

Memorandum on Completeness and Scope

File FTAA-2504-1046

Application Waihi North

To Elliott Dennett, Team Leader LOA

From [REDACTED]

Date 01/05/2025

Subject Assessment whether the application complies with section 46(2) of the Fast-track Approvals Act 2024

Purpose

1. The purpose of this memo is to assist you in making your decision on whether the Waihi North application, received by the Fast-track Team on 10 April 2025 lodged by Oceana Gold (New Zealand) Limited complies with the requirements of section 46(2) of the Fast-track Approvals Act 2024 (**the Act**).

Decision-maker

2. You have delegated authority to make the decision under section 46 of the Act under the instrument of delegation dated 5 February 2025.

Conflict of interest

3. I confirm that I do not have any conflict of interest in this matter that would prevent me making this assessment.

The application

4. For projects listed in Schedule 2 of the Act and referred projects, authorised persons may lodge a substantive application for approvals available under the Act.
5. Waihi North is a listed project.
6. The EPA received the substantive application for Waihi North on 10 April 2025 by Oceana Gold (New Zealand) Limited. The EPA must, in consultation with the relevant administering agencies and relevant consent authorities, decide whether this substantive application complies with section 46 of the Act by 6 May 2025.

7. As set out in more detail below, the EPA must decide whether the application is complete and either:
 - provide the application to the Panel Convener for consideration and decision by the expert consenting panel (if complete and within scope); or
 - return it to the person who lodged it (if incomplete and not within scope).

Project

8. The project is described in Schedule 2 of the Act as:

In stages, expand the existing gold and silver mining operations, including establishing new open pit and underground mines, and extending the life of the mine from expiry in 2030 to 2040, including—

 - *exploration drill sites within Department of Conservation land, including 4 ventilation shafts and 4 new geotechnical drilling sites*
 - *a new underground mine at Wharekirauponga with associated twin decline access to explore and mine including 4 ventilation or escapeway shafts capped at surface*
 - *a new open pit on Oceana Gold (New Zealand) Limited’s private land at Gladstone Hill (with capacity to co-dispose waste and tailings)*
 - *a third tailings storage facility plus a new rock storage facility (with capacity to co-dispose waste and encapsulated filtered tailings)*
9. The project is described in the application¹ as:
 - The undertaking of further mineral resource investigation and exploration progression at Wharekirauponga;
 - The establishment of a surface facilities area to house the surface infrastructure necessary to facilitate the development and operation of mining activities at an underground mine (the Wharekirauponga Underground Mine (“WUG”), located on OGNZL owned farmland on Willows Road (“Willows SFA”). These facilities include a temporary waste rock stockpile, being the Willows Rock Stack (“WRS”);
 - The construction, operation, and maintenance of an access portal (“Willows Portal”) and associated tunnel decline (“Willows Access Tunnel”);
 - The construction, operation, and maintenance of a dual tunnel (“WUG Dual Tunnel”) extending from the termination of the Willows Access Tunnel to the Wharekirauponga orebody;
 - The construction operation, and maintenance of a tunnel (“the Wharekirauponga Access Tunnel”) connecting the southern terminus of the WUG Dual Tunnel to the existing Waihi SFA located off Baxter Road;
 - The construction, operation, and maintenance of an access portal (“the WUG Portal”) to the Wharekirauponga Access Tunnel at the Waihi SFA adjacent to the Processing Plant;

¹ Page 4-6, Document A.04

- The construction, operation, and maintenance of the WUG at Wharekirauponga;
- The construction, operation, and maintenance of the Gladstone Open Pit (“GOP”), being a new open pit mine located to the southwest of the existing Waihi SFA, which at the completion of open pit mining activities will be utilised as a TSF (“GOP TSF”);
- The establishment and operation of the Northern Rock Stack (“NRS”), being a waste rock stockpile located to the east of the Waihi SFA;
- The establishment and operation of TSF3, being a new TSF located to the east of the existing TSF1A;
- An upgrade of the existing Processing Plant located within the Waihi SFA to provide for additional ore processing associated with the WNP;
- An upgrade of the existing WTP located within the Waihi SFA, to double its current treatment capacity to provide for the additional treatment requirements associated with the WNP;
- The re-consenting of existing treated water discharge consents from the WTP;
- The establishment of new treated water discharge pipelines;
- The handling and salvage of native frogs, lizards and avifauna – both on public conservation land, and on privately owned land;
- On public conservation land:
 - Mining and exploration activities;
 - Surface water, groundwater and geotechnical investigations and monitoring (including the installation, maintenance and replacement of equipment, and continued use of existing equipment);
 - Long term monitoring of native frogs and research associated with the efficacy of predator control strategies and techniques to improve populations of native frogs;
 - Conservation / planting / habitat enhancement activities (including pest control, monitoring and maintenance);
 - Low impact monitoring activities;
 - Continued occupation for a laydown and bridge footings for the existing Mill Bridge, and an existing heavy vehicle crossing of the Ohinemuri River (refer to Section 2.10.6);
 - Activities ancillary to those listed above;
- The damming or diverting of watercourses;
- The salvaging of aquatic species from the footprints of the WRS, the NRS, and TSF3, and their release into nearby streams;
- The undertaking of works in areas with recognised heritage and / or archaeological values; and
- The undertaking of mine remediation and closure activities.
- Establish and implement a \$8.4 million predator control and ecological enhancement project (“the Waihi North Biodiversity Project”) within an area of up to 18,870 ha of the southern Coromandel Forest Park

10. For administration purposes only, the applicant has categorised the proposed activities by geographical location and divided them into seven areas.² There is also a small list of activities that fall outside those areas. The activities are further detailed by project area from page 35 of Document A.05.
11. As outlined in Checklist A, I consider that the application is within scope.

Fast-track consenting application process

Legislative context

12. The EPA must decide whether the substantive application complies with section 46(2) of the Act. A substantive application complies with section 46(2) of the Act, if the application:
 - complies with sections 42, 43 and 44;
 - relates solely to a listed project or a referred project;
 - the EPA considers that, on the face of the application, the project does not appear to involve an ineligible activity; and
 - any fee, charge, or levy payable under the Fast-track Approvals (Cost Recovery) Regulations 2025 (the Regulations) in respect of the application is paid.

Section 42 Requirements

13. Section 42 of the Act states that an authorised person may lodge a substantive application for one project or substantive applications for each stage of a project. Section 42(4) lists the approvals that may be sought under the Act.

Section 43 Requirements

14. Section 43 of the Act sets out the requirements for a substantive application. A substantive application must be lodged in the form and manner approved by the EPA and must include the information listed in this section. Assessment of section 43 requirements is included at Appendix 1.

Section 44 Requirements

15. Section 44 of the Act requires that the information provided by the applicant under section 43 must be specified in sufficient detail to satisfy the purpose for which it is required. Assessment of section 44 sufficiency is included at Appendix 1.
16. In assessing the sufficiency of information provided by the applicant, we rely on the information provided to us through consultation with each relevant administering agency and consent authority, as summarised in Appendix 2.

² See page 6 and 9 of Document A.04.

17. As set out in more detail in Appendix 2, some of the agencies consulted have advised that the information required by section 44 is provided in **insufficient** detail to satisfy the purpose for which it is required.

Ineligibility

18. The EPA needs to decide whether it considers that, on the face of the application, the project does not appear to involve an ineligible activity, as defined in section 5 of the Act. As the EPA has to consider this on the face of the application, the EPA is only able to consider information contained in the application materials.

19. The list of ineligible projects includes activities:

- on land returned under a Treaty settlement, on identified Māori Land, on Māori customary land, on land set apart as Māori reservation, or in a customary marine title or protected customary rights area without written permission from the rights holder;
- on Māori customary land, or land set apart as Māori reservation under Part 17 of Te Ture Whenua Māori Act 1993;
- in a customary marine or protected customary rights area without written agreement from the rights holder/group;
- within an aquaculture settlement area without the required authorisation;
- activities that would be prevented under section 165J, 165M, 165Q, 165ZC, or 165ZDB of the RMA (which deal with occupation of space in the common marine and coastal area); or
- that require permissions on national reserves held under the Reserves Act 1977 ; or
- on land listed under clauses 1 to 11 or 14 of Schedule 4 of the Crown Minerals Act 1991 (and clauses 12 and 13 for mining activities).

20. For the reasons set out in Checklist J, I consider that, on the face of the application, the project does not appear to involve an ineligible activity.

Fees and levies

21. The EPA has received all fees, charges and levies payable by the applicant under the Regulations for the substantive application as follows:

- Application fee in the sum of \$250,000 plus GST;
- Levy in the sum of \$7,000 plus GST, noting that the EPA made the decision to waive 95% of the levy.

Consultation

22. We have consulted with and considered consultation responses from the following relevant administering agencies and relevant consent authorities:

- with Waikato Regional Council, Thames-Coromandel District Council, and Hauraki District Council, and the Ministry for the Environment for an approval described in section 42(4)(a) (resource consent)
- with the Department of Conservation for:

- i. an approval described in section 42(4)(e) (concession)
 - ii. an approval described in section 42(4)(h) (Wildlife Act wildlife approval)
 - iii. an approval described in section 42(4)(l) or (m) (access arrangement)
 - iv. an approval described in section 42(4)(j) (complex freshwater fisheries activity approval)
- with Heritage New Zealand Pouhere Taonga and the Ministry for Culture and Heritage for an approval described in section 42(4)(i) (archaeological authority);
 - with the Ministry of Business, Innovation and Employment for an approval described in section 42(4)(l) or (m) (access arrangement).
23. A summary of the consultation is included at Appendix 2.

Assessment of compliance for each section of each application form

24. We have assessed the application materials against the relevant checklists in the prescribed application form. Each assessment is contained within the appropriate approval checklist. These are included in Appendix 1 for ease of reference.
25. My view is that the application **does comply** with section 46 and the EPA may now notify the applicant of its decision.
26. The EPA must now decide whether the substantive application has a competing application under section 47(3) (under delegation from the Minister for Infrastructure under section 47(10)) within 10 working days from the date of the completeness decision.
27. Once the EPA has made the decision under section 47(3), the EPA can provide the application to the panel convener to commence consideration and decision of the application by the panel.

Appendix 1: Assessment of section 44 sufficiency

This application seeks the following approval(s) under the Act:

- A resource consent, change to or cancellation of a resource consent: **checklist A**
- A concession that would otherwise be applied for under the Conservation Act 1987: **checklist D1**
- A wildlife approval: **checklist E.**
- An archaeological approval: **checklist F.**
- Complex freshwater fisheries approval: **checklist G**
- An access arrangement or variation to an existing access arrangement that would otherwise be applied for under section 61 of the Crown Minerals Act 1991: **checklist I.**
- Information requirements for all applications **checklist J.**

Checklist A - Resource consent, change to or cancellation of a resource consent

Clause, Schedule 5	Information required for an approval described in section 42(4)(a) (resource consent) and/or section 42(4)(b) (change or cancellation of resource consent), Clauses 5-8 of Schedule 5	Application Reference (Name of document, section and page)	EPA office use only – EPA comments on completeness
5(1)(a)	A description of the proposed activity	Files A.05 pg 31 and A.06, pg	Yes See also page 4-6, Document A.04.
5(1)(b)	<p>A description and map of the site at which the activity is to occur, including whether the site is within or adjacent to—</p> <ul style="list-style-type: none"> i. a statutory area (as defined in the relevant Treaty settlement Act); or ii. ngā rohe moana o ngā hapū o Ngāti Porou (as defined in section 11 of the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019); or iii. a protected customary rights area under the Marine and Coastal Area (Takutai Moana) Act 2011 	Files A.05, pg 31 and A.06, pg 194	Yes A map of project areas provided on page 9 of Document A.04. The applicant has identified that the project is not located in a protected customary rights area on page 567 of Document A.11. The project is not located within or adjacent to ngā rohe moana o ngā hapū o Ngāti Porou. Information regarding treaty settlements in relation to the project area is provided on page 647-653 of Document A.11.
5(1)(c)	<p>Confirmation that the consent application complies with section 46(2)(a), (b), and (d); being:</p> <ul style="list-style-type: none"> • section 42; and 	Files A.11, Section 8.7.1, pg 568	Yes Confirmation provided on page 568-169 of Document A.11.

	<ul style="list-style-type: none"> • sections 43 and 44; and • relates solely to a listed project or a referred project; and • any fee, charge, or levy payable under regulations in respect of the application is paid. <p><i>Guidance note: Section 46 provides for the EPA to decide whether the substantive application is complete and within scope. The EPA will need to be satisfied that the application complies with these requirements. These matters are addressed throughout the substantive application form and relevant checklist.</i></p>	<p>Section 42 and 43:</p> <ul style="list-style-type: none"> • The project has been lodged by the authorized person. • Lodged in the form and manner approved by the EPA. • How the project is consistent with the purpose of the FTAA is addressed page 10-11 of Document A.04 and page 559 of Document A.11 • The project is not proposed to occur in stages as per page 32 of Document A.05. • The applicant has stated that the project does not involve any ineligible activities on page 567-568 of Document A.11. • Has only been lodged by one approved person. • The application fee and levy have been paid in full. • An assessment against the requirements of Section 43(2) is provided in Checklist J below. • Assessments against the applicable requirements of Section 43(3) are provided in the relevant checklists below. <p>In terms of scope, there are differences between what is outlined in Schedule 2 of the Act and what the applicant has described in their proposal (see paragraph 8, 9 and 10 above).</p>
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			<p>The description provided in the Act specifies that the project will occur in stages, however the application states that the project will not occur in stages, but that there will be a logical sequence to the activities.³ As the activities will happen over a long period regardless of whether the project occurs in stages or not, I do not think this change is enough of a material difference to effect scope.</p> <p>The description in the Act identifies some of the activities involved in the project, but also includes the broad wording of “<i>expand the existing gold and silver mining operations, including establishing new open pit and underground mines, and extending the life of the mine from expiry in 2030 to 2040.</i>”</p> <p>The description provided by the applicant includes many activities that aren’t specified in the Act’s description, such as upgrades to a processing plant, the establishment of new treated water discharge pipelines, and the handling of native fauna. However, it is evident that the activities that have been identified will support or be ancillary to the project, given they will facilitate the expansion of the existing mining operations, or mitigate effects, and are therefore within scope.</p>
5(1)(d) and 5(6)	The full name and address of— i. each owner of the site and of land adjacent to the site; and	Files J.01 (non-redacted), pg 1 and J.02 (redacted), pg 1.	Yes Provided in Document J.01.

³ Page 32 of Document A.05

	<p>ii. each occupier of the site and of land adjacent to the site whom the applicant is unable to identify after reasonable inquiry;</p> <p>If the applicant is not able to supply the name and address of the owner and each occupier of the site and of land adjacent to the site because the land is Māori land in multiple ownership, the applicant must include a statement to that effect (clause 5(6)).</p>		
5(1)(e)	A description of any other activities that are part of the proposal to which the consent application relates	Files A.05, pg 31.	<p>Yes</p> <p>A description of existing mining activities is provided in Document E.01.</p> <p>A table describing existing authorisations and their relationship to the project is provided in Document E.02.</p> <p>Existing authorisations, approvals and activities are further detailed on page 194-211 of Document A.06.</p>
5(1)(f)	A description of any other resource consents, notices of requirement for designations, or alterations to designations required for the project to which the consent application relates	Files A.05, pg 31, and A.06 (section 3.2), pg 194.	<p>Yes</p> <p>Future extensions/renewals of existing consents and other consents that will be applied for are detailed as below.</p> <p>Page 55 of Document A.05: “<i>The water take associated with the existing three pumps is authorised by WRC RC119755. OGNZL intend to seek resource consent for the pump sites themselves during the renewal of RC119755.</i>”</p>

		<p>Page 127 of Document A.05: <i>“Cutback for the proposed portal will require an extension of the existing clean water diversion around the Polishing Pond Stockpile and WTP (Resource Consent 109743).”</i></p> <p>Page 480 of Document A.09: <i>“OGNZL will also need to obtain building consent under the Building Act 2004 for TSF3 and its collection ponds due to their classification as large dams.”</i></p> <p>Page 1 of Document I.01: <i>“If these activities are not undertaken by or on behalf of DOC, they will require resource consent as a non-complying activity (Rule 5.2.4.5).”</i></p> <p>Page 343, Document A.07: <i>“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;</i></p> <p><i>Authority from the Waikato Fish and Game Council under section 51(1)(a) of the Fisheries Regulations for the use of electric fishing machines;</i></p> <p><i>Authority from the Department of Conservation under section 51(1)(b) of the Fisheries Regulations for the use of electric fishing machines;</i> <i>and</i></p> <p><i>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.”</i></p>
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5(1)(g)	An assessment of the activity against sections 5, 6 and 7 of the Resource Management Act 1991	File A.11 Section 8.7.2, pg 570	Yes Assessment provided on page 570-573 of Document A.11.
5(1)(h) (and also Clauses 5(2) and 5(3))	<p>An assessment of the activity against any relevant provisions in any of the following documents:</p> <ul style="list-style-type: none"> • a national environmental standard: • other regulations made under the Resource Management Act 1991: • a national policy statement: • a New Zealand coastal policy statement: • a regional policy statement or proposed regional policy statement: • a plan or proposed plan: • a planning document recognised by a relevant iwi authority and lodged with a local authority. <p>This assessment must include an assessment of the activity against the requirements set out in clause 5(3) of Schedule 5 being:</p> <ul style="list-style-type: none"> • any relevant objectives, policies or rules in the documents listed; and 	File A.11, Section 8.7.2, pg 570	<p>Yes</p> <p>Assessments provided against the following in Document A.11:</p> <p><u>National Environmental Standards for Freshwater</u> (page 574-575)</p> <ul style="list-style-type: none"> • Project activities that require approval under the NESF are listed on page 335-336 of Document A.07. • Regulation 45D(6) is assessed. • See also Document I.01. <p><u>National Environmental Standard for Air Quality</u> (page 575)</p> <ul style="list-style-type: none"> • Further consideration provided on page 504 of Document A.09. <p><u>National Environmental Standard for Assessing and Managing Contaminants in Soil</u> (page 575-576)</p> <ul style="list-style-type: none"> • See also Document I.01. <p><u>National Environmental Standard for Sources of Human Drinking Water</u> (page 576-577)</p> <ul style="list-style-type: none"> • Clauses 7, 8 and 12 are assessed.

