

**Oceana Gold (New Zealand) Limited's Submission**  
**Proposed Second Generation District Plan for Dunedin**

*Pursuant to Clause 6 Schedule 1 of the First Schedule, Resource Management Act 1991*

**To:** Submission on PC1  
Dunedin City Council  
PO Box 5045  
Moray Place  
Dunedin 9054

**Email:** districtplansubmissions@dcc.govt.nz

**Name of submitter:** Oceana Gold (New Zealand) Limited ("**OceanaGold**")

**This is a Submission on:** Plan Change 1 – Minor Improvements [PC-2024-1] [formerly known as Variation 3] ("**PC1**") which opened for written submissions on Wednesday 20 November 2024.

**Introduction**

1. OceanaGold is a wholly owned subsidiary of Oceana Gold Corporation ("**OGC**"). OGC is a publicly listed company on the Toronto stock exchange.
2. OGC is a significant multinational gold producer, with a portfolio of operating, development and exploration assets. OceanaGold's current operating assets in New Zealand consist of two open pit mines (Macraes and Waihi) and two underground mines (Golden Point at Macraes and Martha at Waihi). OGC also owns and operates open pit and underground mines at Didipio in the Northern Philippines and in South Carolina, USA.
3. The Macraes open pit and Golden Point underground mines are located approximately 30 kilometres ("**km**") to the northwest of Palmerston in the Otago Region. Most of the mining activities (including processing) take place in the Waitaki District, but development at Coronation and Coronation North has seen activities extend into the adjacent Dunedin City area, and OceanaGold holds land use consent from the Dunedin City Council ("**DCC**") in relation to these pits, waste rock stacks, and associated activities. Further gold resources are located inside the Dunedin City boundary and are within OceanaGold's mining and exploration permit areas. Further development of the Macraes Gold Project ("the **MGP**") within the Dunedin City boundary is highly probable.
4. The MGP exists within a relatively remote rural environment. Farming is the predominant adjacent land use, together with some limited areas of plantation forestry. There are no townships or settlements within Dunedin City affected directly by the presence of the MGP (the nearest townships are Hyde and Middlemarch). Within the Waitaki District most of the MGP activities occur within a special purpose mining zone (the Macraes Mining Project Mineral Zone) with the balance in the Rural Scenic Zone. In Dunedin City the relevant zoning of the MGP (including areas that may be developed in the future) under the Partially Operative Second Generation Dunedin City District Plan ("**2GP**") is High Country Rural.
5. The MGP has been operating continuously since 1990. To date, over 5 million ounces of gold have been produced. The current mining continues the long history of significant contribution from this sector to the wellbeing of Otago and its communities. The role OceanaGold's

operations play in the economy of the Waitaki District and Dunedin City is particularly significant, but its impacts are also felt throughout Otago and the national economy.

6. OceanaGold has resource consents from the Otago Regional Council ("**ORC**"), Waitaki District Council ("**WDC**") and DCC that allow it to continue operating at the MGP. There remains significant potential for the life of the MGP to be extended. Whether this will happen depends in part on whether OceanaGold is able to operate as a permitted activity or to secure the necessary resource consents on satisfactory conditions to enable further development of the MGP. That in turn will be affected by the contents of the relevant regional and district plans and regional policy statement, including the 2GP and this PC1.
7. PC1 is described as making "targeted minor improvements to the 2GP" and changes that "respond to issues identified through implementation of the 2GP, feedback from plan users, and monitoring of plan effectiveness". OceanaGold is interested to ensure that none of those minor changes have unintended consequences on the MGP. This submission identifies the specific provisions of PC1 that OceanaGold wishes to submit on.
8. OceanaGold is not a person who could gain an advantage in trade competition through this submission, pursuant to clause 6 of Schedule 1 of the Resource Management Act 1991 ("**RMA**").

