

Recommendation and decision on notification of resource consent application(s) under sections 95-95G of the Resource Management Act 1991 (RMA)

Summary

Under sections 95A(2) and 95A(3)(a) the application must be publicly notified as public notification has been requested by the applicant.

No determination is required to be made as to the significance of adverse effects of the proposed activities, as the applicant has requested the application be publicly notified.

The application

Particulars

Applicant:	Waikaka Gold Mines Limited
Application reference:	APP-20242608
Site address or location:	972 Waikaka Road, Chatton North, Southland
New consents for new activities (s88)	☒
New consent(s) for existing activity(ies) (s88)	☐
Change to conditions of existing consent(s) (s127)	☐

The proposal

Waikaka Gold Mines Limited has applied to Environment Southland and Gore District Council for resource consents for the purpose of establishing and operating a gold mine.

The proposal is to mine gold bearing wash on the application site at depths between approximately 20 to 50 metres below ground level. The mine pit will be dewatered to enable the operation of a dry, open-cut mine. Overburden will be stripped and progressively replaced in the mine void, creating a moving mine-cell up to a maximum area of 5ha, requiring movement of around 20.7 million bank cubic metre¹ (bcm) of material.

The operation will involve dewatering, on-site processing, discharge of treated water to the Waikaka Stream, overburden stockpiling, temporarily diverting sections of local streams, and undertaking comprehensive site rehabilitation.

The total area of mining is approximately 85 hectares, ancillary activities will occupy a further 10 hectares of land, and the overall application site area is approximately 95 hectares. The activities will occur over a period of seven to eight years.

The plan below is from the application document, and depicts the location of the proposed mine, approximately one kilometre south of Waikaka township.

¹ A bank cubic metre (bcm) is a cubic metre of rock or material in situ before it is extracted

