

## 7. APPROVALS SOUGHT UNDER THE FAST-TRACK APPROVALS ACT

### 7.1 OVERVIEW

The purpose of the FTAA is to facilitate the delivery of infrastructure and development projects with significant regional or national benefits. Based on the information contained in **Part A.06** of this report, OGNZL requires (and is seeking) the following approvals for the MP4 Project under section 42 of the FTAA to facilitate delivery of MP4 as a project with significant regional and national benefits:

- > Resource consents (district and regional) that would otherwise be applied for under the RMA (section 42 (4)(a) of the FTAA);
- > Changes and cancellations of resource consent conditions that would otherwise be applied for under the RMA (section 42 (4)(b) of the FTAA);
- > Wildlife approval that would otherwise be applied for under the Wildlife Act (section 42 (4)(h) of the FTAA);
- > Archaeological Authority that would otherwise be applied for under HNZPT Act (section 42 (4)(i) of the FTAA); and
- > Approvals / dispensations that would otherwise be applied for under regulation 42 or 43 of the Fisheries Regulations (section 42 (4)(j) of the FTAA).

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

For completeness, OGNZL confirms it is not seeking as part of this application any approvals that would otherwise be applied for under Crown Minerals Act. OGNZL holds two current mining permits at Macraes:

- > Minerals Mining Permit 52738 which expires on 30 October 2045;
- > Minerals Mining Permit 41064 which expires on 31 January 2030;

OGNZL will continue to operate under these mining permits, including during MP4, noting that an extension to the duration of 41064 will be sought closer to 2030 via a change to the permit in accordance with section 36 of the Crown Minerals Act.<sup>26</sup> OGNZL does not hold any access arrangements in relation to these permits, nor are any required for MP4.

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<sup>26</sup> The CMA does not contemplate replacement of mining permits when they expire. Instead, the appropriate pathway for dealing with permit expiry at an established and longstanding mining operation is extension of the permit duration via a section 36 change. Section 42(4)(n) of the FTAA enables a substantive application to include applications for “a mining permit that would otherwise be applied for under section 23A of the Crown Minerals Act 1991”. Section 23A describes the application for permits. A change in accordance with section 36 is not an “application for a permit” and accordingly cannot be sought under the FTAA.



## 7.2 RESOURCE MANAGEMENT ACT 1991

### 7.2.1 Relationship with Existing Consents

Clause 5 (1)(f) of Schedule 5 of the FTAA requires a substantive application under the FTAA to include a description of other resource consents for the project.

OGNZL holds a number of resource consents that authorise existing mining and associated activities at the Macraes Operation. The Project builds on, modifies, or operates in conjunction with those existing activities and associated approvals. While OGNZL is seeking all necessary RMA approvals for the activities described in **Part A.06** of this report, in assessing the specific approval requirements, it has also considered how the approvals sought will interact with, and integrate into, the existing resource consent framework at the site.

Depending on the nature of the activity and the relevant existing approvals, a range of approaches are being taken to facilitate efficient integration of MP4 with the current resource consents held by OGNZL. These include:

- > **Replacement of existing approvals** – This approach is taken where an activity for which resource consent is sought either:
  - > fundamentally conflicts with an existing resource consent; or
  - > is for the same activity provided for by an existing resource consent but at a scale or location not provided for by that consent.

In these circumstances, the relevant existing consent is proposed to be replaced by the corresponding MP4 approval, with the existing consent to be surrendered where required.

- > **Reliance on existing approvals** – This approach is taken where an activity proposed as part of MP4 is entirely provided for by an existing resource consent and no additional approval or amendment is required.
- > **Variation to existing approvals** – This approach is taken where an activity proposed as part of MP4 is provided for by existing resource consents, but one or more consent conditions preclude the implementation of that consent in the manner proposed for MP4.

This approach relies on the MP4 applications made herein to change or cancel existing resource consent conditions to enable the activity to be undertaken as proposed.

- > **Coexistence with existing approvals** – This approach is taken where either:



- > MP4 activities do not overlap with activities or conditions provided for by existing resource consents; or
- > MP4 activities overlap with activities authorised by existing resource consents, but the circumstances mean it is inappropriate for the MP4 resource consents to replace and require the surrender of the existing resource consents. For example, where an existing resource consent contains enduring management, monitoring, closure, or rehabilitation obligations or where it authorises activities that are beyond the scope of the MP4 project.

This approach is proposed in respect of some existing District Council land use consents where MP4 seeks to use, maintain, and rehabilitate existing areas or facilities that have been established under existing resource consents.

- > **Deferred variation to existing approvals** – This approach is taken where existing activities are provided for by existing resource consents, but conditions of those consents will likely need to be aligned with the resulting MP4 resource consents to enable efficient implementation.

Deferred variation may be required in respect of some coexisting approvals where certain existing conditions are superseded or duplicated by the relevant MP4 conditions. For example, in respect of overlapping operational or rehabilitation requirements, or where existing consents relate to facilities that are beyond the scope of the listed project.

