

PLANNING EVIDENCE

IN THE MATTER OF Proposed Te Tai o Poutini Plan (pTTPP)

AND

IN THE MATTER OF A hearing into the above pursuant to the Resource Management Act 1991

DATE OF HEARING 7 December – 8 December 2023

**REVIEW OF RESOURCE MANAGEMENT AND PLANNING MATTERS
RELATED TO SUBMISSIONS AND FURTHER SUBMISSIONS OF
WESTPOWER LTD TO THE PROPOSED TE TAI O POUTINI PLAN**

TOPICS:

Historic Heritage

Evidence of Martin Kennedy

1.0 INTRODUCTION

- 1.1 My name is Martin Kennedy and I am the Sole Director of West Coast Planning Limited, a Resource Management and Planning Consultancy based in Greymouth.
- 1.2 I have been engaged by Westpower Limited to provide planning evidence in regard to resource management issues related to the Proposed Te Tai o Poutini Plan (*pTTPP*), and more particularly recommendations and amendments arising from the Section 42A Report relating to submissions and further submissions made by Westpower.
- 1.3 My role in this hearing process is to provide evidence on relevant resource management issues to assist the Commissioners in considering the matter.
- 1.4 This evidence specifically relates to the topic:
 - Historic Heritage

2.0 SUBMITTER

- 2.1 The submitter is: Westpower Limited (*Westpower*)
- 2.2 Westpower is a community owned company undertaking activities related to the generation and supply/distribution of electricity to the community. Westpower undertakes activities in all districts in the region. Westpower's ability to undertake its activities for the community is impacted by the provisions of the plan. When assessing the proposed plan activities have been considered under three broad categories (although all are interrelated);
 - the existing electricity network;
 - potential additions and extension to the network;
 - electricity generation activities.

3.0 WITNESS

- 3.1 As above I have been requested by the submitter to present evidence on the resource management issues relating to certain matters which were the subject of submissions and further submissions to the *pTTPP*.
- 3.2 I am the Sole Director of West Coast Planning Limited, a Resource Management and Planning Consultancy based in Greymouth. Prior to that, I

was Manager of the Environmental Services Department of the Grey District Council based in Greymouth. Before that I was District Planner at the same Council. I have 32 years Resource Management and Planning experience. I have experience in all aspects of implementation of the Resource Management Act (from a consent authority, applicant and submitter perspective) including: Resource Consent Applications (processing, development and submissions), environmental effects assessments; notification and processing decisions; and District Plan development, implementation and associated processes. I also assist submitters with submissions and involvement in National, Regional and District Policy and Plan development processes under the Resource Management Act.

- 3.3 I have had specific experience with the development, implementation and interpretation of the Policies and Plans on the West Coast as a consultant to Councils, applicants and submitters.
- 3.3 I have a BSc (Physical Geography) and a Masters Degree in Regional and Resource Planning (MRRP).
- 3.4 I am a current full member of the New Zealand Planning Institute.
- 3.5 I have read and understood the Code of Conduct for Expert Witnesses contained in the Environment Court's Consolidated Practice Note 2023 and agree to comply with it. The report presented is within my area of planning expertise and I confirm that I have not omitted to consider material facts that might alter or detract from the opinions given in this evidence.

4.0 SCOPE OF EVIDENCE

- 4.1 Westpower Ltd made submissions to a number of provisions throughout the pTTPP, and later in the process further submissions. There have been no pre-hearing processes since the lodging of submissions and further submissions.
- 4.2 For the purpose of this evidence the current pTTPP document is used as the base for assessment and opinions, with reference to the Section 42A Report (*the s42A Report*).

