31 October 2019

Ministry for the Environment

Email: consultation.freshwater@mfe.govt.nz

Dear Sir/Madam

RE: ACTION FOR HEALTHY WATERWAYS: A DISCUSSION DOCUMENT ON NATIONAL DIRECTION FOR OUR ESSENTIAL FRESHWATER

OceanaGold is New Zealand’s largest exporter of gold and a regional employer of similar scale to the Tiwai Point aluminium smelter. Our operations directly employ over 900 staff across two locations. The company, which today is a significant multinational gold producer, began business 30 years ago at Macraes, East Otago and its current operating assets in New Zealand consist of two mines - Macraes and Waihi - that, together, accounted for over half of the company’s global production in 2018. In addition to these long-standing operations, we are currently rehabilitating a closed mine on conservation estate in Reefton.

Freshwater management and the management of associated inland habitat is a matter of the highest importance for all of our mines throughout their operations and closure planning. We bring 30 years of experience at both Macraes and Waihi, including a large-scale riparian habitat planning programme and constructed wetland at Waihi, covenanting and active management of significant wetland habitat at Macraes and large-scale sourcing, propagation and planting out of indigenous vegetation covering a range of habitat-types at the Reefton mine. The company has won multiple awards for these programmes.

In their current form, the Essential Freshwater proposals will preclude aspects of the ongoing operations at Macraes and Waihi in ways that will shorten, and could end, those operations and with them the kinds of programmes mentioned above. We wish to be clear that OceanaGold does not seek to be held to a lower standard of environmental performance than any other landowner in New Zealand. We do not question the need for action on freshwater and the habitats it supports and that support it. We do, however, seek flexibility in the policies and rules that are enacted to achieve that objective, to allow for off-setting and biodiversity compensation as part of regulating land use. We have no doubt that those tools are needed, so that the location-based constraints of continuing to operate the gold mines at Macraes and Waihi, both areas of ongoing “world-class” mineral potential, do not prevent the right project from seeking consents.

I attach OceanaGold’s:
1. Submission Summary, including our requested amendments to the Draft National Policy Statement for Freshwater Management and proposed National Environmental Standards for Freshwater
2. Legal Submissions
3. Affidavit evidence from:
   a. Personal details
   - removed
   - removed
   - removed
   - removed

The evidence has been prepared in affidavit form but, due to the limited time available to us to complete this submission, we have not been able to have the evidence witnessed under oath prior to submitting it. We intend to have the affidavits witnessed and will provide them to you as soon as we can.
As noted, the provisions of the new national instruments will have far-reaching and significant implications for our ability to continue to develop the mineral resources we are licensed by the Crown to explore and mine. If these mines are unable to continue operations, at the same time as losing the employment and economic contributions that those mines bring to their communities, the contributions we are currently making to improve wetlands and rivers in the areas in which we operate will also be curtailed.

The enclosed evidence provides the benefit of expert and lay knowledge of our mining operations, their impacts and the benefits that the associated biodiversity programmes have brought to the Macraes and Waihi regions. We consider an understanding of these issues to be integral to the development of any fit-for-purpose national instruments. It is disappointing that in the development of these proposals there was no consultation with us, nor with the extractives sector generally, to my knowledge. As a consequence, it appears that the impact these changes could have on a significant existing sector has not been considered. I am however encouraged that an expert panel will have the opportunity to consider our submission and, on behalf of over 900 workers and their families, ask that the enclosed appeal for flexibility is given careful and detailed consideration.

I am unsure whether an opportunity will be made available for any submitters to appear before the Panel in support of their written submission. If such an opportunity exists, OceanaGold would be very pleased to appear at a time that is convenient to the Panel.

Yours Sincerely

OCEANA GOLD (NEW ZEALAND) LIMITED

Personal details removed

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General Manager Corporate and Legal Affairs