

4. APPROVALS NEEDED AND SOUGHT

4.1 OVERVIEW

Based on the information contained in Section 2 of this report, OGNZL requires (and is seeking) the following approvals for the WNP under Section 42 of the Act:

- > Resource consents (district and regional) that would otherwise be applied for under the RMA (section 42 (4)(a) of the Act);
- > An access arrangement that would otherwise be applied for under section 61 of the Crown Minerals Act (section 42 (4)(l) of the Act), noting that in accordance with section 42(10) of the Act the application is within the area of Mining Permit 60541 (Coromandel Forest Park);
- > A variation to an existing access arrangement (62342) that would otherwise be applied for under section 61 of the Crown Minerals Act (section 42 (4)(l) of the Act) to encompass WNP components;
- > Concessions that would otherwise be applied for under the Conservation Act (section 42(4)(e) of the Act);
- > Wildlife approvals that would otherwise be authorities applied for under the Wildlife Act (section 42(4)(h) of the Act);
- > Archaeological authorities that would otherwise be applied for under HNZPT Act (section 42(4)(i) of the Act); and
- > Approvals / dispensations that would otherwise be applied for under regulation 42 or 43 of the Fisheries Regulations (section 42(4)(j) of the Act).

Further details of the specific approvals required are outlined in the following sections.

4.2 RESOURCE MANAGEMENT ACT 1991

4.2.1 Relationship with Existing Consents

Clause 5 (1)(f) of Schedule 5 of the Act requires a substantive application under the Act to include a description of other resources for the project to which the application relates. There are numerous resource consents authorising OGNZL's existing mining activities at Waihi and the exploration programme at Wharekirauponga. A full list of existing consents and how they relate to the WNP application is presented in **Part E** of this application.

In general, the existing consents will remain in place to authorise the existing activities, with the WNP approvals subject of this application addressing the new activities. The exception



to this is in the Waihi SFA (Area 5), where upgrades to existing facilities including the WTP and Processing Plant, would not be within scope of the HDC permitted activity Rules 5.17.4.1(P1) and (P2)⁴¹. In light of this, and for ease of administration, land-use consent (district) for all new and existing surface activities in Area 5 is sought under the WNP application.

4.2.2 Required Approvals

As required by Clause 5 (3)(a) and (b) of Schedule 5, a detailed assessment of the approvals required under the RMA, and a detailed analysis of the applicable rules (including identification of those activities which are classified as permitted activities in the relevant plans), is attached as **Part I** to this AEE.

A summary of these approvals is provided in the following sections.

The WNP does not involve any activities that would be prohibited activities under the RMA.

4.2.3 Hauraki District Plan

OGNZL seeks to obtain all necessary land use consents under the HDP to authorise activities associated with the construction, operation, maintenance and closure of the WNP.

In summary, this includes the activities listed below which are either wholly or partly located within the Conservation (Indigenous Forest) Zone, Rural Zone, Martha Mineral Zone, Reserve (Passive) Zone, and Residential Zone.

The most restrictive activity status is **non-complying**. Under the “bundling” principle this is taken to be the overall activity status for the HDP approvals required.⁴²

Within Area 1

- > Management activities for the purposes of undertaking pest control and habitat enhancement works as part of offsetting actual and potential ecological effects (within the Coromandel Forest Park);
- > Installation and use of monitoring equipment, including drilling of subsurface boreholes and installation of piezometers (within the Coromandel Forest Park);

⁴¹ The permitted activity rules in the HDP which incorporate the terms of expired Mining Licence 32 2388 and expired land-use consent LUC 97/98-105

⁴² It is noted that under the Act, section 104D (in respect of making decisions on non-complying activities) is not to be taken into account by the panel in making its decision.



- > Exploration, mining operations and underground mining, including but not limited to:
 - > The disturbance and clearance of indigenous vegetation within a SNA for the establishment of drill sites and ventilation shafts;
 - > Establishment of up to eight new exploration drill sites;
 - > Establishment of up to twelve geotechnical investigation drill sites;
 - > Establishment of up to four ventilation shaft sites and associated ventilation easé, including temporary drilling pads, and onsite construction amenities;
 - > Use of ventilation shaft sites for exploration and investigative activities, including drilling and hydrogeological pump testing;
 - > Drilling of investigative boreholes, including piezometer installation, using a portable drill rig at up to 50 sites;
 - > Exploration and investigative drilling from surface drilling platforms, allowing for simultaneous operation of six surface drill rigs, with one being a portable rig;
 - > Exploration and investigative drilling from underground drilling platforms;
 - > The installation and use of monitoring equipment, including piezometers;
 - > Establishment of four new camps and messing facilities located on any of the existing or proposed drill sites;
 - > Establishment of two new helipads;
 - > Accessing the drill sites and ventilation shaft sites by helicopter;
 - > Establishment of mine declines and access tunnels;
 - > Development, stoping and mining of the orebody;
 - > Drilling, blasting, earthworks and the removal of waste material and ore;
 - > Injection of cementation or other grout / sealant into ground for geotechnical and / or hydrogeological requirements or for sealing of tunnels and drill holes;
 - > Backfilling of stopes with rock, cemented rock fill or CAF;
 - > Underground rock storage and stockpile areas;
 - > The establishment of an underground magazine compound;
 - > The establishment of an underground workshop to service and maintain mine equipment;

