

8. FAST-TRACK APPROVALS ACT 2024 REQUIREMENTS

8.1 OVERVIEW

In assessing applications, panels are to give the greatest weight to the purpose of the Act, which is “to facilitate the delivery of infrastructure and development projects with significant regional or national benefits”. Section 81(4) of the Act states that, when taking into account the purpose of the Act, the panel must consider the extent of the project’s regional or national benefits. The Act introduces a consenting and permitting regime that consolidates and adjusts several existing regulatory statutes and regulations to enable the proponents of projects with significant regional or national benefits to go through one process to obtain the necessary approvals for the project. Where a substantive application is made the approval process set out in the Act applies instead of the processes provided for under other legislation.⁶³

The Act introduces a system that puts in place a single assessment framework for addressing various consenting and permitting obligations relevant to a given project. This includes the resource consent requirements under the RMA) addressed in Section 4 of this report) as well as approvals required under the following legislation of relevance to the WNP:

- > The Wildlife Act;
- > The Conservation Act;
- > The Fisheries Regulations;
- > The HNZPT Act; and
- > The Crown Minerals Act.

As discussed earlier in this report, the WNP is a listed project in Schedule 2 of the Act.

8.2 PRELIMINARY STEPS FOR LISTED PROJECTS

Section 29 of the Act sets out what an applicant must do before a substantive application can be lodged for a listed project. This sub-section of the report summarises the steps that have been undertaken by OGNZL to comply with the Section 29 requirements:

⁶³ Section 40 of the Act.



- > OGNZL has consulted with the persons and groups referred to in Section 11⁶⁴ of the Act including HDC, TCDC, WRC, the Department of Conservation⁶⁵, HNZPT,⁶⁶ Ministry of Business, Innovation, and Employment,⁶⁷ Ministry for the Environment,⁶⁸ Ngaati Whanaunga, Ngāi Tai ki Tāmaki, Ngāti Hako, Ngāti Hei, Ngāti Maru, Ngāti clause 7 ki Hauraki, Ngāti Pū, Ngāti Rahiri Tumutumu, Ngāti Tamaterā and Ngāti Tara Tokanui / Ngāti Koi, as set out in Section 5 of this report;⁶⁹ and
- > In respect of the Access Arrangements (new and varied) being sought as part of this substantive application (refer to Section 4.3), this application complies with Section 51 (1) and (2) of the Crown Minerals Act.⁷⁰ OGNZL has served the Department of Conservation notice in writing of its intention to obtain an Access Arrangement, as shown in **Part F** to these application documents.⁷¹ The notice includes the information required by Section 59 (2) of the Crown Minerals Act.

8.3 PRELIMINARY STEP FOR APPLICATION FOR RESOURCE CONSENT

As required by Section 30 (2) of the Act, OGNLZ has notified the HDC, the TCDC, and the WRC in writing of the WNP. **Part F** to these application documents contains the response from the consent authorities that addresses the matters set out in Sections 30 (3) to (6) of the Act.

8.4 REQUIREMENTS FOR A SUBSTANTIVE APPLICATION

Section 43 of the Act sets out that a substantive application:

- > Must be lodged in the form and manner approved by the EPA. For completeness, it is noted that this report has been prepared to be consistent with this;
- > Must explain how the project is consistent with the purpose of the Act (addressed in Sections 1.3 and 8.5 of this report);

⁶⁴ This section is titled consultation requirements for *referral applications*, however Section 29 of the Act (which deals with listed projects) cross references back to this section.

⁶⁵ Administering agency in respect of the Conservation Act (concession), Fisheries Regulations and Wildlife Act (wildlife approval) as well as the access arrangement required under the Crown Minerals Act.

⁶⁶ Administering agency for the HNZPT Act (archaeological authority).

⁶⁷ Administering agency for the Crown Minerals Act.

⁶⁸ Administering agency for the RMA.

⁶⁹ Section 29 (1)(a) of the Act.

⁷⁰ Section 29 (1)(b) of the Act.

⁷¹ As required by Section 59 (1) of the Crown Minerals Act 1991.



- > Must demonstrate that the project does not involve any ineligible activities (addressed in Section 8.6 of this report);
- > For a listed project, must contain the information listed in Section 13 (4)⁷² of the Act (noting that this section of the Act addresses the requirements for referral applications – however, substantive applications for listed projects must include this information), including:
 - > A description of the project and the activities it involves (addressed in Section 2 of this report);⁷³
 - > Information to demonstrate that the project does not involve any ineligible activities (addressed in Section 8.6 of this report);⁷⁴
 - > A description or map of the whole project area that identifies its boundaries (addressed in Section 2 of this report);⁷⁵
 - > The anticipated commencement and completion dates for construction activities (addressed in Section 2.3 of this report);⁷⁶
 - > A statement of whether the project is planned to proceed in stages (addressed in Section 2.3 of this report);⁷⁷
 - > A description of the anticipated and known adverse effects of the project on the environment (addressed in Section 6 of this report);⁷⁸
 - > A statement of any activities involved in the project that are prohibited activities under the RMA (addressed in Section 4.2.2 of this report);⁷⁹
 - > A list of the persons and groups OGNZL considers are likely to be affected by the WNP, and details of any consultation undertaken (addressed in Section 5 of this report);⁸⁰

⁷² Other than Section 13 (4)(b), (f)(ii) and (iii) and (g) of the Act.

⁷³ Section 13 (4)(a) of the Act.

⁷⁴ Section 14 (4)(c) of the Act.

⁷⁵ Section 14 (4)(d) of the Act.

⁷⁶ Section 14 (4)(e) of the Act.

⁷⁷ Section 13 (4)(f) of the Act.

⁷⁸ Section 13 (4)(h) of the Act.

⁷⁹ Section 14 (4)(i) of the Act.

⁸⁰ Section 14 (4)(j) & (k) of the Act.



- > A list of any Treaty settlements that apply to the project area, and a summary of the relevant principles and provisions in those settlements (addressed in Section 8.7.3.15 of this report);⁸¹ and
- > Information identifying the parcels of Māori land, marae, and identified wāhi tapu within the project area (addressed in Section 3.4 of this report).⁸²
- > A description of the applicant's legal interest (if any) in the land on which the project will occur, including a statement of how that affects the applicant's ability to undertake the work:

OGNZL is the registered owner of a large number of land holdings in Waihi, including much of the land on which the WNP will occur (refer to **Part J** to these application documents which provides legal descriptions and titles for all areas of the proposed WNP works). OGNZL does or will hold legal rights (access arrangements, easements, licenses to occupy, consents) from the Department of Conservation, the Crown, and respective Councils in relation to any works proposed on land administer by these parties.

- > An outline of the types of consents, certificates, designations, concessions, and other legal authorisations (other than contractual authorisations or the proposed approvals) that the applicant considers are needed to authorise the project, including any that the applicant considers may be needed by someone other than the applicant:⁸³
 - > The existing RMA (non Fast-track) authorisations that OGNZL will be relying on for the WNP are described in Section 3.2 of this report;
 - > The existing Conservation Act authorisations that OGNZL will be relying on for the WNP are described in Section 3.2 of this report;
 - > The existing Wildlife Act authorisations that OGNZL will be relying on for the WNP are described in Section 3.2 of this report;
 - > The existing HNZPT Act authorisations that OGNZL will be relying on for the WNP are described in Section 3.2 of this report;
 - > The existing Fisheries Regulations authorisations that OGNZL will be relying on for the WNP are described in Section 4.7 of this report;

⁸¹ Section 14 (4)(l) of the Act.

⁸² Section 14 (4)(o) of the Act.

⁸³ Section 13 (4)(t) of the Act.



- > The existing Crown Minerals Act authorisations that OGNZL will be relying on for the WNP are described in Section 3.2 of this report;
- > Information as to whether any activities that are involved in the project, or are substantially the same as those involved in the project, have been the subject of an application or a decision under a specified Act and -
 - > if an application has been made, details of the application:
 - > if a decision has been made, the outcome of the decision and the reasons for it.⁸⁴

These matters are addressed in Section 1.2 of this report.

- > A description of whether and how the project would be affected by climate change and natural hazards:⁸⁵

OGNZL's projects are designed to a number of regulatory standards, including the NZSOLD standards for large dams, and therefore incorporate seismic and climate-based design considerations.

In the last decade OGNZL has been required to adapt to changing climatic conditions and weather events at Waihi, for example flooding, and has successfully managed operations through these events.

- > A summary of compliance or enforcement actions (if any), and the outcome of those actions, taken against the applicant:⁸⁶

There have not been any compliance or enforcement actions taken against OGNZL and no company director, trustee, partner, or anyone else involved with the application has been convicted of any offence, and no current criminal charges are pending under the following statutes covered in the Act that are relevant to this application:

- > Conservation Act;
- > Wildlife Act;
- > HNZPT Act; and
- > Fisheries Regulations.

⁸⁴ Section 13 (4)(u) of the Act.

⁸⁵ Section 13 (4)(v) of the Act.

⁸⁶ Section 13 (4)(x) of the Act.



There have been compliance or enforcement actions taken against OGNZL (but not company directors or anyone else involved with the application) under the RMA and Crown Minerals Act, as follows:

RMA

Reefton Mine:

Until 2016, OceanaGold operated a gold mining operation at Reefton known as the Oceana Gold Globe – Progress Mine. The Mine is now the Reefton Restoration Project and handover to the landowner – the Department of Conservation - is nearing completion.

On 1 December 2009 the West Coast Regional Council charged OGNZL under section 15(1)(b) of the RMA for discharging sediment into Devils Creek from a silt settling pond at the mine on 2 September 2009, in breach of its resource consent. The breach of the condition was as a consequence of the rainfall in the week prior to sampling and that there had been additional rainfall on 25 August 2009 (8 days prior to sampling) which had increased the water height in the silt pond. However, the consent condition provided no exemption based on rainfall events. OGNZL entered an early guilty plea and participated in a restorative justice process with the West Coast Regional Council where it was agreed that the OGNZL would carry out remediation at Devils Creek. On 15 November 2010 OGNZL was sentenced and fined \$23,000 for breach of the consent and an enforcement order was made by consent.

OGNZL prepared a remedial action plan in consultation with the West Coast Regional Council, obtained the necessary consent, and trialled stream bed works in Devils Creek. It became apparent to both parties that extending the trial would result in extensive vegetation disturbance, and mobilisation of sediment in the Creek could result in further areas being affected. The parties agreed an amended remedial action plan which is being completed during site closure and prior to closure will be deemed cancelled.

Macraes Mine:

On 20 February 2024 the Otago Regional Council issued OGNZL an abatement notice under section 322(1)(a)(i) of the RMA, in relation to the outdoor storage of tyres in excess of 20 m³ at the Macraes Mining operation.

By September 2024 OceanaGold complied with the notice by obtaining resource consent in accordance with the Resource Management (National Environmental Standards for Storing Tyres Outdoors) Regulations 2021.



Crown Minerals Act

While OGNZL is not applying for mining permits under the Crown Minerals Act, access arrangements (required under the Crown Minerals Act) do form part of the substantive application and therefore the following information has been included for completeness.

Overall OGNZL has a strong compliance record under the Crown Minerals Act across the multiple minerals permits it has held during its 35+ years of operation. It exercises reasonable skill, care and diligence in all of its activities, including reporting and payment of annual fees and royalties.

On 11 October 2017 two charges were laid by the Ministry for Business, Innovation and Employment against OGNZL under the Crown Minerals Act. This was for failing to supply a mining plan on time as part of the annual report on mining activities that had taken place under mining permit 52738 and mining permit 41064 (both at Macraes Operation) during the 2016 year. The charges were subsequently withdrawn after OGNZL was offered, and successfully completed, diversion.

No enforcement actions have been taken against OGNZL in respect of the access arrangements held for its mining operations.

- > If the proposed approvals include:
 - > Resource consent, the information specified in clause 2 of Schedule 5 – an assessment of the project against any relevant national policy statements, any relevant national environmental standards, and confirmation whether there are any existing resource consents for the same activity:⁸⁷

An assessment of the project against the applicable provisions of national policy statements and national environmental standards is contained in Section 8.7.3 of this report.

OGNZL confirms there are no existing resource consents for the same activity as being sought in this substantive application. This is also confirmed in the letters from HDC, TCDC and WRC contained in **Part F** to these application documents.

⁸⁷ Section 13 (4)(y)(i) of the Act,



- > Concession, the information specified in clause 2 of Schedule 6 – whether the proposed concession includes a lease (the concessions sought are not for a lease).⁸⁸
- > Standard or complex freshwater fisheries activity approval, the information specified in clause 2 of Schedule 9 – information as to whether:⁸⁹
 - > an in-stream structure is proposed (including formal notification of any dam or diversion structure) and the extent to which this may impede fish passage; and
 - > whether any fish salvage activities or other complex freshwater fisheries activities are proposed.

These matters are address in Section 2 of this report which provides a comprehensive description of the WNP, and Section 4 which sets out the approvals required and are being sought by OGNZL under the Act.

- > Access arrangement, the information specified in clause 2 of Schedule 11 – which requires confirmation that the application has complied with section 12 (2) of the Act, which requires the applicant to confirm that they have complied with section 59 of the Crown Minerals Act. The ongoing engagement that has occurred with the DOC has addressed the matters required by the Act, and a formal letter advising DOC of OGNZL’s intention to lodge this application has been provided on 18 February 2025, as well as a notice of request for grant of right of access on 28 February 2025 (as provided in **Part F** of these application documents).⁹⁰
- > Must, for resource consents, include the information required by clauses 5 to 8 of Schedule 5 of the Act;⁹¹
- > Must, for concessions, include the information required by clause 3 of Schedule 6 of the Act;⁹²
- > Must, for wildlife approvals, include the information required by clause 2 of Schedule 7 of the Act;⁹³

⁸⁸ Section 13 (4)(y)(iv) of the Act.

⁸⁹ Section 13 (4)(y)(vi) of the Act.

⁹⁰ Section 13 (4)(y)(viii) of the Act.

⁹¹ Section 43 (3)(a) of the Act.

⁹² Section 43 (3)(e) of the Act.

⁹³ Section 43 (3)(h) of the Act.



- > Must, for archaeological authority's, include the information required by clause 2 of Schedule 8 of the Act;⁹⁴
- > Must, for a complex freshwater fisheries activity approval, include the information required by clause 3 of Schedule 9 of the Act;⁹⁵ and
- > Must, for access arrangements, include the information required by clause 3 of Schedule 11.⁹⁶

The following sections of this report address the requirements of the Act.

8.5 WAIHI NORTH PROJECT AND THE PURPOSE OF THE ACT

Section 3 of the Act sets out the purpose of the Act:

The purpose of this Act is to facilitate the delivery of infrastructure and development projects with significant regional or national benefits.

Section 6.3 of this report describes the significant regional and national economic benefits that the WNP is expected to have. These benefits are summarised as follows:

- > The WNP will expand existing mining operations at Waihi. The existing mines at Waihi provide significant employment to the community;
- > The WNP will extend the life of the Waihi mines by at least a decade – from 2030 to 2040;
- > The WNP will add at least 389 new jobs (and 440 indirect jobs) and has the potential to produce over 1.6 million ounces of gold and 2.2 million ounces of silver over 13 years; and
- > The WNP will unlock approximately \$5.2 billion of additional silver and gold exports.

As part of the approach to managing the actual and potential effects of this proposal, there will also be significant ecological and habitat improvements. OGNZL has designed the project such that overall, it will have a positive effect on ecological and habitat values in those areas affected by the project. This includes:

- > The establishment of the Wharekirauponga Pest Management Area, which involves wide scale intensive pest control over an area of 632ha to compensate for potential effects of vibration on native frogs (which will benefit other native fauna);

⁹⁴ Section 43 (3)(i) of the Act.

⁹⁵ Section 43 (3)(j) of the Act.

⁹⁶ Section 43 (3)(l) of the Act.



- > Research funding is proposed to undertake investigative work above WUG and within the wider Wharekirauponga Pest Management Area to assess efficacy of pest control regimes for frog recovery;
- > To offset the loss of the warm spring in the Wharekirauponga area, fencing and planting of 85 m of headwater springs and seepage gullies of Tributary 3 at Willows SFA. This will amount to 180 m length of watercourse enhanced (to address freshwater ecological effects associated with the WUG;
- > Enhancing the Mataura Wetland (0.28 ha) by establishing a 10 m fenced buffer, removing stock, weed and pest management, and planting programme (to address wetland effects at the Willows SFA);
- > To offset the temporary loss of Tributary 2 (Willows Site) through the diversion (588m of temporary loss), by restoring and protecting 1,995 m of stream in the adjoining Tributary 3 and Tributary 1 catchments. Tributary 2 will be remediated fully (and margins planted) following the removal of the rock stack (to address freshwater ecological effects within the Willows SFA);
- > OGNZL is proposing 17.5 ha offset planting, 20 ha enhancement planting adjoining or within SNA 166, and 20 ha of offset restoration plantings along Ohinemuri River and around the GOP. All native plantings will be subject to 20 years of pest control (rats, possums, mustelids) (to address terrestrial ecological effects associated with the NRS);
- > To address copper skink habitat loss (6.5 ha), compensation proposed includes 11.2 ha of revegetation with pest control and 4.45 ha of pest control in the existing habitat (to address terrestrial ecological effects associated with the GOP); and
- > To address 47 m of stream reclamation, and the residual 644 m of stream not replaced by diversions associated with the NRS, TSF3 and GOP, and to address time lags in functional restoration of diversions, OGNZL is proposing to restore 7,646 m of stream margins along the Mataura Stream and Ohinemuri River catchment (to address freshwater ecological effects); and
- > In addition, the Waihi North Biodiversity Project, described in Section 2.14 of this report, will result in a significant enhancement in indigenous biodiversity beyond that which is required to avoid, remedy, mitigate, offset or compensate for the potential adverse effects of the project. The Waihi North Biodiversity Project will cover up to an 18,870 ha area of the southern Coromandel Forest Park and will deliver inter-generational biodiversity benefits at a significant scale.

It is considered that the project is entirely consistent with the purpose of the Act.



8.6 INELIGIBLE ACTIVITIES

Section 5 of the Act addresses ineligible activities which cannot be authorised under the Act. In this respect, the WNP:

- > Is not located on identified Māori land;⁹⁷
- > Is not located in a customary marine title area;⁹⁸
- > Is not located in a protected customary rights area;⁹⁹
- > Is not located on Māori customary land or land set apart as a Māori reservation;¹⁰⁰
- > Includes the need for an access arrangement under Section 61 of the Crown Minerals Act (relating to the Coromandel Forest Park), but is not restricted by Section 61 (1A) of the Crown Minerals Act, nor is it within an area for which a permit cannot be granted under that Act;¹⁰¹
- > Is located (partly) on land held, managed and administered under the Conservation Act, but is for activities associated with mining. It is noted that the mining is proposed to occur under the surface of the land but there are minor enabling activities proposed on the surface of the land (i.e. mine ventilation shafts, investigation drilling, environmental monitoring, pest management, remedial works and enhancement planting);¹⁰² and
- > Is not located within a national reserve,¹⁰³ or land held under the Reserves Act.¹⁰⁴

This substantive application is, therefore, not for an ineligible activity.

Schedule 4 of the Act identifies land on which non-mining activities are ineligible and cannot be authorised by the Act.

Schedule 4 includes 'The area described in the Otahu Dedicated Area Notice 1976 (*Gazette* 1976, p 654)' (item 9), as well as 'The area described as the Parakawai Geological Area Notice 1976 (*Gazette* 1980, p 2408) (item 10). This application acknowledges that it is possible that activities may occur within these areas in the future in relation to:

⁹⁷ Section 5 (1)(a) of the Act.

⁹⁸ Section 5 (1)(b) of the Act.

⁹⁹ Section 5 (1)(c) of the Act.

¹⁰⁰ Section 5 (1)(d) of the Act.

¹⁰¹ Section 5 (1)(f) of the Act.

¹⁰² Section 5 (1)(h) of the Act.

¹⁰³ Section 5 (1)(i) of the Act.

¹⁰⁴ Section 5 (1)(j) & (k) of the Act.



- > Predator and pest control activities associated with the Waihi North Biodiversity Project;
- > Pest control management and low impact environmental monitoring; and / or
- > Water monitoring activities.

Accordingly, no approvals to undertake activities in the Otahu Dedicated Area or the Parakawai Geological Area are sought in this application.

While the application does not seek to undertake activities in the Otahu Dedicated Area and the Parakawai Geological Area it is noted that the application does refer to potential future works within these areas in relation to the Waihi North Biodiversity Project, with the application seeking to secure OGNZL's funding, development (within tangata whenua), and commitment to the delivery of the Waihi North Biodiversity Project, with any approvals required for the physical delivery of the project to be applied for at a later date once the design of the project and how it will be delivered are confirmed.

The application documents also make reference to the undertaking of pest control management and low impact environmental monitoring activities within the Otahu Ecological Area, and water monitoring activities within the Parakawai Geological Area. As noted, approval for these low impact activities is not being sought within the Otahu Dedicated Area and Parakawai Geological Area as part of this application. OGNZL will seek to obtain any necessary approvals for activities in these locations outside of the Fast-track process, and should it be determined that activities in these locations are unobtainable through mechanisms outside of the Fast-track process, OGNZL will look to undertake the activities in alternative locations and with any associated approvals.

No non-mining activities are being applied for on Schedule 4 ineligible land as part of this substantive application.

8.7 APPROVALS RELATING TO THE RESOURCE MANAGEMENT ACT 1991

8.7.1 Introduction

Schedule 5 of the Act sets out the information requirements for a substantive application for approvals required under the RMA. This includes:

- > A description of the proposed activity, including a description and map of the proposed location:

This is addressed in Section 2 of this report.

- > Confirmation that the application complies with Section 46(2)(a), (b), and (d) of the Act:



In accordance with Section 46 of the Act¹⁰⁵, this substantive application for the WNP:

- > Has been developed to adhere to the requirements of Section 42 of the Act;^{106, 107}
- > Includes all of the information listed in Section 43 of the Act, and is specified in sufficient detail to satisfy the purpose for which it is required in accordance with Section 44 of the Act;
- > Is for a listed project¹⁰⁸; and
- > OGNZL will pay the application fee upon the receipt of an invoice from the EPA for the processing of this substantive application.¹⁰⁹
- > The full name and address of each owner of the site and of land adjacent to the site, and each occupier of the site and of land adjacent to the site whom the applicant is unable to identify after reasonable inquiry:

This is addressed in **Part J** to these application documents.

- > A description of any other activities that are part of the proposal to which the consent application relates:

Section 2 contains a detailed description of all aspects of the WNP.

- > A description of any other resource consents, notices of requirement for designations, or alterations to designations required for the project to which the consent application relates;

This information is addressed in Section 2 of this report.

- > An assessment of the activity against Sections 5, 6 and 7 of the RMA;

An assessment of the project against the purpose and principles of the RMA is set out later in this report, in Section 8.7.2.

- > An assessment of the activity against any relevant provisions of the following documents:

- > A national environmental standard;
- > Other regulations made under the RMA;

¹⁰⁵ Steps by EPA after substantive application lodged.

¹⁰⁶ Section 46 (2)(a)(i) of the Act.

¹⁰⁷ Section 46 (2)(a)(ii) of the Act.

¹⁰⁸ Section 46 (2)(b) of the Act.

¹⁰⁹ Section 46 (2)(d) of the Act.



- > A national policy statement;
- > A regional policy statement or proposed regional policy statement;
- > A plan or proposed plan; and
- > Iwi management plans.

The project is assessed against the provisions of these documents later in Section 8.7.3 of this report.

- > Information about Treaty settlements that apply in the area covered by the consent application:

Information about applicable Treaty settlements is included in Section 8.7.3.15 of this report.

- > A list of any relevant customary marine title groups, protected customary rights groups, or applicants under the Marine and Coastal Area (Takutai Moana) Act 2011:

Not applicable.

- > The conditions that the applicant proposes:

A suite of proposed conditions is included in **Part D** to these application documents.

- > A copy of the notice required under Section 30 of the Act:

A copy of the letters from HDC, TCDC and WRC are included in **Part F** to these application documents.

- > An assessment of the activity's effects on the environment:

Section 6, and the technical assessments provided in **Part B** to these application documents, provide a comprehensive assessment of the WNP's effects on the environment.

The following sections of this report address the relevant statutory planning matters required to be addressed by the provisions of Schedule 5 of the Act.

8.7.2 Part 2 of the Resource Management Act 1991

Clause 5 (1)(g) of Schedule 5 of the Act requires an assessment of the project against Sections 5, 6 and 7 of the RMA. It is noteworthy that while promoting sustainable management is the purpose and focus of sections 5, 6 and 7 of the RMA, that is not the purpose of the Act, and sustainable management considerations must be given less weight



in the panel's overall evaluation than facilitating the delivery of infrastructure and development projects with significant regional or national benefits.¹¹⁰

The purpose of the RMA is to promote the sustainable management of natural and physical resources. In this regard, The WNP will enable the social and economic wellbeing of Waihi and the Hauraki District through the provision of additional and continued employment, and the generation of significant benefits to the local, regional and national economy. This is discussed further in Section 6.3 of this report.

It is considered that, with the environmental mitigations and compensation proposed as part of the project, the WNP will safeguard the life-supporting capacity of air, water, soil and ecosystems.

The avoidance, remediation or mitigation of adverse effects does not require that there be no residual effects on the environment. Instead, Section 5(2)(c) of the RMA contemplates adverse effects, the acceptability of which depend on and need to be assessed in the context of each application. Sections 6 and 7 of this report provide details on the measures proposed by OGNZL to avoid, remedy or mitigate the actual and potential effects of the project on the environment and to manage effects on the wellbeing of people in accordance with Section 5 of the RMA.

With respect to the relevant matters in Sections 6 and 7 of the RMA, the following points are pertinent:

- > Section 6(e), Section 7(a) and (aa) of the RMA are all relevant to the WNP, which require the recognition of the relationship Maori have with their ancestral lands, water, sites, wahi tapu and other taonga, as well as having regard to kaitiakitanga. Section 5.3 of this report documents the extensive consultation undertaken by OGNZL to understand the impacts of the project on these matters. Section 6.2 provides an assessment of cultural effects, as well as documenting the measures proposed by OGNZL to recognise the relationship iwi have to the area within which the WNP is proposed;
- > The WNP is not "inappropriate" in the context of Section 6(a) or (b) of the RMA and the various project elements have been designed to preserve the natural character of the wetlands, rivers and their margins and to protect the outstanding natural landscape of the Coromandel Forest Park;
- > The careful management of effects associated with the WNP, including the comprehensive offsetting and compensation approach which seeks to achieve a

¹¹⁰ Schedule 5, clause 17 of the Act



substantial positive net gain, will ensure that areas of significant indigenous vegetation and significant habitats of indigenous fauna are protected in accordance with Section 6(c);

- > The WNP will not create any additional constraints on public access to the Ohinemuri River, Ruahorehore Stream or their tributaries or any other surface water body affected or influenced by the project (Section 6(d));
- > The WNP will not adversely affect any scheduled sites of historic heritage in the HDP or the TCDP. With respect to heritage sites that will be disturbed by the WNP, measures are proposed by OGNZL to remedy or mitigate adverse effects (Section 6(f));
- > Particular consideration has been given to the management of significant risks from natural hazards in the technical assessments commissioned by OGNZL, and it is considered that there are appropriate factors of safety in the design of the various elements of the project, particularly for TSF3 (Section 6(h));
- > The amenity values of Waihi and the broader areas adjacent to the WNP will be maintained by the imposition of appropriate controls and limits on noise, vibration, lighting and dust from mining (and associated processing) activities (Section 7(c));
- > The WNP has been designed to make use (where appropriate) of existing infrastructure associated with the existing mining operations at Waihi. Care has also been taken to ensure that the project maintains a “zero net take”, by diverting and treating contact water within the WTP before discharging into the Ohinemuri River (Section 7(b));
- > Based on the conclusions outlined in Sections 6.6 of this report, it is considered that particular regard has been given to the intrinsic values of ecosystems and to the maintenance of the quality of the environment. Matters relating to the quality of the existing environment enjoyed by adjacent landowners are also addressed in detail in Section 3 of this report (Sections 7(d), (f) and (g));
- > Potential effects on ecosystems, including freshwater and terrestrial ecology, are described in Section 6.6 of this report (Section 7(h));
- > Provision is being made for the habitats of trout throughout the WNP area, where viable trout habitats are identified upstream of the works. All instream works will also be undertaken in accordance with a site wide aquatic fauna salvage and relocation plan (included within the applicable ELMP) (Section 7(h); and
- > The effects of climate change have been considered throughout this report and in the various technical reports as necessary. OGNZL also continues to implement its own climate change initiatives, as discussed in OGNZL (2025a), attached in **Part B** of the application documents (Section 7(i);



While under the Act, Section 8 of the RMA need not be addressed in this section, for completeness it is noted that OGNZL is not a “person exercising functions and powers under the RMA” for the purpose of WNP. That said, OGNZL is undertaking engagement with iwi in good faith and in a manner that reflects the scale and significance of the proposal. This work is and will continue to be ongoing throughout the life of the WNP.

Overall, and based on the technical assessments that have been commissioned by OGNZL, it is considered that the WNP will promote the sustainable management of natural and physical resources in accordance with Sections 5, 6 and 7 of the RMA.

8.7.3 Relevant Planning Documents

8.7.3.1 Overview

Clauses 5 (1)(h) and 5 (2) of Schedule 5 require an assessment of the WNP against relevant RMA planning documents. An assessment of the project against these documents must include an assessment of the WNP against any relevant objectives and policies (the rules are addressed in Section 4 of this report). The relevant statutory planning documents are considered to be:

- > NES Freshwater;
- > NES Air;
- > Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (“**NES Soil**”);
- > Resource Management (National Environmental Standard for Sources of Human Drinking Water) Regulations 2007 (“**NES Drinking Water**”);
- > NES Electricity Transmission;
- > NPS-FM;
- > NPS-HPL;
- > National Policy Statement for Indigenous Biodiversity 2023 (“**NPS-IB**”);
- > Waikato RPS;
- > The Waikato Regional Plan (“**Regional Plan**”);
- > HDP; and
- > TCDP.

Each of these policy statements and plans are considered further below. As a preliminary point it is noted that these documents have been prepared in accordance with and to



promote the sustainable management purpose of the RMA. They do not directly inform the purpose of the Act.

8.7.3.2 National Environmental Standards for Freshwater

The NES Freshwater came into effect September 2020. The NES Freshwater sets requirements for carrying out certain activities that pose risks to freshwater and freshwater ecosystems, including (as relevant to the WNP), activities within or adjacent to wetlands, reclamation of rivers, and activities that could affect fish passage. The requirements in the NES Freshwater operate as rules.

As described in Section 4.2.6, various activities associated with the WNP are subject to the provisions of the NES Freshwater (in respect of the provisions relating to the extraction of minerals and ancillary activities) and may only be undertaken if a resource consent is obtained to authorise those activities. A resource consent must not be granted unless the consent authority has first:¹¹¹

- > Satisfied itself that the extraction of the minerals will provide significant national or regional benefits; and
- > Satisfied itself that there is a functional need for the extraction of minerals and ancillary activities in that location; and
- > Applied the effects management hierarchy.

