

BEFORE THE HEARING PANEL

IN THE MATTER of the Resource Management Act 1991

AND of the proposed Te Tai o Poutini Plan

**Evidence of Amy Louise Young on behalf of
the Director-General of Conservation / *Tumuaki Ahurei***

Hearing Topic: Historic Heritage

Submitter ID: S602, Further Submitter ID: FS602

Dated 9 November 2023

Department of Conservation / *Te Papa Atawhai*

RMA Shared Services

Operations Group

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Introduction

1. My full name is Amy Louise Young.
2. I have been asked by the Director-General of Conservation / *Tumuaki Ahurei* ('the D-G') to provide planning evidence on the proposed Te Tai o Poutini Plan (pTTPP)
3. This evidence relates to Hearing Topic: Historic Heritage

Qualifications and experience

4. I am employed by the Department of Conservation (DOC) as a Resource Management Act (RMA) Planner. I have worked for DOC for three years. Prior to that I was employed by the Dunedin City Council as a Resource Consent Planner for 12 years. Prior to taking up a planning role, I was Landscape Architect in Auckland for SOUL Environments for two years and LA4 Landscape Architects for two years. I have experience in resource consent processing, planning advice, and landscape assessment and design.
5. I have previously given expert planning evidence for the D-G on Topic 1 and 2 of the Proposed Te Tai o Poutini Plan, the Proposed Selwyn District Plan: Ecosystems and Indigenous Biodiversity Chapter, the Waste Management New Zealand proposed plan change and consent application for the Auckland Regional Landfill, and for the Minister of Conservation on Proposed Plan Change 5 Southland Regional Coastal Plan: Surface Water Activities on the internal waters of Fiordland from Yates Point to Puyseger Point.
6. I have a Bachelor of Landscape Architecture qualification from Unitec Institute of Technology (2005).

Code of Conduct

7. I confirm that I have read the code of conduct for expert witnesses as contained in the Environment Court Practice Note 2023. I have complied with the Practice Note when preparing my written statement of evidence and will do so when I give oral evidence before the hearing.
8. The data, information, facts, and assumptions I have considered in forming my opinions are set out in my evidence to follow. The reasons for the opinions expressed are also set out in the evidence to follow.

9. 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 that I express.

Scope of evidence

10. This evidence covers Historic Heritage.

Material Considered

11. I have read the parts of the following documents that are relevant to this hearing:
- a) Proposed Te Tai o Poutini Plan 2022;
 - b) The s32 Evaluation Reports:
 - Te Tai o Poutini Plan – Section 32 Evaluation Report 4 – Historic and Cultural Heritage;
 - c) The D-G's submission dated 11 November 2022 and further submission dated 13 July 2023;
 - d) Other submissions where they are referred to in my evidence; and
 - e) The Te Tai o Poutini Plan Section 42A Officer's Report Historic Heritage.

HEARING TOPIC 3 – HISTORIC HERITAGE

Advice note: Archaeological Authority requirements by Heritage New Zealand - Pouhere Taonga

12. The D-Gs submission¹ sought few amendments to the Historic Heritage chapter. In general, these amendments have been supported in the S42A Officer's report. The D-G submitted that Historic Heritage Rules HH-R3, HH-R4, HH-R5, HH-R7 and HH-R8 should include a matter of control or discretion which required the applicant to provide an Archaeological Authority by Heritage New Zealand -Pouhere Taonga and any consultation feedback that had been provided to the applicant by Heritage New Zealand -Pouhere Taonga.
13. The s42A report writer noted in their report² that:

'In law, any work that may affect an archaeological site (regardless of whether or not it is scheduled in the Plan) requires an archaeological authority from HNZPT, in

¹ Submission point 602.052

² Te Tai o Poutini Plan – Section 42A Report Historic Heritage p 38

practice it is common for this not to occur – often due to ignorance on the part of the person doing the work and a lack of understanding that the site is protected. Many of the heritage items and areas in schedule one do have archaeological values. However, given that the archaeological authority will generally be a mandatory requirement under the HNZPT Act, I consider that reference to this is more appropriate through an Advice Note than as a specific performance standard.

14. I support the inclusion of the following advice note recommended by the s42A report writer which is positioned below the Historic Heritage rules throughout the Historic Heritage chapter:

Advice Note: Where work is proposed that could modify an archaeological site (regardless of whether the site is scheduled as an archaeological site in Te Tai o Poutini Plan or not) obtaining archaeological authority from Heritage New Zealand Pouhere Taonga (HNZPT) is required before any work starts.

Rule HH-R4 Relocation or Repositioning of a Historic Heritage item identified in Schedule One and associated earthworks.

15. The D-Gs submission sought the requirement for an archaeological authority to be obtained from Heritage New Zealand Pouhere Taonga (HNZPT) as a matter of control to ensure that the repositioning or relocation was in fact appropriate. The s42A report writer in response to submissions from Heritage New Zealand Pouhere Taonga has reviewed the activity status and amended it to become a Restricted Discretionary Activity. Additional matters of discretion have been included that refer to impacts of the activity on cultural values and requirements arising from the feedback from Poutini Ngāi Tahu. I am supportive of this approach as with the inclusion of the advice note as noted in the section above this rule will offer the protection required for the Historic Heritage item in question.

Conclusion

16. The D-Gs submission contained limited points related to the provisions covered by this topic. The points that have been accepted in part by the Officers report have been discussed above and I agree with the approach recommended by the Officer.

A handwritten signature in black ink, appearing to read 'AY', with a stylized flourish extending from the bottom right.

Amy Young

RMA Planner

DATED this 9th day of November 2023