



IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER application for resource consent by
Hydro Developments Limited,
Stockton Plateau Hydro Project

**STATEMENT OF EVIDENCE OF BRIDGET MOSLEY
ON BEHALF OF
THE NZ HISTORIC PLACES TRUST / POUHERE TAONGA**

1 Introduction

- 1.1 My name is Bridget Mosley. I am employed as the Regional Archaeologist (Canterbury & West Coast) of the NZ Historic Places Trust / Pouhere Taonga (NZHPT), Southern Regional Office, Christchurch.
- 1.2 I have a Master of Arts in Anthropology (Archaeology) from the University of Auckland and a Master of Science in Human Osteology and Funerary Archaeology from the University of Sheffield, UK. Prior to working at NZHPT (commenced May 2006), I was undertaking PhD research and archaeological consultancy in New South Wales, Australia. I am a member of the NZ Archaeological Association, the Australasian Society of Historical Archaeology and ICOMOS NZ and have over 7 years experience in archaeological consultancy and heritage management.
- 1.3 My position as Regional Archaeologist involves managing the statutory requirements of the archaeological provisions of the *Historic Places Act 1993* in the Canterbury / West Coast regions. My evidence focuses on the potential impact of this proposal on archaeological and historic heritage values and is informed by a site visit to the affected area in March 2009 and subsequent research conducted by NZHPT.

2 Statutory framework for historic heritage

- 2.1 The *Resource Management Act (RMA) 1991* (Section 6f) requires as a matter of national importance:

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance: ...

- (f) the protection of historic heritage from inappropriate subdivision, use, and development.

‘Historic heritage’ is defined in the RMA (Section 2) as:

- (a) ... those natural and physical resources that contribute to an understanding and appreciation of New Zealand's history and cultures, deriving from any of the following qualities:
- (i) archaeological;
 - (ii) architectural;
 - (iii) cultural;
 - (iv) historic;
 - (v) scientific;
 - (vi) technological; and

- (b) includes –
 - (i) historic sites, structures, places, and areas; and
 - (ii) archaeological sites; and
 - (iii) sites of significance to Maori, including wahi tapu; and
 - (iv) surroundings associated with the natural and physical resources

2.2 The historic heritage provisions of the RMA overlap to an extent with the archaeological provisions of the *Historic Places Act (HPA) 1993* (Sections 9 - 19), which set out a statutory consent process for the modification, damage or destruction of any archaeological sites, regardless of whether the land on which the site is located is designated, the activity is permitted under the District or Regional Plan or a resource or building consent has been granted. Under the HPA, archaeological sites are defined as:

any place in New Zealand that –

- (a) Either –
 - (i) was associated with human activity that occurred before 1900; or
 - (ii) is the site of the wreck of any vessel where that wreck occurred before 1900; and
- (b) is or may be able through investigation by archaeological methods to provide evidence relating to the history of New Zealand.

2.3 The definition of ‘historic heritage’ under the RMA is, therefore, wider in scope than the definition of an ‘archaeological site’ under the HPA. Under the RMA there is no cut-off date of 1900 for ‘historic heritage’ and, consistent with Section 6(e) of the RMA, there is a statutory requirement to consider more than strictly material remains in regard to sites of significance to Maori. However, as best practice, heritage and/or archaeological assessments inform both consent processes and should be carried out prior to consent application in order to inform decision making.

2.4 My evidence will speak to Section 6(f) of the RMA with reference to historic heritage. It should be noted that, in professional practice, the term ‘archaeological sites’ encompasses places of Maori origin and places related to later colonial occupation and, in addition to sub-surface remains and artefacts, may include features (e.g. tramways, tracks and water races), areas of occupation (e.g. historic townships, homestead sites and urupa or cemeteries), areas of industry (e.g. mine sites) and standing structures (e.g. houses, outbuildings and bridges).

