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# PART I

OceanaGold (New Zealand) Limited  
Waihi North Project

**RMA RULES TRIGGERED**

## PART I: CONSOLIDATED RMA RULES ASSESSMENT

The following tables identify approvals related to district and regional resource consents under the RMA, together with those activities that are identified as permitted activities in the relevant district and regional plans.

### AREA 1 - COROMANDEL FOREST PARK

#### HAURAKI DISTRICT PLAN

The activity status and land use consents relating to section 9 of the RMA for the activities occurring within Area 1 and the CFP are set out in Table 1 below. The most restrictive activity status is **non-complying**.

Table 1: Activity status and HDP land use consents required for Area 1 and CFP activities

Activity	Relevant rules and activity status	Comment
<b>Within the CFP</b>		
To undertake pest control and habitat enhancement management activities as part of the Waihi North Biodiversity Project.	> <b>Non-complying activity</b> under Rule 5.2.4.5(NC1).  <b>Noting</b> that if the activities are carried out by or on behalf of DOC, they will be a <b>Permitted Activity</b> under Rule 5.2.4.1(P1).	The Waihi North Biodiversity Project will involve pest control and habitat enhancement works.  Under the HDP these activities are classified as 'Management Activities'. <sup>1</sup> The activity class depends on whether or not activities will be undertaken by or on behalf of DOC.  It is not yet known whether these activities will be undertaken by or on behalf of DOC  If these activities are not undertaken by or on behalf of DOC, they will require resource consent as a non-complying activity (Rule 5.2.4.5).

<sup>1</sup> **Management Activities** Includes tree husbandry; removal/control of exotic, noxious or nuisance species; construction, reconstruction, maintenance and use of pedestrian and cycle tracks, huts and shelters, toilets, picnic areas and campsites; radio installations (for management and safety purposes); search and rescue operations; wild animal control operations; erection of interpretative and directional signs.



Activity	Relevant rules and activity status	Comment
		<p>If these activities are undertaken by or on behalf of DOC they will not require a resource consent (Rule 5.2.4.1).</p> <p>For the purpose of this application, it is conservatively assumed that the activities will not be carried out by or on behalf of DOC and will therefore require consent as a non-complying activity under Rule 5.2.4.5.</p>
To undertake management activities for the purposes of undertaking pest control and habitat enhancement works as part of offsetting actual and potential ecological effects.	<p>&gt; <b>Non-complying activity</b> under Rule 5.2.4.5(NC1).</p> <p><b>Noting</b> that if the activities are carried out by or on behalf of DOC, they will be a <b>Permitted Activity</b> under Rule 5.2.4.1(P1).</p>	<p>A targeting pest control and habitat enhancement programme is proposed to offset potential adverse ecological effects (including effects on leiopelmatid frogs).</p> <p>It has not yet been confirmed whether these activities will be undertaken by or on behalf of DOC, but for the purpose of this application it is conservatively assumed that they will be undertaken independently, and hence be a non-complying activity</p> <p>If the activities are undertaken by or on behalf of DOC they will be a permitted activity.</p>
<b>Within Area 1 Only</b>		
<p>Exploration, underground mining and mining operations within Area 1, including but not limited to:</p> <ul style="list-style-type: none"> <li>&gt; Establishment of up to eight new exploration drill sites;</li> <li>&gt; Establishment of up to twelve surface investigative drill sites;</li> <li>&gt; Establishment of up to four ventilation shafts and associated surface vent sites,</li> </ul>	<ul style="list-style-type: none"> <li>&gt; <b>Discretionary activity</b> under rule 5.2.4.4(D3) (exploration).</li> <li>&gt; <b>Discretionary activity</b> under rule 5.2.4.4(D4) (underground mining).</li> <li>&gt; <b>Non-complying activity</b> under rule</li> </ul>	<p>Within the Conservation (Indigenous Forest) Zone, underground mining is a discretionary activity (Rule 5.2.4.4(D4)), while mining operations are a non-complying activity (Rule 5.2.4.5(NC1)).</p> <p>The proposed exploration activities will not meet all controlled activity specific standards set out in section</p>



Activity	Relevant rules and activity status	Comment
<p>including vent stacks and onsite construction amenities;</p> <ul style="list-style-type: none"> <li>&gt; Establishment of drilling platforms at vent site locations for exploration and investigative drilling and hydrogeological pump testing;</li> <li>&gt; Exploration and investigative drilling / piezometer installation using a portable rig at up to 50 sites;</li> <li>&gt; Exploration and investigative drilling, allowing for simultaneous operation of six surface drill rigs, of which a maximum of 5 may be platform-based rigs (the balance being portable rig(s));</li> <li>&gt; Exploration and investigative drilling from underground drilling platforms;</li> <li>&gt; The installation and use of monitoring equipment, including piezometers;</li> <li>&gt; Establishment of four new camps and messing facilities located on any of the existing or proposed drill sites;</li> <li>&gt; Establishment of two new helipads;</li> <li>&gt; Accessing the drill sites and ventilation shaft sites by helicopter;</li> <li>&gt; Establishment of an underground dual tunnel to the Wharekirauponga orebody;</li> <li>&gt; Establishment of mine declines;</li> <li>&gt; Establishment of mine access tunnels;</li> <li>&gt; Development, stoping and mining of the orebody;</li> <li>&gt; Drilling, blasting, earthworks and the removal of rock material and ore;</li> <li>&gt; Sealing of tunnels and drill holes with grout or shotcrete;</li> <li>&gt; Injection of cementation or other grout/sealant into ground for geotechnical and/or hydrogeological requirements;</li> </ul>	<p>5.2.4.5(NC1) (mining operations).</p>	<p>5.2.6(1) and therefore will be a discretionary activity (Rule 5.2.4.4(D3)).</p> <p>The definition of underground mining includes surface disturbance associated with underground mining – which is considered to include the ventilation shafts.</p> <p>All other activities listed are incidental to the activities occurring within Area 1 and fall under the definition of mining operations or exploration drilling. This includes the use of the decline to transport ore and rock.</p>



Activity	Relevant rules and activity status	Comment
<ul style="list-style-type: none"> <li>&gt; Backfilling of stopes with rock, cemented rock fill (CRF) or cemented aggregate fill (CAF);</li> <li>&gt; Underground rock storage and stockpile areas;</li> <li>&gt; The establishment of an underground magazine compound;</li> <li>&gt; The establishment of an underground workshop to service and maintain mine equipment;</li> <li>&gt; The establishment of communications, water management facilities and general amenities within the tunnels;</li> <li>&gt; Establishment of refuge chambers and tunnel recesses;</li> <li>&gt; Establishment of sumps, pumps and electrical equipment and ventilation infrastructure;</li> <li>&gt; The use of a range of mining equipment to service the mine;</li> <li>&gt; Installation of signage; and</li> <li>&gt; Rehabilitation and closure activities.</li> </ul>		
The clearance of indigenous vegetation within an SNA for the establishment of drill sites and ventilation shafts.	> <b>Non-complying activity</b> under rule 6.2.5.6(1)(a).	Clearance of SNA vegetation (SNA T13P152) is required to establish drill sites and ventilation shafts. The clearance of a SNA of national or international significance requires resource consent as a non-complying activity.
The storage, use and disposal of hazardous substances.	> <b>Non-complying activity</b> under rule 7.7.10(1)(a) and rule 7.7.10(1)(b).	The underground magazine will involve the storage and use of hazardous substances (including explosives). The grout and shotcrete that will be used to seal the tunnel in places, and the cementitious ground and concrete used to rehabilitate shafts, are also classified as hazardous substances.



Activity	Relevant rules and activity status	Comment
		<p>Small quantities of hazardous substances will be stored and used at the additional drill sites located in the CFP.</p> <p>The Conservation (Indigenous Forest) Zone is not identified in the Hazardous Facilities Screening Procedure (“<b>HFSP</b>”) Consent Status Matrix. Resource consent is therefore required as a non-complying activity.</p> <p>Some of the rock from the WRS, which is used to backfill stopes, will also be potentially acid forming (“<b>PAF</b>”) and constitute disposal of a hazardous substance. Facilities for the disposal of a hazardous substance are a non-complying activity in all zones except for the Rural zone.</p>

## THAMES COROMANDEL DISTRICT PLAN

The activity status and land use consents relating to the Thames Coromandel District Plan (“**TCDP**”) and section 9 of the RMA for the activities occurring within Area 1 and the CFP are set out in Table 2 below. The most restrictive activity status is **discretionary**.

**Note:** Thames Coromandel is currently operating under two District Plans - the Operative in part District Plan (2024) and the Operative District Plan (2010). The rules in the 2024 OIPDP relevant to the activities subject to this application are not subject to appeal and are deemed operative (and the corresponding 2010 DP rules inoperative). Therefore, only the rules of the 2024 OIPDP are considered below.



**Table 2: Activity status and TCDP land use consents required for Area 1 and CFP activities**

Activity	Relevant rules and activity status	Comment
<b>Within the CFP</b>		
To undertake pest control and habitat enhancement management activities as part of the Waihi North Biodiversity Project.	<b>Permitted Activity</b> in Conservation Zone under Rule 43.4.15	Pest management, planting, maintenance is included in the District Plan (2024) definition of “public amenity” activity.
<b>Within Area 1</b>		
<p>To install monitoring equipment and undertake river flow gauging at two locations in the Otahu River using fixed pressure transducer installations and hand-held flow tracker devices.</p> <p>To install and operate telemetry equipment for the flow monitoring stations, including antennae up to 1.5m height and small solar panel.</p>	<b>Permitted Activity</b> in conservation zone under Rule 43.4.4.	Scientific equipment activity as defined in the District Plan (2024): <i>“a structure(s) or building(s) to mark locations, provide warnings, collect and transmit data, or serve similar scientific, meteorological or navigational purposes. This may include telecommunication and electrical connections.”</i>
To install near stream piezometers at two locations adjacent to the Otahu River, to be drilled with the portable rig and fitted with associated telemetry equipment, including accessing these sites by helicopter	<p><b>Discretionary Activity</b> (activity not listed) under Rule 43.6.20 (CZ).</p> <p><b>Discretionary Activity</b> under Rule 29.3.2.4 (indigenous vegetation clearance within 10m of the bed of a permanent river).</p> <p><b>Telemetry</b> element is <b>Permitted Activity</b> as per above.</p>	A small amount of vegetation clearance (max area 32 m <sup>2</sup> ) may be required for operation. This will not entail any tree felling. of the portable rig to drill the near-stream piezometer holes.
To generate noise during the installation of the near stream piezometers, including dill noise and noise associated with accessing the sites by helicopter.	<b>Permitted Activity</b> under Rule 43.4.12	Noise from construction activities and helicopter flights will meet the noise standards in Table 2.



## WAIKATO REGIONAL PLAN

The activity status and land use consents relating to the Waikato Regional Plan (“WRP”) under sections 9, 14 and 15 of the RMA for the activities occurring within Area 1 are set out in Table 3 below. The most restrictive activity status is **non-complying**.

**Table 3: Activity status and WRP related consents required for Area 1 activities**

Activity	Relevant Rules	Comment
<b>The Use of Land (RMA s9(2))</b>		
To drill below the water table to establish underground tunnels and mines using a drill and blast technique.	> <b>Discretionary activity</b> under Rule 3.8.4.8.	The dual tunnels, stoping and declines will be established using the drill and blast technique.  This will not take place near any Geothermal Features so Rule 3.8.4.9 does not apply.
To drill holes below the water table for mineral exploration, geotechnical and hydrological investigation and to establish and operate piezometers.	> <b>Discretionary activity</b> under Rule 3.8.4.8.	This includes holes drilled from fixed drill sites and from other locations using a portable drill rig.  Various piezometers may be installed at all drill sites for monitoring purposes.
To undertake soil disturbance and vegetation clearance in a high-risk erosion area.	> <b>Discretionary activity</b> under Rule 5.1.4.15.	The vegetation clearance and associated soil disturbance at the drill sites and ventilation shaft sites may occur on land with a slope in excess of a 25-degree gradient. The permitted activity standards of Rule 5.1.5 and the controlled activity standards of Rule 5.1.4.14 will be unable to be complied with due to the volume of material removed for each shaft. Resource consent is therefore required as a discretionary activity under Rule 5.1.4.15.
To disturb the bed of rivers and wetlands to install water level monitoring structures	> <b>Permitted Activity</b> under Rule 4.2.17.1  > <b>Permitted Activity in wetlands</b> under NES-F Regulation 40	The installation of monitoring structures will meet all permitted activity standards  (NB, under WRP 4.2.17.1(g) / NES Reg 55(2) The owner of the structure must inform the Waikato Regional Council in writing of the location of



Activity	Relevant Rules	Comment
		the structure at least 10 working days prior to commencing the activity)
<b>To take, use, dam and divert water (RMA s14)</b>		
To take and divert groundwater intercepted during tunnelling and stoping activities.	<ul style="list-style-type: none"> <li>&gt; <b>Discretionary activity</b> under Rule 3.6.4.13.</li> <li>&gt; <b>Discretionary activity</b> under Rule 3.3.4.24.</li> </ul>	<p>Groundwater will be intercepted during tunnelling and stoping activities. It may be diverted around active working areas (using grouting etc) or drained into the mine workings, where it will either be recycled for drilling purposes or pumped directly to the WTP for treatment and discharge to the Ohinemuri River.</p> <p>Intercepted groundwater may include water with a temperature that exceeds 30°C, which means such groundwater will also be classified as geothermal water. However, this water does not originate in a discrete 'geothermal system'<sup>2</sup>. It is heated by the earth's natural geothermal gradient (being a 25°C increase per 1 km in depth). Therefore, the rules in Chapter 7 of the WRP, which apply to the take of water from geothermal systems, do not apply.</p>
To take groundwater for the purpose of servicing drilling activities relating to exploration, monitoring and geotechnical investigations.	> <b>Discretionary activity</b> under Rule 3.3.4.24.	Groundwater will be required for drilling activities. As above, groundwater encountered may exceed 30°C but does not engage the rules in Chapter 7 of the WRP.
To take groundwater for pumping tests	> <b>Discretionary activity</b> under Rule 3.3.4.24	The groundwater take will occur for more than 3 days (and thus not meet Rule 3.3.4.15 permitted activity conditions)

<sup>2</sup> Geothermal System: An individual body of geothermal energy and water not believed to be hydrologically connected to any other. The system includes material containing heat or energy surrounding any geothermal water, and all plants, animals and other characteristics dependent on the body of geothermal energy and water



