

Response ID ANON-URZ4-5FY3-V

Submitted to Fast-track approval applications
Submitted on 2024-05-02 15:39:32

Submitter details

Is this application for section 2a or 2b?

2A

1 Submitter name

Individual or organisation name:
Oceana Gold (New Zealand) Limited

2 Contact person

Contact person name:
Alison Paul

3 What is your job title

Job title:
Senior Vice President NZ Legal and Public Affairs

4 What is your contact email address?

Email:
s 9(2)(a)

5 What is your phone number?

Phone number:
s 9(2)(a)

6 What is your postal address?

Postal address:

PO Box 5442
Dunedin 9058

7 Is your address for service different from your postal address?

Yes

Organisation:
Oceana Gold (New Zealand) Limited

Contact person:
Alison Paul

Phone number:
s 9(2)(a)

Email address:
s 9(2)(a)

Job title:
Senior Vice President NZ Legal and Public Affairs

Please enter your service address:

22 Maclaggan Street
Dunedin 9016

Section 1: Project location

Site address or location

Add the address or describe the location:

OceanaGold – Macraes Operation, Golden Point Road, RD3, Macraes Flat 9483, East Otago

File upload:

Macraes Location Map-MP4Fast Staging & Schedule.pdf was uploaded

Upload file here:

No file uploaded

Do you have a current copy of the relevant Record(s) of Title?

Yes

upload file:

OneDrive_2024-04-30.zip was uploaded

Who are the registered legal land owner(s)?

Please write your answer here:

Oceana Gold (New Zealand) Limited (OceanaGold)

Waitaki District Council (WDC)

Dunedin City Council (DCC)

Detail the nature of the applicant's legal interest (if any) in the land on which the project will occur

Please write your answer here:

OceanaGold owns all of the land on which the MP4 project will occur except for roads to be realigned, Council-owned road and government-owned river reserve above the Golden Point Underground mine workings. Landholdings are shown in the Project Map attached to this application.

Road realignments:

Over the life of Macraes Mine OceanaGold has realigned and replaced public roads to facilitate project expansions multiple times with Councils' agreement, using appropriate mechanisms under the Local Government Act or Public Works Act, and expects to obtain agreement for road closures/realignments that are required for MP4.

River reserve (Deepdell Creek):

OceanaGold holds a minerals mining permit expiring in 2030 (subject to extension or renewal) which grants rights to explore for and mine Crown-owned minerals beneath land, with no requirement to obtain an access arrangement or express landowner consent under section 57 of the Crown Minerals Act (CMA).

Section 2: Project details

What is the project name?

Please write your answer here:

Macraes Phase Four (MP4).

What is the project summary?

Please write your answer here:

OceanaGold's Macraes Gold Mine (Macraes) is the country's largest active gold producing mine, producing around 130,000 ounces of gold per year and directly employing over 600 people. As at 31st December 2023, Measured and Indicated Resources were 1.34 Moz, including Proved and Probable Reserves of 0.60 Moz. MP4 is a series of mainly "brownfields" open pit and underground mine expansions, together with increased tailings and waste rock storage capacity, which will together extend the life of the operations at Macraes from 2026 to 2036.

What are the project details?

Please write your answer here:

MACRAES MINE PHASE 4 (EXISTING MINE EXTENSION 2026 – 2036)

MP4 is intended to comprise:

- Extensions to existing open pits within the Golden Bar, Coronation, Coronation North, and Innes Mills group of pits
- Underground mine extensions at Golden Point Underground
- An expansion of the in-pit tailings storage facility in the Frasers pit
- Consenting and re-consenting of associated waste rock storage in or near open pits or existing rock stacks at Coronation, Coronation North, Innes Mills, Golden Bar, Frasers and Back Road
- Associated water management including transfer and re-use within and across the various mining land-forms at Macraes

- Re-mining and reprocessing of Southern Pit tailings
- Realignment of Macraes-Dunback and Macraes-Golden Bar roads
- Constructing already consented Camp Creek and Coal Creek water storage dams and associated use and discharge of the stored water, plus other water management infrastructure to capture, treat and discharge seepage water from pits and waste areas
- Development of a scalable, predator controlled, covenanted ecological enhancement area near Murphy's Creek to provide for the mitigation, offsetting and/or compensation of MP4 ecological effects

The Project will occur generally in accordance with the attached Project Map, together with:

- Associated on-site and offsite environmental baseline and impact surveys, monitoring activities, mitigation and enhancement activities, including predator control and wildlife monitoring programmes
- Associated exploration, geotechnical and hydrogeological investigation, design and infrastructure construction at selected locations throughout the project footprint.

OceanaGold confirms that:

- It has the financial and technical capability to advance the development of the project.
- OceanaGold is landowner for the majority of the project footprint and will require only routine road reserve land exchanges with the local Council, in terms of land access rights.
- The project has not been declined resource consent before, including through previous fast-track or normal consenting pathways. It is noted, however, that resource consent applications for parts of MP4 were lodged in March 2024 and are expected to have progressed through Resource Management Act (RMA), processes ahead of any Fast Track Approvals process, so that OceanaGold expects to update its Schedule 2A submission in due course to reflect progress through the RMA process. The final suite of approvals that will be the subject to applications made under the Fast-track Approvals process listed in response to question 10 may change, depending on the extent to which the existing applications can be advanced before the Bill is passed into law.

Describe the staging of the project, including the nature and timing of the staging

Please write your answer here:

The attached MP4 Schedule shows the approximate durations of active mining in the different open pits and Golden Point underground mine.

Open pit mining at Macraes accounts for about 75% or more of throughput through the processing plant and supports the majority of site overheads. At a point where open pit mining has finished at Macraes, underground mining will have to finish also. Accordingly, MP4's pit expansions at Golden Bar, Innes Mills, Coronation, and Coronation North provide an opportunity for Golden Point Underground to develop contemporaneously, as shown in the attached schedule.

The Schedule also shows corresponding deposition periods for waste rock and tailings, inclusive of preliminary site clearance, preparation and (for tailings) foundation and embankment construction works, which are typically carried out in stages over the life of the facilities using a combination of the existing mining workforce and fleet and civil works contractors.

Processing of ore stockpiles and closure works would be expected to add 2 to 3 years of post-mining activity, with expanded tailings storage capacity (as part of MP4) enabling processing of gold, including stockpiles, through to 2036 and taking the total mine-life extension offered by MP4 to over 10 years.