	<ul style="list-style-type: none"> • any requirement, condition, or permission in any rules in any of those documents; and • any other requirements in any of those documents 	<p><u>National Environmental Standard for Electricity Transmission Activities</u> (page 577)</p> <ul style="list-style-type: none"> • See also Document I.01. <p><u>National Policy Statement for Freshwater Management</u> (page 578-591)</p> <ul style="list-style-type: none"> • Policies 1-3, 5-13, and 15 assessed. <p><u>National Policy Statement for Highly Productive Land</u> (page 591-592)</p> <ul style="list-style-type: none"> • Policy 8 and Clause 3.9(2)(j)(iii) assessed. <p><u>National Policy Statement for Indigenous Biodiversity</u> (page 592-599)</p> <ul style="list-style-type: none"> • Policies 1-3, 7, 8, 10, 13, and 14 are assessed. • Effects on SNA 166 and SNA T13 P152 are assessed. <p><u>Waikato Regional Policy Statement</u> (page 599-615)</p> <ul style="list-style-type: none"> • Objectives and policies assessed. • See also Document I.01. <p><u>Waikato Regional Plan</u> (page 615-634)</p> <ul style="list-style-type: none"> • Objectives and policies assessed. • See also Document I.01.
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		<p><u>Hauraki District Plan</u> (page 634-645)</p> <ul style="list-style-type: none">• Objectives and policies assessed.• See also Document I.01. <p><u>Thames Coromandel District Plan – Operative in Part</u> (page 645-646)</p> <ul style="list-style-type: none">• Objectives and policies assessed.• See also Document I.01. <p>The Thames Coromandel District Council have raised that they disagree with the applicant’s assessment of the District Plan – Operative in Part. TCDC’s assessment is that the activities proposed in their district would be defined as Underground Mining (therefore Mining) activities, and would be non-complying activities as a result.</p> <p>The Act requires that the applicant provides an assessment against the relevant plans, including the relevant objectives, policies or rules in those plans and any requirement, condition, or permission of those rules.</p> <p>My view is that the applicant has met this requirement and what TCDC has raised does not change this, noting also that non-complying activities can be applied for under the Act. The points raised by TCDC should be passed on to the Panel (if one is appointed to consider the application) to inform their consideration.</p>
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			<u>Whaia te Mahere Taiao a Hauraki - the Hauraki Iwi Environmental Plan</u> (page 646-647)
5(1)(i)	Information about any Treaty settlements that apply in the area covered by the consent application, including— i. identification of the relevant provisions in those Treaty settlements; and ii. a summary of any redress provided by those settlements that affects natural and physical resources relevant to the project or project area	File A.11, Section 8.7.3.15, pg 647	Yes Information provided on page 647-654 of Document A.11.
5(1)(j)	A list of any relevant customary marine title groups, protected customary rights groups, ngā hapū o Ngāti Porou (where an application is within, adjacent to or directly affecting ngā rohe moana o ngā hapū o Ngāti Porou), or applicants under the Marine and Coastal Area (Takutai Moana) Act 2011;	n/a	N/A – project is not located within the marine coastal area.
5(1)(k)	The conditions that the applicant proposes for the resource consent.	Files D.01 – D.11	Yes Provided in Documents D.01-11 as stated.
5(1)(l)	if a notice under section 30(3)(b) or (5) has been received,—	Files F.05 and F.06	Yes

	<ul style="list-style-type: none"> i. a copy of that notice showing that it was received within the time frame specified in section 30(6)(b); and ii. if a notice has been received under section 30(5), any more up-to-date information that the applicant is aware of about the existing resource consent referred to in the notice. 		Notices provided from Waikato Regional Council, Thames-Coromandel District Council and Hauraki District Council. Application was made within three months of all three notices.
5(4)(a)	<p>An assessment of the activity's effects on the environment that includes the information required by clause 6.</p> <p><i>Guidance note: See rows below for requirements in clause 6.</i></p>	File A.09, Section 6, pg 373	
5(4)(b)	<p>An assessment of the activity's effects on the environment that covers the matters specified in clause 7.</p> <p><i>Guidance note: See rows below for requirements in clause 7.</i></p>	Files A.09, pg 373, and A.10, pg 538, and File F.01	
6	<ul style="list-style-type: none"> 1. The assessment of an activity's effects on the environment must include the following information: <ul style="list-style-type: none"> a. an assessment of the actual or potential effects on the environment: b. if the activity includes the use of hazardous installations, an assessment of any risks to the environment that are likely to arise from such use: 	Files A.09, pg 373, and A.10 pg 538, and File F.01	<p>Yes</p> <ul style="list-style-type: none"> a. Assessed in Document A.09. b. Assessed – page 515-520 of Document A.09. c. Discharges to air described on page 436 and 504-505, sediment discharges described on page 449-450 of Document A.09.

	<ul style="list-style-type: none"> c. if the activity includes the discharge of any contaminant, a description of— i. the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and ii. any possible alternative methods of discharge, including discharge into any other receiving environment: d. a description of the mitigation measures (including safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effect of the activity: e. identification of persons who may be affected by the activity and any response to the views of any persons consulted, including the views of iwi or hapū that have been consulted in relation to the proposal: f. if iwi or hapū elect not to respond when consulted on the proposal, any reasons that they have specified for that decision: g. if the scale and significance of the activity's effects are such that monitoring is required, a description of how the effects will be monitored and by whom, if the activity is approved: 		<ul style="list-style-type: none"> d. Described on page 538-552 of Document A.10. e. Provided, see Document J.01 for list of adjacent landowners, and Document F.01 for a summary of consultation and views of iwi. f. Summary of consultation with iwi provided on page 19-27 of Document F.01. g. Description provided on page 538-552 of Document A.10. h. N/A – project is not within a customary rights area.
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	<p>h. an assessment of any effects of the activity on the exercise of a protected customary right.</p> <p><i>Guidance note: Clause 6(2) provides that a consent application need not include any additional information specified in a relevant policy statement or plan that would be required in an assessment of environmental effects under clause 6(2) or 7(2) of Schedule 4 of the Resource Management Act.</i></p>		
7	<p>The assessment of an activity's effects on the environment must cover the following matters:</p> <p>a. any effect on the people in the neighbourhood and, if relevant, the wider community, including any social, economic, or cultural effects:</p> <p>b. any physical effect on the locality, including landscape and visual effects:</p> <p>c. any effect on ecosystems, including effects on plants or animals and physical disturbance of habitats in the vicinity:</p> <p>d. any effect on natural and physical resources that have aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations:</p>	<p>Files A.09, pg 373, and A.10, pg 538.</p>	<p>Yes</p> <p>In Document A.09:</p> <p>a. Cultural effects assessed on page 375-378, economic effects assessed on page 379-381, and social effects assessed on page 381, and 524-531.</p> <p>b. Landscape and visual effects are assessed on page 460-472.</p> <p>c. Ecosystem and habitat effects assessed on page 421-460, and in multiple accompanying expert reports provided as part of Part B of the application.</p> <p>d. Effects on recreation and tourism assessed on page 500-504, and archaeological and historic heritage effects are assessed on page 511-515.</p>

	<p>e. any discharge of contaminants into the environment and options for the treatment and disposal of contaminants:</p> <p>f. any unreasonable emission of noise:</p> <p>g. any risk to the neighbourhood, the wider community, or the environment through natural hazards or hazardous installations.</p>		<p>e. Discharges to air described on page 436 and 504-505, sediment discharges described on page 449-450. Water treatment is addressed on page 384-388.</p> <p>f. Noise effects are assessed on page 484-492.</p> <p>g. Natural hazards are addressed on page 480, and hazardous substances are assessed on page 515-519.</p>
5(5)(a)	If a permitted activity is part of the proposal to which the consent application relates, a description that demonstrates that the activity complies with the requirements, conditions, and permissions for the permitted activity (so that a resource consent is not required for that activity under section 87A(1) of the Resource Management Act 1991)	File I.01	<p>Yes</p> <p>Descriptions provided in Document I.01.</p>
5(5)(b)	If the activity is to occur in an area that is within the scope of a planning document prepared by a customary marine title group under section 85 of the Marine and Coastal Area (Takutai Moana) Act 2011 or the environmental covenant prepared by ngā hapū o Ngāti Porou under section 19 of the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019, an assessment of the activity against any resource management matters set out in that document	n/a	N/A – project is not within the marine coastal area.
5(5)(c)	If the activity is to occur in an area that is taiāpure-local fishery, a mātaimai reserve, or an area that is subject to bylaws made under Part 9 of the Fisheries Act 1996, an	n/a	N/A – project is not within an area that is taiāpure-local fishery, a mātaimai reserve, or an area that is subject to bylaws made under Part 9 of the Fisheries Act 1996.

	assessment of the effects of the activity on the use or management of the area.		
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Checklist D1 – Concession that would otherwise be applied for under the Conservation Act 1987

Clause, Schedule 6	Information required for an approval described in section 42(4)(e) (concession), clause 3 of Schedule 6	Application Reference (Name of document, section and page)	EPA Office use only – EPA comments on completeness
3(1)(a)	A description of the proposed activity	Files A.05, pg 31 and A.06. pg XXX (unreadable)	<p>Yes</p> <p>A description of the activities specific to the concessions is provided on page 654-662 of Document A.11.</p> <p>More detail on activities provided in Document A.05:</p> <ul style="list-style-type: none"> • Pest control: page 87. See also Document H.05 • Telemetry system: page 76-78 • Surface water monitoring and flow tracker: page 73-75 • Piezometers: page 42-45, 50-54, 75-76, and 121 • Low impact monitoring: page 79 <p>Rehabilitation planting: page 660 of Document A.11</p> <p>DOC have advised that they believe more detail would be needed regarding the “design, installation and maintenance of the telemetry system, river flow monitors, trackers and piezometers” however my view is that sufficient information has been provided in the application sections noted above to satisfy the requirements</p>

			<p>of clause 3(1)(a). Additionally, part of the application is to replace an existing concession for very similar activities that provide existing examples that the applicant has referred to for details such as design aspects (eg. Figure 2-25, page 75 of Document A.05).</p>
3(1)(b)	<p>A description, maps, and GPS co-ordinates identifying the places where the proposed activity will be carried out (including the classification of those places, the ownership and management arrangements, and, if applicable, the name, of the places)</p>	<p>Files A.05, pg 31 and A.06, pg 194.</p>	<p>Yes</p> <p>DOC have advised that they believe the mapping provided for all but the rehabilitation planting activities is insufficient. Noting that DOC do not reference Document H.06 which provides specific mapping and approximate coordinates for the water monitoring activities, my view is that the information provided is sufficient as outlined below.</p> <p>General concession area:</p> <p>Maps showing the concession areas in context to the surrounding area, as well as close-up maps with GPS corner or centre points are provided on page 655-658 of Document A.11</p> <p>The area for rehabilitation planting is clearly identified in these maps also.</p> <p>Maps of Area 1, including the northern concession area are in Document C.02.</p> <p>Records of title for Area 1 are in Document J.03.</p> <p>Pest control (referencing Document H.05):</p> <ul style="list-style-type: none"> • Maps of the proposed Wharekirauponga pest management area are on pages 12-14 • Maps showing approximate trap locations are provided on page 43-44

		<ul style="list-style-type: none">• A map of approximate locations for cameras and chew cards is on page 51 <p>Water monitoring:</p> <p>The applicant currently holds Concession 87585-OTH and is proposing to replace it with a new concession and access arrangement to obtain authorisation for the activities covered by Concession 87585-OTH for the life of the project. A description of what Concession 87585-OTH includes is provided on page 28 of Document E.02.</p> <p>As per page 73 of Document A.05: <i>“OGNZL proposes to undertake surface water monitoring at 12 locations for the WNP. Seven of these locations are new monitoring sites, while five of them are already established monitoring sites. OGNZL currently holds Concession 87585-OTH authorising the five existing sites.”</i></p> <p>And page 44: Concession 87585-OTH <i>“authorises the installation and drilling of six piezometers at existing drill sites, and the provision of an extension of term for four existing piezometers”</i></p> <ul style="list-style-type: none">• Figure 2-24 on page 74 of Document A.05 shows the existing and proposed surface water monitoring sites• Page 19 of Document H.06 shows the stream gauging station locations, including approximate coordinates.• The map on page 15 of Document H.01 shows the indicative drill site locations within the concession area.• Figure 3-1 on page 196 of Document A.06 shows the current Wharekirauponga drill site locations.
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			<ul style="list-style-type: none"> Figure 2-6 on page 44 of Document A.05 shows the proposed installation area for the piezometers. Page 14 of Document H.06 shows the piezometer location plan, including approximate coordinates.
3(1)(c)	Information about whether the project could reasonably be undertaken in another location, or in another conservation area or another part of the conservation area, where the potential adverse effects would be significantly less	File A.11, Section 8.7.3.7, pg 578.	<p>Yes</p> <p>As per page 658-659 of Document A.11</p>
3(1)(d)	<p>In the case of an application for:</p> <ul style="list-style-type: none"> a concession that would otherwise be applied for under the Conservation Act 1987, section 14AA of the Wildlife Act 1953, or section 49 of the National Parks Act 1980; or a concession as defined in section 2(1) of the Reserves Act 1977 that would otherwise be applied for under section 59A of that Act; <p>information about the extent to which the project is consistent with:</p>	File A.11, Section 8.8, pg 654.	<p>Yes</p> <p>Assessments against the Conservation General Policy 2005, Waikato Conservation Management Strategy, and the Coromandel Peninsula Conservation Land Management Plan are provided on page 662-670 of Document A.11</p> <p>DOC has highlighted that there are “a number of relevant provisions that have not been assessed within these documents” and have also advised that due to a boundary change the Waikato Conservation Management Strategy 1996 still has effect for a small section of the Project area. However, DOC have also advised that the updated information regarding the Waikato Conservation Management Strategy was not on their website at the time of their assessment - “DOC has not taken missing references to this CMS into our consideration in our assessment but recommend this is incorporated in the future.”</p>

	<ul style="list-style-type: none"> i. the relevant conservation management strategy and conservation management plan; ii. any conservation management strategies or conservation management plans that have been co-authored, authored, or approved by a Treaty settlement entity. 		
3(1)(e)	In the case of an application for a lease, licence, permit, or easement in respect of a reserve other than a Crown-administered reserve, information about the extent to which the project is consistent with any management plan approved under section 41 of the Reserves Act 1977	n/a	N/A
3(1)(f)	Information about the extent to which the project is in keeping with the purposes for which the land is held, status, ownership and administration	File A.11, Section 8.8.1, pg 654.	Yes Provided on page 659-660 of Document A.11
3(1)(g)(i)	A description of the potential effects (positive and negative) of the proposed activity	File A.09, pg 373.	Yes An assessment of effects of the wider project is provided in Document A.09.

			<p>In terms of effects specific to the concession activities, risks associated with 1080 for pest control are outlined on page 32 of Document B.40.</p> <p>The remaining concession activities are largely referred to by the applicant as 'management and mitigation measures' that are being used in response to adverse effects. For example, on page 402-203 of Document A.05, a summary of dewatering effects is provided, with the proposed management and mitigation measure being "<i>Utilise the existing monitoring system in place, with some additional piezometers, to monitor shallow groundwater levels to ensure no long-term lowering effects are observed.</i>"</p> <p>DOC have raised that the environmental, physical and visual effects of the various proposed installations are not addressed. Noting that the Act directs for a description of effects, rather than an assessment, my view is the applicant has provided sufficient information regarding these matters, for example:</p> <ul style="list-style-type: none"> • Page 75 of Document A.05 describes the options for installing a surface water monitoring station and provides a photo of an existing monitoring station for reference. • Page 76-78 of Document A.05 provides approximate dimensions of the telemetry systems, as well as photos of what the installed telemetry system gateway and node look like. • Page 100 of Document A.05 describes what will be involved in the proposed planting works for the Willows Concession.
3(1)(g)(ii)	A description of any actions that the applicant proposes to take to avoid remedy, mitigate, offset or compensate	File A.09, pg 371 and File A.10, pg 538.	Yes

	for any adverse effects of the proposed activity		<p>The proposed mitigation/management measures for the effects of the wider project are addressed in Document A.10.</p> <p>For the use of 1080 for pest control, page 30-32 of Document B.40 outlines the management plan for 1080, including monitoring, notification, and the best practice standards that will be followed.</p> <p>Proposed conditions for the Northern Concession Area include how visual effects, and effects on Kauri trees will be avoided and managed on page 5 of Document D.07.</p> <p>DOC are of the view that due to the points they raised regarding the applicant's description of effects in the above section, mitigation etc cannot be adequately addressed. In addition to the reasons I have outlined above, in my view the descriptions provided by the applicant are sufficient, especially considering many of the activities proposed in the concession areas are mitigation activities themselves.</p>
3(1)(g)(iii)	A description of details of the type of concession for which the applicant is applying	File A.05, pg 31, and File A.07, pg 320.	<p>Yes</p> <p>The types of concessions applied for are detailed on page 660 of Document A.11</p> <p>A description of the activities specific to the concessions is provided on page 654-662 of Document A.11.</p>
3(1)(h)	A statement of the proposed duration of the concession and the reasons for the proposed duration	File A.11, Section 8.9, pg 654.	<p>Yes</p> <p>Statement and reasons provided on page 660-661 of Document A.11.</p>

3(1)(i)	Relevant information relating to the applicant, including any information relevant to their ability to carry out the proposed activity (including whether the applicant or any company director, trustee, partner, or anyone else involved with the application has been convicted of any offence or has any current criminal charges pending before a court)	File A.11, Section 8.8, pg 654.	Yes Information regarding compliance history is provided on page 561-563 of Document A.11.
3(1)(j)	If applying for a lease, a licence granting an interest in land, or an easement, <ul style="list-style-type: none"> i. reasons for the request; and ii. sufficient information to satisfy the panel that, in terms of clause 7 (criteria for assessment of application for concession), it is appropriate under section 81(decisions on approvals sought in substantive application) to grant the lease, licence, or easement (as the case may be) 	File A.05, pg 31, and File A.11, Section 8.8, pg 654.	Yes Reasons for the request are outlined on page 661 of Document A.11. A license is being applied for in regards to the Northern Concession Area, and proposed terms and conditions are in Document D.07. DOC have advised that they do not believe that sufficient information has been provided to meet this requirement, however noting that DOC do not reference Document D.07, and the points I have raised earlier in this checklist, my view is that the information is sufficient.
3(1)(k)	Full details of any consultation undertaken with relevant iwi and with reserve owners and managers	File A.08, pg 344, and File F.01.	Yes Consultation with iwi is outlined on page 352-358 of Document A.08. Consultation with DOC is on page 348-349.

