

CENTRAL OTAGO DISTRICT COUNCIL
REPORT OF PLANNING CONSULTANT

APPLICATION	RC250077
APPLICANT	Awa Koura Mining Limited
ADDRESS	Luggate-Cromwell Road (State Highway 6), Cromwell
LEGAL DESCRIPTION	Lot 1 DP 466676, Record of Title 623528
ACTIVITY DESCRIPTION	Alluvial Gold Mine
ACTIVITY STATUS	Discretionary

1. STATUS OF THIS REPORT

- [1] The attention of the applicants is drawn to the fact that the purpose of this report is to bring to the attention of the Hearings Panel all relevant factual information or issues which should be considered in deliberating on the proposal. It must be emphasised that any conclusions reached or recommendations made in this report are not binding on the Hearings Panel, and it should not be assumed that the Hearings Panel will reach the same conclusion or decision having considered all the evidence.

2. AUTHOR

- [2] My full name is Emma Jane Spalding. I am a Partner at Taylor Planning, providing planning consultant services to the Central Otago District Council.
- [3] I hold a Master of Planning degree from the University of Otago, awarded with Distinction. I am a Full Member of the New Zealand Planning Institute, which brings with it obligations to comply with a code of professional ethics and undertake continuing professional development. I have 18 years of experience in resource consenting and have been engaged in my current role since 2024.
- [4] While this is not an Environment court proceeding, I confirm that I have read the Code of Conduct for Expert Witnesses, contained in the Environment Court Practice Note 2023. I have complied with the Code of Conduct in preparing this report and will continue to comply with it while giving oral evidence. In that regard, I confirm that this report is written within my area of expertise, except where otherwise stated, and that I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

3. DESCRIPTION OF ACTIVITY

- [5] The application seeks land use consent to extract alluvial gold over a three year period in the Rural Resource Area at Luggate-Cromwell Road (State Highway 6), Lot 1 DP 466676, Cromwell. The site is partially subject to a flood hazard notation, associated with the Clutha River, in the Otago Regional Council's Natural Hazards Portal.
- [6] The proposed mine would be located on the lower terrace of the site, working between the base of the terrace and the Clutha River/Mata-Au. The mining would commence at

the southern end of the site, and zig-zag across the site towards the north (at a rate of approximately 13m per day), as illustrated in the mining concept plan below:

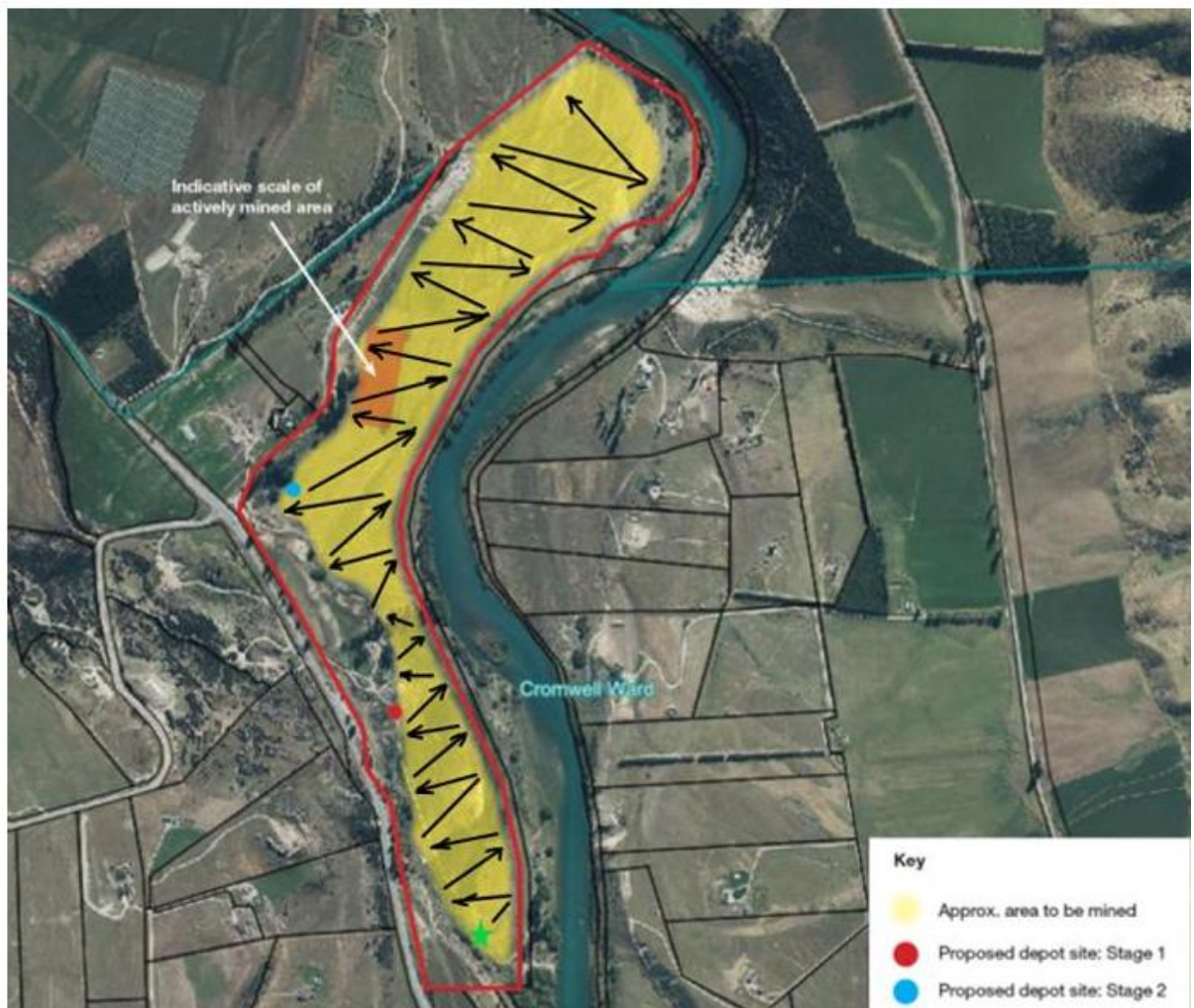


Figure 1: Mining Concept Plan (Source: Applicant's AEE)

- [7] Mining is proposed to be carried out for up to 10 hours per day, Monday to Friday and directly employ a minimum of four people. The applicant anticipates that around 200m³ of material could be processed per hour. This would equate to approximately 520,000m³ per year, and a total of 1,560,000m³ over the three year term of the consent. The applicant proposes that the active mine area would be up to 2 hectares in area (approximately 210m in length and 85m width). This will include topsoil, overburden stockpiles and tailings heaps, which will have a maximum height of 1.5m. The mine face will be approximately 50m wide. There will also be an additional 2 hectare 'halo' around the active mining site with peripheral disturbance. The activity will also involve a depot area, which will be outside the active mine area. This area will host fuel tanks, two storage containers, and a small portacom building. Staff vehicles would also be parked in this area. The depot will be located in one of two areas, according to the progression of the mine.
- [8] The mining activity will involve progressive rehabilitation of the site as the mine progresses, backfilling, replacing topsoil and resowing with pasture grass. The applicant intends that remediated areas would be contoured to match existing landforms as closely as possible.

- [9] Mine equipment is proposed to consist of a floating gold processing screen plant, five excavators, two dump trucks, a bulldozer, pumps and ancillary equipment. Up to 2,520m³ of water per day is proposed to be used to run the processing plant, based on a flow rate of 70L/s over a 10 hour working day. The applicant intends this to primarily come from groundwater brought to the surface into ponds, and supplemented by water from the Mata-Au Clutha River. Bulk storage of 10,000 litres of diesel fuel is proposed on site. Fuel would be contained within double skinned tanks that have bunds constructed around them with 120% spill capacity.
- [10] The applicant has provided a detailed description of the proposed mining method in the updated AEE dated 5 December 2025, at pages 6 to 11. This description is adopted.
- [11] Access to the site is from State Highway 6. The applicant originally proposed to retain the existing access location and design roughly opposite Pukerangi Drive, however, following the receipt of a submission from New Zealand Transport Authority / Waka Kotahi (NZTA) the applicant advised that the access would be upgraded in accordance with the recommendation of NZTA. The applicant anticipates that most heavy vehicle movements would occur at the start and end of the mine's operation, with most movements during operation being light vehicles, for example staff vehicles, fuel and maintenance vehicles.
- [12] The application is supported by assessment from people with the following expertise:
- Benje Patterson – Economist
 - Juan Gaviria – Acoustic Engineer, Marshall Day
 - Mike Moore – Landscape Architect
 - Dr Blair McPhee – Archaeologist, New Zealand Heritage Properties
 - Tom Heller – Environmental Scientist/Engineer
 - Darryl Sycamore – Planner.
- [13] I note that within the application material and further information provided, there are several different plans showing the location of the mining, with different setbacks proposed for different reasons. To provide clarity at the hearing, I consider the applicant should provide an accurately dimensioned site plan clearly showing the proposed mining area, with all of the following setbacks and areas identified:
- areas where mining is proposed, with distances to boundaries shown;
 - the location of the upper terrace and any setback proposed from the base of the terrace;
 - the location of approved building platforms associated with RC230386, and the proposed setback from building platform 2;
 - the 10m setback from Autaia Scenic Reserve;
 - the 10m setback from the esplanade reserve;
 - the 5m setback from the dripline of any kanuka tree;
 - the 40m setback from the riverbank;
 - the proposed setback from the identified archaeological sites; and
 - the stand-over monitoring areas proposed by NZHPL.

4. SITE DESCRIPTION

- [14] The site of the proposed mine is legally described as Lot 1 DP 466676, held in Record of Title 623528 and has a total area of 69.868ha. The subject site occupies the river terrace between State Highway 6 and the Clutha River/Mata Au. The application notes that the site is currently used as an active working farm, used for finishing beef cattle and breeding cows. The site is located approximately 4km from the township of Luggate.
- [15] The site is accessed from a crossing point from State Highway 6 (a Limited Access Road in this location). The existing access is a shared access which passes over Lot 2 DP 364424 and also provides access to Lot 1 DP364424.
- [16] To the north, the site forms the boundary with the Queenstown Lakes District, and the Autaia Scenic Reserve (administered by the Department of Conservation (DOC)). To the east is the Clutha River/Mata-Au, separated from the site by way a Marginal Strip also administered by DOC. The Sandy Point Reserve (also DOC administered) is located on the opposite side of the Clutha River/Mata-Au, at the northern end of the site.
- [17] Numerous rural properties containing residential dwellings are located to the west and south of the site. To the east of the site is the Clutha River/Mata-Au, with residential activities located on the opposite side of the Clutha River/Mata-Au. There are also two sites containing residential dwellings located directly to the north of the subject site, one of which is owned by the same owner as the subject site (3364 Luggate-Cromwell Road). Popina café and restaurant is also located to the west of the site, off Pukerangi Drive.
- [18] Rural farming activities are also occurring in the wider environment.
- [19] Further detailed description of the site and surrounding area is included with the Landscape Effects Assessment Report, prepared by Mike Moore, provided with the application. This description is considered accurate and is adopted for the purposes of this report.

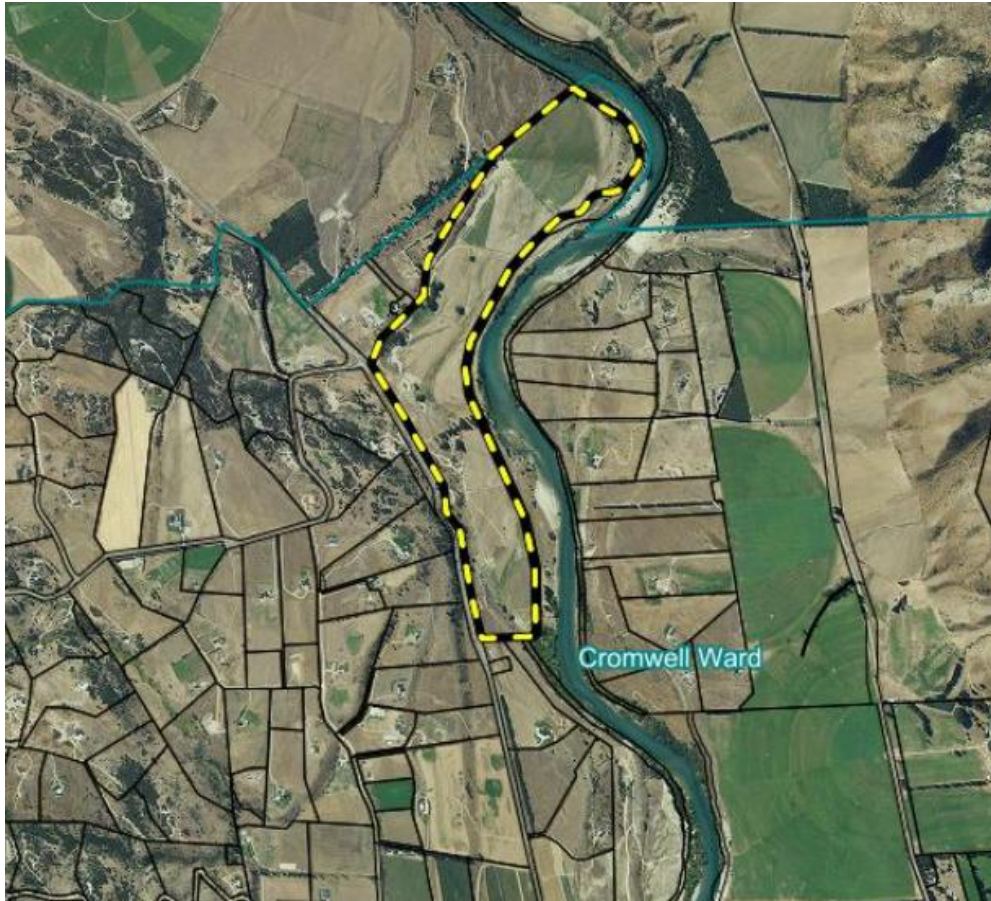


Figure 2: The subject site (as outlined) and surrounding area (source Council GIS).

5. REASONS FOR APPLICATION

Central Otago District Plan

- [20] The subject site is located within the Rural Resource Area of the Central Otago District Plan (the District Plan).
- [21] The site is not subject to any overlays within the CODC planning maps, but is subject to the following overlays on the Otago Regional Council Natural Hazards Portal:
- Otago River Flood Hazard;
 - Grandview Fault FAA (Fault Awareness Area) (northern end);
 - Liquefaction Awareness Area – A Domain, Liquefaction Potential - Low to None;
- [22] Resource Consent is required for the following reasons:
- A discretionary activity pursuant to Rule 4.7.4(i) for a breach of the standards listed in 4.7.6J(b)(i-iv) (Extractive Activities), whereby the displacement of materials proposed shall exceed 2000m² in area and 3000m³ of volume. The total volume of material to be processed is expected to be approximately 1.5 million cubic metres over the site, which has an area of 69.868ha (noting that the total area to be mined is approximately 50ha, due to proposed setbacks from sensitive areas).

- A discretionary activity pursuant to Rule 4.7.4(i) for an activity that breaches standard 4.7.6B(b) relating to traffic generation and characteristics of activities on the basis that it is proposed to have more than three people engaged in the activity.
- A restricted discretionary activity under Rule 4.7.3(iv) for non-compliance with Standard 4.7.6E which requires all activities to comply with the specified noise limit of 55dBA L₁₀, between 7am and 10pm, at the notional boundary of any dwelling. The activity will result in noise levels of up to 65dBA L₁₀ at a notional boundary.
- A restricted discretionary activity pursuant to Rule 12.7.1(viii) for a breach of standards listed in 12.7.1 (i-vii) (Access Standards from Roads).
- A restricted discretionary activity under Rule 4.7.3(i) for non-compliance with Standard 4.7.6F which requires storage areas and stockpiles to be screened from all public viewpoints and neighbouring properties. In this case the stockpiles of topsoil and overburden will be placed in bunds along the active mining area, and may be visible from surrounding properties, the Clutha River/Mata-Au, SH6, and the public reserve areas adjacent to the site and across the other side of the Clutha River/Mata-Au.

National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES-CS)

- [23] The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NESCS) came into effect on 1 January 2012. The National Environmental Standard applies to any piece of land on which an activity or industry described in the current edition of the Hazardous Activities and Industries List (HAIL) is being undertaken, has been undertaken or is more likely than not to have been undertaken. Activities on HAIL sites may need to comply with permitted activity conditions specified in the National Environmental Standard and/or might require resource consent.
- [24] The subject site is not identified as having any hazardous or industrious activities on the ORC's Selected Land Use Sites (SLUS) register. As such the National Environmental Standards for Assessing and Managing Soil to Protect Human Health (NESCS) is not applicable.
- [25] For completeness, I note that the application involves a mining activity, as well as bulk storage of fuel in above ground tanks. This will result in the site becoming a HAIL site and the site will be added to the ORC's SLUS register. Additional consent will therefore be required under the NES-CS prior to the approved subdivision being implemented. An advice note has been included in the recommended conditions of consent to alert the consent holder of this.
- [26] There are no other National Environmental Standards relevant to this application.

Overall Status

- [27] The proposal is considered to be a discretionary activity overall.

6. PUBLIC NOTIFICATION AND SUBMISSIONS

- [28] The application was publicly notified on the 19th of February 2026. Submissions closed on the 19th of March 2026. Twenty two submissions were received.

[29] The following table sets out the submissions received and the key issues of concern contained within the submissions. **Appendix 2** of this report contains a more detailed summary of submissions. The key issues identified in submissions generally relate to the following topics:

- Noise
- Dust and air quality
- Landscape, visual amenity and natural character
- Rural amenity and quality of life
- Water quality, hydrology and river values
- Ecology
- Cultural and heritage values
- Traffic and transport
- Rehabilitation and bond/security provisions
- Economic and social effects
- Cumulative effects
- Natural hazards
- Applicant's compliance history
- Adequacy of proposed mitigation and consent conditions.

Submitter Number and Position	Name and Address	Key Concerns
01 Oppose	Andy Elia 57 Onslow Road, Lake Hayes Estate	• Earthworks, sediment mobilisation, potential contamination and adverse effects. • Cumulative effects on river hydrology and effects on river values. • Risk of diesel spill events. • Amenity and rural character effects including noise, dust and heavy vehicle movements • Adequacy of progressive rehabilitation. • Seeks consent is declined. If not declined, imposition of stringent conditions are requested.
02 Neutral	Te Ao Mārama Inc, on behalf of Te Rūnaka o Waihōpai	• Whether obligations under Te Mana o te Wai have been addressed • Potential indirect effects on mauri (e.g., sediment mobilisation during extreme events, groundwater–surface water interactions) • Cumulative effects (historic mining, pastoral use, subdivision) • Consistency with ki uta ki tai principles for the Mata-Au catchment • Request appropriate conditions to safeguard cultural values and impose accidental discovery protocols.
03 Oppose	Phillip James Everest and Anne Christine Everest 85 River Ridge Road, Tarras	• Mining operation will completely upset and ruin outdoor lifestyle and quality of life. • Seek that the application is declined.
04 Oppose	Jason Chauval	• Noise and peaceful enjoyment of properties. • Dust and disturbance

	63 River Ridge Road, Tarras	• Visual impacts • Leaking of toxic chemicals, mercury and pollutants into water supply. • Seeks cancellation of the application.
05 Oppose	Oliver Moon 46 Kingan Road, Luggate	• Alleges previous ongoing non-compliance with environmental laws and regulations, and illegal activities by the applicant, and an established track record of non-compliance.
06 Oppose	Roderick Harold and Phillippa Mary Fee 25 Hinemoa Street, Birkenhead Point, Auckland (Owners of 79 River Ridge Road)	• Dust • Noise • 10 hour working day • Lighting
07 Support	Kimberley Landreth 3364 Luggate Cromwell Road	• Positive social and economic benefits. • Ample buffer of DOC land to separate the mine from the river. • Mining and reclamation will leave the land in a much easier state to continue with the lifestyle block subdivision to follow. • Short time period, daytime work only, and gradual movement along the property will minimise effects on neighbouring properties.
08 Oppose	Simon Stebbings 459 Luggate-Tarras Road, Sandy Point	• Overstated economic benefits. • Noise • Hours of operation • Excessive water extraction • Potential cumulative effects • Effects on freshwater ecology, including invertebrates and fish species. • Effects on the DOC administered reserves (Sandy Point and Autaia). • Minimal engagement with key stakeholders (DOC, tangata whenua, local residents and Luggate community). • Long-term rehabilitation of the site
09 Oppose	Brenda Jessup 26 Pukerangi Drive, Cromwell	• Significant and ongoing adverse effects on Popina (submitter's hospitality business) located immediately opposite the site of the proposed mine. • Continuous movement of heavy machinery, increased heavy vehicle traffic • Noise, dust and other associated industrial effects • Effects on the health of gardens and native planting • Effects on character, rural amenity and landscape values of the area. • Requests that the application is declined.
10 Oppose	Russell and Yvonne Binns 110 Pukerangi Drive, Queensbury	• Sedimentation of the Clutha River • Damage to the State Highway • Dust • Effects on landscape values and recreational activities
11 Oppose	Wayne and Dawn Bosley 54 River Ridge Road, Tarras	• Dust • Noise • Hours of operation
12 Oppose	Ellen Delis 83b Poison Creek Road, Queensbury	• Submission relates to the Santana Gold Mine in Tarras, and states that the gold mine will destroy the head water for all the people in New Zealand.
13 Oppose	Mark and Tony Williams	• Effects on the Clutha/Mata-Au (sediment discharge, groundwater disturbance, erosion, ecological harm, natural character) • Acoustic effects

	71 Pukerangi Drive, RD3, Cromwell	• Dust and air quality • Landscape and visual impacts • Natural hazards • Effects on character and amenity values of the surrounding rural environment • Cumulative effects
14 Oppose	John Kokshoorn PO Box 983, Main Beach, Queensland, Australia 4217	• Same reasons as submission 13.
15 Oppose	Jane L M Stevens 10 Seaforth Street, Karitane, Dunedin (Owner of 67 River Ridge Road)	• Dust • Noise • Visual pollution. • Effects on rural amenity
16 Oppose	Ngaio Hart PO Box 253, Arrowtown, 9302	• Impacts on the health of the river and riverbanks • Impacts on the recreational experience of river users. • Dust • Water quality and contamination • Flooding risks regarding land stability, erosion risk and contamination • Impact on the recreation experience of river users including noise, visual impact, impacts on exceptional natural, recreational & tourism values. • Potential mental health impacts.
17 Oppose	Allan and Barbara Kane 3 RD, Cromwell	• Noise • Dust • Landscape effects
18 Oppose	Laurina Kersten 178 Fay Lane	• Significant risks to the natural environment, including soil degradation, sediment runoff, and potential contamination of waterways. • Dust and Air Quality Concerns • Adverse Effects on Amenity and Landscape Values • Negative Impact on Local Businesses • Increased Traffic and Safety Risks • Inconsistency with Long-Term Regional Vision • Impact on Community Wellbeing and Sense of Place
19 Oppose	Richard and Caroline Bell 738 Luggate-Tarras Road, 9383	• Noise impacts • Dust and air quality • Visual and landscape effects • Unreliable economic analysis
20 Oppose	Kim Fogelberg PO Box 111, Wanaka	• Noise • Rural character effects • Visual effects, natural character and landscape value effects. • Impacts on public use and recreation, including visitors to Sandy Point lookout, recreational fishers, boaters and river users. • Limited economic benefits • Effects on Clutha/Mata-Au River, potential runoff into the river during wet-weather events. • Dust • Concerns relating to the reputation and environmental track record of the applicant.
21 Not stated	Heritage New Zealand Pouhere Taonga	• Exclusion zones around recorded archaeological sites supported, but strongly recommends that an archaeological authority is applied for. • More than minor effects on heritage

	Attn: James Southerland PO Box 5467 Dunedin 9054	Inadequate consultation with mana whenua
22 Oppose	New Zealand Transport Agency Waka Kotahi Attn Kate Bonifacio/Steve Baker PO Box 1479 Christchurch 8022	Safety effects on the state highway network Requests an upgrade of the access to NZTA's PPM (2025) Access Type C Standard.

7. EFFECTS ON THE ENVIRONMENT

[30] Consideration is required of the relevant assessment matters in the District Plan, along with the matters in any relevant national environmental standard. This assessment is however not limited to these matters. No regard has been given to any trade competition or any effects of trade competition.

Affected Persons

[31] The owners/occupiers of 3360 Luggate-Cromwell Road have provided their written approval to the application. In accordance with section 104(3)(a)(ii) of the Resource Management Act 1991, the Council cannot have regard to the effects of the activity on this party.

[32] The owner of the application site also owns the adjoining property at 3364 Luggate-Cromwell Road, and has submitted in support of the application. I consider that it is appropriate that any effects on the owner/occupiers of this property can also be disregarded.

Permitted Baseline

[33] Under section 104(2) of the Resource Management Act 1991, the Council may disregard an adverse effect of the activity on the environment if the District Plan or a National Environmental Standard permits an activity with that effect.

[34] That is, an application can be assessed by comparing it to the existing environment and development that could take place on the site as of right, without a resource consent, but excluding development that is fanciful. In this case, earthworks under the District Plan are permitted up to an area of 2,000m² and a volume of 3,000m³, and commercial activities employing up to three people are also permitted. In this instance the areas and volumes of earthworks proposed will significantly exceed these District Plan standards. Furthermore, elements of the proposal also require ORC consent. Due to the nature and scale of the proposed goldmine, the permitted baseline is not considered particularly relevant and will not be applied in the following assessment.

Receiving Environment

[35] The existing and reasonably foreseeable receiving environment is made up of:

- The existing environment and associated effects from lawfully established activities;
- Effects from any consents on the subject site (not impacted by proposal) that are likely to be implemented;

- The existing environment as modified by any resource consents granted and likely to be implemented; and
 - The environment as likely to be modified by activities permitted in the district plan.
- [36] For the subject site, the existing and reasonably foreseeable receiving environment includes the existing pastoral farming activities undertaken on the site. I note that the site also has an existing subdivision and land use consent approval, for an 8 lot rural subdivision and establishment of 8 building platforms (RC230386). This consent was granted in October 2024 and has a lapse date of 02 October 2029. I consider that it is reasonably likely that this consent will be implemented following the completion of the mining activity on the site, and I have taken this into account as part of the reasonably foreseeable receiving environment when considering adverse effects of the proposed mining activity.
- [37] The area surrounding the site has mixed character, with rural, rural residential and commercial activities in the vicinity. Further to the west there is Department of Conservation reserve land, as well as a marginal strip along the full extent of the Clutha River/Mata-Au adjacent to the site.
- [38] It is against this receiving environment that the effects of the activity must be measured.

8. ASSESSMENT OF EFFECTS ON THE ENVIRONMENT

Natural Character, Landscape and Visual Effects

- [39] The applicant has provided a landscape assessment with the application, prepared by Mike Moore Landscape Architect. This assessment has been peer reviewed by Tony Milne of RMML, under Section 92(2) of the Resource Management Act. Mr Milne's peer review is attached to this report at **Appendix 3**.
- [40] The landscape effects assessment provided by Mr Moore concludes that the proposal will have up to moderate-high effects (interpreted by Mr Moore as constituting a more than minor effect) on a temporary basis during the mine's operation. Mr Moore considers that these would be primarily due to the removal of pastoral land cover, modification of the landform and the presence of mining vehicles, plant and facilities. Mr Moore considers that these effects would be remedied through progressive remediation of the site, with the effects after the activity ceases and when all remediation is in place being considered to be less than minor.
- [41] Mr Moore's landscape assessment report was reviewed by Mr Milne, who requested further information in relation to cross boundary effects, further assessment of effects on surrounding dwellings, explanation of why the 3 year term was considered as mitigation, and further details relating to stockpiles/bunds.
- [42] Following receipt of the further information, Mr Milne undertook a peer review of all information.
- [43] *Natural Character*
- [44] In terms of natural character effects, both Mr Moore and Mr Milne are in agreement that the 40m offset from the Clutha/Mata-Au, the sequential displacement of material, land being rehabilitated in a timely manner and the limited extent of extraction at any one time adequately mitigates the potential adverse effects of mining activities on the natural character of Mata-Au / Clutha River and that the landscape assessment appropriately

limits the assessment of natural character to the river margins, as applicable under RMA Section 6(a).

