

**Otago Regional Council
DIRECTIONS OF THE COMMISSIONERS**

Introduction

- [1] Pursuant to section 34A(1) of the Resource Management Act 1991 (**RMA**), the Otago Regional Council (**ORC**), Waitaki District Council (**WDC**) and Dunedin City Council (**DCC**) have delegated to independent commissioners Rob van Voorthuysen, Louise Taylor and Ros Day-Cleavin the functions of hearing and deciding Oceana Gold (New Zealand) Limited's (**OGL**) applications for consents to authorise activities associated with the site-wide expansion of mining activities at the Macraes Gold Project (**MGP**).

Hearing

- [2] The OGL consent hearing is scheduled to commence on **Tuesday 22 July 2025**. A hearing timetable will issued by ORC at a later date once the submission period closes and the number of submitters wishing to be heard has been confirmed.
- [3] The hearing will commence at **9.00 am** each day. The venue will be in Dunedin and will be confirmed at a later date.
- [4] The following directions relate to the hearing:
- (a) The order of appearance will be:
 - OGL
 - Submitter(s)
 - The Councils' Section 42A Report author(s)
 - OGL's right of reply (which may be given at the hearing or in writing thereafter)
 - (b) In light of the scale and complexity of the OGL applications, we have doubled the usual RMA reporting and evidence circulation timeframes.
 - (c) OGL is directed to provide draft consent conditions to the ORC Hearing Administrator (in Microsoft WORD format) on or before 30 April 2025.
 - (d) Section 42A Reports¹ from the three Councils will be available on or before **Monday 9 June 2025**, allowing OGL and submitters to have regard to their contents when preparing their evidence. It would be extremely helpful to the commissioners if OGL and submitters could indicate in their evidence if they agree or disagree (with reasons) with the Section 42A Report authors' recommendations.
 - (e) The ORC prepared a very comprehensive Notification Report dated 20 March 2025. That Report described the OGL activity for which consents are sought, the MGP's consenting history, a description of the surrounding and receiving environment, the consented mining activities, the proposed future operation of the MGP, the activity status of the applications, the potential adverse effects of the proposal, the opinions of the OGL's technical experts regarding those effects and the opinions of the Councils' expert peer reviewers.
 - (f) Notification Reports were also produced by the WDC (dated 12 February 2025) and DCC (dated 18 March 2025).
 - (g) The Section 42A Reports need not repeat any of the information contained in the Notification Reports but may cross-refer to it. However, the Section 42A Reports should update any of the information contained in the Notification Reports. For the ORC that includes any revised or updated opinions of the expert peer reviewers and the Consents Planner. The Section 42A Reports should contain a suite of recommended consent conditions, using the conditions provided by OGL as a starting point (see paragraph [4](c))

¹ A Section 42A Report includes a discussion of the application and the submissions. It recommends (with reasons) whether the consent applications should be granted or not. That recommendation does not bind the Commissioners.

above).

- (h) Pursuant to section 41B(2) of the RMA, OGL is directed to provide their expert² evidence and non-expert evidence (if any) to the ORC Hearings Administrator no later than **2.00pm** on **Monday 23 June 2025**.
- (i) If experts for the OGL intend to base their evidence on technical reports that they authored, and which were included as part of the application, then the experts need not repeat material contained in those reports in their evidence. It will be sufficient for the evidence to cross-refer to that material.
- (j) Evidence prepared by the OGL experts should focus on areas of disagreement with the Councils' expert peer reviewers and the matters raised by submitters.
- (k) The OGL's planning expert should address the recommended consent conditions in the Section 42A Reports and provide precise wording for any suggested amendments to those conditions, along with reasons for those amendments.
- (l) Pursuant to section 41B(3) of the RMA, submitters who intend to call expert evidence in support of their submissions are directed to provide a written statement of that evidence to the ORC Hearings Administrator no later than **2.00pm** on **Monday 7 July 2025**.
- (m) If submitters intend to provide written evidence themselves, or have non-expert people appear on their behalf, then they are requested and strongly urged to also provide a written statement of that evidence to the ORC Hearings Administrator no later than **2.00pm** on **Monday 7 July 2025**.
- (n) Evidence prepared by the submitters' experts should focus on areas of disagreement with the OGL experts and/or the Councils' expert peer reviewers. It would be helpful if submitters (or their experts) could address the recommended consent conditions in the ORC Section 42A Report and provide precise wording for any suggested amendments to those conditions, along with reasons for those amendments.
- (o) If submitter evidence to be presented by non-expert people is not provided to the ORC Hearings Administrator by the above date, then those people should bring ten (10) hard copies to the hearing.
- (p) If any party intends to present to the hearing by way of video conferencing (for example using Zoom or Teams), then any written material that will be referred to (such as statements of evidence, speaking notes or reports) as part of the presentation must be provided to the ORC Hearings Administrator no later than **three working days prior** to that party's attendance at the hearing. This will allow the commissioners to follow what is being presented.
- (q) If the OGL proposes to have legal counsel present opening legal submissions, then counsel is requested to provide their submissions to the ORC Hearings Administrator no later than **2.00pm** on **Friday 11 July 2025**.
- (r) If any submitter proposes to have legal counsel present legal submissions on their behalf, those counsel are requested to provide their submissions the ORC Hearings Administrator no later than **2.00pm** on **Wednesday 16 July 2025**.
- (s) All original submissions, pre-circulated evidence and legal submissions will be taken as read at the hearing. Accordingly, pursuant to section 41C(1)(b) of the RMA, OGL and submitters are directed that all such material will not be read aloud at the hearing, as that would be an inefficient use of time as the commissioners will have already read it.
- (t) At the hearing expert witnesses may table and read aloud supplementary or rebuttal evidence responding to any expert evidence lodged by other parties. The commissioners anticipate that any such evidence will be concise.
- (u) All people appearing at the hearing will be allowed to verbally and briefly highlight key points from their evidence or legal submissions for the benefit of the commissioners. The

² Expert evidence is that written by qualified planners, engineers or scientists.

commissioners will then ask any questions that they may have.

- (v) Should any submitter wish to speak in Te Reo, utilise Sign Language, or utilise visual aids (PowerPoint, etc) they are requested to liaise directly with the ORC Hearings Administrator, as soon as possible, but prior to **Friday 4 July 2025** regarding their needs.

Website

- [5] All information relevant to the hearing may be found on the ORC website:

<https://www.orc.govt.nz/consents-and-compliance/current-notified-applications/oceana-gold-new-zealand-limited-rm24184/>

Correspondence

- [6] Participants must not attempt to correspond with or contact the commissioners directly. All correspondence relating to the hearing must be addressed to the ORC Hearings Administrator, Rochelle Stevenson.

Service on the Councils

- [7] All evidence and legal submissions addressed by this Minute must be lodged with the ORC:
- Preferably by email to consents.applications@orc.govt.nz
or
 - By post addressed to Rochelle Stevenson, Otago Regional Council, Private Bag 1954, Dunedin 9054.
- [8] Evidence and legal submissions lodged **must** be provided in Microsoft WORD format. The documents must be 'unlocked' so that they can be easily annotated by the Commissioners.



Rob van Voorthuysen
On behalf of the commissioners
3 April 2025