In respect to these matters:

- > Sections 1.3 and 6.3 of this report addresses the significant national and regional benefits of the WNP;
- > The functional need for the extraction of minerals and ancillary activities to occur in the specific locations applied for in this document are addressed later in this report (Section 8.7.3.7) in respect of Policy 7 of the NPS-FM). In summary, OGNZL has undertaken detailed options analysis work for each component of the WNP that impacts waterbodies and, for a variety of reasons, has concluded that there is a functional need for those activities to occur in the specified locations. Aspects like location of the orebody, proximity to mining infrastructure, geotechnical considerations and land ownership are all relevant in this respect; and
- > The effects management hierarchy has been applied in a manner consistent with the requirements of the NES Freshwater and NPS-FM. This is addressed in Section 6.6 of

¹¹¹ NES Freshwater Regulation 45D (6).



this report along with Boffa Miskell (2025c and 2025d) and NIWA (2024). With all the effects management measures proposed as part of the WNP, there will be an overall net gain in freshwater and biodiversity values (while allowing for mineral extraction activities to occur which have significant national and regional benefits).

The requirements of the NES Freshwater, and the associated effects of riverbed reclamation and culverts, and impacts on wetlands, are considered in Section 6.6 of this report, which sets out how the effects of the WNP on waterbodies are proposed to be mitigated, remedied, compensated or offset in accordance with the effects management hierarchy.

8.7.3.3 National Environmental Standard for Air Quality

The NES Air came into effect in June 2011. The NES Air sets out ambient air quality standards for a number of contaminants for the protection of public health - including fine particulates (PM_{10}), sulphur dioxide (SO_2), carbon monoxide (CO) and nitrogen dioxide (NO_2). It applies where people are likely to be exposed for periods commensurate with the relevant assessment averaging period. The NES Air also includes concentration limits and the specified number of occasions that those concentration limits may be exceeded within any year.

The standards specified in the NES Air, along with the Regional Ambient Air Quality Guidelines, are considered in Section 6.13 of this report. This section concludes that the concentrations of PM_{10} , NO_2 , CO and SO_2 associated with any air discharges from the WNP are expected to remain within the relevant standards.

As such, the NES Air is not an impediment to the granting of the air discharge permits required for the WNP.

8.7.3.4 National Environmental Standard for Assessing and Managing Contaminants in Soil

The NES Soil came into effect in January 2012. The NES Soil seeks to ensure that land affected by contaminants in soil is appropriately identified and assessed before it is developed. If necessary, affected land will need to be remediated or the contaminants contained to make it safe for human use.

Mining industries are included on the HAIL, although it is understood that the continuation of existing uses is not affected by the NES Soil.



A number of historic and existing activities undertaken within the WNP area meet the definition of a HAIL activity. Accordingly, the NES Soil is relevant with respect to soil disturbance activities occurring in and around these areas of known contamination.¹¹²

Once established and operating, almost all of the WNP elements will also be considered a HAIL by virtue of their use for mining purposes (HAIL Activity E7: Mining industries). The NES Soil is therefore relevant with respect to the implementation of the closure plan and the associated change of use back to pastoral land.

The requirements of the NES Soil and the associated effects associated with contaminated land are discussed further in Section 6.17 of this report.

8.7.3.5 National Environmental Standard for Sources of Human Drinking Water

The NES Drinking Water came into effect in June 2008. The NES Drinking Water sets requirements for the protection of sources of human drinking water from contamination. A human drinking water source is a natural water body that is used to supply a community with drinking water.

The NES Drinking Water applies to resource consent applications for activities located upstream of an abstraction point of a registered drinking water supply. The HDC holds water permits from the WRC to abstract water from the Ohinemuri River and Walmsley Stream for community drinking water supplies.¹¹³ The primary WNP activity occurring upstream of the Walmsley Stream water abstraction relates to the taking of groundwater associated with the Willows Access Tunnel. As concluded by WWLA (2025c), tunnel dewatering will not result in any consequential change in groundwater quality due to the water take.

With respect to the Ohinemuri River water abstraction, there are a number of water and discharge permits required upstream of site, as described in Section 4 of this report. As concluded by GHD (2025c), such activities are predicted to have minimal effect on receiving water quality within the Mataura Stream (which discharges into the Ohinemuri River upstream of the abstraction point).

Under Clause 7 and 8 of the NES Drinking Water, regional councils must not grant a water or discharge permit for an activity that will occur upstream of an abstraction point under specific scenarios. Based the conclusions set out in WWLA (2025a), the granting of water and discharge permits for activities upstream of the HDC water abstraction points will not affect the quality of water at the drinking water at the abstraction point. Accordingly,

¹¹² Areas 2, 5 and 6.

¹¹³ AUTH130392003.01 and AUTH30392.01.01.



Clauses 7 and 8 of the NES Drinking Water do not pose an impediment to the granting of water and discharge permits

Clause 12 identifies matters and conditions that the consent authority must consider when granting resource consent for activities that require consideration under the NES Drinking Water. This includes activities which could lead to a significant adverse effect on a registered drinking water supply if an unanticipated event occurred. There are several activities occurring within Area 2 which, in the highly unlikely event of a system failure, could result in significant adverse effects on the quality of water at the abstraction points specified in the HDC water permits. In the highly unlikely scenario that such an event will occur, OGNZL will, as a matter of priority, advise HDC as the consent holder and WRC as the consent authority that such an event has occurred. This requirement will be secured by way of condition on the resource consents (as set out in **Part D** of these application documents) and is therefore consistent with Clause 12 of the NES Drinking Water.

While the NES Drinking Water is a relevant consideration with respect to activities proposed, for the reasons set out above, the NES Drinking Water is not an impediment to the granting of approvals for the project.

8.7.3.6 National Environmental Standard for Electricity Transmission Activities

The NES Electricity Transmission came into effect in January 2010. The NES Electricity Transmission sets requirements for the operation, maintenance, upgrading, relocation or removal of existing powerlines.

An existing powerline runs through Gladstone Hill, in the vicinity of the GOP (Area 5), which is required to be relocated as part of the project. An assessment of the proposed works against the NES Electricity Transmission (as set out in **Part I** of these application documents) concludes that the activity can be undertaken as a restricted discretionary activity.

As set out in sections 6.6, 6.7 and 6.16 of this application, the relocation of the powerline is not expected to impact upon visual, landscape, ecological or heritage values, nor will it affect any sensitive land uses. Appropriate sediment and erosion control measures will be implemented during the works. As such, the NES Electricity Transmission is not an impediment to the granting of the required land use consent for relocation of powerlines, as part of the WNP.



8.7.3.7 National Policy Statement for Freshwater Management

The NPS-FM came into force on 3 September 2020 and provides direction on how freshwater (including groundwater)¹¹⁴ should be managed under the RMA. The objective of the NPS-FM is to ensure that natural and physical resources are managed in a way that prioritises:

- > First, the health and wellbeing of water bodies and freshwater ecosystems;
- > Second, the health needs of people; and
- > Third, the ability of people and communities to provide for their social, economic and cultural wellbeing, now and in the future.

Central to the NPS-FM is the concept of Te Mana o Te Wai, which is described as:

“a concept that refers to the fundamental importance of water and recognises that protecting the health of freshwater protects the health and well-being of the wider environment. It protects the mauri of the wai. Te Mana o te Wai is about restoring and preserving the balance between the water, the wider environment, and the community.”

Te Mana o Te Wai encompasses six principles relating to the roles of tangata whenua and other New Zealanders, these are:

- > **Mana whakahaere:** the power, authority, and obligations of tangata whenua to make decisions that maintain, protect, and sustain the health and wellbeing of, and their relationship with, freshwater
- > **Kaitiakitanga:** the obligation of tangata whenua to preserve, restore, enhance, and sustainably use freshwater for the benefit of present and future generations.
- > **Manaakitanga:** the process by which tangata whenua show respect, generosity, and care for freshwater and for others.
- > **Governance:** the responsibility of those with authority for making decisions about freshwater to do so in a way that prioritises the health and wellbeing of freshwater now and into the future.
- > **Stewardship:** the obligation of all New Zealanders to manage freshwater in a way that ensures it sustains present and future generations.
- > **Care and respect:** the responsibility of all New Zealanders to care for freshwater in providing for the health of the nation.

¹¹⁴ NPS-FM Clause 1.5(1)



In respect of the NPS-FM policies, those of most relevance to this application are discussed in detail below.

Section 5.3 of this report documents the extensive engagement undertaken by OGNZL within tangata whenua to understand the cultural impacts of the project. This engagement has been undertaken in a manner designed to be consistent with the principles of mana whakahaere, kaitiakitanga and manaakitanga. Section 6.2 provides an assessment of cultural effects associated with the WNP, as well as documenting the measures proposed by OGNZL to recognise the relationship iwi have to the area within which the WNP is proposed.

Policies 1 and 2

Policy 1 of the NPS-FM seeks to ensure that freshwater is managed in a way that gives effect to Te Mana o te Wai. Policy 2 seeks to ensure that tangata whenua are actively involved in freshwater management and Māori freshwater values are identified and provided for.

In accordance with Te Mana o te Wai, the activities proposed as part of the WNP have been carefully identified and assessed to ensure that the health of freshwater and of the wider environment is prioritised and protected, as summarised below:

- > Alternative siting and design options for various components of the WNP were considered by OGNZL, as described in EGL (2025a, 2025c, 2025d, and 2025g), and GHD (2025a). It was determined that the numerous overlapping technical and operational characteristics that bear on the siting of these features demonstrate a functional need to occupy their proposed locations;
- > Clean water will be diverted away from areas disturbed by mining activities wherever practicable in order to reduce the volumes of water affected by mining activities;
- > In respect to the WUG (Area 1), the nature of the activities proposed to be undertaken are primarily sub surface mining activities, with very few surface expressions. The underground mining methodology has been carefully developed to monitor and manage for potential dewatering impacts on the Natural state waterbodies and natural inland wetlands located above the subsurface mining activities within Coromandel Forest Park. This will ensure any potential dewatering activities will not adversely affect the relationship between ground and surface water or result in the physical modification of these waterbodies within the Coromandel Forest Park. No adverse effects on ecological values are anticipated as a result of this;
- > An unavoidable effect of dewatering within Area 1, is the removal of a small, warm natural spring located within the Wharekirauponga Sub-Catchment. The warm spring,



and the length of the waterbody affected by its presence, is very small and its life supporting capacity is compromised by the attributes of the spring water itself. The contribution of the warm spring to the Wharekirauponga Stream is limited to deposits occurring along the substrate of the true right bank. It does not appear to have a detrimental or modifying effect on the wider Wharekirauponga Stream and therefore its absence is unlikely to positively influence downstream ecological values;

- > All mine impacted surface water generated from the WNP will generally be directed to the WTP for treatment prior to discharge into the Ohinemuri River, and managed within the existing water management and treatment facilities that have been established as part of the existing Waihi mines;
- > Water "taken" for dewatering will generally not be "used" (in that it is not a true consumptive water take) and will instead be diverted to the WTP for treatment prior to discharge into the Ohinemuri River, or if it is of a suitable quality, will be discharged directly to a surface waterbody;
- > Water from disturbed areas (both runoff and seepage) occurring at the surface will be directed to appropriate collection facilities. From there, if it is not of suitable quality to direct discharge to a surface waterbody, it will be transferred to the WTP for treatment before being discharged to the Ohinemuri River;
- > The effects of activities associated with the WNP will avoid adverse effects on existing lawfully established groundwater users, including existing registered drinking water supplies;
- > In addition to the measures being employed by OGNZL to avoid, remedy, mitigate, offset or compensate effects on freshwater ecological values, extensive areas of riparian planting will further enhance ecosystem health, including the habitats of indigenous freshwater species;
- > All activities avoid locating within or occupying the Matura, Gladstone or Favona Wetlands, which all comprise natural inland wetlands under the NPFSM; and any potential effects on the 50 natural inland wetlands located above the subsurface mining activities within Coromandel Forest Park will be monitored and managed for unlikely, but potential dewatering effects (see Section 6.4.1). The proposed monitoring and management measures will ensure there will be no loss of extent of the wetlands, with values protected, and restoration promoted (in accordance with Policy 6 of the NPS-FM).; and
- > Re-consenting the WTP with similar discharge and receiving water quality standards will not result in detrimental effects on the existing ecological values of the Ohinemuri River.



As demonstrated in Section 6, the various activities undertaken in association with the WNP, both individually and when taken as a sum of their parts, will protect the health and wellbeing of water bodies and freshwater ecosystems, the health needs of people, thus the ability of people and communities to provide for their social, economic and cultural wellbeing, now and into the future.

OGNZL continues to work with tangata whenua regarding activities occurring as part of the WNP. Through this consultation process, the ways in which the project protects the mauri of the wai and restores and preserves the balance between water, the environment and community, will be established.

Policy 3

Policy 3 of the NPS-FM requires that freshwater is managed in an integrated way that considers the effects of the use of land and development of land on a whole of catchment basis, including the effects on the receiving environments.

While this policy is focused on actions to be undertaken by the Regional Council, it is noted that the technical assessments commissioned by OGNZL have considered the actual and potential effects of the project on land and freshwater resources in an integrated manner. This includes considering the potential effects of the WNP at both a localised scale, and project wide scale, as set out in Section 6 of this report.

While freshwater, as referred to in the NPS-FM includes groundwater, there are no direct references to groundwater or groundwater management within the policies of the NPS-FM. Notwithstanding this, the cumulative effects of the WNP with respect to freshwater matters (including groundwater) have been canvassed in detail by WWLA (2025a) and GHD (2025c) with respect to surface and groundwater quality and quantity, and by Boffa Miskell (2025c) with respect to freshwater ecology. GHD (2025c) has also considered the cumulative effects of the WNP and OGNZL's existing mining activities. Overall, integrated management of freshwater is therefore at the centre of OGNZL's management approach not just for the WNP, but its wider operations.

Policy 5

Policy 5 of the NPS-FM relates to the National Objectives Framework (“**NOF**”) and ensuring the health and wellbeing of degraded water bodies and freshwater ecosystems is improved, and that where water is not degraded it is maintained or improved (if the community chooses).

The NOF directs how councils must set objectives, policies, and rules about freshwater in their regional plans. They must do this by establishing freshwater management units across



their regions and identifying the values that communities hold for the water in those areas. Councils are required to maintain or improve water quality within their region.

Sub-part 2 of the NPS-FM sets out the approach Regional Councils must follow in setting freshwater objectives, attributes and limits for individual water bodies. The NPS-FM requires that Regional Councils must consider freshwater values and how they should apply to local or regional circumstances. Appendix 1A of the NPS-FM sets out compulsory national values, while other values to be considered are set out in Appendix 1B.

There are four compulsory national values, as follows:

- > Ecosystem Health;
- > Human contact;
- > Threatened Species; and
- > Mahinga Kai.

Appendix 2 of the NPS-FM sets out the attribute tables that are applicable to a waterbody and are related to the compulsory national values of ecosystem health and human contact.

The WRC has identified FMUs in the Regional Plan, however a plan change has yet to be undertaken that implements the NOF by identifying water quality targets and timeframes for their implementation. Notwithstanding this, the attributes requiring limits and the attributes requiring action plans have all been taken into account in this AEE and the relevant technical reports contained in **Part B** of these application documents. It is noted that the Resource Management (Freshwater and Other Matters) Amendment Bill inserted provisions into the RMA that requires regional councils to not publicly notify a freshwater planning instrument (i.e. amendment to a regional plan to give effect to the NPS-FM) until a new NPS-FM is published (replacing the current NPS-FM 2020), or until 31 December 2025.

As part of this application, OGNZL is seeking the early renewal of its existing WTP discharge into the Ohinemuri River. As set out in Section 6.4.2 of this report, the existing discharge complies with the existing consent conditions and there is no evidence that the existing water quality of the Ohinemuri River (including the existing discharges from the WTP) has caused any detrimental effects to the ecological values within the river. The existing consent conditions are therefore upholding the ecological values of the Ohinemuri River around Waihi. These conditions and standards are therefore proposed to be carried over onto the new consents.

OGNZL recognises however, that in order to restore and preserve the balance between water, the wider environment and the community (in accordance with Te Mana o te Wai),



there is a reasonable expectation that some catchment wide water quality improvements are likely to be required in the Ohinemuri River over time.

With these measures in place, the WNP will not impede the WRC's ability to maintain (or improve) the health and wellbeing of freshwater ecosystems, as set out in Policy 5 of the NPS-FM.

Policy 6

Policy 6 of the NPS-FM seeks to ensure that there is no loss to the extent of natural inland wetlands and that their values are protected. Policy 6 also promotes the restoration of natural inland wetlands. There are 50 natural wetlands located within the Coromandel Forest Park above the proposed subsurface mining activities, the Mataura Wetland located within Area 2, and the Gladstone Wetland located within Area 5. As set out in Section 6.6.2 of this report, the activities within these areas are being managed in such a way as to ensure works will either avoid the wetlands (for those located in Areas 2, 4, and 5), or that potential dewatering effects associated with the proposed works will be monitored and managed to ensure that there is no loss in the extent or values of these wetlands. In the case of the Mataura Wetland, in particular, the company is proposing to enhance it. A comprehensive monitoring programme has been developed to ensure wetlands within the Coromandel Forest Park / WUG footprint retain their extent and values.

Accordingly, the loss of wetland catchment area associated with the WNP, and the associated effects management measures, are not contrary to the outcomes sought by this policy.

Policy 7

Policy 7 of NPS-FM seeks to ensure the loss of river extent and values is avoided to the extent practicable. This is supported by clause 3.24 of the NPS-FM which requires Regional Councils to include a new policy in their regional plans which guides how this Policy 7 will be implemented at a regional level. Collectively, these provisions direct that river loss should be avoided, unless:

- > There is functional need to locate the activity in that location and in a way that causes loss of river extent and values; and
- > If a functional need exists, the effects of the activity are managed in accordance with the effects management hierarchy described in the NPS-FM. Specifically, the hierarchy requires:
 - > Adverse effects are avoided where practicable;



- > Where adverse effects cannot be avoided, they are minimised where practicable;
- > Where adverse effects cannot be minimised, they are remedied where practicable;
- > Where more than minor residual effects cannot be avoided, minimised or remedied, aquatic offsetting is provided where possible;
- > If aquatic offsetting of more than minor residual effects is not possible, aquatic compensation is provided; and
- > If aquatic compensation is not appropriate, the activity itself is avoided.

When implementing and evaluating an application against the effects management hierarchy, Clause 3.24(3) of the NPS-FM directs that the hierarchy be applied to any loss of extent or values associated with (but not limited to) ecosystem health, indigenous biodiversity, hydrological functioning, Māori freshwater values and amenity.

In respect to the “*functional need*” to locate the components of the WNP in locations that result in a loss of river extent and values, or affect biodiversity, mining can only occur where the gold and silver is located. In that respect, there is a functional need to locate the mine where the resource occurs.

Further, the processing of the recovered ore will produce approximately 8.66 million tonnes of additional tailings. Mine development to enable the extraction of ore will produce approximately 22 million tonnes of surplus rock that requires storage during operation and storage in closure. As such, the ability to provide sufficient tailings and rock storage is fundamental to the feasibility of the WNP.

To be able to mine the orebody, and achieve the required tailings and rock storage, the WNP includes the following integral components:

- > **WUG:** The undertaking of exploration and investigation works / drilling from the surface within the Coromandel Forest Park, and the establishment, operation, and closure of an underground mine below the Coromandel Forest Park;
- > **TSF3:** A new TSF to the east of the existing TSF1A;
- > **GOP and associated GOP TSF:** An open pit mine centred over Gladstone Hill and part of Winner Hill that will be converted into a tailings storage facility following the completion of mining;
- > **NRS:** A new rock storage facility to the north of existing TSF2; and
- > **WRS:** A temporary rock storage facility located at the Willows site.



The proposed facilities described above involve the unavoidable reduction in the extent of waterbodies in several locations, as follows:

- > Dewatering associated with the WUG will result in the removal of a small warm natural spring located within the Wharekirauponga Stream catchment;
- > Dewatering associated with the WUG has an unlikely potential to result in changes to the water levels and flow of Natural State Water Bodies and natural inland wetlands located within the Coromandel Forest Park;
- > TSF3 will affect several unnamed tributaries of Ruahorehore Stream;
- > The GOP and GOP TSF will affect the headwaters of the Gladstone Stream;
- > The NRS will affect a tributary to the Ohinemuri River known as TB1 Stream and various tributaries thereof; and
- > The WRS will temporarily affect part of a tributary of Mataura Stream known as Tributary 2.

The location of these features, aside from those associated with the WUG, are shown in the Figure 8-1.





Figure 8-1: Location of Water Bodies Affected by the WNP in the Waihi Area



In assessing the functional need for the proposed features to be in the environments in which they are identified, OGNZL has considered a range of factors including:

- > **Location of the orebody:** Mining can only occur where there is an economically recoverable orebody (in other word, the mine must be located where the natural resource occurs). For example, in respect of the GOP, there is no viable other way to access the Gladstone orebody which contains approximately 2.59 million tonnes of ore (other than opencast mining) that avoids consuming the upper extent to the Gladstone headwaters, and open pit mining of GOP provides the materials to provide sufficient TSF storage for the WNP. Similarly, in respect of the WUG, the orebody is located below the Coromandel Forest Park and, while underground mining has been proposed to avoid and otherwise minimise the potential effects on the values of the Coromandel Forest Park, dewatering is required as a core part of underground mining;
- > **Land ownership and control:** WNP components (aside from those which occur underground) can only be located on land which the company owns or controls and which is available for development (e.g. does not contain existing infrastructure). To manage amenity impacts, it is also preferable for infrastructure associated with the WNP to be located away from private land and sensitive land uses;
- > **Proximity to existing mining infrastructure:** There are obvious efficiency benefits to locating WNP components in close proximity to existing mining infrastructure. For example, the NRS is within feasible pumping distances to the existing water treatment plant;
- > **Scale:** WNP components must be at sufficient scale to accommodate the required volumes of material meaning that scaling down the mine component to avoid sensitive areas (in this case rivers) is (in this case) impractical while still retaining adequate storage space;
- > **Material movement costs:** WNP components must be located close to the places from which the material they are constructed from is sourced. Moving large volumes of material significant distances is economically inefficient and gives rise to additional and unnecessary effects (including amenity effects, effects on the transportation network, air discharge effects and carbon emissions);
- > **Geotechnical and hydrogeological considerations:** WNP components must be located on suitable foundations to manage stability and groundwater;
- > **Water management:** Potentially affected surface and groundwater resources must be capable of management. This includes an ability and space to construct water management infrastructure (silt ponds, drains etc) and to maintain safe separation distances from sensitive waterbodies (wetlands; Ohinemuri River etc);



- > **Construction efficiency:** The use of existing landforms and contours (such as gullies) can significantly reduce the scale and volume of materials needed to construct storage impoundments, impacting the feasibility of construction using available volumes of rock and clay, time and cost to construct and emissions produced in the process.
- > **Known technology:** Using technology with a proven track record in New Zealand conditions. For example, OGNZL has considered several options to manage tailings generated by the processing that will (for example) use less space, such as a tailings dry stack. The current tailings management process is known technology with a successful track record of over 30 years in the location selected and using engineers with deep knowledge gained from designing and overseeing the construction and operation practices of the two existing facilities since 1987.

OGNZL has considered the possible alternative options in selecting the preferred project components for tailings and rock storage. EGL (2025f) presents the options considered for tailings and rock storage in operation and closure in an options assessment. This assessment evaluates potential methods and sites, considering technical, environmental, socio-economic and project economics criteria, identifying the proposed TSF3, GOP TSF and NRS as the top option under a Multi Criteria Assessment (MCA). EGL (2025g) presents an options assessment identifying the proposed WRS as the preferred option for managing surplus rock at the Willows site during operation.

As a functional need exists to reclaim these surface water bodies (as described above), the effects of the WNP therefore need to be managed in accordance with the effects management hierarchy described in the NPS-FM. As detailed throughout this report, and in the supporting technical assessments, a range of avoidance, minimisation, remediation and offsetting measures proposed by OGNZL ensure that the activities are consistent with the outcomes sought by Policy 7 and a positive net gain is achieved. As there are no more than minor residual effects outstanding following implementation of the effects management hierarchy, the avoidance of the relevant activities within each area is not required.

Policy 8

Protecting the significant values of outstanding water bodies is the focus of Policy 8 of the NPS-FM.

As identified in Section 3.6.1 of this report, there are six natural state waterbodies potentially affected by mining activities as part of the WNP, including:

- > Wharekirauponga Stream, including its sub-catchments:
 - > Adams Stream;



- > Teawaotemutu Stream;
- > Edmonds Stream;
- > Thompson Stream; and
- > Waiharakeke Stream.

The WNP protects the values of these waterbodies, and other values within Coromandel Forest Park by undertaking the proposed WUG mining activities underground, with very few surface expressions. The underground mining methodology within Area 1 has been carefully developed to monitor and manage the unlikely but potential risk of dewatering effects on the above mentioned outstanding natural state waterbodies, such that any anticipated effects on stream flows will be less than minor, and within the range of naturally expected variation. This is described in detail in Section 6.6.2.1 of this report.

The WNP therefore achieves the directives of Policy 8 of the NPS-FM.

Policies 9 and 10

Protection of habitats of indigenous freshwater species, trout and salmon is the focus of Policies 9 and 10 respectively. Measures are proposed throughout all elements of the WNP to ensure that the habitats of indigenous freshwater species and trout are protected. As described by Boffa Miskell (2025c) and summarised earlier in this report, such measures include (for example):

- > Implementation of comprehensive sediment and erosion control measures throughout the duration of construction works to ensure that sedimentation and turbidity issues do not arise within waterbodies where indigenous freshwater species and trout could be present;
- > Diversion channel and stream realignments will provide for a range of stable micro habitats for fish and invertebrates (compatible with viable upstream species);
- > Implementation of an Aquatic Fauna Salvage and Relocation Plan which will include requirements for the identification and relocation of native fish and kōura prior to instream works commencing;
- > Maintaining fish passage for viable upstream species during instreams works;
- > Implementation of riparian offsets and environmental enhancements which provide a range of habitat benefits, including shading, bank stabilisation and water quality management;



- > Maintaining water levels and flows in the Natural State Water Bodies and natural inland wetlands located in the Coromandel Forest Park above the proposed subsurface mining activities; and,
- > Maintaining water quality standards into the Ohinemuri River from the WTP.

With the above measures in place, the habitats of indigenous freshwater species and trout will be protected throughout the construction and operational phase of the project.

Policy 11

The efficient use of freshwater, the phasing out of existing over-allocation and the avoidance of future over-allocation is the focus of Policy 11 of the NPS-FM.

WWLA (2025a) has confirmed that there is sufficient groundwater available in the Otahu Catchment for the proposed take of groundwater / dewatering of the WUG. The Ohinemuri River is currently overallocated. There are various components of the WNP that require the taking or diversion of groundwater that recharges the Ohinemuri River. A minor surface water take is also proposed from within the GOP.

As described in Section 2 of this report, all groundwater takes and diversions within the Ohinemuri River Catchment will be intercepted and where necessary diverted to the WTP for treatment prior to discharge into the Ohinemuri River. Similarly, the surface water take within the GOP will be diverted to the WTP for treatment prior to discharge back into the Ohinemuri River. The taking and diversion of water in this manner will therefore comprise a “zero net take” (insofar as surface water is concerned) and avoids contributing towards further allocation issues within the Ohinemuri River Catchment.

Policy 12

Policy 12 of the NPS-FM sets a national target for increasing proportions of rivers (and lakes) that are suitable for primary contact to at least 80% by 2030 and 90% no later than 2040. OGNZL recognises that in order to restore and preserve the balance between water, the wider environment and the community (in accordance with Te Mana o te Wai), there is a reasonable expectation that some catchment wide water quality improvements are likely to be required in the Ohinemuri River over time. Conditions are proposed which will provide WRC the opportunity to review the conditions to address water quality matters, if required.

Accordingly, the activities occurring as part of the WNP will not impede WRC’s ability to achieve the directives of Policy 12 of the NPS-FM.



Policy 13

The focus of Policy 13 of the NPS-FM is to ensure that the condition of water bodies and freshwater ecosystems is systematically monitored over time, and action is taken where freshwater is degraded, and to reverse deteriorating trends.

OGNZL undertakes a comprehensive range of monitoring across all of its existing mining operations at Waihi. This network of sites will be expanded as part of the WNP, as detailed in Section 2 of this report, with regular reporting to WRC proposed.

Policy 15

Enabling communities to provide for their social, economic and cultural wellbeing, in a manner that is consistent with the NPS-FM, is the focus of Policy 15.

OGNZL's existing mining activities make a significant contribution towards the social and economic wellbeing of the community through employment and stimulation of the local, regional and national economy. The WNP is forecast to extend the life of mining in Waihi by approximately ten years and will generate 389 new jobs and 440 indirect job opportunities. The WNP itself will also unlock approximately \$5.2 billion of additional silver and gold exports. Such ongoing employment and economic activity are dependent on OGNZL being able to utilise the water resources within the Ohinemuri and Otahu River Catchments.

As described in the preceding sections, the WNP is being undertaken in a manner that is consistent with the relevant policy directives of the NPS-FM. Accordingly, the WNP achieves the balance sought from Policy 15, and enables the community to continue to provide for its social and economic wellbeing in a manner that is consistent with the NPS-FM.

8.7.3.8 National Policy Statement for Highly Productive Land

The NPS-HPL came into force on 17 October 2022, with the single overarching objective being to ensure that HPL is protected for use in land-based primary production, both now and for future generations.

HPL means land that has been mapped in accordance with criteria set out in the NPS. However, until a regional policy statement containing maps of highly productive land in the region is operative, each relevant territorial authority must treat as HPL any land that is:

- > Zoned general rural or rural production; and
- > LUC 1, 2, or 3 land (as mapped in the New Zealand Land Resource Inventory).



Land identified for future urban development, or subject to a notified plan change to rezone it from general rural or rural production to urban or rural lifestyle, is not HPL (irrespective of LUC).

As detailed earlier in this report, in Section 3.3.2, there are several components of the WNP located within areas of HPL (including within Area 2, Area 3, Area 5 and Area 7).

Policy 8 of the NPS-HPL requires HPL to be protected from inappropriate use and development.

Clause 3.9(2)(j)(iii) of the NPS-HPL sets out that the use and development of HPL for mineral extraction (where it provides a significant national benefit that could not otherwise be achieved using resources within New Zealand) is not inappropriate, and in turn, not an activity to be 'avoided' where there is a functional or operational need for the mineral extraction activities to be located on HPL.

It has been assessed that the proposed activities have a functional and / or operational need to be located on HPL – primarily due to land ownership, location of the orebody, proximity to mining infrastructure and the need to manage amenity effects on sensitive land uses. The analysis in Section 8.7.3.7 of this report (in respect of the NPS-FM) is considered to be equally applicable to the analysis required by the NPS-HPL. In summary, OGNZL has assessed alternative options for each WNP component and, for the reasons already addressed in this report, the layout of the WNP reflects the outcomes of the various options assessment that have been undertaken.

Furthermore, an assessment of the significant national public benefit provided by the WNP is provided in Eaquib (2025), a copy of which is also provided in **Part B** of these application documents.

The WNP is considered to have a functional and operational need to be located on land identified as HPL, and the project is therefore not inconsistent with the direction of the NPS-HPL.