What are the details of the regime under which approval is being sought?

Please write your answer here:

Resource Management Act 1991:

- A land use consent for activities from Coronation Pit south, pursuant to Section 9(3)(a) of the RMA from Waitaki District Council (WDC) and variations pursuant to Section 127 of the RMA to existing land use consents to ensure integration with previous projects.
- A land use consent for activities at Coronation and Coronation North pursuant to Section 9(3)(a) of the RMA from DCC and variations pursuant to Section 127 of the RMA to existing land use consents to ensure integration with previous projects.
- The following resource consents from Otago Regional Council (ORC)
 - o For each open pit:
 - A water permit pursuant to Section 14(1)(a) of the RMA to divert surface water around the open pit.
 - A water permit pursuant to Section 14(1)(a) of the RMA to take surface water for the purpose of dewatering of the open pit and use in the mine water management system.
 - A water permit pursuant to Section 14(1)(a) of the RMA to take groundwater water for the purpose of dewatering of the open pit and use in the mine water management system.
 - A discharge permit pursuant to section 15(1)(b) of the RMA for the discharge of waste rock to land within the pit to enable construction of haul roads and backfilling of the pit as required.
 - A water permit pursuant to Section 14(1)(a) of the RMA to take surface water for the purpose of creating a pit lake following the completion of mining.
 - A water permit pursuant to Section 14(1)(a) of the RMA to take groundwater for the purpose of creating a pit lake following the completion of mining.
 - A discharge permit pursuant to section 15 of the RMA to discharge water containing contaminants to the open pit for the purpose of creating a pit lake following the completion of mining operations.
 - Where required, a land use consent pursuant to Section 9(1)(a) of the RMA for earthworks within wetlands.
 - Where required, a land use consent pursuant to Section 9(1)(a) and 9(1)(b) of the RMA for the excavation of streams beds.
 - o For each Waste Rock Stack:
 - A land use consent pursuant to Section 13 of the RMA for the reclamation of streams.
 - A water permit to permanently divert surface water around the waste rock stack
 - A discharge permit to discharge waste rock and contaminants from waste rock to land in circumstances where contaminants may enter water;
 - A discharge permit to discharge contaminants from the base and toe of the Waste Rock Stack to Silt Ponds.

- A discharge permit to discharge water containing contaminants from silt ponds to local waterways.
- Where required, a land use consent pursuant to Section 9(1)(a) of the RMA for earthworks within wetlands.
- Where required, a land use consent pursuant to Section 9(1)(a) and 9(1)(b) of the RMA for the reclamation of streams beds.
- o For the Tailings Storage Facility:
 - A water permit pursuant to section 14(1)(a) to dam water within the TSF.
 - A discharge permit pursuant to section 15(1) of the RMA to discharge mine tailings to land and to water within the TSF.
 - A water permit pursuant to section 14(1)(a) to take and use surface water from the TSF for use in mine processing.
- o Globally:
 - A Discharge Permit pursuant to Section 15(2) of the RMA to discharge contaminants to air for the purpose of undertaking mining operations.
 - A water permit pursuant to section 14(1)(a) to take and use surface water for use in mining operations.
 - A discharge permit pursuant to section 15(1) to discharge water to open pits and ponds for temporary storage.
 - A land use consent pursuant to Section 9() to install and operate groundwater monitoring bores.
- o Road Realignments
 - A discharge permit pursuant to Section 15(1) to discharge waste rock to land for the purpose of creating a road.
 - A land use consent pursuant to section 13 of the RMA to install culverts to manage surface water flows.

o notice of requirement - N/A

o certificate of compliance - N/A

Coastal permit that authorises aquaculture activities to be undertaken in the coastal marine area and requires decisions under Part 9A of the Fisheries Act 1996 - N/A

Building Act 2004

• Building Consents would be required for elements of the Project, for example: Coal and Camp Creek Dams and further raising of the backfill embankment in Frasers Pit for tailings storage.

Conservation Act 1987 - N/A

Reserves Act 1977 - N/A

Freshwater Fisheries Regulations 1983 - N/A

Heritage New Zealand Pouhere Taonga Act 2014

• Archaeological Authorities authorise the destruction or removal of any pre-1900 features that occur within the footprint of the proposed works, for example removing part of a historic fence-line at Coronation Pit.

Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 - N/A

Crown Minerals Act 1991

• There is no access arrangement required with the Crown under section 61 or 61B CMA
 • Minerals Mining Permit 41 064 (Macraes Extension) has a current term of 36 years to 31 January 2030 and will require extension and renewal to accommodate the full project duration

Wildlife Act 1953

• Authorities and research permits to catch, handle, salvage and relocate wildlife from within the project impact area to suitable alternative habitat, inter alia in order to give effect to management measures required under the RMA.

Public Works Act 1981

• Public Works Act 1981 and/or Local Government Act 1974 authorisations for road closures/stopping and realignments.

If you seeking approval under the Resource Management Act, who are the relevant local authorities?

Please write your answer here:

WDC, DCC, ORC.

What applications have you already made for approvals on the same or a similar project?

Please write your answer here:

• Applications:

o Golden Point Underground Expansion and Extension – consents and approvals are under process and decisions are expected soon
 o Innes Mills Pit Stage 8, Frasers Tailings Storage Facility (Stage 1) – consents and approvals are under process and decisions are expected soon
 o MP4 Consent Project (Innes Mills Pit Stages 9 and 10, Coronation Pit Stage 6, Golden Bar Pit Stage 2, Golden Bar Waste Rock Stack, Coronation North Pit Backfill, Frasers Tailings Storage Facility (Stage 2) – RMA consent application was lodged 28 March 2024 and OceanaGold anticipates that some or all of these applications may progress to decisions ahead of the Fast-track Approvals process, and therefore require review in due course. Corresponding Wildlife Act applications and supporting management plans were lodged in February 2023 and updated to align with RMA applications.

• Notices - N/A

Is approval required for the project by someone other than the applicant?

No

Please explain your answer here:

No, other than the Council and regulatory consents and approvals detailed elsewhere in this application. In addition, other than OceanaGold's parent company, there are no external parties responsible for approving the investment.

If the approval(s) are granted, when do you anticipate construction activities will begin, and be completed?

