Offshore Islands Regional Coastal Plan
C/- The Department of Conservation
P O Box 10420, Wellington 6143

Attention: Sarah Hucker

Feedback of New Zealand Historic Places Trust Pouhere Taonga to
The Department of Conservation Offshore Islands Proposed Regional
Coastal Plan

The specific provisions of the proposal that the New Zealand Historic Places
Trust's (NZHPT) feedback relates to are: Provisions for protection of historic and
cultural heritage of the Subantarctic and Kermadec Islands.

Thank you for the opportunity to comment on the Proposed Offshore Islands Regional
Coastal Plan (coastal plan). In September 2009, the NZHPT provided feedback to the
draft proposed Offshore Islands Regional Coastal Plan (please see this submission in
Appendix 1).

The NZHPT requests a number of changes to the Proposed Coastal Plan. The
NZHPT's proposed changes are indicated as: to be deleted is struck through and new text
is underlined.

Submission 1 – Shipwrecks in the coastal marine area of the Subantarctic
and Kermadec Islands

The NZHPT supports the proposed rule arrangement in the 'shipwrecks in the
subantarctic and Kermadec islands section' of the coastal plan. In particular NZHPT
supports the inclusion of advice note 2 pertaining to archaeological sites. NZHPT is also
supportive of the rewording of the rules so that they relate to activities in the Kermadec
Islands as well as the Subantarctic Islands.

NZHPT accepts the proposal for Discretionary Activity status for any salvage, removal or
demolition of a shipwreck. NZHPT is supportive of the removal of the standard which
requires the "structure not to be on the Register of Historic Places, or a historic areas,
wahi tapu and wahi tapu areas, or listed in schedule 1". The rules are now clear that all
salvage, removal or demolition (whether on the list of historic places or not) is a
Discretionary activity and the rules align well with Advice Note 2 which states that an archaeological authority if the archaeology involved is pre 1900.

The NZHPT was supportive of the inclusion of matters for control/discretion relating to historic heritage as proposed in the initial draft Coastal Plan. This column has been removed from the Proposed Coastal Plan. As there are no controlled or restricted discretionary activities in the rule table included in the proposed plan, NZHPT understands that discretion is not controlled or restricted to certain matters which need to be specified in the plan.

NZHPT sought the inclusion of the following assessment criteria under the control/discretion column of the rules table for shipwrecks in the coastal marine area:

- Maori spiritual, historical and cultural concerns are considered and where appropriate, tangata whenua are consulted.

Although the control/discretion column has been removed, NZHPT is supportive of the inclusion of the following matter to be considered when assessing an application for an activity that has the potential to affect cultural or historic heritage value proposed as part of Policy 41:

- B) Maori spiritual, historical or cultural values and the outcome of tangata whenua consultation.

NZHPT is also supportive of the other matters for which regard is to be had listed under Policy 41 as proposed by NZHPT in feedback on the draft coastal plan. The inclusion of assessment criteria will help applicants and those processing consents as to the matters to which particular attention should be paid. NZHPT would like to see plan users clearly directed to assessing historic heritage matters.

NZHPT supports the inclusion of the following under the standard/terms/conditions column of the shipwrecks section of the coastal plan:

*The primary purpose of recovery of material is for research and scientific investigation of archaeological shipwreck deposits.*

However, NZHPT seeks the inclusion of an additional standard which requires the recording of this research. The following condition is suggested:

All salvage, removal or demolition of registered or listed ship wrecks is recorded in detail by any or all of the following means:

Photographic record; written record; identification at or near the site by use of an aluminium rod and archaeological investigation and recording to accepted professional standards.

The NZHPT seeks the following decision:

- The standards/terms/conditions for shipwrecks in the coastal marine area of the Subantarctic and Kermadec Islands includes the following standards:

All salvage, removal or demolition of registered or listed ship wrecks is recorded in detail by any or all of the following means:
photographic record: written record; identification at or near the site by use of an aluminium rod and archaeological investigation and recording to accepted professional standards.

Submission 2

Issue 3: Cultural and Historic Heritage
NZHPT is supportive of the statements in the ‘Values of the Coastal Marine Areas of the Islands’ section of the Proposed Coastal Plan which outline the cultural and historic heritage values of the subantarctic and Kermadec Islands. NZHPT is also supportive of the brief introductory statements under Issue 3: Cultural and historic heritage, outlining the importance of cultural heritage in the coastal marine area of the Kermadec and Subantarctic Islands.

