BEFORE THE HEARING PANEL APPOINTED BY WAITAKI DISTRICT COUNCIL

IN THE MATTER OF	of the Resource Management Act 1991
AND	
IN THE MATTER OF	of the Proposed Waitaki District Plan
HEARING TOPIC	Hearing Stream 2 – Energy / Infrastructure / Stormwater / Transport / Earthworks / Designations

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STATEMENT OF EVIDENCE BY ETHAN JOHN GLOVER

OCEANAGOLD NEW ZEALAND LIMITED – SUBMITTER 295

14 SEPTEMBER 2026

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1. INTRODUCTION

Qualifications and Experience

1.1 My full name is Ethan John Glover. My experience and qualifications are provided in my evidence for Hearing Stream 1.

Involvement in the Process

1.2 I have been engaged by OceanaGold New Zealand ("**OGNZL**") to provide planning advice in respect of the Exemptions Version of the Waitaki Proposed District Plan (the "**Proposed Plan**").

1.3 In preparing this evidence I have reviewed:

(a) The Operative Waitaki District Plan (the "**Operative Plan**") and the Proposed Plan insofar as they are relevant to OGNZL's submissions and further submissions on the matters addressed in this hearing stream;

(b) OGNZL's primary submissions and further submissions on the Proposed Plan;

(c) The provisions of the Otago Regional Policy Statement 2021 (the "**RPS**"), as relevant to this hearing stream;

(d) The following section 32 evaluation reports;

(i) Section 32 evaluation report – Transport

(ii) Section 32 evaluation report – Earthworks

(e) The following section 42 reports (prepared by Briar Belgrave):

(i) Section 42A Report: Transport; and

(ii) Section 42A Report: Earthworks.

(f) The evidence of Alison Paul on behalf of OGNZL that was prepared for Hearing Stream 1;

(g) The evidence of Matthew Curran on behalf of OGNZL prepared for Hearing Stream 2.

Code of Conduct

1.4 Although this is not an Environment Court hearing, I note that in preparing my evidence I have reviewed the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2023 ("**Code**"). I have complied with the Code in preparing my evidence. I confirm that the technical matters on which I gave evidence are within my area of expertise, except where relying on the opinion or evidence of other witnesses. I have not omitted to consider material facts known to me that might alter or detract from my opinions expressed.

Scope of Evidence

1.5 In my evidence I respond to the matters raised in the Section 42A Reports relating to transport and earthworks.

2. RESPONSE TO SECTION 42A REPORT: TRANSPORT

2.1 I have reviewed the Section 42A Report: Transport prepared by Ms Briar Belgrave. I do not propose to repeat the matters covered in the Section 42A Report other than to set out areas of disagreement.

2.2 In summary, the OGNZL submission sought to ensure that the Special Purpose Zone: Macraes Mine ("**SPZMM**") was a 'complete code' given the unique nature of mineral extraction and mining activities. Failing to adopt a complete code approach could lead to conflicts or contradictions with other district-wide provisions.

2.3 Regarding transport specifically, the OGNZL submission states:

OceanaGold submits that the Macraes Mining Zone should be 'stand-alone' for the purposes of this Plan. Therefore, the standards relating to transport in this chapter of the Plan should not be applicable to activities that are provided for in the Macraes Mining Zone. Due to the unique nature of Macraes' operations, which require a high level of health and safety measures, traffic management, including access and parking requirements, is highly specialised and tailored to the site. It is neither appropriate nor effective to evaluate site activities against the access and parking standards outlined in the District Plan.

2.4 The Section 42A Report: Transport addresses this at paragraph [201]:

In relation to OceanaGold's [295.86] request, I do not agree that the SPZMM should be excluded from the application of TRAN-R1, or any other rule or standard within the TRAN chapter. While mining activities have specialised operational and access requirements, the effects of vehicle crossings associated with those activities are not confined to the zone itself. Vehicle crossings serving the Macraes Mining Zone connect to, and generate traffic on, the wider district transport network. Accordingly, the location, design and operation of those crossings have the potential to affect the safety and efficiency of the wider transport network. In my opinion, TRAN-R1 and all other rules in the TRAN chapter appropriately manages the interface between development sites and the transport network, irrespective of the activity occurring on the site. Retaining the rule across all zones, including the SPZMM, ensures that the transport effects associated with new vehicle crossings are consistently managed throughout the District. I therefore do not support the relief sought by OceanaGold [295.86].

