

Memo – Recommendation and Decision – Project Martha Minor Corrections

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File No.: 60 59 02A

Date: 4 February 2019

waikatoregion.govt.nz

0800 800 401

To: Brent Sinclair

From: Sheryl Roa

Subject: Recommendation and Decision – Project Martha Minor Corrections to AUTH124859.01.02, AUTH124859.01.02 Schedule One, AUTH139551.02.01, AUTH139551.02.01, 139551.06.01, AUTH139551.08.01 and Schedule One – Common Conditions – all resource consents associated with APP139551

1 Introduction

Oceana Gold Limited (OGNZL) has invited the Waikato Regional Council (WRC) and Hauraki District Council (HDC) to correct a number of administrative errors within the resource consents (including Schedule One which is schedule of common conditions to both Councils) issued to OGNZL on 14th December 2018 relating to Project Martha.

The Councils have available to correct these errors is Section 133A of the RMA which is as follows:

133A Minor corrections of resource consents

A consent authority that grants a resource consent may, within 20 working days of the grant, issue an amended consent that corrects minor mistakes or defects in the consent.

A decision to issue amended resource consents correcting the minor administrative errors must be made within 20 working days of the decision which means that a decision on this must be made by 4th February 2019.

2 Changes Requested

OCNZL has requested the following corrections to the resource consents and Schedule One issued by WRC:

AUTH124859.01.02

- Condition 11 (iii). Subscript required i.e. PM₁₀.

AUTH124859.01.02 Schedule One

- Condition 12: “relating to the bond quantum should refer in the third to last line to condition 13 rather than condition 8.8

AUTH139551.02.01

- Condition 4. Change reference in the condition from “consents” to “consent”.

AUTH139551.06.01

- Activity authorised. Add in a missing word "...into the Martha Pit on completion...."
- Table 1. Note (2). Replace the reference in um to μ m (i.e. symbol required to replace the u).

AUTH139551.08.01

- Condition 10(i). Add in a missing word "... to the Mangatoetoe Stream and any....."

Schedule One – Common Conditions – all resource consents associated with APP139551

- Condition 15: Change its to their "submit to the Councils for its certification"
- Condition 19: Add in a missing word "In the event that a tilt greater than 1 in 1,000"
- Condition 22f: Add in a missing word "...in a form acceptable to the Councils."
- Condition 24: In the 2nd sentence add in a missing word. "The plan shall be submitted to the Councils..."
In the 3rd sentence change the location of the apostrophe. "If certification is not provided within 30 working days of Council's receipt..." should be "If certification is not provided within 30 working days of the Councils' receipt..."
- Condition 26b: Change the word "Their" to "Its".
- Condition 37: The words "as that phrase is elsewhere defined" aren't necessary. "Completion of closure of the site" is defined in condition 38.

In addition there is an administrative error in the HDC Land Use Consent with the inclusion of reference to Appendix 4 which is actually referenced within Schedule One within conditions 31 and 41. It is recommended to remove reference to Appendix 4 from the HDC Land Use Consent and put this Appendix into the common conditions within Schedule One as Appendix 1. The proposed change that apply to WRC is as follows:

- New Appendix One: Add Appendix 1 to Schedule One, and change the cross-references in conditions 31 and 41 of Schedule One to refer to Appendix 1 rather than Appendix 4.

HDC is also undertaking a process to make similar minor amendments under s133A. The removal of reference to Appendix 4 within the Land Use Consent will be addressed as part of that process. Appendix 1 is as follows:

