

In response quote reference: 3997678
In response enquire to: Leigh Robcke



4 December 2025



Environmental Protection Authority

Via email to: substantive@fasttrack.govt.nz

Dear Elliot

Hauraki District Council comments on draft conditions for Waihi North Fast-track Approvals Act application (FTAA-2504-1046)

As requested via Minute 7 of the Expert Panel (dated 25 November 2025), attached are comments on the draft conditions for the Waihi North FTTA 2504-1046 application from Hauraki District Council, as provided for in Section 70 of the Fast-track Approvals Act (2024).

Comments are provided on the 'Conditions Common to the Hauraki District Council and Waikato Regional Council Resource Consents' and on the 'Conditions for the Hauraki District Council Land Use Consents'.

Hauraki District Council hopes that the comments provided are of use to the Expert Panel.

Yours sincerely



David Speirs
Chief Executive

Conditions Common to the Hauraki District Council and Waikato Regional Council Resource Consents

Condition C1A identifies the acronym for the *Waihi Area Ecology and Landscape Management Plan* as ELMP-WA. **Condition C5.gg** used ELMP-Waihi. It is suggested that this be amended to ELMP-WA for consistency.

Condition C4B. a iv states: *As part of the certification process, and where the relevant condition requiring the document's certification provides for the Consent Authority to seek advice from the Peer Review Panel, once received from the consent holder, the Consent Authority will arrange for the document to be provided to the Peer Review Panel without unreasonable delay.*

The intent of this part of the condition, as written, is unclear.

For some resource consents that currently authorise mining in Waihi there is provision for a Peer Review Panel. The role of the Panel is to review the performance of operations, with regard to specific areas of technical expertise, over the previous 12 months. The Panel is not currently involved in approving or certifying forward looking documents or plans - this is the domain of Council staff and experts.

As it currently stands, the 'Consent Authority' would not seek advice from the Peer Review Panel regarding certification, nor would the 'Consent Holder'.

HDC queries whether the reference to the Peer Review Panel should be to those parties who have been identified in conditions (e.g. DOC via C5AA) as having a role in terms of review, comment, suggesting amendments or additions?

Without clarification, HDC suggests Condition C4B. a iv be deleted.

Condition C4B. b states: *The Consent Holder must address any written response provided by the Consent Authority and resubmit an amended monitoring plan, management plan or any other document to the Consent Authority for certification.*

HDC considers that for clarity this condition should be amended to include reference to the process for an amended plan to include the requirement to engage with and seek feedback (and document the feedback) from those parties with whom the respective condition requires such a process to occur (e.g. DOC).

Condition C5 n. requires correction as follows: *At least four years prior to the commencement of ± WUG stoping activities*

Condition C5. dd requires correction as follows: *At least 30 working days prior to the start of mining or tunnelling activity in the relevant Area.*

Condition C5 states: *Advice Note: For certification of the management plans listed in ee and ff the Consent Authority is: This requires correction to refer to 'ff and gg'.*

Condition C5AA requires the Consent Holder to provide either the Coromandel Forest Park Kauri Dieback Management Plan or the Wharekurauponga Pest Animal Management Plan to DOC for review, prior to submitting to HDC for certification, and requires a related process for identifying and addressing feedback received from DOC. **Conditions C8A to C8D** identify a suite of other Plans that require engagement with DOC in respect of amendments to such Plans, but these Plans are not referred to in Condition C5AA.

If DOC is to be involved in an amendment to a Plan, HDC considers that for clarity reference should be made to their involvement in the first instance Plan preparation. HDC considers that Conditions C5AA and C8 to C8D require amendment to reflect those plans on which DOC is invited to a process of review prior to certification by HDC (including the amendment and recertification of those plans).

Condition 5AA .5 refers to Condition C5AA c. There is no Condition C5AA c. This requires correction to refer to Condition C5AA 3.

