

**BEFORE THE RPS HEARINGS PANEL**

**IN THE MATTER** of the Resource Management Act 1991

**AND**

**IN THE MATTER** of submissions on the Proposed Otago Regional Policy Statement 2021 (excluding parts determined to be a freshwater planning instrument)

---

**OPENING SUBMISSIONS ON BEHALF OF OCEANA GOLD (NEW ZEALAND) LIMITED – SUBMITTER ID 0115**

**25 January 2023**

---

**Solicitor acting:**

Jackie St John  
In-house counsel  
22 Maclaggan St  
Dunedin 9016  
jackie.stjohn@oceanagold.com

**Counsel acting:**

Stephen Christensen  
Project Barrister  
421 Highgate, Dunedin 9010  
P 027 448 2325  
stephen@projectbarrister.nz



## MAY IT PLEASE THE PANEL:

### *Introduction*

1. Mining is regionally significant in Otago. It has played a major part in shaping the region, and continues to be important today, contributing around 4.5% of regional GDP<sup>1</sup> and providing many direct and indirect jobs, and associated social benefits. “Otago’s economy centres around agriculture, tourism, mineral mining, and education”<sup>2</sup>.
2. A significant proportion of that regional contribution comes from just one operation - OceanaGold (New Zealand) Limited’s (**OGNZL**) Macraes Mine (**Macraes Mine**). To put things in context<sup>3</sup>, Macraes Mine has successfully operated for more than 30 years. Today it employs over 600 people directly, and when indirect employment is included that total for the Otago region reaches over 1100 (and over 2200 across the whole country)<sup>4</sup>. Macraes Mine injects \$122 million p.a. into the regional economy, and exported gold and silver earns the country \$343 million. All of these significant benefits will be lost in the future if the Macraes Mine is unable to access further mineral resources because of the approach taken in the PORPS.
3. OGNZL is New Zealand’s largest gold and silver mining company, with active mines at Macraes Mine in the Otago Region and in the Waikato Region (Waihi). OGNZL also has interests in the West Coast Region with one mine in closure phase (Globe Progress) and another mine in which it has an interest as a joint venture partner under development (Blackwater).

---

<sup>1</sup> PORPS SRMR-I10

<sup>2</sup> PORPS Description of the Region, page 6

<sup>3</sup> 2021 figures, but these remain indicative of the position today

<sup>4</sup> Evidence of Shamubeel Equb, paragraph 3.5, Figure 3

4. OGNZL is ultimately owned by OceanaGold Corporation (**OGC**) a listed<sup>5</sup> company with a wide, international shareholding that features the larger managed funds that form part of many New Zealander's Kiwisaver investments. OGC also owns and operates other large mines in the United States (Haile) and the Philippines (Didipio). The demand for the metals produced by OGNZL and the OGC Group mines continues to grow internationally as we respond to climate change by transitioning away from fossil fuels towards renewable energy and more efficient energy storage. OGC, along with the mining industry globally, is actively looking to increase the contributions of its existing assets and to bring new assets into production to meet demand growth.
5. Macraes Mine is located in the Hyde Macraes Shear Zone (**HMSZ**), a geological feature that accounts for the presence of large amounts of gold and silver. The HMSZ is a remarkable natural feature in both the regional and national context, and the associated mineral deposits make the Macraes Mine a world class asset<sup>6</sup>, well-placed to make meaningful contributions to meet global demand for metals in the coming years. In Figure 2 of the PORPS (page 64) minerals have been omitted from the list of the region's important natural resources (although "Minerals extraction" is listed as a "User"). OGNZL submitted that this omission needs to be fixed, and the section 42A report recommends that Minerals be included in Figure 2.
6. The omission of minerals as an important natural resource from Figure 2 in the notified version of the PORPS is symptomatic of the PORPS' overall failure to

---

<sup>5</sup> On the Toronto Stock Exchange

<sup>6</sup> The Macraes Mine has produced more than 5 million ounces of gold since modern mining commenced in 1990, putting it in the top 10% of international operations – see the evidence of Ms Paul, paragraph 9

address the importance of minerals and their future development in a responsible way.

