

Applicant Responses to Relevant Comments from Thames Coromandel District Council and Hauraki District Council

- TCDC – Comments 347 to 353; and
- HDC – Comments 516 to 678.

Comments from TCDC

Comment Number	Comment	Applicant Technical Input	Where Addressed in the Application Documents	Response
347	Rule assessment provided is incorrect and should be assessed as a mining activity under Section 37 of the District Plan – being a non-complying activity.	Planning		While it is maintained that the rule assessment provided remains applicable for the proposed activities, it is also noted that assessment under the interpretation provided by TCDC is not problematic and will not generate any changes to the supporting assessments and documentation provided with the application.
349	Request for consideration to be given to the wording of the conditions regarding the WUG ELMP and the Ecological Survey as they are not structured to allow for effective monitoring, and to reduce the sub delegation/certification requirements on the Council. Council does not have inhouse experts in this field and the proposed certification would have a significant cost burden on the Council. TCDC has requested that DOC can provide certification to TCDC that any amendments are appropriate. [TCDC Conditions 4, 5D]	Administrative		Recognising the limited range and extent of activities proposed within the TCDC boundaries, as an alternative to the implementation and adherence to the WUG-ELMP, and to reduce the sub delegation / certification requirements on TCDC (as requested), specific conditions relating to the applicable sections of the WUG-ELMP and associated performance standards could be linked into the condition set. With the agreement of TCDC, such amendments can be made to the condition set.
350	Request for condition amendments regarding obligation on the Consent Holder to provide evidence of the invitation, participation, and response (or lack of response) from DOC in relation to amendments to the ELMP-WUG to TCDC.	Administrative		This has been amended in the conditions.
351	Request for ‘tree’ to be defined in TCDC Condition 20.	Ecology		There is no reference to ‘tree’ in this condition, however it is assumed this relates to Condition 16. A definition for ‘tree’ has been added to Condition 16, being ‘any plant with a woody stem attached to the ground’.
352	Request for inclusion of details re timing of when paua slug salvage shall occur, and provision of evidence to TCDC that this has been undertaken for certification purposes. [TCDC Condition 32]	Ecology		Amendments have been made to the conditions to include timing (any time throughout the year) and reference to documentation of salvage being provided in the ELMP-WUG.
353	Request for a Construction Management Plan condition rather than General Conditions. [TCDC Conditions 41 – 46]	Administrative		This has been amended in the conditions.

Comments from HDC

Comment Number	Comment	Applicant's Technical Input	Where Addressed in the Application Documents	Response
517	HDC considers that the Rehabilitation and Closure Plan that is proposed should integrate with the Rehabilitation and Closure Plan currently applying to other major mining operations undertaken by OGNZL in the Waihi Area. The integration of the project into the Rehabilitation and Closure Plan should include a comprehensive and integrated review of the plan.	Closure		The Rehabilitation and Closure Plan provided with the application was in draft form. The plan provided for certification will be integrated with the Rehabilitation and Closure Plan that applies to the applicants other mining operations in the Waihi Area.
518	HDC suggest that a ‘first principles review’ of the Rehabilitation and Closure Bond and the Capitalisation bond be undertaken with the bonds to incorporate all mining activities undertaken by OGNZL in Waihi. The Rehabilitation Bond should be called at the same time the Capitalisation Bond is called.	Closure		Refer to the legal submission provided by Mr Stephen Christensen, provided in Part A of the response package.
519	Skills and training development for the local community needs to be maximised (via local procurement, youth skills development etc).	Social Impact		This matter is addressed in the statement prepared by Ms Hilary Konigkramer, appended as Appendix F .
520	Social uplift of the community will only be realised with firm / measurable consent conditions.	Social Impact		This matter is addressed in the statement prepared by Ms Hilary Konigkramer, appended as Appendix F .