3 Archaeological and Historic Heritage Assessments to date

3.1 As part of their application, Hydro Developments Limited (HDL) provided an archaeological assessment of the effects of the proposed Stockton Plateau Hydro Project: ‘Stockton Plateau Hydro Project: An Assessment of

- the Effects on Archaeological Values’ (Watson, September 2008). In addition, NZHPT prepared an assessment of heritage values (appended): ‘Assessment of Heritage Values for Stockton Plateau Hydro Project’ (Whybrew *et al.*, June 2009).
- 3.2 These reports make it clear that the Electric Locomotive Line has high historical and technological values. The Electric Locomotive Line was integral to Westport-Stockton Coal Company’s mining development and enabled efficient and effective utilisation of the available coal. The export of coal from the Stockton Plateau constituted a vital contribution to the local and national economy. The Westport-Stockton Coal Company was nationally important in its pioneering development of mining technology and the Electric Locomotive Line is identified as one of only three 3 foot gauge railways constructed in New Zealand. It was New Zealand’s first electric-powered railway and the “only known example of an electric railway being used in an industrial setting in New Zealand.”¹ Discussions as to the benefits of electric rail recurred in contemporary New Zealand newspapers at the time of the Company’s launch and these contemporary accounts indicate that this means of conveyance was innovative on an international scale.²
- 3.3 The Electric Locomotive Line formation is situated within the wider industrial landscape of the Stockton Plateau and any assessment of values should be made in the context of this landscape and the network of historic features that relate to the history of coal mining on the Stockton Plateau.
- 4 NZ Archaeological Association site records**
- 4.1 The Electric Locomotive Line is recorded with the NZ Archaeological Association as site number L28/20; Tintown (Darlington) as L28/32; and the Fly Creek workings as L29/50.
- 4.2 The NZ Archaeological Association (NZAA) Site Recording Scheme was established as a special interest database and its primary use for many years was as a research tool for members of the NZAA. However, since the advent of the RMA, there has been greater use of the data recorded by the NZAA in planning and legal issues for site identification, protection and management
- 4.3 Historically, the recording of archaeological sites has been carried out on a voluntary and *ad hoc* or opportunistic basis, by people with a range of archaeological experience. There is, therefore, no consistency in archaeological survey coverage and in the types of sites/features recorded.

¹ Watson (2008) p. 29.

² *Wanganui Herald*, 24 July 1905, p.4; *Taranaki Herald*, 1 August 1905, p.4; *Taranaki Herald*, 26 May 1908, p.7

4.4 It should be noted that the NZAA site record forms allow only for one grid reference (GPS co-ordinate) but that the area of the 'archaeological site' as indicated by that 'dot' may extend for a considerable area and contain a number of related features within a cultural/archaeological 'site'.

5 **Archaeological values of the area affected by the Stockton Plateau Hydro Scheme**

5.1 Archaeological assessment, historical research and a site visit by the NZHPT have identified a number of features of historic heritage / archaeological sites within the area affected by the proposal. These include:

- Electric Locomotive Line formation and associated infrastructure (Plate 1)
- Tintown
- Fly Creek Workings
- Millerton Incline

In addition, there is potential for additional features around the area at the base of the incline (near the Granity Museum) such as those identified on the historic survey plan SO 2517 (1894).



Plate 1. Cutting for Electric Locomotive Line, Stockton Plateau. Section of original track visible at left and poles for overhead power lines visible at centre, 3 March 2009 (Janine Dunlop, NZHPT, Southern Regional Office)



Plate 2: Remains of sleeper on formation of Electric Locomotive Line, Stockton Plateau. Weka Creek section, 3 March 2009 (Janine Dunlop, NZHPT, Southern Regional Office)



Plate 3: Section of Haul Road at site of Tintown settlement. Cutting for Electric Locomotive Line situated on the left side of the road embankment; Tintown situated at right (remains of fireplace located at stand of exotic trees at the centre-right of the image), 3 March 2009 (Janine Dunlop, NZHPT, Southern Regional Office)