Condition C8A states: *In addition to the requirements of Condition C8, if amendments that relate to works or effects on conservation land are proposed to: ...*

The reference to 'works or effects' is somewhat nebulous. HDC queries whether the Condition should simply read: *In addition to the requirements of Condition C8, if amendments ~~that relate to works or effects on conservation land~~ are proposed to the following on conservation land: ...:*

Condition C10 c. requires correction as follows: *Identify opportunities for the Consent Holder to procure services relevant to the exercise of these consents from the iwi entities ~~in~~ listed in Condition C.9;*

Condition C18 requires correction as follows: *Where activities authorised by this consent are addressed in the Cultural Practices Plan, they must be undertaken in accordance with the relevant provisions of the Cultural Practices Plan unless it is impractical to do so, including for health and safety reasons.*

Condition C23 requires correction as follows: *No later than 30 working days prior to the first exercise of this consent, and annually thereafter no later than the anniversary of works commencing, or at any other date approved by the Hauraki District Council and ~~WRC~~ Waikato Regional Council....*

Condition C33 3. requires correction as follows: *The rates in C33. 1 a. and b. must be adjusted at the start of each calendar year by the annual Consumer Price Index (CPI) published by Statistics New Zealand and made publicly available on the Consent Holder's website. The adjusted rates must thereafter be used to implement Condition C33. 1 above.*

Condition C46 d. HDC suggests amendment for clarity, as follows: *Dewatering results in a significant variance from the ~~predicted~~ loss of in stream flow predicted in that Plan.*

Condition C47A. 2. c. i refers to *Management of Plant Pathogens and Invasive Species*. This should be C47A. 2. c. iv. Further to this, should this reference be to a 'Plan'? The reference to this 'document' differs in **Condition C47B c iv** which refers to *Management of Plant Pathogens and Weeds*. Should these document references be the same?

Condition C51 identifies that the Peer Review Panel be comprised of appropriately qualified personnel who are capable of independently advising the Consent Holder as to whether or not the conditions of consent are being met, including those relating to rehabilitation and closure. Relative to the expertise that may be necessary to inform revegetation (including landform/landscape), HDC recommends that the Peer Review Panel should also include a suitably qualified and experienced Landscape Architect. It is suggested that **Condition C52** be amended to add Landscape Architecture.

Condition C67.g and **Condition C68. b** use different terminology and descriptors to require similar outcomes. HDC suggests that consistent terminology is used between different clauses requiring the same type of outcome and the terminology used in the ELMPs. Suggested amendments follow:

C6.7 g Restoring and recontouring disturbed landforms to ~~blend in~~ integrate with the surrounding natural landforms; and

And

C68. b Recontouring, capping and hydroseeding the remaining rock in the Northern Rock Stack to ~~reflect the surrounding rounded~~ integrate with the surrounding natural landforms;

CONDITIONS FOR THE HAURAKI DISTRICT COUNCIL LAND USE CONSENTS

Conditions 2c xxxi, d x, e xxxiv, f xxi, and g xx refer to the ELMP-Waihi Area instead of ELMP-WA. All require correction.

Condition 29 requires that blast events must only occur between the hours of 1000 and 1500, Monday to Friday and 1000-1200 Saturday (excluding public holidays), and at (b) states:

Peak particle velocity and peak overpressure levels must be measured for all blasts and the peak particle velocity must comply with the following limits:

- (i) The peak particle velocity (vector sum) at any monitor point must be no more than 5mm/s for 95% of blast events; and*
- (ii) 1mm/s for 95% of blast events at all other times.*

It is unclear to HDC whether blasting is limited to the stated hours, and if so, what other times does (ii) contemplate?

Further to this, Condition 29 states that overpressure must be measured for all blasts, which is clear. However, 29d refers to a maximum allowable limit of 120 dBL "at any overpressure monitoring site". This may be interpreted that overpressure monitoring need not be undertaken at all sites. For clarity, HDC suggests the following amendment (noting no change is proposed to (ii) relative to the comment above):

29 b Peak particle velocity ~~and peak overpressure~~ levels must be measured for all blasts and the peak particle velocity must comply with the following limits

- (i) The peak particle velocity (vector sum) at any monitor point must be no more than 5mm/s for 95% of blast events; and*
- (ii) 1mm/s for 95% of blast events at all other times.*

...

