BEFORE THE COMMISSIONERS APPOINTED ON BEHALF OF CENTRAL OTAGO DISTRICT COUNCIL

Under	The Resource Management Act 1991 (the **Act**)
In the Matter	of Resource Consent Application RC250077 for the purpose of mining at Lot 1 DP466676, Luggate-Cromwell Road
Between	**AWA KOURA MINING LIMITED** **Applicant**
And	**CENTRAL OTAGO DISTRICT COUNCIL** **Territorial Authority**

PLANNING EVIDENCE OF DARRYL ALLAN SYCAMORE ON BEHALF OF AWA KOURA MINING LIMITED FOR LAND USE TO UNDERTAKE ALLUVIAL GOLD MINING

DATED 13 OCTOBER 2026

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BRIEF OF EVIDENCE OF DARRYL SYCAMORE (PLANNING)

Introduction

1. My full name is Darryl Allan Sycamore.

2. I am a Planner for Terrmark Limited and have held the position as Planning Manager with Terramark since January 2020.

3. I hold the qualification of Bachelor of Science from the University of Otago. I am a Member of the New Zealand Planning Institute. I am a certified hearings commissioner. I am also a Minister-appointed Guardian of Lakes Manapouri, Monowai and Te Anau, and have been the chairman for the past eight or so years.

4. I have 21-years experience in the field of environmental planning and policy. This has included:

   (a) Seven years as the Planning Manager for Terramark Limited overseeing all RMA functions and managing planning staff;

   (b) Three years working for Federated Farmers of New Zealand as a Senior Policy Advisor primarily on the Southland Water & Land Plan, the Proposed Queenstown Lakes District Plan and the Marlborough Environment Plan,

   (c) Nine years as a Planner for the Dunedin City Council covering land use, subdivision consenting and private plan changes;

   (d) Three years as a Consents Planner for the Otago Regional Council processing consents for contaminated sites, landfills and mining applications; and

   (e) Two years as a Compliance Officer for the West Coast Regional Council managing the dairy farm monitoring programme and both gold/coal mine restoration and remediation.

5. I am familiar with the Central Otago District Plan District Plan, the Otago Regional Plan: Water, the Otago Regional Plan: Air and the Otago Regional Policy Statement. I am also familiar with the application site and the surrounding environment.

Code of Conduct

6. Although this is a Council hearing, I have read the code of conduct for expert witnesses as set out in section 9 of the Environment Court's Practice Note 2023. I have complied with the Code when preparing my evidence.

7. The information, facts and assumptions I have considered in forming my opinions are set out in my evidence below. The reasons for the opinions expressed are also set out in the evidence below.

8. Unless I state otherwise, this evidence is within my sphere of expertise, and I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

Scope of evidence

9. This evidence is given for Awa Koura Mining Limited (the applicant) in support of its application to CODC (the Council) for land use consent to mine alluvial gold at Sandy Point, between Luggate and Queensberry (the proposal). It responds to the report of Ms Emma Spalding, consultant planner to the Council, dated 24 September 2026 (the s42A report).

10. My evidence addresses:

    (a) the application, and the changes made to it since lodgement;

    (b) the activity status, the receiving environment, and the role of the Otago Regional Council (ORC) consents that have now been granted;

(c) the s42A report's evaluation on noise, which is the main ground for the recommendation to refuse consent, the Styles review, and the further noise mitigation the applicant now offers, including reduced hours and noise setbacks;

(d) the remaining effects, positive effects and the matters raised in submissions;

(e) the relevant objectives and policies, other statutory documents and Part 2 of the Resource Management Act 1991 (the Act); and

11. In preparing this evidence I have read:

(a) the application and AEE dated 5 December 2025, and the further information response dated 29 August 2025;

(b) the s42A report and its appendices, including the summary of submissions and the draft conditions;

(c) the Marshall Day Acoustics (MDA) noise assessment dated 5 December 2025, MDA's response to the Council's request for further information dated 24 June 2026, and the revised contour figures MDA supplied on 26 August 2026;

(d) the noise peer review by Mr Jon Styles (Styles Group) dated 3 September 2026 (the Styles review);

(e) the Landscape Effects Assessment by Mr Mike Moore dated 21 February 2025, his memorandum of 8 May 2026, and the peer review by Mr Tony Milne (Rough Milne Mitchell Landscape Architects) dated 26 June 2026;

(f) the WSP Technical Air Quality Assessment and Dust Management Plan (April 2026), and the peer review by Mr John Iseli (Specialist Environmental Services) dated 28 May 2026. For clarity, the WSP air quality team recently disbanded and Mr Fergus Broughton has established the air quality consultancy

Anemos Limited who will continue the work associated with this application;

(g) the Environmental Associates Ltd groundwater assessment dated 19 September 2025 and Mr Tom Heller's brief of evidence (hydrogeology) dated 2 October 2026;

(h) the economic assessment by Mr Benje Patterson, the heritage assessment by New Zealand Heritage Properties Ltd (NZHPL), and the decision on RC230386 (the 8-lot subdivision); and

(i) the ORC consent decisions for the water take, discharge of sediment to land where it may enter water, the discharge of dust and for the construction of a bore (the mine pit) peripheral to this application.

Executive Summary

12. The s42A report is, in most respects, supportive of the proposal. Having considered the applicant's assessments and the Council's three peer reviews, Ms Spalding concludes that effects on natural character and landscape, dust, ecology, natural hazards, rural productivity, access and transport, heritage, cultural values and cumulative effects are acceptable, or can be managed to an acceptable level by conditions. She finds the proposal consistent with the District Plan provisions on kaitiakitanga, water, soil, access and the roading network, nuisance, with the relevant national policy statements and the Otago Regional Policy Statement 2021.

13. Ms Spalding's recommendation to refuse consent is driven primarily by concerns regarding the noise effects of the proposal. She concludes that those effects are "potentially unreasonable" and may exceed an acceptable threshold, particularly for the "central receivers". However, she describes the noise issue as "finely balanced", invites further evidence and mitigation, and records that she remains open to revising her recommendation.

14. A secondary concern is the effects on amenity, specifically visual effects from private properties.

15. My key conclusions are:

    (a) The ORC has granted the following consents for the proposed alluvial gold mining operation, these are to:

        (i) Construct a pond (bore) to access groundwater for the purpose of operating a transient mine pit pond.[1]

        (ii) Take and use groundwater non-consumptively for the purpose of alluvial gold mining and to take and use groundwater consumptively for the purpose of dust suppression.[2]

        (iii) Discharge water and sediment to water for the purpose of alluvial gold mining.[3]

        (iv) Discharge dust to air for the purpose of alluvial gold mining.[4]

    (b) The ORC decisions address dust as a discharge to air, including effects on air quality, human health, hydrology and Te Mana o te Wai. Those decisions resolve the issues on which the s42A report deferred to the ORC. The Panel's focus is narrower: dust as a nuisance and amenity effect on neighbouring properties under Objective 12.3.4 and Policy 12.4.7. Ms Spalding accepts that those effects can be appropriately managed through conditions. On that basis, the CODC dust conditions remain necessary and should be aligned with, rather than replaced by, the ORC conditions because they serve a different purpose.

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[1] RM26.315.01.
[2] RM26.315.02.
[3] RM26.315.03.
[4] RM26.315.04.

(c) Relying on the evidence of Mr Shanks, I anticipate the activity will comply with the District Plan noise standards at every notional boundary. Any effect on acoustic amenity will be temporary, limited to weekday working hours, mitigated and monitored. I also consider the type of noise to be within the character of noise anticipated in the Rural Resource Area. In my opinion this is acceptable.

(d) We propose relying on the District Plan's permitted rural noise standards as the noise limits for this activity. This is consistent with the CODC's approach to mining/quarrying activities. Unlike those long-term commercial extraction projects, this application only seeks a three year period for mining

(e) The Council's landscape peer reviewer considered visual effects on neighbouring properties "nil to moderate" and not unacceptable, and asked for a more detailed private-view assessment at the hearing. Mr Moore's evidence provides a more specific analysis.

(f) The proposed mining venture introduces a number of positive effects.

(g) The proposal enables economic wellbeing, makes efficient use of a finite mineral resource that will otherwise be lost to the approved subdivision, and has temporary effects on amenity that are mitigated. I do not consider that Part 2 matters support a refusal.

The Proposal

16. I adopt the description of the proposal at of the s42A report and the description in the AEE. The proposal has been refined in response to the Applicant's expert reports, Council's peer reviews and the matters raised by submitters . The Mine Plan is attached to my evidence as Appendix 1. The principal changes are:

(a) reduction in operating days from seven to five a week, following Mr Moore's landscape assessment.

(b) Reduction in hours of operation to 8am – 5pm in response to the hours recommended in the s42A report;

(c) fitting the wash plant with a noise-attenuating shroud, and modelling the additional noise scenarios requested by Mr Styles, including worst-case ground-level operation (MDA, 24 June 2026);

(d) offering the further noise measures described in this evidence in response to the Styles review (a limit set at the Plan standard, shorter hours, a cap on the plant used and noise setbacks);

(e) adopting the dust controls recommended by Mr Iseli, which the s42A report records as volunteered;

(f) adopting the NZTA's requested access upgrade and conditions;

(g) adopting a targeted archaeological monitoring regime;

(h) limiting stockpile and tailings heights to 0.6m, and limiting the active area and structures in the depot (Mr Moore); and

(i) committing to apply for any archaeological authority required under the Heritage New Zealand Pouhere Taonga Act 2014, which has now been lodged and Iwi consultation finalised and agreed.

Activity status and the decision-making framework

17. The proposal is a discretionary activity. The Panel may grant or refuse consent and, if it grants consent, may impose conditions under section 108. The matters in section 104(1) must be considered, subject to Part 2.

18. The effects on the environment under section 104(1)(a) are to be assessed against the receiving environment, and I discuss that further below.

Written approvals

19. The owners and occupiers of 3360 Luggate-Cromwell Road have given written approval, and the landowner who owns the application site and 3364 Luggate-Cromwell Road supports the application. Under section 104(3)(a)(ii) the Panel must not have regard to effects on those persons. That includes the noise predicted at those two dwellings and the dust effects at #3360 that Mr Iseli addressed.

20. Mr Styles correctly observes that a written approval removes the effect from consideration but not the need for consent to infringe Standard 4.7.6E, and that the infringement should be recorded as a reason for consent. I agree. The s42A report already lists the exceedance of Standard 4.7.6E (up to 65 dB L_{A10}) as a reason for consent.

The receiving environment

21. The receiving environment includes the effects of lawfully established activities, consents that are likely to be implemented, and activities permitted by the District Plan.

22. Three features of that environment are of relevance:

    (a) The site is subject to an approved 8-lot subdivision (RC230386). The consent was granted in October 2024 and lapses on 2 October 2029. Ms Spalding considers it reasonably likely to be implemented once mining is complete, and treats it as part of the reasonably foreseeable receiving environment. I agree.

    The landowner has agreed to the mining occurring first, because once the land is subdivided and built on, it is unlikely the gold resource will be accessed. As Ms Spalding and Mr Milne both accept, the site's present open rural character is therefore not

the long-term future of the site; the future state is rural-lifestyle with the eight properties establishing dwellings, accessory buildings and the day-to-day activities of a typical family on a lifestyle block.

Implementing the subdivision will itself generate construction activity effects for access, services, building platforms, dwellings and accessory buildings.

(b) With respect to the aural environment, MDA measured daytime ambient levels of 46–52 dB L_{Aeq} (15 hour) in calm conditions and 41–48 dB L_{A90}, about 200–250 m from SH6, influenced by road traffic and farm activity (MDA report, Table 3). Mr Styles estimates that at receivers about 800 m from SH6 (such as 79 and 85 River Ridge Road) ambient levels are lower, with background L_{A90} of about 34–38 dB and average L_{Aeq} of about 44–46 dB, and describes the area as somewhat affected by road traffic noise but not tranquil.

(c) Permitted activities can occur now on the site as of right. Ploughing and cultivation are permitted farming activities that can expose up to 50ha of bare soil, and rural activities are permitted to generate noise up to the Standard 4.7.6E limit at a dwelling's notional boundary.