NZHPT suggests it would be prudent to introduce the role of the NZHPT in the archaeology authority process early on, to provide up front and clear information. The coastal plan currently has the advice note:

Note:
Many sites of cultural and historic heritage, including shipwrecks, are archaeological sites which are subject to the provisions of the Historic Places Act 1993. Authority is required from the New Zealand Historic Places Trust prior to any activity being undertaken which would modify, damage or destroy any archaeological site whether recorded or not.

The advice note is situated at the end of the Issue 3: Cultural and historic heritage section. We recommend it is removed and repositioned in the introduction.

The NZHPT seeks the following decision:

❖ The advice note you have situated at the end of the Issue 3: Cultural and historic heritage section is removed and repositioned in the introduction;

Note:
Many sites of cultural and historic heritage, including shipwrecks, are archaeological sites which are subject to the provisions of the Historic Places Act 1993. Authority is required from the New Zealand Historic Places Trust prior to any activity being undertaken which would modify, damage or destroy any archaeological site whether recorded or not.

Submission 3

Issue 3: Cultural and historic heritage
The proposed plan still lists sites of historic importance in two places, the schedules and under Policy 34 outlined in the Issue 3: Cultural and historic heritage section. Policy 33 and 34 of the proposed plan are as follows:
33. To protect the sites if cultural or historic heritage listed in Appendix 2.
34. To conserve the following sites of cultural or historic heritage, which are a
   subset of Appendix 2:
   • Grafton Wreck and Epigwaitt Castaway Hut Site, Auckland Island
   • North East Harbour Whaling Station, Campbell Island/ Motu ihupuku

To avoid confusion and the possibility of something being missed or overlooked by users
of the coastal plan, NZHPT believes it would be best practise to list all sites of historic
importance in one place. Ideally this place would be in the proposed schedules. By
listing the site of cultural or historic heritage to be conserved in a schedule rather than in
the body of the plan, it will also be easier to amend with future listings.

The NZHPT seeks the following decision:

❖ The following listings in Policy 34 of the plan are placed in a separate schedule
   and are removed from the policy section of Issue 3: Cultural and historic heritage.

34. To conserve the following sites of cultural or historic heritage, which are a
   subset of Appendix 2:
   • Grafton Wreck and Epigwaitt Castaway Hut Site, Auckland Island
   • North East Harbour Whaling Station, Campbell Island/ Motu ihupuku

Submission 4

Issue 3: Cultural and historic heritage
NZHPT is supportive of the inclusion of the Policy 36;

36. To identify sites of special spiritual, historical and cultural significance to tangata
    whenua and record in Appendix 2 if tangata whenua wish to do so.

It will help achieve part 6(e) of the Resource Management Act (RMA) being; to recognise
and provide for the relationship of Maori and their culture and traditions with their
ancestral lands, water, sites, waahi tapu and other Taonga, as a matter of national
importance. An important aspect of this policy is that sites of special spiritual, historical
and cultural significance to tangata whenua will be identified. NZHPT would
recommend that a scoping exercise be undertaken (if not already undertaken) with the
view of identifying such sites for inclusion in the coastal plan.

As stated in our feedback provided in September 2009, although policy 36 goes some
way to achieving part 6(e) of the RMA, the NZHPT would like to propose that this is
coupled with an extra policy requiring consultation with tangata whenua in matters
relating to Maori;

   Where it is proposed to undertake activities on sites of special spiritual, historical
   and cultural significance to tangata whenua, appropriate consultation must be
   conducted with tangata whenua.

It is noted that although policies 39 and 43 make reference to activities being subject to
tangata whenua concerns for Maori sites, they do not require appropriate consultation to
be undertaken. The inclusion of such a policy will ensure that the knowledge, wishes and expertise of tangata whenua in these areas are incorporated into the decision making process, resulting in more informed decision making.

The NZHPT seeks the following decision:

- That the following policy be included in section Issue 3: Cultural and historic heritage.

  Where it is proposed to undertake activities on sites of special spiritual, historical and cultural significance to tangata whenua, appropriate consultation must be conducted with tangata whenua.

- If not already undertaken, a scoping exercise is undertaken with the view of identifying sites of special spiritual, historical and cultural significance to tangata whenua for inclusion in the coastal plan.

