

## **Hearing Submission for Cold Gold Clutha to gold dredge in upper reaches of Mata-au/Clutha River**

**Submitter:** Esther Water

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### **Qualifications**

- *Bachelor of Resource Studies (majoring in Human Ecology and Development)*
- *Master of Applied Science (with Distinction). Research focused on how cultural values shape development.*
- *Currently studying for a Master of English (Creative Writing), exploring the relationship between humans and rivers, and the impact of Te Mana o te Wai in Aotearoa/New Zealand.*

### **1: Historical association claims**

Cold Gold’s application for a resource consent for goldmining on the upper Mata-au/Clutha River is framed within an overarching narrative that makes appeals to the historic and cultural significance of goldmining activity in Otago. Their activity – it is implied – is continuing a tradition and activity we all value, and therefore justifies their proposed activity. The Section 42A Staff Recommending Report (from here referred to as the Section 42A Report), section 6.1.13 references that this “continuation of the historical gold dredging” provides for cultural wellbeing.

I argue that Cold Gold Limited’s claims to the historic and cultural values of their proposed activity are outdated and obscure the environmental and social-cultural harm caused by historic goldmining activities, a point noted also by Aukaha in their Cultural Impact Assessment dated 22<sup>nd</sup> March 2023.<sup>1</sup> The use of Cold Gold Limited’s associative framing also blurs the distinction between recognition of events of the past, and the extent to which we may choose to emulate them today, in order to provide for cultural wellbeing.

In reference to goldmining, the Terramark Resource Consent Application Report dated 14 May 2021 states that: “*This is not a new activity to the area, and the Clutha has an enduring history of mining*” (p10). These links to the historic associations of goldmining are reinforced

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<sup>1</sup> Aukaha’s analysis sits outside of my personal cultural context as Pākehā. I acknowledge and empathise with their concerns. I focus instead on social-cultural concerns from within my own cultural framework.

by Jessica McKenzie, the landscape architect engaged by Cold Gold Clutha, with the following statement: “*The Clutha River/Mata Au has historical associations with the <sic> gold mining*” (Statement of Evidence p6).

What is implied by these two statements? They signal that goldmining is an activity irrevocably woven into the social and cultural fabric of Otago, and therefore should continue. While as a region the historic heritage of goldmining and settlers are mythologised in order to shape the character of our region,<sup>2</sup> I contend this is not a reason to permit Cold Gold Clutha to dredge-mine on the upper reaches of Mata-au, the Clutha River.

While looking at historic associations, it is important to note the ways in which the management of rivers and goldmining have intersected historically. As noted in Jeffrey Roger’s research on the environmental history of rivers in Otago between 1890-1920:

*the human/river relationship in Southern New Zealand was largely determined by past and contemporary goldmining interests that reinforced colonial discourses of environmental exploitation for economic and social progress. Politicians and bureaucrats tapped into the pioneering myth of Otago’s gold rush history to facilitate the goldmining industry’s innovative use of dredges to win gold from the region’s rivers.*<sup>3</sup>

Roger demonstrates how this discourse, or framing, was formed. For example, he quotes Richard Seddon, (then Minister of Mines), from Seddon’s 1891 Mines Statement:

*the colony is indebted to a large extent to the hardy and intrepid miner, who has forced his way through the wilds where, in many instances, no human being had ever before trod, overcoming all obstacles, difficulties, and dangers that beset his path*

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<sup>2</sup> The Otago Regional Council’s “Proposed Otago Regional Policy Statement June 2021” includes provision for ensuring that Otago’s unique historic heritage contributes to the region’s character (p178). Historic heritage is defined as **natural** and **physical resources**, i.e., artefacts of the past, a distinction not made by Cold Gold Clutha Limited in their associative claims to entitle a current activity. For further information on this pages 24-25: <https://www.orc.govt.nz/media/10027/proposed-otago-regional-policy-statement-june-2021.pdf> Accessed 1 November 2023.

<sup>3</sup> Roger, Jeffrey Allan. *Navigating the Currents and Countercurrents of Southern New Zealand’s Human/River Relationship: An Environmental History of Rivers in Otago and Southland, 1890-1920*. Diss. University of Otago, 2022, p.11.

*until he unfolded the riches that for thousands of ages had been hidden in the bowels of the earth [ . . . ].*<sup>4</sup>

It's a pioneer attitude writ large, and one we need to be mindful of when considering how we interpret, and potentially celebrate and emulate, activities of the past.

Historic attitudes towards rivers and mining which have direct environmental impacts are also outlined in Roger's research. "*The colonial discourse of mining characterised rivers as a resource meant to be used in all possible cases.*"<sup>5</sup> While we have come some way from this, notably missing from Terramark's Resource Consent Application Report when appealing to the positive historic associations of goldmining, is the negative associations. There is no direct explanation regarding the negative environmental (and social) impacts of historic goldmining. It is only alluded to and then glanced over.

