

BEFORE THE HEARING COMMISSIONER

**IN THE
MATTER OF**

**The Resource Management Act 1991
(the Act)**

AND

**IN THE
MATTER OF**

**Waikato District Council Proposed
District Plan:
Hearing 27 B-Objectives, Policies and
General Submission.**

**HEARING STATEMENT OF CAROLYN ANNE MCALLEY FOR AND ON BEHALF OF HERITAGE NEW
ZEALAND POUHERE TAONGA**

1. INTRODUCTION

- 1.1 My name is Carolyn Anne McAlley. I hold the qualification of a Bachelor of Planning degree (1993) from Auckland University. I have over 20 years planning experience in local and regional government, in consenting, implementation and policy based roles.
- 1.2 I have been employed by Heritage New Zealand Pouhere Taonga (HNZPT) since August 2012, where part of my role includes providing statutory planning advice in relation to proposals under the Resource Management Act, including District Plans, Plan Changes and Resource Consent proposals.
- 1.3 Although this evidence is not prepared for an Environment Court hearing I have read the Environment Court Code of Conduct for Expert Witnesses Practice Note 2014 and have complied with it when preparing this evidence. I confirm that the topics and opinions addressed in this statement are within my area of expertise. I have not omitted to consider materials or facts known to me that might alter or detract from the opinions that I have expressed.

2. SCOPE OF EVIDENCE

- 2.1 HNZPT is New Zealand's lead heritage agency and operates under the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA). Included as the purpose of the HNZPTA is: *"To promote the identification, protection, preservation and conservation of the historical and cultural heritage of New Zealand."* HNZPT meets this purpose in a number of ways, including advocacy and active involvement in Resource Management Act 1991 (RMA) processes for heritage.
- 2.2 HNZPT made 6 submission points (2107:1, 5, 7, 8, 17 and 18.) and 3 further submissions (3013: 1, 4, 11) points in relation to the matters that have been allocated to this hearing- Natural Hazards and Climate Change-Objectives, Policies, and General Submission as part of the proposed Waikato District Plan (the Plan).

3 LEGISLATIVE FRAMEWORK

- 3.1 The purpose of the RMA is to *"promote the sustainable management of natural and physical resources"*. Section 5 of the Act states:
"In this Act, sustainable management means managing the use, development and protection of natural and physical resources in a way, or at a rate which enables people and communities to provide for their social, economic, and cultural well being and for their health and safety."
- 3.2 Section 6(f) of the RMA requires that any proposal *"recognise and provide for... the protection of historic heritage from inappropriate subdivision use and development"*.

3.3 In terms of Part 2 RMA matters, historic heritage is part of the environment. Therefore adverse effects on historic heritage must be avoided, remedied or mitigated (as required by section 5).

3.4 The RMA defines historic heritage as:

(a) *means 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 Māori, including wāhi tapu; and*

(iv) *surroundings associated with the natural and physical resources.*

4. HNZPT RESPONSE TO RECOMMENDATIONS OF THE PLANNERS REPORT

4.1 HNZPT concurs with the recommendations of the reporting planner with regard the response to the HNZPTs submission and further submission points.

5. Conclusions

5.1 The RMA requires that the protection of the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wahi tapu and other taonga as a matter of National Importance should be *recognised and provided for* as a Matter of National Importance (Section 6 (e) together with Historic Heritage (Section 6 (f)). As subdivision, use and development, which includes the management of natural hazards and climate change have the potential to significantly detract from Māori heritage and historic heritage, it is important that the Plan limit the potential for adverse effects to occur.

5.2 I seek that the amendments as sought by HNZPT in their submission points and further submissions, that have been recommended for approval by the reporting planner be retained at the time of decision making.


