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Submission on Notified Application Concerning Resource Consent

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(Form 13)

Section 95A or 95B Resource Management Act 1991

To: The Chief Executive
Central Otago District Council
PO Box 122
Alexandra 9340

DETAILS OF SUBMITTER

Full name: Millers Flat Water Company Limited

Contact person (if applicable):

Tony Jones (Chair)

Electronic address for service of submitter: mfwater@gmail.com

Telephone: 0274 790 333

Postal address (or alternative method of service under section 352 of the Act):

P.O. Box 52
Millers Flat
Central Otago 9544

This is a submission on the following resource consent application: RC No: 230325

Applicant: Hawkeswood Mining Limited

Valuation No: 28473 19901 (and others)

Location of Site:

1346 - 1536 Tevitt Road,
Millers Flat

Brief Description of Application:

Establish and operate an alluvial gold mining operation.

The specific parts of the application that my submission relates to are:

(give details, attach on separate page if necessary)

See attached.

This submission is: (attach on separate page if necessary)

Include:

- whether you support or oppose the specific parts of the application or wish to have them amended; and
- the reasons for your views.

See attached

I/We seek the following decision from the consent authority:

(give precise details, including the general nature of any conditions sought)

If the resource consent is granted we wish the conditions as specified in the attached to be made.

I ~~support/oppose the application~~ OR neither support or oppose (select one)

I wish / ~~do not wish~~ to be heard in support of this submission (select one)

I ~~am~~/am not* a trade competitor for the purposes of section 308B of the Resource Management Act 1991 (select one)

~~*I/We am/am not (select one) directly affected by an effect of the subject matter of the submission that—~~

- ~~(a) adversely affects the environment; and~~
- ~~(b) does not relate to trade competition or the effects of trade competition.~~

~~*Delete this paragraph if you are not a trade competitor.~~

~~*We will consider presenting a joint case if others make a similar submission.~~

**Delete this paragraph if not applicable.*

I request/do not request (select one), pursuant to section 100A of the Act, that you delegate your functions, powers, and duties to hear and decide the application to 1 or more hearings commissioners who are not members of the local authority.



Signature

(to be signed by submitter or person authorised to sign on behalf of submitter)

18/2/24
Date

Notes to submitter

1. If you are making a submission to the Environmental Protection Authority, you should use form 16B.
2. The closing date for serving submissions on the consent authority is the 20th working day after the date on which public or limited notification is given. If the application is subject to limited notification, the consent authority may adopt an earlier closing date for submissions once the consent authority receives responses from all affected persons.
3. You must serve a copy of your submission on the applicant as soon as is reasonably practicable after you have served your submission on the consent authority.
4. If you are a trade competitor, your right to make a submission may be limited by the trade competition provisions in Part 11A of the Resource Management Act 1991.
5. If you make a request under section 100A of the Resource Management Act 1991, you must do so in writing no later than 5 working days after the close of submissions and you may be liable to meet or contribute to the costs of the hearings commissioner or commissioners. You may not make a request under section 100A of the Resource Management Act 1991 in relation to an application for a coastal permit to carry out an activity that a regional coastal plan describes as a restricted coastal activity.
6. Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):
 - it is frivolous or vexatious:
 - it discloses no reasonable or relevant case:
 - it would be an abuse of the hearing process to allow the submission (or the part) to be taken further:
 - it contains offensive language:
 - it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

Hawkeswood Mining Limited

Submission on applications to Central Otago District Council for resource consents to operate an alluvial goldmine

Introduction

1. Millers Flat Water Company (MFWC) is a community-owned and operated water supply company which provides potable water to 123 connections within Millers Flat and to a restricted supply extension to the north of Millers Flat along Teviot Road. The company is operated by five voluntary directors and has 110 shareholders.
2. The original water scheme was commissioned in March 2010 with 85 connections and the Teviot Road extension was commissioned in 2013. The scheme has a current capacity for 155 connections and has at present expressions of interest for a further ten connections.
3. The source of water is a 17 metre deep groundwater bore about 40 metres from the left (east) edge of the Clutha River just downstream from the Millers Flat bridge. Water is pumped from this bore to three cartridge filters then to three ultraviolet (UV) reactors and then to nine 30,000 litre tanks up Oven Hill Road before reticulation to its water users.
4. In addition to supplying water to individual households, water is supplied to the local hall, swimming pool, bakehouse, public toilets, Millers Flat Tavern, Millers Flat School, two transport yards, an engineering workshop, fire station, church, scout den and the Millers Flat Holiday Park. The reticulation includes 15 high-pressure fire hydrants.

