

Before the Independent Hearing Panel

In the Matter of the Resource Management Act 1991 (**RMA**)

And

In the Matter of an application to the Gore District Council and Southland Regional Council for resource consents to establish and operate a gold mining activity near 972 Waikaka Road, Chatton North, Southland

Reference APP-20242608 (Southland Regional Council)
LU 24035 (Gore District Council)

Evidence of Anita Collie on behalf Waikaka Gold Mines Limited

Planning

Dated 19 November 2025

Introduction

1. My full name is Anita Clare Collie.
2. I have eighteen years' experience in the field of resource management planning. I hold a Bachelor of Science in Environmental Science (University of Western Australia). I am an Associate member of the New Zealand Planning Institute (NZPI).
3. I am a Director of Town Planning Group and have held that position since 2024. Prior to that, I was a Principal Planner with Town Planning Group. In this role I am responsible for preparing and overseeing a range of consent proposals for the company's clients, including private development and government agencies, and providing expert planning evidence. I have worked on several mining proposals and am familiar with the effects and mitigation measures of these types of proposals. I am familiar with the provisions of the Gore District Plan and Southland Regional Plans.
4. My previous work experience includes working as a planning consultant, in industry applying for and implementing resource consents, and as a Council processing planner. I have worked on mining, civil construction and infrastructure projects throughout my career.
5. I was instructed by Waikaka Gold Mines Limited (the '**Applicant**') to provide planning evidence in relation to their application for resource consents from the Gore District Council ('**GDC**') and Southland Regional Council ('**SRC**').
6. I am familiar with the area to which the application for resource consents relates. I have visited the site and surrounds on several occasions, most recently in April 2025. I prepared the Assessment of Environmental Effects and have coordinated the post-lodgement process, including the compilation of responses to requests for further information, and I have participated in some of the consultation led by the Applicant.
7. In preparing this evidence, I have reviewed the following documents:

- a. Submissions;
 - b. S42A reports and supporting information; and
 - c. Evidence of the Applicant's experts.
8. Although this is not a hearing before the Environment Court, I record that I have read and agree to and abide by the Environment Court's Code of Conduct for Expert Witnesses as specified in the Environment Court's Practice Note 2023. This evidence is within my area of expertise, except where I state that I rely upon the evidence of other expert witnesses as presented to this hearing. I have not omitted to consider any material facts known to me that might alter or detract from the opinions expressed.

Scope of Evidence

9. My evidence will address the following:
- a. the nature of the proposal;
 - b. the relevant rules and activity status of the proposal;
 - c. the site and existing environment;
 - d. the effects on the environment;
 - e. matters raised by submitters to the application;
 - f. proposed conditions of consent;
 - g. the evaluation of the activity against the relevant statutory planning instruments; and
 - h. the s42A report.
10. For brevity, I do not repeat matters already adequately addressed in the section 42A report. Similarly, I will cross reference the contents of my report which formed part of the application for consent and/or my responses to requests for further information where appropriate, rather than repeating it here.

Overview and Executive Summary

11. Resource consent is sought to establish a gold mining activity near 972 Waikaka Road, Chatton North, Southland (the '**site**'). A 20-year duration is sought.
12. Subsequent to notification and having considered the submissions received, the Applicant has engaged with various submitters in refining its proposal prior to hearing. This has resulted in some further information becoming available, though no fundamental changes to the application.
13. The project site has a lengthy history of gold mining with evidence of former mining remaining visible today. The site is located in a rural area and is part of four working farms. Resource consent is required for numerous activities and is overall to be considered as a Non-complying Activity.
14. The Applicant has developed a suite of mitigation measures that provide significant mitigation of the effects of the proposal. These have been developed through consultation processes with experts and submitters. I have set out a proposed set of draft conditions in **Appendix [B]** and remain open to further input from parties to the hearing to assist in the refinement of these.
15. In my opinion, all effects of the proposal can be appropriately managed by conditions to a level that is no more than minor, except for effects on stream values resulting from the diversion activity.
16. Despite all mitigation there will be a more than minor level of effect resulting from loss of values during the temporary diversions and rehabilitation timeframe, however these will be remedied in the medium to long term.

17. Positive effects include economic and social benefits of the proposal, and benefits to indigenous biodiversity arising from the riparian enhancement planting.
18. In my policy assessment, I have identified a degree of inconsistency with policies that relate to the protection of river values on a temporary basis. However, when considered when considered overall, I find the proposal to be largely consistent with the relevant planning provisions.
19. The proposal is not contrary to any of the relevant planning provisions and there are no statutory provisions which preclude consent being granted.
20. Overall, I am satisfied that the application meets the statutory tests for approval.

Nature of the Proposal

21. The proposal is outlined in full in section 3 of the AEE, supported by further information provided in response to requests from the Consent Authorities. I have read the descriptions of the activity contained within the SRC and GDC s42A reports and agree that these are accurate.
22. In summary, the proposal is to undertake an alluvial gold mining activity over an area of approximately 85ha. Overburden is removed initially and stockpiled to develop the mine pit, and then progressive overburden removal is used as backfill, meaning the mine cell 'moves' across the site. The mine pit will need to be dewatered and this water is also used to process the gold bearing wash.
23. Processing of the gold bearing wash occurs at the gold recovery plant ('GRP'). This involves separation of the gold using gravity and water. There are no chemical or heat-based process methods proposed on this site. The non-gold bearing material (the 'tailings') comprises water and soil / rock material. Solid tailings are replaced back into the mine pit with overburden, and tailings with a high liquid content are directed to a water treatment system.

24. In the water treatment system, the water and tailings mix undergoes treatment through a three-pond settlement system, slimes treatment plant and filter press. The Applicant has undertaken testing with site specific soils to ensure that the treatment train proposed will achieve a 'clear' water outcome. Surplus water is discharged to the Waikaka Stream post treatment.
25. The mine footprint encompasses farmland and part of the Waikaka Stream and Shepherd's Creek (WK0547). The Applicant proposes five temporary diversions of streams to occur sequentially and over the mine life shown in WK0610 to WK0618. The stream diversions will be impactful and management measures are necessary to minimise the impact during diversion, ensure appropriate and timely restoration of the streams, and to provide some enhancement to the stream values.
26. The mine will be progressively rehabilitated to its pre-mining state. Farmland will be restored to at least the same level of agricultural productivity, infrastructure and facilities. The streams will be restored to their former course with additional planting and habitat features.
27. Several farm ditches and former dredge ponds, both types of artificial waterbody, are present within the mine footprint. Ditches are part of farm infrastructure and are to be restored on a like-for-like basis. The dredge ponds are not supported by the farmers as their existing locations are in the middle of paddocks, however the Applicant can replace these with a terminal void pond at the completion of mining.
28. There are a number of ancillary activities described in the application such as staff facilities, a workshop, storage area, vehicle access and parking.
29. The duration of consent requested is 20 years.

Amendments and further information provided post notification

30. The following paragraphs summarise additional information provided and minor amendments made to the application following the close of submissions. In my opinion these do not alter the scope of the application.
31. Subsequent to notification and having considered the submissions received, the Applicant undertook additional consultation with submitters directly. The following additional information was developed to assist with consultation:
- a. Annual development plans and associated description showing the progression of the mine and staging of the diversion activity.
 - b. Riparian planting plan for the Waikaka Stream rehabilitation. We consider this to be a draft version that provides an indication of the nature and scale of planting proposed. The Applicant prefers to continue to seek guidance from the parties on the exact species composition and plant spacings.
 - c. A plan showing existing drains on the site, and a measurement of the meterage of existing drains and proposed reinstated drains following site rehabilitation.
32. The Applicant also recently updated the access plan as shown in WK0622. Access 2 has been relocated approximately 150 metres to the north along Waikaka Road for operational reasons. The access remains on the same title. This information was provided to GDC on 11 November 2025.
33. Additional mitigation measures in relation to the diversion and rehabilitation of streams have been developed through the consultation process and these are summarised in the evidence of Mr Dungey.
34. The Applicant also adopts an Accidental Discovery Protocol as recommended by Hokonui Rūnanga.
35. The Applicant was also provided with some additional hydrogeological information from historical L&M mining studies and undertook additional

monitoring and testing of groundwater levels and water quality. This information was provided to SRC on 8 October 2025.

36. The above matters have been incorporated as relevant into the draft proposed conditions (**Appendix [B]**).

Rules and Activity Status

37. The proposal is a Non-complying Activity overall. Section 4 and Attachment [F] to the AEE sets out a comprehensive assessment of the activity against the relevant rules, including permitted activities that form part of the proposal. There are no changes to the rule assessment since lodgement of the application, and I consider that assessment remains valid. As the list of rules triggered is lengthy, instead I summarise below the activities that consent is required for.

Consent Type	Activities	Activity Status
Regional Consents		
Land use consent s9	Use land for the construction, use, maintenance and decommissioning of a bore or well.	Discretionary
Land use consent s13	The entry into or passage across the bed of a river by any wheeled or tracked vehicle or machine, and any associated bed disturbance and discharge.	Restricted Discretionary
	Placement / erection of a dam in, on or over the bed of a river, and any associated bed disturbance and use of the dam structure, for the purpose of diverting the entire flow of the Waikaka Stream and Shepherds Creek into temporary diversion channels.	Discretionary
	The excavation or disturbance of the bed of the Waikaka Stream and Shepherd's Creek for the purpose of rehabilitation of the channel.	
	The introduction or planting of any plant, or part of any plant, in the bed of the rehabilitated Waikaka Stream and Shepherd's Creek channels.	

Consent Type	Activities	Activity Status
Water permit	Damming of water in the Waikaka Stream and Shepherds Creek for the purpose of temporarily diverting the flow into a diversion channel.	Discretionary
	Take, diversion and use of surface water, relating to the diversion of the entire flow of the Waikaka Stream and Shepherds Creek and return of the flow to the same waterbody.	Non-complying
	Take and use of groundwater for the purpose of dewatering the mine pit, and use of groundwater for gold processing, dust suppression and site rehabilitation purposes.	
Discharge permit	Discharge of cleanfill overburden material into or onto land to backfill the mine pit, in circumstances where contaminants may enter water.	Restricted Discretionary
	Discharge of water and contaminants to the Waikaka Stream, via the treatment facilities within the site infrastructure area, from stormwater, gold processing return water, and dewatering.	Discretionary
	Discharge of the entire flow of the Waikaka Stream and Shepherds Creek and resultant entrained sediment, via the temporary diversion channels, to re-join the existing Waikaka Stream.	
	Discharge of water and contaminants from settling ponds into the western drain and other unnamed drains.	
	Discharge of stormwater, gold processing return water, and dewatering water onto and into land where it may enter water, as part of the treatment processes through the settlement ponds.	
Discharge to air	Discharge to air from mineral extraction processes and associated overburden storage.	Discretionary
District Consents		
Land use	Breach of standards (light spill, signage, earthworks, landscaping in carparks, hazardous substance storage and use).	Restricted Discretionary

Consent Type	Activities	Activity Status
	Mining activity in the Rural Zone.	Discretionary
	Indigenous vegetation clearance and land disturbance (PGDP).	
Land use	NESCS – soil disturbance and change of land use.	Discretionary

38. The relevant plans are:

- a. Southland Regional Water Plan (“**RWP**”);
- b. Proposed Southland Water and Land Plan (“**PSWLP**”);
- c. Regional Effluent Land Application Plan (“**RELAP**”);
- d. Regional Air Quality Plan for Southland (1999) (“**RAQP**”) as incorporated into the current operative Southland Regional Air Plan (2016);
- e. Operative Gore District Plan (“**OGDP**”);
- f. Proposed Gore District Plan (“**PGDP**”).

39. I understand that the s42A reporting officers and I agree on the consents required and activity status.

Resource Management (Measurement and Reporting of Water Takes) Regulations 2010.

40. I agree with Ms Smith that the Measurement and Reporting of Water Takes Regulations apply and can be implemented through conditions of consent. I understand that because the mine pit and associated dewatering infrastructure is mobile, it is more practical to install the water meter at the inlet to the settlement ponds, rather than in the mine pit. Permission

can be sought under Regulation 10 for approval to install the meter near (instead of at) the water take location. That permission can be sought at the time of water meter design.

The Site and Existing Environment

41. The site and surrounding environment are described in the AEE, s42A reports and expert evidence. I agree with these descriptions.
42. In summary, the site is in a rural location and part of four working farms. The site has a clear history of gold mining which is evident through remnant dredge ponds and a large stockpile. The large pond immediately to the south of the site is a terminal pond from a former mining operation known as the '**L&M pond**'. Adjoining it is a large stockpile also resultant from the L&M mining operation that has been grassed and is now a permanent feature in the landscape.
43. The site is within the Waikaka valley and the Waikaka Stream flows in a north westerly to south-easterly direction through the site. Shepherds Creek joins the Waikaka Stream within the site.
44. SRC has a programme of willow clearance in the Waikaka Stream catchment, though has not progressed to remove the willows from this site. These willows currently provide extensive shading over the Waikaka Stream, contributing to lower water temperatures and thereby limiting macrophyte growth. Shepherd's Creek does not benefit from the same degree of shading.¹
45. The Applicant advises me that some ditches within the site have recently been cleared of weed and sediment build up. Ecological surveys of the ditches pre-date the recent maintenance activity.
46. Hawkeswood Civil Limited hold resource consent LU25008 for the properties located at 1028 and 968 Waikaka Road, Gore. This consent

¹ Dungey EIC, paragraphs 21, 25, and 26.

authorises the continued temporary storage of non-operational commercial mining machinery and equipment, comprising a cross-pit conveyor, a transfer wagon, components of a bucket wheel excavator, and three associated containers. The machinery was previously authorised to be stored on site under an earlier resource consent LU 2015/149, which enabled storage for a period of 10 years following the cessation of gold mining activities. That consent expired in May 2025 and has since been superseded by LU25008, which provides for a further two-year period of storage, expiring in May 2027. I do not consider this existing consent to be relevant to the Applicant's proposal, and that any conflict between the two activities is best managed through lease and access arrangements with the property owner.

Assessment of Effects

47. This section of my evidence evaluates what I consider to be the key relevant effects:
- a. Effects associated with the stream diversions;
 - b. Surface water quality effects from the discharge from the water treatment facility;
 - c. Effects on ditches;
 - d. Effects on ponds;
 - e. Groundwater drawdown effects on wells;
 - f. Aquifer integrity;
 - g. Stream depletion;
 - h. Potential groundwater contamination effects;
 - i. Flood hazard effects;
 - j. Effects from machinery and vehicles crossing streams;
 - k. Noise effects;
 - l. Dust effects;
 - m. Landscape values and visual amenity;
 - n. Recreation and public access;
 - o. Transport effects;
 - p. Effects on land stability;
 - q. Effects on soil resource;

- r. Potentially contaminated land;
- s. Cultural values;
- t. Duration;
- u. Positive effects.

48. I note that some effects identified in the AEE do not appear to be in contention, either in respect of submissions or the s42A Report. I rely on and agree with the assessment in the AEE in respect of the below matters, and do not address these matters in any further detail in this evidence. I have incorporated proposed mitigation measures into draft conditions of consent (**Appendix [B]**).

- a. Geotechnical matters, except in relation to land stability (AEE section 5.2);
- b. Groundwater allocation and efficiency of use (AEE section 5.4);
- c. Effects on downstream surface water users (AEE section 5.6.3);
- d. Effects on avifauna and existing native vegetation (AEE section 5.8);
- e. Signage effects (AEE section 5.13);
- f. Hazardous substance storage and use (AEE section 5.15);
- g. Archaeological and heritage effects (AEE section 5.16); and
- h. Lighting effects (AEE section 5.7.3);
- i. Climate change (AEE section 5.21).

49. I will address each of the matters referred to above in turn, however I firstly summarise the written approvals provided. For clarity, I do not consider there to be a relevant permitted baseline.

Written approvals

50. Written approvals have been provided by 12 parties. These are listed in **Appendix [A]** to my evidence and shown graphically in **Figure 1** below.

55. The methodology of shifting the water between one channel requires consideration of two key effects: providing for aquatic species in the to be depleted channel, and minimising sediment from the transition works.
56. Mr Dungey advises that in order to minimise impacts on aquatic species in the channel to be depleted (whether that is a temporary diversion channel or an original stream channel), the transfer of flow should be done in a step-wise fashion over 6-10 days. Water is proposed to be transferred in thirds as this will allow a reasonable level of flow to remain available in both the transferor and transferee channels during the transition. The reasons for this recommendation are two-fold. Firstly, it reduces the likelihood of erosion and sediment entrainment. Lesser flow will have a less erosive effect. Secondly, the reduction in flow will encourage aquatic species to move out of the affected reach on their own. This reduces the stress to fish species and reduces the need to physically relocate fish.²
57. Mr Dungey advises that fish salvage can be undertaken to relocate individuals that do not migrate out of the affected reach to the nearest suitable habitat. He also recommends that works to divert the water should occur between December and April so that all fish are mature enough to facilitate salvage.³ I have incorporated these recommendations into the proposed conditions.
58. I consider that construction effects will be disruptive, however with good management practises these can be mitigated so that the effects on water quality and on fish arising from construction activities will be minor.

Fish passage

59. Given the proposed construction methodology, fish passage in the Waikaka Stream and Shepherd's Creek will be maintained for the entire duration of the project.

² Dungey EIC, paragraph 38.

³ Dungey EIC, paragraph 43-45.

Erosion and channel stability

60. The plans appended to the Hall report provide for a cobbled low flow channel with specified gradings for the size of the materials used. I also consider that a condition requiring channels to be stabilised prior to the diversion of flow down the channel is required. This would apply both to diversion channels and rehabilitated stream channels. Stabilisation could be achieved with cobble, grass or some other form of erosion protection.
61. Mr Stocker has reviewed the design and generally agrees that the activity can be undertaken without significant effects on river stability.⁴
62. I consider that the conditions should include a final review of the detailed design by a river engineer prior to construction of the diversion or rehabilitation channels. On this basis I consider that the effects on erosion and channel stability can be appropriately managed through conditions and will be no more than minor and acceptable.

Interim habitat in temporary diversion channels

63. The temporary diversion channels will each exist for approximately one year and so the Applicant has not proposed riparian margin planting. This would not establish sufficiently to provide value over the duration of the temporary channel. Mr Dungey confirms that the temporary diversion channels will have lower habitat value than the natural stream channels.⁵
64. Arising from a submitter suggestion, the Applicant has explored what habitat features could be incorporated into temporary diversion channels. These are:

- a. pools and shallow riffle areas;
- b. boulders to create hydraulic variation;

⁴ Stocker EIC, paragraph 10.

⁵ Dungey EIC, paragraph 39.

- c. gentle meanders where practicable; and
- d. in-channel fish-shelter elements, such as securely anchored LWD (large woody debris).

65. The Applicant adopts these measures, and I have included requirement for their provision in the draft consent conditions. Mr Dungey advises that these features will increase the ecological carrying capacity of the temporary diversion channels.

Potential for flow loss

66. The entire flow of the stream is proposed to be diverted into the diversion channels and back into the rehabilitated channels. A concern is that the constructed channels may lose surface water flow to groundwater. Mr Heller advises that the key to ensuring the diversion and rehabilitated channels mimic the existing groundwater-surface water interaction, and hence that the streams do not lose flow to groundwater, is that the channels are excavated to the level of the existing groundwater table as per the channel designs appended to the Hall Report and replicating the bed materials.⁶ I note that the plans appended to the Hall Report do specify the invert level of the channels to be constructed.

67. Proposed conditions of consent include the requirement to construct the diversion and rehabilitation channels in accordance with the Hall report design and these plans are included in the proposed plan set.

68. Based on Mr Heller's assessment, the potential for flow loss can be mitigated and the effects will be no more than minor.

⁶ Heller EIC, paragraph 111.

Rehabilitation

69. Rehabilitation of the Waikaka Stream and Shepherd's Creek aims to establish habitat and consequently ecological values that are at least as good as the pre-mining state.
70. Rehabilitation of the diverted reaches of the Waikaka Stream and Shepherd's Creek will include:
71. Construction of the new channel to dimensions and levels specified in the plans appended to the Hall report (RIV-021-056 FIGURE 2).
 - a. A cobble substrate in the low flow channel in accordance with the gradings provided in plans appended to the Hall report (RIV-021-056 FIGURE 2).
 - b. Planting of the margins to a width of at least 5m and up to 15m (depending on local topography), with willows and native plants.
 - c. Ongoing monitoring and maintenance for up to 3 years, including replacement of plants seasonally as required to remedy losses.
72. Aquatic species will be allowed to recolonise the rehabilitated reaches of the streams naturally.
73. Mr Dungey identifies a number of biotic indices that he has monitored and that will *"provide a good approximation of the progression of habitat, ecological, and water quality restoration in the Waikaka Stream and will be able to be compared to the pre-mining ecological state of the Waikaka Stream."*⁷
74. In consultation with Mr Dungey, I have developed a suite of proposed consent conditions that provide for:

⁷ Dungey EIC, paragraph 70 and 71.

- a. additional baseline monitoring to provide more in-depth understanding of the values in the streams;
- b. detailed design plans to be created in consultation with ecological, river engineering and cultural experts;
- c. a rehabilitation objective of achieving a net gain, but in any event no net loss in, the ecological value of the rehabilitated stream reach within three years of completing the rehabilitation works;
- d. minimum features of the rehabilitation specification that have been considered in my evidence and Mr Dungey's evidence;
- e. monitoring of the rehabilitation success using Mr Dungey's recommended biotic indices for a minimum period of three years;
- f. annual reporting on the progress of rehabilitation including a comparison to pre-mining values and an assessment of trends to determine if the rehabilitation is 'on-track' to achieve success within the three year rehabilitation period;
- g. adaptive management mechanisms to provide for additional rehabilitation measures if the rehabilitation is not 'on-track';
- h. provision for extension of the rehabilitation period if the objective is not achieved within the three year period;
- i. a Final Rehabilitation Monitoring Report to confirm the rehabilitation objective has been achieved; and
- j. a feedback mechanism to incorporate improvements and learnings from previous diversions into future diversions.

75. In addition, I have proposed a Stream Diversion Management Plan condition which sets out 'how to' divert streams in detail and I would expect this to be used by operational staff. In the version of conditions that accompanied the AEE I proposed a Temporary Diversion Management Plan and a Rehabilitation Management Plan. My view now is that it is artificial to separate the diversion from the stream rehabilitation activity and that

these should be dealt with cohesively in one management plan. I also consider that this will provide a clearer mechanism to record a bond against in respect of the stream diversions.

76. Mr Hamer considers that uncertainty remains regarding the effectiveness of the proposed rehabilitation.⁸ Mr Dungey is aware of international river restoration programs and does consider it is feasible, particularly with reference to the measurement of biotic indices and habitat features.⁹

77. I do not seek to reconcile this disagreement between experts. However, I have considered factors that provide additional certainty. The stream diversions are staged, enabling progressive assessment of whether the rehabilitation is working or not. The conditions drafted allow (and require) responsiveness to interim results. Review conditions provide an overall safety net.

78. I consider that the conditions proposed are appropriate for the activity and I am open to further development of these with the assistance of technical and planning experts.

Loss of values from temporary diversions

79. Mr Dungey advises that the diversions will result in a temporary loss of aquatic habitat and associated values, however the rehabilitation provides the means to recreate existing habitat for the Waikaka Stream and improved habitat in Shepherds Creek.¹⁰

80. As discussed above, some habitat features can be incorporated into temporary diversion channels, and this mitigation is volunteered by the Applicant. Despite all mitigation there will be a 'gap' between the ecological carrying capacity of the temporary diversion channels and the natural stream. There will also be a 'gap' between ecological values in the

⁸ Hamer EIC, paragraph 36.

⁹ Dungey EIC, paragraph 74.

¹⁰ Dungey EIC, paragraph 46.

rehabilitated channel and the natural stream, for the time until the rehabilitation objective is achieved. This is a more than minor level of effect.

81. An offset or compensation may be appropriate to deal with residual adverse effects associated with loss of values from temporary diversions and the rehabilitation period. I understand that the Applicant is open to this.

Summary of ecological effects associated with the stream diversions

82. Overall, I consider that construction effects can be appropriately mitigated and that effects can be controlled through appropriate conditions.
83. While rehabilitation is complex and there remains a degree of uncertainty, I consider that conditions can be developed to appropriately manage these effects and uncertainties.
84. Despite all mitigation there will be a more than minor level of effect resulting from loss of values during the temporary diversions and rehabilitation timeframe.

Surface water quality effects from the discharge from the water treatment facility

85. The 'water treatment facility' is the collective term I use for the settling / polishing ponds, thickener, filter press and chemical dosing with flocculant and/or coagulant. The elements of the water treatment facility are described in section 3.4 of the AEE. Results of testing undertaken to confirm that settlement can be achieved and specific products specified for use are contained in the Water Settlement Report (Attachment [T] to the AEE).
86. Inputs to the water treatment facility are dewatering water, GRP process return water and stormwater. The expected contaminants include

sediment and potentially some metals.¹¹ The Applicant has also engaged Dr Paul Weber to consider the potential for acid mine drainage ('AMD'), and consequent potential impacts on the quality of dewatering water. There are no other contaminants associated with gold extraction as only water and gravity separation methods are used to extract gold from the wash.

Sediment

87. Sediment inputs will come from all three sources: dewatering water, GRP process return water and stormwater.
88. An early version of the proposal provided only for treatment through a pond system, however after undertaking water settlement testing using on-site soils,¹² the Applicant determined that additional treatment would be necessary to achieve an appropriate level of treatment. At this point the thickener and filter press were added to the treatment train. Based on the testing results, the Applicant advises that the proposed discharge limit of 50g/m³ total suspended solids is achievable.
89. Mr Heller advises that the discharge of sediment will comply with the PSWLP water quality standards for lowland hard bed waterways.¹³ I consider that monitoring the sediment concentration in the discharge will provide the necessary certainty that this will be achieved. I understand that this type of monitoring can be automated, providing continuous performance reporting.
90. The Applicant also proposes continuous monitoring of turbidity 10m upstream and 60m downstream of the discharge point. This is consistent with the mixing zone.

¹¹ Heller EIC, paragraph 59.

¹² Water Settlement Report, Attachment [T] to the AEE.

¹³ Heller EIC, paragraph 59.

Acid Mine Drainage

91. Dr Weber advises that the risk of AMD on this site is low and that with specific materials management processes and engineering controls, the AMD risks can be minimised such that the effect on the receiving environment is less than minor.¹⁴ To support this conclusion, Dr Weber has recommended an AMD management plan that set out the specific operational controls, monitoring regime, triggers and response actions. Appendix A to his evidence provides a summary of what that management plan should include.
92. I accept Dr Weber's expert opinion that AMD risk is low and that management controls are an appropriate method of managing risk and effects. Dr Weber lists matters that should be included in an AMD management plan¹⁵ and I have incorporated these into the proposed consent conditions.

pH and Electrical Conductivity

93. Mr Heller and Dr Weber both recommend monitoring of pH and electrical conductivity (EC), both for compliance with the PSWLP Lowland Hard Bed standards and as an early indicator of AMD. Dr Weber advises that this monitoring should be undertaken at the tertiary settlement pond outflow and at the downstream monitoring point.¹⁶ I accept this recommendation and have included it in conditions.

Metals

94. Dr Weber lists metals that he recommends are monitored based on risks identified in the column leach testing.¹⁷ I accept these recommendations

¹⁴ Weber EIC, paragraph 22, 58.

¹⁵ Weber EIC, paragraph 17.

¹⁶ Weber EIC, paragraph 18.e.iii

¹⁷ Weber EIC, paragraph 18 .

and I consider that the development of a monitoring regime in the context of water quality objectives can be developed in the AMD management plan.

Monitoring locations

95. Three water quality locations are proposed as shown on **Figure 2** below and in WK0623. These are:

- a. W01: 10m upstream of the discharge point.
- b. W02: 60m downstream of the discharge point.
- c. W03: Tertiary settlement pond outflow (prior to discharge to the Waikaka Stream).

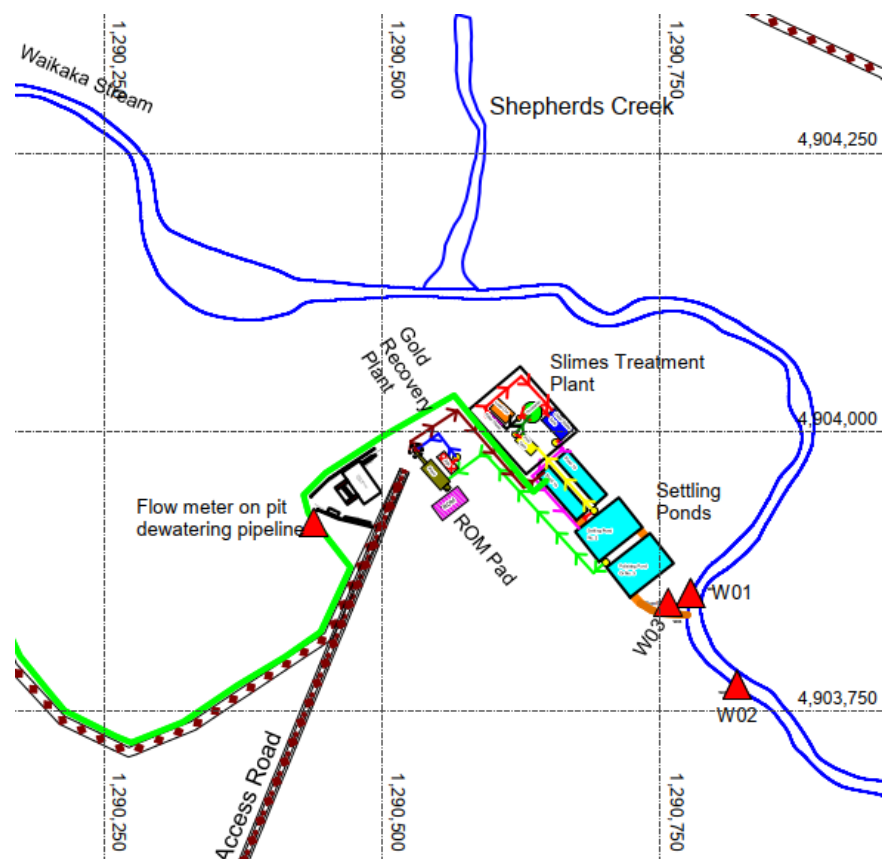


Figure 2 Water quality monitoring locations indicated by red triangles

Summary

96. I accept that the risk from AMD is low and suitable management measures can be implemented to adaptively manage actual water quality on site. The Applicant has demonstrated that sediment treatment to achieve the PSWLP water quality standards is feasible. A monitoring regime has been proposed to verify the predictions made and enable appropriate responses to water quality variations.
97. Subject to the proposed conditions, I consider that effects from discharges on water quality in the Waikaka Stream will be less than minor and acceptable.

Effects on ditches

98. The proposal involves the realignment of the western drain at the commencement of the project and the removal of existing field tiles and farm ditches as mining progresses through the farms. Ditches within the mine footprint will be reinstated as per the drainage plan WK0564.
99. The total length of drains affected is 5059m and the total length of drain created is 5076m. There is an overall net gain in ditch extent on completion of remediation.
100. It is important to note that not all ditches are affected at the same time. The western drain is realigned at the beginning of the project and other ditches crossing the mine path are removed and reinstated as part of the mine progression.
101. Mr Dungey advises that four freshwater species are found in the ditches including the 'threatened – nationally vulnerable' gollum galaxiids, and consequently the ecological values in the ditches rate as 'high' under the EIANZ guidelines.¹⁸

¹⁸ Dungey EIC, paragraph 5.

102. The Applicant has proposed to construct ditches to the same profile as currently exists and provide for stabilisation of the embankments with grass, also consistent with the existing formation. I consider that the invert level of the ditches will likely be dictated by local gradients to enable water to flow. Mr Hamer considers the ditches to provide important slow flowing habitat for Gollum galaxiids.¹⁹ In this regard I am comfortable that reconstructing the ditches to a similar profile will also provide important habitat following a period of stabilisation and remediation.

103. Mr Dungey notes that there will be adverse effects on fish in the ditches, and essential mitigation includes relocation of individuals prior to removing any ditches and avoiding works spring to December to avoid the spawning time for galaxiids and to provide sufficient time for juveniles to become mobile. I have included conditions to this effect.

104. Ditches are a part of the local environment where there are ongoing adverse effects resulting from maintenance to remove weeds and maintain flood carrying capacity. Fish are not normally relocated prior to maintenance activities.

105. The planning framework provides protections for aquatic species and water quality in the ditches. Mitigation measures to relocate individuals and replace habitat will mitigate effects on the fish populations. Water quality can be protected with good construction practises by isolating the work area from flowing water prior to undertaking the work to prevent downstream sediment discharge.

106. I conclude that effects on fish populations and water quality in the ditches can be appropriately mitigated so that the effects will sit at a minor level. I do not consider it necessary to apply the same assessment of effects on the temporary loss of extent as for a river, except as it relates to habitat value for fish populations.

¹⁹ Hamer EIC, paragraph 14.

107. Overall, I consider that the effects on fish populations and water quality in the ditches to be minor and acceptable.

Effects on ponds

108. Mr Dungey provided an assessment of ponds within the project area, though note that Mr Dungey's original report related to the larger scale project. Only ponds 2, 6 and 7 are located within the current project footprint. All of these ponds have been assessed and all are artificially created former dredge ponds. None are wetlands.²⁰

109. Mr Dungey advises that pond 6 supports longfin and shortfin eels, and that there are galaxiids at the pond outlet, and that the ecological values rate as 'high' under the EIANZ guidelines. Ponds 2 and 7 have poorer water quality and support populations of shortfin eels only. The ecological values of these ponds rate as 'low' under the EIANZ guidelines.²¹

110. The Applicant does not propose to reinstate ponds in their current locations to replace the ponds lost however notes that there will likely be a terminal pond at the end of the mining project. The Applicant will plant the margins of the terminal pond with native species.

111. Mr Dungey recommend that fish are relocated to other local ponds before mining work affects the ponds.²²

112. Construction effect on water quality in the ponds can be managed with erosion and sediment control, and by isolating the affected pond from other surface water bodies.

113. I do not consider it necessary to apply the same assessment of effects on the temporary loss of extent of ponds, except as it relates to habitat value for fish populations. I consider that relocation of fish is appropriate

²⁰ Refer to RFI response dated 8 April 2025

²¹ Dungey EIC, paragraphs 30-33

²² Dungey EIC, paragraph 49.

mitigation and that the effects on fish populations in the ponds will be minor.

114. Overall, I consider that the effects on fish populations and water quality in the ponds to be minor and acceptable.

Groundwater drawdown effects on neighbouring wells

115. Mr Heller has provided an assessment on the effects on neighbouring wells in his evidence.²³ His (conservative) calculations identified 13 wells that would potentially be adversely affected by the dewatering drawdown, summarised in **Table 1** below.

Table 1 Potentially affected wells by dewatering drawdown effects

Aquifer	Drawdown radius - interference effects exceed acceptable criteria	Potentially affected wells number and owner
Water table aquifer	554m	F45/0650 (J Gardyne) F45/0235 (J Gardyne)
Intermediate aquifer	1539m	None
Lower confined aquifer	6908m	F45/0214 (D & M Byars) F45/0618 (Rosehill Dairy Limited) F45/0223 (Hellier Farming 2010 Limited) F45/0204 (D Gollan, M Gollan, WFM Trustees Limited) F45/0238 (J Ritchie) F45/0237 (unknown) CF12/5072 (P Gerritsen & K Rea) F45/0543 (P Gerritsen & K Rea) F45/0183 (Gold Creek Farm Limited Partnership) F45/0541 (B Wallace, F Wallace) F45/0553 (B Wallace, F Wallace)

²³ Heller EIC, paragraph 44.

133. Some of the above well owners have provided their affected party approval to the application but some have not. I consider that the volunteered condition that the Applicant will provide a suitable alternative water supply to be appropriate mitigation for effects on these well owners. I have also included conditions requiring monitoring of ground water levels at the boundary of the mine site to provide early warning of reduction in groundwater levels.