8.7.3.9 National Policy Statement for Indigenous Biodiversity

The NPS-IB came into force in 2023 and was amended in 2024. It provides direction to councils to protect, maintain and restore indigenous biodiversity requiring at least no further reduction nationally. The scope of the NPS-IB is limited to terrestrial ecosystems (and some



aspects of wetlands) and applies across all land types in New Zealand – on private and public land.¹¹⁵

Central to the NPS-IB is its objective:

(1) The objective of this National Policy Statement is:

- (a) to maintain indigenous biodiversity across Aotearoa New Zealand so that there is at least no overall loss in indigenous biodiversity after the commencement date; and*
- (b) To achieve this:*
 - (i) through recognising the mana of tangata whenua as kaitiaki of indigenous biodiversity; and*
 - (ii) by recognising people and communities, including landowners, as stewards of indigenous biodiversity; and*
 - (iii) by protecting and restoring indigenous biodiversity as necessary to achieve the overall maintenance of indigenous biodiversity; and*
 - (iv) while providing for the social, economic, and cultural wellbeing of people and communities now and into the future.*

To achieve this objective the NPS-IB contains several policies of relevance to the WNP to achieve this objective. An assessment of the project against these policies is detailed below.

Policies 1 and 2

Policy 1 seeks to manage indigenous biodiversity in a way that gives effect to the decision-making principles and takes into account the principles of the Treaty of Waitangi.

Policy 2 seeks for tangata whenua to exercise kaitiakitanga for indigenous biodiversity in their rohe, including through:

- > Managing indigenous biodiversity on their land; and
- > Identifying and protecting indigenous species, populations and ecosystems that are taonga; and
- > Actively participating in other decision-making about indigenous biodiversity.

¹¹⁵ It is noted that the Resource Management (Freshwater and Other Matters) Amendment Act 2024 inserted a new section into the RMA that suspended certain provisions of the NPS-IB for a 3-year period (Section 78 of the RMA). The suspended provisions relate to the identification of new areas of significant indigenous vegetation and significant habitats of indigenous fauna. These provisions are not relevant to this application as SNA's have already been identified by the HDC and are mapped in the HDP, and so are 'NPS-IB SNAs' in accordance with the definition of SNA in the NPS-IB (being already mapped in a District Plan at the commencement of the NPS-IB).



The principles of the Treaty of Waitangi referred to in Policy 1 are centered around partnership, participation, and protection, which align with the goals of Policy 2.

As detailed throughout this report, OGNZL respects the traditions and cultures of local iwi and recognises the unique relationship that Māori have with their ancestral land, water, sites, wāhi tapu and other taonga, including indigenous biodiversity.

The wider WNP sits within the rohe of eleven iwi with tangata whenua interests, and OGNZL has been undertaking on-going engagement between these iwi since 2019 to discuss their concerns and aspirations for the WNP, as detailed in Section 5.3 of this report, including in relation to indigenous biodiversity.

Policies 3 and 7

Policy 3 of the NPS-IB seeks to adopt a precautionary approach when considering adverse effects on indigenous biodiversity.

Policy 7 of the NPS-IB seeks to protect SNAs by avoiding or managing adverse effects from new use and development on these areas with significant biodiversity values.

Further to Policy 7, Clause 3.11 of the NPS-IB requires that adverse effects on a SNAs associated with mineral extraction be managed by applying the effects management hierarchy, if there is a functional or operational need for the development to be in that particular location and there are no practicable alternative locations for the activity. For completeness, Clause 3.11 is replicated below:

3.11 Exceptions to clause 3.10(2)

(1) Clause 3.10(2) [which requires effects to be avoided] does not apply, and any adverse effects on an SNA of a new subdivision, use or development must be managed in accordance with clause 3.10(3) and (4), if:

(a) The new subdivision, use or development is require for the purposes of any of the following:

(i) ...

(ii) Mineral extraction that provides significant national public benefit that could not otherwise be achieved using resources within New Zealand; and

...

(b) There is a functional need or operational need for the new subdivision, use or development to be in that particular location; and

(c) There are no practicable alternative locations for the new subdivision use or development.



The functional need of the WNP more broadly is addressed earlier in this report, in Section 8.7.3.7, in respect of the analysis of the project against the NPS-FM. The analysis of functional or operational need in respect of the NPS-IB is limited to SNA areas.

The WNP affects two SNAs identified in the HDP, as follows:

- > SNA 166, which is impacted by the NRS and TSF3. SNA 166 comprises two fragments of regenerating native and exotic vegetation; and
- > SNA T13 P152, a predominately rimu – tawa forest in Coromandel Forest Park. The WUG is located under this SNA. This SNA also adjoins the property at Willows Road.

SNA 166

While it is acknowledged that components of the WNP will interact with SNA 166 (and therefore clause 3.11 is applicable), the works have been deliberately designed to avoid areas of high value fauna habitat (i.e. “At Risk” moko skink habitat) and to minimise effects on SNA 166 as far as practicable. In addition, the preparation, implementation, and adherence to management plans (including avifauna, lizards, bats, fish and kōura management plans) will ensure that appropriate procedures and protocols such as preclearance surveys, the relocation of fauna, and vegetation clearance outside of breeding seasons take place in an effort to further avoid, reduce, or manage potential effects associated with the proposed works. Edge effects of the proposed works will be minimised through dense buffer planting, with any residual adverse effect to be offset, and habitat loss to high value copper skinks compensated.

Remediation of effects is not practicable in this instance, noting that the vegetation and habitat values that are proposed to be removed will occur within the proposed TSF3 and / or in the locations of associated structures.

Any residual effects resulting from the proposed vegetation removal will be addressed with offset planting and enhancement actions in accordance with best practice biodiversity offsetting in New Zealand, resulting in an overall net gain in biodiversity. Terrestrial biodiversity¹¹⁶ restoration and enhancement measures such as the following are proposed (which are described more fully in Section 6.6 of this report and the supporting technical assessments):

- > 17.5 ha of offset planting and 20 ha enhancement planting adjoining or within SNA 166 is proposed;

¹¹⁶ Noting that offset and compensatory measures are also proposed for freshwater ecosystems, which are discussed in respect to the NPS-FM. The NPS-IB addresses terrestrial biodiversity.



- > 20 ha of offset restoration plantings along Ohinemuri River and around Gladstone Pit;
- > All native plantings will be subject to 20 years of pest control (rats, possums, mustelids); and
- > Bat, frog and lizard protocols will be followed prior to the felling of any trees in accordance with an approved management plan. This will include the salvage and relocation of frogs and lizards.

These measures will result in an overall net gain in indigenous biodiversity values.

SNA T13 P152

The majority of the WNP works and activities interacting with this SNA occur underground, which avoids adverse effects on the biodiversity values of SNA T13 P152. Potential effects of the project on this SNA include a temporary loss of vegetation and habitat (0.66 ha). There is also a low (but uncertain) risk of adverse effects on Archey's and Hochstetter's frogs as a result of vibration effects. The potential areas of frog habitat impact include 314 ha for Archey's frogs and up to 12.1 km of stream in the Edmonds Catchment for Hochstetter's frogs.

To manage the effects of the WNP on this SNA (in accordance with the effects management hierarchy), OGNZL is proposing the following:

- > A comprehensive site selection protocol to be adhered to, as outlined in Section 2.6.1.2 and 6.6.1.1 of this report;
- > Vegetation clearance areas above the WUG site will be remediated back (in the medium to long term) to native vegetation following completion of surface works;
- > Bat, frog and lizard protocols will be followed prior to the felling of any trees (or modification of habitat) in accordance with an approved management plan. This will include the salvage and relocation of frogs and lizards;
- > The temporary loss of these vegetation areas will be offset by replanting and facilitating the natural regeneration of an approximately 27 ha area on the north east ridge and entire forest boundary at the Willows Site;
- > The primary compensation measure to address these potential residual effects on frogs and other fauna, is wide scale intensive pest control over an area of 633 ha within the Coromandel Forest Park, including 314 ha exposed to vibration levels greater than 2 mm/s and 318 ha immediately adjacent for a period of 15 years as described in Section 6.6.1.1 of this report; and



- > Compensation in the form of research funding is proposed to undertake investigative work above WUG and within the wider Wharekirauponga Pest Management Area to assess efficacy of pest control regimes for frog recovery.

In summary, while the vegetation removed from the SNA will be remediated in the long term, before the remediation occurs, offsetting is proposed. To address effects on frogs, OGNZL is proposing compensatory measures to manage residual effects.

With these measures, it is anticipated that there will be a net-gain for the extent and values from native forest planting, and net gain is the most likely outcome for frogs from the compensatory measures proposed.

Policy 8

Policy 8 of the NPS-IB seeks to recognise and provide for the importance of maintaining indigenous biodiversity outside of SNAs.

Further to Policy 8, the NPS-IB requires that adverse effects on indigenous biodiversity which is not protected by a SNA be managed by applying the effects management hierarchy where those effects are significant.

When considering the WNP as a whole, the permanent loss of non-SNA terrestrial biodiversity is assessed as having “low” to “very low” level effects. While these effects are not considered significant, OGNZL intends to provide for replacement of the values associated with such removal as far as practicable, and to minimise harm and adverse effects to all fauna within those habitats through management actions prior to, and at the time of vegetation / habitat removal. These management actions will include (but are not limited to):

- > Replacement planting of around 16.2 ha within the NRS area;
- > To address the loss of copper skink habitat associated with the GOP (non-SNA), OGNZL is proposing to undertake revegetation and pest control as compensation. This will include intensive pest control being undertaken within a 6.5 ha area of additional OGNZL land at GOP (where this land is contiguous with the terrestrial re-vegetation proposed as part of the compensation required for the removal of vegetation from SNA 166);
- > The undertaking of precautionary pre-clearance bat surveys;
- > Undertaking vegetation removal outside the bird breeding season, or to be preceded by native nesting bird surveys;



- > Implementation of a Lizard Management Plan to inform capture, habitat enhancements, and relocation of any native lizards;
- > Implementation of best practice and site-specific erosion and sediment control measures for vegetation removal located in close proximity to waterbodies (i.e. the Ruahorehore Stream and Ohinemuri River);
- > Enhancements within the diversion channel and along the riparian margins will ensure the spatial extent of indigenous riparian planting will be enhanced and contribute towards a healthy ecological functioning of the tributary and its surroundings; and
- > Further mitigation proposed as part of the wider WNP will ensure that a “positive net gain” in indigenous biodiversity is achieved.

As such, positive indigenous biodiversity outcomes will be achieved (both within and outside of the SNAs) such that the ecosystems’ health, life supporting capacities, and ongoing functioning is provided for.

Policy 10

Policy 10 of the NPS-IB seeks to recognise and provide for activities that contribute to New Zealand’s social, economic, cultural, and environmental wellbeing.

Section 6.3 of this report provides an assessment of the social and economic effects of the project as a whole and how it will support the social and economic wellbeing of the community.

OGNZL continues to work with tangata whenua regarding cultural effects and how the project can best provide for cultural wellbeing.

As set out in Section 6.6, the WNP includes a range of environmental mitigation, offsetting, and compensation provisions that will ensure that a “positive net gain” in environmental wellbeing (including indigenous biodiversity) is achieved.

Policies 13 and 14

Policy 13 of the NPS-IB seeks to promote and provide for restoration of indigenous biodiversity.

Policy 14 of the NPS-IB seeks to promote increased indigenous vegetation cover in both urban and non-urban environments.

The environmental mitigation, remediation, offsetting, and compensation measures proposed as part of the WNP will positively contribute to the restoration of indigenous biodiversity and an increase in indigenous vegetation cover in the Waihi area, resulting in an



overall net gain in indigenous biodiversity values. In addition, the Waihi North Biodiversity Project, while not required to manage the effects of the WNP, will assist in achieving the overall objective of the NPS-IB.

8.7.3.10 Waikato Regional Policy Statement

The Waikato RPS provides an overview of the resource management issues for the Waikato Region, and sets out objectives, policies and methods intended to achieve the integrated management of natural and physical resources. It became operative on 20 May 2016. The Regional Plan, HDP, and TCDP are required to give effect to the Waikato RPS, although it is understood that none of these documents have been amended so far to reflect the most recent policy direction provided by the Waikato RPS.

The topics in the Waikato RPS relevant to the WNP are discussed in the sub-sections that follow.

Integrated Management

Objective IM-01 seeks that natural and physical resources are managed in a way that recognises the inter-relationships within, and values of, catchments, and the relationships between environmental, social, economic and cultural wellbeing (amongst other things). This objective is intended to be implemented by a range of policies in the Waikato RPS, many of which are discussed in the sub-sections below.

However, Policy IM-P1 specifies that an integrated approach to resource management will be adopted by recognising the inter-connected nature of natural and physical resources and the multiple values of natural and physical resources. Many of the methods to implement this policy are focussed on plan-making processes and the development of strategies, and not the assessment of resource consent applications.

Notwithstanding this, the technical assessments commissioned by OGNZL have considered the actual and potential effects of the WNP on land and freshwater resources in an integrated manner. This includes consideration of the effects of the WNP at both a localised, area specific and project wide (including catchment wide) scale. OGNZL has also taken care to ensure the technical assessments that inform this application have been shared between the relevant experts to ensure the effects management hierarchy has been applied (particularly with respect to freshwater and ecological matters) and the effects of various activities are appropriately managed at the point of origin where practicable to do so.

Resource Use and Development

There is a broad suite of provisions in the Waikato RPS which seek to recognise and provide for sustainable resource use and development in the Waikato Region, and access to its



significant mineral resources. This includes Objective IM-O2 which seeks (as primarily relevant) that this be done by maintaining, and where appropriate, enhancing:

- > Access to natural and physical resources to provide for regionally significant industries;^{117,118}
- > The life-supporting capacity of soils, water and ecosystems to support primary production activities;¹¹⁹
- > Access to the region's significant mineral resources;¹²⁰ and,
- > The availability of water for municipal and domestic supply to people and communities.¹²¹

Objective IM-O8 also seeks that the use and development of natural and physical resources occurs in a way and at a rate that is sustainable, and that the use and development of all natural and physical resources occurs in an efficient manner and minimises the generation of waste.

- > Related to these two objectives, Policy IM-P4 of the Waikato RPS specifies that the management of natural and physical resources should provide for the continued operation and development of regionally significant industries by:
- > Recognising the value and long-term benefits of regionally significant industry to wellbeing;¹²²
- > Ensuring that the adverse effects of regionally significant industry are avoided, remedied or mitigated;¹²³
- > Maintaining and, where appropriate, enhancing access to natural and physical resources, while balancing the competing demand for these resources;¹²⁴ and
- > Promoting positive environmental outcomes.¹²⁵

¹¹⁷ Regionally significant industries are defined in the Waikato RPS as *an economic activity based on the use of natural and physical resources in the region and is identified in regional or district plans, which has been shown to have benefits that are significant at a regional or national scale. These may include social, economic or cultural benefits*

¹¹⁸ Waikato RPS Objective IM-O2 (1).

¹¹⁹ Waikato RPS Objective IM-O2 (2).

¹²⁰ Waikato RPS Objective IM-O2 (4).

¹²¹ Waikato RPS Objective IM-O2 (5).

¹²² Waikato RPS Policy IM-P4 (1).

¹²³ Waikato RPS Policy IM-P4 (3).

¹²⁴ Waikato RPS Policy IM-P4 (5).

¹²⁵ Waikato RPS Policy IM-P4 (7).



Policy UFD-P5 goes on to state that management of development of the built environment should appropriately recognise the potential benefits of further development of mineral resources and the need to manage the adverse effects of such activities.¹²⁶

These provisions are principally intended to be implemented via regional and district plans. However, it is noted that the development of the WNP will promote access to the regionally significant mineral resource located within Areas 1 (WUG) and 5 (GOP). As described in Section 6.3 of this report, the WNP will be a transformational project for the Hauraki District and will generate significant local, regional and national economic benefits, including the creation of 389 new jobs and 440 indirect jobs over the project period.

The WNP will also utilise existing mining infrastructure where practicable, including the existing Processing Plant, conveyor and the WTP, as well as other infrastructure located within the Waihi SFA. This represents an efficient and sustainable use of these existing resources.

The Waihi North Biodiversity Project is proposed as a way to ensure habitats and species are maintained and enhanced in the vicinity of WNP for at least the foreseeable future and ideally in perpetuity. The proposed approach deliberately maximises the involvement of tangata whenua and other people (including via employment) and is intended to be designed with long term (inter-generational) ecological outcomes in mind. The benefits associated with the Waihi North Biodiversity Project are not required to avoid, remedy, mitigate, offset or compensate for any effects arising as a result of the WNP.

The construction, operation and closure of the mine will be undertaken in accordance with management measures described in Section 6.20 of this report. With these measures in place, the effects of the WNP will allow the benefits described above to be realised, while avoiding, remedying or mitigating its adverse effects across the entire project area. The manner in which the WNP utilises and develops resources is therefore considered to be consistent with the relevant provisions of the Waikato RPS.

Decision Making

Decision making is guided by Objective IM-O3 of the Waikato RPS which seeks that it is undertaken in a holistic and consistent manner. While this objective is directed at decision makers, it should be noted that:

¹²⁶ Waikato RPS Policy UFD-P5 (3) and (4).



- > The WNP has been developed in accordance with OGNZL's existing Overseas Investment Office and Department of Conservation access agreements. These are both informed by the relevant overarching legislation that underpins the agreements;¹²⁷
- > The WNP is located largely within the WRC and HDC boundaries, with some minor activities occurring within the TCDC area. It is considered that the project has taken an integrated approach to managing resources;¹²⁸
- > A 35-year term has been sought for the RMA authorisations required. This is appropriate given the level of investment required to establish the WNP and the treatment of the water from the mine and associated management of effects will likely extend for a period of 35 years. The term has been coupled with extensive monitoring and reporting conditions to ensure the effects of the activity remain within the anticipated limits described in this application, and that such data can be used to inform future reviews and amendments to conditions (as necessary) to respond to any changes in environmental policy over the life of the consent;¹²⁹
- > While the effects of the WNP are generally well understood, there are a number of project elements where a precautionary approach has been taken and an adaptive management approach is adopted. An offset has also been proffered with respect to discrete elements (such as potential effects on leiopelmatid frogs within Area 1). Taking such an approach to the management of adverse effects will achieve substantial net environmental gains;¹³⁰
- > OGNZL has engaged a number of national and international experts to inform the design, siting and management of activities associated with the WNP, including the management of cumulative effects. These technical reports are all appended to, and form part of this report;¹³¹
- > The effects of the WNP have been considered both at an area specific and project wide scale. This has allowed OGNZL to account for local variations and sensitivity of each area, while also applying a broader lens with respect to the overall project and the cumulative effects it will generate (both adverse and positive);¹³² and

¹²⁷ Waikato RPS Objective IM-O3 (1).

¹²⁸ Waikato RPS Objective IM-O3 (2).

¹²⁹ Waikato RPS Objective IM-O3 (3) and (9).

¹³⁰ Waikato RPS Objective IM-O3 (4).

¹³¹ Waikato RPS Objective IM-O3 (6), (7), (8) and (9).

¹³² Waikato RPS Objective IM-O3 (8).



- > OGNZL has and continues to engage with tāngata whenua regarding the WNP. As described in Section 5 of this report, a comprehensive community wide engagement programme commenced in July 2021 as part of OGNZL's initial plans to develop what were then referred to as Project Quattro and the Wharekirauponga Exploration Tunnel Project. The communication channels established during this engagement programme (such as the community engagement line and project website) remain open for the community to continue to discuss the project with OGNZL.¹³³

The promulgation of the WNP has therefore been undertaken in a manner that is consistent with this objective, such that Objective IM-O3 does not pose an impediment to the decision-making process.

Relationship of Tangata Whenua with the Environment

Objective IM-O7 of the Waikato RPS seeks that the relationship of tangata whenua with the environment is recognised and provided for, including:

- > The use and enjoyment of natural and physical resources in accordance with tikanga Māori, including mātauranga Māori; and
- > The role of tangata whenua as kaitiaki.

The associated policies in the Waikato RPS on this matter direct the following:

- > Tāngata whenua are to be provided appropriate opportunities to express, maintain and enhance the relationship with their rohe through resource management and other local authority processes;¹³⁴
- > Provide for the collaborative, consistent and integrated management of historic and cultural heritage resources;¹³⁵ and
- > Recognise and provide for the relationship of tangata whenua and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.¹³⁶

Most of the methods are focussed on actions to be undertaken by the WRC and local authorities. In this regard, they refer to local authorities working with tangata whenua to identify opportunities to maintain or enhance their relationship with their rohe through

¹³³ Waikato RPS Objective IM-O3 (10) and (11).

¹³⁴ Waikato RPS Policy IM-P3.

¹³⁵ Waikato RPS Policy HCV-P1.

¹³⁶ Waikato RPS Policy HCV-P2.



recognition, protection, maintenance or enhancement of Māori cultural landscapes (and for these to be provided within regional and district plans).

OGNZL recognises and acknowledges that only tangata whenua can speak to what they consider is the relevance of these provisions to the WNP. However, Section 5.3 of this report documents the extensive engagement undertaken by OGNZL within tangata whenua to understand the cultural impacts of the project. This engagement has been undertaken in a manner designed to be consistent with these provisions of the Waikato RPS. Section 6.2 provides an assessment of cultural effects, as well as document the measures proposed by OGNZL to recognise the relationship iwi have to the area within which the WNP is proposed.

Air Quality

Objective AIR-O1 of the Waikato RPS and associated policies¹³⁷ relates to the management of air quality. It seeks that air quality be managed so that where existing air quality is better than national environmental standards for ambient air, any degradation is as low as reasonably achievable, so it avoids unacceptable risks to human health and ecosystems. It also seeks to avoid (where practicable) adverse effects on local amenity values.

Potential effects on air quality are addressed in detail in Section 6.13 of this report. Overall, it is concluded that the ambient concentrations of key contaminants associated with the WNP are expected to remain within the relevant standards and guideline values, thus preserving human health.

In addition, a number of management measures are proposed by OGNZL as part of the proposed conditions (including the implementation of a comprehensive Air Quality Management Plan) to ensure that any discharges to air are managed and controlled so they do not result in objectionable effects beyond a property boundary.

In light of the above, it is considered that the WNP will meet the management outcome sought by Objective AIR-O1 and the associated policies with respect to air quality and the control of the effects of air discharges.

Built Environment

Once established, the WNP will comprise part of the built of environment.¹³⁸

¹³⁷ Waikato RPS Policy AIR-P1 & Policy AIR-P2.

¹³⁸ Defined in the Waikato RPS as “*buildings, physical infrastructure and to other structures in urban, rural and coastal marine area and their relationships to natural resources, land use and people*”.



Objective UFD-O1 of the Waikato RPS seeks that development of the built environment (including transport and other infrastructure) occurs in an integrated, sustainable and planned manner which enables positive environmental, social, cultural and economic outcomes. It seeks to achieve this outcome in a range of ways, including (as relevant):

- > Promoting positive indigenous biodiversity outcomes;¹³⁹
- > Preserving and protecting natural character, and protecting ONFL from inappropriate subdivision, use, and development;¹⁴⁰
- > Integrating land use and infrastructure planning, including by ensuring that development of the built environment does not compromise the safe, efficient and effective operation of infrastructure corridors;¹⁴¹
- > Integrating land use and water planning, including by ensuring that sufficient water is available to support future planned growth;¹⁴²
- > Protecting access to identified significant mineral resources;¹⁴³ and
- > Minimising land use conflicts, including minimising potential for reverse sensitivity.¹⁴⁴

Policies UFD-P1 and UFD-P5 provide the most relevant direction on how Objective UFD-O1 should be implemented.

Policy UFD-P5 is discussed with respect to resource use and development earlier in this report. Policy UFD-P1 directs, among other matters, that subdivision, use and development of the built environment occurs in a planned and coordinated manner. Its associated methods specify that local authorities should have regard to the principles in Appendix APP11 (Development principles) of the Waikato RPS when preparing, reviewing or changing their plans and developing planning methods.

Regard has been given to the relevant principles in APP11 of the Waikato RPS and it is considered that the project broadly aligns with the relevant matters. In particular:

¹³⁹ Waikato RPS Objective UFD-O1 (1).

¹⁴⁰ Waikato RPS Objective UFD-O1 (2).

¹⁴¹ Waikato RPS Objective UFD-O1 (3).

¹⁴² Waikato RPS Objective UFD-O1 (4).

¹⁴³ Waikato RPS Objective UFD-O1 (5).

¹⁴⁴ Waikato RPS Objective UFD-O1 (6).



- > The WNP will not displace urban land use in a manner which results in the need for further urban development of greenfield areas, and the existing delineation between urban and rural areas within Waihi will not be affected;¹⁴⁵
- > The WNP will necessitate the upgrading and relocation of PowerCo power lines which currently traverse through Areas 5 and 6. This work will be undertaken by OGNZL, with the relevant approval of PowerCo. As described in Section 6.18.1.1 of this report, an intersection upgrade is required to the intersection at the Willows site (Area 2) and SH25. This upgrade is appropriate for the type and nature of transportation activities occurring, and will not adversely affect the efficiency and safe functioning of SH25;¹⁴⁶
- > Potential adverse effects on natural hydrological characteristics and processes, water quality and quantity and aquatic ecosystems have been considered in Sections 6.4 and 6.6 of this report. While some potential adverse effects on these values cannot be avoided, OGNZL is proposing a range of measures such that adverse effects are avoided, where practicable, and are otherwise remedied or mitigated in line with the outcomes sought by the Regional Plan, HDP, and TCDP;¹⁴⁷
- > The WNP has been designed to minimise the “use” of water by diverting all non-contact water into nearby rivers and streams. Contact water will be diverted, via the WTP, to the Ohinemuri River. Overall, the diversion and taking of water comprises a “zero net take” insofar as it relates to surface water and for groundwater, it generally retains the volume of water within the catchment of origin (with the exception of Area 1). The “use” of water in this manner is, therefore, considered to be highly efficient;¹⁴⁸
- > The WNP has been designed to extract and utilise an area of significant mineral resource, while minimising any potential natural hazard risks or effects on high class soil resources;¹⁴⁹
- > Landscape values associated with the WNP will generally be maintained and associated effects are considered appropriate in terms of natural character effects or effects on outstanding natural landscapes (with respect to Area 1). Where heritage is a relevant consideration (Areas 1, 2, 5, and 6), conditions, coupled with a site wide Archaeological Authority, will ensure that historic heritage is recognised and protected;¹⁵⁰

¹⁴⁵ Waikato RPS Development Principle APP11 (b) and (c).

¹⁴⁶ Waikato RPS Objective UFD-O1 (3) and Development Principle APP11 (d) and (e).

¹⁴⁷ Waikato RPS Objective UFD-O1 (4) and Development Principle APP11 (f) and (m).

¹⁴⁸ Waikato RPS Objective UFD-O1 (4) and Development Principle APP11 (g) and (s).

¹⁴⁹ Waikato RPS Development Principle APP11 (h).

¹⁵⁰ Waikato RPS Objective UFD-O1 (2) and Development Principle APP11 (j).



- > The WNP will not alter existing public access opportunities to and along rivers within the project area;¹⁵¹
- > The WNP will result in a substantial net gain for indigenous biodiversity which will positively contribute towards the protection of significant indigenous vegetation and significant habitats of indigenous fauna listed in the relevant statutory planning documents. Overall, the project will also contribute towards the maintenance or enhancement of ecosystem services;¹⁵² and
- > A range of conditions and management plan requirements are proposed by OGNZL in order to ensure that the WNP does not cause undue adverse effects on sensitive land uses nearby.¹⁵³

Overall, the WNP will occur in an integrated, sustainable and planned manner which achieves the outcomes sought by Objective UFD-O1 and related Policies UFD-P1 and UFD-P5 of the Waikato RPS.

Freshwater Management

Objective LF-O1 of the Waikato RPS seeks to maintain or enhance the mauri and identified values of freshwater bodies. It proposes to do this by implementing many of the outcomes sought by the objectives and policies of the NPS-FM¹⁵⁴, including maintaining or enhancing the overall quality of freshwater within the Waikato Region, safeguarding the life-supporting capacity of freshwater bodies, and enabling people to provide for their social, economic and cultural wellbeing. It also proposes to establish objectives, limits and targets for freshwater bodies.

Objective LF-O2 seeks that the allocation and use of freshwater is managed to achieve those freshwater objectives by:

- > Avoiding any new over-allocation of ground and surface water;
- > Seeking to phase out any existing over-allocation of ground and surface water by 31 December 2030;
- > Increasing efficiency in the allocation and use of water; and
- > Recognising the social, economic and cultural benefits of water takes and uses.

¹⁵¹ Waikato RPS Development Principle APP11 (l).

¹⁵² Waikato RPS Objective UFD-O1 (1) and Development Principle APP11 (k) and (t).

¹⁵³ Waikato RPS Objective UFD-O1 (7) and Development Principle APP11 (o).

¹⁵⁴ Note that the Waikato RPS gives effect to an earlier version of the NPS-FM and has not been updated to give full effect to the NPS-FM.



The analysis provided in Section 8.7.3.7 of this report with respect to the consistency of the WNP with the objectives and policies of the NPS-FM, is equally applicable to Objectives LF-O1 and LF-O2 of the Waikato RPS (and the project is considered to sit comfortably with the outcomes sought).

Policies LF-P2, LF-P3, LF-P6, and LF-P7 are the key relevant policies that seek to implement the above objectives. The key points to note include:

- > The outstanding values of the natural state waterbodies within Coromandel Forest Park will be protected by using underground rather than surface mining methods and through the implementation of carefully developed underground tunnelling and mining methodologies which minimise the risk of dewatering effects on the natural state waterbodies and corresponding adverse effects on their values;¹⁵⁵
- > The WNP avoids undertaking works directly within the Mataura, Gladstone and Favona Wetlands. While some indirect effects may be observed within the Mataura and Gladstone Wetlands as a result of changes to the upstream catchments of the wetlands, the changes in the hydrological functioning will be within the range of natural variability of the wetlands. Furthermore, extensive riparian planting around the Mataura and Gladstone Wetlands will further enhance their value;¹⁵⁶
- > OGNZL has developed a monitoring and management programme for Natural State Water Bodies and natural inland wetlands located above the proposed underground mining activities. The programme is to be implemented as ore drive development and the mining of stopes occurs at the WUG. This programme will ensure that any unlikely but potential dewatering effects on the surface waterbodies are managed to retain the natural extent, values, water levels, and flows of the features;¹⁵⁷
- > The identified values of the freshwater bodies within the WNP area will be maintained or enhanced by managing the activities occurring within each area and adhering to the proposed conditions which collectively ensure;¹⁵⁸
 - > The activities do not affect the WRC's ability to achieve an ongoing reduction in the contamination and sedimentation of freshwater bodies;

¹⁵⁵ Waikato RPS Policy LF-P2.

¹⁵⁶ Waikato RPS Policy LF-P2.

¹⁵⁷ Waikato RPS Policy LF-P2

¹⁵⁸ Waikato RPS Policy LF-P3.