[45] *Physical Effects*

- [46] Mr Moore's assessment notes that the proposal will modify the existing natural floodplain on the terrace landform that the site is situated, due to the displacement of approximately 1.5 million cubic metres of material, and recontouring of landform during the rehabilitation stage. Mr Milne concurs that the mining will be a significant change to the current landform where it is occurring during the mining period, but notes that the mining activity will be well contained within the defined 1.8ha area at a time, and highlights that activities related to the consented subdivision already comprise landform modification by way of building platforms, accessways, forecourts, lawns. Mr Milne considers that these activities will assist with reducing the long-term degree of change resulting from the proposal and the subsequent degree of adverse landscape effects.
- [47] In terms of mitigation, Mr Milne states that reinstating soil cover and ensuring grass and plant growth is the key mitigation measure to the proposal, noting that screen planting will be ineffective from most vantage points due to the moving nature of the proposal. Mr Milne recommends that half yearly reviews of rehabilitation measures are undertaken to ensure that the intended re-levelling of the soil and grass growth is being achieved.
- [48] Overall, Mr Milne concludes that the proposal will have a moderate degree of adverse effects on the landscape's physical values where the mining is taking place. At a site wide scale, this will be of a low to low-moderate degree and at a receiving environment scale, this will be of a low degree. Post mining activities, the adverse effects on physical values will be very low to nil.

Associative Effects

- [49] Mr Milne's peer review gives consideration to cultural and recreational associative values. In relation to cultural values, Mr Milne notes that the submission from Te Ao Mārama provided a neutral submission, which included recognition of the cultural values of the Clutha River/Mata-Au.
- [50] Mr Milne notes that the proposal is well contained to the site and does not impede access to and along the river beyond current constraints. Therefore, cultural traditions associated with mahika kai networks and historic movement patterns will not be altered. He also notes that the proposal will not alter the physical qualities of the river and is unlikely to affect the spiritual values associated with creation traditions, as outlined in the submission of Te Ao Mārama.
- [51] Mr Milne's peer review also considers recreational associative values within the area include the use of the river by kayakers and boat users and people appreciating the view from Sandy Point. The proposal does not impede access to Sandy Point or along the river, and Mr Milne notes that the river is enclosed by steep, tall escarpments and vegetation. Therefore, Mr Milne concludes that it is apparent that the proposal will not be seen from the rivers surface due to topography and vegetation.
- [52] The peer review concludes that the proposal will have a very low degree of adverse effects on the landscape's associative values. Post mining activities, the adverse effects will be nil.

Visual Perceptual Effects

- [53] Mr Milne generally agrees with Mr Moore's assessment of visual effects and concludes that the proposal has correctly identified the relevant viewing audiences and visual catchments. The degree of visual effect varies depending on the viewing location, the stage of mining, and the progressive rehabilitation of the site. However, Mr Milne has concerns with the level of assessment undertaken in relation to effects from private viewpoints, which will be discussed below.
- [54] For users of State Highways 6 and 8A, views of the site will generally be brief and transient, with the surrounding mountain landscapes remaining the dominant focus of attention. Mr Milne concludes that visual effects from these locations will be low to low-moderate and will reduce to nil following rehabilitation.
- [55] For users of the Sandy Point Lookout, the activity will be more apparent due to the elevated viewing position and proximity of the site. However, the contained nature of the active mining area and the proposed progressive rehabilitation are considered to provide important mitigation. Visual effects from this location are assessed as varying between very low and moderate, reducing to nil once rehabilitation is complete.
- [56] Views from Pukerangi Drive and surrounding rural-residential properties will vary depending on location. Mr Milne notes that only part of the site is visible from many properties and that visibility of the active mining area will change over time as activities move across the site. The temporary nature of the activity, restricted operational hours, progressive rehabilitation and the existence of an approved 8-lot subdivision all reduce the overall magnitude of effects.
- [57] Mr Milne considers that the applicant's assessment on private views is very light on analysis, and does not individually assess the effects on amenity experienced from surrounding private properties.
- [58] Visual effects on neighbouring properties are assessed as ranging from nil to moderate, depending on the location and stage of mining. Due to the mitigation mentioned above, Mr Milne does not consider these effects to be unacceptable, however to confirm this conclusion, he considers that at the hearing, Mr Moore should include an adequately quantified and justified assessment based on viewing distances, length of time the proposal will be seen for (months and years) from the submitter's properties. This assessment should be based on dwelling orientation, topography, vegetation, sightlines, and operational timeframes (day to day and yearly).
- [59] I accept Mr Milne's conclusion that the proposal will result in a low-moderate degree of adverse landscape effects, with visual effects from surrounding public places ranging from nil to moderate, and effects from private viewpoints *likely* to be acceptable. I discuss private views in more detail below. Visual effects will be temporary in nature and will be mitigated through progressive rehabilitation of the site as the mine progresses. Following completion of mining and rehabilitation, residual visual effects are anticipated to be negligible.
- [60] Overall, with reliance on Mr Moore's and Mr Milne's assessments, I consider that the proposed gold mine will have varying landscape and visual effects, which from some viewpoints will be more than minor. Where effects are more than minor, these adverse effects will be temporary, lasting no more than three years, and in some instances considerably less than this, due to the location of the mine progressing across the site and the ongoing site rehabilitation proposed. Taking into account the approved subdivision consent which is reasonably likely to be implemented following completion of the gold mine, it is noted the site's current rural open character is not expected to

remain and cannot be considered as a reasonable expectation of the future state of the site. It is anticipated that the site will contain a rural lifestyle character in future. Based on the above, I consider that landscape effects associated with the proposal are generally acceptable, however I note that Mr Milne has requested that the applicant provide additional assessment from private viewpoints to confirm his conclusions. I note that this information was requested as part of a further information request, however was not adequately responded to.

- [61] While Mr Milne ultimately considers that visual effects on neighbouring properties are *likely* to be acceptable, he has noted that the applicant's assessment of private viewpoints lacks sufficient analysis to robustly support that conclusion. As a result, some uncertainty remains regarding the extent of visual effects experienced from private properties and I am not yet satisfied that the evidence conclusively demonstrates that these effects will be acceptable in all cases. I remain open to reconsidering my conclusion at the hearing, after hearing from the applicant and any submitters who may wish to address effects on private viewpoints, and after receiving any further advice from Mr Milne.

Noise Effects

- [62] The proposed goldmining activity is a noise generating activity. While noise from rural activities is expected within a Rural Resource Area, the scale and extent of the proposed goldmine is likely to generate noise which is not characteristic of general rural activities. As discussed above, the District Plan permits extractive activities up to an area of 2,000m² and a volume of 3,000m³. The proposed mine will progressively cover an area of approximately 50ha, and will involve processing approximately 1,500,000m³ of material. I also note that the site has consent for subdivision, with 8 lots proposed. This increased residential activity forms part of the reasonably anticipated receiving environment and I acknowledge that this future use of the site has potential to generate noise associated with normal rural-residential activities.
- [63] The District Plan stipulates the following noise standards in respect of the notional boundary for any dwelling within the Rural Resource Area:
- On any day 7:00am to 10:00pm 55 dBA L₁₀
 - 10:00pm to 7:00am the following day 40 dBA L₁₀ 70 dBA L_{max}.
- [64] There are several properties containing residential dwellings surrounding the mining site. The two closest dwellings (3360 and 3364 Luggate-Cromwell Road) will experience noise in excess of the permitted plan standards. The owners/occupiers of 3360 have provided their written approval to the application, and the owners/occupiers of 3364 also own the application site, and have submitted in support of the application. I consider that the noise effects on the owners/occupiers of these properties should be disregarded.
- [65] Properties to the north of the proposed mine are located in the Queenstown Lakes District Council (QLDC) territory and must be assessed against the noise rules contained in the Proposed QLDC Plan, which has a daytime noise limit of 50dB L_{Aeq}.
- [66] The applicant has provided an acoustic assessment prepared by Marshall Day Acoustics (MDA). This has been peer reviewed pursuant to Section 92(2) by Mr Jon Styles of Styles Group. Mr Styles' peer review is contained in **Appendix 4** of this report.

- [67] As part of the peer review process, Mr Styles requested a range of further information from MDA, which was provided (referred to as the MDA response).
- [68] The MDA report provides an assessment of the noise associated with the proposed mining operations at the site, and ultimately concludes that the potential noise levels from the proposed activity will comply with the above standards (in both the CODC area and QLDC area). The MDA report considers that the noise effects are acceptable at all surrounding noise sensitive receivers and reasonable in the context of a 3 year mining consent.
- [69] Mr Styles considers that the MDA report does not take into account or properly evaluate the ambient and background sound levels, and does not properly consider the effects at receivers where the ambient and background sound levels will be lower than those measured by MDA.
- [70] I also note that Mr Styles takes a different approach from the MDA report in terms of assessing what is 'reasonable'. Mr Styles does not consider that the MDA s92 response adequately justifies the adoption of noise standards for permitted activities as the measure of 'reasonableness' for the proposal. Mr Styles' view is that the noise effects should be considered against the relevant objectives and policies for the zone, and against the timing, duration and character of the noise that could reasonably be expected in the zone. He notes that activities such as farming, horticulture, viticulture and forestry are generally anticipated activities in the zone, and that at times these activities may generate noise levels up to the noise standards for permitted activities, but the effects are likely to be seasonal and intermittent.
- [71] I note that under the CODC District Plan the proposed mining requires consent as a discretionary activity because the scale of the extractive activity exceeds the permitted standards. I agree with Mr Styles' opinion that a determination of acceptable or reasonable levels of noise should not be confined solely to whether or not those levels meet District Plan standards. I agree that noise sources within the Rural Resource Area are typically temporary and dispersed, due to the seasonal nature of rural activities, and it would be unlikely for a permitted activity in the Rural Resource Area to generate noise comparable to the mining activity, which would be constantly at a high level over an extended duration of time (10 hours per day, for three years, while the mine progresses across the site). I also note that as a discretionary activity, all effects are able to be considered. In my view, a broader assessment is required having regard to the duration, continuity and character of the noise, and the context of the receiving environment. These are all relevant considerations when assessing whether the resulting effects on rural amenity are acceptable. Accordingly, while compliance with the District Plan noise standards is relevant, it is not determinative of whether the noise effects of this proposal are reasonable in the context of the receiving environment.
- [72] In his peer review, Mr Styles assesses the noise levels for the sensitive receivers in the southern, central and northern parts of the surrounding environment, as the mine activity moves from south to north. He also assesses the receivers close to SH6 and those further than 400m from SH6, due to the difference in ambient noise levels that these receivers would experience. The noise levels that each set of receivers will experience at different stages of the mining process are set out in section 9.1 of his report.
- [73] The scenarios show that noise levels will vary as the mine moves across the site, but all receivers will experience noise which, in Mr Styles' opinion, will detract from rural amenity at certain stages. Mr Styles notes that the 'central receivers' will receive highest

levels of noise for the longest duration (up to two years). The level of noise is described as being the dominant noise source, masking any natural sounds in the environment and will be a constant noise, well above the existing background traffic noise levels from SH6.

[74] To describe the level of noise that would be generated, Mr Styles states that:

I expect that when mining noise levels are at or above 45-50dB LAeq, the mining noise will be dominant and will mask many of the natural sounds in the environment, including the Clutha River and birdsong, unless the birds are close-by. I expect that at these levels (or above), mining noise will be well above existing background traffic noise levels and will detract from the existing levels of amenity. The constant noise during mining will remove any periods of quiet or peacefulness, particularly for receivers further from SH6.

[75] In terms of effects, Mr Styles' peer review comments as follows:

I consider that the proposal will have clear and noticeable noise effects on most of the receivers in the area. The mining noise is likely to be dominant over most other sounds in the environment. These will generally be limited to approximately 12 months for the worst of the effects and potentially up to two years for the receivers near the central part of the Site. The 3- year consent duration reduces the effects when compared to a permanent activity. I have described the subjective assessment of noise effects and their duration in sections 9.1 and 9.2 above. I consider that the proposal has the potential to detract from the acoustic amenity of the area for the duration that the activity generates noise levels above approximately 45-50dB LAeq, especially at receivers furthest from SH6. I consider that the timeframe for the highest effects is relevant to whether the noise levels are reasonable.

[76] The noise peer review also gives consideration to the submissions received. Noise was one of the most frequently raised issues in submissions, with concerns raised by residents, recreational users, businesses and other stakeholders. The key concern was that the proposed mine would generate a continuous industrial noise source over a prolonged period, which submitters consider to be inconsistent with the character and amenity of the rural environment. Submissions note that this would result in a loss of peace and quiet, disruption of outdoor living, recreation and working from home. The owner of Popina noted that noise would affect customer experience, reduce the attractiveness and ambience of their venue, and create ongoing effects on the operation of their hospitality business.

[77] Mr Styles notes that he agrees with submitters that the predicted noise levels will detract from rural amenity. He also considers that noise effects on publicly accessible areas along the river would be so great (55-65dB LAeq) that recreation use would be significantly affected, and these areas would no longer be desirable for most recreational uses (noting that these effects will only be present during the working hours of the mine, for a period of 3 years). I note that the noise limits in the District Plan only relate to the notional boundary of a dwelling and there are no noise standards for other areas, but Section 16 of the RMA imposes a general duty on occupiers and persons carrying out activities to adopt the best practicable option to ensure that noise emissions do not exceed a reasonable level.

[78] Some submitters raised vibration as a potential concern, however Mr Styles notes that he doesn't consider vibration will be perceptible at any of the surrounding properties. He

also gives consideration to submitter requests that a +5dB adjustment for special audible character should have been applied to the predicted noise levels, as follows:

My experience is that an adjustment for special audible character would not be warranted for the machinery and processes that are proposed. However, it is possible that the plant could exhibit special audible character from sources such as squeaking excavator tracks, tonal reverse alarms and slamming of truck tailgates or other impacts. I consider it critical that these are managed so they don't occur. If granted, I recommend a condition of consent to require an Operational Noise Management Plan (ONMP), with inclusion of a clear section that sets out how noise sources that may exhibit special audible character will be 'managed out'.

- [79] I acknowledge the concerns of the submitters, and I consider that the noise effects generated from the mine will be potentially unreasonable, in the context of the existing environment. I consider that the levels of noise described by Mr Styles as a result of the mining activities will be noticeably adverse and will detract from amenity of surrounding properties, businesses and recreational users of the river and public land in the vicinity of the site.
- [80] I note that the effects will not be a permanent, ongoing issue, as the mine will be in operation for three years only. However, even taking into account the limited duration, and with reliance on the peer review comments of Mr Styles, I consider that adverse effects of noise would potentially go beyond an acceptable threshold, especially for the worst affected 'central receivers'.
- [81] In the event that consent is granted, I have included Mr Syles' recommended conditions in Appendix 1. I note that the draft conditions limiting noise emissions would apply to the notional boundary of any future dwellings that may be constructed on vacant sites.

Dust Effects

- [82] The proposed mining activity will potentially contribute to the spread of dust beyond the subject site. The majority of submissions in opposition raise concerns relating to dust effects. Effects of discharges to air are not generally considered to be within the primary remit of territorial authorities. However, in this instance, due to the potential amenity effects on surrounding properties and the significant concerns raised by submitters, the assessment of dust effects is considered relevant to this report. I also note that the applicant has applied separately to the Otago Regional Council for an air discharge consent, which at the time of writing this report was still being processed.
- [83] Following the close of submissions, a further assessment of dust effects was requested from the applicant. The applicant subsequently provided a dust assessment prepared by WSP together with a draft Dust Management Plan (DMP). The dust assessment identified the principal dust sources as topsoil and overburden stripping, vehicle movements on unsealed surfaces, handling of tailings material, and wind erosion of exposed surfaces and stockpiles.
- [84] The applicant's assessment was peer reviewed under section 92(2) of the RMA by Mr John Iseli of Specialist Environmental Services Ltd (SES). Mr Iseli generally agreed with the identified dust sources and the overall assessment methodology within the WSP report. However, he considered that the proposed mitigation measures and reliance on an adaptive management approach through the Draft DMP did not provide sufficient

certainty given the sensitivity of the receiving environment and the proximity of neighbouring dwellings.

- [85] Mr Iseli noted that several sensitive receptors are located in close proximity to the proposed mining area, including the dwelling at 3360 Luggate-Cromwell Road, which is located immediately adjacent to the site boundary. He considered that dust effects at this property could be significant in certain wind conditions and recommended that mining activities maintain a minimum 100 metre setback from the curtilage of that dwelling. The applicant has since provided written approval from the owners/occupiers of 3360 Luggate-Cromwell Road, and dust effects on this property can now be disregarded.
- [86] Mr Iseli further recommended that a number of specific dust mitigation measures be imposed as consent conditions, including:
- Limiting the active mining area to no more than 2 hectares;
 - Continuous availability and use of a water cart for dust suppression;
 - Use of water sprinklers on rehabilitated and inaccessible areas;
 - Limiting stockpile heights to 3 metres; (although I note that the landscape assessment further information stated that stockpiles will have a maximum height of 1.5m, so this height has been used in the draft conditions in Appendix 1).
 - Restricting on-site vehicle speeds to 15 km/h;
 - Prompt revegetation of inactive and rehabilitated areas;
 - Restricting soil stripping, overburden handling and dry tailings management during elevated wind conditions where neighbouring sensitive receptors may be affected;
 - Installation of an on-site weather station with automated wind monitoring and alerts; and
 - Real-time PM10 monitoring when mining occurs within specified distances of sensitive receptors.
- [87] Overall, Mr Iseli concluded that significant adverse dust effects could be avoided or mitigated through the careful application of best-practice dust control measures, implementation of real-time PM10 monitoring, and the imposition of robust consent conditions. However, he emphasised that the effectiveness of mitigation would be highly dependent on diligent site management and compliance with the recommended controls.
- [88] Correspondence with the applicant has confirmed that sufficient water is available for the purposes of dust suppression. The applicant has also confirmed that the measures recommended by Mr Iseli are adopted and volunteered as conditions of consent.
- [89] I therefore recommend that strict conditions of consent are in place to ensure compliance with the above recommendations, as well as a review condition to ensure the dust mitigation measures are working as intended. A complaints register should also be maintained and provided to CODC upon request, and a condition of consent requiring a dust audit to be carried out by a suitably qualified and experienced person to review compliance with the dust management plan.
- [90] With reliance on the applicant's assessment of dust, the peer review provided from SES, alongside the conditions imposed through this consent and the ORC discharge permit, it is considered that effects of dust will be appropriately avoided or mitigated.

Ecology

- [91] The application notes that the site is a working lifestyle farm, and will be converted into an 8-lot rural lifestyle development following completion of the mining activity.
- [92] The application also states that there are few ecological values on the site, with willow and kanuka located along the river margins. Disturbance to the kanuka will be avoided as a result of the proposed mining setbacks, which involve a 5m setback from any kanuka tree. There are no natural inland wetlands on the site that require assessment or avoidance. The active mining area will be setback from the riverbank by a minimum of 40m, with larger setbacks at the northern end of up to 135m.
- [93] The application notes that there will be the occasional need to 'top-up' the mine pond with clean water from the Clutha River/Mata-Au. As discussed above, the applicant will also require a substantial amount of water to be used for dust suppression measures. The Clutha River/Mata-Au has a permitted activity take limit of 100 litres per second and one million litres per day. The applicant has confirmed that the water take for mine top up and dust suppression will not exceed these quantities.
- [94] The application states that the water take will require the placement of a pump and soft hose with a screened intake nozzle into the river, and that there are numerous areas for siting the intake and hose to ensure indigenous vegetation or the river margins are not damaged. To access the Clutha River/Mata-Au, the applicant will need to utilise the DOC marginal strip to position the hose across the marginal strip. Separate authorisation or a concession may be required from DOC for this. An advice note has been recommended to ensure the applicant is aware of this requirement.
- [95] I note that several submissions raise ecological concerns, as well as calling for ecological restoration following completion of the mining activity. While I acknowledge these concerns, I note that the site has an existing subdivision and land use consent in place which is to be implemented following the mining activity. This consent involves planting areas of the site along the SH6 boundary in grey shrubland species (*coprosma*, *corokia*, *kowhai*) and a wilding conifer control programme, and it was concluded in the consent decision that these measures would enhance the ecological values of the site. In the event that this subdivision does not proceed, the site will be returned to pasture in the same state as currently exists.
- [96] Effects on groundwater from the proposed non-consumptive take and discharge are primarily matters to be assessed under the jurisdiction of the ORC. I have confidence that these will be appropriately considered through ORC consent processes.
- [97] In summary, the mining will primarily occur on the existing area of pasture, areas of kanuka on the river margins will be avoided, and the water take from the Clutha River/Mata-Au will be undertaken in accordance with permitted activity standards contained within the ORC's Regional Water Plan. It is therefore considered that any adverse ecological effects will be less than minor.

Natural Hazards

- [98] The site is not subject to a hazard overlay in the District Plan but is subject to the following hazards identified in the Otago Natural Hazards Database:
- Otago River or Lake Flood Hazard
 - Likely Active Fault and Likely Active Fault Awareness Area
 - Expected Intensity MMVII 100 Year ARI (Intensity 7)

- Liquefaction Awareness Area – A Domain (Low to none)

[99] In respect of the flood hazard risk, further information was requested from the applicant regarding how the proposal might affect the ability of the land to be used for residential purposes on the building platforms established under RC 230236, in the event that this consent is given effect to. This request included consideration of how changes in ground level might impact flood risks, the geotechnical stability of remediated land on and around building platforms, and the location of fuel or other chemical tanks.

[100] The applicant provided a response to this request dated 29 August 2025. They note that 7 out of the 8 approved building platforms are located on the terrace outside of the proposed mining area. Approved building platform 2 is sited towards the river margin and is within the area identified as having an economic gold deposit. However, to address concerns regarding natural hazards, the applicant proposed in the s92 response that no mining will occur within 5m of the approved building platform for Lot 2 to ensure the ground stability will not be compromised by the mining, remediation and compaction works. This will ensure the building foundations are not at risk of failure, and there will be no change in ground level for this building platform.

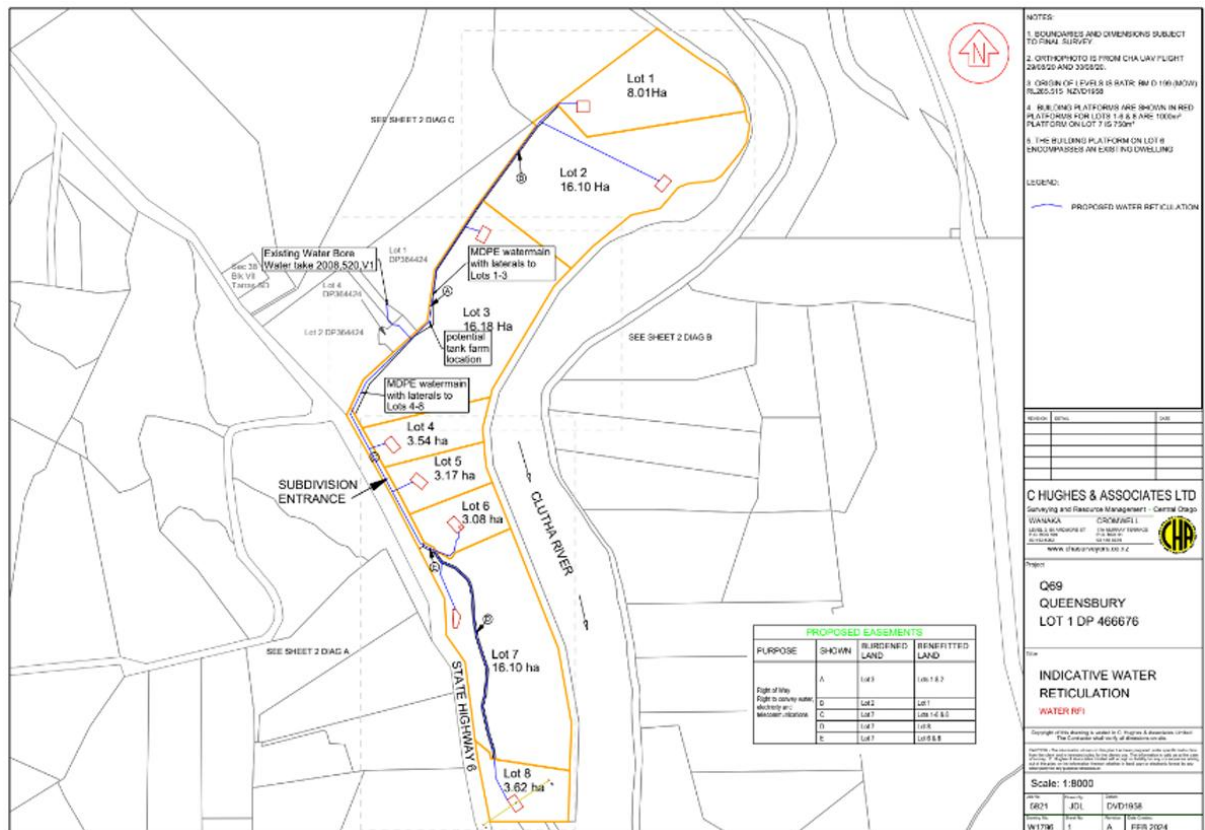


Figure 3: Approved subdivision plan RC230386 showing building platforms 1-8

[101] The application states that during normal mining operation, there will be no effects on the values of the Clutha River/Mata-Au, as all washwater will be retained in the pond, and there is no pathway for sediments to be lost beyond the pond. The application acknowledges that in an extreme rain event scenario it is accepted there is potential for floodwaters to enter the pond and release sediments into the flooded river system, although the application states this would be a highly exceptional situation and unlikely in any given 3-year period. Whilst any loss of sediment to the watercourse is undesirable, the application considers it is appropriate to acknowledge the river in that state will have

a high sediment and faecal bacteria loading irrespective of any addition from the mining activity.

- [102] In terms of submissions, concerns relating to natural hazards were raised by submitters 13, 16 and 20, with particular emphasis on the site's location within a flood-prone environment, the potential mobilisation of sediment and contaminants during flood events, risks to land stability and erosion, and the potential environmental consequences of extreme rainfall events. Te Ao Mārama also raised concerns regarding sediment mobilisation during extreme events. These concerns have been considered in conjunction with the applicant's assessments.
- [103] I note that the proposed mining activity includes substantial setbacks from the river margin and that all wash water is proposed to be retained within the mining system during normal operating conditions. In addition, the mining activity will progressively rehabilitate and reinstate completed areas, reducing the extent of exposed land at any one time and limiting any long-term erosion or stability risks.
- [104] The application did not include a geotechnical assessment. Given the scale of the proposed excavation and rehabilitation works, the presence of approved future residential building platforms within and adjacent to the mining area, and the hazards affecting the site, I consider it appropriate to require a targeted geotechnical assessment be provided prior to works commencing, as a condition of consent. The geotechnical assessment should confirm that the proposed mining setbacks from approved building platforms are adequate, and that mining and rehabilitation activities will not compromise the stability of these platforms.
- [105] The assessment should also address any settlement, compaction, ground improvement or certification requirements necessary to ensure the reinstated land is suitable for its intended post-mining use. Given the site's proximity to the Clutha River/Mata-Au and the identified flood hazard constraints, the assessment should also confirm any requirements for final ground levels to ensure there is no increase in flood risk on the subject site or any neighbouring land. The draft conditions are contained in Appendix 1, and have been reviewed and confirmed to be acceptable to Council's engineering department.
- [106] Overall, having regard to the information provided by the applicant, the proposed setbacks from approved building platforms, the progressive rehabilitation of mined areas, and the temporary nature of the activity, and subject to confirmation through a geotechnical assessment, I am satisfied that the proposal will not create, worsen, or materially increase natural hazard risk. In terms of the liquefaction and seismic risk, these risks are considered to be low risk in terms of the proposed goldmine, and the mine will not exacerbate any known hazard risk.
- [107] Subject to implementation of the recommended consent conditions, I consider that adverse effects associated with flooding, erosion, land stability and other natural hazards will be no more than minor.

Effects on Rural Productivity

- [108] The applicant addressed effects on rural productivity in their s92 response dated 29 August 2025. They note that resource consent RC230386 (which provides for the subdivision of the site into 8 lifestyle blocks) was assessed by Agronomist Ben Trotter. Mr Trotter noted the site currently supports a very low stock unit capacity, largely due to

the limitations associated with access to water for irrigation and a poor soil type which is low in organic matter and very drought prone.

[109] With respect to the NPS-HPL, the subject site is identified as mainly comprising Land Use Capability 4 and 6 on the Maanaki Whenua Landcare Research soils maps, with a very small area of LUC3 land. While Mr Trotter recognises the LUC3, 4 and 6 classifications for this soil, he observed that soils across the site are more akin to a LUC6 because they are weakly developed and hold very little agricultural value. He also concluded financial costs to irrigate the site would be financially prohibitive.

[110] The current application states that the land identified for mining is predominantly LUC6 soils and does not encompass the LUC3 soil on the upper terrace toward the State Highway, as this falls outside of the proposed mining area.

[111] Figure 4 below, from the applicant's s92 response, illustrates the extent of LUC3 (in dark green against the State Highway), LUC4 (lighter green) and the LUC6 soils (in brown).



Figure 4: Land Use Capability (Source: applicant's s92 response dated 25 August 2025)

[112] On that basis, the applicant concludes that the site is not subject to the NPSHPL, has little productive capacity and the productive potential will not be impacted by the proposed mining activity.