134. Ms Smith suggests that proposed groundwater level monitoring conditions could be amended to include trigger levels and actions in response to declining water levels. Mr Heller prefers that monitoring is undertaken in the potentially affected wells themselves and that trigger levels would need to be specific to the operational and hydraulic function of the specific well.²⁴ Monitoring at the site boundary may provide useful contextual data but is not suitable for trigger levels and action responses.

135. I consider that the potential effects of drawdown on surrounding wells can be appropriately mitigated by conditions and are acceptable overall.

Aquifer integrity

136. Ms Badenhop at her paragraph 7.6 raises a concern that dewatering may lead to aquifer compression with significant effects on neighbouring assets. Mr Heller has provided some additional assessment and calculations on this matter and concludes that the risk is “extremely low”. He does not agree that subsidence could occur, nor that it could affect neighbouring assets.²⁵

137. I accept Mr Heller’s assessment and consider any effects on aquifer integrity to be less than minor.

²⁴ Heller EIC, paragraphs 86-87.

²⁵ Heller EIC, paragraphs 118 – 119.

Stream depletion

138. Mr Heller's assessment is that the rate of stream depletion from mine pit dewatering will be between 1.5 L/s to 3.8 L/s.²⁶ The effect is approximately 1.4% of the 7-day mean annual low flow and will be offset by the dewatering discharge.²⁷ There is expected to be an overall gain in the Waikaka Stream flow as a result of the project.

139. Ms Badenhop queries some of the technical assessment in regard to the surface water – groundwater interactions, however she does not come to any different conclusion in respect of stream depletion.

140. I accept that Mr Heller has undertaken a conservative assessment of stream depletion, that the rates are likely to be very low in the context of the Waikaka Stream flow and that the discharge of dewatering water will result in a net gain to the Waikaka Stream.

141. I consider the effects of stream depletion to be less than minor.

Potential groundwater contamination effects

142. Potential for groundwater contamination arises from several potential sources.

143. Materials that may contaminate groundwater are prevented from entering the mine pit by ensuring that only cleanfill is replaced in the mine pit and that the site is secure to prevent unauthorised dumping. Consent conditions have been proposed to this effect.

144. Spills of diesel or hydraulic fluids from machinery are a potential source of contamination. It is common practise to have a spill response condition to mitigate this risk, and this is included in the draft condition set.

²⁶ Heller EIC, paragraph 52.

²⁷ Ibid., paragraph 51.

145. Sediment may enter the aquifer via the mine pit or via discharges to land from the settling ponds and drains. Mr Heller advises that the mine pit provides a positive head displacement toward the mine, meaning any dirty water in the mine pit is not lost to the aquifer, but is able to be pumped out into the settling ponds. Mr Heller also advises that seepage to the water table aquifer from the settling ponds will be minimal due to the low permeability materials used for pond creation.²⁸

146. Based on Mr Heller's advice and the proposed consent conditions, I consider that adverse effects on groundwater quality can be mitigated and are acceptable.

Flood hazard effects

147. The site is located within a recognised floodplain and the Applicant sought expert advice from flood engineers R.J. Hall Limited on the design of channels and the mitigation of flood hazards. While R.J. Hall prepared the initial report (Attachment [N] to the AEE), they are not available for this hearing and hence the Applicant has engaged Mr Strong to provide advice on submission points and consent conditions, and to be available for questions from the Commissioners.

148. I understand that Mr Stocker (flood hazard and river engineering expert peer reviewer for SRC) and Mr Strong are both comfortable that the proposal will not impact on flooding outside the site and that the design capacity for the channels (1 in 20-year AEP event) is appropriate.²⁹

149. Mr Stocker makes several comments on consent conditions, however I note that some of his comments as relate to clarity have been incorporated in the revised version attached to my evidence.

150. Mr Stocker notes a preference from SRC Catchment Operations for clearance of existing willows in the Waikaka Stream catchment, and

²⁸ Heller EIC, paragraph 61.

²⁹ Strong EIC, paragraphs 19 and 38. Stocker EIC, paragraph 9 and 13.

advocates for the Applicant to do this work starting in the first year of catchment operations.³⁰ I don't consider that this would mitigate any adverse effect of the proposal, and there are consequent adverse effects of willow clearance on stream bed erosion, water temperature, and ecological values.³¹ Mr Strong recommends a considered approach to willow removal.³²

151. I do not recommend conditions are included requiring willow removal for catchment management purposes as this is not managing an effect of the proposed activity. If early willow removal is undertaken, the Applicant would be disadvantaged by the consequent ecological impacts on the streams, in relation to the baseline studies already completed and which set a standard for the restoration of ecological values.

152. Mr Stocker also requests a maintenance condition for the diversion channels³³ and this is supported by Mr Strong.³⁴ I accept the substance of the condition and have incorporated the mitigation in my recommended conditions.

153. Ms Skuse recommends conditions of consent that address flood mitigation, including the preparation of a flood management plan. The Applicant accepts these conditions, and I agree that they provide appropriate mitigation of effects.

154. I consider the effects of flood hazard to be no more than minor and acceptable overall.

³⁰ Stocker EIC, paragraph 23.

³¹ Dungey EIC, paragraph 25.

³² Strong EIC, paragraph 36.

³³ Stocker EIC, paragraph 24.

³⁴ Strong EIC, paragraph 31.

Effects from machinery and vehicles crossing streams

155. The Applicant has revised their plans in respect of proposed fords and now proposes to build bridges where haul roads cross streams. These will be constructed in accordance with permitted activity standards.

156. Some stream crossing by vehicles and machinery may be required to facilitate the diversion works, however construction effects associated with the diversions are addressed above. No permanent fords are proposed.

Noise effects

157. I refer to the evidence of Mr Rhys Hegley who has undertaken a comprehensive assessment of noise effects. I accept his analysis that noise effects, at their highest, will comply with the standards in the District Plan and PDP, and that for most of the time the noise levels will be lower than predicted.

158. Mr Hegley modelled the effects on the nearest sensitive receivers. All receivers identified in Mr Hegley's report except receivers 3³⁵ and 8³⁶ have provided their affected party approval to the application. Receiver 3 is located at least 700m from the closest point of the operation and noise levels are modelled to peak at 43dBA L_{eq}. Receiver 8 is located approximately one kilometre from the closest point, with noise levels peaking at 37dBA L_{eq}. Both are well below the noise standard, and in Mr Hegley's opinion, likely to be reasonable.³⁷ Other dwellings are further removed from the activity. For these reasons, I consider the effects of noise to be less than minor on any nearby sensitive receivers and acceptable.

³⁵ J & M Clifford, 41 Nicholson Road, Chatton North.

³⁶ S & S Davie, 210 Turnbull Road, Waikaka.

³⁷ Hegley EIC, paragraph 35.

Dust effects

159. The Applicant has proposed to control dust through a mixture of water carts and stabilising disturbed areas, to ensure any dust effects are contained within the site boundary. The specific operational controls are able to be documented in a dust management plan.
160. The mine is located at least of 150m from the nearest sensitive receiver³⁸, and most of the time it will be much further than this. All residents who are within 700m of the proposed activity have provided their affected party approval.
161. I consider that dust management conditions should specify the objective of dust containment within the site and provide for adaptive management to operations and conditions. Subject to the proposed conditions, I consider that the effects of dust are no more than minor and acceptable.

Landscape values and visual amenity

162. Vivian+Espie prepared a Landscape and Visual Effects Assessment Report which was peer reviewed by Mr Moore for the Council. There is a high level of agreement between the experts.
163. Mitigation proposed includes progressive restoration of the mining activity, grassing static stockpiles, constructing bunding around the infrastructure area and rehabilitation of the stream riparian margin.
164. The Applicant has investigated the potential planting flax and toetoe along the remainder of the western site boundary where Waikaka Road abuts the project area. As landowner permission has not been obtained for this, I have asked Mr Espie to consider how his effects assessment would change if the planting were not present. The Applicant will also enquire independently with GDC whether they would be open to the planting

³⁸ The minimum distance of 150m from 971 and 999 Waikaka Road occurs during work in Production Block 02 and Production Block 03. The minimum distance to 872 Waikaka Road occurs during Production Block 15 and is around 200m distance.

occurring within the legal road corridor in the berm area. Mr Espie advises that:

In the absence of roadside planting, I consider that this would continue to be the case but the timeframe over which the degree of effect reduces would be longer. Effects in relation to this stretch of road would not reduce to being of a low degree until approximately year 5. As discussed, ultimately these effects will be remedied.³⁹

165. Overall, Mr Espie concludes that there will be some temporary adverse landscape and visual effects up to a low-moderate degree (correlating with a minor level of effect) during operation and that these effects will ultimately be remedied. Mr Espie advises that the proposal sits well with the guidance given by the relevant landscape-related objectives and policies.⁴⁰

166. There are no submissions that identify concerns with visual amenity effects. Further I note that the site is not located in an area of identified outstanding or significant landscape values. I do not consider there to be any persons who are affected to a minor or greater degree by adverse visual effect.

167. Overall, I consider the adverse effects on landscape values and visual amenity on the wider environment to be no more than minor.

Natural character

168. Mr Espie has assessed the effects on the natural character of the Waikaka Stream and Shepherd's Creek from the diversions. He concludes that the reinstatement will recreate the natural character that currently exists and will improve it by increasing the riparian planting and incorporating native plants.⁴¹

³⁹ Espie EIC, paragraph 13.

⁴⁰ Espie EIC, paragraph 19.

⁴¹ Espie EIC, paragraph 9.i.

169. Mr Espie also concludes that the additional native riparian planting will have long term positive effects in relation to landscape character and values when compared to the existing situation.⁴²

170. I accept Mr Espie's advice and conclude that the long-term effects on natural character are positive.

Recreation and public access

171. A plan showing Crown land and GDC administered public land has been created (**Figure 3** below and WK0620). Note that the cadastral boundaries do not line up with the physical position of the Waikaka Stream and Shepherd's Creek on the ground. Public access is gained to the Waikaka Stream via partially formed road from Waikaka road to the north of the site. This access remains unobstructed except approximately between years 3 and 5 of mining. I also consider some limits to public access may be appropriate during the rehabilitation phase, for example to protect plantings or sensitive areas. However, it seems reasonable that limited access could be provided during this time, for example through dedicated pathways between plantings or around sensitive areas.

⁴² Espie EIC, paragraph 15.

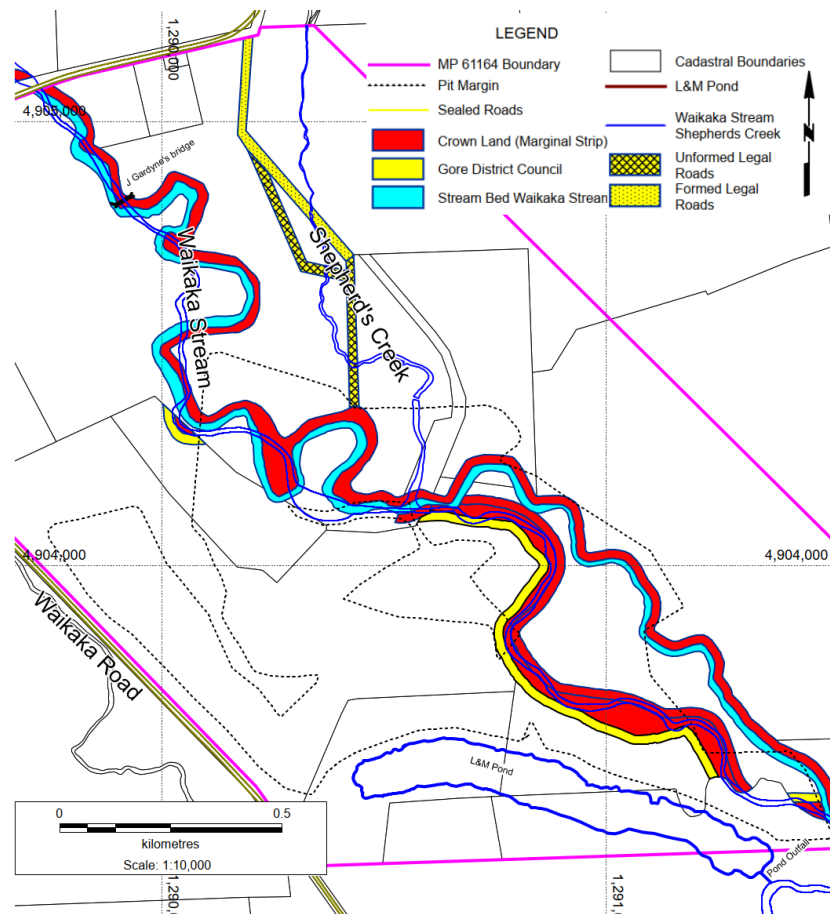


Figure 3 Public Land ownership

172. The restrictions to public access have been minimised as far as possible, and alternative access is available. I consider the adverse effects on public access and recreational values to be no more than minor and acceptable.

Transport effects

173. Transport effects relate primarily to vehicle movements, vehicle access, and on-site manoeuvring and parking.

174. An assessment of vehicle movements generated by the activity is provided in the AEE and I understand that Mr Murray Hasler, GDC Road Asset Manager, is comfortable that the roading network is suitable and has capacity for the additional vehicle movements generated by the proposed activity.

175. Mr Hasler has identified that there is the potential for road damage caused by heavy vehicle movements necessary for site establishment, for example, bringing plant and machinery to site. Mr Hasler has provided some recommendations to address this, and these are captured as draft conditions in Ms Skuse's s42A report Appendix A. The Applicant accepts these proposed conditions.
176. I have discussed with Ms Skuse directly potential conditions that will ensure that the site access is safe and appropriately designed for the proposed use. The Applicant accepts the vehicle access design criteria proposed by Mr Hasler, which involves reference to Council standards.
177. The Applicant has not yet undertaken detailed design of on-site parking and manoeuvring areas but accepts that these will be designed to the appropriate standards and that all vehicles will exit the site in a forward gear.
178. The conditions relating to transport matters proposed by Mr Hasler and Ms Skuse are accepted by the Applicant and I have included these in my recommended draft conditions.
179. I consider that the transport effects will be acceptable and less than minor.

Effects on land stability

180. The geotechnical report provided as Attachment [J] to the AEE undertook an assessment based on information available at the time and on the basis of the first Waikaka project, which was a larger project than this application proposal. Regardless, the report is relevant as the existing project is within the larger project footprint studied. Mitigation has been developed based on the advice in this geotechnical report.
181. Setbacks are proposed in the draft conditions to ensure that the mine does not undermine the road, streams or the L&M pond. I understand that these

setbacks exceed those assessed in the geotechnical report in their analysis of minimum conditions for suitably stable pit wall geometrics.⁴³

182. I understand that there is no single answer to pit wall batter angles. The geotechnical report describes several slope angles and configurations and concludes that there should be a detailed design and adaptive management approach based on site observation. I consider that this can be addressed in conditions with a requirement for an appropriately qualified geotechnical specialist to undertake the detailed design, monitoring and any amendments to the design of the pit wall.

183. Ms Skuse has developed a proposed geotechnical management plan condition to address the detailed design and adaptive management approach. I support this condition and advise that the Applicant accepts it.

184. The geotechnical study confirms that it is feasible to appropriately manage effects on land stability through conditions. I consider that the effects on land stability will be no more than minor and acceptable.

Effects on soil resource

185. The Applicant proposes to restore the productivity of the mined farmland to at least the same productivity as pre-mining. I understand that this outcome forms part of the access agreements with landowners and that there is an agreed process for assessing and measuring this.

186. I consider that an appropriate level of certainty that soil productivity will be restored can be obtained through a condition that requires certification from a suitably qualified agricultural or soil health specialist.

Potentially contaminated land

187. The PSI provided with the AEE confirmed that that the proposed use of land will not result in unacceptable adverse effects on human health or the

⁴³ Tonkin + Taylor, Waikaka Mine Geotechnical Assessment, August 2022, Section 5.2.2, Attachment [J] to the AEE.

environment from contaminants in soil. SRC undertook a peer review and found one additional potential source of contamination. A condition has been proposed to essentially carve out this area of land until a DSI confirms whether the soil is contaminated and if so, how it is to be managed. I have included this condition in the draft conditions.

188. I consider that effects of potentially contaminated land are appropriately managed by the conditions.

Cultural values

189. Hokonui Rūnanga has lodged a submission noting that the Waikākahi Stream has been a significant source of mahinga kai for Ngāi Tahu and identifying concerns with adverse effects of land use changes, impacts on cultural values, including taonga species, and the health of the Waikākahi Stream.

190. The Applicant has undertaken extensive consultation with Hokonui Rūnanga to understand the effects on cultural values and mitigate these appropriately. The process of consultation has resulted in a commitment between the parties to ongoing collaboration, which is reflected in the draft conditions of consent that I recommend.

191. I have participated in several discussions with representatives from Hokonui Rūnanga to develop the mitigation measures and conditions that may appropriately manage effects on cultural values. The conditions appended to my evidence are informed by these discussions.

192. I have addressed above the effects on aquatic ecological values and water quality. I consider that effects on water quality and aquatic species can be appropriately managed. Despite best management practices there will be an interim adverse effect on the health of the Waikākahi Stream and Shepherd's Creek as a result of the temporary diversions. The rehabilitation proposal is focused on ensuring the streams are restored to their former condition, with additional enhancement measures such as native vegetation planting that will provide some enhancement to cultural and ecological values. I understand that Hokonui Rūnanga support the

proposed measures to enhance cultural values associated with the streams, and that these carry some weight in an assessment of effects on cultural values.

Duration

193. A 20 year consent duration is requested. This has been calculated on the basis of allowing:

- a. 1 year for obtaining additional non-RMA permissions (including access arrangements to Crown land). I note that these have progressed to the draft agreement stage.
- b. 1 year of site establishment activities
- c. An expected mining period of 8 years.
- d. A lag of around 1.5 years between the commencement of mining and the backfill being suitable for rehabilitation to farmland. For example, land mined in 'year 8' may not be rehabilitated until 'year 9.5', accounting for the time taken to replace overburden, and that some rehabilitation activities such as spreading soils and sowing seed are seasonal.
- e. Minimum of 3 years of rehabilitation maintenance and monitoring following the completion of mining. I consider it important that these activities fall within the consent duration to provide certainty of rehabilitation outcomes.

194. 20% contingency. I consider this to be common and sensible practise for projects of this scale and considering the range of uncertainties.

195. The above adds up to 17.5 years and I have rounded up to 20 years because, in my opinion there is unlikely to be any material difference between 17.5 and 20 years.

196. I consider the requested duration to be appropriate and that a lesser duration is unnecessary to control the actual and potential effects of the proposed activity.

Positive effects

197. Mr Batt's evidence explains the positive economic and social benefits of the proposal and Mr Dungey's evidence addresses the ecological benefits. I accept their evidence. Overall, my opinion is that:

- a. The economic and social benefits are likely to be locally impactful and will commence at the same time as the mining activity and increase proportionally as the mining activity ramps up to peak production; and
- b. There will be benefits to indigenous biodiversity realised through native planting along the riparian margin.

Summary of effects

198. In my opinion, all effects of the proposal can be appropriately managed by conditions to a level that is no more than minor, except for effects on stream values resulting from the diversion activity.

199. Despite all mitigation there will be a more than minor level of effect resulting from loss of values during the temporary diversions and rehabilitation timeframe.

Matters raised by submitters

200. In total, 34 submissions were received. Five submissions were withdrawn prior to the hearing, leaving 29 submissions for the Commissioners to consider. Three submissions remain in opposition and 26 are in support of the application. The following table summarises the remaining submissions.

	Oppose	Support	Total
Southland Regional Council	1	5	6
Gore District Council	0	1	1
Southland Regional Council and Gore District Council	2	20	22
Total	3	26	29

201. Since notification the Applicant has engaged directly with all submitters in opposition to discuss matters of concern and formulate mitigation measures in conditions that may address these matters. Technical matters raised by submitters are addressed in the evidence of the relevant experts and I have addressed submission points relating to duration and conditions throughout this evidence.

Submitters in support

202. Submissions in support of the proposal contain a number of common themes, therefore I discuss these collectively. The reasons for submissions in support include:

- a. The proposal provides jobs for the community and learning opportunities (upskilling) for locals.
- b. There are positive flow-on effects within the local and wider area for products and services required by the mine operation, contributing to economic growth.
- c. Crack willow along the Waikaka Stream requires maintenance to keep the stream clear, which will be done as part of the mining proposal, saving cost to the ratepayers.
- d. Improved access for anglers by removing overgrown willows.

- e. Previous good experiences with the professionalism of the mine operator, and a proven track record of successful rehabilitation at previous operations.
- f. Adverse effects on the environment are adequately mitigated and the land will be suitable restored.

203. I have included consideration of these matters in my consideration of positive effects of the proposal.

Proposed consent conditions

204. A full set of the conditions that I recommend are included as **Appendix [B]** to my evidence. My assessment of effects above is based on the mitigation measures contained within this draft set of conditions.

205. I have reviewed the draft consent conditions prepared by Ms Skuse and I generally agree with these, except as I specifically note below. Condition numbers in the paragraphs below are references to Ms Skuse's condition set.

206. In some locations I have recommended minor wording changes to improve clarity or small amendments to structure. I do not address these types of amendments further in my evidence except to note that I expect agreement can likely be reached through the planner's joint witness conferencing.

207. Ms Skuse has prepared an Environmental Management Plan condition. I prefer the version appended to my evidence as I consider it achieves better integration between the district and regional council consent requirements. A single EMP for the site will provide for clearer environmental management. While certification of a single EMP from both GDC and SRC creates additional administration, I do consider that it is feasible for GDC and SRC to certify that the EMP achieves the requirements of their respective consents.

208. The Applicant requests that the proposed landscaping conditions 19 – 23 relating to roadside boundary planting are removed for reasons discussed

at paragraph 164 above. Should the Commissioners decide to retain these, I consider the wording of these conditions to be appropriate.

209. Condition 40a requires that truck crossing signs are to be established for the duration of the project. I note that the operation does not involve significant heavy vehicle movements except during the site establishment phase and query whether these signs should be removed after the site is established.

210. Condition 46f requires specific design requirements for stream diversions and the L&M pond reclamation. These are superseded requirements and are no longer relevant. The Tonkin & Taylor report was prepared prior to the refinement of the mine and diversion design. There is no L&M pond reclamation, and the stream diversion channel design has been prepared in the Hall Report. I have removed clause f from condition 46.

211. Condition 58 refers to preventing disturbance of the landfill. The PSI confirms that the landfill is outside of the mine footprint and so I do not consider this condition to be necessary. I note that there is an 'accidental discovery protocol' condition for unexpected contamination and I consider this provides suitable alternative mitigation.

212. Condition 63 relates to accidental discovery of archaeological and/or cultural material. I have replaced this with a version provided to me by Hokonui Rūnanga. This is a matter discussed between the Applicant and Hokonui Rūnanga during consultation.

Evaluation of Objectives and Policies (s104(1)(b))

213. **Appendix [C]** provides a comprehensive assessment of the activity against the objectives and policies and so I do not propose to repeat that assessment in its entirety here. Instead, I partially rely on that assessment and address in the sections below matters that are key to the assessment.

National Policy Statement for Freshwater Management 2020 ('NPSFW')

214. Section 104(2F) of the RMA prevents consideration of clause 1.3(5) or 2.1 of the NPSFM, which was considered in the original AEE. This was a legislative amendment made after lodgement of the application.⁴⁴ Policies in the NPSFW remain relevant. Policies 7, 9 and 10 of the NPSFW are key to the assessment.

215. Policy 7 states:

The loss of river extent and values is avoided to the extent practicable.

216. There is to be some interim loss of both river extent and values during the temporary diversions. This is not debated. The river extent will be temporarily shortened as the diversion channels are shorter than the natural river channel reach and the diversion channels will not have the same values as the natural channel. To assess this policy, the question is whether the loss is avoided to the extent practicable. Section 3.24 sets out the test to be applied, through the insertion of a new policy in the regional plan,⁴⁵ and direction in section 3.24(3) as to the application of the effects management hierarchy and imposition of conditions.

217. I assess this policy at paragraph 250 under the PSWLP below.

218. Policy 9 states:

The habitats of indigenous freshwater species are protected.

219. In my view, allowing no adverse effect on any habitat of a freshwater species is not intended by this policy. That would be inconsistent with other provisions in the NPSFW which clearly anticipate some impact on habitat (albeit in a restricted manner), for example through the effects

⁴⁴ Resource Management (Freshwater and Other Matters) Amendment Act 2024

⁴⁵ Policy 28A of the Proposed Southland Water and Land Plan

management hierarchy assessment for loss of river extent and values; any activity applying this pathway would by necessity also involve some form of impact on habitat. Policy 9 should not be interpreted as requiring absolute avoidance of any habitat disturbance.

220. The Applicant proposes to replace the habitat impacted by the works, including the artificial waterbodies (dredge ponds and ditches). Ditch habitat will be restored and slightly extended, ensuring that the same habitat remains available for gollum galaxiids. Pond habitat will be replaced by a terminal void pond. Although three ponds will be replaced with one, there may be an opportunity for improvements to this habitat with riparian planting and it seems likely that the area of habitat replaced will be similar or greater. The stream habitat is proposed to be replaced with the same extent and types of habitats, supporting several different types of freshwater species. While these measures do not avoid all temporary loss of habitat, they collectively maintain the ongoing availability of comparable habitats.

221. When considered at the level of outcomes rather than at the moment of construction disturbance, the proposal maintains the availability of habitat for indigenous freshwater species and achieves the intent of protection in a broader sense. Some temporary inconsistency with Policy 9 arises during the period of works, however given the proposed replacement and enhancement measures, the level of inconsistency is limited and not such that the proposal should be considered contrary to the policy.

222. Policy 10 states:

The habitat of trout and salmon is protected, insofar as this is consistent with Policy

223. Reasoning applied in respect of Policy 9 is also applicable to Policy 10. For the same reasons I consider the proposal is partly inconsistent in relation to the period of works, but not contrary to Policy 10.

224. For completeness, I consider the proposal to be consistent with the other provisions in the NPSFW, with reference to my assessment in Appendix [C].

National Policy Statement for Highly Productive Land 2022 ('NPSHPL')

225. As identified in section 6.2.3 of the AEE, parts of the site are to be assessed as Highly Productive Land ("HPL") and the NPSHPL is relevant. **Figure 4** below shows the land use capability classification of the site. LUC 2 and 3 are indicated by the orange and green shadings respectively.



Figure 4 Land use capability classification of application site. Uncoloured land is LUC class 4-8, orange is LUC class 2, Green is LUC class 3. Approximate site extent indicated by red outline (Source: Gore DC)

226. The Objective of the NPSHPL (section 2.1) is to protect HPL for use in land-based primary production, both now and for future generations. Supporting policies are set out in section 2.2, of which Policy 4 and Policy 8 are specifically relevant to this application.

227. **Policy 4** seeks to prioritise and support the use of HPL for land-based primary production. The land is currently used land-based primary production and will be returned to that use on completion of mining.

228. **Policy 8** protects HPL from inappropriate use and development. Section 3.9(2) of the NPSHPL identifies that any use or development of HPL is inappropriate unless one of the exemptions listed is relevant. Clause (g) provides for the following exemption criteria:

(g) it is a small-scale or temporary land-use activity that has no impact on the productive capacity of the land:

229. This proposal is for a temporary land use activity; land will be removed from primary production for a limited duration. Considering the moving mine cell and progressive rehabilitation methodology, the Applicant considers it feasible to only remove each piece of land, except for the 10 hectares occupied by the SP1 stockpile, vehicle access, infrastructure area, settling ponds and STP, from primary production for approximately 4 years. For example, the starter pit will be rehabilitated by the time the mine is entering year 4.

230. The proposed land use is small scale in the context of farmland available in Southland for land based primary production. There is approximately 551,648 ha of land use capability class 1-3 in Southland⁴⁶, of which this site is 0.02%.

231. The project rehabilitation philosophy is to return the land and soil to essentially the same or better as was previously existing. To this end, the overall proposal will have no impact on the productive capacity of the land on completion of rehabilitation.

232. It is appropriate to apply clause (g) and I consider that the proposed use of land is not inappropriate under section 3.9(2) of the NPSHPL.

233. Moving to section 3.9(3), which requires that any use of HPL minimises or mitigates loss of HPL and avoids or mitigates potential for reverse sensitivity effects on nearby land-based primary production. There is no

⁴⁶ National Policy Statement – Highly Productive Land Cost-Benefit Analysis, Fig 2.1, page 26, June 2020, M.E consulting

permanent overall loss of HPL, and the Applicant's proposal is not a sensitive activity that may create reverse sensitivity effects. Ms Skuse proposes conditions to provide certainty that the loss of productive land is not permanent and I support these.

234. In summary, the proposal meets the exemption criteria for a use of HPL and overall is consistent with the objective and policies of the NPSHPL.

National Policy Statement for Indigenous Biodiversity 2022 ('NPS-IB')

235. The Applicant recognises the mana of tangata whenua as kaitiaki of indigenous biodiversity. The Applicant has engaged in several conversations with Hokonui Rūnanga and has provided for ongoing engagement and specifically input into the detailed design of the rehabilitation planting and the ecological monitoring.

236. The proposal provides for enhancement to indigenous biodiversity with native plantings along the riparian margins. Overall, the proposal is expected to have a positive impact on indigenous biodiversity.

237. A full assessment against each the relevant policies of the NPS-IB is provided in Appendix [C]. Overall, I consider that the proposal is consistent with the NPS-IB.

Southland Regional Policy Statement 2017 ('SRPS')

238. I consider the proposal to be consistent with the SRPS, and my detailed assessment is contained in Appendix [C].

239. Ms Smith considers that the proposal is inconsistent or contrary to the Biodiversity Chapter. I disagree.

240. Objective BIO.2 states:

Maintain indigenous biodiversity in Southland and protect areas of significant indigenous vegetation and significant habitats of indigenous fauna for present and future generations.

241. The proposal does not occur within any identified area of significant indigenous vegetation or significant habitat of indigenous fauna. I consider that the proposal will maintain indigenous biodiversity at a project scale with the rehabilitation and mitigation measures proposed restoring any loss of habitat and contributing to increased biodiversity in the riparian margins.

242. Policy BIO.4 states:

Manage a full range of indigenous habitats and ecosystems to achieve a healthy functioning state, and to ensure viable and diverse populations of native species are maintained, while making appropriate provisions for lawful maintenance and operation of existing activities.

In giving effect to this policy, regard will be had to the following potential adverse effects:

(i) fragmentation of, or reduction in the extent of, indigenous vegetation or habitats of indigenous fauna;

(ii) fragmentation or disruption of connections and linkages between ecosystems or habitats of indigenous fauna;

(iii) loss of, or damage to, buffering of ecosystems or habitats of indigenous fauna;

(iv) loss or reduction of rare or threatened indigenous species' populations or habitats.

243. The proposal will maintain ecological connectivity and avoid fragmentation by ensuring continuity of flow throughout the diversion channels. While there will be some loss or disturbance of habitat during construction, these effects are temporary and are addressed through replacement habitat, riparian enhancement, and rehabilitation works. No permanent fragmentation, loss of buffering, or disruption of ecological linkages is anticipated.

244. Mr Dungey advises that gollum galaxiids are a threatened – nationally vulnerable indigenous species⁴⁷ and so regard must be had to impacts on these populations and habitats. The populations are proposed to be salvaged and relocated to other local ditches and the ditch habitat is to be replaced and extended. Further, I note that the ditches are regularly cleared of weed for maintenance purposes which Mr Dungey advises would be quite impactful on the fish.⁴⁸ I consider that the mitigation measures and replacement of ditch habitat are appropriate management measures to maintain habitat and populations of gollum galaxiids.

245. Although the temporary construction-phase effects result in a degree of inconsistency with Objective BIO.2 and Policy BIO.4, the proposal does not undermine the purpose of these provisions, which is to maintain indigenous biodiversity, habitat and ecosystems and consequently populations of native species. The project achieves this overall with staging and rehabilitation, therefore I do not consider the proposal to be contrary to the objective or policy.

246. Policy BIO.9 states:

In addressing significant residual adverse effects (i.e. those effects left after all the appropriate avoidance, remediation, or mitigation actions have been taken), local authorities will consider the use of any biodiversity offset and/or environmental compensation measures offered by an applicant.

247. This policy allows the consent authority to consider the use of biodiversity offset or compensation if there are significant adverse effects. Accordingly, should the Commissioners determine that the proposal does not fully avoid, remedy, or mitigate its ecological effects (with reference to the effects management hierarchy assessment under policy 28A PSWLP),

⁴⁷ Dungey EIC, paragraph 138.

⁴⁸ Dungey EIC, paragraph 54.

Policy BIO.9 explicitly anticipates the use of offsets or compensation as a way to address residual effects

248. A full assessment against each the relevant objectives and policies is provided in Appendix [C]. Overall, I consider that the proposal is consistent with the SRPS.

Southland Regional Water Plan ('SRWP')

249. I consider that the proposal is generally consistent with the SRWP, for reasons expressed in Appendix [C].

Proposed Southland Water and Land Plan ('PSWLP')

250. Policy 27A is key to the assessment and states:

The loss of river extent and values is avoided, unless the council is satisfied that:

- 1. there is a functional need for the activity in that location; and*
- 2. the effects of the activity are managed by applying the effects management hierarchy.*

251. I agree with Ms Smith that there is a functional need for mining to locate where the resource is and that the first limb is satisfied. The second limb directs the consent authority to manage the effects of the activity by applying the effects management hierarchy. Once that is achieved, the policy no longer requires avoidance of any loss of river extent and values.

252. Ms Smith sets out an assessment of the proposal against the effects management hierarchy at her paragraphs 3.4.19 – 3.4.23. I agree with her assessment and further add the following comments.

- a. Effects associated with mining in this area have been avoided by the design of the proposal as a whole, in that it proposes temporary and staged diversions rather than wholesale realignment of the stream, as was proposed in an earlier iteration of the proposal. The

redesign of the scheme to avoid effects on the river is estimated by Mr Batt to have reduced the expected take by approximately 8,000 ounces of gold worth over \$50M at today's gold prices.⁴⁹

- b. Avoidance of loss of river extent and values is also achieved by staging the diversions to avoid diverting the entire river at one time. This may be operationally more efficient.
- c. Avoiding instream works during critical times for migration or spawning, and provision of continuous fish passage will contribute to minimising loss of river extent and values.
- d. Sediment controls during construction will contribute to minimising loss of river extent and values.
- e. Ongoing monitoring of rehabilitated habitat progression and adaptive management to make changes if the habitat is not improving as expected will also remedy loss of river extent and values.
- f. Placement of cobbles on the bed of rehabilitated channels will remedy loss of river extent and values.

253. Additional detail is provided in the proposed consent conditions in terms of the management measures and performance indicators in respect of the diversions. The Applicant is also open to considering offsets and compensation, as noted in the evidence of Mr Batt.

254. I consider that there is the ability to achieve consistency with this policy through appropriate conditions of consent.

255. Policy 32 states:

⁴⁹ Batt EIC, paragraph 19.

Protect significant indigenous vegetation and significant habitats of indigenous fauna and maintain indigenous biodiversity associated with natural wetlands, lakes and rivers and their margins.

256. This policy requires that indigenous biodiversity associated with rivers and their margins are maintained. I consider that the proposal will achieve this over the long term, however for the construction and rehabilitation phase there will be some inconsistency with this policy.

257. A full assessment against each the relevant objectives and policies is provided in Appendix [C]. Overall, I consider that the proposal is consistent with all other provisions in the PSWLP.

Southland Regional Air Plan

258. The Regional Air Quality Plan for Southland (1999) has been partially reviewed, and the current operative Southland Regional Air Plan (2016) incorporates both the operative provisions of the Stage 1 Air Plan review (2016) and the remaining operative provisions of the 1999 Air Plan (Stage 2). Stage 1 of the Air Plan is not relevant to the project, though Stage 2 is.

259. **Objective 4.2.1** seeks to maintain good ambient air quality for Southland. This is supported by **Policy 4.3.5** which requires that ambient air quality is protected. **Objective 5.2.1** seeks to avoid, remedy or mitigate any adverse effects upon the environment (including the health of people and communities and amenity values) from the discharges of contaminants into air from industrial or trade premises. **Policy 5.3.1** states that the environment is to be protected from the adverse effects of discharges.

260. I consider that the dust control measures proposed and progressive restoration are good practise and will enable dust to be controlled within the site boundaries, achieving the relevant objectives and policies noted above.