- > **Surrender or partial surrender of existing approvals** – This approach is taken where OGNZL proposes to relinquish all or part of its rights to undertake activities that are authorised by existing resource consents. In those circumstances, the relevant consent, or the relevant component of that consent, will be surrendered. For example, OGNZL proposes to surrender consents in relation to the Back Road WRS and Frasers North WRS.

**Part F** of this substantive application provides a full list of existing consents at the Macraes Operation and an analysis of how MP4 interacts with those consents, including specification of the approach taken to facilitate integration. Also included in **Part F** of this substantive application is an analysis of existing consent conditions that are expected to be superseded by MP4 conditions where it is necessary for consents to coexist and overlap.

**Part I** of this substantive application provides a detailed assessment of RMA approval requirements for the activities described in **Part A.06** of this report. This includes analysis of the rules and regulations in the relevant national, regional and district planning documents, and identifies where those activities rely on or require variation to existing consents.



### 7.2.2 Required Approvals

As required by clause 5 (3)(a) and (b) of Schedule 5 of the FTAA, an assessment of the MP4 activities against the relevant objectives and policies of the relevant documents (listed in clause 5(2)) is provided in **Part A.12** of this report, and an assessment of the relevant rules of the relevant documents (listed in clause 5(2)) including identification of those activities which are classified as permitted activities in the relevant statutory planning documents, is provided in **Part I** of this substantive application. The following sections summarise the approvals sought which include land use consents, discharge permits, water permits, and variations to existing resource consents.

MP4 does not involve any activities that would be prohibited activities under the RMA.

To secure the enablement, delivery and rehabilitation of MP4, OGNZL is seeking a consent term of 35 years for the majority of resource consents.

### 7.2.3 Waitaki District Council and Dunedin City Council

OGNZL seeks a single land use consent for all district land use MP4 activities associated with the construction, operation, maintenance, rehabilitation and closure of the Macraes Operation within the administrative jurisdiction of WDC and DCC. As assessed in detail in **Part I** of this substantive application, the various MP4 activities require land use consent under the Waitaki District Plan, the Dunedin City District Plan, and the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 (“**NES-CS**”). A summary of the approval requirements under these instruments is provided in the sections that follow.

#### 7.2.3.1 Waitaki District Plan

As described in **Part A.05** of this report, the MP4 activities inside the WDC boundary occur within the MMPMZ and the Rural Scenic Zone of the Operative WDP. All activities proposed as part of MP4, as described in **Part A.06** of this report, are mining activities under the Operative WDP and are assessed as such under the relevant zone rules. Some mining activities are also captured by district wide rules and assessed accordingly.

MP4 does not trigger any rules with legal effect requiring consent in the Exemptions Version of the Proposed WDP.

In summary, the activities that require a land use consent under the WDP are fully described in **Part A.06** of this report and include:

- > Mining activities in the Rural Scenic Zone;



- > Restoration and enhancement of a scheduled Area of Significant Nature Conservation Value / Geopreservation Site (Appendix C, Area 106, Macraes Pools) in the Rural Scenic Zone;
- > Mining activities provided for under Rule 6.3.2.1 in the MMPMZ;
- > The mining activities not provided for under Rule 6.3.2.1 in the MMPMZ that will not comply with Critical Zone Standard 6.5.1 (Noise) and 6.5.2 (Vibration);
- > The Restoration and enhancement of a scheduled Area of Significant Nature Conservation Value / Geopreservation Site (Appendix C, Area 106, Macraes Pools) in the MMPMZ;
- > The use of temporary buildings that do not comply with the duration standards;
- > Parking / loading area for the proposed new workshop that does not comply with cycle parks and sealed parking / loading area standards;
- > Vehicle access points on Macraes Road that do not comply with the vehicle crossing standards;
- > Aboveground pipelines;
- > Aboveground pump stations that do not comply with the ground floor area (“**GFA**”) or height limits but will comply with the site development standards; and
- > The use and storage of explosives and hazardous substances associated with gold processing activities that do not comply with use and storage standards in the Rural Zones and MMPMZ.

The most restrictive activity status under the relevant rules in the Operative WDP is **non-complying**. Under the “bundling” principle this is taken to be the overall activity status for the land use consent required under the Operative WDP.<sup>27</sup>

#### 7.2.3.2 Dunedin City District Plan – 2GP

As described in **Part A.05** of this report, the MP4 activities occur within the High Country Rural Zone and are subject to the Archaeological Alert Layer and Taieri Ridge and Mare Burn layer in the 2GP.

Most of the activities proposed as part of MP4 within the DCC boundary, as described in **Part A.06** of this report, are mining activities under the 2GP and are assessed as such under

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<sup>27</sup> It is noted that under the FTAA, 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. Accordingly, non-complying activity status is effectively meaningless in the FTAA context.



the relevant zone rules. The exception to this is the proposed removal of a block pines trees (de-afforestation) to improve lizard habitat. Some mining activities are also captured by district wide rules and assessed accordingly.

