

Your Comment on the Waihi North application

Please include all the contact details listed below with your comments and indicate whether you can receive further communications from us by email to substantive@fasttrack.govt.nz

1. Contact Details			
Please ensure that you have authority to comment on the application on behalf of those named on this form.			
Organisation name (if relevant)	Ngāti Tara Tokanui Trust Ngāti Tara Tokanui, Ngāti Koi		
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2. We will email you draft conditions of consent for your comment			
<input checked="" type="checkbox"/>	I can receive emails and my email address is correct	<input type="checkbox"/>	I cannot receive emails and my postal address is correct

Thank you for your comments

Overall Position of Ngāti Tara Tokanui

1. Ngāti Tara Tokanui and Ngāti Koi (**NTTNK**) are tangata whenua at Waihi and in the immediate vicinity of the OceanaGold Project, with a whakapapa relationship founded on mana and kaitiakitanga that has existed since time immemorial. Our connection to the land is deeply rooted in our ancestry, with significant sites and settlements established by our ancestors throughout the region.
2. The Fast Track application by OceanaGold involves mining of the Gladstone Deposit via an open pit, with plans to backfill and repurpose it for tailings storage after mining concludes (the **Project**). Given the pit's proximity to Motukehu (a taonga and site of significance for NTTNK, the area surrounding Motukehu is a battle – wāhi tapu site including Gladstone Hill) and its approximate location to our rohe, in a geologically complex area, careful geotechnical assessment and design are essential to ensure stability and safety of the activities proposed.
3. NTTNK must be actively involved in all stages of the Project and this application. We seek to appear before the Panel to inform its decision in respect of the Project and, in particular, ensure if the Project is to proceed that any conditions reflect an engagement process aligned with the NTTNK and OceanaGold Partnership Agreement. This will enable us to effectively manage effects and ensure our mana whenua is upheld.
4. Our comments are provided with the intention of protecting the taonga of NTTNK, and to ensure that we are involved in management processes. We are committed to ongoing discussions with OceanaGold to implement recommendations that recognise our interests and uphold a holistic view of the environment (te taiao), encompassing the effects of the Project on air, water, and land.
5. The Project directly impacts NTTNK for the following reasons:
 - (a) The Ngāti Koi Reserve, home of Ngāmarama settlements for a millennium, is now buried. Urupā, wāhi tapu, pā kāinga, and mahinga kai sites have been obliterated or severely degraded as a result of environmental degradation, severing cultural whakapapa connection preventing kaitiakitanga (stewardship) to care for this land.
 - (b) De Facto Loss of Control over Motukehu. Motukehu was returned in Fee Simple under the Ngāti Tara Tokanui Treaty settlement negotiations. In practical terms, this restricts the use and control of the Domain by NTTNK. Restrictions include impacts on ceremonies, restoration, and risks contamination (dust, water runoff – subsidence). For example, the repo and wetland face irreversible loss due to environmental degradation.
 - (c) The Crown guaranteed undisturbed possession of our lands, yet over the years, mining has disrupted this promise. Sacred landscapes – such as Ruahorehore, Waione Awa, Motukehu, the bend in the Ohinemuri – honour our tupuna and Atua. These sites are now altered. Ruahorehore, once a sacred stream, has been repurposed to divert 'vagrant' streamlets for TS3 stability. Its failure could trigger catastrophic dam collapse. Motukehu (225m) will be dwarfed by tailings dams, forever recontextualised by industrialisation.
6. **We call for** direct engagement in this Fast Track process, adequate resourcing for our participation, and a reset of the Conditions to establish a transparent, balanced, and inclusive approach. We also seek a sunset clause for the Iwi Advisory Group forum (**IAG**), to be replaced by an engagement group aligned with the Partnership Agreement, and legally binding cultural impact assessment processes for all permits and activities.