Carolyn McAlley
For Heritage New Zealand Pouhere Taonga

BEFORE THE HEARING COMMISSIONER

**IN THE
MATTER OF**

**The Resource Management Act 1991
(the Act)**

AND

**IN THE
MATTER OF**

**Waikato District Council Proposed
District Plan:
Hearing 27 C - Flood Hazards and
Defended Areas.**

**HEARING STATEMENT OF CAROLYN ANNE MCALLEY FOR AND ON BEHALF OF HERITAGE NEW
ZEALAND POUHERE TAONGA**

1. INTRODUCTION

- 1.1 My name is Carolyn Anne McAlley. I hold the qualification of a Bachelor of Planning degree (1993) from Auckland University. I have over 20 years planning experience in local and regional government, in consenting, implementation and policy based roles.
- 1.2 I have been employed by Heritage New Zealand Pouhere Taonga (HNZPT) since August 2012, where part of my role includes providing statutory planning advice in relation to proposals under the Resource Management Act, including District Plans, Plan Changes and Resource Consent proposals.
- 1.3 Although this evidence is not prepared for an Environment Court hearing I have read the Environment Court Code of Conduct for Expert Witnesses Practice Note 2014 and have complied with it when preparing this evidence. I confirm that the topics and opinions addressed in this statement are within my area of expertise. I have not omitted to consider materials or facts known to me that might alter or detract from the opinions that I have expressed.

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- 2.2 HNZPT made 1 submission point (2107:19.) in relation to the matters that have been allocated to this hearing-Natural Hazards and Climate Change - Flood Hazards and Defended Areas as part of the proposed Waikato District Plan (the Plan).

3 LEGISLATIVE FRAMEWORK

- 3.1 The purpose of the RMA is to *"promote the sustainable management of natural and physical resources"*. Section 5 of the Act states:
"In this Act, sustainable management means managing the use, development and protection of natural and physical resources in a way, or at a rate which enables people and communities to provide for their social, economic, and cultural well being and for their health and safety."
- 3.2 Section 6(f) of the RMA requires that any proposal *"recognise and provide for... the protection of historic heritage from inappropriate subdivision use and development"*.
- 3.3 In terms of Part 2 RMA matters, historic heritage is part of the environment. Therefore adverse effects on historic heritage must be avoided, remedied or mitigated (as required by section 5).

3.4 The RMA defines historic heritage as:

(a) *means 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 Māori, including wāhi tapu; and

(iv) surroundings associated with the natural and physical resources.

4. HNZPT RESPONSE TO RECOMMENDATIONS OF THE PLANNERS REPORT

4.1 HNZPT concurs with the recommendations of the reporting planner with regard the response to the HNZPTs submission point.

5. Conclusions

5.1 The RMA requires that the protection of the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wahi tapu and other taonga as a matter of National Importance should be *recognised and provided for* as a Matter of National Importance (Section 6 (e) together with Historic Heritage (Section 6 (f)). As subdivision, use and development, which includes the management of natural hazards and climate change have the potential to significantly detract from Māori heritage and historic heritage, it is important that the Plan limit the potential for adverse effects to occur.

5.2 I seek that the amendments as sought by HNZPT in their submission points and further submissions, that have been recommended for approval by the reporting planner, be retained at the time of decision making.



Carolyn McAlley

For Heritage New Zealand Pouhere Taonga

BEFORE THE HEARING COMMISSIONER

**IN THE
MATTER OF**

**The Resource Management Act 1991
(the Act)**

AND

**IN THE
MATTER OF**

**Waikato District Council Proposed
District Plan:
Hearing 27 D – Coastal Hazards.**

**HEARING STATEMENT OF CAROLYN ANNE MCALLEY FOR AND ON BEHALF OF HERITAGE NEW
ZEALAND POUHERE TAONGA**

1. INTRODUCTION

- 1.1 My name is Carolyn Anne McAlley. I hold the qualification of a Bachelor of Planning degree (1993) from Auckland University. I have over 20 years planning experience in local and regional government, in consenting, implementation and policy based roles.
- 1.2 I have been employed by Heritage New Zealand Pouhere Taonga (HNZPT) since August 2012, where part of my role includes providing statutory planning advice in relation to proposals under the Resource Management Act, including District Plans, Plan Changes and Resource Consent proposals.
- 1.3 Although this evidence is not prepared for an Environment Court hearing I have read the Environment Court Code of Conduct for Expert Witnesses Practice Note 2014 and have complied with it when preparing this evidence. I confirm that the topics and opinions addressed in this statement are within my area of expertise. I have not omitted to consider materials or facts known to me that might alter or detract from the opinions that I have expressed.