Permitted baseline

23. Ms Spalding acknowledges that earthworks under the District Plan are permitted up to an area of 2000m^2 and 3000m^3 and involving no more than three staff.[5] Ms Spalding considers that the earth-worked areas and volumes proposed will significantly exceed these District Plan standards and as such the permitted baseline is not considered

[5] At [34] of the s 42A report.

particularly relevant. Therefore, she does not apply the permitted baseline to her assessment.

24. I disagree with Ms Spalding that the permitted baseline is not "particularly relevant" to the consideration of this application. My opinion is that the permitted baseline is relevant to the extent that mining activities are anticipated in the Rural Resource Area. This permitted baseline may lead to changes in amenity of the Rural Area. This is important to Ms Spalding's concerns regarding the "character" of the noise generated by the activity.

25. It is my opinion that Standard 4.7.6E applies to all activities in the Rural Resource Area, the 55 dB L_{A10} limit is a relevant guideline for what the Plan regards as an acceptable noise level at the notional boundary.

Respective roles of the regional and district councils

26. The Otago Regional Council manages the taking of water and the discharge of contaminants into or onto land, air and water. The CODC manage the effects of the use of land, including the emission of noise, dust as an amenity matter, light, vibration and hazardous substances.

27. The ORC has now approved the applicant's regional consents and a copy of those consents are appended to my evidence.

28. Several draft CODC conditions on dust, hazardous substances and sediment (conditions 19–25 and 46) overlap with the ORC's.

    Duplicate or inconsistent requirements create uncertainty for the consent holder and both councils. I recommend that the CODC conditions retain what is needed for amenity and land use purposes, and refer to the ORC permits where the matters overlap.

Mining is primary production and anticipated in the Rural Zone

29. There has been a number of inconsistent terms used in the s42A report, the Styles report, and by submitters in the assessment of noise

effects of the proposal.. For clarity, it is important to distinguish between compliance with the District Plan noise standards, and the broader assessment of noise amenity effects.

30. The Proposal is a mining activity. Section 2 of the RMA gives “mining” the same meaning as in the Crown Minerals Act 1991, which is the taking, winning or extraction of a mineral existing in its natural state in land, by whatever means, for the purpose of obtaining that mineral. The Proposal falls within that meaning.

31. “Primary production” is not defined in the District Plan. It is defined in the National Planning Standards as:

    (a) Any aquaculture, agricultural, pastoral, horticultural, mining, quarrying or forestry activities; and

    (b) includes initial processing, as an ancillary activity, of commodities that result from the listed activities in a);

    (c) includes any land and buildings used for the production of the commodities from a) and used for the initial processing of the commodities in b); but

    (d) excludes further processing of those commodities into a different product.

32. Mining sits on the same footing as farming and forestry. The NPS definition does not qualify mining by its scale, its duration or the nature of its effects. The NPS makes it clear that the extraction of minerals is primary production, and any initial processing carried out on site as an ancillary activity is captured with it.

33. Therefore, where the District Plan objectives and policies refer to primary production, they include mining.

34. Section 4 of the District Plan applies to the RRA, which covers the areas in the District zoned Rural Resource Area. The introduction to Section 4 explains why activities locate in that environment. The Plan

sets out reasons why activities must locate within the rural environment, and says at v.:

> They need to locate directly adjacent to the resource. For example, mineral extraction and related activities do not have the ability to locate anywhere other than directly adjacent to where the deposit occurs.

35. The Plan therefore accepts that a mining operation has a genuine reason to be in the rural area.

36. Issue 4.2.4 deals specifically with the development of mineral resources. It records that the District contains mineral deposits that may be of considerable social and economic importance to the District. The issue is carried through to Objectives 4.3.1, 4.3.3, 4.3.5 and 4.3.7. Recognising the benefit of the activity while managing its effects is the approach the Plan takes to mining throughout the RRA.

37. Two of the policy explanations reinforce this. The explanation to Policy 4.4.6 accepts that mining can have a significant effect on the soil resource, and goes on to say that rehabilitation using current technology and good practice can enhance the productive capacity of the soil.

38. Policy 4.4.9 recognises the effects of rural activities and their ability to generate noise. The policy says:

> To recognise that some rural activities, particularly those of a short duration or seasonal nature, often generate noise and other effects that can disturb neighbours by ensuring that new developments locating near such activities recognise and accept the prevailing environmental characteristics associated with production and other activities found in the Rural Resource Area.

39. While the consent is for a new activity, the policy is guarding against gentrification of the RRA. The explanation for the policy recognises that the effects of mining often cannot be avoided, remedied or mitigated without significant economic cost, and says:

> "If people choose to live in the rural area of the Central Otago District, they should be prepared to accept the inconveniences, discomforts, disturbances or irritation that are caused and will be caused by such operations as a normal and necessary aspect of living in a district with strong rural character and a healthy developing agricultural/horticultural/viticultural sector and utility and energy generation/transmission activities. Although such inconveniences, discomforts, disturbances or irritations may not be acceptable in an urban area, they are to be expected in rural areas. It is therefore considered appropriate that those activities that locate adjacent to an existing rural activity should take steps to mitigate the effects that the existing rural activity may have upon them."

40. This makes it clear that mining is a rural activity and is anticipated in the RRA.

41. This is also addressed in the decision report dated 11 June 2026 for RC250044 Road Metals Company Limited at 2004 Luggate-Queensbury Road. In paragraph 108 it states:

> "The Panel accepts that the Rural Resource Area is intended to accommodate a range of productive and extractive industries, and the policy framework does not impose a scale-based ceiling on quarrying…The discretionary activity status for quarrying reflects this intent: it enables proposals of varying scale to be assessed on its merits rather than through prescriptive limits. The Plan anticipates that rural activities may modify landforms, generate noise and traffic and temporarily displace productive uses, provided these effects are appropriated managed".

42. In paragraph 111 of that decision, it states:

> "While the activity will generate noise, traffic, dust and visual effects, the expert evidence demonstrates that these effects are appropriately managed through operational controls, hours of operation screening and the Quarry Management Plan, with separation distances and site containment ensuing acceptable amenity outcomes for neighbouring properties. We therefore find the proposal is consistent with Policy 4.4.8".

43. In paragraph 113 of the same decision, it states

> "…It is clear to us that quarrying is an anticipated activity within the Rural Resource Area, and the proposal incorporated a robust suite of mitigation and rehabilitation measures that ensure the effects are appropriately managed. We therefore accept Mr Vivian's conclusion that the proposal is not inconsistent with, and in fact aligns with, the relevant objectives and policies of the District Plan".

44. The presence of a mining activity in the RRA is provided for by the District Plan, and the question for the Panel is whether the effects of this proposal on this site can be avoided, remedied or mitigated to an acceptable degree. The importance of this to the Panel's decision is understanding whether machinery noise associated with mining forms part of the legitimate amenity expectations of people who choose to build homes in the RRA.

NOISE EFFECTS

The Styles review and the s42A position

45. Noise is the only matter on which Ms Spalding concludes that effects may be unacceptable. Her conclusions rest on the Styles review dated 3 September 2026, which considered the MDA assessment, MDA's response of 24 June 2026 and MDA's revised contours of 26 August 2026. In summary, Mr Styles:

    (a) considers the modelling methods and the assumptions to be appropriate, and accepts that modelling the plant at ground level, as MDA has done, is the right 'worst-case' approach;

    (b) does not accept that compliance with the permitted-activity standard is an adequate measure of reasonableness for a discretionary activity, and considers noise must also be evaluated against the objectives and policies and the "timing, duration and character" of noise expected in the zone;

(c) estimates that ambient noise is lower east of the river than where MDA measured;

(d) describes noise at each stage of mining by receiver, considers that levels at any one receiver vary by about 10 dB over the three years, and that the worst effects last under 12 months for northern and southern receivers and "more than a year and potentially up to two years" for central receivers;

(e) reads the contours as showing noise at or very close to 55dB L_{Aeq} at the notional boundary of 63 River Ridge Road (scenario "South A"), equivalent to about 57 dB L_{A10} and a possible exceedance of the Plan standard by 2–3 dB, and small exceedances over the margin of four vacant sites;

(f) considers that special audible character should be managed out through an Operational Noise Management Plan (ONMP);

(g) that vibration will not be perceptible;

(h) recommends that, if consent is granted, conditions require compliance with Rule 4.7.6E at any notional boundary (existing or future) that has not given written approval, a 50dB L_{Aeq} limit for Queenstown Lakes District dwellings, an ONMP including measurements at commencement, and hours restricted to weekdays between about 8am and 5:30pm, and he observes that although hours could be reduced further that may extend the project duration.

46. Ms Spalding prefers to accept the Styles advice. She concludes that noise effects are "potentially unreasonable", "noticeably adverse" and would "potentially go beyond an acceptable threshold", particularly for the central receivers. She does however describe the issue as "finely balanced", invites further evidence and mitigation, and remains open to revising her recommendation.

47. The s42A report makes a number of statements about the nature and character of noise associated with mining. For example-

    (a) In paragraph 62, the s42A report reads "*the scale and extent of the proposed goldmine is likely to generate noise which is not characteristic of general rural activities*";

    (b) In paragraph 172, "*the proposal will introduce a temporary industrial activity into a predominately rural setting*".

    (c) In paragraph 183(2) where mining is referred to as "*rural industry*".

    I consider this incorrectly characterises mining with industrial activity when extractive activities are primary production, anticipated in the rural zone, and the RRA is the appropriate place for such activity to be located. My conclusion that mining is a rural activity is based on my analysis of the District Plan and the National Planning Standards completed above.

48. I accept most of the Styles review. In particular, I agree that:

    (a) compliance with Standard 4.7.6E is relevant but not determinative for a discretionary activity;

    (b) mining noise at or above about 45–50 dB L_{Aeq} will likely be audible and may detract from the acoustic amenity of the area while it continues. That is an adverse effect and I treat it as one in my assessment;

    (c) written approvals remove the effect on the approving person from consideration under section 104(3)(a)(ii) but do not remove the need for consent to infringe Standard 4.7.6E at #3360 and #3364 Luggate-Cromwell Road. That infringement is a reason for consent and the conditions should expressly authorise it;

49. I do note that the Styles review also mischaracterises the nature of noise from mining activities. In section 9.5 (Overall noise effects), it reads -

> "I understand that the RRA can be generally described as a zone that does not provide for or anticipate ongoing or constant noise from industrial processes (or processes with the same character) that affect land beyond its own site boundaries. I understand that there will certainly be activities in the RRA that will generate noise, but they will generally be seasonal or intermittent noise sources (such as from productive rural uses) or otherwise relatively small scale, and with low overall noise emissions."

The proposal is not an industrial process or a process with the same character. It is a primary production activity. The noise generated by the activity will be intermittent, spanning a maximum of three years, and operating only within typical working day hours. There is direct support for mining activity in the RRA objectives and policies. There is no such support for industrial activities.

50. Mr Styles considers the risk of non-compliance by the mining activity on a future dwelling that may be constructed on one of the few vacant sites should be managed to comply. I do not consider this is appropriate. The planning term for this phenomenon is reverse sensitivity[6]. The District Plan has contemplated such situations in the RRA, and has developed a policy addressing reverse sensitivity issues.

51. In the RRA, a vacant site requires consent for a new residential activity as a controlled activity, and whilst Council must grant consent, the obligation to obtain consent precludes any scope to consider it part of the permitted baseline, nor part of the existing environment. Policy 4.4.9 (Effects on Rural Activities) recognises that some rural activities,

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[6] That is, the stifling effect that establishing a new sensitivity activity may have on an existing lawful activity that has incompatible effects.

and particularly those of a short term nature often generate noise and other effects that can disturb neighbours. The policy functions as a reverse sensitivity mechanism ensuring new developments locating near such activities recognise and accept the prevailing environmental characteristics associated with production activities found in the RRA.

52. On that basis, I do not agree the proposed mining activity should be required to comply with the noise limit at a subsequently created notional boundary. That would be inconsistent with policy 4.4.9, and fail to recognise that the RRA both enables and prioritises primary production activities, not residential activities. Should the Panel approve consent, it is my view any reverse sensitivity issues associated with future residential activity should be disregarded.

