

From: [Ethan Glover](#)
To: [Marian Weaver](#); [Phil Petersen](#)
Cc: [Matthew Curran](#); [Shay McDonald](#)
Subject: RE: MP4 NES-CS possible consent requirement for disturbance of HAIL site
Date: Wednesday, 5 March 2025 12:56:52 p.m.
Attachments: [image005.pdf](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)
[A1100001.pdf](#)
[Letter to NES Soil consents 5.3.25.pdf](#)

Hi Marian and Phil,

Please find attached a letter to address this matter.

Kind regards,

Ethan

 **Ethan Glover**
Associate

+64 27 343 6936 | PO Box 489, Dunedin 9054
www.mitchelldaysh.co.nz

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From: Marian Weaver <marian@mweaver.co.nz>
Sent: Wednesday, 5 March 2025 10:48 am
To: Ethan Glover <Ethan.Glover@mitchelldaysh.co.nz>
Cc: Matthew Curran <Matthew.Curran@oceanagold.com>; Phil Petersen <Phil.Petersen@dcc.govt.nz>; Shay McDonald <shay.mcdonald@orc.govt.nz>
Subject: RE: MP4 NES-CS possible consent requirement for disturbance of HAIL site

Hi Ethan it would be fine to include the application under the NES in a letter to accompany the updated AEE.

regards

Marian Weaver

marian@mweaver.co.nz

0274736026

Weaver Consulting Ltd

On 04/03/2025 16:08 NZDT Ethan Glover <ethan.glover@mitchelldaysh.co.nz> wrote:

Hi Marian and Phil,

Thanks for your emails below. There are some inconsistencies in how the NES Soil has been applied at Macraes (and other ongoing operations that are HAIL sites by definition). OceanaGold is considering its position on this matter and will respond ASAP.

If OceanaGold decides to apply for consent under the NES Soil, would it be acceptable to do this via a letter? There's some reluctance to update the AEE yet again.

Regards,

Ethan

 **Ethan Glover**
Associate

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From: Marian Weaver <marian@mweaver.co.nz>
Sent: Tuesday, 4 March 2025 2:30 pm
To: Ethan Glover <Ethan.Glover@mitchelldaysh.co.nz>
Cc: Shay McDonald <shay.mcdonald@orc.govt.nz>; Phil Petersen <Phil.Petersen@dcc.govt.nz>
Subject: Fwd: MP4 NES-CS possible consent requirement for disturbance of HAIL site

Hi Ethan, Please see email below.

In the updated AEE can you please include reference to the NES for the disturbance of HAIL sites. It will not require separate consents under the NES, as consent documents can refer to consent being sought under the NES as well as the RMA.

regards

Marian Weaver

marian@mweaver.co.nz

0274736026

Weaver Consulting Ltd



----- Original Message -----

From: Phil Petersen <Phil.Petersen@dcc.govt.nz>
To: Marian Weaver <marian@mweaver.co.nz>
CC: Shay McDonald <Shay.McDonald@orc.govt.nz>
Date: 04/03/2025 10:37 NZDT
Subject: MP4 NES-CS possible consent requirement for disturbance of HAIL site

Kia ora Marian,

The thought did occur to me last night that consents haven't been applied for by OGL under the NES-CS (or permitted activity status verified via Regulation 8(3) Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011) in that the soil disturbance activities associated with the MP4 brownfields mining are occurring on the following registered HAIL Sites:

- o HAIL.02136.01 Macraes Mine - Coronation Section (Verified HAIL)
- o HAIL.01146.01 Macraes Mine (Verified HAIL)
- o HAIL.01147.01 Macraes Golden Bar Pit (Verified HAIL)

This is something that needs to be addressed prior to notification at least to the point of whether WDC and DCC resource consents are being sought by OGL under the NES-CS or not.

