

**BEFORE THE CANTERBURY REGIONAL COUNCIL
AND THE ASHBURTON DISTRICT COUNCIL**

IN THE MATTER

of the Resource Management Act 1991
(the Act)

AND

IN THE MATTER

of resource consent applications by Rangitata Diversion Race Management Limited to the Canterbury Regional Council and Ashburton District Council for resource consents for the construction, operation and maintenance of the Klondyke Water Storage Facility, its associated water takes from and discharges to the Rangitata River, and all associated activities

STATEMENT OF EVIDENCE OF ROD CLOUGH

INTRODUCTION

Qualifications and experience

1. My name is Rodney Edward Clough. I am the Director of Clough & Associates Limited, Heritage Consultants.
2. I have the following qualifications, professional affiliations and experience:
 - (a) I hold a Doctorate in Archaeology from the University of London and a Master of Arts in Anthropology from the University of Auckland;
 - (b) I am a member of the New Zealand Archaeological Association (NZAA), and served on its Council for several years, including as President (2009-2011);
 - (c) I am a member of Heritage New Zealand Pouhere Taonga (HNZPT) and the International Committee on Monuments and Sites (ICOMOS);
 - (d) I have 40 years of experience in the field of archaeology including research, survey, investigation, analysis and report preparation, covering a variety of time periods and geographic locations, and over the last 20 years have largely focussed on New Zealand archaeology;
 - (e) I lectured in archaeology at the University of Auckland for several years prior to establishing my consultancy (1987-1994), and have continued to carry out joint research projects with the University; and
 - (f) My practice carries out a range of work relating to cultural heritage management, in particular archaeological assessments relating to the

Resource Management Act 1991 (RMA) and Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA 2014) requirements, conservation and management plans, survey and inventory, and mitigation investigations. These have included numerous surveys and heritage assessments in the Canterbury region.

3. I have been the lead archaeologist on a number of large projects of a similar nature.

Background and Role

4. The Rangitata Diversion Race Management Ltd (RDRML) – Klondyke Water Storage Project (the Project) consists of a proposed 53 million cubic metre water storage facility, located on the river terraces at the upstream end of the Rangitata Diversion Race (RDR).
5. The Rangitata River is located to the west of the Project area, with Ealing Montalto Road to the east, and farmland south of Shepherd's Bush Road to the south.
6. As well as the water storage facility, other features that are to be part of the development include an ecological refuge, fish screen and white water course.
7. My company, Clough and Associates Ltd was engaged by Ryder Consulting Ltd on behalf of RDRML to complete an archaeological assessment for the Project.
8. My role in the project team has been to oversee and review the preparation and completion of an assessment of potential impacts of the Project on archaeological values.¹

¹ Phear, S and P. Mitchell. 2016. Klondyke Water Storage Facility, Shepherds Bush, Canterbury: Archaeological Assessment. Report prepared for Ryder Consulting Ltd on behalf of Rangitata Diversion Race Management Ltd. July 2016

This assessment was completed by Dr Sarah Phear of Clough & Associates, and Peter Mitchell (of Underground/Overground Archaeology, Christchurch).²

Expert Witness Code of Conduct

9. I confirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Consolidated Practice Note (2014) and I agree to comply with it in the same way as if I were presenting evidence in the Environment Court. I confirm that this evidence is written within my expertise, except where I state that I am relying on the evidence of another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

Purpose and scope of evidence

10. My evidence covers the following topics:
 - (a) General Historical and Archaeological background for the Project Area (being the area set out in the map attached as Annexure A);
 - (b) Methodology used for assessment of archaeological values;
 - (c) Archaeological values in the Project area;
 - (d) Effects of the Project on archaeological values;
 - (e) Proposed management and mitigation of effects;
 - (f) Response to submissions;
 - (g) Resource consent conditions; and

² Dr Sarah Phear is an experienced archaeologist who has a PhD in Archaeology and Palaeoanthropology and has worked as a Senior Archaeologist for Clough & Associates for seven years. Peter Mitchell is an experienced archaeologist with a Masters degree in Archaeology, with four years experience in the Canterbury region.

(h) Response to Ashburton District Council officer's report.