261. **Objective 5.2.2** and **Policy 5.3.5** recognise Māori cultural and traditional beliefs are to be accounted for when dealing with discharges of contaminants into air from industrial or trade premises. The Applicant has

consulted directly with Hokonui Rūnanga and I understand that the control of dust from the site is not a matter that is of specific concern.

262. In my opinion, the proposal appropriately provides for the protection of air quality from the effects of dust. I consider that the proposal is consistent with all the relevant objectives and policies in the Southland Regional Air Plan.

Southland Regional Effluent Land Application Plan

263. This plan is relevant solely because the GRP process return water meets the plan definition of 'effluent'. Appendix [C] provides a detailed assessment of the proposal against the objectives and policies. I consider that the proposal will achieve consistency with all of the relevant objectives and policies, because the discharge of GRP process return water will result in less than minor to nil adverse effects on the values protected by the plan provisions, being life supporting capacity of the soil ecosystem, water quality, human and animal health and amenity values.

264. I consider the proposal to be consistent with the Southland Regional Effluent Land Application Plan.

Gore District Plan

265. Chapter 2 of the District Plan addresses Matters of National Importance.

Objective 2.6.3 seeks to ensure that waahi tapu, waahi taonga and other taonga and mahinga kai sites are not adversely affected by land use activities. **Policy 2.6.4** requires that adverse effects of land use activities on waahi tapu, waahi taonga and other taonga are controlled.

266. The proposal includes conditions of consent to appropriately protect any unknown archaeological or cultural sites that may be discovered. In relation to other taonga and mahinga kai, the proposed conditions of consent seek to achieve a long-term enhancement to the Waikaka Stream catchment, including replanting of native vegetation in the riparian margin. Proposed conditions also provide for ongoing collaboration with Hokonui Rūnanga and their input on rehabilitation matters.

267. At the time of writing this evidence I have not yet had the benefit of submitter evidence on cultural matters. However, I note that the mitigation proposed in respect of matters controlled by the District Plan, and the ongoing provision for collaboration in the draft conditions, both weigh positively in respect of the relevant Chapter 2 provisions.

268. Chapter 2 also addresses archaeological sites, and I confirm that I consider the proposal to be consistent with these provisions.

269. I consider the proposal to be consistent with the other relevant District Plan objectives and policies in respect of Land Use Activities (Chapter 3), Natural Hazards (Chapter 4A), Transportation (Chapter 5) and Hazardous Substances (Chapter 6). My assessment of these matters is set out in detail in Appendix [C].

Proposed Gore District Plan

270. Hearings on the PDP have now closed and notification of decisions on the PDP is expected to occur by 31st January 2026. My assessment of PDP objectives and policies is based on the notified version, and there may be some changes to PDP provisions when the decisions are notified. A planning addendum could be provided if decisions on the PDP are notified prior to the close of the hearing. A full assessment is recorded in Appendix [C] and I highlight key matters in the paragraphs below.

271. The PDP recognises mining as a primary production activity which is expected to occur in the General Rural Zone. The proposed mine is able to be managed in a manner that is compatible with the character, qualities and purpose of the zone, with consideration to the low degree of built form, large setbacks to neighbours and progressive rehabilitation of the site back to agricultural use. I consider the proposal to be generally consistent with most of the GRUZ objectives and policies, and I provide further detail below where a more nuanced assessment is warranted.

272. Policy **GRUZ-P6** seeks to manage the environmental and cultural effects of mining and to avoid mining activities that result in adverse cultural or environmental effects that cannot be avoided, mitigated or offset. There

remains a degree of uncertainty as to the effects on cultural values, however I consider that there is a pathway to resolution of these matters through enhancement to the Waikaka Stream riparian margin alongside ongoing collaboration and engagement with Hokonui Rūnanga. I consider that the broader environmental effects as relevant to **GRUZ-P6** are appropriately avoided or mitigated and the proposal is consistent with the policy in this regard.

273. Provisions in the Ecosystems and Indigenous Biodiversity chapter protect Significant Natural Areas and promote the maintenance and restoration of indigenous biodiversity. The site is not located in a Significant Natural Area and there has been no indigenous vegetation identified within the project footprint. Rules relating to clearance of indigenous vegetation have been triggered out of an abundance of caution and the Applicant accepts conditions that require a pre-work survey for indigenous vegetation to quantify any loss. The Applicant proposes significant native riparian planting which will contribute to some restoration of indigenous biodiversity on the site. With reference to the detailed assessment in Appendix [C], I consider the proposal to be consistent with the ECO chapter objectives and policies.

274. Objective **SASM-O1** recognises all land and waterbodies in the District as sites and areas of cultural significance to mana whenua. The cultural significance of the land and waterbodies is recognised and the Applicant has sought specific advice from mana whenua through Hokonui Rūnanga. **Policy SASM-P1** enables land use where adverse effects on Ngāi Tahu cultural values are avoided, remedied or mitigated. There remains a degree of uncertainty as to the impact of the proposed activity on Ngāi Tahu cultural values. However, based on the consultation to date and the potential for future collaborative management of the rehabilitation aspect of the proposal, there is a pathway to enable appropriate mitigation or remedy of impacted cultural values.

275. In my opinion, the proposal is generally consistent with the PDP objectives and policies.

Relevant Other Matters (s104(1)(c))

276. Te Tangi a Tauria - The Cry of the People is the Ngāi Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008. I have provided a full assessment in Appendix [C] and I consider that the proposal is generally consistent with the relevant provisions.

Section 104D RMA

277. Section 104D enables a consent authority to grant consent for a non-complying activity only if one of the two limbs of s104D (1) are met. Not all the adverse effects of the activity on the environment can be mitigated to a minor level, specifically the effects on in-stream values will be more than minor for the duration of the diversions and rehabilitation period..

278. I consider that the effects of the proposal can be mitigated such that the proposal is not contrary to the relevant objectives and policies of the relevant plans and proposed plans. Hence the proposal can pass limb (b) of the gateway test under section 104D and the consent authorities may grant resource consent.

Section 105 RMA

279. Section 105(1) sets out additional matters for consideration.

280. In respect of s105(1)(a), the nature of the discharge and the sensitivity of the receiving environment have been described in the AEE and evidence of Mr Heller and Mr Dungey.

281. In respect of s105(1)(b),

- a. The discharge of the Waikaka / Shepherd's Creek diversion flow is chosen to enable the retention of flow in the Waikaka Stream channel and continuity of surface water flows. A discharge to land would result in a poorer environmental outcome and is impractical.

- b. The discharge of dewatering water, process return water, and stormwater to the Waikaka Stream is chosen as to discharge to land is impractical and would likely result in water entering the mine pit, frustrating the purpose of dewatering to create a dry working area.

282. In respect of s105(1)(b), the Applicant does not consider there to be any other practical methods of discharge, nor other receiving environments, for the reasons noted above.

Section 107 RMA

283. Section 107 sets out additional matters for consideration in relation to discharges. The proposed discharges are expected to meet the water quality standards beyond the reasonable mixing zone and will not give rise to any of the effects listed in section 107(1).

Part 2 RMA

284. Case law⁵⁰ indicates that a specific Part 2 assessment is not required unless there is concern that the statutory planning documents do not give effect to Part 2 of the RMA. I do not consider this to be the case and so I have not undertaken a specific Part 2 assessment here. For completeness, I note that an assessment against Part 2 was provided in section 6.7 of the AEE.

Conclusion

285. For the reasons set out above, my overall conclusions are:

- a. Despite all mitigation there will be a more than minor level of effect resulting from loss of values during the temporary diversions and rehabilitation timeframe. An offset or compensation may be appropriate if the Commissioners consider that there are residual adverse effects.

⁵⁰ *RJ Davidson Family Trust v Marlborough District Council* [2018] NZCA 316 at [75].

- b. All other effects of the proposal can be appropriately managed by conditions to a level that is no more than minor.
- c. The proposal is not contrary to any relevant objectives or policies.
- d. There is a degree of inconsistency with some of the policies with respect to effects on river values.
- e. When considered overall, I find the proposal to be largely consistent with the relevant planning provisions.
- f. There are no statutory provisions which preclude consent being granted.

286. I consider that the conditions set out in my **Appendix [B]** are appropriate, however I remain open to further discussion and development of these.

287. Overall, I am satisfied that the application meets the statutory tests for approval.



Anita Clare Collie

Dated 19 November 2025

Appendices:

[A] Written Approvals

[B] Recommended conditions

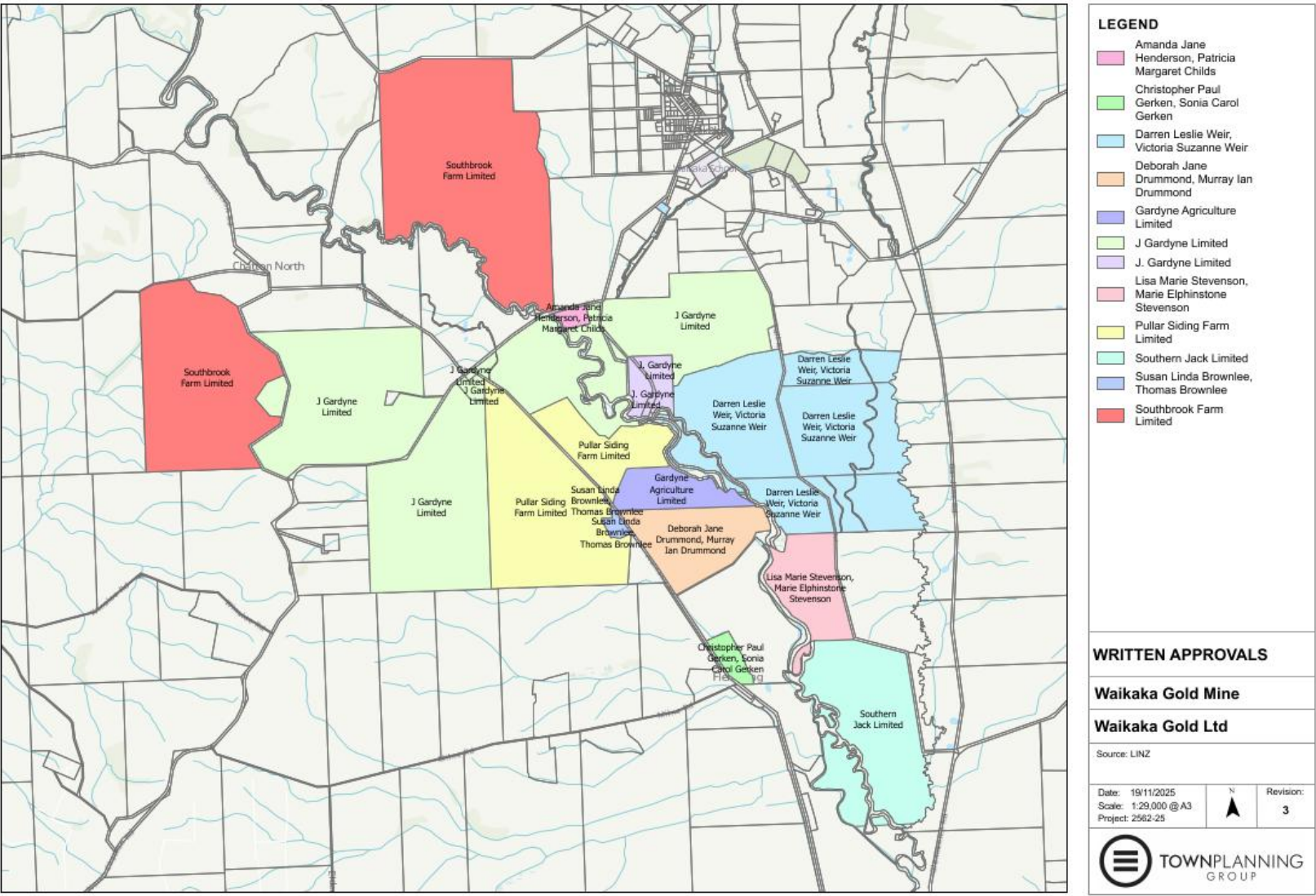
[C] Objectives and Policies Assessment

Appendix [A] – Affected party approvals received

Name of person	Address	Landparcels
Patricia Childs	1264 Waikaka Road	Lots 1 - 3 DP 5162 Lot 1 DP 10637
Thomas & Susan Brownlee	971 Waikaka Road	Lot 2 DP 7489
Darren Weir A R Weir And Co Limited	249 Turnbull Road	Lot 4 DP 13018 Part Section 1 Block XIII Chatton SD Section 21 Block XIV Chatton SD Lot 1 DP 3121 Lot 5 DP 13018
Duncan Gardyne Director of Gardyne Agriculture Limited	999 Waikaka Road	Lots 2 and 3 DP 5492 Lot 1 DP 10945 Lot 9 DP 13018
John Gardyne Director of J Gardyne Limited	113 North Chatton Road	Part Lot 1, Part Lot 3 and Lot 4 DP 7758 Part Section 49 Block XIV Chatton SD Part Section 26 Block III Chatton SD Lot 3 DP 13018 Part Section 14 Block IV Chatton SD Part Section 15 Block IV Chatton SD Lot 1 DP 7583

Name of person	Address	Landparcels
Jono Gardyne Director of J Gardyne Limited	29 North Chatton Road	As above
Lois Gardyne director of Pullar Siding Farm Limited	999 Waikaka Road	Part Lot 5 DP 7758 Part Section 27 Block III Chatton SD
Murray & Debbie Drummond	872 Waikaka Road	Lot 3 DP 13135
Chris & Sonya Gerkin	774 Waikaka Road	Lot 1 DP 13135
Marie Stevenson Southern Jack Limited	526 Turnbull Road	Lot 6 DP 319727
Lisa Stevenson	440 Turnbull Road	Lots 1, 2 and 5 DP 11463
Richard Byars Director of Southbrook Farm Limited	1237 Waikaka Road	Section 7 Block XIV Chatton SD, Section 6 Block XIV Chatton SD, Section 48 Block XIV Chatton SD, Part Section 47 Block XIV Chatton SD

Map of Affected Party Approvals



Attachment [B] - Proposed Conditions of Consent

Note to assist the reader

There are a number of conditions which would commonly apply across multiple consents / activities. To reduce repetition, three sections of conditions are proposed:

- Section 1 provides a Master Set of Conditions which would apply to all resource consents that authorise the proposed activity.
- Section 2 provides a River Diversion Set of Conditions, which would apply to resource consents that authorise the take, use, damming, diversion, associated discharge and works in the bed of a river, necessary to undertake the temporary diversion activities.
- Section 3 provides conditions specific to each resource consent.

Condition numbering is continuous to enable easy referencing.

Section 1 - Master Condition Set

General

1. The activity must be carried out in accordance with the plans and all information submitted with the application and subsequent further information received. If there are any inconsistencies between the information provided in the application and the conditions of consent, the conditions of consent will prevail.
2. The duration of consent shall be 20 years from the commencement of the consent.
3. The consent holder must notify the Gore District Council Planning team and Environment Southland in writing of the start date at least 10 working days prior to the commencement of the activity.
4. Prior to commencing the activity, the Consent Holder shall ensure that all staff (including all sub-contractors) involved in, or supervising, works onsite have attended an Environmental Site Induction. The Environmental Site Induction must include a briefing on the contents of the consent documents and any documents referred to in the conditions of this consent. A copy of the consent documents and any documents referred to in the conditions of consent shall be accessible on site at all times.
5. Resource consents APP-20242608 (Environment Southland) and LU 24035 (Gore District Council) shall be exercised in conjunction with each other.
6. The area of mining and associated infrastructure shall not exceed 100 hectares and the maximum depth of excavation shall be 50 metres.
7. The maximum area of active mine pit shall be 5 hectares.

Advice note: The area of active mine pit does not include areas that have been completely backfilled to above the natural water table level of 1.5m below land surface, nor of areas of topsoil stripping where the depth of excavation is not yet below the natural water table level of 1.5m below land surface.

8. The mine pit shall be set back a minimum of 30 metres from:
 - a. The Waikaka Road legal boundary, and
 - b. the Waikaka Stream and Shepherd's Creek, as measured from the edge of the typical wetted channel.

Advice note: Setbacks apply to mining activity, and not works to facilitate stream diversions.

9. Prior to commencing the activity, the Consent Holder shall nominate an Environmental Representative for the works program.
10. The Site Manager or another nominated person (the 'back-up contact') shall be available at all times including outside mine operational hours to respond to any complaints. Contact details for the Site Manager and the back-up contact shall be provided to the Consent Authorities and Hokonui Rūnanga prior to the commencement of the activity.

Consultation with Hokonui Rūnanga

11. A draft copy of the Environmental Management Plan (EMP) required by these consents shall be provided to Hokonui Rūnanga prior to lodgement with the relevant Consent Authority. Hokonui Rūnanga shall be afforded at least 20 working days to provide feedback on the draft management plan. If no feedback is received from Hokonui Rūnanga in that timeframe the consent holder is not obliged to wait for feedback.
12. Hokonui Rūnanga shall be invited to participate in the annual review of the EMP required by these consents. The Consent Holder shall provide Hokonui Rūnanga with at least 20 working days notice of the annual review of a management plan and invite feedback on the existing management plan.
13. When submitting the EMP for certification or re-certification, the consent holder shall also provide to Consent Authorities a copy of any feedback from Hokonui Rūnanga and a description of amendments made in response to that feedback.

Environmental Management Plan

14. Prior to undertaking any mining activity authorised by this consent, the Consent Holder must submit an Environmental Management Plan (EMP) to Environment Southland and Gore District Council for certification that the EMP is consistent with the conditions of consent.
 - a. The Objective of the EMP is to provide an overview of operational procedures for compliance with the conditions of consent and to provide an integrated framework for environmental management of the project.
 - b. The EMP shall include at a minimum the following information:
 - i. A list of relevant resource consents and their conditions.

- ii. A description of how compliance with the conditions of the resource consents will be achieved.
- iii. Staff roles and responsibilities for compliance with resource consent conditions.
- iv. Staff training and induction.
- v. Incident response.
- vi. Monitoring programmes and reporting of results.
- vii. A list of other management plans and a description of how these inter-relate, including an Erosion and Sediment Control Plan, Stream Diversion Management Plan, Dust Management Plan, and Rehabilitation Management Plan.
- viii. Communication protocols with Councils, neighbours, and mana whenua.
- ix. Complaints management procedures.
- x. Contingency measures in case of project abandonment.

Certification and Amendments to Management Plans

15. Any management plan required by these resource consents must be certified in accordance with the below requirements.
 - a. The timing of certification and the Consent Authority responsible for certification is specified in the condition specific to each management plan.
 - b. If the Consent Holder has not received a response from the Consent Authority within 20 working days of the date of submission for certification, the management plan must be deemed certified.
 - c. If the response from the Consent Authority is that they are not able to certify the EMP, such a response must include detailed reasons with reference to the conditions of consent that the Consent Authority considers the management plan does not meet. The Consent Holder must consider any reasons and recommendations provided by the Consent Authority, amend the management plan accordingly, and resubmit the management plan for certification to the Consent Authority. If the Consent Holder has not received a response from the Consent Authority within 10 working days of the date of resubmission for certification, the management plan must be deemed certified.
16. The Consent Holder may amend the management plans at any time, in a way that is consistent with the conditions of this resource consent.
17. All management plans must be reviewed at annually or if there is a material change to the activity or effects. The purpose of the review is to ensure that the management plan remains fit for purpose and to address any changes required to respond to any non-compliance or monitoring results in the previous year.
18. If the management plan is amended or reviewed, a copy must be provided to the Consent Authority within 15 working days of its review/amendment, for re-certification in accordance with Condition 15. Where any management plan is amended or reviewed, the activity may continue in accordance with the previously certified version, until the revised version is certified by the Consent Authority.

19. Subject to any other conditions of these consents, all activities must be undertaken in accordance with the latest version of the certified management plans. All management plans must be accessible on site.

Complaints

20. The consent holder must maintain a complaints register setting out:
- a. details of any complaints received, including those relating to activities undertaken on the site and the movement of vehicles to and from the site. Such details must include the time and date of the incident subject to complaint and the name and contract details of the complainant;
 - b. an assessment of the incident subject to complaint; and
 - c. any action taken by the consent holder.

The complaints register must be available for inspection by Environment Southland and Gore District Council staff at any time.

21. No later than 31 July each year, the consent holder must advise Environment Southland and the Gore District Council of any complaints received during the previous 12-month period from 1 July to 30 June, and provide appropriate details from the complaints register.

Spills

22. In the event of a spill of fuel or any other contaminants the Consent Holder shall:
- a. Undertake all practicable measures as soon as possible to contain the contaminant.
 - b. Ensure that the contaminants and any material used to contain it are removed from the site and disposed of at a facility authorised to receive the material.
 - c. For any spill greater than 20 litres, notify the Consent Authority of the spill and of the actions taken to remediate and mitigate any adverse environmental effects.

Archaeological sites

23. If any artefact and/or any historical, cultural or archaeological material of Māori origin, or likely to have significance to Māori, is found or uncovered during the undertaking of activities, the measures outlined in the Accidental Discovery Protocol attached as Appendix A shall be followed.

Review of consents

24. The Consent Authority may, in accordance with Sections 128 and 129 of the Resource Management Act 1991, serve notice on the Consent Holder of its intention to review the conditions of this consent during the period of three months following the date of granting of this consent each year, or within two months of any enforcement action taken by the Consent Authority in relation to the exercise of this consent, for the purpose of:
- a. Determining whether the conditions of this consent are adequate to deal with any adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage, or which becomes evident after the date of commencement of the consent; or

- b. Ensuring the conditions of this consent are consistent with any National Environmental Standards Regulations, relevant plans and/or Policy Statement; or
- c. Reviewing the frequency of monitoring or reporting required under this consent to alter these.

Section 2 – River Diversion Condition Set

25. This consent authorises:

- a. The entry into and passage across the bed of the Waikaka Stream and Shepherd's Creek by vehicles and machinery, and any associated bed disturbance.
- b. Placement and use of a dam and undertaking earthworks in the bed of the Waikaka Stream and Shepherd's Creek, for the purpose of creating five temporary diversions of the entire flow into temporary diversion channels, and reinstating the flow back to its original course.
- c. The excavation and disturbance of the bed of the Waikaka Stream and Shepherd's Creek for the purpose of rehabilitation of the channel.
- d. The introduction and planting of plants in the bed of the Waikaka Stream and Shepherd's Creek channels.
- e. The taking, use, damming and diversion of surface water in the Waikaka Stream and Shepherd's Creek for the purpose of creating five temporary diversions of the entire flow and return of the flow to the same waterbody.
- f. Discharge of the entire flow of the Waikaka Stream and Shepherds Creek and resultant entrained sediment, via the temporary diversion channels, to re-join the existing Waikaka Stream.

26. The activities authorised by this consent must be carried out in accordance with the Master Condition Set included in Section 1.

Construction and operation of diversions

27. All temporary diversion channels and reconstructed sections of the Waikaka Stream and Shepherd's Creek must have sufficient capacity to contain a 1 in 20 year AEP flood event.

28. Diversion channels and rehabilitated stream channels shall be constructed, as far as practicable, in dry working conditions and stabilised prior to diverting surface water flow therein. The Consent Holder shall ensure that all reasonable steps are taken to minimise the release of sediment to water.

29. The Consent Holder shall ensure that fish passage is not impeded by the works, and that fish are not left stranded in pools and channels. Fish in diverted reaches of streams, ponds and ditches shall be relocated to a nearby alternative suitable habitat by a suitably qualified person.

30. Works shall not be undertaken in the Waikaka Stream or Shepherd's Creek flowing channel during the period of 1 May to 30 November unless a suitably qualified ecologist confirms that there are no spawning sites present in the affected reach of the stream.

31. Works shall not be undertaken in ditches between 1 September to 31 December.

32. Diversion channels shall be constructed to include habitat features including, but not be limited to:

- a. pools and shallow riffle areas;

- b. larger boulders to create hydraulic variation;
 - c. gentle meanders;
 - d. in-channel fish-shelter elements such as securely anchored large woody debris.
33. Prior to the construction of any diversion channel, the Consent Holder shall prepare, in consultation with a suitably qualified ecologist, river engineer and Hokonui Rūnanga, a detailed design for the diversion channel and habitat features. The design shall be provided to Environment Southland 20 working days prior to constructing the diversion channel, for certification that the design complies with condition 32 of this consent.

Rehabilitation of Waikaka Stream and Shepherd's Creek

34. Rehabilitated reaches of the Waikaka Stream and Shepherd's Creek shall be designed and constructed with the objective of achieving a net gain, but in any event no net loss, in the ecological value of the rehabilitated stream reach within three years of completing the rehabilitation works. For the purposes of this condition, 'net gain' means:
- a. some or all of the monitoring parameters listed in condition 38 exceed the pre-mining baseline; and
 - b. a professional ecological judgement confirming that the stream ecological value is greater than the pre-mining baseline.
35. At a minimum, rehabilitated reaches shall include:
- a. a planted riparian margin at least 5 metres wide on each bank comprising native species and hybrid willows for bank stability and provision of shade;
 - b. erosion protection on outer bends sufficient to maintain channel stability and minimise sediment discharge;
 - c. an approximately even distribution of pool, riffle, and run habitat types;
 - d. a cobble and gravel substrate in the low flow channel; and
 - e. habitat variability, including features such as larger boulders, gentle meanders, and in-channel fish-shelter structures such as securely anchored large woody debris.
36. Prior to diversion of any section of Waikaka Stream or Shepherds Creek, the Consent Holder shall prepare, in consultation with a suitably qualified ecologist, river engineer and Hokonui Rūnanga, a detailed design for the channel and habitat features. The detailed design shall include incorporation of any improvements identified from previous diversions. The design shall be provided to Environment Southland 20 working days prior to constructing the diversion channel, for certification that the design complies with condition 35 of this consent.
37. The consent holder shall undertake annual ecological monitoring of stream sections to be diverted for baseline purposes for at least 3 years prior to the planned commencement of each diversion.
38. The consent holder shall undertake ecological monitoring of the rehabilitated stream reach for a period of three years following diversion of flow back into a mined section of the Waikaka Stream

or Shepherd's Creek. Monitoring shall be undertaken annually by a suitably qualified and experienced freshwater ecologist. The following parameters shall be monitored and reported:

- a. Habitat Quality:
 - i. Length of undercut banks
 - ii. Riparian vegetation cover
 - iii. Effective shading of the channel
 - iv. Diversity and variability of habitat types, including the proportions and distribution of pool, riffle, and run habitats
- b. Water Quality:
 - i. Water temperature
 - ii. Total suspended solids
- c. Fish Community:
 - i. Species present
 - ii. Relative abundance
 - iii. Size distribution
- d. Macroinvertebrates:
 - i. MCI
 - ii. SQMCI

39. A Monitoring Report shall be submitted to the Consent Authority and Hokonui Rūnanga within two months of each round of annual monitoring required by condition 38 and shall include all results, comparison to pre-mining baseline values, and an assessment of ecological trends.

If any Monitoring Report indicates that the rehabilitated reach is not on track to achieve at least no net loss within the three-year rehabilitation period, the consent holder shall implement additional rehabilitation measures within the following year. These shall be appropriate to the identified deficiencies and may include, but are not limited to, supplementary riparian planting, additional habitat enhancement works, erosion protection improvements, or measures to improve fish passage or instream cover.

At the end of Year 3, the consent holder shall provide a Final Rehabilitation Report confirming whether ecological net gain objective has been achieved. If the objective has not been met, the consent holder shall prepare and implement a Remedial Action Plan at the next appropriate season and shall continue annual monitoring and reporting until ecological net gain is demonstrated, unless otherwise agreed in writing by the Consent Authority.

Stream Diversion Management Plan

40. Prior to the creation of any temporary diversion channels, the Consent Holder shall prepare a Stream Diversion Management Plan (SDMP).
- a. The objective of the SDMP is to demonstrate how compliance with the conditions of this consent will be achieved.
 - b. The SDMP shall include at a minimum the following information, as relevant to both temporary diversion channels and rehabilitated stream channels:

- i. The relevant conditions of consent and how compliance with these will be achieved.
 - ii. Detailed channel design.
 - iii. Construction methodology and procedures for the diversion of surface water from the stream to the diversion channel.
 - iv. Fish salvage procedures;
 - v. Mitigation measures to minimise erosion and entrainment of sediment in surface water during construction and diversion.
 - vi. Suspended sediment monitoring protocols.
 - vii. Planting specification and monitoring plan for rehabilitation channels only.
 - c. Prior to undertaking any mining activity authorised by this consent, the Consent Holder must submit the SDMP to Environment Southland for certification that the SDMP is consistent with the conditions of consent.
 - d. If the Consent Holder has not received a response from Environment Southland within 15 working days of the date of submission for certification, the SDMP must be deemed certified.
 - e. If the response from Environment Southland is that they are not able to certify the SDMP, such a response must include detailed reasons with reference to the conditions of consent that Environment Southland consider the SDMP does not meet. The Consent Holder must consider any reasons and recommendations provided by Environment Southland, amend the SDMP accordingly, and resubmit the SDMP for certification to Environment Southland. If the Consent Holder has not received a response from Environment Southland within 10 working days of the date of resubmission for certification, the management plan must be deemed certified.
41. The Consent Holder may amend the SDMP at any time, in a way that is consistent with the conditions of this resource consent, to take into account:
- a. Any positive measure/s to ensure the stated objectives of the management plan are achieved.
 - b. Any changes required to further reduce the potential for adverse effects;
 - c. Any required actions identified as a result of monitoring.
42. If the SDMP is amended, the amended version must be provided to Environment Southland for re-certification in accordance with Condition 40.c. The activity may continue in accordance with the previously certified version of the SDMP, until the revised version is certified by Environment Southland.
43. Subject to any other conditions of these consents, all activities associated with the stream diversions must be undertaken in accordance with the latest version of the certified SDMP.

Section 3 – Environment Southland Specific Conditions

Land Use Consent to construct a bore for the purpose of excavating a mine pit that intercepts groundwater.

44. The excavation of land to form a mine pit must be carried out in accordance with the Master Condition Set included in Section 1.
45. Backfilling of the mine pit shall only be cleanfill overburden materials sourced from within the site, and water.
46. The Consent Holder shall prevent any unauthorised access to the site, including provision of a lockable gate at the vehicle access.
47. Should any material enter the mine pit that is not compliant with condition 45, the Consent Holder shall, as soon as practicable, arrange for removal of the unauthorised material and disposal at a facility authorised to receive the material.
48. The Consent Holder must ensure that:
 - a. All machinery to be operated within the mine pit is thoroughly cleaned of vegetation (e.g. weeds), seeds or contaminants prior to entering the site. The cleaning of machinery must not occur within 20 metres of the bank of any waterbody.
 - b. All machinery must be regularly maintained to ensure that no contaminants (including but not limited to oil, petrol, diesel, hydraulic fluid) shall be released into water, or to land where it may enter water.
 - c. All contaminant storage or re-fuelling areas (other than areas where mobile re-fuelling occurs) are bunded or contained to prevent the discharge of contaminants to water or to land where it may enter water.
 - d. No machinery shall be maintained, cleaned, stored or refuelled within 20 metres of the bank of any waterbody or exposed groundwater.
 - e. Permanent storage of fuel and lubricants must not be located within 50 metres of the bank of any waterbody or exposed groundwater.
 - f. Mobile refuelling occurs in accordance with industry best practice, a drip tray is always used for such refuelling, and spill kits are available at the mobile refuelling locations.

Advice Note: Approved storage of hazardous substances is specified in the Health and Safety at Work (Hazardous Substances) Regulations 2017.

Water Permit to take and use groundwater for the purpose of transient mine pit dewatering, processing, dust suppression and rehabilitation

General

49. The take and use of groundwater for the purpose of transient mine pit dewatering, processing, dust suppression and rehabilitation must be carried out in accordance with the Master Condition Set included in Section 1.
50. The rate and quantity of abstraction must not exceed:
- a. 50 litres per second;
 - b. 4,086 cubic metres per day;
 - c. 114,635 cubic metres per month; and
 - d. 952,387 cubic metres between 1 July of any year and ending 30 June of the following year.
51. The Consent Holder must take all practicable steps to ensure that as a result of the groundwater take:
- a. There is no unintended leakage from pipes and structures;
 - b. There is no unintended run-off of abstracted groundwater either on site or off site; and
 - c. There is no flooding of other person's property, including erosion, land instability, sedimentation or property damage.

Monitoring

- 52.
- a. The consent holder shall install a water measuring station(s), consisting of a water measuring device and a datalogger with at least 24 months data storage, and shall maintain a continuous record of the cumulative rate of groundwater take and the date and time the water was taken. Flow rate shall be recorded at a minimum of 15 minute time increments to appropriate metering or measurement accuracy while the take is being exercised.
 - b. Data shall be provided to the Consent Authority on an annual basis by 31 July each year and as requested in writing. The consent holder shall ensure data compatibility with the Consent Authority's database.
 - c. The consent holder shall ensure the full operation of the water measuring station(s) at all times during the exercise of this consent. All malfunctions of the water measuring station(s) during the exercise of this consent shall be reported to the Consent Authority within 5 working days of observation and appropriate repairs shall be performed within 5 working days.

- d. The installation of the water measuring station(s) shall be completed to full and accurate operation prior to the exercise of the consent.
 - e. The water measuring station(s) shall be calibrated by a suitably qualified operator applying International Standards methodology. Calibration documents shall be supplied to the Consent Authority by 31 July each year and upon request.
53. Prior to commencing dewatering, the Consent Holder must install a network of groundwater monitoring bores or piezometers. The groundwater level monitoring network shall be designed to provide early warning of drawdown that may impact neighbouring wells. The Consent Holder shall provide a plan which shows the proposed location and depth of monitoring bores or piezometers to the Consent Authority for certification that the groundwater level monitoring network will achieve the purpose of this condition.
- 54.
- a. The consent holder shall monitor groundwater levels within the lateral boundaries of the advancing mine pit site. The consent holder shall monitor groundwater levels (at least) on a weekly basis during the initial drawdown and monthly thereafter, commencing one month prior to the commencement of any site dewatering. Once initial dewatering of the mine pit is complete, groundwater monitoring shall then be undertaken until such time that steady state conditions are reached and verified within the aquifer.
 - b. Piezometric water level records as required by this monitoring condition, shall be provided to the Consent Authority on an annual basis by 31 July each year and as requested in writing.

Neighbouring Wells

55. Unless otherwise remedied, if as a result of the mine pit pond dewatering authorised by this resource consent, the direct drawdown effect upon any adjacent well that is utilised for the purposes of water supply, reduces the water level to the extent that the water supply is no longer viable, then the consent holder shall, at the request of any affected well owner(s), provide a satisfactory alternative water supply to users for those wells deemed to be affected. All affected wells requiring provision for alternate water supply shall be remedied by the consent holder in consultation with the Consent Authority.

Discharge Permit to discharge water and contaminants to water, and to land in a manner that may enter water.

56. This consent authorises:

- a. Discharge of cleanfill overburden material into and onto land to backfill the mine pit.
- b. Discharge of water and contaminants from stormwater, gold processing return water and dewatering to land where it may enter groundwater and to unnamed drains and to the Waikaka Stream, via the treatment facilities within the site infrastructure area.

57. The activities authorised by this consent must be carried out in accordance with the Master Condition Set included in Section 1.

58. **No contaminants other than sediment and flocculants shall be discharged.** Flocculants shall only be discharged to land.

59.

60. Backfilling of the mine pit shall only be cleanfill overburden materials sourced from within the site, and water.

Treatment Facilities for Dewatering and Gold Process Return Water

61. Dewatering water and gold processing return water must be treated in a sediment retention pond and/or treatment plant system.

62. Sediment retention ponds shall be:

- a. sized appropriately to allow a minimum of 300mm freeboard, and to ensure they do not overflow except via the outlet.
- b. located a minimum of 30 metres from the Waikaka Stream or Shepherd's Creek.

63. There is to be no direct discharge of untreated dewatering water or gold processing return water to any surface watercourse.