Activity	Relevant Rules	Comment
To take groundwater for surface water contingency mitigation purposes	> <b>Discretionary activity</b> under Rule 3.3.4.24.	Groundwater recharge is one of the possible contingency measures identified in the Wharekirauponga Dewatering Management and Monitoring Plan for mitigation in the unlikely event that mine dewatering results in adverse effects on surface water flow in certain streams and wetlands.
To take groundwater from boreholes for monitoring purposes	> <b>Permitted activity</b> under Rule 3.3.4.12	Small quantities of groundwater may be taken from boreholes for monitoring purposes but will not exceed the permitted activity volume of 15m <sup>3</sup> per day (cumulative total for all boreholes on one site)
<b>Discharges to land and water (RMA s15(1)(a) and (b))</b>		
To discharge water and drilling fluids to land and groundwater from drilling holes below the water table for mineral and geotechnical exploration and to establish and operate piezometers.	> <b>Permitted activity</b> under Rule 3.8.4.3	The discharge of water and drilling fluids will comply with permitted activity standards.
To discharge contaminants to land and groundwater when sealing tunnels and shafts with grout or shotcrete.	> <b>Discretionary activity</b> under Rule 3.5.4.5. > <b>Discretionary activity</b> under Rule 5.2.5.3.	The progressive sealing of tunnels and shafts with grout or shotcrete to manage water ingress will require the discharge of contaminants to land and groundwater.
To discharge contaminants to land and groundwater associated with the underground storage, use and backfilling of overburden containing potential acid forming material.	> <b>Discretionary activity</b> under Rule 3.5.4.5. > <b>Discretionary activity</b> under Rule 5.2.5.3.	Overburden material (including PAF material) will be stockpiled underground in various areas along the tunnel alignment. It will also be used as backfill during rehabilitation.  The overburden will contain PAF material and therefore does not meet the conditions of Rule 5.2.5.1 or 5.2.5.2.
To discharge contaminants to land and groundwater associated with the underground storage, use and backfilling of	> <b>Discretionary activity</b> under Rule 3.5.4.5.	Overburden material (including PAF material) will be stockpiled underground in various areas along



Activity	Relevant Rules	Comment
overburden containing potential acid forming material.	> <b>Discretionary activity</b> under Rule 5.2.5.3.	the tunnel alignment. It will also be used as backfill during rehabilitation.  The overburden will contain PAF material and therefore does not meet the conditions of Rule 5.2.5.1 or 5.2.5.2.
To discharge groundwater potentially containing contaminants to the main stem of the Wharekirauponga Stream.	> <b>Non-complying activity</b> under Rule 3.5.4.6	Groundwater from pump testing activities will be discharged to the Wharekirauponga Stream, which is identified as a natural state water body in the WRP.
<b>Discharges to Air (RMA section 15(1)(c) / 15(2A))</b>		
To discharge contaminants to air from ventilation shafts.	<b>Discretionary activity</b> under Rule 6.1.9.2.	The discharges are from a Mineral Extraction activity.  Rule 6.1.16.1 provides for discharges to air from Mineral Extraction activities as a permitted activity. However, small amounts of hazardous substances (NO <sub>2</sub> ) etc will be discharged from the vent shafts such that condition (e) of that rule will not be met. A resource consent is sought for the discharge under Rule 6.1.9.2.  NB: This consent requirement is included in the global air discharge consent sought as part of this application



## AREA 2 - WILLOWS SURFACE FACILITIES AREA (INCLUDING ADJACENT MITIGATION / OFFSET PLANTING)

### HAURAKI DISTRICT PLAN

The activity status and land use consents required for the construction, operation, maintenance, and rehabilitation of the Willows SFA are set out in Table 4 below. The most restrictive activity status is **Discretionary**.

Table 4: Activity status and HDP land use consents required for Area 2 activities

Activity	Relevant rules and activity status	Comment
<p>Underground mining and mining operations within Area 2, including, but not limited to:</p> <ul style="list-style-type: none"> <li>&gt; The establishment and use of the Willows Portal;</li> <li>&gt; The establishment and use of the tunnel from Willows Portal to the Dual Tunnel (tunnel decline to the boundary of the property within the Conservation (Indigenous Forest) Zone);</li> <li>&gt; The establishment and use of the ventilation shaft on the Willows site outside of the CFP boundary;</li> <li>&gt; Earthworks (i.e. topsoil removal and stockpiling) and the implementation of sediment control measures;</li> <li>&gt; Vegetation clearance;</li> <li>&gt; Construction of internal access roads and associated car parking;</li> <li>&gt; Establishment and use of a helipad;</li> <li>&gt; Establishment and use of offices, amenity facilities and workshops; laydown yards, emergency response facilities and other mine services;</li> <li>&gt; The establishment of noise bunds / screens and security fencing;</li> <li>&gt; Establishment of services and water management systems;</li> <li>&gt; Establishment and use of the WRS;</li> </ul>	<p>&gt; <b>Discretionary activity</b> under Rule 5.1.4.4(D14).</p>	<p>Within the Rural Zone, underground mining and mining operations are a discretionary activities.</p> <p>The definition of underground mining includes activities associated with the establishment of the Willows Portal, tunnel from Willows Portal to the Dual Tunnel, and surface disturbance associated with the construction of the ventilation shafts.</p> <p>All other activities listed are incidental to the activities occurring within Area 2 and fall under the definition of mining operations.</p>



Activity	Relevant rules and activity status	Comment
<ul style="list-style-type: none"> <li>&gt; The establishment and use of topsoil, lime and other non-acid forming material stockpiles;</li> <li>&gt; The establishment of silt and collection ponds;</li> <li>&gt; The establishment of an above ground magazine compound;</li> <li>&gt; The installation and use of a substation and switch room;</li> <li>&gt; The installation and use of monitoring equipment, including piezometers in subsurface drilled holes;</li> <li>&gt; Mitigation planting / biodiversity enhancement; and</li> <li>&gt; Rehabilitation and closure activities.</li> </ul>		
To undertake habitat enhancement works and pest control activities on land within and adjacent to Area 2.	> <b>Non-complying activity</b> under Rule 5.1.4.5.	<p>Habitat enhancement works and pest control activities will be undertaken on land parcels within and adjacent to Area 2.</p> <p>Within the Rural Zone the habitat enhancement activities are not permitted activities in their own right under Rule 5.1.4.1. Nor are they an 'accessory use' of another activity permitted in the zone (Rules 5.1.4.1 (P9) Forestry and 5.1.4.1 (P12) Farming are not directly associated with conservation planting).</p> <p>A resource consent has therefore been sought as a non-complying activity under Rules 5.1.4.5 for the planting in the Rural Zone.</p>
Internal signs to provide directions, safety instructions and information for staff and visitors within the site.	> <b>Permitted Activity</b> under Rule 7.6.6(3)(b)(v).	Signs will be erected within the boundaries of the site to provide directions, safety instructions and information for staff and visitors within the site. These signs will not be directly visible from a public road.



Activity	Relevant rules and activity status	Comment
Upgrades to the existing Willows Road entrance to the Willows Road Farm SFA.	> <b>Permitted Activity</b> under Rule 7.4.5.1(2).	Upgrades to Willows Road will occur within the existing road reserve. They include improvements to the intersection of Willows Road which provides vehicle entrance to the SFA site. The upgrades are required to enable large vehicles to safely enter and exit the site. These upgrades can be undertaken as a permitted activity.
The upgrade of Willows Road and the Willows Road / SH25 intersection.	> <b>Permitted Activity</b> under Rule 7.4.5.1(2).	Upgrades to the intersection will occur within the existing road reserve.
The storage and use of hazardous substances.	> <b>Restricted discretionary activity</b> under Rule 7.7.8(1)(a).	<p>The storage of hazardous substances within Area 2 will include (but is not limited to) ammonium nitrate, emulsion diesel, oils, greases, coolants and limestone.</p> <p>The storage of hazardous substances in Area 2 will be located entirely within the Rural Zone and has an Effects Ratio above that set out in the HFSP Consent Status Matrix in Rule 7.7.12(5). Resource consent is required as a restricted discretionary activity.</p> <p>The WRS will also involve the storage of hazardous substances (PAF Rock). It is a new hazardous facility.</p>
To disturb soil and change the land use at a HAIL site.	> <b>Discretionary Activity</b> under Regulation 11 of the NES for Assessing and Managing Contaminants in Soil to Protect Human Health.	<p>Parts of the Willows Road Farm property is HAIL (category E1, A8 and G5). It is proposed to change the use of the land from production land to a surface facilities area to support mining activities, and back to production land following the completion of mining activities.</p> <p>Disturbance of soils, both during operation and rehabilitation is also proposed.</p>



Activity	Relevant rules and activity status	Comment
		The activity will not meet the permitted activity requirements of regulation 8 or the controlled activity requirements of regulation 9. A PSI has been undertaken on the site, however, there has not been a DSI undertaken, therefore the restricted discretionary requirements of regulation 10 cannot be met. The activity is therefore attributed a discretionary status as per regulation 11.

## WAIKATO REGIONAL PLAN

The permitted activity rules and resource consents required to authorise activities within Area 2 are set out in Table 3 below (No WRP consents or permitted activity rules are required/applicable to mitigation / offset planting activities undertaken within or adjacent to Area 2).

The most restrictive activity status under the WRP is **discretionary**. However, consent is also required as a **non-complying activity** under Regulation 54 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (“**NES Freshwater**”), for proposed damming, diversion, and discharges that are located within 100m of the Mataura Wetland.

For completeness, it is noted that while earthworks are proposed within 100 m of the Mataura Wetland, they will not result in complete or partial drainage of all or part of the wetland. Therefore, they are not covered by Regulation 52 of the NES Freshwater.

**Table 5: Activity status and WRP related consents required for Area 2 activities**

Activity	Relevant Rules	Comment
<b>The Use of Land (RMA s9(2))</b>		
To drill below the water table to establish underground tunnels, portals and mines using a drill and blast technique.	> <b>Discretionary activity</b> under Rule 3.8.4.8.	The tunnels will be established using the drill and blast technique.  This will not take place near any Geothermal Features so Rule 3.8.4.9 does not apply.



Activity	Relevant Rules	Comment
To drill holes below the water table for mineral exploration, geotechnical and hydrological investigation and to establish and operate piezometers.	> <b>Discretionary activity</b> under Rule 3.8.4.8.7.	Various piezometers will be installed for monitoring purposes.
To undertake soil disturbance and vegetation clearance within a high-risk erosion area.	> <b>Discretionary activity</b> under Rule 5.1.4.15	Vegetation clearance and associated soil disturbance may occur on land with a slope in excess of a 25-degree gradient, and / or within 5 meters of a water body. The permitted activity standards of Rule 5.1.5 and the controlled activity standards of 5.1.4.14 may not always be able to be complied with. Resource consent is therefore required as a discretionary activity under Rule 5.1.4.15.
<b>Activities in the bed of Rivers (RMA s13)</b>		
To disturb and reclaim the bed of unnamed tributaries of the Mataura Stream associated with establishing clean and dirty water drains for erosion and sediment control purposes.	> <b>Discretionary activity</b> under Rule 4.3.4.4. > <b>Discretionary activity</b> under Regulation 57 of the NES Freshwater.	Over the life of the project, multiple clean and dirty water drains will be established to divert water around the site for erosion and sediment control purposes. Some may intercept waterbodies. This will include the uphill diversion drain which is constructed above the WRS.
To disturb the bed of unnamed tributaries of the Mataura Stream associated with the establishment of diversion drains and formalised overland flow paths to divert natural runoff and unnamed tributaries of the Mataura Stream around developed areas to downstream water bodies and overland flow paths.	> <b>Discretionary activity</b> under Rule 4.3.4.4. > <b>Discretionary activity</b> under Regulation 57 of the NES Freshwater.	Establishing the diversion drains and overland flow paths will require works in the bed of various waterbodies.
To disturb and reclaim the bed of an unnamed tributary of the Mataura Stream to establish the WRS.	> <b>Discretionary activity</b> under Rule 4.3.4.4. > <b>Discretionary activity</b> under Regulation 57 of the NES Freshwater.	Establishing the WRS will require an unnamed tributary of the Mataura Stream to be infilled. This filling/covering of the stream meets the definition of





Activity	Relevant Rules	Comment
		<p>‘reclamation’ in the National Planning Standards.<sup>3</sup></p> <p>The channel will be reinstated as part of rehabilitation and closure activities.</p>
To disturb the bed and place a dam structure in the bed of an unnamed tributary of the Mataura Stream to establish the WRS Toe Seepage Pond.	<ul style="list-style-type: none"> <li>&gt; <b>Discretionary activity</b> under Rule 4.2.4.4 and 4.3.4.4.</li> <li>&gt; <b>Discretionary activity</b> under regulation 57 of the NES Freshwater.</li> </ul>	The Rock Stack Collection Pond will be constructed within the bed of an unnamed tributary of the Mataura Stream downstream of the WRS.
To disturb the bed of the Mataura Stream and unnamed tributaries of the Mataura Stream to accommodate spillway structures and piped discharges from sediment retention ponds and decanting earth bunds.	<ul style="list-style-type: none"> <li>&gt; <b>Discretionary activity</b> under Rule 4.2.4.4.</li> <li>&gt; <b>Discretionary activity</b> under Rule 4.3.4.4</li> </ul>	Sediment retention ponds will contain spillways which may extend into the bed of waterbodies.
To place and use culverts within the Willows SFA.	<ul style="list-style-type: none"> <li>&gt; <b>Discretionary activity</b> under Rule 4.2.4.4.</li> <li>&gt; <b>Discretionary activity</b> under Regulation 71(1) of the NES Freshwater.</li> </ul>	<p>A number of culverts are required within the Willows SFA to convey water.</p> <p>Not all these culverts can comply with these permitted activity standards, and a global consent is being applied for to cover the erection and use of culverts within the Willows SFA.</p>
To undertake mitigation planting adjacent to the Mataura Stream and enhancement of the Mataura Wetland.	<ul style="list-style-type: none"> <li>&gt; <b>Permitted activity</b> under Rule 4.3.8.1.</li> <li>&gt; <b>Permitted activity</b> under Regulation 38 of the NES Freshwater.</li> </ul>	Native planting will be provided in accordance with a mitigation landscape planting plan. Some of this planting will occur adjacent to the banks of unnamed tributaries of the Mataura Stream and will involve planting adjacent to the Mataura Wetland. This can be undertaken as a permitted activity.