Summary of Evidence

11. No archaeological sites have been identified within the Project area, and there is low potential for any sites to be exposed during development.
12. The proposed resource consent conditions (18-19.2) which I have reviewed and amended (in part) are consistent with accepted archaeological practice and incorporate additional relevant legislation (the Protected Objects Act 1975, the Coroners Act 1988 and the HNZPTA 2014), and should be applied to the construction phase of the project in the unlikely event that archaeological remains are discovered. Overall, I consider that the potential effects on archaeological values by construction of the Klondyke Water Storage Facility and associated features would be negligible due to the low potential for any archaeological remains to be encountered, and the management procedures.
13. The officer's report accepts the conclusions of our archaeological assessment that the effects will be less than minor.

General Historical and Archaeological Background for the Project area

14. The Ashburton District falls within the rohe of Ngai Tahu and Te Rūnanga o Arowhenua who are the kaitiaki Rūnanga for this area.
15. Ethnographic histories of the 19th century discuss areas of the Rangitata with records of Maori tracks located in the area for journeys to Westland. Southern Maori are known to have undertaken seasonal expeditions over considerable

distances utilising overland tracks to obtain resources, particularly Pounamu.

16. Following European settlement in the Canterbury region with the Kemp Purchase in 1848, pressure for sheep farming led to a change in the settlement profile. Previously dominated by crop farming, new provisions were made for pastoral runs by the end of 1851.
17. One such run was Run 40 NZR, subsequently named Shepherd's Bush, consisting of 40,000 acres situated between the Rangitata and South Hinds rivers. Benjamin and Thomas Moorhouse purchased the land, with Benjamin holding full possession not long after.
18. Initially, a house was built on the lower terrace within the Project area consisting of 16 rooms, but it was washed away in a flood. The next house was built close to the terrace but was pulled down and the remains burnt. The woolshed, which had been built on the lower terrace, was also relocated on to the top of the terrace, but it has since been pulled down.
19. Owing to a small patch of bush near the homestead, Mrs Moorhouse named it Shepherd's Bush.
20. By the early 1900s Shepherd's Bush had been sold off, the last of the land going to a Donald Frazer. The Project area was located within Shepherd's Bush, with the farm still referred to as Shepherd's Bush on some topographical maps.
21. There are no archaeological sites recorded within 4km of the Project area. The closest sites in the area are related to 19th century settlement – a homestead, sawpits, with one Maori archaeological site (ovens) located approximately 6km to the northeast of the Project area.

Methodology used for assessment of archaeological values

22. The New Zealand Archaeological Association (NZAA) Site Record File was searched for archaeological sites recorded on and near the Project area.
23. Early maps and plans held at LINZ were examined for indications of past land use and relevant literature was researched.
24. Aerial photographs and scheme plans for development of the area provided were examined.
25. The Ashburton District Plan Schedule and the HNZPT New Zealand Heritage List were searched for information on any archaeological sites recorded in the vicinity.
26. A visual inspection of the property was conducted on 16 May by my colleague Peter Mitchell. The field survey consisted of a drive-by survey and survey on foot. The lower river terrace was not inspected in detail due to a known history of flooding on the terrace (including the flood which carried away the early house on the terrace).
27. During the walkover, the ground surface was examined for evidence of former occupation (in the form of shell midden, depressions, terracing or other unusual formations within the landscape, or indications of 19th century European settlement remains).
28. Photographs were taken to record the area, topography and features of interest.
29. The assessment did not include an assessment of effects on Maori cultural Values. A draft Cultural Impact Assessment has been provided by Te Rūnanga o Arowhenua which identifies cultural values, completed by Ms Gail Tipa. The evidence of Mr Mikaere addresses the cultural aspects of

relevance to the proposal. As a consequence, I do not touch on the cultural considerations in this statement.

Description of archaeological values in the Project Area

- 30. There are no known archaeological values in the Project area.
- 31. There is low potential for any unidentified subsurface remains, as no sites were identified during the field survey.
- 32. The original Shepherds Bush homestead is reported historically to have been located on the lower terrace, but it was washed away in a flood, and research did not identify a plan indicating the former location of the homestead.
- 33. It is possible that buried rubbish pits or a long drop associated with the original homestead may be exposed during development, but as the original location of the homestead is not known, the location of these possible features cannot be identified.