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521	Negative effects on housing appear to be underestimated.	Social Impact		This matter is addressed in the statement prepared by Ms Hilary Konigkramer, appended as Appendix F .
522	HDC supports the Biodiversity Project. It is important that DOC is involved in the Biodiversity Project discussions to co-design outcomes with iwi.	Ecology	B.35 – OGNZL – Biodiversity Project Overview	As stated in application document B.35, the “the Department of Conservation, as the land administrator of the Project area, are also expected to be a key stakeholder in the collaborative process to design and implement the Project”.
523	It is important that available funds for the Biodiversity Project be used for actual pest control activities – with targets, monitoring and reporting to demonstrate effectiveness.	Ecology	B.35 – OGNZL – Biodiversity Project Overview; D.02 – Combined HDC and WRC Conditions	As set out in application document B.35, the intention is for funding to cover costs associated with the establishment of a broad scale pest control and monitoring programme covering an area within the southern portion of the Coromandel Forest Park that is large enough to deliver significant conservation benefits. The associated Biodiversity Project Plan provided for by the proposed conditions will set out the targets, monitoring and reporting of the Biodiversity Project.
524	HDC requires assurance that the quality and quantity of the Council’s water supply will not be adversely affected by the project.	Water Supply	-	Recognising that WRC is the Consenting Authority associated with HDC’s water take / supply consents, at the request of WRC the following condition has been added to the WRC condition set: <i>In the event of any system failure in Area 2 that could result in adverse effects on the quality of water at the Hauraki District Council water supply extraction points (identified in the Hauraki District Council water permits), no later than 24 hours after the occurrence the Consent Holder shall notify the Hauraki District Council (as the consent holder) and Waikato Regional Council (as the consent authority) that a system failure has occurred.</i>
526	The HDC team have assessed the proposal and consider that there are no adverse impacts that are sufficiently significant that cannot be avoided, remedied, mitigated, offset, or compensated for by suitable conditions of consent being imposed.	-	-	-
527	Certain draft management plans need to be revised and resubmitted, or consent conditions need to be amended to incorporate adequate detail regarding the requirements for the management plans. This would allow the plans to be resubmitted post-decision for certification by the Council(s).	Ecology and Landscape	-	The comments provided on the ecological and landscape, natural character and visual management plans are addressed in the statements provided by Mr Dylan van Winkel, appended as Appendix D , Mr Brian Lloyd, appended as Appendix J , Ms Katherina Mucha, appended as Appendix K , Dr Graham Ussher, appended as Appendix M , Ms Helen Blackie, appended as Appendix N , Mr Rhys Girvan, appended as Appendix O , and Mr Ian Boothroyd, appended as Appendix P .
528, 638, 641	Some activities not part of the project have the potential to generate cumulative noise effects. Clarification is required to identify if the noise effects of the proposed WNP in combination with the noise effects of OGNZL’s other existing consented activities will result in cumulative noise effects. May be appropriate to adopt an approach where conditions required certain activities to be carried out sequentially rather than concurrently.	Noise	B.56 – Marshall Day – Noise Effects Assessment	Section 2.3 of application document B.56 has considered the effects of noise generated by existing consented activities holistically and provided additional calculations combining WNP noise levels with a notional level of activity occurring within Martha Pit and associated infrastructure. Section 11.2 of application document B.56 concludes that when considering the cumulative noise impacts with the currently consented Martha operations there is no material cumulative noise impact due to separation distances and the presence of Union Hill. As such, cumulative noise effects have been assessed to be reasonable to nearby residents, and appropriate to be discussed in isolation.
529	The Council agrees that the WNP generates significant economic benefits at the local and regional level, and that benefits exist at the national level. However, the benefits at the national level are more muted due to the repatriation of profits offshore.	Economics	-	This matter is addressed in the statement provided by Mr Shamubeel Eaqub, appended as Appendix B .
531	There are some overlapping existing consents / authorisations. HDC has recommended a condition precedent to require OGNZL to confirm which of these existing consents / authorisations (and related conditions) are to be superseded by the consent for the WNP. How will the project integrate with the suite of existing resource consents/authorisations held by the applicant for mining and mining related activities in the District.	Administrative	-	This matter is addressed in the statement prepared by Mr John Kyle and Ms Abbie Fowler, appended as Appendix H .

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	HDC consider it incumbent on the applicant to address this within this application, as opposed to leaving this to be addressed following the granting of consent.			
532	It is not appropriate to have different blasting times for different surface blasting operations with differently affected sensitive receivers, all within the Waihi community. [Condition 28]	Blasting & Vibration	-	This matter is discussed further in the memorandum prepared by Mr John Heilig, appended as Appendix 1 .
533	The proposal to monitor only a few times a year is not an appropriate compliance monitoring approach for overpressure. [Condition 29(d)]	Blasting & Vibration	-	This matter is discussed further in the memorandum prepared by Mr John Heilig, appended as Appendix 1 .
534	Condition 33(e) to be amended to require monitoring of every blast using video cameras and the rating of collar and free-face venting intensity in the Blast Report for every blast fired in the GOP and the borrow pits.	Blasting & Vibration	-	Amendments have been made to the conditions. This matter is discussed further in the memorandum prepared by Mr John Heilig, appended as Appendix 1 .
535	Condition 45(g) to be amended to require assessment of fume by video analysis and the report of fume rating for every blast fired in the GOP and the borrow pits.	Blasting & Vibration	-	Amendments have been made to the conditions.
537	Recommended minor amendments to the Operational Noise Management Plan.	Noise	-	This matter is discussed further in the memorandum prepared by Mr Gary Walton and Ms Laurel Smith, appended as Appendix 2 .
538, 639	Helicopter approach and departure tracks should be clearly labelled with conditions requiring the specified approach and departure tracks to be followed.	Noise	-	Such detail is proposed to be provided in a Helicopter Noise Management Plan. This matter is discussed further in the memorandum prepared by Mr Gary Walton and Ms Laurel Smith, appended as Appendix 2 .
539	Prediction and assessment of noise effects and the proposed conditions lack integration and specificity. Amendments required to be consistent with the assessment of noise effects.	Noise	-	This matter is discussed further in the memorandum prepared by Mr Gary Walton and Ms Laurel Smith, appended as Appendix 2 .
540	New conditions recommended to manage the use of helicopters for the construction and operational phases as they relate to activities in Area 1.	Noise	-	This matter is discussed further in the memorandum prepared by Mr Gary Walton and Ms Laurel Smith, appended as Appendix 2 .
541	Landscape, Natural Character and Visual Effects mitigation framework lacks clarity and integration. Amendments required to the conditions and Management Plan.	Landscape, Natural Character and Visual	-	This matter is addressed in the statement prepared by Mr Rhys Girvan, appended as Appendix O .
542	Ecological consent conditions are not sufficient to provide certainty that stated outcomes will be demonstrably achieved.	Ecology	-	This matter is addressed in the statements prepared by Mr Dylan van Winkel, appended as Appendix D , Mr Brian Lloyd, appended as Appendix J , Ms Katherina Mucha, appended as Appendix K , Dr Graham Ussher, appended as Appendix M , Ms Helen Blackie, appended as Appendix N , and Mr Ian Boothroyd, appended as Appendix P .
543	There are discrepancies between management plans and conditions across various ecological matters.	Ecology	-	This matter is addressed in the statements prepared by Mr Dylan van Winkel, appended as Appendix D , Mr Brian Lloyd, appended as Appendix J , Ms Katherina Mucha, appended as Appendix K , Dr Graham Ussher, appended as Appendix M , Ms Helen Blackie, appended as Appendix N , and Mr Ian Boothroyd, appended as Appendix P .
544	The extent of parties (iwi) inclusion in the drafting of conditions and the participants in future processes (such as the Iwi Advisory Group (IAG)) and mechanisms for consultation and participation is not up to HDC to determine which iwi group is to be involved and HDC are not involved/empowered in respect of the IAG. Conditions C9-C22	Cultural	-	This matter is addressed in the statement prepared by Mr Kyle Welten, appended as Appendix I .
545, 613	The appropriateness and suitability of the proposal to 'roll over' conditions from previous consents/authorisations.	Operational	-	The 'rolling over' of a selection of conditions from previous consents and authorisations has been proposed in a number of areas associated with the project. In these instances the 'rolled over' conditions have proven to be appropriate and successful in managing likely and potential effects associated with the operation of the applicant's activities, and as such no reason has been identified for them to not be included within the proposed conditions.
546	The inclusion of conditions which require actions of third parties and the powers attributable to such parties (the Martha Trust) is not supported within Condition C82 as it is commented it is for the Trust to agree to terms to being a party responsible for fulfilling consent conditions and is queried whether it is necessary for a condition to be included to transfer the Consent to the Trust.	Trust	-	Refer to the legal submission provided by Mr Stephen Christensen, provided in Part A of the response package.
547	The approval of matters for which there is no supporting assessment (the rehabilitation bond risk insurance sums and the scope of the capitalisation bond risk assessment (and the costs to HDC associated with this process where disagreement arises)).	Bonds	-	Refer to the legal submission provided by Mr Stephen Christensen, provided in Part A of the response package.

