

Appendix 1 – Approvals sought

The Applicant states in Application Report A.11 that it seeks all necessary land use consents, discharge permits, and water permits (as approvals sought under the FTAA) to authorise activities associated with the construction, operation, maintenance and rehabilitation and closure of the BOGP. Application Report H.01 sets out a rule assessment in table format for each of the activities that the Applicant has identified as requiring a resource consent. ORC largely agrees with this assessment presented in H.01.

However, ORC has identified a small number of activities that have been described throughout the application but which have not been ‘matched’ to a rule in a plan or national environmental standard. Two scenarios are noted:

1. *No rule identified at all* – ORC accepts that where the Applicant has described and assessed the effects of an activity in any of the application documents this constitutes ‘applying for’ a resource consent for that activity, even it is has not specifically identified a rule for that activity in report H.01.
2. *Most relevant rule selected, others missed* – due to the multiplicity of rules in the regional plans, there is in some instances more than one rule that applies to an activity. In these situations, the Applicant has generally identified the most applicable rule, and ORC has added in other rules that it considers to be relevant.

These activities are identified in **blue font** in Table 1.

None of the changes in **blue font** alter the overall status of the application, which remains discretionary.

ORC has confirmed, via verbal and written correspondence with the Applicant’s planner, that the Applicant does indeed seek approvals for the activities presented in blue text of Table 1 and, that it concurs with the assessment in Table 1.

For the avoidance of doubt, ORC has not identified any activities for which it considers that a resource consent is required that have not been listed in report H.01 or otherwise adequately described and assessed in the application material.

Resource consents are sought under the following planning documents:

- Regional Plan: Water for Otago (**RPW**)
- Regional Plan: Air for Otago (**RPA**)
- Regional Plan: Waste for Otago (**RPWaste**)
- Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (**NES-FW**)

Table 1 Activities for which consent is sought

| Section 9 use of land | | |
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| Activity | Plan | Rule |
| Drilling of land over the Bendigo Aquifer to establish a groundwater production bore; drilling of bores in and around open pits for the purpose of passive and pumped pit dewatering | RPW | Controlled rule 14.1.1.1 |
| Drilling over the Bendigo Aquifer (a C-series aquifer) to install monitoring bores / piezometers | RPW | Controlled rule 14.2.2.1 |
| Drilling other than over a C-series aquifer associated with installation of monitoring bores / piezometers; drilling and blasting associated with the development of underground mine declines and drives and for accessing and mining an ore body. | RPW | Restricted discretionary rule 14.2.3.1 |
| Earthworks, land disturbance, vegetation clearance in, within 10 m, and within 100 m of natural inland wetlands | NES-FW | Discretionary regulation 45D(1)-(3) |
| Section 13 use of beds of lakes or rivers | | |
| Disturb / alter / reclaim sections of Shepherds Creek, Rise and Shine Creek, Jean Creek (and associated tributaries) | RPW | Discretionary rule 13.5.3.1 |
| | NES-FW | Discretionary regulation 57 |
| Placement of structures on the bed of Shepherds and Rise and Shine Creeks and within the Project Site: <ul style="list-style-type: none"> • a culvert in Rise and Shine Creek • flow monitoring devices in Shepherds and Rise and Shine Creeks • Cofferdams in Shepherds Creek | RPW NES-FW | Discretionary rule 13.2.3.1 (all structures) Discretionary regulation 71 (for culvert) |
| Section 14 take, use, dam, divert water | | |
| Take and use groundwater from the Bendigo Aquifer for the purpose of supplying | RPW | Restricted discretionary rule 12.2.3.2A |