7. The loss or degradation of springs and wetlands without our rohe is seen as cultural erasure. We recommend comprehensive mapping, hydrogeological studies, and iwi-led oversight to protect these taonga.
8. Our position prioritises due diligence, mātauranga Māori, and the protection of our community and future generations. We expect direct, face-to-face engagement with the Panel and OceanaGold, supported by legal processes and adequate resourcing to address the power imbalance in participation.
9. Set out below are further details on the key information the Panel should be informed of when assessing the Project. The information is provided at a high level with reference to key materials throughout, we urge the Panel to involve us in the next stage of the assessment process.
10. A number of documents contain sensitive information and, as a result, NTTNK are reluctant to file the complete documents as a part of the comments process. However, given NTTNK's desire to be involved throughout this process, NTTNK are committed to providing more information from these documents through the submissions process and subsequent meetings with OceanaGold and/or the panel, if required. These documents are the following:
 - (a) NTTNK Cultural Values Assessment in relation to the Waihi North Project dated 13 April 2022 (CVA).
 - (b) NTTNK Cultural Impact Assessment in relation to the Waihi North Project dated 20 September 2022 (CIA).
 - (c) Partnership Agreement between NTTNK and OceanaGold signed on 27 October 2021 (Partnership Agreement).

Ko Ngāti Tara Tokanui tēnei

Ko Motukehu te Maunga, Ko Ohinemuri te Awa, Ko Tara Ngamarama ngā Tangata,

Ko Waihi te Tupuna Tihei Mauri ora.

11. NTTNK are tangata whenua within Waihi our whakapapa relationship is founded on mana and kaitiakitanga and has existed since time immemorial.
12. Tara is the eponymous ancestor of Ngāti Tara Tokanui and Ngāti Koi. Migrating from Maungatautari in the late sixteenth century, Tara established pā and kāinga at Te Wai o Rongomai, Piraurahi, Mimitu, Tawhitiaraia, Pouarua-Maramarua, Te Kura a Maia, Opukeko, Whangamata and Tuhua Island.
13. Over time, Ngāti Tara Tokanui intermarried with the Ngāti Tokanui. The ancestor Tokanui was from Ngamarama. Ngāti Tokanui, therefore, are distinct in terms of genealogy from Ngāti Tara.
14. The key marriage alliance between Ngāti Tara and Ngāti Tokanui meant that the two separate descent groups came to form one social and political unit under 'the mana of Tara and the land of Tokanui.' The eldest son of Tara, Houmanawanui encountered Ngāmarama at Motukehu, though the chiefs Ruahorehore and Waione fell in battle, their struggle amalgamated Ngāmarama as Ngāti Tara Tokanui, Ngāti Koi who maintain 'whakapapa ki te whenua' within the Waihi North Project Application Area (the Project).
15. The Rangatira Te Taurangi (Te Raharuhi) compiled the list of pā, urupā, iwi rohe boundaries, wāhi tapu, government-imposed boundaries, archaeology sites, natural resources and important cultural sites of significance. It included sites associated with the chief Tara, Ngāti Tara and Ngāti Koi and demonstrates the whakapapa links of Ngāti Tokanui to these tupuna and their descendants. This list was presented

by Te Raharuhi's son, Tetuhioterangi Te Keepa Raharuhi, as a published document, to the Native Land Court at the Pukemokemoke hearings in March 1893.

16. To gain a further understanding who NTTNK are, we refer you to Ngāti Tara Tokanui Deed of Settlement of Historical Claims dated 28 July 2022 and related schedules, and the Ngāti Tara Tokanui Claims Settlement Bill.

Ngāti Tara Tokanui Treaty Settlement Matters

17. NTTNK are the only iwi with a legislatively recognised Treaty settlement in the Project area. The pathway to settlement for NTTNK whānau, hapū, and iwi has been long and complex, beginning with the Wai 714 claim heard by the Waitangi Tribunal from 1998 to 2002, and culminating in the signing of a Deed of Settlement in July 2022. The first reading of the Ngāti Tara Tokanui Claims Settlement Bill was passed in June last year, formally acknowledging NTTNK's mana whenua and their unique relationship with the whenua.
18. The Treaty settlement provides for co-management arrangements with the Hauraki District Council over significant sites and the return of such, including Motukehu. These sites are now directly impacted by the Project, with the Motukehu encircled by OceanaGold's planned Gladstone Open Pit and tailings storage facilities (**TSF**). This has resulted in the burial or severe degradation of urupā, wāhi tapu, pā, kāinga, and mahinga kai sites, severing cultural connections and undermining kaitiakitanga.
19. NTTNK are deeply concerned about the potential effects of the Project on taonga returned through the Treaty settlement process. We insist that consultation and engagement must take place directly with NTTNK, as key stakeholders, to prevent irreversible harm and to uphold the Crown's obligations under Te Tiriti o Waitangi. The Panel must not use NTTNK's previous engagement with OceanaGold as a reason to bypass proper process or diminish Treaty rights.
20. NTTNK's position is clear: the Partnership Agreement with OceanaGold must be recognised and prioritised in the Fast Track process, ensuring that NTTNK have equal authority in decision-making over Treaty settlement sites and activities. We call for legally binding cultural impact assessment processes, co-management of significant sites, and a commitment to genuine, face-to-face engagement that respects their mana whenua and protects the interests of current and future generations.
21. We refer the Panel to the Ngāti Tara Tokanui Deed of Settlement of Historical Claims dated 28 July 2022 and related schedules, and the Ngāti Tara Tokanui Claims Settlement Bill.