- > Riparian and wetland habitats and instream habitat diversity will be protected, with extensive planting of these areas contributing towards their continued enhancement;
- > The migratory patterns for indigenous freshwater species and trout are provided where viable upstream habitats are present;
- > Physical modification of freshwater bodies is avoided where practicable; and,
- > The interlinkage between groundwater and surface water and their flows and levels are managed, as is the introduction of pest and weed species; and
- > Groundwater takes are required within Areas 1, 2, 3 and 5 associated with drilling activities, pumping tests, and the dewatering of tunnels and working mine areas. A single surface water take is required within Area 5 to dewater the base of the GOP. Within Areas 2, 3 and 5, these takes will be diverted back into the same catchment of origin (via the WTP for treatment prior to discharge into the Ohinemuri River). As such, these takes will not reduce the amount of surface water available for other potential water users.¹⁵⁹

The activities that form part of the WNP are therefore being undertaken in a manner that is generally consistent with the directives of Policies LF-P2, LF-P3 and LF-P6 and ensures the outstanding freshwater values of outstanding freshwater bodies and the significant values of wetlands are protected and enhanced, the values of other freshwater bodies are maintained or enhanced, and minimises its contribution towards the increasing demand and competition for water within the Ohinemuri and Otahu Catchments.

Riparian Areas and Wetlands

Objective LF-O3 of the Waikato RPS and its associated policies seek that riparian areas and wetlands be managed to maintain or enhance a range of values including water quality, indigenous biodiversity, cultural values and the quality and extent of riparian and wetland habitat.¹⁶⁰ Risks from natural hazards are also required to be effectively managed.

As set out in detail earlier in this report, extensive planting of riparian areas and wetlands is proposed throughout the proposed work areas. A monitoring and management programme is also proposed in relation to unlikely but potential dewatering effects on natural inland wetlands located within the Coromandel Forest Park and above the proposed underground

¹⁵⁹ Waikato RPS Policy LF-P6 c) and (e) and Policy LF-P7.

¹⁶⁰ Waikato RPS Objective LF-O3 also seeks that they be managed to maintain or enhance public access and amenity values, and this aspect of the provision is addressed in more detail in later in this report.



mining activities (refer to Section 6.4.1). These works will collectively ensure that the amenity values, water quality, indigenous biodiversity values and quality and extent of riparian and wetland habitats is enhanced at both a site specific and project wide scale.

Historic Heritage

Objective HCV-O1 and the associated policies¹⁶¹ of the Waikato RPS specifies that sites, structures, landscapes, areas or places of historic and cultural heritage are to be protected, maintained or enhanced in order to retain the identity and integrity of the Waikato Region and New Zealand's history and culture.

The provisions of the Waikato RPS regarding the relationship of tangata whenua with their cultural heritage are addressed earlier in this assessment of the Waikato RPS provisions.

Historic heritage is a relevant consideration with respect to Areas 1, 2, 5, and 6 as these areas contain known areas of historic heritage. None of the heritage features are listed however, in the HDP or by HNZ. As discussed by Clough (2025), a site wide Archaeological Authority is required to ensure that the works are undertaken in a manner that appropriately protects, maintains or enhances the identity and integrity of the region's history, in line with the outcomes sought by Objective HCV-O1. The requisite application forms part of this fast-track application.

Indigenous Biodiversity and Ecosystem Services

Objective IM-O6 of the Waikato RPS seeks that the range of ecosystem services¹⁶² associated with natural resources are maintained or enhanced to enable their ongoing contribution to regional wellbeing. Further, Objective ECO-O1 seeks that the full range of ecosystem types, their extent and the indigenous biodiversity that those ecosystems can support, exists in a healthy and functional state.

The key policies that seek to implement Objectives IM-O6 and ECO-O1, as relevant to the WNP, are Policies ECO-P1 and ECO-P2. They direct the following:

- > Promote positive indigenous biodiversity outcomes to maintain the full range of ecosystem types and maintain or enhance their spatial extent as necessary to achieve

¹⁶¹ Waikato RPS Policy IM-P3, Policy HCV-P1 and Policy HCV-P3.

¹⁶² Defined as the benefits people obtain from ecosystems. These include provisioning services (such as food and water), regulating services (such as flood and disease control), cultural services (such as spiritual, recreational, and cultural benefits) and supporting services (such as nutrient cycling) that maintain the conditions for life on Earth.



healthy ecological functioning of ecosystems, with a particular focus on working towards achieving no net loss;¹⁶³ and

- > Significant indigenous vegetation and the significant habitats of indigenous fauna should be protected by ensuring the characteristics that contribute to its significance are not adversely affected to the extent that the significance of the vegetation or habitat is reduced.¹⁶⁴

As described in Section 6.6 of this report, there are a number of indigenous species and significant habitats of indigenous fauna located throughout the WNP area. The various project elements have been carefully sited and designed to avoid (where practicable), minimise and remedy the effects of the project on these species and habitats, with offsetting provided where such outcomes cannot be achieved, and / or to support a precautionary approach to management. In particular, offsetting is provided with respect to the potential effects on some species and habitats, such as Archey's Frog, where the potential effects of mining have been assessed as low or very low, but are not certain.

Overall, the WNP provides a generous level of enhancement planting and habitat protection and creation, beyond what is necessitated by any offsetting ratios or calculations in order to achieve a 'no net loss' outcome. Along with site specific management responses to minimise the potential adverse effects on indigenous biodiversity and habitats at the source of the effect, the enhancement works will ensure that the WNP maintains the full range and extent of ecosystem types and the indigenous biodiversity that they support. Similarly, such measures will ensure the values of those areas identified as significant indigenous vegetation or significant habitats of indigenous fauna will be protected.

Accordingly, the WNP is being undertaken in a manner that is consistent with the outcomes sought by Objective IM-O6 and Objective ECO-O1 and the associated policies.

In addition, although not required in terms of mitigation of WNP effect, OGNZL is proposing to establish the Waihi North Biodiversity Project. As discussed in Section 2.14, the project includes a \$8.4 million predator control and ecological enhancement project, to occur across an up to 18,870 ha area of the southern Coromandel Forest Park which is aimed at achieving long-term (inter-generational) positive ecological outcomes for the area.

¹⁶³ Waikato RPS Policy ECO-P1.

¹⁶⁴ Waikato RPS Policy ECO-P2.



Landscape, Natural Character and Amenity

Objectives NFL-O1, IM-O9 and NATC-O1 of the Waikato RPS relate to the management outcomes expected for landscapes, natural character and amenity, respectively. They seek:

- > That the values of ONFL are identified and protected from inappropriate use and development;¹⁶⁵
- > The maintenance or enhancement of the qualities and characteristics of areas and features valued for their contribution to amenity;¹⁶⁶ and
- > The protection of the natural character of wetlands, lakes and rivers and their margins from the adverse effects of inappropriate use and development.¹⁶⁷

The associated policies direct that the values and characteristics of outstanding natural landscapes are protected from adverse effects arising from inappropriate use and development,¹⁶⁸ activities within wetlands, rivers and their margins are appropriate in relation to the level of natural character at those locations,¹⁶⁹ and that amenity values are identified, maintained and enhanced.¹⁷⁰

In respect to these provisions:

- > Coromandel Forest Park is identified as an ONL. Boffa Miskell (2025e) concludes that the activities proposed to occur within this area will do so in a way that protects the recognised aesthetic, cultural and intrinsic values, and therefore avoids inappropriate use and development;¹⁷¹
- > The landscape elements that contribute to amenity values and the quality of the environment will be maintained and enhanced through the duration and completion of the project;¹⁷² and
- > Within Coromandel Forest Park, the potential for natural character effects is largely addressed by the nature of underground mining and its inherent ability to avoid any significant effects on streams and their margins.

¹⁶⁵ Waikato RPS Objective NFL-O1.

¹⁶⁶ Waikato RPS Objective IM-O9.

¹⁶⁷ Waikato RPS Objective NATC-O1.

¹⁶⁸ Waikato RPS Policy NFL-P1.

¹⁶⁹ Waikato RPS Policy NATC-P1.

¹⁷⁰ Waikato RPS Policy IM-P5.

¹⁷¹ Waikato RPS Objective NFL-O1.

¹⁷² Waikato RPS Objective IM-O9.



- > The greatest potential for natural character effects primarily occurs in the context of more modified watercourses outside of the Forest Park which are set in a working rural context. In such areas, man-made elements / influences are more dominant, and the nature of mining activity, as proposed, is not considered inappropriate. Furthermore, the extensive offset and enhancement planting proposed along the tributaries of the Mataura Stream, Ohinemuri River and Ruahorehore Stream enables the overall contribution to natural character within this broader landscape to be preserved.¹⁷³

The WNP achieves the outcomes sought by Objectives NFL-O1, IM-O9 and NATC-O1.

Public Access

Objective IM-O10 and associated policies¹⁷⁴ of the Waikato RPS seek that public access to, and along, lakes and rivers is maintained and enhanced. Objective LF-O3 seeks the same outcome in respect of riparian areas and wetlands.

The activities associated within the WNP will not result in any new impediments to public access along the Ohinemuri River, Mataura River or Ruahorehore Stream. Similarly, no changes are proposed to access arrangements to the Mataura, Gladstone or Favona Wetlands. The surrounding land is currently held in private ownership. No change is proposed to this access arrangement as part of this resource consent application.

No limitations to access to natural state and other waterways in the Coromandel Forest Park will be required as part of implementing mining operations and associated investigations and monitoring. Accordingly, the WNP is consistent with these provisions.

Natural Hazards

Objective HAZ-O1 of the Waikato RPS seeks that the effects of natural hazards on people, property and the environment are managed by:

- > Increasing community resilience to hazard risks;
- > Reducing the risks from hazards to acceptable or tolerable levels; and
- > Enabling the effective and efficient response and recovery from natural hazard events.

The associated policies go on to direct that natural hazard risks be managed using an integrated and holistic approach, and development is managed to reduce the risks from

¹⁷³ Waikato RPS Objective NATC-O1.

¹⁷⁴ Waikato RPS Policy IM-P6 and Policy IM-P7.



natural hazards to an acceptable or tolerable level.¹⁷⁵ Policies also seek to ensure the risks associated with high impact, low probability natural hazard events are considered.¹⁷⁶

As described in Section 6.8 of this report, the underlying geotechnical conditions, seismic and flood hazard profile of each area have been accounted for in the conceptual design of the key project elements – the underground tunnels, rock stacks, open pit and diversion channels. TSF3 will also be designed, constructed and operated in accordance with modern standards which are set out in the New Zealand Dam Safety Guidelines and regulated through the Building Act and regulations. Dams that are designed and operated to these standards have a low and acceptable risk of potential failure and a breach will be highly unlikely to occur.

Accordingly, these features will not create an unacceptable or intolerable level of natural hazard risk for those working within the project area or those working or residing in the surrounding environment.

Soils

Objective LF-O4 of the Waikato RPS seeks that the soil resource is managed to safeguard its life-supporting capacity, for the existing and foreseeable range of uses. In this case, the existing and foreseeable range of uses following closure of the mine and its various project elements is agricultural use.

The key directives arising from policies that give effect to this objective include:

- > Ensuring the soil resource is managed to minimise sedimentation and erosion, maintain or enhance soil properties and retain soil versatility to protect the existing and foreseeable range of soil resources;¹⁷⁷
- > Avoid a decline in the availability of high class soils for primary production due to inappropriate use or development;¹⁷⁸
- > Ensuring that contaminants in soil are minimised and do not cause a reduction in the range of existing and foreseeable uses of the soil resource;¹⁷⁹ and,

¹⁷⁵ Waikato RPS Policy HAZ-P1 and Policy HAZ-P2.

¹⁷⁶ Waikato RPS Policy HAZ-P2.

¹⁷⁷ Waikato RPS Policy LF-P8.

¹⁷⁸ Waikato RPS Policy LF-P11.

¹⁷⁹ Waikato RPS Policy LF-P9.



- > Identify and manage contaminated land to protect human health, plant and animal health, water, air and soil quality from unacceptable risk.¹⁸⁰

All of Area 7 is located within an area of “high productive soil”, as defined in the Waikato RPS. Area 7, like the remainder of the areas used for mining activities within Area 2, 5 and 6, will be rehabilitated in line with their respective closure plans. While it is anticipated that land within the WNP will generally be reverted back to pastoral use, the conditions require that, as part of the Rehabilitation and Closure Plan, the composition of the soils onsite are such that they are highly unlikely to be a risk to human health considering the post closure use of that land.

Erosion and sediment control plans will be implemented throughout the WNP area during construction to ensure that sedimentation and erosion is minimised. Topsoil will also be stripped and stockpiled from greenfield areas and used in subsequent rehabilitation works.

In light of the above measures, which are further described earlier in this report, the soil resource within the WNP will be managed to ensure its life-supporting capacity is safeguarded for both existing and foreseeable uses.

Overall Conclusion

It is concluded that, overall, the activities associated with the WNP are being undertaken and managed in a way that is consistent with the objectives and policies of the Waikato RPS.

8.7.3.11 Waikato Regional Plan

The Regional Plan contains objectives, policies, rules and other methods relating to the management of natural and physical resources of the Waikato Region. This Plan became operative on 28 September 2007 and has been varied several times over the past decade to address issues relating to water allocation, geothermal systems management and water quality in Lake Taupo. It is noted that Proposed Plan Change 1 to the Regional Plan is not relevant to this application as the activities do not fall within the Waikato or Waipā River Catchments.

The Regional Plan predates the NPS-FM and Waikato RPS and has not been reviewed or updated to give effect to these higher-order statutory planning documents in their current form, with the exception of those clauses of the NPS-FM that require mandatory inclusion.

The Regional Plan addresses the following topics of relevance to the WNP:

¹⁸⁰ Waikato RPS Policy HAZ-P4.



- > Tangata whenua relationships with natural and physical resources;
- > Water – including provisions which address water takes, efficient use, discharges to water, and the damming and diversion of water;
- > Riverbeds – including provisions relating to the erection and use of structures;
- > Land and soil – including provisions which address works in high-risk erosion areas, and discharges onto or into land; and
- > Air – including the management of dust and other discharges of contaminants to air.

An analysis of the relevant objectives and policies is provided in the sub-sections below.

Tangata Whenua Relationship with Natural and Physical Resources

The objectives in Section 2.3.2 of the Regional Plan relate to the relationship of tangata whenua with natural and physical resources. They seek:

- > The minimisation of uncertainty regarding the relationship between tangata whenua and resources for which they are kaitiaki; and
- > Tangata whenua being able to give effect to kaitiakitanga.

The associated policies specify that the process for determining the relationship of tangata whenua with natural and physical resources should be defined,¹⁸¹ and that methods to increase community awareness of the relationship between tangata whenua and natural and physical resources should be promoted.¹⁸²

As with the Waikato RPS, most of the implementation methods are focussed on actions to be undertaken by the WRC. In this regard, they refer to local authorities working with tangata whenua to establish relationships, encouraging the development of iwi management plans and facilitating the involvement of iwi in resource management processes.

OGNZL recognises and acknowledges that only tangata whenua can speak to what they consider these provisions mean in the context of the WNP. However, Section 5.3 of this report documents the extensive engagement undertaken by OGNZL within tangata whenua to understand the cultural impacts of the project. This engagement has been undertaken in a manner designed to be consistent with these provisions of the Regional Plan. Section 6.2

¹⁸¹ Regional Plan Section 2.3.3 - Policy 1.

¹⁸² Regional Plan Section 2.3.3 - Policy 2.

provides an assessment of cultural effects, as well as document the measures proposed by OGNZL to recognise the relationship iwi have to the area within which the WNP is proposed.

National Direction

Objective 3.A.1 of the Regional Plan reflects the directions set out in clause 3.26(1) of the NPS-FM. Specifically, it seeks to ensure fish passage is maintained or improved by instream structures, except where it is desirable to prevent fish passage in order to protect desired fish species, their life stages, or their habitats.

As described in Section 6.6 of this report, all instream structures will provide for fish passage as appropriate for the species present within the relevant waterbody. Conditions will ensure these key design requirements carry through into detailed design.

Policy 3.A.2 builds on Policy 6 of the NPS-FM and seeks to avoid the loss of extent of natural inland wetlands, promote their values and promote their restoration. As discussed in earlier in this section (with respect to Policy 6 of the NPS-FM) there are 50 natural wetlands located within the Coromandel Forest Park above the proposed WUG mining activities, the Mataura Wetland located within Area 2, and the Gladstone Wetland located within Area 5. Activities within these areas are being managed to ensure there is no loss in the extent of values of these wetlands, and in relation to the Mataura Wetland, restoration activities unrelated to adverse effects of the project are being proposed.

Policy 3.A.3 builds on Policy 7 of the NPS-FM and was addressed earlier in this report (when discussing Policy 7 of the NPS-FM). Collectively, these policies seek to avoid the loss of river extent and values unless the council is satisfied that:

- > There is a functional need for the activity in that location;¹⁸³ and
- > The effects of the activity are managed by applying the effects management hierarchy.¹⁸⁴

In respect to the loss of river extent and values of the tributaries of the Mataura Stream, Gladstone Stream, Ohinemuri River and Ruahorehore Stream, there is a demonstrated functional need for activities associated with the WNP to occupy part of the aforementioned waterbodies. The effects management hierarchy has subsequently been applied to the design of the features within and affecting the relevant waterbodies, as described earlier in this statutory assessment in respect of the NPS-FM

¹⁸³ Regional Plan Policy 3.A.3(a).

¹⁸⁴ For the purposes of this policy, functional need, effects management hierarchy and loss of value have the same meaning given by the National Policy Statement for Freshwater Management 2020.



Policy A4 and B7 of the National Policy Statement for Freshwater Management 2014 were inserted into the Regional Plan in August 2015. Despite a new NPS-FM being released in 2020, the 2014 policies remain in the Regional Plan.

When considering any application for a discharge, Policy A4 requires the consent authority to have regard to:

- > The extent to which the discharge avoids contamination that will have an adverse effect on the life-supporting capacity of freshwater and on the health of people and communities;¹⁸⁵ and
- > The extent to which it is feasible and dependable that any more than minor adverse effect on freshwater or the health of people and communities, resulting from the discharge will be avoided.¹⁸⁶

Similar to Policy A4, Policy B7 requires the consent authority to have regard to the following matters when considering any application for the taking, using, damming or diversion of freshwater or the drainage of a wetland which is likely to result in a more than minor adverse change in the natural variability of flows or level of freshwater:

- > The extent to which the change will adversely affect safeguarding the life-supporting capacity of freshwater and of any associated ecosystem;¹⁸⁷ and
- > The extent to which it is feasible and dependable that any adverse effect on the life-supporting capacity of freshwater resulting from the change will be avoided.¹⁸⁸

A number of discharge activities are proposed with the WNP, as described in Section 2 of this report. Section 6.6 of this report describes how these discharge activities will not give rise to more than minor adverse effects on the life-supporting capacity of freshwater or the health of people and the community.¹⁸⁹

Similarly, the taking, use, damming and diversion of freshwater is described in Section 2 of this report. As concluded in Sections 6.4 and 6.6, the taking, damming and diversion of water within the WNP area will not result in a more than minor adverse change to natural

¹⁸⁵ Regional Plan Policy A4(1)(a) and (2)(a).

¹⁸⁶ Regional Plan Policy A4(1)(b) and (2)(b).

¹⁸⁷ Regional Plan Policy B7(1)(a).

¹⁸⁸ Regional Plan Policy B7(1)(b).

¹⁸⁹ Regional Plan Policy A4(1) and (2).



flow regimes within the surrounding area. These outcomes are further secured by way of conditions, as described in **Part D** to these application documents.¹⁹⁰

Management of water resources

The management outcomes sought for all waterbodies within the Region are described in Objective 3.1.2 and the associated policies. In accordance with various outcomes sought by this objective:

- > The taking, use, diversion and damming of water associated with the WNP will support the ongoing social and economic wellbeing of the Waihi community, as described in Section 6.3;¹⁹¹
- > The activities proposed in association with the WNP have been designed to avoid significant adverse effects on aquatic ecosystems to the greatest extent practicable and to provide an overall positive net gain for indigenous biodiversity;¹⁹²
- > The WNP will maintain the characteristics of the flow regimes for waterbodies within the project area;¹⁹³
- > No adverse effects will arise for existing or reasonably foreseeable groundwater and surface water users, as a result of activities occurring within the WNP;¹⁹⁴
- > Groundwater and surface water takes associated with the WNP are generally being diverted back the same catchment of origin (with the exception of water associated with the WUG which will be transferred to the Ohinemuri catchment for treatment and discharge), therefore minimising the potential for inefficient use of the available ground surface water resources;¹⁹⁵
- > The extent and quality of the Region's natural wetlands will be increased, with extensive planting and enhancement of the Mataura Wetland. Further artificial wetlands will also be established as part of the closure plan for Areas 6 and 7;¹⁹⁶
- > The use and diversion of freshwater will not alter the purpose and values for which any water body is being managed;¹⁹⁷

¹⁹⁰ Regional Plan Policy B7(1)(b).

¹⁹¹ Regional Plan Objective 3.1.2(a).

¹⁹² Regional Plan Objective 3.1.2(c).

¹⁹³ Regional Plan Objective 3.1.2(e).

¹⁹⁴ Regional Plan Objective 3.1.2(f).

¹⁹⁵ Regional Plan Objective 3.1.2(g).

¹⁹⁶ Regional Plan Objective 3.1.2(h).

¹⁹⁷ Regional Plan Objective 3.1.2(l).

- > The activities located within rivers and their margins are not considered inappropriate and being managed such that their natural character will be protected.¹⁹⁸ Measures will be set in place to ensure that the effects of dewatering associated with mining will not affect natural state waterways to an extent that results in a meaningful change to natural flow regimes, ecological values and natural character. A similar approach to wetlands above the WUG will also be applied. Other wetlands identified within Areas 2 and 6 do not meet the definition of a “natural wetland”, as defined by the NES Freshwater;
- > Groundwater quality will be maintained, and groundwater takes will be undertaken either within catchments that have not been identified as aquifer management areas in the Regional Plan or where no sustainable yield has been identified. The appropriateness of the groundwater takes have been evaluated against the groundwater availability for the relevant catchments and will not adversely affect the values of potentially affected waterbodies;¹⁹⁹
- > The concentrations of contaminants leaching from land use activities and non-point source discharges to shallow groundwater and surface waters will not reach levels that present significant risks to human health or aquatic ecosystems;²⁰⁰ and,
- > Enabling the use of freshwater will give rise to positive social and economic benefits, while avoiding, remedying or mitigating adverse effects on the environment.²⁰¹

In light of the above, the WNP is generally consistent with the outcomes sought by Objective 3.1.2.

Associated with Objective 3.1.2, Policy 5 (in Section 3.2 of the Regional Plan) is of particular importance to activities occurring within Area 1 as it relates to the protection of natural state water bodies. Policy 5 directs that the purpose of the natural state water class is to protect the flow regime, water quality and riparian and aquatic habitat for indigenous species in order to maintain the aesthetic and intrinsic values derived from the unmodified or largely unmodified nature of the catchment. The policy goes on to note that these water bodies are outstanding waterbodies and important habitats because they are unmodified or substantially unmodified by human intervention.

¹⁹⁸ Regional Plan Objective 3.1.2(l) and (m).

¹⁹⁹ Regional Plan Objective 3.1.2 (m).

²⁰⁰ Regional Plan Objective 3.1.2 (o).

²⁰¹ Regional Plan Objective 3.1.2 (p).



As discussed with respect to Policy 8 of the NPS-FM, mining activities will be carefully managed to ensure that dewatering of deep groundwater to enable underground mining within Area 1 is carefully planned managed and monitored so that potential effects on natural flow regimes within the natural state surface water bodies are minimised. Activities within Area 1 will therefore not give rise to any effects on the overall flow regime, water quality and riparian and aquatic habitat of indigenous species within the Wharekirauponga, Adams, Teawaotemutu, Edmonds, Thompson, and Waiharakeke Streams.

A small, warm spring located within the Wharekirauponga Stream catchment will be lost as a result of dewatering within the WUG. This spring has low ecological value and changes to the flow regime of the Wharekirauponga Stream will be de minimis, with the spring contributing less than 5 % of the overall catchment baseflow. The contribution of the geothermal spring to the Wharekirauponga Stream is limited to deposits occurring along the substrate of the true right bank. It does not appear to have a detrimental or modifying effect on the Wharekirauponga Stream and therefore its absence is unlikely to influence downstream ecological values. Accordingly, the flow regime, water quality and riparian and aquatic habitat for indigenous species are being protected such that the aesthetic and intrinsic values derived from the unmodified or largely unmodified nature of the catchment will be maintained.

Wetland areas located above the WUG are not expected to incur any changes of particular consequence from dewatering associated with mining activities. Monitoring of these wetlands is required by the proposed conditions set out in **Part D** to these application documents.

In light of the above, the activities being undertaken will occur in a manner that is consistent with the directives described in Policy 5.

Water Takes

Objective 3.3.2 relates to the management of water allocation. In accordance with Objective 3.3.2, sufficient water will remain within catchments affected by the project to meet the needs of existing and reasonably foreseeable domestic, municipal and animal drinking water requirements; to safeguard the life-supporting capacity of freshwater and to meet the future social and economic needs of individuals and communities. The water takes will also avoid further degradation of water quality and exceeding the assimilative capacity of water bodies.

Policies 1 to 21 of Section 3.3 implement Objective 3.3.2. Policies 1 to 5 are focused on WRC functions regarding allocation limits and sustainable yields, with Policies 6 to 10 providing guidance around activity classification for water takes. Resource consent is being sought for



various water takes as part of the WNP, with the relevant rules deriving their origin from these provisions.

Policies 11 and 12 (assessment criteria for surface water takes and groundwater takes, respectively) are particularly relevant to the WNP as they apply when assessing any resource consent applications for surface or groundwater takes and any associated water use. They set out matters that are to be given particular regard when making decisions but are not absolute requirements or standards in their own right.

A single surface water take is proposed within Area 5 of WNP to provide for dewatering of surface water runoff and rainwater within the GOP. This requires consideration under the relevant policies (including Policy 11 relating to Assessment Criteria). It is important to note that this water, if left to drain naturally, would likely evaporate. OGNZL is proposing to divert this water to the WTP prior to discharge into the Ohinemuri River. Accordingly, the surface water take is considered a zero net take and does not offend the policy directives set out in Policy 11 of the WRP. In respect to groundwater, Areas 1 to 3 and 5 are not located within any specific aquifer management areas within the Regional Plan. Area 1 is assumed to be located within the Otahu Catchment, and Areas 2, 3 and 5 within the Waihi Basin Aquifer. Neither the Otahu nor Waihi Basin aquifers are currently subject to a sustainable yield in accordance with Table 3-6 of the Regional Plan. Table 3-6 does however, identify a management level for the shallow and deep Waihi Basin aquifers of 4,800,000m³ and 1,200,000m³ per year respectively. The groundwater availability for each catchment has been identified and assessed on this basis, as set out in Section 6.4.1 of this report and in the WWLA reports (2025a and 2025c).

The rationale for the abstraction of groundwater within each area is explained in Section 2. The actual and potential effects of the abstraction of groundwater (and how these will be managed) are discussed in Section 6.4.1 of this report. In particular, it is noted that the abstraction of groundwater is necessary to provide safe access to the mineral resources and that there are no viable alternative options to this approach. The groundwater take is also within the groundwater availability calculated for the affected catchments. Further, it is concluded that the abstraction of groundwater will not have any discernible effect on any existing groundwater abstraction, waterbodies including natural state waterbodies and natural inland wetlands (excluding the natural warm spring within Area 1), or habitats within the overlying water takes, or any other aquifers.

Accordingly, the dewatering activities associated with the WNP are being undertaken in a manner that is generally consistent with Policy 12 of the Regional Plan.



Policy 14 of the Regional Plan applies to water takes located outside of the Waikato River Catchment. In accordance with this policy, non-complying water takes will “generally” not be granted, unless (as relevant to this application) the take is for a zero net take or avoids the further degradation of water quality, as provided for in the Chapter 3.2 of the Regional Plan. As described in in Section 2 of this report, the water takes within the Waihi Basin Aquifer will be diverted to the WTP for treatment prior to discharge into the Ohinemuri River. These two waterbodies are both located with the same catchment. With respect to the Otahu Catchment takes, the water will also be diverted to the WTP and from there to the Ohinemuri River. While this results in the discharge of water into another catchment it will not result in the degradation of water quality, within either the Otahu or Ohinemuri River catchments.

Policy 15 of the Regional Plan relates to the duration of water takes. A 35 year duration is sought for all regional council consents, with a 10 year lapse period. While Policy 15 indicates that the WRC will “generally” ensure that the term for water take applications does not exceed 15 years, a specific exception applies for large scale, capital intensive industrial facilities, with mining specifically referenced as one such example where the exception may be applied. The duration of the consents sought is therefore consistent with this policy.

Efficient Use of Water

Section 3.4 of the Regional Plan relates to the efficient use of water. Policy 1 of Section 3.2 seeks to implement (in part) Objectives 3.1.2 and 3.2.2 of the Regional Plan and provides guidance around how resource consents should manage the use of water and any associated discharge of water onto or into land. The key outcomes sought via the consenting process include (as relevant to the WNP):

- > Avoiding the further degradation of water quality and avoiding adverse effects on groundwater quality as far as practicable;²⁰²
- > Avoiding as far as practicable, otherwise mitigating adverse effects on natural flow regimes;²⁰³
- > Avoiding, remedying or mitigating the effects on instream ecological values and wetlands that are habitats for significant indigenous vegetation and significant habitats for indigenous fauna;²⁰⁴ and,

²⁰² Regional Plan Section 3.4.3 - Policy 1(b) and (g).

²⁰³ Regional Plan Section 3.4.3 - Policy 1(c).

²⁰⁴ Regional Plan Section 3.4.3 - Policy 1(e) and (f)



- > Maintaining or enhancing the benefits to be derived from the efficient take and use of water for reasonably foreseeable future uses, and in particular, for domestic or municipal supply.²⁰⁵

As previously discussed with respect to Objective 3.1.2 earlier in this report, and in detail with respect to the effects of the proposed water takes and discharges associated with the WNP:

- > The taking, use, diversion and damming of water associated with the WNP will support the ongoing social and economic wellbeing of the Waihi community, as described in Section 6.3, without adversely effecting any domestic or municipal water supplies;²⁰⁶
- > The activities occurring within the WNP area will not affect the WRC's ability to achieve a net improvement of water quality across the region;²⁰⁷
- > The activities proposed in association with the WNP have been designed to avoid significant adverse effects on aquatic ecosystems and to provide an overall positive net gain for indigenous biodiversity;²⁰⁸
- > The WNP will largely maintain the characteristics of the flow regimes for waterbodies, including natural state waterbodies within the project area.²⁰⁹

The use of water as part of the WNP is therefore being undertaken in an efficient manner which is generally consistent with the directives set out in Policy 1, Section 3.4 of the Regional Plan.

Discharges to Water

Objective 3.5.2 of the Regional Plan seeks to manage the discharges of contaminants to water, with the policies contained within Section 3.5.3 providing direction around their implementation.

Policies 1 and 2 of Section 3.5.3 enable discharges with a minor adverse effect and manage discharges with more than minor adverse effects respectively. The nature and effect of the proposed discharges to water is described in detail within Section 6.4 of this report. A conservative approach has been applied to the statutory assessments undertaken as part of

²⁰⁵ Regional Plan Section 3.4.3 - Policy 1(i).

²⁰⁶ Regional Plan Section 3.4.3 - Policy 1(i).

²⁰⁷ Regional Plan Section 3.4.3 - Policy 1(b) and (g).

