

**UNDER** the Fast-track Approvals Act 2024 (**Act**)

**IN THE MATTER** an application for approvals for the Waihi North  
Project (**WNP**) – a listed project described in  
Schedule 2 of the Act

**BY** **OCEANA GOLD (NEW ZEALAND) LIMITED**  
**Applicant**

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**STATEMENT OF EVIDENCE BY RHYS JAMES GIRVAN ON BEHALF OF  
OCEANA GOLD (NEW ZEALAND) LIMITED**

**Landscape, Natural Character and Visual Effects Assessment**

**Dated 1 September 2025**

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## **Introduction**

1. My full name is Rhys James Girvan. My qualifications and experience, and my role in the Waihi North Project (**WNP**), are set out in my statement of evidence dated 7 February included in Part G of the substantive application document for the WNP.
2. I have been asked by OceanaGold (New Zealand) Limited to provide a response to the specific matters contained in written comments on the WNP application from persons invited by the Panel to comment under section 53 of the Act, namely:
  - a. Hauraki District Council
  - b. Thames- Coromandel District Council
  - c. Waikato Regional Council
  - d. Coromandel Watchdog
  - e. Department of Conservation
3. I can provide a more fulsome response to the issues covered in this statement if the Panel requires further assistance from me. My evidence has focussed on any comments received in response to the Landscape, Natural Character and Visual Effects Assessment (Part B, Technical Reports, B.54), dated 10 February 2025 (the “Assessment”) as well as related matters referring to the Ecology and Landscape Management Plans (**ELMPs**) and Proposed Conditions.

## **Hauraki District Council**

4. Comments received from Hauraki District Council have been informed by a peer review undertaken by Dave Mansergh of Mansergh Graham Landscape Architects (the “Peer Review”) and incorporated into the

Planning Assessment prepared by Craig McGarr of Bentley and Co., both dated 21 August 2025.

5. The Peer Review supports the method and overall conclusions, including the closure concept, and confirms that identified differences do not alter the conclusions or mitigation recommendations.
6. Whilst the Peer Review queries the consistency of the natural character assessment method applied, it supports overall conclusions that a net gain in natural character values will occur. Protecting and restoring watercourses which extend beyond the Coromandel Forest Park (**CFP**) will expand natural elements, patterns, and processes that connect and restore previously more modified areas. This outcome works to improve overall levels of natural character and occur irrespective of any 'like-for-like' replacement of individual natural features, including in relation to the loss of the warm spring. In my opinion, differences in methods applied can readily be explained and remain consistent with best practice methodology. Where high natural character occurs, particularly within the CFP, more detailed consideration of natural character effects has been included in the Assessment. In all instances, natural character has engaged with the composite character of an area's natural characteristics and qualities, including the degree of modification apparent along the margins and context of identified streams.
7. The Peer Review acknowledges the assessment of landscape effects draws on established principles and current best practice. However, it then goes on to critique the analysis of effects on identified values and the duration of effect. In my opinion expected differences in the level and nature of landscape effects between implementation, operation and residual effects are clearly stated in the Assessment. Beyond this, I consider differences in outputs reflect individual practitioner differences rather than matters of substance. The characteristics and values and nature of landscape change are clearly set out within the Assessment following a more detailed description of the existing landscape values and anticipated landscape

change. Furthermore, the Peer Review acknowledges any differences are not significant enough to be fatal to findings of the Assessment (or the application itself from a landscape, natural character and visual amenity perspective only).<sup>1</sup>

8. The Peer Review identifies that there is limited assessment of private views, particularly dwellings along Willows Road, Golden Valley Road and Trig Road.<sup>2</sup> During my assessment of the Waihi North project, I have been engaged by OGNZL to undertake a comprehensive assessment of visual effects, including from several adjacent dwellings to ensure the effects of the Project are clearly understood. This has included further specific understanding of the proposed visual change, including the preparation of accurate visual simulations from private property shared with landowners. This method has helped inform a more detailed analysis of visual effects on the differentiated viewing audiences defined for each project element and set out within Sections 7.3.2, 8.4.2, 9.4.2, 10.4.1 and 11.4.2 of the Assessment.
9. Further to the above, the Peer Review is also critical of the assessment of cumulative effects on the basis that each project area has been assessed separately rather than the combined effects.<sup>3</sup> However, an assessment of cumulative landscape and cumulative visual effects is specifically set out Section 12 of the Assessment. This includes specific assessment of combination, succession and sequential cumulative effects between different aspects of the proposed application. Once mitigation implemented concurrently with the mining operation becomes established, identified cumulative adverse effects will reduce. On this basis, I consider the potential for cumulative effects which change over time has been adequately addressed.