Ngāti Tara Tokanui Relationship with other iwi

22. NTTNK acknowledge the presence and interests of other iwi within the wider Waihi region. However, NTTNK maintain that their whakapapa, customary authority, and legislatively recognised Treaty settlement place them in a unique position as mana whenua and kaitiaki within the Project area. This status is founded on deep ancestral connections, historical occupation, and the exercise of kaitiakitanga over significant sites and resources.
23. In 2013, the Environment Court considered appeals against the Hauraki District Council's decision to grant consent to Waihi Gold Company Limited for the Correnso Underground Mine (**Correnso Consent Order**). The proceedings resulted in a mediated agreement between the parties, including Te Kupenga o Ngāti Hako Incorporated, and the issuance of consent orders by the Court. These orders included specific conditions recognising tangata whenua interests and required the establishment of an IAG, with provision for other iwi to participate in the group's activities. The wording 'may participate' (rather than "must") also means that OceanaGold controls who is included. The IAG is not a mandatory or exclusive consultation pathway and, as such, OceanaGold can claim compliance even if some iwi are left out.

24. Despite the significant impact of these conditions on the local landscape and cultural sites, NTTNK were not involved in the process and were not consulted directly, even though their lands were directly affected by the mining activities and the resulting consent conditions. As a result, the IAG was established without their input or representation.
25. Although the Correnso Conditions are not legally binding on the Project, they have been used as a precedent for engagement with mana whenua in subsequent projects. This approach has failed to adequately recognise the interests, whakapapa ties, and kaitiakitanga responsibilities of NTTNK. The exclusion of NTTNK from the original proceedings means their unique relationship with the whenua has not been properly acknowledged or protected in ongoing engagement frameworks.
26. The current Engagement Plan process by OceanaGold is flawed, it adheres to key sections within the Correnso Consent Order as the default engagement mechanism for all iwi who claim whenua associations within the Waihi North project. NTTNK is the only iwi with Treaty settlement property in the Project area. To recognise this, an engagement approach in line with the Partnership Agreement ensures that these interests are recognised, in a shared decision-making capacity, rather than the observer role that the IAG provides for.
27. The current approach creates confusion in relation to the engagement between OceanaGold and NTTNK. While NTTNK have engaged in the IAG process, the circumstances of the Project, namely the location of the Project within the rohe of NTTNK, requires an approach that directly engages with NTTNK in a shared decision-making capacity.
28. NTTNK's position is that future engagement and consent processes must move beyond the limitations of the 2013 Environment Court framework. They seek the introduction of conditions that reflect a genuine partnership approach, aligned with their Partnership Agreement, to ensure their meaningful involvement and the protection of their cultural and environmental interests in all phases of the Waihi North Project.

Ngāti Tara Tokanui Relationship with OceanaGold

29. NTTNK have actively sought to build a meaningful and enduring relationship with OceanaGold, recognising the company's significant influence over environmental and cultural matters in the Project area. In 2021, both parties formalised this relationship through a Partnership Agreement, which sets out clear principles and protocols for engagement, consultation, and decision-making. This agreement was intended to provide a foundation for genuine partnership on current and future projects, ensuring that mana whenua perspectives are central to all activities affecting the whenua.
30. As a result of the Partnership Agreement, NTTNK was excited to build an ongoing relationship with OceanaGold with respect to matters which affect the taonga of NTTNK. We note that the Partnership Agreement should not dispose the Crown of any of their obligations to engage with NTTNK in a meaningful way, through their Treaty obligations.
31. The Partnership Agreement commits both NTTNK and OceanaGold to communicate openly, act in good faith, and respect each other's needs and legal rights. It also requires both parties to listen with an open mind, work through issues collaboratively, and engage kānohi ki te kānohi (face-to-face), wherever practicable.
32. Following the signing of the Partnership Agreement, NTTNK prepared CVA and CIA within three months, providing a robust framework for reviewing technical documents and guiding project development. OceanaGold has also invested in technical advice and cultural assessments, and has provided technical reports to NTTNK in a timely manner. However, there has been disappointment regarding OceanaGold's