Submission 5

Issue 3: Cultural and Historical Heritage
NZHPT is supportive of Proposed Policy 37. The draft Policy (draft Policy 5) included the words '...where practicable, otherwise...' which was confusing and unnecessary. The reworking of the policy makes it clear and easy to understand.

The NZHPT seeks the following decision:

- That Policy 37 is included in the coastal plan as proposed.

Submission 6

Issue 3: Cultural and Historic Heritage
NZHPT is supportive of the intent of Policy 38 to protect, in situ all archaeological sites, known or unknown unless it can be demonstrated that an artefact is rare or has significant importance such that it should be removed for research or preservation. NZHPT is supportive of the reworking of Policy 38 to make its intention clear.

The NZHPT seeks the following decision:

- That Policy 38 is included in the coastal plan as proposed.

Submission 7
Issue 3: Cultural and Historic Heritage
NZHPT is supportive of Policy 39. The draft policy (draft Policy 7) used the term ‘non-destructive methods’. It was unclear as to what non-destructive methods might include. The amended policy to include the terms ‘damage, modify or destroy’ is clear.

The NZHPT seeks the following decision:

❖ That Policy 39 is included in the coastal plan as proposed.

Submission 8

Issue 3: Cultural and historic heritage
Policy 40 outlines when the excavation of sites of cultural or historic heritage value is appropriate. It is almost certain that if the site is pre 1900, any such excavation would also be subject to an Archaeological Authority under the Historic Places Act. NZHPT is supportive of the inclusion of the note to Policy 40 outlining the need for an archaeological authority being required if the site is pre 1900.

The NZHPT seeks the following decision:

❖ That Policy 40, and associated Note 13 are included in the Proposed Coastal Plan as proposed.

Submission 9.

Issue 3: Cultural and historic heritage
There is still some confusion as to the interpretation and intention of Policies 41 and 42.

Policy 41 outlines some excellent assessment criteria for assessing applications that have the potential to affect cultural and heritage sites. The wording used in policy 41 ‘having considered the policies above, is deemed appropriate...’ suggests that some assessment has already occurred and policy 41 should only be employed after policies 33 - 40 have been considered and a decision as to appropriateness has been made.

The reworking of Policy 42 is less clear than in its draft format. While I suspect the intention of Policy 42 is to ensure that provision shall be made for the recording of details of the site by the applicant who wants to undertake the activity, proposed Policy 42 has been reworded as follows:

‘In respect of any application for an activity that has the potential to affect heritage sites, to make provision for the recording of details of the site, by any or all of the following means...’

It is unclear who has to make provision for the recording of the details of the site. NZHPT is supportive of the reworking of Policies 43 and 44 to clarify their use and intention.

The NZHPT seeks the following decision:
That Policy 42 is reworded as follows to make it clear that the applicant is to make provision for the recording of details of the site as follows:

'It: In respect of any application for an activity that has the potential to affect heritage sites, the applicant shall make provision for the recording of details of the site, by any or all of the following means:
   a) Photographic record
   b) Written record
   c) Identification at or near the site
   d) Archaeological investigation and recording to accepted professional standards
   e) Provision of information to the Minister of Conservation'

That Policy 43 and 44 be included in the coastal plan as proposed.

Submission 10

Disturbance
NZHPT is supportive of the standards stating that any works involving the minor disturbance, damage or destruction of foreshore and seabed must not involve the disturbance of a site listed in Appendix 2 (Cultural and historic heritage).

NZHPT is also supportive of the requirement for any works involving the disturbance, damage or destruction of foreshore and seabed involving a site listed in Appendix 2 to require consent as a Discretionary Activity and the requirement for the works to be in accordance with the requirements of a Conservation Plan as approved by the Department of Conservation and the NZHPT.

NZHPT seeks the inclusion of an advice note in this section that reminds people that they may also need an Archaeological Authority to disturbance, damage or destruction to the seabed.

The NZHPT seeks the following decision:

That the following advice note is included in the disturbance section:

Note: Archaeological sites associated with human activity that occurred before 1900 are protected by the Historic Places Act 1993. An archaeological authority will be required from the New Zealand Historic Places Trust to destroy, damage or modify these sites.

Submission 11

Definitions
NZHPT is supportive of the inclusion of a definition of archaeology (as defined in the Historic Places Act) in the coastal plan.