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549	The conditions proposed by the applicant relative to the preliminary site investigation that has been undertaken, are appropriate, relative to the requirement for the consent holder to instigate a Site Management Plan - Contaminated Land for certification, which provides for further area specific investigation and procedures to be implemented in.	Contamination	-	-
550	There are no significant residual contamination impacts that require a proportionality assessment.	Contamination	-	-
551, 625	The proposed conditions of consent are suitable and sufficient to control/manage the heritage effects of the proposed activity, and the Archaeological Management Plan Waihi North Project addresses all the issues that are expected in a management plan for the historic heritage sites affected by a major project and specifically addresses the effects and potential mitigation measures to reduce the impacts of the WNP on historic mining sites.	Archaeology and Heritage	-	-
552	There are no significant residual archaeological/heritage impacts that require a proportionality assessment.	Archaeology and Heritage	-	-
553, 627	The proposed conditions for the Hauraki District Council Land Use Consents (Conditions 70–86) are satisfactory in their present form, and any potential transportation impacts arising from the proposal—both during construction and in the long term—will be effectively avoided, remedied or mitigated to the point they are acceptable.	Transportation	-	-
554	There are no significant residual transportation impacts that require a proportionality assessment.	Transportation	-	-
555, 629, 630	HDC's critiques the risk assessments contained in the applicant's reports, as being relatively basic, qualitative, descriptive as opposed to comprising risk assessments as well as containing a number of errors and inconsistencies.	Hazardous Substances	-	This matter is addressed in the statement prepared by Mr Rob Van de Munckhof, appended as Appendix A .
556	HDC consider that the outcome, in respect of the suitable management of the effects of hazardous substances is appropriate with regard to the applicant's proposed conditions, subject to the amendments recommended.	Hazardous Substances	-	This matter is addressed in the statement prepared by Mr Rob Van de Munckhof, appended as Appendix A .
557	There are no significant residual hazardous substances/facilities impacts that require a proportionality assessment.	Hazardous Substances	-	-
558	The positive effects identified in respect of businesses, education, training and employment have a low likelihood of occurring to the degree expressed in the applicant's social impact assessment, and those positive effects are not supported (achieved) by the approach taken to the proposed conditions.	Social Impact	-	This matter is addressed in the statement prepared by Ms Hilary Konigkramer, appended as Appendix F .
559	HDC's assessment of the project's increased demand for housing (high negative, reducing to medium negative after mitigation) is that the conclusions drawn by the applicant are underestimated, which is not mitigated by the conditions proposed.	Social Impact	-	This matter is addressed in the statement prepared by Ms Hilary Konigkramer, appended as Appendix F .
560	Recommended that the proposed consent conditions be amended to be more effective, with the aim of increasing the likelihood of achieving the proposed social uplift in positive effects that has been identified as an outcome by the applicant; and a decrease in potential negative impacts (regarding potential housing effects). Recommended that the proposed conditions which relate to the contents of the Social Impact Management Plan (that is to be submitted for certification as a condition of consent to HDC) be amended for consistency.	Social Impact	-	This matter is addressed in the statement prepared by Ms Hilary Konigkramer, appended as Appendix F .
561	There are no significant residual social impacts that require a proportionality assessment.	Social Impact	-	-
562	<i>GOP</i> : there are no issues of concern, and the consent conditions that have been proposed (together with those additional conditions recommended) will provide the necessary requirements for the pit to be excavated and subsequently backfilled with tailings without jeopardising the stability of either the pit or the surrounding area.	Geotechnical	-	-
563	<i>WUG</i> : the level of geotechnical assessment that has been conducted is appropriate given the amount of geological and geotechnical data that is currently available.	Geotechnical	-	-