²⁰⁸ Regional Plan Section 3.4.3 - Policy 1(e) and (f)

²⁰⁹ Regional Plan Section 3.4.3 - Policy 1(c).



the WNP, with all discharges to water evaluated under Policy 2. In accordance with this policy:

- > To the extent practicable, the discharges are being undertaken in a manner that is consistent with the policy directives of Section 3.5.3 of the Regional Plan, and where not practicable, the residual effects are being remedied or mitigated;²¹⁰
- > The discharges have been carefully considered to ensure that no significant downstream flooding, erosion or siltation effects arise;²¹¹
- > No significant adverse effects will arise with respect to wetlands that contain significant indigenous vegetation and / or significant habitats of indigenous fauna;²¹²
- > No subsequent discharges to air will give rise to adverse effects that are inconsistent with the policy directives of Section 6.1.3 of the Regional Plan.²¹³

Consideration of alternatives for direct discharges to water and the discharge of contaminants to land is the focus of Policies 4 and 5 of Section 3.5.3.

Policy 5 of Section 3.5.3 is specific to discharges into land and seeks that the adverse effects of those discharges on groundwater quality be minimised by ensuring that they do not compromise existing or reasonably foreseeable uses of groundwater, and avoid, as far as practicable, adverse effects on surface waterbodies that are inconsistent with the policies in Sections 3.5.3 and 3.8.3 of the Regional Plan.

Various on-site management techniques are being adopted as part of the WNP to manage the potential effects of discharges to land on groundwater quality. Notably, contact water from within mine working areas and leachate from beneath rock stacks and tailings storage facilities will be intercepted and diverted to the WTP for treatment. Such management measures ensure the discharge of contaminants to land will be minimised, ensuring both existing and future groundwater uses are not unduly compromised and meet the requirements of Sections 3.5.3 and 3.8.3 of the Regional Plan.

Policy 7 relates to stormwater discharges. As described in Section 2 of this report, stormwater detention ponds are proposed to some extent within almost all Areas to capture and treat stormwater on site. Diversion channels are also proposed to ensure that wherever practicable all “clean” surface water runoff is intercepted and diverted away from mining

²¹⁰ Regional Plan Section 3.5.3 - Policy 2(a).

²¹¹ Regional Plan Section 3.5.3 - Policy 2(b) and (c).

²¹² Regional Plan Section 3.5.3 - Policy 2(d).

²¹³ Regional Plan Section 3.5.3 - Policy 2(e).



areas. All mine contact water is being captured in a similar manner, however, will generally be diverted to the WTP for treatment prior to discharge into the Ohinemuri River. Such water management measures will ensure that stormwater is treated at the source, where appropriate, and otherwise will reduce the potential adverse effects of stormwater runoff on water quality and quantity, in accordance with the directives of Policy 7.

Accordingly, the WNP generally aligns with the outcomes sought by Objective 3.5.2 and its associated policies.

Damming and Diversion

The outcomes sought for the damming and diverting of water are described in Objective 3.6.2 and associated Policy 2. These provisions collectively seek that damming and diversion:

- > Does not generate adverse effects that are inconsistent with the water management objectives in Section 3.1.2 or associated surface water policies in Section 3.2.3;²¹⁴
- > Does not generate adverse effects that are inconsistent with the river and lake bed structures objectives in Section 4.2.2 or associated policies relating to structures in the beds of rivers contained in Section 4.2.3;²¹⁵
- > Does not obstruct fish passage where it will otherwise occur in the absence of unnatural barriers;²¹⁶
- > Results in no increase in the adverse effects of flooding or land instability hazards;²¹⁷
- > Results in no loss of existing aquatic habitats as a consequence of channelisation of rivers;²¹⁸ and
- > Take account of the consequent loss of water quality and any associated reduction in contaminant assimilative capacity, minimum flows and allocable flows for out of stream uses.²¹⁹

²¹⁴ Regional Plan Objective 3.6.2 (a).

²¹⁵ Regional Plan Objective 3.6.2 (b).

²¹⁶ Regional Plan Objective 3.6.2 (c).

²¹⁷ Regional Plan Objective 3.6.2 (d).

²¹⁸ Regional Plan Section Objective 3.6.2 (e).

²¹⁹ Regional Plan Objective 3.6.2 (g).



Section 6.6 of this report addresses the effects of fish passage with respect to the NPS-FM and Regional Plan respectively.²²⁰ In both instances, there are no adverse effects arising as a result of the WNP that are inconsistent with these policies.

As discussed in Section 8.7.3.10 of this report, with respect to natural hazards in the Waikato RPS, the geotechnical conditions, seismic and flood hazard profiles of each area have been accounted for in the conceptual design of the key project elements, including all damming and diversion structures.²²¹ Notably, TSF3 will also be designed, constructed and operated in accordance with modern standards which are set out in the New Zealand Dam Safety Guidelines. Dams that are designed and operated to these standards have a low and acceptable risk of potential failure and a breach will be highly unlikely to occur.

The effects of the WNP are set out in Section 6 of this report. In summary, the WNP provides a generous level of enhancement planting and habitat protection and creation, beyond what is necessitated by any minimum offsetting ratios or calculations required to manage the effects of damming or diversions within the project area. Overall, there will be no net loss of aquatic habitats.²²²

The effects of the WNP on ground and surface water allocation have been considered with respect to the freshwater management provisions of the Waikato RPS and are not repeated here.²²³

Overall, the damming and diversion activities associated with the WNP will achieve the outcomes sought by these provisions.

Wetlands

Section 3.7 of the Regional Plan specifically manages wetlands and seeks to implement Objectives 3.1.2 and Objective 3.A.1 of the Regional Plan. Of particular note is Policy 1, which seeks to ensure that land drainage activities within or immediately adjacent to wetlands identified as areas of significant indigenous vegetation or habitats of indigenous fauna are undertaken in a manner which avoids changes in water levels that result in:

- > Shrinking or loss of the wetland, or
- > Accelerated dewatering and oxidation, or

²²⁰ Regional Plan Objective 3.6.2 (c).

²²¹ Regional Plan Objective 3.6.2 (d).

²²² Regional Plan Objective 3.6.2 (e).

²²³ Regional Plan Objective 3.6.2 (g).



- > Significant adverse effects on tangata whenua values of the wetland, or
- > Adverse effects of flooding on neighbouring properties, or
- > Significant adverse effects on the relationship tangata whenua as Kaitiaki have with the wetland, or
- > Adverse effects on the natural character of wetlands; or
- > Adverse effects on the ability to use the wetlands for recreational purposes and remedy or mitigate otherwise.

In accordance with the directives of this policy:

- > No effects on the wetlands in Area 1 are anticipated, however there is some uncertainty as to whether dewatering activities will have an impact at the surface. A monitoring programme is therefore proposed, and remedial actions will be undertaken if effects on wetlands are ultimately detected;
- > A reduction in source volume of surface water runoff, interflow and groundwater recharge is expected from activities occurring within Area 2 and Area 5. Notwithstanding, the level of change is unlikely to be discernible from natural variability and conditions will ensure that wetland levels are monitored, and action taken to supplement flows (if necessary) prior to any change in the extent or values of the wetland;²²⁴
- > Accelerated erosion and oxidation of the Maitara, Gladstone and Favona Wetlands is avoided by virtue of the low level of effect on water levels within these wetlands;²²⁵
- > Land drainage activities within Area 2 and Area 5 will not result in adverse effects of flooding on neighbouring properties;²²⁶
- > No activities will be undertaken directly within the Maitara, Gladstone or Favona Wetlands, nor will any activities have an effect on water levels such that the natural character of the wetlands is compromised;²²⁷
- > There are no existing recreational opportunities within the Maitara, Gladstone or Favona Wetlands. Land drainage activities will therefore not alter recreation opportunities in a manner that is inconsistent with the policy directives;²²⁸ and

²²⁴ Regional Plan Section 3.7 - Policy 1(a).

²²⁵ Regional Plan Section 3.7 - Policy 1(b).

²²⁶ Regional Plan Section 3.7 - Policy 1(d).

²²⁷ Regional Plan Section 3.7 - Policy 1(f).

²²⁸ Regional Plan Section 3.7 - Policy 1(g).



- > OGNZL continues to work with tangata whenua regarding cultural effects and how the project can best accommodate and provide for their relationship with any identified taonga wetlands, as described in Sections 5.3 and 6.2 of this report.²²⁹

The activities associated with the WNP are therefore not contrary to the outcomes sought by this policy.

Drilling

Objective 3.8.2 and associated Policy 1 seeks that drilling activities be undertaken in a manner that:

- > Is consistent with the objectives in Sections 3.1.2 and 5.2.2;²³⁰
- > Prevents significant adverse effects from the mixing of previously isolated aquifers;²³¹
- > Does not result in significant adverse effects from a loss of aquifer pressure / level;²³² and,
- > Does not result in blow-outs in geothermal wells.²³³

Consistent with the outcomes sought by Objective 3.8.2:

- > Drilling associated with the various elements of the WNP will not result in significant adverse effects on groundwater, surface water or soil quality as a result of the mixing of previously isolated aquifers;²³⁴
- > While dewatering within the WUG will result in some adjustment to the pressure heads in the aquifers located above the WUG, such effects will not result in significant adverse effects on groundwater, surface water or soil quality;²³⁵
- > The grouting techniques proposed as part of the WNP (including the type of grouting used) are based on existing grouting techniques that have been widely used and tested throughout the mining industry. Significant adverse effects on groundwater, surface water and soil quality are therefore not anticipated as a result of the drilling;²³⁶

²²⁹ Regional Plan Section 3.7 - Policy 1(e).

²³⁰ Regional Plan Section 3.8.2 - Objective 3.8.2(a), (b) and (e).

²³¹ Regional Plan Section 3.8.2 - Objective 3.8.2(b) and Policy 1(c).

²³² Regional Plan Section 3.8.2 - Objective 3.8.2(c) and Policy 1(d).

²³³ Regional Plan Section 3.8.2 - Objective 3.8.2(e)-(f) and Policy 1(f).

²³⁴ Regional Plan Section 3.8.2 - Objective 3.8.2(b) and Policy 1(c).

²³⁵ Regional Plan Section 3.8.2 - Objective 3.8.2(c) and Policy 1(d).

²³⁶ Regional Plan Section 3.8.2 - Policy 1(a).



- > OGNZL continues to work with tangata whenua regarding cultural effects and how drilling associated with the project can best accommodate and provide for their relationship with identified taonga as described in Sections 5.3 and 6.2 of this report;²³⁷ and
- > While geothermal water may be intercepted during drilling, the water does not form part of a significant geothermal system.²³⁸

The drilling activities being undertaken as part of the WNP are therefore consistent with the outcomes sought in Objective 3.8.2 and the associated directives in Policy 1.

River and Lake Bed Structures

Objectives 4.2.2 and 4.3.2 and associated policies²³⁹ manage the disturbance of the beds and banks of river beds and the management of structures located in, on, under or over them. Of particular note:

- > All instream structures have been designed to:
 - > Ensure they do not result in destabilisation of the river bed or give rise to flooding effects both at the point of origin or downstream of the structure;²⁴⁰
 - > Provide fish passage for indigenous and trout fish species where the upstream habitat is viable for such species;²⁴¹
 - > Ensure they will not give rise to adverse effects on water quality, flow regimes or aquatic ecosystems;²⁴²
 - > Avoid locating within significant or natural wetlands;
 - > Protect the natural character of river and lake beds and their margins from inappropriate use and development;²⁴³
- > While no new legal public access mechanisms to waterbodies are formally proposed as part of the WNP, existing access will still be available via the respective rivers and streams;²⁴⁴ and,

²³⁷ Regional Plan Section 3.8.2 - Policy 1(e).

²³⁸ Regional Plan Section 3.8.2 - Objective 3.8.2(e)-(f) and Policy 1(f).

²³⁹ Policy 1 and 2 of Section 4.2 and Policy 1 and Policy 6 of Section 4.3.

²⁴⁰ Regional Plan Objective 4.2.2(a) and (e).

²⁴¹ Regional Plan Objective 4.2.2(c).

²⁴² Regional Plan Objective 4.2.2(b).

²⁴³ Regional Plan Objective 4.2.2(d).

²⁴⁴ Regional Plan Objectives 4.2.2(j) and 4.3.2(n).



- > The ELMPs proposed within the regional conditions provided in **Part D** to these application documents, details how instream works will be managed to ensure the introduction of pest and weed species is avoided, and how construction monitoring will be completed to ensure the management plan objectives are met.²⁴⁵²⁴⁶

Overall, the proposed parameters for all instream structures and disturbance activities are therefore considered to be broadly consistent with the outcomes sought by Objectives 4.2.2 and 4.3.2 and the associated Policies.

Accelerated Erosion

With the exception of Area 3, soil disturbance and / or vegetation clearance activities are proposed within high risk areas for each Area. Accordingly, the provisions in Section 5.1 are relevant to activities in this area.

Of most relevance is Objective 5.1.2, which seeks a net reduction in accelerated erosion. Policy 2 also states that the WRC will use a mixture of regulatory and non-regulatory approaches to minimise the adverse effects of soil disturbance and vegetation clearance in high risk erosion areas.

All works will be undertaken in accordance with detailed sediment and erosion control plans. These plans have been designed to ensure the effects on water quality and aquatic ecosystems are appropriately managed in line with best practice and the recommendations of technical experts in water quality and freshwater ecology. With implementation of the sediment and erosion control plans, the outcomes sought by this objective will be achieved

Discharges to Land

Objective 5.2.2 of the Regional Plan relates to the discharges of wastes and hazardous substances onto or into land. It acknowledges that discharges onto, or into land are a necessary facet of resource use in the Waikato Region and, subject to environmental standards, should be allowed to occur. In that context, it seeks that these discharges be undertaken in a manner that:

- > Does not contaminate soil to levels that present significant risks to human health or the wider environment;²⁴⁷

²⁴⁵ Regional Plan Policy 8.3(e)(iii).

²⁴⁶ Regional Plan Objective 4.3.2(i) and (j).

²⁴⁷ Regional Plan Objective 5.2.2 (a).



- > Does not have adverse effects on aquatic habitats, surface water quality or groundwater quality that are inconsistent with the Water Management objectives in Section 3.1.2;²⁴⁸
- > Does not have adverse effects related to particulate matter, odour or hazardous substances that are inconsistent with the Air Quality objectives in Section 6.1.2;²⁴⁹
- > Is not inconsistent with the objectives in Section 5.1.2;²⁵⁰ and
- > Avoids significant adverse effects, and remedies or mitigates cumulative adverse effects, on the relationship that tangata whenua as kaitiaki have with their taonga such as ancestral lands, water and waahi tapu.²⁵¹

Due to the nature of mining activities, this objective and its associated policies are of particular relevance to the WNP. As described throughout this report, a range of recognised methods for management of mine waste have been effectively employed for the existing mines operated by OGNZL. The WNP will be undertaken in a similar manner. With these methods in place, it is considered that the outcomes sought by Objective 5.2.2 (and its associated policies) will be achieved.

Contaminated Land

Objective 5.3.2 and associated policies²⁵² manage the discharges of contaminants from contaminated land. As described by WWLA (2024):

- > A number of areas within the WNP have historically been used and occupied by HAIL activities;
- > All soil disturbance activities undertaken within the identified HAIL areas described in Section 2 will be managed in accordance with the SMP provided in **Part H** to these application documents;
- > With the SMP in place, it is anticipated that the potential risk to human health and the environment will be appropriately managed in accordance with this objective;
- > The WNP area will be rehabilitated in line with the closure plans for each Area (some of which are subject to existing consents). While it is anticipated that land within the WNP will generally be reverted back to pastoral use, the conditions require that, as part of the

²⁴⁸ Regional Plan Objective 5.2.2 (b).

²⁴⁹ Regional Plan Objective 5.2.2 (c).

²⁵⁰ Regional Plan Objective 5.2.2 (d).

²⁵¹ Regional Plan Objective 5.2.2 (e).

²⁵² Regional Plan Section 5.3 - Policies 1 – 4.



Rehabilitation and Closure Plan, the soils retained on site will be highly unlikely to be a risk to human health considering the post closure use of that land.

In light of the above, discharges of contaminants from contaminated land within the site will be managed so they do not present significant risk to human health, flora or fauna due to the contamination of soil and ground or surface water, do not have adverse effects on water quality or aquatic ecosystems, and do not generate adverse effects on air quality that are inconsistent with air quality objectives.

Air Quality

There are three objectives in Section 6.1.2 of the Regional Plan relating to the management of air quality. They seek:

- > The significant characteristics of air quality are either protected, enhanced or maintained;²⁵³
- > No significant adverse effects from individual site sources on the characteristics of air quality beyond property boundary; and²⁵⁴
- > The management of the cumulative effects of discharges on ambient air quality.²⁵⁵

The relevant policies direct that the effects of air discharges be managed, having particular regard to the effects on ambient air quality guidelines, human health, the identified values of tangata whenua as kaitiaki, and any potential cumulative effects.²⁵⁶ Recognition is also given to the positive benefits to people and communities arising from activities that affect air quality (whilst ensuring that air quality resources are protected and adverse effects avoided, remedied or mitigated).²⁵⁷ Key policies also seek to promote the best practicable option to prevent or minimise the contaminants to air in certain circumstances²⁵⁸ and recognise the positive benefits to people and the community arising from activities that affect air quality.²⁵⁹

The analysis in respect to the air quality provisions of the Waikato RPS is equally applicable to the air quality provisions of the Regional Plan. Dust and air discharges emanating from within the WNP area will be managed so as not to result in objectionable effects beyond the

²⁵³ Regional Plan Section 6.1.2 - Objective 1.

²⁵⁴ Regional Plan Section 6.1.2 - Objective 2.

²⁵⁵ Regional Plan Section 6.1.2 - Objective 3.

²⁵⁶ Regional Plan Section 6.1.3 – Policy 2.

²⁵⁷ Regional Plan Section 6.1.3 - Policy 5.

²⁵⁸ Regional Plan Section 6.1.3 - Policy 4.

²⁵⁹ Regional Plan Section 6.1.3 - Policy 5.



site boundary and will not exceed the relevant standards and guidelines. A number of management measures are proposed by OGNZL to ensure this is the case, including implementation of an Air Quality Management Plan that will apply across the entire WNP site. As detailed in Section 6.13 of this report, specific requirements are also proposed within Area 5 to manage mercury emissions from the Processing Plant associated with rock extracted primarily from the GOP.

In light of the above, the activities undertaken as part of the WNP will be undertaken in a manner that meets the management outcomes sought by Objectives 1, 2 and 3 of Section 6.1.2 of the Regional Plan and the associated policies.

Overall Conclusion

Based on the analysis in the sub-sections above, it is considered that the various 'regional' activities associated with the WNP will be managed such that the project is generally consistent, and in many cases aligned with the relevant objectives and policies of the Regional Plan.

In this regard it is noteworthy that while the Waikato RPS contains policy direction around ensuring access to the region's important mineral resources is provided for, the current provisions of the Regional Plan do not address this topic directly.

8.7.3.12 Hauraki District Plan

The HDP was made operative in 2014 and includes objectives, policies and methods intended to achieve the integrated management of the use, development or protection of land (and associated natural and physical resources) in the Hauraki District.

Sections 5, 6, 7 and 8 of the HDP contain objectives and policies. The objectives and policies most relevant to the WNP are contained in:

- > Section 5 – which contains objectives and policies for the various zones in which the WNP will be undertaken;
- > Section 6 – which contains objectives and policies relating to the management of historic heritage, indigenous biodiversity and landscapes; and
- > Section 7 – which contains objectives and policies for activities in riparian margins and esplanade reserves, the management and use of hazardous substances and contaminated land and the management of the transport network.

Within these chapters there are a number of provisions which speak directly to tangata whenua matters. OGNZL's consideration of the matters that have been identified by tangata whenua as being of importance or concern in relation to the WNP, and identification of how



OGNZL is proposing to provide for and respond to these are detailed in Section 6.2 of this report.

OGNZL recognises and acknowledges that only tangata whenua can speak to what they understand these provisions mean for WNP.

Rural Zone

Section 5.1 of the HDP identifies that most of the land in the Rural Zone is in pasture or under cultivation, but that there are also areas of commercial forestry, and that extractive industry occurs in a number of locations. It also identifies that there are significant natural areas, ONFL and district amenity landscapes within the Rural Zone.

Area 2 is entirely located within the Rural Zone, while Areas 3 to 5 and 7 are partially located within the Zone. None of these areas are identified as holding any outstanding natural features, landscapes or district amenity landscapes. Area 7 is partially sited over a SNA.

In this regard, the relevant objectives for the Rural Zone seek:

- > That a range of compatible rural land use activities can be undertaken, which benefit from the productive potential, location and rural character of the zone;²⁶⁰
- > To preserve and enhance the open rural landscape character of the zone;²⁶¹
- > To provide for the investigation and utilisation of mineral resources including on-site processing and use of these resources by associated industries;²⁶² and
- > To ensure that adverse effects of a land use activity on the environment or on the amenities of neighbours are avoided, remedied or mitigated.²⁶³

The Rural Zone policy framework anticipates mineral extraction and other associated activities, subject to the appropriate management of effects. The activities being undertaken within each of the respective areas will not restrict or prevent the range of rural land use activities that can be undertaken on, or surrounding the sites, nor will they detract from the open rural landscape character of the zone. Including when assessed cumulatively. All activities have also been carefully designed and managed to ensure that any adverse effects on the environment or on the amenities of neighbours will be appropriately avoided, remedied or mitigated.

²⁶⁰ HDP Section 5.1 - Objective 1.

²⁶¹ HDP Section 5.1 - Objective 2.

²⁶² HDP Section 5.1 - Objective 3.

²⁶³ HDP Section 5.1 - Objective 4.



Conservation (Indigenous Forest) Zone

Section 5.2 of the HDP identifies that most of the land in the Conservation (Indigenous Forest) Zone is predominantly covered with indigenous forest and contains a diverse range of forest types and rare and threatened flora and fauna. It also identifies that the Zone comprises an ONL due to its distinctive elevated landform, bush cover and general absence of other land uses and structures. The Zone's mineral resources are also acknowledged, as are the existing prospecting and exploration permits associated with these resources.

Area 1 (WUG) is entirely located within and beneath the Conservation (Indigenous Forest Zone).

The key relevant objectives in Section 6.1 of the HDP seek the following outcomes:

- > That the biological diversity and outstanding landscape character values of the zone are protected and enhanced;²⁶⁴
- > That the soil and water protection function of the zone is protected and enhanced;²⁶⁵
- > That the scientific, educational, historic, cultural, recreational and amenity values of the zone are recognised;²⁶⁶
- > That efficient conservation management and public use and recreational and visitor opportunities without having a significant adverse effect on biodiversity, landscape, historical, or cultural values of the zone and the amenity values of adjacent zones;²⁶⁷
- > To facilitate further investigation of the location, type and extent of mineral resources, in a manner that is consistent with other objectives and policies of the zone;²⁶⁸ and
- > To avoid, remedy or mitigate any adverse effects of prospecting, exploration and mining activities.²⁶⁹

The associated policies seek to maintain the net total area of indigenous vegetation cover,²⁷⁰ minimise ground disturbance²⁷¹ and avoid, remedy or mitigate the adverse effects of

²⁶⁴ HDP Section 5.2 - Objective 1.

²⁶⁵ HDP Section 5.2 - Objective 2.

²⁶⁶ HDP Section 5.2 - Objective 3.

²⁶⁷ HDP Section 5.2 - Objective 4.

²⁶⁸ HDP Section 5.2 - Objective 5.

²⁶⁹ HDP Section 5.2 - Objective 6.

²⁷⁰ HDP Section 5.2 - Policy (3)(a)(ii).

²⁷¹ HDP Section 5.2 - Policy (3)(a)(iii).



activities that have the potential to compromise, damage or destroy the indigenous ecosystems or the amenity values of adjacent land uses.²⁷²

The HDP anticipates further exploration and mining activities within the Conservation (Indigenous Forest) Zone. Such activities will be managed however, to ensure that the biological diversity and outstanding landscape character values, and the soil and water protection function of the zone are protected and enhanced; the scientific, educational, historic, cultural, recreational and amenity values of the zone are appropriately taken into account; investigation of the mineral resources is undertaken in a manner that is consistent with other objectives and policies of the zone; and the adverse effects of the proposed mining activities are avoided, remedied or mitigated. The activities proposed as part of the WNP within the Conservation (Indigenous Forest) Zone are consistent with the outcomes sought in Section 6.1 of the HDP.

Residential Zone

Section 5.7 of the HDP describes the Residential Zone as enabling a variety of residential activities and some compatible non-residential activities in a manner that ensures that the amenity and character of the residential areas is protected. There are three objectives and a number of associated policies relating to the management of activities in the Residential Zone.

Area 3 partially traverses beneath the Residential Zone. There are three objectives for this zone, which collectively seek that:

- > Residential development maintains and enhances neighbourhood amenities and qualities consistent with the aspirations of the individual communities within those areas;²⁷³
- > Residential areas free from the effects of hazards;²⁷⁴
- > The adverse effects of residential and non-residential developments on the environment and character of the locality is avoided, remedied or mitigated.²⁷⁵

Proposed activities in Area 3 are located entirely underground. The activities occurring within Area 3 will not affect residential development or neighbourhood amenities and qualities and will keep residential areas free from the effects of hazards. The adverse effects

²⁷² HDP Section 5.2 - Policy (4)(a)(ii).

²⁷³ HDP Section 5.7.2 - Objective 1.

²⁷⁴ HDP Section 5.7.2 - Objective 2.

²⁷⁵ HDP Section 5.7.2 - Objective 3.



of the development on the environment and character of the locality will be avoided, remedied or mitigated.

Reserve (Passive) Zone

The Reserve (Passive) Zone includes neighbourhood and local recreation reserves, esplanade, historic, amenity, and local purpose reserves, picnic / rest areas, water and soil conservation, coastal protection, tree and vegetation protection and archaeological / cultural reserves. The zone provides for passive types of recreation, such as walking, kite flying, picnic facilities and playgrounds. Buildings are generally limited (apart from those immediately related to the activity).

The objectives and policies in Section 5.16 seek to provide for passive recreation and reserve activities that enhance the function of the reserve itself and contribute to its amenity.²⁷⁶ They also seek to limit physical structures to those required for the purpose of the reserve.²⁷⁷

Area 3 partially traverses the Reserve (Passive) Zone but proposed activities are located entirely underground. It therefore does not frustrate the outcomes of the Reserve (Passive) Zone being achieved.

Mineral Martha Zone

Section 5.16 of the HDP relates specifically to the Mineral Martha. The zone generally aligns with and provides for activities that are enabled by OGNZL's Mining Licence and subsequent resource consents.

The sustainable utilisation of mineral resources is the key outcome for this zone.²⁷⁸

Associated policies seek to achieve this outcome by:

- > Recognising the development and processing areas of the mine, its ongoing rehabilitation and likely long term uses;²⁷⁹
- > Provide for the social, economic and cultural well-being of the community and their health and safety;²⁸⁰ and
- > Ensuring amenity values of Waihi and the wider community are protected.²⁸¹

²⁷⁶ HDP Section 5.16 - Objective 1.

²⁷⁷ HDP Section 5.16 - Objective 1.

²⁷⁸ HDP Section 5.16 - Objective 1.

²⁷⁹ HDP Section 5.17 - Policy (a)(i).

²⁸⁰ HDP Section 5.17 - Policy (a)(ii).

²⁸¹ HDP Section 5.17 - Policy (a)(iii).



Areas 4 to 7 are either fully or partially located within the Martha Mineral Zone. Sustainable mining activities, including ancillary activities such as the WTP, Processing Plant, tailings storage facilities and rock stacks are clearly anticipated and provided for within this Zone.

Sections 6.3 and 6.19 of this report provide an assessment of the economic and social effects (respectively) of the project and how it will support the economic and social wellbeing of the community.

The amenity values of the Waihi area and wider community are discussed with respect to noise, landscape values, air quality and vibration in Sections 6.10, 6.7, 6.13, and 6.11 of this report, respectively. The mitigation measures described are designed to ensure amenity values of the surrounding community are protected and maintained.

Overall, the activities within Areas 5 to 7 recognise and provide for the development and processing areas of the mine and the social, economic, cultural wellbeing of the community, while ensuring the amenity values of Waihi and the wider community are appropriately protected.

Historic Heritage

Section 6.1 of the HDP provides the heritage setting of the District and sets out HDC's responsibilities to provide appropriate protection of historic heritage under Part 2 of the RMA. It also identifies the broader requirements under HNZPT Act.

The key heritage outcomes sought from the HDP include:

- > The protection of a range of heritage items that reflect the past history of the Hauraki District from the adverse environmental effects of other activities;²⁸²
- > The protection of significant archaeological sites which contribute to the District's heritage, knowledge and appreciation of the past;²⁸³
- > Recognition and protection of sites of significance to Māori; and²⁸⁴
- > The sustainable management of the built heritage resource by encouraging and promoting adaptive reuse of the built heritage features resource.²⁸⁵

No heritage features identified in the HDP will be adversely affected by the WNP. Various activities will encroach, however, on sites identified by the NZAA's ArchSite.

²⁸² HDP Section 6.1 - Objective 1.

²⁸³ HDP Section 6.1 - Objective 2.

²⁸⁴ HDP Section 6.1 - Objective 3.

²⁸⁵ HDP Section 6.1 - Objective 5.



As discussed earlier in this report, specific site management controls will be put in place to ensure the heritage features identified in ArchSite are appropriately recognised and protected. A site-wide archaeological authority (excluding Area 2) is proposed as part of this application, and an Archaeological Management Plan (contained in **Part H** to these application documents) will be implemented to ensure the management outcomes sought from the archaeological authorities are achieved.

Indigenous Biodiversity and Significant Natural Areas

The objectives in Section 6.2 of the HDP seek the following outcomes:

- > The protection of significant natural areas for the purpose of maintaining and enhancing their intrinsic, cultural and amenity values;²⁸⁶
- > The maintenance and enhancement of the life-supporting capacity of ecosystems, the mauri of natural resources and the extent and representativeness of indigenous biodiversity; and²⁸⁷
- > The promotion of greater public awareness, support for and involvement in the protection and enhancement of significant indigenous vegetation and significant habitats of indigenous fauna.²⁸⁸

Activities within Areas 1 and 7 will be located within SNAs scheduled in the HDP, and the remaining areas all contain varying degrees of indigenous biodiversity.

The evaluation in Sections 8.7.3.9 and 8.7.3.10 of this report, with respect to the NPS-IB and Waikato RPS, is relevant to this evaluation under the HDP. In summary:

- > Where the WNP directly engages with mapped areas of SNA, significant effects on the important characteristics and qualities that contribute to the area being classified as an SNA have been avoided;²⁸⁹
- > The effects of the WNP on areas of indigenous biodiversity, and particularly areas of significant indigenous vegetation and habitats of indigenous fauna, are being managed in accordance with best practice for biodiversity offsetting in New Zealand, so that it demonstrably achieves a net gain in biodiversity values as a result of the project;²⁹⁰ and

²⁸⁶ HDP Section 6.2 - Objective 1.

²⁸⁷ HDP Section 6.2 - Objective 2.

²⁸⁸ HDP Section 6.2 - Objective 3.

²⁸⁹ HDP Section 6.2 - Objective 1.

²⁹⁰ HDP Section 6.2 - Objectives 2 and 3.



- > The WNP has been sited and designed to ensure there are no significant adverse effects on landscape values, natural character and amenity. The landscape elements that contribute to amenity values and the quality of the environment will be maintained and enhanced through the duration and completion of the project.²⁹¹

In light of the above, there will be no net loss of biodiversity outcomes, and the values of the SNAs (including their life supporting capacity) will be maintained throughout the course of the WNP.