53. Mr Styles concludes that the proposal "*has the potential to detract*" from acoustic amenity while noise exceeds about 45–50dB L_{Aeq}. He does not conclude that the noise is unreasonable, and he notes that the three-year term "*reduces the effects when compared to a permanent activity*". The step from detraction on nearby landowners to being "potentially unreasonable" is Ms Spalding's.

54. Policy 12.4.2 requires regard to standards acceptable to the community. I accept that the District Plan standard was written for permitted activities. It is nevertheless the community's expectation of the level of noise that may be received at a dwelling in the RRA during the day. I consider compliance with the standard alone is enough. That approach has been applied to other consent decisions for extractive activities in the District, and there is little rationale to not apply the same standard to this application.

55. Mr Styles understands the RRA not to anticipate ongoing or constant industrial-style noise. To reiterate my earlier point, noise generated from this activity will be rural noise from a primary production activity that is provided for in the RRA. The Plan treats mineral extraction as an activity to be considered on its merits as a discretionary activity (Rule 4.7.4(i)), together with the standards in 4.7.6(J).

56. In relation to the submission from the owner of Popina Café at #26 Pukerangi Drive, I note they raise concern about noise and amenity. The noise evidence does not anticipate any breach of the applicable District Plan standards at the café location. More fundamentally, the café is located within the Rural Resource Area, where primary production and other rural activities are anticipated. It would be an unusual planning outcome if a commercial activity could constrain established or anticipated rural activities within the zone. In my view, there can be no reasonable expectation that the Rural Resource Area will provide a consistently quiet or tranquil environment for café patrons.

57. The s42A conclusions are expressed as potential effects. Mr Styles himself identifies the levers that convert a potential effect into an appropriately managed one (restrictions on plant, reduced hours, measurement and an ONMP). The applicant has adopted each of these recommendations.

58. Policy 12.4.2 sets out the framework the Plan provides for determining the suitability of a noise-generating activity in a locality. I have applied it limb by limb and taking into account the Styles review.

(a) <u>The characteristics and amenity values of the locality</u>

(i) The locality is RRA land on the Clutha terraces, with mixed rural, rural-residential and commercial activity. Mr Styles' evidence is that, in calm conditions, receivers about 200m from SH6 experience background levels (L_{A90}) of about 40–44dB and average L_{Aeq} of 48–50dB, while receivers about 800 m from SH6, such as #79 and #85 River Ridge Road, experience about 34–38dB L_{A90} and 44–46dB L_{Aeq}. He describes the area as "somewhat affected by road traffic noise … to a reasonably minor degree", not tranquil or peaceful, with periodic higher levels from productive land use, construction, helicopters operating prior to dawn for frost-fighting and aircraft.

(ii) The locality is also not static. The approved 8-lot subdivision will bring earthworks, construction traffic, plant and building activity to the site itself, and thereafter permanent residential activity. Ms Spalding and Mr Milne agree that the site's present open character is not the reasonable expectation for its future.

(b) <u>The sound pressure level</u>

(i) The predicted levels mostly in the range of 35–50 dB L_{Aeq}, peaking at 53–55 dB L_{Aeq} for some northern and central receivers for short periods, with a possible exceedance at #63 River Ridge Road. Mr Styles' own descriptors are that, at receivers remote from SH6, levels of 40–45 dB L_{Aeq} are "*audible much of the time but masked to some extent by passing traffic*". I accept those descriptors.

(ii) NZS 6802:2008 and the WHO guidelines cited in the MDA report give 55 dB L_{Aeq} as the daytime level offering reasonable protection of health and amenity for residential land use. Mr Styles considers that this guidance is useful context, because it is not specific to the amenity expectations of the District Plan. I treat it in the same way. It tells the Panel that the predicted levels at the notional boundaries do not give rise to health effects, as Ms Spalding accepts, but not that they are necessarily acceptable in amenity terms.

(c) <u>The frequency of the activity</u>

(i) The s42A draft conditions restrict operation to 8:00am–5:00pm on weekdays. Mr Styles notes that shorter hours may prolong the project and therefore the period of noise. This is consistent with any typical working day period, although not necessarily typical of those who work in the rural environment

(d) The length of time the noise continues

(i) The consent is limited to three years of operation, with six months for remediation. Mr Styles' evidence is that noise at any one dwelling varies by about 10dB over the three years; that for northern and southern receivers the worst of the effects last less than 12 months; and that central receivers experience higher levels for more than a year and potentially up to two years (section 9.2). The "worst" period is therefore the period when the plant is within a few hundred metres of a dwelling, which is not the whole of the two years. The plant advances about 13m per day in a zig-zag.

(e) Any special characteristics of the noise

(i) Mr Styles considers that a special audible character adjustment is not warranted for the proposed plant, but that squeaking excavator tracks, tonal reversing alarms and tailgate slam could acquire such characteristics and must be "managed out" by the ONMP. I agree, and the applicant accepts the ONMP condition and offers the specific requirements in condition for broadband alarms, tailgate controls and track and plant maintenance.

(f) Overall on Policy 12.4.2

(i) Overall, with the mitigation offered it remains my opinion that the activity is consistent with Policy 12.4.2 and with Objective 12.3.2, which seeks that adverse effects be avoided, remedied or mitigated, rather than avoided in every instance.

59. With respect to recreational users of the river and public land, Mr Styles considers that noise at publicly accessible areas along the river would be so great (55–65dB L_{Aeq}) that nearby areas would no longer be desirable for most recreational uses while mining is operating. Ms

Spalding relies on that to conclude that the proposal is contrary to Objective 5.3.2 and inconsistent with Objective 4.3.4 for the three-year term.

(a) Mr Styles records that these areas are outside the notional boundaries that the Plan standards are concerned with. The duty in section 16 of the Act (best practicable option) applies, and the conditions are the means of giving effect to that duty.

(b) The 55–65dB L_{Aeq} figure describes locations very close to the working area. The contours show that levels fall away with distance from the working area.

(c) Most recreational use of the river corridor is transient. Boat users and kayakers pass the site in minutes, and the river is enclosed by high scarps. Anglers and walkers using the marginal strip can relocate along the corridor, and access is not restricted.

(d) Objectives 5.3.2 and 4.3.4 are directed at the quality of the recreation resource and, in the case of 5.3.2, are qualified ("where appropriate"). Ms Spalding accepts the effect is short-term and that "the quality of the recreation resources will be returned to pre-mining levels". A time-limited effect on the experience of the resource, which leaves the resource itself unchanged and fully restored, is in my view not contrary to an objective to maintain the resource.

Conclusion on noise

60. There is no real debate about the technical aspects of the acoustic modelling and assessment. The difference between the experts seems to sit in their different approach to whether machinery noise associated with quarrying is anticipated in the residential amenity expectations in the RRA. For the reasons already explained, that has already been determined in the Road Metals case. The RRA acknowledges and accepts that mining is anticipated in the RRA and will have noise effects, albeit of limited duration. That is what residents

can expect. For this reason I consider that the predicted noise is not unreasonable.

LANDSCAPE, VISUAL AMENITY AND PRIVATE VIEWS

Agreement among the experts

61. Mr Moore and Mr Milne agree that natural character effects on the Clutha River-Mata-Au are adequately mitigated by the 40m offset, sequential working and progressive rehabilitation. They also agree that physical landscape effects are adverse but acceptable. Mr Milne rates them moderate where mining is taking place, low to low-moderate at site-wide scale, low at receiving-environment scale, and very low to nil after rehabilitation. Associative effects are very low, and nil after mining. Visual effects from public places range from nil to moderate (SH6/SH8A low to low-moderate; Sandy Point Lookout very low to moderate; Pukerangi Drive low to low-moderate), reducing to nil. Overall Mr Milne rates the landscape effects as low-moderate, temporary, and acceptable.

62. Mr Moore's assessment records somewhat higher ratings from some viewpoints, including "moderate/high" at times for views from across the river, applying to a stationary view at the point of closest approach and for a limited period. Ms Spalding acknowledges that effects "from some viewpoints will be more than minor", but temporary. I accept that characterisation.

63. I note draft condition 26 requires works to "avoid the river terrace landform". Since the entire site is a river terrace, I understand Mr Moore's intention to be the scarp at the western margin. The condition should refer to a defined feature shown on the site plan to avoid uncertainty.

64. Mr Milne considered the landscape assessment required a more detailed assessment of effects on neighbouring properties, particularly from private viewpoints.

65. He nonetheless concluded that, taking a balanced approach, effects on neighbouring properties would range from nil to moderate and "*not … unacceptable*". Ms Spalding adopted this conclusion.

66. Mr Moore's evidence responds directly to this issue by providing a more detailed assessment for dwellings on Pukerangi Drive, Queensbury Drive and River Ridge Road. I rely on that evidence.

67. Policies 4.4.2 and 4.4.8 address how landscape and amenity values should be managed in the RRA.

68. Policy 4.4.2 says:

> To manage the effects of land use activities and subdivision to ensure that adverse effects on the open space, landscape, natural character and amenity values of the rural environment are avoided, remedied or mitigated through:
> a. The design and location of structures and works, particularly in respect of the open natural character of hills and ranges, skylines, prominent places and natural features,
> b. Development which is compatible with the surrounding environment including the amenity values of adjoining properties,
> c. The ability to adequately dispose of effluent on site,
> d. Controlling the generation of noise in back country areas,
> e. The location of tree planting, particularly in respect of landscape values, natural features and ecological values,
> f. Controlling the spread of wilding trees.
> g. Encouraging the location and design of buildings to maintain the open natural character of hills and ranges without compromising the landscape and amenity values of prominent hillsides and terraces.
> h. Strongly discouraging buildings in the Rural Resource Area of the Wooing Tree Overlay Area to ensure a vineyard or treed park-like character with an absence of built form.

69. The proposal has been designed to minimise its effects through setbacks from the Clutha River/Mata-Au, sequential working, progressive rehabilitation, and various other mitigations related to dust and noise monitoring. While there will be temporary adverse effects during mining, the landscape experts agree that those effects are acceptable and reduce over time as rehabilitation progresses.

70. Policy 4.4.8 addresses the adverse effects on the amenity values of neighbouring properties:

> To ensure that the effects associated with some activities including (but not limited to):
> a. Noise (including noise associated with traffic generation, night time operations), and vibration,
> b. The generation of a high level of traffic, in particular heavy vehicles,
> c. Glare, particularly from building finish,
> d. A reduction in visual amenity due to excessive signage and the storage of goods or waste products on the site,
> e. The generation of odour, dusts, wastes and hazardous substances, and
> f. The use and/or storage of hazardous goods or substances.
> do not significantly adversely affect the amenity values and privacy of neighbouring properties or the safe and efficient operation of the roading network.

71. The relevant effects in this case are noise, traffic, visual effects and dust. Having regard to the evidence of Messrs Styles, Moore and Boughton, I consider those effects will be temporary, managed through conditions, and will not significantly adversely affect the amenity values of neighbouring properties.

72. It is my opinion that:

(a) only part of the site is visible from most properties, and the southern third to half is not visible from Pukerangi Drive, so that the first one to one-and-a-half years of activity will not be seen from there;

(b) the mine is at a distance of more than 1 km, and up to more than 2 km, from many viewpoints, and forms a small part of the overall outlook;

(c) the activity occurs only on weekday working hours, so that the active works are not visible in the evenings, at weekends or on public holidays;

(d) rehabilitation to original ground level and pasture establishment is relatively quick, unlike a conventional mine, and Mr Milne recommends half-yearly reviews to ensure that is achieved;

(e) the depot and storage are sited in less exposed areas, and built form is in any case an expected outcome on this site given the 8-lot residential development approved under RC230386; and

(f) exposed earth is a regular element of the rural setting, since ploughing, a permitted activity, could expose up to about 50 ha at one time.

(g) Mining must be treated as a primary production activity and so visible mining activity is not inconsistent with rural character.

73. I consider the effects of the activity are acceptable and the proposal is consistent with policies 4.4.2 and 4.4.8

OTHER EFFECTS

74. Ms Spalding concludes that all other effects are acceptable. I agree.

Dust and air quality

75. The ORC has granted the discharge permit for dust addressing the discharge and its effects on the environment including air quality and health, including PM_{10} and respirable crystalline silica.

