

BEFORE THE EXPERT PANEL

Application: FTAA-2507-1089

IN THE MATTER of the Fast-track Approvals Act 2024 (FTA Act)

AND

IN THE MATTER of an Application by Matakanui Gold Limited under section 42 of the FTA Act for the Bendigo-Ophir Gold Project (BOGP)

STATEMENT OF EVIDENCE OF EMMA JEAN CLIFFORD

23 April 2026

Heritage New Zealand Pouhere Taonga

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**HERITAGE NEW ZEALAND
POUHERE TAONGA**

Introduction

- 1 My name is Emma Jean Clifford.
- 2 I am the Manager Archaeology at Heritage New Zealand Pouhere Taonga (Heritage New Zealand). I have been in this role since January 2025 and prior to this I was Manager Heritage Listing at Heritage New Zealand.
- 3 I am providing expert advice on behalf of Heritage New Zealand on the BOGP Fast-track application, specifically in relation to the archaeological authority application. I have reviewed the heritage documents prepared by New Zealand Heritage Properties (NZHP) in support of the BOGP.
- 4 I am the author of the Internal Assessment attached as Appendix A to the section 51 Report prepared by Heritage New Zealand dated 25 March 2026 (s51 Report) I have also attached this assessment to my evidence as **Appendix A**.

Qualifications and Experience

- 5 I have a Bachelor of Arts in Archaeology and Political Science (2009) and a Master in Archaeology (2012) from the University of Otago. During my time at Otago, I completed archaeological contract work and voluntary work for Southern Pacific Archaeological Research. I was also a member of the University of Otago Anthropology Society from 2008-2013 and the President in 2010.
- 6 I have over 17 years' experience as an archaeologist, covering field work, consultancy and public sector roles across New Zealand and within the United Kingdom. I have undertaken surveys, assessments and excavation work on mining sites in Otago and the West Coast of the South Island.
- 7 During my four years as an archaeological consultant in the UK, I gained firsthand experience assessing impacts on archaeology using the environmental impact assessment framework created by the Department for Transport and Highways England (2008).

- 8 I worked for three years as Manager Heritage Listings at Heritage New Zealand, during which time I oversaw the delivery of listing services, including New Zealand Heritage List and the National Historic Landmarks. This role included the review of all listing reports ensuring that places were appropriately assessed against the values and significance criteria set out in the HNZPT Act and in line with the Heritage New Zealand *Significance Assessment Guidelines for Assessing Historic Places and Historic Areas for the New Zealand Heritage List/Rārangi Kōrero*.
- 9 In my current role as Manager Archaeology, I oversee all applications for archaeological authorities across the country. This includes reviewing the work completed by regional archaeologists for archaeological authority recommendations to ensure that Heritage New Zealand is consistent in its implementation of the archaeological provisions of the HNZPT Act and the FTA Act. If an application is assessed as being complex, it is escalated to me to actively supervise and advise the archaeologist in that region. As such I have been involved in this application since it was lodged with the Environmental Protection Agency (EPA).
- 10 Due to the ongoing complexities with this application and concerns with the methodology, I completed the internal assessment, which required reviewing the Applicant's heritage documents, undertaking my own archaeological assessment, and then considering the application against the statutory matters to take into account set out in clause 4 Schedule 8 of the FTA Act.

Code of conduct

- 11 Although the FTA Act process is not an Environment Court proceeding, I confirm I have read the Code of Conduct for expert witnesses contained in the Environment Court Practice Note 2023. I have complied with the Code of Conduct in preparing this evidence. Except where I state that I am relying on the evidence of another person, this written evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in this evidence.

Scope of Evidence

- 12 My evidence covers the following:
- (a) The Application
 - (b) Review of the heritage documentation
 - (c) Assessment of the heritage values of the application area
 - (d) Consideration of the relevant matters to take into account for an Archaeological Authority
 - (e) Recommendation to decline
 - (f) Comments regarding wider effects on heritage

Executive Summary

- 13 On 31 October 2025, Matakanui Gold Limited (the Applicant) lodged a substantive application for the BOGP under the FTA Act. As a part of the application, the Applicant has applied for an archaeological authority. Heritage New Zealand is the administering agency for the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPT Act) under the FTA Act.
- 14 I have reviewed the heritage documents in relation to the BOGP Fast-track application. I have also undertaken my own assessment of the archaeological values of the Application area and the effects of the proposal on those values.
- 15 I authored the Heritage New Zealand Internal Assessment of the BOGP proposal, including an assessment of the statutory requirements of the FTA Act, in order to inform the s51 Report.
- 16 After completing that assessment, my recommendation was to decline the archaeological authority application.
- 17 I remain of this view.