3(1)(l)	Information about financial and legal liabilities and obligations associated with the land	File A.11, Section 8.8, pg 654.	Yes See page 661-662 of Document A.11, Document J.03, and Document J.10
3(1)(m)	In the case of an application for a lease, licence, permit, or easement in respect of a reserve other than a Crown-administered reserve, where the reserve is owned or managed by a local authority, confirmation that the local authority has provided written agreement for the activity to be undertaken on the reserve	n/a	N/A
3(1)(n)	Confirmation that the applicant has written agreement from the holder of a right of first refusal or right of offer or return to waive that right for the purposes of any lease proposed in the application if— i. the proposed lease would be for a term (including any renewals) that will or is likely to be more than 50 years; and ii. the granting of the lease would trigger the right of first refusal or right of offer or return.	n/a	N/A

Checklist E – Wildlife approval

Clause, Schedule 7	Information required for an approval described in section 42(4)(h) (Wildlife Act approval), clause 2 of Schedule 7	Application Reference (Name of document, section and page)	EPA Office use only – EPA comments on completeness
2(1)(a)	Specify the purpose of the proposed activity	File A.05, pg 31.	<p>Yes</p> <p>Purpose specific to the Wildlife Approval is outlined on page 670-674 of Document A.11</p>
2(1)(b)	<p>Identify the actions the applicant wishes to carry out involving protected wildlife and where they will be carried out (whether on or off public conservation land)</p> <p><i>Guidance note: Under clause 2(2) if the substantive application is to be lodged by more than 1 authorised person, the reference to the applicant in subclause (1)(b) is to the authorised person who is identified in the application as the proposed holder of the wildlife approval.</i></p>	File A.05, pg 31, and File A.09, pg 373.	<p>Yes</p> <p>The proposed actions and land where they will be carried out is identified on page 670-671 of Document A.11.</p>
2(1)(c)	An assessment of the activity and its impacts against the purpose of the Wildlife Act	File A.11, Section 8.9, pg 670.	<p>Yes</p>

			Assessment included on page 664 of Document A.11, page 15 of Document B.37, page 72-74 of Document B.36
2(1)(d)	List protected wildlife species known or predicted to be in the area and, where possible, the numbers of wildlife present and numbers likely to be impacted	Files A.05, pg 31, A.06, pg 194, and A.09, pg 373.	<p>Yes</p> <p>Numbers of native lizards and frogs that are relevant to the wildlife approval are detailed as per below, with numbers of bats, birds, and invertebrates also addressed.</p> <p>Noting that the Act requires that the numbers of wildlife present and numbers likely to be impacted are to be listed where possible, the number of Hochstetter's frog has not been accurately estimated due to issues with the surveys done so far.</p> <p>From Document B.36:</p> <ul style="list-style-type: none"> • Info on the species of lizards, birds and bats previously recorded in the area, and during the assessment done by Biosearches is detailed on page 24-29. • Numbers of lizards and bats recorded in the Gladstone Pit area is detailed on page 32-33. • Info on lizards, bats and birds near the Northern Rock Stack and Existing Tailings Dams TSF1a and TSF2 is detailed on page 38-41. • Info on frogs, lizards, birds and bats in SNA 166 is detailed on page 53-56.

			<p>Page 29-38 of Document B.37 assesses the presence of native frogs, lizards, bats, birds, and invertebrates in the Coromandel Peninsula as well as project-specific sites.</p> <p>Estimates on the number of Archey’s frogs within the vibration footprint of the underground blasting are detailed on page 46-47 of Document B.41.</p> <p>Document B.42 assesses the results of surveys taken to estimate the Hochstetter’s frog population that could be affected by dewatering from the project. The assessment found that the results from the surveys could not be relied on due to multiple issues, and advised that “<i>Consequently, the surveys described in this report should be considered as pilot surveys used to develop a robust BACI (Before-After Control-Impact) monitoring programme in future.</i>” (page 1)</p> <p>DOC have raised that they do not consider the information provided by the applicant to be sufficient as “estimates of frogs and lizards likely to be salvaged and/or killed remain unclear” however the Act does not specify that this information must be provided, and also stipulates that numbers are to be provided ‘where possible.’ The estimates provided by the applicant would provide some indication of potential numbers of lizards and frogs impacted.</p>
2(1)(e)	An outline of impacts on threatened, data deficient, and at-risk wildlife species (as defined in the New Zealand Threat Classification System)	File A.09, pg 373	<p>Yes</p> <p>Impacts on Archey’s and Hochstetter’s frogs are outlined on page 422-427 of Document A.09.</p> <p>Impacts on lizards (including Copper and Moko skinks), bats, birds, and invertebrates are outlined on page 431, 433, 437-444 of Document A.09.</p>

2(1)(f)	A statement of how the methods proposed to be used to conduct the actions involving protected wildlife will ensure that best practice standards are met	File A.09, pg 373, and File A.11, Section 8.9, pg 670	<p>Yes</p> <p>Page 99 of Document H.02 states the following in regard to the lizard management plan: <i>“Notwithstanding the detection of only terrestrial skinks within the WNP area, the salvage methods described in this LMP are best practice and designed to detect and capture both terrestrial and arboreal lizards (e.g. skinks and geckos). That is, the methods are applicable across the range of lizard taxa that may potentially be encountered within the WNP footprint.”</i></p> <p>A similar statement is not included regarding the methods proposed for actions involving frogs, however DOC have noted that best practice does not exist for frogs to the same extent it does for lizards.</p>
2(1)(g)	A description of the methods to be used to safely, efficiently, and humanely catch, hold, or kill the animals and identify relevant animal ethics processes:	File A.09, pg 373.	<p>Yes</p> <p>A lizard management plan which outlines how lizards will be found, trapped, handled and contained is included in Document H.02.</p> <p>From Document H.01:</p> <ul style="list-style-type: none"> • How injured or dead lizards and frogs will be handled/contained is detailed on page 54. • How the risk of spreading pathogens to frogs while handling them will be managed is detailed on page 40, with reference to the “Native frog hygiene and handling protocols” that have also been included on page 62. • How frogs will be contained and relocated is detailed on page 33.

			<ul style="list-style-type: none"> Capture field methods for frogs are outlined on page 15-17 of Document B.58 <p>DOC found that information regarding the “safe capture, handling, package and transportation of frogs” was not sufficient. In my assessment I have found that specific information regarding the handling, package, and transportation of frogs is provided. While the application contains less detail on how frogs will be caught, many other aspects of the capture process are outlined in detail in the documents listed above.</p>
2(1)(h)	A statement of the location or locations in which the activity will be carried out, including a map (and GPS co-ordinates if available)	File A.05, pg 31.	<p>Yes</p> <p>Areas where activities will be carried out are detailed on page 670-671 of Document A.11.</p> <p>A map of the wider project area is on page 15 of Document H.01.</p> <p>A map of the planned lizard relocation area is on page 154 of Document A.05.</p>
2(1)(i)	A statement of whether authorisation is sought to temporarily hold or relocate wildlife	File A.11, Section 8.9, pg 670.	<p>Yes.</p> <p>Authorisation is sought as detailed on 670-671 of Document A.11.</p>
2(1)(j)	A list of all actual and potential wildlife effects (adverse or positive) of the proposed activity, including effects on the target species, other indigenous species, and the ecosystems at the site	File A.09, pg 373.	<p>Yes.</p> <p>Positive effects are described on page 378-384 of Document A.09.</p> <p>Adverse effects are described on page 421-460 of Document A.09.</p>

2(1)(k)	Where adverse effects are identified, state what methods will be used to avoid and minimise those effects, and any offsetting or compensation proposed to address unmitigated adverse effects (including steps taken before the project begins, such as surveying, salvaging, and relocating protected wildlife)	File A.09, pg 373, and File A.10, pg 533.	<p>Yes</p> <p>Document A.10 lists a range of mitigation and management options to avoid and minimise ecological effects.</p> <p>Methods for monitoring and relocating lizards and frogs are outlined in Document H.02 and Document H.01.</p> <p>A pest management plan is provided in Document H.05.</p> <p>DOC have raised that the information for this requirement is insufficient for the same reasons raised regarding clause 2(1)(g), however clause 2(1)(k) is more general in its wording, and the applicant has provided information regarding mitigation and compensation that in my view satisfies this clause.</p>
2(1)(l)	A statement of whether the applicant or any company director, trustee, partner, or anyone else involved with the application has been convicted of any offence under the Wildlife Act	File A.11, Section 8.9, pg 670.	<p>Yes</p> <p>Statement and information provided on page 561-563 of Document A.11.</p>
2(1)(m)	A statement of whether the applicant or any company director, trustee, partner, or anyone else involved with the application has any current criminal charges under the Wildlife Act pending before a court	A.11, Section 8.9, pg 670.	<p>Yes</p> <p>DOC have raised that the statement provided by the applicant on page 670 of Document A.11 contains a typo which makes it unclear as to whether there are any current criminal charges pending, however this information is provided in more detail and without the typo on page 561-563 of Document A.11. The information required is provided and is sufficient.</p>

2(1)(n)	Provision of proof and details of all consultation, including with hapū or iwi, on the application specific to wildlife impacts	Files F.01 – F.06.	<p>Yes</p> <p>Consultation is summarized in Document F.01, with copies of correspondence to and from relevant agencies included in Document F.03, F.04, F.05 and F.06. Agreements signed by affected parties are included in Document F.02.</p> <p>From Document F.01:</p> <ul style="list-style-type: none"> • Regarding iwi, it is noted in the summaries of consultation with Ngāti Porou ki Hauraki (page 22), and Ngāti Pū (page 23), that the 2022 version of the AEE was shared with them. • On page 25 under Iwi Feedback, it is mentioned that feedback from iwi has included emphasis on environmental protection. • On page 27, a short summary on how iwi will be involved in environmental management is provided, with mention that <i>“A key mechanism proposed in response, is to enable iwi input into the suite of management plans that address the various environmental aspects of the project, with provisions for this incorporated into the proposed conditions of consent.”</i> <p>Proposed conditions C9 to C15 (page 5-6) of Document D.02 outline iwi involvement in management plans, including those related to ecology.</p>
2(1)(o)	Provision of any additional written expert views, advice, or opinions the applicant has obtained concerning their proposal	Various reports provided in Part B – Technical Reports.	<p>Yes</p> <p>A range of expert reports concerning ecology have been filed with the application.</p>

Checklist F – Archaeological approval

Clause, Schedule 8	Information required for an approval described in section 43(3)(i) Archaeological Authority	Application Reference (Name of document, section and page)	EPA Office use only – EPA comments on completeness
2(1)(a)	a legal description of the land or, if one is not available, a description that is sufficient to identify the land to which the application relates	Files J.01 (non-redacted), and J.02 (redacted).	<p>Yes</p> <p>Document J.01 tabulates the legal descriptions and titles for areas 1-7.</p> <p>Documents J.03 to J.09 contains the Records of Titles for Areas 1-7.</p> <p>Which land parcels the legal descriptions relate to are shown in pages 230-26 of Document A.06.</p>
2(1)(b)	<p>the name of the owner of the relevant land, if the applicant is not the owner of the land</p> <p><i>Guidance note 1: If the substantive application is to be lodged by more than 1 authorised person, the reference to the applicant in subclause (1)(b) will be read as a reference to the authorised person who is to be identified in the application as the proposed holder of the archaeological authority.</i></p> <p><i>Guidance note 2: If multiple landowners will be affected, provide the legal description of the land owned by each affected owner.</i></p>	Files J.01 (non-redacted), and J.02 (redacted).	<p>Yes</p> <p>Document J.12 records the properties that are relevant to the Archaeology Authority.</p> <p>The maps relating to the legal descriptions to the project area(s) can be found in pages 230-236 of Document A.06.</p>

<p>2(1)(c)</p>	<p>proof of consent, if the owner of the relevant land has consented to the proposed activity</p> <p><i>Guidance note: Landowner consent in relation to an archaeological authority means that they have:</i></p> <ul style="list-style-type: none"> • <i>read and understood the description of proposed activity included in this application and acknowledge and accept any implications the activity may have on them and their land;</i> • <i>been consulted regarding the proposed activity and give their consent to the activity being carried out; and</i> • <i>have read and understood the following information on legal responsibilities concerning archaeological material:</i> <p><i>Archaeological material includes any material removed from an archaeological site. This can mean artefacts, faunal material, botanical material and environmental material.</i></p> <p><i>The conditions provided in an archaeological authority may require that analysis be undertaken on any archaeological material found. Once analysis is completed the long-term management and final repository of the material must be considered. When considering ownership, archaeological material can be classed as either:</i></p> <p><i>Taonga tūturu</i></p> <ul style="list-style-type: none"> • <i>defined in the Protected Objects Act 1975 as any artefact removed from an archaeological site that</i> 	<p>File A.11, Section 8.10, page 674.</p>	<p>Yes</p> <p>Document J.12 identifies the landowners and legal descriptions of land parcels relevant to the archaeological authority.</p> <p>Page 674 of Document A.11 lists who has given consent for the archaeological authority. This lists that “OGNZL consents to the proposed archaeological activities on all company owned properties associated with the WNP.”</p> <p>As OGNZ is the applicant, I consider this sufficient to constitute a record of consent.</p> <p>Page 674 also records that the applicant has gained approval agreements from the owners of 111, 112, and 122 Willows Road, and 131 Trig Road North (as per the approval agreements provided in Document F.02). However, those landowners are not identified in Document J.12 as relevant to the archaeological authority.</p> <p>Page 674 also records that formal consent is yet to be obtained from DOC.</p> <p>HNZPT have raised that “<i>The information required by clause 2(1)(c) of Schedule 8 has not been provided. Specifically, the application does not include proof of consent from the owners of the relevant land that they consent to the proposed activity. Please note that this proof of consent is not required to be provided prior to an archaeological authority decision being made, however it is required to be provided prior to the starting of the stated works.</i>”</p>
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	<p><i>relates to Māori culture, history, or society, and was or appears to have been manufactured or modified in New Zealand by Māori, or brought into New Zealand by Māori, or used by Māori, and is more than 50 years old.</i></p> <ul style="list-style-type: none"> <i>once found, the Crown assumes ownership</i> <i>the legislation relating to taonga tūturu is managed by the Ministry for Culture and Heritage. For further information please visit the Ministry's website at http://www.mch.govt.nz/nz-identity-heritage/protected-objects</i> <p><i>Other material (i.e. not taonga tūturu):</i></p> <ul style="list-style-type: none"> <i>this is property of the land owner at the time the material was recovered</i> <i>this includes any artefacts that don't fall within the definition of taonga tūturu, as well as faunal material, botanical material and environmental material</i> 		<p>I agree that proof of consent from all owners of relevant land has not been provided (ie proof of consent from Waihi Gold Company Limited, DoC, Hauraki District Council and LINZ has not been provided). However, I note that Schedule 8 clause 2(1)(c) only requires proof of consent, if the owner has consented..." so proof of consent is only required if a landowner has consented. Therefore, my assessment is that this information is sufficient.</p>
2(1)(d)	confirmation that the application complies with section 42, 43, and 44 of the Act	File A.11, Section 8.7, pg 568.	<p>Yes</p> <p>The applicant has confirmed that the application complies with section 46 of the Act on page 568-569 of Document A.11.</p>
	confirmation that the application relates solely to a listed project or a referred project	File A.11, Section 8.10, page 674.	<p>Yes</p> <p>The applicant has confirmed that the application is for a listed project on page 569 of Document A.11.</p>

	any fee, charge, or levy payable under regulations in respect of the application is paid.		Yes Application fee and levy have been paid.
2(1)(e)	a description of each archaeological site to which the application relates and the location of each site <i>Guidance note: Please provide the New Zealand Archaeological Association's (NZAA) site reference if your proposed activity may affect a known archaeological site.</i>	Files A.05, pg 31 and A.06, Section 3.11, pg 296.	Yes Description provided on page 296-303 of Document A.06. Appendix 1 of Report B.49 (Document B.49a) lists NZAA site records for the project areas.
2(1)(f)	a description of the activity for which the authority is sought <i>Guidance note: Please include a list of all earthworks or ground-disturbing activities for your project. Attach related final plans, drawings, engineering specifications and/or photographs. Plans need to show the activity in relation to the location and extent (if known) of the affected archaeological sites.</i>	Files A.05, pg 31 and A.07, Section 4.6, pg 342.	Yes Page 342 of Document A.07 Page 1-2 of Document H.08 Page 6-8 of Document B.20 Document B.49 Part 1 From Document A.05: <ul style="list-style-type: none"> • Description of activities in Area 1 on page 37-88 • Description of activities in Area 5 on page 115-155 • Description of activities in Area 6 on page 155-167 • Description of activities in Area 7 on page 168-189
2(1)(g)	a description of how the proposed activity will modify or destroy each archaeological site	File A.09, Section 6.15, pg 511.	Yes Description provided on page 511-513 on Document A.09.

