Before the panel convener appointed under the Fast-track Approvals Act 2024

Under the	Fast-track Approvals Act 2024
In the matter	of Macraes Phase Four (FTAA-2608-1288)
By	Oceana Gold (New Zealand) Limited

MEMORANDUM OF COUNSEL ON BEHALF OF OCEANA GOLD (NEW ZEALAND) LIMITED FOR THE CONVENER'S CONFERENCE

4 November 2026

Counsel acting:

Stephen Christensen / Pip Walker
Barristers
[redacted]

MAY IT PLEASE THE PANEL CONVENER

1. This memorandum is filed on behalf of Oceana Gold (New Zealand) Limited (**OceanaGold, the Applicant**) in accordance with Minute 3 of the Panel Convener dated 27 October 2026. The Applicant responds to the requested matters in relation to the application for approvals for the Macraes Phase Four Project (**MP4** or **the Project**) under the Fast-track Approvals Act 2024 (**FTAA**) to inform the Panel Convener in relation to decisions to be made on expert panel composition and the timing of the panel decision.

Confirmation of attendees

2. The following persons will be present at the Convener Conference on behalf of OceanaGold:

(a) Stephen Christensen and Pip Walker - counsel;

(b) Luke Faithfull and Ethan Glover – consultant planners ; and

(c) Alison Paul – SVP NZ Legal and Public Affairs, OceanaGold.

Timeframe for a decision

3. In its Substantive Application and accompanying Memorandum of Counsel, OceanaGold sought 90 days from receiving invited comments for a decision to be made. Having engaged further with the local authorities concerning its request that a number of management plans are approved by the panel to avoid critical time delays in being able to implement approvals once they are granted, OceanaGold is now proposing 100 working days (see Appendix A). The management plans in question are already with the local authorities (and other key stakeholders) for review and comment. While the final detail of those plans will depend on any amendments to the management plan objectives and minimum requirements as set in consent conditions, much of the content is unexceptional or standard, and we consider the amended timeframe is realistic and consistent with

the procedural requirements in section 10 of the FTAA, having regard to the level of engagement that has already taken place between OceanaGold and the local authorities, the suggested process that is outlined in Appendix A, and the Applicant's suggestion that the panel may wish to appoint one or more persons to assist in the management plan review and approval process.

4. As noted at paragraph [7] of Minute 3, any timeframe for decision longer than 90 working days from the date comments are received under section 54 can only be set with the Applicant's agreement.[1] Minute 3 makes the comment that if agreement is not reached to allow an extended timeframe for decision making, prospective panel members will need to consider whether they can undertake the required work within 90 working days (plus the 30 additional working days from when a panel commences work until comments are received). That consideration also applies where an extended timeframe is agreed.

5. In this regard the Applicant has direct, relevant experience from its Waihi North Project fast-track application.[2] That application was for a major expansion of OceanaGold's existing mining operation in Waihi. That application was significantly more complex than the present MP4 application in the sense that it involved approvals that would ordinarily be obtained from the Department of Conservation (**DOC**) under the Crown Minerals and Conservation Acts (access arrangement and concessions) in relation to activities on public conservation land, and was one of the first substantive applications to be considered under the FTAA, meaning that all participants were still 'feeling their way' procedurally and substantively.

6. For the Waihi North Project, the Associate Panel Convener determined[3] the expert panel should make its decision within 82 working days from receipt of comments (or 112 working days from panel commencement).[4] That extended timeframe was set having regard to:

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1 Section 79(2)(b) FTAA

2 FTAA-2504-1046

3 https://www.fasttrack.govt.nz/__data/assets/pdf_file/0015/6801/Waihi-North-Panel-Convener-Minute-9-Panel-and-Decision-timeframes.pdf at [20] and [21]

4 Paragraph [20] of Minute 9 dated 4 July 2025, noting that this decision was made prior to the changes to section 79 introduced on 31 March 2026 through the Fast-track Approvals Amendment Act 2025

(a) The volume of application material; the requirement to give each set of approvals careful consideration; the need to apply the decision-making requirements and weighting identified for each type of approval; and the fact that the Waihi North application would be the first under the FTAA.