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| water to support all mining construction, operation, maintenance and ancillary activities (including ecological rehabilitation and enhancement) and for augmenting flows within Shepherds Creek, Rise and Shine Creek and natural inland wetlands | | |
| Take and use groundwater associated with dewatering, the establishment of the RAS, CIT, SRX and SRE Open Pits and the RAS Underground and for use in mining operations throughout the Project Site. This includes both passive taking of groundwater via seepage inflows and active pumping of groundwater via bores in-pit and ex-pit or in underground workings. | RPW | Discretionary rule 12.2.4.1(i) |
| Take taking and use of surface water (directly from Shepherds Creek and indirectly via depletion of Shepherds and Rise and Shine Creek) where water has already been delivered (from Bendigo bores) to that river for the purpose of this subsequent taking (for flow augmentation) | RPW | Restricted discretionary rule 12.1.4.1 |
| Taking and use of surface water from artificial waterbodies throughout the site, such as sumps, silt ponds, open pits, and the tailings storage facility | RPW | Discretionary rule 12.1.5.1 |
| Diversion of sections of Shepherds Creek, Rise and Shine Creek and Jean Creek (and associated tributaries) into stream diversions and dirty water diversion channels throughout the project site | RPW NES-FW | Discretionary rule 12.3.4.1(i) Discretionary regulation 45D(4) |
| Damming of water in Shepherds Creek via coffer dams to enable the permanent | RPW | Discretionary rule 12.3.4.1(i) |

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| <p>diversion of Shepherds Creek and reclamation of the original riverbed.</p> <p>Damming of water in Shepherds silt pond.</p> <p>Damming of water in Shepherds TSF.</p> | | |
| <p>Section 15 discharge permits</p> | | |
| <p>Discharge of water and contaminants from an industrial or trade premises to water or to land where water and contaminants may enter water, and including within 100 m of natural inland wetlands associated with the following activities across the site:</p> <ul style="list-style-type: none"> • Topsoil and waste rock stockpiles (construction of and ongoing runoff / seepage from); • Tailing storage facility (construction of and ongoing runoff / seepage from); • Various engineered landforms (construction of and ongoing runoff / seepage from); • The Shepherds Service Corridor (construction and ongoing runoff / seepage from); • Haul roads in the DDF (construction and ongoing runoff / seepage from); • Erosion and sediment control structures (such as sediment retention ponds); • Aggregate pits (construction and ongoing runoff / seepage from); • Discharges of water taken from the Bendigo Aquifer into Shepherds Creek and Rise and Shine Creek for the purpose of augmenting flows; | <p>RPW</p> <p>NES-FW</p> | <p>Discretionary rule 12.B.4.1</p> <p>Discretionary regulation 45D(5)</p> |

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| <ul style="list-style-type: none"> • Discharges of water and contaminants from the SRX Open Pit and Western ELF into Rise and Shine Creek; • Discharges from the Shepherds Silt Pond into Shepherds Creek (in the form of Shepherds Stream Diversion); and • Discharges of treated mine water from the water treatment plant (or passive treatment system) to Shepherds Creek during mine closure. | | |
| <p>Discharge of contaminants (including PM₁₀) to air from the crushing and screening of aggregate, and mineral extraction and processing (expressly including the discharge of contaminants from the processing plant)</p> | RPA | Discretionary rule 16.3.5.9 Discretionary rule 16.3.15.5 (PM₁₀) |
| <p>Discharge of contaminants from any process or activity on an industrial or trade premises, specifically:</p> <ul style="list-style-type: none"> • Dust from the use of haul roads; • Dust from exposed surfaces throughout the site, including ELF and unrehabilitated surfaces, but excluding the TSF for which discharges to air are managed exclusively by the RPWaste | RPA | Discretionary rule 16.3.14.1 |
| <p>Discharge of tailings to land and water for the purpose of treating or disposing of hazardous wastes. Discharge of dust and contaminants to air during construction of the TSF and on an ongoing basis from the tailings beach.</p> | RPWaste | Discretionary rule 6.6.1 parts (1) – (3) |

Permitted Activities

Table 2 sets out the activities for which consent is not required because the activity will be undertaken in accordance with a relevant permitted activity rule. ORC agrees that the Applicant has satisfactorily described the manner in which the conditions of each permitted activity rule would be complied with. It is the responsibility of the Applicant to ensure that any relevant condition of a permitted activity rule is and continues to be complied with for the duration of that activity. As for Table 1 above, [blue text](#) indicates an activity described in the application for which the appropriate rule(s) has not been identified by the Applicant.