76. The Panel's role is different. It considers dust as a nuisance and amenity effect on neighbouring properties (Objective 12.3.4 and Policy 12.4.7): visible deposition, soiling of dwellings, washing and roof-collected water, use of outdoor living areas, and the objectionable or offensive threshold at the boundary. Mr Iseli reviewed the application on that basis, concluded that significant adverse effects could be avoided by best-practice controls, and recommended the conditions that the applicant has adopted. Ms Spalding accepts that the amenity effects are acceptable with those conditions.

77. Mr Iseli's main concern was the dwelling at #3360 Luggate-Cromwell Road, where he recommended a 100m setback and monitoring. The owners of that property have given written approval, and Ms Spalding accepts dust effects can now be disregarded.

78. Finally, I consider any monitoring and trigger system should be single and shared, so that the ORC permit and the CODC conditions are served by the same monitors, weather station and Dust Management Plan, and the complaints register is provided to both councils (Appendix 2).

ORC matters - Water, groundwater and sediment

79. The groundwater take, surface water take and sediment discharge are within the ORC's functions, and the ORC has granted consent. Mr Heller's evidence of 2 October 2026, which I rely on, confirms the following.

    (a) The aquifer is permeable (transmissivity about 1,500m²/day, storage 0.15) and groundwater flows toward the river at about 0.5 m/day.

    (b) The consumptive take for dust suppression and rehabilitation is a maximum seasonal rate of 3.3 L/s.

    (c) Predicted seasonal drawdown at the nearest bore (G40/0002, 136m away) is about 0.09 m against the 0.2m permitted baseline in Schedule 5 of the Regional Plan: Water for Otago.

    (d) Stream depletion of the Mata-Au is less than 5L/s, which is negligible for a river of that size.

    (e) Sediment migration from the pond is very low, because net abstraction maintains flow toward the pond and the 40m setback gives about 80 days of travel time, with significant filtration within the first 5m of aquifer.

(f) He concludes that the hydrogeological effects are less than minor to no more than minor, and that his findings agree with those in the s42A report.

80. Mr Heller also addresses fuel and oil. He considers a spill unlikely. A spill on land would be contained within the silts and soils and could be excavated, and that one in the pond could be captured by boom or pump as fuels float and the natural groundwater movement is too slow to carry them. I take from that, as a planner, that the spill response measures should be secured by condition, including a spill boom and pump kept on site.

The ESCP conditions should be aligned with the ORC conditions. I agree with Ms Spalding that effects on freshwater, taking into account Te Mana o te Wai, were appropriately left to the ORC, and that the ORC's assessment is now complete. The 40m setback is the only mitigation recommended by Mr Heller, and it is already part of the proposal and the draft conditions.

Hazardous substances

81. Ms Spalding relies on the fuel storage details in the application to conclude the effects are less than minor. However, none of the details (double-skinned, 120% bund, siting above the flood zone and more than 50 m from water, spill kits) appears in the draft conditions. I recommend a condition to secure them, and to add the spill boom and pump that Mr Heller identifies as the means of capturing a spill in the pond.

82. Ms Spalding notes the site will become a HAIL site on account of the bulk fuel storage, and a further consent under the NES-CS may be needed before the subdivision is implemented. I do not agree as there will be no earthworks in the proximity to the fuel storage that may affect human health. Should Council consider fuels stored in a mobile vehicle triggers HAIL, in comparison to fuel stored in tanks affixed to the ground, then only the area associated with the storage should be deemed the 'piece of land' labelled HAIL.

Ecology, productivity, access, heritage and cultural values

83. I agree with Ms Spalding's assessment of these matters and accept draft conditions. Specific points are:

    (a) the applicant has volunteered to obtain any archaeological authority required and is currently engaging with Aukaha and Te Ao Mārama and New Zealand Heritage Properties Limited. This is now underway.

    (b) the NZTA access upgrade is accepted, and should be completed before mining commences; the timing and standard should be confirmed with NZTA in writing before the hearing.

Economic and positive effects

84. The Panel is entitled to take positive effects into account. The applicant's economic evidence, as summarised by Ms Spalding, estimates direct GDP of about $2.57 million per annum once operating and $8.44 million over the three-year term including start-up.

85. It also estimates up to $0.53 million per annum of indirect and induced GDP, and 4 direct and up to 3.3 further jobs.

86. In my view the benefits are real, and the further significant benefit, that a finite mineral resource is recovered before it is sterilised by residential development, is one that the Act recognises (sections 7(b) and 7(g)).

Cumulative effects

87. I agree with Ms Spalding that there are no other extractive activities in the immediate environment. The mining and the subdivision are sequential, not concurrent, and the mining by design defers rather than adds to the long-term change.

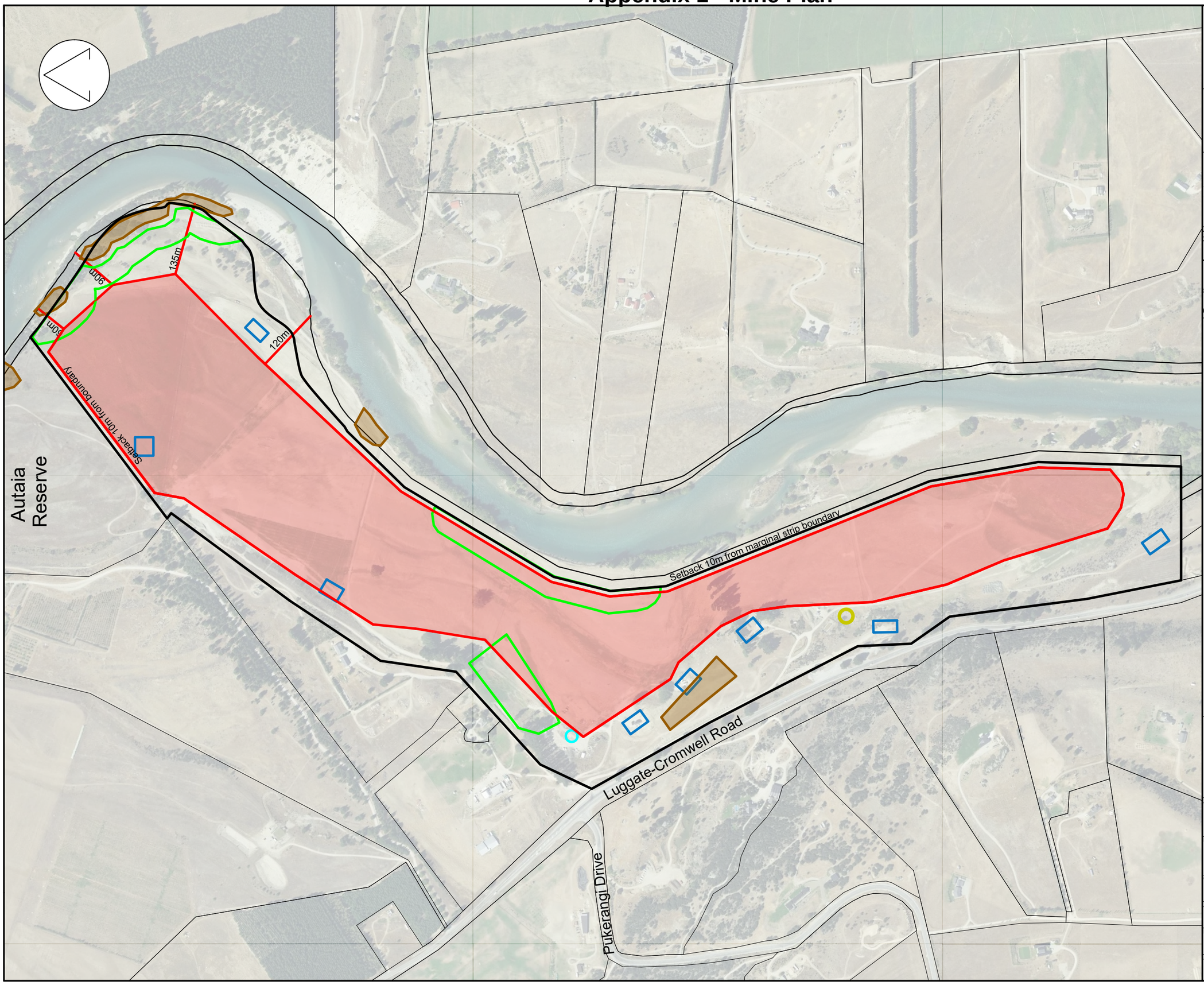
88. I consider the cumulative effects are less than minor.



Darryl Sycamore

13 October 2026

Appendix 1 - Mine Plan



Terramark
Setting New Boundaries

PROVISIONAL ONLY

DETAIL, AREAS & DIMENSIONS ARE SUBJECT TO FINAL DESIGN, RESOURCE CONSENT & FINAL SURVEY

Notes:

1) Areas and dimensions are subject to verification upon the final Land Transfer Survey.
2) Critical Points are to be confirmed by Survey.
3) Boundary Location to be confirmed upon the final Land Transfer Survey.
4) Contractor is responsible to locate all underground services prior to commencement of work.
5) The plan may not be copied without the approval of Terramark Ltd.
6) These notes are an integral part of this plan.
7) This plan is not intended to be used for architectural design purposes and has been prepared specifically for the purpose of this application.

Legend

- Boundary
- Area to be mined
- Consented Building Platform
- Archaeological Sites
- Proposed depot site: Stage 1
- Proposed depot site: Stage 2
- Stand-over monitoring

Project Title:
Proposed Area of Mining

Address:
Luggate-Cromwell Road
Queensberry

Legal Description:
Lot 1
DP 466676

Client:
Hawea Motors Ltd

Area:	Title Reference:
69ha	623528
Date:	**Scale (A3):**
October '26	1:650

Job No:	Plan No:	Revision:
230498	1	A

Appendix 2 - Consents

Otago Regional Council

Our Reference: 2129690870-22639 Consent No. RM26.315.01

LAND USE CONSENT

Pursuant to Section 104A of the Resource Management Act 1991, the Otago Regional Council grants consent to:

Name: Awa Koura Mining Limited

Address: 4 Julius Place, Richmond, 7020, New Zealand

To construct a pond (bore) to access groundwater for the purpose of operating a transient mine pit pond

For a term expiring 6 October 2029

Location of consent activity:	Queensberry, approximately 440 metres northeast of the intersection of State Highway 6 and Pukerangi Drive
Legal description of consent location:	Lot 1 DP 46667
GPS location NZTM (2000) of approximate centre point of site:	E1309685 N5036915
Bore Tag:	CB13/0269

Conditions

Specific

1. The construction of mine pit ponds (bores) on the land legally described as Lot 1 DP 46667 for alluvial mining must be carried out and located in accordance with the plans in Appendices 1-3 and all information submitted with the application, detailed below, and all referenced by the Consent Authority as consent number RM26.315:
   a) Application Form 4E, 5, 6, 9A
   b) Resource Consent Application to the Otago Regional Council for Awa Koura Mining Limited, Terramark, 5 June 2026
   c) Groundwater Resources Technical Assessment of Proposed Alluvial Mining Activities for Awa Koura Mining Limited, Queensbury, Central Otago, Environmental Associates, 19 September 2025
   If there are any inconsistencies between the above information and the conditions of this consent, the conditions of this consent will prevail.

2. This mining pond (bore) construction must only be exercised in conjunction with Water Permit RM26.315.02, Discharge Permit RM26.315.03 and Discharge Permit

RM26.315.04.

3. The bore must only be constructed and backfilled in the mining envelope identified in Appendix 1 of this consent. The mining activity within the mining envelope must not occur within the setback or exclusion areas identified in the plans of the mining envelope in Appendix 2 and Appendix 3 of this consent or within the following setbacks:
a) 40 metres from the bank of the Clutha River/ Mata-Au;
b) 10 metres from the boundary of the Autaia Scenic Reserve; and
c) 5 metres from the dripline of any kanuka.

4. The mined areas, including the bore, are to be rehabilitated as soon as possible following the passage of the mine, including re-grading the landform, replacement of topsoil and revegetation with grass.