Please write your answer here:

MP4 will allow Macraes Mine to continue its current level of operations, employing over 600 people and hundreds of contractors beyond 2026 (which is the year when currently consented operations are due to finish). As a continuation of existing operations, the project is both shovel-ready and materially at risk from processing delays, with significant consequences if consents and approvals are not received in the next 18 months.

The attached MP4 Schedule shows the staging of existing and future open pit and underground mine expansions, which will expand the life of the active mining operations at Macraes from 2026 to 2036. The Schedule also shows corresponding deposition periods for waste rock and tailings, inclusive of preliminary site clearance, preparation and (for tailings) foundation and embankment construction works, which are typically carried out in stages over the life of the facilities using a combination of the existing mining workforce and fleet and civil works contractors.

Processing of ore stockpiles and closure works would be expected to add 2 to 3 years of post-mining activity, using a reduced workforce, taking the mine life to about 2036.

Detailed design, procurement and funding for the project would form part of existing "business as usual" operations at Macraes mine. Macraes uses a combination of in house technical staff and mining capability complemented by an extensive network of consultants and contractors familiar with the mine site to undertake design, to procure services and to construct the mine and other specialist infrastructure.

Section 3: Consultation

Who are the persons affected by the project?

Please write your answer here:

In association with the project, OceanaGold has identified the following list of key stakeholders and affected persons:

- A small number of private landowners with land or residences neighboring or close to the mine
- Farm leaseholders (of OceanaGold land)
- Macraes Community Incorporated (Macraes township) (MCI)
- ORC
- WDC
- DCC
- Fish and Game
- Department of Conservation (DOC)
- Te Rūnanga o Moeraki
- Kāti Huirapa Rūnaka ki Puketeraki
- Te Rūnanga o Ōtākou
- Kai Tahu.

Detail all consultation undertaken with the persons referred to above. Include a statement explaining how engagement has informed the project.

Please write your answer here:

From 2022, ahead of lodging its recently resolved and extant applications for resource consents in 2023 and March 2024, OceanaGold engaged in consultation with key stakeholders on various elements of the project.

Parties consulted include:

- DOC – meetings on site approximately 6 monthly
- Landowners – meetings have occurred as required to discuss effects and secure affected party approvals
- Macraes Community Incorporated – quarterly meetings with representatives
- ORC/WDC/DCC – 1-2 times per month
- Fish & Game – informed of project
- Aukaha, on behalf of local rūnaka, who have prepared a Cultural Impact Assessment (CIA) but have not yet made a copy available.
- Public – a project information evening was held at Macraes township on 20 March 2024.

Post-lodgement consultation has been ongoing. OceanaGold anticipates that if MP4 becomes a listed project it will, in good faith, maintain meaningful dialogue with key stakeholders through all stages of the project unless they do not wish to engage with the company. Feedback received from consultation processes will inform OceanaGold's final approach to effects management, including for example the final boundaries of landforms where

these can be adjusted to avoid areas with important identified values.

Upload file here:
No file uploaded

Describe any processes already undertaken under the Public Works Act 1981 in relation to the land or any part of the land on which the project will occur:

Please write your answer here:

Some of the pits that will be extended in MP4 will necessitate road closure arrangements which OceanaGold will action in collaboration with Councils. Realignment of the public roads will occur in a similar manner to previous realignments with appropriate traffic management during construction and an established procedure for transferring responsibility for the road to the roading authority. OceanaGold's existing RMA consent conditions which require road realignments and/or reinstatements around existing pits will continue to be relevant to the project and may be varied to encompass expanded pit areas. Golden Point Road and Matheson Road – which are currently closed to the public – will be reinstated to the standard required by existing land use consents once operations on site are completed.

OceanaGold has extensive experience of PWA processes for land exchange for road closure, including agreeing land exchange areas with Councils, surveying, liaison with Land Information New Zealand, gazettal, and issue of updated land titles. These processes are completed with the outcome of maintaining appropriate public access.

Section 4: Iwi authorities and Treaty settlements

What treaty settlements apply to the geographical location of the project?

Please write your answer here:

The Ngāi Tahu Claim Settlement Act passed on 29 September 1998. There are no statutory acknowledgement areas relevant to the project.

Are there any Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 principles or provisions that are relevant to the project?

No

If yes, what are they?:

Are there any identified parcels of Māori land within the project area, marae, and identified wāhi tapu?

No

If yes, what are they?:

Is the project proposed on any land returned under a Treaty settlement or any identified Māori land described in the ineligibility criteria?

No

Has the applicant has secured the relevant landowners' consent?

No

Is the project proposed in any customary marine title area, protected customary rights area, or aquaculture settlement area declared under s 12 of the Māori Commercial Aquaculture Claims Settlement Act 2004 or identified within an individual iwi settlement?

No

If yes, what are they?:

Has there been an assessment of any effects of the activity on the exercise of a protected customary right?

No

If yes, please explain:

Upload your assessment if necessary:
No file uploaded

Section 5: Adverse effects

What are the anticipated and known adverse effects of the project on the environment?

Please describe:

Because MP4 will be an extension of existing operations at Macraes its potential effects are well understood within the context of a series of comprehensive Assessments of Environmental Effects (AEEs) prepared for previous RMA applications, dating back several decades.

In preparing the RMA application lodged in March 2024 OceanaGold commissioned independent experts to provide specialist technical reports on the actual and potential effects on the environment of allowing the activities. Based on the reports received, those effects are all able to be managed through the application of the effects management hierarchy, to produce environmental, social and cultural outcomes that are appropriate, having regard to the scale and location of the activities. It is expected that MP4 (including elements additional to the March 2024 application) would be capable of management in the same way.

The March 2024 application documents assess, amongst other things:

- Cultural effects;
- Economic effects;
- Social effects;
- Biodiversity effects;
- Hydrological effects;
- Landscape and Visual effects;
- Transport effects;
- Amenity effects;
- Air quality effects; and
- Effects relating to mine closure and aftercare.

Some of the potential or actual effects and proposed management measures identified in the technical assessments and of relevance to the project now submitted to the Fast-Track Approval process, are outlined below.

Cultural Effects:

OceanaGold operates under a Protocol of Engagement with local rūnaka and is currently engaging with them about MP4. A CIA has been prepared by Aukaha on behalf of the affected rūnaka for MP4, but is yet to be provided for review at the date of this application. OceanaGold is committed to collaborating with iwi on ways to avoid, remedy or mitigate potential effects on environmental or cultural values of significance. These discussions are ongoing.