Water Services Act

5. MFWC is defined as a Drinking Water Supplier in the Water Services Act 2021 (WSA21) and as such has a number of legal duties and other requirements. MFWC has a duty to supply safe and sufficient drinking water and to comply with Drinking Water Standards and compliance rules. It is required to maintain a Water Safety Plan, notify the regulator (Taumata Arowai) of risks and hazards and identify and manage risks to the water source.
6. The Directors are the primary individuals who are responsible for fulfilling these duties and ensuring that the shareholders have access to a safe and reliable water supply.

Proposed Goldmining Activity

7. Hawkeswood Mining Limited (HML) proposes to establish an alluvial goldmine north of Millers Flat between Teviot Road and the Clutha River. The goldmine pit at its closest point will be about 1.5 km northwest of the MFWC groundwater bore. The goldmine operation will include pumping of

groundwater to lower water levels in the mine pit to enable access to the gold-bearing gravels on the schist basement rock. MFWC has a neutral position regarding the activity of goldmining but wishes to highlight some matters that require management to fulfil its duties and responsibilities under the WSA21.

Consent Applications

8. HML has applied for consents to the Otago Regional Council (ORC) and Central Otago District Council (CODC) for a period of 10 years. The consents include a landuse consent from CODC and consents to construct a bore (mine pit), take and use groundwater, discharge water containing sediment and discharge to air from the ORC. MFWC is making a submission to both the ORC and the CODC. This submission is to the CODC.

Issues of Concern

9. It appears that Stage 3 of the mining operation (see Figure 8 of application to CODC) will excavate the “northern vehicle access paper road” as shown in Figure 2 of the application to CODC. The application refers to power and telephone infrastructure on this paper road but not the MFWC pipeline which serves three connections, one of which is to the goldmine. MFWC understands that the power and telephone infrastructure, and presumably the water supply infrastructure, will be relocated to facilitate goldmining. The location of this MFWC reticulation is shown in the attached plan. It is acknowledged that the reticulation plan for the northern extension to the Millers Flat water scheme was apparently not provided to CODC at the time of its installation. The attached reticulation plan is therefore not included in the existing CODC Agreement for Grant for Services within the Road Reserve. MFWC understands that HML intends to ensure ongoing water supply to the three connections by relocating the feeder pipeline as required. The pipeline in question is the property of MFWC and should not be relocated or refigured without the prior approval of MFWC. As described above MFWC has a legal duty under WSA21 to ensure ongoing, safe supply of drinking water. MFWC requests the CODC includes a condition in the landuse consent similar to that below:

That HML seeks prior approval from MFWC before any alteration or relocation is made of the MFWC pipeline on the northern paper road so that MFWC can ensure ongoing supply of safe and reliable water to the three water connections served by this pipeline.

MFWC and HML are discussing a written agreement to give effect to the above but at the time of preparing this submission a written agreement has not been finalised.

10. The application refers to 60,000 litres of onsite diesel storage. Storage and use of this quantity of diesel represents a risk to contaminating ground and surface water resources. The same applies to the storage and use of other hazardous substances. MFWC acknowledges that HML refers to appropriate hazardous substances management practices but MFWC is concerned about a worst-case scenario impacting the quality of upstream water resources. Although the risks to the MFWC water bore are

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small, MFWC requests that the CODC includes a condition in the landuse consent requiring HML to adopt appropriate practices for the storage and use of hazardous substances and references the appropriate management standards.