2.5 The same rationale is then applied to other transport related rules including parking, loading, access, trip generation, walkways, cycleways and shared paths, and the associated standards.[1]

2.6 I do not agree with the rationale set out above. While I agree that the effects of transport related activities associated with mining activities are wider than the zone itself, having specific transport related rules in the SPZMM does not preclude consideration of traffic related effects outside of the zone.

2.7 The evidence of Mr Curran sets out transportation activities associated with Macraes Mine. In my opinion, these are unique to this large-scale operation and quite distinct from the transport facilities intended to be managed by the District Wide Transport provisions of the Proposed Plan. For example:

2.7.1 The site has a unique interface with the transportation network because public access to the mine site is restricted;

2.7.2 Numerous loading areas are located within the site, access to which is secured by security gates;

2.7.3 Parking areas generally not available for public use, and their use by staff is subject to specific use protocols;

2.7.4 Several mine accesses facilitate the heavy vehicle access to the site and the use of these is subject to specific traffic management protocols; and

2.7.5 Firefighting access not required as OGNZL has its own on-site Emergency Response Team.

2.8 The blanket application of the District Wide Transport provisions to these transport facilities or changes to them would be problematic and would likely trigger the need for numerous unnecessary resource consents. The Macraes

[1] At paragraphs [221], [232], [261], [271], [289], [300], [326], [340], [359], [377], [394], [408], [427], [444], [462], [480], [496], [512], [524], [537], [566], [577], [583], [592], [610], [632], [642], [649], [662], [673], [684], [695] and [706].

Mine is also an established operation that meets the definition of high trip generator. That high trip generation forms part of the existing environment and it would be problematic if any changes to the operation triggered rules relating to high trip generation.

2.9 Due to the unique nature of the Macraes Mine and its related transport facilities, in my view, a suite of specific rules (in the SPZMM) would better provide for the ongoing operations at the mine. Having these rules in the SPZMM still enables the effects of the wider transport network to be considered – the policy and rule framework could require this where appropriate.

2.10 I also note that the National Planning Standards provide the ability for transportation matters to be included in a Special Purpose Zone [my emphasis added in **bold**]:

> 5. *Provisions relating to energy, infrastructure and transport* ***that are not specific to the Special purpose zones chapter or sections*** *must be located in one or more chapters under the Energy, infrastructure and transport heading.*
>
> ...
>
> 6. *The chapters under the Energy, infrastructure and transport heading* ***must include cross-references to any energy, infrastructure and transport provisions in a Special purpose zones chapter or sections.***

2.11 In my opinion, it is appropriate, effective and efficient, to develop a specific transportation policy and rule framework for the activities associated with Macraes Mine, and for those polices and rules be located in the SPZMM. The transportation provision framework for the SPZMM will be discussed further in the hearing on the SPZMM. If, however, the panel would like to receive draft provisions that achieve the same outcome as that set out above, albeit framed in the Transportation Chapter, I am happy to provide that to the panel along with a short a32AA evaluation.

3. RESPONSE TO SECTION 42A REPORT: EARTHWORKS

3.1 I have reviewed the Section 42A Report: Earthworks also prepared by Ms Briar Belgrave. I do not propose to repeat the matters covered in the Section 42A Report other than to set out areas of disagreement.

3.2 The OGNZL submission sought to ensure that the definition of 'earthworks' remain consistent with the National Planning Standards, while also ensuring that the definition does not apply to mining activities. Ms Belgrave does not consider that any amendments to the definition is required: [2]

> *OceanaGold [295.51 and 295.59] supports the definition of Earthworks as being consistent with the National Planning Standards but seeks clarification that the definition of Earthworks does not include mining. I do not consider that an exclusion of mining from the definition is necessary. Mining activities are defined in the PDP and are separately identified and managed through Part C of the EW chapter, while mining within the Special Purpose Zone – Macraes Mining is addressed through the provisions applying to that zone. The chapter expressly explains this relationship. Part C also contains a separate suite of objectives, policies and rules specifically addressing mining activities. In my view, this structural separation provides sufficient clarity as to how mining is regulated without modifying the meaning of Earthworks.*

3.3 Ms Belgrave reference's Part C (earthworks – mining) of the earthworks chapter in her analysis I have replicated above. However, I note that it appears that Part C of the Earthworks Chapter of the Proposed Plan has been withdrawn as part of the 'plan stop' process.

3.4 Further, the SPZMM user notes of the Exemption Version of the Proposed Plan do not expressly state the relationship between the SPZMM and the Earthworks Chapter:

[2] At paragraph [63] of the Section 42A Report: Earthworks.