The Kāi Tahu ki Otago Natural Resources Plan 2005 is the principal planning document for Kāi Tahu and provides resource management guidance in accordance with the wishes of the rūnaka who hold mana whenua in Otago. While an assessment of the Kāi Tahu ki Otago Natural Resources Plan 2005 is in no way intended to be a replacement for OceanaGold's ongoing consultation with the relevant mana whenua, it does contain provisions regarding certain important issues, which provide useful context for MP4.

The provisions of the Kāi Tahu ki Otago Natural Resource Management Plan 2005 that are assessed as being most relevant to the project include:

- The waters of the Otago Catchment are healthy and support Kāi Tahu ki Otago customs;
- Contaminants being discharged directly or indirectly to water are reduced;
- To require groundwater monitoring for all discharges to land;
- To promote the use of Accidental Discovery Protocols for any earth disturbance work; and
- To require all earthworks, excavation, filling or the disposal of excavated material to:
 - o avoid adverse impacts on significant natural landforms and areas of indigenous vegetation;
 - o avoid, remedy, or mitigate soil instability; and accelerated erosion;
 - o mitigate all adverse effects.

The Project is considered to be consistent in a number of key respects with the above objectives and policies, given that:

- Assessments of the effects of the MP4 project on groundwater and surface water indicate that the project can be managed to comply with compliance criteria that have previously been considered acceptable by consent authorities. This will ensure the ongoing health of the waters of the Otago catchment; and
- OceanaGold will continue to carry out regular monitoring of water quality and aquatic ecology as per the conditions of existing resource consents, which have been considered as being sufficient to monitor any potential effects generated from the mine to date.

Overall, the proposed activity is assessed as being broadly consistent with the most relevant provisions of the Kāi Tahu ki Otago Natural Resource Management Plan 2005 and its overarching general policy direction.

A CIA by or on behalf of Kāi Tahu has been prepared for MP4 but awaits release and discussion of its contents. It is expected that further engagement, following provision of the CIA, will enable impacts on cultural values to be managed with a specific focus on the values impacted.

Surface water and ground water:

- Sediment discharges to water – management will include ongoing use of the current, tried and proven erosion and sediment controls, adjusting them as and when required.
- Degradation of water quality due to waste rock stack seepage – management will include: engineering controls to reduce contaminated water seeping into surface water, and dilution of flows using freshwater reservoir if needed; continued and intensified monitoring of instream water quality; and adaptive management informed by monitoring results.

Aquatic Ecology:

- Potential adverse effects on freshwater plants and animals - management will include: ongoing compliance with existing water quality compliance limits and monitoring of water quality and aquatic ecology health; and adaptive management informed by monitoring results.

Landscape and Visual Amenity:

- Potential landscape and visual amenity effects – management will include: waste rock stack landform design and progressive rehabilitation using local

soils as capping; restoration of disturbed areas, haul roads and replanting post closure; long term the creation of pit lakes post mining; and maintenance while rehabilitation 'beds down' and vegetation cover is established.

Vibration and Noise:

- Potential for blasting, drilling, hauling and other noise to disturb nearby residences – management will include: ongoing use of the tried and proven Noise, Airblast and Vibration Management Plan, adjusting it as and when required; consent conditions on noise and vibration limits, including limiting times when blasting can occur on site and when hauling can occur.

Roading and Traffic:

- Realignment of Golden Bar Road and Macraes-Dunback Road – management will include: design and road construction to meet required standards; traffic management during construction and switch-over phase.

Air Quality:

- Potential for dust discharges to adversely affect the amenity of surrounding neighbours – management will include: ongoing use of the tried and proven Dust Management Plan, including dust management using on-site water sources, adjusting it as and when required; continued air quality monitoring.

Terrestrial Ecology:

- Loss of indigenous plant species within the project footprint, some of which have threatened status – management will include: offset/compensate for loss of shrubland, tussockland and wetlands through the creation of the predator controlled Murphys Ecological Enhancement Area and the creation of new ephemeral wetlands.
- Excavation of pits and deposition of waste rock, resulting in loss of vegetation and invertebrate communities, displacement of birds and potential mortality of reptiles – management will include: re-creation of lizard and bird habitat through waste rock stack rehabilitation, recreation of exotic plant communities inhabited by lizards and the creation of the predator controlled Murphys Ecological Enhancement Area; new pit lakes will produce replacement bird habitat; Golden Bar Waste Rock Stack narrow-leaved tussock rehabilitation; ecological compensation including predator control, lizard enhancement project, rock tor replacement, bird enhancement project; monitoring and research to ensure ecological gains can be achieved; adaptive management informed by monitoring results.
- Potential displacement of resident indigenous animals through mining activities, noise, vibration and lighting – management will include: ongoing use of the tried and proven Noise, Air blast and Vibration Management Plan, including direction on monitoring and mitigation, and directing lighting inwards.

Heritage:

- Accidental discovery and disturbance of archaeological items – management will include: continued use of appropriate accidental discovery protocol.
- Partial removal of a historic fence line – management will include: obtain an archaeological authority; retain and preserve a historic fence beyond 50m either side the proposed removal at Coronation.

Post-Closure Effects:

- Risk of pit or WRS slope failure – management will include: geotechnical monitoring and review of pit and waste rock stack designs to ensure appropriate stability in the long term; an exclusion barrier will be constructed at a performance-based set back from the pit margin post closure.
- Risk of water quality decline in receiving environment as a result of long-term discharges from site – management will include: use and, if necessary, revision of compliance criteria to ensure protection of aquatic ecology; monitoring and adaptive management via the Water Quality Management Plan to ensure compliance with criteria.

Contaminated Land Effects:

- Because of the mining, processing and disposal of waste rock and tailings that occurs at Macraes, it is a HAIL site but while MP4 will increase the area of mined land, the land contamination will be minor – management will include: once mining is complete, the backfilled pits, waste rock stacks and mine infrastructure areas (for example, the processing plant) will be covered with weathered rock and topsoil and planted into pasture or other approved rehabilitation planting, to effectively remediate the site for future grazing or other suitable post mining land uses.