- 4.3 Westpower Ltd, whilst retaining its submissions and further submissions, is in general agreement with those recommendations of the Section 42A Report where they result in the outcomes/decisions sought by Westpower. Westpower has sought my advice for the purposes of the hearing into the pTTPP and the matters arising which have not been accepted, or accepted in part, through the s42A Report.
- 4.4 It is not proposed to repeat all of the matters on which submissions were made by Westpower Ltd as they are before the Commissioners in the form of the original submission and further submissions, and the s42A Report. It is agreed that the report generally represents the matters raised in those submissions and further submissions, and those points of submission remain. There are some issues arising with submission points and these are discussed below.
- 4.5 This evidence is therefore submitted for two purposes;
- To provide advice in regard to the recommended outcomes, in their current form, in the s42A Report in relation to the submissions and further submissions made by Westpower Ltd.
 - To provide further evidence in relation to matters arising from the s42A Report which require clarification and/or amendments. In terms of this hearing the topics covered are;
 - Historic Heritage
- 4.6 This evidence covers the topic area and focuses on those recommendations where the s42A Report does not support the submissions and further submissions of Westpower Ltd, or where issues have been identified with the report.

5.0 CONCLUSION

- 5.1 Whilst there is some agreement on the outcomes arising from a range of submissions and further submissions there are a number of points that in my opinion require further consideration and inclusion in the TTPP.
- 5.2 Rather than summarise the broad range of matters here Sections 7 and 8 below discuss those matters where submission points have been either accepted or rejected by the S42A Report and my opinions in regard to those matters.

5.3 I have also included in Section 7 comments regarding certain submissions summarised as “*accepted*” or “*rejected*” in the s42A Report which have outcomes differing to the commentary that require resolution.

6.0 STRUCTURE OF EVIDENCE

6.1 To assist with this evidence the following sections are provided;

a. Recommendations on Submissions and Further Submissions (*Section 7.0*)
supported

b. Amendments Required (*Section 8.0*)

c. Part II of the Resource Management Act 1991 (*Section 9.0*)

6.2 To assist with this evidence, summaries of the s42A Report recommendations are attached as Appendix 1 below. These appendices will be referred to where required for ease of cross reference rather than repetition of information.

7.0 RECOMMENDATIONS ON SUBMISSIONS AND FURTHER SUBMISSIONS

7.1 Having reviewed the Section 42A Report and appendices, which are understood to reflect the recommendations of that report, Westpower have advised that those recommendations accepting its further submissions are supported. This is with the exception of those matters discussed below, including where a submission or further submission has been accepted in part.

7.2 I have reviewed those matters and generally support the recommendations to accept those submission points made by Westpower. I provide no further evidence in regard to those matters at this stage. I will be available to answer any questions should those matters recommended to be accepted in the s42A Report remain in contention at the hearing. For clarity these recommendations are shown in Appendix 1 (pages 1-3) attached to this evidence, as further submissions accepted.

Submissions “Accepted” – HH-P8

7.3 Submission S547.176 (*Appendix 1, page 1*) is shown in the summary of recommendations as being “*accepted*” by the s42A Report. Having read that report it is clear that the intended recommendation is to reject that submission

point. I have discussed that matter in section 8 below and do not agree with the recommendation.

- 7.4 Submission S547.182 (*Appendix 1, page 2*) is shown in the summary of recommendations as being “*accepted*” by the s42A Report. Having read that report it is clear that the intended recommendation is to accept that submission point but the change is not shown in paragraph 161. I do note that the change is shown in Appendix 1 to the s42A Report and the purpose of these comments is to ensure that change actually occurs given the variation evident between the documents. I have also highlighted the matter in section 8 below.

Submissions “Rejected” – HH-R10

- 7.5 Submission S547.185 (*Appendix 1, page 4*) is shown in the summary of recommendations attached to the s42A Report as being “*rejected*” however on reviewing the report it is clear that the intent of the submission is supported. This matter, including a consequential amendment, is discussed under section 8.0 below.

8.0 AMENDMENTS REQUIRED

- 8.1 There are matters which require further amendment in regard to the current pTTPP document and as raised in the s42A Reports. For the purpose of this evidence, and the hearing, the matters discussed relate to issues associated with energy activities.
- 8.2 For the purpose of cross reference to the s42A Reports the headings used in that report are repeated here when discussing specific submission points.