(b) The panel's ability to request further information and the power to appoint special and/or technical advisors, and the likelihood the panel would make use of that power of appointment.

(c) While there had been a good level of engagement between the Applicant and the local authorities (including having regard to previous applications advanced for the project) there was still significant work to be done in resolving issues and agreeing conditions. The Applicant was encouraged to map out a process for the conditions workstream to offer to the panel as soon as it commenced work.

(d) Additional work was required to consolidate conditions and to ensure their consistency with those attached to existing approvals.

(e) A number of iwi authorities and Treaty settlement entities had unresolved issues that would require ongoing engagement.[5]

(f) Relevant administering agencies, and DOC in particular would be preparing substantial reports in relation to various approvals. These would take time and might necessitate conferencing, workshopping, or hearing sessions that needed to be allowed for.

(g) The extension of proposed activities into the Coromandel Forest Park meant the panel was likely to invite a substantial number of additional parties to comment on the application, resulting in additional time being needed to resolve issues and prepare the decision.

5 The panel invited comments from 9 iwi authorities and 8 settlement entities.

7. The Waihi North Project 82 working day timeframe for a decision (from when comments were received) was met by the panel, and the process, while demanding for all participants, worked well. Based on that experience, and recognising that several of the factors that added to the complexity of the Waihi North Project substantive application are not present in the MP4 context (which we discuss in more detail below), we submit a 100 working day decision timeframe from when comments are received (i.e., a minimum of 130 working days from panel commencement[6] and almost 4 weeks longer than the Waihi North Project timeframe) is realistic and achievable. On that basis, and in the expectation that a panel will be appointed and commences on 2 December 2026 as per the nominal date included in Schedule 2 to Minute 3, we calculate a final decision would be due by 1 July 2027.

8. We are instructed that any delay in the making of a final decision beyond 1 July 2027 (including the approval of the key 'early' management plans) would be highly prejudicial to OceanaGold as any delay beyond that date risks continuity of mining, with the prospect that all currently consented open pit mining would be exhausted over the course of 2027. Stockpile rehandling would employ a fraction of the current approximately 300-strong, 24-hour drill, blast, load and haul open pit mining workforce, and OceanaGold would be forced to reduce staff numbers and contractor services, if new areas proposed for mine development as part of the Project are not able to be stripped from the beginning of 2028 (which means pre-clearance and associated ecological work authorised by the approvals sought by the fast-track application needs to happen in 2027). If staff retrenchment were to be required, over and above the obvious social cost, re-engaging the skilled workforce would be difficult as these people are in demand globally.

Scale, nature and complexity of approvals sought

9. OceanaGold is applying for the following approvals under the FTAA:[7]

6 Accounting for 10 working days from appointment until invitations to comment are issued (s53(1)) and 20 working days until comments are received (s54(1))

7 See section 7.1 of the Application.

(a) Resource consents (regional and district consents) that would otherwise be applied for under the Resource Management Act 1991 (**RMA**);

(b) Changes and cancellations of resource consent conditions that would otherwise be applied for under the RMA;

(c) Wildlife approval that would otherwise be applied for under the Wildlife Approvals Act 1953;

(d) Archaeological authority that would otherwise be applied for under the Heritage New Zealand Pouhere Taonga Act 2014; and

(e) Approvals / dispensations that would otherwise be applied for under regulation 42 or 43 of the Freshwater Fisheries Regulations 1983.

10. Although the Application identifies three physically discrete areas within the broader Macraes Operation footprint (Central Mining Area, Coronation Mining Area and Golden Bar Mining Area), these areas are inter-related both in terms of mine planning and effects management. MP4 does not consist of three separate projects. For example, the North Branch Waikouaiti River is the receiving waterbody for water that discharges from both the Central Mining Area and the Golden Bar area. Similarly, ore from the Coronation and Golden Bar Mining Areas will be transported along haul roads to the processing plant located in the Central Mining Area. From there the tailings will be discharged at the Frasers Tailings Storage Facility which is also located within the Central Mining Area. Therefore, we do not believe it will assist the panel to assess the MP4 application as three quite separate operations.