Discharge Limits and Monitoring

64. The discharge of dewatering water and gold processing return water shall not exceed the following limits at the point of discharge from the tertiary settlement pond outflow to the western drain:

- a. 50mg/L total suspended solids
- b. pH 6.5 – 9
- c. No more than 3°C increase in the temperature of the Waikaka Stream at the downstream monitoring point when the temperature at the upstream monitoring point is $\leq 16^{\circ}\text{C}$.
- d. No more than 1°C increase in the temperature of the Waikaka Stream at the downstream monitoring point when the temperature at the upstream monitoring point is $>16^{\circ}\text{C}$.

65. At least daily water quality monitoring for the parameters listed in condition 64 shall be undertaken at the following sites:

- a. Immediately before the point of discharge from the tertiary pond to the Waikaka Stream;
- b. 10m upstream of the point of discharge; and
- c. 60m downstream of the point of discharge.

The results shall be provided to Environment Southland and Hokonui Rūnanga on a monthly basis.

66. At the boundary of the reasonable mixing zone for the Waikaka Stream (60 m downstream of the discharge point), the discharge shall not give rise to any or all of the following effects:
- a. The production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials; or
 - b. Any conspicuous change in visual clarity; or
 - c. The rendering of freshwater unsuitable for consumption by farm animals; or
 - d. Any significant adverse effects on aquatic life.

Acid Mine Drainage Management

67. The Consent Holder must operate the site in general accordance with a Acid Mine Drainage Management Plan (AMDMP). The AMDMP must be provided to Environment Southland for certification that it documents, as a minimum:
- a. Water quality objectives.
 - b. Materials characterisation to identify higher risk AMD materials.
 - c. Integration of materials scheduling, management practises, and engineering controls to manage higher AMD risk materials.
 - d. Performance monitoring of key project risks.
 - e. Trigger action response plans (TARPs) in case adaptive management processes need to be implemented.

Discharge Permit to discharge contaminants to air from mineral extraction processes and overburden storage.

General

68. The discharge to air must be carried out in accordance with the Master Condition Set included in Section 1.
69. Dust emissions shall be managed to ensure there no offensive or objectionable discharge beyond the boundaries of the site.
70. Stockpiles must be no higher than 10 metres above natural ground level.
71. Stockpiles that are static for more than 3 months shall be grassed or otherwise stabilised.
72. The maximum area of unconsolidated land comprising of the excavation area, backfilling areas, haul roads, unstabilised stockpiles and unvegetated rehabilitation area shall not exceed 20 hectares.

Advice Note: The maximum area of unconsolidated land does not include the infrastructure area, stream diversions or areas which are covered with 50mm (or more) of washed gravels or stabilised with a dust suppressant (excluding water).

Dust Management Plan

73. The Consent Holder must operate the site in general accordance with a Dust Management Plan (DMP). The DMP must be provided to Environment Southland for certification that it documents, as a minimum:
- a. A description of the dust sources on site.
 - b. A description of the receiving environment, including predominant wind direction and identification of sensitive receptors.
 - c. The dust mitigation methods which will be employed to ensure compliance with the conditions of this consent including, but not limited to:
 - i. Methods to suppress dust from exposed surfaces;
 - ii. Limiting topsoil stripping in advance;
 - iii. Vegetating or otherwise stabilising rehabilitation areas and stockpiles.
 - d. A description of weather monitoring procedures including:
 - i. Methodology for monitoring weather forecasts; and
 - ii. Details of triggers for implementing additional dust control, such as high winds combined with dry conditions.
 - e. Procedures for managing dust outside of standard operating hours.

Section 4 – Gore District Council Specific Conditions

Land use consent to establish and operate a gold mine at Waikaka Road, Chatton North

General

74. The gold mining activity must be carried out in accordance with the Master Condition Set included in Section 1.
75. This consent shall not be exercised and no work or activity associated with it may be commenced or continued until the following charges have been paid in full: all charges fixed in accordance with section 36(1) of the Resource Management Act 1991 and any finalised, additional charges under section 36(3) of the Act.
76. The consent holder is liable for costs associated with the monitoring of this resource consent under Section 35 of the Resource Management Act 1991.
77. The active work area, comprising the mine pit and area where rehabilitation is underway shall be a maximum of 20 hectares at any one time. The active work area excludes stockpiling areas, land stabilised by vegetation, mulch or other equivalent method, workshop, haul roads, internal vehicle parking and manoeuvring areas, site office, settling ponds, bunds and any other ancillary activities.
78. The hours of operation are:
- a. 07:00 and 19:00 Monday to Saturday, for all mining and processing activity on the site including associated heavy plant and truck movements. These works must not occur on any Sunday or public holiday.
 - b. Unrestricted in respect of emergency works, machinery maintenance, dust control, and dewatering.

Erosion and Sediment Control

79. All earthworks shall be carried out in accordance with a site-specific Erosion and Sediment Control Plan (ESCP), prepared by a suitably qualified and experienced professional. The ESCP must be provided to Gore District Council at least 15 working days prior to the commencement of earthworks for certification that it documents, as a minimum:
- a. A description of the stage of works to which the ESCP applies;
 - b. The location and function of all erosion and sediment controls;
 - c. Controls to prevent muddy water flowing beyond the boundaries of the site, or into a river or drain.
80. The ESCP may be staged and relate to a specific area or duration of works.
81. The ESCP must be updated when:
- a. The construction program moves from one stage to another; or

- b. Any significant changes have been made to the construction methodology since the original plan was accepted for that stage; or
 - c. There has been an environmental incident and investigations have found that the management measures are inadequate.
82. Prior to any earthworks operations (and vegetation clearance) for the initial stage or any subsequent new stage of works, the Consent Holder must install erosion and sediment controls in accordance with the ESCP as well as provide as-built documentation for these controls by Suitably Qualified and Experienced Person.

Indigenous Vegetation

83. Prior to the commencement of stream diversion or vegetation clearance works, the Consent Holder shall undertake a survey of indigenous vegetation within the project area. The survey shall:
- a. Identify and quantify the number, type, and location of indigenous plants to be removed or disturbed;
 - b. Record the ecological values associated with those plants, including any species of conservation concern;
 - c. Be provided to the Gore District Council.

Landscape

84. The Consent Holder shall establish bunding for visual mitigation around the infrastructure. Bunds shall be grassed upon completion and no less than 2 metres high. Should the Infrastructure Area be moved, 2m high bunding must be established around the new area.

Construction of bunds must begin as soon as practicable following completion of the Infrastructure Area and excavation of the Starter Pit. Bunds must be fully installed prior to the mine disturbance area exceeding 1 hectare, unless otherwise agreed in writing with the Council.

Bunding must be certified by a suitably qualified landscape architect within 20 working days of completion to confirm appropriate height and location.

85. All stockpiles must be no higher than 10 metres above natural ground level.
86. Stockpile 1 (SP1) must not exceed the following design perimeters:
- a. Maximum volume of 446,000 cubic metres.
 - b. Maximum base dimensions 300 m x 150 m, covering 4.5 ha.
 - c. 1:2 side slopes.
 - d. A 10m wide strip for the drainage collection surrounding the stockpiled material.
87. Areas where mining has been completed must be backfilled and reinstated as soon as practicable to blend with surrounding contours. Overburden backfilling shall occur progressively as works advance. Topsoil spreading and pasture establishment shall also occur progressively, but subject to suitable seasonal conditions to maintain topsoil quality and support successful grass growth.

Topsoil spreading and re-grassing may be deferred until the next appropriate season, provided that all other reinstatement works for that area have been completed. Reinstated areas must be re-established in pasture and irrigated as necessary to support successful grass growth.

Transport

88. All carpark spaces and manoeuvring areas shall comply with Appendix E of the GDC Subdivision and Land Development Bylaw 2019. On-site manoeuvring shall be provided to ensure vehicles exit the site in a forward gear.
89. Parking along the roadside adjacent to the mine site is prohibited for all staff and mining operation traffic.
90. All traffic associated with mining activities shall enter and exit the site via a single designated access point. Only one main site access shall be used at any given time.
91. At least 30 working days prior to construction, the access location and design must be submitted to Council for certification. The access must be constructed prior to the mining activity (including establishment of the infrastructure area) commencing onsite. The vehicle accesses shall be designed in accordance with Diagram R09-2 High Use or Primary Commercial Rural Access appended to this condition set.
92. Prior to use for access to the mine, any vehicle access will be sealed to a depth of 10m from the legal road boundary and will be compacted gravel from that point internal to the site.
93. Prior to use for access to the mine, the following signage must be established on the vehicle access:
 - a. "Exclamation mark" signs (T2A) with "Trucks Crossing" (T217) supplementary signs are erected on white painted 100x100 timber posts during the site establishment. These shall be placed a minimum of 100m each side of the access where they can be seen from a minimum of 150m by approaching traffic, and
 - b. "Give Way" (RP2) signs shall be mounted on the access roads, inside the property boundary, for exiting traffic.
 - c. All signs shall be 750mm size.
94. The consent holder must obtain the necessary Overweight Permits from GDC for all truck and trailer combinations.
95. A pre and post construction road condition inspection must be undertaken on routes utilised by loads/vehicles which require overweight permits and supplied to Gore District Council Roading Manager. Any damage attributable to construction traffic must be repaired at the consent holders' cost immediately on completion of the construction of the plant area.
96. The site access and all roads used to and from the site within a radius of 200m shall be maintained in a tidy condition and kept free of tracked dirt or debris resulting from mining activities.

Servicing

97. Prior to the commencement of mining operations, the consent holder shall advise the Council's Planning team of the proposed method of onsite water servicing, being either rainwater collection or water delivery. The consent holder shall provide written confirmation that the water supply is verified as potable and suitable for staff use, including evidence of testing or certification from a suitably qualified person. Any rainwater collection system must be verified as being potable; this shall include provision for UV filters or UV treatment or alternative treatment provision.
98. Prior to undertaking any mining activity authorised by this consent, the Consent Holder must advise the Council's Planning team of the proposed method for managing domestic wastewater.

Advice Note: Onsite disposal will require building consent.

Geotechnical

99. Prior to commencement of mining the Consent Holder shall prepare and submit to the Gore District Council a Geotechnical Management Plan (GMP) prepared by a suitably qualified and experienced person for certification that it meets the requirements of this condition. The GMP shall incorporate the recommendations of the Tonkin & Taylor Ltd Waikaka Mine Geotechnical Assessment (August 2022) and shall include, but not be limited to:
- a. Defined slope configurations, berms, and batter angles for internal and boundary pit slopes, with reference to factors of safety appropriate to each.
 - b. Monitoring protocols including piezometer installation, survey benchmarks, and regular walkover inspections.
 - c. Trigger action response plans (TARPS) for slope instability, seepage, or deformation.
 - d. Procedures for reassessing slope stability and modifying slope designs during the mine life.
 - e. Measures to manage trafficability, backfill placement, and groundwater inflows.
 - f. The GMP shall acknowledge that geotechnical parameters may be refined over time based on site observations and monitoring data. Any updates to the GMP shall be provided to the Council within 20 working days of implementation.
100. In the event a terminal void eventuates, it shall have a slope gradient of 3H:1V for long term slopes surrounding the terminal void, with local berms to establish a riparian environment around the void edges.
101. The mine pit shall be set back a minimum of 30 metres from:
- a. The Waikaka Road legal boundary,
 - b. the L&M pond, and
 - c. the Waikaka Stream and Shepherd's Creek, as measured from the edge of the typical wetted channel.

Advice note: Setbacks apply to mining activity, and not works to facilitate stream diversions, internal roads and drainage. Setbacks do not apply to paper roads where mining is indicated to occur within the setback on the approved plans.

Signage

102. Prior to the commencement of mining operations, the consent holder shall provide to the Council's Planning team the final design and location of the main access sign and additional boundary signage. The main access must comply with the following design parameters unless otherwise agreed by Council:
- a. The sign must be a maximum of 4m²
 - b. Lettering must be at least 125mm high
 - c. The top of the sign must be no more than 3m above ground level.
 - d. The sign may be freestanding or affixed to boundary fencing.
103. Additional boundary signage must be no larger than 0.25m² per sign.

Public access

104. Prior to restricting public access to the Waikaka Stream and Shepherds Creek downstream of the Waikaka Bridge, signage must be established. The signage must inform the public about the duration of the closure and the location of alternative access.

Noise

105. Site-based trucks, plant, and machinery must not be fitted with tonal reversing alarms. Broadband reversing alarms are permitted.
106. Noise from all mining activities on site, including those considered to be related to the construction of the project, shall not exceed the following limits on any day when measured at the notional boundary of any noise sensitive activity on a site other than the proposal:

7.00 a.m. to 10.00 p.m. 55dBA Leq

10 p.m. to 7.00 a.m. 40dBA Leq

10 p.m. to 7.00 a.m. 75dBA Lmax

Notional boundary means a line 20 metres from the facade of a building containing a noise sensitive activity, or the legal boundary where this is closer to the building.

Sound shall be measured in accordance with the provisions of NZS 6801:2008 Acoustics - Measurement of Environmental Sound and assessed in accordance with the provisions of NZS 6802:2008 Acoustics - Assessment of Environmental Noise.

Light Spill

107. The emission of light spill and/or glare measured at the boundary of the site shall not exceed 5 lux.

108. The Consent Holder shall engage a suitably qualified person to measure and verify that lighting complies with Condition 107 of this consent. A copy of the certification shall be provided to Council prior to the commencement of mining.

Hazardous substances

109. Any diesel must be stored on-site within a containment facility that adheres to the Health and Safety at Work (Hazardous Substances) Regulations 2017. A copy of the Emergency Response Plan that is a requirement of the Health and Safety at Work (Hazardous Substances) Regulations 2017 must be provided to Council before diesel storage on the site commences.

Potentially contaminated land

110. Prior to the commencement of earthworks within the area bounded by the following map coordinates, and as shown in Figure 1 below, the Consent Holder must submit a Detailed Site Investigation (DSI) and Site Management Plan (SMP) prepared by a Suitably Qualified and Experienced Practitioner (SQEP). An SMP is not required if the SQEP advises that, based on the results of the DSI, soil contamination does not exceed the applicable standard.

North - 169.0000894°E 45.9488537°S

East - 169.0013425°E 45.9495540°S

West - 168.9991484°E 45.9493565°S

South - 169.0001806°E 45.9501748°S

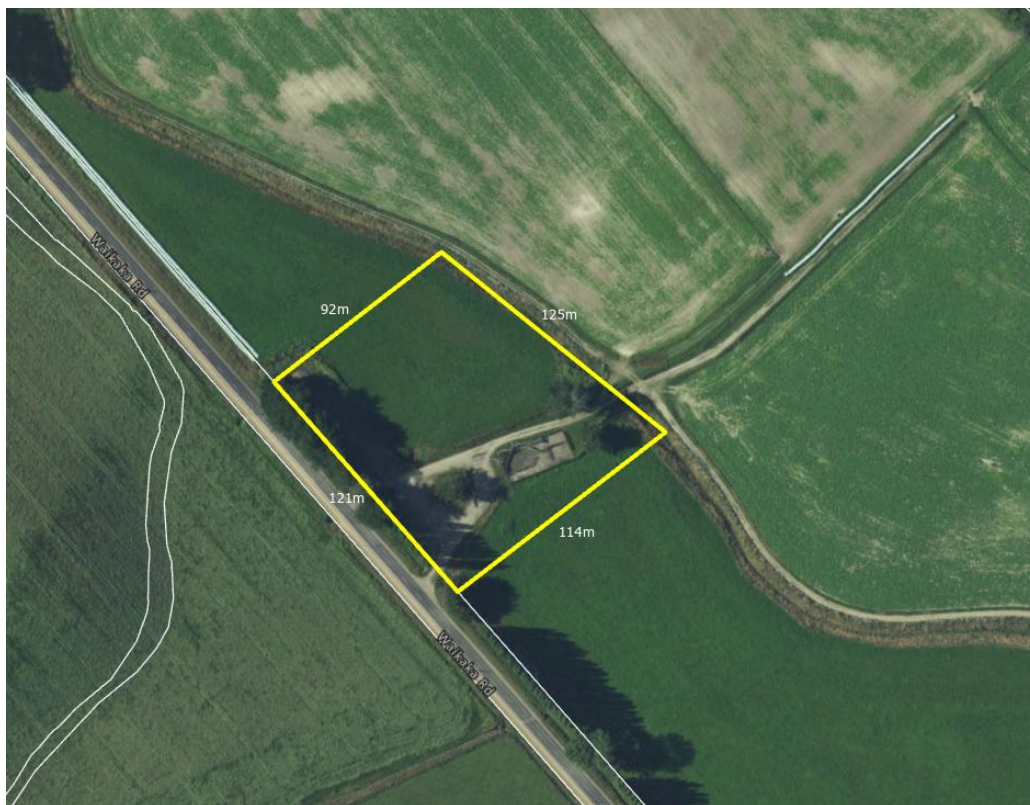


Figure 1 Area bounded by grid coordinates in condition 110.

111. If any unexpected contaminated soil or material is uncovered by any earthworks, an accidental discovery protocol shall be implemented, including the following steps:
- a. Earthworks within ten metres of unexpected contaminants must cease immediately;
 - b. All practicable steps must be taken to prevent the contaminated material becoming entrained in stormwater. Immediate steps must include:
 - i. diverting any stormwater runoff from surrounding areas away from the contaminated material; and
 - ii. minimising the exposure of the contaminated material, including covering the contaminants with an impervious cover;
 - c. Notification of the discovery to Council within 24 hours;
 - d. Earthworks within ten metres of unexpected contaminants must not recommence until a suitably qualified and experienced contaminated land practitioner confirms that continuing earthworks does not represent a significant risk to the environment;
 - e. All records and documentation associated with the discovery must be kept. This includes any:
 - i. Load registers and weighbridge dockets for soil taken from the Works Area;
 - ii. Analytical results for soils removed from the Works Area;
 - iii. Advice provided by the CL-SQEP, and laboratory analysis for future reference.
 - f. Copies of the records and documentation collected under e) for unexpected contamination discoveries shall be provided to the Council within two months of the discovery.

Flood Mitigation

112. All temporary diversion channels and reconstructed sections of the Waikaka Stream and Shepherd's Creek must have sufficient capacity to contain a 1 in 20-year AEP flood event.
113. Prior to the commencement of mining the consent holder must submit to the Gore District Council a Flood Management Plan (FMP) for certification that it meets the requirement of this condition. The FMP shall outline the proposed flood management provisions and procedures to be followed to manage flood hazard, including:
- a. The design plan for temporary bunding in accordance with the recommendation of the report titled: RE: Updated Diversion Details, Flood Hazard Analysis, and Flood Mitigation Evaluation Summary Report — Waikaka River (REVISION B), by RJ Hall and Associates Ltd, dated 31/05/2024.
 - b. Monitoring of rainfall and river flows.
 - c. Identification of rainfall and river flow triggers for action.
 - d. Any temporary stabilisation works that need to be completed.
 - e. Access routes for removal of equipment if necessary.
 - f. Site inspections.
 - g. Channel maintenance.
 - h. Notification and reporting requirements.

Dust suppression

114. Dust emissions shall be managed to ensure there is no offensive or objectionable discharge beyond the boundaries of the site. Dust mitigation measures such as water carts, sprinklers or polymers shall be used on any exposed areas.
115. Prior to commencing the activity, the Consent Holder shall provide to the Council written confirmation that a Dust Management Plan has been certified by Environment Southland in accordance with condition [x] of resource consent APP-20242608.

Closure and rehabilitation

116. Prior to the commencement of mining, the Consent Holder submit to the Gore District Council a Closure and Land Rehabilitation Management Plan (CLRMP) for certification.
- a. The objectives of the CLRMP are to:
 - i. Detail procedures for closure and disestablishment of the mine; and
 - ii. Ensure progressive rehabilitation of the site to agricultural use ensuring the productive soil capacity is retained.
 - b. The Rehabilitation Management Plan must include:
 - i. Procedures for decommissioning of the mine infrastructure and removal of all structures, machinery and plant from the site.
 - ii. Methods to preserve the topsoil resource and health to reinstate the productive value of topsoil.
 - iii. The final planned surface contour of land following completion of mining, including any on-site drainage patterns. The final site contour is to integrate with the surrounding landform and restore the site to its pre-existing landform.
 - iv. Methods and timeframes for re-grassing and restoring agricultural productivity of the mined land.
117. All mine closure and rehabilitation of the entire site must be completed prior to this resource consent expiring.
118. For each mining cell, the period of disturbance shall not exceed three (3) years for mining and associated activities, followed by a maximum of three (3) years for rehabilitation to productive use, with the total period of disturbance and rehabilitation not exceeding five (5) years.
119. Areas occupied by site infrastructure, haul roads, and stockpiles shall be rehabilitated to productive use within two (2) years of cessation of mining activities in those areas.
120. Land, once rehabilitated, must be made available for productive use for the duration of the consent.

Advice Note: For the purposes of this condition, "available" is defined in accordance with NPS-HPL clause 3.9(3) as land that is capable of being used for agricultural production, irrespective of whether it is actively farmed.

121. The consent holder must prepare an Annual Report and provide it to the Gore District Council by 31 July each year that mining occurs on site. The Report must detail the rehabilitation works completed in the preceding 12 month period from 1 July – 30 June, including:
- a. The contour and stability of all post-mining landforms.
 - b. Confirmation of areas returned to productive use and available for agricultural use.
 - c. The establishment of pasture cover and planting.
 - d. The restoration of drainage channels.
 - e. The removal of buildings, fixed plant/equipment and structures.
 - f. Any post-mining monitoring requirements.
 - g. Any post-mining weed and pest control requirements.
 - h. Any amendments made to the CLRMP in light of the work completed.

Bond

122. Within six months of the commencement of this resource consent, the Consent Holder shall enter into an enforceable agreement acceptable to the Council that provides a bond, pursuant to Sections 108(2)(b) and 108A of the Resource Management Act 1991.
123. The purpose of the bond is to secure, in the event of any default by the consent holder:
- a. Compliance with all the conditions of this consent that address site rehabilitation and closure;
 - b. Compliance with the methodology for stabilising the site and appropriate decommissioning of all erosion and sediment control measures;
 - c. The completion of rehabilitation and closure in accordance with the certified RMP; and
 - d. Any future monitoring and maintenance obligations of the consent holder as required by the RMP including:
 - i. Site inspections and remediation;
 - ii. Final cover and landform requirements.
124. The bond must be a cash bond or bank bond provided by a registered trading bank of New Zealand, acceptable to the Council. The guarantor shall bind itself to pay up to the bond quantum for the carrying out and completion of all obligations of the Consent Holder under the bond.
125. The Consent Holder shall provide a report to the Council which specifies all matters covered by Condition 123 of this consent and identifies the matters to be bonded for, all assumptions, costs, and risk elements that inform the recommended bond amount.
126. If the Council do not within ten working days give notice to accept the bond amount derived in accordance with Condition 125, it will at the consent holder's cost peer review the report and within 30 days of that notice report, confirm the alternative amount of the bond.
127. If the Consent Holder and the Council cannot agree on the terms of the bond, including the bond amount and any revised bond, the dispute must be resolved through an agreed dispute resolution process or referred to arbitration at the cost of the Consent Holder. This condition relates to the setting of the bond amount in accordance with Condition 125, and the revised bond amount in accordance with Condition 128.
128. On the fifth anniversary of this consent being given effect to and every five years thereafter, the Consent Holder must provide a report to the Council which addresses whether the bond quantum should be revised. The purpose of the adjustment is to reflect changes in the risk profile of the alluvial gold mine or to the Consumer Price Index. The Council may peer review the report

and must respond within three months of receipt of the report on the appropriateness of any proposed revised bond quantum.

129. If the consent is transferred in part or whole to another party or person, the bond lodged by the transferor shall be retained until any outstanding work at the date of transfer is completed or a replacement bond is entered into by the transferee, to ensure compliance with conditions of the consent unless the Council is satisfied adequate provisions have been made to transfer the liability to the new Consent Holder.
130. The Council shall release the bond once the site has been deemed to be closed by the Council following completion of the actions referred to in Condition 123.
131. All reasonable costs of, and incidental to, the preparation of documentation to meet Conditions 122 - 131, including the consent authorities' costs, shall be met by the Consent Holder.

Appendix A: Protocol in the event of a discovery, or suspected discovery, of a site of archaeological or cultural importance (Waahi Taonga/Tapu)

Upon the discovery of artefact discovery, the following shall take place:

1. In the event that Kōiwi (human skeletal remains) are discovered, the works in that area of the site shall cease immediately, and Tangata Whenua (Te Ao Marama Inc. and Hokonui Rūnanga), NZ Police and/or Heritage New Zealand Pouhere Taonga, and Environment Southland, shall be notified as soon as practicable.
 - a. The site is to be immediately secured upon discovery to prevent further disturbance of the discovery site.
2. Taonga or artefact material (e.g. pounamu/greenstone artefacts) other than Kōiwi will be treated in a similar manner so that their importance can be determined, and the environment recorded by qualified archaeologists alongside the appropriate Tangata whenua. Te Ao Mārama Inc. and Hokonui Rūnanga are to be contacted in the event of a taonga or archaeological artefact discovery in accordance with the Protected Objects Act 1975.

Contact details for Te Ao Marama Inc. are as follows:

Te Ao Mārama Inc.
98 Yarrow Street
Invercargill, 9810
Email: office@tami.maori.nz
Phone: (03) 931 1242

And

Hokonui Rūnanga
140 Charlton Road
PO Box 114
Gore 9740
Email: hokonuioffice@ngaitahu.iwi.nz
Phone: (03) 208 7954

3. In-situ (Natural State) Pounamu/Greenstone Accidental Discovery Pursuant to the Ngāi Tahu (Pounamu Vesting) Act 1997: All natural state pounamu/greenstone in the Ngāi Tahu tribal area is owned by Te Rūnanga o Ngāi Tahu. The Ngāi Tahu Pounamu Resource Management Plan provides for the following measures:
 - a. Any in-situ (natural state) pounamu/greenstone accidentally discovered should be reported to the Pounamu Management Officer of Te Rūnanga o Ngāi Tahu as

soon as is reasonably practicable. The Pounamu Management Officer of Te Rūnanga o Ngāi Tahu will, in turn, contact the appropriate Kaitiaki Papatipu Rūnanga;

- b. In the event that the finder considers the pounamu is at immediate risk of loss, such as erosion, animal damage to the site or theft, the pounamu/greenstone should be carefully covered over and/or relocated to the nearest safe ground. The find should then be notified immediately to the Pounamu Management Officer.
- c. The find should then be notified immediately to the General Manager, Te Ao Turoa, at Te Rūnanga o Ngāi Tahu.

Ngai Tahu contact details are as follows:

General Manager, Te Ao Turoa
Te Rūnanga o Ngāi Tahu
Te Whare o Te Waipounamu
15 Show Place, Addington, PO Box 13 046
Christchurch 8024
Trudy.Heath@ngaitahu.iwi.nz

Archaeological Sites

Archaeological sites are protected under the Heritage New Zealand Pouhere Taonga Act (2014), and approval is required from Heritage New Zealand before archaeological sites can be modified, damaged or destroyed. Not all archaeological sites are known or recorded precisely.

Where an archaeological site is inadvertently disturbed or discovered:

1. Further disturbance must cease until approval to continue is obtained from Heritage New Zealand; and
2. The New Zealand Police, Te Ao Marama Inc. and Hokonui Rūnanga also need to be advised if the discovery includes kōiwi tangata/human remains.

Contact details for Heritage New Zealand are:

Heritage New Zealand
c/o Regional Archaeologist Otago/Southland
PO Box 5467
Dunedin 9058
Phone: (03) 477 9871
Email: infodeepsouth@heritage.org.nz

Appendix [C] Objectives and Policies assessment details

Contents

Table 1 National Policy Statement for Freshwater Management 2022	2
Table 2 National Policy Statement for Highly Productive Land 2022	4
Table 3 National Policy Statement for Indigenous Biodiversity.....	5
Table 4 Southland Regional Policy Statement 2017	7
Table 5 Southland Regional Water Plan	17
Table 6 Proposed Southland Water and Land Plan	32
Table 7 Regional Effluent Land Application Plan	48
Table 8 Gore District Plan	50
Table 9 Proposed Gore District Plan	53
Table 10 Te Tangi a Tauira - The Cry of the People: Ngāi Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008	66

Table 1 National Policy Statement for Freshwater Management 2022

Objective / Policy Reference	Explanation	Comment
Policies		
Policy 1	<i>Freshwater is managed in a way that gives effect to Te Mana o te Wai.</i>	The Applicant is consulting directly with tangata whenua in relation to the proposal. The protection of the health and wellbeing of freshwater has been incorporated by mitigating and remedying contaminants in discharges, undertaking diversion and earthworks activities in a manner that includes appropriate mitigation of effects, and designing the rehabilitation of the diverted stream channel with the health of freshwater, habitat values and indigenous species as a priority.
Policy 2	<i>Tangata whenua are actively involved in freshwater management (including decision making processes), and Māori freshwater values are identified and provided for.</i>	The Applicant is consulting directly with tangata whenua and has made amendments directly to the proposal in response to feedback. The Applicant will continue to engage with tangata whenua through the consent process.
Policy 3	<i>Freshwater is managed in an integrated way that considers the effects of the use and development of land on a whole-of-catchment basis, including the effects on receiving environments.</i>	Effects on the wider catchment receiving environment have been considered in the assessment of effects. Overall, effects on the wider catchment will be less than minor.
Policy 4	<i>Freshwater is managed as part of New Zealand's integrated response to climate change.</i>	The capacity of the diversion and rehabilitated channels appropriately take into account the effects of climate change.
Policy 5	<i>Freshwater is managed (including through a National Objectives Framework) to ensure that the health and well-being of degraded water bodies and freshwater ecosystems is improved, and the health and well-being of all other water bodies and freshwater ecosystems is maintained and (if communities choose) improved.</i>	The proposal is expected to enable improvements to the water quality in the Waikaka Stream, though management of stock access and reconstruction of a cobble substrate.
Policy 7	<i>The loss of river extent and values is avoided to the extent practicable.</i>	The Applicant has thoroughly evaluated alternative solutions and deemed the proposed temporary stream diversions as the most practical option, ensuring no overall net loss of river extent or values.

		Refer to Policy 28A PSWLP for an assessment against the effects management hierarchy.
Policy 8	<i>The significant values of outstanding water bodies are protected.</i>	There are no significant values of outstanding water bodies to consider as part of this proposal.
Policy 9	<i>The habitats of indigenous freshwater species are protected.</i>	This is partly achieved by creating replacement habitat to compensate for the habitat lost during the period of work. Indigenous species will recolonise the diverted sections of channel following rehabilitation and re-establishment of indigenous plants and structural habitat features.
Policy 10	<i>The habitat of trout and salmon is protected, insofar as this is consistent with Policy 9.</i>	This is partly achieved by creating replacement habitat to remedy that lost. Fish will recolonise the Waikaka Stream and Shepherd's Creek.
Policy 11	<i>Freshwater is allocated and used efficiently, all existing over-allocation is phased out, and future over-allocation is avoided.</i>	Freshwater within the affected catchments is not over-allocated and this proposal does not result in over-allocation. Water resources will be used and allocated efficiently, with reference to the assessment in section 5.4.2 of the AEE.
Policy 15	<i>Communities are enabled to provide for their social, economic, and cultural wellbeing in a way that is consistent with this National Policy Statement.</i>	The proposal enables the Applicant and local community to provide for their well-being in a way that is considered to be overall consistent with the NPSFW.

Table 2 National Policy Statement for Highly Productive Land 2022

Objective / Policy Reference	Explanation	Comment
Objective		
Objective 2.1	<i>Highly productive land is protected for use in land-based primary production, both now and for future generations.</i>	The proposal does not prevent long term use of the land for primary production. The productivity of the land is protected by various measures including progressive rehabilitation, limits on the duration of taking land out of agricultural production and certification of restoration of agricultural capacity.
Policies		
Policy 4	<i>The use of highly productive land for land-based primary production is prioritised and supported.</i>	The land is currently used for land-based primary production and will be returned to that use on completion of mining.
Policy 8	<i>Highly productive land is protected from inappropriate use and development.</i>	The development does not meet the definition of inappropriate use and development as it is exempt by clause 3.9(2)(g), as outlined in the AEE section 6.2.2.
Policy 9	<i>Reverse sensitivity effects are managed so as not to constrain land-based primary production activities on highly productive land.</i>	The proposal is not considered to create any adverse reverse sensitivity effects on nearby land-based primary production activities.

Table 3 National Policy Statement for Indigenous Biodiversity

Objective / Policy Reference	Explanation	Comment
2.1 Objective		
Objective	<i>(1) The objective of this National Policy Statement is:</i> <i>(a) to maintain indigenous biodiversity across Aotearoa New Zealand so that there is at least no overall loss in indigenous biodiversity after the commencement date; and</i> <i>(b) to achieve this:</i> <i>i. through recognising the mana of tangata whenua as kaitiaki of indigenous biodiversity; and</i> <i>ii. by recognising people and communities, including landowners, as stewards of indigenous biodiversity; and</i> <i>iii. by protecting and restoring indigenous biodiversity as necessary to achieve the overall maintenance of indigenous biodiversity; and</i> <i>iv. while providing for the social, economic, and cultural wellbeing of people and communities now and in the future.</i>	The Applicant demonstrates a commitment to recognising the mana of tangata whenua as guardians of indigenous biodiversity through genuine consultation, notably with Hokonui Rūnanga, resulting in amendments to reduce the proposed activity's scale and redesigning the activity to reduce the environmental impacts. Further consultation with Hokonui Rūnanga is ongoing. The project design has been developed to ensure that any loss of indigenous biodiversity is remedied, with indigenous planting incorporated in the rehabilitation design. It is acknowledged that the Waikaka Stream and Shepherd's Creek currently have little, if any, native riparian vegetation and the Applicant's proposal is expected to contribute a net gain to indigenous biodiversity through removal of weed species and planting of indigenous species.
2.2 Policies		
Policy 1	<i>Indigenous biodiversity is managed in a way that gives effect to the decision-making principles and takes into account the principles of the Treaty of Waitangi.</i>	The rehabilitation design has been developed in consultation with Hokonui Rūnanga and further congoing consultation will occur.
Policy 2	<i>Tangata whenua exercise kaitiakitanga for indigenous biodiversity in their rohe, including through:</i> <i>(a) managing indigenous biodiversity on their land; and</i> <i>(b) identifying and protecting indigenous species, populations and ecosystems that are taonga; and</i> <i>(c) actively participating in other decision-making about indigenous biodiversity.</i>	The Applicant will continue discussions with Hokonui Rūnanga and seek feedback on the taonga species and ecosystems in respect of this project.

Objective / Policy Reference	Explanation	Comment
Policy 3	<i>A precautionary approach is adopted when considering adverse effects on indigenous biodiversity.</i>	While an indigenous biodiversity survey is not available, it is apparent that the site comprises farmland and non-native riparian species. A condition of consent that requires an indigenous vegetation survey prior to works commencing near the riparian margin is accepted by the Applicant. This will confirm the extent of indigenous vegetation and provide a suitably precautionary approach to indigenous biodiversity protection.
Policy 4	<i>Indigenous biodiversity is managed to promote resilience to the effects of climate change.</i>	Advice will be sought from a suitably qualified person in respect of which species are suitable to plant in the riparian margins, to account for the effects of climate change.
Policy 5	<i>Indigenous biodiversity is managed in an integrated way, within and across administrative boundaries.</i>	A joint application and processing by GDC and ES will enable integrated management across administrative boundaries.
Policy 6	<i>Significant indigenous vegetation and significant habitats of indigenous fauna are identified as SNAs using a consistent approach.</i>	No significant indigenous vegetation or significant habitats of indigenous fauna are identified in the project area.
Policy 8	<i>The importance of maintaining indigenous biodiversity outside SNAs is recognised and provided for.</i>	The project site is not situated within a SNA. As above the proposal is expected to result in a net gain for indigenous biodiversity.
Policy 10	<i>Activities that contribute to New Zealand's social, economic, cultural, and environmental well-being are recognised and provided for.</i>	The social and economic benefits of the proposal are identified in Mr Batt's evidence. Input is being sought from Hokonui Runanga in respect of cultural well-being.
Policy 13	<i>Restoration of indigenous biodiversity is promoted and provided for.</i>	Restoration will include increasing native riparian planting along the Waikaka Stream contributing to indigenous biodiversity.
Policy 14	<i>Increased indigenous vegetation cover is promoted in both urban and non-urban environments.</i>	New indigenous vegetation (and some non-natives) will be used in the riparian margin area of rehabilitated sections of the Waikaka Stream and Shepherds Creek. Once rehabilitation is complete, there is expected to be a net increase in indigenous vegetation within the project area.
Policy 15	<i>Areas outside SNAs that support specified highly mobile fauna are identified and managed to maintain their populations across their natural range, and information and awareness of highly mobile fauna is improved.</i>	There are waterbirds using the ponds within the project area, though it is unknown if any of these are specified highly mobile fauna. These are expected to temporarily relocate to other ponds in the locality and will likely return on completion of the work.