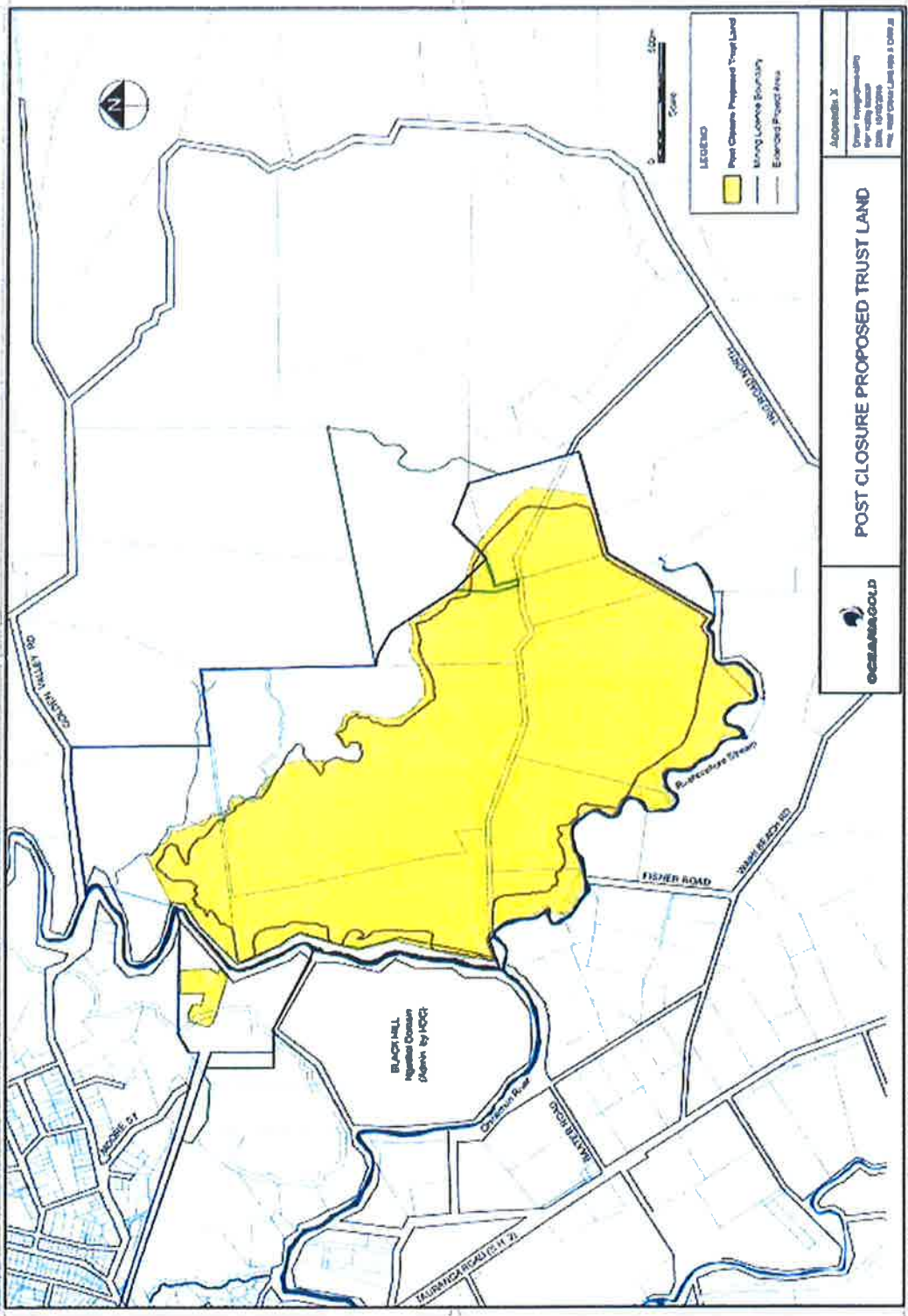
APPENDIX 1

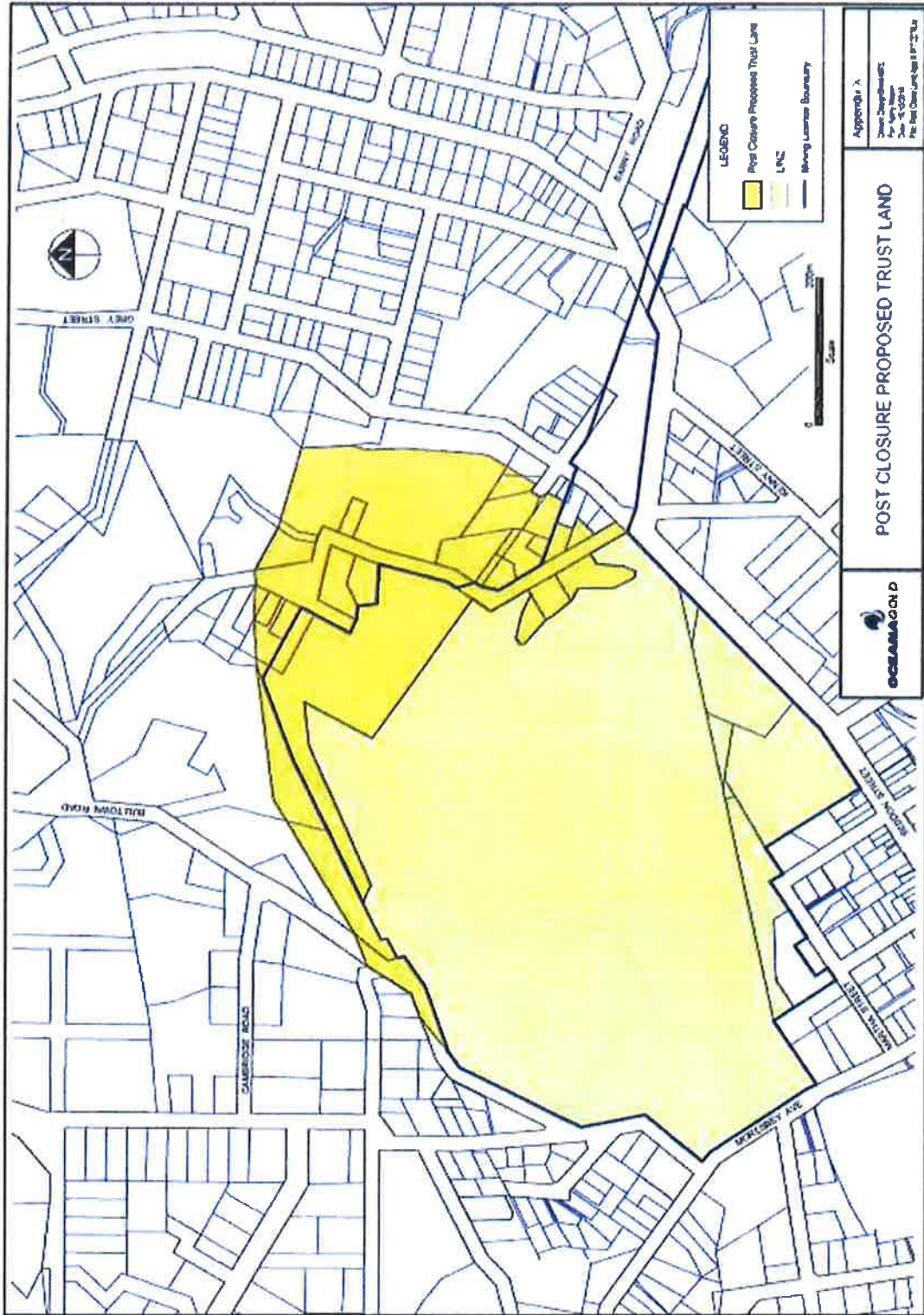
Table: Allotments to be subdivided in order for the transfer of the Trust Land to the Trust pursuant to the Conditions

Plan: Post Closure Proposed Trust Land

Plan: Post Closure Proposed Trust Land

RECORD OF TITLE	AREA (Hectares)	OWNER
SA71B/951	11.7155	OGNZL
24066	7.8943	OGNZL
SA50B/340	6.7780	OGNZL
SA32A/699	0.3907	OGNZL
SA32D/801	0.3792	OGNZL
SA31D/451	16.6123	OGNZL
SA5A/1381(part cancelled)	6.4130	OGNZL
SA31D/452	12.2028	OGNZL
SA65D/777	295.4743	OGNZL
SA15B/287	14.5181	OGNZL
SA807/214	39.8615	WGCL





Appendix A
 Issue Date: 15/08/2018
 For: 15/08/2018
 Date: 15/08/2018
 Pre: 15/08/2018

POST CLOSURE PROPOSED TRUST LAND