### **Submissions**

9. The specific provisions of PC1 that this submission relates to are summarised in the Table below.

Provision	Text submission relates to / Change	Support or Oppose	Submission / Relief Sought
1.4.1 Definitions			
Building	<p>A structure that includes a roof that is, or could be, fully or partially enclosed with walls.</p> <p>The definition of building includes:  <u>a movable building (e.g. a tiny home on wheels or a caravan); and</u>  <u>the parts of a buildings defined as building utilities and rooftop structures. [Change Res7]</u></p> <p>For the sake of clarity, water or other storage tanks, other than as captured in the definition of building utilities, are a structure not a building.</p>	Oppose	<p>Clarity is required on the meaning of 'moveable'.</p> <p>Is this to be interpreted narrowly e.g. moveable using its own wheel assembly structure (like a tiny home or caravan); or more broadly e.g. moveable using an external force (like a container being moved by hiab crane as often occurs at OceanaGold's MGP). If the latter OceanaGold considers this has wider implications than may be intended and does not support this change.</p>
<u>Construction and Site Investigation</u>	<p>The use <u>or storage</u> of plant, tools, gear, or materials <u>or relocatable site offices either onsite or offsite [Change TA4]</u> as part of <u>one or more of the following: site investigation (including test piles or boreholes for the purpose of geotechnical, contamination, underground water, or hazard assessments); the erection, installation, repair, maintenance, alteration, dismantling or demolition of any building or structure; or site development. This definition includes all work from site preparation investigation to site restoration, including the driving of piles for building foundations. It also includes any earthworks as part of site investigation provided that the ground is reinstated within 48 hours. [Change Earth1]</u></p> <p>This definition does not include any resultant buildings, structures or site development activities (including demolition or removal for relocation), which are separately defined under development activities or citywide activities. <u>It also does not include site investigation provided for under the definitions of mineral exploration and mineral prospecting. [Change Earth1]</u></p> <p><u>Construction and site investigation</u> is an activity in the temporary activities category. <b>[Change Earth1]</b></p>	Partially support	<p>OceanaGold acknowledges the definition intends to exclude site investigation provided for under the definitions of mineral exploration and mineral prospecting. However this new definition would appear to still capture a range of mining related activities including geotechnical investigations.</p> <p>The definition should exclude all site investigation related to mineral prospecting, exploration <u>and mining</u>.</p> <p>OceanaGold records its interest in relation to all provisions affected by Change Earth1 (the provisions affected are extensive and OG has not submitted individually on every provision) and requests that the relief sought above, and/or consequential amendments, be applied consistently across all affected provisions.</p>

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Ground Level	<p><u>Ground level is:</u></p> <ul style="list-style-type: none"> <li>• <u>the finished surface of the ground after the most recently completed subdivision (when the record of title was created), where earthworks were assessed as part of that subdivision (see Figure 1.4.1Y); or</u></li> <li>• <u>if no earthworks have been assessed as part of a completed subdivision, the surface of the ground prior to any other identifiable earthworks on the site (see Figure 1.4.1Z); or</u></li> <li>• <u>if previous earthworks are not identifiable on the site, the existing surface of the ground; or</u></li> <li>• <u>if, in any case, a retaining wall or retaining structure crosses a site boundary, the existing surface of the ground where it intersects with the retaining wall or retaining structure (see Figure 1.4.1AA). [Change D18]</u></li> </ul>	Oppose	At MGP 'ground level' frequently changes. Clarification is required as to what constitutes 'identifiable earthworks' as this may have implications (potentially unintended) for the MGP and any future subdivision.
High Trip Generators	<p>The group of activities which includes:  new or additions to parking areas that result in 50 or more new parking spaces; and  any <u>new or expansions of land use activities that generate 250 or more vehicle movements per day result in the thresholds in Appendix 6C being exceeded.</u>  <b>[Change CP1]</b></p>	Oppose	<p>Change CP1 seeks to manage HTG "effects on accessibility and the safety and efficiency of the transport network" and the additional provisions that apply to HTG activity (special information requirements and additional policies and assessment guidance) will apply in addition to those for the underlying development or land use activity (refer 6.1 Introduction).</p> <p>It is not clear the extent to which the HTG provisions apply to OceanaGold's MGP.</p> <p>OceanaGold considers the thresholds in Appendix 6C require clarification.</p> <p>OceanaGold records its interest in relation to all provisions affected by Change CP1 (the provisions affected are extensive and OG has not submitted individually on every provision) and requests that the relief sought on this topic, and/or consequential amendments, be applied consistently across all affected provisions.</p>

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2. Strategic Directions			
Policy 2.2.2.1.a	<p>Identify areas important for food production and protect them from activities or subdivision (such as conversion to residential use) that may diminish food production capacity through:</p> <p>a. use of zoning and rules that limit subdivision and <del>residential activity activities</del> <u>other than farming</u>, based on the nature and scale of productive rural activities in different parts of the rural environment; <b>[Change SD1]</b></p> <p>b. consideration of rural productive values, including the location of highly productive land, in identifying appropriate areas for urban expansion; and</p> <p>c. identification of areas where high class soils are present (<b>high class soils mapped area</b>) and use rules that require these soils to be retained on site.</p>	Oppose	<p>The MGP operates on privately owned land and some of the land is leased to tenants for farming activity.</p> <p>“Activities other than farming” is broad and has the effect of protecting farming activity above all other productive rural industry activity, including mining. Mining is a highly productive use of land.</p> <p>The requirement to protect areas important for food production from mining activity could be considered too strong when the NPS-HPL provides a separate pathway for mineral extraction activities on highly productive land. PC1 should give effect to the NPS-HPL.</p> <p>Language used in the NPS-HPL is “avoid inappropriate use and development”. This wording is preferable.</p>
Policy 2.2.3.3.b.iii	<p>Maintain or enhance indigenous biodiversity in the rural environment through:</p> <p>...</p> <p>b. policies and assessment rules that:</p> <p>...</p> <p>iii. create a pathway for residential activities to be established on sites in the rural zones that contravene the minimum site area for residential activity (density standard) where the activity is associated with a significant contribution to the <del>enhancement or protection of biodiversity values</del> <u>an existing area of important indigenous vegetation and/or habitat of indigenous fauna and its enhancement.</u> <b>[Change RU7]</b></p>	Partially support	<p>OceanaGold supports a policy approach that allows residential activity in the rural zone, on a site that doesn’t comply with density standards for the zone, to be considered if there will be a significant contribution to the protection of an existing area of important biodiversity values. However, clarity is sought on what constitutes “important indigenous vegetation and/or habitat of indigenous fauna”?</p>