11. Minute 3 asks if the environmental effects of each mine or mine area should be assessed separately before assessing the cumulative effects of the combined activities. That is the approach taken in the Substantive Application and technical reports, and that is the way the Councils and other stakeholders have approached matters in their reviews. OceanaGold will encourage the panel to adopt the same approach as it is intuitive and allows the individual and cumulative effects of the

various activities to be understood. The proffered approaches to water management and ecological compensation are also built on an understanding of both the likely impacts of each component of the project, and the opportunities to achieve positive outcomes through taking an integrated approach to managing impacts across the entire Project. Adopting such an integrated or holistic approach is consistent with the feedback received from Kā Rūnaka and the Councils.

12. You have asked what alternate approaches to assessing the environmental effects would assist the panel and what implications that would have for the timeframe. We do not consider that there are sensible alternative approaches to assessing and managing the environmental effects in the way described above. Any alternative approach that sought to assess and manage individual aspects of the project without considering inter-relationships with other parts of the Project and cumulative impacts of the overall Project would be both unorthodox and inefficient – given that the panel will need to consider the overall Project in order to make its decision.

Existing and proposed consent framework

13. Minute 3 asks participants to identify the steps the panel may need to take to assess the relationship between the existing and proposed consents including surrender, variation or a mechanism for resolving inconsistencies, and the implications for the decision maker.

14. The Application seeks to vary some existing consent conditions and where this occurs variations to those conditions have been included in Part D of the Application. If the Applications sought are granted, the Applicant will separately and outside of the Fast-track process[8], identify what consequential changes or amendments to existing consents across the wider Macraes site are required to ensure alignment. This is largely an administrative task. Because this is not part of the Fast-track application it will not affect the panel's time-frame for making a decision. This approach was also successfully adopted in the Waihi North Project.

8 Necessarily, given the scope limitations of the Schedule 2 listing in the Act.

Management plans

15. Recognising that continuity of mining operations requires MP4 approvals to be given effect to immediately upon grant, it is necessary that certain management plans also be approved by the panel. This is because the consent conditions require activities to be undertaken in accordance with approved management plans.

16. The management plans that OceanaGold asks the panel to approve are plans that relate to activities that require pre-works to be completed.[9] Based on experience elsewhere there is a risk that if plans are not approved within the panel processes and as part of the panel's decision, subsequent delays in plan certification could result in disproportionate delays in project implementation (for example lizard salvage work is highly seasonal and delayed plan approval could result in the loss of the 2027 salvage season (or part of it) which in turn delays earthworks and mining that are planned for effectively all of 2028 (awaiting lizard salvage to be completed over the summer of 2027-28), which in turn affects the workforce as mentioned above). The majority of the key management plans OceanaGold is seeking approval for were shared with the key stakeholders in late July or early August and feedback was received and incorporated into updated versions included with the Application as lodged.

Production of documents

17. Paragraph [15] of Minute 3 asks the Applicant to provide the following documents or identify where they can be found in the application:

(a) *An indicative work programme for the proposed mining activities; and*

(b) *The full set of conditions for each resource consent proposed to be changed, together with any documentation that may bear on the interpretation of those conditions.*

9 The plans in question are listed at paragraph 66 of our memorandum dated 9 September 2026 and in Table 1 of the proposed Common Conditions D.02

18. Table 6.1 in the Project Description is the "Anticipated Sequencing of the MP4 Project Activities". This is found in Part A.06 – Project Description at page 144 of the Substantive Application and a copy is attached to this memorandum. As the title suggests and as explained in the text preceding the table, this is an indicative sequencing only and actual sequencing may vary. As can be seen in Table 6.1, mining in the different areas covered by the Application overlaps, and commences immediately (Year 1). To be able to execute its mine plan the Applicant will need to undertake various activities addressed in the management plans immediately after approvals are granted in 2027.

19. Part D of the application, consent conditions, does not include a full set of the proposed conditions for consents to be changed. These will be provided to the EPA, together with any documentation that may bear on their interpretation, before the end of November 2026.

