

BEFORE THE NEW PLYMOUTH DISTRICT COUNCIL

UNDER

the Resource Management Act 1991 ("RMA")

IN THE MATTER

of PC18/00049 being a request under section 73(2) of the Act by **HAREB INVESTMENTS LIMITED** to the **NEW PLYMOUTH DISTRICT COUNCIL** for a Private Plan Change to rezone 2 Johnston Street, Waitara from Rural (FUD) to Residential A and Open Space.

STATEMENT OF EVIDENCE IVAN DAVID BRUCE ON BEHALF OF HAREB INVESTMENTS LIMITED

1. INTRODUCTION

- 1.1 My full name is Ivan David Bruce.
- 1.2 My qualifications include B.A. Honours from the University of Otago, and M.A. Honours from the University of Auckland, majoring in Anthropology.
- 1.3 Since 2006 I have been engaged as a consultant archaeologist, based in New Plymouth and specializing in the archaeological record of the Taranaki Region.
- 1.4 This evidence is given in support of the Private Plan Change application request lodged by Hareb Investments Limited ("HIL"), to rezone approximately 11.54 hectares of land at 2 Johnston Street, Waitara, from Rural Environment Area (with Future Urban Development overlay) to Residential A Environment Area and Open Space B.
- 1.5 I am authorised to give this evidence on behalf of HIL.

2. INVOLVEMENT IN THE PROJECT

- 2.1 My involvement in the Application has included:
 - (a) A desktop review of the archaeological record; historic literature; land plans and early maps; and a pedestrian survey of the application area.

- 2.2 I have also reviewed the material produced with the Application, including;
- (a) the original request application dated 22 November 2018;
 - (b) the revised application dated 13 March 2019, which was the version notified on 25 June 2019;
 - (c) Further information provided to the NPDC on 24 February 2020; and,
 - (d) Further information provided to the NPDC on 16 June 2020.

3. CODE OF CONDUCT

- 3.1 I confirm that I have read the Code of Conduct for expert witnesses contained in the 2014 Environment Court Practice Note and that I agree to comply with it. I confirm I have considered all the material facts that I am aware of that might alter or detract from the opinions I express. In particular, unless I state otherwise, this evidence is within my sphere of expertise and I have not omitted to consider material facts known to me that might alter or detract from the opinions I express.

4. PURPOSE AND SCOPE OF EVIDENCE

- 4.1 In this matter, I have been asked by HIL to locate and record archaeological evidence and to advise as to HIL's requirements under the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA).
- 4.2 I confirm that I have read the submissions on the Application. The assumptions, assessment and conclusions set out in my report attached to the Plan Change Request remain valid.
- 4.3 Except where my evidence relates to contentious matters I propose to only summarise the conclusions set out in my expert technical report.
- 4.4 My evidence is structured as follows:
- (a) Summary (Section 5);
 - (b) Matters raised in submissions (Section 6);
 - (c) Council Officer's Report (Section 11);
 - (d) Concluding comments (Section 7).

5. SUMMARY

5.1 The key archaeological related issues in my opinion are:

- (a) The potential to encounter unrecorded archaeological evidence relating to historic and prehistoric Maori land use and occupation at this location.

5.2 By way of a summary, my assessment enables me to confidently conclude that:

- (a) The application area does not contain a recorded archaeological site and to the best of my knowledge there are no historic records that specifically refer to pa or papakainga within the affected area. The area has been significantly modified by farm development, including channelling of the stream and drainage of associated wetland areas. there is in my opinion a low likelihood that archaeological evidence will be encountered here and work could continue under an archaeological discovery protocol. There is no requirement at this time for this development to be undertaken under an authority granted by Heritage New Zealand Pouhere Taonga (HNZPT).

6. SUBMISSIONS

6.1 I have reviewed the Cultural Impact Assessment (CIA) submitted by the Manukorihi and Otaraua Hapu and their prior submissions which raise the following matters (*Effects on sites and areas of significance to Māori, wāhi tapu and Historic Heritage P.23*), within my field of expertise:

- (a) The submitters consider the archaeological record in the area is incomplete and that, based on the proximity of pa and papakainga to the application site, it is reasonable to suggest further archaeological material may be found.
- (b) In response, I accept that no archaeological record is ever "complete" and that previously unrecorded archaeological finds continue to occur in the coastal Taranaki context. However, I am comfortable with my initial assessment that the likelihood of further finds is, in this case, at the lower end of probability and could reasonably be dealt with under an archaeological discovery protocol in the first instance.
- (c) Ongoing cultural monitoring as part of large scale residential development is now normal practice in my experience and would, in

this case, go some way to mitigating the potential for archaeological material being encountered and destroyed without record. However, this would not be an action that HNZPT would require in compliance with the provisions of the HNZPTA in this case, even if an archaeological authority was applied for. Provision of cultural monitoring is considered outside the remit of the HNZPTA.

7. COUNCIL OFFICER'S REPORT

- 7.1 I have reviewed the Section 42A Report for the Application. I note the following points.
- 7.2 In section 11.2 the council officer considers Historic Heritage to be a key issue in respect of the plan change request. In section 11.156 the council officer notes that an archaeological discovery protocol is provided in the structure plan as mitigation against unexpected archaeological finds, and in section 11.157, states that subject to the applicant responding to the CIA, does not recommend any additional provisions.
- 7.3 I agree with the findings of the Section 42A Report that the archaeological discovery protocol included in the structure plan is an appropriate response to mitigate against unexpected archaeological finds, in the first instance.

8. CONCLUSION

- 8.1 My evidence has assessed the matters relating to archaeological sites that I am aware of in relation to the Application and I can safely conclude that:
- (a) No recorded archaeological sites; or unrecorded archaeological sites that could reasonably be predicted as a result of historic research, will be affected by the development of the application area. There is at this time no requirement for this development to proceed under an archaeological authority granted by the HNZPT.

Ivan Bruce MA.
Archaeological Resource Management
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