5. The active mine footprint within the mine envelope, including mine pit, benched ore and stripped overburden, unsealed haul roads and unrehabilitated areas must not exceed 2 hectares.

Performance Monitoring

6. The Consent Holder must notify the Consent Authority in writing (via email to compliance@orc.govt.nz) and provide photographs of the mine envelope where work is to be undertaken, including in particular areas where setbacks are required, no less than 10 working days prior to the commencement of excavation of the bore

   Photographs must be in colour and and minimally consist of 900*1600 pixels with a file size (in JPG format) between 0.5 and 1Mb.

7. No less than **20 working days** prior to commencement of the mining activity on site, the Consent Holder must submit the **Archaeological Management Plan (AMP)** approved by Heritage New Zealand Pouhere Taonga (HNZPT) to the Consent Authority. The overall objective of the AMP is to set out the practices and procedures to be adopted to ensure compliance with consent conditions and archaeological authority issued by HNZPT and at a minimum must:
a) Include procedures to train contractors working on the project on the possibility of encountering archaeological evidence and procedures to be undertaken,
b) Identify any specific areas where particular processes should be adopted to monitor for the presence of archaeological evidence,
c) Include procedures for the reporting and analysis of any archaeological features impacted by the proposed works.

8. All works must be carried out in accordance with the AMP. Any amendments to the AMP approved by HNZPT must be provided to the Consent Authority.

9 a) Within **20 working days** of the completion of on-site archaeological work, the site record forms must be updated or submitted to ArchSite.
b) Within **6 months** of the completion of on-site archaeological work, a final report on any archaeological material that is found must be prepared in accordance with *ASG12*

Archaeological Report Guideline (HNZPT, 2023) and submitted to HNZPT for inclusion in the digital library and to Aukaha.

10 The Consent Holder must notify the Consent Authority in writing of the completion of mining activity and the rehabilitation of the mine pit no less than **10 working days** following the completion of works, and must provide photographs of the area where work has been undertaken to demonstrate rehabilitation of mined areas and avoidance of activity in areas where setbacks are required.

Photographs must be in colour and minimally consist of 900*1600 pixels with a file size (in JPG format) between 0.5 and 1Mb.

General

11. The Consent Holder must ensure that any contractors engaged to undertake work authorised by this consent abide by the conditions of this consent. A copy of this consent must be present on site at all times while the work is being undertaken.

12. Prior to, or immediately following completion of the works authorised by this consent, the consent holder must ensure that all plant, equipment, chemicals, fencing, signage, debris, rubbish and any other material brought on site for the construction or maintenance of the bore is removed from the site. The site must be tidied to a degree at least equivalent to that prior to the works commencing.

13. If an unidentified archaeological site is located during works, the following must apply:
a) Work must cease immediately at that place and within 20 metres around the site.
b) All machinery must be shut down, the area must be secured and the Site Manager must be advised.
c) The Consent Holder must secure the site and notify the HNZPT Regional Archaeologist and the Consent Authority.
f) Works affecting the archaeological site and any human remains (koiwi) must not resume until HNZPT gives written approval for work to continue. Further assessment by an archaeologist may be required.
g) Should kōiwi be encountered, NZHP will assist the consent holder in contacting all affected parties as soon as practicable, including Aukaha, Te Ao Marama Incorporated, HNZPT, and the police. The Ngāi Tahu policy for kōiwi takata shall also be followed (*Te Rūnanga o Ngāi Tahu, 2019*).

Review

14. 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 either side of 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;
b) Ensuring the conditions of this consent are consistent with any National Environmental Standards, relevant regional plans, and/or the Otago Regional Policy Statement;
c) Reviewing the frequency of monitoring or reporting required under this consent.

Notes to Consent Holder

1. *If you require a replacement consent upon the expiry date of this consent, any new application should be lodged at least 6 months prior to the expiry date of this consent. Applying at least 6 months before the expiry date may enable you to continue to exercise this consent under section 124 of the Resource Management Act 1991 until a decision is made on the replacement application (and any appeals are determined).*

2. *The Consent Holder is responsible for obtaining all other necessary consents, permits, and licences, including those under the Building Act 2004, the Biosecurity Act 1993, the Conservation Act 1987, and the Heritage New Zealand Pouhere Taonga Act 2014. This consent does not remove the need to comply with all other applicable Acts (including the Property Law Act 2007 and the Health and Safety in Employment Act 1992), regulations, relevant Bylaws, and rules of law. This consent does not constitute building consent approval. Please check whether a building consent is required under the Building Act 2004.*

3. *Under the Heritage New Zealand Pouhere Taonga Act 2014 an archaeological site is defined as any place in New Zealand that was associated with human activity that occurred before 1900 and provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand (see Section 6). For pre-contact Maori sites this evidence may be in the form of Taonga (artefacts) such as toki (adzes) or flake tools as well as bones, shells, charcoal, stones etc. In later sites of European/Chinese origin, artefacts such as bottle glass, crockery etc. may be found, or evidence of old foundations, wells, drains or similar structures. Pre-1900 buildings are also considered archaeological sites. Burials/koiwi tangata may be found from any historic period. Archaeological sites are legally protected under Sections 42(1) & (2) of the Heritage New Zealand Pouhere Taonga Act 2014. It is an offence under Section 87 of the Heritage New Zealand Pouhere Taonga Act 2014 to modify or destroy an archaeological site without an Authority from Heritage New Zealand Pouhere Taonga irrespective of whether the works are permitted, or a consent has been issued under the Resource Management Act or Building Act.*

4. *The Consent Holder will be required to pay the Consent Authority an administration and monitoring charge to recover the actual and reasonable costs incurred to ensure ongoing compliance with the conditions attached to this consent, collected in accordance with Section 36 of the Resource Management Act 1991.*

5. *Where information is required to be provided to the Consent Authority this is provided in writing to compliance@orc.govt.nz, and the email heading is to reference RM26.315.01 and the condition/s the information relates to.*

Otago Regional Council

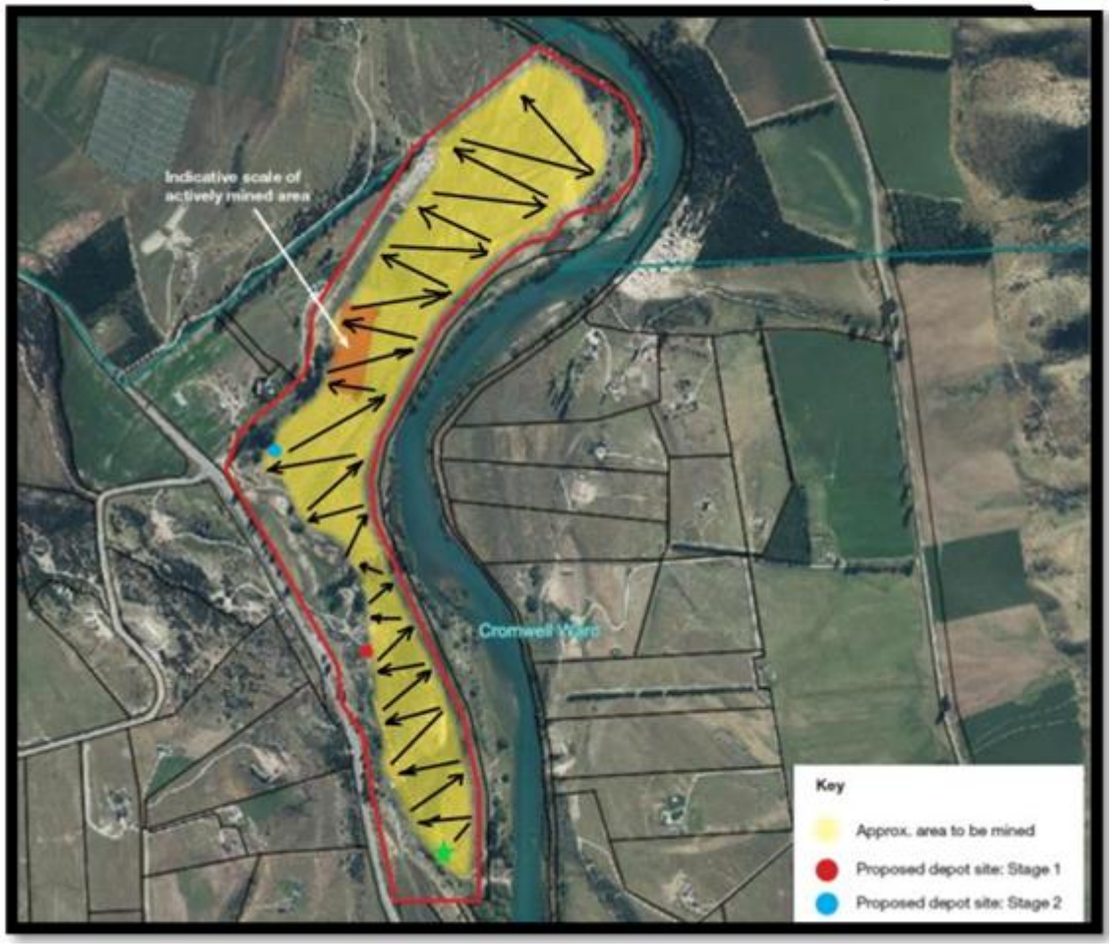
Issued at Dunedin this 6th day of October 2026



Natasha Pritchard
Principal Consents Planner

Otago Regional Council

Appendix 1 to Land Use Consent RM26.315 – Location of mining pond (bore)

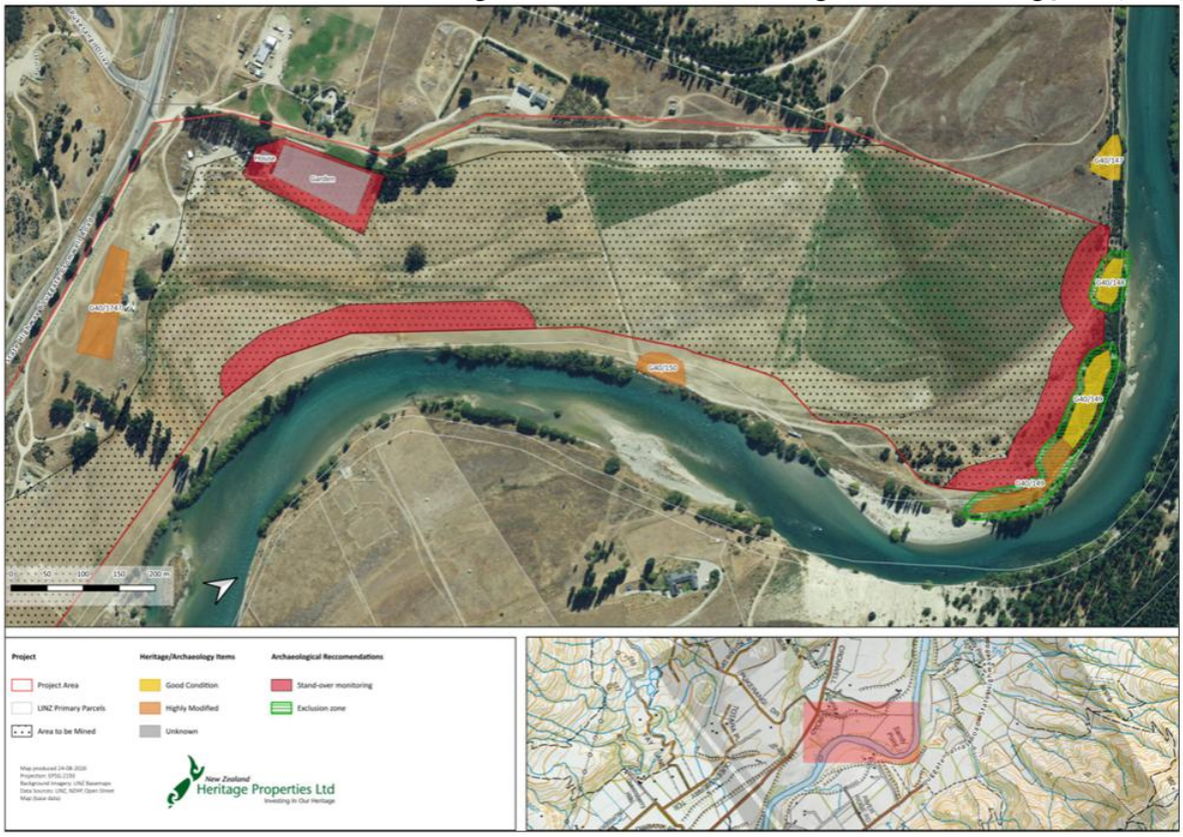


Appendix 2 to Land Use Consent RM26.315.01 – Mining pond (bore) setbacks from archaeological areas and river