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Rules			
4.5.1.3.1(c) Development Standards	Any temporary building or structure associated with construction and <u>site investigation</u> are exempt from meeting performance standards for maximum height, height in relation to boundary, and boundary setbacks provided they are erected for no more than 90 days; and <b>[Change Earth1]</b>	Partially oppose	If 'site investigation' did not include OceanaGold's prospecting, exploration or mining activity this 90 day exemption from meeting performance standards would not be opposed, however applying this to prospecting, exploration and mining related site investigation is unworkable.
<u>4.5.3.4</u>	<u>Construction and site investigation [Change TA4; Change Earth1]</u> a. <u>Offsite use and storage of plant, tools, gear, materials or relocatable site offices as part of construction and site investigation must:</u> i. <u>not exceed a maximum duration of 20 weeks per site in any 12 month period;</u> <u>and</u> ii. <u>only be accessed between 7.30am and 6.00pm on weekdays and Saturdays, except public holidays.</u> b. <u>Activities that contravene this performance standard are restricted discretionary activities. [Change TA4]</u>	Oppose	This performance standard adds restrictions to on site investigations which do not currently apply to the MGP and would be unworkable. Ensure that 'site investigation' does not include OceanaGold's prospecting, exploration or mining activity.
4.5.4.1 Construction and site investigation Noise	4.5.4.1 Construction and <u>site investigation [Change Earth1] noise [Change TA3]</u>	Oppose	The proposal is to introduce a new construction and site investigation noise performance standard. If the definition of 'construction and site investigation' does not exclude OceanaGold's prospecting, exploration and mining activities this may have consequences on the MGP, including potentially making some activity non-complying.