Hazardous Substances:

- Management of hazardous substances will include: existing management practices to ensure the safe storage and use of hazardous substances at Macraes; adhering to the relevant New Zealand Standards, Codes of Practice and the Health and Safety at Work (Hazardous Substances) Regulations 2017

Upload file:

No file uploaded

Section 6: National policy statements and national environmental standards

What is the general assessment of the project in relation to any relevant national policy statement (including the New Zealand Coastal Policy Statement) and national environmental standard?

Please write your answer here:

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

The project is consistent with the objectives and policies of the NPS-IB.

The site is not identified as a Significant National Area (SNAs) in either the Waitaki District Plan (WDP) or the partially operative (POORPS) / recently decided (pRPS) Otago Regional Policy Statements, and therefore, does not technically meet the NPS-IB definition of a SNA. Notwithstanding that, as outlined in the technical assessments undertaken by the terrestrial ecologist, there are sites affected by the project which trigger some of the significance

criteria for indigenous vegetation and habitats for indigenous fauna. The indigenous vegetation communities at Coronation and Golden Bar and the tussock-land at Innes Mills are all significant under the representativeness, rarity or distinctiveness criteria of the pRPS, POORPS and DCC Second Generation Plan (2GP), as well as under the representativeness or rarity criteria of the WDP.

In terms of effects, the adverse effects of the Project on indigenous biodiversity are expected to be primarily related to the loss of tussock grassland and potential lizard habitat. For the most part, the MP4 project is assessed as having a low or moderate effect on the terrestrial ecological features examined by the terrestrial and aquatic ecologists. The exception to this is an adverse effect on three ephemeral wetlands at Coronation 6, as well as a high impact on tussockland, desert broom, NZ falcon and pipit at Golden Bar.

In terms of management of adverse effects, impacts on significant biodiversity will call for appropriate offsetting and biodiversity compensation, where impacts cannot be avoided due to the functional and operational needs of the project. Beyond SNAs the maintenance of indigenous biodiversity is achieved by generally applying the effects management hierarchy, impacts significant biodiversity.

Effects of the Project on lizards in particular, will be appropriately remedied, to the extent practically achievable, by the translocation of lizards to an appropriate predator-controlled habitat in accordance with a Wildlife Act Authority. Such measures, combined with measures to remediate disturbed areas back into tussock, are expected to result in the maintenance of the lizard population. OceanaGold will also provide for the maintenance of indigenous biodiversity by undertaking additional tussock planting with an increased density of planting on one of its WRS during its rehabilitation.

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

The relevant project activities that are regulated by the NES-FW are provided for as discretionary activities.

The NES-FW sets out requirements for certain activities that pose risks to freshwater ecosystems. Relevant to the project, the standards are designed to:

- Protect existing inland and coastal wetlands;
- Protect streams from infilling; and
- Ensure connectivity of fish habitat (fish passage).

The project requires reclamation of small lengths of low value streams, and excavation of some small natural inland wetlands. None of the proposed activities are prohibited by the NES-FW and all effects will be managed in accordance with its requirements.

The project is consistent with the objectives and policies of the NPS-FM, insofar as:

- Avoidance: tailings storage to support mining and processing of stockpiles through to 2036 will be discharged into an existing pit rather than utilizing naturally occurring gully topography to construct a facility in a previously unexcavated site, requiring reclamation of streams or creating new impacts on waterbodies and freshwater systems.
- Water quality: impacts have been assessed on a whole of catchment basis which is consistent with Policy 3 of the NPS-FM. Limits and targets for the North Branch Waikouaiti River and Shag River / Waihemo catchments have not yet been set under the National Objectives Framework (Policy 5). However, the project intends to retain water quality and quantity limits and monitoring aligned with water quality limits established as part of the previous projects, which incorporated NPS-FM limits for relevant water quality parameters.
- Appropriate offsetting will be provided to ensure no net loss of wetland and river values resulting from the unavoidable loss of some natural inland wetlands (Policy 6) and the loss of river extent or values (Policy 7).

National Policy Statement for Highly Productive Land (NPS-HPL):

The land which will be disturbed as part of the MP4 project is not identified as Land Use Capability Class 1, 2 or 3 and therefore, the NPS-HPL is not relevant.

Resource Management (National Environmental Standards for Air Quality) Regulations 2004 (NES-AQ):

The predominant discharges from the proposed activity will be dust, or particulate matter, from the handling and transport of waste rock or ore. OceanaGold has a Dust Management Plan in place that appropriately manages dust on the site. Expert advisors concluded that the discharge of PM10 from the site will not exceed the limits outlined in the NES-AQ and the effects associated with the discharge of contaminants to air will be negligible.

Resource Management (National Environmental Standards for Assessing and Managing Contaminants in Soil) Regulations 2011 (NES-CS):

The NES-CS seeks to ensure that land affected by contaminants in soil is appropriately identified and assessed before it is developed. If necessary, affected land will need to be remediated or the contaminants contained to make it safe for the intended use.

Mining activities are classed as Hazardous Activities and Industries List (HAIL) activities, covered by the requirements of the NES-CS.

Extensive studies associated with mining at Macraes to date have demonstrated that the human health effects of extracting ore from the ground on the site, and subsequent disposal, are able to be controlled adequately using established on-site methodologies including rehabilitation. The waste rock to be discharged to land for this proposal is of a similar nature, to other waste rock stacks consented previously, and as such, would have similar, negligible effects on human health. As such, the project is expected to be consistent with the NES-CS.

Resource Management (National Environmental Standards for Sources of Human Drinking Water) Regulations 2007 (NES-HDW):

The granting of discharge permits associated with this proposal is consistent with the NES-HDW.

The NES-HDW sets requirements for the protection of sources of human drinking water from contamination. A human drinking water source is a natural water body that is used to supply a community with drinking water.

The closest water supply is the Palmerston community water take from the Shag River, approximately 80km from the Mine site, and the project will continue to manage its impact on water quality such that it avoids adverse effects on the downstream environment and the Palmerston water supply.

File upload:
No file uploaded

Section 7: Eligibility

Will access to the fast-track process enable the project to be processed in a more timely and cost-efficient way than under normal processes?

