

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

**AND**

**IN THE MATTER** of an application to **HAMILTON CITY COUNCIL** for private plan change 7 to the operative Hamilton City District Plan by **GREEN SEED CONSULTANTS LIMITED**

## **STATEMENT OF EVIDENCE OF ARDEN CRUICKSHANK**

### **1. INTRODUCTION**

1.1 My name is Arden Cruickshank. I am a senior archaeologist at CFG Heritage Ltd.

#### **Qualifications and experience**

1.2 I have a Master of Arts degree with first class honours from the University of Auckland, obtained in 2011.

1.3 I have thirteen years' experience as a consultant archaeologist, in both Aotearoa and Australia. I have worked exclusively for CFG Heritage Ltd since returning to Aotearoa in 2014. I am a member of the New Zealand Archaeological Association ("NZAA"), where I also serve as publications manager.

1.4 I have been involved with a number of large scale plan changes and significant infrastructure projects, including providing expert evidence on archaeological and heritage matters for recent plan change hearings. Examples of such recent projects include:

- (a) Private plan changes 50, 51 and 61 to the partly operative Auckland Unitary Plan for Kainga Ora;
- (b) Auranga Development for MADE Group Ltd ("MADE");
- (c) Papakura to Bombay (P2B) State Highway 1 (SH1) Upgrades Project for Waka Kotahi;
- (d) State Highway 20B Short Term Improvements for Waka Kotahi; and
- (e) South Rail project for Te Tupu Ngātahi / Supporting Growth.

## **Involvement in the Rotokauri North Plan Change Project**

- 1.5 I was engaged by MADE on behalf of Green Seed Consultants Limited (“GSCL”) to undertake an archaeological assessment of effects for a proposed special housing area (“SHA”) on 21 properties in Rotokauri North on Te Kowhai Road, between Exelby and Burbush Roads.<sup>1</sup> This included desktop research and a field survey of the proposed development.
- 1.6 I understand that MADE is no longer pursuing a qualifying development application within this SHA and that application has been formally withdrawn. Rather, MADE is seeking to rezone the land for urban development under Plan Change 7 to the operative Hamilton City District Plan (“PC7”). My original archaeological assessment is included as Attachment 6 to the PC7 PPC application.

### **Purpose and scope of evidence**

- 1.7 The purpose of my evidence is to describe the archaeological assessment that was undertaken to identify and assess any potential archaeological constraints to developing the PC7 land.
- 1.8 my evidence addresses the following matters:
- (a) Description of the site (Section 3).
  - (b) Investigation methodology (Section 4).
  - (c) Assessment and recommendations (Section 5).
  - (d) Comments on matters raised in the Officer’s report (Section 6).
  - (e) Conclusion (Section 7).
- 1.9 A summary of my evidence is set out in Section 2 below.

### **Expert Witness Code of Conduct**

- 1.10 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.

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<sup>1</sup> Lots 2 and 3 DP 334215; Lots 2, 4, 5 and 6 DP 359488; Lots 1 and 2 DP 485743; Lots 3, 5 and 6 DPS 15123; Lots 1, 3, 4 and Pt Lot 2 DPS 15254; Lots 9, 10, 11 and Pt Lot 7 DPS 15255; Sections 23 and 53 SO 495676

## 2. **SUMMARY OF EVIDENCE**

- 2.1 The proposed plan change area was subject to desktop research and a field survey to determine whether any evidence of pre-1900 archaeology or heritage, or significant 20th century heritage including built heritage, was present within the PC7 land.
- 2.2 No evidence of pre-1900 archaeology or heritage, or significant 20th century heritage including built heritage was identified during the desktop research.
- 2.3 A field survey was conducted on 22 June 2018 to determine if any previously unrecorded archaeological sites might be present. No archaeological material was noted during the field survey, which confirmed that the majority of PC7 would not have been suitable for pre-European Māori horticulture or European settler agriculture prior to the drainage programmes in the early 20th century, and the land still has water retention issues.
- 2.4 No evidence of terracing or storage pits were observed on the higher ground on the periphery of the proposed development. There are more prominent hills surrounding the drained wetland which have a higher potential for pre-European occupation, but these are outside the project area.
- 2.5 In summary, there is in my professional opinion no archaeological or heritage reason that would preclude rezoning and redevelopment of the PC7 land.