Table 4 Southland Regional Policy Statement 2017

Objective / Policy Reference	Explanation	Comment
Chapter 3 – Tangata Whenua		
Objective TW.1	Decision making and partnerships with tangata whenua <i>The principles of the Treaty of Waitangi/Te Tiriti o Waitangi are taken into account in a systematic way through effective partnerships between tangata whenua and local authorities, which provide the capacity for tangata whenua to be fully involved in council decision-making processes.</i>	The Applicant has undertaken consultation with tangata whenua and seeks to continue a collaborative relationship. Input on cultural effects has been sought. The proposal has been assessed against the iwi management plan as below The proposal is expected to improve the mauri of the watercourses over the long-term following rehabilitation of the temporary diversion channels. There are no known sites of cultural significance such as wāhi tapu or wāhi taonga within the project area. The proposal is consistent with these provisions.
Objective TW.2	Provision for iwi management plans <i>All local authority resource management processes and decisions take into account iwi management plans.</i>	
Objective TW.3	Tangata whenua spiritual values and customary resources <i>Mauri and wairua are sustained or improved where degraded, and mahinga kai and customary resources are healthy, abundant and accessible to tangata whenua.</i>	
Objective TW.4	Sites of cultural significance <i>Wāhi tapu, wāhi taonga and sites of significance are appropriately managed and protected.</i>	
Policy TW.1	Treaty of Waitangi <i>Consult with, and enhance tangata whenua involvement in local authority resource management decision-making processes, in a manner that is consistent with the principles of the Treaty of Waitangi/Te Tiriti o Waitangi.</i>	
Chapter 4 –Part A - Water Quality		
Objective WQUAL.1	Water quality goals <i>Water quality in the region:</i> a) <i>safeguards the life-supporting capacity of water and related ecosystems;</i> b) <i>safeguards the health of people and communities;</i> c) <i>is maintained, or improved in accordance with freshwater objectives formulated under the National Policy Statement for Freshwater Management 2014;</i>	The proposal will result in no expected decrease in water quality beyond the mixing zone for operational discharges (dewatering water, processing water, and stormwater), and the diversions of the streams will be

Objective / Policy Reference	Explanation	Comment
	<i>d) is managed to meet the reasonably foreseeable social, economic and cultural needs of future generations.</i>	managed with construction practises to minimise sediment and safeguard the life-supporting capacity of water and related ecosystems.
Objective WQUAL.2	Lowland water bodies <i>Halt the decline, and improve water quality in lowland water bodies and coastal lakes, lagoons, tidal estuaries, salt marshes and coastal wetlands in accordance with freshwater objectives formulated in accordance with the National Policy Statement for Freshwater Management 2014.</i>	The proposal will not affect drinking water supplies. The proposal will not detract from the needs of future generations given the temporary duration of the activity and its effects, and the mitigation proposed. Overall, the proposal is considered to achieve these Objectives.
Policy WQUAL.1	Overall management of water quality <i>a) Identify values of surface water, groundwater, and water in coastal lakes, lagoons, tidal estuaries, salt marshes and coastal wetlands, and formulate freshwater objectives in accordance with the National Policy Statement for Freshwater Management 2014; and</i> <i>b) Manage discharges and land use activities to maintain or improve water quality to ensure freshwater objectives in freshwater management units are met.</i>	The land use and discharge activities will be undertaken in a manner to ensure that freshwater objectives are met. No long-term degradation of water quality is expected, and any adverse effects are expected to be either temporary and/or mitigated, and overall compliant with water quality standards.
Policy WQUAL.2	All waterbodies <i>Maintain or improve water quality, having particular regard to the following contaminants:</i> <i>a) nitrogen;</i> <i>b) phosphorus;</i> <i>c) sediment;</i> <i>d) microbiological contaminants.</i>	Small quantities of sediment will be discharged to receiving water bodies. The mitigation measures and monitoring proposed will ensure that sediment discharges are of an acceptable quality. Monitoring is proposed to confirm the effectiveness of the mitigation measures. Microbiological contaminants, nitrogen and phosphorus are not relevant given the nature of the proposal.
Policy WQUAL.7	Social, economic and cultural benefits <i>Recognise the social, economic and cultural benefits that may be derived from the use, development or protection of water resources.</i>	The social and economic benefits of the proposal are identified in Mr Batt's evidence.
Policy WQUAL.8	Preference for discharge to land <i>Prefer discharges of contaminants to land over discharges of contaminants to water, where:</i> <i>a) a discharge to land is practicable;</i> <i>b) (b) the adverse effects associated with a discharge to land are less than a discharge to water.</i>	The proposal involves discharge to water, instead of discharge to land. Discharges to land are considered unfeasible in respect of the project, due to the scale of water requiring discharge, and the operational requirement to dewater land.

Objective / Policy Reference	Explanation	Comment
Policy WQUAL.9	Untreated human and animal wastes <i>Avoid the direct discharge of sewage, wastewater, industrial and trade waste and agricultural effluent to water unless these discharges have undergone treatment.</i>	Processing wastewater from the GRP is technically an industrial or trade waste, which is relevant to this policy. The primary contaminant is sediment, which will be treated to an appropriate standard and monitored per proposed conditions of consent.
Policy WQUAL.10	Siting and operation <i>Manage the siting and operation of activities that result in point source discharges of contaminants to land to ensure that adverse effects on groundwater, surface water and coastal water quality are avoided, remedied or mitigated.</i>	There are no point source discharges to land proposed and so this policy is not relevant.
Policy WQUAL.11	Sources of community water supplies <i>Avoid, as far as practicable, remedy or mitigate the risks that the adverse effects of land use activities and discharges of contaminants have on the sources of community water supplies.</i>	The proposal will not impact on any community water supplies.
Policy WQUAL.12	Integrated Management <i>Integrate the management of land use, water quality, water quantity, coast and air, and the use, development and protection of resources wherever possible to achieve the freshwater objectives formulated in accordance with Policy WQUAL.1.</i>	It is considered that the proposal presents an appropriately integrated approach to the management of resources in order to achieve the freshwater objectives.
Chapter 4 – Part B- Water Quantity		
Objective WQUAN.1	Sustainably managing the region's water resources <i>Flows, levels and allocation regimes of surface water and groundwater in the region are developed in accordance with the National Policy for Freshwater Management 2014 to:</i> <i>a) safeguard the life-supporting capacity of water, catchments and related ecosystems;</i> <i>b) support the maintenance or improvement of water quality in accordance with Policy WQUAL.1;</i> <i>c) meet the needs of a range of uses, including the reasonably foreseeable social, economic and cultural needs of future generations;</i> <i>d) comply with limits or targets set to achieve freshwater objectives.</i>	The proposal will not adversely impact on flow, level or allocation regimes. Surface water body flows will increase or not be affected. Local groundwater levels will be reduced temporarily with effects on neighbouring well owners mitigated through proposed conditions.
Objective WQUAN.2	The effective allocation and use of water <i>The allocation and use of Southland's water resources:</i>	The allocation and use of water has been assessed in the AEE section 5 and is considered to be efficient. Water abstracted will be extensively

Objective / Policy Reference	Explanation	Comment
	a) <i>is efficient;</i> b) <i>recognises and makes provision for the Monowai and nationally significant Manapōuri hydroelectric generation schemes in the Waiau catchment and the resultant modified flows and levels.</i>	recycled so that dewatering is minimised to the extent necessary to maintain a dry working area.
Policy WQUAN.1	Instream values <i>Maintain instream values of surface water that derive from flows and levels of water, while recognizing the special circumstances of the Waiau catchment.</i>	The proposal will not reduce water flows and levels. Instream values will be maintained by relocating fish, maintaining continuity of flow, habitat enhancements in the temporary diversion channels and establishing a similar or improved quality of habitat in the new diversion channel.
Policy WQUAN.2	Overallocation <i>Avoid over-allocation of surface water and groundwater, and resolve any historical instances of overallocation, while recognising the special provisions made for the Waiau catchment.</i>	The proposal does not result in any overallocation of surface or groundwater.
Policy WQUAN.6	Efficient use of water a) <i>Ensure that any water taken from surface water or ground water is used efficiently.</i> b) <i>Where freshwater bodies are approaching full allocation, consider establishing management provisions to maximise the efficiency of using any available water.</i>	Extensive recycling of the dewatering water and processing wastewater will ensure that all water abstracted is used efficiently.
Policy WQUAN.7	Social, economic and cultural benefits <i>Recognise the social, economic and cultural benefits that may be derived from the use, development or protection of water resources.</i>	The social and economic benefits of the proposal are identified in Mr Batt's evidence.
Policy WQUAN.8	Integrated management <i>Integrate the management of land use, water quality, water quantity and use and development of resources wherever possible.</i>	It is considered that the proposal presents an appropriately integrated approach to the management of resources.
Chapter 4 – Part C – Beds of lakes and rivers		
Objective BRL.1	Lake and river bed values <i>All significant values of lakes and rivers are maintained and enhanced.</i>	There are no identified significant lake or river bed values within the project site area, however the proposal has been developed with mitigation measures intended to minimise the short term adverse effects on river bed values and ensure that long term outcomes for river bed values are positive.

Objective / Policy Reference	Explanation	Comment
Objective BRL.2	Public access <i>Public access to, along and across lakes and rivers is maintained, and enhanced where necessary, in a strategic and co-ordinated manner, to ensure a level of public access appropriate to the values of the area.</i>	Public access will be restricted for a temporary duration and to a localised area of the Waikaka Stream and Shepherd's Creek. A The project site area is not identified as a location that is a priority for access. Alternative public access options, particularly for recreational anglers, are available. Overall, public access will continue to be appropriate to the values of the area.
Policy BRL.4	Public access <i>Public access to, along and across lakes and rivers will be maintained and enhanced by:</i> a) <i>identifying, through regional and district plans, surface water bodies or locations that are priorities for access;</i> b) <i>providing direction about where and when additional access should be established;</i> c) <i>ensuring structures and bed disturbance activities in the beds of lakes and rivers do not impeded public access, unless it is necessary to do so for safety reasons; and</i> d) <i>consulting with territorial authorities, tangata whenua, stakeholders and local land owners to develop non-regulatory methods to encourage retention or establishment of public access.</i>	
Policy BRL.5	Social, economic and cultural benefits <i>Recognise the social, economic and cultural benefits that may be derived from the use, development or protection of river and lake beds.</i>	The social and economic benefits of the proposal are identified in Mr Batt's evidence.
Chapter 5 – Rural Land/ Soils		
Objective RURAL.1	Sustainable use of rural land resource <i>Achieve sustainable use of Southland's rural land resource, in respect of:</i> a) <i>agriculture and primary sector activities;</i> b) <i>subdivision, use and development activities;</i> c) <i>earthworks and vegetation clearance activities;</i> d) <i>the use of soil resources;</i> e) <i>mineral extraction activities; and</i> f) <i>on-site wastewater systems.</i>	The proposed activity enables sustainable use of the rural land resource by management of soil to protect its quality, return of land to agricultural purposes and productivity post-mining and continuous rehabilitation approach.
Objective RURAL.2	Life supporting capacity of soils <i>Safeguard the life-supporting capacity, mauri and health of soils in rural areas, and prevent or minimise soil erosion and sedimentation from land use soil disturbance.</i>	Separate stockpiling of topsoil and erosion and sediment control measures will ensure that the health of soils is retained.

Objective / Policy Reference	Explanation	Comment
Policy RURAL.1	Social, economic and cultural wellbeing <i>Recognise that use and development of Southland's rural land resource enables people and communities to provide for their social, economic and cultural wellbeing.</i>	This policy enables recognition that mineral extraction activities can contribute to the wellbeing of people and communities. This proposal will contribute socially and economically to local people and communities as outlined in Mr Batt's evidence.
Policy RURAL.2	Land use change and land development activities <i>Manage subdivision, land use change and land development activities in rural areas of Southland, in a way that maintains or enhances rural amenity values and character.</i>	The proposed activity can be managed in a manner that maintains rural amenity and character, with progressive rehabilitation, screening of the infrastructure area and restricted hours of operation.
Policy RURAL.4	Loss of high value soils from productive use <i>Avoid the irreversible loss of high value soils from productive use, through inappropriate subdivision, use and development.</i>	The proposal results in no permanent loss of productive agricultural land on the basis of continuous rehabilitation back to pasture post-mining.
Policy RURAL.5	Effects of rural land development <i>The effects of rural land development shall be sustainably managed and land management practices encouraged so that:</i> a) <i>soil properties are safeguarded;</i> b) <i>soil erosion is minimised;</i> c) <i>soil compaction and nutrient sediment loss is minimised;</i> d) <i>soil disturbance is reduced;</i> e) <i>water quality is maintained or enhanced;</i> f) <i>indigenous biodiversity is maintained or enhanced;</i> g) <i>the mauri of water and soils is safeguarded.</i>	Erosion will be controlled by progressive rehabilitation and grassing of long-term stockpiles. Water quality will be protected by preventing erosion of sediment to water. No net loss of indigenous biodiversity is anticipated, though there may be a temporary reduction during the construction of each temporary diversion. Overall, the application proposes a number of measures to safeguard the mauri of water and soils.
Chapter 6 – Biodiversity		
Objective BIO.2	Maintain and protect <i>Maintain indigenous biodiversity in Southland and protect areas of significant indigenous vegetation and significant habitats of indigenous fauna for present and future generations.</i>	The proposal will maintain indigenous biodiversity at a project scale with the rehabilitation and mitigation measures proposed restoring any loss of habitat and contributing to increased biodiversity in the riparian margins. Over the works period there will be temporary loss of biodiversity. There are no identified areas of significant indigenous vegetation and significant habitats of indigenous fauna present on the application site.
Objective BIO.3	Enhance <i>Enhance the range, extent and condition of indigenous biodiversity in Southland, with a particular emphasis on those areas most at risk to further loss or degradation.</i>	The proposal is anticipated to enhance the extent and condition of indigenous riparian vegetation.

Objective / Policy Reference	Explanation	Comment
Policy BIO.4	Maintain indigenous biodiversity <i>Manage a full range of indigenous habitats and ecosystems to achieve a healthy functioning state, and to ensure viable and diverse populations of native species are maintained, while making appropriate provisions for lawful maintenance and operation of existing activities.</i> <i>In giving effect to this policy, regard will be had to the following potential adverse effects:</i> <i>(i) fragmentation of, or reduction in the extent of, indigenous vegetation or habitats of indigenous fauna;</i> <i>(ii) fragmentation or disruption of connections and linkages between ecosystems or habitats of indigenous fauna;</i> <i>(iii) loss of, or damage to, buffering of ecosystems or habitats of indigenous fauna;</i> <i>(iv) loss or reduction of rare or threatened indigenous species' populations or habitats.</i>	The proposal will maintain ecological connections and avoid fragmentation by ensuring that the diversion channels are established and stabilised prior to diverting flow, and maintaining continuity of flow at all times. There will be some temporary loss of or damage to habitat for indigenous fauna. There are no rare or threatened indigenous species impacted.
Policy BIO.8	Tangata whenua <i>Recognise the role of tangata whenua as kaitiaki, by providing for:</i> <i>a) tangata whenua values and interests to be incorporated into the management of indigenous biodiversity;</i> <i>b) consultation with tangata whenua regarding the means of maintaining and restoring or enhancing habitats identified in accordance with Policy BIO.1 that have particular significance to tangata whenua;</i> <i>c) active involvement of tangata whenua in the protection of cultural values associated with indigenous biodiversity;</i> <i>d) customary use of indigenous biodiversity according to tikanga.</i>	The Applicant has sought cultural advice from tangata whenua and engaged in pre-application consultation.
Policy BIO.9	Biodiversity offsets and environmental compensation <i>In addressing significant residual adverse effects (i.e. those effects left after all the appropriate avoidance, remediation, or mitigation actions have been taken), local authorities will consider the use of any biodiversity offset and/or environmental compensation measures offered by an applicant.</i>	This policy allows the consent authority to consider the use of biodiversity offset or compensation if there are significant residual adverse effects.
Chapter 8 – Natural Hazards		

Objective / Policy Reference	Explanation	Comment
Objective NH.1	Communities becoming more resilient <i>The risks to people, communities, their businesses, property and infrastructure from the effects of natural hazards are understood and avoided, remedied or mitigated, resulting in communities becoming more resilient.</i>	Natural hazard risks associated with flooding have been assessed and avoided by designing the new diversion channel with similar flood carrying capacity to that existing. The proposal will not exacerbate any natural hazard risk.
Policy NH.2	Identify and manage risks from natural hazards <i>Identify in district plans, where practicable, areas subject to known natural hazard risk, and actively engage with individuals and the community in managing those and other natural hazard risk areas, using the most up to date information available.</i>	The site falls within an area of known flood risk. The diversion channels have been designed with consistent capacity for a 1 in 20-year event, equivalent to the capacity along most of the existing channel.
Policy NH.3	Precautionary approach <i>Take a precautionary approach towards managing the effects of climate change and sea level rise, and any associated changes in the scale and frequency of natural hazards, to ensure potential adverse effects are avoided or mitigated.</i>	Due to the short-term nature of this proposal, the current scale and frequency of natural hazards has been utilised for the assessment, rather than long term climate change predictions. The proposal will not exacerbate any existing natural hazards.
Policy NH.4	Management priorities <i>In managing natural hazards, the following implementation priorities are to be adopted:</i> <i>1. avoid exposure to areas at significant risk from natural hazards where practicable by adopting a precautionary approach;</i> <i>2. mitigate the effects of natural hazards by managing land use in areas known to be susceptible to the effects of natural hazards;</i> <i>3. undertake physical works needed to reduce the potential for the natural hazard to affect people and infrastructure.</i>	The proposal does not increase any risk of natural hazards. The diversion channel will be constructed prior to the removal of the Waikaka Stream, thus ensuring that the flood carrying capacity remains at least the same as existing.
Policy NH.5	Avoid areas of significant risk from natural hazards <i>Avoid...development and placement of critical infrastructure in areas at significant risk from natural hazards, unless:</i> <i>a) there is no reasonable alternative, in which case critical infrastructure must be designed to maintain, as far as practicable, its integrity and function during natural hazard events; or</i> <i>b) avoidance is impossible or impractical and adverse effects are mitigated to an acceptable level; or</i> <i>c) subdivision is solely for the purpose of boundary adjustments.</i>	Avoidance of the flood risk area is not possible given the activity must locate where the mineral resource is. However, the project design ensures that the project will not increase the natural hazard risk to other parties nor cause any increase in the effects of flooding.
Chapter 11 – Contaminated Land		

Objective / Policy Reference	Explanation	Comment
Objective CONTAM.1	Identify, investigate and manage contaminated land <i>Land affected by soil contamination is identified, investigated and managed.</i>	Potentially contaminated land has been investigated by the completion of the Geosciences PSI, enabling the appropriate management of potentially contaminated soils.
Objective CONTAM.2	Avoid, remedy or mitigate adverse effects <i>Adverse effects on the environment (including human health) from contaminated land are avoided, remedied or mitigated.</i>	Adverse effects from the disturbance of the identified landfill area will be avoided by specifying an appropriate set back of the works from this area.
Policy CONTAM.2	Management of contaminated land a) <i>Protect human health when undertaking activities on land that is potentially, or known to be, contaminated.</i> b) <i>Manage contaminated land to avoid, remedy or mitigate adverse effects on the environment.</i>	Human health will not be at risk from contaminated land due to the avoidance of the landfill area, and provision for a DSI in respect of the potential sheep dip area that has not been subject to soil testing.
Chapter 12 – Hazardous Substances		
Objective HAZ.1	Protection of the environment (including human health and safety) <i>Adverse effects on the environment (including human health and safety) from the storage, use, transportation and disposal of hazardous substances are prevented or mitigated.</i>	The proposal incorporates appropriate storage, use and contingency measures for the management of hazardous substances on the site, including a bunded storage area for fuel with secondary containment and spill mitigation measures.
Policy HAZ.1	Hazardous substance storage facilities and containers <i>Ensure facilities and containers used to store hazardous substances are located, designed, constructed and managed to avoid, remedy or mitigate adverse effects, including unacceptable risks, to the environment (including human health and safety).</i>	The fuel storage facility is located at sufficient distance from local waterbodies and will be constructed in accordance with industry standards.
Policy HAZ.2	Accidents involving hazardous substances <i>Provide appropriate facilities and systems to avoid, remedy or mitigate the contamination of soil, water, and air in the event of accidents involving hazardous substances.</i>	Spill mitigation measures will ensure the protection of groundwater in the event of accidental spillage of fuel while refueling. A secondary containment area will provide protection from leaks from the fuel storage facility.
Chapter 13 – Solid Waste¹		
Objective WASTE.2	Avoid, mitigate, or where appropriate remedy adverse effects	While the definition of solid waste includes mine tailings, it is noted that only water is added to the overburden and therefore it is only natural

¹ Includes mine and quarrying tailings

Objective / Policy Reference	Explanation	Comment
	<i>Avoid, mitigate, or where appropriate remedy the adverse environmental effects of solid waste storage, disposal, processing, handling and transportation.</i>	material being returned to the mine pit as 'solid waste'. Potential for the tailings to become acid forming has been addressed in detail in the Mr Weber's evidence, noting that the risk of acid mine drainage is very low. Replacement of the tailings into the mine pit, covering with backfilled overburden and following groundwater rebound, mitigates the risk.
Chapter 14 – Historic Heritage		
Objective HH.1	Protection of historic heritage <i>Historic heritage values are identified and protected from inappropriate subdivision, use and development.</i>	Potential archaeological and heritage values on the site have been investigated by Southern Archaeology (AEE Attachment [R]) and an archaeological authority has been obtained in regard to the disturbance of potential archaeology at the former 'Mains House' site. There are no heritage values that will be affected by the project.

Table 5 Southland Regional Water Plan

Objective / Policy Reference	Explanation	Comment
Chapter 5.1.1 Water Objectives		
Objective 2	Maintain water quality <i>To manage water quality so that there is no reduction in the quality of the water in any surface water body, beyond the zone of reasonable mixing for discharges, below that of the date this Plan became operative (January 2010).</i>	The proposal will not result in any reduction in water quality in the Waikaka Stream outside the reasonable mixing zone. Mitigation measures proposed in the AEE will ensure this outcome is met, by appropriately treating discharges to remove sediment, and undertaking the diversion of the Waikaka Stream with good erosion and sediment control practices. The proposal is consistent with these objectives.
Objective 3	Surface water bodies other than in Natural State Waters <i>To maintain and enhance the quality of surface water bodies so that the following values are protected where water quality is already suitable for them, and where water quality is currently not suitable, measurable progress is achieved towards making it suitable for them.</i> <i>In surface water bodies classified as ... lowland (hard bed), lowland (soft bed) ...:</i> <i>(a) bathing, in those sites where bathing is popular;</i> <i>(b) trout where present, otherwise native fish;</i> <i>(c) stock drinking water;</i> <i>(d) Ngāi Tahu cultural values, including mahinga kai;</i> <i>(e) natural character including aesthetics.</i>	
Objective 4	Gradual improvement in surface water quality parameters <i>To manage the discharge of contaminants and encourage best environmental practice to improve the water quality in surface water bodies classified as hill, lowland (hard bed), lowland (soft bed) and spring fed, and in particular to achieve a minimum of 10 percent improvement in levels of the following water quality parameters over 10 years from the date this Plan became operative (January 2010):</i> <i>(a) microbiological contaminants</i> <i>(b) nitrate</i> <i>(c) phosphorus</i> <i>(d) clarity</i>	

Objective / Policy Reference	Explanation	Comment
Objective 5	Sufficient water availability <i>To have sufficient water to support the reasonably foreseeable needs of current and future generations and enable people and communities to provide for their social, economic and cultural wellbeing while protecting aquatic ecosystem health, life supporting capacity, natural character and historic heritage values of surface water bodies.</i>	The proposal will not reduce the amount of water available downstream within the Waikaka Stream. There is not expected to be any reduction in well supplies, however if there is then the Applicant will provide an alternative supply.
Chapter 5.1.2 Groundwater Objectives		
Objective 8	Drinking Water Standard <i>(a) To maintain groundwater quality in aquifers that already meet the Drinking-Water Standards for New Zealand 2000; ...</i>	The proposal will not adversely affect groundwater quality compliance with the drinking water standard. Controls proposed around the management of potential contaminant pathways, and positive pressure of groundwater into the mine pit, appropriately mitigate the risk of groundwater contamination.
Objective 9	Sustainable abstraction <i>To ensure that the total volume and rate of groundwater abstraction is sustainable.</i>	The volume of groundwater to be abstracted by dewatering has been assessed as being approximately 54% of the predicted aquifer recharge, in combination with other existing takes. The volume of groundwater to be abstracted is therefore considered to be sustainable.
Chapter 5.1.3 Land and Soil Objectives		
Objective 9A	Maintain soil quality <i>To manage discharges onto or into land so that the quality and structure of soil resources are maintained.</i>	The project does not encompass any discharge that may adversely affect soil quality, soil structure, human health, habitats, ecosystems, amenity or historic heritage values. The proposal is consistent with these objectives.
Objective 9B	Human health <i>To manage discharges onto or into land so that adverse effects on human health are avoided.</i>	
Objective 9C	Habitats and ecosystems and other values <i>To manage discharges onto or into land so that any adverse effects on:</i> <i>(a) the diversity and integrity of habitats and ecosystems; and</i> <i>(b) amenity and historic heritage values are avoided, remedied or mitigated to ensure that these values are maintained or enhanced.</i>	

Objective / Policy Reference	Explanation	Comment
Chapter 5.1.4 River Bed (including beds of streams and modified watercourses) and Lake Bed Use and Development Objectives		
Objective 10	Habitats and ecosystems <i>To maintain or enhance the diversity and integrity of aquatic and riverine habitats and ecosystems.</i>	There will be temporary construction phase effects however overall the project will achieve at least maintenance of the diversity and integrity of the affected aquatic ecosystems.
Objective 12	Public access <i>To maintain and enhance public access to river beds (including beds of streams and modified watercourses) and lake beds except in circumstances where public health and safety are at risk.</i>	The proposal does restrict public access to parts of the Waikaka Stream and Shepherd's Creek channel for a temporary period, however, this is to prevent public access to an area of work where their health and safety could be at risk. Public access to the parts of the Waikaka Stream and Shepherd's Creek not affected by the proposed work will remain available.
Objective 13	Natural character and outstanding natural features <i>To protect natural character and outstanding natural features of rivers and lakes from inappropriate use and development.</i>	There are no outstanding natural features affected by this project, however the natural character of the Waikaka Stream will be adversely affected by the diversion, albeit temporarily. Considering the temporary nature of the effect and the rehabilitation and restoration proposed, the project will not inappropriately impact the natural character of the Waikaka Stream.
Objective 14	Fish passage (Clause 3.26 of National Policy Statement for Freshwater Management 2020) <i>The passage of fish is maintained, or is improved, by instream structures, except where it is desirable to prevent the passage of some fish species in order to protect desired fish species, their life stages, or their habitats.</i>	Fish passage will be maintained at all times.
Chapter 5.2.1 Water Policies		
Policy 1A	Take into account Iwi Management Plans <i>Any assessment of an activity covered by this plan must take into account any relevant Iwi Management Plan.</i>	An assessment is provided against the Iwi Management Plan.
Policy A4 of the NPSFW 2014	<i>1. When considering any application for a discharge the consent authority must have regard to the following matters: a. the extent to which the discharge would avoid contamination that will have an adverse effect on the life-supporting capacity of fresh water including on any ecosystem associated with fresh water and</i>	None of the discharges proposed are expected to have a adverse effects on the life supporting capacity of fresh water and have been designed with mitigation measures to avoid as far as practicable, adverse effects on ecosystems and fresh water.

Objective / Policy Reference	Explanation	Comment
	<i>b. the extent to which it is feasible and dependable that any more than minor adverse effect on fresh water, and on any ecosystem associated with fresh water, resulting from the discharge would be avoided.</i> <i>2. When considering any application for a discharge the consent authority must have regard to the following matters:</i> <i>a. the extent to which the discharge would avoid contamination that will have an adverse effect on the health of people and communities as affected by their secondary contact with fresh water; and</i> <i>b. the extent to which it is feasible and dependable that any more than minor adverse effect on the health of people and communities as affected by their secondary contact with fresh water resulting from the discharge would be avoided.</i> <i>3. This policy applies to the following discharges (including a diffuse discharge by any person or animal):</i> <i>a. a new discharge or</i> <i>b. a change or increase in any discharge – of any contaminant into fresh water, or onto or into land in circumstances that may result in that contaminant (or, as a result of any natural process from the discharge of that contaminant, any other contaminant) entering fresh water.</i>	The discharges will not adversely affect the health of people and communities as a result of secondary contact with the discharge. The proposal is consistent with this policy.
Policy 1	Surface water body classes <i>(a) Recognise the different characteristics of the following surface water body classes when managing discharges:</i> <i>(ii) Lowland (hard bed)</i> <i>(iii) Lowland (soft bed)</i> <i>(b) Apply water quality standards established under any Water Conservation Order.</i>	The appropriate water quality standards have been referred to in developing the monitoring program. There are no Water Conservation Orders relevant to the proposal.
Policy 3	No reduction in water quality <i>Notwithstanding any other policy or objective in this plan, allow no discharges to surface water bodies that will result in a reduction of water quality beyond the zone of reasonable mixing, unless it is consistent with the promotion of the sustainable management of</i>	The proposal has been designed with robust sediment control measures to minimise any effects on the water quality in the Waikaka Stream, with these measures expected to ensure that water quality is maintained outside the reasonable mixing zone.

Objective / Policy Reference	Explanation	Comment
	<i>natural and physical resources, as set out in Part 2 of the Resource Management Act 1991, to do so.</i>	Further, none of the discharges are expected to create any harm to the health of humans, domestic animals, stock and/or aquatic life. The proposal is consistent with these policies.
Policy 4	Surface water bodies outside Natural State Waters <i>For surface water bodies outside Natural State Waters, manage point source and non-point source discharges to meet or exceed the water quality standards referred to in Rule 1 and specified in Appendix G "Water Quality Standards", unless it is consistent with the promotion of the sustainable management of natural and physical resources, as set out in Part 2 of the Resource Management Act 1991, to do so and so avoid levels of contaminants in water and sediments that could harm the health of humans, domestic animals including stock and/or aquatic life.</i>	
Policy 5	Discharges to water in artificial watercourses <i>Manage discharges to water in artificial watercourses so that any new discharge, in conjunction with existing discharges, does not reduce the water quality of the surface water body into which the artificial watercourse flows below any standards set for the surface water body in Appendix G "Water Quality Standards" following a zone of reasonable mixing from the point of confluence of the artificial watercourse with the surface water body.</i>	
Policy 7	Prefer discharges to land <i>Prefer discharges to land over discharges to water where this is practicable and the effects are less adverse.</i>	Discharge from the settling ponds to land is not practicable, as the water would enter the mine pit, frustrating the purpose of the dewatering. Discharge of the Waikaka Diversion water to land is not desirable, as it is a better environmental outcome to maintain continuity of the flow in the river. Regardless, the adverse effects of discharging to water are proposed to be appropriately managed and the effects of discharging to land would not be less adverse.
Policy 8	Discharges to water <i>Prefer point source discharges of contaminants to water at times of high flow over discharges at normal or low flows, and ensure that where discharging does take place at low flows, the effects that could not be practically avoided are minimised.</i>	The rate of discharge to the Waikaka Stream from the dewatering, process and stormwater will be continuous, however appropriate treatment will ensure that adverse effects will be no more than minor regardless.
Policy 9	Zone of reasonable mixing	The reasonable mixing zone in the Waikaka Stream has been determined to be 60m (Heller Report, AEE Attachment [K], p.35).

Objective / Policy Reference	Explanation	Comment
	<i>When determining the size of the zone of reasonable mixing, minimise the size of the area where the relevant water quality standards are breached. Consideration should be given to, but not be limited to, the following matters:</i> <i>(a) the aquatic ecosystem values in the affected reach;</i> <i>(b) the need for fish passage;</i> <i>(c) the uses of the water body adjacent to and downstream of the point of discharge.</i>	The aquatic ecosystem values in the affected reach are as described in the Dungey report (AEE Attachment [L]) and these have been considered in the water quality limits and monitoring program. Fish passage will not be affected per previous comments. The uses of the water body adjacent to and downstream of the point of discharge are rural farming land uses, and the nearest downstream fishing access point is 6.8km downstream of the point of discharge.
Policy 11	Stormwater discharges <i>Apply consent conditions requiring consented discharges of stormwater to meet both the ANZECC sediment guidelines (as shown in Appendix E of this Plan) and the relevant water quality standards specified in Appendix G "Water Quality Standards" following reasonable mixing to:</i> <i>(a) all resource consents for new stormwater discharges; ...</i>	The stormwater discharge is expected to meet the relevant guidelines and standards. Sediment is the primary contaminant and conditions have been proposed to manage this. The proposal is consistent with this policy.
Policy B7 of the NPSFW 2014	<i>1. When considering any application the consent authority must have regard to the following matters:</i> <i>(a) the extent to which the change would adversely affect safeguarding the life-supporting capacity of fresh water and of any associated ecosystem; and</i> <i>(b) the extent to which it is feasible and dependable that any adverse effect on the life-supporting capacity of fresh water and of any associated ecosystem resulting from the change would be avoided.</i> <i>2. This policy applies to:</i> <i>(a) any new activity; and</i> <i>(b) any change in the character, intensity or scale of any established activity –</i> <i>that involves any taking, using, damming or diverting of fresh water or draining of any wetland which is likely to result in any more than minor adverse change in the natural variability of flows or level of any fresh water, compared to that which immediately preceded the commencement of the new activity or the change in the established activity (or in the case of a change in an intermittent or seasonal activity, compared to that on the last occasion on which the activity was carried out).</i>	The proposal is not likely to result in a more than minor 'adverse change in the natural variability of flows or level of any fresh water' and therefore this policy is not considered relevant to the proposal.

Objective / Policy Reference	Explanation	Comment
Policy 14	Manage the taking, use, damming or diversion of surface water <i>While recognising the positive effects resulting from the use and development of water resources, manage the taking, use, damming or diversion of surface water so as to avoid where practicable, remedy or mitigate significant adverse effects on:</i> <i>(a) the quality and quantity of aquatic habitat;</i> <i>(b) natural character, natural features, and amenity, aesthetic and landscape values;</i> <i>(c) areas of significant indigenous vegetation and significant habitats of indigenous fauna;</i> <i>(d) recreational values;</i> <i>(e) the spiritual and cultural values and beliefs of the tangata whenua;</i> <i>(f) water quality, including temperature;</i> <i>(g) the rights of lawful existing users;</i> <i>(h) groundwater quality and quantity;</i> <i>(i) historic heritage.</i>	This policy applies to the damming and diversion of the Waikaka Stream. The proposal may result in significant temporary effects on the quality and quantity of aquatic habitat, though the policy enables this to be remedied or mitigated, which the Applicant proposes to do by rehabilitating the diverted sections of the river channel to a standard where the aquatic habitat quality will be at least as good as that affected, and the quantity of riverine aquatic habitat will be maintained. Natural character, amenity and landscape values, vegetation and habitats of indigenous fauna will also be affected, though temporarily and mitigated by the Applicant's rehabilitation strategy, similar to the comments regarding aquatic habitat above. Effects on recreational values will be temporary and not significant, considering the limited stretch of the Waikaka Stream affected Effects on tangata whenua values will be addressed by specific consultation. Effects on water quality will be temporary, and mitigation measures to control sediment are proposed and included in conditions of consent. There are no effects on matters in parts (g) – (i) of the policy, as a result of the proposed activity.
Policy 14A	Determining the term of a water permit <i>To determine the term of a water permit consideration will be given, but not limited, to:</i> <i>(a) the degree of certainty regarding the nature, scale, duration and frequency of adverse effects from the activity;</i> <i>(b) the level of knowledge of the resource;</i> <i>(c) relevant tangata whenua values</i> <i>(d) the allocation sought, particularly the proportion of the resource sought;</i> <i>(e) the duration sought by the applicant, plus material to support the duration sought;</i> <i>(f) the permanence and economic life of the activity;</i>	The term of water permit sought is 20 years, concurrent with all other consents relating to the proposal. The duration sought is considered appropriate to allow for sufficient time for the mining activity and subsequent rehabilitation to occur, with contingency to account for the complex access arrangements required and economic uncertainties. The technical reports supporting the application give a reasonable degree of confidence in the likely adverse effects arising from the activity and there is a significant amount of capital investment required in the activity. The activity is not permanent, and the duration sought reflects that.