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564	No matters of concern, provided the applicant's proposed conditions of consent are supplemented with appropriate consent conditions involving monitoring of rock movement at the surface to ensure regional stability due to tunnel development and surface stability of the crown pillar above stopes will be maintained.	Geotechnical	-	This matter is addressed in the statement prepared by Mr Trevor Matuschka, appended as Appendix S .
565	A series of mitigation measures including Trigger Action Response Plans (TARPS) has been recommended by EGL as controls against excessive surface groundwater level reduction and consequent localised settlement and these are all considered to be appropriate	Geotechnical	-	-
566	Unlikely to be any issues with groundwater management as it affects settlement.	Geotechnical / Hydrology	-	-
567	Some monitoring above the underground mining area is necessary, and that can involve surveys of the levels of ventilation shafts and exploration drillhole collars. This would provide a reasonable overall coverage of the Area 1 mining area. This is not included within the proposed Combined HDC and WRC Consent Conditions, and a further condition of consent is recommended to address this.	Geotechnical	-	This matter is assessed in the EGL Ground Settlement Report (B.13).
568	<i>Willows Boxcut Design</i> : The design is considered reasonable and appropriate, and does not require any further consent conditions beyond those proposed.	Geotechnical	-	-
570	There are no significant residual geotechnical impacts that require a proportionality assessment.	Geotechnical	-	-
571	The recommendations of the applicant's Blasting and Vibration Assessment differ from those in the applicant's proposed conditions, and differ from those that have been applied to previous open pit blasting.	Blasting & Vibration	-	This matter is discussed further in the memorandum prepared by Mr John Heilig, appended as Appendix 1 .
572	Conditions requiring a consistent timeframe for blast events are recommended by HDC.	Blasting & Vibration	-	This matter is discussed further in the memorandum prepared by Mr John Heilig, appended as Appendix 1 .
573	As both ground vibration and airblast overpressure can cause shaking and vibration inside a house, and since it is not possible for any residential occupant to distinguish between the cause of the two separate effects, if indeed they are even separated in time, it is inappropriate to ignore either one of the impacts in a monitoring programme.	Blasting & Vibration	-	This matter is discussed further in the memorandum prepared by Mr John Heilig, appended as Appendix 1 .
574	Amend the provisions of the proposed Vibration Monitoring Plan (VPM) to include overpressure monitoring of every surface blast (GOP and the borrow pits), as well as ground vibration monitoring, and for the risk of overpressure non-compliance to be included as a line item in the Risk Assessment table contained at Appendix G of the VMP.	Blasting & Vibration	-	This matter is discussed further in the memorandum prepared by Mr John Heilig, appended as Appendix 1 .
575	Measurement of blast events in the conditions proposed by the applicant relates to residential land uses and excludes the consideration of commercially and community occupied premises including activities such as cafes, halls, and other similar premises used for social congregation.	Blasting & Vibration	-	This matter is discussed further in the memorandum prepared by Mr John Heilig, appended as Appendix 1 .
576	Hauraki District Plan standard (8.3.2.3(3)) requires: All measurements shall be taken at or within the boundary of any allotment not owned by the agency responsible for creating the vibration.' HDC consider that there is no basis to depart from this standard relative to the management of amenity effects.	Blasting & Vibration	-	This matter is discussed further in the memorandum prepared by Mr John Heilig, appended as Appendix 1 .
577	<i>Flyrock</i> : The VPM includes a requirement that: 'Prior to any blasting programme beginning, a specific risk assessment (involving technical and practical expertise) will be required to determine appropriate practices to manage the various risks of blasting. Fly-rock will be one of those risks that will be required to be managed.	Blasting & Vibration	-	This matter is discussed further in the memorandum prepared by Mr John Heilig, appended as Appendix 1 .
578	The VPM does not include a requirement for any particular methods to be utilised. HDC consider this lack of specificity in respect of the methodology required to be employed is insufficient in respect of accountability and safety of all blasting operations. This may be addressed through a recommended amendment to the proposed conditions for HDC land use consents.	Blasting & Vibration	-	This matter is discussed further in the memorandum prepared by Mr John Heilig, appended as Appendix 1 .

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579	HDC consider that insufficient mechanisms (conditions) are proposed by the applicant to monitor post blast fume generation in GOP (or any of the borrow pit areas) from all blasts.	Blasting & Vibration	-	Amendments have been made to the conditions. This matter is discussed further in the memorandum prepared by Mr John Heilig, appended as Appendix 1 .
580	Because of the very low likelihood of a post-blast fume event occurring when blasting at these latter sites, the recommendation is to continue with the existing Management Plan practices.' These management practices are not detailed in the VPM, which should contain sufficient information to manage and monitor this consent, and include specific monitoring methodology, reporting requirements, or any compliance criteria sufficient and suitable to address all blasts.	Blasting & Vibration	-	This matter is discussed further in the memorandum prepared by Mr John Heilig, appended as Appendix 1 .
581	HDC has not recommended a particular amendment to the VPM to address this, but considers that the VMP should be expanded to detail the methodology to be deployed to monitor fume appearance, and that the Blast Report for every blast include an AEISG-aligned rating. In addition to this, a recommended amendment to the proposed conditions for HDC land use consents is proposed to reflect this, as well as to correspond to the amendment recommended to the VMP.	Blasting & Vibration	-	This matter is discussed further in the memorandum prepared by Mr John Heilig, appended as Appendix 1 .
582	In the absence of an analysis of the integrity of this tunnel (beyond the modelling undertaken by the applicant), there is a safety concern/impact arising from blast induced vibrations that require attention. Consideration of this issue in the VPM, and HDC considers that this may be an appropriate mechanism to address this matter.	Blasting & Vibration	B.53 – Heilig & Partners – Blasting and Vibration Assessment	This matter is assessed in application document B.53.
583	The VMP should be renamed the Blast Management Plan incorporating (as separate sections) the matters of blast-induced ground vibration, air overpressure, flyrock, and nitrous oxide fume, and that the Risk Assessment matrix contained in this document be amended to include the risks associated with high and noncompliant air overpressure levels.	Blasting & Vibration	-	This matter is discussed further in the memorandum prepared by Mr John Heilig, appended as Appendix 1 .
584	If this is not achievable for the issuing of the VMP as a consented document, then HDC consider that the decision should require (by way of a suitable condition) an updated VMP to be prepared and submitted to HDC for certification. There are no significant residual blasting and vibration impacts that require a proportionality assessment.	Blasting & Vibration	-	This matter is discussed further in the memorandum prepared by Mr John Heilig, appended as Appendix 1 .
585	The proposed conditions of consent are suitable and sufficient to control/manage the lighting impacts of the proposed activity, subject to the incorporation of a new consent condition requiring a Lighting Management Plan to be submitted to HDC for certification. This was recommended by Pederson Read on behalf of the applicant.	Lighting	-	Amendments have been made to the conditions.
586	There are no significant lighting impacts that require a proportionality assessment.	Lighting	-	-
637	Recommends that the OGNZL operating procedure for “ <i>Towing and Setting up Lighting Plants</i> ” be included in the proposed Lighting Management Plan.	Lighting	-	The applicant agrees that this can be provided for in the Lighting Management Plan.
664	Willows Road SFA: ELMP does not detail that lighting shall be minimised as far as practicable, so it meets the permitted standards of the zone. That placement and direction of lights should avoid high points which are visible outside of the Willows Road site. That Light shields should be used where necessary, and all lightings shall be down facing to minimise effects on the night sky.	Lighting	-	The presently proposed conditions do not specifically include all the identified items. Reference is not made to avoiding high points which may be visible outside the Willows Road site however the intent is implied by the presently proposed conditions – particularly with the newly integrated Lighting Management Plan. The restriction on placement and direction of lights at high points which are visible outside the Willows Road site will be adhered to as far as is operationally practicable.
587	The proposal to establish construction noise limits (as distinct from operational noise limits), and a process for managing the exceedance of these through a Construction Noise Management Plan (CNMP)) is appropriate, provided the conditions and CNMP requirements that control this process are robust, including requiring the consent holder to demonstrate that it has identified and adopted the	Noise	-	A selection of changes have been made to the noise conditions, as covered in the memorandum prepared by Mr Gary Walton and Ms Laurel Smith, appended as Appendix 2 .