## 3. **THE SITE**

- 3.1 The PC7 area is located in the north-west part of Hamilton City on Te Kowhai Road, between Exelby and Burbush Roads. It encompasses a total area of 140 hectares of relatively flat land drained by a series of farm drains (artificial watercourses) that feed into the Ohote and Te Otamanui Stream tributaries. The Mangaheka stream flows along the eastern boundary of PC7.
- 3.2 The central portion of the proposed development contains a mellow humic organic soil of the Utuhina family. This is a poorly drained loamy peat with high water logging vulnerability which would not be suitable for pre-European Māori horticulture. The northern portion of the PC7 area, however, contains well drained loams of the Otorohanga family which could have been used for pre-European horticulture. The remainder of the soil types within the property appear to be variants of poorly to moderately well drained clays.

## 4. INVESTIGATION METHODOLOGY

### Desktop research

4.1 My desktop research as to the potential archaeological significance of the PC7 land involved reviewing the following sources:

- (a) The NZAA Site Recording Scheme was searched for records of archaeological sites in the vicinity, which were incorporated into the project GIS.
- (b) The Heritage New Zealand Pouhere Taonga ("NZHPT") digital library was searched for archaeological reports written about the area.
- (c) Old maps and plans held by Land Information New Zealand and in other online archives were searched.
- (d) Historic aerial photography was accessed through Retrolens (<http://retrolens.nz/>).
- (e) Old newspaper articles were accessed through the Papers Past online database (<http://paperspast.natlib.govt.nz/cgi-bin/paperspast>).
- (f) The University of Waikato Library Digital Collections and the National Library of New Zealand were searched for relevant images and maps.
- (g) Geological maps of the area were accessed through GNS Science (<http://data.gns.cri.nz/geology/>).
- (h) Soil information was obtained from the S-MAPONLINE database maintained by Landcare Research (<https://smap.landcareresearch.co.nz/>).

### Field survey

4.2 I undertook a survey of the entire PC7 area on foot. Due to the large scale of the survey area (approximately 140 hectares) and the relatively flat landscape of many of the lots, I implemented a targeted survey methodology.

4.3 This methodology involved focussing on areas where drains, erosion, fence lines, animal damage and tree throw have exposed the soil in which evidence of previous modification of the landscape may be evident.

4.4 No invasive methods such as test pitting were employed.

5. **ASSESSMENT AND RECOMMENDATIONS**

5.1 On the basis of the research and site investigations I have undertaken, I have not found any evidence of pre-1900 archaeology or heritage, or significant 20th century heritage including built heritage, within the PC7 land. Nor is it likely that such evidence is present on the site. As such, in my view there are no constraints to re-zoning the land for urban development, as proposed by PC7.

5.2 On that basis, I have recommended that an authority to destroy, damage or modify archaeological sites within the proposed subdivision does not need to be applied for from HNZPT under Section 44 of the Heritage New Zealand Pouhere Taonga Act 2014.

5.3 Nevertheless, I also recommended that all works be undertaken under an accidental discovery protocol. I understand that GSCL has accepted that recommendation.

6. **COMMENTS ON MATTERS RAISED IN THE OFFICER'S REPORT**

6.1 My archaeological assessment has been reviewed by Dr Simmons for the purposes of the section 42A report by Hamilton City Council. Dr Simmons has raised no issues with either the methodology used for, or conclusions reached in, my assessment. In particular, Dr Simmons agreed with my recommendation of works being undertaken utilising an accidental discovery protocol.

6.2 No other matters were raised in the section 42A report. There are no outstanding archaeological or heritage issues in relation to PC7.

7. **CONCLUSION**

7.1 No evidence of pre-1900 archaeology or heritage, or significant 20th century heritage including built heritage, was found within the PC7 land, either during the historic research or the field survey.

7.2 On that basis, it is my opinion that there is no reason from an archaeological or heritage perspective why PC7 should not be approved and the land redeveloped.

**Arden Cruickshank**  
**24 September 2021**