Outstanding Natural Landscapes / Features and Amenity Landscapes

Section 6.3 of the HDP relates to the management of ONFL and amenity landscapes, in accordance with the direction set out in Sections 6 and 7 of the RMA.

Protecting the integrity and aesthetic, cultural and intrinsic values of ONFL is the outcome sought by Objective 1. Associated Policy (1)(a)(i) seeks to ensure the adverse effects on aesthetic and intrinsic values and on the visual and physical integrity of outstanding landscape and natural features are avoided, remedied or mitigated.

Coromandel Forest Park is the only mapped ONL within the WNP area. There are no mapped Amenity Landscapes within the project area.

As set out earlier in this report in Section 2:

- > There are very few surface expressions associated with Area 1. Notwithstanding, they are diminutive in scale and are settled within the extensive homogenous forest cover in a way that will protect the visual and physical integrity of the wider outstanding landscape;
- > Ephemeral plumes generated from the ventilation shafts will be visible during certain climatic conditions. These will be effectively masked from view by the extensive canopy cover within Coromandel Forest Park;
- > The effects of noise on the aesthetic and intrinsic values of Coromandel Forest Park will be mitigated to the extent practicable by installing fans at the bottom of the ventilation shafts to minimise the level of noise reaching the surface; and
- > With respect to vibration, the management of the blasting will be carefully controlled to minimise the vibration effects on aesthetic and intrinsic values of Coromandel Forest Park.

²⁹¹ HDP Section 6.2 - Objective 1.



Even with management measures in place, some minor localised visual, noise and vibration effects will alter the aesthetic and intrinsic values of Coromandel Forest Park at that location. In this regard, it should be noted that the forest is not “pristine” with the Royal Standard Battery and associated activities historically being located in this area, and high pest densities impacting on the natural character values of the forest. The Coromandel Forest Park also occupies a footprint of over 72,000ha. Therefore, while a minor localised effect may arise, the aesthetic and intrinsic values of the wider Coromandel Forest Park will be protected.

Riparian Margins and Esplanade Reserves

Objectives 1 and 2 of Section 7.3 of the HDP relate to the management of public access to waterbodies, and seek the following outcomes:

- > Sustainably manage the margins of waterbodies to maintain or enhance natural character, indigenous biodiversity, water quality, and aquatic and adjoining terrestrial habitats; and
- > The maintenance and enhancement of public access to the margins of waterbodies in a manner that is compatible with the preservation of conservation values and does not unreasonably interfere with the landowner’s ability to use and enjoy the land.

The associated policies focus on the use of the legislative mechanisms in the RMA to secure esplanade reserves and strips on subdivisions,²⁹² and the HDC negotiating to either have the land vested or set aside on a voluntary basis.²⁹³

While the project will result in the damming and diversion of a number of waterbodies, an extensive biodiversity offsetting programme is proposed to ensure a net environmental gain with respect to the values of these watercourses. With respect to riparian planting, this includes (but is not limited to) riparian planting at least 10m deep on either side of the WNP’s proposed new modified watercourses as well as enhancement planting along various sections of the Ohinemuri River and the Mataura and Ruahorehore Streams. This planting is expected to contribute towards enhancement of the natural character, indigenous biodiversity, water quality and aquatic and adjoining terrestrial habitats.

The evaluation in Section 6.12 of this report is relevant with respect to public access.

²⁹² HDP Section 7.3 - Policy 1(a)(ii).

²⁹³ HDP Section 7.3 - Policy 1(a)(v).



Hazardous Substances and Contaminated Land

Section 7.7 of the HDP relates to the management of hazardous substances and contaminated land.

The objectives and policies relating to the use, storage and transportation of hazardous substances specify the following:

- > Avoid, remedy or mitigate the risk of adverse effects to the environment and the community associated with the transportation of hazardous substances;
- > Minimise the risks of adverse effects to the environment and the community associated with the use and storage of hazardous substances; and
- > Require that the location of sites on which hazardous substances can be stored and on which those facilities that involve the use of hazardous substances can operate be separated from environments that will be adversely affected by the inadvertent release of hazardous materials.

It should be noted that in 2017, amendments to the RMA significantly refined the extent to which territorial authorities can control the storage and use of hazardous substances. The HDP has not been updated to reflect these amendments. Notwithstanding this, in accordance with the current directives of the HDP:

- > Land delivery of hazardous substances will be via the State Highway network, Willows Road and internal access roads within the OGNZL landholding, and will also be in accordance with the Land Transport Rule: Dangerous Goods 2005. Transport of hazardous substances via helicopter will adhere to the Civil Aviation Rule Part 92 – Carriage of Dangerous Goods. All movements of explosives around the site will also be under the supervision of a Certified Handler;²⁹⁴
- > The risks to people, property and the environment will be minimised through site and equipment design (e.g. separation distances to other explosives stores, provision of fire protection systems and certification of the explosives storage magazines) and management controls (personnel access restrictions, security monitoring, staff training and handler certification, and emergency response plans);²⁹⁵
- > Many parts of the WNP site are considered sensitive to the effects of a spill of diesel or packaged goods. The risk to the environment from such a spill will be managed through the facilities and site design (e.g. proposed spill containment measures including

²⁹⁴ HDP Section 7.7 - Objective 1.

²⁹⁵ HDP Section 7.7 - Objective 2.



double skinned tanks, sealed refuelling areas, bunded storage areas and provision of water treatment for runoff arising from areas where these substances are stored or used) and operational procedures (e.g. spill response plan, unloading and safe handling procedures);²⁹⁶ and

- > The management of contaminated land is addressed in detail in Section 6.17 of this report.²⁹⁷

Overall, the activities being undertaken as part of the WNP will occur in a manner which ensures that the risk of adverse effects on the environment and community associated with the transportation, storage and use of hazardous substances are appropriately managed, and where necessary, minimised.

Transportation Network

Objectives 1 and 2 of Section 7.9 of the HDP seek the following outcomes:

- > Provide and maintain a safe and efficient transport network that will meet current and planned future demands with minimal effects on the environment and adjoining land uses;²⁹⁸ and
- > Ensure that the adverse effects of activities outside the road reserve on the safety and efficiency of the transport network are avoided, remedied or mitigated.²⁹⁹

The associated policies seek to manage land use, vehicle access and traffic management to maintain the safe and efficient operation of the transport network (particularly the regionally significant roading infrastructure).³⁰⁰ In addition, they refer to the development of financial and / or development contributions strategies to ensure that roads and streets are upgraded and formed to match the demands that specific subdivision and development activities will place upon them.³⁰¹

The actual and potential adverse effects of the WNP on the surrounding transportation network have been discussed in Section 6.18 of this report. This includes consideration of the effects of the WNP operating concurrently with the existing consented operations at Waihi. As set out in that assessment, Stantec (2025) has provided a range of recommendations and associated mitigation measures to ensure the potential adverse

²⁹⁶ HDP Section 7.7 - Objective 3.

²⁹⁷ HDP Section 7.7 - Policy 3(a)(ii),

²⁹⁸ HDP Section 7.9 - Objective 1.

²⁹⁹ HDP Section 7.9 - Objective 2.

³⁰⁰ HDP Section 7.9 - Policy 2(a)(v).

³⁰¹ HDP Section 7.9 - Policy 2(a)(iii).



transportation-related effects both during construction and over the longer term operation of mining activities, will be avoided or mitigated to an acceptable level. These recommendations have been proffered by OGNZL as conditions.

With the aforementioned recommendations in place, the transportation effects associated with the WNP will be managed such that the transportation network will continue to operate in a safe and efficient manner, as sought by Objectives 1 and 2 (of Section 7.9) of the HDP.

Overall Conclusion

Based on the analysis in the sub-sections above, it is considered that the activities associated with the WNP will be managed such that the project is consistent with the relevant objectives and policies of the HDP.

8.7.3.13 Thames Coromandel District Plan – Operative in Part

The TCDP is operative in part, and includes objectives, policies and methods intended to achieve the integrated management of the use, development or protection of land (and associated natural and physical resources) in the Thames Coromandel District. As detailed in Section 2 of this report, several minor ancillary activities associated with the WNP are proposed to occur within the boundaries of the Thames Coromandel District. These activities will entirely occur on Conservation Zone land.

Broadly, the relevant objectives and policies applicable to the activities proposed within the Thames Coromandel District require:

- > The maintenance, or restoration or enhancement, of the full range of biodiversity within the district through the protection of areas of significant indigenous vegetation and significant habits of indigenous fauna in preference to remediation or mitigation;³⁰²
- > ONFL remain outstanding, and their values and characteristics be protected from inappropriate use or development. Activities within these areas shall include measures to avoid, remedy or mitigate adverse effects on the values and characteristics of the ONFL;³⁰³
- > The relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga be recognised and provided for, and tangata whenua are able to exercise kaitiakitanga over these areas and features;³⁰⁴

³⁰² TCDP Section 6 – Objective 1 and Policy 1a.

³⁰³ TCDP Section 9 - Objective1, Policy 1b, Policy 1c and Policy 1d.

³⁰⁴ TCDP Section 9 – Policy 1e and Section 17 – Objective 1.



- > Natural hazard risk be appropriately managed, and risks do not increase to unacceptable levels as a result of developments;³⁰⁵
- > The benefits associated with mining activities be recognised, while also requiring the management of actual and potential adverse effects of mining activities;³⁰⁶
- > Recreation areas³⁰⁷ be available to meet recreation and conservation needs of current and future generations, and areas of indigenous biodiversity, waterbodies and natural landforms within these areas are protected;³⁰⁸ and
- > Tangata whenua values be considered in the management of public conservation land.³⁰⁹

Given the minor nature of the activities proposed within the Conservation Zone (which are largely associated with monitoring and mostly permitted activities), and the associated negligible effects, it is considered that the project is consistent with the applicable provisions of the TCDP.

8.7.3.14 Iwi Management Plans

It is understood that there is only one iwi management plan applicable to the area within which the WNP is located. Whaia te Mahere Taiao a Hauraki - the Hauraki Iwi Environmental Plan. Whaia te Mahere Taiao a Hauraki is a strategy for collective action to sustain the mauri of the natural environment and cultural heritage of the Hauraki rohe.

Whaia te Mahere Taiao a Hauraki notes the following in relation to mining activities:

- > The extraction of gold, silver and other mineral resources has left long-standing environmental problems in the Hauraki rohe. The disposal of wastewater, chemicals and spoil from the mining process, although much improved, remains an environmental concern to Hauraki iwi;
- > The loss of waahi tapu, including Pukewa (the site of Martha Hill mine and not impacted by the WNP);
- > Hauraki iwi seek reduced environmental risk from mining in the Hauraki rohe; and
- > Hauraki iwi seek to enhance their capacity by monitoring mine sites.

³⁰⁵ TCDP Section 10 – Objective 1 and Policy 1a.

³⁰⁶ TCDP Section 14 – Objective 1 and Policy 1a.

³⁰⁷ The 'Recreation Area' under the TCDP includes the Conservation Zone.

³⁰⁸ TCDP Section 22 – Objective 1, Policy 1a, Objective 3, Policy 3a, and Policy 3c.

³⁰⁹ TCDP Section 22 – Objective 4 and Policy 4a.



OGNZL recognises and acknowledges that only tangata whenua can speak to what these provisions mean for WNP. In that respect, Sections 5.3 and 6.2 of this report provide detailed coverage of the matters of importance and concern that have been identified by tangata whenua in relation to the WNP, and how OGNZL is proposing to provide for and respond to these matters.

8.7.3.15 Treaty Settlements

Overview

Clause 5 (i) of Schedule 5 of the Act requires the applicant to include information about any Treaty settlements³¹⁰ that apply in the area covered by the consent application, including

- > Identification of the relevant provisions in those Treaty settlements; and
- > A summary of any redress provided by those settlements that affects natural and physical resources relevant to the project or project area.

The following sections address these matters.

Ngaati Whanaunga

The Crown and Ngaati Whanaunga initialled a Deed of Settlement on 25 August 2017. The settlement is yet to be enshrined into legislation.

The WNP is located within the Area of Interest shown in the Deed of Settlement. The Deed presents the significant history associated with gold mining in the Coromandel and addresses the impacts that the mining has had on Ngaati Whanaunga.

There is no specific redress provided in the Deed of Settlement that affects natural and physical resources relevant to the project. However, the Deed recognises the spiritual, cultural, customary, traditional and historic relationships Ngaati Whanaunga has within their rohe. In that respect, Section 5.3.2 of this report provides a summary of the engagement between OGNZL and Ngaati Whanaunga in respect of the WNP, which has included the provision of a CIA. Section 6.2 of this report provides an assessment of the cultural impacts of the WNP, based on the engagement undertaken with all tangata whenua and iwi groups (including Ngaati Whanaunga). OGNZL has proposed several measures to ensure that the relationship Ngaati Whanaunga has with the area within which the WNP is located is recognised and provided for, on an ongoing basis, which are set out in Section 6.2.

³¹⁰ Under Section 4 (Interpretation) of the Act, a treaty settlement means a Treaty Settlement Act or Treaty Settlement Deed.



Ngāi Tai ki Tāmaki

Ngāi Tai ki Tāmaki signed their Deed of Settlement with the Crown on 7 November 2015, and this was enshrined into law in 2018 (via the Ngāi Tai ki Tāmaki Claims Settlement Act 2018). The rohe of Ngāi Tai ki Tāmaki is centred in Tāmaki Makaurau/Auckland, extending to Hauraki/Coromandel and, in particular, the coastline, harbours and motu/islands of the Waitematā harbour and Tīkapa Moana/ Hauraki Gulf.

As set out in Section 5.3.3 of this report, Ngāi Tai ki Tāmaki advised that the WNP is outside their immediate area of interest and that they would put support behind local iwi who are closer to the rohe. It is also noted that there is no specific redress provided in the Deed of Settlement that affects natural and physical resources relevant to the project.

Ngāti Hei

On 31 May 2017, Ngāti Hei and the Crown initialled a Deed of Settlement, which was then ratified and signed on 13 August 2017. The settlement will be implemented following the passage of settlement legislation (with the Ngāti Hei Claims Settlement Bill being progressed through parliamentary processes). The Deed sets out that the area of interest of Ngāti Hei is located on the eastern seaboard of the Coromandel Peninsula from Onemana to Whangapoua. It is centered around Tairua and Ahuahu and includes offshore islands extending north to Cuvier Island. This area does not appear to include the area of the Coromandel Forest Park impacted by the WNP, however, as set out in Section 5.3.5 of this report, Ngāti Hei advised OGNZL that there is an interest in the Wharekīraponga area.

The Deed contains acknowledgements that the cumulative effect of the Crown's actions and omissions, including land acquisition and the operation and impact of the native land laws, rendered Ngāti Hei virtually landless and the loss of land and resources had a negative impact on the ability of Ngāti Hei to participate in new economic opportunities and challenges emerging within their rohe in the 20th century. There is no specific redress provided in the Deed of Settlement that affects natural and physical resources relevant to the project.

Section 5.3.5 of this report provides a summary of the engagement between OGNZL and Ngāti Hei in respect to the WNP. Section 6.2 of this report provides an assessment of the cultural impacts of the WNP, based on the engagement undertaken with all tangata whenua and iwi groups (including Ngāti Hei). OGNZL has proposed several measures to ensure that the relationship Ngāti Hei has with the area within which the WNP is located is recognised and provided for on an ongoing basis, as set out in Section 6.2.



Ngāti Maru (Hauraki)

On 8 September 2017, Ngāti Maru and the Crown initialled the Ngāti Maru Deed of Settlement (the settlement is yet to be enshrined into legislation). The WNP is located within the Area of Interest shown in the Deed of Settlement. The Deed presents the significant history associated with gold mining in the Coromandel.

There is no specific redress provided in the Deed of Settlement that affects natural and physical resources relevant to the project. However, the Deed recognises the spiritual, cultural, customary, traditional and historic relationships Ngāti Maru has within their rohe. In that respect, Section 5.3.6 of this report provides a summary of the engagement between OGNZL and Ngāti Maru in respect of the WNP. Section 6.2 of this report provides an assessment of the cultural impacts of the WNP, based on the engagement undertaken with all tangata whenua and iwi groups (including Ngāti Maru). OGNZL has proposed several measures to ensure that the relationship Ngāti Maru has with the area within which the WNP is located is recognised and provided for on an ongoing basis, as set out in Section 6.2.

Ngāti Rahiri Tumutumu

The Crown and Ngāti Rāhiri Tumutumu initialled a Deed of Settlement on 13 July 2017 (the Deed has not been enacted via settlement legislation at this time). It is understood that the rohe of Ngāti Rāhiri Tumutumu centres around Te Aroha, which is located well outside the WNP area. However, as details in Section 5.3.9 of this report, Ngāti Rahiri Tumutumu advised that it has cultural rights and interests throughout the Hauraki District and that, whilst it has a special interest within the area of Te Aroha, these rights and interests also extend to Waihi and further afield.

There is no specific redress provided in the Deed of Settlement that affects natural and physical resources relevant to the project. However, the Deed sets out the extensive history Ngāti Rahiri Tumutumu has had within the Ohinemuri Block and Te Aroha Block (and their alienation from these resources).

Section 5.3.9 of this report provides a summary of the engagement between OGNZL and Ngāti Rāhiri Tumutumu with respect to the WNP. Section 6.2 of this report provides an assessment of the cultural impacts of the WNP, based on the engagement undertaken with all tangata whenua and iwi groups (including Ngāti Rāhiri Tumutumu). OGNZL has proposed several measures to ensure that the relationship Ngāti Rāhiri Tumutumu has with the area within which the WNP is located, is recognised and provided for on an ongoing basis, as set out in Section 6.2.



Ngāti Tamaterā

The Crown and Ngāti Tamaterā initialled a Deed of Settlement on 20 September 2017 (the settlement is yet to be enshrined into legislation). The WNP is located within the Area of Interest shown in the Deed of Settlement.

The Deed describes the profound impact mining has had on the rohe, noting the adverse effects of the discharge of mining waste into rivers (including the Ohinemuri River) and the various legislative frameworks that enabled the Ohinemuri River to be used for mining wastewater.

Of relevance to the WNP, the Ohinemuri River and its tributaries are a statutory acknowledgement area. A statutory acknowledgement recognises the association between Ngāti Tamaterā and a particular site or area and enhances the ability of the iwi to participate in specified resource management processes. It requires relevant consent authorities to have regard to the statutory acknowledgement.

Section 5.3.10 of this report provides a summary of the engagement between OGNZL and Ngāti Tamaterā with respect to the WNP, which has included the provision of a CIA. Section 6.2 of this report provides an assessment of the cultural impacts of the WNP, based on the engagement undertaken with all tangata whenua and iwi groups (including Ngāti Tamaterā). OGNZL has proposed several measures to ensure that the relationship Ngāti Tamaterā has with the area within which the WNP is located is recognised and provided for on an ongoing basis, as set out in Section 6.2.

Ngāti Tara Tokanui

The Ngāti Tara Tokanui Deed of Settlement was signed on 28 July 2022. The WNP is located within the Area of Interest shown in the Deed of Settlement. The settlement is yet to be enshrined into legislation, although the Ngāti Tara Tokanui Claims Settlement Bill passed its first reading in June 2023. A select committee report on the bill was released by the Maori Affairs Committee in March 2024.

The Deed sets out the impact that mining has had on their rohe, identifying that both the Waihou and Ohinemuri rivers were proclaimed water courses under the Mining Act 1891 which made the rivers subject to the mining and its wastes – authorising the discharge of mine tailings to these rivers. The Ohinemuri River became so polluted that alternative water supplies were necessary at Opakura, Rawhitiroa, Te Hape, Ngahutoitoi, Makomako, Te Tawaotakuao and Ngamoto as the water was having serious consequences for those who relied on it.



Of relevance to the WNP, the Ohinemuri River and its tributaries are a statutory acknowledgement area. A statutory acknowledgement recognises the association between Ngāti Tara Tokanui and a particular site or area and enhances the ability of the iwi to participate in specified resource management processes and requires relevant consent authorities to have regard to the statutory acknowledgement.

Section 5.3.11 of this report provides a summary of the engagement between OGNZL and Ngāti Tara Tokanui / Ngāti Koi with respect to the WNP, which has included the provision of a CIA. Section 6.2 of this report provides an assessment of the cultural impacts of the WNP, based on the engagement undertaken with all tangata whenua and iwi groups (including Ngāti Tara Tokanui / Ngāti Koi). OGNZL has proposed several measures to ensure that the relationship Ngāti Tara Tokanui / Ngāti Koi has with the area within which the WNP is located is recognised and provided for on an ongoing basis, as set out in Section 6.2.

Pare Hauraki

The Iwi of Hauraki and the Crown signed a Collective Redress Deed on 2 August 2018. The WNP is located within the Area of Interest shown in the Deed of Settlement. The Deed provides shared redress for the collective interests of the 12 Iwi of Hauraki in the Hauraki region. The settlement is yet to be enshrined into legislation, with the Pare Hauraki Collective Redress Bill being introduced to parliament in December 2022.

Of note to the WNP:

- > The WNP is located within the Conservation Framework Area, Fisheries Advisory Committee Area, Pare Hauraki Collective Right of First Refusal Area and is within the Waihou River Catchment. These areas are shown as attachments to the Deed of Settlement;
- > The Deed provides for the establishment of the Pare Hauraki Collective Cultural Entity (the Collective Cultural Entity) to represent the Iwi of Hauraki in relation to natural resource matters. The Collective Cultural Entity appoints members to a range of co-governance bodies that will provide governance, oversight and direction in relation to the management of waterways, catchments and maunga in the Hauraki Region;
- > The Deed includes a Conservation Framework with the Department of Conservation, which establishes a framework for co-governance and co-management of natural resources, historic heritage and cultural heritage. A conservation management plan and conservation management strategy will be prepared for the redress area following the settlement date to enable co-governance. A decision-making framework is also included;



- > The Deed provides for the establishment of the Waihou, Piako and Coromandel Catchment Authority (a statutory authority), which will provide co-governance, oversight and direction for the management of the Coromandel, Waihou and Piako waterways.
- > Relevant local authorities will provide to the Authority and the Collective Cultural Entity electronic summaries (and applications in full if requested) for applications for resource consents for activities that are within the Waihou, Piako and Coromandel catchments that may affect waterways in those catchments; and
- > The Authority must prepare and approve a Waihou, Piako and Coromandel Catchments Plan, which may form part of the Waikato RPS. If not part of the Waikato RPS, the Catchments Plan must be recognised and provided for when preparing, reviewing, varying or changing a relevant RMA planning document.

The Deed sets out a programme for a culture of natural resource partnership, which includes (among other matters):

- > Giving full respect to Te Tiriti o Waitangi;
- > Giving full respect for the tino rangatiratanga of the Iwi of Hauraki, and respecting kaitiaki responsibilities;
- > Committing to holistic and vertically integrated policy and planning documents;
- > Maintaining, enhancing and restoring natural resources, including
 - > Restoring ancestral maunga, awa, whenua and taonga of the Iwi of Hauraki;
 - > Prioritising the reversing of environmental degradation of awa;
 - > Providing governance and management to protect and enhance environmental, economic, social, spiritual and cultural wellbeing for the Iwi of Hauraki; and
 - > Promoting environmental enhancement.
- > Restoring the mana of the Iwi of Hauraki to make decisions in respect of the Pare Hauraki world;
- > Promote iwi as decision makers, along with government, on the use, development, management and protection of natural resources; and
- > Strengthen processes for early engagement on issues.

Section 5.3 provides a summary of the engagement OGNZL has undertaken with tangata whenua, most of which are part of the Pare Hauraki collective. An assessment of the cultural effects of the project is contained in Section 6.2 of this report, and this section also sets out the measures OGNZL is proposing to implement to recognise the relationships iwi



have with the land within which the WNP is located on an ongoing basis. It is considered that the WNP will not create any impediments to the implementation of the outcomes specified in the Deed of Settlement once enacted.

8.7.3.16 Other Matters - Hauraki Gulf Marine Park Act 2000

For completeness, the Hauraki Gulf Marine Park Act 2000 has also been considered. Section 9(4) of the Hauraki Gulf Marine Park Act 2000 specifies that when considering an application for a resource consent for the Hauraki Gulf, its islands and catchments, a consent authority must have regard to Sections 7 and 8 of the Act.

Section 7 of the Hauraki Gulf Marine Park Act 2000 recognises the interrelationship between the Hauraki Gulf, its islands, and catchments, and the ability of that interrelationship to sustain the life-supporting capacity of the environment of the Hauraki Gulf, as a matter of national significance. Section 8 of the Act goes on to identify a number of objectives for the management of the Hauraki Gulf. These include:

- > The protection and, where appropriate, enhancement of the life-supporting capacity of the environment of the Hauraki Gulf;
- > The protection and, where appropriate, enhancement of the natural, historic, and physical resources of the Hauraki Gulf;
- > The protection and, where appropriate, enhancement of those natural, historic, and physical resources (including kaimoana) of the Hauraki Gulf with which tangata whenua have an historic, traditional, cultural, and spiritual relationship;
- > The maintenance and, where appropriate, enhancement of the contribution of the natural, historic, and physical resources of the Hauraki Gulf to the social and economic wellbeing of the people and communities of the Hauraki Gulf and New Zealand; and
- > The maintenance and, where appropriate, enhancement of the natural, historic, and physical resources of the Hauraki Gulf which contribute to the recreation and enjoyment of the Hauraki Gulf for the people and communities of the Hauraki Gulf and New Zealand.

The Hauraki Gulf Marine Park Act 2000 is relevant to the WNP as the project involves discharges of water to the Ohinemuri River and some of its tributaries, including the Ruahorehore and Mataura Streams. The Ohinemuri River converges with the Waihou River near Paeroa, which then discharges into the Firth of Thames at Kopu.

The actual and potential effects of the proposed discharges of water to these waterbodies are discussed in Section 6.6 of this report (and the supporting technical assessments), and in relation to the objectives and policies of the NPS-FM, Waikato RPS and Regional Plan in



this section. Based on these assessments, it is not considered that the WNP will adversely affect the life-supporting capacity of the environment of the Hauraki Gulf or the protection of its natural, historic, cultural, and physical resources.

8.8 APPROVALS RELATING TO THE CONSERVATION ACT 1987

8.8.1 Concession under the Conservation Act

Schedule 6 of the Act sets out the information requirements for approvals required under the Conservation Act, with Part 1 specifically addressing concessions. Clause 3 sets out the information requirements for applications for concessions. This includes:

- > A description of the proposed activity:

This is addressed in Section 2 (project description) and Section 4 (approvals required) of this report. For completeness it is noted that concessions are required for the following activities:

Northern Concession Area:

Concession (licence) for activities occurring on public conservation land, but outside the Access Arrangement / Mining Permit area as follows:

- > All pest control and monitoring on public conservation land;
- > The installation and maintenance of a telemetry system to transmit environmental data, including the continued use of the existing telemetry system authorised under concession 101993-OTH;
- > The installation and maintenance of 3 river flow monitoring stations, and the continued use of the existing surface water monitoring site (originally permitted under concession 70763-OTH and subsequently 87585-OTH);
- > The installation and maintenance of 3 near stream piezometers;
- > The continued use of a flow tracker for flow gauging (authorised under concession 87585-OTH); and
- > Low impact monitoring activities.

The Northern Concession Area is shown on Figure 8-2 in blue.



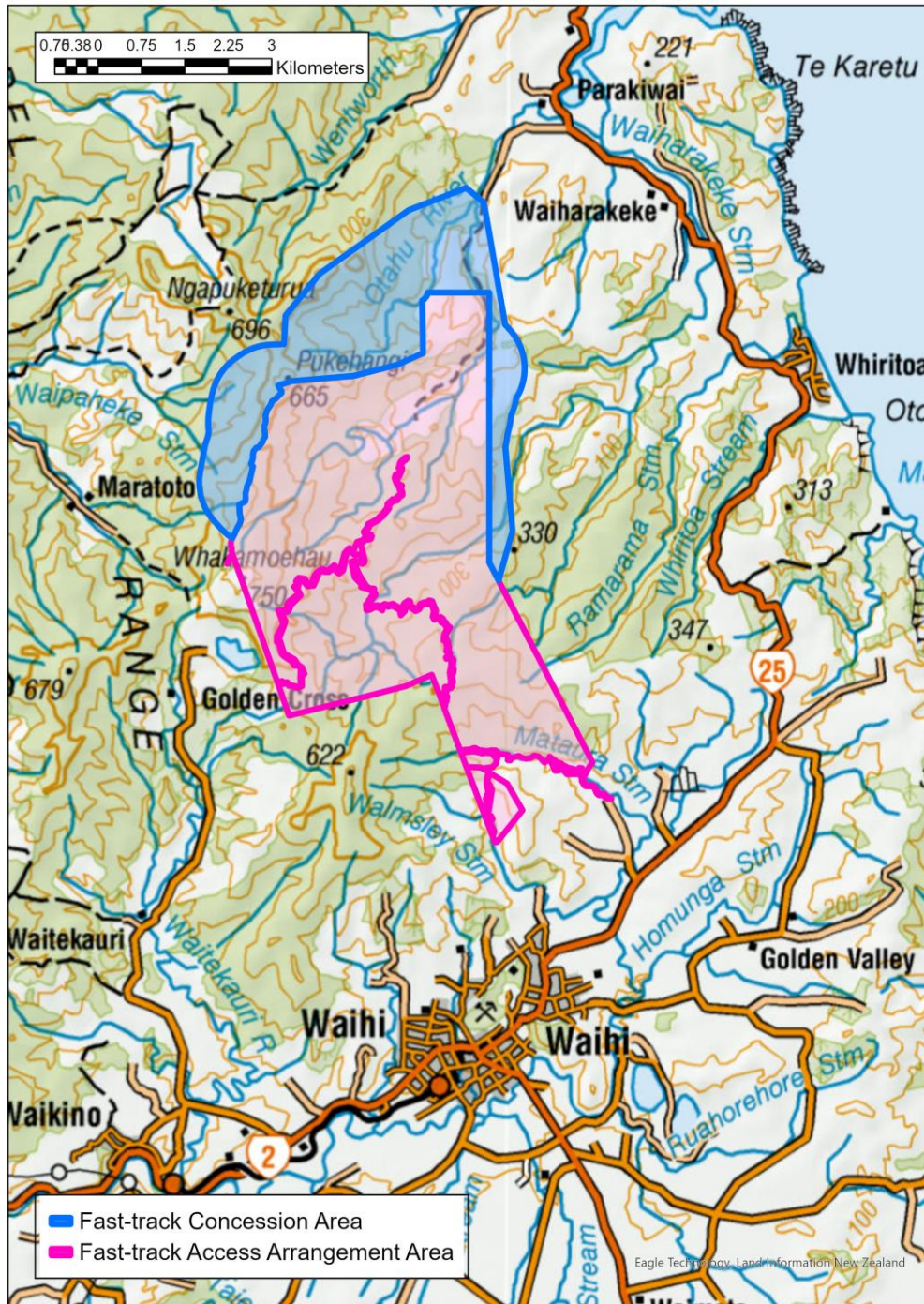


Figure 8-2: Proposed Northern Concession Area and Wharekirauponga Access Arrangement Area

Willows Concession Area:

Concession (permit) for activities occurring on public conservation land but outside the Access Arrangement / Mining Permit area as follows:



- > Rehabilitation planting with continued access for planting maintenance including pest control.