Other matters

20. These comments are intended to inform the panel convener in relation to the matters upon which participants are invited to comment at paragraph [18] of Minute 3.

Information gaps (Minute 3 paragraph [18](a))

21. As explained in paragraph 25(c) of this memorandum, OceanaGold has received requests for further information from the Councils. Whilst OceanaGold does not consider that the response to these requests is such that it should delay the appointment of the panel, OceanaGold has agreed to respond to all requests received to date by 25 November, before the suggested appointment of the panel on 2 December.

Extent of engagement (Minute 3 paragraph [18](b)) and processes agreed to narrow or reduce issues (Minute 3 paragraph [18](e))

Pre-lodgement

22. The approach to, and extent of, OceanaGold's pre-lodgement consultation and engagement is set out in detail in Part A.08 of the Application[10] and paragraphs 35 – 40 of the Memorandum of Counsel[11]. OceanaGold has engaged and consulted with relevant administering agencies, iwi and stakeholders prior to lodgement. This includes the Department of Conservation, Kā Rūnaka, local authorities, HNZPT and the local community (including adjoining landowners and lessees).

23. OceanaGold has agreed to peer reviews of the technical assessments included in its substantive application by the Councils and DOC (where appropriate).

24. The extent of pre-lodgement engagement and consultation with the parties invited to the Convener Conference is summarised below:

(a) OceanaGold engaged in consultation and engagement with stakeholders for 8 months prior to lodging its substantive application, which built on previous consultation dating back to 2022 relating to an earlier RMA application for a version of MP4 (subsequently withdrawn).

(b) As a result of this earlier process, significant and fundamental changes to the proposed management of environmental effects were incorporated into the design of the project and the scope of the technical assessments, ahead of formally commencing consultation for the purposes of this fast-track application. This aspect is discussed in paragraphs 12 and 13 of the Memorandum of Counsel dated 9 September 2026 and submitted with the Application.[12]

10 Application document A.08.

11 Application document A.01

12 A.01

(c) In December 2025, OceanaGold formally notified the local authorities and administering agencies of its intention to lodge an application under the Act for MP4 in July 2026.

(d) Following that notification, OceanaGold commenced a coordinated and structured engagement throughout early 2026, which began with the provision of a draft Project Description, establishment of communication channels and scheduling of meetings.

(e) A key initial event was a joint Project introduction meeting held in February 2026 with senior representatives from DCC, ORC, and WDC. This provided a formal overview of the Project, introduced the Project team, and enabled early multi-agency discussion.

(f) Subsequent engagement with local authorities has included:

(i) site visits by leadership and technical experts between February and May 2026;

(ii) technical engagement across key disciplines, including reviews of draft technical reports and management plans, and peer-to-peer technical discussions; and

(iii) fortnightly meetings from May 2026 until lodgement.

(g) In relation to iwi authorities and treaty settlement entities, active and continuing engagement with Kāti Huirapa Rūnaka ki Puketeraki, Te Rūnanga o Moeraki and Te Rūnanga o Ōtākou (together, **Kā Rūnaka**) has been taking place since the earlier RMA version of MP4 was first introduced in January 2025. Kā Rūnaka, as Papatipu Rūnaka of the Iwi of Ngāi Tahu, hold mana whenua status in respect of the Project area and the wider area within which impacts may be experienced[13] and have advised OceanaGold that they are the appropriate entity for OceanaGold

13 See letter from Kā Rūnaka dated 7 September 2026 attached to the application as G.01.

to consult with. OceanaGold has not engaged with Te Rūnanga o Waihao on any previous applications involving the Macraes site and has not engaged with Te Rūnanga o Waihao on MP4.

(h) Kā Rūnaka provided an earlier cultural impact assessment (the **2025 CIA**) in May 2025 for the MP4 resource consent application[14]. OceanaGold considered the 2025 CIA and engaged with Kā Rūnaka through the introduction of MP4 via the existing engagement arrangements in December 2025 and distribution of MP4 information in January 2026, with subsequent meetings, site visits, technical discussions, and circulation of draft technical assessments and consent conditions. Kā Rūnaka is preparing a Treaty Settlement Impact Assessment which we understand will be available by the Panel Convener's Conference[15].