7. Originally in native forest, the Macraes area has been largely cleared for farming purposes, and today, in addition to mining, the Macraes area is predominantly used for farming and plantation forestry. The area was mined historically for gold and also scheelite (tungsten), giving rise to a rich historical context combining farming and mining activities, as well as some mana whenua values. Pockets of remnant indigenous vegetation are widespread in the area as a result of the topography, with deeply incised gorges and rock outcrops having effectively formed barriers to clearance and farming development. Almost without exception, as a result of the extent of clearance over the years for farming purposes throughout the area, those pockets of indigenous vegetation that remain are significant and often contain plants that are listed in the NZTCS. The wider Macraes area is sometimes referred to as a biodiversity 'hotspot'. To be clear, the reduction in biodiversity in the Macraes area from that which would have occurred prior to changes made by human occupation are generally not attributable to mining. In the broader context of the Macraes ecological district mining's footprint and impacts are small.
8. The functional needs<sup>7</sup> of modern mining are such that where important mineral deposits co-locate with these vegetation remnants the loss of that vegetation often cannot be avoided when mining development proceeds. This means it becomes necessary to consider the full effects management hierarchy, including mitigation, offsetting, and compensation, to ensure that good outcomes for biodiversity are

---

<sup>7</sup> "Functional need" is defined in the National Planning Standards (and in the PORPS) as "means the need for a proposal or activity to traverse, locate, or operate in a particular environment because the activity can only occur in that environment". In the case of mining, it can only occur where economically recoverable mineral deposits naturally occur. The nature of the deposit dictates the methods of mining that must be used (i.e., surface versus underground mining) and the infrastructure that is needed to support mining (such as storage areas for waste rock and tailings, processing facilities, and associated infrastructure).

obtained at the same time as development of important mineral resources takes place.

9. In addition to remnant indigenous vegetation the wider Macraes area provides large areas of habitat for a variety of indigenous lizards and skinks, some of which are also listed in the NZTCS. The same principles apply where mining development cannot avoid areas of habitat for these important species, and full access to the effects management hierarchy is required.
10. The Macraes area also contains many streams and rivers, some with good biodiversity and ecosystem values. Wetlands too are common, although many are in poor condition with little biodiversity value because they occur on farmland and are not managed for biodiversity and ecosystem services values (other than as a source of stock water)<sup>8</sup>. As with terrestrial values, loss of or adverse impacts on aquatic values cannot always be avoided as mineral development takes place.
11. Mining is not unique in having locational and functional needs that mean adverse effects on other important values cannot always be avoided<sup>9</sup>. This reality for mining, and for other valuable activities such as important infrastructure, landfills, quarrying, and significant urban development is recognised in operative and proposed national statutory planning documents<sup>10</sup> by ensuring that strict ‘avoid’

---

<sup>8</sup> Examples of poor quality wetlands include the ephemeral wetlands impacted by the recently consented (2020) Deepdell Stage III project as part of the Macraes Mine. The curiosity is that these low quality features that provided little to no biodiversity or ecosystem service value and of which there are several thousand local examples can also be described as “naturally uncommon and critically endangered” – see the evidence of Kelvin Lloyd, paragraph 30

<sup>9</sup> Although the constraints on mining are often more significant than for other activities which may have other, more expensive or inconvenient options to avoid adverse effects on significant values. A road or powerline may be able to avoid an area by taking a longer or more technically challenging route. For mining the position is binary. An inflexible requirement to avoid adverse effects in an area where economic mineral deposits occur will mean the mineral development opportunity will be lost, along with all the benefits that entails.

<sup>10</sup> NPSFM; NPSHPL; NPSIB Exposure Draft

policies are not applied universally, and exceptions to such policies are provided. This approach is also found in the Partially Operative RPS for Otago. It is not remarkable or revolutionary. It is reasonable and necessary to ensure that the wellbeing of people and communities is provided for and that other important values on which adverse effects cannot be avoided are also addressed and good outcomes achieved.

12. Aside from the economic importance of mining to Otago's economy, the avoidance policies of the PORPS are inequitable in their effect across different land uses. Like infrastructure, mining's large landforms are disproportionately impacted by avoidance policies. Fencing off a small wetland in the middle of a paddock costs the farmer a single stock unit per season. The same wetland could stop a bridge, a power station or an open pit, with all the economic losses and lost jobs that entails.
13. Macraes Mine is located mostly in a special purpose mining zone in the Waitaki District. Since the operative Waitaki District Plan was put in place the mine has expanded such that it now also includes components located in Rural zoned land in Waitaki<sup>11</sup> and Dunedin City. Macraes Mine is large and complicated. It comprises open pit and underground mines, waste rock and tailings storage facilities, a large processing plant, freshwater storage, explosives and hazardous substance storage facilities, workshops and offices, and a large amount of supporting infrastructure in the form of roads, water pipelines, electrical lines and services, bunds and silt ponds, and so on. Macraes Mine operates under approximately 200 resource consents – mostly issued by Otago Regional Council, but also including land use consents from Waitaki District and Dunedin City