The components that comprise the Willows Concession Area – Southern Coromandel Forest Park and Mataura Stream - are shown on Figure 8-3.



Figure 8-3: Proposed Willows Concession Area – Southern Coromandel Forest Park and Mataura Stream

- > The proposed conditions, for each concession area, are contained in **Part D** to these application documents. A description, maps, and GPS co-ordinates identifying the places where the proposed activity will be carried out (including the classification of those places, the ownership and management arrangements, and, if applicable, the name, of the places):

These matters are addressed in Section 2 of this report. Figures 8-4 and 8-5 below provides the co-ordinates for the two concession areas sought by OGNZL.

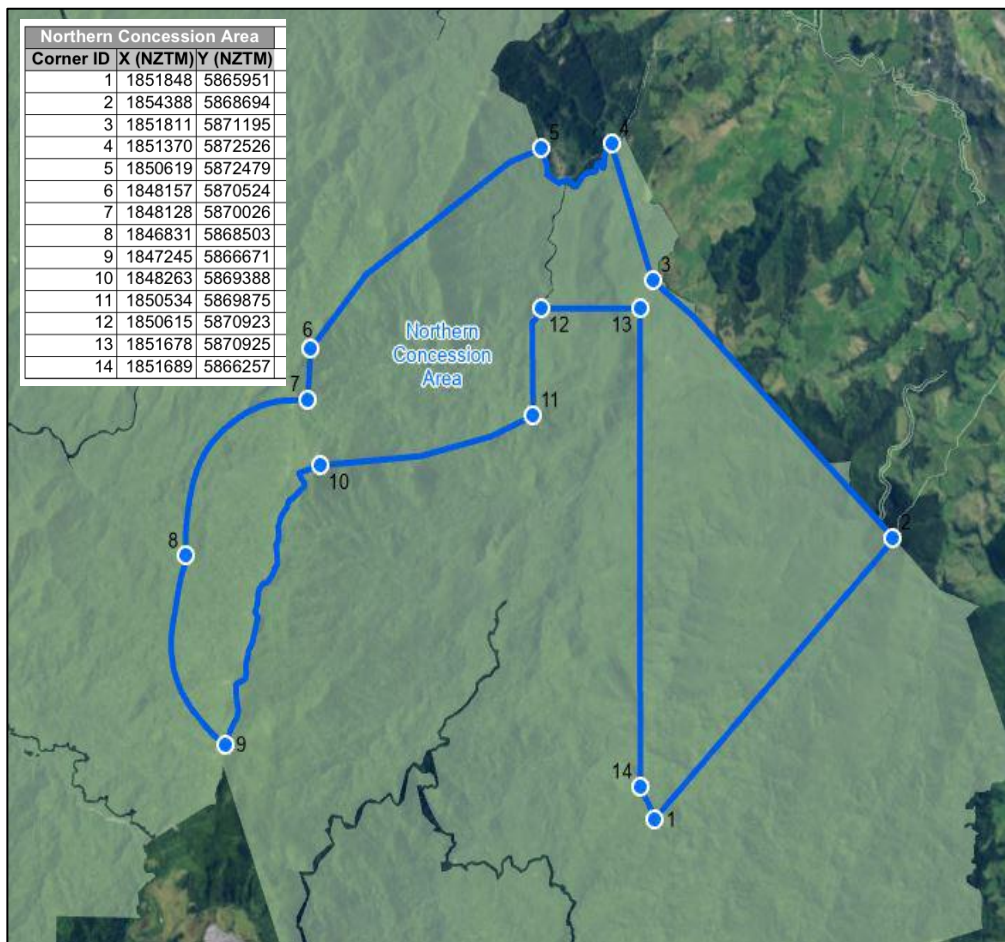


Figure 8-4: Proposed Northern Concession Area – GPS Corner Points



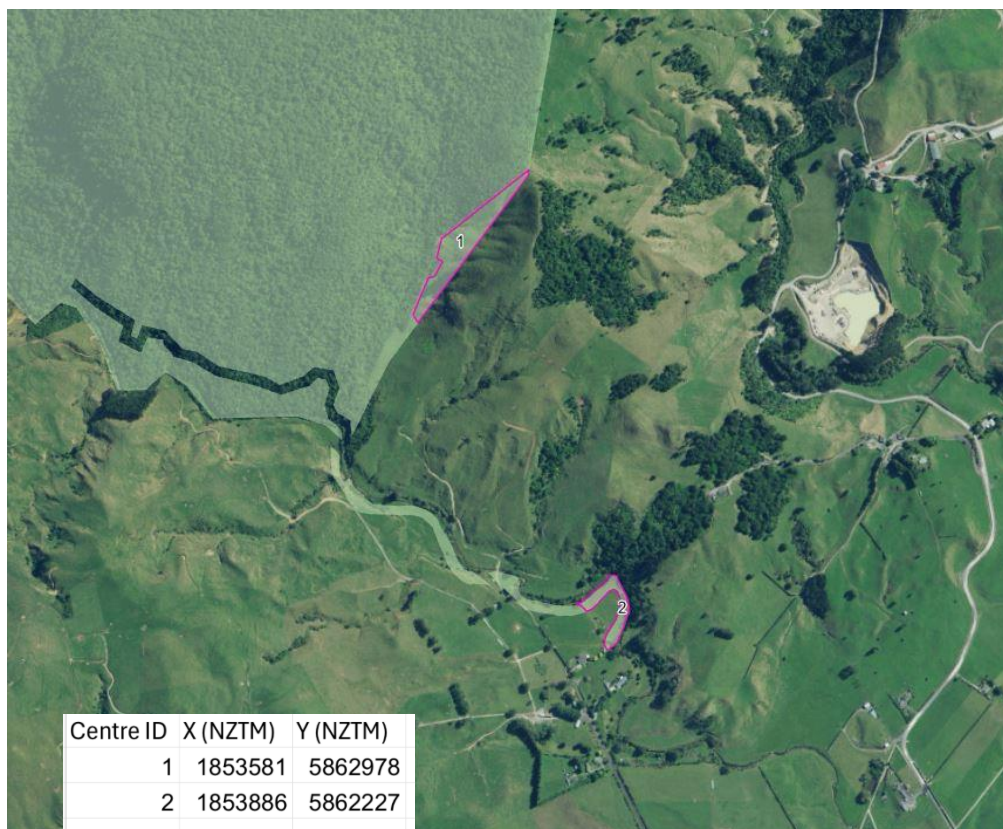


Figure 8-5: Proposed Willows Concession Area – GPS Centre Points

- > Information about whether the project could reasonably be undertaken in another location, or in another conservation area or another part of the conservation area, where the potential adverse effects will be significantly less.

Northern Concession Area:

These matters are addressed in Section 8.7.3.7 of this report. For completeness it is noted that the activity (mining) must occur where the ore body is located, and in this case, this is under land managed by the Department of Conservation. Underground mining has been proposed to avoid and otherwise minimise the adverse effects of mining on conservation values. Any surface activities within the Coromandel Forest Park area will be designed and located to minimise actual and potential effects.

In addition, a Mining Permit has been granted for the project and the concession is required to undertake monitoring (and planting) activities associated with the implementation of the Mining Permit / Access Arrangement. Therefore, no alternative locations are practicable.



The activities for which concession is sought have very minor, localised effects, and primarily relate to investigation work, ventilation easé construction, ongoing monitoring and pest management.

Willows Concession Area:

OGNZL is proposing enhancement planting (and associated maintenance). There are limited (to no) adverse effects associated with the works proposed and therefore no consideration of alternative locations is required.

- > Information about the extent to which the project is consistent with:
 - > The relevant conservation management strategy and conservation management plan:
 - > Any conservation management strategies or conservation management plans that have been co-authored, authored, or approved by a Treaty settlement entity.

The applicable conservation management strategy and conservation management plan are addressed subsequently in Sections 8.8.2, 8.8.3, and 8.8.4 of this report.

- > Information about the extent to which the project is in keeping with the purposes for which the land is held, status, ownership and administration:

Northern Concession Area:

The land is administered by the Department of Conservation pursuant to the provisions of the Conservation Act and is managed for conservation purposes. The land is part of the Coromandel Forest Park which is held as Conservation Park under Section 19 of the Conservation Act. 'Conservation' means the preservation and protection of natural and historic resources for the purposes of maintaining their intrinsic values, providing for their appreciation and recreational enjoyment for the public and safeguarding the options for future generations. In this case, 'protection' means "its maintenance, so far as practicable, in its current state; but includes (a) its restoration to some former state; and (b) its augmentation, enhancement or expansion."

All activities associated with the WNP within the conservation estate have been purposefully designed to avoid environmental effects as far as practicable (for example, through mining underground rather than from the surface). Very few activities associated with mining are proposed on the surface of land, and where they are, that land will be rehabilitated in the long term (i.e. regenerated as part of mine rehabilitation, or additional areas planted to offset or compensate for the loss of vegetation). Where there are potential effects, they will be managed on an ongoing basis, as described in Section 6 of this report. With these measures in place, it is considered that the WNP is not incompatible with the 'conservation' classification of the land.



Willows Concession Area:

The assessment in respect of the Northern Concession Area above is applicable to the planting proposed in the Southern Coromandel Forest Park area (Figure 8-2). The planting (and associated maintenance) proposed in this area is entirely consistent with the conservation purpose for which the land is held.

In respect of Mataura Stream area (Figure 8-2), the land is held as 'Marginal Strip'. Marginal strips are parcels of Crown-owned conservation area land, generally 20m wide, adjoining some parts of the coast, lakes larger than 8ha and rivers wider than 3m. Marginal strips provide public walking access and access to the water.

The concession sought by OGNZL for the Mataura Stream is to enable rehabilitation planting with continued access to the public conservation land / marginal strip for maintenance purposes (including pest control). The works proposed by OGNZL do not prevent public access.

- > A description of—
 - > The potential effects (positive and negative) of the proposed activity:
 - > Any actions that the applicant proposes to take to avoid, remedy, mitigate, offset, or compensate for any adverse effects of the proposed activity: and
 - > Details of the type of concession for which the applicant is applying.

The effects of activities associated with the WNP are addressed in detail in Section 6 of this report. Section 6 of this report, the accompanying technical reports, and proposed conditions address the actions OGNZL are proposing to manage the effects of the WNP.

In respect to the type of concessions required, OGNZL is seeking a licence for the Northern Concession Area, and a permit for the Willows Concession Area.

- > A statement of—
 - > The proposed duration of the concession; and
 - > The reasons for the proposed duration:

OGNZL is seeking the duration of the Northern Concession to be 30 years (the maximum duration allowable for a license under section 17Z of the Conservation Act where there are no exceptional circumstances). The maximum term allowable is sought to ensure that the term of the concession adequately covers the life of mine and all associated closure activities, without the need for an extension if any unforeseen delays occur.

OGNZL is seeking the duration of the Willows Concession to be 10 years (the maximum duration allowable for a permit under section 17Z of the Conservation Act). The



maximum term allowable is sought to ensure that the term of the concession adequately covers all planting activities and the ongoing management and maintenance of the plantings.

- > Relevant information relating to the applicant, including any information relevant to their ability to carry out the proposed activity (including whether the applicant or any company director, trustee, partner, or anyone else involved with the application has been convicted of any offence or has any current criminal charges pending before a court):

Information about OGNZL is provided in Section 1.4 of this report, with further information relating to this requirement provided in Section 8.4 of this report.

- > If the applicant applies for a lease, a licence granting an interest in land, or an easement:

- > Reasons for the request; and
- > Sufficient information to satisfy the panel that it is appropriate under to grant the lease, licence, or easement (as the case may be):

As documented earlier, OGNZL is applying for a licence granting an interest in land for the Northern Concession Area and a permit for the activities within the Willows Concession Area. The reason for the request is documented in Section 2 of this report, and the information contained in this substantive application in respect of the project rationale, actual and potential effects and effects management measures are considered to be sufficient to satisfy the panel that it is appropriate to grant the licence and easement sought.

- > Full details of any consultation undertaken with relevant iwi and with reserve owners and managers:

The consultation undertaken by OGNZL in respect of the WNP is addressed in Section 5 of this report.

- > Information about financial and legal liabilities and obligations associated with the land;
For the OGNZL owned land holdings on which aspects of the WNP are proposed (refer to **Part J** of these application documents which provides legal descriptions and titles for all areas of the proposed WNP works), these land holdings are subject to mortgages in favour of BNP Paribas and certain interests such as standard easement rights and sections of legislation, which you will see registered against the legal titles.



In relation to Area 2 (Willows Farm), OGNZL has leased the grazing land to a local farmer. However, OGNZL has the legal right to take back its land or parts of its land for mining activities.

Should any further information on the financial and legal liability and obligations associated with the land be required, OGNZL can provide this as and if necessary.

- > Confirmation that the applicant has written agreement from the holder of a right of first refusal or right of offer or return to waive that right for the purposes of any lease proposed in the application if—
 - > The proposed lease will be for a term (including any renewals) that will or is likely to be more than 50 years; and
 - > The granting of the lease will trigger the right of first refusal or right of offer or return.

The concessions sought to enable the WNP do not include a lease.

8.8.2 Conservation General Policy 2005

Clause 3 (1)(d)(i) of Schedule 6 (concession) and Clause 3 (1)(d)(iv) of Schedule 11 (access arrangement) of the Act requires a substantive application to include information about the extent to which the project is consistent with a relevant policy statement, conservation management strategy and conservation management plan.

The Conservation General Policy 2005 (“**CGP**”) provides the overarching policy for the management of the conservation estate, seeking to ensure that activities undertaken on conservation land are done in accordance with the purpose of the land. The following analysis is applicable to all activities within this application requiring approval from the Department of Conservation (concession and access arrangement).

The CGP primarily sets out policies relating to the development of conservation management strategies. The most pertinent provisions for the project are set out in Section 11 of the CGP – activities requiring specific authorisation, including (of relevance to the WNP):

- > Any application for concession or other authorisation must comply with, or be consistent with, the objectives of the relevant Act, the statutory purpose for which the place is held and any conservation management strategy or plan;³¹¹

³¹¹ GCP Policy 11.1 (a).



- > Activities on conservation lands and waters should avoid, remedy or mitigate any adverse effects and maximise positive effects;³¹²
- > All concession or authorisation holders should monitor the effects of authorised activities;³¹³ and
- > All applications for access arrangements to minerals will be considered under the applicable sections of the Crown Minerals Act.³¹⁴

In respect to these provisions:

- > The consistency of the project in respect to the statutory purpose for which the land is held is addressed in Section 8.8 (in respect to the concessions sought) and Section 8.12 (in respect to the access arrangements sought by OGNZL);
- > An assessment of the project against the relevant strategies or plans is addressed later in this report;
- > Section 6 of this report contains an assessment of environmental effects;
- > Section 7 of this report, and the proposed conditions provided in **Part D** to these application documents, set out the monitoring proposed as part of this project;
- > Section 16 of the Crown Minerals Act requires consideration of the following matters:
 - > The objectives of any Act under which the land is administered;
 - > Any purpose for which the land is held by the Crown; and
 - > Any policy statement or management plan of the Crown in relation to the land; and
 - > The safeguards against any potential adverse effects of carrying out the proposed programme of work; and
 - > The direct net economic and other benefits of the proposed activity in relation to which the access arrangement is sought.

These matters are addressed throughout this report, and it is considered that the project is consistent with the Crown Minerals Act.

³¹² GCP Policy 11.1 (b).

³¹³ CGP Policy 11.1 (c).

³¹⁴ CGP Policy 11.4 (a).



8.8.3 Waikato Conservation Management Strategy

The Waikato Conservation Management Strategy (“**CMS**”) describes the conservation values of Waikato. It provides guidance for the Department of Conservation's work in the form of a vision, objectives, outcomes for places, policies, and milestones. These translate the Department of Conservation's strategic outcomes to the Waikato.

The analysis in this section considers the project as a whole, rather than the activities for which concession is required. In addition, the concession required to enable the WNP is considered against the mining / access arrangement provisions of the CMS as the concession is required to support mining activities that are located outside of the Mining Permit area - such as water quality sampling, flow gauging, operation of river level and flow monitoring stations, wetland monitoring, pest monitoring, pest management, operation of rain gauges and meteorological station, as well as enhancement planting (the area within Mining Permit areas is covered by the access arrangement application - discussed later in this report in Section 8.12).

The area within which the project is located within the Hauraki-Coromandel Peninsula Place (“**Place**”), and within the ‘Maratoto, Wentworth and Wharekurauponga’ area (in respect of the Northern Concession Area and the Wharekurauponga Access Arrangement Area).

Section 9 of the CMS provides a description of the Place, setting out that:

- > The Place contains a large forest continuum, valued for its diverse native flora and fauna, scenic natural landscapes, rich history, ecosystem services and wide range of recreation and tourism opportunities;
- > The Place is characterised by indigenous forest and wetlands. Indigenous forests cover a large part of the Coromandel Peninsula;
- > The Coromandel Forest Park contains numerous waterways that feed into, and have a significant influence on, the quality of many wetland and coastal habitats;
- > Ecosystems in this Place support a great diversity of flora and fauna, including many endemic and threatened and at risk species. There are a wide range of threats to these species present, including goats, pigs, possums, stoats and rats;
- > The landscape comprises landforms and geological features that are diverse and have significant aesthetic values;
- > The Coromandel Peninsula is of great physical and spiritual significance to tangata whenua. There are a significant number of pre-European and post-European historic settlement sites;



- > The Coromandel Peninsula has a long history of mining activities, particularly gold mining. Mining cannot occur on conservation land, north and north-west of the Kopu-Hikuai Road;
- > The moderately steep to rolling hill country of the Maratoto, Wentworth and Wharekairauponga valleys are covered with lowland to montane forest and scrub, and kauri forest; and
- > Threatened species in the Maratoto, Wentworth and Wharekairauponga area includes Archey's frog, Hochstetter's frog, Coromandel brown kiwi, North Island kākā, New Zealand falcon, long tailed bat and longfin eel.

The outcome for the Place seeks that it is recognised and highly valued for its natural and heritage values, and backcountry visitor setting.

The relevant policies require:

- > The identification of biodiversity restoration and protection priorities;³¹⁵
- > The protection of specific conservation outcomes including indigenous forest corridors, habitats of threatened and at-risk species, migratory habitat and pathways for birds, freshwater ecosystems and geological features;³¹⁶ and
- > The undertaking of actions to contain the spread of kauri die back disease.³¹⁷

Specific to mining activities, Policy 9.2.2.14 sets out that the Department of Conservation should consider applications for access arrangements in accordance with specific policies of the CMS contained in Section 16 (discussed later), and with the following criteria:

- > Only where the activity seeks access to public conservation lands south of SH25A and Hikau Settlement Road, excluding the Otahu Ecological Area and Parakawai Ecological Area;
- > The activity avoids priority ecosystem units and species populations; in particular, habitats important for the persistence of native frogs, Coromandel brown kiwi, native birds and other Threatened and At Risk species;
- > Adverse effects on other natural values, including the indigenous forest corridor along the Coromandel Range, are avoided, remedied or mitigated; and

³¹⁵ CMS Policy 9.2.2.1.

³¹⁶ CMS Policy 9.2.2.2.

³¹⁷ CMS Policy 9.2.2.4.

- > Significant geological features, landforms and landscapes and cultural sites are protected.

The following analysis is applicable to both the concession and the access arrangement sought by OGNZL.

The WUG is located south of SH25A and Hikau Settlement Road.

The activities associated with the WNP proposed within / under the Coromandel Forest Park have been carefully designed to avoid adverse effects as far as practicable. Where the effects are uncertain, or effects cannot be avoided (i.e. vibration effects), significant offsetting or compensation is proposed such that there will be a net gain in terms of biodiversity values.

Policies 16.3.5.1 and 16.3.5.3 address aircraft noise. These policies set out a criterion for assessing *concession* applications (this policy only applies to concessions and does not specify aircraft noise requirements for access arrangements) for aircraft landings, including:

- > Consistency with the outcomes and policies for the Place which the activity is to occur;
- > Consistency with aircraft zoning provisions;
- > Consistency with the purposes for which the lands and waters concerned are held;
- > Adverse effects on conservation values, including adverse effects on natural quiet, are avoided, mitigated or remedied; and
- > Should only grant concessions for aircraft landings in the Yellow Zone³¹⁸ that meet the limits of:
 - > Two landings per operator per day at any one site (defined as any landing site within a 1kilometre radius of the initial landing site) and a maximum of 20 landings per site per operator per year.

Very few helicopter flights are associated with the activities in the Northern Concession Area, with around 20 required for the near-stream piezometer installation. The vast majority of helicopter activities associated with the WNP are proposed to occur within the Wharekirauponga Access Arrangement Area and because this policy only applies to

³¹⁸ To manage effects of aircraft landings on public conservation land, four aircraft access zones are included in the CMS (red, yellow, green and orange). The Yellow Zone within the CMS are areas where a concession application to land an aircraft is likely to be granted where it meets the nationally consistent limits for this zone (Policy 16.3.5.3). This zone applies where there is a need to restrict aircraft use; either where visitors expect a low level of encounters with aircraft or where values of natural quiet predominate particular in backcountry and remote areas.



concession applications it is not relevant to the Wharekirauponga Access Arrangement Area. However, for completeness and out of an abundance of caution, the helicopter operations associated with the Wharekirauponga Access Arrangement Area are assessed against these provisions. Helicopters currently operate within the Coromandel Forest Park to support existing drilling operations, with further flights required to enable the mining associated with the WUG. Helicopters will be used to transport staff and lift equipment between the vent evasé, drill sites, camps and the offsite helipads at the Golden Cross Mine, Baxters Road, and Willows Site. Marshall Day (2025) sets out that helicopter noise is likely to be at elevated levels only in close proximity to the vent evasé and exploratory drilling sites during construction, and audible to track users/back country visitors during a flyover across the conservation area as a whole. Noise would be regular in nature during each helicopter campaign. Individual helicopter operations would still likely be distantly audible across much of the Coromandel Forest Park. However, these events would be at relatively low noise levels at the walking tracks, for only a brief duration and for only a relatively small number of events per campaign. Marshall Day (2025) concludes that helicopter noise impacts on users of the conservation area will not be significant.

In respect to 16.3.5.3, which sets out that *concession* applications for helicopter should (not must) only be granted if there are no more than 2 landings (which includes hovering operations) per operator per day (or 20 landings per year) at any one site proposed. This is not a practicable number of landings for the WNP operations within the Coromandel Forest Park. The Marshall Day (2025) assessment sets out that the operation of helicopters will not cause effects beyond ‘occasional intrusion’ when backcountry visitors are traversing the loop part of the track and therefore noise levels would be acceptable, and consistent with the overall intent of the policies of the Waikato CMS.

Section 16.9.1 of the CMS contains mining specific policies which detail how applications for access arrangements will be considered by the Department of Conservation. Such matters include:

- > Considering the application on a case-by-case basis in accordance with the criteria set out in the relevant section of the Crown Minerals Act;
- > Whether the activity is consistent with the outcome and policies for the Place (discussed above);
- > The significance of the conservation values and recreation opportunities present and the effects the proposal will have on those values;
- > The adequacy and achievability of the proposed site rehabilitation work;



- > The adequacy or appropriateness of the compensation offered for loss or damage to conservation values; and
- > The economic benefits and adverse effects of the project.

In respect of this criteria:

- > The project is consistent with the Crown Minerals Act;
- > Sections 6.6, 6.7, and 6.12 contain an assessment of the project against conservation values and recreation opportunities. The project will have minimal impact upon conservation values and recreation opportunities in the Place, and any effects (for instance restrictions on public access) will be temporary;
- > As will be documented in a Rehabilitation and Closure Plan (as proposed in the conditions contained in **Part D** to these application documents), rehabilitation will be adequate and achievable, noting that there will be only minor mining features present on the surface of the land within the conservation estate;
- > Section 6 addresses the approach to managing the effects of the project, including on conservation values. A net gain in biodiversity values is anticipated as result of the implementation of the measures proposed as part of this project (i.e. pest management, enhancement planting); and
- > Section 6.3 describes the significant economic benefits of the project, with the wider Section 6 describing the adverse effects (as well as detailing how those effects will be managed).

Appendix 10 of the CMS, 'Actively conserved historic places in Waikato on public conservation lands or waters managed by the Department', identifies the Royal Standard Tramway in the Wharekirauponga Valley as a Local Treasure with gold mining, quartz reef and tunnels of significance. While it is not expected that this feature will be impacted, as a precaution an Archaeological Authority will be applied for to cover the WUG prior to any works that may affect this site. Archaeological recording and investigation of all archaeological features and remains associated with this site within the project area, and any other archaeological remains uncovered during earthworks, will be undertaken.

Appendix 11 of the CMS, 'Recreation destinations in Waikato', identifies that the land is not considered to contain an Icon or Gateway destination however the Te Wharekirauponga Track is a Local Treasure Destination. In respect to structures, the four ventilation evasé are proposed to be in an area west of the Wharekirauponga Track and include part of the Te Wharekirauponga to Golden Cross Track – although the siting of the ventilation evasé will be planned to avoid track locations. In respect to noise, although the WUG, and its associated operations within the Coromandel Forest Park, are partly within a recreation remote zone



where low levels of noise is preferred, Greenaway (2025) considers that impacts of recreation values associated with the project will be low by virtue of the very low levels of visitor activity. Greenaway (2025) concludes that the potential scale of effect on recreation at a regional level will be very low – considering the scale of effect on tramping in the Coromandel Forest Park generally and the eventual removal and rehabilitation of the ventilation easé. However, the effects on activity on the Te Wharekirauponga to Golden Cross Track could be considered more than minor for those few visitors who encounter them due to their visual effect in an otherwise relatively undeveloped setting. Key mitigation measures to be employed by OGNZL include:

- > No drilling or helicopter activity to service drill sites within 400 m of the Wharekirauponga Track from 1 December to 28 February (inclusive), when the track is open;
- > Provision of clear signage or markers around ventilation easé sites to avoid members of the public accidentally accessing the site during construction;
- > Placing track notices at the entrance of Te Wharekirauponga Track and at the Kauaeranga Visitor Centre prior to the commencement of construction activities;
- > Maintaining aircraft land / hovering zones to ensure public safety;
- > Ensuring that aircraft idle times on the ground are kept to a practicable minimum; and
- > Locating ventilation easé away from tramway formations and recreational tracks.

Map 4 of the CMS shows the Land is located in a ‘Yellow Zone’ where aircraft landings and take-offs on public conservation land may be allowed. The zone applies where there is a need to restrict aircraft use; either where visitors expect a low level of encounters with aircraft or where values of natural quiet predominate particularly in backcountry and remote areas. As documented earlier, there will be helicopters required as part of the WUG operations, but it is unlikely that they will have significant effects on conservation values given the episodic nature and due to the fact that the effects are reversible (i.e. once helicopter operations are not occurring).

8.8.4 Coromandel Peninsula Conservation Land Management Plan

The Coromandel Peninsula Conservation Land Management Plan (“**CLMP**”) implements the CMS as it relates to the conservation land in the Coromandel Peninsula and Te Whanganui-A-Hei Marine Reserve.

The CLMP notes that the Coromandel Peninsula has special ecological, geological, social and cultural issues that support the need for a specific conservation management plan. In



respect to mining, the CLMP follows a similar theme to the mining provisions in the CMS, noting the following:

- > South of the Kopu-Hikuai and Hikuai-Settlement Roads, both mining and quarrying are not prohibited from conservation lands;
- > Access arrangements are subject Section 61(2)(a) – (c) of the Crown Minerals Act, which requires the Minister of Conservation to consider the project against the objectives under which the land is administered, the purpose for which it is held and any policy statement or management plan of the Crown in relation to the land; and
- > The Coromandel, formed predominately from volcanic rock, is rich in gold bearing quartz. Gold and silver are present in both epithermal deposits and the deeper base metal vein deposits.

The overarching objective in respect to mining in the CLMP seeks to ensure the preservation and protection of natural and historic resources in accordance with the land classification purpose and objectives for which is held. An assessment of the project against these matters is contained in Section 8.8 (in respect of concessions) and Section 8.12 (in respect of access arrangements) of this report.

8.9 APPROVALS RELATING TO THE WILDLIFE ACT 1953

8.9.1 Wildlife Permit

Schedule 7 (Clause 2) of the Act sets out the information requirements for wildlife approval. Applications for wildlife approval must:

- > Specify the purpose of the proposed activity:

The proposed WNP is fully described in Section 2 of this report. Approvals are required under the Wildlife Act as follows:

- > To undertake monitoring of leiopelmatid frogs within the vibration impact area, Wharekirauponga Pest Management Area and a control area, all of which are located within the Coromandel Forest Park;
- > To undertake monitoring of leiopelmatid frogs in waterways within and outside the area potentially affected by the dewatering of the WUG, all of which are located within the Coromandel Forest Park;
- > To handle, salvage and relocate leiopelmatid frogs and lizards in order to enable vegetation clearance at TSF3, NRS, GOP and Willows SFA, all of which are located on OGNZL owned land; and



- > To handle, salvage and relocate leiopelmatid frogs and lizards in order to enable vegetation clearance for drill sites and pumping test / ventilation shaft sites located within the Coromandel Forest Park.

- > Identify the actions the applicant wishes to carry out involving protected wildlife and where they will be carried out (whether on or off public conservation land):

As discussed in Section 6 (assessment of effects) and Section 7 (management and monitoring) of this report, and in Bioresarches (2025a) and Boffa Miskell (2025a), OGNZL is proposing fauna (protective wildlife) salvage and relocation as part of the project where vegetation / habitat clearance is required, or where effects need to be monitored. The location of where this occurs is documented in Section 2, Section 6 and Section 7 of this report, and includes:

- > Coromandel Forest Park (Department of Conservation); and
- > TSF3, NRS, GOP and Willows SFA (OGNZL land).

- > Include an assessment of the activity and its impacts against the purpose of the Wildlife Act:

Section 2 of this report provides a description of the project, Section 6 presents an assessment of the effects of the project on biodiversity (including wildlife), and Section 7 sets out the measures proposed by OGNZL to manage the effects of the project on native fauna.

The Wildlife Act protects native and introduced species of mammals, birds, reptiles, and amphibians, and regulates many human interactions with these species. It establishes a tiered system of protection for different species, with some species receiving absolute protection and others receiving partial protection.

As set out throughout this report, OGNZL is proposing to translocate native fauna from sites affected by vegetation / habitat clearance and relocate them to areas outside the WNP footprint. In addition, OGNZL is proposing to significantly improve the habitat values of those areas to be utilised as host locations for those animals that are relocated. Given these measures it is considered that the required translocation of fauna is consistent with the intent of the Wildlife Act.

- > List protected wildlife species known or predicted to be in the area and, where possible, the numbers of wildlife present and numbers likely to be impacted:

This information is contained in Boffa Miskell (2025a) and Bioresarches (2025a).

- > Outline impacts on threatened, data deficient, and at-risk wildlife species (as defined in the New Zealand Threat Classification System):



Section 6 of this report contains an assessment of effects on native fauna / wildlife species, based on the information contained in Boffa Miskell (2025a) and Biosearches (2025a).