(i) Consultation has included review and discussion of draft technical reports, management plans and consent conditions. OceanaGold developed the Project Description and refined MP4's design and proposed conditions in response to the feedback from Kā Rūnaka on both the MP4 RMA resource consent application and Fast-track project.

(j) Engagement with DOC commenced following formal notification in December 2025 and has since included:

(i) submission of pre-consultation material and FTAA documentation in February 2026;

(ii) an MP4 introduction meeting in March 2026, subsequent fortnightly MP4 meetings and participation in the April 2026 technical expert site visit; and

(iii) site visits and correspondence regarding technical inputs and review processes.

14 The 2025 CIA is Application Document B.04.

15 ibid, fn 15

(k) Engagement with Heritage New Zealand Pouhere Taonga (**HNZPT**) has included correspondence, a formal pre-application consultation meeting, site visits, technical engagement and provision of documents relevant to archaeological assessment.

(l) The Ministry for Business, Innovation and Employment and New Zealand Petroleum and Minerals were formally notified of the proposed application in December 2025. Subsequent engagement has primarily consisted of discussions with New Zealand Petroleum and Minerals. No approvals are sought, however, within the regulatory responsibilities of that agency and the engagement has been undertaken as a courtesy only.

(m) Community and stakeholder engagement has included:

(i) Community drop-in sessions in Macraes in March 2026 and in East Otago in April 2026 and opening the Palmerston Information Centre in April 2026. Meetings with Macraes Community Incorporated have been held on a bi-monthly basis.

(ii) Engagement with landowners and neighbouring stakeholders has included discussions in January 2026 and March 2026, alongside in-person meetings from May 2026 onwards to address site-specific concerns.

25. Since the Substantive Application was lodged on 9 September 2026, OceanaGold has continued to engage with stakeholders. This includes:

(a) Continuing to hold regular scheduled meetings with the Councils, DOC and Kā Rūnaka, including with technical experts assisting these parties, where appropriate.

(b) OceanaGold has liaised directly with HNZPT to discuss the matters raised in their section 46 completeness response, and OceanaGold has agreed

to undertake exploratory works (to be authorised by an exploratory authority) to further define the area of the Chinese Camp. OceanaGold has also received consent to create a drain which will pass through the extent of I42/64 (alluvial works) which is protected by a heritage covenant area[16].

(c) OceanaGold has received informal requests for further information on various matters within the application from the Waitaki District Council, Dunedin City Council, Otago Regional Council and HNZPT. OceanaGold has agreed to provide the information to assist the Councils to prepare their formal comments on the Application. The first tranche of responses is scheduled to be provided on 16 November 2026, followed by a second set of responses of 20 November and a third set on 25 November.

(d) Held technical expert sessions on water and ecology on 27 October 2026 for the Councils, DOC and Kā Rūnaka. These sessions provided an overview of water and ecology issues and proposed management of these, as well as providing an opportunity for experts to ask questions.

(e) A further water workshop was held on 28 October 2026 involving experts for Kā Rūnaka, DOC and the Otago Regional Council. This was a more detailed, technical session than the preceding day's session, and included discussion about the Council's requests for further information. These sessions resolved a number of questions participants had following their initial reviews of the Application. In relation to other matters where participants had questions and suggestions the Applicant is progressing those matters so it is in a position to respond to formal comments and advance those matters through the panel process.

(f) A copy of a draft panel timeline was sent to the Councils, DOC, HNZPT and Kā Rūnaka ahead of the filing of this memorandum, with a view to ensuring the greatest possible alignment on a sensible and workable

16 Received 8 October 2026. The work required for the drain will pass through the extent of I42/64 but will not modify or damage it. Therefore, an authority was not required.

timeline, recognising of course that it is for the panel you appoint to determine the process it will follow.