Objective / Policy Reference	Explanation	Comment
	(g) capital investment in the activity; (h) monitoring and review requirement in permit conditions; (i) the desirability of applying a common expiry date for water permits that allocate water from the same resource; and (j) the applicant's compliance with the conditions of the previous permit (where a new water permit is sought for a previously authorised activity).	
Policy 15	Surface water abstraction, damming, diversion and use (a) Use a staged management approach to allocate surface water for abstraction, damming, diversion and use in Southland to allow the knowledge gained by the progressive development of the region's surface water resources to be built into its future management. (b) Recognise the different characteristics of the following surface water management units when managing surface water quantity: ... (e) Recognise and provide for surface water abstraction, damming, diversion and use resulting in positive effects and no net loss of water in a catchment. (f) Recognise and provide for surface water abstraction, diversion and use permitted under Section 14(3) of the Resource Management Act 1991. (g) Provide for: (i) a level of permitted surface water abstraction, damming, diversion and use where there is a minimal risk of adverse effects; (ii) a primary allocation for consented water abstraction, damming, diversion and use; and (iii) a supplementary allocation for consented water abstraction, damming, diversion and use. (h) Require resource consent applications for surface water abstraction, damming, diversion and use to be supported by a level of information that corresponds to the level of risk of adverse environmental effects. (i) Ensure that surface water abstractions, damming or diversions with a high risk of adverse environmental effects, in conjunction with existing abstractions, damming and diversions, will not:	The damming and diversion of the Waikaka Stream is a non-consumptive use, and no allocation is necessary. There is no net loss to the catchment, and instead there is a slight gain from the discharge of dewatering water to the surface water catchment.

Objective / Policy Reference	Explanation	Comment
	<i>(a) result in significant adverse ecological effects through the increase in time the relevant surface water body is at or below its minimum flows or levels;</i> <i>(b) compromise the availability and reliability of water supply for existing users;</i> <i>(c) result in significant adverse effects on the matters listed in Policy 16(b)(i) to (xvi).³²</i> <i>(j) Impose monitoring on resource consents for surface water abstraction, damming, diversion and use that corresponds to the level of risk of adverse environmental effects.</i> <i>(k) Where monitoring shows adverse environmental effects are occurring in a specific water body, remedy or mitigate those effects using one or more of the following methods:</i> <i>(i) reviewing the conditions of existing water consents for that water body in accordance with Section 128 of the Resource Management Act 1991;</i> <i>(ii) ceasing any further allocation of water from that water body; and</i> <i>(iii) imposing water restrictions in accordance with Policy 17 “Instigate appropriate water conservation procedures”.</i>	
Policy 16	Environmental flow and level regimes <i>(a) When granting resource consents for surface water abstraction, damming, diversion and use, the Council where appropriate will apply by way of consent conditions environmental flow and level regimes established under:</i> ... <i>(iii) Policy 16(b); and</i> <i>(iv) Policy 17.</i>	The damming and diversion of the Waikaka Stream is overall non-consumptive, and a flow and level regime would not contribute to the mitigation of any effects on the environment. A flow and level regime is not proposed and is not considered to be necessary.
Policy 21	Reasonable use of water <i>To ensure that the rate of abstraction and abstraction volumes specified on water permits to take and use water are no more than reasonable for the intended end use.</i>	The rates and volumes proposed are considered reasonable considering the nature of the project, for reasons outline in the Heller report (AEE Attachment [K]).
Policy 22	Water measuring devices <i>Require, where appropriate, the installation of water measuring devices on all new permits to take and use water.</i>	The Applicant proposes to measure the take of groundwater by monitoring the flow rate after the pump, prior to dewatering water entering the settlement ponds.

Objective / Policy Reference	Explanation	Comment
Policy 23	Review of water permits <i>Impose a condition enabling the review of consent conditions in accordance with Sections 128 and 129 of the Resource Management Act 1991 on all new permits to take and use water.</i>	The Applicant accepts a standard review condition.
Chapter 5.2.2 Groundwater Policies		
Policy 25	Adverse effects arising from point source and non-point source discharges <i>To avoid, remedy or mitigate the adverse effects arising from point source and non-point source discharges so that there is no deterioration in groundwater quality after reasonable mixing, unless it is consistent with the promotion of the sustainable management of natural and physical resources, as set out in Part 2 of the Resource Management Act 1991, to do so.</i>	Based on Mr Heller's evidence, the effects on groundwater quality are anticipated to be no more than minor and no overall deterioration in groundwater quality is expected.
Policy 26	Adverse effects of bores and wells <i>To avoid the adverse effects on groundwater quality and quantity arising from bores and wells by ensuring that bores and wells are appropriately designed, constructed and maintained in a way that adverse effects are avoided to the extent practicable.</i>	While the mine technically meets the definition of a 'bore', the method of operation will enable the avoidance of adverse effects on groundwater quality.
Policy 28	To manage groundwater abstraction <i>To manage groundwater abstraction to avoid significant adverse effects on:</i> <i>long-term aquifer storage volumes</i> <i>existing water users</i> <i>surface water flows and aquatic ecosystems and habitats</i> <i>groundwater quality</i>	The proposal will not result in any significant effects on the matters raised in the policy. Effects on long term aquifer storage volumes are no more than minor considering the temporary nature of the activity, and proportion of estimated allocation available. Existing water users that may be affected have been identified in the Mr Heller's evidence and technical assessment (AEE Attachment [K]) and their supply will be protected by proposed conditions of consent. The effects on surface water flows will be net positive, due to the discharge of dewatering water to the Waikaka Stream. Effects on groundwater quality are managed by ensuring that only cleanfill material is backfilled into the mine pit.
Policy 29	Stream depletion effects <i>(a) Manage the stream depletion effect of any groundwater abstraction with a rate of take exceeding 2 litres per second as follows:</i> <i>(iii) where there is a moderate degree of hydraulic connection between the groundwater source and an adjacent surface water body, the</i>	The proposed dewatering has a calculated stream depletion effect of 5.1L/s, of an overall maximum instantaneous rate of 50L/s. The degree of hydraulic connection is therefore classified as moderate.

Objective / Policy Reference	Explanation	Comment
	<i>stream depletion effect will be determined as the effect of 150 days of pumping at the continuous pump rate required to deliver the seasonal volume. The calculated rate of stream depletion will be managed in the same manner as a surface water abstraction for allocation purposes with the remainder of the abstraction included in the allocation volume for the relevant groundwater zone;</i> ...	While the policy directs that the calculated rate of stream depletion is to be managed as a surface water abstraction for allocation purposes, it is noted that the overall effect is non-consumptive due to the discharge of dewatering water back to the Waikaka Stream. For this reason, it is not considered to be appropriate to include the stream depletion component of the dewatering take in the surface water allocation for the Waikaka Stream. The policy does not require that the take is subject to a minimum flow regime and none is proposed.
Policy 30	Groundwater abstraction <i>(a) Use a staged management approach to allocate groundwater for abstraction in Southland to allow the knowledge gained by the progressive development of the region's groundwater resources to be built into its future management.</i> <i>(b) Recognise the different characteristics of the following aquifer types when managing groundwater abstraction: ...</i> <i>(c) Use an assessment of available hydrogeological information from resource consent applications supplemented by investigations and monitoring undertaken by the Council, on a case-by-case basis, to determine if an aquifer is confined. Where an aquifer is determined to be sufficiently confined to warrant management as a separate groundwater resource a preliminary allocation volume shall be determined on the basis of aquifer throughflow.</i> <i>(d) Provide for:</i> <i>(i) a level of permitted groundwater abstraction where there is a minimal risk of adverse effects;</i> <i>(ii) a primary allocation for consented water abstraction and use; and</i> <i>(iii) a supplementary allocation for consented water abstraction and use.</i> <i>(e) Require resource consent applications for groundwater abstractions to be supported by a level of information that corresponds to the level of risk of adverse environmental effects. Information to be supported by a conceptual hydrogeological model that corresponds to the level of allocation from the aquifer.</i>	The Heller report (AEE Attachment [K]) provides an appropriate assessment of the nature of the target aquifers and a model of groundwater availability and through flow. Based on that information, the proposed dewatering take can be managed as part of a primary allocation from the groundwater resource. Due to the nature of the project, diminishing the rate of dewatering (groundwater take) is not operationally feasible. For this reason, the Applicant has proposed conditions to protect existing users' security of supply. The Applicant will monitor the rate of groundwater take in accordance with industry standard practice. Due to the temporary nature of the proposal and based on the hydrological model provided in the Heller report, the proposal will not result in a long-term decline in groundwater levels, nor exceedance of surface water allocation regimes.

Objective / Policy Reference	Explanation	Comment
	<i>(f) Where appropriate, impose minimum level and/or flow cut-offs and seasonal recovery triggers on resource consents for groundwater abstraction.</i> <i>(g) Impose monitoring on resource consents for groundwater abstractions that corresponds to the level of risk of adverse environmental effects.</i> <i>(h) Where monitoring shows adverse environmental effects are occurring in a specific groundwater zone, remedy or mitigate those effects using one or more of the following methods:</i> ... <i>(i) Ensure that groundwater abstractions that have a high risk of adverse environmental effects will not result in:</i> <i>(i) a long-term decline in groundwater levels;</i> <i>(ii) surface water allocation regimes being exceeded.</i>	
Policy 30	Interference effects <i>(a) Limit the cumulative interference effect of any new groundwater abstraction (in conjunction with other lawfully established groundwater takes) to no more than 20 percent of the available drawdown in any unconfined aquifer or up to 50 percent of the potentiometric head in any confined aquifer. The effects on any neighbouring bore will be considered where that bore is lawfully established and an assumption will be made that the bore fully penetrates the aquifer. An increased volume or increased pumping rate for any lawfully established groundwater abstraction will be considered a new groundwater abstraction under this policy.</i> <i>(b) Limit the cumulative interference effect of any new groundwater abstraction on any bore that is notified to the Council and utilised for long-term monitoring of water levels to no more than 10 percent of the available drawdown in a unconfined aquifer, or no more than 20 percent of the available potentiometric head in a confined aquifer that exists 50 percent of the time during natural conditions when no pumping is occurring. An increased volume or increased pumping rate for any lawfully established groundwater abstraction will be considered a new groundwater abstraction under this policy.</i>	The interference effects of the proposal have been assessed in the Heller evidence and technical report (AEE Attachment [K]). On the basis of a conservative assessment, a number of existing wells may be affected to a degree greater than that permissible by this policy. The exemption criteria in part (c) of the policy are only considered relevant in that the activity is a temporary mining activity, however it is not considered to be a short duration. To mitigate effects on neighbouring bores, the Applicant will provide alternative water supply to affected bores, in accordance with the draft conditions proposed.

Objective / Policy Reference	Explanation	Comment
	<i>(c) An exception to clause (a) and (b) above may be appropriate for aquifer testing and necessary infrastructure works, and in certain circumstances for mining activities where dewatering occurs for a short duration.</i>	
Chapter 5.2.3 Land and Soil Policies		
Policy 31A	Matching discharges onto or into land to risk <i>Match the level of management that is required for discharges of contaminants onto or into land to the level of environmental risk posed by the following risk factors:</i> <i>(a) Nature and quantity of contaminants in the discharge</i> <i>(b) Sloping land</i> <i>(c) Soils with artificial drainage or coarse structures</i> <i>(d) Soils with impeded drainage or low infiltration rates</i> <i>(e) Well drained soils</i> <i>(f) Climate</i> <i>(g) Proximity to groundwater</i> <i>(h) Proximity to surface water</i> <i>(i) Soil's current physical, chemical and biological characteristics and its potential to leach nutrients</i> <i>(j) Natural hazards (for example, flooding and erosion).</i>	Some discharge of 'contaminants' onto land is part of the proposal, the nature of contaminants (sediment in the process return water and stormwater) means that the level of environmental risk is very low. The settlement ponds will be located on a flat part of the site.
Policy 31C	Manage discharges of contaminants onto or into land <i>Manage discharges of contaminants onto or into land to avoid, remedy or mitigate adverse effects, including on:</i> <i>(a) soil quality;</i> <i>(b) amenity values;</i> <i>(c) habitats, ecosystems and indigenous biological diversity;</i> <i>(d) historic heritage, cultural and traditional values;</i> <i>(e) natural character;</i> <i>(f) outstanding natural features.</i>	Soil quality will be protected by removing the topsoil and stockpiling separately prior to creating the settlement ponds. Local amenity values will be protected by the temporary nature of the proposal and settlement ponds will be mostly below ground level with grassed edges. The settlement ponds will not be located where they could impact on the values listed in (c) – (f) of the policy.
Chapter 5.2.4 River Bed (including beds of streams and modified watercourses) and Lake Bed Use and Development Policies		
Policy 32	Policy 32 – Manage structures and bed disturbance activities in the beds of rivers (including streams and modified watercourses) and lakes	Proposed structures and bed disturbance activities have been designed to minimise adverse effects on the Waikaka Stream. In particular,

Objective / Policy Reference	Explanation	Comment
	<i>Manage structures and bed disturbance activities in the beds of rivers and lakes, to avoid, remedy or mitigate adverse effects on:</i> <i>(a) water quality and quantity;</i> <i>(b) habitats, ecosystems and fish passage where this is normally expected to occur;</i> <i>(c) indigenous biological diversity;</i> <i>(d) historic heritage, and the spiritual and cultural values and beliefs of the tangata whenua;</i> <i>(e) public access (except in circumstances where public health and safety are at risk) and amenity values;</i> <i>(f) natural character and outstanding natural features;</i> <i>(g) river morphology and dynamics, including erosion and sedimentation;</i> <i>(h) flood risk;</i> <i>(i) infrastructural assets;</i> <i>(j) navigational safety.</i>	• Effects on water quality are mitigated by construction methodology techniques to control erosion and trap sediment. • No effects on water quantity or historic heritage are anticipated from structures or bed disturbance activities. • Fish passage will be maintained at all times. • Habitats and ecosystems will be affected, with planned rehabilitation of the affected river channel designed to achieve an improved quality of habitat value, ecosystem value and indigenous biodiversity over the medium-term. • Effects on tangata whenua values will be addressed through direct consultation. • Restrictions on public access will be temporary and necessary to protect public health and safety. Public access will be restored on completion of the project. • Natural character values of the Waikaka Stream will be adversely affected on a temporary basis, with this to be mitigated by the rehabilitation. There are no outstanding natural features to consider. • River morphology, dynamics and flooding will be maintained in the diversion channels and rehabilitated channels. • There are no infrastructure assets to consider, and navigational safety will be unaffected, as the Waikaka Stream is not navigated by watercraft at the project location.
Policy 35	Stock access to surface water <i>(a) Encourage the exclusion of all stock from surface water bodies and artificial watercourses where practicable.</i> <i>(b) Ensure that when stock access to surface water bodies and artificial watercourses occurs, this is managed in a manner that avoids significant adverse effects on:</i> <i>(i) water quality;</i> <i>(ii) bed and bank integrity and stability;</i> <i>(iii) aquatic, riverine and riparian ecosystems and habitats.</i>	Rehabilitated streams will be fenced from stock.

Objective / Policy Reference	Explanation	Comment
Chapter 5.2.7 Landfill and Land Contamination Policies		
Policy 46	Discharge waste and cleanfill appropriately <i>Ensure the discharge of contaminants as waste or cleanfill occurs at an appropriate site.</i>	The mine pit is considered to be an appropriate location for the replacement of mined overburden, enabling the rehabilitation of mined area back to farmland.
Policy 47	Assess land contaminated by a hazardous substance <i>Assess the environmental risk of a discharge from land contaminated by a hazardous substance by using guideline values that are appropriate to the discharge and the site.</i>	There is no land contaminated by a hazardous substance located within the project area.

Table 6 Proposed Southland Water and Land Plan

* Objectives and Policies marked with * are under appeal as at 18/11/2024.

Objective / Policy Reference	Explanation	Comment
Region-wide Objectives and Policies		
Objective 1	<i>Land and water and associated ecosystems are sustainably managed as integrated natural resources, recognising the connectivity between surface water and groundwater, and between freshwater, land and the coast.</i>	It is considered that the proposal presents an appropriately integrated approach to the management of resources, and the mitigation proposed will enable the sustainable management of natural resources.
Objective 2	<i>The mauri of waterbodies provide for te hauora o te tangata (health and mauri of the people), te hauora o te taiao (health and mauri of the environment) and te hauora o te wai (health and mauri of the waterbody).</i>	The mauri of waterbodies has been given due regard, with the Applicant seeking to present an overall improvement to the quality of the Waikaka Stream, while contributing to additional improvements to waterbodies within the project area.
Objective 3	<i>Water and land is recognised as an enabler of primary production and the economic, social and cultural wellbeing of the region.</i>	The proposal provides for people to provide for their social and economic wellbeing. Feedback on effects on cultural wellbeing is sought through consultation with Tangata whenua.
Objective 4	<i>Tangata whenua values and interests are identified and reflected in the management of freshwater and associated ecosystems.</i>	WGML is seeking input from Tangata whenua directly, to ensure their values and interests are appropriately addressed.
Objective 5	<i>Ngāi Tahu have access to and sustainable customary use of, both commercial and non-commercial, mahinga kai resources, nohoanga, mātaihai and taiāpure.</i>	Access restrictions to the Waikaka Stream will be limited in extent and duration and this matter is subject to discussion with Hokonui Runanga.
Objective 6	<i>Water quality in each freshwater body, coastal lagoon and estuary will be: (a) maintained where the water quality is not degraded; and (b) improved where the water quality is degraded by human activities.</i>	The proposal will not result in any overall long-term deterioration in water quality in the Waikaka Stream outside the reasonable mixing zone. Mitigation measures will ensure this outcome is met by appropriately treating discharges to remove sediment and undertaking the diversion of the Waikaka Stream and Shepherd's Creek with good erosion and sediment control practices.
Objective 8	<i>(a) The quality of groundwater that meets both the Drinking Water Standards for New Zealand 2005 (revised 2008) and any freshwater objectives, including for connected surface</i>	The proposal will not adversely affect groundwater quality compliance with the drinking water standard. Controls proposed around the management of potential contaminant pathways, and positive

Objective / Policy Reference	Explanation	Comment
	<i>waterbodies, established under Freshwater Management Unit processes is maintained; and</i> <i>(b) The quality of groundwater that does not meet Objective 8(a) because of the effects of land use or discharge activities is progressively improved so that:</i> <i>1. groundwater (excluding aquifers where the ambient water quality is naturally less than the Drinking Water Standards for New Zealand 2005 (revised 2008)) meets the Drinking Water Standards for New Zealand 2005 (revised 2008); and</i> <i>2. groundwater meets any freshwater objectives and freshwater quality limits established under Freshwater Management Unit processes.</i>	pressure of groundwater into the mine pit, appropriately mitigate the risk of groundwater contamination.
Objective 9/9A	<i>The quantity of water in surface water bodies is managed so that:</i> <i>(a) the life-supporting capacity and aquatic ecosystem health, the values of outstanding natural features and landscapes, the natural character and the historic heritage values of waterbodies and their margins are safeguarded.</i> <i>(b) there is integration with the freshwater quality objectives (including the safeguarding of human health for recreation); and</i> <i>(c) provided that (a) and (b) are met, surface water is sustainably managed in accordance with Appendix K to support the reasonable needs of people and communities to provide for their economic, social and cultural wellbeing.</i>	The proposal will not reduce the amount of water available within the Waikaka Stream or Shepherd's Creek.
Objective 11	<i>The amount of water abstracted is shown to be reasonable for its intended use and water is allocated and used efficiently.</i>	The rates and volumes proposed are considered reasonable considering the nature of the project, for reasons outline in the Heller report (AEE Attachment [K]). Efficiency of use is achieved by recycling dewatering water for use as process water and return of the water to the Waikaka Stream. Due to the positioning of the pump, water cannot be abstracted beyond the minimum necessary to dewater the mine pit.
Objective 12	<i>Groundwater quantity is sustainably managed, including safeguarding the life-supporting capacity, ecosystem processes and indigenous</i>	The volume of groundwater to be abstracted by dewatering has been assessed as being approximately 54% of the predicted aquifer recharge, in combination with other existing takes. The volume of

Objective / Policy Reference	Explanation	Comment
	<i>species of surface water bodies where their flow is, at least in part, derived from groundwater.</i>	groundwater to be abstracted is considered to be sustainable. Dewatered groundwater will be returned to the Waikaka Stream, replacing any stream depletion losses and safeguarding the life-supporting capacity, ecosystem processes and indigenous species of the Waikaka Stream.
Objective 13	<i>Provided that:</i> <i>(a) the quantity, quality and structure of soil resources are not irreversibly degraded through land use activities or discharges to land; and</i> <i>(b) the health of people and communities is safeguarded from the adverse effects of discharges of contaminants to land and water; and</i> <i>(c) ecosystems (including indigenous biological diversity and integrity of habitats), are safeguarded,</i> <i>then land and soils may be used and developed to enable the economic, social and cultural wellbeing of the region.</i>	The proposal will not irreversibly degrade the quantity, quality and structure of soil resources. Topsoil will be stockpiled separately, and rehabilitation will be undertaken with the guidance of an agricultural consultant, in order to ensure the soil resource is protected. The proposal will not adversely affect the health of people and communities. The proposal may result in temporary impacts on aquatic ecosystems in the part of the Waikaka Stream and Shepherd's Creek to be diverted at the time. However, the Applicant plans to salvage and relocate fish species during diversions, ensuring continuous fish passage in both the stream and temporary diversion channels. Additionally, the Applicant proposes to rehabilitate each section of diverted stream to a standard where the aquatic habitat quality and ecosystem will be at least as good as that prior to the diversion. Substantial mitigation has been put in place to safeguard ecosystems. This proposal is considered to meet all three limbs of the objective, enabling the use of land and soils for mining.
Objective 14	<i>The range and diversity of indigenous ecosystem types and habitats within rivers, estuaries, wetlands and lakes, including their margins, and their life-supporting capacity are maintained or enhanced.</i>	While the proposal will have temporary effect on the aquatic ecosystems, this will be remedied or mitigated by salvaging and relocating fish, ensuring continuous fish passage in both the stream and temporary channels, and undertaking rehabilitation to a standard where the aquatic habitat quality and ecosystem will be at least as good as that prior to the works.
Objective 15	<i>Taonga species, as set out in Appendix M, and related habitats, are recognised and provided for.</i>	The project site is likely to provide some habitat for taonga species listed in Appendix M.

Objective / Policy Reference	Explanation	Comment
		Avifauna species, such as the paradise shelduck and teal are known to utilise the dredge ponds and L&M pond. These species may not frequent the ponds on the site where there is noise and activity but will likely return on completion of the work. Freshwater fish species such as upland bully, longfin eel and shortfin eel have been identified in the Waikaka Stream and some artificial watercourses. These will be salvaged and relocated if affected by the construction work. The rehabilitation proposed will restore habitat within the parts of the Waikaka Stream and Shepherd's Creek affected by the diversion. If there are taonga species around the Waikaka Stream riparian margin, such as rushes and sedges, these will be removed, but will be replanted or replaced. Although a number of taonga species will be affected by the proposal, it is considered that the proposal appropriately recognises and provides for their restoration or protection.
Objective 16	<i>Public access to, and along, river and lake beds is maintained and enhanced, except in circumstances where public health and safety or significant indigenous biodiversity values are at risk.</i>	The proposal does restrict public access to parts of the Waikaka Stream channel for a temporary period. This is to prevent public access to an area of work where their health and safety could be at risk, or where rehabilitation is underway. Public access will be restored on completion of the project. Additionally, public access upstream of the project area will remain available throughout the project's duration.
Objective 17	<i>Preserve the natural character values of wetlands, rivers and lakes and their margins, including channel and bed form, rapids, seasonably variable flows and natural habitats, and protect them from inappropriate use and development.</i>	The natural character of the Waikaka Stream and Shepherd's Creek will be adversely affected by the works, albeit temporarily, and with rehabilitation and restoration to be undertaken as proposed in the AEE. The rehabilitation proposal replicates, as far as practicable, existing channel and bed form and natural habitat. Considering the temporary nature of the effect and the rehabilitation and restoration proposed, the project will not inappropriately impact the natural character of the Waikaka Stream and Shepherd's Creek.
Objective 18	<i>All persons implement environmental practices that optimise efficient resource use, safeguard the life supporting capacity of the region's</i>	The proposal incorporates a range of mitigation measures to ensure that the project will operate in a manner that achieves efficient

Objective / Policy Reference	Explanation	Comment
	<i>land and soils, and maintain or improve the quality and quantity of the region's water resources.</i>	resource use, safeguards the life supporting capacity of the site land and soils, and maintains the quality and quantity of water resources.
Objective 19	Fish passage (Clause 3.26 of NPSFM 2020) <i>The passage of fish is maintained, or is improved, by instream structures, except where it is desirable to prevent the passage of some fish species in order to protect desired fish species, their life stages, or their habitats.</i>	Fish passage in the Waikaka Stream and/or the diversion channels will be maintained at all times.
Region-wide Policies		
Policy 2	Take into account iwi management plans <i>Any assessment of an activity covered by this Plan must;</i> 1. <i>take into account any relevant iwi management plan; and</i> 2. <i>assess water quality and quantity, taking into account Ngāi Tahu indicators of health.</i>	An assessment has been provided against the iwi management plan.
Policy 3	Ngāi Tahu ki Murihiku taonga species <i>To manage activities that adversely affect taonga species, identified in Appendix M, and their related habitats.</i>	Refer to Objective 15 assessment above.
Physiographic Zone Policies		
Policy 6	Gleyed <i>In the Gleyed physiographic zone, avoid, as a first priority, risk to water quality from contaminants, and where avoidance is impractical, requiring risk to water quality from contaminants to be minimised by:</i> 1. <i>identifying contaminant pathways to ground and surface water bodies;</i> 2. <i>requiring implementation of good management practices to manage adverse effects on water quality from contaminants transported via artificial drainage, and overland flow where relevant; and</i> 3. <i>having particular regard to adverse effects on water quality from contaminants transported via artificial drainage, and overland flow where relevant when assessing resource consent applications and preparing or considering Farm Environmental Management Plans.</i>	Note – a small proportion of the site is located in the Gleyed physiographic zone. Most of the project site is located in the oxidizing physiographic zone. The effects of this discharge and mitigation measures proposed are considered to achieve the policy requirement to minimise risk to water quality by contaminants.
Policy 10	Oxidising <i>In the oxidizing physiographic zone;</i>	

Objective / Policy Reference	Explanation	Comment
	<i>1. avoid, as a first priority, risk to water quality from contaminants, and where avoidance is impractical, requiring risk to water quality from contaminants to be minimised by:</i> <i>i. identifying contaminant pathways to ground and surface water bodies;</i> <i>ii. requiring implementation of good management practices to manage adverse effects on water quality from contaminants transported via deep drainage, and overland flow and artificial drainage where relevant;</i> <i>iii. having particular regard to adverse effects on water quality from contaminants transported via deep drainage, and overland flow and artificial drainage where relevant when assessing resource consent applications and preparing or considering Farm Environmental Management Plans; and</i> <i>3. avoid dairy farming and intensive winter grazing where contaminant losses will increase as a result of the proposed activity.</i>	
Water Quality Policies		
Policy A4 of the NPSFW 2014	<i>1. When considering any application for a discharge the consent authority must have regard to the following matters:</i> <i>a. the extent to which the discharge would avoid contamination that will have an adverse effect on the life-supporting capacity of fresh water including on any ecosystem associated with fresh water and</i> <i>b. the extent to which it is feasible and dependable that any more than minor adverse effect on fresh water, and on any ecosystem associated with fresh water, resulting from the discharge would be avoided.</i> <i>2. When considering any application for a discharge the consent authority must have regard to the following matters:</i> <i>a. the extent to which the discharge would avoid contamination that will have an adverse effect on the health of people and communities as affected by their secondary contact with fresh water; and</i> <i>b. the extent to which it is feasible and dependable that any more than minor adverse effect on the health of people and communities as</i>	None of the discharges proposed are expected to have a significant effect on the life supporting capacity of fresh water and have been designed with mitigation measures to avoid as far as practicable, adverse effects on ecosystems and fresh water. The discharges will not adversely affect the health of people and communities as a result of secondary contact with the discharge.

Objective / Policy Reference	Explanation	Comment
	<i>affected by their secondary contact with fresh water resulting from the discharge would be avoided.</i> <i>3. This policy applies to the following discharges (including a diffuse discharge by any person or animal):</i> <i>a. a new discharge or</i> <i>b. a change or increase in any discharge –</i> <i>of any contaminant into fresh water, or onto or into land in circumstances that may result in that contaminant (or, as a result of any natural process from the discharge of that contaminant, any other contaminant) entering fresh water.</i>	
Policy 13	<i>Management of land use activities and discharges</i> <i>1. Recognise that the use and development of Southland's land and water resources enables people and communities to provide for their social, economic and cultural wellbeing.</i> <i>2. Manage land use activities and discharges (point source and non-point source) to enable the achievement of Policies 15A, 15B and 15C.</i>	The proposal prioritises hiring local residents to strengthen the local economy and support community services. This promotes responsible land use to enhance social, economic, and cultural wellbeing. Commentary against Policies 15A, 15B and 15C is provided below.
Policy 14	<i>Preference for discharges to land</i> <i>Prefer discharges of contaminants to land over discharges of contaminants to water, unless adverse effects associated with a discharge to land are greater than a discharge to water. Particular regard shall be given to any adverse effects on cultural values associated with a discharge to water.</i>	The proposal acknowledges the preference for discharges to land over water but identifies operational and environmental constraints that make land discharge impractical for settling ponds. Discharging the Waikaka Diversion water to land is also deemed undesirable due to the goal of maintaining river flow, which offers a better environmental outcome. Despite these considerations, measures are proposed to manage adverse effects from water discharges effectively. Input is being sought from Hokonui Runanga to ensure appropriate consideration of cultural values associated with these discharges.
Policy 15A	<i>Maintain water quality where standards are met</i> <i>Where existing water quality meets the Appendix E Water Quality Standards or bed sediments meet the Appendix C ANZECC sediment guidelines, maintain water quality including by:</i> <i>avoiding, where reasonably practicable, or otherwise remedying or mitigating any adverse effects of discharges so that those standards or sediment guidelines will continue to be met (beyond the zone of reasonable mixing for point source discharges).</i>	The proposal includes managing discharges from the Waikaka diversion flow, dewatering water, process return water, and stormwater to prevent new violations of existing water quality standards. Mitigation measures have been proposed to avoid further decline against those parameters after reasonable mixing.

Objective / Policy Reference	Explanation	Comment
	Approach where Appendix E or Appendix C standards are met <i>Where existing water quality meets the Appendix E Water Quality Standards or bed sediments meet the Appendix C ANZECC sediment guidelines, maintain water quality by: Avoiding where reasonably practicable or otherwise minimising any adverse effects, including residual adverse effects, of discharges, so that those standards or sediment guidelines will continue to be met (beyond the zone of reasonable mixing for point source discharges).</i>	
Policy 15B	Approach where Appendix E or Appendix C standards are not met <i>Where existing water quality does not meet the Appendix E Water Quality Standards or bed sediments do not meet the Appendix C ANZECC sediment guidelines, water quality will be:</i> <i>1. maintained by avoiding any adverse effects of new point source discharges to surface water on water quality or sediment quality so that the exceedance of those standards or sediment guidelines is, as a minimum, not exacerbated beyond the zone of reasonable mixing; and</i> <i>1a. maintained by avoiding, where reasonably practicable, or otherwise minimising any adverse effects, including residual adverse effects, on water quality or sediment quality from new discharges to land, new discharges to groundwater or new diffuse discharges to water so that the exceedance of those standards or sediment guidelines is, as a minimum, not exacerbated; and</i> <i>2. improved by requiring any application for the replacement of an expiring discharge permit, seeking a discharge permit for an existing but previously unconsented discharge, or seeking a different discharge permit for an existing activity, including a variation under ss 127-129 RMA which do not involve a new discharge, to demonstrate how adverse effects will be avoided where reasonably practicable and otherwise remedied or mitigated so that water quality will be improved to assist with meeting those standards or sediment guidelines (beyond the zone of reasonable mixing for point source discharges).</i>	

Objective / Policy Reference	Explanation	Comment
Policy 16A	Industrial and trade processes that may affect water quality <i>Subject to Policies 15A and 15B, require the adoption of best practicable option to manage the treatment and discharge of contaminants derived from industrial or trade processes.</i> <i>The adverse effects to be managed include effects on the quality of water and sediments in lakes, rivers, artificial watercourses, modified watercourses, wetlands, tidal estuaries, salt marshes and groundwater.</i>	Gold processing on site is an <i>industrial or trade process</i>, though mineral extraction is not. The Applicant proposes to utilise both a settling pond system and slimes treatment plant in order to provide treatment of the GRP process return water. It is considered this meets the policy requirement to use the best practicable option for the treatment of contaminants from an industrial or trade process.
Water Quantity Policies		
Policy B7 of the NPSFW 2014	1. When considering any application the consent authority must have regard to the following matters: <i>(a) the extent to which the change would adversely affect safeguarding the life-supporting capacity of fresh water and of any associated ecosystem; and</i> <i>(b) the extent to which it is feasible and dependable that any adverse effect on the life-supporting capacity of fresh water and of any associated ecosystem resulting from the change would be avoided.</i> 2. This policy applies to: <i>(a) any new activity; and</i> <i>(b) any change in the character, intensity or scale of any established activity –</i> <i>that involves any taking, using, damming or diverting of fresh water or draining of any wetland which is likely to result in any more than minor adverse change in the natural variability of flows or level of any fresh water, compared to that which immediately preceded the commencement of the new activity or the change in the established activity (or in the case of a change in an intermittent or seasonal activity, compared to that on the last occasion on which the activity was carried out).</i>	The proposal is not likely to result in a more than minor ‘adverse change in the natural variability of flows or level of any fresh water’ and therefore this policy is not considered relevant to the proposal.
Policy 20	Management of water resources <i>Manage the taking, abstraction, use, damming or diversion of surface water and groundwater so as to:</i> 1A. <i>recognise that the use and development (such as primary production) of Southland’s land and water resources can have</i>	The proposal may result in temporary effects on the quality and quantity of aquatic habitat, though the policy enables this to be remedied or mitigated. The Applicant proposes to rehabilitate the affected surface water bodies to a standard where the aquatic habitat

Objective / Policy Reference	Explanation	Comment
	<i>positive effects including enabling people and communities to provide for their social, economic and cultural wellbeing;</i> 1. <i>avoid where reasonably practicable, or otherwise remedy or mitigate, adverse effects from the use and development of surface water resources on:</i> <i>a) the quality and quantity of aquatic habitat, including the life supporting capacity and ecosystem health and processes of waterbodies;</i> <i>b) natural character values, natural features, and amenity, aesthetic and landscape values;</i> <i>c) areas of significant indigenous vegetation and significant habitats of indigenous fauna;</i> <i>d) recreational values;</i> <i>e) the spiritual and cultural values and beliefs of tangata whenua;</i> <i>f) water quality, including temperature and oxygen content;</i> <i>g) the reliability of supply for lawful existing surface water users, including those with existing, but not yet implemented, resource consents;</i> <i>h) groundwater quality and quantity;</i> <i>i) mātaihai, taiāpure and nohoanga; and</i> <i>j) historic heritage values.</i> 2. <i>avoid, where reasonably practicable, or otherwise remedy or mitigate, adverse effects from the use and development of groundwater resources on:</i> <i>a) long-term aquifer storage volumes;</i> <i>b) the reliability of supply for lawful existing groundwater users, including those with existing, but not yet implemented, resource consents;</i> <i>c) surface water flows and levels, particularly in spring-fed streams, natural wetlands, lakes, aquatic ecosystems and habitats (including life supporting capacity and ecosystem health and processes of waterbodies) and their natural character; and</i> <i>d) water quality, including temperature and oxygen content;</i>	quality will be at least as good as that affected. The quantity of aquatic habitat will be unchanged. Natural character, amenity and landscape values, vegetation and habitats of indigenous fauna will also be affected, though temporarily and mitigated by the Applicant's rehabilitation strategy, similar to the comments regarding aquatic habitat above. Effects on recreational values will be temporary and not significant, considering the limited stretch of the Waikaka Stream and Shepherd's Creek affected. Effects on tangata whenua values will be addressed by specific consultation. Effects on water quality will be temporary, and the Applicant has proposed a number of mitigation measures to control sediment. There are no effects on matters in parts (g) – (j) of the policy. Part 2 of the policy applies to the take and use of groundwater for dewatering the mine pit. Effects on long term aquifer storage volumes are no more than minor in light of the temporary nature of the activity, and proportion of estimated allocation available. Existing water users that may be affected have been identified in the technical assessment (AEE Attachment [K]) and their supply will be protected by proposed conditions of consent. The effects on surface water flows will be net positive, due to the discharge of dewatering water to the Waikaka Stream. Effects on groundwater quality are managed by ensuring that only cleanfill material is backfilled into the mine pit. In regard to part 3 of the Policy, the rates and volumes proposed are considered reasonable considering the nature of the project, for reasons outline in the Heller report (AEE Attachment [K]). The proposal will not result in wastage or inefficient use of water.