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	BPO for minimising the noise effects (not just managing them) and to ensure that the noise effects are reasonable.			
588	<i>Operational noise</i> : Despite the application explaining that operational noise can be managed (through conditions of consent) to comply with the standards sought (which HDC consider appropriate), and that this is inclusive of noise generated by other existing consented activities in the area (Areas 5, 6, and 7), it is unclear from the application as to which of these consented activities are being referred to.	Noise	B.56 – Marshall Day – Noise Effects Assessment	Operational noise activities are discussed in application document B.56. Sections 2.4 and 5.1 of B.56 provide additional context on operational noise vs construction noise. With operational noise being noise associated with those activities that will occur subsequent to construction activities.
589	The prediction and assessment of helicopter noise in the MD Report and the management of helicopter noise by the proposed conditions lack integration and specificity. The proposed conditions dealing with helicopter noise by the applicant require amendment (so they are consistent with the MD Report), and further amendment (and new conditions) are required to manage the use of helicopters for the construction and operational phases (particularly as they relate to Area 1) to provide a mechanism to manage the effects, and increase clarity, certainty and enforceability.	Noise	-	Amendments have been made to the conditions. This matter is discussed further in the memorandum prepared by Mr Gary Walton and Ms Laurel Smith, appended as Appendix 2 .
590	Should include: • noise limits for residential and rural receivers, which also factors in the cumulative effects of helicopter activities with other operational noise sources, including traffic noise (particularly at Area 2).	Noise	-	Amendments have been made to the conditions. This matter is discussed further in the memorandum prepared by Mr Gary Walton and Ms Laurel Smith, appended as Appendix 2 .
591	Should include: Operational (including construction) noise management provisions (in the form of an Operational Noise Management Plan condition) for helicopters servicing the various activities in Area 1.	Noise	-	Amendments have been made to the conditions. This matter is discussed further in the memorandum prepared by Mr Gary Walton and Ms Laurel Smith, appended as Appendix 2 .
593	There are no significant residual acoustic impacts that require a proportionality assessment.	Noise	-	-
594	While critical of the manner in which the assessment has been undertaken, the impacts are acceptable and appropriate.	Landscape, Natural Character and Visual	-	-
595, 596	The supporting mitigation framework to achieve this (comprising the LNCVE, the ELMP-WUG and the ELMP-WA), and the corresponding proposed conditions of consent are disparate, lack clarity and integration, and contain critical mitigation recommendations and requirements dispersed across multiple documents without a clearly articulated or cohesive structure.	Landscape, Natural Character and Visual	-	Refer to the statement prepared by Mr Rhys Girvan, provided as Appendix O .
597	Reduces certainty, and complicates implementation and future compliance monitoring, which will make it more difficult for HDC to administer the consent effectively.	Landscape, Natural Character and Visual	-	Refer to the statement prepared by Mr Rhys Girvan, provided as Appendix O .
598, 599	HDC recommend that the mitigation framework be strengthened by rationalising the proposed conditions, consolidating all mitigation requirements into revised versions of the ELMP-WUG and ELMP-WA, and introducing appropriate performance standards to guide implementation and support effective implementation monitoring.	Landscape, Natural Character and Visual	-	Refer to the statement prepared by Mr Rhys Girvan, provided as Appendix O .
600	HDC's assessment is that, with the recommended changes being made (via either option), that the landscape, natural character, and visual amenity impacts can be suitably managed.	Landscape, Natural Character and Visual	-	Refer to the statement prepared by Mr Rhys Girvan, provided as Appendix O .
601	With the integration of the HDC recommendations, there are no significant residual landscape, natural character, and visual amenity impacts that require a proportionality assessment.	Landscape, Natural Character and Visual	-	-
602	Overall, there are likely to be net positive outcomes for indigenous terrestrial biodiversity. However, to achieve such outcomes, HDC consider that the measures proposed in the form of the proposed conditions and management plans (ELMP-WUG, WAPMP, and ELMP-WA), and their integration are not sufficient or suitable to achieve the biodiversity outcomes forecast.	Ecology	-	Some amendments have been made to the conditions. Further, this matter is addressed in the statements prepared by Mr Dylan van Winkel, appended as Appendix D , Mr Brian Lloyd, appended as Appendix J , Ms Katherina Mucha, appended as Appendix K , Dr Graham Ussher, appended as Appendix M , Ms Helen Blackie, appended as Appendix N , and Mr Ian Boothroyd, appended as Appendix P .