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	<p>a. Construction and site investigation <b>{Change Earth1}</b> must not exceed the following relevant noise limits in Rule 4.5.4.1.a.i, Rule 4.5.4.1.a.ii and Rule 4.5.4.1.a.iii, and will be when measured and assessed in accordance with NZS6803:1999 Acoustics Construction Noise: <b>{Change Earth1}</b></p> <p>i. Construction and site investigation <b>{Change Earth1}</b> noise received in the following locations must not exceed the noise limits in the following table, except where Rule 4.5.4.1.X applies: <b>{Change Earth1}</b></p> <ol style="list-style-type: none"> <li>1. residential zones and;</li> <li>2. dwellings in rural and rural residential zones; and</li> <li>3. buildings housing any noise sensitive activities in any other zone the Recreation Zone, centres zones, SSYP, and major facility zones other than Port Zone: <b>{Change PHS6 – bold text also removed}</b></li> </ol> <table border="1" data-bbox="461 531 1196 906"> <thead> <tr> <th rowspan="3">Time of week</th> <th rowspan="3">Time period</th> <th colspan="6">Duration of work</th> </tr> <tr> <th colspan="2">1. Typical duration (dBA)</th> <th colspan="2">2. Short-term duration (dBA)</th> <th colspan="2">3. Long-term duration (dBA)</th> </tr> <tr> <th>LAeq</th> <th>Lmax</th> <th>LAeq</th> <th>Lmax</th> <th>LAeq</th> <th>Lmax</th> </tr> </thead> <tbody> <tr> <td rowspan="4">Weekdays</td> <td>1. 6.30am - 7.30am</td> <td>60</td> <td>75</td> <td>65</td> <td>75</td> <td>55</td> <td>75</td> </tr> <tr> <td>2. 7.30am - 6.00pm</td> <td>75</td> <td>90</td> <td>80</td> <td>95</td> <td>70</td> <td>85</td> </tr> <tr> <td>3. 6.00pm - 8.00pm</td> <td>70</td> <td>85</td> <td>75</td> <td>90</td> <td>65</td> <td>80</td> </tr> <tr> <td>4. 8.00pm - 6.30am</td> <td>45</td> <td>75</td> <td>45</td> <td>75</td> <td>45</td> <td>75</td> </tr> <tr> <td rowspan="2">Saturdays</td> <td>5. 7.30am - 6.00pm</td> <td>75</td> <td>90</td> <td>80</td> <td>95</td> <td>70</td> <td>85</td> </tr> <tr> <td>6. 6.00pm - 7.30am</td> <td>45</td> <td>75</td> <td>45</td> <td>75</td> <td>45</td> <td>75</td> </tr> <tr> <td rowspan="2">Sundays and Public Holidays</td> <td>7. 7.30am - 6.00pm</td> <td>55</td> <td>85</td> <td>55</td> <td>85</td> <td>55</td> <td>85</td> </tr> <tr> <td>8. 6.00pm - 7.30am</td> <td>45</td> <td>75</td> <td>45</td> <td>75</td> <td>45</td> <td>75</td> </tr> </tbody> </table> <p>ii. Construction and site investigation <b>{Change Earth1}</b> noise received in industrial; and Port zones and commercial and mixed-use zones for all days of the year at buildings that do not house a noise sensitive activity must not exceed the noise limits in the following table, except where Rule 4.5.4.1.X applies: <b>{Change PHS6 – bold text also removed}</b></p> <table border="1" data-bbox="510 1010 1196 1093"> <thead> <tr> <th rowspan="2">Time period</th> <th colspan="3">Duration of work</th> </tr> <tr> <th>1. Typical and long-term duration <b>{Change PHS6}</b></th> <th>2. Short-term duration</th> <th>3. Long-term duration <b>{Change PHS6}</b></th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Time of week	Time period	Duration of work						1. Typical duration (dBA)		2. Short-term duration (dBA)		3. Long-term duration (dBA)		LAeq	Lmax	LAeq	Lmax	LAeq	Lmax	Weekdays	1. 6.30am - 7.30am	60	75	65	75	55	75	2. 7.30am - 6.00pm	75	90	80	95	70	85	3. 6.00pm - 8.00pm	70	85	75	90	65	80	4. 8.00pm - 6.30am	45	75	45	75	45	75	Saturdays	5. 7.30am - 6.00pm	75	90	80	95	70	85	6. 6.00pm - 7.30am	45	75	45	75	45	75	Sundays and Public Holidays	7. 7.30am - 6.00pm	55	85	55	85	55	85	8. 6.00pm - 7.30am	45	75	45	75	45	75	Time period	Duration of work			1. Typical and long-term duration <b>{Change PHS6}</b>	2. Short-term duration	3. Long-term duration <b>{Change PHS6}</b>						
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4.5.4.X Construction and site investigation vibration	<p><b>4.5.4.X Construction and site investigation vibration [Change TA3]</b></p> <p><u>a. Construction and site investigation vibration received at buildings or scheduled heritage structures in any zone must not exceed the following vibration limits:</u></p> <table border="1" data-bbox="414 379 1084 539"> <thead> <tr> <th>Location</th> <th>Time period</th> <th>Vibration limit (mm/s PPV)</th> </tr> </thead> <tbody> <tr> <td rowspan="2">A building housing a noise sensitive activity</td> <td>i. 7.00am - 10.00pm</td> <td>2.0</td> </tr> <tr> <td>ii. 10.00pm - 7.00am</td> <td>0.3</td> </tr> <tr> <td>All other buildings and scheduled heritage structures</td> <td>iii. At all times</td> <td>2.0</td> </tr> </tbody> </table> <p><u>iv. except that this standard does not apply to vibration received at buildings located on the same site as the construction and site investigation activity, provided that all of the following apply:</u></p> <ol style="list-style-type: none"> <li><u>1. the building is not a scheduled heritage building;</u></li> <li><u>2. the building and the construction and site investigation activity are in the same ownership; and</u></li> <li><u>3. the building does not house any noise sensitive activities.</u></li> </ol> <p><u>b. For the purposes of this performance standard:</u></p> <ol style="list-style-type: none"> <li><u>i. PPV will be measured in accordance with the International Standard ISO4866: 2010 Mechanical vibration and shock; and</u></li> <li><u>ii. vibration is to be measured at the following locations, closest to the source of vibration:</u> <ol style="list-style-type: none"> <li><u>1. for multistorey buildings, in the corner of the floor of each storey; and</u></li> <li><u>2. for single storey buildings and for scheduled heritage structures, at the foundation, within 500mm of existing ground level.</u></li> </ol> </li> </ol> <p><u>c. Activities that contravene this performance standard by less than 3.0mm/s PPV are discretionary activities.</u></p> <p><u>d. Activities that contravene this performance standard by 3.0mm/s PPV or more are noncomplying activities.</u></p>	Location	Time period	Vibration limit (mm/s PPV)	A building housing a noise sensitive activity	i. 7.00am - 10.00pm	2.0	ii. 10.00pm - 7.00am	0.3	All other buildings and scheduled heritage structures	iii. At all times	2.0	Oppose	The proposal is to replace Rule 4.5.4.1.b with a new vibration performance standard and various associated changes. If the definition of ‘construction and site investigation’ does not exclude OceanaGold’s prospecting, exploration and mining activities this may have consequences on the MGP, including potentially making some activity non-complying.
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	<p><u>General assessment guidance:</u></p> <p>d. In assessing the potential for vibration to cause building damage, resulting in effects on the amenity of surrounding properties, effects on public health and safety, or effects on significant heritage values, Council will consider whether the proposal is in accordance with German Standard DIN 4150–3:2016 Vibrations in Buildings Part 3: Effects on Structures.</p> <p>e. The assessment will consider the proposed construction noise and vibration management plan submitted with the application (see Special Information Requirements Rule 4.11.2).</p>								
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<p>4.10.2.X Construction and Site Investigation vibration</p>	<p>Performance standard</p> <p>X Construction and site investigation vibration <b>[ChangeTA3]</b></p> <p>Guidance on the assessment of resource consents</p> <p><u>Relevant objectives and policies:</u></p>	Oppose	<p>The definition of 'construction and site investigation' should exclude OceanaGold's prospecting, exploration and mining activities.</p> <p>Introduction of the German Standard DIN 4150-3:2016 departs from the use of more familiar</p>						