It is noted that a report, Conservation Status of Amphibians in Aotearoa New Zealand³¹⁹ (2024), has recently been released by the Department of Conservation which presents the latest assessment of the extinction risk of native amphibians in Aotearoa New Zealand, including Archey's and Hochstetter's frogs (which is now considered as 10 separate indeterminate / unresolved taxa). The report states that Archey's frogs have higher numbers than previously thought – it was estimated that there were between 5,000 – 20,000 Archey's frogs in New Zealand. However, this number has been revised to over 100,000 individuals (largely based on the surveys undertaken by OGNZL in support of this substantive application). However, the threat classification for Archey's frogs has not changed due to the risks to the population through predation by rats and mice.

- > State how the methods proposed to be used to carry out the actions the applicant wishes to carry out involving protected wildlife that will ensure that best practice standards are met:

This information is contained in Boffa Miskell (2025a) and Biosearches (2025a), as well as the Ecology and Landscape Management Plans contained in **Part H** to these application documents.

- > Describe the methods to be used to safely, efficiently, and humanely catch, hold, or kill the animals and identify relevant animal ethics processes:

This information is contained in Boffa Miskell (2025a) and Biosearches (2025a), as well as the Ecology and Landscape Management Plans contained in **Part H** to these application documents.

- > State the location or locations in which the activity will be carried out, including a map (and GPS co-ordinates if available):

This information is contained in Boffa Miskell (2025a) and Biosearches (2025a), as well as the Ecology and Landscape Management Plans contained in **Part H** to these application documents.

- > State whether authorisation is sought to temporarily hold or relocate wildlife:

³¹⁹ <https://www.doc.govt.nz/globalassets/documents/science-and-technical/nztcs44entire.pdf>



This information is detailed in Boffa Miskell (2025a) and Bioresarches (2025a), as well as the Ecology and Landscape Management Plans contained in **Part H** to these application documents.

- > List all actual and potential wildlife effects (adverse or positive) of the proposed activity, including effects on the target species, other indigenous species, and the ecosystems at the site:

Section 6.6 of this report contains a detailed description of the actual and potential effects of the project on wildlife (and their habitats). This is based on the information contained in Boffa Miskell (2025a) and Bioresarches (2025a).

- > Where adverse effects are identified, state what methods will be used to avoid and minimise those effects, and any offsetting or compensation proposed to address unmitigated adverse effects (including steps taken before the project begins, such as surveying, salvaging, and relocating protected wildlife):

Section 6 and Section 7 of this report, as well as the proposed conditions contained in **Part D** to these application documents, detail how OGNZL is proposing to manage the actual and potential effects of the project on wildlife.

Details of the salvaging and relocating of native fauna are set out in the Ecology and Landscape Management Plans (one for the WUG and one for the Waihi Area).

- > State whether the applicant or any company director, trustee, partner, or anyone else involved with the application has been convicted of any offence under the Wildlife Act:

No company director, trustee, partner, or anyone else involved with the application has been convicted of any offence under the Wildlife Act.

- > State whether the applicant or any of the company director, trustee, partner, or anyone else involved with the application has any current criminal charges under the Wildlife Act pending before a court:

The applicant, (including the company director, trustees, partners, or anyone else involved with the application) has any current criminal charges pending under the Wildlife Act.

- > Provide proof and details of all consultation, including with hapū or iwi, on the application specific to wildlife impacts:

Section 5 of this report contains details of the consultation undertaken associated with the project.

- > Provide any additional written expert views, advice, or opinions the applicant has obtained concerning their proposal:



OGNZL has commissioned several expert reports to assess the effects of the project and to set out measures to manage the effects on wildlife, including Bioresarches (2025a), Boffa Miskell (2025a), RMA Ecology (2025a), Bioresarches (2025b) and RMA Ecology (2025b) (all of which are appended to this application in **Part B**).

8.10 APPROVALS RELATING TO THE HERITAGE NEW ZEALAND POUHERE TAONGA ACT 2014

8.10.1 Archaeological Authority

Schedule 8 (Clause 2) of the Act sets out the information requirements for archaeological authorities. Applications must include the following information:

- > A legal description of the land or, if one is not available, a description that is sufficient to identify the land to which the application relates:

This is addressed in **Part J** to these application documents.

- > The name of the owner of the relevant land, if the applicant is not the owner of the land:

The ownership details are set out in **Part J** to these application documents.

- > Proof of consent, if the owner has consented to the proposed activity:

OGNZL consents to the proposed Archaeological Authority activities on all company owned properties associated with the WNP.

OGNZL has also obtained approval agreements from the owners of 111, 112, and 122 Willows Road, and 131 Trig Road North for the proposed Archaeological Authority activities associated with the WNP (as per the approval agreements provided in **Part F** to the application documents).

OGNZL has been engaging with the Department of Conservation throughout the development of the WNP application. Whilst formal consent has not yet been provided for those areas of the project located on land administered by the Department of Conservation, the Department of Conservation has been provided detailed information of the proposed activities as part of the ongoing engagement that OGNZL has undertaken with them. OGNZL will work with the Department of Conservation to obtain this consent following lodgement of the substantive application.

- > Confirmation that the application complies with Section 46(2)(a), (b) and (d)³²⁰ of the Act:

³²⁰ Section 46 of the Act addresses the EPA deciding whether a substantive application is complete and within scope.



The requirements of Section 46 of the Act are addressed earlier in this report, in Section 8.7.1.

- > A description of each archaeological site to which the application relates and the location of each site:

This is addressed in Section 3.11, and in Clough (2025)

- > A description of the activity for which the authority is sought:

This is addressed in Section 2, in Clough (2025) and the Archaeological Management Plan (contained in **Part H** to these application documents). Broadly, OGNZL applies for general archaeological authorities for works associated with the project, which will include archaeological investigation and recording of any archaeological remains affected and uncovered during earthworks.

- > A description of how the proposed activity will modify or destroy each archaeological site:

These matters are addressed in Section 6.15 of this report, and in Clough (2025).

- > Except in the case of an approval described in Section 44(b)³²¹ of the HNZPT Act, an assessment of—

- > The archaeological, Māori, and other relevant values of the archaeological site in the detail that is appropriate to the scale and significance of the proposed activity and the proposed modification or destruction of the archaeological site; and

- > The effect of the proposed activity on those values:

Clough (2025) assesses all archaeological values associated with the area within which the project is located. An Archaeological Management Plan (provided in **Part H** to these application document) has also been prepared which documents the measures to be put in place to address effects on archaeological values and features.

- > A statement as to whether consultation with tangata whenua, the owner of the relevant land (if the applicant is not the owner), or any other person likely to be affected—

- > Has taken place, with details of the consultation, including the names of the parties and the tenor of the views expressed; or

³²¹ An application for an authority to undertake an activity that will or may modify or destroy a recorded archaeological site or sites, if the effects of that activity on a site or sites will be no more than minor,



- > Has not taken place or been completed, with the reasons why consultation has not occurred or been completed (as applicable):

Section 5 addresses the consultation and engagement undertaken by OGNZL in respect of the project.

8.11 APPROVALS RELATING TO THE FRESHWATER FISHERIES REGULATIONS 1983

8.11.1 Complex Freshwater Fisheries Activity Approval

Schedule 9 (Clause 3) of the Act sets out the information requirements for complex freshwater fisheries activity approval. It is the diversions associated with the project that require a dispensation under Regulation 43 of the Fisheries Regulations.

It is noted that the culverts associated with the WNP do not need complex freshwater fisheries activity approval as fish passage is being maintained.

Applications must include the following information:

- > In relation to the structure and any fish facility:
 - > A description of the type of structure or fish facility:
 - > The dimensions of the structure or fish facility:
 - > The design of the structure or fish facility:
 - > The placement of the structure or fish facility:
 - > The water flows:
 - > The operating regime:

In respect of the WNP, this is not applicable as all instream structures (culverts) associated with WNP will have fish passage provided / maintained, and approval under the Fisheries Regulations is therefore not required.

- > The freshwater species and values present (with particular focus on threatened, data-deficient, and at-risk species as defined in the New Zealand Threat Classification System):

Section 3 of this report provides an overview of the freshwater species and values present within each waterbody potentially affected by the WNP. These matters are also addressed in Boffa Miskell (2025c) which is contained in **Part B** to these application documents.

- > The water quality and quantity in the surrounding habitat (at the proposed structure location, upstream and downstream):



Section 3 of this report provides an overview of the freshwater species and values present within each waterbody potentially impacted by the WNP. These matters are also addressed in Boffa Miskell (2025c) which is contained in **Part B** to these application documents.

- > How the passage of fish will be provided for or impeded:

As detailed earlier in this report (Section 2), the diversion channels will be designed and constructed to be functioning water bodies with no structures that impede fish passage. In respect to instream works associated with the WNP, aquatic fauna salvage and relocation is proposed such that aquatic fauna will be transferred from the works site into other waterbodies where no works are proposed to occur.

8.12 APPROVALS RELATING TO THE CROWN MINERALS ACT 1991

8.12.1 Access Arrangement

Schedule 1 (Clause 3) of the Act sets out the information requirements for access arrangements.

As documented in Section 4 of this report, OGNZL is seeking one new access arrangement for activities within Mining Permit 60541 (Wharekirauponga) to replace an existing access arrangement (48614-AA), and a variation to an existing access arrangement (62342) that is associated with Mining Permit 41808 (Favona) area, to include WNP components.

OGNZL is also seeking for activities within the Wharekirauponga Access Arrangement Area, currently authorised by concession 101993-OTH to be incorporated into the new access arrangement.

In accordance with Schedule 11 of the Act, substantive applications must include the following information:

- > A copy of the relevant permit under the Crown Minerals Act:

OGNZL holds Mining Permit 60541 and Mining Permit 41808, copies of which are included in **Part E** of these application documents. The applicable Mining Permits cover the areas shown in Figure 8-6 (Wharekirauponga) and Figure 8-7 (Favona) (blue outline):



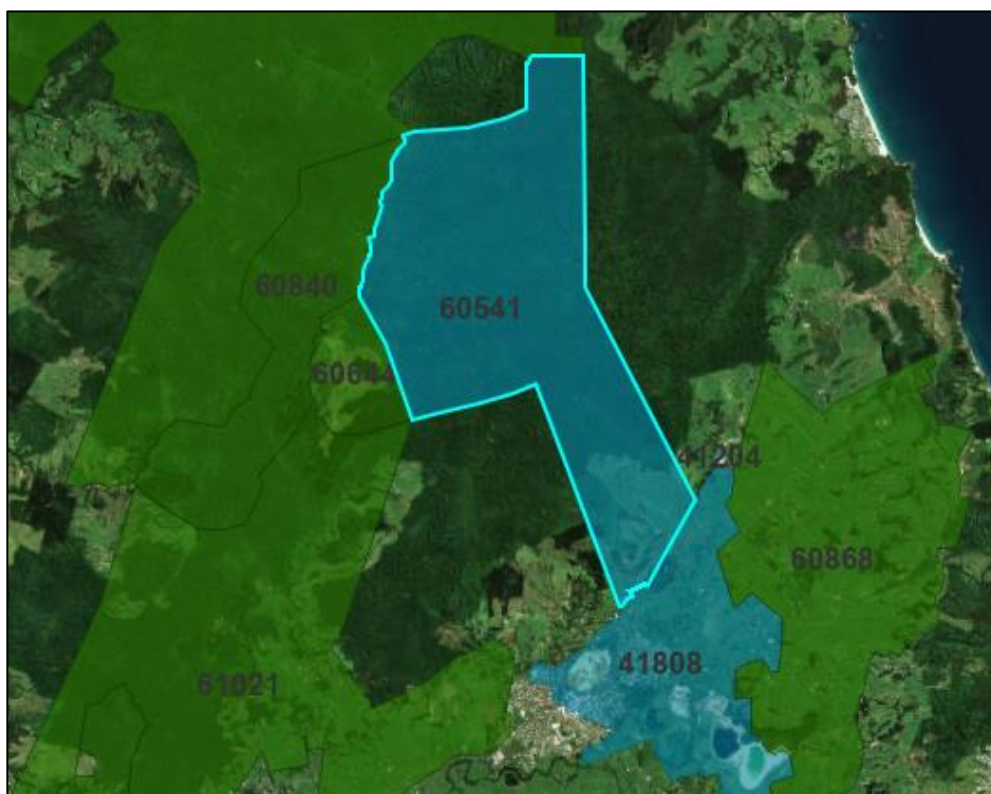


Figure 8-6: Area of Mining Permit 60541 (Wharekirauponga)

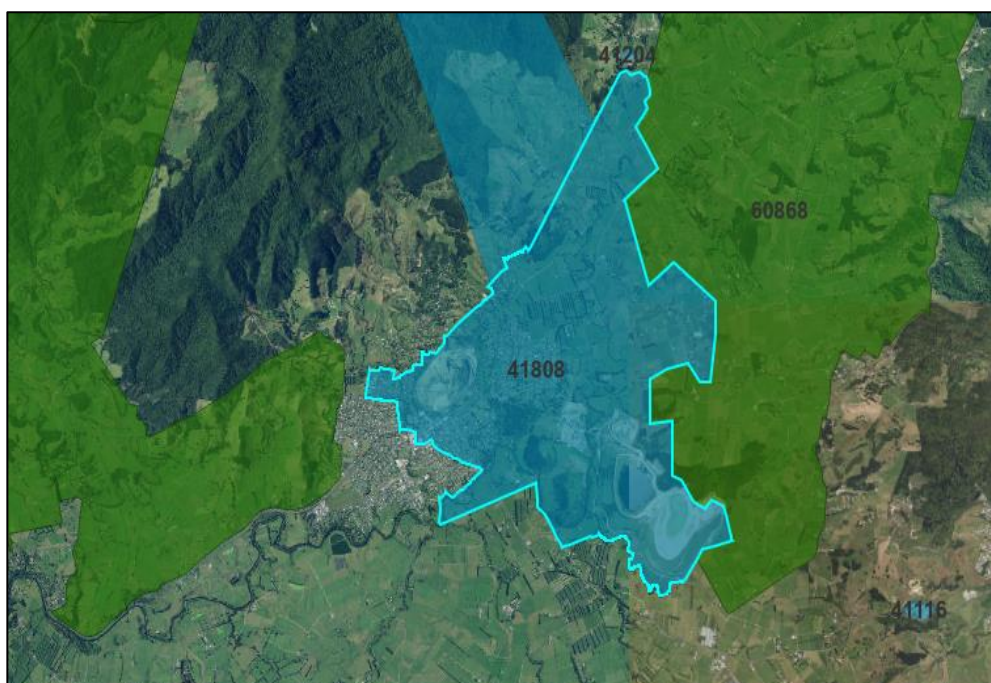


Figure 8-7: Area of Mining Permit 41808 (Favona)

> A clear map or plan of the application area with GPS co-ordinates:

Figures 8-8 – 8-14 show the areas within which access arrangement is being sought by OGNZL.

The Favona Access Arrangement area is split into several components – existing access arrangement area (not being altered by this substantive application) Ohinemuri River, Ohinemuri, Baxter Road and Ohinemuri River discharge structure.

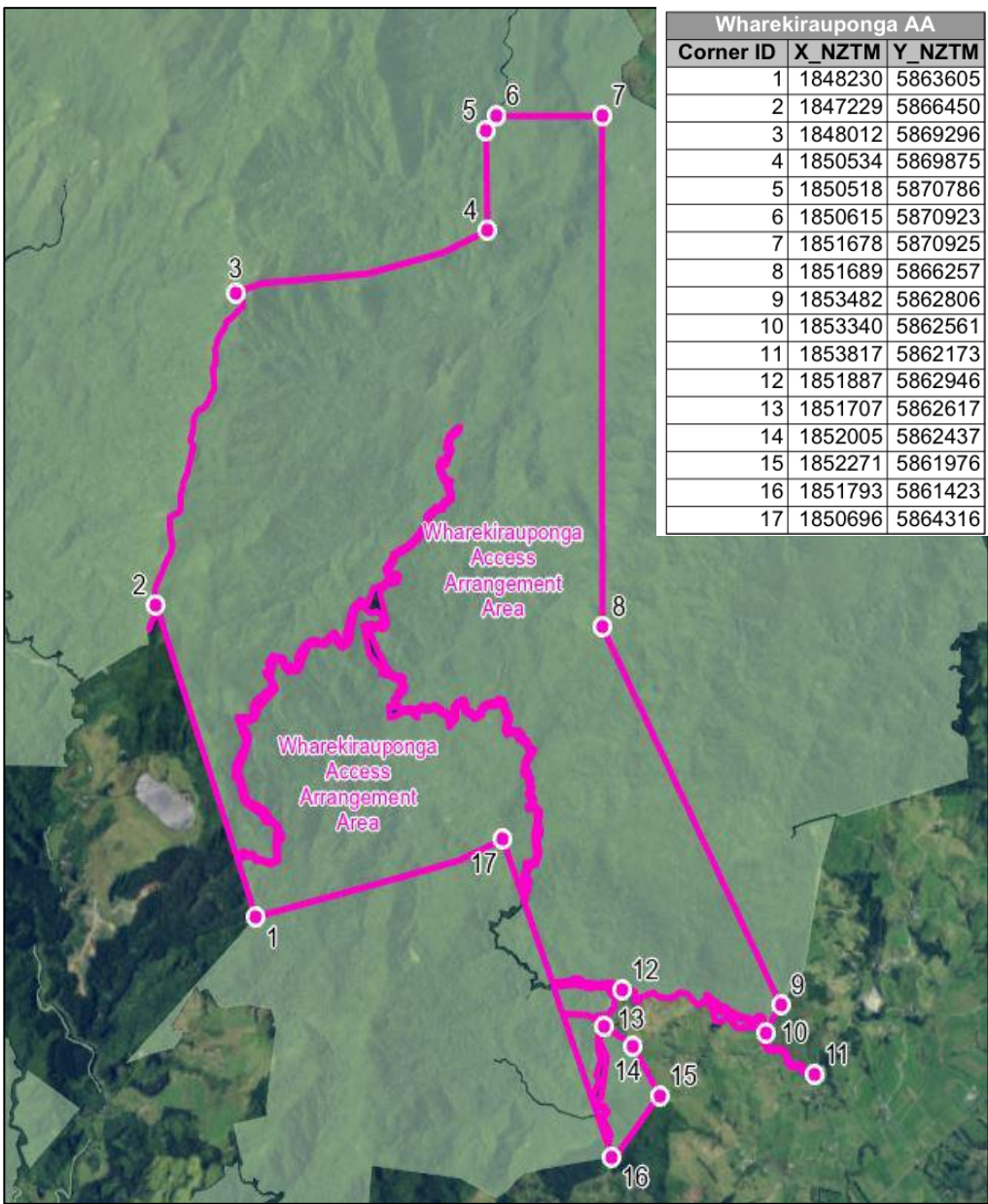


Figure 8-8: Proposed Wharekirauponga Access Arrangement Area - GPS Corner Points





Figure 8-9: Existing Favona Access Arrangement Area – Martha Mine



Figure 8-10: Proposed Variation to Favona Access Arrangement Area – Ohinemuri River



Figure 8-11: Proposed Variation to Favona Access Arrangement Area – Ohinemuri

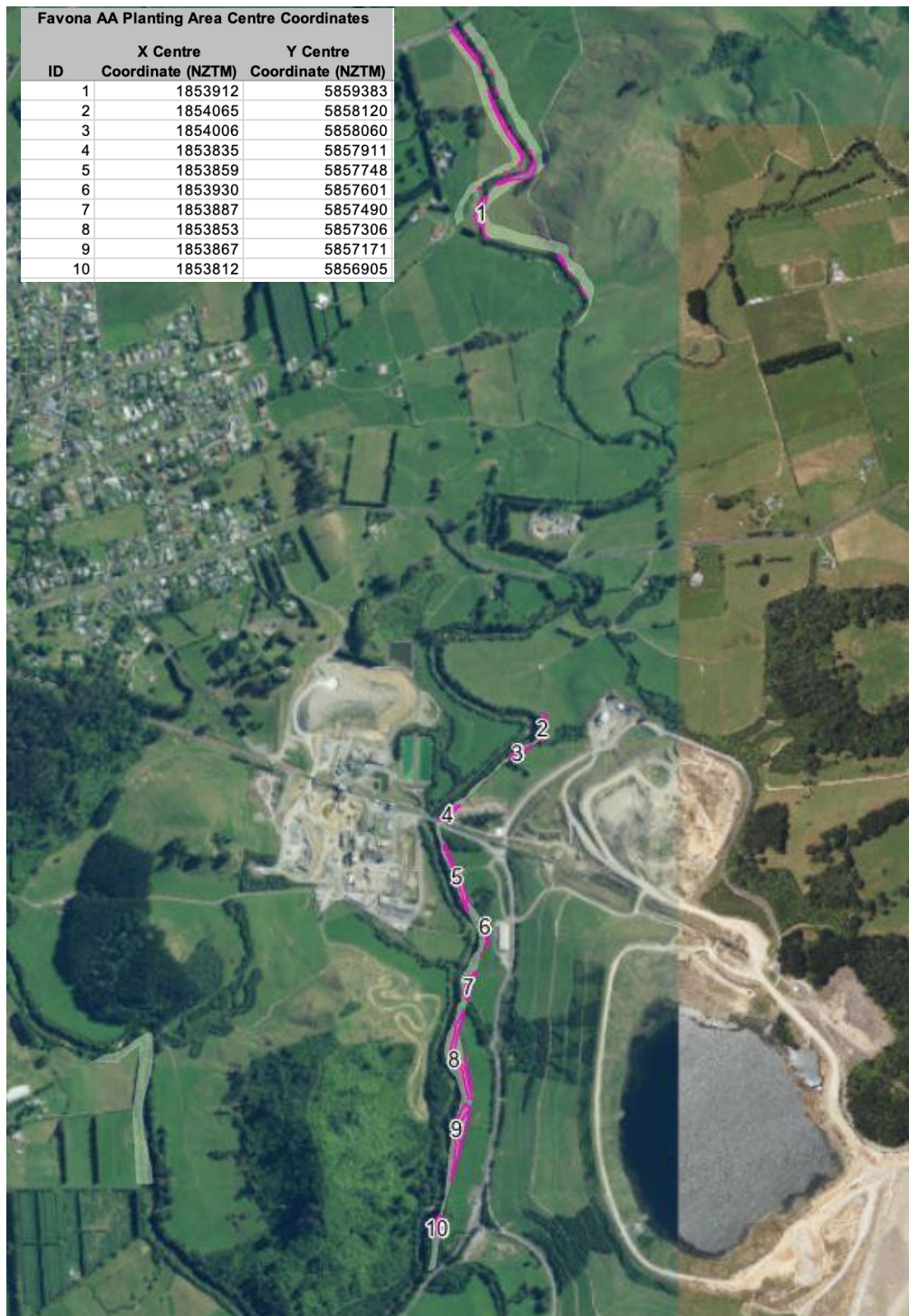


Figure 8-12: Proposed Variation to Favona Access Arrangement Area – Ohinemuri River & Ohinemuri (GPS Centre Coordinates)



Figure 8-13: Proposed Variation to Favona Access Arrangement Area – Baxter Road (GPS Centre Coordinate)



Figure 8-14: Proposed Variation to Favona Access Arrangement Area – Ohinemuri River Discharge Structure (Centre GPS Coordinates)

The proposed draft Access Arrangement conditions are contained in **Part D** to these application documents. It is noted that, as OGNZL is proposing to amend the existing Favona Access Arrangement to include various WNP components, **Part D** to these application documents contains a ‘marked up’ version to the existing access arrangement document identifying the areas of conservation land located within the application area, its classification, and an assessment against its purpose.

> **Wharekirauponga Access Arrangement:**

The land is administered by the Department of Conservation pursuant to the provisions of the Conservation Act and is managed for conservation purposes. The land is the Coromandel Forest Park which is held as Conservation Park under Section 19 of the Conservation Act. ‘Conservation’ means the preservation and protection of natural and



historic resources for the purposes of maintaining their intrinsic values, providing for their appreciation and recreational enjoyment for the public and safeguarding the options for future generations. In this case, 'protection' means "its maintenance, so far as practicable, in its current state; but includes (a) its restoration to some former state; and (b) its augmentation, enhancement or expansion."

All activities associated with the WNP within the conservation estate have been designed to avoid environmental effects as far as practicable (for example, through underground mining). Very few activities associated within mining are proposed on the surface of land. Where there are potential effects, they will be managed on an ongoing basis, as described in Section 6 of this report. With these measures in place, which will protect the values of the Coromandel Forest Park where mining is proposed to occur underground, it is considered that the WNP is not incompatible with the 'conservation' classification of the land.

> ***Favona Access Arrangement:***

OGNZL is seeking to vary the existing Favona Access Arrangement as part of this application. This access arrangement includes land around the Martha Pit, as identified in Figure 8-9. As there is no change proposed to the land around the Martha Pit, no further consideration of the land has been provided in this application.

In respect of the Ohinemuri River, Ohinemuri, Baxter Road and Ohinemuri River Discharge sites, the land is held as 'Marginal Strip'. Marginal strips are parcels of Crown-owned conservation area land, generally 20m wide, adjoining some parts of the coast, lakes larger than 8ha and rivers wider than 3m. Marginal strips generally provide public walking access and access to the water.

The access arrangement sought by OGNZL for the Ohinemuri River and Ohinemuri areas (shown on Figures 8-10, 8-11 and 8-12), are to enable rehabilitation planting. Access to the public conservation land / marginal strip will be maintained for maintenance purposes (including pest control). The works proposed by OGNZL do not prevent public access.

In respect to Baxter Road (Figure 8-13) and Ohinemuri River discharge structure (Figure 8-14), the use of these areas by OGNZL do not prevent or preclude public access along the stream banks. A description of the proposal, including—

- > The application area, including location and features (for example, water courses, roads, and amenities):

These matters are detailed in Section 2 of this report and are described above.



It is intended that the Wharekirauponga Access Arrangement applied for under the Act will replace the existing Access Arrangement (48614-AA) for the same area.

Figures 8-9 – 8-14 show the existing areas within Access Arrangement 62342, as well as the areas OGNZL are seeking to include in this access arrangement by varying it under the Act.

A summary of proposed activities (including type of prospecting, exploration, or mining methods, duration, and scale of activity):

> ***Wharekirauponga Access Arrangement:***

To undertake mining, exploration, hydrogeological, and geotechnical activities on public conservation land within Wharekirauponga Mining Permit area, as described more fully in Section 2 of this report. In addition to the mining activities, this access arrangement includes:

- > Ventilation shafts;
- > Minimum impact activities;
- > The installation, maintenance and continued use of piezometers at various locations;
- > Water infrastructure associated with the WUG, including pipework and pumps;
- > Monitoring activities;
- > Pest control;
- > Planting of native vegetation;
- > Utilisation of public conservation land at surface sites associated with the WUG (as described in Section 2.6); and
- > Helicopter and drone use.

> ***Favona Access Arrangement:***

Variation to Access Arrangement 62342 to include the following areas / activities associated with the WNP:

- > Rehabilitation planting with continued access for planting maintenance including pest control at various locations along the Ohinemuri River;
- > Continued occupation for a lay down yard and bridge footings for the Mill Bridge, and a heavy vehicle crossing of the Ohinemuri River. and



- > Continued occupation, upgrade and maintenance of a treated water discharge line and manifold on the banks of the Ohinemuri River.

A statement of the objectives of any Act under which the land is administered:

> ***Wharekirauponga Access Arrangement:***

The land is administered under the Conservation Act and is a 'Conservation Park'. Section 19 of the Conservation Act sets out that every conservation park shall be so managed:

- > That its natural and historic resources are protected; and
- > Subject to the above, to facilitate public recreation and enjoyment.

> ***Favona Access Arrangement:***

The land is administered under the Conservation Act as marginal strip. All marginal strips held under the Conservation Act are:³²²

- > For conservation purposes;
- > To enable public access to any adjacent water courses;
- > For public recreational use of the marginal strips and adjacent watercourses

Any policy statement, management strategy, or management plan of the Crown that applies in relation to the land:

- > All applicable statutory planning documents and management plans are assessed in Section 8.7.3 and Sections 8.8 – 8.12 of this report.
- > Details of any resource consents and concessions held or applied for, or intended applications in relation to the application area:

This application under the Act also includes applications for resource consents and concessions as set out in Sections 2 and 4 of this report.

- > A statement of the direct net economic and other benefits of the proposed activities in relation to which the access arrangement is sought:

The economic and other benefits of the project are discussed in Section 6.3 of this report.

³²² Section 24C of the Conservation Act



An assessment of the environment, including—

- > A description of the existing natural environment in and around the application area (including flora, fauna, aquatic life, and landscape):

The environmental setting is described fully in Section 3 of this report.

- > A description of any historic, cultural, and archaeological sites within the application area (position and significance):

The historic, cultural and archaeological setting of the Wharekirauponga Mining Permit Area / Coromandel Forest Park is described fully in Section 3.11 of this report.

The historic, cultural and archaeological setting of the Favona Mining Permit Area is described fully in Section 3 of this report.

- > A description of the social environment in and around the application area (including scenic qualities, recreation facilities, and their use):

These matters are addressed in Section 3 of this report.

- > An assessment of the effects that proposed activities will have on the environment, both while the activities are taking place and after their completion:

These matters are addressed in Section 6 of this report.

- > An outline of consultation undertaken, including full details of consultation with relevant iwi:

The consultation and engagement undertaken by OGNZL with the community and iwi is set out in Section 5 of this report.

- > A description of the proposed safeguards and mitigation measures to be put in place (for example, proposed rehabilitation, water management, management of flora and fauna and cultural or historic sites, and the way in which risks will be managed):

Details of how OGNZL will manage (including offsets, compensation actions and enhancements) actual and potential environmental effects (including mine rehabilitation) are set out in Sections 6 and 7 of this report, the relevant technical reports and draft management plans.

- > Information about financial and legal liabilities and obligations associated with the land:

Please refer to the response provided in Section 8.8.1 of this report above.



8.13 CONCLUSION

The Act was established by Parliament to enable a permanent fast-track approval regime that will make it more efficient to gain authorisations for development and infrastructure projects that deliver regional and national benefits. The purpose of the Act – *to facilitate the delivery of infrastructure and development projects with significant regional or national benefits* – takes precedence over the purpose of the underlying statutes (RMA, Conservation Act, Wildlife Act, HNZPT Act and Crown Minerals Act).

The WNP has demonstrable national and regional benefits, as discussed throughout this application and in the supporting technical assessments. In addition to the ecological benefits that have been built into the project as core components (including the Waihi North Biodiversity Project), there are substantial economic and social benefits, including:

- > The WNP will expand existing mining operations at Waihi. The existing mines at Waihi provide significant employment to the community;
- > The WNP will extend the life of the Waihi mines by at least a decade – from 2030 to 2040;
- > The WNP will add at least 389 new jobs (and 440 indirect jobs) and has the potential to produce over 1.6 million ounces of gold and 2.2 million ounces of silver over 13 years; and
- > The WNP will unlock approximately \$5.2 billion of additional silver and gold exports.

Part D of the application documentation contains a comprehensive suite of proposed conditions applicable to each of the approvals sought under the Act. These conditions have been developed to ensure the effects of the WNP are managed on an ongoing basis, in accordance with those that would have been proposed under the underlying statutes.

Overall, the WNP (including the proposed conditions) is entirely consistent with the purpose of the Act. The WNP has been developed to be consistent with the purpose of the underlying statutes due to the approach of OGNZL of managing the effects of the project, (including ensuring there is an overall ‘net gain’ in biodiversity values) while enabling the nationally significant gold and silver deposits to be efficiently mined.