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603	HDC consider it appropriate for management plans to be the mechanism (together with appropriate conditions which integrate with them) to achieve the stated net positive outcomes for indigenous terrestrial biodiversity and currently what is proposed by the applicant in consent conditions is not sufficient to provide certainty that the stated outcomes will be demonstrably achieved or integrated.	Ecology	-	See response to Comment 602.
604	What is proposed by the applicant also contains discrepancies between management plans and conditions across various ecological matters relating to terrestrial ecology and indigenous terrestrial biodiversity.	Ecology	-	See response to Comment 602.
605	HDC recommend that changes be made to the proposed conditions for terrestrial ecology, and for updates/amendments to be made to the management plans to align with the conditions, to ensure consistency in ecological management approaches, and avoid discrepancies.	Ecology	-	See response to Comment 602.
606	The ELMP-WUG, ELMP-WA (and WAPMP) require amendment to address the key concerns raised, and either involve: a. resubmission of the above management plans to the Panel for certification prior to the substantive decision being made, or b. their inclusion in the list of management plans to be certified by HDC under Condition C5, and conditions included as to what they should contain, based on the application documentation and the HDC feedback.	Ecology	-	See response to Comment 602.
608	With the integration of HDC recommendations, there are no significant residual terrestrial ecological impacts that require a proportionality assessment.	Ecology	-	-
609	At the local and regional level, the levels of additional employment sustained are significant leading to significant economic benefits.	Economics	-	Refer to the statement provided by Mr Shamubeel Eaquad, appended as Appendix B .
610	At the national level, the benefits are measured in terms of (employment) and the GDP generated from expenditure, which is robust, as well as royalties (\$134m nominally, or between \$34m and \$98m when discounted) and corporate tax (at 16%).	Economics	-	Refer to the statement provided by Mr Shamubeel Eaquad, appended as Appendix B .
611	While the applicant's assessment does not provide accurate measures of contribution to GDP and by presenting all figures in nominal terms, does not accurately portray revenues and impacts that are expected to occur, in current terms this is a normal part of assessing flows of revenue and impacts over long time horizons to ensure they can be compared accurately with activities that occur today (such as comparing additional GDP with current district and Regional GDP), and by failing to do so, the applicant's assessment overstates likely effects and therefore likely benefits in this regard.	Economics	-	Refer to the statement provided by Mr Shamubeel Eaquad, appended as Appendix B .
612	Overall, HDC's assessment is that the project will generate regional (and local) and national benefits.	Economics	-	-
614	There are several conditions which include provision for certification by parties other than the consent authority. HDC consider that certification is the Council's responsibility (along with WRC), and this responsibility cannot be abrogated or delegated to a third party.			We are unaware of any instances where the certification has been left to any other entity but the relevant Council.
614b	Requirement to provide and maintain in favour of the Councils a rehabilitation bond, which includes a requirement to enable the Councils, in the event of the bond being called upon, to purchase Industrial and Special Risk Insurance in the sum of \$17 million (2025 dollars) and public liability insurance to the sum of \$7 million (2025 dollars). The basis for these sums has not been the subject of an assessment in the application to ascertain their quantum, relative to their purpose. HDC consider it incumbent on the applicant to address this, to provide rationalisation for the proposed condition.	Closure	-	Refer to the legal submission provided by Mr Stephen Christensen, provided in Part A of the response package.
615	The proposed conditions include the appointment of a Peer Review Panel. Such a Panel does not have a statutory function, and the HDC is not reliant on the Peer Review Panel to satisfy the requirements of any conditions of consent. If retained, as an augier condition, any reference to Council's role should be deleted.			It is agreed that the proposed Peer Review Panel does not have a statutory function. The purpose of the panel is advisory and in no way intended to provide certification of design and / or management plans and the like.

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615b	Proposed conditions require a Trust (the Martha Trust (the Trust)) that was established for a separate consent matter to take responsibility for post closure matters. The scope of these conditions requires the approval of a third party. In the absence of this, HDC as the consent authority cannot impose/enforce this condition.	Closure	-	Refer to the legal submission provided by Mr Stephen Christensen, provided in Part A of the response package.
616	With the proposed consent condition(s) being based on a previous consent matter (Martha Mine Extended Project LUC97/98-105), HDC is concerned (despite the wording of the condition) that it is unclear how such a condition can impose requirements on HDC to perform and be involved with third parties. The mine site needs to be appropriately defined as relative to what is being closed to trigger this (after closure of the mine site for rehabilitation) transfer of legal title and post-closure management responsibilities.	Closure	-	Refer to the legal submission provided by Mr Stephen Christensen, provided in Part A of the response package.
617, 618	The proposed conditions require a capitalisation bond to secure the settlement on the Trust of the required capital sum to fund the Trust to carry out its obligations based on residual risk assessment. The application material does not contain an explanation/assessment of the terms/parameters that such a residual risk assessment is to contain, or what acceptance, approval, or certification process this is to follow. HDC consider it incumbent on the applicant to address this, to provide rationalisation for this matter to inform the basis for the condition, as there is no mechanism proposed to debate the scope and suitability of the assessment to be provided.	Bonds	-	Refer to the legal submission provided by Mr Stephen Christensen, provided in Part A of the response package.
619	HDC is concerned as to the costs incurred in this process, particularly if there is a dispute, and HDC consider this to be a matter that should be clarified by the applicant.	Bonds	-	Refer to the legal submission provided by Mr Stephen Christensen, provided in Part A of the response package.
620, 621	The HDC assessment has not identified any reasons why the application must be declined in terms of section 85(1) or 85(3) of the Act.	Procedural	-	-
622	HDC's assessment has considered the identified adverse impacts, and concludes that they will not result in a situation which overall can be found to be inconsistent with or contrary to a provision of a specified Act or any other document that the Panel must take into account or otherwise consider in complying with section 81(2).	Procedural	-	-
623	Further area-specific investigation in preparation for the earthworks will be able to be completed, feeding into area-specific plans that will be implemented to manage the earthworks and mitigate risk to human health and the environment. The conditions allow ample opportunity for a reasonable review of these plans, ensuring that HDCs interests are well represented before earthworks commence.	Geotechnical	-	-
626	The recommendations outlined in the Transportation Assessment Report are sufficient as currently presented and no further information is required. With this, it has been determined that any potential transportation impacts related to vehicular access and traffic associated with the project—both during construction and in the long term—will be effectively avoided or reduced to an acceptable standard.	Transportation	-	-
632	The town of Waihi is the location most at risk of experiencing a high negative effect on housing, and what is missing is an assessment about what might happen in Waihi town regarding its temporary accommodation, short term rental, or house purchasing.	Social Impact	-	Refer to statement provided by Ms Hilary Konigkramer, appended as Appendix F .
633	FIFO workers and any consequent social effects are not discussed in the main chapters of the SIA.	Social Impact	B.57 – WSP – Social Impact Assessment	The social effects associated with FIFO workers is not covered in the main body of B.57, but in Appendix E of the assessment. It is noted that a range of condition amendments have been proposed by HDC in relation to social impact. Many of these are considered to be unnecessary, as discussed further in the statement provided by Ms Hilary Konigkramer, appended as Appendix F .
634	It is unclear how another accommodation assessment (proposed in consent conditions) might mitigate a high negative impact on housing outcomes.	Social Impact	-	Refer to statement provided by Ms Hilary Konigkramer, appended as Appendix F .
635	The timing of the workforce accommodation assessment proposed in the consent	Social Impact	-	Refer to statement provided by Ms Hilary Konigkramer, appended as Appendix F .