<sup>3</sup> **Reclamation** means the manmade formation of permanent dry land by the positioning of material into or onto any part of a waterbody, bed of a lake or river or the coastal marine area, and:

- (a) includes the construction of any causeway; but
- (b) excludes the construction of natural hazard protection structures such as seawalls, breakwaters or groynes except where the purpose of those structures is to form dry land.



Activity	Relevant Rules	Comment
<b>To take, use, dam and divert water (RMA s14)</b>		
To take and divert groundwater intercepted during tunnelling and stoping activities.	<ul style="list-style-type: none"> <li>&gt; <b>Discretionary activity</b> under Rule 3.6.4.13.</li> <li>&gt; <b>Discretionary activity</b> under Rule 3.3.4.24.</li> </ul>	<p>Groundwater will be intercepted during tunnelling activities when constructing the Willows Portal and tunnel to the edge of the CFP. It may be diverted around active working areas (using grouting etc) or drained into the mine workings, where it will either be recycled for drilling purposes or diverted to collection ponds at the Willows SFA, and ultimately to the WTP for treatment.</p> <p>Intercepted groundwater may include water with a temperature that exceeds 30°C, which means such groundwater will also be classified as geothermal water. However, this water does not originate in a discrete 'geothermal system'<sup>4</sup>. It is heated by the earth's natural geothermal gradient (being a 25°C increase per 1 km in depth). Therefore, the rules in Chapter 7 of the WRP, which apply to the take of water from geothermal systems, do not apply.</p>
To take groundwater for the purpose of servicing drilling activities relating to exploration, monitoring and geotechnical investigations.	> <b>Discretionary activity</b> under Rule 3.3.4.24.	Groundwater will be required for drilling activities. As above, groundwater encountered may exceed 30°C but does not engage the rules in Chapter 7 of the WRP.
To take groundwater from boreholes for monitoring purposes	> <b>Permitted activity</b> under Rule 3.3.4.12	Water may be taken from boreholes for monitoring purposes but will not exceed the permitted activity volume of 15m <sup>3</sup> per day (cumulative total for all boreholes on one site)
To dam and divert water within unnamed tributaries of the Mataura Stream and from natural runoff around	> <b>Discretionary activity</b> under Rule 3.6.4.13.	Clean water diversion drains will be used to separate clean water from those areas of the WRS and haul road that may contain PAF. The diversion will move

<sup>4</sup> The WRP definition of 'Geothermal System': An individual body of geothermal energy and water not believed to be hydrologically connected to any other. The system includes material containing heat or energy surrounding any geothermal water, and all plants, animals and other characteristics dependent on the body of geothermal energy and water.



Activity	Relevant Rules	Comment
developed areas to downstream water bodies and overland flow paths.		upgradient as the rock stack footprint increases.
To dam and divert runoff, intercepted groundwater and underdrain seepage from the WRS, Mine Access Road and WRS Toe Seepage Pond to the Main Collection Pond.	> <b>Discretionary activity</b> under Rule 3.6.4.13 and 3.6.4.14.	All runoff and seepage from the WRS will be diverted to the Main Collection Pond, and from there to the WTP for treatment via the services trench prior to discharge to the Ohinemuri River.
To dam and divert water for erosion and sediment control purposes using clean water and dirty water drains.	> <b>Discretionary activity</b> under Rule 3.6.4.13 and 3.6.4.14.	Over the life of the project, multiple clean and dirty water drains will be established to divert water around the site for erosion and sediment control purposes.  Clean water drains will divert water from undisturbed catchments around disturbed areas to surface water bodies or natural flow paths.  Dirty water diversions will divert water to sediment retention ponds and decanting earth bunds.
To dam water in an unnamed tributary of the Mataura Stream associated with the construction and operation of the WRS Toe Seepage Pond.	> <b>Discretionary activity</b> under Rule 3.6.4.14.	The Rock Stack Collection Pond will be established on and result in the damming of an unnamed tributary of the Mataura Stream immediately downstream of the WRS.
To dam water within the Main Collection Pond.	> <b>Permitted activity</b> under Rule 3.6.4.4.  > <b>Non-complying activity</b> under Regulation 54 of the NES Freshwater.	Damming of water is required to construct the Main Collection Pond.  Given this damming of water will be in off-stream areas and able to comply with the permitted activity standards (3.6.4.4(a) – (j)), including provision of a suitable spillway, it can be undertaken as a permitted activity.  However, the damming will occur within 100m of the Mataura Wetland. It is therefore subject to Regulation 54 of the NES Freshwater.
To dam water within the Dry Detention Pond.	> <b>Permitted activity</b> under Rule 3.6.4.4	Damming of water is required to construct the Dry Detention Pond. Given this damming of water will be in off-stream areas and able to comply with the permitted activity standards



Activity	Relevant Rules	Comment
		(3.6.4.4(a) – (j)), including provision of a suitable spillway, it can be undertaken as a permitted activity.
<b>Discharges to land and water (RMA s15(1)(a) and (b))</b>		
To discharge contaminants to land and groundwater when sealing tunnels and shafts with grout or shotcrete.	<ul style="list-style-type: none"> <li>&gt; <b>Discretionary activity</b> under Rule 3.5.4.5.</li> <li>&gt; Discretionary activity under Rule 5.2.5.3.</li> </ul>	The progressive sealing of tunnels and shafts with grout or shotcrete to manage water ingress will require the discharge of contaminants to land and groundwater.
To discharge contaminants to land and groundwater associated with the underground storage, use and backfilling of overburden containing potential acid forming material.	<ul style="list-style-type: none"> <li>&gt; <b>Discretionary activity</b> under Rule 3.5.4.5.</li> <li>&gt; Discretionary activity under Rule 5.2.5.3.</li> </ul>	<p>Overburden material (including PAF material) will be stockpiled underground in various areas along the tunnel alignment. It will also be used as backfill during rehabilitation.</p> <p>The overburden will contain PAF material and therefore does not meet the conditions of Rule 5.2.5.1 or 5.2.5.2.</p>
To discharge PAF and NAF rock and overburden on to land at the WRS and associated Mine Access Road.	> <b>Discretionary activity</b> under Rule 5.2.5.3.	This material meets the definition of overburden and is not an ‘overburden disposal site’ as it is for the storage, not disposal of overburden. It will also contain PAF material. So permitted activity Rule 5.2.5.1 and controlled activity Rule 5.2.5.2 do not apply to the activity.
To discharge sediment laden water to land within sediment retention ponds and decanting earth bunds and to discharge water from those devices to surface water via spillways.	> <b>Discretionary activity</b> under Rule 3.5.4.5.	<p>The sediment retention ponds, and decanting earth bunds designed to capture and treat runoff will include an emergency spillway sized to convey the 1% AEP rain event.</p> <p>The potential discharge of sediment laden water to land within the retention ponds and decanting earth bunds which may result in contaminants entering water will require resource consent. It is not expected any sediment retention ponds or decanting earth bunds will be required within 100m of the Matura Wetland and therefore resource consent</p>



Activity	Relevant Rules	Comment
		is not required under Regulation 54 of the NES Freshwater.
To discharge water to surface water from the Main Collection Pond via an emergency spillway.	<ul style="list-style-type: none"> <li>&gt; <b>Discretionary activity</b> under Rule 3.5.11.8.</li> <li>&gt; <b>Non-complying activity</b> under Regulation 54 of the NES Freshwater.</li> </ul>	<p>Overflow water from the Main Collection Pond will be discharged to the Mataura Stream via a spillway. This will only occur during high flow events (10 year ARI, 24 hour storm). At all other times, water will be pumped back to the WTP for treatment prior to being discharged.</p> <p>The discharge point is within 100m of the Mataura Wetland. It is therefore subject to Regulation 54 of the NES Freshwater.</p>
To discharge water to land within the Dry SFA Detention Pond and to surface water via a spillway.	> <b>Discretionary activity</b> under Rule 3.5.4.5.	The discharge of sediment laden water to land which may result in contaminants entering water will require resource consent under Rule 3.5.4.5.
To discharge non-acid forming overburden, soil and sediment on to land in stockpiles and earth bunds.	> <b>Discretionary activity</b> under Rule 5.2.5.3.	This material meets the definition of overburden and is not an 'overburden disposal site' as it is for the storage, not disposal of overburden. So permitted activity Rule 5.2.5.1 and controlled activity Rule 5.2.5.2 do not apply to the activity.
To discharge domestic sewage to land via a new effluent disposal field.	> <b>Discretionary activity</b> under Rule 3.5.7.7.	A new effluent disposal field is required within the boundary of the Willows SFA. The discharge volume will exceed 3 m <sup>3</sup> /day and therefore will not meet the conditions of permitted activity Rule 3.5.7.6.
To discharge water to land for use as a dust suppressant.	> <b>Permitted Activity</b> under Rule 5.2.9.1.	<p>Water will be used for dust control post construction.</p> <p>The discharge of contaminants (excluding waste oil) onto or into land for the purpose of dust suppression is a permitted activity subject to compliance with conditions (a), (b) and (c) of Rule 5.2.9.1, notably, the discharge will be managed so as to ensure runoff will not reach any surface water body.</p> <p>As the condition of Rule 5.2.9.1 (a) – (c) are able to be complied with, the</p>



Activity	Relevant Rules	Comment
		discharge of water to land for use as a dust suppressant can be undertaken as a permitted activity.
To discharge water and drilling fluids to land and groundwater from drilling holes below the water table to establish and operate piezometers.	> <b>Permitted activity</b> under Rule 3.8.4.3	The discharge of water and drilling fluids will comply with permitted activity standards.
<b>Discharges to Air (RMA section 15(1)(c) / 15(2A))</b>		
To discharge contaminants to air associated with the operation of equipment within the Willows SFA.	> <b>Discretionary activity</b> under Rule 6.1.9.2.	<p>The discharges are from a Mineral Extraction activity.</p> <p>Rule 6.1.16.1 provides for discharges to air from Mineral Extraction activities as a permitted activity. However, small amounts of hazardous substances (NO<sub>2</sub> etc) will be discharged from blasting and vehicle operation such that condition (e) of that rule will not be met. OGNZL would also prefer to use the more sophisticated toolbox available in a resource consent and utilise an Air Quality Management Plan as a measure for managing dust, rather than the permitted activity conditions.</p> <p>A resource consent is therefore sought for the discharge under Rule 6.1.9.2.</p> <p>NB: This consent requirement is included in the global air discharge consent sought as part of this application</p>



## AREA 3 - WHAREKIRAUPONGA ACCESS TUNNEL CORRIDOR (INCLUDING PROXIMATE MITIGATION / OFFSET PLANTING)

### HAURAKI DISTRICT PLAN

The activity status of the land use consents required for the construction, operation, maintenance, and rehabilitation of the Wharekirauponga Access Tunnel (activities occurring within Area 3) are set out in Table 6 below. The most restrictive activity status is **non-complying**.

Table 6: Activity status and HDP land use consents required for Area 3 activities

Activity	Relevant rules and activity status	Comment
Mining operations and underground mining associated with the construction and operation of the Wharekirauponga Access Tunnel and WUG portal, including investigative drilling and the establishment and use of monitoring equipment, including piezometers.	<ul style="list-style-type: none"> <li>&gt; <b>Discretionary activity</b> under Rule 5.1.4.4(D14).</li> <li>&gt; <b>Discretionary activity</b> under Rule 5.16.4.4 (D3).</li> <li>&gt; <b>Non-complying activity</b> under Rule 5.16.4.5 (NC1).</li> <li>&gt; <b>Discretionary activity</b> under Rule 5.7.4.4 (D4).</li> <li>&gt; <b>Non-complying activity</b> under Rule 5.7.4.5 (NC1).</li> </ul>	<p>The construction and operation of the Wharekirauponga Access Tunnel would fall under the definition of both mining operations and underground mining.</p> <p>Within the Rural Zone, underground mining and mining operations is a discretionary activity.</p> <p>Within the Reserve (Passive) Zone, underground mining is a discretionary activity, while mining operations is a non-complying activity.</p> <p>Within the Residential Zone, underground mining is a discretionary activity, while mining operations is a non-complying activity.</p>
The storage, use and disposal of hazardous substances within Area 3	<ul style="list-style-type: none"> <li>&gt; <b>Non-complying activity</b> under rule 7.7.10(1)(a) and rule 7.7.10(1)(b).</li> </ul>	<p>Establishing the underground tunnel will involve the use of hazardous substances (including explosives). The grout and shotcrete that will be used to seal the tunnel in places are classified as hazardous substances.</p> <p>The Reserve (Passive) Zone is not identified in the Hazardous Facilities Screening Procedure (“HFSP”) Consent Status Matrix. Resource consent is therefore required as a non-complying activity.</p> <p>Some of the rock from the Willows Rock Stack, which may be used to backfill the tunnel will also be PAF and constitute disposal of a hazardous substance.</p>



Activity	Relevant rules and activity status	Comment
		Facilities for the disposal of a hazardous substance are a non-complying activity in all zones except for the Rural zone.
To undertake habitat enhancement works and pest control activities on land within and in proximity to Area 3.	<ul style="list-style-type: none"> <li>&gt; <b>Permitted activity</b> under Rule 2.1.5.1.</li> <li>&gt; <b>Permitted activity</b> under Rule 5.16.4.1(P1).</li> <li>&gt; <b>Permitted activity</b> under Rule 5.17.4.1(P3).</li> <li>&gt; <b>Permitted activity</b> under Rule 6.2.5.2 (1)(c).</li> <li>&gt; <b>Non-complying activity</b> under Rule 5.1.4.5.</li> </ul>	<p>Habitat enhancement works and pest control activities will be undertaken on land parcels within and proximate to Area 3.</p> <p>Planting is proposed in a road, and as per Rule 2.1.5.1, the rules of the land adjoining the road in which planting is proposed are applicable.</p> <p>The road in which planting is proposed within Project Area 3 adjoins the Conservation (Indigenous Forest) zone, therefore the planting activity is permitted.</p> <p>Within the Reserve (Passive) Zone, the restoration / offset planting is a permitted activity under Rule 5.16.4.1(P1) which authorises “Passive Recreation Activities” which under the District Plan definition explicitly include “amenity and conservation plantings, habitat restoration and enhancement”.</p> <p>In the Martha Mineral Zone, the restoration / offset planting is a permitted activity under Rule 5.17.4.1(P3) which authorises “planted areas and stands of trees” and “associated maintenance activities”.</p> <p>Under Rule 6.2.5.2 (1)(c) the activity is permitted within an SNA.</p> <p>Within the Rural Zone the habitat enhancement activities are not permitted activities in their own right under Rule 5.1.4.1. Nor are they an ‘accessory use’ of another activity permitted in the zone (Rules 5.1.4.1(P9) Forestry and 5.1.4.1(P12) Farming are not directly associated with conservation planting).</p> <p>A resource consent has therefore been sought as a non-complying activity under Rules 5.1.4.5 for the planting in the Rural Zone.</p>





## WAIKATO REGIONAL PLAN

The permitted activity rules and resource consents required to authorise activities relating to the Wharekairauponga Access Tunnel are set out in Table 7 below. The most restrictive activity status is **discretionary**.