Key issues (Minute 3 at paragraph [18](d))

26. Based on its own knowledge having operated at Macraes for more than 30 years, the advice of its experts, and consultation undertaken to date, OceanaGold anticipates that the following matters are likely to be subject to more intensive engagement from parties invited to comment, thereby becoming areas of greater focus for the panel:

(a) water management, including management of mine-impacted water and freshwater restoration;

(b) impacts on indigenous ecological values, the proposed biodiversity compensation and enhancement activities, providing appropriately for Kā Rūnaka values and aspirations in the oversight of permanently protected areas, and the extent to which these measures impact future farming opportunities; and

(c) progressive rehabilitation, closure, and aftercare, including providing appropriately for Kā Rūnaka values and aspirations both during mining and after mine closure.

27. OceanaGold has proposed conditions and management plans which it considers address these issues, and in the applicant's suggested timeline it proposes workshops on these topics as well as workshops on management plans and conditions to ensure potential effects are appropriately managed.

Changes made to the application (Minute 3 at paragraph [18](i))

28. The Applicant has received some informal requests for additional information from the Councils as they have been reviewing the application, proposed conditions and draft management plans, and its experts are working on responses to these. Any responses will be provided to the Councils and the EPA/panel as stand-alone

memos. OGL has notified the Councils that responses to all these requests for additional information will be provided before the end of November, with the first tranche due on 16 November 2026. No other supplementary reports or draft conditions are being prepared, and no substantive changes to the application that might warrant a delay in the panel's appointment are anticipated.

29. In the Memorandum of Counsel accompanying the Application we said OceanaGold would aim to provide updated management plans by Christmas. Where comments on draft management plans are received from Councils or others before the Christmas break the applicant still intends to do this.

Complexity (Minute 3 at paragraph [18](g))

30. The Project is of significant scale, but in our submission is not exceptionally complex for a large-scale mining proposal. As would be expected, it engages with a number of technical areas and consequently the technical reports supporting the Application address the usual range of issues associated with a proposal of this nature and are appropriately detailed, and these in general have been extensively reviewed by key stakeholder subject matter experts.

31. The Project is a continuation of a long-standing existing mining activity, meaning the activity itself, the potential impacts, and the proposed mitigation measures are well understood. Relevantly, the Project proposes marked improvements to the existing consented arrangements relating to water quality and ecology.

32. The Project does not introduce any novel or untested legal issues. All assessments follow established methodologies and statutory frameworks under the FTAA and the relevant originating legislation. The approach to the Application ensures the effects of MP4 are understood and comprehensive measures have been proposed to address these effects.

33. Comparing the complexity of MP4 to the Waihi North Project (discussed by the Associate Panel Convener as referred to at paragraph 6 above) we note the following factors that point to MP4 having comparatively less complexity:

(a) MP4 lacks the complexity and interest that the Waihi North Project attracted because that project involved activities on and under public conservation land.

(b) The Waihi North Project was considered early in the life of the FTAA. There is now a good body of experience in applying the various procedural provisions in the FTAA and the decision-making criteria.

(c) Cultural complexity is much reduced for MP4 where just one iwi has mana whenua status, compared with a much more complicated cultural landscape in the Waihi area.

(d) Additional work to align the conditions of some existing RMA consents for the Macraes Mine with those that are likely to form conditions of the MP4 approvals will be required, but is outside the scope of the current process.

(e) Less approval types need to be considered for MP4 compared with the Waihi North Project, with no access arrangement or concession approvals required, thereby considerably reducing the complexity for DOC as an administering agency and the panel's need to engage with the schedules in the FTAA that deal with those approval types.

(f) Unlike the Waihi North Project, MP4 does not include the construction of a new above-ground tailings storage facility (it instead seeks to increase the tailings storage offered by an existing in-pit facility).

34. The following factors identified in the Waihi North Project also apply to MP4:

(a) While there has been a good level of engagement between the Applicant and the local authorities (including having regard to previous applications advanced for the project) there remains work to be done in resolving issues and agreeing conditions.

(b) There is a large amount of material (application and supporting technical reports, extensive proposed conditions, and the expectation of thoughtful and thorough section 51 reports and section 54 comments from local authorities and administering agencies) that the panel will need to consider.