In summary, the following activities require a land use consent under the 2GP:

- > Matheson Road re-instatement post mine closure;
- > The use and storage of hazardous substances associated with mining activities that exceed the permitted storage limits;
- > Indigenous vegetation clearance in exceedance of the permitted activity limits in Rule 10.3.2.1.c for tussock species. This comes under indigenous vegetation clearance - large scale;
- > Indigenous / other vegetation clearance within 5m from the Trimbells Gully for the Trimbells WRS extension;
- > The removal of threatened plant species identified in Appendix 10A.1 in the Rural Zone;
- > Mining not in the Residential Transition Overlay Zone; and
- > Mining activities not complying with indigenous vegetation clearance standards (large scale in the Rural Zone).

The most restrictive activity status under the 2GP is **discretionary**. Under the “bundling” principle this is taken to be the overall activity status for the Land Use Consent required under the 2GP.

#### 7.2.3.3 Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011

The regulations of the NES-CS apply if any activity or industry described in the HAIL is undertaken, has been undertaken, or more likely than not, is being or has been undertaken on the land.

It is noted that mineral extraction and mining industries – including exposure of faces or release of groundwater containing hazardous contaminants, or the storage of hazardous wastes including waste dumps or dam tailings - is listed on the HAIL and falls to be considered under the NES-CS.

The proposed earthworks for MP4 will exceed permitted activity limits, and the requirement for soil sampling at all HAIL activities intersected by the Project in a DSI under the controlled and restricted discretionary activity regulations is not met. The disturbance of contaminated soil at the mine is therefore a **discretionary activity** under Regulation 10 of the NESCS.



#### 7.2.4 Otago Regional Council

OGNZL seeks to obtain all necessary resource consents for all MP4 activities associated with the construction, operation, maintenance, rehabilitation and closure of the Macraes Operation within the administrative jurisdiction of ORC. The detailed rules assessment (provided as **Part I** of this substantive application) provides an analysis of the relevant rules and permitted activity standards in the relevant Regional Plans and the National Environmental Standards (“**NES**”). Table 7-1 provides a summary of the assessment provided in **Part I** of this substantive application outlining the regional resource consents required and the lapse period and duration sought in respect of each.

For ease of reference and consistency, the identified resource consents are arranged by geographical area as follows:

- > The Coronation Mining Area;
- > The Central Mining Area;
- > The Golden Bar Mining Area;
- > The Coal Creek Area;
- > The Murphys Ecological Enhancement Area; and
- > Site-wide activities.

The most restrictive activity status is **discretionary**. Under the “bundling” principle this is taken to be the overall activity status for the approvals required within the administrative jurisdiction of ORC.



Table 7-1: Resource consents sought within the administrative jurisdiction of ORC

| Resource Consent Sought                                                                                                                                                                                                                                                                                                                                               | Lapse Period | Duration |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|----------|
| <b>Coronation Mining Area</b>                                                                                                                                                                                                                                                                                                                                         |              |          |
| <b>Coronation North WRS and Trimbells WRS</b>                                                                                                                                                                                                                                                                                                                         |              |          |
| A <b>Discharge Permit</b> to discharge waste rock to land for the purpose of constructing, operating, maintaining and rehabilitating the Coronation North WRS and Trimbells WRS, and the associated discharge of contaminants (including sediment and seepage) to land and to water, and the associated discharge of contaminants from silt ponds and sumps to water. | 5 years      | 35 years |
| A <b>Water Permit</b> to permanently divert surface water around the Coronation North WRS and the Trimbells WRS.                                                                                                                                                                                                                                                      | 5 years      | 35 years |
| A <b>Land Use Consent</b> for the disturbance and reclamation of Trimbells Gully for the expansion of the Trimbells WRS.                                                                                                                                                                                                                                              | 10 years     | 35 years |
| <b>Coronation WRS</b>                                                                                                                                                                                                                                                                                                                                                 |              |          |
| A <b>Discharge Permit</b> to discharge waste rock to land for the purpose of constructing, operating, maintaining and rehabilitating the Coronation WRS, and the associated discharge of contaminants (including sediment and seepage) to land and to water, and the associated discharge of contaminants from silt ponds and sumps to water.                         | 5 years      | 35 years |
| <b>Coronation Pit</b>                                                                                                                                                                                                                                                                                                                                                 |              |          |
| A <b>Water Permit</b> to divert surface water around the Coronation Pit for the purpose of preventing surface water ingress and managing surface water runoff.                                                                                                                                                                                                        | 5 years      | 35 years |



