

Bendigo-Ophir Gold Project

To: Bendigo-Ophir Gold Project Panel

Via: Environmental Protection Authority: bendigoftaa@fasttrack.govt.nz:

Di Lucas

1. My name is Diane Jean Lucas. I hold the qualifications of Bachelor of Science and Masters in Landscape Architecture. I am a registered and Life member of NZILA.
2. My statement is prepared in accordance with the Environment Courts' Code of Conduct for Expert Witnesses as specified in the Environment Court's Practice Note 2023.
3. With regard to my statement on 10 April, I note the subsequent response from Mr Girvan at para. 51 – 55. Regarding para. 52, I disagree that the question is whether effects should be assessed regarding whether they affect the "ONL as a whole". The effects need to be assessed as to their effect on the landscape values of the ONL. As I stated previously, the landscape of the site has been inadequately assessed, with the focus wrongly on the northern and southern flanges of the range, largely ignoring the focal junction area. Assessments ratings are not about averaging effects out across a large ONL. It is not about the larger an ONL, the larger the effects that would be accommodated. The ratings are instead about assessment with regard to particular character and values across an ONL. I disagree with Mr Girvan's approach and find it demeaning for this core area of the range.
4. Considering the Conservation Covenant at para.53, Mr Girvan's assessment has inadequately addressed the contribution of biodiversity and heritage to the covenant landscape. In terms of the Reserves Act provisions, the effects are not to be considered only in decades' time. Hence the effects on the regional and national landscape values of the site have not been adequately assessed.
5. There is no information (para. 54) to counter the likelihood of significant adverse landscape effects remaining long term.
6. Re para 55., I seriously question the methodology and the ratings applied. These can be addressed in conferencing.
7. Considering the evidence provided by other colleagues, I commend the evidence of Dr Alayna Rā (para. 32 – 37) and do not agree with Mr Girvan's criticism of it.
8. I have experience in assessing and advising on heritage landscapes, including drafting heritage landscape criteria to assist with such work (refer Appendix 1). As recognised by the

Department of Conservation and various experts and organisations, the heritage landscape associated with the site has national significance, with which I agree. I expect consideration will be progressed at conferencing.

9. I have reviewed the statutory basis for covenant revocation. From my assessment, I agree with the DOC summary (para 4.8) as “a nationally unique connected historic landscape”. I agree with the summary background at para. 6 regarding the intent of the protection, and particularly at para. 6.2.3. However, given the specific covenant objectives, para. 6.2.6 should also include the landscape and natural character values.
10. Considering the conservation values of the covenant land proposed to be revoked, my assessment supports the statement by DOC at para. 6.3 In particular, the exceptional and nationally significant aspects at para. 6.3.1.
11. As per 6.3.2, importantly under the Reserves Act, “natural character” is a broader concept than in the subsequent RMA, and is not merely water-related.
12. I have read the NZCA (NZ Conservation Authority) interpretation of these provisions. They identify (para. 4) that the covenant “*establishes clear and enduring obligations to: 3. Protect landscape values*” as an in perpetuity requirement.
13. NZCA recognises (para. 4.2) the intact landscape values, which embrace the dryland ecosystems and biodiversity, and the historic heritage, are of regional and national significance. From my assessment, with consideration of the landscape effects, including on heritage landscape, supports their recommendation (page 4) that the application not proceed.
14. With regard to visual effects assessment, Mr Girvan addresses visual prominence rather than actual visual effects with regard to their context and the landscape values. I disagree with this approach. The site involves important geomorphology and ecosystems, plus public access and valued cultural, heritage and recreational attributes.
15. As I noted in my statement of 10 April, I find a remote viewing drive-by description and assessment an inadequate approach.
16. Considering the geomorphology, the site importantly involves the juxtaposition of glacial deposition lands meeting the schist bedrock of the range. (Appendix 2)
17. The Dunstan Mountains is a major Central Otago landscape feature. The major mountain range, involving the distinct formations in north and south that are either side of the line of weakness that has resulted in the valley formations to Shepherds Creek and Rise and Shine Creek. That is, the junction area.
18. The Site extends up in to a complex saddle system at this junction, as shown in part in the Topography map (Boffa Miskell Graphic Supplement August 2025 Figure 2). To the north the

ridge and gully sequence defines the mountain range. Southwards from Mount Moka is the peneplain. The complex valley series at the junction has always been a landmark area. The junction, topped by Thomsons Gorge,

19. In relation to The Site, Shepherds Creek and Rise and Shine Creek with Battery Hill protruding between them lead through this mountain pass or gorge up to the Thomsons Saddle.
20. Defined by Battery Hill, the Thomsons Gorge Fault and Rise and Shine Sheer Zone, the corridors or valleys and mountain gorge, with their enclosing schist landforms, are the centrepiece, together a landmark, an important destination with natural and historic heritage. The Site to Thomsons Saddle, the Rise and Shine and much of the Shepherds catchments, form an important local landscape within the Dunstan Mountains. The Battery Hill promontory as a key landmark cueing to this locale. The Site includes almost the full length of Shepherds Creek within the mountain, plus some 3 km of the Rise and Shine Creek.
21. The open drylands, shrublands and wetland are very important landscape and natural character attributes, including the associated wildlife.
22. The direct public access in to the covenant area had long been widely utilised and continues to provide important recreational value. This contributes substantially to the detailed natural landscape and heritage landscape value of the covenant lands experienced. The traditional route of Thomson Gorge Road, and the heritage access such as to Come-In-Time Battery
23. The landscape assessments for the applicant, and for agencies thus far, have addressed little of the direct value of the site accessibility.
24. I note that the proposed mine activity involves closing two public access routes, including Thomsons Gorge Road and an unformed legal road. However these are important historic and recreational routes and their closure cannot be assumed would be appropriate.
25. The proposal for stream diversions, open pits, underground mining, rock storage, tailings storage, processing, various facilities, plus roading would cumulatively significantly adversely affect the landscape of the landscape associated with the Rise and Shine and Shepherds Creek valleys and the wider Thomson Gorge landscape.