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	<p><u>a. Objective 4.2.1</u>  <u>b. Temporary activities are designed and operated in a way that minimises, as far as practicable, effects on:</u>  <u>i. the amenity of surrounding properties; and</u>  <u>ii. people's health and safety (Policy 4.2.1.1.a and b).</u></p> <p><u>Relevant guidance from other sections (priority considerations):</u>  <u>c. See Section 13.8 for guidance on the assessment of resource consents in relation to Objective 13.2.1 and effects related to significant heritage values.</u></p> <p><u>General assessment guidance:</u>  <u>d. In assessing the potential for vibration to cause building damage, resulting in effects on the amenity of surrounding properties, effects on public health and safety, or effects on significant heritage values, Council will consider whether the proposal is in accordance with German Standard DIN 4150–3:2016 Vibrations in Buildings Part 3: Effects on Structures.</u>  <u>e. The assessment will consider the proposed construction noise and vibration management plan submitted with the application (see Special Information Requirements Rule 4.11.2)</u></p>		<p>New Zealand Standards. Vibration levels in excess of the DIN criterion does not necessarily result in building damage, but a proposal may be assessed as not 'in accordance with' the Standard because levels are exceeded, even if no damage is caused.</p>
<p>Rule 4.11.2 Special Information Requirements</p>	<p><b><u>4.11.2 Construction noise and vibration management [Change PHS6 &amp; Change TA3]</u></b>  <u>1. For applications for contravention of the construction and site investigation noise performance standard (Rule 4.5.4.1) or vibration performance standard (Rule 4.5.4.X), Council may require a construction noise and vibration management plan prepared by a suitably qualified person that identifies the best practicable options to mitigate and minimise noise and vibration, and provides the following details:</u>  <u>a. a description of the general construction methodology and noise and vibration generating equipment to be used for the works;</u>  <u>b. an assessment of the noise and vibration levels that will contravene the permitted standards, including the degree of the contravention, the time of day it will occur, how often, and over what duration;</u>  <u>c. the worst case and typical construction noise and vibration levels predicted at the most exposed façades of receiving buildings and structures in the surrounding environment;</u></p>	<p>Oppose</p>	<p>'Construction and site investigation' should exclude OceanaGold's prospecting, exploration and mining activities.</p> <p>Rather than being prescriptive the provision should provide flexibility in what the management plan needs to include since its content will be guided by the suitably qualified expert e.g."...,and <u>may</u> provide the following details:"</p>

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	<p><u>d. a description of the potential effects and the level of disruption that is expected from the contraventions in the context of the overall project, the level, timing, frequency, duration, and character of the noise and vibration, the activities at receiving sites, and the existing ambient noise levels (where relevant);</u></p> <p><u>e. a statement that all noise assessments have been undertaken in accordance with NZS 6803:1999;</u></p> <p><u>f. the methodology and sound power levels used to calculate the construction noise levels;</u></p> <p><u>g. for vibration that contravenes Rule 4.5.4.X, an assessment of the potential for damage to receiving buildings or structures based on German Standard DIN 41503: 2016, including whether scheduled heritage buildings or structures, or other buildings sensitive to vibration, are located within the receiving environment;</u></p> <p><u>and</u></p> <p><u>h. the details of the proposed noise and vibration mitigation measures, including:</u></p> <p><u>i. physical measures such as acoustic barriers and shrouds, and any restrictions on plant size and operating distances;</u></p> <p><u>ii. management measures such as consultation with neighbours before the works begin, restrictions on timing for high noise and vibration activities; and</u></p> <p><u>iii. for vibration:</u></p> <p><u>1. preconstruction condition surveys, vibration monitoring, and postconstruction condition assessment processes for potentially affected buildings and structures;</u></p> <p><u>and</u></p> <p><u>2. measures to mitigate vibration effects on scheduled heritage buildings and structures and other buildings sensitive to vibration.</u></p>		
Policy 6.2.2.1	<p><del>Require land use activities whose mobility parking demand either cannot be met by the public parking supply, or would significantly affect the availability of that supply for surrounding activities, to provide mobility <u>car</u> parking either on or near the site at an amount that is adequate to:</del></p> <p><del>a. <u>avoid or, if avoidance is not practicable, adequately mitigate adverse effects on the availability of publicly available mobility parking in the vicinity of the site (including onstreet parking and offstreet facilities); and</u></del></p> <p><del>b. ensure accessibility for residents, visitors, customers, staff and students (as relevant) who have limited mobility, <u>including disabled people, the elderly and people travelling with young children.</u> [Change CP24]</del></p>	Oppose	It is not clear how Policy 6.2.2.1 would apply to the MGP.

