRC Consents	
22.0 Method of Mining	
	Works and activities shall be carried out in general accordance with the details contained in the consent application and additional information submitted to the Consent Authority, except where inconsistent with these conditions.
22.1	Mining must only occur above the ground water table at all times. If the water table is encountered during mining, the depth of excavation must be reduced such that groundwater is not exposed at the base of the excavation. If the water table rises (e.g. after rainfall) and submerges the base of an existing excavation, the depth of excavation shall be reduced and the area of exposed water table shall be backfilled as soon as practicable.
22.2	The Consent Holder must visually inspect and keep records of any ponded water in the pit floor each day. If ponded water is found in the same area during successive inspections, this is indicative of exposing the ground water table, and the depth of excavation should immediately be reduced by backfilling with tailings such that groundwater is not exposed at the base of the excavation.
22.3	The mining and associated activities under this consent must not cause or induce erosion or slope instability outside the property boundary defined as (legal description of property here).
22.4	The Consent Holder must only carry out earthworks associated with mining activities within the area of mining coloured yellow on the attached site plan titled “Proposed Site Plan – Nine Mile Project” dated 4 March 2022 and prepared by Westland Mineral Sands Co Ltd, attached as Schedule 1.
22.5	The Consent Holder must ensure that the mine pit is opened with an overall pit slope of no more than 27°, comprising of 5m high benches of 37-45°, separated by 7m wide horizontal benches. Initial benches should be excavated away from permanent pit walls. If initial benches indicate that slope performance is less than expected, and ground instability is likely, the slope geometry must be re-evaluated and designed with the input of a geotechnical engineer in order to avoid any slope instability.
22.6	Tailings and slimes must be disposed of in accordance with the Water Management Plan (as required by condition 26.1), including that disposal of slimes must not occur within 1m of the normal high water level.
23.0 Dust Management	
23.1	The Consent Holder must provide a Dust Management Plan to the Consent Authority. The objective of the DMP is to detail the best practicable option to avoid offensive and objectionable dust being caused by the consented activity and to manage and mitigate any effects on adjacent properties and the Okari and Silverstream Wetlands.
23.2	The DMP must detail: a) Activities that may generate dust emissions, including: • Construction activities which include construction of access tracks and the processing plant area;

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	• Operational activities including topsoil and overburden stripping, mining, processing and loadout, vehicle movements within the site; b) Setbacks and mitigation measures for sensitive receptors including residential houses, native vegetation and wetlands; c) Any specific control measures required under the Australian Radiation Protection and Radioactive Waste Management in Mining and Mineral Processing Code of Practice and Safety Guide (or equivalent New Zealand code of practice); d) Recommended management and mitigation measures, including: ▪ specific mitigation measures for construction activities, including use of water as a dust suppressant on disturbed areas and re-establishing vegetation cover as soon as practicable to reduce unconsolidated surfaces and avoid dust nuisance on neighbouring properties; ▪ Use water as a dust suppressant on roads, unconsolidated overburden and topsoil stockpiles and the processing plant area, where practicable, to avoid dust nuisance on neighbouring properties; ▪ Maintain internal roads and the processing plant area by regular removal of fine particulate material; ▪ Limits on stockpiles of HMC ▪ Sealing of the Site access road to 20m beyond the crest of the first hill; ▪ Covering all road trucks transporting HCM to the port; e) Dust monitoring requirements, methods, locations and appropriate trigger levels to activate mitigation measures, including: ▪ Radiation dosimeter monitoring as required by Condition 25.6. ▪ Dust deposition gauges and monitoring as required by Conditions 23.3 and 23.4.
23.3	The Consent Holder must install dust deposition gauges in the locations shown in the DMP. The gauges must be collected and sampled every 30 days. The results of the sampling must be reported annually as part of the Annual Work Programme.
23.4	The Consent Holder must operate all mining and associated processes/operations in such a manner that dust as measured in Condition 23.3 does not exceed 4 grams per square metre per 30 day period of deposited particulate. If any exceedance is detected, the Consent Holder must immediately investigate the possible causes of the exceedance and identify suitable mitigation measures and propose any necessary amendments to the Dust Management Plan to ensure compliance with the limits in this condition.