This is evident in the section titled "The Mining Activity" in their report. After noting the "*enduring history*" of mining in Otago, the report states: "*To illustrate, the image below was taken in the 1890's and shows an area several kilometres above Cromwell being heavily worked by coal powered dredges*" (p5). (The image provided shows a riverscape decimated by mining activity). The report further states: "*The river was heavily modified in the past with little consideration for the receiving environment, and yet today the Clutha is regarded as one of New Zealand's most scenic rivers*" (p10). Notably, this phrase avoids mentioning the degradation of the environment, selecting instead the more ambiguous term 'modification' to describe the negative changes wrought on the environment. Overall, what their framing of a legacy of goldmining signifies, is that while past gold dredging may have caused environmental change, on the surface, and in the fullness of time, no one will notice. It's a rosy picture. The omission of any direct reference to negative environmental impacts helps to frame their proposed activity, with its historic and cultural associations, in an entirely positive light.

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<sup>4</sup> 1891 Mines Statement, AJHR C02, 1. Quoted in Roger, Jeffrey Allan. *Navigating the Currents and Countercurrents of Southern New Zealand's Human/River Relationship: An Environmental History of Rivers in Otago and Southland, 1890-1920*. Diss. University of Otago, 2022, p.48.

<sup>5</sup> Roger, Jeffrey Allan. *Navigating the Currents and Countercurrents of Southern New Zealand's Human/River Relationship: An Environmental History of Rivers in Otago and Southland, 1890-1920*. Diss. University of Otago, 2022, p.43.

Unsaid, in this story and framing of historic associations, is that it is Mata-au that has had to endure.

Therefore, I urge the Commissioners to give full effect to supporting the health of the river, and to not permit Cold Gold Clutha to dredge for gold on the basis of historic and cultural association.

**2: No analysis provided on the positive economic and social effects of gold dredging vs negative environmental effects**

I argue that there is very limited to no explanation and analysis of the economic and social benefits of the proposed activity, in both the applicant's material and within the Section 42A Report.

This is significant, because as a community and society we are being asked to permit an activity which has negative effects on the environment (even if they are considered, at this point, to result in less than minor adverse effects), with no substantive or specific examination or explanation of what the benefits are, and for whom.

As noted in 6.1 S104(1)(a) of the Section 42A Report, "Section 104(1)(a) of the Act (*Resource Management Act*), requires the council to have regard to any actual and potential effects on the environment of allowing the activity. This includes both the positive and adverse effects" (p13).

The Section 42A report, in section 6.1.13 Positive Effects states:

*The Applicant has not provided an assessment of the positive effects of the proposal, however, has made reference in the application to the activity providing for the economic and social wellbeing of the community, and the cultural well-being in that it is a continuation of the historical gold dredging that occurred on the Clutha River/Mata-Au (p37).*

This statement by the planner only describes what is in the applicant's proposal, and there is *no analysis* of what is in the applicant's proposal with regard to how the activity contributes to economic and social wellbeing.

The applicant's wording in the Terramark report (p16) dated 14 May 2021 with regard to this states: "*The proposed mining activity within the upper Clutha River/Mata-Au will enable the applicant, and by inference the community, to provide for its economic and social well-being [ . . . ]*" (p16).

There is no explanation, or evidence, to back this claim. For example, there is no analysis of the social and economic benefits to the Upper Clutha community, or the wider Otago community, as a result of the proposed gold dredging activity.

Peter Hall's later "Brief of Evidence" received on 27<sup>th</sup> October 2023, identifies that Cold Gold Clutha employs six full-time employees, and that the dredge is generally operated by a two-man crew. It is not clear how many of the employees work permanently, or semi permanently, outside of the Otago region. The "Brief of Evidence" mentions also that mechanics, electricians and hydraulic engineers are engaged periodically. The "Brief of Evidence" identifies a preference for local employees, however it indicates that out-of-town operators are used (p3). There is no further information given as to the *effect*, or *positive impact* of any of this to the local community, or the Otago region.

Furthermore, I also argue that the requirements of the partially operative Regional Policy Statement "Policy 1.1.2 Social and cultural wellbeing and health and safety," with regard to social and cultural wellbeing have *not* been met. This is contrary to the statement within the Section 42A Report which identifies that "the values and needs of the community have been taken into account" (p45). How was this conclusion reached? As identified in "1: Historical Associations" above, erroneous claims that the continuation of mining within this context provides for cultural and social wellbeing, is a logical fallacy and needs to be carefully analysed and accounted for.