- > The establishment of communications, water management facilities and general amenities within the tunnels;
- > Establishment of underground refuge chambers and tunnel recesses;
- > Establishment of sumps, pumps and electrical equipment and ventilation infrastructure within the tunnels and mine area;
- > The use of a range of mining equipment to service the mine;
- > Installation of signage;
- > Rehabilitation and closure activities; and
- > The storage, use and disposal of hazardous substances.

Within Area 2

- > Underground mining and mining operations, including but not limited to:
 - > Establishment and use of the Willows Portal;
 - > Establishment and use of the Willows Access Tunnel;
 - > Establishment and use of a ventilation shaft on the Willows site outside of the Coromandel Forest Park boundary;
 - > Earthworks (i.e. topsoil removal and stockpiling) and the implementation of sediment control measures;
 - > Vegetation clearance;
 - > Construction of internal access roads and associated car parking;
 - > Establishment and use of a helipad;
 - > Establishment and use of offices, amenity facilities and workshops; laydown yards, emergency response facilities and other mine services;
 - > Establishment of bunds / screens and security fencing;
 - > Establishment of services and water management systems;
 - > Establishment and use of the WRS;
 - > Establishment and use of topsoil, limestone and other non-acid forming material stockpiles;
 - > Establishment of silt and collection ponds;
 - > Establishment of an above ground magazine compound;



- > Installation and use of a substation and switch room;
- > The installation and use of monitoring equipment, including piezometers in drilled holes;
- > Mitigation planting / biodiversity enhancement; and
- > Rehabilitation and closure activities.
- > Habitat enhancement works and pest control activities on land within and adjacent to Area 2;
- > The storage and use of hazardous substances; and
- > The disturbance of soil and change of the land use at a HAIL site.

Within Area 3

- > 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;
- > The storage, use and disposal of hazardous substances; and
- > Habitat enhancement works and pest control activities on land within and in proximity to Area 3.

Within Area 5

- > Mining operations, surface mining, underground mining and exploration activities, including but not limited to:
 - > Exploration, investigative and dewatering drilling and the installation of piezometers associated with the establishment and operation of GOP;
 - > Vegetation clearance, topsoil and stockpiling, and the implementation of sediment control measures;
 - > The establishment and use of a topsoil stockpile adjacent to GOP;
 - > The establishment of bunds / screens and security fencing;
 - > The establishment and use of water management infrastructure, including new diversion and dewatering drains and storage ponds;
 - > The formation and use of internal access roads;



- > The establishment and operation of crushers to crush rock and conveyors to transport rock;
- > The disestablishment of the existing Favona Portal and related infrastructure;
- > The establishment and use of a new Gladstone Portal or MUG Portal to the Trio Upper Access Drive to access existing underground mines and the Martha Mine;
- > The establishment and use of a new portal (the WUG Portal) for the Wharekirauponga Access Tunnel;
- > Surface mining of the GOP (including drilling and blasting);
- > The use of a crusher within the GOP;
- > The hauling and / or conveying of rock and ore from the GOP to the Polishing Pond Stockpile for temporary storage, or to the NRS or TSF3 for disposal;
- > The transport of ore from the GOP to the Processing Plant;
- > The temporary stockpiling of limestone;
- > Partial backfilling and lining of the GOP in preparation for tailings disposal;
- > The disposal of tailings within the GOP TSF;
- > Capping of the GOP TSF with rock and soil, and undertaking rehabilitation activities;
- > The establishment and operation of new carparking facilities;
- > Relocation of the existing overhead power line;
- > The upgrade and operation of the Processing Plant to process up to 2.25 million tonnes of ore per annum;
- > The upgrade and operation of the WTP;
- > The continued use of other existing facilities and infrastructure within the Waihi SFA, including the maintenance workshop, store, office and amenity facilities;
- > The continued use of existing stockpiles within the Waihi SFA, including the Run of Mine Stockpile, Favona Stockpile and Polishing Pond Stockpile;
- > Mitigation planting / biodiversity enhancement;
- > Rehabilitation and closure activities.
- > Erection of internal signs to provide directions, safety instructions and information for staff and visitors within the site;
- > The use and storage of hazardous substances;



- > The disturbance of soil and change of the land use at a HAIL site; and
- > Habitat enhancement works and pest control activities on land within and in proximity to Area 5.