---

<sup>11</sup> The existing special purpose mining zone corresponds with OGNZL's land ownership as at the time the plan was developed. The Waitaki District Council is presently working on a new district plan which it expects to notify in early 2024 and which is likely to update the special purpose mining zone to better reflect the contemporary extent of OGNZL's land ownership and mining activities

Councils. Those consents are issued subject to many conditions with which OGNZL must comply, and which ensure the effects of its activities are managed appropriately and for the sustainable management purpose of the RMA.

14. Macraes Mine has successfully consented multiple activities at the mine site over the past 30+ years, and has an excellent compliance record. OGNZL is a leading and very responsible operator.

15. OGNZL maintains active and healthy relationships with its key stakeholders including the local farming community at Macraes, the Department of Conservation, Waitaki District Council, Kai Tahu, and the consenting and political arms of the ORC.

16. All naturally-occurring gold and silver in New Zealand is the property of the Crown<sup>12</sup>. At Macraes, and elsewhere in New Zealand, OGNZL operates under the authority of mineral permits issued to it by the Crown. These permits authorise OGNZL to prospect, explore and mine for Crown owned minerals, subject to a range of conditions around matters such as minimum levels of expenditure and reporting. Where mining occurs OGNZL is required to pay the Crown a royalty. The royalties paid represent a fair financial return to the Crown for its minerals, and in 2021 OGNZL paid the Crown royalties of \$4.1 million in respect of the Macraes Mine<sup>13</sup>.

17. Mining of Crown owned minerals is recognised nationally as an important activity. The purpose of the Crown Minerals Act “is to promote prospecting for, exploration for, and mining of Crown owned minerals for the benefit of New Zealand”.

18. In order to pursue that beneficial activity OGNZL has purchased the land that it mines at Macraes. Because of OGC’s international ownership all land acquisition

---

<sup>12</sup> Section 10 Crown Minerals Act 1991

<sup>13</sup> Evidence of Shamubeel Equb at paragraph 3.2(d)



has to be approved under the Overseas Investment Act, which ensures that where land in New Zealand is purchased by an “overseas person” an appropriate benefit to New Zealand will follow. The purchase of land for the purpose of mining activities at the Macraes Mine has consistently been found to readily satisfy that test.

*What’s OGNZL’s issue with the PORPS?*

19. Unlike the Partially Operative RPS, the PORPS fails to make appropriate provision for the ongoing needs of mining in Otago, and at Macraes Mine in particular. The PORPS contains:

- a. No direct policy recognition of the importance of mining as an activity in the region, and no policy support for the development of the region’s mineral resources<sup>14</sup>;
- b. No policy recognition of the locational and functional needs of mining and associated activities to take place where the minerals are naturally found<sup>15</sup>;
- c. No supporting policy to manage the tension where important mineral values and other important values co-exist and avoidance policies that inequitably and disproportionately disadvantage the realisation of those mineral values<sup>16</sup>.

---

<sup>14</sup> By contrast, aquaculture, which makes a much smaller contribution to Otago in economic and employment terms, has policy support for its development and operation (CE-P11). The Partially Operative RPS provides policy support for mining activities in rural areas (Policy 5.3.1)

<sup>15</sup> By contrast Partially Operative RPS Policy 5.3.4 is “Recognise the functional needs of mineral exploration, extraction and processing activities to locate where the resource exists”

<sup>16</sup> By contrast Partially Operative RPS Policy 5.4.8 contains a detailed policy addressing the approach to managing adverse effects of mineral development through application of the effects management hierarchy

20. OGNZL does not seek a separate policy framework for mineral development within the new RPS, but does seek changes to parts of the document to address the above deficiencies. Those changes will be discussed in more detail as this hearing proceeds, but principally need to occur in:

- a. LF – LS – Land and soil. This part of the PORPS deals with the identification and protection of land that is important for primary production. Mining is a valuable form of primary production, but as notified (and as now recommended in the Council's 31 October 2022 version) the LF-LS chapter ignores this, and ignores the risk to mining from a failure to recognise and provide for access to important mineral resources, and the importance of ensuring those mineral resources are not 'sterilised'. The notified version conflates provision for primary production with protection of highly productive land for food growing. In other words the provisions only address part of the primary production sector and do not currently address the regional issue of the identification of and ensuring access to important mineral resources as another aspect of primary production.
- b. ECO – ecosystems and indigenous biodiversity. This part of the PORPS deals with, inter alia, the identification and protection of significant indigenous biodiversity values. Unlike other regionally important activities that are locationally or functionally constrained such that they cannot always avoid adversely impacting significant values, the current wording entirely fails to recognise this reality for mineral development.