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24.0 Erosion and Sediment Control Plan	
24.1	The Consent Holder must provide an Erosion and Sediment Control Plan to the Consent Authority detailing erosion and sediment control measures to achieve the following objectives: a) Ensure compliance with the relevant resource consent conditions relating to mining activities. b) Avoid the potential for land instability and sediment discharges as a result of mining operations. c) Ensure that a stable landform is produced at the completion of mining and that landform is suitable for pasture development and livestock grazing.
24.2	The Erosion and Sediment Control Plan should contain the following: a) Water and stormwater management measures and infrastructure designed for discharge to land via settling ponds and in-pit disposal b) Earthworks mitigation measures to minimise land instability and sediment discharges to surrounding land and waterbodies.
24.3	The Erosion and Sediment Control Plan should be reviewed annually and be submitted to the Consent Authorities with the Annual Work Programme, reflecting the management and mitigation measures proposed for mining for the following 12 months.
25.0 Hazardous Substances	
25.1	Refuelling, lubrication and mechanical repairs of equipment and storage of hazardous substances and dangerous goods must be undertaken in such a manner so as to ensure that spillages of hazardous substances or dangerous goods onto the land surface or into a waterbody do not occur, including that refuelling must not occur within 20 metres of a water body. Any accidental discharge of greater than 20 litres must be reported immediately to the Consent Authority along with details of the steps taken to remedy and/or mitigate the adverse effects of the discharge.
25.2	All contractors and/or operators transporting or storing more than 20 litres of fuel must carry spill kits to enable immediate action to remedy and/or mitigate the effects of hazardous substances discharges on-site.
25.3	A list of all hazardous substances and dangerous goods must be maintained on site at all times showing location of storage and use, in case of an emergency.
25.4	For the duration of mining, the Consent Holder must undertake quarterly testing of the heavy minerals concentrate from within the active mining area to confirm that the concentrate remains below the acceptable level of radioactivity concentration limits as specified in Schedule 2 of the Radiation Safety Act 2016. Copies of the independent test results must be submitted to the Consent Authority within 10 working days of receipt of the results.
25.5	If testing determines that radioactivity levels are exceeded and that the Radiation Safety Act 2016 applies to the stockpiling and transportation of the heavy minerals concentrate, then in the absence of any extant and current New Zealand Code of Practice for handling

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	such naturally occurring radioactive materials, the Consent Holder must carry out all activities on site in accordance with the Radiation Protection and Radioactive Waste Management in Mining and Mineral Processing Code of Practice and Safety Guide published by the Australian Radiation Protection and Nuclear Safety Agency. <i>Advice Notes:</i> If material meets the criteria in Schedule 2 of the Radiation Safety Act 2016, the extraction, processing and transport of heavy minerals concentrate will require a Source Licence under this Act.
25.6	At the commencement of mining, the Consent Holder must install radiation dosimeters in no less than two locations, downwind of mining operations based on the prevailing winds experienced at the site, near the property boundary. Dosimeters must be installed for twelve months and collect data continuously over three-month intervals prior to collection and delivery to ESR for testing. Copies of the independent test results must be submitted to the Consent Authority with 10 working days of receipt of the results. If the dosimeters record radiation levels exceeding the equivalent of 1 mSv over 12 months, then the Radiation Safety Act 2016 applies to the activity, and the Consent Holder must carry out all activities on site in accordance with the Radiation Protection and Radioactive Waste Management in Mining and Mineral Processing Code of Practice and Safety Guide published by the Australian Radiation Protection and Nuclear Safety Agency.
26.0 Water Management Plan, Monitoring and Mitigation Plan	
26.1	A Water Management Plan (WMP) must be prepared by a suitably qualified and experienced hydrologist and provided to the Consent Authority. The objectives of the WMP are: a) Drainage pathway modification i. Reinstate existing drainage pathways during road construction; ii. Reinstate the existing topography and hence drainage pathways during the rehabilitation process, including reinstatement of the existing topographic divide when rehabilitating the mining area immediately west of Silverstream Swamp. b) Excavation, processing and tailings deposition i. ensure that concentrations of naturally occurring toxic metals do not increase significantly in downgradient surface waters. c) Stormwater management i. Soil erosion is avoided or minimised; ii. Any suspended sediment discharges to ground do not affect clarity or colour in downstream surface waters. <i>Advice Note: All Management Plans are required to adhere to the requirements of Condition 6.0.</i>

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26.2	The WMP must identify actions that will be undertaken to avoid, remedy or mitigate water quality effects through implementation of appropriate actions in a timely manner where required. The WMP must include the following: a) Details of stormwater management systems for the mining and processing plant area b) Tailings management methods to avoid mobilisation of toxic levels of metalloids into the receiving environment; c) Mining management methods to avoid affecting groundwater levels in Okari Road and Silverstream Wetlands; d) The proposed mine area e) The planned minimum excavation elevation for the mine area to avoid intercepting groundwater f) A description of all site activities with the potential to cause hydrological impacts. g) The water management actions that will be implemented to avoid hydrological effects. h) Audit checklists. i) An organisational chart showing staff and contractor positions and responsibilities for plan implementation. j) Relevant training and induction procedures and schedules.
26.3	A Monitoring and Mitigation Plan (MMP) must be prepared by a suitably qualified and experienced hydrologist and provided to the Consent Authority. The objectives of the MMP are: a) Ensure that potential water quality impacts associated with mining activities are identified as quickly and clearly as possible via monitoring. b) Identify actions that will be undertaken to avoid, remedy or mitigate water quality effects through implementation of appropriate actions in a timely manner where required. c) To avoid mining below the water table <i>Advice Note: All Management Plans are required to adhere to the requirements of Condition 6.0.</i>
26.4	The MMP must identify actions that will be undertaken to avoid, remedy or mitigate water quality effects through implementation of appropriate actions in a timely manner where required. The MMP must include the following: a) Hydrological monitoring to confirm ground water levels and surface water quality pre-mining; b) Operational ground water level and surface water quality monitoring requirements, including monitoring of sediments in the two adjacent wetlands and sediments of the Blind River and the Western Drain, its tributary proposed locations of monitoring, parameters to be measured,