2. SCOPE OF EVIDENCE

- 2.1 HNZPT is New Zealand's lead heritage agency and operates under the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA). Included as the purpose of the HNZPTA is: *"To promote the identification, protection, preservation and conservation of the historical and cultural heritage of New Zealand."* HNZPT meets this purpose in a number of ways, including advocacy and active involvement in Resource Management Act 1991 (RMA) processes for heritage.
- 2.2 HNZPT made 9 submission points (2107:9, 10, 11, 12, 20, 21, 22, 23 and 24.) and 6 further submission points (3013: 5, 6, 7, 8, 9, and 10 in relation to the matters that have been allocated to this hearing-Natural Hazards and Climate Change – Coastal Hazards as part of the proposed Waikato District Plan (the Plan).

3 LEGISLATIVE FRAMEWORK

- 3.1 The purpose of the RMA is to *"promote the sustainable management of natural and physical resources"*. Section 5 of the Act states:
"In this Act, sustainable management means managing the use, development and protection of natural and physical resources in a way, or at a rate which enables people and communities to provide for their social, economic, and cultural well being and for their health and safety."
- 3.2 Section 6(f) of the RMA requires that any proposal *"recognise and provide for... the protection of historic heritage from inappropriate subdivision use and development"*.

3.3 In terms of Part 2 RMA matters, historic heritage is part of the environment. Therefore adverse effects on historic heritage must be avoided, remedied or mitigated (as required by section 5).

3.4 The RMA defines historic heritage as:

(a) *means 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 Māori, including wāhi tapu; and*

(iv) *surroundings associated with the natural and physical resources.*

4. HNZPT RESPONSE TO RECOMMENDATIONS OF THE PLANNERS REPORT

4.1 HNZPT concurs with the recommendations of the reporting planner with regard the response to the HNZPTs submission point.

5. CONCLUSIONS

5.1 The RMA requires that the protection of the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wahi tapu and other taonga as a matter of National Importance should be *recognised and provided for* as a Matter of National Importance (Section 6 (e) together with Historic Heritage (Section 6 (f)). As subdivision, use and development, which includes the management of natural hazards and climate change, have the potential to significantly detract from Māori heritage and historic heritage, it is important that the Plan limit the potential for adverse effects to occur.

5.2 I seek that the amendments as sought by HNZPT in their submission points and further submissions, that have been recommended for approval by the reporting planner be retained at the time of decision making.



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BEFORE THE HEARING COMMISSIONER

**IN THE
MATTER OF**

**The Resource Management Act 1991
(the Act)**

AND

**IN THE
MATTER OF**

**Waikato District Council Proposed
District Plan:
Hearing 27 E – Land stability,
Liquefaction, Mine Subsidence.**

**HEARING STATEMENT OF CAROLYN ANNE MCALLEY FOR AND ON BEHALF OF HERITAGE NEW
ZEALAND POUHERE TAONGA**

1. INTRODUCTION

- 1.1 My name is Carolyn Anne McAlley. I hold the qualification of a Bachelor of Planning degree (1993) from Auckland University. I have over 20 years planning experience in local and regional government, in consenting, implementation and policy based roles.
- 1.2 I have been employed by Heritage New Zealand Pouhere Taonga (HNZPT) since August 2012, where part of my role includes providing statutory planning advice in relation to proposals under the Resource Management Act, including District Plans, Plan Changes and Resource Consent proposals.
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2. SCOPE OF EVIDENCE

- 2.1 HNZPT is New Zealand's lead heritage agency and operates under the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA). Included as the purpose of the HNZPTA is: *"To promote the identification, protection, preservation and conservation of the historical and cultural heritage of New Zealand."* HNZPT meets this purpose in a number of ways, including advocacy and active involvement in Resource Management Act 1991 (RMA) processes for heritage.
- 2.2 HNZPT made 1 submission point (2107: 3.) in relation to the matters that have been allocated to this hearing-Natural Hazards and Climate Change – Land stability, Liquefaction, Mine Subsidence as part of the proposed Waikato District Plan (the Plan).