Table 7: Activity status and WRP related consents required for Area 3 activities

Activity	Relevant Rules	Comment
<b>The Use of Land (RMA s9(2))</b>		
To drill below the water table to establish underground tunnels, portals and mines using a drill and blast technique.	<b>Discretionary activity</b> under Rule 3.8.4.8.	The tunnels will be established using the drill and blast technique.
To drill holes below the water table for mineral exploration, geotechnical and hydrological investigation and to establish and operate piezometers.	<b>Discretionary activity</b> under Rule 3.8.4.8.	Various piezometers will be installed for monitoring purposes.
<b>To take, use, dam and divert water (RMA s14)</b>		
To take and divert groundwater intercepted during tunnelling and stoping activities.	<b>Discretionary activity</b> under Rule 3.6.4.13  <b>Discretionary activity</b> under Rule 3.3.4.24.	<p>Groundwater will be intercepted during tunnelling activities. It may be diverted around active working areas (using grouting etc) or drained into the mine workings, where it will either be recycled for drilling purposes or diverted to the WTP for treatment.</p> <p>Intercepted groundwater may include water with a temperature that exceeds 30°C, which means such groundwater will also be classified as geothermal water. However, this water does not originate in a discrete 'geothermal system'<sup>5</sup>. It is heated by the earth's natural geothermal gradient (being a 25°C increase per 1 km in depth). Therefore, the rules in Chapter 7 of the Waikato Regional Plan, which apply to the take of water from geothermal systems, do not apply.</p>

<sup>5</sup> Geothermal System: An individual body of geothermal energy and water not believed to be hydrologically connected to any other. The system includes material containing heat or energy surrounding any geothermal water, and all plants, animals and other characteristics dependent on the body of geothermal energy and water.



Activity	Relevant Rules	Comment
To take groundwater for the purpose of servicing drilling activities relating to exploration, monitoring and geotechnical investigations.	<b>Discretionary activity</b> under Rule 3.3.4.24.	Groundwater will be required for drilling activities. As above, groundwater encountered may exceed 30°C but does not engage the rules in Chapter 7 of the WRP.
To take groundwater from boreholes for monitoring purposes	<b>Permitted activity</b> under Rule 3.3.4.12	Water may be taken from boreholes for monitoring purposes but will not exceed the permitted activity volume of 15m <sup>3</sup> per day (cumulative total for all boreholes on one site)
<b>Discharges to land and water (RMA s15(1)(a) and (b))</b>		
To discharge contaminants to land and groundwater when sealing tunnels and shafts with grout or shotcrete.	<b>Discretionary activity</b> under Rule 3.5.4.5.  <b>Discretionary activity</b> under Rule 5.2.5.3.	The progressive sealing of the tunnel with grout or shotcrete to manage water ingress will require the discharge of contaminants to land and groundwater.
To discharge contaminants to land and groundwater associated with the underground storage, use and backfilling of overburden containing potential acid forming material.	<b>Discretionary activity</b> under Rule 3.5.4.5.  <b>Discretionary activity</b> under Rule 5.2.5.3.	Overburden material (including PAF material) will be stockpiled underground in various areas along the tunnel alignment. It will also be used as backfill during rehabilitation. The overburden will contain PAF material and therefore does not meet the conditions of Rule 5.2.5.1 or 5.2.5.2.
To discharge water and drilling fluids to land and groundwater from drilling holes below the water table for mineral and geotechnical exploration and to establish and operate piezometers.	<b>Permitted activity</b> under Rule 3.8.4.3	The discharge of water and drilling fluids will comply with permitted activity standards.



## AREA 5 - GLADSTONE PIT AND WAIHI SURFACE FACILITIES AREA

### HAURAKI DISTRICT PLAN

The activity status of the land use consents required for the construction, operation, maintenance, and rehabilitation of the GOP, GOP TSF, and Waihi SFA upgrades, is set out in Table 5 below. The most restrictive activity status is **non-complying**.

Consent for a **restricted discretionary** activity is also required under the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 ("**NES Electricity Transmission**") for the relocation of an existing powerline that runs through Gladstone Hill.

Table 8: Activity status and land use consents required for the works associated with the GOP, GOP TSF, and Waihi SFA (Area 5).

Activity	Relevant rules and activity status	Comment
<b>Activities within Area 5</b>		
To undertake mining operations, surface mining, underground mining and exploration activities within Area 5, including, but not limited to:	> <b>Discretionary activity</b> under rule 5.1.4.4(D14).	The new GOP related activities and new portals are located within the Rural Zone and Martha Mineral Zone. These activities are a discretionary activity under the rules which apply to mining operations, surface mining, underground mining and exploration in those zones.
> Exploration, investigative and dewatering drilling and the installation of piezometers associated with the establishment and operation of GOP;	> <b>Discretionary activity</b> under rule 5.17.4.4(D2).	Most of the existing activities within the Waihi SFA which are located within Martha Mineral Zone are currently authorised by permitted activity Rule 5.17.1.1(P1). The exception is the Concrete Batching Plant which is currently authorised by the Correnso <sup>6</sup> and Project Martha <sup>7</sup> LUCs. However, the upgraded WTP and Processing Plant will both have a configuration which differs to that described in the standards and terms of Rule 5.17.1.1(P1). The upgraded Processing Plant will also have a capacity (2.25 million tonnes per annum) which exceeds that authorised by Rule 5.17.1.1(P1) (1.25 million tonnes per annum).
> Vegetation clearance, topsoil clearance and stockpiling, and the implementation of sediment control measures;		
> The establishment and use of a topsoil stockpile adjacent to GOP;		
> The establishment of noise bunds / screens and security fencing;		
> The establishment and use of water management infrastructure,		

<sup>6</sup> LUC-202.2012 (2013).

<sup>7</sup> LUC 202.2018.00000857.001.



Activity	Relevant rules and activity status	Comment
<p>including new diversion and dewatering drains and storage ponds;</p> <ul style="list-style-type: none"> <li>&gt; The formation and use of internal access roads;</li> <li>&gt; The establishment and operation of conveyors to transport rock;</li> <li>&gt; The disestablishment of the existing Favona Portal to the Trio upper access drive and related infrastructure;</li> <li>&gt; The establishment and use of a new MUG Portal to the Trio upper access drive to access the underground mines and Martha Pit;</li> <li>&gt; The establishment and use of a new portal for the Wharekirauponga Access Tunnel;</li> <li>&gt; Surface mining GOP (including drilling and blasting);</li> <li>&gt; The use of a crusher within the GOP;</li> <li>&gt; The hauling and conveying of rock from GOP to the Polishing Pond Stockpile for temporary storage, or to the NRS or TSF3 for disposal;</li> <li>&gt; The transport of ore from GOP to the Processing Plant;</li> <li>&gt; The temporary stockpiling of limestone;</li> <li>&gt; Partial backfilling and lining of GOP in preparation for tailings disposal;</li> <li>&gt; Tailings disposal within GOP;</li> <li>&gt; Capping of the GOP TSF with NAF rock and rehabilitation activities;</li> <li>&gt; The establishment and operation of new carparking facilities;</li> </ul>		<p>The operation of the existing conveyor in a reverse direction and the proposed new conveyors are also not contemplated in the standards and terms of Rule 5.17.1.1(P1). These activities in the Martha Mineral Zone are 'mining operations' in the context of the HDP and the land use consent sought to authorise them has discretionary activity status.</p> <p>The existing Favona Portal, part of the Favona Stockpile, and the Polishing Pond Stockpile are located outside the Martha Mineral Zone and authorised by the Favona Exploration Decline (LUC 85.050.325.D) or Favona Underground Project (LUC 85.050.326.E (2004)). These consents have an unlimited term. However, the consent is specific to the Favona Underground Project and only contemplates the stockpiles being used to store rock from that project. Because of this, for all subsequent mining projects in Waihi OGNZL has sought consent to use these existing stockpile facilities to store rock associated with those new mining projects. To remedy this, consent is sought to use these stockpiles to store rock from any source as part of this application. This is a mining operation and a discretionary activity.</p> <p>For avoidance of doubt, the HDC approval sought includes all activities within Area 5 existing at the time of lodgement of this application.</p>



Activity	Relevant rules and activity status	Comment
<ul style="list-style-type: none"> <li>&gt; Relocation of the existing overhead power line;</li> <li>&gt; The upgrade and operation of the Processing Plant to process up to 2.25 million tonnes of ore per annum;</li> <li>&gt; The upgrade and operation of the WTP;</li> <li>&gt; The continued use of other existing facilities and infrastructure within the Waihi SFA, including the maintenance workshop, store, office and amenity facilities;</li> <li>&gt; The continued use of existing stockpiles within the Waihi SFA, including the Run of Mine Stockpile, Favona Stockpile and Polishing Pond Stockpile;</li> <li>&gt; Mitigation planting / biodiversity enhancement; and</li> <li>&gt; Rehabilitation of Area 5.</li> </ul>		
Internal signs to provide directions, safety instructions and information for staff and visitors within the site.	<p><b>Permitted activity</b> in the Rural Zone under rule 7.6.6(3)(b)(v).</p> <p><b>Discretionary activity</b> in the Martha Mineral Zone under rule 7.6.9(1)(a).</p>	Signs will be erected within the boundaries of the site to provide directions, safety instructions and information for staff and visitors within the site.
Relocating an existing overhead powerline that runs through the Gladstone Hill to a location on the western side of Gladstone Open Pit.	<p><b>Permitted activity</b> under 7.4.5.4(1)(P1).</p> <p><b>Permitted activity</b> under regulation 5(1) of the NES Electricity Transmission.</p>	The realignment of this existing transmission line will be undertaken in agreement with PowerCo Ltd (a network utility operator), and in compliance with the Zone Development Standards at section 7.4.7 of the HDP. This realignment can therefore be undertaken as a permitted activity.



Activity	Relevant rules and activity status	Comment
	<b>Restricted discretionary activity</b> under Regulation 16(2)(b) of the NES Electricity Transmission.	The relocation of the existing transmission line will necessitate the relocation of poles more than 10 m from the base of the existing poles, therefore a resource consent is required.
The use and storage of hazardous substances.	<p><b>Restricted discretionary activity</b> under rule 7.7.8(1)(a)/(b).</p> <p><b>Non-complying activity</b> under rule 7.7.10(1)(a) and (b).</p>	<p>The GOP and GOP TSF are new hazardous facilities. The GOP TSF is also a new facility for the disposal of hazardous substances (tailings).</p> <p>Establishing a new hazardous facility and facility for the disposal of hazardous substances is a restricted discretionary activity in the Rural Zone and a non-complying activity in the Martha Mineral Zone.</p> <p>The Processing Plant and WTP are defined as hazardous facilities, and it is proposed to increase the quantities of hazardous substances stored and used at the site. Section 7.7.5(4)(b) of the HDP describes when an existing hazardous facility like this is subject to the HFSP Rules. Given these hazardous facilities are located within the Martha mineral Zone, and the upgrades will result in a significant capacity increase, they are subject to a noncomplying activity status (Rule 7.7.10(1)(a) and (b)).</p>
To disturb soil and change the land use at a Hazardous Activities and Industries List (“HAIL”) site.	<b>Discretionary Activity</b> under Regulation 11 of the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health)	<p>The area of land where activities associated with the GOP will take place is identified as a HAIL site (category A8).</p> <p>The Waihi SFA is also a HAIL site (category A17, B2, C1, E7, F4 and G6).</p> <p>With respect to soil disturbance, the activity will not meet the permitted activity requirements of regulation 8 or the controlled activity requirements of regulation 9. A PSI but not DSI has been undertaken and therefore the restricted discretionary requirements of regulation 10 cannot be met. The activity is</p>



Activity	Relevant rules and activity status	Comment
	Regulations 2011 (“NES Soil”).	<p>therefore attributed a discretionary status as per regulation 11.</p> <p>The change of use from farmland to mining operations has been identified by the PSI as ‘highly unlikely’ to be a risk to human health. It is therefore a permitted activity under Regulation 8(4).</p> <p>No such determination has been made for the proposed return of the site to pastureland at closure. That change of use is therefore a discretionary activity under Regulation 11.</p>
To undertake habitat enhancement works and pest control activities on land within and in proximity to Area 5.	<p><b>Non-complying activity</b> under Rule 5.1.4.5.</p> <p><b>Permitted activity</b> under Rule 5.16.4.1(P1).</p> <p><b>Permitted activity</b> under Rules 5.17.4.1 (P3) and 5.17.4.1 (P4).</p> <p><b>Permitted activity</b> under Rule 6.2.5.2(1).</p> <p><b>Permitted activity (part)</b> under Rule 2.1.5.1.</p> <p><b>Non-complying activity (part)</b> under Rule 2.1.5.1.</p>	<p>Habitat enhancement works and pest control activities will be undertaken on land parcels within and in proximity to Area 5. Within the Rural Zone the habitat enhancement activities are not permitted activities in their own right under Rule 5.1.4.1. Nor are they an ‘accessory use’ of another activity permitted in the zone (Rules 5.1.4.1 P9 Forestry and 5.1.4.1 P12 Farming are not directly associated with conservation planting).</p> <p>A resource consent has therefore been sought as a non-complying activity under Rules 5.1.4.5 for the planting in the Rural Zone.</p> <p>Within the Martha Mineral Zone, the restoration / offset planting is a permitted activity under Rule 5.17.4.1(P3) which authorises “planted areas and stands of trees” and “associated maintenance activities” and 5.17.4.1(P4).</p> <p>Within the Reserve (Passive) Zone, the restoration / offset planting is a permitted activity under Rule 5.16.4.1(P1) which authorises “Passive Recreation Activities” which under the District Plan definition explicitly include “amenity and conservation plantings, habitat restoration and enhancement”.</p> <p>In areas the District Plan identifies as a road, Section 2.1.5.1 of the District Plan specifies that the most permissive of the adjoining zone</p>



Activity	Relevant rules and activity status	Comment
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rules apply to that land. Planting is proposed in roads adjoining various zones: Rural, Reserve (Passive) and Martha Mineral. As per the rules applicable to each of these zones, the proposed planting within roads will be either a permitted activity or a non-complying activity as per the above considerations.