21. Future development of the Macraes Mine will make an important positive contribution to the region through the provision of jobs, economic and social benefits, and net biodiversity enhancements. As notified in the PORPS, and as

proposed to be amended in Council's evidence<sup>17</sup>, these future benefits will be foregone, and the many jobs provided by Macraes Mine will be lost. This is because the future development of the mineral resource will involve unavoidable adverse effects on areas that qualify as Significant Natural Areas.

22. Unlike the recently completed Partially Operative RPS, and inconsistent with national direction, the PORPS fails to recognise the need to manage this tension. The result is that, as currently worded, the further development of the Macraes Mine's world class mineral resource would be frustrated because mineral development's locational constraints are not recognised and adverse effects on SNAs are simply to be avoided.

23. In opening submissions<sup>18</sup> Mr Logan explained why the Council was proposing a new RPS when the Partially Operative RPS's ink was barely dry. He indicated the following reasons:

- a. the findings of Professor Skelton in his investigation for the Minister for the Environment into the fitness for purpose of Otago's freshwater management regime;
- b. the introduction of the National Planning Standards
- c. the introduction of the new NPSFM and NPSUD in 2020.

24. None of those reasons provides any justification for the wild change in policy now promoted in relation to mineral extraction, and there have been no other policy developments that support such a change<sup>19</sup>.

---

<sup>17</sup> Although I note that further evidence from ORC will be provided suggesting changes required to the PORPS to give effect to the December 2022 amended NPSFM. This evidence will provide another opportunity to the Council to reflect on its treatment of the extractives sector

<sup>18</sup> Opening Submissions for the Otago Regional Council dated 23 January 2022, paragraphs 34 - 46

<sup>19</sup> See also the evidence of Alison Paul at paragraph 63

25. There is nothing in the National Planning Standards that precludes a regional council from identifying and addressing important regional resource management issues, and indeed to infer that the required framework under the National Planning Standard has that effect (i.e., “there is no chapter or topic in the National Planning Standards that readily lends itself to deal with minerals, so we’ll just ignore them”) is inappropriate, and cannot be reconciled with the purpose of a RPS under section 59, and the mandatory contents of a RPS as set out in section 62.
26. The position taken in the PORPS regarding the extractives sector is a major departure from the Partially Operative RPS, and is inconsistent with operative and proposed national direction<sup>20</sup>. The effect that the proposed policy position would have on Macraes Mine, its employees and all those who rely upon it, and consequently on the Waitaki and Dunedin City Districts in particular, has been explained on numerous occasions to ORC staff and consultants, but appears to be met by bewildered disbelief or confusion, and no attempt to fix the problem the notified wording creates.
27. The overall failure of the PORPS to address the regional importance of the extractives sector is addressed at paragraphs 195 – 212 of Section 42A Report 1 – Introduction and general themes (pages 44 – 51). So far as OGNZL’s submission is concerned the analysis is incoherent.
28. At para 205 the Report states (emphasis added):

“As I have stated above in relation to rural land uses more generally, **as a philosophical position the pORPS has not sought to provide policy direction on specific industries or economic uses of resources.** Instead, it focuses on the outcomes sought from the sustainable management of resources and on **putting in place management frameworks to protect or otherwise manage those resources, so that where the resource is available, use can occur (regardless of what that use is).** For this reason, I

---

<sup>20</sup> NPSFM; NPSHPL; Exposure Draft NPSIB

do not recommend including an additional chapter in the pORPS specifically for mining. In my opinion, **if alternative pathways are required then those should be provided for within the relevant chapters of the pORPS.**”

29. If that is true, then why does ECO-P4 identify some economic activities that are to be treated differently where they impact on significant natural area? The framework that has been put in place will result in the use of important mineral resources being unavailable because they co-locate with significant natural areas. This is a complete reversal of the approach in the Partially Operative RPS, and yet no attempt has been made to explain what has fundamentally changed such that this new approach is justified. The current failure of the ECO provisions to identify mineral extraction as a regionally important activity that at times will not be able to avoid impacts on significant natural areas is surely an example where an alternative pathway must be provided (as is the case for infrastructure and important uses of Māori land – ECO-P4). As noted above, avoidance policies are disproportionate in their effect on large, functionally constrained, and regionally important land uses. Some of those uses are recognised in the PORPS by ensuring they are not cut off at the “avoid” pass. But mining is not, and that neither appropriate nor equitable.