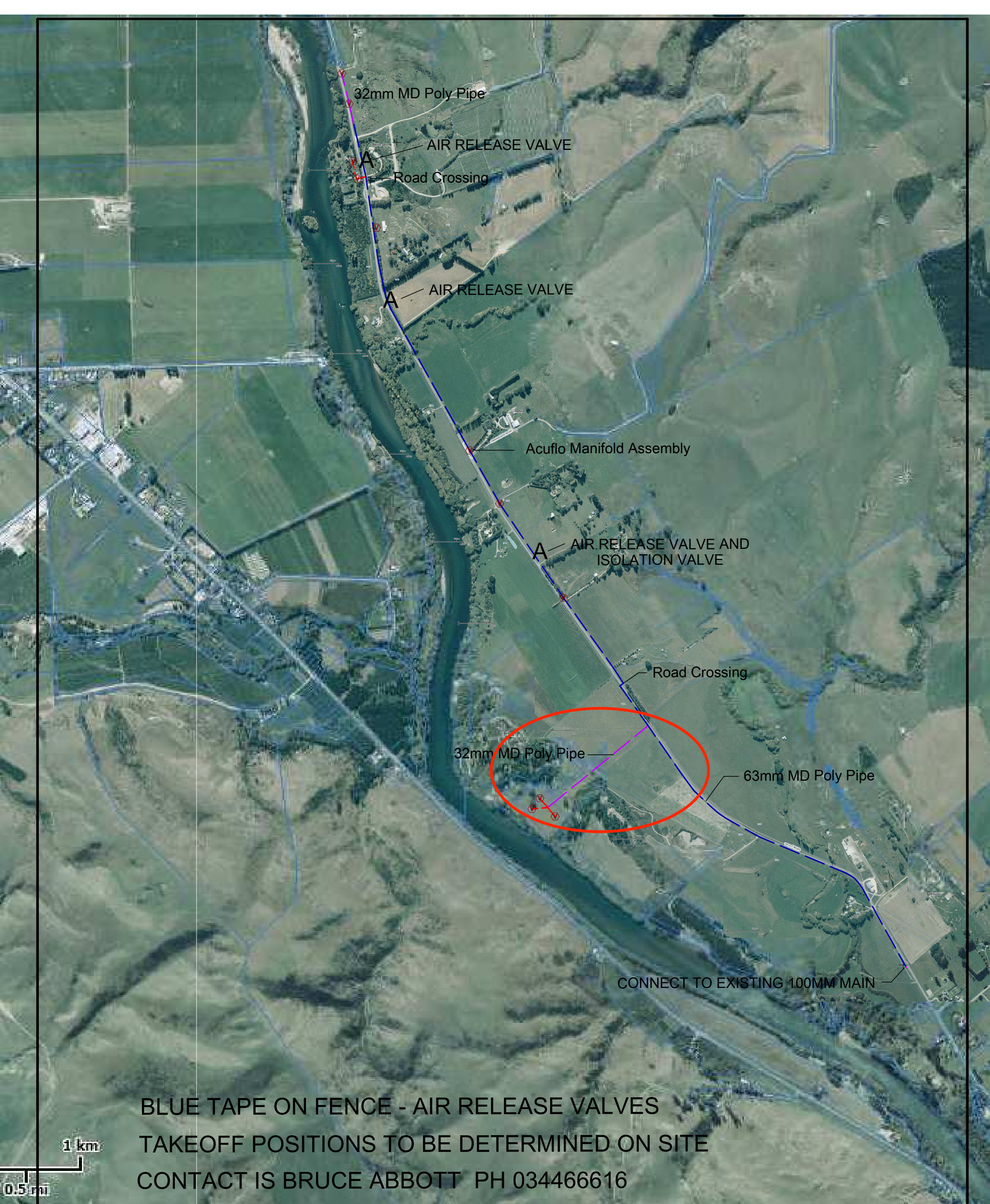
Recommended Conditions if the Resource Consent is Granted

11. If the Resource Consent is granted, we wish the following consent conditions to be made:
 - a. Any Resource Consent allowing for the excavation of the road reserve within which the MFWC has infrastructure within the consent activity area, no interference with that infrastructure is to be allowed without the required consent of the submitter in writing and agreed alternative infrastructure for the provision of the domestic water to the users that are affected at the applicant's cost at the submitter's direction.
 - b. Consent condition that storage of hazardous materials, including but not limited to onsite diesel, be subject to the appropriate hazardous substance management procedures and notification to MFWC if there is any breach of this condition or the requirements for storage, maintenance and operation of hazardous materials on site.
12. Please contact the undersigned if clarification is required of this submission.



Tony Dons
Chair
Millers Flat Water Company
mfwater@gmail.com
027 479 8333

18 February 2024



BLUE TAPE ON FENCE - AIR RELEASE VALVES
 TAKEOFF POSITIONS TO BE DETERMINED ON SITE
 CONTACT IS BRUCE ABBOTT PH 034466616

<ul style="list-style-type: none"> — 25mm OD MDPE Pipe 12 Bar — 32mm OD MDPE Pipe 9 Bar — 63mm OD MDPE Pipe 9 Bar 	<ul style="list-style-type: none"> ⊗ 50 mm Gate Valve ⊕ Demand Point Variable Flow 1500.0 40.0 ⊕ Demand Point Variable Flow 1.7 30.0 ⊕ Water Supply 	<h2>MILLERS FLAT POTABLE EXTENSION</h2>	Designer: Greg Robertson Date: 20/09/2013 Scale: 1:12000 File: Millers Flat Potable Extension Rev1
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