## WAIKATO REGIONAL PLAN

The permitted activity rules and resource consents required to authorise activities occurring within Area 5 (GOP, GOP TSF, and Waihi SFA) are set out in Table 11 and Table 12 below. The most restrictive activity status of the consents required is a **discretionary activity**.

**Table 9: Activity status and resource consents required to establish and operate the GOP and GOP TSF (Area 5).**

Activity	Relevant Rules	Comment
<b>The Use of Land (RMA s9(2))</b>		
To undertake soil disturbance and vegetation clearance - partly within a high-risk erosion area.	<ul style="list-style-type: none"> <li>&gt; <b>Permitted activity</b> under Rule 5.1.4.11.</li> <li>&gt; <b>Discretionary activity</b> under Rule 5.1.4.15 (high-risk erosion area).</li> </ul>	<p>Some vegetation clearance required to establish the GOP, GOP TSF, and related activities can be undertaken as a permitted activity.</p> <p>However, some of this vegetation clearance will occur within a high-risk erosion area insofar as the pre-existing slope exceeds 25 degrees.</p> <p>The volume of soil disturbed within a high-risk erosion area may exceed 1,000 m<sup>3</sup> and therefore resource consent is required as a discretionary activity.</p>
To drill holes below the water table for mineral exploration, geotechnical and hydrological investigation and to establish and operate piezometers.	> <b>Discretionary activity</b> under Rule 3.8.4.8.	A comprehensive piezometer network will be required around the GOP, established before mining commences, to measure groundwater levels and pore pressures. This drilling will occur below the water table, and it cannot be confirmed condition (b) and (c) of Rule 3.8.4.7





Activity	Relevant Rules	Comment
		can be complied with. Resource consent is therefore required.
To drill horizontal drain holes below the water table in the wall of the Gladstone Open Pit to depressurise the pit wall.	> <b>Discretionary activity</b> under Rule 3.8.4.8.	These holes will be drilled below the water table. Condition (c) of controlled activity Rule 3.8.4.7 will unlikely be able to be complied with, which requires all holes to be managed such that leakage of water or contaminants to the ground surface is prevented.
To drill below the water table to establish the Gladstone Portal using a drill and blast technique.	> <b>Discretionary activity</b> under Rule 3.8.4.8.	Drilling below the water table is required in association with the construction of the Gladstone Portal. This will not take place near any Geothermal Features.
<b>Activities in the bed of Rivers (RMA s13)</b>		
To disturb and reclaim the bed of an unnamed tributary of the Ohinemuri River to establish the Gladstone Open Pit.	> <b>Discretionary activity</b> under Rule 4.3.4.4.	The intermittent stream channel length of an unnamed tributary of the Ohinemuri River will be reclaimed as part of the GOP. As part of this work a small area of planted riparian vegetation will also be removed.
	> <b>Discretionary activity</b> under Regulation 57 of the Resource Management (National Environmental Standard for Freshwater) Regulations 2020 (“ <b>NES Freshwater</b> ”).	
	> <b>Discretionary activity</b> under Rule 4.3.9.3.	
To undertake mitigation planting adjacent to unnamed tributaries of the Ohinemuri River and enhancement of the Gladstone Wetland.	> <b>Permitted activity</b> under Rule 4.3.8.1.	Native planting will be provided in accordance with a mitigation landscape planting plan. Some of this planting will occur adjacent to the banks of unnamed tributaries of the Ohinemuri River and will involve planting adjacent to the Gladstone Wetland. This can be undertaken as a permitted activity.
	> <b>Permitted activity</b> under Regulation 38 of the NES Freshwater.	



Activity	Relevant Rules	Comment
To disturb the bed of unnamed tributaries of the Ohinemuri River to accommodate spillway structures and piped discharges from sediment retention ponds and decanting earth bunds.	<ul style="list-style-type: none"> <li>&gt; <b>Discretionary activity</b> under Rule 4.2.4.4.</li> <li>&gt; <b>Discretionary activity</b> under Rule 4.3.4.4</li> </ul>	Sediment retention ponds will contain spillways which may extend into the bed of waterbodies.
<b>To take, use, dam and divert water (RMA s14)</b>		
To dam and divert water for erosion and sediment control purposes using clean water and dirty water drains.	<ul style="list-style-type: none"> <li>&gt; <b>Discretionary activity</b> under Rule 3.6.4.13 and 3.6.4.14.</li> </ul>	<p>Over the life of the project, multiple clean and dirty water drains will be established to divert water around the site for erosion and sediment control purposes.</p> <p>This includes runoff from the topsoil stockpiles which will not contain any PAF material.</p> <p>Clean water drains will divert water from undisturbed catchments around disturbed areas to surface water bodies or natural flow paths.</p> <p>Dirty water diversions will divert water to sediment retention ponds.</p>
To take water to dewater the Gladstone Open Pit using horizontal pit wall drain holes and divert this water to the Water Treatment Plant.	<ul style="list-style-type: none"> <li>&gt; <b>Discretionary activity</b> under Rule 3.3.4.24.</li> <li>&gt; <b>Discretionary Activity</b> under Rule 3.6.4.13.</li> </ul>	<p>It is unlikely that GOP will have been fully dewatered by the existing underground mine. The walls of the GOP will be dewatered using horizontal drain holes. This water will be pumped to the WTP.</p>
To divert and take surface water collected in the base of the Gladstone Open Pit and pump this water to the Water Treatment Plant.	<ul style="list-style-type: none"> <li>&gt; <b>Discretionary activity</b> under Rule 3.6.4.13.</li> <li>&gt; <b>Discretionary activity</b> under Rule 3.3.4.23.</li> </ul>	<p>Some water may pond in the base of the GOP. It will be pumped to the WTP for treatment prior to discharge to the Ohinemuri River.</p> <p>This is considered to be a 'zero net take' activity. If the ponded water were not pumped out of the GOP, it would, over time, either evaporate or seep into groundwater. Therefore, the act of pumping it from the pit', and discharging it to the Ohinemuri River via the WTP, would not reduce the amount of surface water available for other potential water users to take, and in turn, would be a zero net take in the context of the WRP and covered by Rule 3.3.4.23.</p>



Activity	Relevant Rules	Comment
To dam water in the Gladstone Open Pit Tailings Storage Facility.	> <b>Discretionary activity</b> under Rule 3.6.4.14.	The GOP TSF will require resource consent.
To take groundwater from the Gladstone Open Pit Tailings Storage Facility and divert this water to the Water Treatment Plant or Processing Plant using underdrainage and decanting collection systems.	> <b>Discretionary activity</b> under Rule 3.6.4.13. > <b>Discretionary activity</b> under Rule 3.3.4.24.	Groundwater and leachate collected in the underdrainage and decant system will be pumped to the Processing Plant for re-use or to the WTP prior to discharge to the Ohinemuri River.
To take water to dewater the Gladstone Portal.	> <b>Discretionary activity</b> under Rule 3.3.4.24.	Groundwater is likely to be intercepted during the construction activities required to establish the Gladstone Portal. This groundwater will need to be dewatered.
To divert water upon capping of the Gladstone Open Pit Tailings Storage Facility.	> <b>Discretionary activity</b> under Rule 3.6.4.13.	The capping of the GOP TSF post mining activity will involve the grading of final capped surface towards two outlets, one on the southern side, and one on the western side of the GOP TSF. This will provide for the restoration of pre-mining flows to the downgradient wetlands. This activity is considered to be a permeant diversion of water and therefore requires resource consent.
To take and divert groundwater intercepted during tunnelling and stoping activities	> <b>Discretionary activity</b> under Rule 3.6.4.13. > <b>Discretionary activity</b> under Rule 3.3.4.24.	This may be required for the establishment of the Gladstone Portal, MUG Portal and WUG Portal.
To take groundwater for the purpose of servicing drilling activities relating to exploration, monitoring and geotechnical investigations.	> <b>Discretionary activity</b> under Rule 3.3.4.24.	Groundwater will be required for drilling activities. As above, groundwater encountered may exceed 30°C but does not engage the rules in Chapter 7 of the WRP.
To take groundwater from boreholes for monitoring purposes	> <b>Permitted activity</b> under Rule 3.3.4.12	Water may be taken from boreholes for monitoring purposes but will not exceed the permitted activity volume of 15m <sup>3</sup> per day (cumulative total for all boreholes on one site)



Activity	Relevant Rules	Comment
<b>Discharges to land and water (RMA s15(1)(a) and (b))</b>		
To discharge overflow water from sediment retention ponds and decanting earth bunds to land and surface water via spillways.	> <b>Discretionary activity</b> under Rule 3.5.4.5.	<p>The sediment retention ponds designed to capture and treat runoff from the Gladstone and Winner Hills will include an emergency spillway sized to convey the 1% AEP rain event.</p> <p>The potential discharge of sediment laden water to land within the retention ponds which may result in contaminants entering water will require resource consent under 3.5.4.5.</p> <p>The discharge of overspill water to water associated with the sediment retention ponds will not occur within 100m of the Gladstone Wetland (the discharge point for the closest sediment retention pond will be at an approximate 130m distance) and therefore resource consent is not required under the NES Freshwater provisions (Regulation 54).</p>
To discharge non-acid forming overburden on to land in stockpiles and earth bunds adjacent to the Gladstone Open Pit.	> <b>Discretionary activity</b> under Rule 5.2.5.3.	<p>A temporary stockpile area will be established to the south of the pit for storing topsoil stripped from the GOP (the Southern Stockpile). Overburden will also be used to create perimeter earth bunds.</p> <p>This material meets the definition of overburden and is not an 'overburden disposal site' as it is for the storage, not disposal of overburden. So permitted activity Rule 5.2.5.1 and controlled activity Rule 5.2.5.2 do not apply to the activity.</p>
To discharge overburden to land within Gladstone Open Pit to create the Gladstone Open Pit Tailings Storage Facility.	> <b>Discretionary activity</b> under Rule 5.2.5.3.	<p>Following the completion of mining, the GOP will be converted into a fully lined TSF. This will involve backfilling the pit with 5 Mt of suitable rock material. There is potential that some of this material may contain acid producing material so the conditions of permitted activity Rule 5.2.5.1 and controlled activity Rule 5.2.5.2 will not be met.</p>
To discharge contaminants to land associated with the discharge of tailings into the Gladstone Open Pit Tailings Storage Facility.	> <b>Discretionary activity</b> under Rule 3.5.4.5.	<p>To discharge tailings into the GOP TSF constitutes a discharge to land.</p>



Activity	Relevant Rules	Comment
To discharge overburden to land to backfill the Gladstone Open Pit Tailings Storage Facility for rehabilitation.	> <b>Discretionary activity</b> under Rule 5.2.5.3.	The discharge of overburden to land is a discretionary activity under Rule 5.2.5.3.
To discharge contaminants to land and groundwater associated with the underground storage, use and backfilling of overburden containing potential acid forming material.	> <b>Discretionary activity</b> under Rule 3.5.4.5. > <b>Discretionary activity</b> under Rule 5.2.5.3.	This may be required for the establishment of the Gladstone Portal, MUG Portal and WUG Portal
To discharge contaminants to land and groundwater when sealing tunnels and shafts with grout or shotcrete.	> <b>Discretionary activity</b> under Rule 3.5.4.5. > <b>Discretionary activity</b> under Rule 5.2.5.3.	This may be required for the establishment of the Gladstone Portal, MUG Portal and WUG Portal
To discharge water and drilling fluids to land and groundwater from drilling holes below the water table for mineral and geotechnical exploration and to establish and operate piezometers.	> <b>Permitted activity</b> under Rule 3.8.4.3	The discharge of water and drilling fluids will comply with permitted activity standards.
Discharge of water to land for use as a dust suppressant.	> <b>Permitted Activity</b> under Rule 5.2.9.1.	Water will be used for dust suppression purposes. The discharge of contaminants (excluding waste oil) onto or into land for the purpose of dust suppression is a permitted activity subject to compliance with conditions (a), (b) and (c) of Rule 5.2.9.1. These conditions are able to be complied with.
<b>Discharges to Air (RMA section 15(1)(c) / 15(2A))</b>		
To discharge contaminants to air from mining associated with the Gladstone Open Pit and in-pit Tailings Storage Facility within Area 5.	> <b>Discretionary activity</b> under Rule 6.1.9.2.	The discharges are from a Mineral Extraction activity and discharges in this area are not authorised by RC 124859.01.04  Rule 6.1.16.1 provides for discharges to air from Mineral Extraction activities as a permitted activity. However, small amounts of hazardous substances (NO <sub>2</sub> etc) will be discharged from blasting and vehicle operation such that condition (e) of that rule will not be met. OGNZL would also prefer to



Activity	Relevant Rules	Comment
		<p>use the more sophisticated toolbox available in a resource consent and utilise an Air Quality Management Plan as a measure for managing dust, rather than the permitted activity conditions.</p> <p>A resource consent is therefore sought for the discharge under Rule 6.1.9.2.</p> <p>NB: This consent requirement is included in the global air discharge consent sought as part of this application</p>

**Table 10: Activity status of the resource consents required to establish and operate the Waihi SFA (Area 5).**

Activity	Relevant Rules	Comment
<b>Activities in the bed of Rivers (RMA s13 consents)</b>		
To place a structure in the bed of an undefined waterbody (RMA s13).	> <b>Discretionary activity</b> under Rule 4.2.4.4.	This is to replace the existing consent which applies to the WTP Contingency Pond.
To dam water within the Water Treatment Plant Contingency Pond.	> <b>Discretionary activity</b> under Rule 4.2.4.4.	<p>The WTP contingency pond is located on an undefined waterbody within the Waihi SFA.</p> <p>In October 1999, the dam structure was authorised by <b>971313</b>, and the damming of water within the waterbody was authorised by <b>971314</b>. These consents expire in 2034 before the conclusion of the WNP. There will be no changes made to this pond, and due to the date of grant, rules relating to ‘existing lawfully established structures’ are not applicable. A new resource consent as a discretionary activity is therefore sought to cover these activities for the life of the project.</p>
To carry out earthworks, trenching and other activities in watercourses necessary for the construction of a pipeline corridor and the laying of pipes from the WTP to the Ohinemuri River outfall structures.	> <b>Discretionary activity</b> under Rule 4.3.4.4.	The existing pipeline is authorised by consent <b>971321</b> . A new pipe will be installed in parallel to the existing, and both lines will be relocated for a section around the footprint of the proposed Southern Stockpile.