35. OceanaGold's request that the panel approve some MP4 management plans as part of its process adds additional work compared with the Waihi North Project.

36. In our submission, when all factors are considered, MP4 can be considered to have similar, but somewhat less complexity than the Waihi North Project. That comparison provides a useful guide that has been used to arrive at a proposed timeline and decision date for MP4 as set out in Appendix A. An allowance of 100 working days from close of invited comments (versus 82 in the Waihi North fast-track process) appropriately addresses any additional time required for management plan consideration and approval processes.

Proposed conditions (Minute 3 at paragraph [18](h))

37. A complete suite of proposed conditions for all approvals sought is included with the application[17]. The conditions build on OceanaGold's extensive experience at Macraes as well as its operation at Waihi (including the Fast-track approvals recently granted for the Waihi North Project).

38. The Panel Convener's guidance note provides that applications with conditions reliant on management plans should provide draft management plans with their application. The substantive application includes 28 draft management plans that cover the suite of issues requiring management[18].

17 Part D of the Substantive Application.

18 Part C of the Substantive Application.

Timeframes and Panel Process / procedural requirements (Minute 3 at paragraph [18](i))

39. As outlined above, OceanaGold considers that 100 working days from the date of receiving invited comments is an appropriate decision timeframe. While this is longer than the maximum timeframe that may be set without an applicant's agreement, on this occasion OceanaGold will agree to this on the basis that additional time has been allowed in the panel's work schedule for the approval of 11 of the management plans.

40. In putting forward this decision timeframe, OceanaGold has considered the scale, nature and complexity of the approvals sought, the engagement and alignment that has been achieved through engagement with stakeholders to date, as well as its experience through the Waihi North Project. OceanaGold considers that the proposed timeframe would ensure sufficient time to avoid impacting the quality of decision-making and would not over-allocate time consistent with the procedural principles in section 10 of the FTAA.

41. In terms of the application process and proposed procedural steps, OceanaGold will work constructively with the panel to advance the consideration of the application efficiently and effectively. It welcomes the opportunity to provide the panel with a project briefing alongside a site visit, and reiterates its offer to provide a presentation on water management and ecological effects/compensation at the panel's initial project briefing meeting if such a meeting is held and the panel considers this would be helpful.

42. OceanaGold's estimated timeframe identifies that it would be useful to have panel-led workshops or conferences on water and ecology topics shortly after all comments have been received and responded to by the Applicant. Water and ecology have been identified as two key issues and these workshops will assist in the panel understanding the issues and allow participants to openly discuss points of difference and assist the panel in arriving at workable solutions. OceanaGold has also suggested workshops to be held on the 11 management plans which it is asking the panel to approve as part of its final decision. This again allows for open discussion of issues and collaboration on the management plans.

43. As with most Fast-Track applications, OceanaGold considers it unlikely the panel will need to convene a formal hearing on any aspect of the application.

44. OceanaGold confirms that counsel and relevant experts will be available to assist the panel in accordance with the timetable set out in Appendix A. By email dated 28 October 2026, the EPA communicated a direction from you asking participants to record dates on which counsel and experts are unavailable during the summer holidays, from 11 January to 15 February 2027. The FTAA sets out the holiday period starting on 20 December 2026 and ending on 10 January 2027. Other than weekends and Waitangi Day, the period from 11 January to 15 February 2027 comprises working days under the Act and OceanaGold has instructed counsel and its experts to be generally available throughout that period (and beyond) to provide such assistance as may be required in relation to the efficient progress of the Application. It is OceanaGold's expectation that the processing timeline for the Application will treat that period as an ordinary working period. If it was suggested that the timetable might be further extended to accommodate extra holidays for participants during this period, that is not agreed by the Applicant, is not consistent with the procedural principles in section 10 of the Act, and, if it resulted in a final decision being delayed, would be unfair and prejudicial to the Applicant for the reasons addressed earlier in this memorandum.

45. You have also directed information on who from the Applicant should be included in the Group Email List, and whether the Applicant agrees to maintain that list. The Applicant is addressing this directly with the EPA.