For avoidance of doubt, the HDC approval sought includes all activities within Area 5 existing at the time of lodgement of this application.

Within Area 6

- > Mining and mining operations associated with the NRS, including but not limited to:
 - > Vegetation clearance and stripping topsoil and subsoil from the NRS footprint, including several unnamed stream beds;
 - > Mining of the Western Borrow Area;
 - > The establishment and use of soil stockpiles;
 - > Installation of security fencing;
 - > Removal or relocation of existing structures, including an OGNZL owned dwelling, workshop structures, a fuel bowser and grease storage facilities;
 - > The establishment and use of water management infrastructure including diversion drains, pumps, pipelines and silt and collection ponds;
 - > The temporary and permanent storage of rock;
 - > The formation and use of internal access roads;
 - > The relocation of an existing overhead powerline;
 - > The installation and use of monitoring equipment, including piezometers in drilled holes; and
 - > Rehabilitation and closure activities.
- > Habitat enhancement works and pest control activities on land within and in proximity to Area 6;
- > The use and storage of hazardous substances;
- > The erection of internal signs to provide directions, safety instructions and information for staff and visitors within the site; and
- > Change of land use at a HAIL site associated with rehabilitation works.



Within Area 7

- > Mining and mining operations associated with TSF3, including but not limited to:
 - > The installation of security fencing;
 - > The clearance of indigenous vegetation within a SNA;
 - > Stripping topsoil and subsoil from the TSF3 footprint, including within several unnamed stream beds and drains;
 - > Mining of the Central and Eastern borrow areas;
 - > The establishment and use of soil and non-acid forming material stockpiles adjacent to TSF3;
 - > 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;
 - > Extension of existing TSF services to TSF3;
 - > Construction of the TSF3 embankment and impoundment, including placement of a geomembrane;
 - > The formation and use of internal access roads;
 - > Placement of mine tailings;
 - > The installation and use of monitoring equipment, including piezometers in subsurface drilled holes;
 - > Mitigation planting / biodiversity enhancement; and
 - > Rehabilitation and closure activities.
- > The clearance of indigenous vegetation within an SNA;
- > The storage and disposal of hazardous substances;
- > Internal signs to provide directions, safety instructions and information for staff and visitors within the site;
- > Disturbance of soil at a HAIL site, and to change the land use following closure; and
- > Habitat enhancement works and pest control activities on land within and in proximity to Area 7.

Outside the Biodiversity Project Area and Areas 1 - 7

- > The upgrade and use of the Kenny Street carpark;



- > The operation of the existing conveyor in a reverse direction; and
- > Restoration and enhancement planting, habitat enhancement and pest control.

4.2.4 Thames Coromandel District Plan

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

The only approval required for the WNP under the TCDP comprises a land use consent for the installation of two near stream piezometers adjacent to the Otahu River (to be drilled with the portable rig).

The activity status for this activity is **discretionary**.

For avoidance of doubt, the biodiversity enhancement and pest control activities associated with the Biodiversity Project do not require resource consent where they are to take place in Thames Coromandel District. This is because:

- > In the event that the predator control activities in this area are ultimately undertaken by the Department of Conservation (this is yet to be agreed) they would not be bound by the TCDP.⁴³
- > The rules in the TCDP would apply if the predator control activities were ultimately undertaken by a third party. However, if this were to eventuate no activities are expected to occur which would trigger a resource consent requirement. Key points to note in that regard are:
 - > ‘Pest control’ is not a land use activity in its own right which TCDC controls via the activity-based rules in the TCDP;⁴⁴
 - > Any vegetation disturbance or clearance required would be minimal in nature and would comply with the conditions of permitted activity Rule 29.3(2)(f); and
 - > The establishment and operation of traplines is not expected to require any earthworks.

⁴³ Section 4(3) of the RMA.

⁴⁴ This has been confirmed by advice from Thames Coromandel District Council staff who advise that a requirement to undertake pest control is often imposed in a decision or on a consent notice, but that the activity itself is not actively controlled by the District Plan.



In the unlikely event the pest control work is not undertaken by the Department of Conservation; minor localised earthworks are required for establishing traplines; and such earthworks occur within the kauri hygiene zone; a land use consent would be required by Rule 43.4(6)(2A).⁴⁵ In this eventuality, a discrete land use consent would be sought for the activity at that time.

4.2.5 Waikato Regional Plan

OGNZL seeks to obtain all necessary land use consents, discharge permits, and water permits under the Regional Plan to authorise activities associated with the construction, operation, maintenance and rehabilitation of the WNP, as outlined below.