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<sup>1</sup> Hauraki District Council comment, Mansergh Graham Landscape Architects, Feed – Landscape, Natural Character and Visual Amenity, page 3.

<sup>2</sup> Ibid, page 6.

<sup>3</sup> Ibid, page 6.

10. Notwithstanding the above, the Peer Review states that the likely nature of effects on landscape character, natural character, and visual amenity is well understood.<sup>4</sup> This is consistent with my view of the Assessment. I also agree with the Peer Review that mitigation is able to be designed to ensure it will be effective regardless of whether specific effects are individually identified.<sup>5</sup>

11. Given an agreed ability to address any differences or perceived gaps in the Assessment, the primary concerns which have been raised in the Peer Review relate to the effectiveness of the proposed mitigation framework and the ability to certify or condition the necessary ELMPs. The following broad themes recommending improvement have been identified:

**i. Inclusion of further landscape specific objectives**

12. The Peer Review considers the inclusion of specific objectives for landscape, natural character, and visual amenity into the ELMPs is essential to ensure that these values are clearly recognised and appropriately addressed alongside ecological outcomes.<sup>6</sup> In reviewing the Plan Objectives stated in each ELMP alongside the Peer Review comments, I agree there would be benefit ensuring landscape objectives are made more explicit.

13. In addition, each ELMP shall now include a specific landscape and visual mitigation plan through which relevant objectives ensure landscape, natural character and visual amenity effect are addressed, cross referencing matters pertinent to the integrated management of effects within other sections of the ELMP where relevant. Through this iteration, I maintain the interconnected physical, perceptual, and associative attributes relating to landscape effects are addressed. I therefore support this expanded

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<sup>4</sup> Ibid, page 9.

<sup>5</sup> Ibid, page 9.

<sup>6</sup> Ibid, page 11.

clarification as beneficial in terms of contributing to the certainty of outcomes delivered through certified LEMPs and addressed as landscape outcomes.

**ii. Integration of Landscape Recommendations into a Consolidated Checklist for Inclusion in the ELMPs**

14. The Peer Review helpfully sets out a series of checklists summarising recommendations which have been identified within the Assessment in relation to each Project Area.<sup>7</sup> I support the view that this would prove useful background information that assists with the transparency and accountability throughout the implementation process to direct landscape outcomes. On this basis, I consider these could be combined with recommendation to improve measurable performance standards and further clarity in terms of certification pathways discussed in item iv. below.

**iii. Refinement of Tables 2 and 3 of the ELMPs**

15. The Peer Review recommends revisions to the layout of tables 2 and 3 of the ELEMPs to better reflect the task and purpose of each anticipated aspect of proposed mitigation.<sup>8</sup> In my opinion, these tables are better framed in the context of the proposed integrated mitigation plan through which identified landscape outcomes can be measured and assured. This provides a more transparent basis for including the specific areas through which integrated mitigation must address. On this matter, I consider maintaining reference to mapped planting areas referred to in Condition 165 (Attachment 7 Proposed Integrated Mitigation Planting Stages Maps) provides greater certainty in terms of where and what specific integrated mitigation must be applied.

**iv. Development of Performance Standards**

16. In addition to amendments to tables 2 and 3, the Peer Review recommends the development and adoption of Performance Standards to ensure that clearer, measurable criteria are established. On this matter I acknowledge there is benefit in this iteration where it ensures greater clarity in terms of

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<sup>7</sup> Ibid, pages 13-15.

<sup>8</sup> Ibid, page 16.

landscape outcomes and ensuring management actions are straightforward to implement, monitor, and evaluate, with success clearly measurable. I also agree that some mitigation may include measures that intrinsically comprise part of the development design and outside identified planting areas. For example, actions to ensure landform integration, requirements to use recessive colours or limit nighttime lighting or hydroseed areas of exposed soil.

17. While I support the addition of relevant performance standards in principle, I note the ELMP must also respond to anticipated ecological outcomes or matters outside the scope of the Assessment or otherwise addressed via proposed consent conditions. Furthermore, I agree that objectives and anticipated outcomes can more effectively be encapsulated in identified landscape recommendations (as referred to in items ii. Above). I therefore consider any further effort to be identified in terms of developing more detailed performance standards is better directed towards clarification of how specific recommendations are applied as necessary to ensure the wider integrated management of effects is clearly maintained.
18. In addition to the above, the Peer Review recommends some minor amendments to the conditions which clarify the nature of anticipated landscape outcomes and engagement of a suitably qualified landscape architect in this process. While I generally support the benefit of these minor additions, I consider the nature of anticipated landscape outcomes are best framed through consent instruments that can respond to and adapt with ongoing objectives as follows (my recommended changes in *green italics*):