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6.2.2.Y	<p><u>Only allow high trip generators where the activity is located:</u></p> <ul style="list-style-type: none"> <li>a. <u>within convenient walking access of sufficient car parking (including any car parking provided onsite) and, where public car parking is relied on, the activity will not significantly impact the availability of that car parking to other nearby activities; and</u></li> <li>b. <u>within convenient walking access of travel modes other than private car, except where the activity is not suited to access by these modes.</u></li> </ul> <p><b>[Change CP1]</b></p>	Oppose	If the MGP is a HTG Policy 6.2.2.Y would appear to “only allow” the MGP to operate if it were located within convenient walking access of car parking and within convenient walking access of travel modes other than private car. It is not clear how this would work as the MGP is located in a rural environment at Macraes.
Policy 6.2.3.4	<p><u>Only allow</u> <del>Require</del> land use activities <del>to ensure that</del> <u>where</u> any overspill parking effects that could adversely affect the safety and efficiency of the transport network are avoided or, if avoidance is not practicable, adequately mitigated. <b>[Change CP24]</b></p>	Oppose	It is not clear how Policy 6.2.3.4 would apply to the MGP. The change ‘only allow’ appears to introduce a prohibition for some land use activity. There may be circumstances where effects on the transport network are justified.
Appendix 6C. High Trip Generators Thresholds	<p><b>Appendix 6C. High Trip Generators Thresholds to be added</b></p> <p><b><u>Land Use Activity</u></b> <u>Mining</u></p> <p><b><u>Threshold (including any existing activity)</u></b> <u>50 vehicle movements per hour or 250 heavy vehicle movements per day, whichever is met first. [Change CP1]</u></p>	Oppose	<p>Change CP1 seeks to manage HTG “effects on accessibility and the safety and efficiency of the transport network”. It is not clear the extent to which the HTG provisions apply to OceanaGold’s MGP.</p> <p>OceanaGold considers the thresholds in Appendix 6C require clarification: 50 vehicle movements per hour for any hour within a day or on average across the day? Or 250 heavy vehicle movements per day <u>on the public transport network</u> vs private haul roads?</p> <p>OceanaGold records its interest in relation to all provisions affected by Change CP1 (the provisions affected are extensive and OG has not submitted individually on every provision) and requests that the relief sought on this topic, and/or consequential amendments, be applied consistently across all affected provisions.</p>

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<u>Policy 13.2.1.10</u>	<u>Only allow construction and site investigation where the adverse effects from vibration on scheduled heritage buildings and scheduled heritage structures are insignificant. [Change TA3]</u>	Partially support	Change insignificant to 'not appropriate' which would allow any vibration effects to be considered in context, and mitigation to be assessed. Otherwise, the current wording "only allow" effectively prohibits site investigation. This may have unintended consequences for mining, unless mining is excluded from Change Earth1 as requested.
<u>13.7.3 Assessment of discretionary performance standard contraventions</u>	Performance standard Construction and site investigation vibration  Guidance on the assessment of resource consents <i>Relevant objectives and policies (priority considerations):</i> a. Objective 13.2.1 b. Adverse effects from vibration on scheduled heritage buildings and scheduled heritage structures are insignificant (Policy 13.2.1.10). <b>[Change TA3]</b>	Partially support	Change insignificant to 'not appropriate' which would allow any vibration effects to be considered in context, and mitigation to be assessed. Otherwise, the current wording "only allow" effectively prohibits site investigation. This may have unintended consequences for mining, unless mining is excluded from Change Earth1 as requested.
<u>Policy 16.2.1.13</u>	<u>Provide for the upgrade and expansion of existing lawfully established rural industry and intensive farming where this will have positive effects on rural productivity and the effects will be adequately managed in line with objectives 16.2.2, 16.2.3 and 16.2.4 and their policies, and the objectives and policies of any relevant overlay zones. [Change RU6]</u>	Partially support	OceanaGold supports the inclusion of this new policy to provide for the upgrade and expansion of "rural industry" which includes mining, but requests recognition of "...positive effects on rural industry productivity..." so that the policy is not limited to providing only for activities that can demonstrate positive effects on farming or agricultural productivity.