| Resource Consent Sought                                                                                                                                                                                          | Lapse Period   | Duration |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------|
| A <b>Land Use Consent</b> for the excavation, drilling or other disturbance of land associated with the construction of the Coronation Pit <sup>28</sup> where it intercepts groundwater.                        | 5 years        | 35 years |
| A <b>Water Permit</b> for the passive take of groundwater in the Coronation Pit including drainage from horizontal drainage holes drilled in the pit walls for purpose of facilitating mining operations.        | 5 years        | 35 years |
| A <b>Water Permit</b> for the take and use of surface water for the purpose of dewatering the Coronation Pit and for use in the MWMS.                                                                            | 5 years        | 35 years |
| A <b>Discharge Permit</b> to discharge water containing contaminants from the Coronation Pit Lake to Camp Creek for the purpose of operating of the Coronation Pit Lake.                                         | Does not lapse | 35 years |
| A <b>Discharge Permit</b> to discharge waste rock to land for the purpose of backfilling the Coronation Pit, and the associated discharge of contaminants (including sediment and seepage) to land and to water. | Does not lapse | 35 years |
| A <b>Water Permit</b> for the passive take of groundwater at the Coronation Pit for the purpose of facilitating pit lake closure.                                                                                | Does not lapse | 35 years |
| <b>Coronation North Pit</b>                                                                                                                                                                                      |                |          |
| A <b>Water Permit</b> to divert surface water around the Coronation North Pit for the purpose of preventing surface water ingress and managing surface water runoff.                                             | 5 years        | 35 years |
| A <b>Land Use Consent</b> for the excavation, drilling or other disturbance of land associated with the construction of the Coronation North Pit where it intercepts groundwater.                                | 5 years        | 35 years |

<sup>28</sup> An open pit meets the definition of “bore” in the Regional Water Plan, therefore the associated excavation, drilling and other disturbance of land is captured here.



| Resource Consent Sought                                                                                                                                                                                                                                                                                                                                                                             | Lapse Period   | Duration |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------|
| A <b>Water Permit</b> for the passive take of groundwater in the Coronation North Pit including drainage from horizontal drainage holes drilled in the pit walls.                                                                                                                                                                                                                                   | 5 years        | 35 years |
| A <b>Water Permit</b> for the take and use of surface water for the purpose of dewatering the Coronation North Pit and for use in the MWMS.                                                                                                                                                                                                                                                         | 5 years        | 35 years |
| A <b>Discharge Permit</b> to discharge waste rock to land for the purpose of backfilling the Coronation North Pit, and the associated discharge of contaminants (including sediment and seepage) to land and to water                                                                                                                                                                               | Does not lapse | 35 years |
| A <b>Water Permit</b> for the passive take of groundwater in the Coronation North Pit for the purpose of facilitating pit lake closure.                                                                                                                                                                                                                                                             | Does not lapse | 35 years |
| <b>Central Mining Area</b>                                                                                                                                                                                                                                                                                                                                                                          |                |          |
| <b>Macraes Road Realignments</b>                                                                                                                                                                                                                                                                                                                                                                    |                |          |
| A <b>Discharge Permit</b> to discharge of waste rock to land for the purpose of constructing Stage 1 and Stage 2 of the Macraes Road realignments, and the associated discharge of contaminants (including sediment and seepage) to land and to water.                                                                                                                                              | 5 years        | 35 years |
| <b>Frasers WRS</b>                                                                                                                                                                                                                                                                                                                                                                                  |                |          |
| A <b>Discharge Permit</b> to discharge waste rock to land for the purpose of constructing, operating, maintaining and rehabilitating the Frasers WRS (including Frasers West, Frasers South and Frasers East), and the associated discharge of contaminants (including sediment and seepage) to land and to water, and the associated discharge of contaminants from silt ponds and sumps to water. | 5 years        | 35 years |
| A <b>Water Permit</b> to divert surface water around the Frasers WRS.                                                                                                                                                                                                                                                                                                                               | 5 years        | 35 years |



| Resource Consent Sought                                                                                                                                                                                                                                               | Lapse Period   | Duration |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------|
| A <b>Water Permit</b> to dam water in Frasers West Silt Pond for the purposes of sediment control and management of waste rock stack seepage.                                                                                                                         | 5 years        | 35 years |
| <b>Innes Mills Pit and Golden Point Pit</b>                                                                                                                                                                                                                           |                |          |
| A <b>Water Permit</b> to divert surface water around the Innes Mills and Golden Point Pits for the purpose of preventing surface water ingress and managing surface water runoff.                                                                                     | 5 years        | 35 years |
| A <b>Land Use Consent</b> for the excavation, drilling or other disturbance of land associated with the construction of the Innes Mills Pit and the construction of a bore in the Golden Point Backfill.                                                              | 5 years        | 35 years |
| A <b>Water Permit</b> for the passive take of groundwater in Innes Mills and Golden Point Pits including drainage from horizontal drainage holes drilled in the pit walls and the abstraction of groundwater from the Golden Point Backfill Bore for use in the MWMS. | 5 years        | 35 years |
| A <b>Water Permit</b> to take and use surface water for the purpose of dewatering Innes Mills and Golden Point Pits and for use in the MWMS.                                                                                                                          | 5 years        | 35 years |
| A <b>Discharge Permit</b> to discharge waste rock to land in Innes Mills and Golden Point Pits for the purpose of constructing in-pit backfills, and the associated discharge of contaminants (including sediment and seepage) to land and to water.                  | Does not lapse | 35 years |
| A <b>Water Permit</b> for the passive take of groundwater at the Innes Mills Pit for the purpose of facilitating pit lake closure.                                                                                                                                    | Does not lapse | 35 years |
| A <b>Water Permit</b> for the damming of water within Innes Mills Pit by the remaining part of the Southern Pit TSF embankment.                                                                                                                                       | Does not lapse | 35 years |



