

IN THE MATTER of the Resource Management Act 1991 ("RMA" or "the Act")

AND

IN THE MATTER of an application under section 88 of the Act to **WAIKATO REGIONAL COUNCIL** and **WAIKATO DISTRICT COUNCIL** (ref LUC0488/22) by **GLEESON MANAGED FILL LIMITED** to establish and operate a managed fill disposal activity at 310 Riverview Road, Huntly.

STATEMENT OF EVIDENCE OF ELLEN ANN CAMERON

ARCHEOLOGY

Dated 21 November 2022

1. INTRODUCTION

- 1.1 My full name is Ellen Ann Cameron. I am a Director of Clough & Associates Limited, Heritage Consultants.
- 1.2 This evidence is given in respect of resource consent application LUC0488/22 by Gleeson Managed Fill Limited ("GMF") to Waikato Regional Council ("WRC") and ("Waikato District Council") ("WDC") to establish and operate a managed fill disposal activity at 310 Riverview Road, Huntly ("Site").

Qualifications and experience

- 1.3 I have a Master of Science Degree in Environmental Archaeology and Palaeoeconomy from the University of Sheffield (1991). I am also a member of the New Zealand Archaeological Association ("NZAA").
- 1.4 I have 28 years' experience in cultural heritage management. I specialise in the field of archaeology including research, survey, excavation, analysis, and report preparation. Some of this has been in Asia. Since 2014 I have worked

full-time in New Zealand carrying out assessment of effects for development and infrastructure projects. In particular, I have undertaken archaeological assessments relating to the RMA and Heritage New Zealand Pouhere Taonga Act 2014 ("HNZPTA") requirements, survey and inventory, and mitigation investigations. These have included numerous surveys and heritage assessments in the Auckland and Waikato regions.

Involvement in the project

- 1.5 I was engaged by GMF in June 2019 to undertake an assessment of the proposal from an archaeological perspective. I am the primary author of the *Gleeson Quarry, Huntly, Proposed Excavation and Disposal of Quarry Overburden: Archaeological Assessment* which was attached as Appendix 13 to the resource consent application.

Site visits and background material

- 1.6 I visited the proposed fill sites on 27 June 2019 with my colleague Doug Gaylard. This site visit involved walking ridge lines and accessible parts of the proposed fill areas, along with examination of exposed scarps and soil profiles. Proposed fill areas 3 and 4 were physically examined, and proposed fill areas 2 and 5 were examined from a distance due to safety concerns. In addition, I visited pā site S14/14, located to the east of the proposed fill areas, for updating of the site record form.
- 1.7 In preparing this evidence I have read and am familiar with the Officer's Report and the supporting documentation, as well as those submissions that are relevant to my area of expertise.

Purpose and scope of evidence

- 1.8 The purpose of my evidence is to identify any recorded archaeological sites that may be affected by the proposed works, to identify the values attached to any such sites, to discuss potential effects on archaeology and to recommend appropriate mitigation measures if required.
- 1.9 My evidence is structured as follows:
- (a) Briefly describes the site (Section 3);
 - (b) Briefly describes the proposal (Section 4);
 - (c) Sets out the key policy matters (Section 5);
 - (d) Addresses any relevant archaeological issues arising (Section 6);

- (e) Comments on issues raised by the Officer's Report relevant to my area of expertise (Section 7);
- (f) Comments on the conditions (Section 8);
- (g) Provides a brief conclusion (Section 9).

1.10 A summary of my evidence is contained in Section 2.

Expert Witness Code of Conduct

1.11 I have been provided with a copy of the Code of Conduct for Expert Witnesses contained in the Environment Court's 2014 Practice Note. I have read and agree to comply with that Code. This evidence is within my area of expertise, except where I state that I am relying upon the specified evidence of another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

1.12 I understand and accept that it is my overriding duty to assist the Independent Commissioner in matters which are within my expertise as an archaeologist.

2. SUMMARY OF EVIDENCE

2.1 I carried out an Archaeological Assessment and co-authored a report *Gleeson Quarry, Huntly, Proposed Excavation and Disposal of Quarry Overburden: Archaeological Assessment* with Doug Gaylard and Rod Clough which was attached as Appendix 13 to the resource consent application.

2.2 My Archaeological Assessment was informed by background research, including a search of the NZAA site record files, early maps and plans held at Land Information New Zealand ("LINZ"), historic government records, newspaper articles and reports from archaeological assessments previously undertaken in the general area, together with a field survey.