Activity	Relevant Rules	Comment
To disturb the bed and place outfall structures in the bed of the Ohinemuri River.	> <b>Discretionary activity</b> under Rule 4.2.4.4.	<p>The WTP outfall structures are authorised by resource consent <b>971319 and 971320</b>.</p> <p>These consents expire in 2034 before the conclusion of the WNP. There will be no changes made to this outfall structure, and due to the date of grant, rules relating to ‘existing lawfully established structures’ are not applicable. Given the mining related activities associated with the WNP will extend beyond this date, a new consent is sought to cover these structures for the life of the project.</p> <p>Additional duplicate outfall structures are also proposed.</p>
<b>To dam and divert water (RMA s14 consents)</b>		
To dam and divert natural water around the Waihi Surface Facility Area.	> <b>Discretionary activity</b> under Rule 3.6.4.13.	<p>To the south of the Conveyor corridor, cleanwater is currently diverted around the Waihi SFA using diversion drains. The activities are authorised by <b>971316 and 971317</b>. To the north, clean water is diverted around the area containing the Polishing Pond Stockpile and WTP using diversion drains authorised by <b>109743</b>.</p> <p>The existing drain to the south will be encapsulated by the GOP and no replacement is required due to the topography in this area.</p> <p>The existing drain to the north is partially encapsulated by the new MUG Portal and WUG Portal. It will be shifted upgradient of the new MUG Portal and WUG Portal and connected into the existing diversion drain above the Polishing Pond Stockpile. Resource consent is sought for this diversion. When constructed it would replace the activity authorised by <b>109743</b>.</p>
To dam and divert site stormwater water to the contingency ponds and Water Treatment Plant Contingency Pond within the Waihi SFA.	> <b>Discretionary activity</b> under Rule 3.6.4.13.	<p>Surface runoff within the Waihi SFA will continue to be diverted to the various contingency ponds contained in this area (the Favona Settlement Ponds, the Mill Collection Pond, or the WTP collection pond).</p>



Activity	Relevant Rules	Comment
		<p>Water from the contingency ponds is treated in the WTP before being discharged to the Ohinemuri River.</p> <p>Water from the WTP contingency pond can be directly discharged in certain circumstances. A discharge permit is also sought to cover this discharge.</p>
<b>Discharges to land and water (RMA s15(1)(a) and (b) consents)</b>		
To discharge overburden and ore on to land in stockpiles within the Waihi SFA.	> <b>Discretionary activity</b> under Rule 5.2.5.3.	<p>The discharge of material to land at the Polishing Pond Stockpile is authorised by <b>109744</b>. The discharge of material to land at all other stockpiles in the Waihi SFA is authorised by <b>971295</b>. Those consents expire before the WNP concludes (consents expiring in 2028 and 2034 respectively).</p> <p>A single resource consent is sought to cover these discharges for the life of the project.</p> <p>Given the stockpiling of potential acid producing material, the conditions of Rule 5.2.5.1 or 5.2.5.2 will not be able to be complied with.</p>
To discharge treated water from the Water Treatment Plant into the Ohinemuri River.	> <b>Discretionary activity</b> under Rule 3.5.4.5.	<p>The discharge of treated water from the WTP is authorised by resource consent <b>971318</b>. This consent expires in 2034. Given the mining related activities associated with the WNP will extend beyond this date, a new consent is sought to cover this discharge for the life of the project.</p>
To discharge water from the Water Treatment Plant Contingency Pond to the Ohinemuri River.	> <b>Discretionary activity</b> under Rule 3.5.4.5.	<p>In certain circumstances during a 10-year return period, 72-hour duration, design storm the WTP collection pond is authorised to overflow via a spillway to the Ohinemuri River.</p> <p>This discharge is currently authorised by <b>971315</b>. This consent expires in 2034 before the WNP concludes. A new resource consent is sought to cover this discharge for the life of the project.</p>





Activity	Relevant Rules	Comment
Discharge of water to land for use as a dust suppressant.	> <b>Permitted Activity</b> under Rule 5.2.9.1.	The discharge of contaminants (excluding waste oil) onto or into land for the purpose of dust suppression is a permitted activity subject to compliance with conditions (a), (b) and (c) of Rule 5.2.9.1. These conditions are able to be complied with.
<b>Discharges to Air (RMA section 15(1)(c) / 15(2A))</b>		
To discharge contaminants to air associated with the operation of equipment within the Waihi SFA.	> <b>Discretionary activity</b> under Rule 6.1.9.2.	<p>The discharges in this area are currently authorised by RC 124859.01.04. However, as a result of the Processing Plant upgrades, the nature of the discharge will change.</p> <p>A resource consent is therefore sought for the discharge under Rule 6.1.9.2.</p> <p>NB: This consent requirement is included in the global air discharge consent sought as part of this application</p>



## AREA 6 - NORTHERN ROCK STACK

### HAURAKI DISTRICT PLAN

The activity status of the land use consents required for the activities occurring within Area 6 are set out in Table 3 below. The most restrictive activity status is **non-complying**.

Activity	Relevant Rules and activity status	Comment
<p>Mining and mining operations associated with the NRS, including but not limited to:</p> <ul style="list-style-type: none"> <li>&gt; Vegetation clearance and stripping topsoil and subsoil from the NRS footprint, including several unnamed stream beds;</li> <li>&gt; Mining of the Western Borrow Area;</li> <li>&gt; The establishment and use of soil stockpiles;</li> <li>&gt; Installation of security fencing;</li> <li>&gt; Removal or relocation of existing structures, including an OGNZL owned dwelling, workshop structures, a fuel bowser and grease storage facilities;</li> <li>&gt; The establishment and use of water management infrastructure including diversion drains, pipelines and collection ponds;</li> <li>&gt; The temporary and permanent storage of rock;</li> <li>&gt; The formation and use of internal access roads;</li> <li>&gt; Relocation of the existing overhead power line;</li> <li>&gt; The installation and use of monitoring equipment, including piezometers in subsurface drilled holes; and</li> <li>&gt; Rehabilitation and closure activities.</li> </ul>	<p>&gt; <b>Discretionary activity</b> under rule 5.17.4.4(D2).</p>	<p>The Western Borrow Area is required to source material for use in constructing the TSF3 embankment.</p> <p>All other proposed activities are incidental to WNP mining activities and fall under the definition of mining operations.</p> <p>Mining and mining operations within the Martha Mineral Zone which are not otherwise provided for as permitted activity, require resource consent as a discretionary activity under Rule 5.17.4.4.</p>



Activity	Relevant Rules and activity status	Comment
To undertake habitat enhancement works and pest control activities on land within and in proximity to Area 6.	<ul style="list-style-type: none"> <li>&gt; <b>Permitted activity</b> within the SNA under Rule 6.2.5.2(1)(c).</li> <li>&gt; <b>Permitted activity</b> under Rules 5.17.4.1(P3) and 5.17.4.1(P4).</li> <li>&gt; <b>Non-complying activity</b> under Rule 5.1.4.5.</li> </ul>	<p>Habitat enhancement works and pest control activities will be undertaken on land parcels within and in proximity to Area 6.</p> <p>Within the SNA, these activities are permitted under Rule 6.2.5.2(1)(c).</p> <p>In the MMZ, outside the SNA, the habitat enhancement work is a permitted activity under Rules 5.17.4.1(P3) which authorises “planted areas and stands of trees” and “associated maintenance activities” and 5.17.4.1(P4), which authorises passive recreation activities, the definition of which includes “amenity and conservation plantings, habitat restoration and enhancement”.</p> <p>Within the Rural Zone the habitat enhancement activities are not permitted activities in their own right under Rule 5.1.4.1. Nor are they an ‘accessory use’ of another activity permitted in the zone (Rules 5.1.4.1(P9) Forestry and 5.1.4.1(P12) Farming are not directly associated with conservation planting). A resource consent has therefore been sought as a non-complying activity under Rules 5.1.4.5 for the planting in the Rural Zone.</p> <p>In areas the District Plan identifies as a road, Section 2.1.5.1 of the District Plan specifies which zone rules apply to that land. Planting is proposed in roads adjoining Rural and Martha Mineral zones. Where the road reserve is bounded (on either side) by MMZ, planting will be a permitted activity in accordance with MMZ rules. Where it is bounded on both sides by the RZ, it will be a non-complying activity as per the above discussion.</p>
The use and storage of hazardous substances	<ul style="list-style-type: none"> <li>&gt; <b>Non-complying activity</b> under rule Rule 7.7.10(1)(a) and (b).</li> </ul>	<p>The establishment and operation of a new explosives magazine constitutes the establishment and operation of a new hazardous facility.</p> <p>The NRS will also involve the storage and disposal of hazardous substances (PAF</p>



Activity	Relevant Rules and activity status	Comment
		Rock). It is both a new hazardous facility and a new facility for the disposal of hazardous substances.  Any new hazardous facility or facility for the disposal of hazardous substances in the Martha Mineral Zone is a non-complying activity.
Internal signs to provide directions, safety instructions and information for staff and visitors within the site.	> <b>Discretionary Activity</b> under Rule Rule 7.6.9(1)(a).	Signs will be erected within the boundaries of the site to provide directions, safety instructions and information for staff and visitors within the site.
Change of land use at a Hazardous Activities and Industries List (“ <b>HAIL</b> ”) site associated with rehabilitation works.	> <b>Discretionary Activity</b> under Regulation 11 of the NES for Assessing and Managing Contaminants in Soil to Protect Human Health.	Land within Area 6 is HAIL (category A8, A17, and E1). Disturbance of soils is required to undertake the proposed activities, and its use will change from mining to production land after closure.  The activity will not meet the permitted activity requirements of regulation 8 or the controlled activity requirements of regulation 9. A PSI but not DSI has been undertaken and therefore the restricted discretionary requirements of regulation 10 cannot be met. The activity is therefore attributed a discretionary status as per regulation 11.

## WAIKATO REGIONAL PLAN

The permitted activity rules and resource consents which would authorise activities relating to activities occurring within Area 6 are set out in Table 13 below. (No WRP consents are required for planting and ecosystem enhancement works proposed in or in proximity to Area 6).

**Table 11: Activity status and resource consents required to establish and operate the NRS (Area 6).**

Activity	Relevant Rules	Comment
<b>The Use of Land (RMA s9(2))</b>		
To undertake soil disturbance and vegetation clearance within a high-risk erosion area.	> <b>Discretionary activity</b> under Rule 5.1.4.15.	Vegetation clearance and soil disturbance may occur on land with a slope in excess of a 25-degree gradient and within 5 meters of a water



Activity	Relevant Rules	Comment
		body. The permitted activity standards of Rule 5.1.5 and the controlled activity standards of Rule 5.1.4.14 will be unable to be complied with. Resource consent is therefore required as a discretionary activity under Rule 5.1.4.15.
To drill holes below the water table for mineral exploration, geotechnical and hydrological investigation and to establish and operate piezometers.	> <b>Discretionary activity</b> under Rule 3.8.4.8.	Various piezometers will be installed for monitoring purposes.
<b>Activities in the bed of Rivers (RMA s13 consents)</b>		
To disturb, reclaim and introduce plants in, on or over the bed of TB1 Stream to install the Northern Uphill Diversion Drain.	> <b>Discretionary activity</b> under Rule 4.3.4.4.	The Northern Uphill Diversion Drain will intercept TB1 Stream. Constructing the drain in this location will require disturbance and reclamation of the bed of TB1 Stream.
	> <b>Discretionary activity</b> under Regulation 57 of the NES Freshwater.	Mitigation planting will also occur in the bed of this waterbody as part of establishing the new drain. It would be a permitted activity under Rule 4.3.8.1.  Once constructed, the Northern Uphill Diversion Drain will be a modified watercourse under the WRP definitions. It will have a natural channel at its headwaters.
To disturb and reclaim the bed of TB1 Stream and unnamed tributaries of TB1 Stream associated with establishing diversion drains, and for placing sediment retention ponds, decanting earth bunds and culverts for erosion and sediment control purposes.	> <b>Discretionary activity</b> under Rule 4.3.4.4.	Over the life of the project, multiple clean and dirty water drains, sediment retention ponds and culverts will be established to divert water around the site for erosion and sediment control purposes. Some may intercept waterbodies.
	> <b>Discretionary activity</b> under Regulation 57 of the NES Freshwater.	
To reclaim the bed of TB1 Stream and unnamed tributaries of TB1 Stream in association with the establishment of the Western Borrow Area, Northern Rock Stack, and adjacent haul roads, perimeter roads and perimeter drains.	> <b>Discretionary activity</b> under Rule 4.3.4.4.	Unnamed tributaries of TB1 Stream will be stripped and reclaimed to accommodate the NRS.
	> <b>Discretionary activity</b> under Regulation 57 of the NES Freshwater.	