The most restrictive activity status is **non-complying**. Under the “bundling” principle this is taken to be the overall activity status for the Regional Plan approvals required.⁴⁶

Activities Which May Take Place in any Area

- > A discharge permit to discharge contaminants to air from all activities associated with the WNP;
- > A land use consent to undertake soil disturbance and vegetation clearance in a high-risk erosion area;
- > A land use consent to drill holes below the water table for mineral exploration, geotechnical investigation and to establish and operate piezometers; and
- > A water permit to take groundwater to service drilling activities relating to exploration, monitoring and geotechnical investigations.

Underground Activities in Areas 1, 2, 3 and 5

- > A land use consent to drill below the water table to establish underground tunnels, access portals and mines using a drill and blast technique;
- > A water permit to take and divert groundwater intercepted during tunnelling and stoping activities;

⁴⁵ Kauri hygiene zone is an area three times the maximum radius of the canopy dripline of New Zealand kauri trees in the area the subject of proposed earthworks.

⁴⁶ It is noted that under the Act, section 104D (in respect of making decisions on non-complying activities) is not to be taken into account by the panel in making its decision.



- > A water permit to take groundwater and a discharge permit to discharge groundwater to streams and wetlands in the unlikely event that this should be required as a mitigation measure for dewatering effects;
- > A discharge permit to discharge contaminants to land and groundwater associated with the underground storage, use and backfilling of overburden containing potential acid forming material; and
- > A discharge permit to discharge contaminants to land and groundwater when sealing drill holes and underground workings.

Area 1 Only

- > A water permit to divert surface water in diversion channels around ventilation shaft sites.
- > A water permit to take groundwater for pumping tests.
- > A discharge permit to discharge groundwater and contaminants from pumping tests to a natural state waterbody.

Area 2 Only

- > A land use consent 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;
- > A land use consent to disturb the bed of unnamed tributaries of the Mataura Stream associated with the establishment of diversion drains and formalised overland flow paths for erosion and sediment control purposes and to divert natural runoff and unnamed tributaries of the Mataura Stream around developed areas to downstream water bodies and overland flow paths;
- > A land use consent to disturb and reclaim the bed of an unnamed tributary of the Mataura Stream to establish the WRS;
- > A land use consent 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 Pond;
- > A land use consent to place and use culverts within the Willows SFA;
- > A water permit to dam and divert water within unnamed tributaries of the Mataura Stream and from natural runoff around developed areas to downstream water bodies and overland flow paths;



- > A water permit to dam and divert runoff, intercepted groundwater and underdrain seepage from the WRS, mine access road and WRS Toe Pond to the Willows Collection Pond;
- > A water permit to dam and divert water for erosion and sediment control purposes using clean water and dirty water drains;
- > A water permit to dam water in an unnamed tributary of the Mataura Stream associated with the construction and operation of the WRS Toe Pond;
- > A water permit to dam water within the Willows Collection Pond;
- > A water permit to dam water within the Dry Silt Pond;
- > A discharge permit to discharge PAF and NAF rock and overburden on to land at the WRS and associated mine access road;
- > A discharge permit 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;
- > A discharge permit to discharge water to surface water from the Willows Collection Pond via an emergency spillway;
- > A discharge permit to discharge water to land within the Willows SFA Silt Pond and to surface water via a spillway;
- > A discharge permit to discharge non-acid forming overburden on to land in stockpiles and earth bunds; and
- > A discharge permit to discharge domestic sewage to land via a new effluent disposal field.

Area 5 Only

To establish and operate the GOP and GOP TSF

- > A land use consent to drill horizontal drain holes in the wall of the GOP to depressurise the pit wall;
- > A land use consent to disturb and reclaim the bed of an unnamed tributary of the Ohinemuri River to establish the GOP;
- > A land use consent to disturb the bed of unnamed tributaries of the Ohinemuri River to accommodate spillway structures of temporary sediment retention ponds and decanting earth bunds;



- > A water permit to dam and divert water for erosion and sediment control purposes using clean water and dirty water drains;
- > A water permit to take water to dewater the GOP using horizontal pit wall drain holes;
- > A water permit to divert and take surface water collected in the base of the GOP and pump this water to the WTP;
- > A water permit to dam water in the GOP TSF;
- > A water permit to take groundwater from the GOP TSF and divert this water to the WTP or Processing Plant using underdrainage and decanting collection systems;
- > A water permit to divert water upon capping of the GOP TSF;
- > A discharge permit to discharge overflow water from sediment retention ponds to land and decanting earth bunds to land and surface water via spillways;
- > A discharge permit to discharge non-acid forming overburden on to land in stockpiles and earth bunds adjacent to GOP;
- > A discharge permit to discharge overburden to land within GOP to create the GOP TSF;
- > A discharge permit to discharge contaminants to land associated with the discharge of tailings into the GOP TSF; and
- > A discharge permit to discharge overburden to land to backfill the GOP TSF for rehabilitation.