[113] I generally agree with the applicant's conclusion. The previous agronomic assessment undertaken for the site indicates that the land has limited productive capacity due to soil limitations, drought susceptibility, and lack of economically viable irrigation options. While the site contains a small area of mapped LUC3 land, the proposed mining activities are located predominantly on LUC6 and LUC4 land, with the mapped LUC3 land located outside the extraction area. Consent has also been granted to subdivide the property into 8 allotments, which will fragment the site and further reduce potential productive capacity.

- [114] Having regard to the site's demonstrated limitations for productive use, the short-term nature of the mining consent, the progressive rehabilitation proposed, and the existing consent for an 8-lot subdivision, it is considered that the proposal is unlikely to result in more than minor adverse effects on rural productivity.

Hazardous Substances

- [115] The application notes that the site will contain a small depot area from which the operation will be run. This area will host fuel tanks, two storage containers, and a small portacom building. Staff vehicles would also be parked in this area. The depot will be located in one of two areas, according to the progression of the mine.
- [116] The application states that the storage of fuel will be a permitted activity. The fuel tank locations will be outside the potential flood risk zone and greater than 50m from any waterbody. The fuel tank will be double-skinned and banded with $\geq 120\%$ of the tanks total capacity. Fuel will comply with the 10,000L maximum as specified in Schedule 19.14 of the District Plan and the tank will be less than 2m in height, as recommended by the applicant's landscape architect. The tank will have industry compliant hoses, and fittings, manual shutoff valves and an automatic shutoff dispensing nozzle. Refuelling is a 100% monitored procedure and spill kits are maintained at the bulk tank.
- [117] Based on the applicant's assessment, I consider that the storage of diesel will have less than minor potential effects and any risk of accidental spillage is able to be adequately managed.

Access and Transport

- [118] The site is accessed directly off Luggate-Cromwell Road (State Highway 6), which is a Limited Access Road (LAR). The existing access is directly opposite the intersection of SH6 with Pukerangi Drive and is referred to as Crossing Place 39A (CP39A). The application noted that the current access has a hard-packed gravel surface, and proposed that this surface remained as it is for the life of the mining project. The application explained that a surface treatment upgrade would be compromised by the heavy mining equipment occasionally accessing the site.
- [119] Following the completion of the mining project, the site will be subdivided into an 8-lot lifestyle development. When the subdivision is implemented, a new access approximately 200m to the south of the intersection with Pukerangi Drive will be established, and a condition of the subdivision consent requires that CP39A must be physically separated from the access to the proposed subdivision, so that vehicles from the proposed lots are unable to use CP39A as an access from SH6.
- [120] With respect to sight lines and visibility, the application states that the existing entrance to and from the site enjoys generous open space such and that at least 300m is visible in each direction.
- [121] In terms of traffic movements, the application explains that most traffic movements will be concentrated to the start and end of the three year mining period, when the heavy equipment will be transported to and from the site. The application states it is assumed a traffic management plan will be required to ensure road users are not affected by the transport of the heavy machinery.
- [122] During the general operation of the gold mining activity, there will be limited vehicle movements associated with the activity, generally comprising staff vehicles, fuel trucks

and sporadic contractor vehicles. As the majority of material excavated will be reinstated on site, there will not be large amounts of heavy vehicles trucking material off the site.

- [123] In terms of the occasional fuel trucks accessing the site, the applicant notes that these are no different to the milk-tankers that use the State Highway daily for collecting milk from rural properties. Overall the applicant considers the traffic generated by the day to day operation of the mine will be similar to any other working farm, or that of the approved 8-lot lifestyle development to follow immediately after mining and rehabilitation.
- [124] A submission was received from the New Zealand Transport Agency/Waka Kotahi (NZTA). NZTA notes that the access is a gravelled rural access and is not designed and constructed as per the standards of the Central Otago District Plan or to NZTA design specifications.
- [125] NZTA's submission notes that the access appears to have compliant sight distances and distance between accesses for the speed environment in accordance with the NZTA PPM (2025) Appendix 5B Accessway standards and guidelines requirements. However, the access does not meet the PPM requirements for distance between the access and the intersection at Pukerangi Drive. NZTA's Safety engineer and Network engineer consider that given the location of the access in close proximity to the intersection with Pukerangi Drive and the anticipated heavy vehicle movements, an improvement to upgrade the access to NZTA's PPM (2025) Access Type C Standard is required to manage any adverse safety effects on the state highway network. NZTA have recommended several conditions of consent and advice notes to give the applicant and NZTA certainty around the required design standard of the proposed works and ensure the effects of the proposal on SH6 are adequately mitigated.
- [126] NZTA note that if transport of mining equipment onto and off the site requires over-dimension/overweight vehicles then the applicant will require specific NZTA permits and Traffic Management Plans to manage effects on the state highway. In other instances where the mining equipment does not require over-dimension/overweight vehicles a Temporary Traffic Management Plan (TTMP) will be required.
- [127] Following the close of submissions, the applicant advised that they were willing to adopt the conditions sought by NZTA, and volunteered those conditions as part of the application. Council's engineering department have also reviewed the consent, and have noted that they are satisfied by, and agree with, the NZTA comments and conditions.
- [128] In addition to the submission received from NZTA, transport-related concerns were raised by several submitters. These concerns generally related to increased heavy vehicle movements, traffic safety, impacts on the state highway network, and associated amenity effects arising from truck traffic and heavy machinery movements. Specific concerns were raised by submitters 1, 9, 10 and 18. These matters have been considered alongside the technical assessment provided by NZTA and the applicant's transport assessment.
- [129] With reliance on the NZTA submission, recommended conditions and advice notes, I am satisfied that transportation safety risks have been appropriately assessed and are acceptable. While the transport of mining equipment at the commencement and completion of the project has the potential to give rise to temporary effects, these can be appropriately managed through the use of NZTA-approved permits and traffic

management procedures. Effects associated with vehicle movements relating to rural amenity (such as noise and dust) are assessed in separate sections of this report.

- [130] In my opinion adverse effects relating to access and transport will be acceptable and the access design upgrade will appropriately address potential effects and will maintain the safe and efficient operation of the state highway network. The proposal will result in less than minor effects on the transportation network.

Heritage Values

- [131] The application states that the Clutha catchment has a long history of land-based mining and that the wider area contains many archaeological sites relating to gold-mining. To assess the potential effects on heritage values, the application was supported by a heritage assessment prepared by New Zealand Heritage Properties Limited (NZHPL) titled "Sandy Point, Luggate A Heritage Assessment for Site G40/148 and G40/149". This report has been revised in response to submissions, and the most recent version is dated 24 August 2026. The NZHPL report notes that:

Sandy Point appears to have been the site of regular mining activities (mostly alluvial/sluice mining) since at least 1863, when the area became a short-lived congregation point for miners following the establishment of a ferry and general store at the site. The project area was also occupied by at least one pre-1900 farmhouse with associated gardens.

- [132] The comprehensive historical research undertaken by NZHPL identified two recorded sites which will be potentially impacted by the proposed works, G40/148 and G40/149, both tailings/mining-gold sites (shown in yellow in Figure 5 below). A further identified site G40/147 is located to the north of the site, and not within the project area. In addition, the report identifies 'assumed' sites (G40/150 and G40/174), shown in orange in Figure 5 below. The application states that the assumed sites are also outside of the scope of works of the project area and will not be affected. The NZHPL report notes that much of the project area, several meters in from the immediate river bank, has been subject to regular ploughing over the past 50 years or more, and no evidence of archaeology was visible during a site visit to the property, over much of the internal area. The majority of observable archaeology was located at the northern end of the project area, representing the visible remnants of archaeological sites G40/148 and G40/149, recorded in 1979.

- [133] The NZHPL report noted the closest Māori site to the project area is G40/67 (oven with moa remains) within Luggate, over 4km away.



Figure 5: Archaeological Sites (Identified - Yellow and Assumed - Orange). (Source: NZHPL Report)

- [134] The NZHPL report found site G40/148, which represents the best-preserved archaeological site within the project area, is considered to have low-moderate heritage values; and that the overall archaeological and heritage values of G40/149 are considered to be low. NZHPL promote a series of consent recommendations and concluded the “magnitude of impact on G40/148 and G40/149 are likely to be minor”.
- [135] For the two identified sites likely to be impacted by the works (G40/148 and G40/149), the NZHPL report recommends that works avoid modification to the known site extent and a 10m exclusion buffer around the site. This exclusion zone will protect not only the currently exposed features associated with these sites but also potential subsurface features which would likely be concentrated in this area if present.
- [136] For the two sites determined to be outside the project area (G40/150 and G40/174), NZHPL recommends that any contractors working on this site should be aware of their presence, with the appropriate archaeological appraisal sought prior to any earthworks that may impact subsurface remains associated with these sites.
- [137] The applicant intends to adopt a precautionary approach by avoiding these recorded sites altogether, by adopting a sufficiently wide exclusion buffer zone around the recorded sites, implementing large setbacks from the identified sites, as illustrated in Figure 6 below:



Figure 6: Proposed buffer zones (Source: application documentation)

- [138] The NZHPL report recommends a range of measures be implemented through conditions of consent, to ensure that the identified sites above are protected during mining works. These recommendations and the setbacks identified by the applicant have been incorporated into the draft conditions of consent attached to this report.
- [139] In addition to the potential impacts on the identified sites, the NZHPL report determined that unrecorded mining/gold, agricultural/pastoral, and commercial-type sites may be encountered during the proposed works. The report notes that although modern agricultural practices have likely heavily modified any remaining subsurface archaeology, the appreciable levels of sediment likely deposited across the project area over the past century and a half suggests that intact features may still be encountered during the proposed works. The report notes that gold prospecting at Sandy Point stretches back to at least 1863, with a high chance of unrecorded mining/gold and related industrial sites being encountered during works. Within the project area, these sites are likely to include tailings, water races, and associated machinery, and potentially miners' domiciles and stone walls. Due to their rarity and contextual values, these features have mostly been assessed in Table 9-3 of the NZHPL report as having **low-moderate** heritage values, up to moderate if in good condition.
- [140] In terms of unrecorded agricultural/pastoral sites encountered during works, the NZHPL report states that these are most likely to relate to John Vliestra's occupation of the area. Remains of historic agricultural activity can include buried topsoils from old garden beds and fenceposts and/or stone walls delimiting historic paddock/corral boundaries. These sorts of features often leave limited traces on the subsurface, being easily destroyed by later development and/or landscape modification (such as ploughing). However, the known presence of a farmhouse/homestead within the project area raises the possibility of encountering associated remains such as building foundations, offal pits, and artefact deposits. As any evidence of past farming/gardening practices would contribute to our scant knowledge of these activities at Sandy Point, the NZHPL report considers that any traceable material/features would be of **low-moderate** overall heritage value.

- [141] Commercial sites within the project area are likely to be restricted to features/deposits associated with the general store known to have been established in the area in 1863. Although likely heavily disturbed (and below surface), this site type has been assessed as having **moderate** heritage values due to the relative rarity of mining-camp stores in the archaeological record, and the informational and contextual value that any identifiable remains are likely to hold.
- [142] The NZHPL report considers that as any such features located within the proposed area of works are likely to be destroyed entirely by the mining, the magnitude of impact on these three types of potentially unrecorded sites would be major.
- [143] The NZHPL report notes that the current location of other features will be subsurface, and their condition and extent unknown. Given the generally destructive nature of the works (all sediment dug-out to depth of 3-4m by a mechanical excavator), the NZHPL report notes that it is likely any remaining unrecorded, in situ archaeology within the project area will be destroyed as a result. They note that while structural features such as stone foundations are generally recognisable when accidentally encountered, other features (such as post holes, artefact deposits etc) can be more difficult to detect.
- [144] To mitigate the impact on the unrecorded sites, NZHPL recommends stand-over monitoring by an archaeologist (a s45 approved person) in areas where there is a high likelihood of archaeology being encountered, and have provided a map of these areas (shown in red shading), copied below:

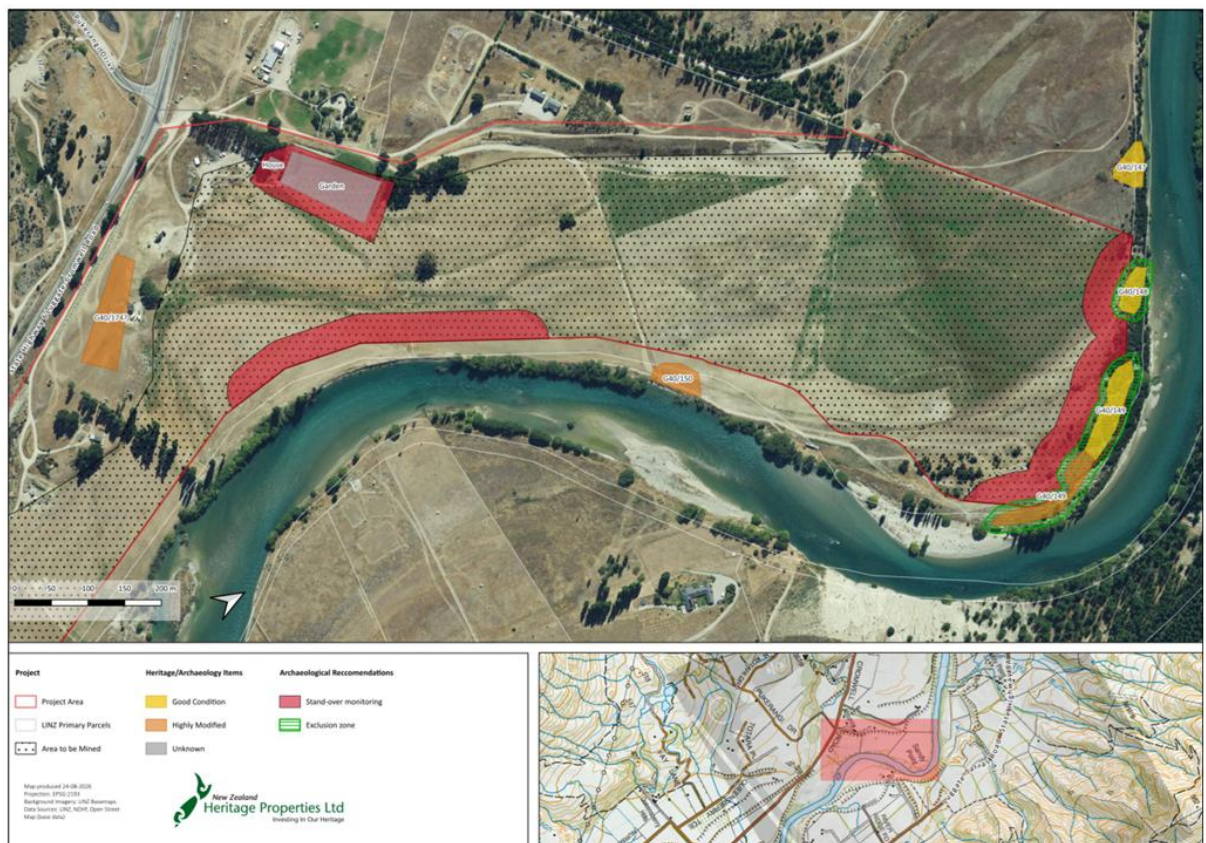


Figure 7: Proposed stand-over monitoring areas (Source: NZHPL Report)

- [145] The areas identified for stand-over monitoring are based on the historical research, pedestrian survey and review of previous archaeological investigations within the project area undertaken by NZHPL. Their report notes that stand-over monitoring is considered

the safest means of ensuring archaeology is identified and appropriately recorded, and the report outlines the requirements for best archaeological practice investigation and recording, in order to recover information about any uncovered archaeological site's construction, alteration and use through time. I note that the stand-over monitoring area identified at the north-eastern end of the site (adjacent to identified sites G40/148 and G40/149), is within the applicant's proposed buffer/exclusion zone, so no mining will take place in this area.

- [146] All remaining work outside of the identified stand-over monitoring areas are to be conducted under 'On-Call Protocols' (OCP). OCPs would require works to cease while a qualified archaeologist is notified and inspects the find, and any archaeological material discovered can be appropriately managed under the Heritage New Zealand Pouhere Taonga Act 2014.
- [147] The NZHPL report also recommends several conditions of consent, to ensure that works are undertaken in accordance with an Archaeological Management Plan (AMP), and that a final report is provided at the completion of works, and that ArchSite is updated for any newly recorded sites. Briefings for contractors and project managers are also recommended to ensure that all parties understand the conditions and their responsibilities.
- [148] Based on the implementation of the above recommendations, NZHPL supports the proposed works.
- [149] In terms of submissions, I note that the neutral submission from Te Ao Marama requests that the Ngāi Tahu ki Murihiku accidental discovery protocol is adopted and integrated into the application. I recommend that this be included as a condition of consent, if granted.
- [150] The submission from Heritage New Zealand Pouhere Taonga (Heritage NZ) notes that under the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA), the permission of Heritage NZ must be sought prior to the modification, damage, or destruction of any archaeological site, whether the site is unrecorded or has been previously recorded. An Archaeological Authority may be required for any works that may modify or destroy an archaeological site, including earthworks that will modify recorded or yet unrecorded sites. They note it is an offence to undertake activities that may modify or destroy an archaeological site unless authorised by an Archaeological Authority issued under the HNZPTA. A building consent or resource consent does not constitute such authorisation.
- [151] Heritage NZ supports the applicant's proposed surrendered exclusion zones around the recorded archaeological sites, and strongly recommends that an archaeological authority is applied for prior to works commencing to ensure that effects on known and unknown archaeology can be managed and sites can be recorded before being destroyed. Heritage NZ also note that by applying for an archaeological authority, the applicant would more than likely be required to consult with mana whenua before an authority is granted, given the proximity of the project to the Mata-Au (a Statutory Acknowledgement Area) and other recorded early Māori activities in and around the area. Consultation with mana whenua for the Archaeological Authority would address Heritage NZ's concern that inadequate consultation with mana whenua occurred in relation to the resource consent application.
- [152] If consent is granted, Heritage NZ seek a condition of consent to require the applicant to provide Council with written confirmation that an Archaeological Authority has been

obtained from Heritage NZ, or written confirmation from Heritage NZ that earthworks can proceed without an authority.

- [153] Email correspondence with the applicant following the close of submissions has confirmed that they agree that they will obtain any Archaeological Authority required under the HNZPTA. A condition of consent is recommended in the draft conditions attached to this report. At the time of preparing this report, I understand that the applicant is currently engaging with Aukaha and Te Ao Marama, in advance of applying for an Archaeological Authority.
- [154] Having regard to the archaeological assessment prepared by NZHPL, the submissions received from Heritage NZ and Te Ao Mārama, and the mitigation measures proposed by the applicant, I am satisfied that the potential adverse effects of the proposal on heritage values can be appropriately avoided, remedied or mitigated.
- [155] The proposed setback from the identified archaeological sites will ensure these areas are protected from any disturbance. The proposed setbacks will ensure adverse effects on the recorded archaeological sites (G40/148 and G40/149) are avoided.
- [156] The principal heritage risk associated with the proposal relates to the potential presence of previously unidentified archaeological material within areas proposed for extraction. I accept the findings of the NZHPL assessment that there is a reasonable likelihood that unrecorded archaeological features may be present beneath the ground surface and that excavation works have the potential to adversely affect such features. However, I also accept the assessment that these risks can be appropriately managed through the implementation of archaeological monitoring, on-call protocols, an Archaeological Management Plan, accidental discovery procedures and compliance with the requirements of the Heritage New Zealand Pouhere Taonga Act 2014. The stand-over monitoring in areas of the site which are most likely to contain unidentified sites will ensure that any archaeological material is identified and appropriately recorded prior to works continuing.
- [157] I also consider it appropriate that the consent holder obtain any required Archaeological Authority prior to the commencement of the activity. I note that the applicant has confirmed their intention to obtain an Archaeological Authority and is currently engaging with Aukaha and Te Ao Mārama in advance of making an application.
- [158] On that basis, and subject to the recommended consent conditions, I consider that the potential effects on heritage values can be appropriately managed.

Cultural Effects

- [159] The application notes that Rūnaka are best suited to provide their views on the proposal, but considers the effects on cultural values are likely to be less than minor for the following reasons:
- 1) The site has no known Māori archaeological sites recorded.
 - 2) The site is not identified in the District Plan as having any heritage values.
 - 3) The activity will have no impact on water quality, or the life-sustaining values of the river.
 - 4) No taonga species are at risk by the proposal.
 - 5) There are few indigenous species remaining on the site, and they are protected by the exclusion zones.

- 6) The site is pastoral in nature and heavily modified by way of earthworks i.e ploughing.
- 7) The site will, following mining be converted to an 8-lot residential lifestyle development.

[160] The applicant proposes an accidental discovery protocol to manage any potential discovery of items of archaeological importance to Rūnanga.

[161] I note that the activity is located close to the Clutha/Mata-Au, a Statutory Acknowledgement Area under the Ngāi Tahu Claims Settlement Act 1998. Statutory Acknowledgements are instruments introduced by the Ngāi Tahu Claims Settlement Act 1998, in recognition by the Crown of Kāi Tahu's cultural, spiritual, historical and traditional association with cultural landscapes, including the Queensbury area. Cultural values in relation to this area include but are not limited to mahika kai, ara tawhito, archaeological values, nohoaka, wāhi tūpuna, water transport route, place names, urupā, pā. The site is separated from the Clutha River/Mata-Au by an existing esplanade reserve, ranging in width from 20-90m (refer Figure 8 below). The existing esplanade reserve is in Crown ownership and connects through to the esplanade reserves at either end of the site to provide public access along the Clutha River/Mata-Au River by an existing strip of crown land, as shown in the image below:



Figure 8: Crown Land separating the subject site from the Clutha/Mata-Au (Source: CODC GIS Maps)

[162] A submission received from Te Ao Marama raises concerns relating to:

- Whether obligations under Te Mana o te Wai have been addressed;
- Potential indirect effects on mauri (e.g., sediment mobilisation during extreme events, groundwater–surface water interactions);
- Cumulative effects (historic mining, pastoral use, subdivision);
- Consistency with ki uta ki tai principles for the Mata-Au catchment.

[163] Te Ao Marama request appropriate conditions to safeguard cultural values and impose accidental discovery protocols. As discussed in the heritage values section, the applicant has volunteered to obtain an Archaeological Authority for the works as well as a range of conditions to manage the potential for disturbance of archaeological materials. Accidental discovery protocols are included in the volunteered conditions.

[164] I also note that an application has been lodged with Otago Regional Council (ORC) for the associated regional council consents required for the activity, which includes the establishment of a moving ‘bore’ and associated groundwater take, discharge permit to discharge sediment laden water back into the mine pit, and a discharge permit for the discharge of sediment to air.

[165] Email correspondence from the ORC’s processing planner has advised that the application will be considered under the Regional Plan Water for Otago for the taking, use and discharge of water and contaminants (sediment) and the relevant policies of the NPS-FM, which will include consideration of the hierarchy of obligations in terms of Te Mana o te Wai, and indirect effects on the Clutha River/Mata-Au will also be considered, as will the specific policies for the Clutha River/Mata-Au Freshwater Management Unit (FMU).

[166] I am confident that the ORC’s assessment of the above matters will adequately address the relevant areas of concern raised by Te Ao Mārama.

[167] In terms of potential cumulative effects, this has been assessed separately below.

[168] I consider that the matters raised in the submission have been adequately addressed such that any effects on cultural values are acceptable subject to conditions of consent.

Cumulative Effects

[169] The proposed goldmine will progress across the site over a period of three years, and has the potential to produce a wide range of effects, relating to effects on landscape and rural character, effects on rural amenity resulting from factors such as noise and dust, heritage and cultural effects, ecological effects, and effects on the road network.

[170] I note that the receiving environment is predominantly characterised by rural and residential activities, and there are no other similar extractive activities occurring in the vicinity.

[171] Several submitters raised concerns regarding cumulative effects on the Clutha River/Mata-Au corridor and surrounding rural environment, including the combined effects of historic mining, pastoral activities, future subdivision, and the proposed mining operation.

[172] I acknowledge these concerns. However, there are currently no other active extractive industries within the immediate receiving environment that would combine with the proposal to create significant cumulative effects. While the proposal will introduce a temporary industrial activity into a predominantly rural setting, the activity is limited to a

three-year duration, will progressively move across the site, and includes progressive rehabilitation of disturbed areas.

[173] Taking these matters into account, I consider that the proposal is unlikely to result in more than minor cumulative adverse effects.

Positive Effects

[174] The application is supported by an Economic Impact Assessment, prepared by Benje Patterson.

[175] The Economic Impact Assessment concludes that the Queensberry Gold Project is expected to directly add an average of \$2.57 million of GDP per year to the local economy once operational, with a cumulative direct GDP effect of \$8.44 million over the three-year mining period, including capital investment and start-up costs. The report estimates that project revenue will total \$8.51 million over the three-year period and notes that the project location between Cromwell and Wānaka means the core area of economic influence is likely to extend across both Central Otago District and Queenstown Lakes District.

[176] The report estimates that the project will directly support an average of four staff, with total wages of \$0.84 million over the mining period. In addition to the direct economic effects, the report identifies the potential for a further \$0.29 million of indirect GDP annually through supplier expenditure and \$0.24 million of induced GDP annually through worker spending, resulting in a potential total GDP effect of \$3.10 million per annum. The assessment also estimates that up to 3.3 additional jobs could be supported through indirect and induced employment effects. The report concludes that the project is estimated to contribute \$643,493 of GDP per worker each year, which is 4.8 times the average productivity across the Inland Otago economy.

[177] I accept the conclusions of the Economic Impact Assessment insofar as they demonstrate that the proposal is expected to provide modest economic benefits to the local and wider Inland Otago economy. However, these benefits must also be considered alongside the full range of potential adverse environmental effects of the proposal that are addressed elsewhere in this report. I also note that submitters have raised potential negative economic effects as a concern, for example, the owners/operators of Popina, located on the opposite side of SH6 consider that the proposal could adversely affect their hospitality business through its effects on visitor experience and the amenity of the surrounding area. Other submitters have also expressed concerns regarding potential effects on tourism and recreation, and the attractiveness of the area as a place to visit. While limited evidence has been provided to quantify the extent of any economic losses, I accept that there may be both economic benefits (as outlined by the applicant) and potential costs.

Duration of Consent

[178] The application states that the duration of the mining activity will be a maximum of three years, with an additional six month period to complete the site remediation. Accordingly, I recommend that, if granted, the extraction activity should be subject to a condition restricting the overall duration to three years, with an additional six months to complete the site remediation. Such a measure would provide clarity of the overall extent of effects and should the applicant wish to go beyond this timeframe, there would be an opportunity for reconsideration and further assessment of effects.

Summary of Effects Section 104(1)(a)

[179] The effects of the proposal have been assessed above, with reference to expert reports provided by the applicant and the peer reviews of Mr Styles, Mr Iseli, and Mr Milne. Consideration has also been given to the matters raised in submissions. It is considered that the adverse effects of the proposed goldmine are generally acceptable or can be avoided or mitigated to an acceptable level through conditions of consent, including effects in respect of natural character, landscape, and visual effects, dust, ecology, natural hazards, effects on rural productivity, access and transport, heritage and cultural values and cumulative effects. In regards to noise, however, I consider that adverse effects would potentially go beyond an acceptable threshold.

Offsetting or Compensation Measures (104(1)(ab))

In accordance with section 104(1)(ab) of the Resource Management Act 1991, there are no offsetting or compensation measures proposed or agreed to by the applicant that need consideration.

9. OBJECTIVES AND POLICIES 104(1)(b)

Central Otago District Plan

[180] In accordance with section 104(1)(b) of the Resource Management Act 1991, the objectives and policies of the Central Otago District Plan were taken into account when assessing the application.

[181] Those considered to be of particular relevance to this proposal are addressed below:

Provision	Assessment
Objective 3.3.1 – Kaitiakitanga (Guardianship) <i>To have particular regard to Kai Tahu ki Otago's concept and spirit of Kaitiakitanga in relation to managing the effects of the use, development, and protection of Central Otago's natural and physical resources.</i> Objective 3.3.4 – Wai (Water) <i>To recognise the significance of wai to Kai Tahu ki Otago's spiritual beliefs, cultural traditions and practices, and to provide for these where appropriate.</i> Policy 3.4.4 - Wai (Water) <i>To recognise and provide for the relationship Kai Tahu ki Otago have with the water resource through:</i> a) <i>consulting and working with Kai Tahu ki Otago and the Otago Regional Council on water quality issues that affect Kai Tahu ki Otago</i> b) <i>promoting the avoidance, remedying or mitigation of significant adverse effects of activities undertaken within riparian margins and on the surface of water, and</i> c) <i>ensuring the significance of water to Kai Tahu ki Otago spiritual beliefs, cultural traditions and practices are taken into account when considering resource consent applications that may have an effect on water quality.</i>	The area has cultural and historic significance, including historic Māori travel routes and later gold mining and pastoral use. I recommend an accidental discovery protocol condition of consent be imposed, to manage any archaeological finds which may have cultural significance, as requested in the submission of Te Ao Marama. The proposed mining will not occur within 40m of the Clutha River/Mata-Au, and will avoid any adverse effects on this significant water body. On this basis, the proposal is considered to be consistent with these objectives and policies.
Objective 4.3.1 - Needs of the District's people and communities <i>To recognise that communities need to provide for their social, economic and cultural wellbeing, and for their health and safety at the same time as ensuring environmental quality is maintained and enhanced.</i>	The proposal will provide for the economic needs of the community, by establishing a gold mine which will employ up to 4 staff members over a 3 year period. However, based on the conclusion that noise effects will be unreasonable for surrounding properties and recreational users, the proposal will not ensure environmental quality is maintained and enhanced while the mining operation is being undertaken. The proposal is therefore inconsistent with this objective. I note that the proposal will ensure that the environmental quality will be maintained once mining ceases and the site is rehabilitated.