Effects of the Project on Archaeological Values

- 34. Construction of the proposed Klondyke Water Storage Facility and associated buildings/features will have no effect on any known archaeological sites, as none are recorded in the area, and the potential for unrecorded archaeological sites is considered low due to the history of the site.
- 35. While a 19th century homestead was said to be located on the lower terrace at Shepherds Bush before it was washed away, its exact location is not known. Therefore, while there may be associated surviving subsurface features such as rubbish pits or a latrine, the likely location of such possible features is not known.

36. However, overall, based on the historical information and the results of the field survey, I consider that the potential for buried archaeological remains to be exposed by works to construct the Klondyke Water Storage Pond and associated features is low across the Project area.
37. I have reviewed the changes to the proposed new fish screen and can confirm that there are no archaeological effects and any discoveries can be adequately dealt with under the Accidental Discovery Protocols laid out in condition 19.

PROPOSED RESOURCE CONSENT CONDITIONS

38. I have reviewed the resource consent conditions provided by the Canterbury Regional Council and the Ashburton District Council (ADC Conditions). The ADC Conditions have Cultural and Heritage conditions (conditions 18) and Accidental Discovery Protocols (condition 19).
39. I agree with Site Works conditions (18.0 to 18.2) relating to a pre-construction brief by the archaeologist, appointing of a project archaeologist and providing contact details of the archaeologist to all project personnel.
40. Conditions 18.3 and 18.4 and 18.5 relate to iwi notification and cultural effects, which is for RDRML and Te Rūnanga o Ngāi Tahu and Te Rūnanga o Arowhenua to come to an agreement on.
41. I also agree with the general conditions 19.0 and 19.1 relating to the immediate steps following discovery of any archaeological features and/or deposits.
42. There are two protocols for accidental discovery – the first relates to the discovery of Kōiwi Tangata (human bones) and taonga (treasured artefacts) – condition 19.0; the second is Accidental Discovery Protocols for the discovery of archaeological remains – condition 19.1.

43. Condition 19.2 includes provision for revision of the Accidental Discovery Protocols in consultation with Heritage New Zealand Pouhere Taonga, Te Rūnanga o Ngāi Tahu, and Te Rūnanga o Arowhenua.
44. I have also reviewed the Canterbury Regional Council conditions relating to archaeology which are repeated across a number of consents (CRC170651, CRC170656, CRC170659 and CRC182537).
45. I find that these conditions are supportable with a few minor changes as outlined in the conditions attached to the evidence of David Greaves.
46. In my opinion the proposed consent conditions (with these minor amendments) will fulfil the recommendations made in our Clough & Associates report relating to the discovery and management of any archaeological remains that are encountered during the site works.

SUBMISSIONS

47. I have reviewed the submissions, but only one raised any issues relating to archaeology and heritage considerations.
48. Submission 520 from John McGregor Simpson raises the issue of flooding potentially resulting in damage to a historic battleground and the casualties buried in that location (Cain Flat to Clarks Flat).
49. Comment: this area is on the other side of the river from the proposed works and as a consequence has not been archaeologically surveyed. I am not aware of any archaeological sites recorded in this area, but have discussed the issue of flooding with the project hydrologist, Bas Veendrick (of Pattle Delamore Partners), who commented that as this was a water take project, if anything it would reduce the risk of flooding.

PLANNERS REPORT

50. The ADC officer's report agrees with RDRML's AEE 'that the proposal is unlikely to generate any adverse archaeological effects. Furthermore, any unanticipated effects of this nature can also be adequately mitigated through adherence to an accidental discovery protocol.' I agree with the conditions presented in the ADC officer's report.

CONCLUSIONS AND RECOMMENDATIONS

51. Part 2 of the RMA (6f – Historic Heritage), has been addressed through research, survey and preparation of the Archaeological AEE.
52. The proposed activity will not affect any known archaeological remains, and in my opinion, there is low potential for undetected subsurface Maori or European settlement remains to be present within the proposed development area.
53. The proposed consent conditions including those relating to Accidental Discovery Protocols will effectively manage any archaeological remains discovered during site works.
54. In my opinion, overall any effects on archaeological values resulting from the development will be negligible.

Rod Clough

28 March 2018