6.0 General Submissions, Submissions on the Whole Chapter and Submissions on Definitions (pages 8-17 – s42A Report)

FS222.0161 (Appendix 1, page 4)

- 8.3 The s42A Report recommends rejecting the further submission on the basis that the outcomes sought in the base submission (S140.015) are related to clarifying the procedures when uncovering archeological sites. The reason for the further submission was to clarify how “post”-1900 archaeological sites were to be “*determined and incorporated into the plan given that this will have a regulatory impact on Activities.*”. The assessment of the s42A Report does not

address that point. Having reviewed the s42A Report at this part as a whole I note that, in repose to another submission, a new method is proposed to set out the procedure for adding heritage items to the plan. In my opinion a minor amendment should be made to the proposed wording which would address the matter raised in this further submission, ie “*HH-M2 – The TTPP ... inclusion of additional heritage items, including archaeological sites, in the plan as part of their ...*”. This simply ensures a robust process for inclusion of sites into the plan.

7.0 Submissions on the Objectives (pages 17-20 – s42A Report)

S547.172 (Appendix 1, page 1)

8.4 The s42A Report recommends accepting this submission in part. It disagrees with part of the submission on the basis that protection from inappropriate subdivision, use and development is a requirement of s6 of the RMA. I don't dispute the requirement of the Act regarding inappropriate development however my understanding is that this does not preclude the activities raised in this objective, including demolition and destruction. The amendments sought to recognise and provide for the reality of heritage management, particularly as experienced by communities with limited resources. In my opinion the outcomes sought in the submission are relevant changes to provide for the practicalities of any situation whilst not diminishing the overall objective of heritage management in the region.

8.0 Submissions on the Policies (pages 21-28 – s42A Report)

S547.174 (Appendix 1, page 3)

8.5 The s42A Report recommends rejecting the submission on the basis that a consideration of the needs of the constraints or requirements of energy activities are not relevant matters when considering proposals to relocate or reposition heritage items. In my opinion those matters are relevant in considering potentially competing outcomes for RSI and heritage items on the West Coast. Given that the policy provides a list of matters to consider for proposals, in my opinion it is directly relevant to consider these RSI related issues if that is the reason for any proposed relocation or repositioning. In my opinion the outcome sought in the submission should be included as a matter for consideration.

S547.175 (Appendix 1, page 3)

8.6 The s42A Report recommends rejecting the submission on the basis that a consideration of the needs of the constraints or requirements of energy activities are not relevant matters when considering proposals to demolish or destroy heritage items. In my opinion those matters are relevant in considering any such proposals as it enables a full consideration of the issues arising in any particular case. It is not proposed in the submission to prioritise one matter over the other and I note that proposed item “c” requires an assessment of viable alternatives, including relocation and repositioning. I consider that the addition of the matter assists in guiding the determination of matters where issues or potential conflicts arise. In my opinion the outcome sought in the submission is an appropriate consideration and should be included.

S547.176 (Appendix 1, page 1)

8.7 The s42A Report recommends rejecting (although is noted as “accepted” in the summary of recommendations appended to the report) the submission on the basis that it is not a matter that needs additional weight and is partially provided for in other matters (c)-(e). The submission was intended to assist with ensuring the retaining the viability of the heritage item and was the same matter raised in relation to Policy HH-P5 which was accepted by the s42A Report. I am unclear what the difference is in this case as it is my experience that in seeking to retain items, particularly buildings, there is an advantage in incentivising and encouraging use and retention. The ability to undertake alterations for the use and supply of renewable energy are a relevant component in that regard. In my opinion this is a relevant matter to include.

