

IN THE MATTER OF

The Resource Management Act 1991

AND

IN THE MATTER OF

Applications made to the Otago Regional Council
and the Waitaki District Council

(Consent Authorities)

BY

OCEANA GOLD (NEW ZEALND) LIMITED

(the Applicant)

For the hearing of **RM20.024 and
201.2019.1454.001, 201.2013.360.2, 201.2016.1
and 201.2019.1241.1** associated with the with
the Deepdell North Stage III Project

MEMORANDUM 1 TO PARTICPANTS

6 July 2020

PURPOSE

- 1 This memorandum sets out the statutory process leading up to hearing of these applications. The hearing is scheduled to commence at 9.30AM on Wednesday 19 August 2020 at Dunedin Venues, Conference Room 1, Town Hall building in the Octagon, Dunedin.

BACKGROUND

- 2 The Applicant has applied for a suite of resource consent applications associated with the proposed Deepdell North Stage III Project. The proposed project involves three main components: the re-mining of the existing Deepdell North mine pit and extending it from 18.7ha to 38ha; the creation of a new waste rock stack covering 70.6ha; and the re-alignment of a 900m section of Horse Flat Road. Associated activities include discharges to air and water, and the diversion and/or reclamation of several small watercourses.

- 3 A number of applications have been made to each of the Otago Regional Council (ORC) and the Waitaki District Council (WDC). The ORC is the administering authority for the hearing.
- 4 A hearing panel has been appointed, comprising WDC Councillor Jim Hopkins and independent commissioner Dr Brent Cowie (chair). The panel will hear and decide the applications jointly.
- 5 The applications were publicly notified with submissions closing on 29th May 2020. Six submissions were received from Appin Farms Limited, Neil J. Roy, Macraes Community Incorporated, Aukaha, Director-General of Conservation (Department of Conservation), and the Otago Regional Council. Of the six submitters, five stated that they wish to be heard.

STATUTORY TIMETABLE

- 6 The Resource Management Act 1991 (the RMA) prescribes a process leading up to a hearing that involves pre-circulation of: one or more “Officer Reports” prepared under the provisions of S42A of the Act; and any expert evidence that the applicant or submitters intend to call.
- 7 For this hearing the statutory timetable is shown in the below table:

Due Date	Action	Explanation
Friday 29 May 2020	Submissions Closed	
Tuesday 28 July 2020	s42A reports prepared by or on behalf of the ORC and WDC, along with any supporting reports, to be completed and forwarded.	These reports will enable the applicant and submitters to assess and comment on the council reports when preparing their evidence and/or submissions for the hearing.
Tuesday 4 August 2020	All expert evidence from the applicant is to be filed with Otago Regional Council.	This will enable the applicant’s expert evidence to be read and assimilated by all parties to the hearing.
Tuesday 11 August 2020	Any expert evidence to be called on behalf of submitters is to be filed with Otago Regional Council.	This will enable any expert evidence called by submitters to be read and assimilated by all parties to the hearing
Wednesday 19 August 2020	The hearing commences at 9.30AM.	The venue is Dunedin Venues, Conference Room 1, Town Hall building in the Octagon, Dunedin
Thursday 20 and Friday 21 August 2020.	The hearing will continue as necessary.	

DIRECTIONS

- 8 The following directions are to achieve the timetable outlined above.
- 9 All the pre-circulated material is to be supplied to Karen Bagnall at Otago Regional Council by 2pm on the dates specified. She will then arrange for this material to be circulated to all the parties involved in the hearing. Her email address is karen.bagnall@orc.govt.nz, or she can be contacted on 03 470 7447,

Regulatory Authority's Evidence

- 10 Pursuant to section 42 A (3) of the RMA, any report prepared by or on behalf of the WDC and/or the ORC, along with any supporting technical reports, must be supplied to Karen Bagnall, Otago Regional Council by **2pm on Tuesday 28 July 2020**.

Applicant's Expert Evidence

- 11 Pursuant to section 41B of the RMA, any expert evidence to be called by the applicant must be supplied to Karen Bagnall, Otago Regional Council by **2pm on Tuesday 4 August 2020**.

Submitters' Expert Evidence

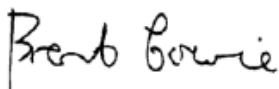
- 12 Pursuant to section 41B of the RMA, any submitter who intends to call expert evidence must supply to Karen Bagnall, Otago Regional Council by **2pm on Tuesday 11 August 2020**, a copy of any statement of expert evidence the submitter intends to call at the hearing.
- 13 The above direction to submitters relates only to any expert evidence they intend to call. It does not apply to statements by lay witnesses and submitters themselves. Evidence presented by lay witnesses either orally or (preferably) in writing is welcome at the hearing.

SUPPLY OF DOCUMENTS

- 14 The applicant and submitters should supply copies of their evidence in electronic pdf format (or, alternatively, one printed copy) to Karen Bagnall by the deadlines stipulated above.
- 15 Otago Regional Council shall circulate copies of all evidence by e-mail, and hard copies (if requested), shall be posted as soon as practicable after the evidence is received. Copies of all material received will also be uploaded onto the Council website at the following link: <https://www.orc.govt.nz/consents/current-notified-applications/oceana-gold-new-zealand-limited-rm20024>

HEARING PROCEDURE

- 16 The hearing will commence with the applicant's case. This will be followed by submitters to the application, and next from the reporting officer(s) (whose report(s) will be taken as read) before the applicant's right of reply.
- 17 The reporting officers are encouraged to give written updates of the matters that have arisen during the hearing when they give their presentations.
- 18 Submitters who wish to be heard are asked to liaise Karen Bagnall as to when may be an appropriate time for them to present their submissions and/or evidence. A draft timetable will be provided before the hearing, and may be updated as the hearing proceeds.
- 19 Pre-circulated expert evidence will be taken as read. Experts appearing for the applicant or submitters may prepare a short presentation summarising their evidence (such as via Power Point). This should not take more than 20 minutes. Copies of any such presentation should be sent to Karen Bagnall by Monday 17 August, so they can be loaded on to a hard drive.
- 20 All legal submissions and planning reports by the applicant and submitters, and lay evidence, can be read in full at the hearing.
- 21 Any questions about this memorandum or the directions given should be directed to Karen Bagnall at Otago Regional Council. She will confer with the Commissioners as necessary.



Signed by Brent Cowie (Chair)