2(1)(h)	<p>except in the case of an approval described in section 44(b) of the HNZPT Act, an assessment of—</p> <ul style="list-style-type: none"> i. the archaeological, Māori, and other relevant values of the archaeological site in the detail that is appropriate to the scale and significance of the proposed activity and the proposed modification or destruction of the archaeological site; and ii. the effect of the proposed activity on those values 	<p>File A.09, Section 6.15, pg 511, and File B49</p>	<p>Yes</p> <p>Archaeological values are assessed on page 139-148 of Document B.49 Part 2. Effects on those values are addressed on page 149-163.</p> <p>An assessment of Māori values is provided on page 513-514 of Document A.09. The assessment identifies that “<i>there are no known pre-European Māori sites within the footprint of any of the proposed WNP works.</i>” However, the applicant has provided a high level summary of Māori values of the area based on cultural impact assessments completed by relevant iwi, “<i>giving an indication of the values iwi may have for any archaeological sites or features that are identified during the proposed works.</i>” The CIA’s have not been provided in full due to requests from iwi that they remain confidential.</p> <p>The application is less specific on the effect of the proposed activity on Māori values. It is unclear whether the CIAs also cover this matter, and the summary of effects in Document B.49 Part 2 does not address effects on Māori values of the archaeological sites specifically.</p> <p>As summarised above, no pre-European Māori archaeological sites have been identified, and as a result the applicant has summarised Māori values of the general area in broad terms rather than specific sites. Page 375-378 of Document A.09 provides a summary of cultural effects of the proposed activities of the project in general based on engagement with relevant iwi. Considering this, that archaeological effects on the sites have been addressed, and that the Archaeological Management Plan</p>
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			(Document H.08) states on page 12 that “ <i>If archaeological remains relating to Maori occupation are exposed, the Project Archaeologist will inform the appropriate Iwi representatives (if not present)</i> ” while finely balanced, my assessment is that the information provided is sufficient.
2(1)(i)	a statement as to whether consultation with tangata whenua, the owner of the relevant land (if the applicant is not the owner), or any other person likely to be affected— i. has taken place, with details of the consultation, including the names of the parties and the tenor of the views expressed; or ii. has not taken place or been completed, with the reasons why consultation has not occurred or been completed (as applicable).	Files F.01 and F.04.	Yes The following is included in Document F.01: <ul style="list-style-type: none">• Consultation with DOC on page 16.• Consultation with LINZ re Crown property on page 18.• Consultation with tangata whenua on page 19-27. The views expressed by DOC and tangata whenua are summarized by the applicant.
	Have any archaeological authorities been granted for this location in the past?	File B.49.	Yes On page 3 of Document H.08 there is mention of an Archaeological Authority during mining activities in 2003-2005 for activity near the Low Level Water race (T13/817). Per page 512 of Document A.09, an Archaeological Authority (No. 2025/359) has been granted this year for works in Area 2.
	Identification of the relevant planning overlays, i.e. are there any relevant Heritage or QEII covenants or Heritage Orders,	File A.05, pg 31, and A.06, pg 194.	Yes

	District Plan schedules , New Zealand Heritage list/Rārangi Kōrero entries?		<p>The Waikato Regional Policy Statement (page 610) and Hauraki District Plan (page 639-640) are referred to regarding heritage in Document A.11</p> <p>More detail is also provided in page 164-173 of Document B.49 Part 2 regarding the policy statement, plan, and also zone specific provisions.</p>
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Checklist G – Complex freshwater fisheries approval

Clause, Schedule 9	Information required for an approval described in section 42(4)(j) (complex freshwater fisheries approval), clause 3 of Schedule 9	Application Reference (Name of document, section and page)	EPA Office use only – EPA comments on completeness <i>Note – for this checklist page numbers refer to the PDF reader rather than the documents.</i>
3(a)	<p>in relation to the structure and any fish facility:</p> <ul style="list-style-type: none"> i. a description of the type of structure or fish facility: ii. the dimensions of the structure or fish facility: iii. the design of the structure or fish facility: iv. the placement of the structure or fish facility: v. the water flows: vi. the operating regime 	Files A.11, Section 8.11, pg 678.	<p>Yes</p> <p>Page 120 of Document A.11 states regarding these requirements: <i>In respect of the WNP, this is not applicable as all instream structures (culverts) associated with WNP will have fish passage provided / maintained, and approval under the Fisheries Regulations is therefore not required.</i></p> <p><i>It is the diversions associated with the project that require a dispensation under Regulation 43 of the Fisheries Regulations.</i></p> <p>The waterways that are proposed to be diverted are the TB1 stream at the Northern Rock Stack site (“NRS Diversion”) and the Ruahorehore stream at the Tailings Storage Facility site (“TSF3 Diversion”) – see page 74-76 of Document B.43 Part 2 and page 146 and 151 of Document B.43 Part 1.</p> <p>Information about the design of the diversion channels is provided on page 77-79 of Document B.43 Part 2.</p>

			DOC have raised that the information provided is insufficient as the designs provided are not detailed enough. As the applicant's proposal does not include a fish facility, and the designs for the diversion are provided in sufficient detail to understand what is planned, my assessment is that the information provided is sufficient.
3(b)	the freshwater species and values present (with particular focus on threatened, data-deficient, and at-risk species as defined in the New Zealand Threat Classification System)	Files A.06, pg 194, and File B.43.	<p>Yes</p> <p>Freshwater species and values in lower and upper TB1 are detailed on page 89-92 of Document B.43 Part 1.</p> <p>Freshwater species and values in the Ruahorehore stream are detailed on page 83-87 of Document B.43 Part 1 and 84-85 of Document A.06.</p> <p>Page 73-85 of Document A.06 details the species and values present in the various waterways throughout the project area.</p> <p>Details on threatened, data-deficient, and at-risk species in other waterways in the project area is provided on page 58, 59, and 66 of Document B.43 Part 1</p>
3(c)	the water quality and quantity in the surrounding habitat (at the proposed structure location, upstream and downstream)	File A.06, pg 194, and File B.43.	<p>Yes</p> <p>Water quantity for the Ruahorehore stream at locations upstream and downstream, and for lower and upper TB1 is detailed on page 236-240, and water quality is detailed on page 222-223 of Document B.43 Part 1</p>

			Page 73-85 of Document A.06 details water quality for other waterways in the project area.
3(d)	how the passage of fish will be provided for or impeded	File A.05, pg 31.	Yes Detailed on page 1-2 of Document D.06

Checklist I – Access arrangement or variation to an existing access arrangement

Clause, Schedule 11	Information required for an approval described in sections 42(4)(l) or (m), Clause 3 of Schedule 11	Application Reference (Name of document, section and page)	EPA Office use only – EPA comments on completeness
3(a)	a copy of the relevant permit under the Crown Minerals Act 1991 (if a permit has been granted under that Act):	File E.03	<p>Yes</p> <p>Copies of mining permits MP41808 and MP60541 are provided in Document E.03.</p>
3(b)	a clear map or plan of the application area with GPS co-ordinates:	File A.11, Section 8.12, pg 677.	<p>Yes</p> <p>Page 678-685 of Document A.11.</p>
3(c)	a document identifying the areas of conservation land located within the application area, its classification, and an assessment against its purpose:	File A.11, Section 8.12, pg 677.	<p>Yes</p> <p>A copy of the existing access arrangement that the applicant is applying to vary (the Favona access arrangement) is included in Document D.08. This version includes changes made by the applicant to reflect the proposed variations. Conservation land is identified in the figures found on page 16-19.</p> <p>Figure 3-7 on page 213 of Document A.06 shows the conservation land in relation to the Wharekirauponga access arrangement.</p> <p>Further identification of the conservation land, its classification and an assessment against its purpose is on page 685-686 of Document A.11.</p>
3(d)	a description of the proposal, including –	File A.05, pg 31, and File	

	(i) the application area, including location and features (for example, water courses, roads, and amenities):	File A.05, pg 31.	Yes Page 678-685 of Document A.11 Page 9 of Document A.04.
	(ii) a summary of proposed activities (including type of prospecting, exploration, or mining methods, duration, and scale of activity):	File A.05, pg 31, and File A.11, Section 8.12, pg 677.	Yes Area 1 (Wharekirauponga access arrangement) – page 37-88 of Document A.05, page 687 of Document A.11 Area 5 (Favona access arrangement) – page 115-155 of Document A.05, page 687-688 of Document A.11.
	(iii) a statement of the objectives of any Act under which the land is administered:	File A.11, Section 8.12, pg 677	Yes Page 688 of Document A.11.
	(iv) any policy statement, management strategy, or management plan of the Crown that applies in relation to the land:	File A.11, Section 8.12, pg 677	Yes Page 662-670 of Document A.11.
	(v) details of any resource consents and concessions held or applied for, or intended applications in relation to the application area:	File A.05, pg 31, and A.06, pg 194.	Yes Existing authorisations and approvals are outlined on page 194-211 of Document A.06. Other consents applied for are detailed on page 37-193 of Document A.05.
	(vi) in the case of an application under section 42(4)(l), a statement of the direct net economic and other benefits of the proposed activities in relation to which the access arrangement is sought:	File A.04, Section 1.3, pg 10, and A.09,	Yes Page 379-381 of Document A.09.

		Section 6.3, pg 378.	
	(vii) in the case of an application under section 42(4)(m), the interests of the owner of the mineral, or of any person to whom the owner of the mineral has granted any rights in relation to the mineral, in obtaining access to that mineral:	n/a	N/A
3(e)	an assessment of the environment, including –		
	(i) a description of the existing natural environment in and around the application area (including flora, fauna, aquatic life, and landscape):	File A.06, pg 194.	Yes Page 237-295 of Document A.06.
	(ii) a description of any historic, cultural, and archaeological sites within the application area (position and significance):	File A.06, pg 194.	Yes Page 296-303 of Document A.06.
	(iii) a description of the social environment in and around the application area (including scenic qualities, recreation facilities, and their use):	File A.06, pg 194.	Yes Page 303-307 of Document A.06.
	(iv) an assessment of the effects that proposed activities will have on the environment described in subparagraph (i), both while the activities are taking place and after their completion:	File A.09, pg 373.	Yes Assessment of environmental effects is provided in Document A.09. Effects related specifically to the completion of the project are assessed from pages 526-532.
	(v) an outline of consultation undertaken, including full details of consultation with relevant iwi:	File A.08, pg 344, and File F.01.	Yes Summary of consultation (including with iwi) is provided in Document F.01.
	(vi) a description of the proposed safeguards and mitigation measures to be put in place (for	File A.09, pg 194,	Yes

	example, proposed rehabilitation, water management, management of flora and fauna and cultural or historic sites, and the way in which risks will be managed):	and File A.10, pg 538.	Mitigation measures are addressed in Document A.10.
	(vii) information about financial and legal liabilities and obligations associated with the land:	File A.11, Section 8.12, pg 677.	Yes Page 661-662 of Document A.11.
3(f)	in the case of an application where the land in question is a reserve managed by a local authority, confirmation that the local authority has provided written agreement for the activity to be undertaken on the reserve.	n/a	N/A
	<i>Guidance note: Refer to Conservation and Reserves Approvals checklist D1-D3.</i>		

Checklist J – Listed project information requirements

Section, Fast-track Approvals Act	Information required for a substantive application under section 43(2) and section 13(4)	Application Reference (Name of document, section and page)	EPA Office use only – EPA comments on completeness
13(4)(a)	a description of the project and the activities it involves	File A.05, pg 31.	<p>Yes</p> <p>See also page 4-6, Document A.04.</p>
13(4)(c)	information to demonstrate that the project does not involve any ineligible activities (other than activities that may be the subject of a determination under section 23 or 24)	File A.11, Section 8.6, pg 567	<p>Yes</p> <p>The applicant has stated that the project does not involve any ineligible activities on page 567-568, Document A.11.</p> <p>DOC have identified that the Otahu Ecological Area and Parakawai Geological Area fall within the Northern Concession Area of the project, and noted that any non-mining activities proposed in those areas would be considered ineligible activities under Schedule 4 of the Act.</p> <p>The applicant has confirmed on page 192 of <u>Document A.05</u> that “<i>the approvals sought as part of this application do not of themselves seek to authorise activities within any land described in Schedule 4, and therefore no non-mining activities are being applied for on ineligible land.</i>”</p>

			Considering that no non-mining activities are proposed in the areas identified by DOC, my assessment is that on the face of the application, the project does not appear to involve an ineligible activity.
13(4)(d)	a description or map of the whole project area that identifies its boundaries in sufficient detail to enable consideration of the referral application	File A.05, pg 31, and Files C.01 - C.09.	Yes A map of the general project area is provided on page 9 of Document A.04. Plans by project area are provided in Part C of the application.
13(4)(e)	the anticipated commencement and completion dates for construction activities (where relevant)	File A.05, Section 2.3, pg 31.	Yes Detailed on page 31-33 of Document A.05.
13(4)(f)(i)	a statement of whether the project is planned to proceed in stages and, if so an outline of the nature and timing of the stages	File A.05, Section 2.3, pg 31.	Yes Applicant has advised on page 32 of Document A.05 that the application is not proposed to occur in stages.
13(4)(h)	a description of the anticipated and known adverse effects of the project on the environment	File A.09, pg 373.	Yes Effects assessment provided in Document A.09.
13(4)(i)	a statement of any activities involved in the project that are prohibited activities under the Resource Management Act 1991	File A.07, Section 4.2.2, pg 321.	Yes Applicant has stated in section 4.2.2, page 321 of Document

			A.07 that the project “ <i>does not involve any activities that would be prohibited activities under the RMA</i> ”
13(4)(j)	<p>a list of the persons and groups the applicant considers are likely to be affected by the project, including—</p> <ul style="list-style-type: none"> i. relevant local authorities: ii. iwi authorities and groups that represent hapū that are parties to relevant Mana Whakahono ā Rohe or joint management agreements: iii. other relevant iwi authorities: iv. relevant Treaty settlement entities: v. relevant protected customary rights groups and customary marine title groups: vi. ngā hapū o Ngāti Porou, if the project area is within or adjacent to, or the project would directly affect, ngā rohe moana o ngā hapū o Ngāti Porou: vii. relevant applicant groups under the Marine and Coastal Area (Takutai Moana) Act 2011: viii. persons with a registered interest in land that may need to be acquired under the Public Works Act 1981: 	Files F.01 and F.02.	<p>Yes</p> <p>Relevant local authorities and iwi are included in Document A.08.</p>

13(4)(k)	a summary of— i. the consultation undertaken for the purposes of section 29 and any other consultation undertaken on the project with the persons and groups referred to in paragraph (j); and ii. how the consultation has informed the project:	Files A.08, pg 344, and F.01.	Yes Consultation with DOC, MBIE, MfE, HNZPT, and the relevant Councils is summarized in Document A.08.
13(4)(l)	a list of any Treaty settlements that apply to the project area, and a summary of the relevant principles and provisions in those settlements	File A.11, Section 8.7.3.15, pg 647.	Yes Information provided on page 647-653 of Document A.11.
13(4)(m)	a description of any processes already undertaken under the Public Works Act 1981 in relation to the project	n/a	N/A
13(4)(n)	a statement of any relevant principles or provisions in the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019	n/a	N/A
13(4)(o)	information identifying the parcels of Māori land, marae, and identified wāhi tapu within the project area	File A.06, Section 3.5, pg 237	Yes Applicant has confirmed on page 237 of Document A.06 that “ <i>Whilst the Waihi area has a rich cultural history, there are no parcels of Māori land, marae, or identified wāhi tapu within the project area.</i> ”
13(4)(p)	a statement of whether the applicant is seeking a determination under section 23 and, if so, an assessment of	n/a	N/A

	the effects of the activity on the relevant land and on the rights and interests of Māori in that land		
13(4)(q)	<p>a statement of whether the applicant is seeking a determination under section 24(2) and, if so, a description of—</p> <ul style="list-style-type: none"> i. the scale and adverse effects of the existing electricity infrastructure; and ii. how, if at all, that scale or those adverse effects are anticipated or known to change as a result of the maintenance, upgrading, or continued operation of the infrastructure 	n/a	N/A
13(4)(r)	<p>a statement of whether the applicant is seeking a determination under section 24(4) and, if so,—</p> <ul style="list-style-type: none"> i. a description of every alternative site considered by the applicant (or, if the referral application is lodged by more than 1 person, any of those persons) for the construction and operation of the new electricity lines (the activity); and ii. for each alternative site considered,— <ul style="list-style-type: none"> A. a statement of the anticipated and known financial cost of undertaking the activity; and B. a description of the anticipated and known adverse effects of undertaking the activity; and 	n/a	N/A

	<p>C. a description of the anticipated and known financial cost and practicality of available measures to avoid, remedy, mitigate, offset, or compensate for the anticipated and known adverse effects of the activity; and</p> <p>D. a description of any issues (including financial cost) that would make it impractical to undertake the activity on the site; and</p> <p>E. an assessment of whether it would be reasonable and practical to undertake the activity on the site, taking into account the matters referred to in subparagraphs (A) to (D) and any other relevant matters</p>		
13(4)(s)	a description of the applicant's legal interest (if any), or if the application is lodged by more than 1 person, the legal interest of any of those persons) (if any), in the land on which the project will occur, including a statement of how that affects the applicant's ability to undertake the work	File A.11, Section 8.4, pg 558.	<p>Yes</p> <p>Page 661-662 of Document A.11.</p> <p>Records of Title are provided in Part J of the application.</p>
13(4)(t)	an outline of the types of consents, certificates, designations, concessions, and other legal authorisations (other than contractual authorisations or the proposed approvals) that the applicant considers are needed to authorise the project, including any that the applicant considers may be needed by someone other than the applicant	Files A.11, Section 8.4, pg 558, A.06, Section 3.2, pg 194, and A.07, pg 320	<p>Yes</p> <p>Existing authorisations and approvals are listed in section 3.2, page 194-211 of Document A.06.</p> <p>A list of approvals needed and sought are listed in Document A.07.</p>

13(4)(u)	<p>whether any activities that are involved in the project, or are substantially the same as those involved in the project, have been the subject of an application or a decision under a specified Act and,—</p> <p>i. if an application has been made, details of the application:</p> <p>ii. if a decision has been made, the outcome of the decision and the reasons for it:</p>	File A.04, Section 1.2, pg 2.	<p>Yes</p> <p>A list of existing activities is listed in page 2 and 7 of Document A.04.</p> <p>Details of consents applied for with Waikato Regional Council and Hauraki District Council are on page 3 of Document A.04.</p>
13(4)(v)	a description of whether and how the project would be affected by climate change and natural hazards	File A.11, Section 8.4, pg 558, and throughout	<p>Yes</p> <p>Addressed on page 561 of Document A.11.</p> <p>Natural hazards (including flooding) are also addressed on page 613-614 of Document A.11.</p>
13(4)(w)	if the application is lodged by more than 1 person, a statement of the proposed approval to be held by each of those persons	n/a	N/A
13(4)(x)	a summary of compliance or enforcement actions (if any), and the outcome of those actions, taken against the applicant (or if the application is lodged by more than 1 person, any of those persons) under a specified Act	File A.11, Section 8.4, pg 558.	<p>Yes</p> <p>Provided on page 561-563 of Document A.11.</p>
13(4)(y)			

<p>13(4)(y)(i), clause 2 of Schedule 5</p>	<p>Resource consent or designation</p> <p>a. an assessment of the project against—</p> <p>i. any relevant national policy statement; and</p> <p>ii. any relevant national environmental standards; and</p> <p>iii. if relevant, the New Zealand Coastal Policy Statement; and</p>	<p>File A.11, Section 8.7, pg 568.</p>	<p>Yes</p> <p>Assessed on page 573-646 of Document A.11.</p>
	<p>(iv) in relation to any proposed approval that is a resource consent, whether, to the best of the applicant's knowledge, there are any existing resource consents of the kind referred to in section 30(3)(a).</p> <p><i>Guidance note: If the application is to be lodged by more than 1 person, the reference to the applicant in subclause (1)(b) is to the person who will be identified in the application as the proposed holder of the resource consent.</i></p>	<p>Files A.11, Section 8.3, pg 558, and File F.06.</p>	<p>Yes</p> <p>Applicant has stated on page 563 of Document A.11 that “<i>no existing resource consents for the same activity as being sought in this substantive application.</i>”</p> <p>Notices from TCDC, WRC, and HDC confirming the same are in Document F.06.</p>
<p>13(4)(y)(ii), clause 3 of Schedule 5</p>	<p>Change or cancellation of resource consent condition</p> <p>The information to be provided under section 13(4)(y)(ii) is information about whether and how the change or cancellation of the condition is material to the implementation or delivery of the project.</p>	<p>n/a</p>	<p>N/A</p>
<p>13(4)(y)(iii), clause 4 of</p>	<p>Certificate of compliance</p>	<p>n/a</p>	<p>N/A</p>

Schedule 5	<p>The information required to be provided under section 13(4)(y)(iii) is information that shows the activity that the certificate of compliance is intended to cover can be done lawfully in the particular location without a resource consent. Include information that shows that</p> <p>the activity that the certificate of compliance is intended to cover can be done lawfully in the particular location without a resource consent.</p>		
<p>13(4)(y)(iv), clause 2 of Schedule 6</p>	<p>Concession</p> <ol style="list-style-type: none"> 1. The information in subclause (2) is required to be provided under section 13(4)(y)(iv) if a proposed concession includes a lease and— <ol style="list-style-type: none"> a. the lease would be for a term (including any renewals) that will or is likely to be more than 50 years; and b. the granting of the lease would trigger a right of first refusal or a right of offer or return. <ol style="list-style-type: none"> i. Confirmation that the applicant has written agreement from the holder of the right of first refusal or right of offer or return to waive that right for the purposes of the proposed lease. <p><i>Guidance note: If the application is to be lodged by more than 1 person, the reference to the applicant in subclause</i></p>	n/a	N/A – concession application is not for a lease.