User Notes:
For some activities, a resource consent may be required by rules in more than one chapter in the District Plan. Plan users are encouraged to check all District-Wide Matters chapters.
~~Earthworks (excluding mining activities) or quarrying for aggregate activities that take place within the Special Purpose Zone – Macraes Mining are subject to the provisions in Part A and Part B of the Earthworks Chapter~~.
For new buildings or structures, other relevant rules may include (but not limited to) the following;
Rule NH-R13 in the Natural Hazards chapter - applies to residential units or other principal buildings near woodlots, shelterbelts and plantation forestry, and vice versa.
~~Rule NATC-R1 in the Natural Character chapter – applies to structures within a riparian margin~~.
Rule INF-R29 in the Infrastructure chapter - applies to buildings and structures within the National Grid Yard.
Rule INF-R30 in the Infrastructure chapter - applies to buildings and structures within the Electricity Distribution Yard.
Please refer to the General Approach chapter for more information on the steps plan users should take to determine what rules apply to an activity and to determine the consent status of an activity.

3.5 Ms Belgrave appears to have assessed the Notified Version of the Proposed Plan rather than the Exemptions Version when providing an analysis of the OGNZL submission. The Exemptions Version of the Proposed Plan does not contain the same consideration of the relationship between the Earthworks Chapter and the SPZMM Chapter and there remains a lack of clarity as to how earthworks activities are intended to be managed in the SPZMM.

3.6 The evidence of Mr Curran provides examples of earthworks activities that occur in association with the Macraes Mine. Except for rules relating to infrastructure, the Exemptions Version of the Proposed Plan does not include any earthworks rules of relevance to the SPZMM. My presumption therefore is that earthworks within the SPZMM are managed as part of the parent activity to which it relates. For example, earthworks associated with mining is managed exclusively as a mining activity and earthworks associated with exploration is managed exclusively as an exploration activity, and so forth. In my view, if that is the intent, it needs to be made expressly clear, particularly given there remains a District Wide Earthworks Chapter in the Exemptions Version of the Proposed Plan.

3.7 If it is not the intent for earthworks within the SPZMM to be managed as part of the parent activity to which it relates, the intent must then be for earthworks activities not addressed by the Exemptions Version of the Proposed Plan to continue to be subject to the Operative Plan. In that case, I note there are no earthworks rules relating to the Macraes Mining Project Mineral Zone in the Operative Plan. As a result, many earthworks activities associated with mining

activities, including those set identified by Mr Curran at para. 5.2 of his evidence would be permitted mining activities under the Operative Plan.

3.8 I consider that further refinement is required that explains the relationship between the various chapters of the Proposed Plan and the Operative Plan.

3.9 While amendments to the definitions as requested by OGNZL could assist in providing clarity, I note the definition of 'earthworks' included in the Proposed Plan is from the National Planning Standards. I understand that those definitions within the National Planning Standards cannot be altered via submissions.

3.10 However, the National Planning Standards do not preclude earthworks provisions being included in a Special Purpose Zone – and sets out there should be cross reference to such provisions in the Earthworks Chapter:

> *31. The Earthworks chapter must include cross-references to any provisions for mining, quarries and or gravel extraction in a Special purpose zone or zone chapter or section.*

3.11 In my view, while the definition of 'earthworks' cannot be amended to clarify it does not apply to mining activities, I consider that the relationship between the Earthworks Chapter and the SPZMM Chapter needs to be further clarified, including by setting out in the introductory text of the Earthworks Chapter that the provisions of the chapter do not apply to earthworks or mining activities that occur within the SPZMM. Similarly, clear direction is required to explain the relationship between the provisions of the Operative Plan and the Proposed Plan. The SPZMM would need to reflect this (to be addressed at a later hearing).

4. CONCLUSION

4.1 OGNZL's relief sought in respect of the Transport provisions can and should, in my view, be accepted. While Ms Belgrave does not support this relief, the rationale for this position does not appear to consider the unique nature of the Macraes Mine and its interaction with the transportation networks. In

respect of the Earthworks provisions, there is a lack of clarity around the management of earthworks activities in the SPZMM. Ms Belgrave's position on this matter is unclear due to her cross reference to out of scope provisions.

4.2 I will address the above matters in further detail during Hearing Stream 3 and will provide a full section 32AA evaluation for the changes I propose to address these issue (unless requested to provide this information earlier for the benefit of the Panel)



ETHAN GLOVER

14 September 2026