To establish and operate the Waihi SFA

- > A land use consent to place a structure in the bed of an undefined waterbody;
- > A land use consent to dam water within the WTP Collection Pond;
- > A land use consent to disturb the bed and place and maintain outfall structures for the discharge of treated water in the bed of the Ohinemuri River;
- > A water permit to dam and divert natural water around the Waihi SFA;⁴⁷
- > A water permit to dam and divert site stormwater water to the contingency ponds and WTP Collection Pond within the Waihi SFA;
- > A discharge permit to discharge overburden and ore on to land in stockpiles within the Waihi SFA;

⁴⁷ This includes consent to shift the existing diversion drain currently authorised by RC109743. When constructed, it would replace the activity authorised by RC109743.

- > A discharge permit to discharge treated water from the WTP into the Ohinemuri River via two discharge points; and
- > A discharge permit to discharge water from the WTP Collection Pond to the Ohinemuri River.

Area 6 Only

- > A land use consent to disturb, reclaim and introduce plants in, on or over the bed of TB1 Stream to install the Northern Uphill Diversion Drain;
- > A land use consent 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 and culverts for erosion and sediment control purposes;
- > A land use consent to reclaim the bed of TB1 Stream and unnamed tributaries of TB1 Stream in association with the establishment of the NRS, and adjacent haul roads, perimeter roads and perimeter drains;
- > A land use consent to alter and use existing culverts to enable widening of the access track across TB1 Stream to the rehab and topsoil stockpiles;
- > A land use consent to place and use new culverts;
- > A land use consent to erect an overflow spillway from the NRS Collection Pond in, on and over the bed of a tributary of TB1 Stream;
- > A water permit 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;
- > A water permit to dam and divert water for erosion and sediment control purposes using clean water and dirty water drains and culverts;
- > A water permit to divert intercepted groundwater and underdrain seepage water to the WTP using a subsurface drainage system, leachate drainage system and perimeter ring system of sumps and pipes;
- > A water permit to divert runoff from within the NRS footprint to the NRS Collection Pond, and from there, to the WTP;
- > A water permit to dam water within the NRS Collection Pond;
- > A discharge permit to discharge water to land within the temporary sediment retention ponds and decanting earth bunds to surface water via spillways;



- > A discharge permit to discharge water to surface water from the NRS Collection Pond spillway;
- > A discharge permit to discharge contaminants from seepage water from the NRS to ground; and
- > A discharge permit to discharge contaminants to land associated with the storage and use of overburden (including potentially acid forming material).
- > A discharge permit to discharge overburden and ore on to land in stockpiles.

Area 7 Only

- > A land use consent to disturb, reclaim and introduce plants in, on or over the bed of unnamed tributaries of the Ruahorehore Stream to install the Southern Uphill Diversion;
- > A land use consent 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;
- > A land use consent to disturb and reclaim the bed of unnamed tributaries of the Ruahorehore Stream within the footprint of TSF3 and Collection Ponds S6 and S7;
- > A land use consent 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;
- > A land use consent to erect overflow spillways from Collection Ponds S6 and S7 in, on and over the bed of the Ruahorehore Stream;
- > A water permit 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;
- > A water permit to dam and divert water for erosion and sediment control purposes using clean water and dirty water drains;
- > A water permit to dam and divert the Ruahorehore Stream around the Collection Pond S6 and S7 Buttress;
- > A water permit to divert intercepted groundwater and subsurface drainage from TSF3 activities to treatment;
- > A water permit to divert runoff from within the TSF3 footprint to Collection Pond S7;
- > A water permit to dam water in TSF3;



- > A discharge permit to discharge water to land within the sediment retention ponds and decanting earth bunds to surface water via spillways;
- > A discharge permit to discharge overburden to land to construct, operate and rehabilitate TSF3 and the associated haul road and collection ponds;
- > A discharge permit to discharge overburden to land in the TSF3 Soil Stockpiles;
- > A discharge permit to discharge tailings into TSF3;
- > A discharge permit to discharge seepage from TSF3 into the ground; and
- > A discharge permit to discharge water to surface water from Collection Ponds S6 and S7 via an emergency spillway.