Yes

Please explain your answer here:

The fast track process is more appropriate for this project due to:

1. The regional and national significance of Macraes Mine continuing to operate beyond 2026.
2. The scale and complexity of the project.
3. The number of statutory and regulatory regimes engaged by the project, reflected in the range of consents, permits and authorisations required.
4. The number of local government and central government agencies involved. In turn, this adds complexity and delay, noting the lack of co-ordination apparently achievable between Crown decision making processes and Council processes under different statutory regimes.
5. The conflicting statutory purposes of the regimes the project engages with.
6. The risk posed by non-time-bound approvals processes outside of the RMA, including Wildlife Act authorisations required to give effect to the management of impacts on lizards and other wildlife, in turn required to give effect to the NPS-IB and other relevant planning instruments.
7. The risk posed by RMA processing delays, delaying the commencement of consents required to maintain continuity of operations beyond 2026. The risk is particularly acute where management of lizards (such as seasonally constrained surveys and translocation measures) creates the need for many months of additional lead-time ahead of commencing clearance and excavation activities.
8. The overlapping and duplicated conditions between the different processes, such as RMA consents and Wildlife Act authorisations.
9. The staggered and conflicting timeframes of the current range of authorisations, which creates a churn of reapplication/reapplying as various permits expire. This is costly, inefficient (for the company and decision maker) and increases investor uncertainty.
10. The added churn of constant change in the relevant planning instruments, with Otago regional policy in particular under a continuous stream of reviews and appeals since 2015 and both regional and district plans starting review processes in 2024.

In the near term, consents are required to be in place at Macraes from as early as 2026. As consenting and permitting requirements have changed and processing timeframes have become extended and more complex, including recent changes in DOC's approach to the administration of the Wildlife Act flowing from case law in 2019, the ability to incorporate conventional planning and consenting and wildlife permitting processes into the life-of-mine planning and development cycle has reduced to the point where those processes are becoming too duplicative, complex and delayed to allow Macraes Mine to maintain continuity of its operations.

An effective and co-ordinated way of securing the required permissions and a consolidated set of conditions and requirements is vital for the project. Without securing these matters promptly (which we consider is a significant risk under current consenting and authorisation processes) mining will face a loss of continuity at Macraes from 2026.

Looking beyond the near term to the next 10 years of active mining, Macraes Mine is well positioned to continue investing in new technologies (including those required to decarbonize through electrification of mining equipment), long-term training of its workforce and community investment if there is the increased certainty of remaining mine-life that long-term consents.

Macraes has the distinct advantage over a greenfield project in that most of the project's mine areas are extensions of existing pits and the necessary mining equipment, management and technical staff, skilled operators, mine-support facilities and services and many of the requisite operational and environmental procedures and practices are in place, tried and proven. To this end the project continues a 34 year operational history and expediting consents and other authorities would signal to all employees and stakeholders that the mine has the certainty of a continuous operation.

What is the impact referring this project will have on the efficient operation of the fast-track process?

Please write your answer here:

MP4 will offer a shovel-ready project with 34 years of history and baseline data, a full set of technical assessments of effects and mitigations / offsets for the purposes of the RMA and the Wildlife Act, supported by years of stakeholder and iwi feedback, council consultation and assessment, meaning it would be well-suited to early and efficient referral and disposition through expert panel and Ministerial decision processes.

Has the project been identified as a priority project in a:

Not Answered

Please explain your answer here:

No

Will the project deliver regionally or nationally significant infrastructure?

Not Answered

Please explain your answer here:

No

Will the project:

Please explain your answer here:

No

Will the project deliver significant economic benefits?

Yes

Please explain your answer here:

Macraes Mine is one of the largest economic activities in Otago region. As described in more detail below, it generates significant export returns, crown royalties and is large employer providing on-the-job training (no university degree required) into high income jobs.

MP4 will enable those economic benefits to continue from 2026 for a further 10 years.

The project will provide a number of key benefits, including:

1. Considerable ongoing economic benefit and/or significantly contribute to the growth, diversity and resilience of the regional economy including contribution to GDP
2. Maintaining current employment and future employment opportunities
3. Utilisation of existing mining infrastructure and investment to facilitate continuity of operations and infrastructure beyond 2026
4. Securing ongoing investment certainty.

MP4 is expected to extend the life of the Macraes Mine from 2026 to 2036 thereby extending:

- The mine's annual GDP contribution of over $\$9(2)(b)(ii)$
- Annual gold exports of about 130,000 ozs of gold (worth $\$9(2)(b)(ii)$ at the current gold price).
- Direct employment of over 600 people, and indirectly support for over 2000 additional jobs.
- Regional contributions in payments to employees and local suppliers of about $\$9(2)(b)(ii)$
- The generation of at least $\$9(2)(b)(ii)$ in Crown Minerals royalties on an ongoing basis
- Charitable distributions from OceanaGold to local community groups totalling about $\$9(2)(b)(ii)$ per annum.
- An annual contribution through rates to WDC of over $\$9(2)(b)(ii)$ on land otherwise (without the mine) rateable at about \$50,000 per annum.

Will the project support primary industries, including aquaculture?

Yes

Please explain your answer here:

Mining is a primary industry, and as outlined above the project will support continued employment and future employment opportunities for mine workers, utilisation of existing mining infrastructure and investment to facilitate continuity of operations and infrastructure. Referral to Fast-Track Approvals processes would promote investor certainty over the near and long-term, and encourage further investment into exploration and development at Macraes, including development potential of the tungsten by-product opportunity identified at the site.

Will the project support development of natural resources, including minerals and petroleum?

Yes

Please explain your answer here:

MP4 will extend existing production of about 130,000 ounces of gold per annum (together with silver by-product) for the duration of the project and enable OceanaGold and its hundreds of local and national suppliers and contractors to invest efficiently and for the long-term in the capital equipment and workforce training required for the development of those resources.

Referral to Fast-Track Approvals processes would encourage further investment into exploration and development at Macraes, including development potential of the tungsten by-product opportunity identified at the site.

Will the project support climate change mitigation, including the reduction or removal of greenhouse gas emissions?

No

Please explain your answer here:

Will the project support adaptation, resilience, and recovery from natural hazards?

No

Please explain your answer here:

Will the project address significant environmental issues?

Yes

Please explain your answer here:

OceanaGold has a strong track record of managing impacts on environmental values, using management techniques (such as avoidance, mitigation, offsetting and compensation) under the supervision of a range of expert consultants with a long association with the mine and ecological district. Over 85% of the 13,500 ha that OceanaGold owns at Macraes is undisturbed by mining and is mainly used for farming. This land-holding means OceanaGold is well placed to contribute into the future towards halting and reversing the decline in New Zealand's indigenous biodiversity, in particular, as part of continuing to develop and operate at Macraes and creating covenanted areas to preserve and foster biodiversity. This makes the mine uniquely placed to deliver beneficial outcomes for both NZ's economy and the environment through the lens of a fast-track, one-stop-shop process.