3 LEGISLATIVE FRAMEWORK

- 3.1 The purpose of the RMA is to *"promote the sustainable management of natural and physical resources"*. Section 5 of the Act states:
"In this Act, sustainable management means managing the use, development and protection of natural and physical resources in a way, or at a rate which enables people and communities to provide for their social, economic, and cultural well being and for their health and safety."
- 3.2 Section 6(f) of the RMA requires that any proposal *"recognise and provide for... the protection of historic heritage from inappropriate subdivision use and development"*.
- 3.3 In terms of Part 2 RMA matters, historic heritage is part of the environment. Therefore adverse effects on historic heritage must be avoided, remedied or mitigated (as required by section 5).

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(iii) sites of significance to Māori, including wāhi tapu; and

(iv) surroundings associated with the natural and physical resources.

4. HNZPT RESPONSE TO RECOMMENDATIONS OF THE PLANNERS REPORT

HNZPT concurs with the recommendations of the reporting planner with regard the response to the HNZPTs submission point.

5. CONCLUSION

5.1 The RMA requires that the protection of the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wahi tapu and other taonga as a matter of National Importance should be *recognised and provided for* as a Matter of National Importance (Section 6 (e) together with Historic Heritage (Section 6 (f)). As subdivision, use and development, which includes the management of natural hazards and climate change, have the potential to significantly detract from Māori heritage and historic heritage, it is important that the Plan limit the potential for adverse effects to occur.



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For Heritage New Zealand Pouhere Taonga

BEFORE THE HEARING COMMISSIONER

**IN THE
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**The Resource Management Act 1991
(the Act)**

AND

**IN THE
MATTER OF**

**Waikato District Council Proposed
District Plan:
Hearing 27 F – Fire, Climate Change
and Definitions.**

**HEARING STATEMENT OF CAROLYN ANNE MCALLEY FOR AND ON BEHALF OF HERITAGE NEW
ZEALAND POUHERE TAONGA**

1. INTRODUCTION

- 1.1 My name is Carolyn Anne McAlley. I hold the qualification of a Bachelor of Planning degree (1993) from Auckland University. I have over 20 years planning experience in local and regional government, in consenting, implementation and policy based roles.
- 1.2 I have been employed by Heritage New Zealand Pouhere Taonga (HNZPT) since August 2012, where part of my role includes providing statutory planning advice in relation to proposals under the Resource Management Act, including District Plans, Plan Changes and Resource Consent proposals.
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- 2.1 HNZPT is New Zealand's lead heritage agency and operates under the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA). Included as the purpose of the HNZPTA is: *"To promote the identification, protection, preservation and conservation of the historical and cultural heritage of New Zealand."* HNZPT meets this purpose in a number of ways, including advocacy and active involvement in Resource Management Act 1991 (RMA) processes for heritage.
- 2.2 HNZPT made 5 submission points (2107: 2, 3, 14, 15 and 16) and 1 further submission point (3013: 3) in relation to the matters that have been allocated to this hearing-Natural Hazards and Climate Change – Fire, Climate Change and Definitions. as part of the proposed Waikato District Plan (the Plan).

3 LEGISLATIVE FRAMEWORK

- 3.1 The purpose of the RMA is to *"promote the sustainable management of natural and physical resources"*. Section 5 of the Act states:
"In this Act, sustainable management means managing the use, development and protection of natural and physical resources in a way, or at a rate which enables people and communities to provide for their social, economic, and cultural well being and for their health and safety."
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4. HNZPT RESPONSE TO RECOMMENDATIONS OF THE PLANNERS REPORT

4.1 HNZPT concurs with the recommendations of the reporting planner with regard the response to the HNZPTs submission point.

5. Conclusions

5.1 The RMA requires that the protection of the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wahi tapu and other taonga as a matter of National Importance should be *recognised and provided for* as a Matter of National Importance (Section 6 (e) together with Historic Heritage (Section 6 (f)). As subdivision, use and development, which includes the management of natural hazards and climate change, have the potential to significantly detract from Māori heritage and historic heritage, it is important that the Plan limit the potential for adverse effects to occur.



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For Heritage New Zealand Pouhere Taonga