The questions that remain outstanding are:

- What are the economic and social benefits of this activity to the community in which the activity will take place?
- What are the economic and social benefits of this activity to Otago?
- And related to the above, who is deriving the main economic benefit from this activity?

Only once these questions have been answered, is it possible to analyse the balance between possible positive effects, and how these stack against the negative effects on the environment. While the effects to the environment have, to date, been described as ‘less than minor adverse effects,’ they are still negative environmental effects.

Additionally, further negative environmental effects that relate to the extractive nature of gold dredging have not been made clear. Darryl Sycamore’s “Brief of Evidence” claims that “The operation of the dredge is non-consumptive” (p11). While within the context of the paragraph he may be referring to water, as it stands on its own, this statement is incorrect. The dredge operation consumes gold from the river. It consumes fuel, which then results in an increase in carbon emissions.<sup>6</sup> In Peter Hall’s “Brief of Evidence,” he states that “fine alluvial material and water is passed onto gold riffle recovery tables and then also discharged less any gold” (p2). As it is not explained *where* this process takes place, we cannot assume that the fine alluvial material is discharged back into the river. For example, this process may happen on shore in a secure location. If this is the case, then this too, is part of the river consumed in the process of dredging for gold.

Cold Gold Clutha has also not explained how they get rid of their toilet waste from the toilet on board the barge. It is understood that two previous employees have witnessed human waste (faecal) and toilet paper from the cassette toilet thrown directly into Mata-au. While this system is most likely not in Cold Gold Clutha’s operating procedures, or endorsed by the owners/directors, the actual practice demonstrates a total lack of respect and regard for the health of the river.

Further to these concerns, are political, philosophical and economic questions of what should happen if there is a major leak or spill of contaminants in the river. While Cold Gold Clutha claim a good track record, this assertion is not evidence that an accident could not happen in the future. There are many companies around the world, operating in sensitive water environments, who also claim a good operating record – up until the point when something

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<sup>6</sup> Based on information provided by Cold Gold Clutha, this is approximately 5,000l of diesel fuel per week. Terramark Resource Consent Application Report dated 14 May 2021, (p9).

goes wrong.<sup>7</sup> In those situations, companies often pay for the partial cost of a cleanup, but the public and environment pay the greater cost.<sup>8</sup>

In this situation, the questions we would be asking is: Who benefited from this mining activity? Is the price we are all paying now worth it?

Mata-au/the Clutha River is a body of water with significant positive qualities, as noted in the information provided by Otago Regional Council (ORC) on Mata-au as part of the proposed Land and Water Regional Plan consultation process. ORC states that “The Clutha Mata-Au main stem is a high valued and unique water body” and that “parts of the Clutha Mata-Au main stem have been identified as a potential Outstanding Water Body.”<sup>9</sup>

The applicant is asking to perpetuate an extractive activity which has no environmental benefits, no perceivable social or cultural benefits, and, based on the negligible information provided, extremely limited economic benefits to the community and Otago region.

The river is the heartbeat of our region, and already does so much for us.

For these reasons, I urge the Commissioners to decline Cold Gold Clutha’s application for a resource consent.

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<sup>7</sup> While the following example sits at a different scale to the proposed dredging by Cold Gold Clutha Ltd, it exemplifies how things can go wrong, even with good safety records. Deepwater Horizon drill, operated by Transocean, was “honoured by regulators for its safety record,” as there had been no serious accidents in seven years. The explosion onboard on April 20, 2010 resulted in thousands of barrels of oil pouring into the sea, the impacts of which are widely documented and reported. Casselman, Ben, and Ana Campoy. “Rig Owner Had Rising Tally of Accidents.” *Wall Street Journal - Eastern Edition*, vol. 255, no. 108, 10 May 2010, pp. A1-6 <https://web.archive.org/web/20160930174214/https://www.wsj.com/articles/SB10001424052748704307804575234471807539054> Accessed 03/11/23.

<sup>8</sup> While the scale of the Rena and Cold Gold’s barge are different, the following demonstrates that accidents in water environments cost local communities. Following the Rena disaster which saw the boat Rena grounding on the Astrolabe reef 12 nautical miles from the port of Tauranga, it is estimated that more than 19,000 volunteer hours went into collecting more than 1,000 tonnes of oily waste (p254). Hamerton, Heather, et al. “How Volunteering Reduced the Impact of the Rena Oil Spill: Community Responses to an Environmental Disaster.” *International Journal of Mass Emergencies and Disasters*, vol. 33, no. 2, Aug. 2015, pp. 252–72.

<sup>9</sup> <https://www.orc.govt.nz/plans-policies-reports/land-and-water-regional-plan/proposed-changes-to-rules-and-regulations/clutha-mata-au-main-stem> Accessed on 1 November 2023.