Objective / Policy Reference	Explanation	Comment
	3. <i>ensure water is used efficiently and reasonably by requiring that the rate and volume of abstraction specified on water permits to take and use water are no more than reasonable for the intended end use following the criteria established in Appendix O and Appendix L.4.</i>	
Policy 21	Allocation of water <i>Manage the allocation of surface water and groundwater by:</i> 1. <i>determining the primary allocation for confined aquifers not identified in Appendix L.5, following the methodology established in Appendix L.6;</i> 2. <i>determining that a water body is fully allocated when the total volume of water allocated through current resource consents and permitted activities is equal to either:</i> <i>(a) the maximum amount that may be allocated under the rules of this Plan, or</i> <i>(b) the provisions of any water conservation order;</i> 3. <i>enabling secondary allocation of surface water and groundwater subject to appropriate surface water environmental flow regimes, minimum lake and wetland water levels, minimum groundwater level cutoffs or seasonal recovery triggers, to ensure:</i> <i>(a) long-term aquifer storage volumes are maintained; and</i> <i>(b) the reliability of supply for existing groundwater users (including those with existing resource consents for groundwater takes that have not yet been implemented) is not adversely affected;</i> 4. <i>when considering levels of abstraction, recognise the need to exclude takes for non-consumptive uses that return the same amount (or more) water to the same aquifer or a hydraulically connected lake, river, modified watercourse or natural wetland.</i>	The damming and diversion of the Waikaka Stream is a non-consumptive use, and no allocation is necessary. There is no net loss to the catchment, and instead there is a slight gain from the discharge of dewatering water to the catchment. The Heller report (AEE Attachment [K]) provides an appropriate assessment of the nature of the target aquifers and a model of groundwater availability and through flow. Based on that information, the proposed dewatering take can be managed as part of a primary allocation from the groundwater resource.
Policy 22	Management of the effects of groundwater and surface water use <i>Manage the effects of surface and groundwater abstractions by:</i> 1. <i>avoiding allocating water to the extent that the effects on surface water flow would not safeguard the mauri of that waterway and mahinga kai, taonga species or the habitat of trout and salmon, in accordance with Appendix K;</i>	There is no net loss of flow to the Waikaka Stream, and instead there is a slight gain from the discharge of dewatering water to the catchment. Interference effects have been identified in the technical assessment (AEE Attachment [K]) and affected persons' water supply will be

Objective / Policy Reference	Explanation	Comment
	2. <i>ensuring interference effects are acceptable, in accordance with Appendix L.3</i> 3. <i>utilising the methodology established in Appendix L.2 to:</i> a) <i>manage the effects of consented groundwater abstractions on surface waterbodies; and</i> b) <i>assess and manage the effects of consented groundwater abstractions in groundwater management zones other than those specified in Appendix L.5.</i>	protected by proposed conditions of consent whereby WGML will provide an alternative water source for any wells adversely affected. Appendix L.2 addresses stream depletion effects. The proposed dewatering has a calculated stream depletion effect of 5.1L/s, of an overall maximum instantaneous rate of 50L/s. The degree of hydraulic connection is therefore classified as moderate. While Appendix L.2 directs that the calculated rate of stream depletion is to be managed as a surface water abstraction for allocation purposes, it is noted that the overall effect is non-consumptive due to the discharge of dewatering water back to the Waikaka Stream. For this reason, it is not considered to be appropriate to include the stream depletion component of the dewatering take in the surface water allocation for the Waikaka Stream. Appendix L.2 does not require that the take is subject to a minimum flow regime, and none is proposed.
Policy 23	Stream depletion effects <i>Manage stream depletion effects resulting from groundwater takes which are classified as having a Riparian, Direct, High or Moderate hydraulic connection, as set out in Appendix L.2 Table L.2, to ensure the cumulative effect of those takes does not:</i> 1. <i>exceed any relevant surface water allocation regime (including those established under any water conservation order) for groundwater takes classified as Riparian, Direct, High or Moderate hydraulic connection; or</i> 2. <i>result in abstraction occurring when surface water flows or levels are less than prescribed minimum flows or groundwater levels for takes classified as Riparian, Direct or High hydraulic connection.</i>	The proposed dewatering has a moderate degree of hydraulic connection to the Waikaka Stream. However, due to the non-consumptive nature of the project, the take will not exceed any relevant surface water allocation regime and will not exacerbate any low flows.
Activities that affect water quality and quantity		
Policy 27	Bore construction and management <i>Require minimum standards for the construction, operation and maintenance of bores and wells.</i>	While the mine pit meets the definition of a 'bore', the method of operation will enable the avoidance of adverse effects on groundwater quality.
Policy 27A	Loss of river extent and values <i>The loss of river extent and values is avoided, unless the council is satisfied that:</i>	There is a functional need for the activity in the location. Refer to evidence for a discussion of the effects management hierarchy.

Objective / Policy Reference	Explanation	Comment
	1. <i>there is a functional need for the activity in that location; and</i> 2. <i>the effects of the activity are managed by applying the effects management hierarchy.</i>	
Policy 28	Structures and bed disturbance activities of rivers (including modified watercourses) and lakes a. <i>Except where Policy 27A applies, - manage structures, bed disturbance activities and associated discharges in the beds and margins of lakes, rivers and modified watercourses, to avoid where reasonably practicable, or otherwise remedy or mitigate adverse effects on:</i> 1. <i>water quality and quantity;</i> 2. <i>habitats, ecosystems and fish passage;</i> 3. <i>indigenous biological diversity;</i> 5. <i>the spiritual and cultural values and beliefs of the tangata whenua;</i> 6. <i>mātaihai and taiāpure;</i> 7. <i>public access (except in circumstances where public health and safety are at risk) and amenity values;</i> 8. <i>natural character values and outstanding natural features;</i> 9. <i>river morphology and dynamics, including erosion and sedimentation;</i> 10. <i>flood risk;</i> 11. <i>infrastructural assets;</i> 12. <i>navigational safety;</i> 13. <i>landscape values; and</i> 14. <i>historic heritage values.</i>	Proposed structures and bed disturbance activities have been designed to minimise adverse effects on the Waikaka Stream. In particular: • Effects on water quality are mitigated by construction methodology techniques to control erosion and trap sediment. • No effects on water quantity are anticipated from structures or bed disturbance activities. • Fish passage will be maintained at all times. • Habitats and ecosystems will be affected to a significant but temporary degree, with planned rehabilitation of the Waikaka Stream diversion channel designed to achieve an improved quality of habitat value, ecosystem value and indigenous biodiversity over the medium-term. • Effects on tangata whenua values will be addressed through direct consultation. • Effects on public access will be temporary and necessary to protect public health and safety. Public access will be restored on completion of the project. • Natural character and landscape values of the Waikaka Stream will be adversely affected on a temporary basis, with this to be mitigated by the rehabilitation of the new diversion channel. There are no outstanding natural features to consider. • River morphology, dynamics and flooding will be maintained in the new diversion channel. • There are no infrastructure assets to consider and navigational safety will be unaffected, as the Waikaka Stream is not navigated by watercraft at the project location. • The landscape will undergo temporary localised alterations primarily due to ground disturbance, excavation activities, and infrastructure development associated with the mining operation.

Objective / Policy Reference	Explanation	Comment
		This will be mitigated in part by high grassed bunds around road boundaries. Expert advice from the Archaeological Authority have been sought in relation to a potential archaeological site within the project area.
Policy 32	Protect significant indigenous vegetation and habitat <i>Protect significant indigenous vegetation and significant habitats of indigenous fauna and maintain indigenous biodiversity associated with natural wetlands, lakes and rivers and their margins.</i>	Over the rehabilitation period, the proposal will at least maintain indigenous biodiversity within the area of works. There are no identified areas of significant indigenous vegetation and significant habitats of indigenous fauna present on the application site.
Policy 35	Discharge waste and cleanfill appropriately <i>Ensure that sites used for the discharge of contaminants as waste or cleanfill are appropriate.</i>	The mine pit is an appropriate location for the replacement of mined overburden, enabling the rehabilitation of mined area back to farmland.
Policy 37	Climate change <i>Avoid or mitigate increased risks on the environment arising from climate change, taking into account the potential effects of rising sea levels and the potential for more variable and extreme weather patterns in coming decades.</i>	The Waikaka diversion channel is designed for a 1 in 20 year AEP and the design account for climate change. This will avoid increased risk of flooding, as it is at least as good as the current Waikaka Stream channel.
Consideration of Resource Consent Applications		
Policy 40	Determining the term of resource consents <i>When determining the term of a resource consent consideration will be given, but not limited, to:</i> <i>1. granting a shorter duration than that sought by the applicant when there is uncertainty regarding the nature, scale, duration and frequency of adverse effects from the activity or the capacity of the resource;</i> <i>2. relevant tangata whenua values and Ngāi Tahu indicators of health;</i> <i>3. the duration sought by the applicant and reasons for the duration sought;</i> <i>4. the permanence and economic life of any capital investment;</i> <i>5. the desirability of applying a common expiry date for water permits that allocate water from the same resource or land use and discharges that may affect the quality of the same resource;</i>	The term of consent sought is 20 years. The duration sought is considered to allow for sufficient time for the mining activity and subsequent rehabilitation to occur, with contingency to account for the complex access arrangements required and economic uncertainties. The technical reports supporting the application give a reasonable degree of confidence in the likely adverse effects arising from the activity and there is a significant amount of capital investment required in the activity. The activity is not permanent, and the duration sought reflects that.

Objective / Policy Reference	Explanation	Comment
	6. the applicant's compliance with the conditions of any previous resource consent, and the applicant's adoption, particularly voluntarily, of good management practices; and 7. the timing of development of FMU sections of this Plan, and whether granting a shorter or longer duration will better enable implementation of the revised frameworks established in those sections.	
Policy 41	Matching monitoring to risk <i>Consider the risk of adverse environmental effects occurring and their likely magnitude when determining requirements for auditing and supply of monitoring information on resource consents.</i>	Robust monitoring requirements have been proposed.
Policy 42*	Consideration of water permit applications <i>When considering resource consent applications for water permits to take and use water:</i> 1. <i>except for non-consumptive uses, consent will not be granted if a water body is over allocated or fully allocated; or to grant consent would result in a water body becoming over allocated or would not allow an allocation target for a water body to be achieved within a time period defined in this Plan;</i> 2. <i>except for non-consumptive uses, consents replacing an expiring resource consent for an abstraction from an over-allocated water body will generally only be granted at a reduced rate, the reduction being proportional to the amount of over-allocation and previous use, using the method set out in Appendix O;</i> 3. <i>installation of water measuring devices will be required on all new permits to take and use water and on existing permits in accordance with the Resource Management (Measurement and Reporting of Water Takes) Regulations 2010;</i> 4. <i>where appropriate, minimum level or flow cut-offs and seasonal recovery triggers on resource consents for groundwater abstraction will be imposed; and</i> 5. <i>conditions will be specified relating to a minimum flow or level, or environmental flow or level regime (which may include flow sharing), in accordance with Appendix K, for all new or replacement resource consents (except for water permits for non-consumptive uses, community water supplies and water bodies subject to minimum flow</i>	In relation to the water permits sought: • The water permits will not result in overallocation of the resource. • The Applicant will monitor the rate of groundwater take in accordance with industry standard practice. • Minimum level or flow conditions are not considered appropriate. There is no net depletion of the surface water resource. It is not operationally feasible to cease dewatering if a minimum level is reached, and the groundwater resource is not overallocated.

Objective / Policy Reference	Explanation	Comment
	<i>and level regimes established under any water conservation order) for:</i> <i>(a) surface water abstraction, damming, diversion and use; and</i> <i>(b) groundwater abstraction in accordance with Policy 23.</i>	

Table 7 Regional Effluent Land Application Plan

Objective / Policy Reference	Explanation	Comment
Chapter 4.1 – Objectives		
Objective 4.1.1	Soil <i>To ensure that the life supporting capacity of the soil ecosystem is safeguarded from the adverse effects of discharges of effluent and sludge onto or into land.</i>	Gold processing on site is an <i>industrial or trade process</i> , though mineral extraction is not. The GRP process return water meets the definition of ‘effluent’ in this plan, and hence the Objectives and Policies are considered in relation to GRP process return water only. Noting that the content of the GRP process return water is the natural material (i.e. clays, silts, etc.) mixed with dewatering water, the discharge of the GRP process return water into the settling ponds will not result in less than minor adverse effects on the life supporting capacity of the soil ecosystem, water quality, human or animal health and amenity values. There are no known ancestral sites or wahi tapu sites, nor significant vegetation or habitats that may be affected by the settling ponds and GRP process return water.
Objective 4.1.2	Water <i>To ensure that water quality and the life supporting capacity of the water ecosystem is safeguarded from the adverse effects of discharges of effluent and sludge onto or into land which may enter water.</i>	
Objective 4.1.3	Human and animal health <i>To ensure that effluent and sludge discharges onto or into land do not adversely affect human and animal health.</i>	
Objective 4.1.4	Amenity values <i>To ensure that amenity values are not adversely affected by discharges of effluent and sludge onto or into land.</i>	
Objective 4.1.5	Takata whenua <i>To recognise and provide for the relationship of takata whenua with ancestral sites, wahi tapu and other taoka.</i>	
Objective 4.1.6	Significant vegetation and habitats <i>To ensure that effluent or sludge discharges onto or into land do not adversely affect areas of significant indigenous vegetation and significant habitats of indigenous fauna.</i>	
Chapter 4.2 –Policies		
Policy 4.2.1	Sustainability of the soil ecosystem <i>Protect the sustainability of the soil ecosystem from adverse effects of effluent and sludge discharges onto or into land.</i>	Topsoil will be removed from the settling pond area and stockpiled separately prior to any discharge occurring.
Policy 4.2.2	Discharge to land	The settling ponds provide an appropriate treatment facility to remove sediment from the GRP process return water, without significant adverse effects.

Objective / Policy Reference	Explanation	Comment
	<i>Utilise land treatment of effluent and sludge where this can be undertaken in a sustainable manner and without significant adverse effects.</i>	
Policy 4.2.3	Avoid where practicable, remedy or mitigate adverse effects on water <i>Avoid where practicable, remedy or mitigate adverse effects on water quality, water ecosystems and water potability from effluent and sludge discharges onto or into land.</i>	The settling ponds provide an appropriate treatment facility to remove sediment from the GRP process return water, enabling the mitigation of potential adverse effects on water resources.
Policy 4.2.4	Precautionary approach <i>Adopt a precautionary approach to the discharge of effluent and sludge onto or into land where there are uncertainties regarding adverse effects.</i>	There are no significant uncertainties regarding the discharge of GRP process return water.
Policy 4.2.7	Good practice and maintenance <i>Promote good practice and regular maintenance of effluent and sludge systems.</i>	WGML will undertake regular maintenance of the settling ponds, in accordance with industry good practise.
Policy 4.2.8	Takata whenua <i>Recognise and provide for takata whenua concerns related to the discharge of effluent and sludge onto or into land.</i>	Takata whenua concerns will be considered by direct consultation.
Policy 4.2.9	Amenity values <i>Avoid where practicable, remedy or mitigate any adverse effects on amenity values from discharges of effluent and sludge systems onto or into land.</i>	No adverse effects on amenity values arising from the settling ponds are anticipated, given they are mostly below ground level, and bounded by grassed areas.
Policy 4.2.10	Monitoring <i>Monitor, as appropriate, discharges of effluent and sludge onto or into land and, where practicable, the effects.</i>	Given the nature of the proposal, monitoring as proposed in the draft conditions of consent is considered an appropriate approach.

Table 8 Gore District Plan

Objective / Policy Reference	Explanation	Comment
Chapter 2 – Matters of National Importance		
Objective 2.2.3	<i>(1) To protect the districts outstanding natural features and landscapes.</i>	The project area is not located within an Outstanding Natural Landscape or near any Outstanding Natural Features.
Objective 2.3.3	<i>(1) To protect areas of significant indigenous vegetation and significant habitats of indigenous fauna and to manage the adverse effects of land use activities.</i>	The project area does not impact any areas of significant indigenous vegetation or significant habitats of indigenous fauna.
Objective 2.5.3	<i>(1) Recognise and protect the heritage values of buildings, sites, structures and archaeological sites.</i>	There are no identified heritage features within the project area. One potential archaeological site has been identified, as outlined in section 5.16 of the AEE, which is the subject of an Archaeological Authority. An accidental discovery protocol is an appropriate approach to protecting unknown archaeological sites. The proposal is consistent with the objective.
Objective 2.6.3	<i>(1) Ensure that waahi tapu, waahi taonga and other taonga and mahinga kai sites are not adversely affected by land use activities. (3) Enable access to mahinga kai sites. (4) Facilitate consultation with Ngāi Tahu to ensure that resource management issues of significance to them are had regard to in carrying out functions under the RMA.</i>	Hokonui Rūnanga advise that the Waikaka Stream has historically been a valued mahinga kai site and there are taonga species present in the Waikaka Stream. There have not been any waahi tapu or waahi taonga sites identified, however adherence to an Accidental Discovery Protocol is proposed.
Policy 2.6.4	<i>(1) Control the adverse effects of land use activities on waahi tapu, waahi taonga and other taonga. (3) Facilitate access to mahinga kai sites. (4) Meet with Ngāi Tahu on a regular basis to consider resource management issues of significance to them.</i>	While there is some access restriction to the Waikaka Stream and Shepherd's Creek, access will remain to other parts of the streams. Consultation with Hokonui Rūnanga has occurred and is ongoing.
Chapter 3 – Land Use Activities – A Framework		
Objectives 3.3	<i>(1) Maintain and enhance the amenity values of the various localities within the District whilst respecting the different values and characteristics that exist within each area.</i>	The project site is located in a rural pastoral environment with an association with mining. The mine site will be noticeable, however the

Objective / Policy Reference	Explanation	Comment
	<i>(2) Ensure that the effects of land use activities do not adversely affect the quality of the environment and are compatible with the characteristics and amenity values of each locality.</i>	effects on the quality of the environment will be mitigated by progressive rehabilitation of the mine, installation of bunds around the infrastructure area and SP1, grassing long term stockpiles, as well as operational controls on hours of operation, lighting, noise and dust control. Given the mitigation proposed, the proposal will be compatible wit the characteristics and amenity values of the locality. The proposed conditions appropriately control the adverse effects of the activity. The proposal is consistent with these provisions.
Policies 3.4	<i>(2) Control the adverse effects of land use activities on the environment.</i>	
Objectives 3.3	<i>(3) Ensure that signs do not give rise to adverse effects on traffic safety, cause a danger to pedestrians, or impact adversely on amenity values.</i>	The proposed signage will be used for site identification only, located within private property, and the size is not out of scale with the receiving environment. The signs will not give rise to adverse effects on traffic safety, cause a danger to pedestrians, or impact adversely on amenity values, for the above reasons, and therefore should be enabled. The proposal is consistent with these provisions.
Policies 3.4	<i>(4) Enable advertising and other such signage, except where this will give rise to adverse effects on traffic safety, cause a danger to pedestrians, or impact adversely on amenity values.</i>	
Objectives 3.3	<i>(7) Ensure that the effects of earthworks and other land disturbance are avoided, remedied or mitigated.</i>	The effects of earthworks are controlled by staging the works, implementing erosions, sediment and dust control, limits on hours of operation and requirements for progressive rehabilitation of the site. Effects of the proposed earthworks are appropriately avoided, remedied or mitigated and the proposal is consistent with these provisions.
Policies 3.4	<i>(10) Recognise that earthworks and disturbance of the ground is a necessary part of undertaking many activities.</i> <i>(11) Ensure that the effects of earthworks and other land disturbance are avoided, remedied or mitigated.</i>	
Objectives 3.3	<i>(8) Avoid where practical the adverse effects of land use activities upon infrastructure.</i>	The Applicant has engaged specialist geotechnical advice to design the mine pit walls appropriately considering the nature of the local geology, in order to protect local infrastructure from adverse effects. The proposal is consistent with these provisions.
Policies 3.4	<i>(12) Require any adverse effects of land use activities upon infrastructure to be rectified.</i>	
Chapter 4A – Natural Hazards		
Objectives 4A.3	<i>(2) Minimise the risk to people and property from inundation.</i>	While the site is identified as subject to actual or potential flooding, relocating the activity to higher ground is not practical, nor would it decrease the adverse effects associated with flooding. Flood hazard protection measures have been designed to avoid off-site effects of flooding.
Policies 4A.4	<i>(2) On sites subject to actual or potential flooding, promote:</i> <i>a) identification and use of elevated ground for those activities that could be adversely affected by flooding; and</i> <i>b) elevated floor levels within any buildings.</i>	

Objective / Policy Reference	Explanation	Comment
	<i>(3) Control activities and subdivision where this is necessary to avoid the adverse effects of natural and man-made hazards (refer to section 8 Subdivision of Land).</i>	The proposal is consistent with the Natural Hazards Chapter objectives and policies.
Chapter 5 – Transportation		
Objective 5.3	<i>(1) Sustain the potential of the transportation routes to meet the reasonably foreseeable needs of future generations.</i>	Vehicle movements will use existing transport routes and, except for the establishment phase of mining, will form a small part of the total volume of traffic. Therefore, transportation routes will continue to meet reasonably foreseeable future needs and ongoing effects on amenity values from the use of transport routes will be within the capacity of existing transport routes.
	<i>(3) Protect where practical the quality of the adjoining environment and amenity values from the adverse effects of the use of land transport routes.</i>	
Policies 5.4	<i>(1) Control the adverse effects of land use activities on transportation networks.</i>	Design of the parking and access to the site will be in accordance with Council standards, ensuring these are safe and useable. Control of dust and conditions requiring tidy vehicle access provide controls to ensure the amenity of the adjoining environment is protected. The proposal is consistent with the Transport Chapter objectives and policies.
Chapter 6 – Hazardous Substances		
Objectives 6.3	<i>(1) Prevent or mitigate adverse environmental effects and risks associated with the use, storage, transportation, and disposal of hazardous substances.</i>	The proposal incorporates appropriate storage, use and contingency measures for the management of hazardous substances on the site, including a bunded storage area for fuel with secondary containment and spill mitigation measures. The quantum of fuel to be stored is considered appropriate to the scale of activity proposed, noting that it will supply multiple heavy vehicles. Conditions of consent are proposed to appropriately manage accidental spills if they occur. There is no on-site disposal of hazardous substances. The proposal is consistent with the Hazardous Substances Chapter objectives and policies.
Policies 6.4	<i>(1) Limit the quantities of hazardous substances stored at sites to a level that is appropriate to the activities undertaken on that site and appropriate to the environment of that locality. (5) Ensure that any disposal of hazardous substances undertaken is in such a manner as to avoid any actual or potential adverse environmental effects.</i>	

Table 9 Proposed Gore District Plan

Objective / Policy Reference	Explanation	Comment
Urban Form and Development (UFD)		
UFD-O10	Primary production and rural industry activities are able to operate efficiently and effectively and the contribution they make to the economic, social wellbeing and prosperity of the District is recognised.	Mining is a primary production activity and will be able to provide an economic and social contribute to the District. Conditions require the progressive restoration of agricultural land and restoration of riparian planting protect and maintain the District's resources over the life of the project. The proposal is consistent with these provisions.
UFD-O11	Productive, versatile land and natural, physical and cultural resources located within rural areas that are of significance to the District are protected and maintained.	
Transport (TRANS)		
TRANS-O2	The function and operation of the transport network is not compromised by land use activities and subdivision development.	The proposal ensures the transport network's function is maintained by safely accommodating heavy and light vehicle movements, managing glare effects, and provision of safe access to the site. Vehicle access to the site is designed and managed in accordance with Council standards to maintain safe and efficient operation of the transport network. Measures include constructing new access points compliant with council bylaws, providing sufficient parking on-site to prevent roadside parking, appropriate drainage of internal access roads, and implementing protocols for farm access unaffected by mining activities. The proposal is consistent with these provisions.
TRANS-P2	Recognise and protect the function of the transport network based on the identified street category and their local, regional or national significance by managing nearby land use, subdivision and development. Ensure that incompatible or sensitive activities, buildings and structures do not impact on the safe and efficient operation of the transport network by requiring appropriate separation or design to minimise adverse noise, amenity and/or reverse sensitivity effects.	
TRANS-P8	Provide for a safe and efficient transport network by ensuring location, design and construction standards for land transport infrastructure are met that require: 1. vehicle crossings to be located and have appropriate separation and sight distances for the type of road, speed environment and proximity to intersections and/or existing vehicle crossings; 2. visibility to be maintained at railway crossings and road intersections;	

Objective / Policy Reference	Explanation	Comment
	3. <i>minimum dimensions and formation standards for the category and type of road, intersection, access or crossing;</i> 4. <i>surfacing and drainage of roads, private access ways and vehicle crossings;</i> 5. <i>manoeuvring space for vehicles access and parking areas.</i>	
Contaminated Lane (CL)		
CL-O1	<i>Land that is affected by soil contamination is identified, assessed, managed and monitored to minimise the risk to human health and protect the environment.</i>	Potentially contaminated land has been identified in the Preliminary Site Investigation (PSI). The PSI's targeted sampling confirms that the planned land use will not pose unacceptable risks to human health or the environment from soil contaminants.
CL-P2	<i>Require applicants proposing subdivision, use and development of land that is contaminated or potentially contaminated to manage the risk to human health and the environment to a level that is appropriate for the intended use.</i>	Additionally, conditions requiring retaining disturbed soil onsite and conducting additional soil testing as needed to account for unknown potential contamination will ensure that any potential contamination is effectively managed and mitigated in accordance with the policy requirements.
Natural Hazards (NH)		
NH-O1	<i>Identify and manage the risks associated with natural hazards to human health, property, infrastructure and the wider environment</i>	The project site is on the Waikaka Stream flood plain. The proposal involves containment of all flows up to a 1:20 year AEP within the channel of the Waikaka Stream and constructed temporary diversion channels. This will ensure that the appropriate capacity is provided within channels impacted by the Applicant's works. Calculations undertaken account for effects of climate change. The proposal will not exacerbate flooding on other sites as flood flows overland will be diverted around the mine pit toward the Waikaka Stream, in accordance with their natural course. Management of flood risk will be undertaken in order to avoid flooding of the mine pit. The Applicant's risk management plan will provide for trigger points to protect people and machinery in respect of more extreme events.
NH-O2	<i>The risks associated with natural hazards and their impact on people, property and the environment are recognised and avoided or mitigated, including the likely long-term effects of climate change.</i>	
NH-O3	<i>Ensure new subdivision and development activities are only located in areas where the natural hazard risk is:</i> <i>adequately managed; and</i> <i>not exacerbated on other sites.</i>	

Objective / Policy Reference	Explanation	Comment
NH-P2	<i>Manage the use, development and subdivision of land in all mapped Actual or Potential Inundation Areas, with the exception of the Stopbank Protection Areas by:</i> <i>1. ensuring that the activity is not likely to result in significant damage in a flood event; and</i> <i>2. maintaining the functioning of the flood plain, and not displacing water onto other properties; and</i> <i>3. requiring a minimum floor level for buildings above the 0.5% AEP design flood level; and</i> <i>4. requiring hazardous substance storage to be resilient to inundation; and</i> <i>5. ensuring adverse effects on people, cultural values, and property are avoided or mitigated; and</i> <i>6. ensuring increased risk on other sites is avoided; and</i> <i>7. requiring the identification of suitable buildable areas, for example via building platforms, at the time of subdivision.</i>	The temporary diversion channels are designed to accommodate a 1 in 20-year flood event, ensuring that floodwaters are contained to the same level of flood event as the existing Waikaka Stream. A flood management plan will be established to determine the construction of temporary barriers, set trigger points, and outline actions during flooding events, ensuring proactive flood risk management. Measures such as maintaining freeboard in the temporary diversion channels, using temporary bunds for controlled water diversion, and adjusting dewatering rates during potential flooding events demonstrate a commitment to minimising adverse effects on downstream flooding and managing flood carrying capacity effectively. The proposal includes protocols to cease operations if hazardous conditions arise due to flooding, ensuring the safety of workers and preventing exacerbation of flood impacts. The proposal is consistent with these provisions.
NH-P5	<i>Manage subdivision, use and development in areas subject to risks of slope instability, subsidence and high liquefaction risk to demonstrate the appropriateness of the site for subdivision, use or development in a way that can avoid or mitigate hazard risks to people and property.</i>	The proposal has conducted geotechnical assessments to mitigate risks of slope instability and subsidence. Measures such as adjusting pit wall slope angles, dewatering management, ensuring trafficability of materials, and monitoring sensitive areas like the L&M pond aim to protect human safety and property integrity in an area potentially subject to geological hazards. The proposal is consistent with this policy.
Sites and Areas of Significance to Māori (SASM)		
SASM-O1	<i>All land, waterbodies, natural features, and marae within Gore District are recognised as sites and areas of cultural significance to mana whenua and/or tangata whenua, and are afforded appropriate considerations in relation to their management, development, and use.</i>	The cultural significance of the land and waterbodies is recognised and the Applicant has sought specific advice from mana whenua through Hokonui Rūnanga. There remains a degree of uncertainty as to the impact of the proposed activity on Ngāi Tahu cultural values. However, based on

Objective / Policy Reference	Explanation	Comment
SASM-O2	Traditional and contemporary mana whenua and tangata whenua relationships with land, waterbodies, natural features, and cultural structures are recognised, retained, and strengthened.	the consultation to date and the potential for future collaborative management of the rehabilitation aspect of the proposal, there is a pathway to enable appropriate mitigation or remedy of impacted cultural values.
SASM-O3	Recognise and provide for the mātauranga and kaitiakitanga of mana whenua in decision-making relating impacts on the underlying relationship Ngāi Tahu hold with the natural environment.	
SASM-P1	Use, subdivision, and development is enabled where adverse effects on Ngāi Tahu cultural values, including those listed in MW-2.3, are avoided, remedied or mitigated	
SASM-P2	The impact of proposed activities on Ngāi Tahu cultural values, and their underlying relationship with the natural environment is determined in partnership with Hokonui Rūnanga.	
SASM-P3	Mātauranga relating to Ngāi Tahu cultural values is cared for as a taonga by Hokonui Rūnanga, and shared with Gore District Council on a case-by-case basis, as needed to support Council decision-making.	
Ecosystems and Indigenous Biodiversity (ECO)		
ECO-O1	Maintain Indigenous biological diversity in the Gore District and protect areas of significant indigenous vegetation and significant habitats of indigenous fauna (Significant Natural Areas).	The project is not located in a Significant Natural Area and there has been no indigenous vegetation identified within the project footprint. Rules relating to clearance of indigenous vegetation have been triggered out of an abundance of caution and the Applicant accepts conditions that require a pre-work survey for indigenous vegetation to quantify any loss. The Applicant proposes significant native riparian planting which will contribute to an increase in indigenous biodiversity on the site. Rehabilitation of the Waikaka Stream riparian margin will contribute to ecological connections and corridors along the Waikaka River, as will ensuring temporary diversion channels are constructed in a manner which provides for continuity of flow.
ECO-P6	Promote the restoration of indigenous biodiversity by prioritising: 1. SNAs whose ecological integrity is degraded: 2. threatened and rare ecosystems representative of naturally occurring and formerly present ecosystems: 3. areas that provide important connectivity or buffering functions: 4. natural inland wetlands whose ecological integrity is degraded or that no longer retain their indigenous vegetation or habitat for indigenous fauna:	

Objective / Policy Reference	Explanation	Comment
	5. <i>areas of indigenous biodiversity on specified Māori land where restoration is advanced by the Māori landowners:</i> 6. <i>any other priorities specified in regional biodiversity strategies or any national priorities for indigenous biodiversity restoration.</i>	There are no known rare or threatened indigenous species, natural inland wetlands or areas of specified Māori land in the application site. Temporary restrictions on public access to ensure public safety are proposed, but these are limited in extent and duration.
ECO-P8	<i>When assessing consents for subdivision, land use and development, avoid effects which will:</i> 1. <i>Prevent an indigenous species or community being able to persist in their habitats in the ecological district;</i> 2. <i>Result in a degradation of the threat status, further measurable loss of indigenous cover or disruption to ecological processes, functions or connections in land environments in category one or two of the Threatened Environment Classification at the ecological district level;</i> 3. <i>Result in a reduction in the local population of threatened taxa in the Department of Conservation Threat Categories 1 – 3a - nationally critical, nationally endangered and nationally vulnerable; and</i> 4. <i>discourage mana whenua access to indigenous biodiversity for a mana whenua cultural purpose .</i>	The potential impacts on indigenous biodiversity will be mitigated through native plantings and cobble substrate, following the effects management hierarchy. Temporary disturbance to local waterbirds is expected but it is anticipated they will return. Native vegetation is prioritised to restore ecological corridors along the Waikaka Stream. Overall, the proposal is consistent with these provisions.
ECO-P10	<i>Maintain indigenous biodiversity across the district by:</i> 1. <i>Managing any significant adverse effects of new subdivision, use or development by applying the effects management hierarchy;</i> 2. <i>Managing the adverse effects of new subdivision, use or development on highly mobile fauna areas in order to maintain viable populations of specified highly mobile fauna across their natural range</i> 3. <i>Maintaining, and where appropriate enhancing or restoring, the functioning of ecological corridors and linkages;</i>	

Objective / Policy Reference	Explanation	Comment
	4. <i>Minimising adverse effects on, and encouraging mana whenua access to, areas of indigenous biodiversity which are significant to mana whenua;</i> 5. <i>Establishing a Biodiversity Stakeholder Group to review District Plan provisions, encourage non-regulatory assistance, and enhance landowner engagement;</i> 6. <i>Developing a biodiversity strategy that would consider free ecological surveys, financial support to Significant Natural Area landowners, rates remissions for Significant Natural Areas, and advice and support for local conservation groups and programmes;</i> 7. <i>Preserving protected wildlife; and</i> 8. <i>Recognising the benefits of farm management practices and active management of indigenous biodiversity, including voluntary animal and plant pest and stock control and/or formal legal protection.</i>	
Public Access (PA)		
PA-O1	<i>Public access is provided to and along waterbodies with high recreational, scenic, Ngāi Tahu cultural or amenity values.</i>	
PA-P2	<i>Maintain and enhance public access by:</i> 1. <i>requiring through the subdivision process the provision of esplanade reserves and/or esplanade strips along waterbodies, particularly in urban areas and along public access corridors. Public access to and along the Mataura River, and access for licensed sports fishers to and along Waikaka Stream, shall generally be provided by way of esplanade strips.</i> 2. <i>requiring through the land development process, where practicable, works and buildings to be set back from public access corridors.</i>	The proposal does restrict public access to parts of the Waikaka Stream channel for a temporary period, however, this is to prevent public access to an area of work where their health and safety could be at risk. Public access to the parts of the Waikaka Stream not affected by the proposed work will remain available. Riparian planting will be undertaken during riverbank rehabilitation, aiming to minimise disruptions and improve access conditions. The proposal is consistent with these provisions.