4.2.6 Resource Management (National Environmental Standards for Freshwater) Regulations 2020

The Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (“**NES Freshwater**”) contains standards that regulate activities that pose risks to the health of freshwater and freshwater ecosystems. The following activities require approval under the NES Freshwater:

Land use consents to:

- > Disturb and reclaim:
 - > The bed of unnamed tributaries of the Mataura Stream to establish diversion drains for erosion and sediment control purposes (Area 2);
 - > The bed of an unnamed tributary of the Mataura Stream to establish the WRS (Area 2);
 - > The bed of an unnamed tributary of the Ohinemuri River to establish the GOP (Area 5);
 - > The bed of TB1 Stream and unnamed tributaries of TB1 Stream associated with establishing diversion drains, and for placing sediment retention ponds and culverts for erosion and sediment control purposes (Area 6);
 - > The bed of unnamed tributaries of the Ruahorehore Stream associated with establishing clean and dirty water drains for erosion and sediment control purposes; and the bed of TB1 Stream and unnamed tributaries of TB1 Stream in association with the establishment of the NRS, and adjacent haul roads, perimeter roads and perimeter drains (Area 7);



- > Upgrade existing culverts across Stream TB1 associated with widening of farm access tracks (Area 2);
- > Disturb the bed of an unnamed tributary of the Mataura Stream to establish the Rock Stack Collection Pond (Area 2);
- > Place and use culverts across stream tributaries within the Willows SFA (Area 2);
- > Disturb, reclaim and introduce plants in, on or over the bed of:
 - > The TB1 Stream to install the Northern Uphill Diversion Drain (Area 6);
 - > The Ruahorehore Stream to install the Southern Uphill Diversion Drain (Area 7);
 - > The Ruahorehore Stream associated with a diversion of that stream around the Collection Pond S6 and S7 Buttress (Area 7);

A **discharge permit** to:

- > Discharge water within 100 m of the Mataura Wetland (natural wetland) (Area 2); and

A **water permit** to:

- > Dam (within 100 m of the Mataura Wetland (natural wetland)) and divert water around construction and mining areas using diversion drains (Area 2).

All activities under the NES Freshwater are discretionary activities.

4.2.7 Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009

The Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (“**NES Electricity Transmission**”) sets requirements for the operation, maintenance, upgrading, relocation or removal of existing transmission lines. The following activity requires approval under the NES Electrical Transmission:

A **land use consent** to:

- > Relocate the pole(s) of the existing powerline running through Gladstone Hill more than 10 m to the western side of the GOP.

The relocation of the powerline is a **restricted discretionary** activity under the NES Electricity Transmission.



4.3 THE CROWN MINERALS ACT 1991

4.3.1 Existing Access Arrangements

Access Arrangement 48614-AA

OGNZL holds an existing Access Arrangement for its operations within the Coromandel Forest Park. As part of this application, OGNZL is seeking to replace this existing access arrangement with a new access arrangement. This is described more fully below, and in Section 3.2 of this report (in respect to the specific requirements of the Act).

Access Arrangement 62342

OGNZL holds Access Arrangement 62342 with the Department of Conservation to undertake mining operations on public conservation land at Community Buildings – Waihi Scout Hall and Conservation Area – Mueller Street, Waihi.

Mining operations at these two areas include:

- > The operation of part of the Martha Open Pit;
- > Operation and maintenance of the pit rim walkway, including tree trimming, weed spraying, track maintenance;
- > Rehabilitation and closure activities;
- > The operation of a carpark for the Moresby Ave OceanaGold Offices and associated fencing and security cameras;
- > Conveyance of fibre optic cable; and
- > A communications mast.

These activities have been ongoing at this location since the commencement of OGNZL's Martha Mine operation.

OGNZL is seeking to vary this access arrangement to encompass WNP activities that are within the Favona Mining Permit area. This is described more fully below (in respect to the specific requirements of the Act).

4.3.2 Access Arrangements Sought Under the Act

Approvals required for the WNP that are being sought under the Act that would otherwise be required under the Crown Minerals Act are:



Wharekirauponga Access Arrangement

A new Access Arrangement⁴⁸ for activities within public conservation land associated with Mining Permit 60541⁴⁹ (“**Wharekirauponga Access Arrangement**”) as follows:

- > Exploratory drilling activities;
- > The installation and maintenance of ventilation shafts;
- > Minimum impact activities (as defined by the Crown Minerals Act);
- > The installation and maintenance of piezometers at any existing and all new drill sites or ventilation shaft sites, including an extension of term for all existing piezometers installed at drill and camp sites under concession 87585-OTH;⁵⁰
- > Drilling, installation and maintenance of 12 near stream piezometers, including an extension of term for all existing piezometers installed under concession 87585-OTH;
- > Permeability testing in new piezometer holes;
- > The installation and maintenance of two shallow piezometers at each of a maximum of six wetlands and two control wetlands;
- > The installation and maintenance of three river pumps for extracting surface water;
- > The installation and maintenance of eight river flow monitoring stations, including an extension of term for all existing flow monitoring stations installed at drill sites under concession 87585-OTH;
- > The continued use of a flow tracker for flow gauging, authorised by concession 87585-OTH.
- > The installation and maintenance of two rain gauges and a meteorological monitoring station, including an extension of term for all existing meteorological monitoring equipment installed under concession 87585-OTH;

⁴⁸ This Access Arrangement is to replace existing Access Arrangement (48614-AA).