The NZHPT seeks the following decision:
That the coastal plan adopts the definition of archaeological as proposed.

Submission 12

Deposits from Ships
As noted in our feedback to the draft coastal plan in September 2009, The NZHPT is concerned that deposits from ships, such as ballast, can be detrimental to historic heritage that may lie on or in the seabed. The NZHPT is supportive of the inclusion of Note 1 in the discharges section of the proposed plan which states that 'the Marine Pollution Regulations control discharges from ships...including clean and segregated ballast water...ballast water discharges are managed by an Import Health Standards developed in accordance with provisions of the Biosecurity Act 1993. (Beyond 12 nautical miles, discharges from ships and offshore installations are controlled by Maritime and Marine Protection Rules under the Maritime Transport Act 1994.' The NZHPT is also supportive of the cross referencing of the Resource Management (Marine Pollution) Regulation 1998 in the Deposition and Discharge sections of the coastal plan.

The NZHPT seeks the following decision:

- That the coastal plan adopts Note 1 of the Discharges section as proposed.

Thank you for the opportunity to comment on the proposed Offshore Islands Regional Coastal Plan (coastal plan).

Please contact the undersigned if you would like to discuss any matters raised in the NZHPT submission.

Yours faithfully,

A. Enai

Yours faithfully,

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Appendix 1 – Submission on Draft Proposed Regional Coastal Plan – NZHPT
September 2009

15.9.09

Department of Conservation
Policy Group
P O Box 10-420, Wellington 6143

Attention: Sarah Hucker

Feedback of New Zealand Historic Places Trust Pouhere Taonga to
The Department of Conservations Offshore Islands Regional Coastal
Plan

The specific provisions of the proposal that the New Zealand Historic Places
Trust’s (NZHPT) feedback relates to are: Provisions for protection of historic and
cultural heritage of the Subantarctic and Kermadec Islands.

Thank you for the opportunity to comment on the proposed Offshore Islands regional
Coastal Plan (coastal plan) initial draft document. Although incomplete, The NZHPT
supports the policy statement as a mechanism to protect historic heritage in the coastal
marine area and is happy to give our initial feedback at this early stage in proceedings.

The NZHPT requests a number of changes to the proposed regional plan. The
NZHPT’s proposed changes are indicated as: to be deleted is struck-through and new text
is underlined.

Submission 1. – Shipwrecks in the coastal marine area of the Subantarctic
and Kermadec Islands

The NZHPT supports the rule arrangement in the ‘shipwrecks in the subantarctic island
section’ of the coastal plan. In particular the inclusion of advice note 2, pertaining to
archaeological sites under the historic places act and the discretionary activity
assessment criteria ‘effect on cultural and heritage values’, will both help ensure that shipwrecks in the coastal marine area of the subantarctic will be protected.

In relation to the shipwrecks in the Kermadec Islands section of the coastal plan the NZHPT believes that the provisions should be similar to those found in the subantarctic islands section. We support the inclusion of advice note 2, pertaining to archaeological sites under the Historic Places Act and the discretionary activity assessment criteria ‘effect on cultural and heritage values’ from the Subantarctic Islands section into the Kermadec Islands section. This will help ensure that shipwrecks in the coastal marine area of the subantarctic and Kermadec Islands will both be protected.

NZHPT is unsure as to the activity status of the salvage, removal or demolition of a ship wreck if the wreck is on the register of historic places (NZHPT) or the listed in the coastal plan schedule. NZHPT does not take the position that all salvage, removal or demolition of registered or listed ship wrecks be disallowed and would be comfortable with any such application being treated as a discretionary or non-complying activity in the coastal plan. Of course any such activity would also be subject to an archaeological authority if the archaeology involved is pre-1900.

In addition to the provisions outlined in this section, NZHPT suggests the inclusion of the following:

a) The discretionary activity assessment criteria for shipwrecks in the coastal marine area of the Subantarctic and Kermadec Islands (control/discretion column) includes the following criteria:

- Maori spiritual, historical and cultural concerns are considered and where appropriate, tangata whenua are consulted.