Table 2 Permitted activities

| Activity | Plan | Permitted activity rule |
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| Land-based discharge of pesticides (pindone) to land | RPW | 12.B.1.2 |
| Aerial discharge of pesticides (pindone) to land where it or any contaminant associated with its breakdown may enter water | RPW | 12.B.1.4 |
| The discharge of stormwater from a reticulated stormwater system to water, or onto or into land in circumstances where it may enter water. Applicable to runoff from roofs and impervious office / administration car parking / vehicle servicing and repair areas | RPW | 12.B.1.8 |
| The discharge of stormwater from any road not connected to a reticulated stormwater system to water, or onto or into land. Applicable to the length of Thomson Gorge Road between Ardgour Road and the proposed new site access road that is proposed to be widened and sealed | RPW | 12.B.1.9 |
| The discharge of water or any contaminant to water, or onto or into land in circumstances which may result in a contaminant entering water. Applicable to parts of the operation that are not industrial or trade premises per the RPW definition. Includes administration offices and supporting | RPW | 12.C.1.1 |

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| activities located on the Ardgour Terrace Site. | | |
| The use of any structure that is fixed in, on, under, or over the bed of any lake or river, or any Regionally Significant Wetland. | RPW | 13.1.1.1 |
| The erection or placement of any flow or level recording device, outfall or intake structure or navigational aid structure, that is fixed in, on or under the bed of any lake or river, or any Regionally Significant Wetland. Applicable to the installation of flow recording devices in Shepherds and Rise and Shine Creeks. | RPW | 13.2.1.4 |
| The introduction or planting of any plant to or on the bed of any lake or river for the purpose of remedying or mitigating the adverse effects of flooding, erosion, or non-point source discharge of contaminants, or to restore or enhance habitat. Includes the various plantings proposed in various site watercourses for the purpose of restoring or enhancing habitat. | RPW | 13.6.2.1 |
| The drilling of land, other than for the purpose of creating a bore, and other than on the bed of any lake or river. Applicable to resource and exploration drilling. | RPW | 14.2.1.1 |
| The discharge into air of products of combustion arising from fuel burning equipment (excluding domestic heating appliances) located on a site in Air Zone 3 which does not exceed a heat generation capacity of 5MW (from single activities or a combination of activities located on one site). | RPA | 16.3.4.2 |

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| Applicable to portable generators. | | |
| The discharge of contaminants into air from the handling and processing of petroleum and hydrocarbons. Applicable to refuelling and maintenance of trucks and machinery on the project site. | RPA | 16.3.5.7 |
| The discharge of any agrichemical into air using aerial or ground-based application methods. Applicable to discharge of vertebrate toxic agents (pindone) across the site. | RPA | 16.3.9.2 |
| Except as provided for by the Rules in section 16.3.1 to 16.3.9, the discharge of condensed water vapour, including steam, into air. Applicable for any discharge of steam to air from the processing plant. | RPA | 16.3.10.1 |
| The discharge of energy, including heat, to air. Applicable to discharges from the processing plant, transformers, or any other plant / activities on site. | RPA | 16.3.10.2 |
| The discharge of contaminants into air from vehicle engine maintenance and servicing, construction activities, engine exhaust on industrial or trade premises, any outdoor general engineering activities. | RPA | 16.3.13.1 |
| The discharge of brodifacoum and sodium fluoroacetate inside the proposed Bendigo and Ardgour Sanctuaries. | Resource Management (Exemption) Regulations 2017 | Regulations 5 and 7 |