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	conditions would occur just prior to the identified effect occurring (18 months prior to the start of year 5)			
636	The SIA does not address, and neither are there any conditions around transport of workers, when road traffic accidents are a known and foreseeable risk related to FIFO and shift workers who drive to and from their accommodation.	Social	-	Refer to statement provided by Ms Hilary Konigkramer, appended as Appendix F .
636a	Mr McKenzie, in his review, describes his concern regarding the impact of “blasting fume (generally referred to as NOX)”.	Air Quality	-	Refer to statement provided by Mr Richard Chilton, appended as Appendix L .
640	The MDA Report adopts a very ‘averaged’ or generalized description of the ambient measurement data when assessing the effect of a noise source from the Project.	Noise	-	This matter is discussed further in the memorandum prepared by Mr Gary Walton and Ms Laurel Smith, appended as Appendix 2 .
643	The effects analysis tends to focus on describing the expected change to the landscape’s physical attributes, rather than assessing the consequences of that change for the identified values of the landscape, as is recommended under TTatM.	Landscape, Natural Character and Visual	-	This matter is addressed in the statement prepared by Mr Rhys Girvan, appended as Appendix O .
644	The consideration of tangata whenua values in regard to holistic landscape association limited to the associative dimension and is not integrated across the full suite of physical and perceptual dimensions, as recommended by TTatM and Te Ao Māori perspectives requiring further TTatM comment.	Landscape, Natural Character and Visual	-	This matter is addressed in the statement prepared by Mr Kyle Welten, appended as Appendix I .
645	There is limited analysis in the LNCVE of how the proposal responds to specific objectives, policies and assessment criteria in the WRPS, WRP and HDP.	Landscape, Natural Character and Visual	-	This matter is addressed in the statement prepared by Mr Rhys Girvan, appended as Appendix O .
646	The approach recommended in TTatM for the assessment of natural character identifying relevant waterbodies, spatial extent within each Project Area and assesses abiotic, biotic and experiential attributes. The application of this methodology is inconsistent across the various project areas, and the transparency of the findings varies considerably.	Landscape, Natural Character and Visual	-	See response to Comment 644.
647	The assessment does not always provide a clear explanation of how the magnitude of natural character effects has been determined (such as loss of a warm spring in the upper Wharekirauponga Stream in CFP which is acknowledged but not evaluated in terms of localized implications).	Landscape, Natural Character and Visual	-	This matter is addressed in the statement prepared by Mr Rhys Girvan, appended as Appendix O .
648	Other than within the Forest Park, the assessment of natural character effects for areas (e.g., Willows Road, Gladstone Open Pit, TSF3, and the Northern Rock Stack) is more limited in depth and detail.	Landscape, Natural Character and Visual	-	This matter is addressed in the statement prepared by Mr Rhys Girvan, appended as Appendix O .
649	The landscape effects assessment does not clearly articulate the effects on identified landscape values. The analysis is more focused on describing change to the physical environment, with insufficient evaluation of how those changes affect identified values.	Landscape, Natural Character and Visual	-	This matter is addressed in the statement prepared by Mr Rhys Girvan, appended as Appendix O .
650	The landscape effects assessment lacks clarity regarding the duration of effects and when mitigation will be effective.	Landscape, Natural Character and Visual	-	This matter is addressed in the statement prepared by Mr Rhys Girvan, appended as Appendix O .
651	The visual effects assessment does not provide a clear or transparent account of the potential effects on private visual amenity.	Landscape, Natural Character and Visual	-	This matter is addressed in the statement prepared by Mr Rhys Girvan, appended as Appendix O .
652	The visual effects assessment focusses on whether the proposed changes to the landscape will be seen and what they will look like, rather than how those changes will affect existing/reasonably expected visual amenity (derived from the views across the surrounding landscape). Consequently, the basis for effect ratings is not always evident.	Landscape, Natural Character and Visual	-	This matter is addressed in the statement prepared by Mr Rhys Girvan, appended as Appendix O .
653	In some instances, the effect ratings (the magnitude of the natural character effects) appear to be lower than I would have expected given the nature and scale of the proposed development and my experience in the assessment of other mines and quarries in similar landscape types.	Landscape, Natural Character and Visual	-	This matter is addressed in the statement prepared by Mr Rhys Girvan, appended as Appendix O .
654	The assessment does not clearly articulate the cumulative effects of the various project components on identified landscape values and is instead focused on describing change to the physical environment which is insufficient, whether considered incrementally, in combination with each other, or alongside existing mining-related activities in the wider Waihi area.	Landscape, Natural Character and Visual	-	This matter is addressed in the statement prepared by Mr Rhys Girvan, appended as Appendix O .