lack of detailed and timely feedback or clear plans to address concerns raised in the CVA and CIA submissions.

33. Despite some positive steps, the engagement framework remains constrained by the legacy of previous consent activities, which established an IAG as the default engagement mechanism. NTTNK is not a named party to the discussions and ultimately the agreement reached between parties at the time, resulting in exclusion from meaningful participation and decision-making for the Correnso project.
34. The IAG structure is outdated and insufficient for the Project, as it does not guarantee NTTNK's involvement or equal authority. This has led to a lack of clarity around roles, resource allocation, and decision-making, and has perpetuated a power imbalance in the relationship.
35. With this particular project, NTTNK appreciate receiving technical reports for the Project promptly, the sheer volume and complexity of these documents—some exceeding 1000 pages—present a significant challenge to fully assess OceanaGold's operations and participate effectively. Given the Partnership Agreement, NTTNK consider more support from OceanaGold as a meaningful partner, given the significance of the area to NTTNK.
36. NTTNK call for the Partnership Agreement to be recognised and prioritised as the primary framework for engagement, superseding the Correnso Consent Order and IAG approach. This would ensure direct, transparent, and legally binding engagement with NTTNK as mana whenua. This approach should include the following:
 - (a) The Fast Track process should include conditions that require NTTNK's direct consent for any approvals affecting Treaty settlement lands, and should not delegate consultation to the IAG or broader Hauraki Collective.
 - (b) Adequate resourcing must be provided to enable NTTNK to participate fully and independently in technical and cultural assessments, addressing the current power imbalance.
 - (c) Ongoing engagement should be face-to-face wherever possible, with a commitment to co-management of significant sites, legally binding cultural impact assessment processes, and respect for NTTNK's unique relationship with the whenua.
37. NTTNK are committed to ongoing discussions with OceanaGold to implement recommendations that recognise their interests and uphold a holistic view of te taiao, encompassing the effects of the Project on air, water, and land.

The Project and Cultural Effects

38. Given the vast amount of technical documents submitted as part of the Project, NTTNK have been unable to undertake a complete review at the time of making these comments. However, it is important to raise a few key points that warrant further discussion with decision-makers and the consent holder, should the Project continue. These comments should be considered in light of the interests that NTTNK have in the area, and the significance of the taiao to the identity of NTTNK.
39. In 2022, NTTNK undertook a CVA and CIA for the Project, as a part of the consultation under the Resource Management Act 1991. The comments below reflect the position of NTTNK set out in the CVA and CIA, which maintain the importance of consultation with NTTNK as mana whenua and the protection of their taonga.
40. NTTNK must be involved in the subsequent phases of the Project, as key stakeholders for OceanaGold to consult and engage with in a meaningful manner. At a high-level, key considerations in terms of the cultural effects of the Project are outlined below.

Sites of Significance to NTTNK

41. The customary rohe of NTTNK is set out in the CVA. Given the location of the Project, the cultural effects are escalated by the proximity of the Project to a number of sites of significance to NTTNK. While the list below is not exhaustive, it explains the kōrero tuku iho of NTTNK and describes the importance of these sites, warranting sufficient protections and recognition throughout the project.