⁴⁹ An Access Arrangement (under the Crown Minerals Act) cannot be granted over public conservation land where there is no mining permit, therefore a separate concession is required to authorise activities outside MP60541 and the proposed Access Arrangement Area.

⁵⁰ OGNZL proposes to replace concession 87585-OTH with the Northern Concession and Wharekirauponga Access Arrangement, and to obtain authorisation for all activities covered by Concession 87585-OTH for the life of the WNP.



- > The installation and maintenance of a telemetry system to transmit environmental data, including the continued use of the existing telemetry system authorised under concession 101993-OTH;
- > The installation and maintenance of fauna release sites, including the installation of an electric fence and frog fenced release pens;
- > Pest control and monitoring;
- > Continued use of rain gauges, track counter and dust monitor authorised by concession 101993-OTH;
- > Low impact surface and groundwater, ecological, noise, and vibration monitoring;
- > Tent based camping anywhere within the area to support field work;
- > Locating portacoms and a portaloos at up to two drill sites at any time, to support environmental monitoring and pest control field work;
- > Helicopter access throughout the life of the mine and post-closure period for equipment lifting and personnel access;
- > Planting of native vegetation and maintenance of planted areas throughout the life of the project; and
- > The use of drones.

In addition, the Wharekurauponga Access Arrangement sought by OGNZL includes all activities identified in Section 4.2.5 of this report (above) in respect to the activities requiring resource consent from HDC and WRC listed under the “Area 1” and “Activities Which May Take Place in any Area” headings.

OGNZL will also require the ability to replace any equipment installed under the access arrangement in the instance that it is damaged or fails throughout the entire term of the Access Arrangement.

For completeness, it is noted that the Wharekurauponga Access Arrangement does not include mining carried out below the surface of the land. in accordance with section 57 of the Crown Minerals Act, prospecting, exploration, or mining carried out below the surface of any land does not constitute “prospecting, exploration, or mining on or in land” if it:

- > Will not or is not likely to cause any damage to the surface of the land or any loss or damage to the owner or occupier of the land; or
- > Will not or is not likely to have any prejudicial effect in respect of the use and enjoyment of the land by the owner or occupier of the land; or



- > Will not or is not likely to have any prejudicial effect in respect of any possible future use of the surface of the land.

OGNZL has carefully developed the project in a manner to ensure that the surface of the Coromandel Forest Park is not damaged by the WUG, will not affect the use and enjoyment of the land by the Department of Conservation, and will not have a prejudicial effect on future uses on the surface of the Coromandel Forest Park.

Favona Access Arrangement

Variation to an existing Access Arrangement (62342) for activities within public conservation land associated with Mining Permit 4180 (“**Favona Access Arrangement**”), to include the following activities associated with the WNP:

- > Rehabilitation planting with continued access for planting maintenance including pest control at various locations along the Ohinemuri River;
- > Continued occupation for a lay down yard and bridge footings for the Mill Bridge, and a heavy vehicle crossing of the Ohinemuri River;⁵¹ and
- > Continued occupation, upgrade and maintenance of a treated water discharge line and manifold on the banks of the Ohinemuri River.

OGNZL is seeking to align the conditions of this access arrangement with those sought as part of the Wharekirauponga Access Arrangement.

4.4 CONSERVATION ACT 1987

Approvals required for the WNP that would otherwise be required under the Conservation Act are:

Northern Concession Area

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

- > All pest control and monitoring within the Coromandel Forest Park (excluding any areas listed in Schedule 4 of the Act) associated with the WNP;

⁵¹ OGNZL has been undertaking mining related activities at its Baxter Road site since prior to the commencement of the Department of Conservation and the Conservation Act. Therefore, approvals for some activities on what is now public conservation land were granted under earlier approvals processes. For consistency, OGNZL is seeking to include these in the Favona Access Arrangement.



- > The installation and maintenance of a telemetry system to transmit environmental data, including the continued use of the existing telemetry system authorised under concession 101993-OTH;
- > The installation and maintenance of 3 river flow monitoring stations, and the continued use of the existing surface water monitoring site (originally permitted under concession 70763-OTH and subsequently 87585-OTH)⁵²;
- > The installation and maintenance of 3 near stream piezometers;
- > The continued use of a flow tracker for flow gauging (authorised under concession 87585-OTH); and
- > Low impact monitoring activities.