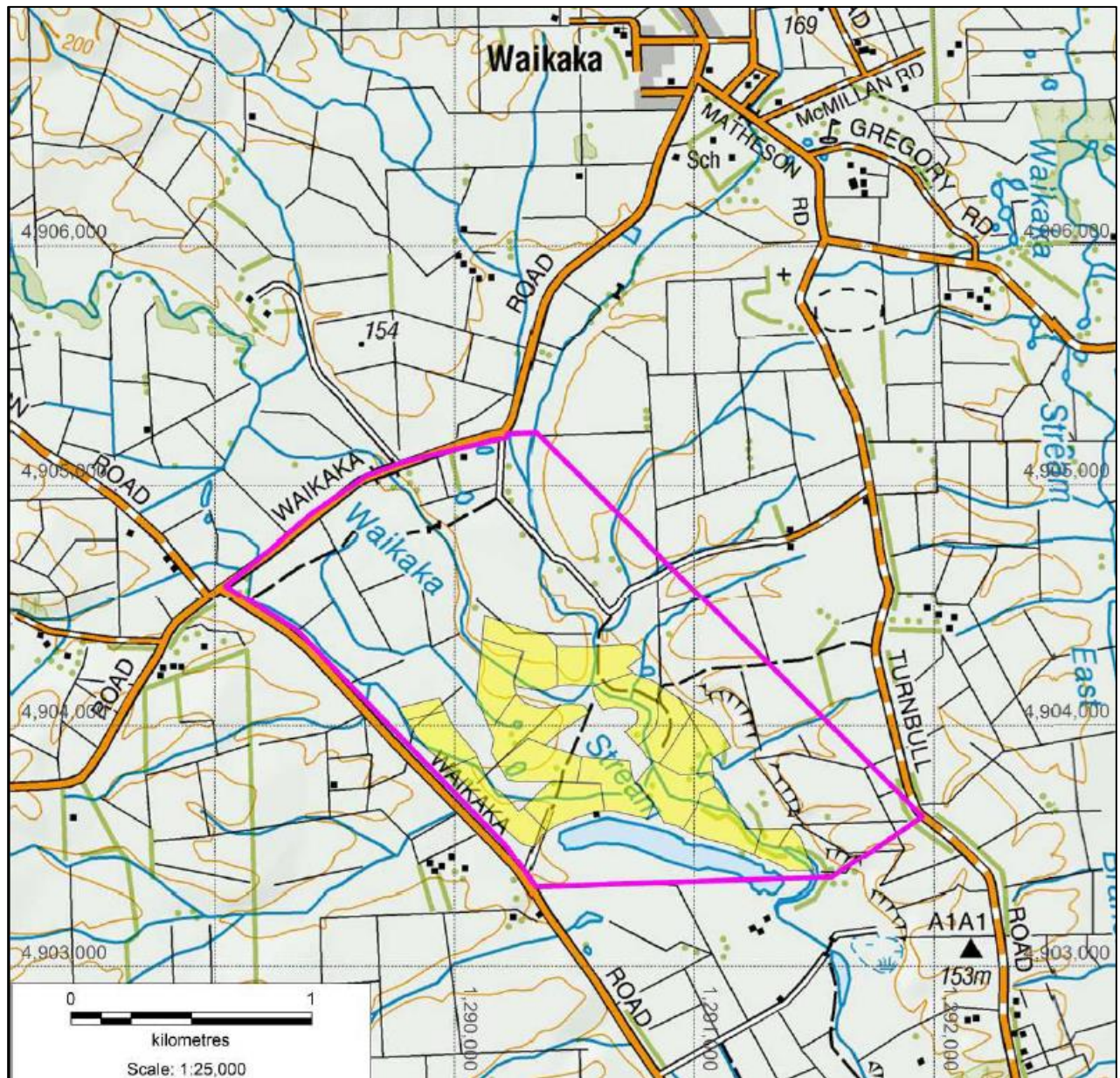


Figure 11: Proposed mine site and mine permit boundary (pink line), from Application for Resource Consent.

Resource consents are being sought from Gore District Council and Environment Southland at the same time, and joint processing is requested by the applicant. Resource consents sought from Environment Southland are for the following activities:

Land Use Consents:

- (S.9) to use land for the construction, use, maintenance and decommissioning of a bore or well.
- (S.13) for 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.
- 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 Shepherd's Creek into temporary diversion channels.
- The excavation or disturbance of the bed of the Waikaka Stream and Shepherd's Creek for the purpose of rehabilitation of the channel.
- Introduction or planting of any plant, or part of any plant, in the bed of the rehabilitated Waikaka Stream and Shepherd's Creek channels.

Water Permits:

- Damming of water in the Waikaka Stream and Shepherds Creek for the purpose of temporarily diverting the flow into a diversion channel.
- 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.
- 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 Permits:

- Discharge of the entire flow of the Waikaka Stream and Shepherds Creek and any resultant entrained sediment, via the temporary diversion channels, to re-join the existing Waikaka Stream.
- 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.
- 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, and then to the Waikaka Stream.
- Discharge of cleanfill overburden material into or onto land to backfill the mine pit, in circumstances where contaminants may enter water.
- Discharge to air of dust and particulates from mineral extraction processes, and overburden storage.

Planning framework

Resource Consents are required under the proposed Southland Water and Land Plan (partially operative) (pSWLP) and the Southland Regional Air Plan 2016 - Stage 2 (SRAP), pursuant to the following rules:

Land Use Consent:

- Rule 53(b), use of land for the construction of any bore or well, is a *discretionary activity*.
- Rule 53(d), use and decommissioning of a bore or well, is a *discretionary activity*.
- Rule 60(b), use, placement, or erection of any dam in, on or over the bed or a river and associated damming of water, and the associated bed disturbance and discharge resulting from carrying out of the activity, is a *discretionary activity*.
- Rule 71, pSWLP, channel realignment for the purpose of carrying out the mining activity and for the purpose of rehabilitation, is a *discretionary activity*.
- Rule 76(b), the introduction or planting of any plant, or part of any plant, in the bed or margins of a river, is a *discretionary activity*.
- Rule 77(b), entry into or passage across the bed of a river by any wheeled or tracked vehicle or machine that results in alteration of the original profile of the bed, is a *restricted discretionary activity*.

Discharge Permit:

- Rule 15(ab)(b), pSWLP, discharge of stormwater onto or into land is circumstances where contaminants may enter water, is a *discretionary activity*.
- Rule 34, pSWLP, discharge of dewatering and waste water from industrial processes onto or into land, is a *discretionary activity*.
- Rule 4, pSWLP, discharge of gold processing return water and dewatering water through the settlement ponds, is a *discretionary activity*.
- Rule 5, pSWLP, discharge of water and contaminants from settling ponds into water (being the western drain and other unnamed drains), is a *discretionary activity*.
- Rule 42(b), pSWLP, discharge of cleanfill overburden material into or onto land to backfill the mine pit, in circumstances where contaminants may enter water, is a *restricted discretionary activity*.