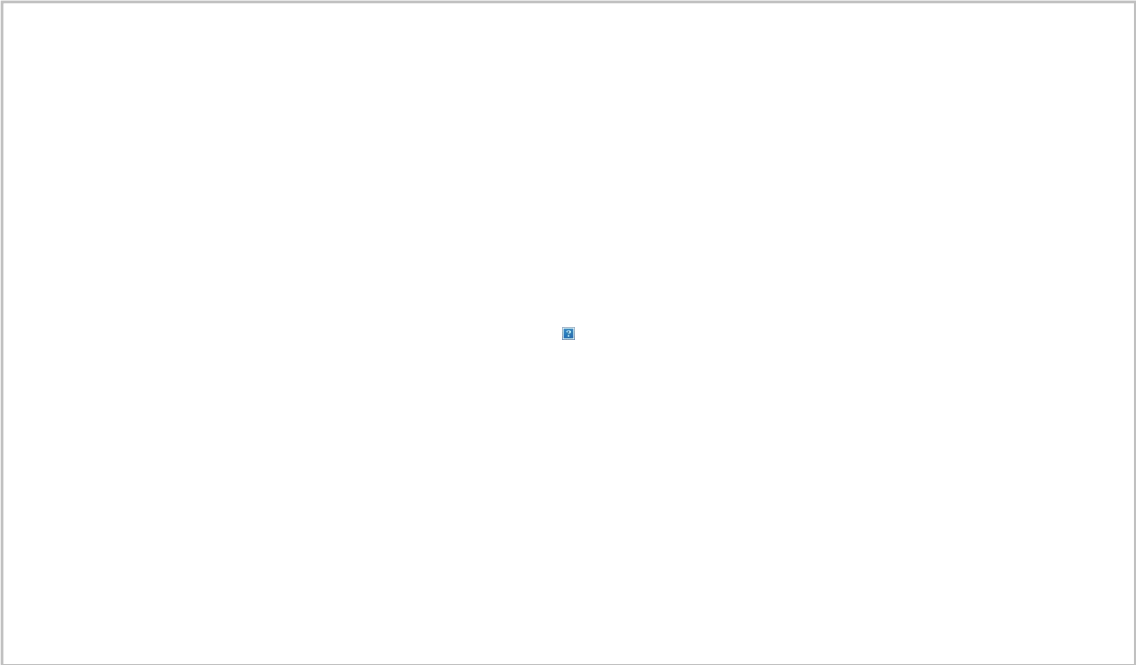
I am happy to take this matter to OGL and request that this consent requirement is clarified – noting that the existing AEE touches on NES-CS matters in Chapter 5 (effects assessment) and Chapter 9 (Statutory

documents Obs and pols assessments), but does not address this matter in terms of NES activity status under Chapter 4 (Resource consent requirements for the Project).

Can you please provide any relevant comment and confirm you are happy for me to make this query?

Regards

Phil



Phil Petersen
PLANNER/KAIMAHERE
RESOURCE CONSENTS/ TOHU WHAKAMAHI RAWA
P 03 477 4000 DD 03 474 3492 | phil.petersen@dcc.govt.nz
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I work Monday – Thursday inclusive.



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5 March 2025

Marian Weaver
Consultant Planner
Waitaki District Council
Via email: marian@weaver.co.nz

Phil Petersen
Planner
Dunedin City Council
Via email: phil.petersen@dcc.co.nz

Dear Marian and Phil

RE: WDC 201.2024.2373 and DCC LUC-2024-126 – Macraes Phase 4 resource consent applications

It has been brought to OceanaGold's attention that the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 ("NES Soil") *may* be applicable to the Macraes Phase 4 Project to the extent that the proposal includes the disturbance of soil where previous mining activities have occurred.

The mining activities that have occurred to date at the Macraes Gold Project are captured by the following listing in the Hazardous Activities and Industries List ("HAIL"):

Mining industries (excluding gravel extraction) including exposure of faces or release of groundwater containing hazardous contaminants, or the storage of hazardous wastes including waste dumps or dam tailings

The MP4 Project will include the disturbance of soil within existing mining areas that will exceed the permitted thresholds and other standards in Regulation 8(3) of the NES Soil.

The disturbance of soil will occur in direct connection with the continuation and expansion of the existing HAIL activity at the site and will not pose a risk to human health. This is a scenario that is not contemplated by the NES Soil and in the past resource consents have been granted for activities involving soil disturbance within existing mining areas without consideration of the NES Soil. It is appreciated, however, that there are circumstances where OceanaGold has sought resource consents under the NES Soil out of an abundance of caution. Where this has been the case, the land use consents have not been subject to any conditions specific to

matters related to soil contamination and human health. i.e. Resource consents under the NES Soils have been dealt with as a formality.

In response to your request received via email on 4th March 2025, OceanaGold agrees that if the NES Soil applies to the MP4 Project, resource consent is required under it. Because no Detailed Site Investigation exists, resource consent would be required for a discretionary activity in accordance with Regulation 11.

Out of an abundance of caution and on a without prejudice basis, please consider this letter as OceanaGold's formal application for resource consent under the NES Soil. This application does not result in any additional adverse effects on the environment or the need for any additional mitigation measures beyond those already discussed in the MP4 Project Assessment of Environmental Effects.

Yours sincerely

A handwritten signature in black ink, consisting of a stylized 'M' followed by a long horizontal stroke that curves slightly upwards at the end.

Matt Curran
Senior Consenting Advisor
Oceana Gold (New Zealand) Limited

Encl