	<i>(2) is to the person who is to be identified in the application as the proposed holder of the concession (clause 2(3) of Schedule 6).</i>		
13(4)(y)(v), clause 23 of Schedule 6	<p>Land exchange</p> <p>ii. The information required to be provided under section 13(4)(y)(b) is (a) - (e) below:</p> <p><i>Guidance note: If the substantive application is to be lodged by more than 1 person, the reference to the applicant in subclause (2)(d) is to the person who is to be identified in the application as the person proposed to exchange land (clause 23(2) of Schedule 6).</i></p> <p>a. a description of both land areas proposed for exchange (for example, maps showing areas and location, addresses, and legal descriptions where possible:</p>	n/a	N/A
	b) the financial value of the land proposed to be acquired by the Crown:	n/a	N/A
	c) a brief description of the conservation values of both pieces of land, including an explanation of why the exchange would benefit the conservation estate:	n/a	N/A
	d) if the land exchange would trigger a right of first refusal or a right of offer or return, confirmation that the applicant has written agreement from the holder of the right of first refusal	n/a	N/A

	or right of offer or return that the holder has agreed to waive that right for the purpose of the land exchange:		
	e) confirmation by the applicant that no part of any land to be exchanged by the Crown is – iii. land listed in Schedule 4; or iv. a reserve declared to be a national reserve under section 13 of the Reserves Act 1977	n/a	N/A
13(4)(y)(vi), clause 2 of Schedule 9	Standard or complex freshwater fisheries activity approval 1. The information required to be provided under section 13(4)(y)(vi) is the following: a. whether an in-stream structure is proposed (including formal notification of any dam or diversion structure) and the extent to which this may impede fish passage; and b. whether any fish salvage activities or other complex freshwater fisheries activities are proposed.	File A.05, pg 31.	Yes Description of diversions, and confirmation that fish passage will not be impeded is in Document D.06. Detail on complex freshwater fisheries activities is provided on page 342-343 of Document A.07.
13(4)(y)(vii), clause 2 of Schedule 10	Marine consent The information required to be provided under section 13(4)(y)(vii) is–	n/a	N/A

	a. information about whether the Minister of Conservation is an affected person:		
	<p>b. additional information about whether the applicant has already made an application for a consent under the EEZ Act in relation to the project, and, if so,—</p> <p>I. details of any application made; and</p> <p>II. the decisions made on that application; and</p> <p>III. information about the matters that the Minister may consider under section 22(6):</p>	n/a	N/A
	<p>c. additional information (in a summary form) about compliance or enforcement action taken against the applicant by the EPA under the EEZ Act.</p> <p>Guidance note: If the application is to be lodged by more than 1 person, the reference to the applicant in subclause (1)(b) is to the person who is to be identified in the application as the proposed holder of the marine consent (clause 2(2) of Schedule 10).</p>	n/a	N/A
13(4)(y)(viii), clause 2 of Schedule 11	<p>Access arrangement</p> <p>(i) Confirmation that the applicant has complied with section 12(2) (for the purposes of section 13(4)(y)(viii)).</p> <p><i>Guidance note: If the referral application is to be lodged by more than 1 person, the reference to the applicant in subclause</i></p>	File A.11, Section 8.2, pg 557, Section 8.4, 558, and File F.03	<p>Yes</p> <p>The notice of request for grant of right of access that was sent to DOC is in Document F.03.</p>

	<i>(1) is to the person who is to be identified in the application as the proposed holder of the access arrangement (clause 2(2) of Schedule 11).</i>		
13(4)(y)(ix), clause 15 of Schedule 11	<p>Mining permit</p> <ol style="list-style-type: none"> 1. For the purposes of section 13(4)(y)(ix), the information is— <ol style="list-style-type: none"> a. a copy of the relevant exploration permit or existing privilege to be exchanged for a mining permit that entitles the holder to mine a Crown owned mineral: b. the name and contact details of the proposed permit participants and the proposed permit operator: c. a proposed work programme for the proposed permit, which may comprise committed work, committed or contingent work, or both: d. evidence of the technical or financial capability of the proposed permit holder to comply with and give proper effect to the work programme: e. information about the proposed permit holder’s history of compliance with mining or similar permits and their conditions: f. the proposed date on which the substantive application is intended to be lodged: 	n/a	N/A

	<ul style="list-style-type: none"> g. if the authorised person proposes to provide information under section 37, the date on which the person intends to provide that information: h. The proposed duration of the permit: i. if the proposed approvals include a mining permit for petroleum,— <ul style="list-style-type: none"> i. a map of the area over which the mining permit application is intended to be made, the area in which the surrender of an exploration permit or existing privileges is proposed (which must be same area as the area over which the mining permit application is intended to be made), and the extent of the resource to which the development plan relates: ii. the resources and reserves relating to the project, estimated in accordance with the Petroleum Resources Management System: iii. a high-level overview of the following: <ul style="list-style-type: none"> A. the proposed field development plan: B. the proposed date for the commencement of petroleum production: C. the economic model for the project: 		
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	<p>D. the proposed duration of the proposed mining permit:</p> <p>E. decommissioning plans:</p> <p>j. if the proposed approvals include a mining permit for minerals other than petroleum,—</p> <p>i. a map of the area over which the mining permit application is intended to be made, the area in which the surrender of an exploration permit or existing privileges is proposed (which must be same area as the area over which the mining permit application is intended to be made), and the extent of the resource and reserves to which the development plan relates:</p> <p>ii. for minerals other than gold or silver, a report or statement confirming the ownership of the minerals targeted:</p> <p>iii. whether the application will be for a Tier 1 or Tier 2 permit:</p> <p>iv. an estimate of the mineral resources and reserves relating to the project, including a summary on acquisition of the data and the data underpinning the estimate (such as information on sample locations, grade, and geology):</p> <p>v. an indicative mine plan:</p>		
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	<ul style="list-style-type: none"> vi. a high-level overview of the following: <ul style="list-style-type: none"> A. the proposed mining method: B. the proposed date for the commencement of mining and estimated annual production: C. the economic model for the project: D. the status of or anticipated timing for completing any prefeasibility or feasibility studies: E. the proposed methods for processing mined material and handling and treating waste: F. anticipated plans for mine closure and rehabilitation. <p>(2) For the purpose of subclause (1)(j)(iv), for a Tier 1 permit application the resources and reserves relating to the project are to be estimated in accordance with a recognised reporting code such as JORC or NI 43-101</p>		
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Appendix 2: Consultation Summary

The following agencies were consulted with to inform the assessment of the application for completeness. Each agency was requested to confirm whether the application documentation provided by the EPA regarding the proposal as provided by the applicant meets the requirements of sections 42 and 43 of the Act and is provided in sufficient detail to satisfy the purpose of the Act in accordance with section 44 of the Act.

- Hauraki District Council (HDC)
- Thames-Coromandel District Council (TCDC)
- Waikato Regional Council (WRC)
- Ministry of Business, Innovation and Employment (MBIE)
- Heritage New Zealand Pouhere Taonga (HNZPT)
- Ministry for Culture and Heritage (MCH)
- Department of Conservation (DOC)
- Ministry for the Environment (MfE)

The responses received from WRC, TCDC, and HDC all confirmed that their respective written notices regarding section 30 of the Act remain accurate.

WRC and **HDC** confirmed that in their view the documentation provided is complete and sufficient. **TCDC** raised that they believe that the applicant has not interpreted the Thames-Coromandel District Plan Operative in Part correctly, and as a result some of the activities applied for in the Thames-Coromandel district would be non-complying.

MBIE did not raise any issues regarding the application for Access Arrangements, but did point out that the EPA should be engaging with DOC on this matter as well. DOC were engaged with, so this point has been addressed.

HNZPT raised that they believed some required information was not provided, but that otherwise all other information was sufficient.

MCH had no comment on the application and advised that although they administer the Heritage New Zealand Pouhere Taonga Act 2014, their role is limited to policy and HNZPT is charged with regulatory functions.

DOC were engaged with regarding four of the consents applied for: the Concessions, Access Arrangements, Wildlife Approval, and Complex Freshwater Fisheries approval. They found that the information for all but the Access Arrangements was insufficient.

MfE did not provide feedback on the application.

1. Consultation with Waikato Regional Council, Thames-Coromandel District Council, and Hauraki District Council as the relevant consent authorities for the following approvals under the Resource Management Act 1991:

- Resource consent (section 42(4)(a) of the Act)

Hauraki District Council (HDC)

I am writing in response to your letter dated 11 April 2025 titled 'Consultation regarding a substantive application under the Fast-track Approvals Act 2024'.

Staff of Hauraki District Council have reviewed the additional information provided with the newly submitted substantive application and confirm this information appears to meet the requirements of sections 42 and 43 of the Fast-track Approvals Act, insofar as the application could be for a resource consent otherwise applied for to the Hauraki District Council under the Resource Management Act 1991.

I also confirm that the written notice prepared by the Council and addressed to the Manager - External Affairs and Social Performance, OceanaGold (dated 26 February 2025) remains accurate and final at the time of replying to your second letter.

Thames-Coromandel District Council (TCDC)

Thank you for the opportunity to provide comment on the substantive application lodged by Oceana Gold Limited. I have reviewed the application documentation, in particular noting the those documents which have changed from the initial application that was lodged and considered sections 42 and 43 of the Fast-track Approvals Act 2024 as requested. It is my view that the documentation regarding RMA approvals is generally adequate, however I have noted that there are some deficiencies in the following areas of the application relating to district plan interpretation and activity status. Please

note that the comments I have provided are only in the context of the monitoring activities occurring within the Thames-Coromandel District, not the substantive application.

It is my view that the assessment against the District Plan Operative in Part is not correct for the activity and associated activity status and would fall as a mining activity and therefore under Section 37 of the district plan the mining activity would be a non-complying activity. The application rules assessment has assessed the relevant rules under the Section 42 Conservation Zone rules and the Section 29 Biodiversity rules. I do not consider that this is the correct approach to assessing the proposal against the district plan. Whilst these activities when assessed as standalone activities could be considered to be scientific equipment, navigational aid activity, public amenity and indigenous vegetation clearance activities, these activities are part of the overall mining activity for the Waihi North project.

The District Plan has a hierarchical structure and activities are set out as rules within zones, or grouped within district wide activities or specifically referred to within overlays used to identify the special values of the district and special purpose provisions. In this instance the definition of mining is structured to capture all components of a mining activity, in particular, the activities which would be occurring on the subject sites being the piezometers that will be drilled using a portable drilling rig and the associated vegetation removal. The Mining and Underground Mining definitions are set out below:

Mining means to take, win, or extract, by means of earthworks, a mineral existing in its natural state in land but does not include prospecting, exploration, mineral processing or waste rock/tailings storage. To 'mine' has a corresponding meaning. In the Plan, 'mining' is separated into 'surface mining', 'underground mining' and 'quarrying'.

Mining includes, but is not limited to:

Transportation of soil, rock or minerals to and from the site

- Removal and replacement of overburden;
- Temporary stacking, deposition or storage of soil, rock, or minerals;
- Construction, maintenance, and operation of any buildings, structures, land improvements, and any machinery and equipment, related to this activity such as drilling rigs and temporary accommodation;
- Earthworks, including tracking;
- Dewatering; •
- Vegetation removal.

Underground Mining means mining that occurs underground, utilising shafts, adits, tunnelling and other recognised underground mining techniques, methods and equipment, and also includes:

- Surface disturbance associated with underground mining;
- Backfilling of the void with waste rock and aggregate;
- Emergency exits and ventilation shafts;
- Temporary stockpiles of material to be used as road base, backfill or ore pads;

- Water treatment facilities.

It also includes associated activities as listed in the Plan definition of 'Mining'.

The guidance in Section 1 of the District Plan sets out how to use the plan. This section of the plan states that if the proposed activity is associated with any of the district wide activities, you must consider the District-Wide rules. This approach is reinforced by the definition of Underground Mining, which states that it also includes associated activities as listed in the Plan definition of Mining. The district plan has a specific district-wide section for mining in Section 37. The activity that is proposed to occur within the TCDC district, whilst only for monitoring and restoration, is associated with the underground mining activity that is proposed within the adjacent Hauraki District. It is accepted that the underground mining activity is not occurring in the TCDC District, however based on the plan logic it is my view that this would be the activity that the monitoring is associated with as defined within the mining definitions of the district plan.

Overall, it is considered that the proposal would be a non-complying activity pursuant to Section 37 rule 4.4 as the activity is within an overlay and takes on the activity status in Rule 8 Table 1A.

Specific questions relating to this application in accordance with section 30 of the Act

I can confirm that the written notice prepared by the Council dated 3rd March 2025 remains accurate and final at the time of receiving this letter.

If you have any questions about the content contained in this letter, please do not hesitate to contact me on 07 8680200.

Waikato Regional Council (WRC)

In response to your letter dated 11th April 2025, titled 'Consultation regarding a substantive application under the Fast-track Approvals Act 2024' I can confirm that the written notice prepared by the Waikato Regional Council and included within the Waihi North Project application remains accurate as of the date of this letter.

Further, WRC can confirm that our letter dated 18th March 2025 titled "FTAA-2503-1027 OceanaGold – Fast-track Approvals Act 2024 – Waihi North Project Application" remains accurate and final with respect to the requirements of sections 42 and 43 of the Fast Track Approval Act (the Act) for matters that pertain to the Waikato Regional Councils' responsibilities.

Should you require any further information with regard to the above, please contact Sheryl Roa – Principal Consents Advisor via email at [REDACTED] or via phone on [REDACTED]

2. Consultation with the Ministry of Business, Innovation and Employment as the administering agency for the following approvals:

- Initial access arrangement or a variation to an existing access arrangement that would otherwise be applied for under section 61 of the Crown Minerals Act 1991 (section 42(4)(l) of the Act)

Ministry of Business, Innovation and Employment (MBIE)

I refer to your letter of 11 April 2025 to the Chief Executive, Ministry of Business, Innovation and Employment (MBIE), seeking MBIE's view on the completeness of the following substantive application made under the Fast-track Approvals Act 2024 (the Act):

- *REQ001250D9G8: substantive application for access arrangements for the Waihi North Project (the application) lodged by Oceana Gold (New Zealand) Limited ("Oceana Gold") under section 42(4)(l) of the Act.*

I note that, on 28 March 2025, the initial substantive application for the Waihi North Project was returned to Oceana Gold following the Environmental Protection Authority's (EPA's) decision that it did not comply with the requirements of section 46(2) of the Act.

Oceana Gold has now resubmitted its substantive application having taken actions that, in its view, addresses the issues identified by the EPA. Oceana Gold confirms the documents supporting its resubmitted application are identical to what it filed with its original application, except for the following:

- 1. Assessment of Historic Heritage and Archaeological Effects (Attachment B.49 of the application):*
 - a. now provides an "assessment of Māori values of the archaeological sites, and the effect of the proposed activity on those values"*
 - b. now provides additional information relating to the nature of the proposed earthworks of the project and associated impacts on archaeological sites.*
- 2. The Substantive Application Report (Attachments A.04 – A.12 of the application):*
 - a. now provides an "assessment of Māori values of the archaeological sites, and the effect of the proposed activity on those values"*
 - b. now reflects that an Archaeological Authority application for works at the proposed Willows Surface Facility Area, which was being processed at the time of previous lodgement, has been granted (reference number 2025/359)*
 - c. confirms that no non-mining activities are being applied for on land identified as ineligible land in Schedule 4 of the Fast-track Approvals Act 2024.*

Conclusion

Given the resubmitted application has not changed in respect of the material MBIE has been asked to consider, our view remains that it can be considered complete and our conclusions and responses are unchanged from the feedback we provided on the initial submission.

For ease of reference, we attach this feedback in the Appendix.

Appendix – Responses to questions for completeness check of substantive application – the Waihi North Project (as provided on 18 March)

Responses to questions

Responses to each of the specific questions raised in your letter are set out below.

We are not aware of any other provisions of the Act, beyond those set out in this letter, that would be relevant to the completeness check for the application.

1) Does the application meet the requirements of section 42 of the Act?

In our view, the application meets the requirements of section 42 of the Act.

Pursuant to section 42(4)(l) of the Act, Oceana Gold is seeking, among other approvals, both an initial access arrangement and a variation to an existing access arrangement that would otherwise be applied for under section 61 of the Crown Minerals Act 1991 (CMA).

Pursuant to section 42(10(a) of the Act, Oceana Gold is eligible to apply for the access arrangements under the Act because it is the holder of Minerals Mining Permits (MPs) 41808 (Favona) and 60541 (Wharekirauponga), issued under the CMA, which both lie within the Waihi North Project area.

2) Does the application meet the requirements of section 43 of the Act?

In our view, the information provided by Oceana Gold in the application and supporting documents satisfies the requirements of section 43(3)(l) of the Act.

We considered whether there might be an issue with the inclusion of land that is part of a local purpose reserve under section 23 of the Reserves Act 1977. Some reserve land is vested to councils and therefore not considered Crown land under the CMA. The land in question is shown in Fig 8-8, page 679 of document A.11, approximately in the area denoted by points 13 to 16.

However, the Department of Conservation (DOC) has confirmed to us that the reserve in question is Crown land it administers and therefore there is no ineligibility issue under the Act or the CMA.

3) Is the information provided in sufficient detail to satisfy the purpose for which it is required in accordance with section 44 of the Act?

In our view, the information provides sufficient detail to satisfy the purpose for which it is required.

However, the EPA should also consider the views of DOC in relation to the requirements of section 44 of the Act as the land over which the access arrangements are being sought is administered by DOC. The Director-General of Conservation would therefore be a relevant “administering agency” for

these approvals (see section 4 of the Act) and required to provide a report under section 51(1)(b) of the Act advising the panel in relation to the criteria to be considered under clause 7 of Schedule 11 of the Act.

4) If the approval application is under section 42(10) of the Act, is the applicant a holder of the requisite permit?

Yes, Oceana Gold holds two mining permits within the Waihi North Project: MP 41808 (Favona) and MP 60541 (Wharekirauponga). Copies of the permits have been provided with the application (File E.03).

5) Does the applicant hold exploration permits or existing privileges that apply to the minerals deposits that approval is sought for, and when does that permit, or privilege expire?