30. At paragraph 208 the Report states (emphasis added) “I note that the submission of Oceana Gold specifically highlights the provisions in the ECO chapter and helpfully **sets out, in detail, the issues that arise from the application of those provisions to Macraes Mine**”.

31. Paragraph 211 states (emphasis added):

My preliminary position on the submissions seeking a separate policy framework for managing mining is that **further justification is needed to demonstrate the issues that arise from the application of all of the policy frameworks that the submitters seek an ‘exemption’ from.** If, on the basis of that justification, additional policy direction is required I consider that should be targeted to the provisions where there is evidence demonstrating that amendments should be made. In my opinion, introducing a new policy framework as sought by the submitters should be explored only as a last resort.

32. Given the acknowledgement in paragraph 208, the subsequent statement at paragraph 211 makes no sense as regards the impact of the ECO provisions on Macraes Mine. The OGNZL submission goes to great length to explain exactly what the problem is. As Dr Thorsen states in the ecological evidence forming part of the OGNZL submission<sup>21</sup>, the areas that are proposed to be developed as part of the extension of the existing Round Hill and Golden Bar mining areas within the Macraes Mine footprint include areas that have a high or very high probability of being determined to comprise SNAs. On the current wording of the PORPS such development would not be provided for, irrespective of the extent to which effects on the values in the SNA were being addressed so as to provide for a net biodiversity benefit.
33. In supplementary evidence<sup>22</sup> Ms Boyd addresses a set of proposed changes provided by OGNZL to address the deficiencies of the PORPS regarding provision for extractives. These were provided out of a sense of frustration at ORC's refusal to engage constructively on the topic despite establishing consultation "Reference Groups".
34. Paragraphs 62 – 69 of the supplementary evidence discusses the ECO provisions. Ms Boyd recommends no changes to the ECO provisions. That position is untenable:
- a. ORC is aware of the significance and contribution of the extractives sector and Macraes Mine in particular;
  - b. ORC is aware of the issues that arise from the application of the notified ECO provisions for Macraes Mine – future planned expansions will overlap

---

<sup>21</sup> OGNZL Submission, Appendix 1, paragraphs 54 – 57 and Figures 6 and 7

<sup>22</sup> Brief of Supplementary Evidence of Felicity Ann Boyd dated 11 October 2022

with significant natural areas and a consenting pathway allowing the effects management hierarchy to be considered must be maintained. An absolute 'avoid' policy regarding adverse effects on significant natural areas and the ongoing provision of the Macraes Mine's many benefits cannot co-exist;

- c. The NPSFM provides for this consenting pathway so far as wetlands are concerned and must be given effect to;
- d. The Exposure Draft NPSIB also provides this consenting pathway;
- e. A consenting pathway is maintained for other nominated regionally important and locationally/functionally constrained activities, consistent with the Exposure Draft NPSIB.
- f. A consenting pathway is provided in the Partially Operative RPS, and nothing has changed in the short period since those provisions were developed that justifies a complete policy reversal. On the contrary, the changes that have occurred are:
  - i. Clearer national direction supporting the requirement for mineral development to have access to the same consenting pathway as other important locationally or functionally constrained activities;
  - ii. Recent successful consenting experience at Macraes Mine of an important development of a previously mined area (Deepdell Stage III) that would not have been possible had the ECO provisions in the notified PORPS been in place. ORC was both a consent authority and submitter;
  - iii. Clear and unequivocal information provided to ORC by OGNZL showing that future planned developments at Macraes Mine will unavoidably affect areas that will be assessed as significant when ecological evaluations are undertaken;

- iv. Further information that some biodiversity continues to decline in the face of pest and predator pressure, and uncontrolled or poorly regulated human activities.