Motukehu

42. With an elevation of 217m in height it is hard to think that Motukehu would have played the important role that it did for NTTNK. It is not so much its height but its isolation that gave it its importance. Flanked on its eastern edges by the Ōhinemuri River, Motukehu stands alone as a solitary figure on the Southern outskirts of present-day Waihi township.
43. Motukehu was once the site of a significant battle. Hekei's sons, Porokaki and Hakiri, were young men and they visited two Ngamarama women at Motukehu in the hope of marriage. Their advances were rejected, and Ngamarama chiefs threw stones at Porokaki and Hakiri, hitting them on the head.
44. Ngāti Tara assembled 340 warriors to avenge this insult. The taua attacked and captured the pā at Motukehu. Ngamarama chiefs, Mitirua, Te Rautawhiri, Te Ruahorehore (Te Ruawharewhare), Waione and Tuteruringa were killed at Motukehu. Stones were placed to signify where these Ngamarama chiefs were killed.
45. Motukehu is one of the sites that were sought to be reserved for the various wāhi tapu located on the maunga. This is similar to the ancestress, Marea Wikiriwhi, requesting a reserve be established to preserve an urupā site at what is now Silverton Road.
46. The significance of Motukehu to NTTNK is reflected in our settlement documents. Upon our review of the documentation we have received to date, it is important to raise the following concerns with respect to Motukehu:
 - (a) The Gladstone Open Pit is located very close to Motukehu, with the pit boundary approximately 50 metres away. The area is geologically complex, with weak rock and significant faulting, increasing the risk of slope instability and landslides. We have concerns that blasting, vibration, and excavation in such weak material could exacerbate fracturing and destabilise the area around Motukehu.
 - (b) We understand that two natural landslides are present at the Project site. There are concerns that if care is not taken with respect to these, further harm could be caused to the area including Motukehu. As such, careful consideration must be given to ensure that any structural defects and faults are mitigated.
 - (c) We understand that after mining, the pit is to be converted into a TSF. We have concerns about the long-term integrity of the TSF liner and the risk of seepage or contamination of groundwater, which could affect Motukehu and nearby water bodies, including the Ohinemuri river and Ruahorehore stream.
 - (d) We are concerned about the irreversible loss of sacred landscapes, the destruction of wetlands and traditional food sources, and the impact on the wairua and sociological connections of mana whenua to their whenua. As a starting point, the footprint of the Gladstone mine cannot expand. There is a strong need for genuine engagement and the integration of mātauranga Māori into project planning and assessment to mitigate these effects.

Ngapuketurua (Wharekirauponga)

47. Ngapuketurua Hill marks the northern boundary of the Ōhinemuri rohe. Rising high above a cluster of maunga, Ngapuketurua is a point shaped hill located in the Southern Coromandel Ranges, forming the streams and waters of the Waitekauri River Headwaters. Ngapuketuru means “the many beautiful hills”.
48. Renown, for its physical beauty, Ngapuketurua boasts an ecosystem unequalled in Hauraki. Its misty environs are home to plants so rare they have a very unique wairua and mauri (for example Te Pua o Marama also known as Te Pua o te Rēinga is a taonga for NTTNK with the latter believed to be the doorway to the world of Hinenui Te Pō (the underworld). Prior to European colonisation, enormous Kauri trees proliferated at the base of Ngapuketurua.
49. The ancient iwi took their chief rangatira to Ngāpuketūrua to be prepared for final internment. The esteemed chief Waihi was uplifted from Te Whakamakautangi Urupā at the mouth of the Waihi Stream and taken to Ngāpuketūrua to be prepared for final internment on Pukemokemoke.
50. Hekei was the son of Tara, who married Waihorioia of Ngāti Tangata. Hekei and Waihorioia settled the land known as Ngāpuketūrua. Today this area is also known as Wharekirauponga.
51. In light of the protection of Wharekirauponga, NTTNK raise the following concerns that require careful consideration and feedback:
 - (a) Ngapuketurua and the surrounding Wharekirauponga area are home to multiple warm springs, which are considered sacred healing waters and historically significant waypoints for iwi. OceanaGold only acknowledge a single spring and fail to take into account or protect the broader network of springs described in the kōrero tuku iho of NTTNK.
 - (b) Reducing the springs to a "non-geothermal anomaly" in technical reports is not just scientific negligence but cultural erasure, that does not take into account the kōrero tuku iho of NTTNK. The springs are integral to the identity of Wharekirauponga and Ngapuketurua, and their loss would sever a living connection to the past.
 - (c) The project area contains interconnected aquifers and fault systems. There appears to be a risk that mining activities, particularly dewatering and changes in groundwater pressure, could alter groundwater flows, potentially affecting Ngapuketurua and its surrounding environment.
 - (d) Ngapuketurua is home to unique ecosystems, including the rare indigenous plant Te Pua o Marama (*Dactylanthus taylorii*), which relies on specific pollinators and is threatened by habitat destruction, browsing animals, and human interference. The document highlights the need for conservation management to protect these species from the impacts of mining and associated activities.
 - (e) There is a necessity to assess and map all warm springs, treating the entire thermal system as a single taonga requiring holistic protection. Given the effects on the taonga of NTTNK, we should be involved through this process.