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16.11.2 Assessment of discretionary land use activities	<p>3. • Rural industry • Rural contractor and transport depots - large</p> <p><i>Relevant objectives and policies (priority considerations):</i> a. Objectives 2.2.2, 16.2.2, 16.2.3, 16.2.4, 5.2.1 b. Adverse effects on rural character and visual amenity from large scale development will be avoided or minimised as far as practicable (Policy 16.2.3.5).</p> <p>Printed: 5/9/2024 <span style="float: right;">Page 311</span></p>  <p><b>16.11.2 Assessment of discretionary land use activities</b></p> <table border="1" data-bbox="412 746 1339 1161"> <thead> <tr> <th data-bbox="412 746 613 785">Activity</th> <th data-bbox="613 746 1339 785">Guidance on the assessment of resource consents</th> </tr> </thead> <tbody> <tr> <td data-bbox="412 785 613 1161">scale</td> <td data-bbox="613 785 1339 1161"> <p>c. Any adverse effects on the amenity of residential activities on surrounding properties will be avoided or, if avoidance is not practicable, adequately mitigated (Policy 16.2.2.5).</p> <p>d. Activities other than farming are only allowed on highly productive land where the scale, size and nature of the activity means the loss of current or potential future rural productivity would be insignificant in any <b>high class soils mapped area</b> and no more than minor in other areas of highly productive land (Policy 16.2.4.2.a).</p> <p><u>X. The upgrade and expansion of existing lawfully established rural industry is provided for where this will have positive effects on rural productivity and the effects will be adequately managed in line with objectives 16.2.2, 16.2.3 and 16.2.4 and their policies, and the objectives and policies of any relevant overlay zones (Policy 16.2.1.13). <b>[Change RU6]</b></u></p> </td> </tr> </tbody> </table>	Activity	Guidance on the assessment of resource consents	scale	<p>c. Any adverse effects on the amenity of residential activities on surrounding properties will be avoided or, if avoidance is not practicable, adequately mitigated (Policy 16.2.2.5).</p> <p>d. Activities other than farming are only allowed on highly productive land where the scale, size and nature of the activity means the loss of current or potential future rural productivity would be insignificant in any <b>high class soils mapped area</b> and no more than minor in other areas of highly productive land (Policy 16.2.4.2.a).</p> <p><u>X. The upgrade and expansion of existing lawfully established rural industry is provided for where this will have positive effects on rural productivity and the effects will be adequately managed in line with objectives 16.2.2, 16.2.3 and 16.2.4 and their policies, and the objectives and policies of any relevant overlay zones (Policy 16.2.1.13). <b>[Change RU6]</b></u></p>	Partially support	This provision links to Policy 16.2.1.13 and the change is supported, but OceanaGold requests recognition of “...positive effects on rural <u>industry</u> productivity...” so that the assessment matter is not unduly narrowed to demonstration of positive effects on farming or agricultural productivity.
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Policy 16.2.2.3	Require all new buildings <u>and large structures</u> to be located an adequate distance from site boundaries to ensure a good level of amenity for residential activities on adjoining sites. <b>[Change D10]</b>	Partially oppose	While OceanaGold supports the amenity considerations that are behind this change the addition of ‘large structures’ could include structures like the MGP’s dams or other infrastructure. This would not be a ‘minor change’. At the MGP boundary setback from				

Provision	Text submission relates to / Change	Support or Oppose	Submission / Relief Sought									
			adjoining residential activities within the rural zone may not always be practicable. Objective 16.2.2, which this policy flows from, seeks to minimise conflict between activities in the rural zone including reverse sensitivity but this change introduces uncertainty for future development of the MGP's large structures.									
16.9.4.2.a.iii Assessment of development performance standard contraventions	<table border="1"> <thead> <tr> <th colspan="3" data-bbox="421 539 1211 564">16.9.4 Assessment of development performance standard contraventions</th> </tr> <tr> <th data-bbox="421 564 577 590">Performance standard</th> <th data-bbox="577 564 748 590">Matters of discretion</th> <th data-bbox="748 564 1211 590">Guidance on the assessment of resource consents</th> </tr> </thead> <tbody> <tr> <td data-bbox="421 590 577 858">2. Boundary setbacks</td> <td data-bbox="577 590 748 858">a. Effects on amenity of surrounding properties</td> <td data-bbox="748 590 1211 858"> <i>Relevant objectives and policies:</i>            i. Objective 16.2.2            ii. Buildings and large structures that house animals are set back from site boundaries an adequate distance to ensure adverse effects on sensitive activities, such as residential activities, on adjoining sites are avoided or, if avoidance is not practicable, are no more than minor (Policy 16.2.2.2).            iii. New buildings and large structures are located an adequate distance from site boundaries to ensure a good level of amenity for residential activities on adjoining sites (Policy 16.2.2.3). <b>{Change D10}</b> </td> </tr> </tbody> </table>	16.9.4 Assessment of development performance standard contraventions			Performance standard	Matters of discretion	Guidance on the assessment of resource consents	2. Boundary setbacks	a. Effects on amenity of surrounding properties	<i>Relevant objectives and policies:</i> i. Objective 16.2.2 ii. Buildings and large structures that house animals are set back from site boundaries an adequate distance to ensure adverse effects on sensitive activities, such as residential activities, on adjoining sites are avoided or, if avoidance is not practicable, are no more than minor (Policy 16.2.2.2). iii. New buildings and large structures are located an adequate distance from site boundaries to ensure a good level of amenity for residential activities on adjoining sites (Policy 16.2.2.3). <b>{Change D10}</b>	Partially oppose	This provision links to Policy 16.2.2.3 and OceanaGold's submission on that policy also applies to this assessment matter.
16.9.4 Assessment of development performance standard contraventions												
Performance standard	Matters of discretion	Guidance on the assessment of resource consents										
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16.3.3 Land Use Activity Status Table	<table border="1"> <thead> <tr> <th data-bbox="421 893 692 951">All land use activities</th> <th data-bbox="692 893 1061 951">Activity status</th> <th data-bbox="1061 893 1211 951">Performance standards</th> </tr> </thead> <tbody> <tr> <td data-bbox="421 951 692 1104">X. High trip generators: • New or expansions of land use activities that result in the thresholds in Appendix 6C being exceeded <b>{Change CP1}</b></td> <td data-bbox="692 951 1061 1104">RD</td> <td data-bbox="1061 951 1211 1104"></td> </tr> </tbody> </table>	All land use activities	Activity status	Performance standards	X. High trip generators: • New or expansions of land use activities that result in the thresholds in Appendix 6C being exceeded <b>{Change CP1}</b>	RD		Oppose	This provision introduces Restricted Discretionary activity status for HTP generators in the rural zone that exceed Appendix 6C thresholds. OceanaGold considers the thresholds in Appendix 6C require clarification.			
All land use activities	Activity status	Performance standards										
X. High trip generators: • New or expansions of land use activities that result in the thresholds in Appendix 6C being exceeded <b>{Change CP1}</b>	RD											
16.13.2 Land management or capital investment for productivity or biodiversity gains	(2) A resource consent application that includes a proposal for land management or investment intended to achieve a significant contribution to the enhancement or protection of <del>biodiversity values</del> <u>an existing area of important indigenous vegetation and/or habitat of indigenous fauna and its enhancement</u> (Policy 16.2.1.7.b.ii) must be supported by an ecological <del>restoration</del> <u>protection and enhancement</u> plan, prepared by an ecologist or similarly qualified person, which includes the following:	Partially support	OceanaGold supports a policy approach that allows residential activity in the rural zone, on a site that doesn't comply with density standards for the zone, to be considered if there will be a significant contribution to the protection of an existing area of important biodiversity values. However, clarity is sought on what constitutes									