FS222.0171 (Appendix 1, page 5)

8.8 The s42A Report recommends rejecting this further submission on the basis that base submission provides for a matter not recognised in other policies, ie functional or operational needs of RSI. Based on the previous submission points *S547.174 and S547.175 (Appendix 1, page 3)*, discussed above, that is only because those considerations have been recommended to be “rejected” in relation to the relevant topics. The further submission was not opposed to recognising these relevant RSI matters, in fact they support the submission points discussed above. The focus of the further submission was that the wording is inappropriate in that it does not provide for consideration of those

issues where conflict arises between RSI and heritages items or areas. The proposed wording indicates that in all cases heritage will prevail over RSI but provides no assessment of the impact of such decisions. In my opinion the matter would be better provided for in the policy points discussed above which have been recommended to be “rejected” by the s42A Report as they enable a full consideration of the relevant issues rather than directing that RSI cannot occur.

9.1 Submissions on Permitted Activities (pages 28-35 – s42A Report)

S547.178 (Appendix 1, page 3)

8.9 The s42A Report recommends rejecting this submission but I note that the reasoning in the s42A Report has been related to HH-R2 which is incorrect. This assessment of the submission is an error as the submission point related to HH-R3 (as shown in the summary of recommendations). The intent of the submission was, when applied to HH-R3, to ensure the rule was implemented as intended by adding an “or” at the end of item 1(a). In my opinion this amendment should be made to ensure appropriate assessment of permitted activities.

S547.179 (Appendix 1, page 3)

8.10 The s42A Report recommends accepting this submission “*in part*”. The part of the submission not accepted relates to a proposed clarification that a reference to “installation or digging of new post holes” was related to the proposed wording as a whole, ie maintenance of existing fences. The intent of the proposed wording in the submission was to avoid ambiguity as clearly the rule was intended to relate to fences as the term “post holes” is used. I have sought advice from Westpower in regard to the matter and have been advised that it is generally not possible to replace a pole supporting an overhead line without installing or digging a new hole. I am advised that holes will be required to be reshaped in all instances, and approximately 95% of the time a new hole will be required. For example, this can include where a new pole (such as a concrete pole) is placed next to the old pole (such as wood), and cables are transferred first before the old pole is removed. Such a restriction was not the intent of the rule as originally worded in terms of fence posts. This is particularly an issue in historic areas that may cover a considerable area of land over which RSI is located.

9.2 Submissions on Repositioning and Relocation of Historic Heritage Items (pages 36-40 – s42A Report)

S547.184 (Appendix 1, pages 4)

8.11 The s42A Report recommends rejecting this submission on the basis that the activity category is proposed to be changed from “*restricted discretionary*” to “*discretionary*” and this will enable the constraints and requirements of energy activities to be considered through an application for consent. I note that the s42A Report has recommended rejecting a submission made by Westpower to include those matters in HH-P6 (see *S547.174 (Appendix 1, page 3)* above) which is the corresponding policy for considering applications under this rule. If the intent is that such matters will now be considered under this rule and associated policy then at the least the matters should be provided for in the policy as requested in the previously discussed submission point. In my opinion these are relevant matters and should be provided in the plan as sought through the submission.

9.3 Infrastructure and Heritage Items (pages 40-43 – s42A Report)

S547.185 (Appendix 1, page 4)

8.12 The s42A Report recommends rejecting this submission however on reviewing the report (paragraphs 104-142) it appears that the submission point is recommended to be accepted. I agree with that recommendation with the exception that an additional matter be added, based on previous submission points to “*restricted discretionary*” activity rules that may impact RSI. I note the proposed new rule HH-R10 (*s42A Report, paragraph 144*) contains proposed matters of discretion (a)-(f). In my opinion an additional matter (g) should be included to ensure matters appropriate to RSI are considered, ie “g. Any technical, locational, functional or operational constraints or requirements of energy activities.”.

9.4 Other Rules (pages 43-49 – s42A Report)

S547.182 (Appendix 1, page 2)

8.13 The s42A Report recommends accepting this amendment to the heading of HH-R6 however there is variation between the amendments in the report and the amendment in Appendix 1 to the report. I agree with the recommendation and seek to ensure that the amendment “*accepted*” be carried through to the provisions of the plan as per Appendix 1 to the s42A Report.