2.3 As part of the background research for the assessment, I identified one recorded archaeological site on the quarry property: S14/14 (pā). The pā site is not located in the vicinity of the proposed works areas or access roads and will not be affected by the currently proposed development. I did not identify any previously unrecorded archaeological sites in the area containing the proposed Fill Areas.

2.4 Based on my findings the potential for the proposed activity to affect archaeological sites is considered to be low and an archaeological authority

under the HNZPTA will not be required. This is because no known sites will be affected and I consider it unlikely that any will be encountered during the proposed works, based on the terrain, soil type and heavy bush cover that would have existed in the past.

3. SITE DESCRIPTION AND LOCALITY

3.1 The proposed Fill Areas are situated on hilly terrain reaching up to 100m asl. The existing landform relating to proposed Fill Areas rises steeply towards the west from the front boundary of the quarry property with Riverview Road, creating a natural physical landform buffer. From this ridgeline, the Fill Areas consist of a series of steep gullies and ridges, rising to a height of 100m above sea level, with the lowest point of the gullies being 50m above sea level. The ridgelines run both east to west and north to south, creating distinct depressions in the landform.

3.2 The land has historically been used for farming, quarry associated activities and a small amount of forestry logging. Farming has been limited due to the steepness of the terrain, which is predominately covered in rank pasture and weed species such as gorse. Small pockets of both native and exotic vegetation are dispersed over the site, tending to cluster in the existing valleys and adjacent to overland flow paths and small streams. The hillside and ridgeline closest to Riverview Road is clad in a pine plantation, some of which has been harvested.

4. DESCRIPTION OF PROPOSAL

4.1 GMF are planning excavation and disposal of quarry overburden material onsite and importation of managed and clean fill to identified Fill Areas within the existing quarry landholdings (property). As two archaeological sites have previously been recorded on the quarry property and the proposed works would damage or destroy any archaeological sites within the proposed Fill Areas, the archaeological assessment was commissioned to determine if the proposed work is likely to impact on archaeological values.

5. KEY POLICY MATTERS

5.1 The Waikato Regional Policy Statement ("RPS") sets out the objectives for protecting Historic and Cultural Values ("HCV") of Historic and Cultural Heritage, including archaeological sites, and sets out policies to ensure that HCVs will be protected through management of the effects of subdivision, use and development (HCV-P3).

- 5.2 The methods for implementing the policy include mechanisms to protect archaeological sites from inappropriate subdivision use and development such as the establishment of Heritage Alert Layers, Accidental Discovery Protocols, Impact Assessment and Heritage Orders (HCV-M8).
- 5.3 The RPS also sets out the factors to be used for determining whether an activity is inappropriate, which includes: degree of modification, loss or destruction of heritage qualities, loss of unique or rare features, effects of relocation and effects on the surroundings of archaeological sites (HCV-M9)

6. **ARCHAEOLOGICAL ISSUES**

Relevant statutory framework

- 6.1 Section 6 of the RMA recognises as matters of national importance:
- (a) “the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga” (S6(e)); and
 - (b) “the protection of historic heritage from inappropriate subdivision, use, and development” (S6(f)).
- 6.2 All persons exercising functions and powers under the RMA are required under section 6 to recognise and provide for these matters of national importance when “managing the use, development and protection of natural and physical resources”. Section 17 of the RMA establishes a duty to avoid, remedy, or mitigate any adverse effects on the environment arising from an activity, including on historic heritage.
- 6.3 The HNZPTA protects all archaeological sites whether recorded or not, and they may not be damaged or destroyed unless an Authority to modify an archaeological site has been issued by Heritage New Zealand Pouhere Taonga (“Heritage NZ”) (section 42). An archaeological site is defined in the HNZPTA at section 6 as follows:

‘archaeological site means, subject to section 42(3)¹,

- (a) any place in New Zealand, including any building or structure (or part of a building or structure) that –
 - (i) was associated with human activity that occurred before 1900 or is the site of the

¹ Under Section 42(3) an Authority is not required to permit work on a pre-1900 building unless the building is to be demolished.

wreck of any vessel where the wreck occurred before 1900; and

- (ii) *provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand; and* (b) includes a site for which a declaration is made under section 43(1)²

- 6.4 Authorities to modify archaeological sites can be applied for either in respect to archaeological sites within a specified area of land (section 44(a) of the HNZPTA), or to modify a specific archaeological site where the effects will be no more than minor (section 44(b) of the HNZPTA), or for the purpose of conducting a scientific investigation (section 44(c) of the HNZPTA). In addition, an application may be made to carry out an exploratory investigation of any site or locality under section 56 of the HNZPTA, to confirm the presence, extent and nature of a site or suspected site.