| Resource Consent Sought                                                                                                                                                                                                                                                                                     | Lapse Period   | Duration |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------|
| <b>Frasers Pit / Frasers TSF</b>                                                                                                                                                                                                                                                                            |                |          |
| A <b>Discharge Permit</b> to discharge waste rock to land for the purpose of constructing the Frasers Backfill Embankment and the West and East Embankments associated with the construction of Frasers TSF Stage 3, and the associated discharge of contaminants to land and to water.                     | 5 years        | 35 years |
| A <b>Discharge Permit</b> to discharge mine tailings and contaminants from mine tailings to land and to water for the purpose of disposing of mine process tailings and relocated tailings in Frasers TSF.                                                                                                  | 5 years        | 35 years |
| A <b>Water Permit</b> for the passive take of groundwater in Frasers Pit including drainage from horizontal drainage holes drilled in the pit walls.                                                                                                                                                        | 5 years        | 35 years |
| A <b>Water Permit</b> to dam water within the Frasers TSF for the purpose of constructing, operating and rehabilitating Stage 3 of the Frasers TSF.                                                                                                                                                         | 5 years        | 35 years |
| A <b>Water Permit</b> for the take and use of surface water from Frasers TSF for the purpose of dewatering the Frasers TSF and for use in the MWMS.                                                                                                                                                         | 5 years        | 35 years |
| A <b>Discharge Permit</b> to discharge surface water and contaminants (derived from the rehabilitated Frasers TSF surface and surrounding WRS areas that drain into the Frasers TSF catchment) from the proposed spillway and outlet channel to the North Branch Waikouaiti River (at closure).             | Does not lapse | 35 years |
| A <b>Water Permit</b> to permanently divert clean water via the proposed Frasers Backfill diversion channel along the Frasers Backfill crest to the headwaters of the North Branch Waikouaiti River associated with the reinstatement of the North Branch Waikouaiti River across Frasers TSF (at closure). | Does not lapse | 35 years |



| Resource Consent Sought                                                                                                                                                                                                                   | Lapse Period | Duration |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|----------|
| <b>Southern Pit TSF</b>                                                                                                                                                                                                                   |              |          |
| A <b>Land Use Consent</b> for the disturbance of the Southern Pit TSF (a contaminated site containing stored hazardous waste) by mechanical excavation and hydraulic mining of tailings associated with deconstruction of the facilities. | 10 years     | 35 years |
| A <b>Discharge Permit</b> to discharge of water and contaminants to land and water within the Southern Pit TSF for the purpose of hydraulic mining of tailings.                                                                           | 10 years     | 35 years |
| A <b>Water Permit</b> for the damming of tailings and water within the Southern Pit TSF during deconstruction of the facilities.                                                                                                          | 10 years     | 35 years |
| A <b>Water Permit</b> for the abstraction of water and tailings from the Southern Pit TSF for the purpose of hydraulically mining tailings from the facilities.                                                                           | 10 years     | 35 years |
| A <b>Water Permit</b> for the take and use of water from the Southern Pit TSF for use in the MWMS.                                                                                                                                        | 10 years     | 35 years |
| <b>Mixed Tailings Impoundment</b>                                                                                                                                                                                                         |              |          |
| A <b>Land Use Consent</b> for the disturbance of the MTI (a contaminated site containing stored hazardous waste) by mechanical excavation and hydraulic mining of tailings associated with deconstruction of the facilities.              | 10 years     | 35 years |
| A <b>Discharge Permit</b> for the discharge of water and contaminants to land and water within the MTI for the purpose of hydraulic mining of tailings from the MTI.                                                                      | 10 years     | 35 years |
| A <b>Discharge Permit</b> to discharge treated wastewater from the Underground Infrastructure buildings and treated vehicle wash water to the MTI.                                                                                        | 10 years     | 35 years |
| A <b>Water Permit</b> for the damming of tailings and water within the MTI during partial deconstruction and decommissioning of the facility.                                                                                             | 10 years     | 35 years |