The project will include the establishment of the Murphys Ecological Enhancement Area, approximately 91 ha area with predator control, to achieve at least a state of no net loss, and preferably a net gain in biodiversity. As well as providing an area for rescued rare plants and a shrubland offset, salvaged lizards will also be relocated to the Murphys Ecological Enhancement Area.

Is the project consistent with local or regional planning documents, including spatial strategies?

Yes

Please explain your answer here:

The relevant planning documents include the Partially Operative Otago Regional Policy Statement, the Proposed Otago Regional Policy Statement, the Regional Plan: Water for Otago, The Regional Plan: Air for Otago, the Waitaki District Plan and the Dunedin City District Second Generation Plan.

Partially Operative Otago Regional Policy Statement:

The POORPS recognises the importance and functional needs of mineral extraction and balances this against other priorities such as recognition and provision for Kāi Tahu Values, maintenance and enhancement of natural resources and ecosystems, and the protection of communities from unacceptable natural hazard risk. In balancing those priorities the RPS supports the provision of a "consenting pathway" for mineral extraction subject to appropriate management of effects. This includes giving preference to avoiding areas of significant indigenous vegetation and areas of outstanding value or natural character unless the functional needs of the activity make that avoidance impractical, in which case adverse effects on values of significance must be avoided or otherwise remedied or mitigated such that the values are maintained.

OceanaGold has designed the project with this hierarchy of effects management obligations in mind. This includes:

- Utilising existing disturbed areas to the extent practicable and minimising new areas of disturbance;
- Accessing the ore body from underground where that is viable; and
- Acknowledging that there will be unavoidable adverse effects on some areas of indigenous biodiversity that qualify as significant, seeking to remedy or mitigate for these effects where practicable and providing for the overall enhancement of ecological values through the provision of an ecological enhancement package.

The MP4 project can be undertaken in a manner that is broadly consistent with the intent of the POORPS.

Proposed Otago Regional Policy Statement:

A "decisions version" of a proposed new Otago Regional Policy Statement 2021 (the pRPS) was publicly notified on 30 March 2024.

This version retains a "consenting pathway" for mining at Macraes that is generally consistent with the NPS-IB and NPS-FM, but is subject to appeals.

Because the pRPS remains subject to appeals more weight is given to the POORPS.

Regional Plan: Water for Otago

The Regional Plan: Water for Otago broadly aims to manage groundwater and surface water quality and quantity in a manner that protects natural character and maintains existing natural and human use values.

Much of the water taken at Macraes (up to 90%), is used within the site and recycled. The proposed water takes associated with the project are not expected to significantly affect the quantity of flows in local water ways. As such, natural character of the waterways is not expected to be affected to any degree that is more than minor. Assessments have not identified any existing water uses that are likely to be adversely affected by the proposed mine expansion.

Whilst some adverse effects on water quality are anticipated, OceanaGold intends to adaptively manage these effects to achieve existing instream compliance criteria that have previously been deemed to be acceptable by the ORC as to protect water bodies from significant adverse effects. This approach is considered to align with the outcomes expected by the Regional Plan with respect to natural and human use values.

Regional Plan: Air for Otago:

The Regional Plan: Air for Otago generally encourages the adoption of management practices to avoid, remedy or mitigate any adverse effects of dust beyond the boundary of the property.

The project is proposed to be carried out in a manner that is consistent with the currently consented air discharges at the site. Therefore, established and effective management practices will continue to be used to avoid, remedy and mitigate the effects of dust so that it will have similar and acceptable effects within the scope of the relevant existing consents.

Waitaki District Plan:

The majority of the project affects land that is zoned for mining purposes where mining activities of the nature proposed are anticipated. Some areas of the project affect rural zoned land in which cases the relevant zone provisions still anticipate mining in such locations.

The WDP provisions related to mining activities provide broad policy directions to:

- Allow mining to occur in the area that the resource is located; and
- Ensure that the effects of mining are adequately controlled using the established mitigation hierarchy.

The project is expected to be consistent with the general policy direction in that it will meet the plan objective of allowing mining within the mining zone in a way that manages effects in accordance with the effects management hierarchy. Mining at Macraes within the mining zone and the adjacent rural zone is well-established and the proposed activity will utilise existing mining infrastructure on the site. OceanaGold has measures in place for rehabilitation of the site once mining is completed and this will enable pastoral farming activities to occur in the area.

Dunedin City 2GP:

The provisions of the Dunedin City 2GP are relevant to parts of the proposed Coronation and Coronation North mine area extensions.

Within the Dunedin City district, the proposed works are located in the Rural Zone. The relevant objectives seek to preserve land in the Rural Zone for productive rural activities and to maintain or enhance the rural character and amenity values of the rural zone.

It is considered that the proposed activities are consistent with the relevant provisions of the Rural Zone because:

- Mining is defined as a rural activity in the 2GP and the mining activity at this site is existing and has been operational for a number of years. The proposed expansion of the mine will have only minor effects on the rural character and amenity of the area.
- OceanaGold has closure plans in place to ensure the land will be restored or rehabilitated to an acceptable standard that support future rural land uses following the completion of mining at this site; and
- OceanaGold has appropriate dust and sediment management controls in place to appropriately avoid, remedy or mitigate any effects associated with sediment run-off or on the amenity of surrounding sites.

Summary of assessment against local and regional planning documents:

The effects of the project have been considered in accordance with the relevant sections of the RMA and the relevant provisions of the applicable planning documents, including the National Policy Statements and regional and district planning instruments. This assessment concludes that the project is not contrary to the objectives and policies of the relevant documents and can be undertaken in a manner that is broadly consistent with the outcomes sought. Overall, it is considered that the MP4 project will promote the sustainable management of natural and physical resources in accordance with Part 2 of the RMA and there are no impediments to granting the consents sought for the project.

Anything else?

Please write your answer here:

Minerals Permits:

OceanaGold already holds minerals permits under the CMA which authorise mineral extraction or offer conversion to a mining permit authorising extraction. The mining permits currently expire in 2030 (with the ability to extend duration) and 2045.