Objective 4.3.3 - Landscape and Amenity Values <i>To maintain and where practicable enhance rural amenity values created by the open space, landscape, natural character and built environment values of the District's rural environment, and to maintain the open natural character of the hills and ranges.</i> Policy 4.4.2 - Landscape and Amenity Values <i>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:</i> <i>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,</i> <i>b) Development which is compatible with the surrounding environment including the amenity values of adjoining properties,</i> <i>c) The ability to adequately dispose of effluent on site,</i> <i>d) Controlling the generation of noise in back country areas,</i> <i>e) The location of tree planting, particularly in respect of landscape values, natural features and ecological values,</i> <i>f) Controlling the spread of wilding trees.</i> <i>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.</i>	As above, the proposal has been subject to a landscape assessment, which was peer reviewed by an independent landscape architect on behalf of CODC. Both landscape architects are generally in agreement that landscape effects are generally acceptable, however more information is required on visual effects from private properties. There is therefore some uncertainty as to whether the proposal will adequately maintain or enhance rural amenity values created by the open space, landscape, natural character and built environment values of the District's rural environment. The proposal is partially inconsistent with this objective. The proposal is also inconsistent with Policy 4.4.2(b), as I consider that the mining activity will not be compatible with the amenity values of adjoining properties in terms of noise.
Objective 4.3.4 - Recreation Resources <i>To maintain and enhance the quality of the District's recreation resources and public access to those resources.</i>	The proposal will have significant effects on recreational users of the reserve areas adjacent to the site, and users of the river (for example kayakers), for the three year duration of the consent term. These effects will be short term and following the completion of the mining activity the quality of the recreation resources will be returned to pre-mining levels. I consider the proposal is therefore inconsistent with this objective.
Objective 4.3.5 - Water Resources <i>To maintain and enhance the quality of the District's water resources by avoiding, remedying or mitigating the adverse effects of land use activities adjacent to water bodies.</i> Policy 4.4.5 - Effects on Water Quality <i>To assist the Otago Regional Council in it's role of maintaining and enhancing water quality, by ... encouraging the use of land</i>	The proposed mining will be set back from the riverbank by a minimum of 40m, and will not involve any discharge to the river. The activity involves storage of diesel fuel on site, which will be carefully managed to ensure no accidental spills occur. I consider the proposal will be consistent with these provisions.

<i>management techniques that maintain and/or enhance the life supporting capacity of water.</i>	
Objective 4.3.7 - Soil Resource and Policy 4.4.6 – Adverse Effects on the Soil Resource	The area subject to mining does not contain highly productive soils. The site is currently used for pastoral farming, but has an existing 8 lot subdivision and landuse consent in place, which will be implemented following the completion of the mining activity. The proposal will involve progressive reinstatement of the soil on site, with mined areas replanted in pasture grass following reinstatement. The proposal will have no discernible effect on the soil resource and is considered to be consistent with this objective and policy.
Policy 4.4.8 - Amenity values of neighbouring properties <i>To ensure that the effects associated with some activities including (but not limited to):</i> a) <i>Noise (including noise associated with traffic generation, night time operations), and vibration,</i> b) <i>The generation of a high level of traffic, in particular heavy vehicles,</i> c) <i>Glare, particularly from building finish,</i> d) <i>A reduction in visual amenity due to excessive signage and the storage of goods or waste products on the site,</i> e) <i>The generation of odour, dusts, wastes and hazardous substances, and</i> f) <i>The use and/or storage of hazardous goods or substances</i> <i>do not significantly adversely affect the amenity values and privacy of neighbouring properties or the safe and efficient operation of the roading network.</i>	The landscape effects have been assessed by Mr Tony Milne, who has raised concern regarding the level of visual effects from surrounding private properties. He notes that effects are likely to be acceptable, but have not been adequately assessed by the applicant and should be addressed at the hearing. The noise effects of the activity have also been assessed above, and it is considered that the effects have the potential to be unacceptable for neighbouring properties, in particular those in the 'central region' where noise effects will be loudest for the longest duration. The proposal will also generate dust effects which will need to be very carefully managed and monitored to ensure effects on neighbours are adequately mitigated. The applicant has adopted the conditions recommended by NZTA in their submission, in relation to the upgrade of the site's access from the State Highway. Therefore the proposal will not adversely affect the safe and efficient operation of the roading network. Overall, the proposal has the potential to significantly affect the amenity values of neighbouring properties, and is considered to be contrary to this policy.
Objective 5.3.2 – Recreational Values <i>To maintain, where appropriate, the recreational values of the surface and margins of the District's water bodies.</i>	This objective relates to one of the Significant Resource Management Issues of the District set out in Section 2.4.3 of the District Plan – which recognises that many of

	the District's water bodies are significant recreational, ecological and economic resources. These values are capable of being compromised by land use activities which may have adverse effects, and includes reference to adverse noise effects (among other effects). As set out in the noise effects assessment, and raised in several submissions, noise is a potential issue for recreational users of the Clutha River/Mata-Au (eg kayakers). Mr Styles notes that mining in this location will have potential adverse noise effects which will significantly reduce the amenity values for recreational users adjacent to the site. I consider that the proposal will not maintain the recreational values of the surface and margins of the Clutha River/Mata-Au in this location while the mine is operational, and the proposal is therefore contrary to this objective, during the 3 year mining term. The mining activity will not create any long term effects on recreational values, and will be consistent with this objective following the completion of the activity.
Objective 12.3.1 - Safe and Efficient Rooding Network <i>To promote the safe and efficient operation of the District's rooding network.</i> Policy 12.4.1 - Parking, Loading and Manoeuvring <i>To avoid, remedy or mitigate adverse effects on the safe and efficient operation of the rooding network by requiring... safe and efficient access points to the rooding network.</i>	As noted above, the safe and efficient operation of the rooding network will not be affected, as the applicant has adopted the conditions recommended by NZTA requiring the upgrade of the site's access point to SH6. The proposal is considered to be consistent with these provisions.
Objective 12.3.2 - Protection from Noise <i>To avoid, remedy or mitigate the adverse effects of noise on the District's amenity values and the health and wellbeing of the District's people.</i> Policy 12.4.2 – Noise <i>To determine the suitability of noise generating activities in any given locality by having regard to:</i> <i>The specific characteristics and amenity values of the locality from which the noise originates, and</i> <i>The sound pressure level of the proposed activity, and</i> <i>The frequency that the noisy activity takes place, and</i> <i>The length of time that the noise continues, and</i> <i>Any special characteristics of the noise,</i>	While the activity is temporary in duration and subject to restrictions on hours of operation, it will generate noise over a three-year period that is not characteristic of the existing rural environment. A number of submitters raised concerns regarding the intensity, duration and nature of the noise effects. I have had regard to the applicant's acoustic assessment and the peer review undertaken on behalf of Council. While the noise effects are not at a level that would have health implications, I note that the proposal will result in noticeable adverse noise effects on the amenity enjoyed by nearby residents and recreational users of the surrounding environment. In my view, these effects are not able to be fully avoided, remedied or mitigated through the proposed

<i>to ensure that the adverse effects of noise on other activities and the natural and physical resources of the locality (including cumulative effects) reflect standards acceptable to the community.</i>	conditions of consent, and would not reflect noise levels acceptable to the community. Accordingly, I consider the proposal to be inconsistent with Objective 12.3.2 and contrary to the intent of Policy 12.4.2.
Objective 12.3.4 - Avoidance, Remedying or Mitigation of Nuisances <i>To ensure that activities avoid, remedy or mitigate nuisance to adjoining properties from odour, dust, lightspill, glare and electrical interference.</i> Policy 12.4.7 - Management of Nuisance Effects <i>To encourage resource users to adopt management practices that avoid, remedy or mitigate the adverse effects of:</i> <i>odour,</i> <i>lightspill and glare,</i> <i>dust, and</i> <i>electrical interference,</i> <i>on the use and enjoyment of neighbouring properties.</i>	The proposal has the potential to create dust effects which could create nuisance for surrounding neighbours. The applicant provided a dust assessment which has been peer reviewed by an independent air quality consultant, Mr Iseli. Mr Iseli has recommended that the activity be subject to a range of strict conditions of consent and management processes to ensure dust effects are carefully managed. I also recommend further conditions to ensure the applicant maintains a complaints register, as well as a review clause condition to ensure the dust mitigation measures are working as intended. Based on the implementation of all dust mitigation measures, I consider the proposed activity can be managed to avoid, remedy or mitigate potential dust effects. The proposal is therefore consistent with these provisions.

Otago Regional Policy Statement 2021

[182] The Otago Regional Policy Statement 2021 (ORPS) recently became operative, on 9 July 2026. The relevant provisions are assessed below.

[183] Relevant objectives and policies have been assessed in the applicant's AEE. I concur with the applicant's assessment of the relevant provisions within the ORPS, with the following additional comments:

- 1) I consider that the proposal is consistent with Objective AIR-O2 (discharges to air) and Policy AIR-P3 (providing for discharges to air) as the dust effects caused by the proposal will be carefully managed through conditions of consent, to ensure effects are acceptable.
- 2) I consider that the proposal is consistent with Land and Soil (LF-LS) objectives and policies, as the proposal will not impact upon the productive capacity of highly productive land, and will minimise soil erosion through progressive reinstatement and planting of pasture as the mine progresses. I also note that LF-LS-P25 (Rural Areas) seeks to ensure that the management of use and development in rural areas provides for rural industry, recognising the importance of these activities to the social and economic well-being of Otago's communities and that mining and aggregate activities can only be located where those resources are present. The proposal has a high degree of consistency with this provision.
- 3) The proposal will not exacerbate natural hazard risks and the application is considered to be consistent with the relevant Hazards and Risks provisions.

- 4) The proposed archaeological monitoring and management measures will ensure any uncovered archaeological material is appropriately recorded during the course of the mining project, to enhance understanding of the history of the area. The proposal is considered to be consistent with the historic heritage provisions HCV-HH-O3, P4 and P6.

[184] Overall, I consider the proposal to be consistent with the relevant objectives and policies of the Otago Regional Policy Statement 2021, particularly in relation to mana whenua, integrated management, air quality, land and freshwater, and ecosystems and indigenous biodiversity, hazards and risks and historic heritage.

National Policy Statement on Highly Productive Land

[185] The NPS-HPL took effect on 17 October 2022 and was amended on 15 January 2026. It is required under these provisions for highly productive soil to be mapped by Regional Authorities but until such a time as this is completed provisional mapping will apply. As noted above, the site contains a small area of LUC 3 land, however this part of the site is not within the area of the site which will be mined.

[186] I also note that under Clause 3.5.7, the changes removed restrictions on land use within LUC 3, other than for the purpose of Rural Lifestyle. For that reason, the use of LUC 3 land is not a matter that is relevant to the NPS-HPL. The site does not contain any LUC 1 or LUC 2 land, and the NPS-HPL is not considered to be relevant.

National Policy Statement for Indigenous Biodiversity 2023 (NPS-IB)

[187] The NPS-IB seeks to ensure there is at least no overall loss of indigenous biodiversity, and requires a precautionary approach where there is uncertainty, together with application of the effects management hierarchy. As noted above, the site is located on a terrace adjacent to the Clutha River/Mata-Au and is not within an SNA. The application states that the site contains predominantly pasture grass, with areas of kanuka at the northern end of the site. The applicant proposes a 5m setback from any kanuka trees.

[188] Having regard to the above, I conclude that the proposal is consistent with the NPS-IB.

National Policy Statement for Freshwater Management 2020 (NPS-FM)

[189] The NPS-FM seeks broadly to manage and maintain waterways in a manner that protects aquatic life and gives effect to Te Mana o te Wai through, 'prioritising the health and wellbeing of water bodies, then the essential needs of people, followed by other uses.'

[190] The application states that overall, the proposal is not inconsistent with the NPS-FM because there is no direct effect on the river, with the exception of an occasional permitted water take, the application gives effect to the hierarchy of Te Mana o te Wai in as much as the health of the river is given the top priority and the mining proposal will result in less than minor effects on the waterbody and the aquatic species that occupy it. I concur with the applicant's assessment.

[191] The proposed mining is to be setback at least 40m from the riverbanks of the Clutha River/Mata-Au, and will have no direct effect on this waterbody. The applicant has also applied for a groundwater take from the ORC. The ORC's processing planner has confirmed that they will be assessing the potential environmental effects associated with the groundwater take and discharge, and this will involve consideration of the NPS-FM and Te Mana o te Wai. I am confident that the proposal will be appropriately assessed by the ORC regarding the NPS-FM.

National Policy Statement for Natural Hazards (NPS-NH)

[192] Pursuant to Clause 3.4 of the NPS-NH, decision-makers are required to use the best available information when undertaking risk assessments and making decisions on managing natural hazard risk.

[193] The site is subject to the following natural hazards, identified within the Otago Regional Council's Natural Hazards Database:

- Otago River Flood Hazard;
- Grandview Fault FAA (Fault Awareness Area) (northern end);
- Liquefaction Awareness Area – A Domain, Liquefaction Potential - Low to None;

[194] Natural hazards have been assessed in the effects assessment section above, and it is considered that the proposal will not exacerbate any risk from natural hazards. A geotechnical report is recommended to be provided to confirm that the proposed mining setbacks from approved building platforms are adequate, that mining and rehabilitation activities will not compromise the stability of these future building platforms, and address any settlement, compaction, ground improvement or certification requirements necessary to ensure the reinstated land is suitable for its intended post-mining use. Given the site's proximity to the Clutha River/Mata-Au and the identified flood hazard constraints, the assessment should also confirm any requirements for final ground levels to ensure there is no increase in flood risk on the subject site or any neighbouring land.

[195] Overall, subject to the completion of the recommended geotechnical report, I am satisfied that the proposal will not create, worsen, or materially increase natural hazard risk. In terms of the liquefaction and seismic risk, these risks are considered to be low risk in terms of the proposed goldmine, and the mine will not exacerbate any known hazard risk. I consider that the proposal is consistent with the NPS-NH.

Other Matters

[196] In terms of section 106A, it is not considered that there is a significant risk from natural hazards which would require refusal of the application. Accordingly, there is no basis to refuse consent under section 106A of the Resource Management Act 1991.

[197] Having regard to section 104(1)(c) of the Resource Management Act 1991, no other matters are considered relevant.

10. PART 2 RESOURCE MANAGEMENT ACT 1991

[198] Sections 5–8 of the Resource Management Act 1991 (RMA) provide the overarching framework for assessing the proposal and seeks to promote the sustainable management of natural and physical resources.

[199] Section 6 lists the matters of national importance, including 6(f) which requires protection of historic heritage from inappropriate use and development. As noted above, the proposal will protect the known archaeological sites at the northern end of the site, and the applicant proposes appropriate management and monitoring of the remainder of the site, acknowledging the potential for unknown archaeological sites to be discovered.

[200] In terms of Section 7 (Other Matters) I note that the proposal would promote the efficient use and development of resources (section 7(b)), by mining the site prior to an approved subdivision being implemented. However, the noise effects associated with the proposal will not maintain and enhance amenity values for surrounding neighbours over the three

year term of the consent (section 7(c)) and therefore creates some inconsistency with Part 2 matters.

[201] While the proposal would provide economic benefits, utilise a finite mineral resource, and most environmental effects can be appropriately managed, I am not satisfied that the adverse noise effects on neighbouring properties and recreational users are outweighed by those benefits. For this reason, I do not consider the proposal achieves sustainable management at this time.

[202] The applicant may wish to provide some additional information or propose additional mitigation measures so that the adverse noise effects associated with the proposal can be reduced to acceptable levels to achieve greater consistency with Part 2.

11. RECOMMENDATION

[203] For the reasons outlined in this report, I consider that the noise effects associated with the proposal will have potentially significant effects on the rural amenity of properties surrounding the proposed mining site, particularly those 'central receivers' who will be exposed to the highest level of noise for the longest duration (up to two years). Although these effects are not permanent, in my opinion, and relying on the expert peer review of Mr Styles, the adverse effects relating to noise would go beyond an acceptable threshold, and are considered to be unreasonable in the context of the existing rural environment. The issue is considered to be finely balanced, and I remain open to revising my conclusion on noise effects should further evidence be presented at the hearing from the applicant or submitters.

[204] I also note that Council's landscape peer reviewer has requested that the applicant provide additional assessment as part of their hearing evidence to confirm the level of visual effects from private properties will be acceptable, as this was not provided in the original assessment or following a request for further information.

[205] After having regard to the above planning assessment, based on the information currently before me, I recommend that the Council refuse consent to the proposed activity under delegated authority, in accordance with sections 104 and 104B of the Resource Management Act 1991.

[206] I remain open to revising this recommendation if further information is presented at the hearing regarding additional mitigation or alternative ways to manage noise effects to reduce the level of effects on surrounding properties to an acceptable level.

[207] In the event that the Panel reaches a different conclusion, I have prepared a draft set of conditions for the consideration of the applicant and the Panel. These conditions are attached as **Appendix 1** of this report



Emma Spalding

PLANNING CONSULTANT

Date: 28 September 2026

APPENDIX 1: RECOMMENDED CONSENT CONDITIONS

Conditions:

1. The mining activity must be undertaken in general accordance with the approved plans attached to this certificate as Appendix One, and the information provided with the resource consent application received by the Council on 14 April 2025, and the further information provided on 29 August 2025 and 5 December 2025 except where modified by the following conditions.
2. The consent holder must pay to the Council all required administration charges fixed by the Council pursuant to section 36 of the Act in relation to:
 - a) Administration, monitoring and inspection relating to this consent; and
 - b) Charges authorised by regulations.
3. Pursuant to Section 123 of the Resource Management Act 1991 the period for which this consent is granted is for a term not exceeding three years for operation of the mine, with an additional six months to complete site remediation works. The mining activity must cease on [insert date 3 years from issue] and the site remediation must be completed by [insert date 3 years and six months from issue].

Monitoring and Review

4. In accordance with Section 128 and 129 of the Resource Management Act 1991, the Council may serve notice on the Consent Holder of its intention to review the conditions of this consent on and in the period within 6 (six) months upon each anniversary of the date of this consent, or within two (2) months of any enforcement action taken by Council in relation to the exercise of this consent, or for the purposes of:
 - a) ensuring the effectiveness of landscape management measures including site reinstatement and grass growth; and
 - b) ensuring the effectiveness of dust mitigation measures and addressing any unforeseen adverse effects associated with dust where monitoring demonstrates that the intended outcomes are not being achieved.
 - c) Determining whether the conditions of this consent are adequate to deal with any other 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;
 - d) Reviewing the frequency of monitoring or reporting required under this consent.
5. Unless it is otherwise specified in the conditions of this consent, compliance with any monitoring requirement imposed by this consent must be at the Consent Holder's expense.

Complaints Register

6. The Consent Holder shall maintain a record of any complaints alleging adverse effects arising from, or related to, the works activities authorised by this consent (the "Complaints Register").
 - a) The Complaints Register shall include:
 - i. The date, time, location, and nature of the complaint;
 - ii. The date, time, location and nature of any incident related to the complaint;

- iii. The name, phone number, email and address of the complainant, unless the complainant elects not to supply this information;
- iv. Details of actions taken by Consent Holder to remedy the situation, including actions taken on site to remedy the issue, correspondence with the complainant and any policies or methods put in place to avoid or mitigate the problem occurring again;
- b) The Complaints Register shall be provided to Council on request;
- c) Upon receipt of any complaint that alleges non-compliance with the conditions of this consent, the Consent Holder shall promptly investigate the complaint, and take necessary action to ensure the activity is compliant with the conditions of this consent.

Noise

- 7. The hours of operation for operation of the mining activity shall be 8:00am to 5:00pm Monday to Friday. No works are to occur outside these hours or on Saturdays, Sundays or public holidays.
- 8. Noise generated by the operation of the mine must comply with limits of 55 dB L_{Aeq} , at the notional boundary of any dwelling within the Central Otago District Council territory, where written approval was not provided. Noise generated by the operation of the mine must comply with limits of 50 dB L_{Aeq} , at the notional boundary of any dwelling within the Queenstown Lakes District Council territory. Operational noise must be measured and assessed in accordance with NZS 6801:2008 Acoustics – Measurement of environmental sound and NZS 6802:2008 Acoustics – Environmental noise. This condition applies to any dwelling existing at the time of granting consent, and any dwelling constructed during the course of the mining operation.
- 9. At least 20 working days prior to the commencement of operations, the Consent Holder shall submit an Operational Noise Management Plan (ONMP) to CODC's Planning and Regulatory Services Manager at resource.consent@codc.govt.nz for certification.
- 10. The objective of the ONMP is to identify and require the adoption of the best practicable option (as defined in s2 of the RMA) to minimise noise effects and to ensure that the noise levels comply with the noise limits in condition 8. The ONMP shall be prepared by a suitably qualified and experienced acoustic specialist and shall include, as a minimum:
 - a) A requirement for noise measurements to be taken when the activity commences so that the total noise level can be calculated, and the measures required to achieve ongoing and consistent compliance with the noise limits can be determined.
 - b) a description of all operational activities and equipment with the potential to generate noise;
 - c) identification of all sensitive receivers and the applicable noise limits and performance standards;
 - d) operational procedures and management measures to avoid, remedy or mitigate operational noise effects, including maintenance requirements for plant and equipment, including a section that sets out how noise sources that may exhibit special audible character will be 'managed out' (such as squeaking excavator tracks, tonal reverse alarms and slamming of truck tailgates or other impacts);
 - e) procedures for monitoring operational noise, including monitoring locations, methods, frequency, and reporting requirements;
 - f) a complaints management procedure, including requirements for recording, investigating, responding to and reporting complaints relating to noise;

- g) corrective action procedures to be implemented where monitoring identifies non-compliance or where complaints indicate that additional mitigation measures may be required;
 - h) staff training and responsibilities for implementation of the ONMP; and
 - i) a process for reviewing and updating the ONMP following any material changes to operations, receipt of substantiated complaints, or identification of non-compliance with any consent condition.
11. The Consent Holder shall implement and comply with the certified ONMP at all times. Any amendment to the ONMP shall be submitted to the Consent Authority for certification prior to implementation.

Dust

- 12. The maximum active mine area, including excavation area, backfilling areas, active rehabilitation area and unsealed roads must not exceed 2 hectares at any time
- 13. 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.
- 14. 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.
- 15. The height of material stockpiles must not exceed 1.5m above ground level.
- 16. The speed of vehicles on the site must be limited to not more than 15kph.
- 17. The site entrance and adjacent sealed highway must be regularly swept or cleaned to remove accumulated debris.
- 18. Inactive and rehabilitated areas must be revegetated as soon as practicable to minimise dust generation.
- 19. Stripping, handling and deposition of overburden material and soil, and handling of dry tailings material, must not occur during wind speeds of more than 5m/s (10 minute average), as measured on site, when the wind is blowing towards neighbouring sensitive receptors within 350m of the activity. Water must be applied to this material when dry to minimise dust emissions from these activities. Activities may recommence once wind conditions no longer exceed these thresholds.
- 20. Prior to commencement of works, the consent holder must install a weather station within the site which has the capability of measuring and logging wind speed and direction at a minimum of 1 minute intervals. Wind speed and direction must be continuously monitored on the site at 6m minimum height, with real-time data sent to the site manager. The weather station must be mounted on a mast located at a site representative of wind flows across the working area. 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.
- 21. An updated Dust Management Plan (DMP), with reference to the conditions of consent, must be provided to the CODC for certification prior to commencement of works. Mining activities must be undertaken in accordance with the certified DMP.

22. Real-time PM10 monitoring at the site boundary between the 2ha active area and any sensitive receptor must occur at all times when the mining area is:
- a) Within 350m of receptors potentially affected by discharges from the active area during winds from the northwestern quadrant; and
 - b) Within 250m of all other receptors.

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. PM10 trigger levels for remedial action must be set in the DMP with electronic alerts sent to the site manager when trigger levels are exceeded.

23. A register of any dust complaints received must be maintained for the duration of the consent, in accordance with Condition 6. In relation to dust complaints, the register shall record weather conditions at the time, including wind speeds.
24. The discharge must not cause objectionable or offensive particulate matter beyond the boundary of the site.
25. At the written request of the Council, the consent holder shall engage a suitably qualified and experienced air quality specialist to undertake an independent audit of compliance with the Dust Management Plan. The audit report shall be provided to Council within 20 working days of completion.

Landscape

26. All works shall avoid the river terrace landform and shall be set back a minimum of 40m from the top of the Clutha River Mata-Au bank and 5m from any mature kanuka.
27. The actively mined area (including pre-stripped area, overburden / topsoil windrows, mine pit and un reinstated tailings) shall be no greater than 18,000m².
28. The consent holder must prepare a Site Rehabilitation Plan and submit to CODC's Planning and Regulatory Services Manager at resource.consents@codc.govt.nz for certification. The Site Rehabilitation Plan must detail and provide for the following activities which must be undertaken at the completion of mining on the site:
- a) Removal of all structures and other elements related to the mining operation
 - b) Reinstatement of the floodplain landforms to restore existing natural landform character, including relic river channels.
 - c) Reinstatement of pasture and fences in consultation with the landowner.

All rehabilitation works must be undertaken in accordance with the certified Site Remediation Plan, within six months of the completion of mining on the site.

29. The proposal must be undertaken in accordance with the recommended controls on temporary structures within the depot area, contained in the Landscape Effects Assessment Report, dated 21 February 2025, prepared by Mike Moore, and reproduced below:
- a. There shall be no more than two containers located on the site during mining operations, which shall have dimensions not exceeding 12.5 x 2.5 x 2.6m.*
 - b. The Portacom building shall have a footprint no greater than 10m² and shall be no higher than 2.6m.*
 - c. Fuel tanks shall not exceed 10,000 litres in capacity and shall be no higher than 2m above ground level.*

- d. *All temporary site structures are to be finished to match in the same colour, which shall be Resene colour 'Karaka' (approx. 7% LRV). or another suitable colour found in the rural environment and certified by Council.*
 - e. *Other than the temporary topsoil / overburden windrows associated with the active mining, there shall be no bunds created.*
 - f. *Any fencing required shall be confined to rural post and wire fences.*
30. The site must be progressively reinstated as the mine pit progresses across the site, in accordance with the methodology set out in the application. The reinstated areas must be recontoured, topsoiled, revegetated and irrigated to ensure establishment of grass cover.

Archaeological

31. The consent holder must make every practical effort to avoid damage to any heritage site, whether known, or discovered during any site works.
32. 10 days prior to the commencement of any earthworks, the consent holder must provide to the Council:
- a) written confirmation that an Archaeological Authority has been obtained from Heritage New Zealand Pouhere Taonga under the Heritage New Zealand Pouhere Taonga Act 2014; or
 - b) written confirmation from Heritage New Zealand Pouhere Taonga that an Archaeological Authority is not required for the earthworks.

No earthworks shall commence until the information required by this condition has been provided to Council.