Otago Regional Council

Appendix 3 to Land Use Consent RM26.315.01 – Archaeological exclusion and monitoring areas from mining pond (bore)



orc.govt.nz 0800 474 082 Private Bag 1954, Dunedin 9054

Otago Regional Council

Our Reference: 2129690870-22640 Consent No. RM26.315.02

WATER PERMIT

Pursuant to Section 104B of the Resource Management Act 1991, the Otago Regional Council grants consent to:

Name: Awa Koura Mining Limited

Address: 4 Julius Place, Richmond, 7020, New Zealand

To take and use groundwater non-consumptively for the purpose of alluvial gold mining and to take and use groundwater consumptively for the purpose of dust suppression

For a term expiring 6 October 2029

Location of Point of Abstraction:	Queensberry, approximately 440 metres northeast of the intersection of State Highway 6 and Pukerangi Drive
Legal Description of land at point of abstraction:	Lot 1 DP 46667
Legal Description of land where water is to be used:	Lot 1 DP 46667
GPS location NZTM (2000) of approximate centre point of site	E1309685 N5036915

Conditions

Specific

1. The take and use of groundwater from the Luggate Groundwater Management Zone on the land legally described as Lot 1 DP 46667 for alluvial mining and dust suppression must be carried out and located in accordance with the plans in Appendix 1 and all information submitted with the application, detailed below, and all referenced by the Consent Authority as consent number RM26.315:
   a) Application Form 4E, 5, 6, 9A
   b) Resource Consent Application to the Otago Regional Council for Awa Koura Mining Limited, Terramark, 5 June 2026
   c) Groundwater Resources Technical Assessment of Proposed Alluvial Mining Activities for Awa Koura Mining Limited, Queensbury, Central Otago, Environmental Associates, 19 September 2025
   d) Stream Depletion Analysis, Environmental Associates, 19 September 2025
   If there are any inconsistencies between the above information and the conditions of this consent, the conditions of this consent will prevail.

2. a) The rate and quantity of abstraction of non-consumptive groundwater from the

mine pit pond must not exceed:

i) 70 litres per second; and

ii) 2,479 cubic metres per day.

b) The rate and quantity of abstraction of groundwater from the mine pit pond to be used for consumptive purposes must not exceed:

i) 20 litres per second;

ii) 432 cubic metres per day; and

iii) 69,120 cubic metres per year, commencing 1 July of any year and ending 30 June of the following year.

3. The water take authorised by this consent must be exercised in conjunction with Land Use consent RM26.315.01, Discharge Permit RM26.315.03 and Discharge Permit RM RM26.315.04.

Performance Monitoring

4 (a) **Prior to the first exercise** of this consent, the Consent Holder must install a suitable water meter to record the water take from the mine pit pond, within an error accuracy range of +/- 5% over the meter's nominal flow range and a telemetry compatible datalogger that time stamps a pulse from the flow meter at least once every 15 minutes and that has the capacity to hold at least 12 months data of water taken. No mechanical or clamp on water meters must be installed.

(b) Data must be provided by a Consent Authority approved data host to the Consent Authority once daily in 15-minute period volumes by means of telemetry. The Consent Holder must ensure data compatibility with the Consent Authority's time-series database and conform with the Consent Authority's data standards.

(c) The water meter, datalogger and telemetry unit (water measuring system) must be installed by a Consent Authority approved installer and installed and maintained according to the manufacturer's specifications and instructions. There must be enough space in the pipe to allow for verification of the accuracy of the meter under condition (e).

(d) (i) Within **20 working days** of the installation of the water measuring system and within 20 working days of any subsequent replacement of any part of the water measuring system, the water meter must be verified for accuracy.

(ii) If a mechanical insert water meter or clamp on ultrasonic meter is installed it must be verified for accuracy each and every year from the first exercise of this consent.

(iii) Each verification must be undertaken by a Consent Authority approved operator and a **Water Measuring Device Verification form (Form RS1)** must be completed and submitted to the Consent Authority within 5 working days of the verification being performed, and at any time upon request.

(iv) The Consent Holder must have a measuring device reverified by a Consent Authority approved operator within 30 working days if a measuring device does not meet the verification requirements. The reverification must include an explanation of what changes were undertaken to the measuring device prior to any subsequent test(s).

(v) The Consent Holder must verify the correct pulse rate output is used if a correction is completed and submit this to the Consent Authority within 5 working days of the correction.

(e) (i) The Consent Holder must ensure the full operation of the water measuring

system at all times during the exercise of this consent. All malfunctions of the water meter and/or datalogger and/or telemetry unit during the exercise of this consent must be reported to the Consent Authority within 5 working days of observation. Appropriate repairs must be performed within 30 working days of observation of the malfunction or within a timeframe agreed with the Consent Authority.
(ii) Once the malfunction has been remedied, a copy of the calibration record, Water Measuring Device Verification form (Form RS1) with photographic evidence and any non-transferred data must be submitted to the Consent Authority within 5 working days of the completion of repairs. Photographs must be in colour and minimally consist of 900*1600 pixels with a file size (in JPG format) between 0.5 and 1Mb.

General

5. The water conveyance system must be maintained to minimise water leakage.

6. All water taken from the mine pit pond for mineral processing activities must be immediately returned to the mine pit pond at the same location it was taken from.

7. Fuel storage tanks and machinery working and stored in the mining area must be maintained at all times to prevent leakage of oil and other contaminants into the bore. During the exercise of this consent, the Consent Holder must ensure that no fuel, oil and chemicals, enter the bore. In the event of contamination, the Consent Holder must undertake remedial action and must notify the Consent Authority as soon as practical.

Review

8. 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 either side of 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;
b) Ensuring the conditions of this consent are consistent with any National Environmental Standards, relevant regional plans, and/or the Otago Regional Policy Statement;
c) Reviewing the frequency of monitoring or reporting required under this consent.

Notes to Consent Holder

1. *If you require a replacement consent upon the expiry date of this consent, any new application should be lodged at least 6 months prior to the expiry date of this consent. Applying at least 6 months before the expiry date may enable you to continue to exercise this consent under section 124 of the Resource Management Act 1991 until a decision is made on the replacement application (and any appeals are determined).*

2. *The Consent Holder will be required to pay the Consent Authority an administration and monitoring charge to recover the actual and reasonable costs incurred to ensure ongoing compliance with the conditions attached to this consent, collected in accordance with Section 36 of the Resource Management Act 1991.*

3. *Note: the water meter, data logger and telemetry unit should be safely accessible by the Consent Authority and its contractors at all times. The Water Measuring Device Verification Form and Calibration Form are available on the Consent Authority's website.*

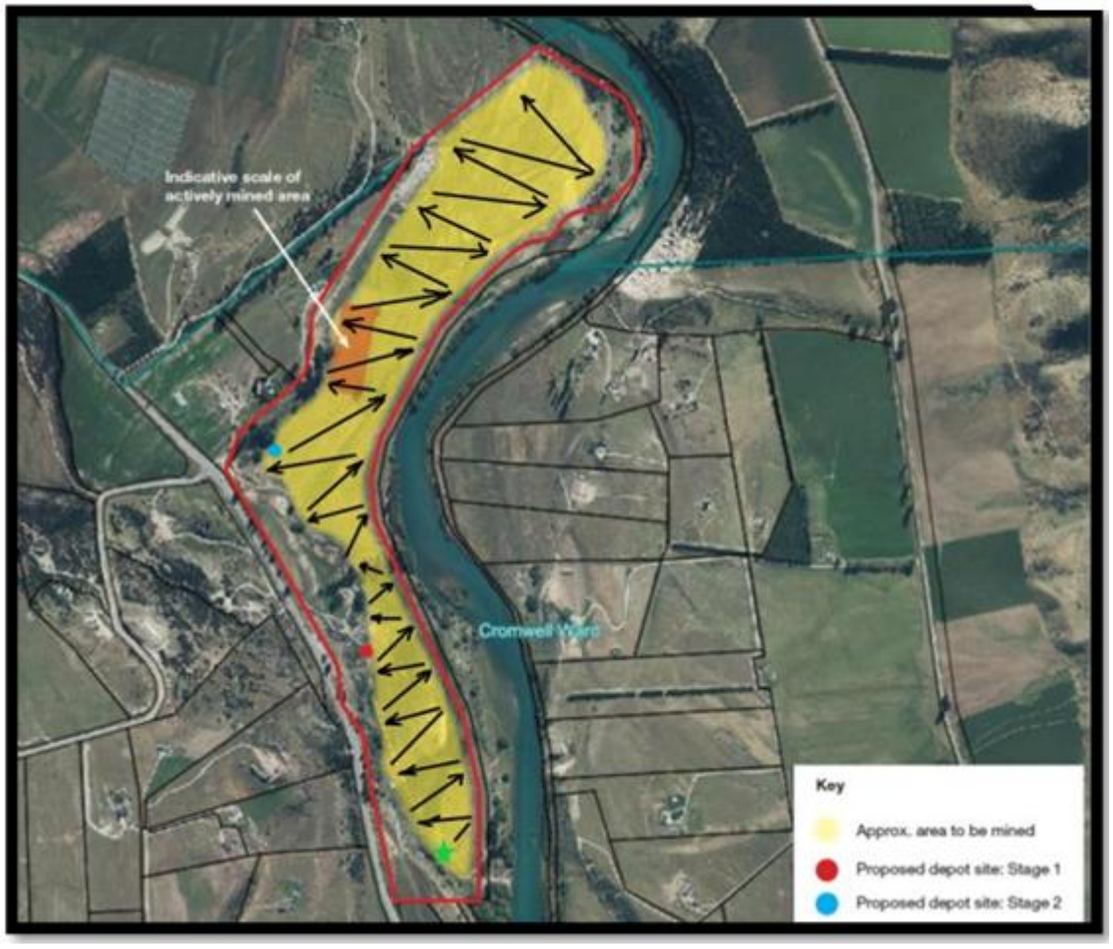
Issued at Dunedin this 6th day of October 2026



Natasha Pritchard
Principal Consents Planner

Otago Regional Council

Appendix 1 to Water Permit RM26.315.02 – Water take locations (yellow area)



Otago Regional Council

Our Reference: 2129690870-22641 Consent No. RM26.315.03

DISCHARGE PERMIT

Pursuant to Section 104B of the Resource Management Act 1991, the Otago Regional Council grants consent to:

Name: Awa Koura Mining Limited

Address: 4 Julius Place, Richmond, 7020, New Zealand

To discharge water and sediment to water for the purpose of alluvial gold mining

For a term expiring 6 October 2029

Location of consent activity:	Queensberry, approximately 440 metres northeast of the intersection of State Highway 6 and Pukerangi Drive
Legal description of consent location:	Lot 1 DP 46667
GPS location NZTM (2000) of approximate centre point of site	E1309685 N5036915

Conditions

Specific

1. This consent authorises the discharge of water and sediment resulting from alluvial mining to the mine pit pond. The discharge of water and sediment to water must be carried out and located in accordance with the plans in Appendix 1 and Appendix 2 and all information submitted with the application, detailed below, and all referenced by the Consent Authority as consent number RM26.315:
   a) Application Form 4E, 5, 6, 9A
   b) Resource Consent Application to the Otago Regional Council for Awa Koura Mining Limited, Terramark, 5 June 2026
   c) Groundwater Resources Technical Assessment of Proposed Alluvial Mining Activities for Awa Koura Mining Limited, Queensbury, Central Otago, Environmental Associates, 19 September 2025
   d) Stream Depletion Analysis, Environmental Associates, 19 September 2025
   If there are any inconsistencies between the above information and the conditions of this consent, the conditions of this consent will prevail.