Ohinemuri Catchment

52. Ōhinemuri is named for the daughter of the chief Te Muri (the grandson of Tara) who died in the Ōhinemuri River. “Ō Hinemuri” refers to the pained cry of Te Muri calling for his daughter. Te Muri’s daughter failed to return home after a swim. It is said she was lured away to the river by a suitor and drowned. The suitor, in his attempt to escape the wrath of Te Muri, climbed the walls of Tangikoauau (known today as Te Ranga). Chanting an incantation, Te Muri turned the suitor into a lizard. His form is forever embedded in the limestone walls of Te Ranga.

53. The Ōhinemuri River is the lifeblood of the iwi, it flows through the heart of the iwi rohe. It forms the Ōhinemuri Catchment. This river as a catchment is divided into four sub-catchments being the Waihi basin, Waitawheta basin and Waitekauri basin and the alluvial plains downstream of Mackaytown. There are 156 tributaries including three major rivers.
54. The Ōhinemuri River and its tributaries are defined by NTTNK as 'vulnerable.' The mana of the river has been impacted by its inability to properly create, regenerate and nourish the life forms and eco-systems that depend on it. It no longer contains the extensive mauri to support life to the fullest extent. These issues result from multiple land uses such as mining, urban developments, horticulture, saw-milling and forestry. Historical land use practices resulted in a geological, geographical and cultural change to the land and iwi.
55. The NTTNK taniwha, Rapatitio, holds Ōhinemuri safe within his embrace and kaitiakitanga until the river is cleansed and its mauri restored.
56. Waitawheta River, Ruahorehore (Te Ruawhareware) River, Waione River, Waimataa River criss cross the Ōhinemuri Basin, flowing into the Ōhinemuri River interconnecting the Waimataa (Athenree Forest) with Ōhinemuri whakapapa. Ruahorehore Stream bears the name of the Ngamarama chief, Ruahorehore, slain in the battle of Motukehu.

General comments

57. The worldview of NTTNK is heavily influenced by our take to our customary rohe. NTTNK exercise mana whenua within their customary rohe as determined by their whakapapa and customary authority. Te Taiao is a significant aspect of the NTTNK worldview as this relationship has shaped the history of NTTNK, as such, the protection of significant sites like those above are integral throughout the Project.
58. The Project has ultimately resulted in a change of landscape within the rohe of NTTNK and, as a result, an impact on the cultural connection that the iwi has with the whenua and their tipuna. Given the alteration to sites of significance, it is clear that the Project has significant cultural effects for NTTNK.
59. Given the significant taonga of NTTNK which are proximate to the Project area, their protection is integral. NTTNK are seeking feedback from OceanaGold to ensure that these matters are upheld. In particular, the following concerns should be addressed:
 - (a) The Project has resulted in a loss of sacred landscape and the consequent diminished connection to the tipuna and atua of NTTNK. This should be compensated and mitigated going forward.
 - (b) The protection of the wairua and sociological connections of NTTNK to the whenua must be considered given the industrialisation of significant sites.
 - (c) Given the effect of works on wetlands and other natural resources including Motukehu, the impact on local ecosystems including traditional food sources must be considered, and effect mitigated.
 - (d) There must be long-term monitoring and rehabilitation commitments from OceanaGold for the sites that have been affected by the Project.
 - (e) NTTNK are best placed to assess the cultural effects of the Project, and how any adverse effects can be mitigated in line with the worldview of mana whenua. As such, engagement should be direct between NTTNK and OceanaGold.