In our view, this question is not relevant to the completeness check of the application and would only be relevant if Oceana Gold were also applying for a mining permit under section 42(4)(n) of the Act.

6) Confirm the project site in relation to this application, as shown in Figure 2-1, page 36 of document A.05 – Substantive Application Report – Project Description, is within the area covered by that permit or privilege.

We confirm that the project site shown in Figure 2-1 falls within MP 41808 (Favona) and MP 60541 (Wharekirauponga) held by Oceana Gold.

7) Confirm that granting the approval would not be prevented by any of sections 25(6) and (7) and 30(8) of the CMA if the approval were applied for under the CMA.

In our view, this request is not relevant to the completeness check of the application and would only be relevant if Oceana Gold were also applying for a mining permit under section 42(4)(n) of the Act.

3. Consultation with Heritage New Zealand Pouhere Taonga and Ministry for Culture and Heritage as the administering agencies for the following approvals:

- Archaeological authority described in section 44(a) or (b) of the Heritage New Zealand Pouhere Taonga Act 2014 that would otherwise be applied for under that Act (section 42(4)(i) of the Act)

Heritage New Zealand Pouhere Taonga (HNZPT)

Heritage New Zealand Pouhere Taonga (HNZPT) has reviewed the documentation provided against the information requirements set out in Schedule 8, clause 2 of the FTAA 2024 relating to an archaeological authority.

The information required by clause 2(1)(c) of Schedule 8 has not been provided. Specifically, the application does not include proof of consent from the owners of the relevant land that they consent to the proposed activity. Please note that this proof of consent is not required to be provided prior to an archaeological authority decision being made, however it is required to be provided prior to the starting of the stated works.

HNZPT confirms that the information submitted to address the requirements of clause 2(1)(h)(i) is sufficient. The assessment of the archaeological, Māori, and other relevant values of the site is appropriate to the scale and significance of the proposed activity and meets our information requirements.

In addition, HNZPT confirms that the information provided to satisfy the requirements of clause 2(1)(h)(ii) is sufficient. The applicant has included proposed protocols to be followed in the event that Māori sites are encountered. There are no archaeological sites of interest to Māori within the immediate proximity to the works area, and the likelihood of such sites being encountered within the works area is described as low.

All remaining subclauses of Schedule 8, clause 2, not specifically referenced above have been reviewed and are considered to have been met to a satisfactory standard.

Ministry for Culture and Heritage (MCH)

Manatū Taonga Ministry for Culture and Heritage (the Ministry) administers the Heritage New Zealand Pouhere Taonga Act 2014 (the Act); however, our role under the Act is limited to a policy role while Heritage New Zealand Pouhere Taonga (HNZPT) is charged with responsibility for the Act's regulatory functions.

Engagement with HNZPT regarding the requirements of section 46 of the Fast-track Approvals Act 2024 is sufficient. The Ministry does not need to be engaged with nor provided with a copy of the application.

The Ministry respects HNZPT's statutory role and its expertise in the assessment of archaeological authorities. The Ministry does not expect to be consulted separately to HNZPT on the question of archaeological authorities and their assessment into the future.

4. Consultation with the Department of Conservation as the administering agency for the following Acts:

- Concession that would otherwise be applied for under the Conservation Act 1987 (section 42(4)(e) of the Act)
- Wildlife approval as defined in clause 1 of Schedule 7 (section 42(4)(h) of the Act)

- Approval or dispensation that would otherwise be applied for under regulation 42 or 43 of the Freshwater Fisheries Regulation 1983 in respect of a complex freshwater fisheries activity (section 42(4)(j) of the Act)
- Initial access arrangement or a variation to an existing access arrangement that would otherwise be applied for under section 61 of the Crown Minerals Act 1991 (section 42(4)(l) of the Act)

Department of Conservation (DOC)

Fast-track application completeness check summary

2.0 Background

A substantive application for the project was previously lodged with the EPA on 7 March 2025. The Department of Conservation (DOC) provided advice to the EPA to inform its decision on whether the application complied with the requirements of section 46(2) of the Act. On 28 March 2025 the EPA determined the application did not comply with the requirements of section 46(2) of the Act as the information to satisfy the requirements of clause 2(1)(h) of Schedule 8 in respect of the archaeological authority was not provided in sufficient detail. The application was returned to the applicant. On 10 April 2025, Oceania Gold Limited (OGL) submitted a new substantive application to the EPA

3.0 Fast-track application completeness check summary

DOC has received a request from the EPA to review information provided in the new substantive application for the Waihi North Project, lodged on 10 April 2025, and advise whether in DOC's view it:

- a) meets the requirements of sections 42 and 43 of the Act and
- b) is provided in sufficient detail to satisfy the purpose for which it is required in accordance with section 44 of the Act.

DOC's approach to giving advice on the new application has been based on correspondence provided by the EPA dated 11 April 2025 outlining the changes made to the substantive application. As outlined in the request from the EPA, DOC is advised that the changes made to the application relate to the assessment of historic heritage and archaeological effects (Attachment B, 49 of the application) and the substantive application report (Attachments A.04-A.12 of the application). Specifically, the item of relevance to the DOC approvals sought is limited to: *"confirmation that no non-mining activities are being applied for on land identified as ineligible land in Schedule 4 of the Fast-track Approvals Act 2024"*.

The rest of the application has not been altered since the last time DOC reviewed the application. Therefore, advice previously provided remains relevant in most areas of assessment. Given this is a new application, that advice is provided again, with any changes, to reflect current understanding of the application and information contained in the application documents, specifically highlighted in **blue text**.

Below are key messages and observations, followed by DOC's commentary for each approval and the supporting tables. Observations have been provided on the limitations of the assessments and/or provide context to the EPA as decision maker under section 46.

Key Messages

DOC's assessment found insufficient detail in several areas that would be required to inform the Panel's consideration of the application. However, it is our opinion this information could be requested from the Applicant.

Feedback in the commentary column in the tables below is summarised as "Present but not in sufficient detail" following DOC's assessment as it does not satisfy all elements of the relevant schedules of the Act.

DOC recommends this document is shared with the Applicant, the Panel Convener and the Panel to assist them in understanding information gaps and other approvals that may be required.

Observations

Navigation challenges

- The structure of the application by activity type and area, rather than approval sought has made identifying the required information in the application documents difficult. Where appropriate, previous reference documents provided by the Applicant have been used to identify the information. Refer to the observation made in relation to Concession Area 7 in the tables below.

Pest Control Activities

- Pest control is proposed to occur across both concession areas and access arrangement areas.
- Concessions and or access arrangements are not the authorising pathway under the legislation for approving pest control. Under section 38 of the Conservation Act these activities would be an offence without a hunting permit granted under that section, and therefore a permit issued by DOC would be required (hunting permits are not part of the fast-track regime). DOC notes a further operational plan is proposed for the aerial 1080 activities (B40 pg 31).
- OGL have applied for authorisation of the same activity, under different approvals and different locations. However, DOC would typically issue one authorisation per activity.

Consultation

Oceana Gold Limited (OGL) has undertaken substantial prior engagement with the local DOC office and technical experts prior to the Act coming into force, to support a previous RMA application. In addition, OGL engaged with the DOC fast-track team post enactment using DOC's established pre-lodgement processes providing a briefing to DOC and MBIE staff on 25 February 2025. This process was not completed as OGL filed the previous substantive application with EPA on 7 March 2025.

DOC has received a notice of request for a grant of right of access from OGL, notifying DOC of OGL's intention to lodge an access arrangement

Ineligible activities

Section 5 defines ineligible activities. Section 5(1)(h) provides:

(1) In this Act, ineligible activity means any of the following:

(h) an activity (other than an activity that would require an access arrangement under the Crown Minerals Act 1991) that—

- (i) would occur on land that is listed in Schedule 4; and
- (ii) has not been subject to a determination under section 24;

Schedule 4 of the Act specifies “Land on which non-mining activities are ineligible”.

The following two areas are listed in Schedule 4 and included in the proposed Northern Concession area:

- Clause 9 of Schedule 4 refers to “the area described in the Otahu Dedicated Area Notice 1976 (Gazette 1976, p 654).”
- Clause 10 of Schedule 4 refers to “the area described in the Parakawai Geological Area Notice 1980 (Gazette 1980, p 2408).”

As outlined in the cover letter provided with the lodged application on 10 April 2025 and detailed in Appendix A of the letter, no non-mining activities are being applied for on land identified as ineligible land in Schedule 4 of the Act.

Throughout the application documents various references have been included to confirm no non-mining activities are being applied for on land identified in Schedule 4 of the Act, for example Section 3.18.2 (Ecological Values) of the Environmental Setting section of the substantive application report:

“As noted, approval to these low impact activities is not being sought within the Otahu Dedicated Area and Parakawai Geological Area as part of this application. OGNZL will seek to obtain any necessary approvals for activities in these locations outside of the Fast-track process, and should it be determined that activities in these locations are unobtainable through mechanisms outside of the Fast-track process, OGNZL will look to undertake the activities in alternative locations and associated approvals. OGNZL will consult further with the Department of Conservation with regard to determining an appropriate location and management approach for these activities. Therefore, no non-mining activities are being applied for on Schedule 4 ineligible land.”

Commentary on Approvals

Information required for a concession

DOC has determined that the information required to consider the relevant concession applications is insufficient to satisfy all elements of Schedule 6 of the FTAA because:

- Descriptions of some of the proposed activities are at a high level only, therefore DOC is unable to determine the actual and potential effects, e.g. impacts of the proposed installation of the telemetry system, or if helicopter use is proposed as part of maintenance activities and how this will be approved.
- The GPS locations of some of the proposed concession activities is vague, broad areas have been identified for the installation of monitoring equipment and the location of some of these activities is noted as ‘TBC’ (to be confirmed).
- Some relevant conservation management strategy (CMS) and conservation management plan considerations have not been identified and considered by the Applicant as part of the application. These are provided in Appendix 1 to this completeness check for ease of reference.

Information required for a wildlife approval

DOC has determined that the information required to consider the relevant wildlife application is **insufficient** to satisfy all elements of Schedule 7 of the FTAA because:

- While there is sufficient information on the location and methodology proposed for the salvage translocation of leiopelmatid frogs (frogs), detail is missing on the protocols and techniques to be used (e.g. the safe capture, handling and transportation and release to ensure the welfare of the frogs throughout the process).

To Note:

- The Applicant has not applied for approval for the incidental killing of wildlife. It is an offence to kill wildlife without lawful authority. The evidence to date is that translocations of leiopelmatid frog translocations have had low success rates. Although the Applicant states that improvements will be made, the possible death of frogs should be taken into consideration.

Information required for a Complex Freshwater Fisheries Approval

DOC has determined the information required to consider the relevant freshwater fisheries application is insufficient to satisfy all elements of Schedule 9 of the FTAA because:

- Details of the diversion structures is provided but do not meet all aspects of Schedule 9, the proposed channel dimensions, rock sizing, etc. is not included.

Information required for an Access Arrangement

- DOC has determined that the information required to consider the relevant access arrangement applications is in sufficient detail to satisfy the mining activity aspects of Schedule 11 of the FTAA. This was determined on the basis the authorising pathway for the non-mining activities sought under this application is not via an access arrangement.

Other Approvals Required

- DOC notes that not all approvals can be provided under the FTAA to authorise the pest control aspects of this application:
 - As noted above the pest control activities outlined in the pest management plan cannot be authorised by a concession alone. Under section 38 of the Conservation Act these activities would be an offence without a hunting permit granted under that section. This will need to be applied for separately as it cannot be considered under the FTAA.
 - Use of 1080/poisons has been proposed as part of the pest control mitigation. Approval under the Hazardous Substances and New Organisms Act 1996, and potentially other approvals, cannot be considered under the FTAA.
 - The application refers to helicopter flights and/or drones, but this has not been included in the description for activities for the northern concession.
 - Approvals for activities to be undertaken as part of the Biodiversity Project have not yet been determined and/or applied for.
- While not part of the FTAA, DOC is required to consider the Kauri Dieback National Pest Management Plan in regard to all activities on Public Conservation Land where kauri are present, which includes all areas under consideration in the project application. Rule 5 of that plan requires an occupier of land to have a earthworks risk management plan to manage the risk of kauri dieback. DOC will review the provided documentation and provide comments when invited to comment on the application under section 53 of the FTAA.

Section 29 requirements	
Section 29(1)(a) requires that, before lodging an application for a listed project, the authorised person for the project must consult the persons and groups referred to in section 11. DOC is included in this per section 11(1) as it is a relevant administering agency.	
Date	Nature of consultation
25/2/25	<p>On 25/2/25 Oceana Gold provided a briefing for DOC and MBIE staff on its Fast-track application and noted an intention to lodge on 4 March 2025.</p> <p>There has been substantial engagement between DOC and OGL prior to this briefing including –</p> <ul style="list-style-type: none"> • Reviewing the AEE and supporting documents prepared in June 2022 as part of the RMA application • Reviewing technical reports again in October 2024 • Engagement between a range of technical experts • Regular operational meetings • Ongoing administration of the existing Access Arrangement at Wharekirauponga
Section 29(1)(b) requires that, before lodging an application for a listed project, the authorised person for the project must also comply with section 59(1) and (2) of the Crown Minerals Act	
Date	Notice of Intent
28/2/25	DOC confirms it received a letter from OGL titled – “OCEANAGOLD – WAIHI NORTH PROJECT – NOTICE OF REQUEST FOR GRANT OF RIGHT OF ACCESS UNDER SECTION 59 CROWN MINERALS ACT 1991” on 28 February 2025 notifying DOC of OGL’s intention to lodge an access arrangement
Section 43 requirements – Applications for concessions	
<p>Clause 3 of Schedule 6 outlines the information required in an application for a concession. The applicant has applied for concessions for a range of activities across two different areas: the Northern Concession Area and the Willows concession area. The activities are as listed below.</p> <p>To be able to assess the activities proposed against the information requirements of Schedule 6 (3), the activities have been separated as below:</p> <p>Concession Activity 1 – All pest control and monitoring within the Coromandel Forest Park associated with the WNP (Northern Concession Area);</p> <p>Concession Activity 2 – The installation and maintenance of a telemetry system to transmit environmental data (Northern Concession Area);</p> <p>Concession Activity 3 – The installation and maintenance of 3 river flow monitoring stations, and the continued use of the existing surface water</p>	

monitoring site (originally permitted under concession 70763-OTH and subsequently 87585-OTH) (Northern Concession Area);
Concession Activity 4 – The installation and maintenance of 3 near stream piezometers (Northern Concession Area);
Concession Activity 5 – The continued use of a flow tracker for flow gauging (authorised under concession 87585-OTH); (Northern Concession Area);
Concession Activity 6 – Low impact monitoring activities (Northern Concession Area); and
Concession Activity 7 – Rehabilitation planting with continued access for planting maintenance including pest control (Willows concession area).

Relevant section	Page reference in application	DOC commentary
For the purposes of section 43(3), an application for a concession must include—		
(a) a description of the proposed activity:		
Concession Activity 1	A.11 page 647, B.40, D.07, H.05 H.01 page 27	Information present and sufficient
Concession Activity 2, 3, 4, 5 and 6	A.11 page 647, A.05 page 72-79, D.07	Information present but not sufficient <ul style="list-style-type: none"> • DOC would anticipate that the panel would need further specific detail around the design, installation and maintenance of the telemetry system, river flow monitors, trackers and piezometers e.g. details such as volume of earthworks/disturbance/frequency of monitoring activities for example, Helicopter flights are mentioned briefly assumed as a ‘monitoring activity’ (which would require a concession).

<p>Concession Activity 7 – Rehabilitation planting with continued access for planting maintenance including pest control (Willows concession area)</p>	<p>A.05 Substantive Application Report – Project Description section 2.7.3 Restoration and Enhancement Planting Willows Area Concession Proposed Conditions.</p>	<p>Information present and sufficient Report A.05 Provides a description of the proposal. Section 2.7.3 provides a description of the restoration and enhancement planting including within and in close proximity to Area 2. Section 2.6.3.3 discusses pest control and monitoring by providing a cross reference to Section 6.6.1.1 (Section 6 Assessment of Environmental Effects – Area 1/Coromandel Forest Park) DOC makes the following observation: It is noted the structure of the application by activity type and area rather than approvals sought has resulted in the information being difficult to find in the application documents</p>
<p>(b) a description, maps, and GPS co-ordinates identifying the places where the proposed activity will be carried out (including the classification of those places, the ownership and management arrangements, and, if applicable, the name, of the places):</p>	<p>A.05 Section 2.6, A.11 Figure 8-2-8.5.</p>	
<p>Concession Activity 1</p>	<p>A11 pg 650 B.40</p>	<p>Information present but not sufficient</p> <ul style="list-style-type: none"> • Broader maps of pest control area including AA area are provided, but location data and maps are not sufficient to determine the specific location of each pest control activity as proposed.
<p>Concession Activity 2, 3, 4, 5 and 6 (as described above)</p>	<p>C.02 A.11 Page 650- 65</p>	<p>Information present but not sufficient</p> <ul style="list-style-type: none"> • Broader areas are shown, but lacking GPS locations and exact location details

	A.05	for a number of the environmental monitoring/telemetry system equipment as they are TBC
Concession Activity 7 – Rehabilitation planting with continued access for planting maintenance including pest control (Willows concession area)	A.11 page 649 & 651 & D08.	Information present and sufficient
(c) information about whether the project could reasonably be undertaken in another location, or in another conservation area or another part of the conservation area, where the potential adverse effects would be significantly less:	A.11page 651	Information present and sufficient. <ul style="list-style-type: none"> • DOC has assessed this at the project level and not the individual approvals.
(d) in the case of an application for an approval within paragraph (a) of the definition of concession or paragraph (a) of the definition of Reserves Act approval, information about the extent to which the project is consistent with—		
(i) the relevant conservation management strategy and conservation management plan:	A.11 Section 8.8	Information present and sufficient <ul style="list-style-type: none"> • The Applicant has considered the Conservation General Policy, the Waikato Conservation Management Strategy 2014 and Coromandel Peninsula Conservation Land Management Plan. • There are a number of relevant provisions that have not been assessed within these documents. The missing provisions are provided in Appendix One. • In addition, due to a boundary change the Waikato Conservation Management Strategy 1996 still has effect for a small section of the Project area. This document was not available on DOC's

		<p>website. See Appendix One for further details.</p> <ul style="list-style-type: none"> Please note given this was not available, DOChas not taken missing references to this CMS into our consideration in our assessment but recommend this is incorporated in the future.
(ii) any conservation management strategies or conservation management plans that have been co-authored, authored, or approved by a Treaty settlement entity:		N/A
(e) in the case of an application for an approval within paragraph (b) of the definition of Reserves Act approval, information about the extent to which the project is consistent with any management plan approved under section 41 of the Reserves Act 1977:	N/A	N/A
(f) information about the extent to which the project is in keeping with the purposes for which the land is held, status, ownership and administration:	A.11page 652	<p>Information present and sufficient</p> <ul style="list-style-type: none"> Activities considered under the concession are consistent with the purpose
(g) a description of—		
(i) the potential effects (positive and negative) of the proposed activity:	A.11 page 652 –653,	<p>Information present but not sufficient</p> <ul style="list-style-type: none"> (i)Specific assessment of effects for each concession activity varies in detail, noting that some of the concession activities are also not explained in detail and specific locations aren't provided
(ii) any actions that the applicant proposes to take to avoid, remedy, mitigate, offset, or compensate for any adverse effects of the proposed activity:	A.05 page 74, A.09, B.40 page 32.	