33. All contractors working on the site must be briefed by the s45 approved person (or person nominated on their behalf) on the possibility of encountering archaeological evidence, how to identify possible archaeological sites/features during works, the archaeological work required by the conditions of any Archaeological Authority, and contractors' responsibilities with regard to notification of the discovery of archaeological evidence to ensure that any Archaeological Authority conditions are complied with.
34. Prior to the commencement of any earthworks, exclusion zones must be established to prevent the mining of the known extent of G40/148, and G40/149, setback areas and archaeological stand-over monitoring areas.
35. All works must be carried out in accordance with an Archaeological Management Plan, prepared by a suitably qualified and experienced archaeologist. The Archaeological Management Plan must be submitted to the Planning and Regulatory Services Manager for certification at resource.consent@codc.govt.nz prior to works commencing.
36. Any structures encountered, such as water races or building remains, are to be recorded to a Level III standard as defined in HNZPT's guide, Investigation and Recording of Buildings and Standing Structures (HNZPT, 2018). Details of the required recording standards are to be set out in the certified AMP.
37. Stand-over archaeological monitoring is required for any mining within the stand-over monitoring areas identified on Figure 10-1 of the NZ Heritage Properties Ltd report titled

'Sandy Point, Luggate – A Heritage Assessment for Site G40/148 and G40/149' revision B dated 28/8/2026. All earthworks in these areas must follow the archaeological monitoring recommendations of the NZHPL report, reproduced below:

- a) *Immediately outside the 10m exclusion zone to the rear/south of G40/149 and G40/148. Depth and scope of excavations will be subject to the discretion of the onsite archaeologist, being based on the level/presence of visible archaeology, the depth at which sterile sediment is confidently reached, and/or the practical working depths of the trench (i.e., <2m).*
- b) *The area in the vicinity of the house and gardens depicted on the 1883 survey map (SO 7374) should be excavated to natural ground (NB: this has been expanded to account for potential inaccuracies regarding the placement of these features in SO 7374). This can be done in ~100mm spits via hydraulic excavator; however, should archaeological features and/or deposits be encountered, these may require hand-excavation for all/part of their extents.*
- c) *The flattened area bounding the southern river bend. Although the location of the 1863 general store is not known, it is considered to have been positioned in proximity to the ferry. Given the steepness of the sandy bluff opposite the northern-most bend in the river adjacent to the project area, the ferry is reasoned to have been positioned within the flat area bounding the gentler, more southern bend. Depth and scope of investigations will be subject to the discretion of the onsite archaeologist but should extend below any post-1870 flood-derived silt deposits where practicable, in order to assess the presence or absence of earlier archaeological horizons.*
- d) *The above earthworks must be monitored by the s45 approved person (or person nominated on their behalf) in accordance with the AMP. Any archaeological features and material encountered shall be recorded, analysed, and interpreted in accordance with current archaeological practice and as outlined in the AMP.*
- e) *All remaining work outside of the above investigatory recommendations can be conducted under the OCP [On Call Protocol].*

38. If archaeological material of Māori origin (taoka tūturu) is discovered at any stage, all work must stop within 20m of the find. The consent holder must contact all relevant parties including takata whenua via Aukaha and HNZPT, in accordance with the AMP. Any taoka tūturu are prima facie the property of the Crown who must be notified of the find and the find registered with the Ministry for Culture and Heritage.
39. Within 20 working days of the completion of on-site archaeological work, the consent holder must ensure the site record forms are updated or submitted to ArchSite.
40. 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. Copies must also be submitted to Aukaha and CODC's Planning and Regulatory Services Manager at resource.consent@codc.govt.nz

Accidental Discovery Protocol

41. All site works must be undertaken in accordance with the following:
 - a) In the event that Kōiwi (human skeletal remains) are discovered, the works in that area of the site shall cease immediately and Tangata Whenua (Aukaha, Te Ao Marama and appropriate Papatipu Rūnanga), NZ Police and/or Heritage New

Zealand Pouhere Taonga, and the Consent Authority shall be notified as soon as practicable.

- b) The site is to be immediately secured upon discovery to prevent further disturbance of the site.
- c) Taonga or artefact material (e.g. pounamu / greenstone artefacts) other than Kōiwi will be treated in a similar manner so that their importance can be determined, and the environment recorded by qualified archaeologists alongside the appropriate Tangata whenua. Aukaha and Te Ao Mārama Inc are to be contacted in the event of taonga or archaeological artefact discovery in accordance with the Protected Objects Act 1975.
- d) In-situ (Natural State) Pounamu/Greenstone Accidental Discovery Pursuant to the Ngāi Tahu (Pounamu Vesting) Act 1997: All natural state pounamu/greenstone in the Ngāi Tahu tribal area is owned by Te Rūnanga o Ngāi Tahu. The Ngāi Tahu Pounamu Resource Management Plan provides for the following measures: ·
- e) Any in-situ (natural state) pounamu/greenstone accidentally discovered should be reported to the Pounamu Management Officer of Te Rūnanga o Ngāi Tahu as soon as is reasonably practicable. The Pounamu Management Officer of Te Rūnanga o Ngāi Tahu will in turn contact the appropriate Kaitiaki Papatipu Rūnanga; and ·
- f) In the event that the finder considers the pounamu is at immediate risk of loss such as erosion, animal damage to the site or theft, the pounamu/greenstone should be carefully covered over and/or relocated to the nearest safe ground. The find should then be notified immediately to the Pounamu Management Officer.
- g) The find should then be notified immediately to the General Manager, Te Ao Turoa, at Te Rūnanga o Ngāi Tahu. Ngai Tahu contact details are as follows:

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

Access

- 42. Prior to the commencement of activities on the site, the Consent Holder must upgrade and maintain the access (Crossing Place 39A) in accordance with New Zealand Transport Agency Planning Policy Manual (2025) Access Type C Standard, at the expense of the Consent Holder and to the satisfaction of the New Zealand Transport Agency Network Manager.
- 43. Use of the access for the transportation of mining equipment that does not require NZTA permits and Traffic Management Plans for over-dimension/overweight vehicles must be carried out in accordance with a Temporary Traffic Management Plan (TTMP). The TTMP shall be prepared by an approved provider for the State Highway network in accordance with the New Zealand guide to temporary traffic management (NZGTTM) for the purpose of managing access to and from the site and must include measures to address tracking of material onto the sealed carriageway and be undertaken to the satisfaction of the New Zealand Transport Agency Network Manager.

Geotechnical

44. At least 20 working days prior to the commencement of operations, the Consent Holder shall submit a Geotechnical Report to CODC's Planning and Regulatory Services Manager at resource.consent@codc.govt.nz for certification.
45. The Geotechnical Report shall be prepared by a suitably qualified and experienced geotechnical engineer and shall include, as a minimum:
 - a) Confirmation that the proposed mining setbacks from approved building platforms identified in the approved subdivision plans for RC230386 are adequate, and that mining and rehabilitation activities will not compromise the stability of these platforms.
 - b) Any settlement, compaction, ground improvement or certification requirements necessary to ensure the reinstated land is suitable for its intended post-mining use.
 - c) Confirmation of any requirements for final ground levels to ensure there is no increase in flood risk on the subject site or any neighbouring land.

Erosion and Sediment Control

46. Prior to the commencement of mining operations, the Consent Holder must prepare and submit an Erosion and Sediment Control Plan (ESCP) to council's monitoring officer for certification. The ESCP must be prepared by a suitably qualified person prior to the commencement of mining operations and shall be implemented for the duration of mining activities. The ESCP must contain sufficient detail to address the following matters:
 - a) The location, design, dimensions, and capacity of all erosion and sediment control measures to be installed on the site, in relation to the location of the moving mine pit;
 - b) Details of measures to minimise the extent and duration of exposed earthworks and disturbed areas, including progressive stabilisation and rehabilitation procedures;
 - c) Procedures for managing sediment-laden runoff, and the discharge of sediment from the site;
 - d) Inspection, monitoring and maintenance requirements for all erosion and sediment control measures, including frequency of inspections and maintenance actions;
 - e) Contingency measures to be implemented in the event of erosion and sediment control measure failure, significant rainfall events, or the identification of excessive sediment discharge from the site; and
 - f) The responsibilities of personnel responsible for implementing, monitoring and maintaining the ESCP.

Advice Notes:

- 1) Separate to any requirements under the Resource Management Act 1991, there are other legislative requirements that regulate works within the State Highway corridor. Further advice should be sought from NZTA.
- 2) Before you undertake any physical work on the state highway, including the formation of any vehicle crossing, you are legally required to apply to the New Zealand Transport Agency for a Corridor Access Request (CAR) and for that request to be approved. Please submit your CAR to www.submitica.com a minimum of fourteen working days

prior to the commencement of any works on the state highway; longer is advised for complex works.

- 3) A separate concession or approval may be required from the Department of Conservation to locate water take infrastructure across the marginal strip.
- 4) The application involves a mining activity, as well as bulk storage of fuel in above ground tanks. This will result in the site becoming a HAIL site and the site will be added to the ORC's SLUS register. Additional consent may therefore be required under the NES-CS prior to the approved subdivision being implemented or residential activity being established on the site.
- 4) Development contributions for roading of \$2,925.00 (GST exclusive) are payable pursuant to Council's Policy on Development and Financial Contributions contained in the Long Term Council Community Plan. Development contributions must be paid by 20th of the month following the issue of the invoice. On time payment is important because, until the development contributions have been paid in full, Council may prevent the commencement of a resource consent.
- 5) In addition to the conditions of a resource consent, the Resource Management Act 1991 establishes through sections 16 and 17 a duty for all persons to avoid unreasonable noise, and to avoid, remedy or mitigate any adverse effect created from an activity they undertake.
- 6) Resource consents are not personal property. The ability to exercise this consent is not restricted to the party who applied and/or paid for the consent application. It is the responsibility of any party exercising this consent to comply with any conditions imposed on the resource consent prior to and during (as applicable) exercising the resource consent. Failure to comply with the conditions may result in prosecution, the penalties for which are outlined in section 339 of the Resource Management Act 1991.
- 7) The lapse period specified above may be extended on application to the Council pursuant to section 125 of the Resource Management Act 1991.
- 8) This is a resource consent. Please contact the Council's Building Services Department, about the building consent requirements for the work.

APPENDIX 2: SUMMARY OF SUBMISSIONS

The following submissions were received:

Number & Status	Name & Address	Summary of Submission
01 Oppose	Andy Elia 57 Onslow Road, Lake Hayes Estate	Concerns relating to significant scale of earthworks and industrial activity within a sensitive river corridor environment, including sediment mobilisation, potential contamination and adverse effects. Substantial water take may have cumulative effects on river hydrology and effects on river values. Storage of diesel fuel represents a risk of spill events. Amenity and rural character effects including noise, dust and heavy vehicle movements Insufficient certainty that progressive rehabilitation will be adequate to reinstate original landform, ecological function and landscape character. Seeks consent is declined. If not declined, imposition of stringent conditions are requested including setbacks, hydrological and water quality monitoring, limits on water abstraction, comprehensive sediment and spill response requirements, restricted hours of operation, substantial rehabilitation bond, and post closure ecological monitoring.
02 Neutral	Te Ao Mārama Inc, on behalf of Te Rūnaka o Waihōpai	Clutha River/Mata-Au is recognised as a Statutory Acknowledgement Area under the Ngāi Tahu Claims Settlement Act 1998. Seek confirmation that the hierarchy of obligations under Te Mana o te Wai has been appropriately applied and that potential indirect effects on mauri (e.g., sediment mobilisation during extreme events, groundwater–surface water interactions) have been robustly assessed. Question whether cumulative effects (historic mining, pastoral use, subdivision) have been appropriately considered, and whether the mining activity is consistent with ki uta ki tai principles for the Mata-Au catchment. Request appropriate conditions to safeguard cultural values and impose accidental discovery protocols.
03 Oppose	Phillip James Everest and Anne Christine Everest 85 River Ridge Road, Tarras	Oppose all areas of the mining application. Lifestyle is predominantly outdoors, and walk to the river every day. Mining operation will completely upset and ruin their quality of life. Seek that the application is declined.
04 Oppose	Jason Chauval 63 River Ridge Road, Tarras	Opposes the application completely. Noise is a major issue for east bound neighbours, due to predominantly southerly winds, and no measurements have been taken from eastern properties at higher ground, or from above and to the west in Pukerangi Drive. Mine will affect peaceful enjoyment of properties. Dust and disturbance also a major issue as dust will blow directly onto properties. Visual impacts will be significant, as property directly overlooks the development. The mine will be visible from streets, properties, and hikers. Concerns relating to leaking of toxic chemicals, mercury and pollutants into water supply. Seeks cancellation of the application.

05 Oppose	Oliver Moon 46 Kingan Road, Luggate	Opposes the whole application. Raises concerns with previous dredging application. Submitter is a former employee of the company, and alleges ongoing non-compliance with environmental laws and regulations and illegal activities by the applicant. Considers that the applicants should not be permitted to pursue mining operations in this area, whether directly in the river or on adjacent land, given their established track record of non-compliance.
06 Oppose	Roderick Harold and Phillippa Mary Fee 25 Hinemoa Street, Birkenhead Point, Auckland (Owners of 79 River Ridge Road)	Concerns about dust, given the wind conditions in the river valley. Application gives no details on how dust effects will be mitigated. Concerns relating to noise effects created by large excavators and bulldozers and constant extension and backfilling of the mine pit in land that bears a lot of rock. Marshall Day noise report does not provide raw data, only averages and the conclusions of the report cannot be tested adequately. 10 hour working day is a concern, and seems unnecessarily long, start and stop times have not been provided. Lighting details not provided, concerned about light pollution. Seeks a range of information relating to noise, dust, lighting, working hours, and duration. If not provided, application is incomplete and insufficient to address the matters of concern.
07 Support	Kimberley Landreth 3364 Luggate Cromwell Road	Supports all of the application. Positive social and economic benefits. Ample buffer of DOC land to separate the mine from the river. Mining and reclamation will leave the land in a much easier state to continue with the lifestyle block subdivision to follow. Short time period, daytime work only, and gradual movement along the property will minimise effects on neighbouring properties.
08 Oppose	Simon Stebbings 459 Luggate-Tarras Road, Sandy Point	Requests that the application be declined, or alternatively that further independent assessments be required addressing noise impacts, ecological effects, water use and rehabilitation of the site. Application overstates and exaggerates economic benefits. Any economic benefits must be weighed against potential adverse effects, which are potentially significant. Noise assessment is inadequate and should include monitoring at property boundaries, and independent noise testing. Hours of operation are not specified, other than limiting to 10 hours per day. Early morning or late evening mining would not be acceptable nor would mining on public holidays. Excessive water extraction from the Clutha River / Mata Au needs to be considered, as the application appears to be technically inaccurate and lacks detail regarding the quantity of water required and the potential cumulative effects. Council should consider how volume of water extracted would be monitored and the effects on freshwater ecology, including invertebrates and fish species. Effects on the DOC administered reserves (Sandy Point and Autaia) adjacent to the site have not been adequately assessed (noise, habitat disruption, dust and spray from plant equipment). Pipes from the Clutha/Mata Au traversing the reserve may also be necessary and will damage/erode the river margin, and would require a concession. Minimal engagement with key stakeholders (DOC, tangata whenua, local residents and Luggate community). Application provides limited information regarding long-term rehabilitation of the site and submitter requests consideration is given to post mining outcomes such as improved public access, ecological restoration and

		integration with adjacent recreational areas, a community fund established, and road access gifted to access the Autaia Reserve.
09 Oppose	Brenda Jessup 26 Pukerangi Drive, Cromwell	Submitter has established Popina (a hospitality business) located immediately opposite the site of the proposed mine. Concerned about the significant and ongoing adverse effects on their business, property and surrounding environment, created by continuous movement of heavy machinery, increased heavy vehicle traffic, noise, dust and other associated industrial effects, particularly on the guest experience of Popina patrons, and also for the health of gardens and native planting, the character of the surrounding area and the rural amenity and landscape values of the area. Allowing the activity creates a significant and unfair burden on neighbouring landowners and businesses relying on the existing rural character and amenity of the environment. Request that the application is declined.
10 Oppose	Russell and Yvonne Binns 110 Pukerangi Drive, Queensbury	Opposes the application. The applicant cannot guarantee that the sediments are not leaching into the Clutha River. Potential damage to the edge of SH6 Dust is a concern when soil is disturbed, and potentially dangerous when close to the state highway. Mining activities are not in keeping with the aesthetic values of the landscape, and the recreational activities that the environment offers.
11 Oppose	Wayne and Dawn Bosley 54 River Ridge Road, Tarras	Concerned about the potential for dust to be blown over section and neighbour's sections. Wind is a huge factor in the valley and the application does not explain how the effect from dust will not be harmful to our home. Concerned about the adverse noise effects and lack of information on noise levels or mitigation processes. 10 hour working day is a very long time for residents to have to live with industrial noise and pollution, and the application does not specify when the working day will start and stop.
12 Oppose	Ellen Delis 83b Poison Creek Road, Queensbury	Submission relates to the Santana Gold Mine in Tarras, and states that the gold mine will destroy the head water for all the people in New Zealand.
13 Oppose	Mark and Tony Williams 71 Pukerangi Drive, RD3, Cromwell	Strongly oppose the proposal due to its industrial scale and incompatibility with the values of the surrounding environment, and failure to address significant environmental effects. The application lacks sufficient technical information to enable a comprehensive assessment of environmental effects, particularly in relation to full noise data, machinery specifications, hydrological and sediment modelling, dust management detail, and clear operational information. Risks to the Clutha/Mata-Au include sediment discharge, groundwater disturbance, erosion, and ecological harm. The application lacks robust hydrological evidence to show these can be avoided. Preservation of natural character of rivers is a matter of national importance under s6 RMA. Acoustic effects of mining operations (especially low-frequency) are likely underestimated, given the geographic characteristics of the river valley, and could travel extensively across the valley, causing significant disturbance to residents. Dust and air quality:

		Dust from excavation, trucking, and processing is a major concern, particularly given strong seasonal wind patterns in the river valley. Mitigation measures are unclear and insufficient and the application does not specify particulate emissions.. The proposal will create landscape and visual impacts by introducing industrial elements (pits, machinery, stockpiles) into a valued natural landscape, causing long-term degradation. The proposal represents an unacceptable hazard within a known flood-prone environment. Mining within a flood-prone area could lead to mobilisation of sediment, contaminants, and debris during flood events, creating downstream environmental risks. The proposed mining activity is fundamentally incompatible with the existing character and amenity values of the surrounding rural environment and community expectations. The activity will significantly diminish the enjoyment and use of neighbouring properties, and create conflict between land uses. The proposal contributes to cumulative effects increasing industrialisation of the river corridor, establishing a pattern of development that could progressively degrade the environmental and landscape integrity of the wider Clutha River valley. Granting consent could also potentially set a precedent for further mining. Seeks that the application is declined in full. Alternatively, if the Council is minded to grant consent, the applicant should first be required to provide comprehensive additional information including: - full acoustic monitoring data and independent peer review - hydrological modelling of sediment discharge risks to the Clutha. - detailed dust mitigation strategies - comprehensive landscape and visual impact assessments Strict operational limits and environmental monitoring conditions would also be required.
14 Oppose	John Kokshoorn PO Box 983, Main Beach, Queensland, Australia 4217	Same reasons as submission 13.
15 Oppose	Jane L M Stevens 10 Seaforth Street, Karitane, Dunedin (Owner of 67 River Ridge Road)	Opposes the application, as property is in direct line of fire for dust, noise and visual pollution. Shares the same concerns as neighbours The dust nuisance is a major concern as the prevailing winds will carry the large amounts of dust from trucks and dredging directly onto our properties. The videos (submitted with Submission number 19) give a clear indication of how bad dust will be for us. Noise also a major concern, especially as the operation is going for 10 hours a day for 3 years. Submitter can hear the road traffic across the river as though it was a few metres away as the river valley amplifies the sounds. The visual pollution of having to watch an industrial activity ongoing with clouds of dust and noise for 3 years is just too much. These rural properties we purchased for the beauty and peace that rural living offers, not this level of industry on our doorstep. Seeks that the council declines the application.

16 Oppose	Ngaio Hart PO Box 253, Arrowtown, 9302	As a local kayaker, opposes the application to mine the land alongside the Upper Clutha river/Mata-Au because of 1) potential impacts on the health of the river and riverbanks, and 2) potential negative impacts on the recreational experience of river users by introducing industrial mining activities into a beautiful river corridor, destroying the sense of serenity and beauty of this stretch of river. Concerns regarding the health of the river and surrounds include: Dust from disturbed earth is likely to blow across the river despite attempts to wet it down to suppress it, noting winds in this area can be strong. Water quality & contamination – concerning to have mining operations proposed so close to the river. Having diesel machinery sitting below river level in water does not sound like a very clean activity. Potential impacts on the groundwater below the river and connection to the river, and clarity of the river. Limited economic benefit of 4x full time roles for 3 years does not justify any risk to the river or ecosystems. Flooding risks regarding land stability, erosion risk and contamination –concern regarding 1 in 100 year flood event, potential for diesel contamination, vehicles caught in floodwaters, destabilised soils. Impact on the recreation experience of river users including noise, visual impact, impacts on exceptional natural, recreational & tourism values. The mining activities would also be clearly visible from the Sandy Point reserve and some neighbouring properties, including potential mental health impacts. Opposes the application in its entirety and request the consent authority declines the application. Notes that the mining activity would be a step backwards for our beautiful district, and rivers including river margins should be protected for future generations.
17 Oppose	Allan and Barbara Kane 3 RD, Cromwell	Oppose the consent because of the noise and dust that will be created by the activity and the impact that it will have on the open pastoral landscape. Submitter seeks the following decisions: Reduce the allowable noise levels Applicant to put up a very significant bond to be forfeited on first breaking of the condition, consent to be withdrawn on second offence. More stringent dust control provisions to be part of the consent.
18 Oppose	Laurina Kersten 178 Fay Lane	Strongly opposes the application and urges the council to decline consent and prioritise developments that protect the environmental integrity, community wellbeing, and long-term sustainability of Wānaka. Concerns relate to: 1. Environmental Risk and Irreversible Impact The proposed mining activity poses significant risks to the natural environment, including soil degradation, sediment runoff, and potential contamination of waterways. 2. Dust and Air Quality Concerns Mining operations and associated vehicle movements will generate dust and fine particulate matter, directly impacting air quality for nearby residents, businesses, and visitors, raising legitimate public health concerns. 3. Adverse Effects on Amenity and Landscape Values

		The proposed site sits along a key entry corridor into Wānaka. The introduction of an industrial mining operation in this location is incompatible with the area's natural beauty and sense of arrival. Noise, visual disruption, and industrial activity will detract from the landscape values that define the region. 4. Negative Impact on Local Businesses The proximity of the proposed mine to a newly established hospitality venue creates a clear conflict in land use. Businesses that rely on atmosphere, aesthetics, and visitor experience are likely to be adversely affected by dust, noise, and increased traffic. This undermines investment and economic activity aligned with Wānaka's tourism and lifestyle economy. 5. Increased Traffic and Safety Risks The development will result in increased heavy vehicle traffic along a main public access road. This raises concerns about road safety, congestion, and infrastructure strain. The cumulative impact of this increased traffic is not appropriate for a key route into a growing town. 6. Inconsistency with Long-Term Regional Vision Wānaka is widely recognised for its commitment to sustainability, environmental stewardship, and high quality living. A gold mine at this location does not align with these values and risks undermining the region's long-term vision. Short-term extraction gains should not come at the expense of long-term environmental and community well-being. 7. Impact on Community Wellbeing and Sense of Place The entrance to a town shapes both the resident and visitor experience. Placing an industrial activity at this threshold alters the character of Wānaka in a way that diminishes its identity. The proposal does not adequately account for these intangible but important social and cultural effects. If the consent authority is minded to grant consent, requests strict enforceable conditions including but not limited to: • comprehensive dust and air quality controls, including dust suppression, continuous air quality monitoring, limits on particulate emissions, triggers for operational shutdowns. • environmental protection measures to prevent contamination of soil and waterways, sediment control, water monitoring, rehabilitation plans and financial assurances to ensure full site restoration. • Limits on heavy vehicle movements, designated haulage routes away from key public access points where possible, and restrictions on operating hours to reduce safety risks and disruption. • Strict noise limits, restricted hours of operation, and visual screening (e.g. landscaping or barriers) to reduce the impact on surrounding properties and the entrance corridor into Wānaka. • Buffer Zones/Minimum setback distances between the mining operation and neighbouring properties and businesses, particularly the nearby hospitality venue, to reduce adverse effects. • Ongoing independent environmental and operational monitoring, with results made publicly available, and clear enforcement mechanisms for any breaches. • Time-Limited Consent and Review Conditions to reassess environmental and community impacts, with the ability to revoke consent if adverse effects are greater than anticipated.
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19 Oppose	Richard and Caroline Bell 738 Luggate-Tarras Road, 9383	Complete opposition to the proposal in all aspects and seeks rejection of the proposal. Submitters property is in very close proximity to mine. Concerned about noise impacts, and note that noise levels likely underestimated and based only on modelling which uses selective scenarios that avoid worst-case proximity. Expected continuous industrial noise (10 hours/day for 3 years) is unacceptable and will have significant impact on working from home, including sensitive professional work, and would make use of outdoor areas for recreation unbearable and potentially unsafe. Dust and air quality also a major concern, and have submitted two videos on behalf of all neighbours on the eastern side of the river, which show the dust generated by one truck driving on the subject site. Strong winds will carry dust directly onto property. Soils identified as highly prone to wind erosion. Dust effects considered significant, difficult to measure, and poorly addressed. Applicant's mitigation measures seen as inadequate and unrealistic. Visual and landscape effects have been massively understated. Mine viewed as highly visible industrial activity (not "low" impact), as it involves large pits, machinery, stockpiles, and barren land. Adverse effects on private properties and public viewpoints (e.g. DOC Sandy Point reserve). Applicant's economic analysis considered unreliable and unsupported, and submitters will unfairly bear costs for private profit. Reduction in property value already occurring. If consent is granted, additional testing and analysis is needed regarding noise, dust and economic benefits. Specific, measurable and enforceable restrictions placed on the operation, which are monitored and policed by Council, allowance for residents data to be provided, penalties for breaches and guaranteed shutdown and restoration if needed. Hours per day and overall length of time need to be significantly reduced. Strong concern breaches could be ignored or repeatedly tolerated, or result in extension to overall time periods while breaches fixed.
20 Oppose	Kim Fogelberg PO Box 111, Wanaka	Opposes the application and seeks it is declined in its entirety. Noise levels predicted to exceed thresholds for serious annoyance, particularly for river users, and would create significant disturbance for 10 hours/day over 3 years. Strong sympathy expressed for nearby residents exposed to prolonged noise and disruption. Would fundamentally alter the area from quiet rural environment to industrial setting. Mine would be highly visible and dominate views from the Sandy Point conservation area and would significantly reduce the quality of scenic views, natural character and overall landscape values. Adverse impacts on public use and recreation, including visitors to Sandy Point lookout, recreational fishers, boaters and river users. Would diminish visitor experience in a well-known tourism landscape. The area would become unsuitable for enjoying natural character and tranquillity.

		Economic benefits considered limited and uneven and would offer limited benefit to the local community. Only 4 jobs, and landowner royalties would accrue to a single landowner. Majority of profit likely to go to mine owners who do not reside in Central Otago. The proposed mine located close to the Clutha/Mata-Au River, within a flood-prone area, also poses environmental risks including dust and potential runoff into the river during wet-weather events. Submitter also has concerns relating to the reputation and environmental track record of the applicant.
21 Not stated	Heritage New Zealand Pouhere Taonga Attn: James Southerland PO Box 5467 Dunedin 9054	The area of the proposed works is not on the New Zealand Heritage List / Rārangī Kōrero, however the area contains several archaeological sites which are protected under section 13 of the HNZPTA. The submission notes that a heritage assessment has been undertaken by New Zealand Heritage Properties (NZHP). The assessment identified that 6 archaeological sites are recorded or have been uncovered during the scoping of the project and previously unrecorded gold mining, agricultural/pastoral, and commercial sites. The applicant has surrendered exclusion zones around recorded archaeological sites with buffers ranging from 60 to 120 metres, which is supported, however HNZPT notes that NZHP strongly recommends that an archaeological authority is applied for to ensure that effects on known and unknown archaeology can be managed and sites can be recorded before being destroyed. Any earthworks within an area of possible pre-1900 occupation will trigger requirements under the archaeological provisions of the HNZPTA and will require an archaeological authority to be obtained. HNZPT can confirm that no authority has been applied for to date for the proposed works. HNZPT agrees with the findings and recommendations in the heritage assessment that effects on heritage are going to be more than minor. The site holds significant heritage values that are associated with the development of Central Otago's commerce and industry. These include recorded and as yet unrecorded gold mining, settler commercial, and agricultural/pastoral sites. These effects have not been properly addressed in the application, with the applicants proposing to follow an Accidental Discovery Protocol only. HNZPT concurs with NZHP's recommendation for the applicant to apply for an archaeological authority given the extent of archaeology within the project area to ensure the recording of sites that may be encountered and modified as part of the proposed activities. The Mata-Au is the subject of a Statutory Acknowledgement under the Ngāi Tahu Claims Settlement Act 1998, and HNZPT does not believe that adequate consultation has been undertaken by the applicant with mana whenua which raises significant concerns about the completeness of this consent application. By applying for an archaeological authority, the applicant would more than likely be required to consult with mana whenua before an authority is granted, given the proximity of the project to the Mata-Au and other recorded early Māori activities in and around the area. If granted, HNZPT seek the following condition to be adopted by the applicant: <i>"10 days before earthworks start, the applicants provide Council with written confirmation that an Archaeological Authority has been obtained from HNZPT. If an Authority is not obtained, Council must be provided with written confirmation from HNZPT that earthworks can proceed without an authority."</i>
22 Oppose	New Zealand Transport Agency Waka Kotahi	NZTA's Safety engineer and Network engineer consider that given the location of the access in close proximity to the intersection with Pukerangi Drive and the anticipated heavy vehicle movements, an improvement to upgrade

	Attn Kate Bonifacio/Steve Baker PO Box 1479 Christchurch 8022	the access to NZTA's PPM (2025) Access Type C Standard is required to manage any adverse safety effects on the state highway network. This can be achieved by a consent condition that states the access serving the site must be upgraded in accordance with NZTA's PPM (2025) Access Type C Standard, at a minimum. NZTA requests conditions and advice notes are included on the consent to give the applicant and NZTA certainty around the required design standard of the proposed works and ensure the effects of the proposal on SH6 are adequately mitigated.
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APPENDIX 3: LANDSCAPE PEER REVIEW

CODC – RC250353
Proposed Alluvial Gold Mine
Luggate – Cromwell Road, Sandy Point

26 June 2026

Peer Review Report



Peer Review Report

Introduction and Purpose

Rough Milne Mitchell Landscape Architects (**RMM**) have been engaged by Central Otago District Council (**CODC**) to peer review the Landscape and Visual Effects Assessment Report (**LAR**) prepared by Mr Mike Moore Landscape Architect of a proposed Alluvial Gold Mine at Luggate Cromwell Road, Sandy Point (**the Site**).