Activity	Relevant Rules	Comment
To alter and use existing culverts to enable widening of the access track across TB1 Stream to the rehab and topsoil stockpiles.	<ul style="list-style-type: none"> <li>&gt; <b>Discretionary activity</b> under Rule 4.2.4.4.</li> <li>&gt; <b>Discretionary activity</b> under Regulation 71(1) of the NES Freshwater.</li> </ul>	<p>Access to the stockpiles adjacent to Golden Valley Road will be via a single lane access track which will be formed by widening the farm tracks and upgrading the culverts across the stream as required.</p> <p>Rule 4.2.9.2 covers the use, erection, reconstruction, placement, alteration or extension of a culvert, and associated bed disturbance, and the subsequent diversion and discharge of water through the culvert as a permitted activity where those permitted activity standards (Rule 4.2.9.2 (a) – (p)) can be complied with.</p> <p>Given not all these culverts can comply with these permitted activity standards, a global consent is being applied for to cover the erection and use of culverts within Area 6.</p> <p>The discharge of water through the culvert is authorised by a Rule 3.6.4.13, as outlined above.</p>
To place and use new culverts.	<p><b>Discretionary activity</b> under Rule 4.2.4.4.</p> <p><b>Discretionary activity</b> under Regulation 71(1) of the NES Freshwater.</p>	New temporary culverts may be required during the construction works.
To erect an overflow spillway from the Northern Rock Stack Collection Pond in, on and over the bed of a tributary of TB1 Stream.	<b>Discretionary activity</b> under Rule 4.2.4.4.	The NRS Collection Pond has a spillway for excess flow to TB1 Stream. The construction of this spillway is unable to comply with all of the permitted activity standards of Rule 4.2.10.1 and therefore requires consent.
To undertake mitigation planting adjacent to the TB1 Stream and tributaries.	<ul style="list-style-type: none"> <li>&gt; <b>Permitted activity</b> under Rule 4.3.8.1.</li> </ul>	Native planting will be provided in accordance with a mitigation landscape planting plan. Some of this planting will occur adjacent to the banks of the TB1 Stream and tributaries. This can be undertaken as a permitted activity.
<b>To take, use, dam and divert water (RMA s14 consents)</b>		



Activity	Relevant Rules	Comment
To take groundwater for construction dewatering purposes.	> <b>Discretionary activity</b> under Rule 3.3.4.24	Excavation to allow installation of the uphill clean water diversion is expected to occur below the current groundwater level and to require localised construction dewatering.
To take groundwater for the purpose of servicing drilling activities relating to exploration, monitoring and geotechnical investigations.	> <b>Discretionary activity</b> under Rule 3.3.4.24.	Groundwater will be required for drilling activities. As above, groundwater encountered may exceed 30oc but does not engage the rules in Chapter 7 of the WRP.
To take groundwater from boreholes for monitoring purposes	> <b>Permitted activity</b> under Rule 3.3.4.12	Water may be taken from boreholes for monitoring purposes but will not exceed the permitted activity volume of 15m3 per day (cumulative total for all boreholes on one site)
To dam and divert TB1 Stream and natural surface runoff around disturbed areas, via the Northern Uphill Diversion Drain, and to discharge that diverted water to TB1 Stream.	> <b>Discretionary activity</b> under Rule 3.6.4.13 and 3.6.4.14 (dam and diversion). > <b>Permitted activity</b> under Rule 3.5.4.4 (discharge of water to water).	An existing diversion drain known as the “Northern Uphill Diversion Drain” diverts natural runoff around TSF2. It discharges to TB1 Stream adjacent to the proposed NRS. This activity is authorised by <b>971309</b> and <b>971310</b> .  The Northern Uphill Diversion Drain will be extended around the NRS and will discharge to TB1 Stream below the NRS and approximately 170m southeast of its confluence with the Ohinemuri River.
To dam and divert water for erosion and sediment control purposes using clean water and dirty water drains and culverts.	> <b>Discretionary activity</b> under Rule 3.6.4.13 and 3.6.4.14.	Over the life of the project, multiple clean and dirty water drains will be established to dam and divert water around the site for erosion and sediment control purposes.  This includes runoff from the rehab stockpiles, topsoil stockpiles and workshop area which will not contain any PAF material. It also includes installation of a stabilised dam immediately below NRS on TB1 Stream adjacent to the NRS Collection Pond.  Clean water drains will divert water from undisturbed catchments around disturbed areas to surface water bodies or natural flow paths.  Dirty water diversions will divert water to sediment retention ponds.



Activity	Relevant Rules	Comment
To divert intercepted groundwater and underdrain seepage water to the Water Treatment Plant using a subsurface drainage system, leachate drainage system and perimeter ring system of sumps and pipes.	> <b>Discretionary activity</b> under Rule 3.6.4.13.	Once established, the NRS will contain PAF material. From this point on groundwater and underdrain seepage from NRS will be captured via subsurface drains and leachate drains and diverted to the WTP using the perimeter ring main system.
To divert runoff from within the Northern Rock Stack footprint to the Northern Rock Stack Collection Pond, and from there, to the Water Treatment Plant.	> <b>Discretionary activity</b> under Rule 3.6.4.13.	Once established, the NRS will contain PAF material. From this point on surface runoff from the NRS will be diverted to the NRS Collection Pond and from there onto the WTP for treatment prior to discharge to the Ohinemuri River.
To dam water within the Northern Rock Stack Collection Pond.	> <b>Controlled activity</b> under Rule 3.6.4.9.	The NRS Collection Pond is not located on a permanent waterbody and is an “off-stream dam”.  The NRS Collection Pond will be established and operated in a manner which meets the conditions of Controlled Activity Rule 3.6.4.9 of the WRP.
<b>Discharges to land and water (RMA s15(1)(a) and (b) consents)</b>		
To discharge water to land within sediment retention ponds and decanting earth bunds to surface water via spillways.	> <b>Discretionary activity</b> under Rule 3.5.4.5.	Dirty water diversions will divert sediment laden runoff from disturbed areas to sediment retention ponds.  Most of the water within the sediment retention ponds will seep into ground within the pond.  However, the sediment retention ponds will be designed to include an emergency spillway sized to convey the 1% AEP rain event.
To discharge water to surface water from the Northern Rock Stack Collection Pond spillway to the Ohinemuri River.	> <b>Discretionary activity</b> under Rule 3.5.11.8.	Overflow water from the NRS Collection Pond will be discharged to the Ohinemuri River via an overflow spillway. This will only occur during high flow events (10 year ARI, 72 hour storm).
To discharge contaminants from seepage water from the Northern Rock Stack to ground.	> <b>Discretionary activity</b> under Rule 3.5.4.5.	Whilst the NRS design includes an underdrainage system, there may still be some seepage to ground.





Activity	Relevant Rules	Comment
To discharge contaminants to land associated with the storage and use of overburden (including potentially acid forming material).	> <b>Discretionary activity</b> under Rule 5.2.5.3.	<p>The material deposited within the NRS will include NAF, PAF and topsoil, and would meet the definition of 'overburden'.</p> <p>The NRS is not an 'overburden disposal site' as it will receive material from multiple sources and is for the storage as well as disposal, of overburden. So permitted activity Rule 5.2.5.1 and controlled activity Rule 5.2.5.2 do not apply to the activity. It is therefore a discretionary activity under Rule 5.2.5.3.</p> <p>Two rehab and one topsoil stockpile will be established outside the NRS footprint and used for future rehabilitation of the NRS site.</p> <p>This material meets the definition of overburden and is not an 'overburden disposal site' as it is for the storage, not disposal of overburden. So permitted activity Rule 5.2.5.1 and controlled activity Rule 5.2.5.2 do not apply to the activity.</p>
To discharge clean water to the TB1 Stream from the Northern Rock Stack Collection Pond following closure.	> <b>Permitted activity</b> under Rule 3.5.4.4.	<p>The closure plan for the NRS includes the NRS Collection Pond being converted to a wetland. Once water quality in that wetland is suitable for direct discharge it will be allowed to overflow to TB1 Stream via a spillway.</p> <p>This can be undertaken as a permitted activity given the water is clean and will not result in adverse effects.</p>
Discharge of water to land for use as a dust suppressant.	> <b>Permitted Activity</b> under Rule 5.2.9.1.	Water will be used for dust suppression. The discharge of contaminants (excluding waste oil*) onto or into land for the purpose of dust suppression is a permitted activity subject to compliance with conditions (a), (b) and (c) of Rule 5.2.9.1. These conditions are able to be complied with.
To discharge water and drilling fluids to land and groundwater from drilling holes below the water table to establish and operate piezometers.	> <b>Permitted activity</b> under Rule 3.8.4.3	The discharge of water and drilling fluids will comply with permitted activity standards.



Activity	Relevant Rules	Comment
<b>Discharges to Air (RMA section 15(1)(c) / 15(2A))</b>		
To discharge contaminants to air.	<b>Discretionary activity</b> under Rule 6.1.9.2.	<p>The discharges are from a Mineral Extraction activity and discharges in this area are not authorised by RC 124859.01.04.</p> <p>Rule 6.1.16.1 provides for discharges to air from Mineral Extraction activities as a permitted activity. However, small amounts of hazardous substances (NO<sub>2</sub> etc) will be discharged from vehicle operations, such that, condition (e) of that rule will not be met. OGNZL would also prefer to use the more sophisticated toolbox available in a resource consent and utilise an AQMP as a measure for managing dust, rather than the permitted activity conditions.</p> <p>A resource consent is therefore sought for the discharge under Rule 6.1.9.2.</p> <p>NB: This consent requirement is included in the global air discharge consent sought as part of this application</p>



## AREA 7 - TAILINGS STORAGE FACILITY 3

### HAURAKI DISTRICT PLAN

The activity status and land use consents required for the construction, operation, maintenance and rehabilitation of TSF3 (activities occurring within Area 7), is set out in Table 12 below. The most restrictive activity status is **non-complying**.

Table 12: HDP activity status and resource consents required to establish and operate TSF3

Activity	Relevant Rules and activity status	Comment
<p>Mining and mining operations associated with TSF3, including but not limited to:</p> <ul style="list-style-type: none"> <li>&gt; Installation of security fencing;</li> <li>&gt; Vegetation clearance;</li> <li>&gt; Stripping topsoil and subsoil from the TSF3 footprint, including several unnamed stream beds and drains;</li> <li>&gt; Mining of the Central and Eastern borrow areas;</li> <li>&gt; The establishment and use of soil and NAF material stockpiles adjacent to TSF3;</li> <li>&gt; The establishment and use of water management infrastructure including diversion drains, perimeter drains, subsurface drains, pipelines and collection ponds, including the realignment of a section of the Ruahorehore Stream;</li> <li>&gt; Extension of existing TSF services to TSF3, including electricity for the leachate and pumping systems, existing tailings delivery lines, water return pipes and electricity for the decant return pumps, and extension of the overhead powerline;</li> <li>&gt; Construction of the TSF3 embankment and impoundment, including placement of a geomembrane;</li> </ul>	<p>&gt; <b>Discretionary activity</b> under rule 5.1.4.4(D14).</p> <p>&gt; <b>Discretionary activity</b> under rule 5.17.4.4(D2).</p>	<p>The Central and Eastern borrow areas are required to source material for use in constructing the TSF3 embankment.</p> <p>All other activities listed are incidental to WNP mining activities and fall under the definition of mining operations</p> <p>Within the Rural Zone, mining and mining operations are a discretionary activity (rule 5.1.4.4(D14)).</p> <p>Within the Martha Mineral Zone, mining and mining operations which are not otherwise provided for as permitted activity, require resource consent as a discretionary activity (rule 5.17.4.4(D2)).</p>



Activity	Relevant Rules and activity status	Comment
<ul style="list-style-type: none"> <li>&gt; The formation and use of internal access roads;</li> <li>&gt; Placement of tailings;</li> <li>&gt; The installation and use of monitoring equipment, including piezometers in subsurface drilled holes;</li> <li>&gt; Mitigation planting / biodiversity enhancement; and</li> <li>&gt; Rehabilitation and closure activities.</li> </ul>		
The clearance of indigenous vegetation within an SNA.	<ul style="list-style-type: none"> <li>&gt; <b>Discretionary activity</b> under rule 6.2.5.5(1)(b).</li> </ul>	Clearance of SNA vegetation (SNA166) is required to establish TSF3 embankment, the access road and associated powerline and the Eastern Borrow Area. The clearance of a SNA of local or regional significance requires resource consent as a discretionary activity.
The storage and disposal of hazardous substances.	<ul style="list-style-type: none"> <li>&gt; <b>Restricted discretionary activity</b> under Rule 7.7.8(1)(a)/(b).</li> <li>&gt; <b>Non-complying activity</b> under rule 7.7.10(1)(a)/(b).</li> </ul>	<p>TSF3 will involve the storage and disposal of hazardous substances (tailings and PAF). It is both a new hazardous facility and a new facility for the disposal of hazardous substances.</p> <p>Any new hazardous facility or facility for the disposal of hazardous substances is a restricted discretionary activity in the Rural Zone, and a non-complying activity in the Martha Mineral Zone.</p>
Internal signs to provide directions, safety instructions and information for staff and visitors within the site	<ul style="list-style-type: none"> <li>&gt; <b>Permitted activity</b> under rule 7.6.6(3)(b)(v).</li> <li>&gt; <b>Discretionary activity</b> under rule 7.6.9(1).</li> </ul>	<p>Signs will be erected within the boundaries of the site to provide directions, safety instructions and information for staff and visitors within the site.</p> <p>This is a permitted activity within the Rural Zone and will require resource consent as a discretionary activity in the Martha Mineral Zone.</p>
To disturb soil at a HAIL site, and to change the land use following closure.	<ul style="list-style-type: none"> <li>&gt; <b>Discretionary Activity</b> under Regulation 11 of the NES for</li> </ul>	<p>TSF3 is HAIL (category A8, A10, A17, and E1).</p> <p>The activities at TSF3 will require disturbance of soils.</p>



Activity	Relevant Rules and activity status	Comment
	Assessing and Managing Contaminants in Soil to Protect Human Health.	<p>The activity will not meet the permitted activity requirements of regulation 8 or the controlled activity requirements of regulation 9. A preliminary site investigation (“<b>PSI</b>”) but not DSI has been undertaken and therefore the restricted discretionary requirements of regulation 10 cannot be met. The activity is therefore attributed a discretionary status as per regulation 11.</p> <p>The change of use from farmland to mining operations has been identified by the PSI as ‘highly unlikely’ to be a risk to human health. It is therefore a permitted activity under Regulation 8(4).</p> <p>No such determination has been made for the proposed return of the site to pastureland at closure. That change of use is therefore a discretionary activity under Regulation 11.</p>
To undertake habitat enhancement works and pest control activities on land within and in proximity to Area 7.	<ul style="list-style-type: none"> <li>&gt; <b>Permitted activity</b> within the SNA under Rule 6.2.5.2(1)(c).</li> <li>&gt; <b>Permitted activity</b> within the Martha Mineral Zone under Rules 5.17.4.1(P3) and 5.17.4.1(P4)</li> <li>&gt; <b>Non-complying activity</b> in the Rural Zone outside of the SNA under Rule 5.1.4.5</li> </ul>	<p>Habitat enhancement works and pest control activities will be undertaken on land parcels within Area 7.</p> <p>These activities are permitted within the SNA under Rule 6.2.5.2(1)(c). Outside the SNA the habitat enhancement is:</p> <ul style="list-style-type: none"> <li>&gt; A permitted activity under Rules 5.17.4.1(P3) which authorises “planted areas and stands of trees” and “associated maintenance activities” and 5.17.4.1(P4) in the Martha Mineral Zone; and</li> <li>&gt; A non complying activity under Rule 5.1.4.5 in the Rural Zone.</li> </ul> <p>With respect to the latter, the habitat enhancement activities are not permitted activities in their own right under Rule 5.1.4.1. Nor are they an ‘accessory use’ of another activity permitted in the zone (within the Rural Zone, Rules 5.1.4.1(P9) Forestry and 5.1.4.1(P12) Farming are not</p>



Activity	Relevant Rules and activity status	Comment
		<p>directly associated with the proposed conservation planting).</p> <p>A resource consent has therefore been sought as a non-complying activity under Rules 5.1.4.5 for the planting in the Rural Zone.</p>

## WAIKATO REGIONAL PLAN

The permitted activity rules and resource consents which would authorise activities relating to the construction and operation of TSF3 (Area 7 activities) are set out in Table 13 below.