The Application

- 18 The BOGP Fast-track application seeks to establish a new gold mining operation within the Bendigo and Ardgour Stations in the Dunstan Mountains, north of Cromwell.
- 19 As some of the works associated with the mining operation will destroy or modify archaeological sites, an archaeological authority is required to authorise that modification or destruction.
- 20 The Applicant has engaged New Zealand Heritage Properties (NZHP) to assess the heritage values and prepare the heritage documents in relation to the BOGP, including archaeological assessments and an archaeological management plan. The Applicant has nominated Dr Naomi Woods to be the person to undertake an activity under the authority.
- 21 The relevant heritage assessment is that set out in B.34A and B34B - New Zealand Heritage Properties Limited - Heritage Assessment (NZHP 2025a) (10 March 2026), (NZHP March Assessment).
- 22 The authority application area is smaller than the BOGP area, as it does not include the road reserves or crown land that are listed in Appendix A of the NZHP March Assessment. Through discussions with Dr Woods, I understand that it is proposed that any works in the road reserve or Crown land will proceed under an Accidental Discovery Protocol, rather than be included in the archaeological authority application. As such, my assessment of the subject land included in the authority application has included the land parcels in Appendix A, less the Crown land and road reserve parcels (Application area).
- 23 There are thirty archaeological sites within the Application area. Two of those sites will be protected and the majority of the other sites will be destroyed.
- 24 Part of the Application area is subject to the Bendigo Conservation Covenant (Covenant) under Section 77 of the Reserves Act. One of the four objectives of the Covenant agreed between the

Landowner and the Minister is that the land will be managed to maintain the historic values of the land as referred to in Jill Hamel's "*The rich fields of Bendigo*" (February 1993).

- 25 Part of the Application area sits within the Bendigo Quartz Reefs Historic Area recognised for its historical, aesthetic, archaeological and technological values on the New Zealand Heritage List/Rārangi Korero (the List), informed by Heather Bauchop's report "*Bendigo Quartz Reefs Historic Area: Report for a Historic Area*" (2015).

Review of the heritage documentation

Background

- 26 I first reviewed the heritage documentation for the BOGP in order to provide input for the s46 completeness check, prior to lodgement. When considering these documents, as part of a group responding to the completeness check, I was of the view that there was information missing. This was communicated to the EPA in our completeness check response. Despite Heritage New Zealand communicating this the EPA accepted the application.
- 27 On 28 November 2025 I attended a meeting with Dr Woods to discuss the information missing from the application, including sites missing from the assessment, inconsistency and concerns with the values assessed, discussion of the methodology and effects of noise and vibration on sites outside of the project area. It was agreed that Dr Woods would complete and lodge an amendment to address these concerns.
- 28 An addendum was prepared and submitted where these concerns were partially addressed, and we requested a workshop to address the remaining concerns focused on the values assessment.
- 29 On 16 February 2026 I attended a heritage workshop hosted by the Applicant, along with counsel and heritage experts from the Department of Conservation (DOC), Central Otago District Council (CODC) and other experts in relation to the project. The heritage experts for DOC and CODC (who have also provided evidence)

were all in agreement that the assessment methodology was not appropriate, there was no assessment of vibration and noise effects and that the proposed mitigation was insufficient. It was agreed that a vibration and noise assessment would be provided and Dr Woods would update her assessment to understand effects on the surrounding heritage and that further discussion between Dr Woods and Heritage New Zealand should take place to remedy the remaining concerns.

- 30 On 19 February 2026 I attended a meeting with Dr Woods where we discussed the values assessment further and agreed that clarification would be made regarding the methodology used to undertake the assessment of values and an assessment of values for each site complex would be included, following a similar methodology of clustering sites used by Hamel in "*The rich fields of Bendigo*"

The NZHP March Assessment

- 31 Following these discussions, Dr Woods provided the NZHP March Assessment. I have reviewed this and base my evidence on this revised assessment.
- 32 While the NZHP March Assessment has included an assessment of each site complex, there is inconsistency between the assessment of these site complexes and the individual sites.
- 33 As an example, Dr Woods assesses the Rise and Shine complex as having high archaeological values, however in assessing the individual sites that make up this complex she has attributed low to moderate values. This includes features, that in my opinion would be key features that contribute to the understanding of this complex. This creates a discrepancy that undervalues the sites that contribute to the high archaeological value of the complex.
- 34 No explanation has been included in the methodology or the values assessment to explain this disconnect.
- 35 As such, I continue to disagree with the approach Dr Woods has employed with her assessment.