60. NTTNK aspire to revitalise, protect and sustain the oranga of Te Taiao within our rohe. This can only be achieved through partnership with NTTNK. To achieve beneficial and positive outcomes for NTTNK, the must achieve:
- (a) recognition of NTTNK (and their values/tikanga/histories, associations and relationship) as mana whenua and kaitiaki;
 - (b) recognise and provide for the NTTNK unique and specific associations and relationships with the Project Area; and
 - (c) recognise that NTTNK values are fluid and contextual. Higher levels of development and activities require an adjusted assessment of the cumulative effects and cannot be completed until a fuller understanding and knowledge of the same are obtained.
 - (d) Consistency with the principles of Te Tiriti o Waitangi, including the principle of active protection.

The Project and Environmental Effects

61. The environmental effects of the Project flow on from the considerations set out above and reflect the NTTNK position that recognises the importance of te taiao to the tribal identity of NTTNK. These comments are provided with the intention of protecting the taonga of NTTNK and ensuring that NTTNK are involved in management processes to do so. The issues and recommendations on behalf of NTTNK are submitted in light of their understanding of the Project at this stage.
62. NTTNK are keen to continue discussions with OceanaGold on how these can be implemented to recognise the interests of NTTNK. The issues are set out in recognition of a holistic view of te taiao, and relate to the effects of the Project on the air, water, earth.
63. It is disappointing that NTTNK have not received feedback or a plan from OceanaGold about how any of the concerns identified will be implemented from the CIA and CVA submissions. Given the lack of detailed response from OceanaGold, we wish to re-highlight key issues identified in the CIA below. NTTNK want to ensure that these matters are addressed effectively within the Project and would like meaningful engagement going forward to address how these effects can be mitigated or prevented. We refer to the following issues:
- (a) [6.9] of the CIA – effects on air quality. Degradation of air quality due to vegetation clearance, burning, and increased vehicle emissions. Dust generation and reduced visibility from industrial activities, particularly those discharging contaminants to air in residential areas. Lack of comprehensive monitoring of cumulative air discharge effects, including the protection of wāhi tapu from corrosive contaminants. Cumulative impacts from mining practices, such as increased carbon dioxide levels and heavy vehicle emissions associated with population growth and development.
 - (b) [7.43] of the CIA – effects on land and soils quality. Loss of biodiversity and habitat as a result of land clearance, mining, and inappropriate discharge of contaminants. The need for restoration projects using indigenous species and the establishment of buffer zones to protect water bodies and wetlands. The role of wetlands as natural filters and their cultural significance as the “kidneys of the land,” requiring robust protection and management.
 - (c) [8.6] of the CIA – effects on water quality. Groundwater extraction and dewatering may alter spring, wetland, and stream flows, potentially impacting taonga species such as Hochstetter’s and Archey’s frogs, and Dactylanthus. Risks of leachate and acid mine drainage contaminating

ground and surface waters, with the potential for harmful metals to enter waterways. Changes in water chemistry, including dilution or cooling of thermal features, and the need for advanced hydrogeological studies to fully understand these impacts. Changes in water chemistry, including dilution or cooling of thermal features, and the need for advanced hydrogeological studies to fully understand these impacts. The importance of ongoing groundwater and surface water monitoring, including the use of cultural health indicators and regular sharing of data with mana whenua.

- (d) [9.4] of the CIA – effects on amenity value.
- (e) Loss of control over significant sites, burial of reserves under tailings, and degradation of wetlands and sacred landscapes, which severs cultural connections and prevents kaitiakitanga. The need for direct engagement with iwi, integration of mātauranga Māori, and legally binding cultural impact assessment processes for all permits and activities. Recommendations for real-time monitoring, adaptive management, and iwi-led oversight of environmental effects.
- (f) Establishment of specific environmental performance indicators and cultural health tools, resourced by the consent holder, to monitor and manage effects over the life of the Project and beyond. Implementation of robust consultation, prevention, and mitigation procedures for hazardous substances and waste management. Development of comprehensive strategies to address non-point source pollution and ensure the long-term sustainability of the rohe.

64. Given the issues identified by NTTNK, the CIA provides a number of recommendations to reduce the adverse effects of the Project. NTTNK submit that these should be considered and reflected in the conditions of the Project to protect the interests and taonga of NTTNK. These recommendations can be found in the CIA at [6.19], [7.48], [8.7] and [9.5] of the CIA.

Conditions

65. The conditions sought by NTTNK within the Project are reflective of the position set out in this comment document. These are not intended as final conditions sought to be implemented, but rather key themes to be implemented within the conditions, with a primary focus of ensuring that the interests and taonga of NTTNK are protected.

