

**Before the Environment Court
at Christchurch**

ENV-2024-CHC-39

**I Mua I Te Kōti Taiao o Aoteroa
Ōtautahi Rohe**

UNDER the Resource Management Act 1991

IN THE MATTER of appeals under clause 14(1) of the First
Schedule of the Act in relation to the non-
freshwater planning instrument parts of the
proposed Otago Regional Policy Statement
(PORPS)

BETWEEN **ENVIRONMENTAL DEFENCE SOCIETY**
Appellant

AND **OTAGO REGIONAL COUNCIL**
Respondent

**Notice of Oceana Gold (New Zealand) Limited's wish to be a party to
proceedings pursuant to section 274 RMA**

Dated 5 June 2024

Solicitor acting:

Jackie St John
In-house counsel
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Dunedin 9016
Jackie.stjohn@oceanagold.com

Counsel acting:

Stephen Christensen
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TO: THE REGISTRAR

Environment Court

Christchurch

1. Oceana Gold (New Zealand) Limited (**OceanaGold**) wishes to be a party to the following proceedings:
Environmental Defence Society v Otago Regional Council (ENV-2024-CHC-39).
2. OceanaGold made a submission on the subject matter of the proceedings.
3. OceanaGold is not a trade competitor for the purposes of section 308C or 308CA of the Act.
4. OceanaGold is interested in the parts of the proceeding which relate to the following particular issues:
 - a. Definition of SNA, or significant natural area
 - b. IM-P12- Contravening limits for climate change mitigation and climate change adaptation;
 - c. ECO-O1 – Indigenous biodiversity;
 - d. ECO-P2 – Identifying significant natural areas and taoka;
 - e. ECO-P10 – Integrated management; and
 - f. ECO-M2 – Identification of significant natural areas.
5. OceanaGold opposes the relief sought because;
 - a. The proposed amendments would not be consistent with the Resource Management Act 1991 (**the Act**).
 - b. The definition of SNA should not be extended. The definition in the Decisions version of the PORPS includes the definition from the National Policy

Statement for Indigenous Biodiversity (**NPSIB**), and this is preferred.

- c. The changes sought to IM-P12 are too broad and will prevent people from undertaking activities which provide enduring regionally or nationally significant climate change mitigation or climate change adaptation. the requirement to prove that the activity could not locate elsewhere is too restrictive.
 - d. The changes sought to the ECO provisions are not required and would be contrary to the NPSIB. The NPSIB makes it clear that a new area is only considered to be a SNA once it is included in a district plan. A potential SNA must be identified through notification of a plan or through a plan change. Given the provisions which apply to an area once it is a SNA it is important that this public planning process in Schedule 1 of the Act is followed, not simply identification through the resource consent process.
6. OceanaGold agrees to participate in mediation or other alternative dispute resolution of the proceedings.

Dated this 5th day of June 2024

PP



SW Christensen/JE St John

Counsel for Oceana Gold (New Zealand) Limited

The address for service of the appellant is 22 Maclaggan Street, Dunedin.

Documents for service on the filing party may be left at that address for service or may be—

(a) posted to the party at 22 Maclaggan Street, Dunedin or

(b) emailed to the party at Jackie.stjohn@oceanagold.com