This Peer Review has been prepared by Mr Tony Milne, Fellow Landscape Architect (FNZILA) and Director of RMM. Based on my 25 years' experience in undertaking landscape assessments across Aotearoa New Zealand, including Central Otago for clients in both the public and private sectors, I consider that I have the expertise and experience to review this proposal.¹

The purpose of this peer review is to appraise Mr Mike Moore's LAR, specifically addressing the following aspects:

- Whether the assessment methodology is appropriate and robust.
- Whether the analysis of the landscape context of the Site and its receiving environment accurately describes the landscape's attributes, character and values.
- Whether any key issues or considerations have been missed in the assessment.
- Whether the assessment has correctly interpreted the nature and magnitude of the actual and potential landscape and visual effects.
- Whether the conclusions of the assessment are credible and justifiable.

The preparation of this Peer Review Report follows the guidance in the Te Tangi a te Manu: Aotearoa New Zealand Landscape Assessment Guidelines (**TTatM Guidelines**).² In undertaking my peer review, I have used the same 7-point scale set out in the LAR, page 11, that is consistent with the TTatM Guidelines.

In preparing this peer review report I have:

- Read the LAR, its Graphic Attachment, dated 21 February 2025.
- Undertaken a site visit on 20 April 2026. This included viewing the Site from the viewpoint locations in Mr Moore's LAR.
- Provided input into the Request for Further Information (**RFI**), dated 7 May 2026.
- Read the formal RFI Response including the updated Landscape Plans, Graphic Attachment and Visual Simulations, dated 8 May 2026.
- Read pertinent sections of the Resource Consent Application – Assessment of Environment Effects (**AEE**), prepared by Terramark Ltd, dated 5 December 2025.

For reference, the formatting and headings used in this peer review is consistent with and follows the LAR.

¹ 'Te Tangi a te Manu: Aotearoa New Zealand Landscape Assessment Guidelines'. Tuia Pita Ora New Zealand Institute of Landscape Architects, July 2022. Para 6.57.

² *ibid.* Para 6.57 – 6.63.

Methodology

The methodology of the LAR is appropriate to the scale and nature of the proposal, has generally been prepared in accordance with the concepts and principles set out in the TTatM Guidelines. There are minor aspects of the LAR that do not do what is required, e.g. outlining the degree of amenity experienced from each public place. However, based on my experience, I consider that methodology that Mr Moore has followed is correct.

Policy Provisions

The LAR has correctly identified that the Site is located within the Rural Resource Area and that there aren't any landscape overlays under the Central Otago District Plan (CODP), and that the proposal is a discretionary activity pursuant to Rule 4.7.4.i.

Mr Moore includes an assessment against the relevant CODP provisions later in his assessment, with the following objectives and policies being key to this assessment.

Objective 4.3.3 - Landscape and Amenity Values

To maintain and where practicable enhance rural amenity values created by the open space, landscape, natural character and built environment values of the District's rural environment, and to maintain the open natural character of the hills and ranges.

Policy 4.4.2 – Landscape and Amenity Values

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: ...

b. Development which is compatible with the surrounding environment including the amenity values of adjoining properties

The LAR did not mention the site's proximity to the Mata-au Clutha River, which is identified in the Queenstown Lakes Proposed District Plan as an ONF. This was raised in the RFI, with a response provided by Mr Moore.

Receiving Environment - Site and Area Description

The LAR includes a high-level description of the Site and Receiving Environment's landform, landcover, and land use, and relies on the photographs in Figures 1 – 6 to illustrate these landscape attributes. I concur with this high-level description, albeit identifying and quantifying details of these landscape attributes i.e. location of river channels and Kānuka would have been helpful.

The LAR's Introduction states that there is an existing consent for a rural subdivision within the Site but provides no further detail of this. The AEE provides slightly more information as it mentions that RC230386 approved an 8-lot rural-lifestyle subdivision within the 70ha Site and includes the subdivision and building platform layout plan as Figure 12. It is important to highlight this consented development because it demonstrates that the Site can absorb, and is anticipated to, change. I.e. The Site is not intended to be a contiguous area of open pasture nor is it to remain rural in character. Rather the long term character of the Site will become rural lifestyle, that is in keeping with the rural lifestyle properties to the south.

Apart from the above gap in information, I consider that the landscape attributes that contribute to the Receiving Environment and Site's landscape values could be described in more detail. I will not do this

here. Rather, I will add any necessary detail in the landscape values and landscape effects section of my peer review.

Landscape Character and Values

The LAR includes a high-level description of the Site and Receiving Environment's landscape values that summarises the identified attributes and values in the Central Otago Landscape Study and is also based on the high-level description of the landscape attributes. I concur that:

- The Pisa Range and the southern end of the Grandview Range have 'moderate-high' to 'very high' landscape values and are a ONL and SAL, respectively.
- Mata-Au / Clutha River has 'high' to 'very high' landscape values. Within the QLD it is identified as an ONF and despite it crossing the district boundary, its outstanding values do not change.
- The Site and surrounding river terraces display a moderate to moderate-high degree of open space, noting that this will be reduced by the consented 8-lot subdivision.
- The river terraces have a high degree of legibility that contributes to the landforms natural character.

In addition to the above, the Central Otago Landscape Study identifies the Site and its surrounds, beyond the river, as having 'limited sensitivity' being equal to a 'low-moderate' degree of vulnerability. I.e. The Site has a moderate-high ability to absorb change. This is highlighted by the fact that the site is anticipated to contain 8 rural lifestyle lots.

As mentioned, the Site displays a rural character. However, this is anticipated to change to rural-lifestyle once the 8-lot subdivision has been developed.

Proposal

The LAR adequately describes the proposed mining operation and illustrates the 'removal', 'working' and 'rehabilitation' areas on Figure 8. The zig-zag nature of the proposed excavation is better illustrated on Figure 6 of the AEE.

It is important to highlight:

- Unlike most mining operations all material, except for gold, will remain on Site. It is estimated that 1,500,000m³ of material will be 'turned over' on Site.³ With one cubic metre of gold being worth approximately \$3 billion USD, it is assumed that a comparatively small amount of material will be excavated from site. Therefore, rehabilitation back to original ground level will occur relatively quickly.
- Mining will be offset 40m from the riverbank, 5m from the dripline of any Kānuka, 10m from the DoC Reserve.
- The AEE states that the depot will be sited in one of two areas.⁴ Therefore, portacoms, containers, and the storage of equipment, machinery and vehicles are not dotted across the Site. For clarity, a condition could specifically state that this, ensuring that storage does not occur in both identified locations.

³ 50ha/500,000m² x 3m deep = 1.5 million cubic metres.

⁴ AEE, Page 8.

- Mining will occur for three years. It will occur for 10 hours per day, Monday – Friday⁵ to align with a typical working week. No operations on weekends or on public holidays.
- Pasture grass will be progressively reinstated as land is rehabilitated. Pragmatically, the establishment of pasture grass during hot, dry summers and cold winters may be difficult. This may lead to an increase in exposed soil, beyond the 210m x 85m area. Noting that ploughing a field is a permitted activity.

Natural Character Effects

Mr Moore has limited his natural character assessment to the river margins as it applicable under RMA Section 6a. His landscape effects assessment considers effects on landform and vegetation, that also contribute to natural character. I see logic in Mr Moore's approach as to reduce repetition.

I agree with Mr Moore that by definition Mata-Au / Clutha River's margin is narrow due to its steep enclosing scarps, highlighted by both exotic and native vegetation. The proposal will be offset 40m from the riverbank. I consider that the 40m offset, the sequential displacement of material, land being rehabilitated in a timely manner and the limited extent of extraction at any one time adequately mitigates the potential adverse effects of mining activities on the natural character of Mata-Au / Clutha River.

Landscape Effects

Mr Moore has separated the Landscape Effects Assessment under two sub-headings Physical Effects and Visual Effects.

Physical Effects

I agree with Mr Moore that the proposal will modify the existing natural floodplain on the terrace landform that the Site is situated. This is due to the displacement of approximately 1.5 million cubic metres of material, and recontouring of landform during the rehabilitation stage. Also, I concur that the mining will be a significant change to the current landform where it is occurring at that specific time. However, it will not be excessive due to the way it will be contained to the defined 1.8ha area.

The proposal will be well contained within the Site. It will not alter the physical attributes of the Mata-Au / Clutha River. Therefore, the proposal will not adversely affect its physical landscape values.

It is important to note that the finer contours of the existing landform can be modified by ploughing that will result in both large areas of exposed soil and would flatten parts of the Site. Also, the consented development enables landform modification by way of building pads, accessways, forecourts, lawns etc. These permitted and consented activities assist with reducing the long-term degree of change resulting from the proposal and the subsequent degree of adverse landscape effects.

Reinstating soil cover and ensuring grass and plant growth is the key mitigation measure to the proposal. Noting that screen planting will be ineffective from most vantage points due to the moving nature of the proposal. The principal concepts of the rehabilitation appear sound, aligning with methodologies I have seen implemented on other projects. However, conservatively, I recommend that half yearly reviews are undertaken to ensure that the intended re-leveling of the soil and grass growth is achieved. And if not, processes can be altered to ensuring rehabilitation occurs as it is currently intended.

Based on the above, I consider that the proposal will have a **moderate degree of adverse effects on the landscape's physical values where the mining is taking place. At a site wide scale, this will**

⁵ AEE, Page 6.

be of a low to low-moderate degree and at a receiving environment scale, this will be of a low degree. Post mining activities, the adverse effects on physical values will be **very low to nil**.

Associative Effects

Te Ao Mārama Inc have provided a neutral submission on the proposed gold mine. Their submission recognises the cultural values of Mata-Au / Clutha River, as appropriately considered in the LAR.

The LAR does not specifically assess the adverse effects on the cultural values of Mata-Au / Clutha River. However, assessment on natural character implies that that adverse effects on other aspects of the river, including cultural values are avoided. This is because the proposal will not alter the physical qualities of the river. Therefore, it is less likely to affect the spiritual values associated with creation traditions, as outlined in Te Ao Mārama's submission. Also, the proposal is well contained to the Site and does not impede access to and along the river beyond current constraints. Therefore, cultural traditions associated with mahika kai networks and historic movement patterns will not be altered.

Recreational associative values within the area include the use of the river by kayakers and boat users and people appreciating the view from Sandy Point. The proposal does not impede access to Sandy Point or along the river. Visual effects are considered below, except from the river. The LAR correctly mentions that the river is enclosed by steep, tall escarpments and vegetation. Therefore, whilst an assessment is not included, it is apparent that the proposal will not be seen from the rivers surface due to topography and vegetation.

Based on the above, I consider that the proposal will have a **very low degree of adverse effects on the landscape's associative values**. Post mining activities, the adverse effects will be nil.

Visual / Perceptual Effects

Based on my desktop analysis and site visit, I concur with the viewing audience identified in Mr Moore's LAR. Therefore, the LAR has correctly considered all potentially affected parties when assessing the actual and potential adverse visual effects of the proposal. I provide commentary on my observations from each public place below.

SH6 and SH8a

I generally agree with the visual effects assessment. In particular, views to the site are fleeting at most (barely discernible from SH8) and road users are more focused on the road or their eye is drawn to the surrounding mountains being the key contributing element to their amenity. Also, due to the moving nature of the proposal, at times the proposal will not be seen from SH6 due to intervening landform and as it progresses, the low-lying viewing angle means that the depth of excavation will not be understood. Rather, it will appear on face value being an area of excavation / land disturbance. Additionally, I agree that post rehabilitation, there will be very little evidence that mining has occurred, noting the removal of exotic trees is a permitted activity. Due to this, I concur with Mr Moore's conclusions that the adverse effects on visual amenity will be of a **low to low-moderate degree reducing to nil post rehabilitation**.

Sandy Point Lookout

I generally agree with the visual effects assessment. In particular, the elevated view, the proximity of the activity and activity itself drawing the eye, all of which will contribute to adverse effects on people's appreciation of the landscape. With the key mitigation measure being the contained nature of the extraction activity and the ongoing rehabilitation. Due to this, I concur with Mr Moore's conclusions that the adverse effects on visual amenity will vary between **very low and moderate degree reducing to nil post rehabilitation**.

Pukerangi Drive

I generally agree with the visual effects assessment, albeit the LAR does not go into enough detail on how visible the Site is. It is apparent that the southern third to half is not visible from Pukerangi Drive. Therefore, the first year to year and half of the three-year proposal will not be seen, which reduces the short-term effects of the proposal. Also, similar to the above, as the excavation progresses, the proximity of the proposal increases and will subsequently reduce the prominence and adverse effects of the proposal. Due to this, I concur with Mr Moore's conclusions that the adverse effects on visual amenity will be of a **low to low-moderate degree reducing to nil post rehabilitation**.

Private Views

The LAR is very light on the analysis, and justification of the assessment findings when considering adverse effects on amenity experienced from the surrounding private properties. This would have assisted with explaining which owners / occupiers of properties will be more adversely affected than others. However, the LAR's more blanket approach describes **adverse effects as nil to moderate-high**, allowing the public to have their say through the public consultation process.

The LAR does not include an assessment of the proposal from the elevated properties within Queensbury to the west, albeit the RFI response outlines that the visual effects assessment from Pukerangi Drive is representative of the effects from these private properties. I disagree with this approach due to the topography, orientation of dwellings and the longevity of views gained from dwellings when compared with road users.

Twenty-two submissions have been received in relation to the proposal, including submissions from Te Ao Marama, New Zealand Transport Agency and Heritage NZ.

In light of Mr Moore not providing a detailed response I highlight the following key points when assessing the actual and potential adverse effects on nearby properties, including all properties, not just limited to submitters:

- The Site is anticipated to contain an 8-lot subdivision. Therefore, the open, rural, paddock is not expected to remain. Rather, it is anticipated to be developed, including construction activities, and will display a rural lifestyle character.
- Prior to the 8-lot subdivision, ploughing the Site is permitted as a farming activity. This could result in up to a 50ha area of exposed soil. Ploughing and tilling of the earth is a typical farming practice within this environment and therefore exposed earth is a regular element within a rural setting.
- The project will take place for no more than three years. Based on on-site observations and a desk top analysis, only half the site can be seen from most nearby properties and / or the mining activity will be seen from more than 1km away, extending to more than 2kms away. Therefore, neighbours may only see the proposal for less than one-and-a-half years and it will form a very small part of their overall outlook.
- On a day-to-day basis, the proposal will occur during 'working hours' on Monday – Friday. Therefore, the mining activity itself will not be seen in the evening, at weekends, or public holidays. Rather, only the excavated area will be seen. In saying this, not having the mine activity occurring during key times when people are home, will reduce the prominence of the excavation area.
- Rehabilitation back to original ground level and the establishment of pasture grass will occur relatively quickly, unlike a standard mine.
- Structures and storage of equipment are located in the less visibly exposed areas, in particular when viewed from the west. Noting that given the current consent for the Site, built form is an expected outcome within the Site.

Therefore, when taking a balanced approach, I consider that the adverse effects on visual amenity will vary between a **nil to a moderate degree**. Noting, that the degree of adverse effects will vary for residents within each property over the three years, i.e. there will be times when the excavation activity is not seen and / or it will form such a small part of the view that it will have a nil – very low degree of effect. Due to this, I do not consider that the degree of adverse effects on the neighbouring properties visual amenity to be unacceptable.

In light of my conclusion, methodologically speaking, I consider that Mr Moore should include an adequately quantified and justified assessment based on viewing distances, length of time the proposal will be seen for (months and years) etc from the submitter's properties. I understand that he may not have access to their properties. However, a reasonably informed assessment can be based on dwelling orientation, topography, vegetation, sightlines, and operational timeframes (day to day and yearly).

Assessment Against the Relevant CODP Provisions

The LAR is very light on the assessment against the relevant objectives and policies, noting that the key points of the assessment are made through the body of the report. Whilst the assessment is brief, I concur with the points made, with the following also important to mention:

- The Site is anticipated to change due to the consented 8-lot subdivision. Therefore, there is no expectation that the Site is to remain open and maintain a rural character. Rather, it is anticipated to be developed, including construction activities, and will display a rural lifestyle character.
- Structures and storage of equipment are located in the less visible exposed areas, in particular when viewed from the west. Noting built form is expected within the site.
- The proposed mining activity will be small in scale as it migrates through the site, temporary with varying levels of visibility and visual effects, and all material and pasture cover will be reinstated.
- Potential adverse effects on Mata-Au will be avoided.

Based on the above and regarding CODP Objective 4.3.3, Policy 4.4.2.b, I consider that the proposal is adequately mitigated to the point that the rural amenity values of the receiving environment will be appropriately maintained. Also, the proposed mine will not have significant adverse effects⁶ on the landscape values of Mata-Au/Clutha River.

Conclusion and Recommendations

I am of the opinion that the Mr Moore's LAR has considered all of the key issues and has correctly interpreted the nature and magnitude when assessing the proposed gold mine. The exception to this is the assessment from private places, which should be covered off in more detail in his evidence.

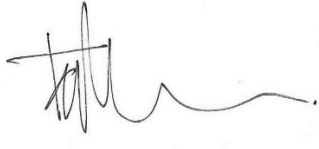
I recommend that at a minimum half yearly reviews are undertaken to ensure that the intended releveling of soil and grass growth is achieved. This will assist with providing assurance that the anticipated rehabilitation occurs as it is currently intended, being the overall key mitigation measure of the proposal.

Apart from the one exception and recommendation, I consider that the conclusions reached are credible and justifiable.

Overall, I consider that the proposed gold mine will have a **low-moderate degree of adverse landscape effects**, with visual effects from the surrounding public places varying between **nil to**

⁶ "The 'Reason' for CODP Standard 4.7.6(J)(b) states that earthworks for mining can have significant adverse effects on landscape values, as well as water quality, soil and land stability."

moderate. These adverse effects will be temporary, lasting no more than three years, and in some instances no more than one year.

A handwritten signature in black ink, appearing to read 'Tony Milne', with a stylized, flowing script.

Tony Milne
Director - Senior Landscape Architect - NZILA (Fellow)
Rough Milne Mitchell Landscape Architects

APPENDIX 4: NOISE PEER REVIEW

24 September 2026

Central Otago District Council

C/- Emma Spalding
Taylor Planning

By email: emma.spalding@taylorplanning.co.nz

Dear Emma,

RC250077 Awa Koura Mining Limited – Review of Noise Effects

1.0 Introduction

Styles Group have been engaged by the Central Otago District Council (**CODC**) to provide advice on the Awa Koura Mining proposal at Sandy Point, southeast of Luggate and north of Queensbury (the **Proposal**).

The details of the proposal are set out in the Assessment of Environment Effects, the Revised AEE, RFI responses and associated application material available on the CODC website¹. This advice refers to that material collectively as the **Application**.

This advice focuses on the report prepared by Marshall Day Acoustics entitled “*Sandy Point Alluvial Gold Mine Noise Assessment*”², (the **MDA Report**) and the response to queries prepared by Marshall Day Acoustics dated 24 June 2026³ (the **MDA Response**) in response to my Request for Further Information dated 19 May 2026 (**RFI**). The MDA Response was supplemented by email with a clearer set of figures and three additional points of clarification. These are appended to this review as Appendix A. MDA also provided some further clarification by email on the 16th September. The clarifications are:

- 1) The noise contours in Appendix A of this review have an error in the title block where it states that they the contours are L_{Aeq} levels. The clarification email states that the contours are actually L_{A10} levels;
- 2) The noise contours in Appendix A of this review are not Noise Rating Level contours and do not incorporate any adjustment for Duration / Averaging in accordance with the relevant District Plan provisions and the New Zealand standards.

This review incorporates these clarifications.

¹ <https://www.codc.govt.nz/services/planning/b-notified-consents/current-publicly-notified-consents/rc250077-awa-koura-mining-limited-submissions-closed>

² *Sandy Point Alluvial Gold Mine Noise Assessment* Rp 001 20250974, 5 December 2025, Marshall Day Acoustics

³ *RC250077 Sandy Point Alluvial Gold Mine Request for Further Information – Noise* Lt 002 20250974, Marshall Day Acoustics

This advice is a review of the noise-related aspects of the Application and includes my comments on the likely noise effects and proposed conditions.

This advice follows the RFI questions and responses in the MDA Response and then concludes with comments on the potential noise effects and conditions.

Overall, the MDA Report and MDA Response provide a good description of the noise levels and effects although there are some aspects that I provide my own views on in this advice.

I consider that the technical noise modelling calculation methods, adoption of ISO and New Zealand standards and presentation of results is appropriate, subject to some minor comments in this review.

2.0 Relevance of permitted noise standards

The MDA Report and MDA Response adopt the noise standards for permitted activities as the measure of reasonableness for the noise effects. The MDA Report adopts the noise standards for permitted activities without qualification, but the MDA Response implies that the noise standards for permitted activities were adopted after an assessment of noise effects was conducted.

I understand that the Proposal requires consent as a Discretionary activity. As set out in my RFI, it is my experience that *“The noise standards for permitted activities were written to manage the effects of activities permitted in the zone – not activities that require consent, and especially not D or NC activities.”*

I do not consider that the MDA Response adequately justifies the adoption of the noise standards for permitted activities as the measure of reasonableness for the Proposal.

I consider that the noise effects should be considered against the relevant objectives and policies and against the timing, duration and character of the noise that could reasonably be expected in the zone. I consider that this is the case for receivers in the Queenstown and Central Otago Districts.

I address this in more detail later in this review when I address the potential noise effects.

3.0 Assessment of noise over vacant land

The RFI sought an assessment of noise effects over vacant land that could reasonably be developed as well as the assessment on dwellings that physically exist. This is necessary given that the District Plan noise standards in the Central Otago and Queenstown District Plans apply at any notional boundary. This includes notional boundaries that may physically exist and that may come and go over time.

I understand that there are some land parcels surrounding the Site that could be developed and that the likely development locations are the identified building platforms.

The MDA Response and updated figures in Appendix A of this evidence include all relevant / proximate existing dwellings and notional boundaries as well as the vacant building platforms that could be developed in the future.

The predicted noise level contours also provide a good indication of the likely noise levels across land that may be used by neighbours from time to time. The contours enable an assessment of effects over all parts of the surrounding properties.

4.0 Additional noise modelling locations

The RFI sought additional noise modelling of the mining activity in more locations to provide a better understanding of the noise levels and effects as the Proposal progressed along the mining area.

The MDA Response and the contours appended to this advice as Appendix A provides an adequate and clear response to the RFI. I consider that these contours and predictions are helpful to understand the likely noise levels as the mining progresses.

I note that there are some minor issues with the location of some receiver points in the updated contours. I have considered these and prepared my views based on aerial photographs in conjunction with the updated contours.

5.0 3360 and 3364 Luggate-Cromwell Highway

The RFI sought noise level predictions at two properties where none had been provided. I understand that the applicant has written approval from 3360 and 3364 Luggate-Cromwell Highway.

The MDA Response states:

“We have predicted the noise level at the notional boundary of the dwellings at 3360 and 3364 Luggate-Cromwell Highway. The predicted noise levels when mining activity is closest to these locations are 65 dB L_{A10} at 3360 Luggate-Cromwell Highway and 59 dB L_{A10} 3364 Luggate-Cromwell Highway. At these levels, noise from mining activity would be clearly audible over the existing ambient noise. Noise levels up to 65 dB L_{A10} have the potential to be highly annoying during outdoor activities.

However, we understand that a formal agreement (similar to an affected party approval) has been reached with these property owners, with the result that noise effects do not need to be assessed at these locations. We have acted on instruction of the project planner on this matter, and they will address this in their submission.”

It is my experience that a written approval only means that the *effects* on that person should be disregarded. It does not mean that the level of noise should not be reported and that consent is required to infringe the relevant District Plan rule if the level of noise exceeds the permitted standard.

The MDA Response sets out the predicted noise level at these two properties. The levels are considerably above the noise standards for permitted activities in the CODC District Plan. I expect that this will form a reason for consent. I understand that this has not been identified in the Application.

I have not assessed the effects at these properties.

6.0 Depth of working pit

The RFI states that the updated noise modelling (and as attached to this advice) has all the plant at ground level, rather than in a working pit. I understand that the plant could be at ground level at times and may be wholly or partly at some depth at other times. I consider it appropriate for the MDA Response to include noise level contours for when the plant is working at the surface, as they have done.

7.0 Noise level prediction methods

Section 5 of the MDA Report sets out how the noise level predictions have been prepared. The outputs of that process have been supplemented with the MDA Response and with the noise level contours appended to this advice as Appendix A. The most important additions in the MDA Response is to model the plant working at ground level and to provide modelling outputs for a greater number of mining scenarios.

I generally agree with the noise modelling methods, calculation algorithms, assumptions for meteorological conditions and the sound power levels for the various items of plant that have been modelled.

As set out in the introduction section, the Contours in Appendix A are predicted L_{A10} levels and not L_{Aeq} as set out in the title block.

8.0 Ambient noise level measurements

The MDA Report sets out the results of ambient noise measurements in its Section 4. The Measurement position was approximately 200m west of SH6. The MDA Report acknowledges that this position is relatively close to SH6 and that “...*ambient noise levels will potentially be lower at receivers on the eastern side of the Clutha River/Mata-Au.*”

Based on my visits to the area and on the proximity of roads and the river itself, (including the noise it generates) I consider that ambient noise levels will be lower for the receivers on the eastern side of the river. Below is my rationale for predicting what those lower levels are likely to be. In my view this information is important for assessing the potential noise effects of the Proposal.

The measured daily L_{Aeq} levels shown in Table 3 of the MDA Report average at approximately 50dB L_{Aeq} . My calculations of road traffic noise from SH6 are approximately 50dB L_{Aeq} for the

same time period (7am to 10pm).⁵ Based on this, I expect that the level of road noise from SH6 will be approximately 44dB L_{Aeq} during the day at receivers on the eastern side of the Clutha River approximately midway between SH6 and SH8A (such as 79 and 86 River Road). I expect that ambient noise levels may be similar to the MDA measured levels at receivers closer to the Clutha River due to the influence of the river itself and proximity to SH6.

Overall, I expect that the typical ambient noise levels in calm meteorological conditions will range from:

- 1) Receivers approximately 200m from SH6:
 - a. background L_{A90} levels of approximately 40 – 44dB
 - b. average L_{Aeq} levels approximately 48 – 50dB
- 2) Receivers further from SH6 (approx. 800m, such as 79 and 86 River Road):
 - a. background L_{A90} levels of approximately 34 – 38dB
 - b. average L_{Aeq} levels approximately 44 – 46dB

Based on the MDA measurements, my supplementary predictions and my knowledge of and experience in the area, I consider that these levels and the road traffic and river noise will mean that the area could not be described as tranquil or peaceful. Instead, I would describe it as area that is somewhat affected by road traffic noise (mainly) but to a reasonably minor degree.

The levels set out above describe the noise environment that is present for the majority of the time. There may be periods when it is a little quieter and there will be periods when seasonal or intermittent sounds from productive land use, construction, overhead aircraft and other seasonal or intermittent sources cause higher noise levels. However, these will generally be for short periods.

I consider that this assessment of the ambient noise environment is helpful for understanding the noise effects of the Proposal.

9.0 Noise effects of the Proposal

The Proposal is for mining over three years with the mining progressing from the southern end of the Site to the northern end over the three-year period. The noise contours in Appendix A of this advice (the **Contours**) demonstrate that the noise levels at any given receiver vary by approximately 10dB over that period.⁶

⁵ Approximately 4000 AADT, 9% HCV, 100km/hr, 200m separation distance and 90% of the traffic within the time period

⁶ This is approximate. Some receivers will experience a larger variation and others smaller.