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	<p>a. a description of the site, including <u>the size, shape and spatial configuration of the existing area(s) of indigenous vegetation and/or habitat(s) of indigenous fauna area or areas to be protected and enhanced;</u></p> <p>b. a description of <del>any indigenous</del> <u>the vegetation types present in the existing area or areas, including a species list of both indigenous and exotic plant species;</u></p> <p>c. a description of <del>the any</del> <u>indigenous wildlife present and or known to use the site;</u></p> <p>d. an ecological assessment of the <u>current condition</u> and significance of the <u>site existing area(s) of indigenous vegetation and/or habitat(s) of indigenous fauna</u> using the criteria in Policy 2.2.3.2;</p> <p>e. an assessment of how ecological <del>restoration</del> <u>protection and enhancement</u> may contribute to providing connectivity with ecological corridors or <u>buffering of nearby areas of ecological importance;</u></p> <p>f. an assessment of the benefits to biodiversity values of a range of practicable options for <del>biodiversity</del> <u>ecological protection and enhancement</u>, and confirmation that the proposed option is suitable for the site and conforms to best practice;</p> <p>g. a schedule of ecologically appropriate species to be planted, including botanical names;</p> <p>h. a planting plan depicting <u>or describing</u> the location, species density and staging of planting;</p> <p>i. measures that will be used to maintain plantings, including the replacement of any dead or nonthriving plants;</p> <p>j. any other measures proposed to enhance habitat for indigenous fauna;</p> <p>k. measures to be used to exclude stock from the enhancement area;</p> <p>l. measures to be used to achieve longterm effective control of plant and animal pest species; <del>and</del></p> <p><u>X. clear milestones for the staging of protection and enhancement actions and appropriate timeframes for meeting ecological protection and enhancement goals;</u></p> <p><u>Y. a methodology for measuring improvements in biodiversity condition/ecological functioning; and</u></p> <p>m. the approach to be used to monitor the <del>restoration</del> <u>protection and enhancement</u> measures set out in the <del>restoration</del> <u>protection and enhancement</u> plan and actions to be taken if measures are not being fulfilled. <b>[Change RU7]</b></p>		<p>“important indigenous vegetation and/or habitat of indigenous fauna”?</p> <p>Further, provisions for an ‘ecological protection and enhancement plan’ should provide for some flexibility so plans can be adapted to respond to management challenges.</p>

**Further relief sought**

10. In addition to the matters set out in the table above, OceanaGold seeks the following relief:
  - (a) Any similar relief with like effect which addresses OceanaGold's concerns; and
  - (b) Any consequential amendments which arise from OceanaGold's submission or the relief sought.
11. OceanaGold requests to be heard in support of this submission at any hearing convened to consider PC1.

**Address for service of submitter**

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Jackie St John  
Oceana Gold (New Zealand) Limited  
Dated: 18 December 2024