S547.183 (Appendix 1, page 3)

8.14 The s42A Report recommends rejecting this submission on the basis that the matters of discretion “*focus on the heritage values that are being protected, rather than the activities which are leading to the modifications to the building*”. I disagree that the additional matter requested in the submission is not warranted given that the rule restricts discretion of decision makers. In my opinion the constraints or requirements of energy activities are relevant matters of consideration, particularly given it is accepted that “*supply of energy*” upgrades are provided for in the rule. This does not negate the other matters but ensures all appropriate matters are provided for and considered. I recommend the matter of discretion sought in the submission be included in the rule to ensure that matter is appropriately recognised and provided for.

FS222.0163 (Appendix 1, page 5)

8.15 The s42A Report recommends rejecting this further submission on the basis that base submission (*S140.031*) requests a more appropriate activity category, non-complying, for such applications. Based on the s42A Report there have been pre-hearing meetings in regard to this matter but there has been no discussion with Westpower, as a further submitter, in this regard. I note that the s42A Report advises that this matter was a strong issue for the committee in developing the plan but does not discuss what those issues were or why they are now considered to be incorrect for managing historic heritage resources on the West Coast. There is no discussion as to the change in category and why outcomes cannot be achieved under the existing category, particularly when this will be a significant change to the manner in which such activities are managed in the Grey District. Presumably the plan provisions have been written based on the proposed heritage regime as a whole. Given this is a significant change of approach to that proposed in the pTTPP, I note that there are no changes proposed to objectives or policies to ensure that matters can be appropriately considered and assessed. This is particularly in light of the requirements for considering non-complying activity applications under the Act, including s104D. As discussed above many of the issues of importance for RSI have been recommended to be rejected and are very relevant in relation to such a significant change of direction for the plan. I note along with a lack of review of the appropriateness of objectives and policies to the proposed new category

of consent there is no discussion about how different categories of sites, buildings or items may be considered. Rather a blanket approach is chosen when there are clearly differences in issues dependent on the categorisation, ie. Building Act requirements and funding opportunities. Further I note that there are no additional methods proposed to assist owners to retain and maintain sites based on a stronger emphasis on regulation. Whilst I understand the reason for the submission point any outcome needs to be sustainable to the community and in my opinion these matters have not been appropriately considered in this case. I note that the s42A Report considers this to be a minor change and not requiring further s32 assessment. Given it is advised that the TTPP committee were of strong views in developing these provisions presumably the s32 analysis was based on a “*discretionary*” activity category being the most appropriate category to ensure sustainable outcomes in protecting historic heritage from inappropriate subdivision, use or development on the West Coast. In my opinion this matter is a significant change in direction for the plan that requires further analysis and input and is not a matter of simply changing the category of consent. Provisions need to be appropriately developed to support the more restrictive regulatory regime proposed.

9.0 PART II OF THE ACT

- 9.1 Part 2 of the Act, and more particularly Section 5, requires an assessment of the proposal and its ability to achieve the Acts overriding principal of sustainable management to be undertaken.
- 9.2 It is my opinion that the amendments suggested above will assist in ensuring the TTPP achieves the purpose and principals of the Act for the reasons discussed above.

Martin Kennedy
Planning Consultant
(West Coast Planning Ltd)

6 November 2023

Appendix 1: Summary of S42A Recommendations – Historic Heritage (including Definitions)