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655	There are notable omissions in the coverage of representative viewing locations.	Landscape, Natural Character and Visual	-	This matter is addressed in the statement prepared by Mr Rhys Girvan, appended as Appendix O .
656	As currently drafted, the ELMPs are not sufficiently well developed to ensure that the effects of the proposal on landscape, natural character, and visual amenity will be mitigated.	Landscape, Natural Character and Visual	-	This matter is addressed in the statement prepared by Mr Rhys Girvan, appended as Appendix O .
657	The plans primarily address ecological matters and are largely devoid of the detail necessary to identify the objectives, methods and performance criteria necessary to ensure that the mitigation requirements identified in the LNCVE are addressed in a manner that can be independently certified.	Landscape, Natural Character and Visual	-	This matter is addressed in the statement prepared by Mr Rhys Girvan, appended as Appendix O .
658	The <i>performance standards</i> for ecological restoration planting should be expanded to clearly apply to screen planting (with appropriate amendments), and specific <i>performance standards</i> should be developed to assess the effectiveness of wetland screen planting and the visual integration of modified landforms into the surrounding landscape.	Landscape, Natural Character and Visual	-	This matter is addressed in the statement prepared by Mr Rhys Girvan, appended as Appendix O .
659	The Rehabilitation and Closure Plan should better incorporate the restoration, and mitigation works recommended in the LNCVE and detailed in the ELMPs.	Landscape, Natural Character and Visual	-	This matter is addressed in the statement prepared by Mr Rhys Girvan, appended as Appendix O .
660	All ecological management plans require amendment to address inconsistencies with the proposed consent conditions.	Ecology and Landscape	-	The comments provided on the ecological and landscape, natural character and visual management plans are addressed in the statements provided by Mr Dylan van Winkel, appended as Appendix D , Mr Brian Lloyd, appended as Appendix J , Ms Katherina Mucha, appended as Appendix K , Dr Graham Ussher, appended as Appendix M , Ms Helen Blackie, appended as Appendix N , Mr Rhys Girvan, appended as Appendix O , and Mr Ian Boothroyd, appended as Appendix P .
662	Additional data on the presence or relative abundance of lizards within the NRS riparian area would have better informed the magnitude of effects assessment.	Ecol team		Mr Christopher Wedding has advised: We agree that survey coverage of the NRS riparian area would have better informed the effects assessment. We note that lizard survey coverage of the Waihi area was however, extensive, and included substantial coverage both inside and outside the project footprint. The coverage reflects in part how the wider landscape was investigated over an extensive period of time, during which the identification of some areas of high value informed project design (e.g. the NRS avoids moko skinks between the two SNA166 fragments) in favour of other planted environments. Overall, while there are some gaps in survey coverage, the assessment provides a robust and reliable basis for understanding potential effects on lizard populations and gives confidence that the measures incorporated into project design appropriately address identified ecological values.
664	Ecological values for various flora and fauna species appear to have been assigned based on outdated classifications of threat status, rather than the most recent NZTCS publications.	Ecol team		Mr Christopher Wedding has advised: The report identifies several threatened species, including long-tailed bat, northern New Zealand dotterel, New Zealand dabchick, 'At Risk' species, including copper skink, moko skink and kauri. The report accurately captures the threat status of these species, however it is noted that the report went through many iterations, during which the threat status for kauri trees and those floras affected by myrtle rust (e.g. pōhutukawa, mānuka and kānuka) increased and decreased. Any residual discrepancies are more likely to overstate, rather than understate, the conservation status of these species. Importantly, such variations do not diminish confidence in the assessment or alter the overall conclusions regarding the magnitude or level of ecological effects.
665	Various inconsistencies between technical reports introduce uncertainty about the ecological impacts of the Project.	Ecology	-	Refer to response to Comment 660
666	The stated 'level of effect' on ecological values in the Boffa Miskell (2025a) report does not consistently align with EclAG methodology.	Ecology	-	Refer to the statement provided by Ms Katherina Mucha, appended as Appendix K .
667	While we support the use of the EclAG, there are several apparent anomalies in its application, particularly regarding the scale at which effects have been evaluated, (Project Area vs local population) and whether the assigned level of effect has taken into account mitigation measures.	Ecology	-	Refer to the statement provided by Ms Katherina Mucha, appended as Appendix K .
669	It is not clear what the FDI component covers in the report, or how it is calculated.	Economics	-	Refer to the statement provided by Mr Shamubeel Eaquad, appended as Appendix B .
671	It is not possible – from the information provided to accurately estimate the mines	Economics	-	Refer to the statement provided by Mr Shamubeel Eaquad, appended as Appendix B .

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	actual contribution to GDP (from expenditure).			
672	At the regional level, the mine does not generate a significant contribution to GDP and while numerically the change is not significant, this is mostly due to the size and diversity of the Waikato Regional economy.	Economics	-	Refer to the statement provided by Mr Shamubeel Eaquad, appended as Appendix B .
673	By failing to assess flows of revenue and impacts over long time horizons to ensure they can be compared accurately with activities that occur today, the Eaquad report over states likely effects and therefore likely benefits.	Economics	-	Refer to the statement provided by Mr Shamubeel Eaquad, appended as Appendix B .