- 5.2 The modification of the historic heritage on the Stockton Plateau through successive mining developments and adaptation is continuous with the character of technological advancement that has existed at the mine since its launch. However, this must be balanced against cumulative effects or the continuous incremental loss of historic heritage which is noted under the meaning of “effects” in section 3 of the RMA. Although the proposed project will affect mainly much modified historic heritage features, and in particular only destroy what appears to be a relatively low percentage of the Electric Locomotive Line, this will have a wider impact on the overall legibility of the historic landscape of the Stockton Plateau.
- 5.3 At present the line is legible; in that, with the exception of the area destroyed by the construction of the haul road (see Plate 3), its length can be walked and the cuttings are highly visible in the landscape (see Plate 1) even where the superstructure (as differentiated to the formation of the line) has been removed. However, in the area proposed for inundation, some of that superstructure (sleepers, dogs etc.) remains *in situ* (see Plate 2) and this is the original length of the line, therefore making that section of comparatively higher value.
- 5.4 The proposal from HDL as it stands would inundate that portion of the Electric Locomotive Line within the dam footprint when maximum capacity was reached. However, this partial inundation and therefore alternate wet/dry stages would have a larger deteriorative effect than either permanently being wet or dry.
- 5.5 The preference of the NZ Historic Places Trust is firstly for avoidance of historic heritage and, only if that is not possible, for mitigation of damage/destruction. As a first principle, can the proposed scheme be redesigned to avoid impacting on identified historic heritage features? Where impact is unavoidable, NZHPT then advocates for minimisation of impact on historic heritage features and, thirdly, mitigation for loss of historic heritage features.
- 5.6 HDL has not presented options for avoidance of any of the identified historic heritage features or, alternatively, has adequately explained why no other options are feasible.
- 5.7 HDL has not outlined any measures to minimise impact on identified historic heritage features.
- 5.8 HDL’s assessment of the effects of the proposed scheme as minor has pre-empted any adequate consideration of appropriate mitigation.

6 Mitigation, ‘Archaeological Management Plans’ and ‘Accidental discovery protocols’ for archaeology

- 6.1 Mitigation for loss of historic heritage may include:
- Archaeological survey, investigation and reporting;
 - Documentation, relocation and preservation of portable artefacts and/or technological features;
 - Interpretation;
 - Documentation of the history the Stockton Plateau, i.e. historic research, oral history recording;
 - Enhancing other aspects/areas of the site for public access;
 - Reconstruction of historic heritage features;
 - Off-site mitigation, i.e. support of historic heritage initiatives in related aspects.
- 6.2 In order to make an informed decision, historic research and systematic survey are required to locate places of historic and archaeological heritage and to assess their significance. Various documents address best-practice methods of assessment, including ‘Heritage Management Guidelines for Resource Management Practitioners’ (NZHPT 2004) and ‘Guidelines for Writing Archaeological Assessments’ (Archaeological Guidelines Series No. 2: NZHPT 2 June 2006).
- 6.3 The NZ Historic Places Trust accepts that, even with an acceptable level of assessment, some places of historic heritage (archaeological sites) will not necessarily be identified prior to works proceeding. To address this circumstance, archaeological protocols would typically be included in works plans for ‘accidental discovery’ as has been suggested by the applicant. However, as this is not possible within the areas of proposed inundation, there is a necessity for that historic research and survey to be robust and comprehensive as there will be no opportunity for later ‘accidental discovery’.
- 6.4 ‘Accidental discovery protocols’ (ADPs) for archaeology are not appropriate where historic heritage (archaeological sites) are known or strongly suspected to be present. For larger developments and projects, such as the Stockton Plateau Hydro Project, where a number of contractors and sub-contractors are likely to be involved, an ‘Archaeological Management Plan’ is recommended as a more comprehensive document which sets out requirements and responsibilities during implementation, including the extent of archaeological survey, investigation and/or monitoring. The need for systematic survey and recording of all affected areas by a qualified heritage professional is noted in the Buller District Council and West Coast Regional Council S42A Officers Report (Appendix 5, Historic Heritage (Barr, July 2009) 3.2.

6.5 It should further be noted that ‘accidental discovery protocols’ for archaeology are not appropriate once the presence of archaeological remains that date prior to 1900 has been confirmed. Then conditions placed under the statutory archaeological authority (consent) process of the *Historic Places Act* take precedence.

7 Conclusions

7.1 The NZHPT considers the documentation provided by the applicant to date does not reach the minimum standard of information required by the consenting authority to make an informed decision. In this, I note similar conclusions have been reached by the Buller District Council and West Coast Regional Council S42A Officers Report.

7.2 While the assessment of historic heritage values for the Electric Locomotive Line and associated sites is adequate, the assessment of the effects and/or impact of the proposed scheme is lacking, as is any consideration of mitigation.

Dated this 31st July 2009

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