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	recommended trigger values (including those required by Condition 28.0) and mitigation measures that could be implemented.
26.5	The WMP and MMP must be updated on an annual basis and must be submitted to the Consent Authority for certification in accordance with condition 6.0. The annual update is required to: - reflect the proposed mining operations and minimum excavation elevation for the following 12 months; and - provide any additional or amended monitoring and mitigation requirements in order to avoid adverse effects on surface water quality in Blind River and the Western Drain.

Conditions to Apply to WCRC Discharge Permit																	
27.0 Method of Discharge																	
27.1	All contaminated stormwater and other contaminated site water within the site must be directed into the settling pond system or the mine pit.																
27.2	The discharges must not contain any contaminants other than suspended sediments, naturally occurring trace elements and water.																
28.0 Water Monitoring																	
28.1	The consent holder must carry out the following water monitoring requirements at the locations shown in Schedule 3 – Monitoring Sites, and as listed in the table below: <table><tr><th>Monitoring type</th><th>Locations</th><th>Frequency</th></tr><tr><td>Groundwater levels</td><td>MW1-MW11</td><td>Weekly</td></tr><tr><td>Surface water quality</td><td>Okari Swamp U/S Western Drain below ponds Blind River U/S Blind River D/S</td><td>Monthly</td></tr><tr><td>Water quality (operational only)</td><td>Tailings sump Slimes</td><td>Monthly</td></tr><tr><td>Surface water flow</td><td>Western drain below ponds</td><td>Weekly</td></tr></table>		Monitoring type	Locations	Frequency	Groundwater levels	MW1-MW11	Weekly	Surface water quality	Okari Swamp U/S Western Drain below ponds Blind River U/S Blind River D/S	Monthly	Water quality (operational only)	Tailings sump Slimes	Monthly	Surface water flow	Western drain below ponds	Weekly
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28.2	Water quality samples required under condition 29.1 must be analysed for the following parameters: <table><tr><td>Dissolved metals:</td><td>Others:</td></tr><tr><td>Aluminium</td><td>EC</td></tr><tr><td>Antimony</td><td>pH</td></tr></table>		Dissolved metals:	Others:	Aluminium	EC	Antimony	pH									
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	Arsenic Cadmium Chromium Cobalt Copper Lead Nickel Zinc Iron Manganese Silver Boron Cyanide Mercury Sulphate TSS (surface water samples only) NTU (surface water samples only) Hazen Units (surface water samples only) Total Organic Carbon																																						
28.3	Water quality measured at Blind River D/S and Western Drain Below Ponds the downstream water quality monitoring locations must not exceed the thresholds contained in Table 1 and Table 2 as a result of mining operations. Table 1: Threshold 1 and 2 concentrations <table> <tr> <th>Toxicant name</th><th>Threshold (µg/L)</th></tr> <tr> <td>Aluminium (pH > 6.5)</td><td>55</td></tr> <tr> <td>Arsenic (AsIII)</td><td>24</td></tr> <tr> <td>Arsenic (AsV)</td><td>13</td></tr> <tr> <td>Boron</td><td>940</td></tr> <tr> <td>Cadmium</td><td>0.2</td></tr> <tr> <td>Chromium (CrVI)</td><td>1</td></tr> <tr> <td>Copper</td><td>1.4</td></tr> <tr> <td>Cyanide</td><td>7</td></tr> <tr> <td>Lead</td><td>3.4</td></tr> <tr> <td>Manganese</td><td>1900</td></tr> <tr> <td>Mercury (inorganic)</td><td>0.6</td></tr> <tr> <td>Nickel</td><td>11</td></tr> <tr> <td>Selenium (total)</td><td>11</td></tr> <tr> <td>Silver</td><td>0.05</td></tr> <tr> <td>Zinc</td><td>8</td></tr> </table> Threshold values apply to annual medians based on 12 x monthly samples Table 2: Threshold Three concentrations <table> <tr> <th>Parameter</th><th>Threshold value</th></tr> <tr> <td>Total Suspended Solids</td><td>No greater than 10 mg/L U/S – D/S increase</td></tr> <tr> <td>Turbidity</td><td>No greater than 10 NTU U/S – D/S increase</td></tr> </table>	Toxicant name	Threshold (µg/L)	Aluminium (pH > 6.5)	55	Arsenic (AsIII)	24	Arsenic (AsV)	13	Boron	940	Cadmium	0.2	Chromium (CrVI)	1	Copper	1.4	Cyanide	7	Lead	3.4	Manganese	1900	Mercury (inorganic)	0.6	Nickel	11	Selenium (total)	11	Silver	0.05	Zinc	8	Parameter	Threshold value	Total Suspended Solids	No greater than 10 mg/L U/S – D/S increase	Turbidity	No greater than 10 NTU U/S – D/S increase
