
Form 13: Submission on application concerning resource consent**Resource Management Act 1991**

To: Otago Regional Council and Central Otago District Council

Name of submitter: Penny Nelson, Director-General of Conservation / (the **Director-General**)

This is a submission on an application from Hawkeswood Mining Limited (the **Applicant**) for a resource consents for an alluvial gold mine operation at 1346-1536 Teviot Road, Millers Flat, Roxburgh.

Description of activity: Various activities related to the operation of an alluvial gold mine.

Trade competition: I am not a trade competitor for the purposes of section 308B of the Resource Management Act 1991

My submission relates to: The Heritage values associated with the application.

My submission is: I am neutral on the application.

The Director-General's interest in the Application

1. The Director-General of Conservation (the **Director-General**) has all the powers reasonably necessary to enable the Department of Conservation (**DOC**) to perform its functions.¹ The Conservation Act 1987 (the **CA**) sets out DOC's functions which include (amongst other things) management of land and natural and historic resources for conservation purposes, preservation so far as is practicable of all indigenous freshwater fisheries, protection of recreational freshwater fisheries and freshwater fish habitats and advocacy for the conservation of natural resources and historic heritage.²
2. Section 2 of the CA defines 'conservation' to mean '*the preservation and protection of natural and historic resources for the purpose of maintaining their intrinsic values, providing for their appreciation and recreational enjoyment by the public, and safeguarding the options of future generation*'.

¹ Refer section 53 Conservation Act 1987

² Conservation Act 1987, section 6.

Reasons for the Director-General's submission

3. I consider that the site contains potentially **significant heritage values** and that the application and associated AEE documents do not contain enough information and assessment on the extent or significance of those values within the site.
4. Without being limited to such matters, the Director-General notes the following with respect to the Application:
 - a. Two New Zealand Archaeological Association (NZAA) Historic Gold dredge Mining sites ³ within the proposed mining area are threatened with destruction by the application.
 - b. The site is located between two Māori archaeological sites ⁴recorded by the NZAA.
 - c. While the applicant has advised it would adhere to an accidental discovery protocol, this does not provide sufficient protection against the destruction and modification of archaeological sites.
 - d. The applicant has not provided any assessment of effects on the heritage values that may be threatened by the proposed activities.
5. The decisions sought in my submission are required to ensure that, the decision-maker:
 - a. recognises and provides for the matters of national importance listed in Section 6 e) and f) of the Resource Management Act 1991 (the **Act**), and
 - b. Has regard to the Mata-au Statutory Acknowledgement of the Ngai Tahu Claims Settlement Act (1998)
 - c. Has regard to the National Policy on Freshwater (NPS-FW), and relevant objectives and Policies of the Proposed Otago Regional Policy Statement and the Central Otago District plan.
6. The Applicant has provided insufficient information, and I am concerned that the proposal does not adequately identify and address:
 - a. The potential adverse effects on heritage values;
 - b. How the proposal will avoid, remedy, or mitigate potential adverse effects on Heritage values.
7. The Director-General's concerns have been identified following a review of the information that has been provided to date. The Director-General's submission relates to the effects on Historic Heritage aspects of the Application.

³ [G43/232 & G43/233](#)

⁴ G44/12 and G43/2

8. I seek the following decision from the Council:
 - a) If the consent authority is minded to grant the application, that it imposes the following requirements:
 - i. That the applicant undertakes additional heritage assessments to accurately identify the historical and cultural significance of the site; and
 - ii. Council applies suitable conditions to adequately address heritage matters associated with this consent.
9. I also seek such alternative and/or additional relief as may be necessary and appropriate to address my concerns.

I do not wish to be heard in support of my submission.

Nicola J Holmes

Operations Manager

Central Otago District

Acting pursuant to delegated authority on behalf of Lou Sanson, Director-General of Conservation

Date: 16 February 2024

Note: A copy of the Instrument of Delegation may be inspected at the Director-General's office at Conservation House / *Whare Kaupapa Atawhai*, 18/32 Manners Street, Wellington 6011

Address for service:

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Department of Conservation