Willows Concession Area

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

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

4.5 WILDLIFE ACT 1953

Approvals required for the WNP that would otherwise be required under the Wildlife Act are:

- > **Wildlife Approval** to:
 - > Undertake monitoring of leiopelmatid frogs within the vibration impact area, Wharekirauponga Animal Pest Management Area and a control area, all of which are located within the Coromandel Forest Park;
 - > Undertake monitoring of leiopelmatid frogs in waterways within and outside the area potentially affected by the dewatering of the WUG, all of which are located within the Coromandel Forest Park (excluding any areas listed in Schedule 4 of the Act);
 - > Handle, salvage and relocate leiopelmatid frogs and lizards in order to enable vegetation clearance at TSF3, NRS, GOP and Willows SFA, all of which are located on OGNZL owned land; and

⁵² OGNZL proposes to replace concession 87585-OTH with the Northern Concession and Wharekirauponga Access Arrangement, and to obtain authorisation for all activities covered by Concession 87585-OTH for the life of the WNP.



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

4.6 THE HERITAGE NEW ZEALAND POUHERE TAONGA ACT 2014

Approval that would otherwise be required under the HNZPT Act will be required because:

- > There are known effects (expected to be no more than minor) on a number of listed heritage features, including:
 - > T13/961 - The Mataura or Waihi Gold Mining Co. Water Race (Area 2) - partial removal;
 - > T13/963 - High-Level Walmsley Timber Tramway (Area 2) - partial removal;
 - > T13/820 - Winner Hill gold mining complex (Area 5 - GOP) - partial removal;
 - > T13/817 - Lower Level Water Race (Area 5 - GOP) - partial removal;
- > Some works in Area 1, including the establishment of ventilation shafts and drill sites, will take place in proximity to the Royal Standard Battery and Gold Mining Area (T12/681) and Royal Standard Gold Mining Tramway (T12/1290); and
- > Works in Areas 6 and 7 have the potential to unearth unknown heritage features.

OGNZL acknowledges that there is a potential for further (yet unidentified) heritage and / or archaeological values to be discovered as the proposed WNP progresses.

While direct effects associated with the proposed WNP works are either not anticipated or will likely be no more than minor in extent (as detailed further in Section 6.15 of this report), an Authority is required, and the implementation of and adherence to an accidental discovery protocol is proposed.

OGNZL proposes for the Authority to be applicable to the entirety of the proposed WNP work areas, with the exception of the proposed works within Area 4 (which comprises the Services Trench and does not form part of this application), and Area 2 (for which an application for an Authority has already been granted by HNZPT (reference number 2025/359)).

4.7 FRESHWATER FISHERIES REGULATIONS 1983

Approvals required for the WNP that would otherwise be required under the Freshwater Fisheries Regulations are:

- > A **dispensation** under Regulation 43 (damming or diverting a watercourse) of the Freshwater Fisheries Regulations for:



- > The Northern Uphill Diversion Drain; being a diversion of watercourse TB1 around the Northern Rock Stack; and
- > The Southern Uphill Diversion Drain; being a diversion of the Ruahorehore Stream around Tailings Storage Facility 3.
- > **Approvals** in respect of complex freshwater fisheries activities⁵³ in relation to Regulation 42 (culverts and fords).

Both the Northern and Southern Uphill Diversion Drains are designed to maintain fish passage (and habitats) to a similar standard as existing. Therefore, it is considered that there is no requirement for these diversion structures to include a fish facility and a dispensation is sought accordingly.

It is noted that approvals in respect of standard freshwater fisheries activities are included in consideration of the relevant approvals relating to RMA consents for structures in the beds of lakes / rivers (RMA section 13) and damming and diversion of water (RMA section 14).

In addition, there are several approvals required for the WNP that are outside of the fast-track approvals process (and are therefore not considered further in this application) which are required under the Fisheries Regulations are:

- > A **licence** from the Waikato Fish and Game Council under section 4A(1)(c) of the Fisheries Regulations to allow OGNZL to take sports fish for any other purpose approved by the Minister;
- > **Authority** from the Waikato Fish and Game Council under section 51(1)(a) of the Fisheries Regulations for the use of electric fishing machines;
- > **Authority** from the Department of Conservation under section 51(1)(b) of the Fisheries Regulations for the use of electric fishing machines; and
- > **Authority** from the Department of Conservation under section 26ZHC of the Conservation Act to authorise the taking (and the subsequent relocation) of indigenous freshwater fish, kōura and mussels.

⁵³ Under s4 (interpretation) of the Act a complex freshwater fisheries activity means an activity that includes construction of any of the following:

- (a) a culvert or ford that permanently blocks fish passage:
- (b) a permanent dam or diversion structure:
- (c) works—
 - (i) that require disturbance to a water body, including diversions, in-stream operations, and removal of gravel, that persists for more than 3 months; or
 - ...
 - (iv) that require repeated disturbance to a water body and are temporary works for which there is a period of 6 months or less between each period of work