Objective / Policy Reference	Explanation	Comment
	3. negotiating for access strips and access links that achieve future public access corridors including utilising unformed legal roads. 4. require buildings and structures to be setback from rivers and streams. 5. encourage native riparian planting.	
PA-P5	Restrict public access in areas that would result in adverse effects on natural character, indigenous biodiversity, historic heritage, cultural, landscape values or health and safety.	
Earthworks (EW)		
EW-O1	Earthworks and land disturbance for subdivision, land use and development are facilitated and undertaken in a manner that minimises adverse effects on the surrounding environment and protects the natural environment, Ngāi Tahu cultural values, people and property.	Effects of the proposed land disturbance and earthworks will be appropriately mitigated by rehabilitating the land back to farmland after the completion of mining. Topsoil will be stockpiled separately, and rehabilitation will be undertaken with the guidance of an agricultural consultant, in order to ensure the quality of farmland is restored. Effects of earthworks on noise, dust and amenity values will be addressed appropriately by the various mitigation measures incorporated into conditions of consent. The T+T geotechnical report confirms that the proposed earthworks can be undertaken without causing land instability. The mine pit will provide additional floodplain capacity, if flooded, and diversion channel and temporary bunds are designed to a level that aligns with the existing Waikaka Stream channel capacity, hence no exacerbation of flooding on any other party is anticipated. The effects of earthworks on streams will be managed through setbacks and erosion and sediment control measures, and rehabilitation of the site. Public access disruptions will be temporary and restored on completion of the work. The Applicant has designed the proposal in response to feedback from Hokonui Rūnanga in order to minimise effects on cultural values
EW-P4	Require earthworks to be appropriately designed, located and undertaken so that: 1. the cut depth and fill height does detract from the amenity or stability of other sites; 2. unretained batters are designed and managed to ensure people and property are protected; 3. earthworks near rivers and streams are managed to ensure river and stream values are maintained or enhanced; 4. earthworks on steeper slopes are managed the ensure land stability is maintained; 5. dust, sediment and erosion are controlled to protect land stability, air, soil and water quality; 6. the area of disturbed ground is stabilised and replanted in a timely manner to minimise visual effects, dust, sediment or erosion; and	

Objective / Policy Reference	Explanation	Comment
	7. <i>accidental discovery protocol inclusive of Ngāi Tahu tikanga and values is followed in the event of discovery of sensitive material or unknown archaeological sites.</i>	and consultation will continue. Archaeological sites have been investigated and the Applicant proposes an accidental discovery protocol condition.
EW-P5	<i>Manage earthworks that are of a nature, scale or in a location where there may be adverse effects to ensure that:</i> 1. <i>the earthworks do not exacerbate or create any natural hazard, such as impact on land stability or inundation or flooding effects on other sites;</i> 2. <i>the natural character of rivers and their margins are preserved and water quality, stream health, the intrinsic values of ecosystems, Ngāi Tahu cultural values, and public access are maintained or enhanced;</i> 3. <i>the design, location and undertaking of earthworks recognise Ngāi Tahu cultural values associated with the area, including a consideration of cultural landscapes, protects archaeological sites and cultural sites of significance, and limits any adverse effects on the underlying relationship Ngāi Tahu hold with the natural environment;</i> 4. <i>any changes to the natural landform minimise the visual effects on the landscape character, and indigenous vegetation is maintained, replaced or enhanced;</i> 5. <i>the safe and efficient functioning of the transport network or regionally significant infrastructure is not impacted; and</i> 6. <i>they are compatible with the character of the underlying zone and anticipated amenity values of surrounding sites are maintained by controlling:</i> (a) <i>ongoing adverse effects such as visual effects, overlooking, shading or dominance from the bulk and scale;</i>	The creation of stockpile SP1 will result in temporary changes to landform, though the effects are remedied by rehabilitation of the site. The proposal will not compromise the safe and efficient functioning of the transport network, given appropriate vehicle access construction and the relatively low number of vehicle movements. The earthworks will create temporary adverse visual amenity effects, however these are mitigated by the pressive nature of works and rehabilitation, and the controls on dust, noise and traffic. The proposal is consistent with these provisions.

Objective / Policy Reference	Explanation	Comment
	<i>(b) potential short term adverse effects such as the visual appearance of the works, dust, noise and vibration and traffic effects.</i>	
Light (LIGHT)		
LIGHT-O1	<i>Activities are able to use artificial outdoor lighting for operational and functional purposes and to provide for the security and safety of people and properties</i>	Lighting is required to enable operation of the activity outside daylight hours. Lighting includes fixed lighting around the infrastructure area, vehicle access lighting and mobile mine pit lighting.
LIGHT-O2	<i>Artificial outdoor lighting is located, designed and operated to maintain the character and amenity values within zones, and so that it does not adversely affect the health and safety of people, the natural life cycles of indigenous species and the safe operation of the transport network and views of the night sky.</i>	Lighting will be designed to ensure it is appropriate for the facility, while minimising light spill to the public road and nearby residences. Lighting is proposed to be directed downward, cowled and only used in locations where lighting is necessary during hours of darkness. Glare from on-site lighting will be minimised through the use of cowls and directing lights downward. Nearby properties and public spaces are well set back from the site such that glare and shading are unlikely to interfere with amenity values.
LIGHT-P1	<i>Enable activities that generate an appropriate level of artificial lighting for operational and functional purposes while maintaining the predominant character and amenity of each zone.</i>	The proposal is consistent with these provisions.
LIGHT-P2	<i>Require artificial lighting to be located, designed and operated to:</i> 1. <i>control the maximum level of light spill;</i> 2. <i>manage adverse light spill effects to:</i> <i>(a) maintain people's ability to view the night sky and protect intrinsically dark landscapes.</i> <i>(b) protect the health and well-being of people, ecosystems and indigenous species.</i> <i>(c) ensure safe and efficient operation of the transport network.</i> 3. <i>ensure safe and efficient operation of roads and public pedestrian areas by incorporating Crime Prevention Through Environmental Design (CPTED) principles.</i>	
Noise (NOISE)		

Objective / Policy Reference	Explanation	Comment
NOISE-O1	<i>Recognise and provide for activities that generate noise whilst ensuring that the character, timing and duration of noise levels are compatible with the purpose and character of each zone.</i>	Noise levels have been conservatively assessed and it is considered that the activity can be managed in a manner that is compatible with the character and purpose of the zone. Use of broadband reversing alarms instead of tonal ones are proposed to mitigate disruptive noise features. The proposal is consistent with these provisions.
NOISE-O2	<i>Activities do not generate unreasonable noise effects which adversely affect amenity values and health and wellbeing of people and communities.</i>	
NOISE-P2	<i>Ensure the health and wellbeing of people and the community is protected by managing noise effects generated by an activity, having regard to:</i> <i>1. the frequency, intensity, duration and offensiveness of the noise being generated;</i> <i>2. whether the level, intensity, character and timing of effects are compatible with the character and amenity of the location and adjacent activities;</i> <i>3. internalisation of noise effects to the extent practicable and to avoid or minimise conflict at and beyond site boundaries;</i> <i>4. any impact on the health and well-being of the surrounding community (including sleep disturbance);</i> <i>5. the adoption/implementation of best practicable options to minimise the adverse effects;</i> <i>6. any positive effects associated with the activity;</i> <i>7. The extent to which noise levels may compromise the ability of existing and anticipated activities to operate or establish in the future without undue constraints; and</i> <i>8. the ability to avoid conflict with existing and anticipated noise sensitive activities.</i>	
SIGNS – (SIGN)		
SIGN-O1	<i>Signage is consistent with the purpose, character and amenity of the zone where it is located.</i>	Signage will be utilised to identify the site and provide essential information, including health and safety information. Signage will be

Objective / Policy Reference	Explanation	Comment
SIGN-O2	<i>Signage does not affect the safety of users of the transportation network, including pedestrians and cyclists.</i>	located at access points to the site. This is considered to be consistent with the purpose, character and amenity of the zone.
SIGN-P1	<i>Enable signage which promote goods, services, cultural associations or events associated with activities being undertaken on the site where the sign is located.</i>	Signage at vehicle access will provide essential safety information, including site operator details, hazards, and contact information, ensuring effective visitor communication. Positioned strategically and appropriately sized, signs will minimise adverse impacts on road safety and amenity values while meeting transportation network user needs. Signs will be installed within the private property boundary. Signage for the project has not yet been designed. However, the Applicant anticipates a sign will be installed at the vehicle access. Additional signs may be installed at boundary locations advising that there is no public access for health and safety reasons. These advisory signs will be discreet yet visible to align with location appropriateness, road user safety, and local character. Inside the site, traffic management and water hazard signs will be strategically placed to communicate information without impacting public spaces. No signs with flashing lights are proposed. The proposal is consistent with these provisions.
SIGN-P2	<i>Avoid the location of signage within legal roadways, except for official signage.</i>	
SIGN-P3	<i>Ensure signs are of a type, scale and design which is appropriate for the location by having regard to the following:</i> <i>1. the safety of road users including pedestrians.</i> <i>2. the amenity values, local character, cultural relationships and streetscape.</i> <i>3. the effects of signage on the character and amenity values of the Town Centre and Local Centre Core Precincts in Gore and Mataura.</i> <i>4. whether the sign is in proportion to the scale of the building and any architectural features on the building.</i>	
SIGN-P4	<i>Avoid signs which generate glare or light spill through flashing lights.</i>	
General Rural (GRUZ)		
GRUZ-O1	<i>Recognise the importance of primary production and rural industry to the social and economic wellbeing of the District.</i>	The definition of primary production includes both agricultural activities and mining activities. The PGDP recognises that mining can contribute to the social and economic wellbeing of the district. The project site land is currently used for agricultural primary production and will be returned to that use on completion of mining. The social and economic benefits of the proposal are identified in Mr Batt's evidence. The proposal is consistent with these provisions.
GRUZ-P1	<i>Enable existing and future primary production.</i>	
GRUZ-P5	<i>Recognise the benefits of quarrying and mining activities on the local economy and supporting associated industries through enabling small scale quarries and mines.</i>	
GRUZ-O2	<i>The character and qualities of the General Rural zone comprise:</i>	

Objective / Policy Reference	Explanation	Comment
	1. a variety of primary production activities; and 2. a very low degree of built form, well setback from other properties and roads; and 3. high levels of open space and open pasture or crops; and 4. high levels of rural amenity from adjacent sites.	Mining is one of the primary productive land uses that the PGDP identifies as comprising part of the character and qualities of the General Rural Zone. The proposal does include some built form, however these are well set back from neighbours and road boundaries, maintaining a sense of openness. Progressive rehabilitation and bunding of the infrastructure area will mitigate effects on rural amenity. Mining activity is something that only ever occurs in a rural environment and the historical association of this site and the wider locality with mining is noted. The effects of the activity are proposed to be managed to avoid and mitigate adverse effects on cultural and environmental values. A setback from streams is proposed except where mining directly impacts the waterways. Post-mining, the land will be rehabilitated to restore its pastoral state and productive quality, including enhancing native vegetation along the rehabilitated stream channels. The Applicant continues to consult with Hokonui Rūnanga regarding cultural effects of the proposal and so there remains a degree of uncertainty as to the effects on cultural values. In all other respects, the proposal is consistent with these provisions.
GRUZ-P6	<i>Manage the environmental and cultural effects of quarrying and mining and avoid quarrying and mining activities that result in adverse cultural or environmental effects that cannot be avoided, mitigated or offset.</i>	
GRUZ-P11	<i>Avoid activities that are incompatible with the character, qualities and purpose of the General Rural Zone, unless there is an operational or functional need for it to be located in the General Rural zone.</i>	
GRUZ-P12	<i>Require activities and development to maintain rural character, rural amenity and the underlying Ngāi Tahu relationships with the natural environment by:</i> 1. ensuring that buildings and structures are of a scale and height which is compatible with the rural character and amenity of the zone; and 2. requiring appropriate setbacks to waterways to maintain and enhance amenity values and natural character.	
GRUZ-O3	<i>Non-primary production activities that support primary production or rely on a rural location are provided for, while managing the nature, scale and location of such activities.</i>	Ancillary activities to mining will occur on the site (for example, the site office, workshop etc.). These activities directly support the mining primary production activity. The proposal is consistent with this objective.
GRUZ-O5	<i>The value and long-term benefits of using highly productive land for primary production is recognised and the availability of highly productive land for primary production for future generations is protected.</i>	The proposal maintains the long term agricultural primary production value of the land through progressive rehabilitation, ensuring it remains viable for agricultural purposes after mining. The proposal avoids adverse reverse sensitivity effects on nearby land-based primary production activities. The proposal is consistent with these provisions.
GRUZ-P10	<i>Protect highly productive land from irreversible loss from inappropriate subdivision, use and development, including by:</i>	

Objective / Policy Reference	Explanation	Comment
	1. <i>avoiding subdivision and land fragmentation below the minimum densities that compromises the use of highly productive land for primary production;</i> 2. <i>avoiding uncoordinated urban expansion on highly productive land that has not been subject to a strategic planning process; and</i> 3. <i>avoiding and mitigating reverse sensitivity effects from sensitive and incompatible activities within and adjacent to highly productive land.</i>	

Table 10 Te Tangi a Tauira - The Cry of the People: Ngāi Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008

Ngā Kaupapa – Policy Reference	Explanation	Comment
Chapter 3.2.1 Air - Discharges to Air		
1.	<i>Discourage discharges from industrial and trade premises that will have an impact on mahinga kai, taonga species, biodiversity, wāhi tapu and wāhi taonga.</i>	Dust arising from the project earthworks are expected to be controlled on site, and not affect mahinga kai, taonga species, biodiversity, wāhi tapu and wāhi taonga.
10.	<i>Ensure that discharges of contaminants into the air such as dust, smoke and odour do not affect the amenity values of areas which are of cultural and historical significance to iwi.</i>	Dust arising from the project earthworks are expected to be controlled on site, and not affect the amenity values of areas of significance to iwi.
12.	<i>Engage Ngāi Tahu ki Murihiku early in the consenting and permitting process for activities whereby there is discharge to air, particularly agrichemical and aerial spraying/topdressing and activities causing offensive odours. ...</i>	WGML have engaged with tangata whenua early in the process and before lodging the consent application.
13.	<i>Advocate for robust consent conditions with a maximum twenty-five years.</i>	A 20-year resource consent duration is sought.
15.	<i>Encourage techniques to eliminate the effects of light pollution.</i>	Lighting is proposed to be directed downward, cowled and only used in locations where lighting is necessary during hours of darkness.
Chapter 3.2.2 Air – Amenity Values		
1.	<i>Limit through promotion of improved production and techniques, visual and physical effects from activities associated with exhaust emissions, dust, unacceptable and intense odour, smoke and lighting.</i>	Good management practices will be used to control dust to avoid visual and physical effects off site.
2.	<i>Ensure where avoidable that impacts from activities that create effects such as glare, shading, or electrical disturbance do not interfere with the amenity values associated with a place, environment or neighbouring property.</i>	Glare from on-site lighting will be minimised through the use of cowls and directing lights downward. Nearby properties and public spaces are well set back from the site such that glare and shading are unlikely to interfere with amenity values.
6.	<i>Where there may be visual impacts on the natural and cultural landscapes as a result of development, encourage the integration of</i>	The proposal will have temporary visual impacts for the life of the mining activity, though these will be completely remediated on completion of the project. For the project duration, partial bunding of

Ngā Kaupapa – Policy Reference	Explanation	Comment
	<i>landscaping techniques which utilise reserve planting or vegetation screens to soften intrusion.</i>	the site and progressive rehabilitation will be used to mitigate visual impacts.
Chapter 3.5.3 Southland Plains – Solid Waste Management		
1.	<i>Use Resource Management Act planning processes, including input into statutory plans, best practice guidelines, hearing panels and resource consent conditions, to ensure that solid waste disposal does not adversely affect tangata whenua values.</i>	Noting that the introductory paragraph identifies mine tailings as a solid waste relevant to this section. The mine tailings produced by the proposed gold extraction activity will comprise water and natural material. There is no chemical processing of gold, though flocculant will likely be needed to separate the fine sediment from water. The Applicant accepts consent conditions requiring testing of this material to ensure it is suitable to return to the pit. On this basis, the replacement of the tailings in the mine void is not considered to adversely affect the environment and is an appropriate methodology to ensure that the mine void is backfilled. The duration sought is 20 years, which is equivalent to the mine life plus full rehabilitation, plus contingency to allow for external factors.
6.	<i>The highest environmental standards should be applied to any consent application involving the management and disposal of solid waste.</i>	
10.	<i>The duration of the solid waste consents must not exceed the lifetime of the disposal or treatment system. All consents must be considered in terms of cumulative and long-term impacts.</i>	
14.	<i>Require that solid waste disposal does not occur near groundwater bores, waterways, wāhi tapu or wāhi taonga sites.</i>	
Chapter 3.5.8 Southland Plains – Earthworks		
1.	<i>Consent applicants who are undertaking earthworks may be required to enter into Accidental Discovery Protocol and monitoring agreements with Ngāi Tahu ki Murihiku, stating that any earthworks, fencing, landscaping or other such activity has the potential to uncover archaeological sites. Procedures and processes associated with such an occurrence should also be outlined.</i>	The Applicant accepts an Accidental Discovery Protocol.
2.	<i>Any activity involving earthworks that has the potential to modify, damage or destroy a wāhi tapu or archaeological site will require one or more of the following, pre resource consent (at the cost of the applicant): a. site visit; b. archaeological assessment (walk over/test pitting), or a full archaeological description, by an archaeologist approved by Ngāi Tahu ki Murihiku; c. cultural impact assessment; d. cultural monitoring;</i>	Specialist archaeological advice has been sought and one non-Māori archaeological site has been identified. An Archaeological Authority has been obtained in respect of that site. Several site visits have occurred with Hokonui Rūnanga and cultural impact assessment has been requested.

Ngā Kaupapa – Policy Reference	Explanation	Comment
	<i>e. an authority from Historic Places Trust; f. recommended consent notices/conditions.</i>	
7.	<i>Where practical, indigenous vegetation that is removed or damaged as a result of earthworks activity should be recovered and returned, or replaced.</i>	There does not appear to be any indigenous vegetation within the project footprint, however the Applicant accepts a condition requiring a pre-work survey and replacement of any affected indigenous vegetation.
8.	<i>Recommend the planting of indigenous species as an appropriate mitigation measure for any adverse impacts as a result of earthworks activity.</i>	The rehabilitated riparian margin will be planted with a combination of native and non-native plants, though predominantly native species will be used.
9.	<i>Any earthworks or roadworks near rivers must have appropriate measures in place to avoid contaminants (including dust, sediment run-off from stockpiles or any hazardous substance) from entering waterways that may cause contamination, discolouration, or siltation in such waterways.</i>	Earthworks will be set back from surface waterways where possible to avoid contaminants entering the water. Where this is not practicable, appropriate erosion and sediment control measures will be used to avoid or mitigate the potential for contaminants entering surface water.
Chapter 3.5.9 Southland Plains – Mining		
1.	<i>Avoid the establishment of commercial mining in areas and landscapes that are of cultural significance, particularly areas associated with wāhi tapu values.</i>	The Applicant has consulted with Hokonui Rūnanga and understands that the activity appropriately avoids wāhi tapu values.
2.	<i>Require that the impacts on surface and groundwater are fully recognised and provided for in mining applications.</i>	Technical assessment has been provided in relation to surface and groundwater to ensure the impacts are understood.
3.	<i>Require that, as a condition of consent, mine development plans include provisions for: a. site beautification, including landscaping with native plants; b. restoration of mining site to pre-mining states, or, where appropriate, an improved or enhanced state; c. opportunities to enhance cultural values (e.g. rehabilitation of quarry floor as wetland waterfowl habitat); d. continued monitoring of mine site post rehabilitation (e.g. leachate).</i>	The proposal includes restoration of the mine farmland to pre-mining use, and beautification of the Waikaka Stream and Shepherd's Creek channel. Rehabilitation of the affected stream channels with indigenous species presents an opportunity to enhance cultural values, as does increasing the quantity and diversity of native riparian vegetation along the Waikaka Stream and Shepherd's Creek. Monitoring of the mine site post-rehabilitation is not expected to be necessary, as no chemical processing methods that may result in leachates form part of the proposal. Conditions requiring monitoring to confirm that restoration / rehabilitation has occurred as planned form part of the proposal.

Ngā Kaupapa – Policy Reference	Explanation	Comment
4.	<i>Require that the responsibility of a mining company in avoiding and managing adverse effects on a mining site extends beyond the life of the mine. Monitoring of mine sites is required for at least 5 years after mine closure, to ensure that all adverse effects associated with mine operation are addressed by the company.</i>	Progressive rehabilitation of the mine void will occur and it is predicted that rehabilitation could be completed around 3 years after mine closure due to the nature of the rehabilitation required. Rehabilitation of the diverted sections of stream channel will be progressive and underway as soon as mining in the diversion area is complete. All rehabilitation is anticipated to be complete prior to closure of the mine and expiry of the resource consent.
5.	<i>Promote the use of environmental contingency funds or bonds, established prior to mine development, to ensure that funds are available to address environmental issues on mine sites post mine closure.</i>	A bond is appropriate and conditions requiring this are proposed.
6.	<i>Require that the location and design of mine waste disposal facilities is such that adverse effects on the environment are avoided.</i>	Overburden and tailings from the gold processing will be replaced in the mine pit, enabling the backfilling of the void, and avoiding adverse effects on the environment.
7.	<i>Avoid adverse effects on land, water, mahinga kai resources and places and biodiversity as a result of mining.</i>	Some adverse effects on land, water, mahinga kai and biodiversity can be avoided and temporary effects associated with the diversions will be remedied, mitigated or offset with input sought from mana whenua on the rehabilitation and enhancement of the Waikaka Stream.
8.	<i>Require that the highest environmental standards are applied to any consent application involving mining.</i>	The Applicant has put forward a proposal that meets high environmental standards, including complete remediation of the site, appropriate controls on site operations and ecological enhancement forming part of the rehabilitation proposal.
9.	<i>Avoid any discharge of contaminated water (e.g. stormwater) to surface or groundwater as a result of mining activity.</i>	The proposal does involve discharges from the site to water, however stormwater and gold processing return water will be treated via a slimes treatment plant and a three-pond settlement system, ensuring that the quality of the discharge will comply with water quality standards after reasonable mixing.
10.	<i>Require robust monitoring of any consent activity relating to mining, to detect non-compliance with consent conditions and best practice. Non-compliance must result in appropriate enforcement action to discourage further non-compliance.</i>	Conditions proposed set out a robust monitoring regime. It is anticipated that the Consent Authorities will also undertake compliance monitoring and will hold responsibility for any enforcement action.

Ngā Kaupapa – Policy Reference	Explanation	Comment
Chapter 3.5.10 Southland Plains – General Water Policy		
3.	<i>Protect and enhance the mauri, or life supporting capacity, of freshwater resources throughout Murihiku.</i>	Some temporary adverse effects on the mauri of freshwater are expected to arise, however the methods used will minimise the extent and duration of adverse effects. Rehabilitation of the diverted sections of channel and ecological enhancement planting will contribute to the mauri of freshwater over the long term..
Chapter 3.5.11 Southland Plains – Rivers		
5.	<i>Adopt a precautionary approach for any activity involving a waterway where there is an absence of detailed knowledge of that waterway (ecology, flow regimes, species, etc).</i>	The Applicant has commissioned technical studies to provide a good degree of information on the Waikaka Stream and Shepherd's Creek ecology and flow regimes.
10.	<i>Ensure that all native fish species have uninhibited passage from the river to the sea at all times, through ensuring continuity of flow ki uta ki tai.</i>	The proposal will at all times provide for unimpeded fish passage in waterways and continual surface water flow.
15.	<i>Avoid the use of rivers as a receiving environment for the discharge of contaminants (e.g. industrial, residential, recreational or agricultural sources).</i>	The Waikaka Stream will receive discharges as part of this proposal, however the Applicant is providing a high-quality treatment system in order to maximise the removal of contaminants from the discharge.
17.	<i>Ensure that activities in upper catchments have no adverse effect on mahinga kai, water quality and water quantity in lower catchments.</i>	The proposal is unlikely to have adverse effects on lower catchment values.
Chapter 3.5.12 Southland Plains – Discharge to Water		
1.	<i>Avoid the use of water as a receiving environment for the direct, or point source, discharge of contaminants. Even if the discharge is treated and therefore considered “clean”, it may still be culturally unacceptable. Generally, all discharge must first be to land. This general policy is a baseline or starting point. From this point, the Rūnanga can assess applications on a case by case basis.</i>	The proposal involves discharge to the Waikaka Stream, though discharge to land is not a practical option. A high-quality treatment system will be used to maximise the removal of contaminants from the discharge.
2.	<i>Assess discharge to water proposals on a case by case basis, with a focus on local circumstances and finding local solutions.</i>	The Applicant has taken a site and project specific approach to the project design.
3.	<i>Consider any proposed discharge activity in terms of the nature of the discharge, and the sensitivity of the receiving environment.</i>	The nature of the discharge is considered appropriate in the context of the receiving environment, given the treatment proposed.

Ngā Kaupapa – Policy Reference	Explanation	Comment
5.	<i>When assessing the alternatives to discharge to water, a range of values, including environmental, cultural and social, must be considered in addition to economic values.</i>	Alternatives to discharging to water have been considered, however the flow rate and nature of the operation (i.e., dewatering to create a dry working area) makes a discharge to land impractical.
7.	<i>Any discharge activity must include a robust monitoring programme that includes regular monitoring of the discharge and the potential effects on the receiving environment.</i>	A monitoring program is proposed.
8.	<i>Require robust monitoring of discharge permits, to detect non-compliance with consent conditions. Noncompliance must result in appropriate enforcement action to discourage further non-compliance.</i>	Consent conditions require robust monitoring of the discharge permits. The Consent Authorities will also undertake compliance monitoring.
10.	<i>Ngāi Tahu ki Murihiku consider activities involving the discharge of contaminants to water a community issue. For this reason, ngā rūnanga may, where seen as appropriate, recommend that a consent application be notified.</i>	The Applicant requested notification of the applications.
Chapter 3.5.13 Southland Plains – Water Quality		
2.	<i>Strive for the highest possible standard of water quality that is characteristic of a particular place/waterway, recognising principles of achievability. This means that we strive for drinking water quality in water we once drank from, contact recreation in water we once used for bathing or swimming, water quality capable of sustaining healthy mahinga kai in waters we use for providing kai.</i>	The proposal will not result in any long-term deterioration of water quality and this will be confirmed by ongoing monitoring and management of discharges.
3.	<i>Require cumulative effects assessments for any activity that may have adverse effects of water quality.</i>	The technical assessments account for existing water quality, as well as effects of the proposal.
4.	<i>Avoid compromising water quality as a result of water abstractions.</i>	The proposed groundwater abstraction will not adversely affect water quality.
5.	<i>Avoid the use of water as a receiving environment for the direct, or point source, discharge of contaminants. Generally, all discharge must first be to land.</i>	Alternatives to discharging to water have been considered, however the flow rate and nature of the operation (i.e., dewatering to create a dry working area) makes a discharge to land impractical.
7.	<i>When assessing the effects of an activity on water quality, where the water source is in a degraded state, the effects should be measured against the condition that the water source should be, and not the existing condition of the water source (see text box on this page).</i>	The Waikaka Stream does not meet two parameters of the existing water quality standards, however no further deterioration of those parameters is expected to occur beyond the reasonable mixing zone. Thereafter, water quality may improve as the Applicant will rehabilitate

Ngā Kaupapa – Policy Reference	Explanation	Comment
		the diverted sections of channel with plantings, other features to stabilise the bed and banks and a cobble substrate.
10.	<i>Water quality definitions, categories, and standards must be determined, measured, and assessed with cultural values and indicators alongside scientific information. Such indicators and values centre on the ability of the waterway to support life, and the fitness of water for cultural uses.</i>	Scientific assessments have been provided and monitoring conditions proposed. The Applicant is open to monitoring cultural values and indicators.
Chapter 3.5.14 Southland Plains – Water Quantity - Abstractions		
1.	<i>Adopt the precautionary principle when making decisions on water abstraction resource consent applications, with respect to the nature and extent of knowledge and understanding of the resource.</i>	The Applicant has commissioned technical assessment to provide information to better understand the groundwater resource.
3.	<i>Require that scientifically sound, understandable, and culturally relevant information is provided with resource consent applications for water abstractions, to allow Ngāi Tahu ki Murihiku to fully and effectively assess cultural effects.</i>	The Applicant has provided the technical assessment to tangata whenua and sought feedback on cultural effects.
7.	<i>Consideration of consent applications for water abstractions should have particular regard to questions of:</i> <i>a. how well do we understand the nature and extent of the water resource;</i> <i>b. how well can we monitor the amount of water abstracted;</i> <i>c. whether land capability (e.g. soil type, vulnerability of underlying groundwater resources) matches the land use enabled by irrigation;</i> <i>d. what might happen in the future (e.g. rainfall and recharge of aquifers, climate change).</i>	The Applicant will monitor the rate of water abstracted on pipework downstream of the dewatering pump and before water enters the water treatment system.
10.	<i>Require catchment based cumulative effects assessments for activities involving the abstraction of water.</i>	A catchment based cumulative allocation assessment has been provided with the AEE.
16.	<i>Encourage the installation of appropriate measuring devices (e.g. water meters) on all existing and future water abstractions, to accurately measure, report, and monitor volumes of water being abstracted, and enable better management of water resources.</i>	The Applicant will monitor the rate of water abstracted on pipework downstream of the dewatering pump and before water enters the water treatment system.
17.	<i>Advocate for durations not exceeding 25 years on resource consents related to water abstractions.</i>	A 20-year consent duration is sought.

Ngā Kaupapa – Policy Reference	Explanation	Comment
Chapter 3.5.15 Southland Plains – Activities in the Beds and Margins of Rivers		
11.	<i>Require that placement of culverts and other flood works activities in the beds or margins of waterways is such that the passage of native fish and other stream life is not impeded.</i>	The proposal will at all times provide for unimpeded fish passage in waterways and continual surface water flow.
15.	<i>Require that that placement of culverts and other flood works activities in the beds or margins of waterways occur at times of low or no flow.</i>	The flood banks of the temporary diversion channels will be created prior to the flow being diverted down the temporary channel.
Chapter 3.5.16 Southland Plains – Mahinga Kai		
4.	<i>Consider the actual and potential effects of proposed activities on mahinga kai places, species and activities when assessing applications for resource consent.</i>	The Applicant has sought advice from tangata whenua on mahinga kai values local to the project site area.
Chapter 3.5.17 Southland Plains – Ngā Pononga a Tāne a Tangaroa - Biodiversity		
1.	<i>Use planning, policy and resource consent processes to promote the protection and, where necessary, enhancement, of native biodiversity of Murihiku, specifically:</i> <i>a. enhancement and restoration of degraded areas;</i> <i>b. planting of native species to offset or mitigate adverse effects associated with land use activities;</i> <i>c. the incorporation of biodiversity objectives into development proposals;</i> <i>d. prohibiting the use of pest plant species in landscaping</i>	Native biodiversity values form part of the rehabilitation strategy for the diverted sections of the Waikaka Stream and Shepherd's Creek, enhancing the proportion of native riparian planting. Overall, native planting will contribute to the mitigation of adverse effects on the Waikaka Stream and Shepherd's Creek channel resulting from the proposed activities. The Applicant does not propose to plant any pest plant species.
4.	<i>Where practical, indigenous vegetation that is removed or damaged as a result of land use activity should be replaced.</i>	Indigenous vegetation may be removed from the Waikaka Stream and Shepherd's Creek riparian margin. This will be replaced in the rehabilitated riparian margin if possible, or new native plants will be established.
6.	<i>Recommend the planting of indigenous species as an appropriate mitigation measure for any adverse impacts as a result of land use activity.</i>	Native vegetation planting forms part of the proposal.
7.	<i>The cultural, spiritual, historic and traditional association of Ngāi Tahu ki Murihiku with taonga species must be recognised and provided for within all management and/ or recovery plans associated with those species. This includes taonga species as per the Ngāi Tahu Claims</i>	The Applicant has sought cultural advice from tangata whenua on taonga species.

Ngā Kaupapa – Policy Reference	Explanation	Comment
	<i>Settlement Act (Appendix 4), and all other species identified as taonga by Ngāi Tahu ki Murihiku.</i>	
Chapter 3.5.19 Southland Plains – Riparian Zones		
1.	<i>Promote riparian zone establishment and management in Resource Management Act policy, planning and consent processes, as a tool to mitigate adverse effects of land use activities on streams.</i>	The proposal includes rehabilitation and ecological enhancement of affected riparian zones in the Waikaka Stream and Shepherd's Creek, with consideration for channel morphology, habitat creation and planting.
2.	<i>Prioritise the restoration of riparian areas throughout the takiwā.</i>	The proposal enables restoration of parts of the Waikaka Stream and Shepherd's Creek riparian zone through the rehabilitation strategy.
3.	<i>Promote riparian zone establishment and management as a tool to improve water quality in the waterways of Murihiku.</i>	Rehabilitation of a good quality riparian zone along the Waikaka Stream and Shepherd's Creek may assist with water quality improvements in the Waikaka Stream.
4.	<i>Require that riparian restoration or establishment, when used as a condition of consent or otherwise, uses plant species that are appropriate to the area in which they will be established.</i>	The Applicant will seek cultural and scientific advice on plant species to use in the rehabilitation of diverted sections of the Waikaka Stream and Shepherd's Creek. These will be predominantly native species but may include some non-native species.
6.	<i>Avoid stock access to riparian zones and streambeds, except when required for intermittent vegetation control.</i>	Rehabilitated sections of the Waikaka Stream and Shepherd's Creek will be fenced from stock from the riparian margin.
7.	<i>Encourage fencing of streams to protect riparian vegetation, and promote healthy riparian establishment</i>	
8.	<i>Avoid or remedy any adverse effects of river works activities, culverts, bridges and stock crossings on riparian areas.</i>	Effects of earthworks on the Waikaka Stream riparian area will be remedied through planting and erosion control measures.
9.	<i>Prevent the use of willows and other exotic species in bank edge planting along waterways.</i>	The Applicant does include the use of willow in planting the riparian area of the new Diversion channel, in order to assist with rapid stabilisation and shading of the channel, which will assist with water quality outcomes. The Applicant does not propose to use pest willow species.
10.	<i>Control and, where appropriate, eradicate willow and other noxious weeds and exotic species in riparian areas.</i>	The Applicant does not propose to plant any weed or pest plant species in the riparian areas.
Chapter 3.5.20 Southland Plains – Freshwater Fisheries		

Ngā Kaupapa – Policy Reference	Explanation	Comment
3.	<i>Avoid stock access to riparian zones and streambeds, except when required for intermittent vegetation control.</i>	Rehabilitated sections of the Waikaka Stream and Shepherd's Creek will be fenced from stock from the riparian margin.
4.	<i>Require fencing of streams to promote healthy riparian establishment and fisheries values.</i>	
5.	<i>Avoid compromising freshwater fishery values as a result of diversion, extraction, or other competing use for water, or as a result of any activity in the bed or margin of a lake or river.</i>	Freshwater fishery values are not expected to be compromised, as fish will be salvaged from work areas and fish passage will be maintained. Public access to the site will be temporarily restricted to protect people's safety, however will be restored on completion of rehabilitation.
6.	<i>Ensure that all native fish species have uninhibited passage from the river to the sea at all times, through ensuring continuity of flow ki uta ki tai.</i>	The proposal will at all times provide for unimpeded fish passage in waterways and continual surface water flow.
Chapter 3.5.21 Southland Plains – Protection of Significant Sites		
5.	<i>Avoid compromising unidentified, or unknown, sites of cultural significance as a consequence of ground disturbance associated with land use, subdivision and development.</i>	Unknown sites of cultural significance will be protected through use of an Accidental Discovery Protocol.