29 d The maximum overpressure level must be measured for every blast at a minimum of one monitoring station, and must not be greater than 120 dBL for any blast.

The decision says (at para 196): *There was general agreement that overpressure monitoring gauges could be added to the current (and proposed) vibration monitoring stations located on private property, in addition to the roving monitors already proposed.* The edits suggested above reflect this intention.

Condition 33.1 e requires video monitoring for fly rock, with no reference to a fume rating. Condition 45, concerning the requirements of the BVMP includes (at g):

Detail on the conditions which could cause post blast fumes at GOP, the Western Borrow Area, Central Borrow Area, or Eastern Borrow Area, and measures to monitor, and if necessary, manage, post blast fume generation in GOP or any of the borrow areas.

There is similarly no reference to fume rating in this condition which seems at odds with the Panel decision stating (at para 195):

The proposed addition of video footage to assess fly rock and fume suggested by Dr McKenzie does not appear to be overly onerous. We have therefore amended the HDC conditions along the lines he recommended.

It appears to HDC that this matter has been omitted. To address this, it is suggested that an amendment be made to **Condition 33.1 e** as follows:

Potential risk control measures including but not limited to the monitoring of every blast using video cameras and the rating of collar and free-face venting intensity, as well as a fume rating using the AEISG rating guidelines, in the Blast Report for every blast fired in GOP and the borrow pits.

An amendment to the first sentence in Condition 33.1 may also be needed to refer to fume as well as flyrock?

Condition 42 has 16 sub-provisions, identified numerically. Condition 45 refers to Condition 42, but in doing so refers to Condition 42 as having alphabetical sub-provisions (e.g. condition 45b). The cross referencing requires correction.

Condition 45 ix requires: *The assessment by video analysis lasting for at least 30 seconds after the last blasthole has fired.*

For clarity, HDC suggests that it be clear that this video monitoring relates to blasts associated with GOP and the borrow areas.

Condition 58A b requires correction as follows: *providing containment capacity for stormwater in addition to the minimum workplace safety requirements set out in ~~(e)~~ (d) below, or..*

And amend what is referred to as 'a', which reads 'secondary containment must achieve...' to 'd'.

Condition 73 HDC considers this condition should be re-drafted to reflect the language of other conditions requiring the submission of a Plan that requires certification, inclusive of an objective and what the plan is to contain, so that HDC has sufficient guidance as to the outcomes required. Alternatively, delete this condition, and incorporate its intent as a component of the Construction Management Traffic Plan required by Condition 84.

If retained as a separate condition, **Condition C1A** will require an amendment to include the acronym for the Temporary Traffic Management Plan (TTMP). Related to this, if redrafted it would also need to be referenced in **Condition C5**, and for the timing (submission date) for this document to be referenced in **Condition C5AA**.

Condition 75.3 states: *The pavement condition rating (including vehicle counts) resulting from the assessment undertaken under (a) above ...* . The condition does not include an '(a) above' and requires correction to refer to 1 and/or 2 above.

Condition 79.3 states: *The pavement condition rating (including vehicle counts) resulting from the assessment undertaken under (a) above ...* . The condition does not include an '(a) above' and requires correction to refer to 1 and/or 2 above.

Condition 104 requires a Social Impact Management Plan Framework to be prepared, whereas Condition 105.1 requires the Social Impact Management Plan prepared under Condition 104 to be submitted. Clarity is required as to whether this is a two-stage process, or Condition 104 requires correction to refer to Social Impact Management Plan only.

Condition 119 refers to 22mx22m 'plots', whereas Conditions 124 refers to 22mx22m 'areas'. For consistency the same terminology should be used.

Condition 152 references Condition 116. Condition 116 has been deleted, and Condition 152 should refer to Condition 115.