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	Colour	No greater than 100 Hazen units U/S – D/S increase																														
28.4	If a single exceedance of the thresholds contained in Table 3 is recorded in the Tailings Sump or Slimes water samples, the processes set out in the MMP (required by condition 26.3) must be followed, which may include increased sampling frequency, development of site-specific toxicant guideline values, and development of toxicant management plan(s). Table 3 <table><tr><th>Toxicant name</th><th>Threshold (µg/L)</th></tr><tr><td>Aluminium (pH >6.5)</td><td>715</td></tr><tr><td>Arsenic (AsIII)</td><td>312</td></tr><tr><td>Arsenic (AsV)</td><td>169</td></tr><tr><td>Boron</td><td>12,220</td></tr><tr><td>Cadmium</td><td>2.6</td></tr><tr><td>Chromium (CrVI)</td><td>13</td></tr><tr><td>Copper</td><td>18</td></tr><tr><td>Cyanide</td><td>91</td></tr><tr><td>Lead</td><td>44</td></tr><tr><td>Manganese</td><td>24,700</td></tr><tr><td>Mercury (inorganic)</td><td>7.8</td></tr><tr><td>Nickel</td><td>143</td></tr><tr><td>Silver</td><td>0.7</td></tr><tr><td>Zinc</td><td>104</td></tr></table> Threshold values apply to annual medians based on 12 x monthly samples		Toxicant name	Threshold (µg/L)	Aluminium (pH >6.5)	715	Arsenic (AsIII)	312	Arsenic (AsV)	169	Boron	12,220	Cadmium	2.6	Chromium (CrVI)	13	Copper	18	Cyanide	91	Lead	44	Manganese	24,700	Mercury (inorganic)	7.8	Nickel	143	Silver	0.7	Zinc	104
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28.5	Notwithstanding Condition 28.3 and 28.4, all discharges associated with the mining operations authorised under these consents must not cause any of the following effects within any receiving waterbody measured at or beyond 100 metres from any discharge: a) Any conspicuous oil or grease films, scums or foams, or floatable or suspended materials, b) Any conspicuous change in the colour or visual clarity, c) Any emission of an objectionable odour, d) Any significant adverse effects on aquatic life, or e) The rendering of fresh water unsuitable for consumption by farm animals.																															
28.6	Sampling required under this condition must be undertaken and analysed by suitably qualified personnel and the results supplied to the Consent Authority annually as part of the annual works programme.																															
28.7	The Consent Holder must inform a Compliance Officer of the Consent Authority immediately if a breach of Consent Condition(s) takes place, or when they believe that a breach may take place.																															
28.9	The Consent Holder must engage a suitably qualified aquatic ecologist to carry out annual macroinvertebrate and fish surveys in the Blind River. At least one survey must be conducted prior to mining operations commencing on the site. The proposed survey methodology, including the locations where macroinvertebrate (taxa number and																															

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	composition) and fish sampling will be undertaken, the timing of the sampling, the methods that will be used to undertake the sampling, the name of the authorised person who will undertake the monitoring and reporting methods must be submitted to the Consent Authority 20 working days prior to the survey being undertaken, for the Consent Authority to certify the survey methodology. If the Consent Authority refuses to certify the survey methodology, it must give reasons in writing, and the Consent Holder must resubmit the survey methodology for certification addressing any concerns of the Consent Authority. Surveys must not be undertaken until certification is achieved. The results of the survey must be submitted to the Consent Authority within 10 working days of the results being received.
28.10	Macroinvertebrate monitoring required by Condition 28.9 must be conducted using Protocol P2 and C1 from the Ministry for the Environment Macroinvertebrate Guidelines and the samples must be analysed by an aquatic ecologist experienced in macroinvertebrate sampling and identification. Monitoring must be undertaken on a day on which there has been no major flood event in the preceding week. Whenever practicable, sites that have been sampled in the past must be used.