<p>(iii) details of the type of concession for which the applicant is applying:</p>		<p>which subsequently limits an assessment of effects. For example, further to the pest control activity the application notes the risk of the use of toxins. However, DOC could not locate an assessment of effects/actions/mitigations to limit effects of the proposed concession activities (e.g effects of the toxins on the environment). Further the environmental, physical, visual effects of the installation of monitoring equipment and activities was also not identified.</p> <ul style="list-style-type: none"> • (ii) The limitations in the assessment of potential effects (as set out above) limits the completeness of the actions proposed to avoid, mitigate or remedy adverse effects. • (iii) Identified (noting additional concession maybe required e.g. helicopter)
<p>(h) a statement of—</p>		
<p>(i) the proposed duration of the concession; and</p>	<p>A.11 page 653</p>	<p>Information present and sufficient</p>
<p>(ii) the reasons for the proposed duration:</p>		<p>Information present and sufficient</p>
<p>(i) relevant information relating to the applicant, including any information relevant to their ability to carry out the proposed activity (including whether the applicant or any company director, trustee, partner, or anyone else involved</p>	<p>A.04 pages 11-25, A.11 page 555.</p>	<p>Information present and sufficient</p>

with the application has been convicted of any offence or has any current criminal charges pending before a court):		
(j) if the applicant applies for a lease, a licence granting an interest in land, or an easement,—		
(i) reasons for the request; and	A .05 Project Description, page 31,	Information present and sufficient
(ii) sufficient information to satisfy the panel that, in terms of clause 7, it is appropriate under section 81 to grant the lease, licence, or easement (as the case may be):	A.11 Fast-Track Approval Act 2024 Requirements Section 8.8 page 647.	Information present but not sufficient <ul style="list-style-type: none"> • DOC does not consider there is sufficient information to satisfy the panel that the details required have been provided to grant a licence
(k) full details of any consultation undertaken with relevant iwi and with reserve owners and managers:	A .08 page 342, and F.01 Waihi North Project Consultation Summary.	EPA to determine
(l) information about financial and legal liabilities and obligations associated with the land:	A .11 page 654, J.00 to J.12 e.g records of title	Information present and sufficient
(m) in the case of an application for an approval referred to in paragraph (b) of the definition of Reserves Act approval where the reserve is owned or managed by a local authority confirmation that the local authority has provided written agreement for the activity to be undertaken on the reserve:	N/A	N/A
(n) confirmation that the applicant has written agreement from the holder of a right of first refusal or right of offer or return to waive that right for the purposes of any lease proposed in the application if—the proposed lease would	A.11 page 655	N/A. The application does not include a lease

<p>be for a term (including any renewals) that will, or is likely to, be more than 50 years; and the granting of the lease would trigger the right of first refusal or right of offer or return.</p>		
<p>Applications for wildlife approvals</p>		
<p>Clause 2 of Schedule 7 outlines the information required in an application for a wildlife approval.</p> <p>Activities applied for include:</p> <ul style="list-style-type: none"> • monitoring of protected frogs on PCL, and • salvage of protected frogs and lizards on and off PCL. 		
<p>Relevant section</p>	<p>Page reference in application</p>	<p>DoC Commentary</p>
<p>For the purposes of section 43(3)(h), an application for a wildlife approval must—</p>		
<p>(a) specify the purpose of the proposed activity:</p>	<p>A.11 section 8.9.1</p>	<p>Information present and sufficient</p>
<p>(b) identify the actions the applicant wishes to carry out involving protected wildlife and where they will be carried out (whether on or off public conservation land):</p>	<p>A.11 section 8.9.1</p>	<p>Information present and sufficient</p>
<p>(c) include an assessment of the activity and its impacts against the purpose of the Wildlife Act 1953:</p>	<p>A.11 section 8.9.1, B.36, B.37 H.01, H.02</p>	<p>Information present and sufficient</p> <ul style="list-style-type: none"> • Applicant has considered the purpose of the Wildlife Act, being wildlife protection, as demonstrated by the actions to reduce impacts, salvage frogs and lizards, and increase / enhance habitat.
<p>(d) list protected wildlife species known or predicted to be in the area and, where possible, the numbers of wildlife present and numbers likely to be impacted:</p>	<p>A.09 section 6.3.4, B.36 section 4, B.37 section 5</p>	<p>Information present but not sufficient</p> <ul style="list-style-type: none"> • Desktop assessments and surveys have been undertaken.

	H.01, H.02	<ul style="list-style-type: none"> • However, the estimates of frogs and lizards likely to be salvaged and/or killed remain unclear.
(e) outline impacts on threatened, data deficient, and at-risk wildlife species (as defined in the New Zealand Threat Classification System):	A.09 section 6.6, B.36, B.37 H.01, H.02	Information present and sufficient
(f) state how the methods proposed to be used to conduct the actions specified under paragraph (b) will ensure that best practice standards are met:	H.02 section 8 (Lizard Management Plan), H.01 section 4 B.36, B.37	Information present and sufficient <ul style="list-style-type: none"> • Noting that best practice does not exist for frogs to the same extent it does for lizards.
(g) describe the methods to be used to safely, efficiently, and humanely catch, hold, or kill the animals and identify relevant animal ethics processes:	H.02 section 8 (Lizard Management Plan), H.01 section 4 B.36, B.37	Information present but not sufficient <ul style="list-style-type: none"> • The frog salvage translocation and release process is described in H.01 but is missing detail such as safe capture, handling, package and transportation of frogs. • H.01 refers to six 0.04 ha salvage 'release pens'. There is no further detail on these 'release pens' e.g. (material, height, construction). DOC notes that this is a new and therefore untested activity
(h) state the location or locations in which the activity will be carried out, including a map (and GPS co-ordinates if available):	A.05 section 2.6 A11 section 08 H.01, H02 B.36, B.37	Information present and sufficient <ul style="list-style-type: none"> • Note the application is to handle, salvage and relocate leiopelmatid frogs and lizards on conservation land and other land. However, frogs were not detected in the Waihi Area project areas that are not on conservation land, and the information provided in terms of frog

		salvage only relates to the area on conservation land (WUG, document H.01).
(i) state whether authorisation is sought to temporarily hold or relocate wildlife:	H.02 section 8 (Lizard Management Plan), H.01section 4 B.36, B.37	Information present and sufficient <ul style="list-style-type: none"> • Authorisation is sought to relocate wildlife.
(j) list all actual and potential wildlife effects (adverse or positive) of the proposed activity, including effects on the target species, other indigenous species, and the ecosystems at the site:	A.09 section 6.6.1, B.36 sections 5 and 6, B.37 section 6, B.38, B.39	Information present and sufficient <ul style="list-style-type: none"> • Sections identified focus on lizards and frogs, but effects on other indigenous species (bats, birds, invertebrates) are also covered.
(k) where adverse effects are identified, state what methods will be used to avoid and minimise those effects, and any offsetting or compensation proposed to address unmitigated adverse effects (including steps taken before the project begins, such as surveying, salvaging, and relocating protected wildlife):	A.05 section 2.6.3, A10, B.58 H.02 section 8 (Lizard Management Plan), H.01 section 4 H.02 section 4.	Information present but not sufficient <ul style="list-style-type: none"> • see response to (g) above
(l) state whether the applicant or any company director, trustee, partner, or anyone else involved with the application has been convicted of any offence under the Wildlife Act 1953:	A.11 section 8.9.1	Information present and sufficient.
(m) state whether the applicant or any company director, trustee, partner, or anyone else involved with the	A.11 section 8.9 page 673.	Information present and sufficient

<p>application has any current criminal charges under the Wildlife Act 1953 pending before a court:</p>		<p>A statement is required to confirm whether there are any criminal charges pending under the Wildlife Act. The applicant has addressed the information requirement and provided the following statement which is not clear whether there are any current criminal charges pending under the Wildlife Act or not : “The applicant (including the company director, trustees, partners, or anyone else involved with the application) has any current criminal charges pending under the Wildlife Act.”</p> <p>DOC makes the following observation:</p> <p>It appears this is a typographical error.</p>
<p>(n) provide proof and details of all consultation, including with hapū or iwi, on the application specific to wildlife impacts:</p>	<p>A.08 section 5, 5.7.4 – A.09 section 6.2, F.01 – F.06</p>	<p>Information present and sufficient</p> <p>Section 5.3 of the Consultation and Engagement Report (A.08) discusses the consultation undertaken with tangata whenua associated with the project. Section 5.7.4 outlines concerns raised during the consultation from various stakeholders in relation to biodiversity, including reference to Archey’s Frog.</p> <p>Whilst not specifically stated in relation to the wildlife approval, the information provided in relation to consultation undertaken with hapū or iwi on the project and the issues raised by stakeholders in relation to biodiversity can be</p>

		<p>inferred and on that basis is considered present and sufficient.</p> <p>It is noted that the relevant iwi authorities and Treaty Settlement Entities will be invited to comment on the application. tion with iwi specifically on wildlife.</p>
(o) provide any additional written expert views, advice, or opinions the applicant has obtained concerning their proposal.	Various reports provided in Part B -Technical Reports	Information present and sufficient
Applications for complex freshwater fisheries approval		
<p>Clause 3 of Schedule 9 outlines the information required in an application for access arrangements</p> <p>Dispensation from applying a fish passage. The following table applies to both diversions being applied for, namely –</p> <ul style="list-style-type: none"> • 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. 		
Relevant section	Page reference in application	Commentary
<p>For the purpose of section 43(3)(j), an application for a complex freshwater fisheries activity approval must include the following information:</p> <p>(a) in relation to the structure and any fish facility:</p>		
(i) a description of the type of structure or fish facility:	A.07 section 4.7,	<p>Information present but not sufficient.</p> <ul style="list-style-type: none"> • Appendix 14 provides high level design principles and objectives. Detailed design, e.g. channel dimensions, rock sizing, etc. has not yet been developed.
(ii) the dimensions of the structure or fish facility:	A.11 page 669,	
(iii) the design of the structure or fish facility:	A.05 page 160,	
(iv) the placement of the structure or fish facility:	B.43 Part 2 Appendices 11, 14 (provided on 14/3/25),	
(v) the water flows:	D.06.	
(vi) the operating regime:		

(b) the freshwater species and values present (with particular focus on threatened, data-deficient, and at-risk species as defined in the New Zealand Threat Classification System):	A.06 page 194, B.43 Part 2 section 3.	Information present and sufficient
(c) the water quality and quantity in the surrounding habitat (at the proposed structure location, upstream and downstream):	A.06 page 194, and B.43 Part 2 section 3.	Information present and sufficient <ul style="list-style-type: none"> • For the purposes of assessing Freshwater Fisheries Regulations approvals for a diversion structure.
(d) how the passage of fish will be provided for or impeded.	A.11 Fast-Track Approvals Act Requirements section 8.11 page 670, B.43 Freshwater Ecological Assessment Part 2 Appendix 14.	Information present and sufficient.

Applications for access arrangements

Clause 3 of Schedule 11 outlines the information required in an application for access arrangements.

The applicant has applied for the following –

- Crown Minerals approvals for activities within MP 41808 and MP 60541 applied to be authorised as:
- Variation to the existing access arrangement 62342
- New Access Arrangement to replace 48614-AA for Wharekirauponga

The full list of activities being applied for under the new access arrangement is described in A.07 Approvals Required pages 336-337 and includes exploratory drilling activities, installation and maintenance of ventilation shafts and many of the activities outlined for the concession applications.

The following table focusses on the core exploratory mining activities.

The application also requests approval of pest control and environmental monitoring activities as part of the access arrangement approval e.g. telemetry systems and water flow monitors. Some of these activities are also being applied for as part of the Northern Concession Area. Schedule 11 is less suitable for consideration of completeness of these activities and DOC would recommend these are considered under a concession application instead (subject to our notes above regarding pest control).

In general, the considerations used for concessions would apply to these aspects.

The table below refers to both applications except where identified.		
Relevant section	Page reference in application	Commentary
For the purposes of section 43(3)(l), an application for an access arrangement must include the following:		
(a) a copy of the relevant permit under the Crown Minerals Act 1991 (if a permit has been granted under that Act):	E.03 Existing Mining Permits MP41808 and MP60541.	Information provided and no assessment required.
(b) a clear map or plan of the application area with GPS coordinates:	A.11 Fast-Track Approvals Act 2024 Requirements section 8.12 pages 672, 676, 677, 678	Information present and sufficient <ul style="list-style-type: none"> More detail could be found for the monitoring activities within the access arrangements than those for the concessions.
(c) a document identifying the areas of conservation land located within the application area, its classification, and an assessment against its purpose:	A.11 section 8.12, pages 652, 653, 678, and 679. Part D08	Information not present for the variation of the AA. <ul style="list-style-type: none"> DOC could not locate the areas identifying conservation land that are referred to on page 678 and part D including a 'marked up' version of the existing AA.
(d) a description of the proposal, including—		
(i) the application area, including location and features (for example, water courses, roads, and amenities):	A.05 2.5 to 2.13.	Information present and sufficient.
(ii) a summary of proposed activities (including type of prospecting, exploration, or mining methods, duration, and scale of activity):	A.05 section 2.6 page 31, and A.11 8.12 page 670	Information present and sufficient.

(iii) a statement of the objectives of any Act under which the land is administered:	A.11 section 8.12 pages 681-682.	Information present and sufficient.
(iv) any policy statement, management strategy, or management plan of the Crown that applies in relation to the land:	A.11 sections 8.8.2, 8.8.3, and 8.8.4 pages 655 - 663	Information present and sufficient.
(v) details of any resource consents and concessions held or applied for, or intended applications in relation to the application area:	A.05 page 31, A.06 page 194.	Information present and sufficient.
(vi) in the case of an application for an approval described in section 42(4)(l), a statement of the direct net economic and other benefits of the proposed activities in relation to which the access arrangement is sought:	A.04 page 10, and A.09 section 6.3 page 376.	Information present and sufficient. <ul style="list-style-type: none"> Does not explicitly state this is relation to the access arrangement but can be inferred.
(vii) in the case of an application for an approval described in section 42(4)(m), the interests of the owner of the mineral, or of any person to whom the owner of the mineral has granted any rights in relation to the mineral, in obtaining access to that mineral:	N/A	N/A
(e) an assessment of the environment, including—		
(i) a description of the existing natural environment in and around the application area	A.06 pages 266 – 292	Information present and sufficient.

(including flora, fauna, aquatic life, and landscape):		
(ii) a description of any historic, cultural, and archaeological sites within the application area (position and significance):	A.06 pages 296 – 303	Information present and sufficient.
(iii) a description of the social environment in and around the application area (including scenic qualities, recreation facilities, and their use):	A.06 pages 303-307	Information present and sufficient.
(iv) an assessment of the effects that proposed activities will have on the environment described in subparagraph (i), both while the activities are taking place and after their completion:	A.09 page 371	Information present but insufficient <ul style="list-style-type: none"> • Unable to find information on drill sites in terms of vegetation and fauna values. • For those activities that are the same as the concession – see concession assessment.
(v) an outline of consultation undertaken, including full details of consultation with relevant iwi:	A.08 page 342, and F.01	Information present and sufficient.
(vi) a description of the proposed safeguards and mitigation measures to be put in place (for example, proposed rehabilitation, water management, management of flora and fauna and cultural or historic sites, and the way in which risks will be managed):	A.09, A.10	Information present and sufficient <ul style="list-style-type: none"> • Points raised in other approvals would apply

(vii) information about financial and legal liabilities and obligations associated with the land:	A.11 Fast-Track Approvals Act 2024 Requirements	Information present and sufficient.
(f) in the case of an application where the land in question is a reserve managed by a local authority, confirmation that the local authority has provided written agreement for the activity to be undertaken on the reserve.	N/A	N/A
Completeness check against section 43		
While this section is primarily for the EPA DOC will provide any additional commentary that may be useful to the EPA.		
Relevant section	Page reference in application	Commentary
43(1) A substantive application		
(a) Must be lodged in the form and manner approved by the EPA; and		Will be confirmed by the EPA
(b) Must—		
(i) explain how the project to which the application relates is consistent with the purpose of this Act; or		Will be confirmed by the EPA
(ii) for a project referred under section 21(1)(a)—		
(A) explain how both the stage to which the application relates and the whole project are		Will be confirmed by the EPA

consistent with the purpose of this Act		
(B) contain information relating to the likelihood that any later stages of the project will be completed;		Will be confirmed by the EPA
(c) must demonstrate that the project does not involve any ineligible activities	<p>A.00 Cover and Application Letter to the EPA dated 8 April 2025</p> <p>Section 2.14 – A.05 Substantive Application Report – Project Description</p> <p>Section 3.18.2 – A06 Substantive Application Report – Environmental Setting Section 8.6- A.11 Substantive Application Report – Fast-track Approvals Act 2024 Requirements</p>	The application states no non-mining activities are being applied for on land identified as ineligible land in Schedule 4 of the Act.
(d) must, if the application is lodged by more than 1 authorised person, state the proposed approval to be held by each person; and		Will be confirmed by the EPA
(e) must comply with—		
(i) any information requirements specified by the Minister under section 27(3)(b)(ii); and		Will be confirmed by the EPA

(ii) the requirements listed in subsection (3) that apply to the approvals sought; and		
(f) must, if the authorised person has applied under section 39 for a determination under section 23 or 24, include a copy of the notice under section 39(4); and		N/A
(g) must, if the application seeks an approval for an activity that is the subject of a determination under section 23, set out the steps taken to secure the agreement referred to in section 5(1)(a); and		N/A
(h) must state whether the application relates to a priority project and, if so, include confirmation that, to the best of the applicant's knowledge, there are no competing applications; and		Will be confirmed by the EPA
(i) must be made by the deadline specified in the notice under section 28(3)(d); and		Will be confirmed by the EPA
(j) must be made by the deadline specified in the notice under section 28(3)(d); and		Will be confirmed by the EPA
43(2) If a substantive application is for a listed project, it must also contain the information required by section 13(4) (other than section 13(4)(b), (f)(ii) and (iii), and (g)), which applies—		

