

published in the *New Zealand Gazette*, 1879, Volume II, page 953, His Excellency the Governor-General in Council by the powers and authority vested in him under section 350 of "The Municipal Corporations Act 1876", did order that the land described in the Schedule hereto be reserved out of the Waste lands of the Provincial District of Westland, for the purpose of granting the same to the Corporation of the Borough of Kumara.

And whereas, the revenue from the said land is now administered by the Westland County Council who have consented to part of the said land being that part described in the Schedule hereto, being brought within the provisions of the Mining Act 1971, subject to the following conditions:

(a) That the land be brought within the provisions of the Mining Act 1971 for the duration of mining licence No. 32 2435 and of any new mining licence that may be granted to the licensee in terms of section 77 (2) of the said Act.

(b) That a 10 percent (10%) royalty payment be made to the Westland County Council on all minerals mined pursuant to the said mining licence and any new mining licence that may be granted to the licensee in terms of section 77 (2) of the said Act.

Consequent on receiving such consent, the Minister of Energy pursuant to section 28 of the Mining Act 1971, hereby gives notice that the Endowment land described in the Schedule hereto is hereby subject to the provisions of the Mining Act 1971.

While this notice remains in force, the provisions of the Mining Act 1971 shall apply to the land described herein as if the said land were Crown land open for mining. And this notice is issued for the purposes of granting mining licence No. 32 2435 over the said land described in the Schedule hereto. Such licence is issued subject to the following conditions:

1. The licensee shall not carry on mining operations by any method other than:

(a) hand methods; and

(b) mechanical methods using a mechanical digger feeding a rotary screen

to the satisfaction of the inspector of mines.

2. The licensee must vigorously and continuously carry out mining operations to the satisfaction of the inspector of mines.

3. Before starting work and at intervals not exceeding 12 months thereafter, or where a variation is required the licensee shall submit to the inspector of mines for his approval, a work programme and plan in triplicate detailing proposed operations for the subsequent 12 months. No approval shall extend for a period longer than 12 months. Except for the purposes of restoring the land surface and preventing damage to the environment, no work shall be carried out on the licence unless approval has been obtained. Each work programme and plan submitted shall give details of the area to be mined, equipment to be used, provisions for access, power and water supply, stockpiling of soil, overburden and tailings, settling ponds, area to be restored and methods of restoration, and any other significant matters. Before giving approval, the inspector may require further information to be supplied and may require alterations to the programme or plan, and may consult other parties. If approved, the inspector shall so endorse one copy of the programme and plan and return it to the licensee.

4. Before mining commences, the licensee must submit a copy of the plan approved under condition 3 of these conditions to the Westland County Council.

5. If required by the inspector of mines, the licensee shall clearly mark the boundaries of the licence or of areas defined in the approved work programme by pegs, coloured tape, or other means before working adjacent to such boundaries.

Quarry Conditions

6. Notwithstanding the provisions of the Mining Act 1971, the provision of the Quarries and Tunnels Act 1982 and the Quarries Regulations 1983 shall apply to the working of this licence.

Protection of the Environment

7. At all times mining shall be carried out in a manner which will ensure that environmental disturbance is kept to a minimum. All necessary steps shall be taken by the licensee to prevent unnecessary destruction of or damage to vegetation or property and to ensure the safety of the public and livestock.

Rehabilitation of Disturbed Areas

8. In all mining operations where disturbance of topsoil takes place any top soil present shall be progressively stripped and stockpiled so as to prevent movement into watercourses. During operations any tailings are to be progressively returned to worked areas and generally levelled off. Any fines (less than 15 mm diameter) screened from the workings and any topsoil previously removed shall be progressively respread over the relevelled areas. On the completion of the operations disturbed areas shall where appropriate be sown out with seed and fertiliser or revegetated to the satisfaction of the inspector of mines after consultation with the landowner/occupier.

9. The maximum surface area to be disturbed by mining and associated works and which has not been fully restored as required by the conditions of this licence to the satisfaction of the inspector of mines shall not exceed 5 hectares at any time unless otherwise approved by the inspector in writing.

10. Spoil shall be stockpiled in such a manner as to prevent movement into watercourses.

11. Any excavations, blasting or other works are to be undertaken in such a manner as to prevent any danger to either the public or livestock. The use of explosives is not permitted unless approved by the inspector of mines.

Roading and Access

12. Before the construction or maintenance of any access tracks requiring the use of earthmoving machinery is commenced, the licensee shall submit to the inspector of mines a plan, showing the location of the proposed access together with other relevant details for the written approval of the inspector of mines after consultation with the landowner/occupier and chief engineer of the catchment board.

13. All access tracks and batters shall be maintained in a stable condition and oversown and topdressed if required.

14. Adequate drainage shall be provided on all access tracks and benches to prevent erosion of any adjacent land.

15. Any tracks shall be restricted to a width of 5 m with a maximum grade of 1 in 5 unless otherwise approved by the inspector of mines after consultation with the landowner/occupier and the chief engineer of the catchment board.

16. During mining operations involving earthworks or in the construction of any access tracks, a 5 metre buffer strip shall be left undisturbed between the operation and any stream, creek, river or lake in the area unless otherwise approved by the inspector of mines.

Buildings

17. No buildings shall be erected without the prior approval of the inspector of mines after consultation with the landowner/occupier. On completion of mining operations any plant and buildings are to be either removed or retained by mutual agreement between the landowner/occupier and the licensee with the approval of the inspector of mines.