Panel membership

46. OceanaGold has liaised with the ORC on panel composition and respectfully submits that the panel could be helpfully comprised of persons with the following expertise, knowledge and experience:

(a) legal;

(b) resource management planning;

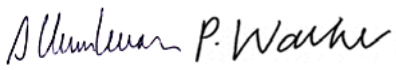
(c) ecology;

(d) water management; and

(e) te ao Māori and Māori development.

47. On the basis that some panel members are likely to possess expertise and knowledge in more than one of these areas, OceanaGold does not consider that there is any need for more than four panel members to be appointed. As noted previously, the panel may, at its discretion, benefit from engaging one or more additional advisors to assist in addressing the detail of the management plans.

Dated 4 November 2026



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S Christensen / P Walker

Counsel for OceanaGold

Appendix A

Proposed Timeline

Task	Working days (cumulative working days from date comments close under section 53 shown in underline)	Date
Panel Convener Conference		9 November
Panel commencement		2 December
Panel briefing and site visit	2 working days (applicant provides panel with project overview/briefing and full day site visit)	2 and 3 December
Invite comments from relevant parties	Must be no more than 10 working days after Panel commences work (section 53(1))	16 December
Section 51 reports due	10 working days following section 53 request (section 51(4)(a))	20 January 2027
Comments close	20 working days from being invited to comment (section 54(1)) (excluding 20 December to 10 January))	3 February 2027
Monday 8 February Waitangi Day observed		

Final day for participant's comments	5 working days after invitees' comments are received (s55(2)) (5 working days)	11 February 2027
Panel can request any further information it requires or engage an additional person to assist with management plans.		
Panel-led in person workshop/conferences on the two topics listed below. This will include discussion of related conditions:		
(i) Water	3 working days (19 working days COB 3 March)	Week commencing 1 March
(ii) Ecology	4 working days (25 working days COB 11 March)	Week commencing 8 March
Panel provides preliminary "working set" of draft conditions that set out the objective and minimum content of management plans for which Panel approval is sought	31 working days	19 March
Note: Monday 22 March Otago Anniversary Day, 26 March Good Friday and 29 March Easter Monday		
Face to face workshopping on management plans. Led		

by Panel or a Panel appointed facilitator with Panel members present where applicable to their areas of expertise and interest		
Wetlands and streams: (i) Wetland Management and Monitoring Plans (ii)Residual Effects Wetland Restoration Plan (iii)Stream Compensation Management Plan	2 days (38 working days COB 2 April)	1-2 April
Terrestrial ecology: (i) Avifauna Management Plan (ii) Invertebrate Management Plan (iii)Pest Control and Elimination Plan (iv)Lizard Management Plan (v)Vegetation and Flora Management Plan (vi)Residual Effects Terrestrial Restoration Plan	3 days (41 working days COB 7 April)	Week commencing 5 April
Fish Management Plan	2 hours (49 working days)	19 April
Archaeology and Heritage Management Plans (six, small and similar individual plans)	½ day (50 working days)	20 April
Note: Monday 26 April (Anzac Day observed)		

Panel releases first complete working set of draft consent conditions.	57 working days	30 April
Panel-led workshop on consent conditions.	62 working days COB 7 May	4 – 7 May
Panel releases draft consent conditions and decision incorporating the results of the workshops.	Section 70 (72 working days)	21 May
Applicant and commenting parties provide comments on Panel's draft conditions	There is no timeframe given in the Act (section 70(2)(a)). It is proposed to run this in parallel with section 72 and therefore synchronise the timing at 10 working days. (82 working days)	4 June
Minister for Māori Crown Relations: Te Arawhiti and Minister for Māori Development provide comments on Panel's draft conditions.	10 working days (section 72(2)) (82 working days)	4 June
Applicant comments on comments on conditions made by others	5 working days (section 70(4)) (87 working days)	14 June
Note: 7 June Kings Birthday		
Expert Panel final decision due	100 working days from comments being received under section 53 (section 79(2)(b)(ii)).	1 July

Table 6-1: Anticipated Sequencing of the MP4 Project Activities