| Resource Consent Sought                                                                                                                                                                                                                                            | Lapse Period | Duration |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|----------|
| A <b>Water Permit</b> for the abstraction of water and tailings from the MTI for the purpose of hydraulic mining of tailings from the MTI.                                                                                                                         | 10 years     | 35 years |
| A <b>Water Permit</b> for the take and use of water from the MTI for the purpose of hydraulic mining of tailings from the MTI for use in the MWMS.                                                                                                                 | 10 years     | 35 years |
| A <b>Discharge Permit</b> for the discharge of contaminants (including seepage) to land and water at the base and toe of the MTI embankment for the purpose of draining the MTI.                                                                                   | 10 years     | 35 years |
| <b>Golden Point Underground Mine Extension</b>                                                                                                                                                                                                                     |              |          |
| A <b>Land Use Consent</b> for the excavation, drilling or other disturbance of land associated with the development of the underground mine declines and drives.                                                                                                   | 5 years      | 35 years |
| A <b>Water Permit</b> to take groundwater and operational water from the Golden Point Underground Mine for the purpose of dewatering an underground mining operation and for use in the mine water management system.                                              | 5 years      | 35 years |
| A <b>Discharge Permit</b> to discharge water and associated contaminants to land in circumstances where contaminants may enter water for the purpose of constructing, operating, dewatering, and decommissioning the Golden Point Underground Mine.                | 5 years      | 35 years |
| A <b>Discharge Permit</b> to discharge waste rock to land for the purpose of constructing waste rock stacks associated with the Golden Point Underground Mine, and the associated discharge of contaminants (including sediment and seepage) to land and to water. | 5 years      | 35 years |
| <b>Water Treatment Plant (Stage 1 and Stage 2)</b>                                                                                                                                                                                                                 |              |          |
| A <b>Discharge Permit</b> to discharge treated mine water from the Water Treatment Plant to catchments of the North Branch Waikouaiti River, Deepdell Creek and the Mare Burn.                                                                                     | 5 years      | 35 years |



| Resource Consent Sought                                                                                                                                                                                                                                                                                                                          | Lapse Period   | Duration |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------|
| A <b>Water Permit</b> to dam water in ponds at the Water Treatment Plant for the purposes of sediment control and water treatment.                                                                                                                                                                                                               | 5 years        | 35 years |
| A <b>Discharge Permit</b> to discharge solids residue and brine from the Water Treatment Plant to Frasers TSF for the purpose of disposal of water treatment residues.                                                                                                                                                                           | 5 years        | 35 years |
| A <b>Land Use Consent</b> for the excavation, drilling or other disturbance of land associated with the construction of a deep well injection bore in the Frasers Underground Mine.                                                                                                                                                              | Does not lapse | 35 years |
| A <b>Discharge Permit</b> to discharge solids residue and brine from the Water Treatment Plant to groundwater in Frasers Underground Mine for the purpose of disposal of water treatment residues.                                                                                                                                               | Does not lapse | 35 years |
| A <b>Water Permit</b> to take groundwater from Frasers Underground Mine to facilitate the discharge of water treatment residues to groundwater in Frasers Underground Mine and to use in the MWMS.                                                                                                                                               | Does not lapse | 35 years |
| <b>Golden Bar Mining Area</b>                                                                                                                                                                                                                                                                                                                    |                |          |
| <b>Golden Bar WRS</b>                                                                                                                                                                                                                                                                                                                            |                |          |
| A <b>Discharge Permit</b> to discharge of waste rock to land for the purpose of constructing, operating, maintaining and rehabilitating the Golden Bar WRS, and the associated discharge of contaminants (including sediment and seepage) to land and to water, and the associated discharge of contaminants from silt ponds and sumps to water. | 10 years       | 35 years |
| A <b>Water Permit</b> to permanently divert surface water around the Golden Bar WRS.                                                                                                                                                                                                                                                             | 10 years       | 35 years |
| A <b>Land Use Consent</b> for the disturbance and reclamation of the Clydesdale Creek Tributary for purpose of expanding the Golden Bar WRS.                                                                                                                                                                                                     | 10 years       | 35 years |



| Resource Consent Sought                                                                                                                                                                                      | Lapse Period   | Duration |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------|
| A <b>Water Permit</b> to dam water in Clydesdale Silt Pond for the purposes of sediment control and management of waste rock stack seepage.                                                                  | 35 years       | 35 years |
| <b>Golden Bar Pit</b>                                                                                                                                                                                        |                |          |
| A <b>Water Permit</b> to divert surface water around the Golden Bar Pit for the purpose of preventing surface water ingress and managing surface water runoff.                                               | 10 years       | 35 years |
| A <b>Land Use Consent</b> for the excavation, drilling or other disturbance of land associated with the construction of the Golden Bar Pit where it intercepts groundwater.                                  | 10 years       | 35 years |
| A <b>Water Permit</b> for the passive take of groundwater in the Golden Bar Pit including drainage from horizontal drainage holes drilled in the pit walls.                                                  | 10 years       | 35 years |
| A <b>Water Permit</b> to take and use surface water for the purpose of dewatering the Golden Bar Pit and for use in the MWMS.                                                                                | 10 years       | 35 years |
| A <b>Discharge Permit</b> to discharge waste rock to land for the purpose of backfilling Golden Bar Pit, and the associated discharge of contaminants (including sediment and seepage) to land and to water. | Does not lapse | 35 years |
| A <b>Water Permit</b> for the passive take of groundwater at the Golden Bar Pit for the purpose of facilitating pit lake closure.                                                                            | Does not lapse | 35 years |
| <b>Coal Creek Dam</b>                                                                                                                                                                                        |                |          |
| A <b>Water Permit</b> to take and use water from Coal Creek Dam as supplementary allocation for the purpose of flow augmentation.                                                                            | Does not lapse | 35 years |
| A <b>Discharge Permit</b> to discharge water from the Coal Creek Dam to Maori Hen Creek and Mare Burn for the purpose of flow augmentation.                                                                  | Does not lapse | 35 years |