<p>(a) as if the reference in section 13(4)(k) to section 11 were a reference to section 29; and</p> <p>(b) as if the reference in clause 2 of Schedule 11 to section 12(2) were a reference to section 29; and</p> <p>(c) with any other necessary modifications.</p>		
<p>(a) a description of the project and the activities it involves:</p>		<p>Will be confirmed by the EPA</p>
<p>(b) information to demonstrate that the project does not involve any ineligible activities (other than activities that may be the subject of a determination under section 23 or 24):</p>		<p>Will be confirmed by the EPA</p>
<p>(c) a description or map of the whole project area that identifies its boundaries in sufficient detail to enable consideration of the referral application:</p>		<p>Will be confirmed by the EPA</p>
<p>(e) the anticipated commencement and completion dates for construction activities (where relevant):</p>		<p>Will be confirmed by the EPA</p>
<p>(f) a statement of whether the project is planned to proceed in stages and, if so, an outline of the nature and timing of the stages</p>		<p>Will be confirmed by the EPA</p>
<p>(h) a description of the anticipated and known adverse effects of the project on the environment:</p>		<p>Will be confirmed by the EPA</p>

<p>(i) a statement of any activities involved in the project that are prohibited activities under the Resource Management Act 1991:</p>		<p>Will be confirmed by the EPA</p>
<p>(j) a list of the persons and groups the applicant considers are likely to be affected by the project, including—</p> <ul style="list-style-type: none"> (i) relevant local authorities: (ii) iwi authorities and groups that represent hapū that are parties to relevant Mana Whakahono ā Rohe or joint management agreements: (iii) other relevant iwi authorities: (iv) relevant Treaty settlement entities: (v) relevant protected customary rights groups and customary marine title groups: (vi) ngā hapū o Ngāti Porou, if the project area is within or adjacent to, or the project would directly affect, ngā rohe moana o ngā hapū o Ngāti Porou: (vii) relevant applicant groups under the Marine and Coastal Area (Takutai Moana) Act 2011: (viii) persons with a registered interest in land that may need to be acquired under the Public Works Act 1981: 		<p>Will be confirmed by the EPA</p>

(k) a summary of—		
(i) the consultation undertaken for the purposes of section 11 and any other consultation undertaken on the project with the persons and groups referred to in paragraph (j); and		
(ii) how the consultation has informed the project:		Will be confirmed by the EPA
(l) a list of any Treaty settlements that apply to the project area, and a summary of the relevant principles and provisions in those settlements:		Will be confirmed by the EPA
(m) a description of any processes already undertaken under the Public Works Act 1981 in relation to the project:		Will be confirmed by the EPA
(n) a statement of any relevant principles or provisions in the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019:		Will be confirmed by the EPA
(o) information identifying the parcels of Māori land, marae, and identified wāhi tapu within the project area:		Will be confirmed by the EPA
(p) a statement of whether the applicant is seeking a determination under section 23 and, if so, an assessment of the effects of the activity on the relevant land and		Will be confirmed by the EPA

on the rights and interests of Māori in that land:		
a statement of whether the applicant is seeking a determination under section 24(2) and, if so, a description of—		
(i) the scale and adverse effects of the existing electricity infrastructure; and		N/A
(ii) now, if at all, that scale or those adverse effects are anticipated or known to change as a result of the maintenance, upgrading, or continued operation of the infrastructure:		N/A
(q) a statement of whether the applicant is seeking a determination under section 24(4) and, if so,—		N/A
(i) a description of every alternative site considered by the applicant (or, if the referral application is lodged by more than 1 person, any of those persons) for the construction and operation of the new electricity lines (the activity); and		N/A
(ii) for each alternative site considered,—		N/A

<ul style="list-style-type: none">A. a statement of the anticipated and known financial cost of undertaking the activity; andB. a description of the anticipated and known adverse effects of undertaking the activity; andC. a description of the anticipated and known financial cost and practicality of available measures to avoid, remedy, mitigate, offset, or compensate for the anticipated and known adverse effects of the activity; andD. a description of any issues (including financial cost) that would make it impractical to undertake the activity on the site; andE. an assessment of whether it would be reasonable and practical to undertake the activity on the site, taking into account the		
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<p>matters referred to in subparagraphs (A) to (D) and any other relevant matters:</p>		
<p>(r) a description of the applicant’s legal interest (if any), or if the referral application is lodged by more than 1 person, the legal interest of any of those persons (if any), in the land on which the project will occur, including a statement of how that affects the applicant’s ability to undertake the work:</p>		<p>Will be confirmed by the EPA</p>
<p>(s) an outline of the types of consents, certificates, designations, concessions, and other legal authorisations (other than contractual authorisations or the proposed approvals) that the applicant considers are needed to authorise the project, including any that the applicant considers may be needed by someone other than the applicant:</p>		<p>DOC notes the following will be required to authorise the pest control activities -</p> <ul style="list-style-type: none"> • HSNO Approval for use of poisons • Hunting Permit under section 38 of the Conservation Act • Authority to kill wildlife.
<p>(t) whether any activities that are involved in the project, or are substantially the same as those involved in the project, have been the subject of an application or a decision under a specified Act and,—</p> <p style="padding-left: 40px;">(i) if an application has been made, details of the application:</p>		

(ii) if a decision has been made, the outcome of the decision and the reasons for it:		
(u) a description of whether and how the project would be affected by climate change and natural hazards:		Will be confirmed by the EPA
(v) if the referral application is lodged by more than 1 person, a statement of each proposed approval to be held by each of those persons:		Will be confirmed by the EPA
(w) a summary of compliance or enforcement actions (if any), and the outcome of those actions, taken against the applicant (or if the referral application is lodged by more than 1 person, any of those persons) under a specified Act:		Will be confirmed by the EPA
43(3) The requirements referred to in subsection (1)(e)(ii) are those set out in,—		
(a) for an approval described in section 42(4)(a) (resource consent), clauses 5 to 8 of Schedule 5:		N/A
(b) for an approval described in section 42(4)(b) (change or cancellation of resource consent condition), clause 10 of Schedule 5:		N/A

(c) for an approval described in section 42(4)(c) (certificate of compliance), clause 11 of Schedule 5:		N/A
(d) for an approval described in section 42(4)(d) (designation), clause 12 of Schedule 5		N/A
(e) for an approval described in section 42(4)(e) (concession), clause 3 of Schedule 6:		See elsewhere in this form
(f) for an approval described in section 42(4)(f) (land exchange), clause 27 of Schedule 6:		N/A
(g) for an approval described in section 42(4)(g) (conservation covenant), clause 42 of Schedule 6:		See elsewhere in this form
(h) for an approval described in section 42(4)(h) (wildlife approval), clause 2 of Schedule 7:		See elsewhere in this form
(i) for an approval described in section 42(4)(i) (archaeological authority), clause 2 of Schedule 8:		N/A
(j) for an approval described in section 42(4)(j) (complex freshwater fisheries activity approval), clause 3 of Schedule 9:		See elsewhere in this form
(k) for an approval described in section 42(4)(k) (marine consent), clauses 3 and 4 of Schedule 10:		N/A

(l) for an approval described in section 42(4)(l) or (m) (access arrangement), clause 3 of Schedule 11:		
(m) for an approval described in section 42(4)(n) (mining permit), clause 16 of Schedule 11.		N/A
Sch 5 cl 9 -For the purposes of section 43(3)(a), a consent application for a project that includes a standard freshwater fisheries activity must include the information set out in clause 3 of Schedule 9.		

Appendix One

Waihi North Project, substantive application check

Statutory Planning Assessment

Preliminary notes for applicant:

- DOC undertakes advocacy for conservation values on lands managed by others under section 6(b) of the Conservation Act 1987. This function is reflected in the policies in Chapter 7 of the Conservation General Policy 2005 (CGP) for conservation beyond public conservation lands and waters. Hence, for example, identification below of section 3.6 in the Coromandel Peninsula Conservation Land Management Plan 2002, and sections 5.4 and 5.5 in the Waikato Conservation Management Strategy 2014 (CMS 2014).
- Outcome statements in the CMS 2014 have the same statutory effect as objectives and policies. Hence, the need to address section 9.2.1, outcome for the HaurakiCoromandel Peninsula Place, more fully.
- The boundary of the CMS 2014 extends as far south as SH 2 and SH 25 and does not include Waihi township. For those parts of the application south of the CMS 2014 boundary the Waikato Conservation Management Strategy 1996 (CMS 1996) still has effect. This document is not currently available on DOC's website but can be viewed here: <https://acrobat.adobe.com/id/urn:aaid:sc:AP:a2a0bba4-1ee0-410f-a0ac-fef28bf970ac>
- DOC will make the CMS 1996 available on our website shortly, along with a map showing the boundaries.

Statutory planning provisions not addressed in substantive application:

For all sites, where relevant:

Conservation General Policy 2005

4.6 Ecosystem services

4.6(a) Activities on public conservation lands and waters should be planned and managed in ways which avoid or otherwise minimise adverse effects on the quality of ecosystem services.

11.1 All activities

11.1(d) Concession and other authorisation holders will be responsible for the safe conduct of their operations, including the safety of staff, clients, contractors, and the public, and compliance with relevant safety standards and legal obligations.

11.3 Utilities

Definition of 'Utilities':

Includes but not limited to: structures and infrastructure for telecommunications; energy generation and transmission; sewerage; water supply and flood control; oil and gas; roads and airstrips; hydrological and weather stations.

11.3(a) Utilities may be provided for on public conservation lands and waters where they cannot be reasonably located outside public conservation lands and waters, or if specifically provided for as a purpose for which the place is held.

11.3(b) When new utilities are installed or existing utilities are maintained or extended, they should be of a scale, design and colour that relates to, and is integrated with, the landscape and seascape.

11.3(c) Public access to utilities may be denied where necessary for the protection of public safety or the security or competent operation of the activity concerned.

11.3(d) Utilities should, wherever possible, be located in, or added to, an existing structure or facility and use existing access options.

11.3(e) Utilities that are redundant should be removed from public conservation lands and waters and the site restored as far as practicable to a natural state to minimise effects on the landscape.

Coromandel Peninsula Conservation Land Management Plan 2002

Section 3.2 Plant and Animal Pests

Objective

Reduce animal and plant pests and hold at levels that allow biodiversity at priority sites to be maintained and enhanced.

Implementation

Extend plant and animal pest control into other nationally and regionally ranked sites as resources permit.

Section 3.3.1.6 Wentworth/Wharekairauponga Visitor Management Zone

Implementation

Maintain the present walk and track systems in the valleys

Section 3.6 Advocacy

Objective

The conservation of natural and historic resources outside protected areas.

Implementation

Advocate protection of natural and historic resources to ... landowners through a range of statutory and non-statutory mechanisms.

Section 3.9.1 Concessions

Implementations

Include a requirement to monitor affects of the activity and provide monitoring information to the Department in concession documentation.

Where appropriate apply a precautionary approach to concession applications. The precautionary approach is defined in terms of sections 6 and 17U(2) of the Conservation Act 1987

For the Wharekairauponga Underground Mine and Access Tunnel (to CMS 2014 boundary), and Willows Road Surface Facilities Area:

Waikato Conservation Management Strategy 2014

Section 5.1 The diversity of our natural heritage is maintained and restored

Objectives

5.1.1.1 The diversity of New Zealand's natural heritage is maintained and restored with priority given to:

- a) conserving a full range of New Zealand's ecosystems to a healthy functioning state, with an emphasis on priority ecosystems in Appendix 4;
- b) supporting the work of others to maintain and restore ecosystem types selected from Appendix 2;
- c) conserving Threatened species to ensure persistence, with an emphasis on those species listed in Appendix 6.

5.1.1.9 Maintain the natural form of prominent and distinctive geological features, landforms and landscapes, including undeveloped skylines and ridgelines, on public conservation lands and waters in Waikato.

5.1.1.15 Control and manage pest plants, animal pests and wild animals (identified in Appendix 5) and seek opportunities to collaborate with tangata whenua, local authorities, other agencies, neighbouring landowners and the community in this regard, to:

- a) improve the quality and functioning of the ecosystems identified in Part Two Places of this CMS and the ecosystems and habitats outside those Places identified in Appendices 2–4; and
- b) protect populations of threatened and at risk species within Waikato.

5.1.1.17 Contain all deer species within their gazetted feral range in collaboration with tangata whenua, communities, neighbouring landowners, hunting groups and other organisations.

Section 5.2 History is protected and brought to life

Objective

5.2.1.3 Prioritise and protect the actively conserved historic places listed in Appendix 10 on the basis of their historic, cultural and physical significance, their value to tangata whenua and the wider community, and their conservation need.

Section 5.3 More people participate in recreation

Objective

5.3.1.3 Contribute to a national network of visitor opportunities by promoting Local Treasure (Appendix 11) and Backcountry destinations, as valued by local communities and as more challenging attractions respectively, within the network of opportunities offered in Waikato.

Section 5.4 More people engage with conservation and value its benefits

Objectives

5.4.1.3 Work with a range of partners (such as tangata whenua, statutory agencies and local authorities, businesses, schools and the wider community) in enduring relationships to achieve ongoing conservation results.

5.4.1.4 Focus building relationships and partnerships in those areas where cooperative relationships are most needed to support priority conservation outcomes, particularly those that: ...

- b) add value and extend management to realise natural, cultural, historical and/or recreational benefits at the Places identified in Part Two of this CMS;
- c) enhance and create ecological corridors and buffers for the protection of ecosystems, habitats and species; ...
- f) recognise and protect sites and stories of special historical and cultural interest, including those at the Places identified in Part Two of this CMS.

Section 5.5 Conservation gains from business partnerships

Objectives

5.5.1.2 Work with ... businesses (particularly in the Coromandel, Waitomo and Pureora) to create and develop opportunities to promote conservation outcomes, products and services.

5.5.1.3 Seek opportunities to work with and build partnerships with businesses that are looking for ways to demonstrate their commitment to and engagement with conservation.

5.5.1.6 Build productive business partnerships that deliver measurable conservation gains.

5.5.1.7 Increase engagement of the commercial sector in conservation.

Section 9 Hauraki-Coromandel Peninsula Place

9.2 Outcome, policies and milestones for the Hauraki-Coromandel Peninsula Place

9.2.1 Outcome

Commercial activities complement natural, historic and amenity values. ... Other concessions ... have minimal impact on other users and natural values. The commercial use of ecosystem services and resources results in an overall conservation gain for natural, cultural and historic values on public conservation lands.

The priority ecosystem at Otahu is maintained and restored, with forest health improving elsewhere, in partnership with other interested parties. Populations of Threatened and At Risk species (including Archey's frog) are protected with assistance from the community and interested parties. ... Significant geological values are protected at Parakawai, and a native forest landscape prevails.

Important heritage artefacts associated with kauri logging, gold mining and telegraph communication, including the actively managed Royal Standard Tramway, are preserved and integrated with recreation experiences.

Section 16.15.1 Policies—Kauri Dieback Disease

16.15.1.2 Work with ... concessionaires ... working in kauri forests to adopt kauri dieback disease hygiene standards for their people, machinery, equipment and activities.

Section 16.16.1 Policy – Game Animals

16.16.1.1. Work with the Game Animal Council to facilitate the hunting of wild animals (that are also game animals) on public conservation land as defined by the Game Animal Council Act 74 to achieve the purposes of the Wild Animal Control Act 1977 and the Game Animal Council Act 2013. **Appendix 2 [Ref objective 5.1.1.1]**

Important ecosystems and habitats within Waikato

Forest of warm climates

Appendix 4 [Ref objective 5.1.1.1]

Priority ecosystems on public conservation lands and waters in Waikato identified by the Department of Conservation using its natural heritage prioritising processes in September 2013

Otahu Ecological Area contains: kauri, podocarp, broadleaved forest; tawa, kohekohe, mangero broadleaved forest; mānuka or kānuka scrub

Appendix 5 (Ref objective 5.1.1.15)

Threats or pests and wild animals present in Waikato

Table A5.1; Animal pests and wild animals

e.g. various mammal species listed

Appendix 6 [Ref objective 5.1.1.1]

Threatened and At Risk species present in Waikato

e.g. Table A6.2 Threatened and At Risk fauna (vertebrates) lists Archey's frog as Nationally Vulnerable.

For southern portion of the Wharekirauponga Access Tunnel, and the Gladstone Open Pit, Northern Rock Stack, and Tailings Storage Facility 3:

Waikato Conservation Management Strategy 1996

Chapter 3 Hauraki Sub-region

[the application area does not fall within any of the six areas of particular interest identified in sections 3.5 – 3.10]

Chapter 8 General Objectives for Protection of Natural and Historic Resources

Relevant objectives and implementations

E.g. section 8.2.3 implementations:

- seek protection of remaining native forest, especially areas which can function as corridors or buffer zones;
- advocate regeneration and rehabilitation of remnant or degraded areas of indigenous habitat, e.g., remnant lowland forest;
- assist landowner or community initiatives for protection or restoration of such areas or sites

Chapter 9 Specific Objectives for Areas Administered by the Department

9.1.1 Management Objective

To achieve cost-effective protection of the natural and historic resources on land and marine areas administered by the department; to fulfil statutory obligations as efficiently and effectively as possible; to give effect to the principles of the Treaty of Waitangi; and to involve the local and regional community in the protection of areas over which they have an interest.

Chapter 10 Uses and Activities on Land Administered by the Department

10.1 Introduction

10.1.1 Management Objective

For land subject to the Conservation Act 1987: to conserve natural and historic resources, foster public recreational enjoyment of those resources and allow their use for tourism; and ensure that any non-recreation, non-tourism uses of areas administered by the department conform with the legislation to which the area is subject.

10.5 Commercial Use

10.5.1 Objective

To ensure that all non-recreational, non-tourism activities on land administered by the department are consistent with conservation of natural and historic resources and conform with the legislation to which the area is subject.

10.6 Procedures for Assessing and Processing Proposed Uses or Activities and their Subsequent Monitoring and Administration

10.6.1 Objective

Concessions or other legal rights to use areas administered by the department may be granted to any body or person for purposes conforming with this Strategy.

10.6.3 Objective

Proposals for any use or activity on land administered by the department will be grouped into one of the categories indicated below and treated accordingly. All proposals will be assessed on their merits in accordance with the legislation. Where there is doubt about the possible effects of a use or activity the applicant must supply any additional information to enable the case to be considered. The application may be refused if there is insufficient information or if reasonable conditions cannot be set to avoid, remedy or mitigate adverse effects.

Category iv Category D uses or activities are those carried out by agents other than the department which will:

- involve a significant effect and/or will involve a concession or other legal rights of use for a period of five years or more.

[subsequent Assessment & Approval Procedures for Category C & D]

Chapter 11 Public Awareness & Statutory Advocacy

11.8.3 Objective

To encourage, and, where possible, assist with the protection of conservation values on private land.