Assessment of the archaeological values of the project area

- 36 Due to the fact that I disagreed with the Dr Woods approach and the conclusions of the NZHP March Assessment, I completed my own assessment of the heritage values of the Project Area, **(Appendix A)**.
- 37 This assessment focused on site complexes rather than individual sites, recognising that these sites can only be understood as inter-related sites. This is the same approach utilised by both Heather Bauchop and Jill Hamel in their assessments of the values of the Bendigo Landscape. In my experience this is a standard approach to the assessment of values associated with landscapes.
- 38 I assessed the values using the matters set out in Heritage New Zealand's *Guideline for Writing Archaeological Assessments (AGS2) (2019)*, which are applied in all archaeological assessments that accompany archaeological authorities under the HNZPT Act.
- 39 Overall, my assessment concluded:
- (a) The value of the sites within the Application area largely derives from the collective integrity of the mining landscape and the relationship of the features within it.
 - (b) The site complexes of highest value are the Rise and Shine workings and the Come-In-Time workings. Both have very high contextual and amenity values demonstrating that their value is intertwined with the Bendigo landscape.
 - (c) The Rise and Shine Complex, a collection of well-preserved and interconnected features including water races, gold working and occupation sites demonstrate, are easily accessible and can be easily understood and interpreted by the public.
- 40 Likewise, the Come-in-Time complex holds very high contextual and amenity values, particular in understanding the restored come-in-time battery.

(d) While the Sheppard's Creek Complex and the Matakanui-Bendigo Road do not have the same very high values they do contribute to the intactness of the landscape.

41 In sum, the BOGP would have a major adverse effect on a high value archaeological landscape.

Consideration of the relevant matters to take into account for an Archaeological Authority

42 Clause 4, Schedule 8 of the FTA Act sets out the matters that the Panel must take into account when considering an application for archaeological authority.

43 To inform the s51 Report, I completed an assessment of the following relevant matters from clause 4 for an application described in section 44(a) of the HNZPT Act :

- (a) the matters set out in section 59(1)(a) of the HNZPT Act; and
- (b) a relevant statement of general policy confirmed or adopted under the HNZPT Act.

44 A copy of my full assessment is attached as **Appendix A**. It was also appended to the Heritage New Zealand s51 Report. I summarise my assessment as follows:

Section 59(1)(a) matters

45 When considering any application for an archaeological authority, Heritage New Zealand undertakes an assessment of the matters set out in section 59(1)(a) of the HNZPT Act. As such, I am experienced in undertaking this assessment.

Historical and Cultural Heritage Values Justifying Protection – s59(1)(a)(i)

46 In my view, the historical and cultural heritage values of the application area are unique and justify protection, for the following reasons:

- (a) It is a key archaeological landscape able to provide a tangible and meaningful connection to New Zealand gold mining history
- (b) The significance of the archaeological sites at Bendigo are greatly enhanced by the collective integrity of the mining landscape and the relationships between the individual sites within it.
- (c) The proposed works will result in the destruction of archaeological features within this landscape and destroy the value of an intact and interpretable mining landscape

47 Protecting the sites and their high archaeological values also protects the very high historical and cultural heritage values of the whole area.

The Purpose and Principles of the HNZPT Act – s59(1)(a)(ii)

48 The purpose of the HNZPT Act is to promote the identification, protection, preservation and conservation of the historical and cultural heritage of New Zealand.

49 The surveys undertaken as a part of the NZHP March Assessment has led to the identification and recording of several archaeological sites within the application area, and the updating of a number of Site Record Forms being updated.

50 The archaeological values within the Application Area are sufficiently high to justify protection. I do acknowledge that the Applicant proposes to avoid two sites within the Application area - G41/4 – Rabbiter’s Hut, and G41/5 stockyards.

51 The Covenant and efforts of the Goldfields Heritage Trust have resulted in the preservation and conservation of several archaeological sites within the Application area.

52 The relevant principles of the Act can be summarised as:

52.1 Historic places have lasting value in their own right.

52.2 Identification, protection, preservation, and conservation of New Zealand's historical and cultural heritage should: take account of all relevant values, involve the least possible alteration or loss of it, and safeguard the options of present and future generations.