**Condition C47A(v) and Condition C47B(vii)**

*Landscape and Visual Mitigation Plan – which seeks to guide management of anticipated landscape outcomes ~~visible change in the landscape the physical, associative and experiential attributes of the landscape, including visual amenity.~~*

**Condition C49**

*By 30 June each year the Consent Holder must engage a suitably qualified and experienced ecologist ~~and a suitably qualified landscape architect~~ to prepare an*

*annual Waihi North Ecological and Landscape Monitoring Report that covers activities addressed in the WUG and Waihi Area ELMPs for the previous year...*

#### **Condition C60**

*No later than 30 days prior to the first exercise of this consent, the Consent Holder must submit a Rehabilitation and Closure Plan for certification under Condition C5.*

*Certification is required to verify that the Rehabilitation and Closure Plan:*

- a. Includes actions, methods, and monitoring programmes as appropriate to meet the objective in Condition C61; **and***
- b. Satisfies the requirements in Condition C62.; **and***
- c. Is consistent with the identified outcomes ~~and performance standards~~ contained in the ELMPs*

#### **Condition C61**

*The mine site landscape shall be shaped and planted in accordance with the Proposed Closure Concept Plans contained in Attachment 2 of the conditions (namely Attachment Fig. A Proposed Closure – WUG Surface Facilities Area and Fig. B Proposed Closure - GOP, NRS and TSF3 or their subsequent certified amendments).*

And

*The Proposed Closure Concept Plans shall include the integration of works undertaken through the ELMPs and meet the requirements of **anticipated landscape outcomes** ~~the relevant performance standards~~ contained in the ELMPs (except for temporary mitigation works).*

19. In the absence of further ability to modify then certify ELMPs through the FTAA process, the Peer Review provides further recommendations suggesting any gaps should remain subject to consent conditions and Council certification. Given this assurance, from a landscape, natural character and visual effects perspective, the Peer Review considers there is no substantive reason why consent cannot be granted.<sup>9</sup>

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<sup>9</sup> Ibid, page 26.



**a. Thames-Coromandel District Council**

20. Comments received from Thames-Coromandel District Council relate to the status of the application and consent conditions, noting the application has correctly identified the area of land subject to the Outstanding Natural Feature and Landscapes Overlay. Comments relevant to certification of the ELMP-WUG appear to relate solely to administration concerns and no specific concerns appear relevant to the findings or outcomes for landscape effects as set out in the Assessment.

**b. Waikato Regional Council**

21. Comments received from Waikato Regional Council make no explicit reference to the Assessment. There are some related comments to addressing the implications of potential for dewatering within the context of the Coromandel Forest Park and the potential to supplement water within waterways where this occurs.<sup>10</sup> I have not identified or assessed the implication of any need to establish supplementary water back into streams on the basis that hydrological and ecological evidence indicates the need for augmentation is unlikely.

**c. Coromandel Watchdog**

22. The Coromandel Watchdog provide no specific peer review or commentary relating to the Assessment other than recognition of the importance of Outstanding Natural Areas and high value conservation landscape within which the effects of the WUG have been assessed.
23. Layperson and expert evidence are provided in relation to the importance of this landscape and concerns with impacts on the area's natural beauty, however the specific locations where potential impacts on identified landscape values or important views will be affected have not been defined. Although related concerns about aquatic ecology effects—on which the

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<sup>10</sup> Dr Phillips (19 August 2025) Comments on Waihi North Fast Track Application and Conditions: Freshwater Ecology, page 2.

Assessment relies—are raised, no further landscape, natural character, or visual matters are identified.

**d. Department of Conservation**

24. The comments from the Department of Conservation (DOC) including the Access Arrangement Report identifies the landscape values of the Wharekirauponga are not expected to be adversely impacted, although noticeable to users in close proximity<sup>11</sup>. This accords with very low adverse effects identified in the Assessment.
25. In addressing the potential for adverse effects, DOC has also raised concerns with respect to sufficient information included in management plans including the ELMPs. As set out in the response to Hauraki District Council above, I consider matters relevant to landscape, natural character and visual amenity in these plans can be readily addressed.

**Conclusion**

26. Based on my review of available comments, I continue to support the conclusion that adverse landscape effects can be effectively managed. Identified concerns that relate to ensuring the ELMPs are able to be certified by the Fast Track Panel or otherwise conditioned can be addressed. On this basis, I consider this project will remain well integrated within its local landscape setting and facilitate positive landscape outcomes in the long-term.

**Dated:** 1 September 2025

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Rhys James Girvan

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<sup>11</sup> Department of Conservation (11 August 2025) Appendix F: Access arrangement report Section 51(2)(f) access arrangement report for – FT-0063 Waihi North Project.