2. The discharge of water and sediment to the mine pit pond must not exceed:
   a) 70 litres per second; and
   b) 2,479 cubic metres per day.

3. The discharge to water authorised by this consent must be exercised in conjunction with Land Use Consent RM26.315.01, Water Permit RM26.315.02 and Discharge Permit

RM RM26.315.04.

4. There must be no discharge within 40 metres of the banks of the Clutha River/ Mata-Au.

Performance Monitoring

5. At least **15 working days** prior to the commencement of the mining activity, the Consent Holder must submit a finalised **Environmental Management Plan (EMP)** for certification by the Consent Authority. This document must be prepared by a suitably qualified and experienced person (SQEP) with demonstrable experience in environmental management including erosion and sediment control, water quality management and site rehabilitation. The EMP must address the following (as a minimum):
   a) Administrative Requirements:
      i. Weekly site inspections and monitoring under Condition 10;
      ii. Monthly environmental reporting;
      iii. Independent audit by SQEP;
      iv. Notification and management of environmental incidents;
      v. Records and registers;
      vi. Environmental roles and responsibilities of personnel (including nomination of Principal Contractor);
      vii. Site induction;
   b) Operational Requirements:
      i. Erosion and sedimentation;
      ii. Dust management;
      iii. Works to be undertaken in accordance with Archaeological Management Plan (AMP) required by Condition 7 of Resource Consent RM26.315.01 and Dust Management Plan required under Condition 6 of Resource Consent RM26.315.04;
      iv. Chemical and fuel management;
      v. Any Erosion and Sediment Control Plan approved under Central Otago District Council Resource Consent RC250077.
   c) Sufficient detail to address the following matters:
      i. Specific erosion and sediment control works (locations, dimensions, capacity etc);
      ii. Diversion of overland flow paths to avoid the mine pit
      iii. Timing and duration of construction and operation of control works;
      iv. Measures to avoid silt and/or sediment discharge to water bodies;
      v. Details relating to the management and rehabilitation of exposed areas;
      vi. Processes in place if unexpected contaminated land is encountered;
      vii. Contingency measures for flood events; and
      viii. Monitoring and maintenance requirements.

6. a) The Consent Holder must submit an updated EMP to the Consent Authority when:
      i. Any significant changes have been made to the construction methodology since the original plan was accepted; or
      ii. There has been an Environmental Incident and investigations have found that the management measures are inadequate.
   b) Any updated versions of the EMP must be submitted to the Consent Authority for

review and acceptance. Works implementing the updated EMP must not commence until it has been accepted, and all works must be undertaken in accordance with the most current EMP accepted by the Consent Authority at all times. The Consent Holder must establish and implement document version control and ensure that the Consent Authority is provided with an electronic copy of the most current and complete version of the EMP at all times.

7. No works must commence until the initial or any updated version of the EMP has been accepted, and all works must be undertaken in accordance with the most current EMP accepted by the Consent Authority at all times.

8. Prior to commencement of earthworks, the Consent Holder must install erosion and sediment controls in accordance the approved EMP as required by Condition 5. To ensure effective management of erosion and sedimentation during earthworks, the Consent Holder must ensure that all practicable measures are taken to:
   a) divert clean runoff away from disturbed ground;
   b) control and contain stormwater run-off;
   c) avoid sediment laden run-off from the site.

   The operational effectiveness and efficiency of all erosion and sediment control measures must be maintained throughout the duration of earthwork activity, or until the site is permanently stabilised against erosion.

9. a) The Consent Holder must ensure that the operational effectiveness and efficiency of all erosion and sediment control measures specifically required by the approved EMP must be maintained throughout the duration of earthworks activity, or until the site is permanently stabilised against erosion. A record of any maintenance work must be kept and be supplied to the Consent Authority on request.
   b) Sediment removed from treatment devices must be placed on stable ground where it cannot re-enter the device or be washed into any watercourse.
   c) Where maintenance work is required to ensure the effectiveness of these erosion and sediment control measures, the record should include the date, time and details on the nature of any maintenance.
   d) The Environmental Representative (or equivalent) must ensure regular inspections of these measures, and particularly within 12 hours after any rainfall event. Where it is identified that erosion and sediment control measure have become ineffective and maintenance is required, the consent authority must be contacted within 24 hours and the erosion and sediment control measures must be reinstated to be effective, to the satisfaction of the Consent Authority.

10. a) The Consent Holder must visually monitor the water quality in the Clutha River/ Mata-Au for discolouration adjacent and up to 100 metres downstream of the discharge during the exercise of this consent on a weekly basis.
    b) A photographic record of visual water quality monitoring must be kept and made available to the Consent Authority on request. Photographs must be in colour and minimally consist of 900*1600 pixels with a file size (in JPG format) between 0.5 and 1Mb.
    c) In the event that a noticeable sediment plume beyond a distance of 100 metres downstream from the point of discharge, all mining activity must cease, and the

Consent Holder must immediately notify the Consent Authority.

11. Where any sediment discharge caused by the mining activity has led to a discharge to water beyond the mine pit, the Consent Holder must:

a) Report to the Consent Authority details of the incident within 12 hours of becoming aware of the incident;

b) Identify any corrective actions taken by the Consent Holder so far; and

c) Provide a comprehensive Environmental Incident Report to the Consent Authority within 10 working days of the incident occurring.

12. The Consent Holder must maintain a record of any sediment discharge complaints. The register must include, but not be limited to:

a) The date, time, location and nature of the complaint;

b) The name, phone number, and address of the complainant, unless the complainant elects not to supply this information;

c) action taken by Consent Holder to remedy the situation and any policies or methods put in place to avoid or mitigate the problem occurring again.

The Consent Holder must, within 24 hours, inform the Consent Authority of any complaints received from any person about activities on the site associated with the consented works.

General

13. The Consent Holder must ensure the discharge authorised by this consent does not cause any flooding, erosion, scouring, land instability or property damage.

Notes to Consent Holder

1. *If you require a replacement consent upon the expiry date of this consent, any new application should be lodged at least 6 months prior to the expiry date of this consent. Applying at least 6 months before the expiry date may enable you to continue to exercise this consent under section 124 of the Resource Management Act 1991 until a decision is made on the replacement application (and any appeals are determined).*

2. *The Consent Holder is responsible for obtaining all other necessary consents, permits, and licences, including those under the Building Act 2004, the Biosecurity Act 1993, the Conservation Act 1987, and the Heritage New Zealand Pouhere Taonga Act 2014. This consent does not remove the need to comply with all other applicable Acts (including the Property Law Act 2007 and the Health and Safety in Employment Act 1992), regulations, relevant Bylaws, and rules of law. This consent does not constitute building consent approval. Please check whether a building consent is required under the Building Act 2004.*

3. *Where information is required to be provided to the Consent Authority this is provided in writing to compliance@orc.govt.nz, and the email heading is to reference RM26.315.03 and the condition the information relates to.*

4. *The Consent Holder will be required to pay the Consent Authority an administration and monitoring charge to recover the actual and reasonable costs incurred to ensure ongoing compliance with the conditions attached to this consent, collected in accordance with Section 36 of the Resource Management Act 1991.*

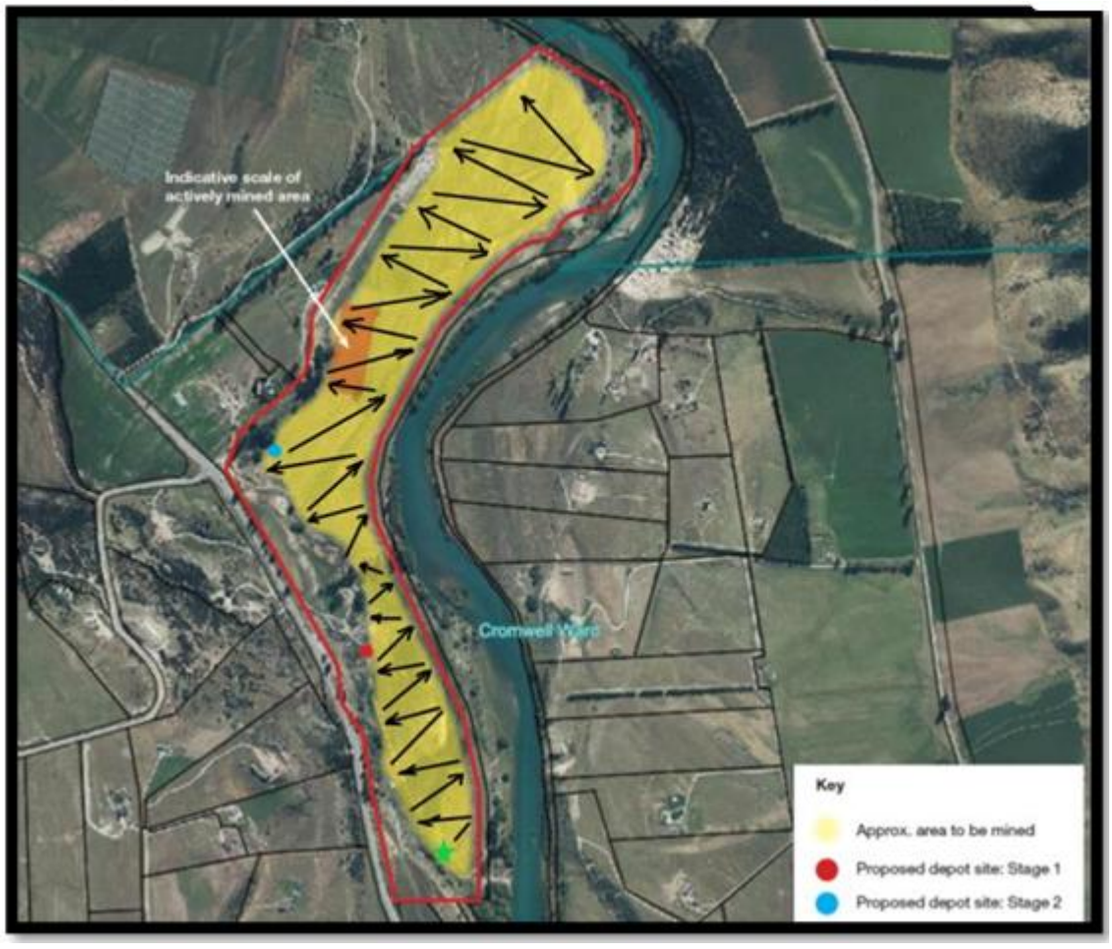
Issued at Dunedin this 6th day of October 2026



Natasha Pritchard
Principal Consents Planner

Otago Regional Council

Appendix 1 to Discharge Permit RM26.315.03 – Discharge locations (yellow area)



Appendix 2 to Discharge Permit RM26.315.03 – Setback from archaeological areas and river



Otago Regional Council

Our Reference: 2129690870-22642 Consent No. RM26.315.04

DISCHARGE PERMIT

Pursuant to Section 104B of the Resource Management Act 1991, the Otago Regional Council grants consent to:

Name: Awa Koura Mining Limited

Address: 4 Julius Place, Richmond, 7020, New Zealand

To discharge dust to air for the purpose of alluvial gold mining

For a term expiring 6 October 2029

Location of consent activity:	Queensberry, approximately 440 metres northeast of the intersection of State Highway 6 and Pukerangi Drive
Legal description of consent location:	Lot 1 DP 46667
GPS location NZTM (2000) of approximate centre point of site:	E1309685 N5036915

Conditions

Specific

1. This consent authorises the discharge of dust to air as a result of alluvial mining. The discharge to air must be carried out and located in accordance with the plans in Appendix 1 and Appendix 2, and all information submitted with the application, detailed below, and all referenced by the Consent Authority as consent number RM26.315:
   a) Application Forms 4E, 5, 6, 9A;
   b) Resource Consent Application to the Otago Regional Council for Awa Koura Mining Limited, Terramark, 5 June 2026;
   c) Proposed Sandy Point Gold Mine, Technical Air Quality Assessment, Revision B, WSP, April 2026;
   d) Proposed Sandy Point Gold Mine, Dust Management Plan, Revision B, WSP, April 2026;
   If there are any inconsistencies between the above information and the conditions of this consent, the conditions of this consent will prevail.