Water Permit:

- Rule 49(d), pSWLP, the diversion of the entire flow of the Waikaka Stream and Shepherds Creek, and return of the flow to the same waterbody more than 100 metres downstream, is a *non-complying activity*.
- Rule 54(g), pSWLP, take and use of groundwater for dewatering the mine pit, gold processing, dust suppression and site rehabilitation, is a *non-complying activity*.

While the pSWLP is partially operative, Rule 54 of the pSWLP does not have full legal effect. Therefore, for a take and use of groundwater activity the operative Regional Water Plan 2010 (RWP) is also considered.

Resource Consent is required under the Regional Water Plan (RWP), by the following rule:

- Rule 23(e)(iv), RWP, 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, is a *non-complying activity*.

Resource Consent is required under the Regional Air Plan (RAP), by the following rule:

- Rule 5.5.2(5)(a), RAP, discharge to air resulting from the extraction of minerals at a rate exceeding 100 tonnes per hour, and storage of more than 10,000 cubic metres for material 5 mm diameter or larger, is a *discretionary activity*.

It is appropriate to bundle the activities and consider them together. Overall, the activities applied for are considered as a **non-complying activity**.

Actual and potential adverse effects

The following actual and potential effects of the proposed activities are considered to relate to:

- Bed disturbance including damming and diversion: effects on riverine ecosystem within the affected reach and downstream include effects on flora, fauna, natural character, water quality, public use and amenity, and cultural values;
- Surface water abstraction: effects of taking and using surface water on water quality and quantity at the abstraction site, downstream, and groundwater interaction;
- Groundwater abstraction: effects of taking and using groundwater on water quality and quantity in the groundwater zone, and surface water interaction;
- Discharge water to water: effects on water quality and quantity, natural character, and cultural values;
- Discharge of cleanfill overburden material to land: effects on erosion, sediment, dust, landscape and amenity, and flood flow;
- Discharge to air: Health effects from exposure to fine dust particles and contaminants associated with dust, nuisance effects of deposited dust, landscape and amenity, and effects on ecosystems.

As the applicant has requested public notification, no determination on the significance of effects is required as part of this report.

Public notification consideration

Under sections 95A(2)(a) and 95A(3)(a) the application must be publicly notified as public notification has been requested by the applicant.

As part of the public notification, in accordance with section 10(2) of the Resource Management (Forms, Fees, and Procedure) Regulations 2003, I consider that direct notice should be served to the relevant required authorities, groups identified by the Applicant who were previously consulted, and property owners and occupiers in the below list. Property owners and occupiers within the subject site and within 500 metres of the subject site, are identified in accordance with the suggested buffer distances in Appendix F of the Regional Air Plan:

- Gore District Council
- Hokonui Rūnanga
- Te Ao Marama Inc
- Department of Conservation – Te Papa Atawhai
- Fish and Game Council – Southland Region
- Land Information New Zealand

Owners and occupiers of the following properties:

- 1237 Waikaka Road GORE
- 1264 Waikaka Road GORE
- 1345 Waikaka Road GORE
- 21-41 Nicholson Road GORE
- 249 Turnbull Road GORE
- 29 North Chatton Road GORE
- 34A North Chatton Road GORE
- 34B North Chatton Road GORE
- 754 Waikaka Road GORE
- 872 Waikaka Road GORE

- 971 Waikaka Road GORE
- 999 Waikaka Road GORE
- Lot 3 DP 7489
- Lot 1 DP 10945, Lot 2 & 3 DP 5492, Lot 9 DP 13018

Recommendation and decision

Officer's recommendation

I recommend that the application be publicly notified.



Alexandra Smith
Senior Consents Officer

Date: 19 May 2025

Delegated Authority sign off

11.1	I agree with the recommendation	☒
11.2	The application will be processed non-notified	☐
11.3	The application will be publicly notified	☒
11.4	The application shall be placed on hold while the applicant tries to obtain written approvals from the affected persons. If they are not obtained, the application will be limited notified.	☐
11.5	The application will be limited notified. The parties to be served notice are those listed above	☐

This decision is made under delegated authority by:



Lacey Bragg
Consents Manager

Date: 19 May 2025