This would reflect objectives outlined in the ‘Issue X: Cultural and Historic Heritage’ section, ‘to recognise and provide for the protection of sites, areas and values of special spiritual, historical and cultural significance to tangata whenua’.

b) The standards/terms/conditions for shipwrecks in the coastal marine area of the Subantarctic Islands includes the following standards:

With the view of facilitating research opportunities that will contribute to the knowledge and understanding of historic and cultural heritage and inform effective management of sites and artefacts, all salvage, removal or demolition of registered or listed ship wrecks be recorded in detail by any or all of the following means:

photographic record; written record; identification at or near the site by use of an aluminium rod and archaeological investigation and recording to accepted professional standards.

In addition, the following must be taken into account when considering any application for or undertaking salvage, removal or demolition of registered or listed ship wrecks:
[i.] The intrinsic values of the sites including the relationship that people might have with the site and the extent to which it will be maintained;

[ii.] The integrity of the site, including, in the case of a structure, its physical appearance, and the extent to which it will be maintained;

[iii.] The extent to which the activity will enhance knowledge and understanding of the heritage site;

[iv.] The extent to which the proposed modifications will maintain or enhance the efficient operation of an operating facility.

[v.] Consideration of alternative locations for the activity to be undertaken (i.e., away from the location of the heritage values or outside the coastal marine area of the subantarctic islands).

This will reflect policy 9 & 10 and objectives outlined in the ‘Issue X: Cultural and historic heritage’ section, ‘to facilitate research into and understanding of sites of historic and cultural heritage and promote awareness and appreciation of those sites’.

The NZHPT seeks the following decision:

❖ The retention of advice note 2, pertaining to archaeological sites under the historic places act in the shipwrecks in the Subantarctic Island section of the coastal plan and inclusion of this advice note in the Kermadec Islands section of the coastal plan;

❖ The retention of discretionary activity assessment criteria (control/discretionary column) ‘effect on cultural and heritage values’, in the shipwrecks in the subantarctic island section of the coastal plan and inclusion of this criteria in the Kermadec Islands section of the coastal plan;

❖ Clarification of the activity status of the salvage, removal or demolition of a ship wreck if the wreck is on the register of historic places or the listed in the coastal plans schedule, will be treated as a discretionary or non-complying activity (which NZHPT supports).

❖ That assessment criterion is included in the discretionary activity assessment criteria for shipwrecks in the coastal marine area of the Subantarctic and Kermadec Islands; Maori spiritual, historical and cultural concerns are considered and where appropriate Tangata Whenua are consulted.

❖ The standards/terms/conditions for shipwrecks in the coastal marine area of the subantarctic and kermadec islands includes the following standards:

With the view of facilitating research opportunities that will contribute to the knowledge and understanding of historic and cultural heritage and inform effective management of sites and artefacts, all salvage, removal or demolition of
registered or listed ship wrecks be recorded in detail by any or all of the following means:

photographic record; written record; identification at or near the site by use of an aluminium rod and archaeological investigation and recording to accepted professional standards.

In addition, the following must be taken into account when considering any application for or undertaking salvage, removal or demolition of registered or listed ship wrecks:

[vii.] The intrinsic values of the sites including the relationship that people might have with the site and the extent to which it will be maintained;
[viii.] The integrity of the site, including, in the case of a structure, its physical appearance, and the extent to which it will be maintained;
[ix.] The extent to which the activity will enhance knowledge and understanding of the heritage site;
[x.] Consideration of alternative locations for the activity to be undertaken (i.e. away from the location of the heritage values or outside the coastal marine area of the subantarctic islands).

Submission 2.

Issue X: Cultural and Historic Heritage
NZHPT’s Sustainable Management of Historic Heritage Guidance Series offers a best practice guideline to writing policy documents and district plans. This guidance series recommends in guide 3 – District Plans, that district plans contain a discussion of significant historic heritage issues pertaining to the district¹ (appendix 1). Given the scope for damage, modification and disturbance of archaeological sites by activities in the coastal marine area it is important to flag this issue early in the coastal plan document and a statement about importance of protecting historic heritage in coastal marine areas would be appropriate. The ideal place for this to be introduced in the plan would be at the beginning in section Issue X: Cultural and historic heritage.