2. The Consent Holder must manage the active mining area to minimise the discharge of dust, including, but not limited to, the following measures:
   a) The active mining area, including unsealed haul roads and unrehabilitated areas, must not exceed 2 hectares;
   b) The height of overburden/ topsoil stockpiles must not exceed 0.6 metres above

ground level;
c) The speed of vehicles on the site must be limited to not more than 15 kilometres per hour;
d) The site entrance and adjacent sealed highway must be regularly swept or cleaned to remove accumulated debris;
e) Water must be applied to overburden material, soil and tailings when dry to minimise dust emissions from these activities;
f) Stripping, handling and deposition of overburden material and soil, and handling of dry tailings material, must not occur during wind speeds of more than 5 metres per second (10 minute average), as measured on site, when the wind is blowing towards neighbouring sensitive receptors that are located within 350 metres of the activity as shown in Appendix 2;
g) Inactive and rehabilitated areas must be revegetated promptly.

3. Visual monitoring of dust conditions must be undertaken by site staff during the execution of their normal daily duties to ensure mitigation measures can be quickly applied to address any potential dust emissions.

4. A water cart with spray bar must be used on unsealed haul roads and other dust generating areas as required for dust control. This water cart must be available on site at all times that mining and associated activities are undertaken.

5. Water sprinklers must be used to apply water to surfaces not accessed by the water cart. Sprinklers must be used on all rehabilitated areas until grass becomes established.

Performance Monitoring

6. No less than **20 working days** prior to commencement of the mining activity on site, the Consent Holder must submit a **Dust Management Plan (DMP)** to the Consent Authority for certification. The DMP must be prepared by a suitably qualified and experienced air quality expert. The overall objective of the DMP is to set out the practices and procedures to be adopted to ensure compliance with consent conditions and must at a minimum:
a) Identify the specific device proposed to be used for real-time PM_{10} monitoring. The device must be a near-reference grade monitoring device with a heated inlet;
b) Include baseline environmental monitoring (Meteorological and PM_{10}) that has been undertaken prior to works commencing to establish existing conditions on site in varying meteorological conditions;
c) In addition to general monitoring required by Condition 3, identify the appropriate location(s) for environmental monitoring on site while mining is occurring;
d) Identify all fugitive and point sources for discharges of contaminants into air, including a map showing the location of each source;
e) Detail management and monitoring practices to minimise discharges of contaminants into air;
f) Identify staff responsibilities and contact details;
g) Detail staff training to ensure the implementation of dust management measures;
h) Outline the procedures for keeping and maintaining records of the activity on site;
i) Identify trigger levels at which PM_{10} concentration would result in remedial action being undertaken in accordance with Condition 10;

j) Outline the procedures for the receipt, recording and handling of air quality complaints received.

7. a) The Consent Holder must implement and comply with the DMP referenced in Condition 6, or any subsequent revisions accepted by the Consent Authority for the duration of the consent.
b) Any proposed revisions of the DMP must be submitted to the Consent Authority for written acceptance at least 10 working days prior to formalising and implementing the revision.
c) All personnel working on the site must be made aware of the requirements contained in the DMP.
d) A copy of the certified DMP plan must be held on-site at all times.

8. a) The DMP required by Condition 6 must be reviewed on an annual basis.
b) The purpose of this review is to confirm that it accurately reflects on-site activities and operations and to identify if changes to management procedures contained within the DMP are required.
c) The results of the review must be reported to the Consent Authority within 20 working days of the review being undertaken.
d) If the review results in amendments to the DMP, the amendments must be certified by the Consent Authority prior to implementation.
e) If there are any inconsistencies between the DMP and the conditions of this consent, the conditions of this consent will prevail.

9. a) **Prior to the commencement** of the mining activity, the Consent Holder must install a weather station within the site that has the capability of measuring and logging wind speed and direction at a minimum of 1 minute intervals.
b) The weather station must be mounted on a mast located at a site representative of wind flows across the working area.
c) Wind speed and direction must be continuously monitored on the site at 6 metre minimum height, with real-time data sent to the site manager.
d) The weather station must have the ability to record the data and send automated alarms to site staff when wind speed and direction triggers are exceeded.

10. **Prior to the commencement** of the activity:
a) the Consent Holder must hold a pre-start meeting that:
    i. is located on the subject site;
    ii. is scheduled not less than five days before the commencement date;
    iii. includes Otago Regional Council Compliance Monitoring Officer(s); and
b) The meeting must discuss the mitigation and control measures, the mining methodology and must ensure all relevant parties are aware of and familiar with the necessary conditions of this consent. All additional information required by the Council must be provided at least two days prior to the meeting.
c) The following information must be made available at the pre-start meeting:
    i. Timeframes for key stages of the works authorised under this consent;
    ii. Resource consent conditions; and
    iii. The approved Dust Management Plan prepared in accordance with Condition 6.

11. a) Real-time PM_{10} monitoring must be undertaken using a near-reference grade monitoring device with a heated inlet. The specific device to be used must be outlined within the certified DMP. Monitoring must be undertaken at the site boundary between the 2 hectare active mining area and any sensitive receptor identified in Appendix 2 at all times when the mining area is:
    (i) Within 350 meters of sensitive receptors potentially affected by discharges from the active area during winds from the northwestern quadrant; and
    (ii) Within 250 meters of all other sensitive receptors.
    b) If there is more than one sensitive receptor within the specified distance, the monitor must be located between the active area and the closest receptor.
    c) If PM_{10} monitoring exceeds the trigger levels set in the DMP in accordance with Condition 6, electronic alerts must be sent to the site manager and remedial actions outlined in the DMP must be implemented.

12. a) The Consent Holder must maintain a register of any air quality complaints. The register must include, but not be limited to:
    (i) The location where the discharge was detected by the complainant;
    (ii) The date and time when the discharge was detected;
    (iii) A description of the discharge detected by the complainant;
    (iv) The name, phone number, and address of the complainant, unless the complainant elects not to supply this information;
    (v) A description of the weather conditions, including approximate wind speed and direction when the discharge was detected by the complainant;
    (vi) Action taken by Consent Holder to avoid, remedy or mitigate the discharge detected by the complainant and any policies or methods put in place to avoid the discharge occurring again.
    b) The Consent Holder must, within 24 hours, inform the Consent Authority of any complaints received from any person about the discharge to air associated with the consented works.
    c) The register of the complaints must be submitted to the Consent Authority by March each year and be made available for inspection at other times upon request.

General

13. The discharge must not cause objectionable or offensive particulate matter beyond the boundary of the site.

14 The Consent Holder must prevent the discharge of contaminants (including sediment) to land, groundwater, or any surface waterbody arising from the application of water for dust suppression during the exercise of this consent.

Review

15. 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 within three months of each anniversary of the commencement of this consent for the purpose of:
    (a) Determining whether the conditions of this permit are adequate to deal with any adverse effect on the environment which may arise from the exercise of the permit and which it is appropriate to deal with at a later stage, or which become evident after

the date of commencement of the permit; or
(b) Ensuring the conditions of this consent are consistent with any National Environmental Standards; or
(c) Requiring the consent holder to adopt the best practicable option to remove or reduce any adverse effect on the environment arising as a result of the exercise of this permit.

Notes to Consent Holder

1. *If you require a replacement consent upon the expiry date of this consent, any new application should be lodged at least 6 months prior to the expiry date of this consent. Applying at least 6 months before the expiry date may enable you to continue to exercise this consent under section 124 of the Resource Management Act 1991 until a decision is made on the replacement application (and any appeals are determined).*

2. *The Consent Holder is responsible for obtaining all other necessary consents, permits, and licences, including those under the Building Act 2004, the Biosecurity Act 1993, the Conservation Act 1987, and the Heritage New Zealand Pouhere Taonga Act 2014. This consent does not remove the need to comply with all other applicable Acts (including the Property Law Act 2007 and the Health and Safety in Employment Act 1992), regulations, relevant Bylaws, and rules of law. This consent does not constitute building consent approval. Please check whether a building consent is required under the Building Act 2004.*
   Where information is required to be provided to the Consent Authority this is provided in writing to compliance@orc.govt.nz, and the email heading is to reference RM26.315 and the condition the information relates to.

3. *The Consent Holder will be required to pay the Consent Authority an administration and monitoring charge to recover the actual and reasonable costs incurred to ensure ongoing compliance with the conditions attached to this consent, collected in accordance with Section 36 of the Resource Management Act 1991.*

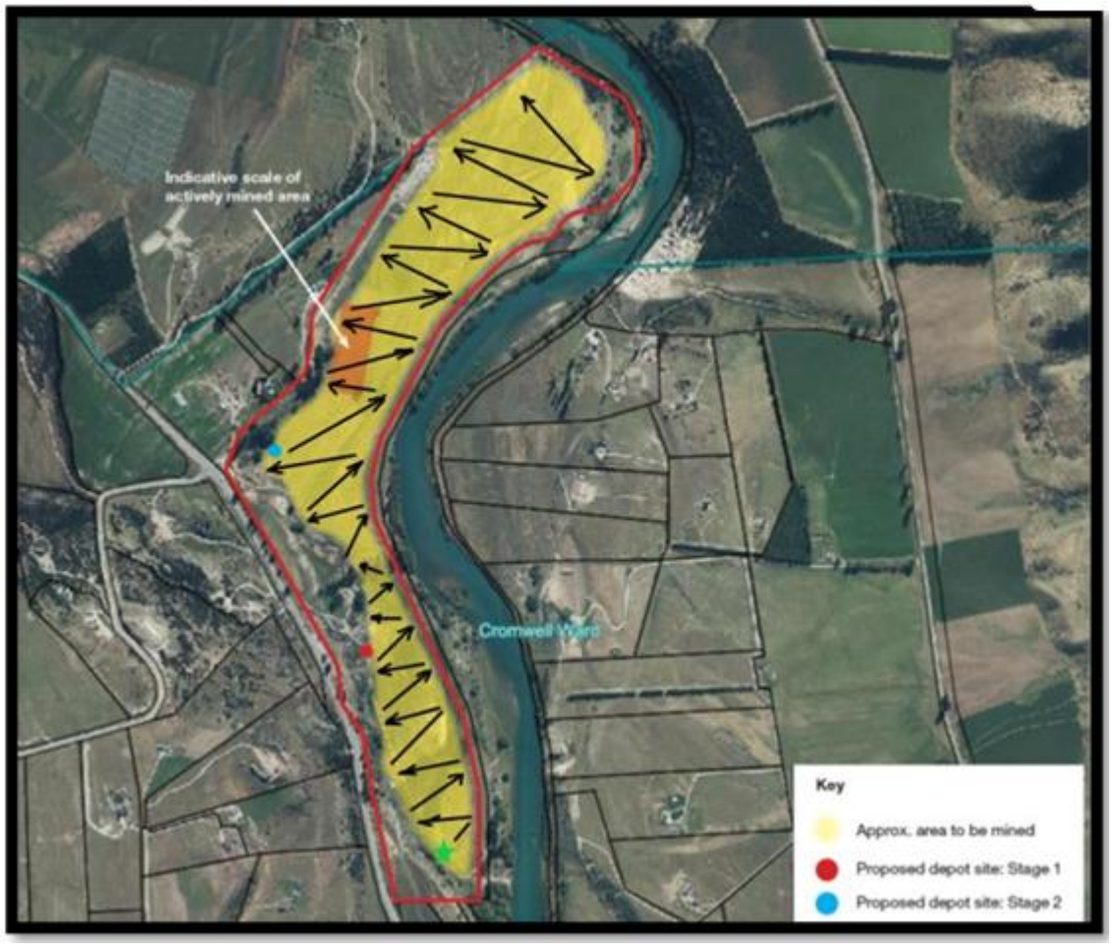
4. *Where information is required to be provided to the Consent Authority this is provided in writing to compliance@orc.govt.nz, and the email heading is to reference RM26.315.04 and the condition the information relates to.*

Issued at Dunedin this 6th day of October 2026

Natasha Pritchard
Principal Consents Planner

Otago Regional Council

Appendix 1 to Discharge Permit RM26.315.04 – Mining Envelope and depot location



Otago Regional Council

Appendix 2 to Discharge Permit RM26.315.04 – Location of sensitive receptors