9.1 General evaluation of effects

I have set out an approximate guide to the predicted noise levels and subjective nature of the effects for each scenario below. This assessment is for the physically existing receivers only – vacant / undeveloped land is addressed separately.

- 1) When mining is at the southern end, the noise levels will be approximately:
 - a. 45 – 50dB L_{A10} at the southern receivers,
 - b. 40 – 45dB L_{A10} at the central receivers,
 - c. 35dB L_{A10} at the northern receivers.
- 2) When mining is in the central area, the noise levels will be approximately:
 - a. 40 – 45dB L_{A10} at the southern receivers,
 - b. 45 – 55dB L_{A10} at the central receivers (55dB L_{A10} at 63 River Ridge Road, Scenario “Southern A”)
 - c. 35 – 45 dB L_{A10} at the northern receivers.
- 3) When mining is at the northern end, the noise levels will be approximately:
 - a. 30 – 45dB L_{A10} at the southern receivers,
 - b. 35 – 45dB L_{A10} at the central receivers,
 - c. 45 – 53 dB L_{A10} at the northern receivers.

The noise effects at these various levels can be described approximately as:

Receivers close to SH6 (within approximately 400m)

- **35 – 40dB L_{A10}** – generally below background and average L_{Aeq} levels. Mining noise unlikely to be audible except during very quiet periods of traffic.
- **40 – 45dB L_{A10}** – generally at or around background noise levels and slightly lower than average ambient levels. Mining noise may be audible when traffic noise is low.
- **45 – 50dB L_{A10}** – generally above background noise levels and consistent with average ambient levels. Mining noise will be audible much of the time but masked to some extent by passing traffic.
- **50 – 55dB L_{A10}** – 5 – 10dB above background noise levels and generally above average ambient levels. Mining noise will be audible most of the time.

Receivers remote from SH6 (further than approximately 400m)

- **35 – 40dB L_{A10}** – generally at or around background and below average ambient levels. Mining noise may be audible when traffic noise is low.
- **40 – 45dB L_{A10}** – generally above background noise levels and consistent with average ambient levels. Mining noise will be audible much of the time but masked to some extent by passing traffic.

- **45 – 50dB L_{A10}** – 5 – 10dB above background noise levels and generally above average ambient levels. Mining noise will be audible most of the time.
- **50 – 55dB L_{A10}** – 10dB or more above background noise levels and clearly and noticeably above average ambient levels. Mining noise will be audible and the dominant noise source when it is operating.

I expect that when mining noise levels are at or above 45-50dB L_{A10}, the mining noise will be dominant and will mask many of the natural sounds in the environment, including the Clutha River and birdsong, unless the birds are close-by. I expect that at these levels (or above), mining noise will be well above existing background traffic noise levels and will detract from the existing levels of amenity. The constant noise during mining will remove any periods of quiet or peacefulness⁷, particularly for receivers further from SH6.

It is difficult to accurately assess these effects at all receivers because there is no measurement data quantifying the background and ambient noise levels at all receivers. These levels and descriptions are approximations and should be treated as such. There may be times when noise levels from the proposal will be slightly higher or lower, and when ambient noise levels are higher or lower. However, I expect that the assessment above will adequately characterise the effects for the majority of time when meteorological conditions are calm or moderate.

9.2 Duration of noise effects

I consider that the receivers at the southern and northern ends of the Proposal may receive noise levels that approach the noise standards for permitted activities, but these will generally be over a short period. Assuming relatively linear progress of the mining, the worst of the effects at these receivers would likely last less than 12 months.

The receivers generally east and west of the central portion of the mining area are likely to receive the highest noise levels and for the longest duration. There are some variations, but it appears to me that assuming a linear mining progression, the central receivers may experience higher noise levels for more than a year and potentially up to two years.

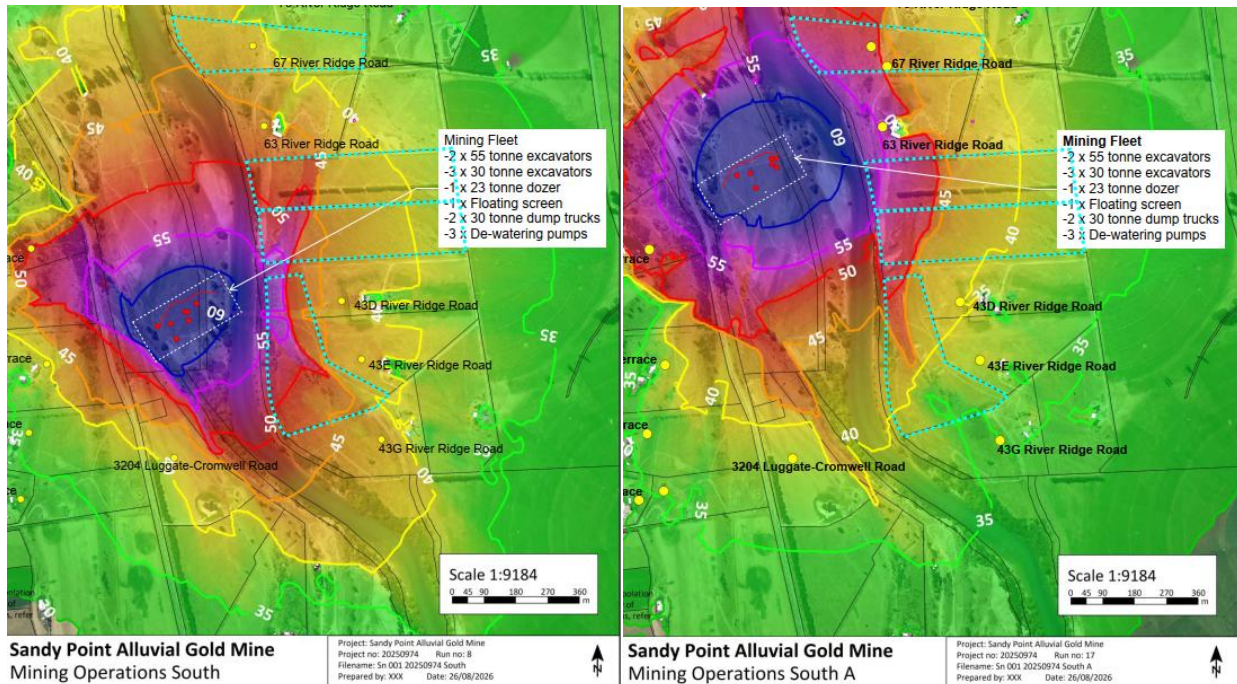
9.3 Noise effects over vacant sites

The MDA Response identifies that the noise effects of the Proposal will extend across four sites that do not have dwellings and notional boundaries on them. These properties are:

- 67 River Ridge Road
- 43B River Ridge Road
- 43C River Ridge Road
- Lot 4 DP 332902 Tarras-Cromwell Road (SH8)

The Contours do not specifically identify these sites. I have highlighted them with a blue dashed outline the two most-relevant Contour maps below:

⁷ I am not suggesting in this section that a sense of peacefulness is a reasonable expectation. This sentence is simply attempting to describe the effects of the sound of the proposal.



These Contour maps show the predicted noise levels across the vacant sites. There are small areas near the western extent of these sites where the noise levels are above the noise standards for permitted activities. The noise levels across the majority of these sites will be compliant.

The noise standards for permitted activities only apply if a house is constructed and occupied when the mining is underway.

I leave it to the Council to determine whether there is a reasonable risk that a new notional boundary could be constructed on any of these vacant sites in the western portion where noise levels could exceed the noise standards for permitted activities.

I consider that any risk of non-compliance arising from the establishment of a new dwelling should lie with the applicant / consent holder. I consider that if a new notional boundary is constructed and mining noise levels exceed the noise standards for permitted activities, the consent holder should have to reduce its noise emissions to comply.

9.4 Overall noise effects

I have read the assessment of noise effects set out in the MDA Report and MDA Responses. I do not agree with those assessments primarily because I consider they do not take into account or properly evaluate the relevant factors in this case. I consider that the MDA assessment of effects:

- is primarily benchmarked against compliance with the noise standards for permitted activities (where this proposal requires a Discretionary consent and a more holistic assessment of noise effects),
- takes into account the ambient and background sound levels, but only in a very basic way and without proper consideration of the effects at receivers where the ambient and background sound levels will be lower than those measured by MDA, and

- c) does not evaluate the acoustic amenity of the area or the noise-related expectations for the RRA as they are described by the District Plan.

The MDA Report refers to the guidance in NZS6802:2008 and the WHO Guidelines. I do not consider that this guidance is very relevant. The noise standards for permitted activities in the RRA of 55dB L_{A10} is slightly below the guidance set out in Table 3 of NZS6802:2008. That guidance states that daytime noise levels up to 55dB L_{Aeq} will provide for the “...*reasonable protection of health and amenity associated with use of land for residential purposes*...” That guidance is taken from the World Health Organisation guidelines. I consider that the guidance in NZS6802 and the WHO guidelines provides helpful context but is not determinative in this case. That guidance is based on dose-response curves and large-scale studies of people living in urban areas that are exposed to noise from transport infrastructure and industry. They do not provide relevant guidance on the amenity expectations set by the District Plan for the RRA.

I have evaluated the likely noise effects based on my discussions with the processing planner to understand the relevant District Plan provisions and to create some understanding of the amenity values in this part of the RRA to evaluate the effects against.

I understand from the Council that RRA provisions anticipate activities such as farming, horticulture, viticulture and forestry. These may generate noise levels up to the noise standards for permitted activities at times, but the effects are likely to be seasonal and intermittent. The noise effects are likely to be an issue for minutes or hours of a day through to potentially several days at a time. Forestry may generate temporary effects for longer periods (weeks or months) but there would likely be several years of respite between noisy events.

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. I consider that the noise environment in the RRA will generally have long periods of time free from anthropogenic noise, other than road traffic noise.

I consider that the proposal will have clear and noticeable noise effects on most of the receivers in the area. The mining noise is likely to be dominant over most other sounds in the environment. These will generally be limited to approximately 12 months for the worst of the effects and potentially up to two years for the receivers near the central part of the Site. The 3- year consent duration reduces the effects when compared to a permanent activity. I have described the subjective assessment of noise effects and their duration in sections 9.1 and 9.2 above. I consider that the proposal has the potential to detract from the acoustic amenity of the area for the duration that the activity generates noise levels above approximately 45-50dB L_{A10} , especially at receivers furthest from SH6. I consider that the timeframe for the highest effects is relevant to whether the noise levels are reasonable.

10.0 Submissions

I have read the submissions that raise noise and vibration. I consider that the MDA Report, MDA Response and my review addresses the concerns raised. I provide further comments to address specific points as follows:

- 1) Several submissions express concern that a +5dB adjustment for special audible character should have been applied to the predicted noise levels. My experience is that an adjustment for special audible character would not be warranted for the machinery and processes that are proposed. However, it is possible that the plant could exhibit special audible character from sources such as squeaking excavator tracks, tonal reverse alarms and slamming of truck tailgates or other impacts. I consider it critical that these are managed so they don't occur. If granted, I recommend a condition of consent to require an Operational Noise Management Plan (**ONMP**), with inclusion of a clear section that sets out how noise sources that may exhibit special audible character will be 'managed out'.
- 2) Several submissions raise rural character and amenity concerns. In simple terms they state that the existing rural character and amenity is suitable or desired, and that the proposal will detract from that (significantly). My experience is that rural character and amenity should be informed by the relevant District Plan provisions for the zone. The District Plan may anticipate and provide for activities that could be different (and subjectively less acceptable) than what might physically exist in an area. I address this in section 9. Overall, based on my assessment above, I agree with submitters that the predicted noise levels will detract from rural amenity.
- 3) Some submissions raise concerns about the noise effects on land that is outside any notional boundary and that might be used infrequently or for short periods. This includes river users, fishers, boaters and tourists. I agree that the Proposal is likely to significantly affect the noise environment in the vicinity of mining. I expect that the noise levels would be so great (55-65dB L_{A10}) that such areas would no longer be desirable for most recreational uses. These effects will be present for three years and only present during the working hours. These areas are outside the notional boundary areas that the District Plan standards are primarily concerned with.
- 4) Some submissions mention vibration. I do not expect that vibration will be perceptible at any of the neighbouring properties.

11.0 Summary

In summary:

Technical noise modelling methods: I consider that the calculation methods, adoption of ISO and New Zealand standards, and presentation of results in the MDA Report and MDA Response are appropriate, subject to minor issues set out in this advice.

Relevance of permitted noise standards: I consider that the adoption of permitted activity noise standards as a measure of reasonableness in the MDA Report is not appropriate for a Discretionary activity. Instead, I consider that the noise effects must be evaluated against relevant objectives and policies, as well as by assessing the timing, duration, and character of noise expected in the zone.

Updated Contours: The updated Contours provide predictions over surrounding land including at existing dwellings and across vacant sites. I have highlighted the vacant sites in this advice. The Contours enable an assessment of noise effects across these surrounding properties.

3360 and 3364 Luggate-Cromwell Highway: Predicted noise levels reach 65 dB L_{A10} and 59 dB L_{A10} , which are considerably above District Plan noise standards. The written approvals that have been provided for those properties mean that the noise effects must not be considered but does not remove the need for consent to infringe rules (and appropriate conditions to reflect that).

Noise effects of the proposal: Noise levels at individual receivers will vary by approximately 10 dB over the three-year period. Mining generating levels above 45–50 dB L_{A10} will dominate and mask many other natural sounds, and will detract from the acoustic amenity of the area.

Duration of noise effects: The greatest noise effects will generally last less than 12 months for northern and southern receivers, but central receivers may experience higher noise levels for more than a year and potentially up to two years.

Noise effects over vacant sites: Small areas in the west of four vacant sites (67, 43B, and 43C River Ridge Road, and Lot 4 DP 332902) show predicted noise levels exceeding permitted standards. I consider that any non-compliance risk from new dwellings being established in these areas must be managed by the consent holder.

Overall noise effects: I consider that the Application's noise assessment does not properly evaluate acoustic amenity or District Plan expectations for the RRA. I consider that the proposal has the potential to generate noise levels and effects that will detract from the amenity in the area for the period when mining noise levels are at their highest (around 45-55dB L_{A10}).

Submissions: I have read the submissions raising noise and vibration concerns. I consider that special audible character should be 'managed out' through an ONMP; vibration is not expected to be perceptible at neighbouring properties; and noise levels along the river (55–65 dB L_{A10}) will significantly affect recreational use during working hours for the three-year duration. I agree with many submissions on the effects on amenity.

Conditions: I consider if consent is granted, a range of consent conditions should be imposed. Recommended conditions are set out below.

12.0 Conditions

I consider that if granted, conditions of consent should be imposed to manage noise levels.

I consider that a specific condition of consent referencing (but not necessarily reproducing) Rule 4.7.6.E of the District Plan would be helpful to manage noise levels in the CODC area. Such a condition should require the activity to comply with the noise standards for permitted activities at

any notional boundary (that has not provided written approval for noise effects), whether it exists now or in the future. That is consistent with the Application, Proposal, MDA Report and MDA Response.

I consider that the same type of condition should be imposed to manage noise levels into the QLDC jurisdiction. The condition would likely need to set out the requirements of the relevant QLDC rule to require compliance with a noise limit of 50dB L_{Aeq} when assessed at the notional boundary of any dwelling (existing or future) in accordance with the requirements of NZS6801:2008 and NZS6802:2008.

Given that the Contours predict that compliance may be marginal at some receivers (including potential future dwellings), I consider that the conditions should include the need for an Operational Noise Management Plan (**ONMP**).

I consider that the ONMP should include the requirement for noise measurements when the activity commences so that the total noise level can be calculated and the measures required to achieve ongoing and consistent compliance with the noise limits can be determined. I can provide advice on the content of that condition separately if required.

I also consider that there should be a clear condition limiting the hours of work. I understand that the currently proposed hours of operation are for 10 hours per day from Monday to Friday.

I expect that these hours could be reduced to (say) 8 hours per day, but this may have the effect of prolonging the overall project (and therefore the noise effects).

I consider that the days and hours should be reduced to avoid the days and hours when amenity expectations are highest. I expect that this is likely to mean that there should be no works on weekends or on public holidays, and that work on weekdays should be restricted to between (say) 8am and 5pm.

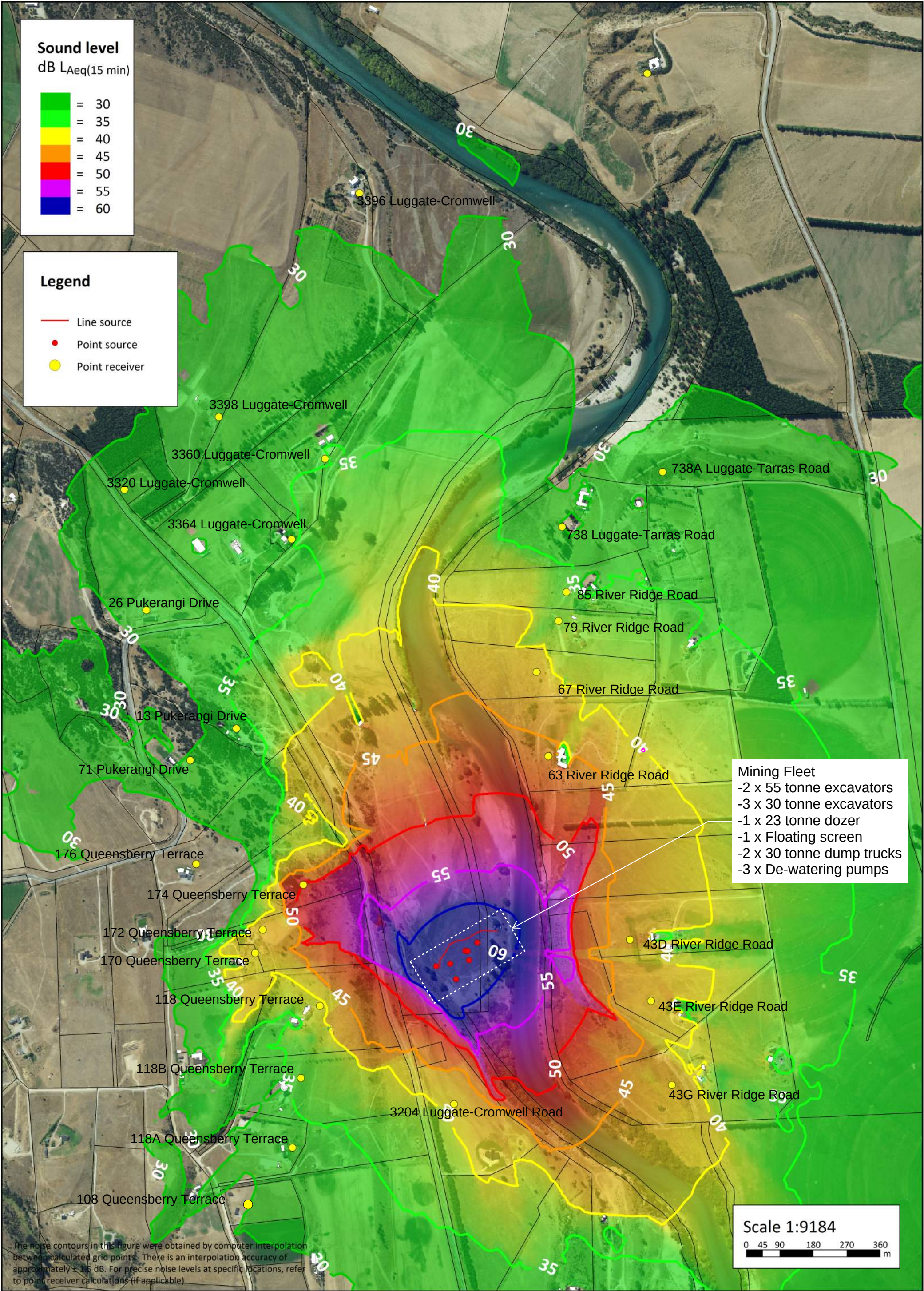
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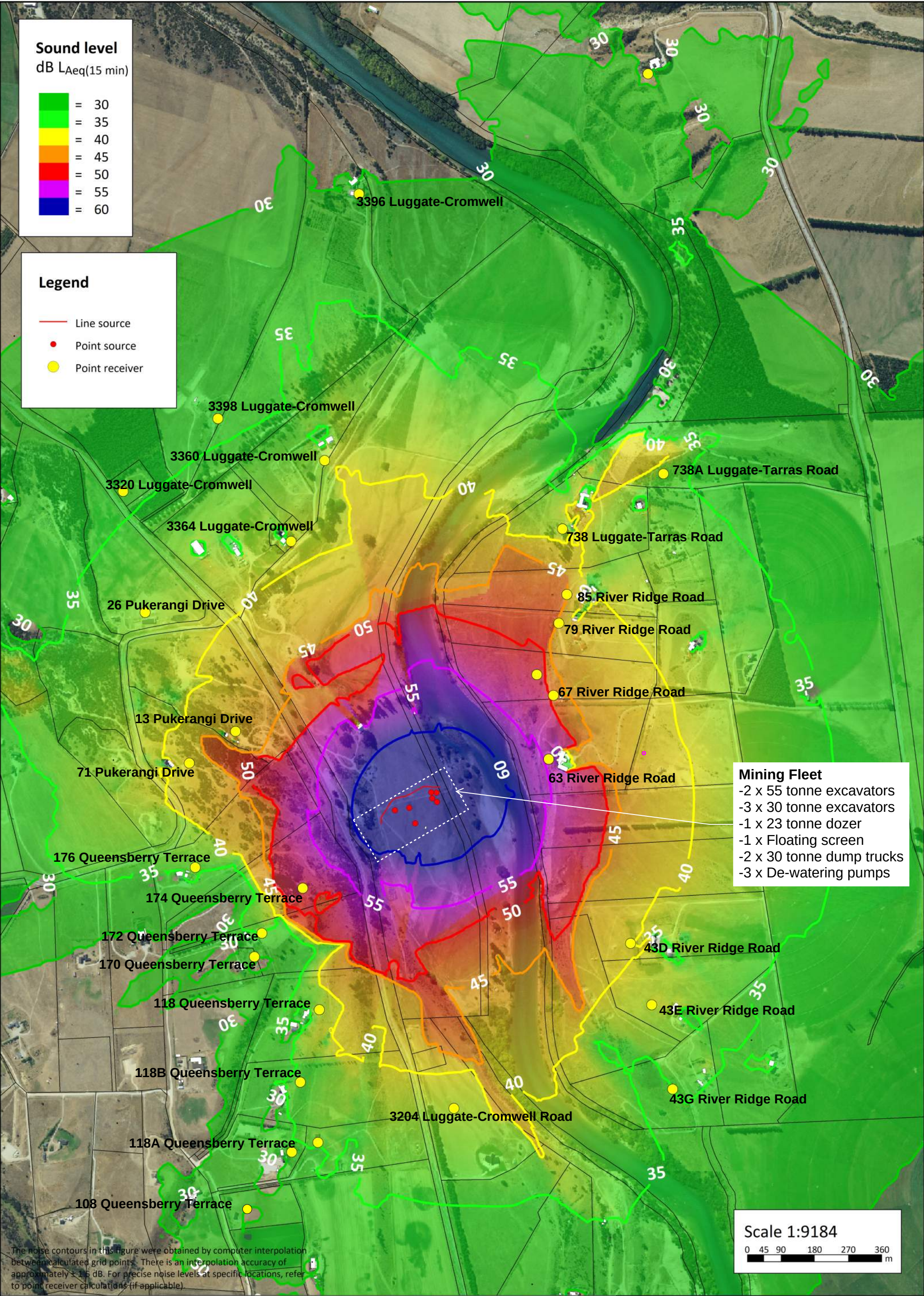
Yours sincerely,

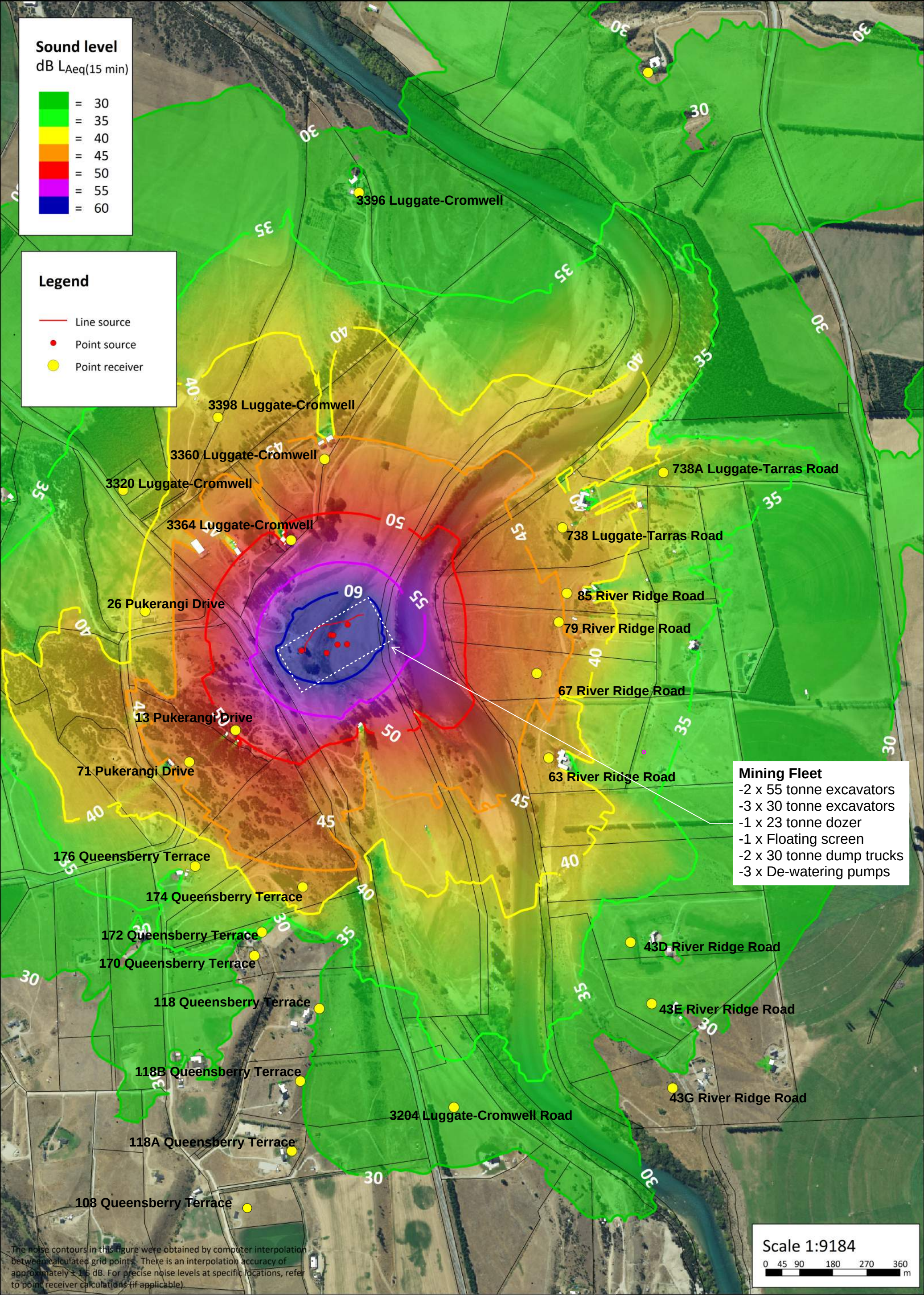


Jon Styles, MASNZ
Director and Principal

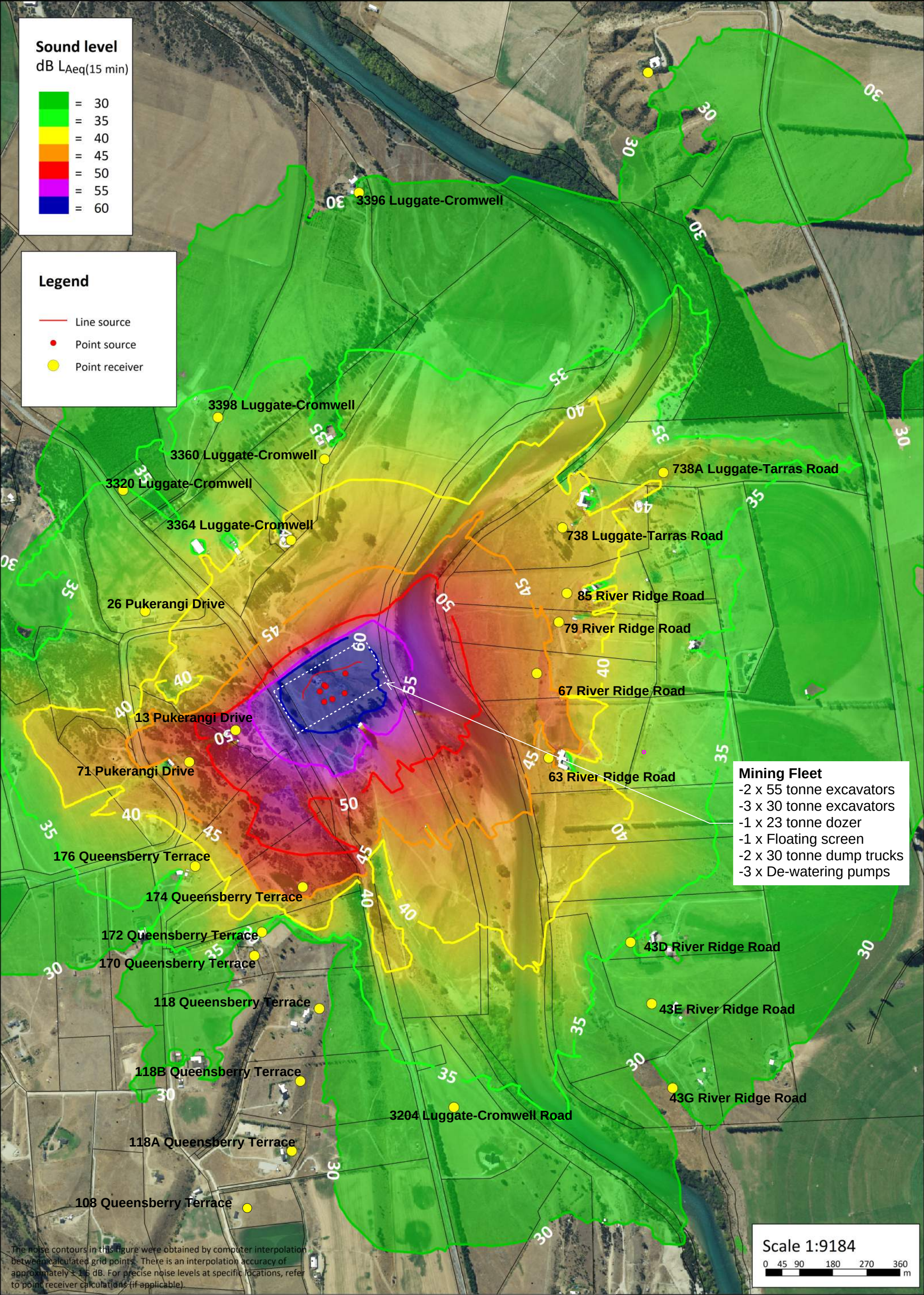
13.0 Appendix A – Contours provided to me by MDA (email 26.8.26)