A description of resource consents already obtained that the support MP4 project

OceanaGold holds an extensive suite of resource consents are held by OceanaGold authorising the existing Macraes gold mining operation. For example:

Macraes Phase 3:

OceanaGold obtained all necessary resource consents for the Macraes Phase 3 Project (MP3) in 2011. These resource consent authorised open pit expansions and Frasers Pit, Innes Mills Pit, Southern Pit and Roundhill Pit. They also authorised the extension of several waste rock stacks, the removal of an existing tailings storage facility (SP11), and the construction of the Top Tipperary Tailings Storage Facility. While the majority of these resource consents have been given effect to and remain active, due to operational reasons some consents were not given effect to and have lapsed or expired. OceanaGold continues to rely on the MP3 resource consents for much of the existing mining activity occurring in the central part of the site and it relies on these resource consents to authorise closure of the open pits as pit lakes. Most of the MP3 consents expire in 2046.

Coronation Mine Area:

Resource consents for the Coronation Mine Area were obtained in three consenting rounds in 2012 (Coronation Project), 2016 (Coronation North Project) and 2019 (Coronation North Extension Project). OceanaGold holds the following resource consents authorising mining activities at Coronation:

- WDC land use consents 201.2016.779, 201.2013.360.01 & 201.2019.1241
- DCC land use consents LUC-2016-234, LUC-2013-225A, & LUC-2019-42
- ORC consents RM12.378.01-15, RM16.138.01-20 & RM19.085.01-03, RM23.648.01-04

The Coronation Mine area has largely been developed to its consented extent although some areas of additional pit and waste rock stack extension remain authorised by the existing resource consents.

Golden Point Underground Mine:

The Golden Point Underground Mine was authorised in 2020 by the following resource consents:

- WDC Land Use Consent 201.2020.1514
- ORC Consents RM20.130.01-06

These consents continue to be relied upon for the current underground mining operation. Applications for new resource consents and variations to enable an extension to the GPUG mine were lodged in 2023 and are currently being processed.

Camp Creek Dam:

OceanaGold holds the following resource consents issued as part of the MP3 Project that authorise the construction, operation and maintenance of the Camp Creek Dam.

- WDC land use consent 201.2011.35; and
- ORC consents RM10.351.35-39

The dam has not yet been constructed but remains an available option to provide a constant or seasonally varied water supply downstream to supplement naturally occurring low flows in Deepdell Creek for purposes of maintaining water quality. The consented dam consists of an embankment with an approximate height of 29 m behind which approximately 1.4 million m³ of water can be stored when at full capacity, with a reservoir footprint of approximately 13.7 ha. The consents that authorise the construction, operation and maintenance of Camp Creek Dam do not lapse and may be implemented at any time prior to their expiry on 1 October 2046.

Coal Creek Dam:

OceanaGold holds the following resource consents issued as part of the Coronation North Project that authorise the construction, operation and maintenance of the Coal Creek Dam:

- WDC land use consent 201.2016.779; and
- ORC consents RM16.138.02, RM16.138.07, RM16.138.08, RM16.138.16 and RM16.138.18;

The dam has not yet been constructed but remains an available option to provide a constant water supply downstream, of approximately 5 litres per second, to supplement naturally occurring low flows in Coal Creek and Mare Burn for purposes of maintaining water quality. The consented dam consists of an embankment with an approximate height of 27 m behind which approximately 670 million litres of water can be stored when at full capacity, with a reservoir footprint of approximately 9.3 ha. The consents that authorise the construction, operation and maintenance of Coal Creek Dam do not lapse and may be implemented at any time prior to their expiry on 24 April 2052.

Does the project includes an activity which would make it ineligible?

No

If yes, please explain:

Section 8: Climate change and natural hazards

Will the project be affected by climate change and natural hazards?

Yes

If yes, please explain:

OceanaGold's projects are designed to a number of regulatory standards, including the NZSOLD standards for large dams, and therefore incorporate seismic and climate-based design considerations.

In the last decade OceanaGold has been required to adapt to changing climatic conditions and weather events at Macraes, for example flooding resulting in a culvert breach, and has successfully managed operations through these events.

Section 9: Track record

Please add a summary of all compliance and/or enforcement actions taken against the applicant by any entity with enforcement powers under the Acts referred to in the Bill, and the outcome of those actions.

Please write your answer here:

Reefton Mine:

- Until 2016 OceanaGold operated a gold mining operation at Reefton known as the Oceana Gold Globe – Progress Mine. The Mine is now the Reefton Restoration Project and handover to landowner, the DOC is nearing completion.
- On 1 December 2009 the West Coast Regional Council (WCRC) charged OceanaGold under section 15(1)(b) of the RMA for discharging sediment into Devils Creek from a silt settling pond at the mine on 2 September 2009, in breach of its resource consent. The breach of the condition was as a consequence of the rainfall in the week prior to sampling and additional rainfall on 25 August 2009 (8 days prior to sampling) which had increased the water height in the silt pond. However, the consent condition provided no exemption based on rainfall events. OceanaGold entered an early guilty plea and participated in a restorative justice process with the WCRC where it was agreed that the Applicant would carry out remediation at Devils Creek. On 15 November 2010 the Applicant was sentenced and fined **§ 9(2)(b)(ii)** for breach of the consent and an enforcement order was made by consent.
- OceanaGold prepared a remedial action plan in consultation with the WCRC, obtained the necessary consent, and trialled stream bed works in Devils Creek. It became apparent to both parties that extending the trial would result in extensive vegetation disturbance, and mobilisation of sediment in the Creek could result in further areas being affected. The parties agreed an amended remedial action plan which is being completed during site closure and prior to closure will be deemed cancelled.

Macraes Mine:

- On 20 February 2024 the ORC issued OceanaGold an abatement notice under section 322(1)(a)(i) of the RMA, in relation to the outdoor storage of tyres in excess of 20m³ at the Macraes Mining operation.
- By September 2024 OceanaGold will comply with the notice by obtaining resource consent in accordance with the Resource Management (National Environmental Standards for Storing Tyres Outdoors) Regulations 2021.

Load your file here:

No file uploaded

Declaration

Do you acknowledge your submission will be published on environment.govt.nz if required

Yes

By typing your name in the field below you are electronically signing this application form and certifying the information given in this application is true and correct.

Please write your name here:

Alison Paul

Important notes