Assessment methodology

- 6.5 My Archaeological Assessment was informed by background research and field survey. The background research included a search of the NZAA site record files, early maps and plans held at LINZ, historic government records, newspaper articles and reports from archaeological assessments previously undertaken in the general area.
- 6.6 I undertook a field survey of the proposed Fill Areas and proposed haul roads (see Figure 1) on 27 June 2019 with my colleague Doug Gaylard. During the field survey I examined the ground surface for evidence of former occupation (in the form of shell midden, depressions, terracing or other unusual formations within the landscape relating to Māori settlement, or indications of 19th century European settlement or activity remains). I also examined exposed and disturbed soils where encountered for evidence of earlier modification, and an understanding of the local stratigraphy. As well as this, I visited the recorded archaeological site S14/14 (pā) that is located within the boundaries of the quarry property (see Figure 1), although it is not affected by the proposed works, in order to update the NZAA site record.

² Under Section 43(1) a place post-dating 1900 (including the site of a wreck that occurred after 1900) that could provide 'significant evidence relating to the historical and cultural heritage of New Zealand' can be declared by Heritage NZ to be an archaeological site.



Figure 1. Aerial plan showing the locations of the proposed Fill Areas and Haul Roads and the recorded pā site S14/14 (source: Waikato District Intramaps)

Assessment results

- 6.7 I identified one previously recorded archaeological site on the quarry property – S14/14 (pā). The pā site is not located in the vicinity of the proposed Fill Areas or haul roads and will not be affected by the currently proposed development. I did not identify any other archaeological sites in the proposed works areas during the background research or survey for the assessment.
- 6.8 My assessment has established that the proposed development will have no effects on any known archaeological remains and has little potential to affect unrecorded subsurface remains; and that the possibility that unrecorded archaeological remains are encountered during the development can be appropriately managed under Accidental Discovery Protocols.
- 6.9 I concluded that if any unrecorded sites should be exposed during the works, any effects are likely to be minor. This is because of the previous impacts from farming, logging, and quarrying and also based on the terrain, soil type and heavy bush cover that would have existed in the past.

Recommendations

- 6.10 Based on the findings of my assessment, I recommend that there should be no constraints on the proposed works on archaeological grounds, as no

archaeological sites are known to be present in the proposed Fill Areas or haul roads and I considered it unlikely that any will be exposed during development.

6.11 I also recommend that a provision for Accidental Discovery Protocols should be included in the conditions of any resource consent granted and note that if archaeological sites are encountered during development, an Authority under the HNZPTA must be applied for and granted prior to any further work being carried out that will affect the sites.

6.12 I also recommend that as one archaeological site has been recorded on the broader quarry property, any changes to the current layout and inclusion of additional works, such as access/haul roads, should take account of the location of the recorded archaeological site (S14/14 (pā)) and ensure that it is avoided.

7. ISSUES RAISED BY COUNCIL OFFICER'S REPORT

7.1 I have read the report prepared by Julia Masters, the Council's reporting planner.

7.2 No issues relating to archaeology have been raised and I note that it is stated in paragraph 8.13 of the S42 report that on the basis of my recommendation for an accidental discover protocol should the panel determine it is appropriate to grant consent, it is concluded that overall the potential archaeological effects will be acceptable.

8. ISSUES RAISED BY SUBMITTERS

8.1 No issues relating to archaeology have been raised by submitters.

9. COMMENT ON CONDITIONS

9.1 I support the general condition relating to the accidental discovery of archaeological remains being attached to any resource consent granted, which will require that if any archaeological remains are exposed during development, work should cease in the immediate vicinity and that Council and Heritage NZ should be informed.

10. CONCLUSIONS

10.1 Based on the findings of my assessment, no known archaeological sites will be affected by the proposed works, and I consider it unlikely that any undetected sites are present. An Authority issued by Heritage NZ is therefore

not required for the proposed development. However, if any unrecorded sites should be exposed during the works, the effects are considered likely to be minor and can be appropriately mitigated by recording and information recovery under the archaeological provisions of the HNZPTA.

Ellen Ann Cameron
Clough & Associates Limited
21 November 2022