Engagement and Partnership

66. Conditions must require a genuine engagement process with mana whenua, in line with the Partnership Agreement, rather than relying on the Correnso Consent Order or the IAG approach.
67. NTTNK must be actively involved in all stages of project planning, assessment, and monitoring to ensure that the effects on cultural values, taonga, and the environment are effectively managed.

Geotechnical and Environmental Management

68. The Gladstone Open Pit must be developed in carefully staged phases, with ongoing geotechnical assessments before finalising slope designs. Slope angles must be conservative and based on real-time monitoring data, including movement sensors and piezometers, to prevent collapses and ensure long-term stability. All blasting and excavation activities must be controlled to minimise vibration, dust, and noise, especially near Motukehu and other sensitive sites. The pit must be backfilled and lined with a geosynthetic liner and clay barrier to prevent seepage into groundwater, with ongoing monitoring post-closure to ensure liner integrity.

Groundwater and Hydrological Protection

69. A comprehensive groundwater management plan must be implemented, including:
- (a) Expansion of the piezometer network to monitor aquifer levels and detect any changes in groundwater behaviour.
 - (b) Pumping and drainage systems to manage pit inflows and prevent aquifer depressurisation.
 - (c) A robust liner system for the TSF to prevent leakage into aquifers.
 - (d) All groundwater and hydrological risks, including the potential for water ingress and changes in pore pressure, must be regularly assessed and mitigated.

Protection of Thermal Springs and Cultural Sites

70. All warm springs and thermal features within the project area must be identified, mapped, and protected as a single interconnected taonga. A full thermal spring survey must be conducted, including ground surveys, thermal imaging, and advanced hydrogeological studies (e.g. isotope analysis and fault permeability modelling).
71. Mana whenua must be engaged to document oral histories and integrate mātauranga Māori into all hydrogeological models and assessments. Adaptive management measures must be legally mandated, including real-time monitoring of spring flows and temperatures, with immediate shutdown triggers if adverse changes are detected.
72. Reinjection wells must be considered to maintain hydraulic pressure on fault systems if mining proceeds.

Cultural Impact Assessment and Ongoing Consultation

73. A comprehensive cultural impact assessment must be completed, reflecting the perspectives and knowledge of NTTNK and other affected iwi.
74. Ongoing consultation and direct engagement with NTTNK must be required, not just through intermediaries or advisory groups.
75. All project documents and conditions must be reviewed and updated in partnership with mana whenua to ensure cultural values and Treaty settlement commitments are upheld.

Environmental Monitoring and Rehabilitation

76. Long-term monitoring and rehabilitation commitments must be clearly defined, including:
- (a) Regular assessment of slope stability, groundwater quality, and TSF liner integrity.
 - (b) Restoration of wetlands, traditional food sources, and ecosystems affected by mining activities.
 - (c) Protection and management of rare and endangered species, such as Te Pua o Marama (*Dactylanthus taylorii*), from habitat loss and introduced predators.

Legal and Procedural Safeguards

77. Conditions must provide clear mechanisms for iwi to challenge project decisions, seek injunctive relief, or claim reparations for loss of cultural heritage.

78. The Fast Track process must be subject to legal review to ensure it upholds Treaty principles, UNDRIP, and the rights of mana whenua.
79. Free, prior, and informed consent must be a prerequisite for any project advancement on returned or culturally significant lands.
80. This improved wording aims to clarify the expectations for engagement, environmental management, cultural protection, and legal safeguards, ensuring that the conditions are robust, enforceable, and aligned with both cultural and environmental best practice.

Closing Comments

81. While NTTNK support the Project, there are a number of adverse effects which must be addressed in line with the comments provided by NTTNK. The starting point of doing so is proper consultation with mana whenua to gain an understanding of the interests and taonga and identifying how these can be protected.
82. NTTNK seek feedback on the comments provided, along with a face-to-face hui with the OceanaGold to discuss how engagement and the mitigation of any adverse effects for NTTNK should be managed. In recognition of the connection that NTTNK share with the whenua within the Project are, such an approach is a minimum expectation for NTTNK. NTTNK seek to engage with its partners in good faith, and have a strong desire to be involved in the subsequent parts of the fast track approvals process.