Submissions & Further Submissions Accepted

Submissions

Submission Point	Submitter/Further Submitter	Provision	Position	Summary of Decision Requested	Officer Recommendation
S547.170	Westpower Limited	HH - O2	Amend	Amend: Provide for development opportunities ... while providing for the protection of these values <u>from inappropriate subdivision, use, and development</u> .	Accept
S547.171	Westpower Limited	HH – O3	Amend	Identify, assess and recognise historic heritage ... to ensure their protection <u>from inappropriate subdivision, use, and development</u> for future generations.	Accept
S547.172	Westpower Limited	HH – O4	Amend	Protect historic heritage from <u>inappropriate subdivision, use, and development</u> by <u>managing</u> relocation, repositioning, ... heritage items and not allowing demolition and destruction <u>where sustainable alternatives exist</u> .	Accept in part
S547.173	Westpower Limited	HH – P5	Amend	Amend b. The alterations are for the primary purpose of ... fire safety, physical access <u>or the supply and use of energy</u> .	Accept
S547.176	Westpower Limited	HH – P8	Amend	Amend a. The alterations are for the primary purpose of ... fire safety, physical access <u>or the supply and use of energy</u> .	Accept
S547.177	Westpower Limited	HH – R2	Amend	Amend Heading: Earthquake Strengthening, Fire Protection, Accessibility <u>and Supply of Energy</u> Upgrades to ...".	Accept
S547.179	Westpower Limited	HH – R3	Amend	Amend item d. Installing fence posts ... overhead network utility lines (<u>including energy</u>) provided ... maintain an existing fence <u>or overhead line</u> and does not involve installation or digging of new <u>fence</u> post holes.	Accept in part
S547.180	Westpower Limited	HH – R3	Support	Retain item e.	Accept
S547.181	Westpower Limited	HH – R5	Amend	Amend the heading: New Infrastructure <u>and Energy</u> connections to ...". Amend 1. The new infrastructure <u>and energy</u> connection is to a ...	Accept

S547.182	Westpower Limited	HH – R6	Amend	Amend heading: Repairs and ... Protection, Accessibility and Supply of Energy Upgrades ...	Accept
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Further Submissions

Submission Point	Submitter/Further Submitter	Provision	Position	Summary of Decision Requested	Officer Recommendation
S104.001	Greymouth Heritage Trust	SCHED1A - SCHEDULE OF HISTORIC HERITAGE ITEMS AND AREAS	Amend	We are requesting that a "Historic Mining Area of the Southern Paparoas" be listed as one of the West Coast Historic Heritage Items and Areas and Archaeological Sites We believe the area of note can be listed in the HH List by reference to a geologically defined area: the "Greymouth Coalfield" (see map attached to original submission).	Reject
FS222.0155	Westpower Limited		Oppose	Disallow	Accept
S104.002	Greymouth Heritage Trust	SCHED1A - SCHEDULE OF HISTORIC HERITAGE ITEMS AND AREAS	Amend	We would like to see the following place added to the list of Heritage sites 1. Coal River Heritage Park https://www.beehive.govt.nz/release/50000-grantrecognises-excellence-coal-river-park https://www.google.com/search?q=Coal+River+Heritage+Park	Reject
FS222.0156	Westpower Limited		Oppose	Disallow	Accept
S104.003	Greymouth Heritage Trust	SCHED1A - SCHEDULE OF HISTORIC HERITAGE ITEMS AND AREAS	Amend	Add the following location to the heritage schedule: Nelson Creek Domain Gold Mining area https://www.doc.govt.nz/parks-and-recreation/places-togo/west-coast/places/greymouth-area/things-todo/tracks/nelson-creek-walks/	
FS222.0157	Westpower Limited		Oppose	Disallow	Accept
S104.004	Greymouth Heritage Trust	SCHED1A - SCHEDULE OF HISTORIC	Amend	Add the following location to the heritage schedule Gows Creek 1.2km gold mining tunnel https://www.topomap.co.nz/NZTopoMap/nz34698/	Reject