| Resource Consent Sought                                                                                                                                                                                                                                                                          | Lapse Period   | Duration |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------|
| <b>Murphys Ecological Enhancement Area</b>                                                                                                                                                                                                                                                       |                |          |
| A <b>Water Permit</b> for the damming and diversion of water associated with the construction of culverts and ford crossings to enable the construction of predator proof fencing.                                                                                                               | 5 years        | 35 years |
| A <b>Land Use Consent</b> for the installation of culverts for the conveyance of surface water beneath access tracks or predator proof fencing in the MEEA, and associated stream bed disturbance.                                                                                               | 5 years        | 35 years |
| <b>Site-wide Activities</b>                                                                                                                                                                                                                                                                      |                |          |
| A <b>Discharge Permit</b> to discharge contaminants to air from mining operations in the Coronation Mining Area, Central Mining Area (including discharge from return vents at GPUG), and the Golden Bar Mining Area of the Macraes Operation.                                                   | 5 years        | 35 years |
| A <b>Land Use Consent</b> to undertake vegetation clearance, land disturbance, earthworks within, or within a 10 m setback from, natural inland wetlands for the purpose of the extraction of minerals and ancillary activities including the construction of Camp Creek Dam and Coal Creek Dam. | 5 years        | 35 years |
| A <b>Water Permit</b> to take and use groundwater associated with the capture of shallow seepage at the toe of WRSs by Seepage Capture Systems for use in the MWMS.                                                                                                                              | 5 years        | 35 years |
| A <b>Water Permit</b> to take surface water from silt ponds and sumps for use in the MWMS for the purpose of controlling the discharge of mine impacted waters to the environment and for treatment at the Water Treatment Plant.                                                                | 5 years        | 35 years |
| A <b>Discharge Permit</b> to discharge lime and ferric chloride to water in open pits, silt ponds and sumps for the purpose of treating mine impacted waters.                                                                                                                                    | Does not lapse | 35 years |



In addition to the resource consents outlined in Table 7-1, OGNZL seeks the following consent variations:

- > A **Variation to Water Permit RM10.351.12** (to permanently divert surface water around the Frasers WRS) to remove reference to Frasers North WRS, which is being relinquished, and other consequential changes to ensure integration with the MP4 consents.
- > A **Variation to Water Permit RM16.138.08** (to discharge water from the Coal Creek Freshwater Dam to Coal Creek for the purpose of operating the Coal Creek Freshwater Dam and supplementing flows in the Coal Creek and Mare Burn catchments) to update the conditions that control the discharge regime to enable optimised use of this facility once constructed.
- > A **Variation to Land Use Consent RM25.366.06** (vegetation clearance, land disturbance and earthworks within, or within a 10 m setback from, a natural inland wetland for the purpose of the extraction of minerals and ancillary activities for the purpose of constructing the Golden Bar Road Realignment) to enable effects on a natural inland wetland to be managed via an MP4 approval rather than this consent, thereby enabling the proposed Innes Mills Pit extension.

### 7.3 WILDLIFE ACT 1953

Approvals required for MP4 that would otherwise be required under the Wildlife Act as a Wildlife Approval which covers the following activities within the Project Site:

- > To catch alive, mark and liberate protected wildlife listed in Table 7-2 for the purpose of salvage associated with the vegetation clearance and mining activities within the Project Site; and
- > To incidentally harm or kill wildlife listed in Table 7-2 if the harm or death is not directly intended but is unavoidable and foreseeable and all reasonable effort has been made to meet the conditions in the approval.



**Table 7-2: Protected wildlife foreseeably affected by MP4**

| Common Name          | Scientific Name                                             | NZ Threat Classification           |
|----------------------|-------------------------------------------------------------|------------------------------------|
| McCann's skink       | <i>Oligosoma maccanni</i>                                   | Not Threatened                     |
| Southern grass skink | <i>Oligosoma chionocholes</i>                               | At Risk–Declining                  |
| Kōrero gecko         | <i>Woodworthia</i><br>"Otago/Southland large"               | At Risk–Declining                  |
| Herbfield skink*     | <i>Oligosoma murihiku</i>                                   | At Risk - Declining                |
| Otago Green*         | <i>Oligosoma</i> aff. <i>chloronoton</i><br>"eastern Otago" | At Risk - Declining                |
| Otago Skink*         | <i>Oligosoma ottagense</i>                                  | Threatened – Nationally increasing |
| Grand Skink*         | <i>Oligosoma Grande</i>                                     | Threatened – Nationally increasing |

\*These species have not been detected in the Project disturbance footprint but are included in the approvals sought out of an abundance of caution, noting that any salvage of these species would only be undertaken in consultation with DOC and under the oversight of expert herpetologists and in accordance with the Lizard Management and Monitoring Plan.