**Table 13: WRP activity status and resource consents required to establish and operate TSF3**

Activity	Relevant Rules	Comment
<b>The Use of Land (RMA s9(2))</b>		
To undertake soil disturbance and vegetation clearance within a high-risk erosion area.	> <b>Discretionary activity</b> under Rule 5.1.4.15.	<p>The footprint of works required for TSF3 encroaches on 8.3 ha of the southern fragment of SNA166.</p> <p>The vegetation clearance and associated soil disturbance will occur on land with a slope in excess of a 25-degree gradient. In addition, the clearance will exceed 2ha in area, and will occur within 5 meters of a water body. The permitted activity standards of Rule 5.1.5 and the controlled activity standards of 5.1.4.14 will be unable to be complied with. Resource consent is therefore required as a discretionary activity under Rule 5.1.4.15.</p>
To drill holes below the water table for mineral exploration, geotechnical and hydrological investigation and to establish and operate piezometers.	> <b>Discretionary activity</b> under Rule 3.8.4.8.	Various piezometers will be installed for monitoring purposes.
<b>Activities in the bed of Rivers (RMA s13 consents)</b>		
To disturb, reclaim and introduce plants in, on or over the bed of unnamed tributaries of the	> <b>Discretionary activity</b> under Rule 4.3.4.4.	The Southern Uphill Diversion Drain will intercept an unnamed tributary of Ruahorehore Stream which extends up into the SNA behind TSF3. Constructing the diversion drain in this location will require



Activity	Relevant Rules	Comment
Ruahorehore Stream to install the Southern Uphill Diversion Drain.	<ul style="list-style-type: none"> <li>&gt; <b>Discretionary activity</b> under Regulation 57 of the NES Freshwater.</li> </ul>	<p>disturbance and reclamation of the bed of this unnamed tributary.</p> <p>Mitigation planting will also occur in the bed of this waterbody as part of establishing the new drain. It would be a permitted activity under Rule 4.3.8.1.</p> <p>Once constructed, the Southern Uphill Diversion Drain will be a modified watercourse under the WRP definitions. It will have a natural channel at its headwaters and connect to Ruahorehore Stream.</p>
To disturb and reclaim the bed of unnamed tributaries of Ruahorehore Stream associated with establishing clean and dirty water drains for erosion and sediment control purposes.	<ul style="list-style-type: none"> <li>&gt; <b>Discretionary activity</b> under Rule 4.3.4.4.</li> <li>&gt; <b>Discretionary activity</b> under Regulation 57 of the NES Freshwater.</li> </ul>	Over the life of the Project, multiple clean and dirty water drains will be established to divert water around the site for erosion and sediment control purposes. Some may intercept waterbodies.
To disturb and reclaim the bed of unnamed tributaries of the Ruahorehore Stream within the footprint of TSF3 and Collection Ponds (S6 and S7).	<ul style="list-style-type: none"> <li>&gt; <b>Discretionary activity</b> under Rule 4.3.4.4.</li> <li>&gt; <b>Discretionary activity</b> under Regulation 57 of the NES Freshwater.</li> </ul>	Unnamed tributaries of Ruahorehore Stream will be stripped and reclaimed to accommodate TSF3 and Collection Ponds S6 and S7.
To disturb, reclaim and introduce plants in, on or over the bed of Ruahorehore Stream associated with a diversion of that stream around the Collection Pond S6 and S7 Buttress.	<ul style="list-style-type: none"> <li>&gt; <b>Discretionary activity</b> under Rule 4.3.4.4.</li> <li>&gt; <b>Discretionary activity</b> under Regulation 57 of the NES Freshwater.</li> </ul>	<p>Realignment of 341 m of the Ruahorehore Stream is required to make room for Collection Pond S6 and S7 and temporary sediment retention ponds.</p> <p>Once established, the realigned portion of Ruahorehore Stream would be a modified watercourse under the WRP definition.</p>
To erect overflow spillways from Collection Ponds S6 and S7 in, on and over the bed of the Ruahorehore Stream.	<ul style="list-style-type: none"> <li>&gt; <b>Discretionary activity</b> under Rule 4.2.4.4.</li> </ul>	The Collection Ponds will have a spillway for excess flow to the Ruahorehore Stream. The construction of these spillways is unable to comply with all of the permitted activity standards of Rule 4.2.10.1 and therefore requires consent.



Activity	Relevant Rules	Comment
To undertake mitigation planting adjacent to the Ruahorehore Stream and tributaries.	> <b>Permitted activity</b> under Rule 4.3.8.1.	Native planting will be provided in accordance with the offset mitigation plan. Some of this planting will occur adjacent to the banks of the Ruahorehore Stream and tributaries. This can be undertaken as a permitted activity.
<b>To take, use, dam and divert water (RMA s14 consents)</b>		
To dam and divert water within unnamed tributaries of the Ruahorehore Stream, and natural surface runoff, around disturbed areas, via the Southern Uphill Diversion Drain.	> <b>Discretionary activity</b> under Rule 3.6.4.13 and 3.6.4.14 (dam and diversion). > <b>Permitted activity</b> under Rule 3.5.4.4 (discharge of water to water).	<p>An existing diversion drain known as the “Southern Uphill Diversion Drain” diverts natural surface runoff around TSF1A. It discharges to an unnamed tributary of the Ruahorehore Stream. This activity is authorised by <b>971307</b> and <b>971308</b>.</p> <p>The Southern Uphill Diversion Drain will be extended around the TSF3 embankment and will discharge to the Ruahorehore Stream.</p>
To dam and divert water for erosion and sediment control purposes using clean water and dirty water drains.	> <b>Discretionary activity</b> under Rule 3.6.4.13 and 3.6.4.14.	<p>Over the life of the Project, multiple clean and dirty water drains will be established to divert water around the site for erosion and sediment control purposes.</p> <p>This includes runoff from the TSF3 topsoil stockpiles which will not contain any PAF material.</p> <p>Clean water drains will divert water from undisturbed catchments around disturbed areas to surface water bodies or natural flow paths.</p> <p>Dirty water diversions will divert water to sediment retention ponds.</p>
To dam and divert the Ruahorehore Stream around the Collection Pond S6 and S7 Buttress.	> <b>Discretionary activity</b> under Rule 3.6.4.13 and 3.6.4.14.	Realignment of 341 m of the Ruahorehore Stream is required to make room for Collection Pond S6 and S7 and temporary sediment retention pond.
To divert intercepted groundwater and subsurface drainage from TSF3.	> <b>Discretionary activity</b> under Rule 3.6.4.13.	Groundwater and underdrain seepage from TSF3 will be captured via subsurface drains and leachate drains and diverted to the WTP using the perimeter ring main system.





Activity	Relevant Rules	Comment
To dam and divert runoff from within the TSF3 footprint to Collection Pond S7.	> <b>Discretionary activity</b> under Rule 3.6.4.13.	Following initial construction works for TSF3, runoff from the TSF3 area will be diverted to Collection Pond S7.
To take groundwater for construction dewatering purposes.	> <b>Discretionary activity</b> under Rule 3.3.4.24	Working of the Central and Eastern borrow areas, and initial foundation works for the TSF3 will require removal of topsoil and excavation of compressible soils up to 20 m deep. Dewatering is proposed to enable the excavation works.
To take groundwater for the purpose of servicing drilling activities relating to exploration, monitoring and geotechnical investigations.	> <b>Discretionary activity</b> under Rule 3.3.4.24.	Groundwater will be required for drilling activities. As above, groundwater encountered may exceed 30°C but does not engage the rules in Chapter 7 of the WRP.
To take groundwater from boreholes for monitoring purposes	> <b>Permitted activity</b> under Rule 3.3.4.12	Water may be taken from boreholes for monitoring purposes but will not exceed the permitted activity volume of 15m <sup>3</sup> per day (cumulative total for all boreholes on one site)
To dam water in TSF3.	> <b>Discretionary activity</b> under Rule 3.6.4.14.	TSF3 is located over a tributary of the Ruahorehore Stream, and in that respect, is a new 'onstream' dam.
<b>Discharges to land and water (RMA s15(1)(a) and (b) consents)</b>		
To discharge water to land within sediment retention ponds and decanting earth bunds to surface water via spillways.	> <b>Discretionary activity</b> under Rule 3.5.4.5.	<p>Dirty water diversions will divert sediment laden runoff from disturbed areas to sediment retention ponds.</p> <p>Most of the water within the sediment retention ponds will seep into ground within the pond.</p> <p>However, the sediment retention ponds will be designed to include an emergency spillway sized to convey the 1% AEP rain event.</p>



Activity	Relevant Rules	Comment
To discharge overburden to land to construct, operate and rehabilitate TSF3 and the associated haul road and Collection Ponds.	> <b>Discretionary activity</b> under Rule 5.2.5.3.	<p>The material used to construct and rehabilitate<sup>8</sup> TSF3 and the Collection Ponds would meet the definition of ‘overburden’.</p> <p>TSF3 is not an ‘overburden disposal site’ as the material may come from multiple sources so permitted activity Rule 5.2.5.1 and controlled activity Rule 5.2.5.2 do not apply. It is therefore a discretionary activity under Rule 5.2.5.3.</p>
To discharge overburden to land in the TSF3 Soil Stockpiles.	> <b>Discretionary activity</b> under Rule 5.2.5.3.	<p>The material to be stockpiled in the TSF3 Topsoil Stockpiles will meet the definition of overburden.</p> <p>The TSF3 Topsoil Stockpile is not ‘overburden disposal sites’ as it is for the storage, not disposal of overburden. So permitted activity Rule 5.2.5.1 and controlled activity Rule 5.2.5.2 do not apply to the activity. It is therefore a discretionary activity under Rule 5.2.5.3.</p>
To discharge tailings into TSF3.	> <b>Discretionary activity</b> under Rule 3.5.4.5.	To discharge tailings into TSF3 will require resource consent.
To discharge seepage from TSF3 into the ground.	> <b>Discretionary activity</b> under Rule 3.5.4.5.	Whilst the TSF3 design includes a liner and underdrainage system, there may still be some seepage to ground.
To discharge water to surface water from Collection Ponds (S6 and S7) via an emergency spillway.	> <b>Discretionary activity</b> under Rule 3.5.11.8.	In certain circumstances during a 10-year return period, 72-hour duration, design storm Collection Ponds S6 and S7 may overflow via a spillway to the Ruahorehore Stream.
To discharge clean water to the Ruahorehore Stream from TSF3 following closure.	> <b>Permitted activity</b> under Rule 3.5.4.4.	<p>The closure plan for TSF3 includes a closure pond / wetland within the impoundment. Once water quality in that pond is suitable for direct discharge, it will be allowed to overflow to the Ruahorehore Stream via a spillway.</p> <p>This can be undertaken as a permitted activity given the water is clean and will not result in adverse effects.</p>

<sup>8</sup> NAF and PAF will be covered and compacted within the TSF, and overlayed by a growth layer and topsoil.



Activity	Relevant Rules	Comment
Discharge of water to land for use as a dust suppressant.	> <b>Permitted Activity</b> under Rule 5.2.9.1.	Water will be used for dust suppression purposes. The discharge of contaminants (excluding waste oil) onto or into land for the purpose of dust suppression is a permitted activity subject to compliance with conditions (a), (b) and (c) of Rule 5.2.9.1. These conditions are able to be complied with.
To discharge water and drilling fluids to land and groundwater from drilling holes below the water table to establish and operate piezometers.	> <b>Permitted activity</b> under Rule 3.8.4.3	The discharge of water and drilling fluids will comply with permitted activity standards.
<b>Discharges to Air (RMA section 15(1)(c) / 15(2A))</b>		
To discharge contaminants to air.	<b>Discretionary activity</b> under Rule 6.1.9.2.	<p>The discharges are from a Mineral Extraction activity and discharges in this area are not authorised by RC 124859.01.04.</p> <p>Rule 6.1.16.1 provides for discharges to air from Mineral Extraction activities as a permitted activity. However, small amounts of hazardous substances (NO<sub>2</sub> etc) will be discharged from vehicle operations such that condition (e) of that rule will not be met. OGNZL would also prefer to use the more sophisticated toolbox available in a resource consent and utilise an AQMP as a measure for managing dust, rather than the permitted activity conditions.</p> <p>A resource consent is therefore sought for the discharge under Rule 6.1.9.2.</p> <p>NB: This consent requirement is included in the global air discharge consent sought as part of this application</p>



## ACTIVITIES OUTSIDE OF AREAS 1 – 7

Certain activities ancillary to the WNP are proposed outside of Areas 1 – 7. These activities are:

- > The upgrade and use of the Kenny Street carpark;
- > The upgrade of the operation of the conveyor in a reverse direction.

These activities require resource consents under the HDP as set out in Table 14 below. Both are **discretionary** activities. No regional consents are required.

Restoration and enhancement planting, habitat enhancement, and pest control are also proposed outside but in proximity to areas 1-7. Consent requirements for these activities are considered in the context (table) for the particular area to which they are proximate.

Works are also proposed to upgrade of Willows Road and the Willows Road / State Highway 25 intersection, but as these works will take place within the highways designation and have no regional consent implications, they do not require resource consent.

**Table 14: HDP consent required for activities outside Areas 1-7**

Activity	Relevant Rules and activity status	Comment
To upgrade and use the Kenny Street carpark	> <b>Discretionary activity</b> under rule 5.17.4.4(D2).	This activity constitutes mining operations which are not already provided for under permitted activity Rule 5.17.4.1(P1) / (P2) or an existing land use consent.
To operate the conveyor in a reverse direction	> <b>Discretionary activity</b> under rule 5.17.4.4(D2).	This activity constitutes mining operations which are not already provided for under permitted activity Rule 5.17.4.1(P1) or an existing land use consent. The standards and terms which apply to 5.17.4.1(P1) do not contemplate the conveyor operating in this direction.