		HERITAGE ITEMS AND AREAS		Gows-Creek/West-Coast	
FS222.0158	Westpower Limited		Oppose	Disallow	Accept
S104.005	Greymouth Heritage Trust	SCHED1A - SCHEDULE OF HISTORIC HERITAGE ITEMS AND AREAS	Amend	Add the following location to the heritage schedule 4, Woods Creek https://www.doc.govt.nz/parks-and-recreation/places-to-go/west-coast/places/greymouth-area/things-to-do/tracks/woods-creek-track/	Reject
FS222.0159	Westpower Limited		Oppose	Disallow	Accept
S104.006	Greymouth Heritage Trust	SCHED1A - SCHEDULE OF HISTORIC HERITAGE ITEMS AND AREAS	Amend	Add the following location to the heritage schedule. Greymouth Railways Signal Box Built 1904 https://www.flickr.com/photos/philbraithwaitenz/9098846058 https://commons.wikimedia.org/wiki/File:Signal_Box._Greymouth.NZ_(13595863765).jpg https://westcoast.recollect.co.nz/nodes/view/26436	Reject
FS222.0160	Westpower Limited		Oppose	Disallow	Accept

Submissions & Further Submissions Rejected

Submissions

Submission Point	Submitter/Further Submitter	Provision	Position	Summary of Decision Requested	Officer Recommendation
S547.174	Westpower Limited	HH – P6	Amend	Add <u>h. Any technical, locational, functional or operational constraints or requirements of energy activities.</u> "	Reject
S547.175	Westpower Limited	HH – P7	Amend	Add <u>d. Any technical, locational, functional or operational constraints or requirements of energy activities.</u> "	Reject
S547.178	Westpower Limited	HH – R3	Amend	Amend item 1.a. An activity ... Rule HH-R2; or ...	Reject
S547.183	Westpower Limited	HH – R6	Amend	Add <u>i. Any technical, locational, functional or operational constraints or requirements of energy activities.</u>	Reject

S547.184	Westpower Limited	HH – R7	Amend	Add <u>g. Any technical, locational, functional or operational constraints or requirements of energy activities.</u>	Reject
S547.185	Westpower Limited	HH – R10	Amend	Add a new rule to provide for new energy activities as "restricted discretionary" activities.	Reject

Further Submissions

Submission Point	Submitter/Further Submitter	Provision	Position	Summary of Decision Requested	Officer Recommendation
S140.015	Heritage New Zealand Pouhere Taonga	Overview	Oppose in part	HNZPT requests the wording be amended: ' Under the Heritage New Zealand Pouhere Taonga Act 2014, Archaeological sites are any place in Aotearoa New Zealand (including buildings and structures) that are associated with pre-1900 human activity, where there is evidence relating to the history of New Zealand that can be investigated using archaeological methods. There are a large number of archaeological sites identified in the West Coast/Te Tai o Poutini. While all pre-1900 archaeological sites are protected under Heritage New Zealand Pouhere Taonga Act 2014, archaeological sites of particular significance to the community on the West Coast/Te Tai o Poutini are included in Schedule One and the Historic Heritage rules also apply to these archaeological sites. <u>This schedule can also contain post-1900 sites which have archaeological significance.</u>	Accept
FS222.0161	Westpower Limited		Oppose	Disallow	Reject
S140.026	Heritage New Zealand Pouhere Taonga	HH - R4	Oppose	HNZPT requests that historic heritage items be provided with greater protection from inappropriate repositioning or relocation, through amending the proposed activity status as follows: Repositioning a heritage item within its existing area or site: <u>Discretionary activity</u> Relocating a heritage item to a new area or site: <u>Non-complying</u>	Accept in part

				<u>activity.</u>	
FS222.0162	Westpower Limited		Oppose	Disallow	Reject
S140.031	Heritage New Zealand Pouhere Taonga	HH – R9	Oppose	HNZPT requests Demolition and Destruction of a Historic Heritage item or Historic Area be identified as a non-complying activity.	Accept
FS222.0163	Westpower Limited		Oppose	Disallow	Reject
S442.048	KiwiRail Holdings Limited	HH	Amend	Insert as follows: <u>Only allow new infrastructure on or within heritage items, heritage settings and historic heritage sites, identified in Schedule One where it can be demonstrated that: There is an operational need or functional need that means the infrastructure's location cannot be avoided; and The new infrastructure will protect and maintain the particular heritage and/or cultural values of that building, site, area, item and/or feature.</u>	Accept
FS222.0171	Westpower Limited		Oppose	Disallow	Reject