#### 7.4 HERITAGE NEW ZEALAND POUHERE TAONGA ACT 2014

Archaeological Authorities are sought pursuant to s42(4)(i) of the FTAA, being authorities as described in section 44(a) and (b) of the HNZPT Act that would otherwise be applied for under that FTAA. The Archaeological Authorities are required because MP4 will involve activities that will, or may, modify or destroy the whole or part of a number of recorded archaeological sites, and may also affect previously unidentified archaeological sites. The affected archaeological sites have been grouped into six separate areas and separate Archaeological Authorities are sought for each area. Approvals are sought for the recorded archaeological sites within those areas, as well as any previously unidentified archaeological sites that may be discovered within the wider extent of each area during project works.

##### > Coronation Pit and Trimbells WRS

- > I42/253 – Historic Fence line;



- > **Innes Mills and Macraes Road Realignment**
  - > I42/50 – Chinese Camp;
  - > I42/49 – Gay Tan’s Cottage;
  - > I42/215 – Innes Farm;
  - > I42/214 – Griffin House/ Development House and other possible rural domestic sites in the upper township;
- > **Golden Bar Bit and WRS**
  - > I43/190 – Sluicing;
- > **Coal Creek Dam**
  - > I42/98 – NZ Gold and Tungsten Battery;
  - > I42/221 – Coal Creek Alluvial Workings;
- > **Camp Creek Dam**
  - > I42/148, I42/149, I42/150, I42/151, I42/152, I42/155, and I42/156 – Camp Creek Alluvial Workings: water race, prospecting pits, alluvial workings, and associated hut foundations;
- > **MEEA**
  - > I43/191 – Murphys Creek Alluvial Mining;
  - > I42/256 – Stacked schist culvert; and
  - > I42/257 – Fence Line.

While Origin (2026a) identifies the recorded archaeological sites that will be affected by MP4, OGNZL acknowledges that there is potential for further (yet unidentified) heritage and / or archaeological values to be discovered as the proposed MP4 activities are undertaken. To account for this, the Archaeological Management Plans include standard Accidental Discovery Protocols which will be followed after the discovery of any unexpected archaeological material.

Approval is also sought pursuant to clause 7 of Schedule 8 of the FTAA for a person nominated to undertake activities under the Archaeological Authorities. The details for this person are set out in Appendix G to Origin (2026b) contained in **Part B** of this substantive application.



## 7.5 FRESHWATER FISHERIES REGULATIONS 1983

Approvals required for the MP4 Project that would otherwise be required under the Fisheries Regulations are:

- > A **dispensation** under Regulation 43 (damming or diverting a watercourse) of the Freshwater Fisheries Regulations for the various diversion structures and culverts in the impacted reaches to include a provision for fish passage; and
- > **Approvals** for complex freshwater fisheries activities<sup>29</sup> in relation to Regulation 42 (culverts) for:
  - > The Coal Creek Dam, including overflow outlets structures; and
  - > The Camp Creek Dam, including overflow outlet structures.

With regard to the various diversion structures and culverts in the impacted reaches, approvals for standard freshwater fisheries activities are considered 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).

Environmental DNA sampling discussed in Viridis (2026a) suggests no fish are present in Trimbells Gully, and the presence of a complete fish barrier in the sediment ponds in both Trimbells Gully and the Clydesdale Creek tributary, means the likelihood of fish being present in the impacted reaches of the streams is very low. Viridis (2026a) therefore considers the impact on fish habitat to be negligible. Viridis (2026a) recommends fish salvage is undertaken at the same time that the works to reclaim the permanent reach of Trimbells Gully are undertaken, and does not consider fish salvage necessary upstream of the fish barriers (sediment pond) in both Trimbells Gully and the Clydesdale Creek tributary.

Considering the above, it is considered that there is no requirement for the various diversion structures and culverts to include a provision for fish passage, and a dispensation is sought accordingly.

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<sup>29</sup> Under section 4 (interpretation) of the FTAA 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.



Viridis (2026b) notes that the dams across Coal Creek and Camp Creek will constitute a complete barrier to fish passage and are considered to be complex freshwater fisheries activities for which OGNZL is seeking approvals. It is however noted that no detrimental impacts on resident fish populations are expected due to the non-migratory nature of flathead galaxiid and the very limited eel habitat.

As discussed in **Part A.06** of this report, OGNZL also proposes culverts in the MEEA. Although these culverts can be designed to provide for fish passage, the specific location, size and design of this culvert cannot be determined until detailed design therefore the placement and use of the culvert in this creek cannot be demonstrated to meet the permitted conditions for culverts in the National Environmental Standards for Freshwater (“**NES-F**”) and consent is therefore required. Detailed culvert design (in accordance with the relevant information requirements in the NES-F) will be provided following the installation of the culverts in the MEEA to ensure baseline flows can continue to be provided.