53 In my view the modification and destruction of such a high number of high value archaeological sites is not consistent with the above principles of the HNZPT Act. I acknowledge that the BOGP does not propose to destroy all archaeological sites within the Application area. However, it will destroy, or modify, the majority and that would cause significant loss of heritage value and interruption to a currently intact archaeological landscape. In my opinion, the avoidance of two sites within the Application area has not been driven by considering the relevant values and is not enough to safeguard options for present and future generations.

The Extent to which Protection of the Archaeological Site Prevents or Restricts the Existing or Reasonable Future use of the Site – s59(1)(a)(iii)

54 The application area is currently used for recreation, tourism, and farming activities. These activities can continue whilst also protecting the archaeological sites.

The Interests of any Person Directly Affected by the Decision – s59(1)(a)(iv)

55 The Applicant: it is recognised that declining this authority will greatly impact the BOGP. However, I do not consider that this interest overrides the principle of protection in relation to highly significant archaeological values.

56 Department of Conservation (DOC): DOC has the benefit of a registered conservation covenant over part of the Application area, as such they are considered directly affected in relation to that area. Granting of this authority would result in a loss of the heritage values that the Covenant seeks to protect. I also considered the historic values of the land as referred to in Hamel's "*The rich fields of Bendigo*"

57 The Landowner: The Landowner is in support of the BOGP.

Relevant Statement of General Policy

58 The relevant Statements of General Policy (SOGP) are Tauāki Mātai Whaipara, Archaeology Statement and Taiākī Hapahapai, Advocacy Statement included in He Tauāki Kaupapahere Whānui, Statements of General Policy dated October 2025. I was involved with the drafting of these documents.

59 A copy of these documents is attached as **Appendix B**.

60 In my view, the destruction and modification of archaeological sites to enable the BOGP is inconsistent with the following policies:

Policy 2.25: Heritage New Zealand Pouhere Taonga does not support damage to significant archaeological sites, including urupā and pā, other than in exceptional circumstances, including the enhancement or protection of cultural heritage values.

Policy 2.23a: Heritage New Zealand Pouhere Taonga promotes the preservation of the archaeological heritage of New Zealand by exploring practical alternatives to avoid or limit the modification and destruction of archaeological sites, and advocating for the retention of in situ archaeological deposits, where practicable.

Policy 1.14: Heritage New Zealand Pouhere Taonga recognises and advocates for the conservation of cultural heritage in all its forms, including the historic character of landscapes, townscapes, suburbs, precincts and streetscapes, and the settings that contribute context and meaning to cultural heritage.

Policy 1.31: Heritage New Zealand Pouhere Taonga opposes the demolition or destruction of significant cultural heritage unless there are exceptional circumstances, including those in which the cultural heritage poses a serious risk to safety and interim protection works would not sufficiently reduce risks.

Recommendation to decline

61 After consideration of the statutory matters, as summarised above, I made a recommendation to the Chief Executive of Heritage New Zealand to decline the Authority.

62 This recommendation was then reflected in the s51 Report, signed by the Chief Executive of Heritage New Zealand, under delegation.

Comments regarding wider effects on heritage

63 A portion of the Application area is subject to the Covenant, and as such the application includes a partial revocation of the Covenant.

64 I have read the Covenant and Hamel's *The rich fields of Bendigo*", to which the Covenant refers. In my view, the Covenant serves a clear purpose in maintaining and protecting the heritage values of the covenanted land.

65 As such, any revocation of that protection measure then places those heritage values at risk.

66 The modification and destruction of such a large number of archaeological sites would also significantly affect the values recognised in the historic area listing for the Bendigo Quartz Reefs Historic Area. This would trigger a review of those values to determine whether the historic area still met the required criteria for entry on the List (HNZPTA, s66). If the review determined that those criteria were no longer met, due to the loss of heritage values, then it may be removed from the List.

67 I also understand the Applicant proposes to create a Biodiversity and Heritage Enhancement Fund. Whilst the concept of a heritage fund is commendable, the problem with heritage features is, that once they are destroyed then they are gone. There is nothing that money can do that would truly mitigate the loss, it would only assist in maintaining and preserving other heritage sites.

68 Therefore, the heritage values of this interconnected mining landscape would be lost, and although there would be a large pool of money for other heritage sites or projects – it does not assist in maintaining or protecting the existing heritage values of the Bendigo mining landscape.

Emma Clifford

23 April 2026