35. Much more will be said on this topic in evidence and submissions as the hearing proceeds. What I will say now though is that there is an inconsistency in the ORC's thinking that the Panel will need to make a call on. The section 32 Report at paragraph 440 (page 130) discusses the approach purportedly taken in the drafting of the ECO provisions and says:

"Option 4 [the notified ECO provisions] seeks to retain elements of the PORPS 2019 provisions that continue to be appropriate and relevant while improving the clarity and drafting of those provisions and aligning the policy framework more closely with the draft NPSIB. It is acknowledged that this document is currently in draft form and has no legal weight, however it does indicate the Government's most recent policy position on managing indigenous biodiversity and has been developed over many years with input from a range of stakeholders and experts."

36. By contrast, the subsequent Supplementary Evidence of Ms Boyd for ORC at paragraph 57 and 58 says:

"...At this stage, the draft NPSIB is not in force and therefore there is no clarity about the content the Council may be required to give effect to. There is also no legal requirement for the Council to consider its content. I note that the draft NPSIB has been under development since 2011 and to date no version of it has come into force.

A similar rationale applies to the NPSFM and the NESF. Although it is not clear from the correspondence from OGNZL, I understand the submitter is referring to proposed amendments to these documents that were consulted on from May to July 2022. At the time of writing, those changes had not been formally incorporated into the NPSFM or the NESF and so remain draft proposals with no legal weight. In my opinion, there is little value in attempting to pre-empt the decision-making of the Government and it is more efficient (and likely effective) for the Council to consider its implementation of national direction as and when that direction comes into force."

37. The position outlined in opening submissions by Mr Logan reflects Ms Boyd's opinion. Mr Logan did not address the ORC's section 32 report which says quite the opposite. While it must be true that the final form of the NPSIB may not be identical with that of the Exposure Draft, that rather misses the point. The draft NPSIB, in all its iterations - from the initial concept developed by the Biodiversity Collaborative Group, to the most recent Exposure Draft - has always contained a recognition that some consenting pathway for mineral development must be



maintained where those minerals intersect with significant natural areas. Sustainable management and the enabling of people and communities to provide for their wellbeing require it, the Partially Operative RPS provides it, and the Macraes Mine cannot survive without it. It is incredibly short-sighted of the ORC to proceed on the basis that there is no NPSIB in place and to refuse to acknowledge its clearly signalled policy direction or the implications of that for the PORPS, and instead to promote an approach that effectively says to a major regional industry (that consistently meets its resource management obligations) that it will only provide for it, begrudgingly, if national direction forces it to do so. Such an approach makes very poor policy.

38. Providing to mineral development the same access to a consenting pathway as is provided for other important and constrained activities is not a recipe for biodiversity decline, and it is not an “exception”. It is an opportunity for an applicant to design and promote an approach that ensures impacts on biodiversity are, at worst, net neutral, and preferably net beneficial. If that cannot be shown, then a proposal should expect to struggle to gain approval. OGNZL has demonstrated it knows how to get the job done. It invests in major biodiversity initiatives as a key part of its business, because that’s what it needs to do to stay in business, and because it is the right thing to do. It only seeks the opportunity to continue to do what has been working so well in recent years to both secure the ongoing benefits of mining, and to ensure that other important values are appropriately recognised and protected, and in many cases enhanced.

39. OGNZL is eager to continue to contribute to this hearing to assist the Panel as you work your way through the various provisions. Without doubt, the document in its current form is unacceptable to OGNZL and must be amended to address the failings identified in OGNZL’s submission. It simply cannot be right to make operative a policy statement that unnecessarily spells the end of future

development of Otago and New Zealand's largest and most successful operating mine, with all that entails for employment and people's wellbeing. Previous consent applications at Macraes Mine have been granted on the basis of evidence that unavoidable effects on the values of significant natural areas are able to be successfully managed to produce good outcomes and that further development of the mineral resources in those circumstances promotes the sustainable management purpose of the RMA.

40. It cannot be right to make operative a policy statement that pulls in the opposite direction to what central government is saying, even if central government cannot, for whatever reason, get on and formalise those policies.

41. OGNZL would welcome the Panel to the Macraes Mine for a site visit, and hopes you will have the opportunity to view the mine workings and some of the many environmental and biodiversity enhancements that are undertaken. OGNZL and its staff and contractors are proud of what they do, and they are enthusiastic to show the Panel why the direction of the notified PORPS in seeking to prevent further developments at the Macraes Mine is such a very poor choice.



S Christensen/J St John

Counsel for Oceana Gold (New Zealand) Limited