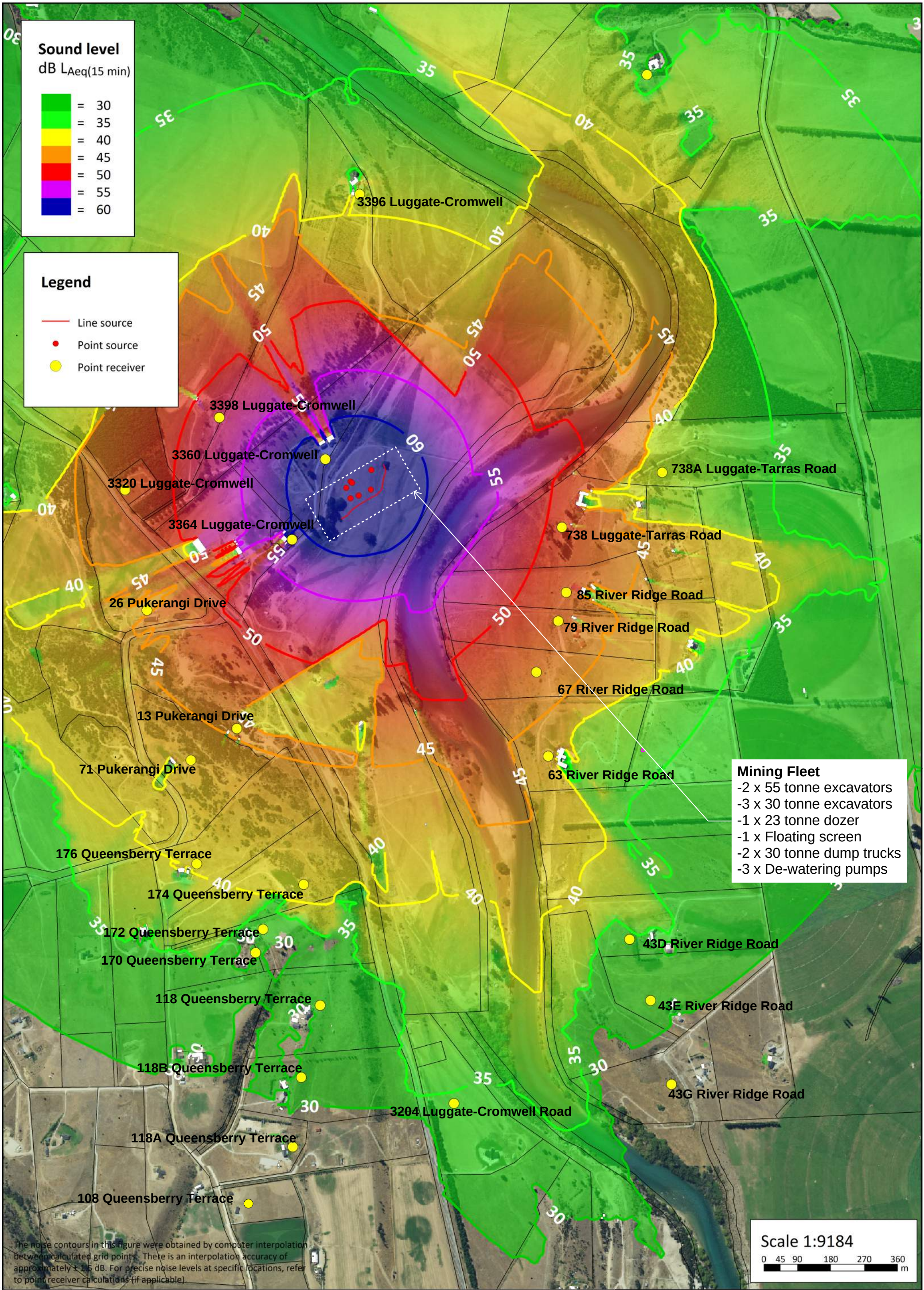


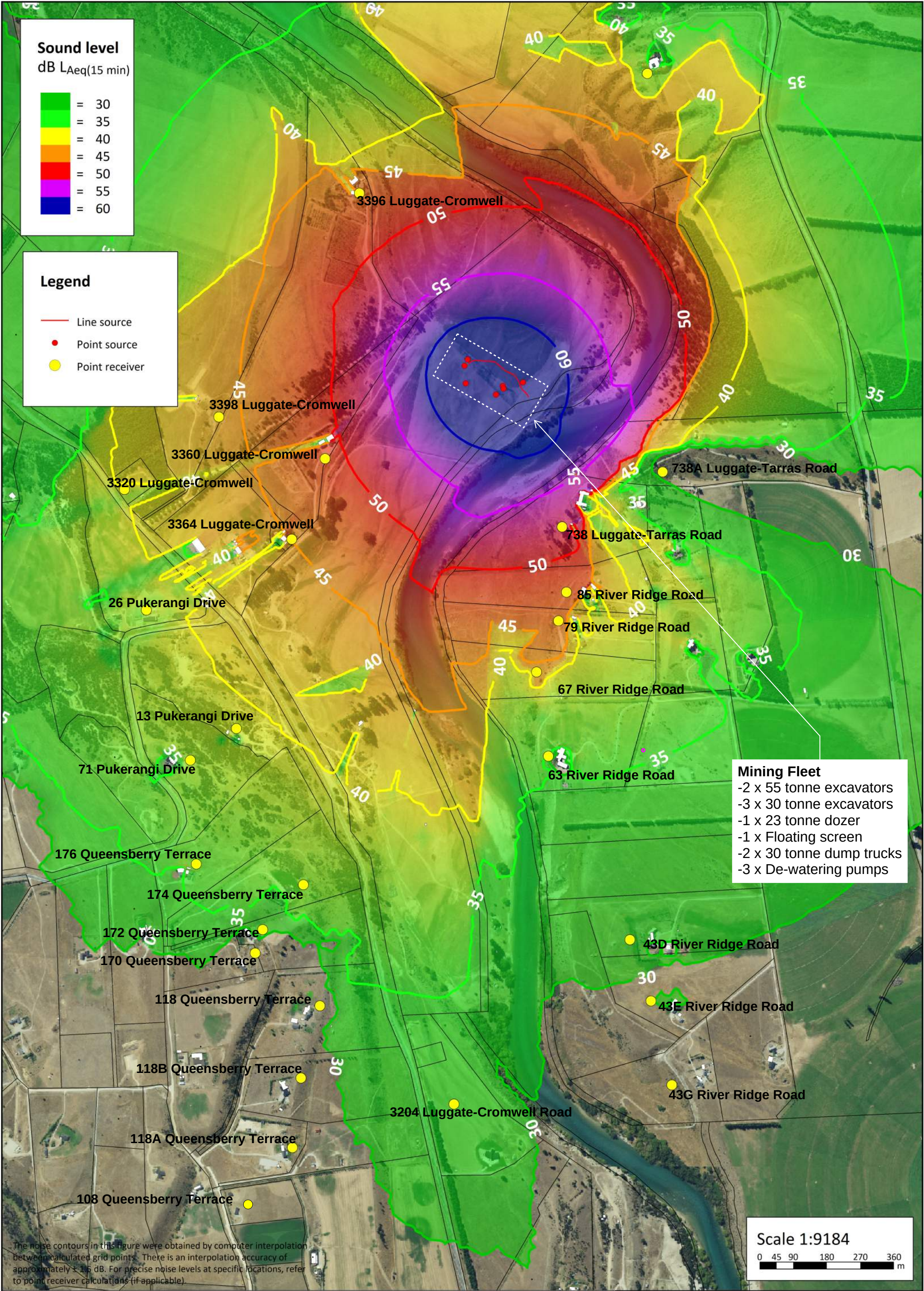
The noise contours in this figure were obtained by computer interpolation between calculated grid points. There is an interpolation accuracy of approximately ± 1.5 dB. For precise noise levels at specific locations, refer to point receiver calculations (if applicable).

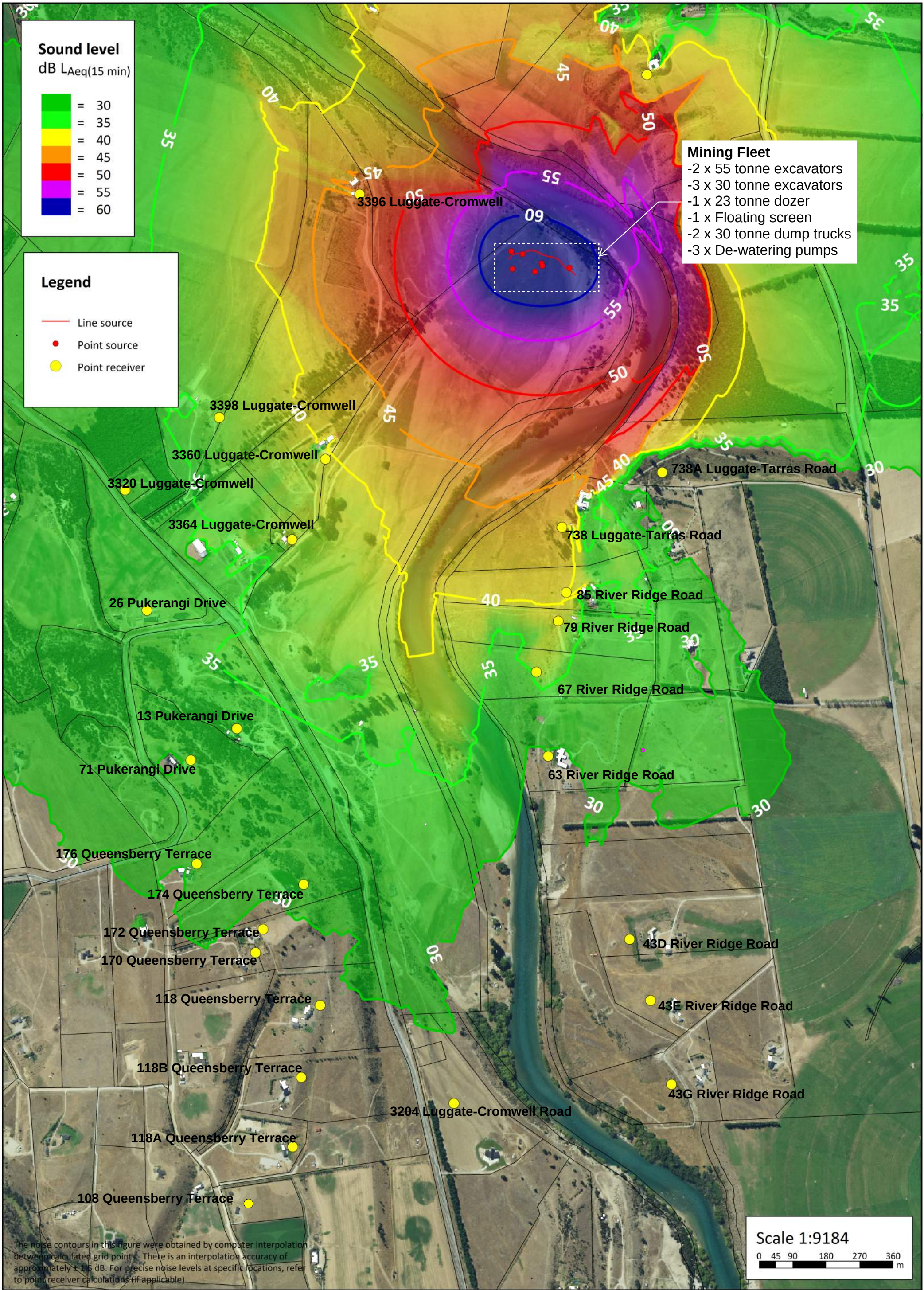


The noise contours in this figure were obtained by computer interpolation between calculated grid points. There is an interpolation accuracy of approximately ± 1.5 dB. For precise noise levels at specific locations, refer to point receiver calculations (if applicable).









The noise contours in this figure were obtained by computer interpolation between calculated grid points. There is an interpolation accuracy of approximately ± 1.5 dB. For precise noise levels at specific locations, refer to point receiver calculations (if applicable).

APPENDIX 5: DUST PEER REVIEW

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28th May 2026

Central Otago District Council
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Attention: Emma Spalding
Consultant Planner

**Memorandum: Technical Review of an Application by Awa Koura Mining Ltd to
Discharge Contaminants to Air (Dust) from a Proposed Gold
Mining Operation near Luggate**

Preliminary

Awa Koura Mining Limited (**AKML**) has applied for consent to discharge to air from a proposed alluvial gold mining operation between Queensbury and Luggate. Mining is proposed to occur for up to three years on farmland adjacent to the Clutha River/Mata-Au.

In summary, key feature of the proposal include:

- Up to 2ha of active mining area at any time, including roading and areas being rehabilitated.
- 5500m² of operational mining areas that includes the screening pond, working bench, land stripped of topsoil and a tailings stockpile.
- Progressive movement of the mining area (approximately 13m per day) in a zigzag pattern from south to north.
- Operation for 10 hours per day, Monday to Friday.
- 200m³/hr screening throughput.
- Use of a 60T excavator primarily at the screen, with a 20T and a 30T excavator used for topsoil handling, tailings levelling and reclamation.

Central Otago District Council (**CODC**) has commissioned Specialist Environmental Services Limited (**SESL**) to undertake a technical review of the assessment of effects for the dust discharge. This memorandum report reviews the assessment prepared by WSP.

The technical review has been undertaken by the author, John Iseli, on behalf of SESL. I have over 31 years of experience in the field of air quality in New Zealand and have undertaken numerous assessments and reviews relating to discharges to air from mining, quarries and other dust sources. I confirm that the findings expressed are my own conclusions and I have not delegated review work to any other party.

I have reviewed submissions received following limited notification of the application, and taken the concerns expressed into consideration. I visited the proposed site and neighbouring areas on Tuesday 26th May 2026.

The Receiving Environment

WSP has identified lifestyle dwellings and a café within 600m of the mine as sensitive receptors. These receptors will have high sensitivity to the discharge. The screening assessment identified properties within 350m of the site boundary as having potential to be affected by dust emissions. I agree that this is an appropriate distance for screening purposes. If good practice dust controls are applied, significant adverse effects are not expected to occur beyond this distance.

The location of neighbouring sensitive receptors is shown in Figure 1.

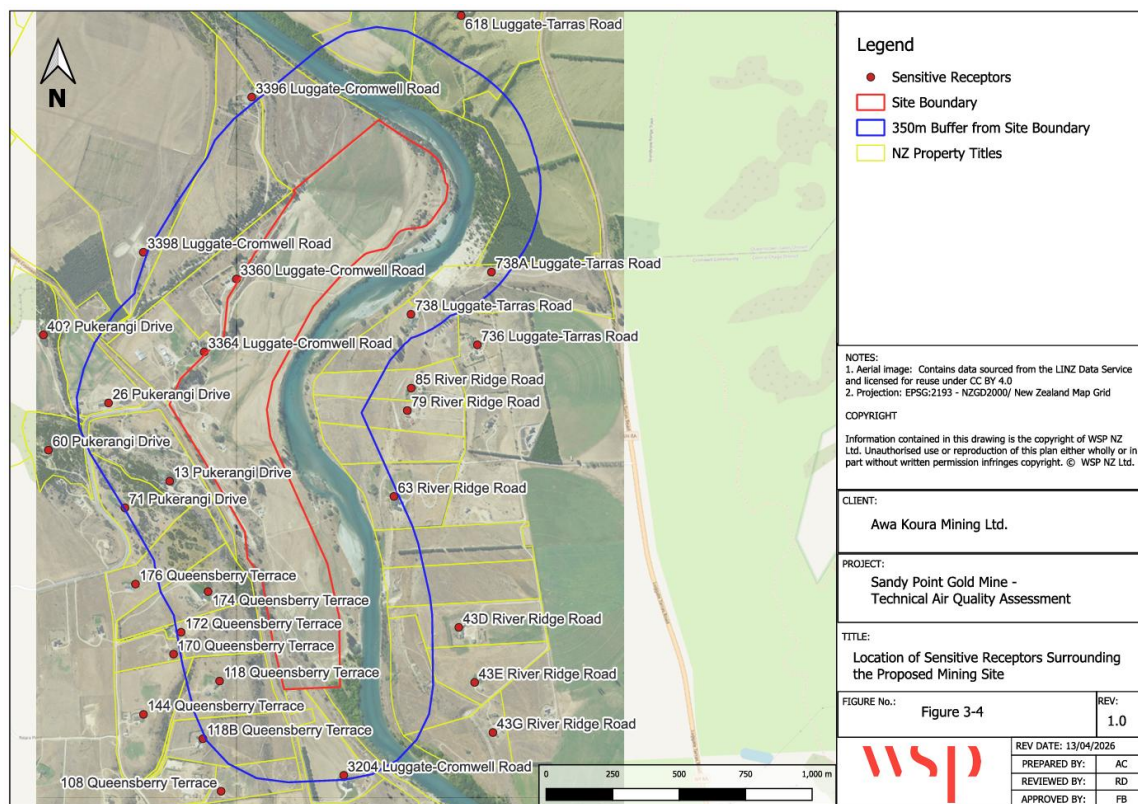


Figure 1. Location of sensitive receptors surrounding the site. *Reproduced from the WSP report.*



The dwellings at 3360 and 3364 Luggate-Cromwell Road are immediately adjacent to the site boundary. AKML has stated that the 3364 Luggate-Cromwell Road is owned by K Landreth who will undertake the subdivision of the site following mining and therefore considers that approval of the mining application is implicit. The owners of 3360 Luggate-Cromwell Road have not submitted on the application and have not provided written approval. The dwelling on this property is approximately 10m from the site boundary.

Other sensitive receptors are described by WSP as being at least 150m from the site boundary. It is accepted practice to include a 20m curtilage around a dwelling when assessing separation distances. It is unclear if this curtilage has been taken into account by WSP.

Meteorological information for the local area is limited, with the nearest monitoring stations being located in Wanaka and Cromwell. Local wind conditions will be affected by channelling in the Clutha River valley. Wanaka data indicate the prevalence of strong winds from the northwestern quadrant and a significant southeasterly component. It is expected that local wind flows follow a similar pattern due to influence of the valley system. The applicant has proposed to install an on-site meteorological station.

I agree with WSP that background air quality is expected to be good in the local area, with PM₁₀ concentrations predicted to be well within the National Environmental Standard for Air Quality (**NESAQ**). River sediment deposits and exposed escarpments near the site will contribute to dust concentrations during strong winds, particularly for properties accessed from Luggate-Tarras Road that are downwind of the prevailing northwesterly winds. These local dust sources will contribute to cumulative effects of the discharge.

Dust Assessment and Dust Management Plan

WSP has undertaken a qualitative assessment of dust effects, based on analysis of **FIDOL** (frequency, intensity, duration, offensiveness and location) factors. This is a commonly used methodology for this type of activity. It should be noted that the assessment relies heavily on the diligent application of dust controls detailed in a Dust Management Plan (**DMP**). A draft DMP has been provided with the application.

The WSP assessment has identified key dust emission sources as:

- Topsoil and overburden stripping, loading and transport
- Vehicle movements on unsealed roads
- Handling of tailings material, particularly when dry
- Wind erosion of exposed surfaces and stockpiles.

I agree that these are the key dust emission sources from the site. The screening process at the pond involves wet material and therefore is not typically a significant dust source. As submitters have identified, heavy vehicle movements on unsealed surfaces can be a significant source of dust during dry conditions, particularly if water is not regularly applied to the road surface.

AKML has not identified any specific mitigation measures to be applied in relation to dust impacts at 3360 Luggate-Cromwell Road. While it was stated by the applicant that the owners of this property do not oppose the application, written approval has not been provided. Given that there is negligible separation between the mine site boundary and the curtilage of this



dwelling, dust effects at this property would be significant at times during winds from the southeastern quarter. To reduce effects at this property to an acceptable level, I consider that a setback distance of at least 100m should be applied from the mining area to the dwelling curtilage, with real-time PM₁₀ monitoring used to assess the effectiveness of dust management.

Guidance from the Victoria EPA¹ recommends a setback distance to sensitive receptors of 250m for mining of minerals other than coal. I recognise that separation distance guidelines, such as those published by the Victoria EPA, are not intended to be used as a pass/fail test, rather as a trigger for more detailed assessment. The Victoria EPA guidelines have been commonly used for screening purposes in New Zealand. The EPA guidelines state that for rural areas the activity boundary of the sensitive land use is the area (within a convex polygon) that includes all current or proposed sensitive uses (including residences, garages and carports, barbecue areas, clotheslines and swimming pools). This effectively encompasses the curtilage of a property.

Diligent dust control using best practice methods is generally necessary to mitigate dust effects on sensitive receptors within 250m of mining and quarrying activities. That is particularly the case when the receptor is downwind of the source during prevailing winds.

The proposed dust control measures are generally consistent with good practice, although there is a lack of detail in the draft DMP. An “adaptive management” approach is advocated. In my opinion this does not provide sufficient certainty, given the sensitivity of the receiving environment. I consider that key mitigation measures should be included in conditions of consent, if granted.

The proposed mitigation includes:

- Limiting the active mining and rehabilitation areas to 2ha
- A maximum stockpile height of 3m above ground level
- Applying water to surfaces using sprinklers and an on-site water cart
- Setting wind speed triggers to pause work/implement additional controls, supported by on-site meteorological monitoring
- An on-site vehicle speed limit of 10-15kph
- Establishing grass on rehabilitated areas.

Water for dust control will be taken from the mine pit. The applicant’s response to a request for further information indicates that sufficient water will be available for dust control purposes. It is proposed that a water cart will be used and held on site during active quarrying. AKML also confirmed that water sprinklers will be used on all rehabilitated areas until grass becomes established.

Discharges from activities at the site will include some fine particulate matter (**PM₁₀**) and respirable crystalline silica (**RCS**). Given that heavy vehicle movements are limited and gravel crushing is not proposed, I agree with WSP that adverse health effects caused by these

¹ Environment Protection Authority (EPA) Victoria (2024). Separation distance guideline Publication 1949. Available online at: <https://engage.vic.gov.au/separation-distances-and-landfill-buffers>



discharges are likely to be less than minor. This conclusion is subject to the imposition of the recommended conditions detailed below.

Having regard to the local wind conditions, the dry conditions experienced in this area during summer/autumn and the location and sensitivity of receptors, I consider that careful application of best practice dust controls would be required to prevent significant adverse effects at neighbouring properties. Real-time PM₁₀ monitoring should be undertaken when mining occurs nearby sensitive receptors to inform the effectiveness of dust controls.

It is important to recognise that the effectiveness of mitigation will be strongly dependent on the site management practices of AKML. The environmental compliance record of AKML is a relevant factor when assessing the ability to comply with suggested conditions of consent.

Consent Conditions

I recommend that the following matters be included in conditions of consent, if granted. Some conditions, such as dust monitoring, may be more appropriately imposed on any discharge permit granted by the Otago Regional Council.

- The active mining area, including unsealed haul roads and unrehabilitated areas, must not exceed 2ha.
- Mining must not occur within 100m of the curtilage of the dwelling at 3360 Luggate-Cromwell Road.
- 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.
- 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.
- The height of material stockpiles must not exceed 3m above ground level.
- The speed of vehicles on the site must be limited to not more than 15kph.
- The site entrance and adjacent sealed highway must be regularly swept or cleaned to remove accumulated debris.
- Inactive and rehabilitated areas must be revegetated promptly.
- Stripping, handling and deposition of overburden material and soil, and handling of dry tailings material, must not occur during wind speeds of more than 5m/s (10 minute average), as measured on site, when the wind is blowing towards neighbouring sensitive receptors within 350m of the activity. Water must be applied to this material when dry to minimise dust emissions from these activities.
- Prior to commencement of works, the consent holder must install a weather station within the site which has the capability of measuring and logging wind speed and direction at a minimum of 1 minute intervals. Wind speed and direction must be



continuously monitored on the site at 6m minimum height, with real-time data sent to the site manager. The weather station must be mounted on a mast located at a site representative of wind flows across the working area. 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.

- An updated DMP, with reference to the conditions of consent, must be provided to the CODC for certification prior to commencement of works.
- Real-time PM₁₀ monitoring at the site boundary between the 2ha active area and any sensitive receptor must occur at all times when the mining area is:
 - (a) Within 350m of receptors potentially affected by discharges from the active area during winds from the northwestern quadrant; and
 - (b) Within 250m of all other receptors.

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. PM₁₀ trigger levels for remedial action must be set in the DMP with electronic alerts sent to the site manager when trigger levels are exceeded.

- A record of any dust complaints received and actions taken in response must be kept and provided to the CODC on request.
- The discharge must not cause objectionable or offensive particulate matter beyond the boundary of the site.

Conclusion

A qualitative dust assessment has been undertaken by WSP. The assessment relies on good practice dust management practices to mitigate adverse effects on neighbouring sensitive receptors in close proximity to the proposed mine. A draft DMP has been produced. This management plan includes subjective measures and relies on an adaptive management approach when adverse effects arise. I consider that a more appropriate approach, given the sensitivity of the receiving environment, is to detail specific dust controls in conditions of consent, if granted. The DMP should be updated to include these requirements and be certified by CODC.

Several sensitive receptors are located nearby the mining site. The dwelling at 3360 Luggate-Cromwell Road has negligible separation from the mine boundary and would be significantly adversely affected without additional controls. I recommend a minimum 100m separation from the curtilage of this dwelling to the mine boundary.

Real-time particulate matter monitoring should be undertaken when mining occurs in close proximity to sensitive receptors, if consent is granted. This monitoring is preferred to the 30-day dust deposition monitoring suggested by WSP. Current good practice is to use such PM₁₀ monitoring with action triggers to inform the effectiveness of dust management.

Having considered local meteorology, the dry conditions experienced in this area during summer/autumn and the location and sensitivity of receptors, my opinion is that careful



application of best practice dust controls would be required to prevent significant adverse effects at neighbouring properties. Real-time PM₁₀ monitoring should be undertaken when mining occurs within 350m of sensitive receptors to the southeast of the 2ha mining area, and within 250m of receptors in other directions, to inform the effectiveness of dust controls.

It is important to recognise that the effectiveness of mitigation will be dependent on the site management practices of AKML. A diligent approach to dust control would be required in this case, given the sensitivity of the receiving environment.

Please contact me if you require any clarification of the above matters.

Regards

A handwritten signature in black ink, appearing to read 'John Iseli', with a stylized, cursive script.

John Iseli
Director, Principal Air Quality Consultant