In addition, it would be prudent to introduce the role of the NZHPT in the archaeology authority process early on, to provide up front and clear information. The coastal plan currently has the advice note:

Note:
Many sites of cultural and historic heritage, including shipwrecks, are archaeological sites which are subject to the provisions of the Historic Places Act 1993. Authority is required from the New Zealand Historic Places Trust prior to any activity being

¹ Sustainable management of Historic heritage, guide no 3, District plans, August 2007, Robert McLean, New Zealand Historic Places Trust.
undertaken which would modify, damage or destroy any archaeological site whether recorded or not.

The advice note is situated at the end of the Issue X: Cultural and historic heritage section. We recommend it is removed and repositioned in the introduction.

**The NZHPT seeks the following decision:**

- That an introductory statement is added to the Issue X: Cultural and historic heritage section outlining the importance of cultural heritage in the coastal marine area of the Kermadec and Subantarctic Islands, and;
- The advice note you have situated at the end of the section is removed and repositioned in the introduction;

**Note:**
Many sites of cultural and historic heritage, including shipwrecks, are archaeological sites which are subject to the provisions of the Historic Places Act 1993. Authority is required from the New Zealand Historic Places Trust prior to any activity being undertaken which would modify, damage or destroy any archaeological site whether recorded or not.

**Submission 3.**

**Issue X: Cultural and historic heritage**
You are proposing to list sites of historic importance in two places, the schedules and in the Issue X: Cultural and historic heritage section. To avoid confusion and the possibility of something being missed or overlooked by users of the coastal plan, I believe it would be best practise to list all sites of historic importance in one place. Ideally this place would be in the proposed schedules. By listing the site of cultural or historic heritage to be conserved in a schedule rather than in the body of the plan, it will also be easy to amend later with future listings.

**The NZHPT seeks the following decision:**

- The following listings in the policy section of the plan are placed in a separate schedule and be removed from the policy section of Issue X: Cultural and historic heritage.

1. The following sites of cultural or historic heritage shall be conserved:
   a. XXX
   b. YYY

**Submission 4.**
Issue X: Cultural and historic heritage
NZHPT is supportive of the inclusion of the policy 4;

4. Sites of special spiritual, historical and cultural significance to tangata whenua shall be identified and recorded in Schedule 1 if tangata whenua wish to do so.

It will help achieve part 6(e) of the Resource Management Act (RMA) being; to recognise and provide for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other Taonga, as a matter of national importance. An important aspect of this policy is that Sites of special spiritual, historical and cultural significance to tangata whenua will be identified. NZHPT would recommend that a scoping exercise be undertaken with the view of identifying such sites for inclusion in the coastal plan.

Although policy 4 goes someway to achieving part 6(e) of the RMA, the NZHPT would like to propose that this be coupled with an extra policy requiring consultation with tangata whenua in matters relating to Maori;

5. Where it is proposed to undertake activities on sites of special spiritual, historical and cultural significance to tangata whenua, appropriate consultation must be conducted with tangata whenua.

The inclusion of such a policy will ensure that the knowledge, wishes and expertise of tangata whenua in these areas are incorporated into the decision making process, resulting in more informed better decision making.

The NZHPT seeks the following decision:

❖ That the following policy be included in section Issue X: Cultural and historic heritage.

5. Where it is proposed to undertake activities on sites of special spiritual, historical and cultural significance to tangata whenua, appropriate consultation must be conducted with tangata whenua.

❖ That a scoping exercise be undertaken with the view of identifying sites of special spiritual, historical and cultural significance to tangata whenua for inclusion in the coastal plan.

Submission 5.

Issue X: Cultural and historic heritage
The wording of policy 5 is confusing as it uses a well used catch phrase “to avoid, remedy or mitigate adverse effects”. However the coastal plan version adds the words ‘....where practicable, otherwise...’ into the statement. NZHPT puts forward that this inclusion is unnecessary and the use of the phrase to avoid remedy or mitigate adverse effects is clear enough and effective on its own.
The NZHPT seeks the following decision:

For clarity, the deletion of the following words in policy 5 of Issue X: Cultural and historic heritage;

5. All sites with cultural or historic heritage value, whether previously identified as significant and/or included in Schedule 1 or not, shall be protected by avoiding, where practicable, otherwise remedying, or mitigating the adverse effects of activities which would modify, damage or destroy the sites or their values.

Submission 6.

Issue X: Cultural and historic heritage
The meaning and intent of policy 6 is unclear. I suspect it may be seeking to protect in situ all archaeological sites, known and unknown. However I am unsure as to why a possible exception to this rule may be that an artefact found on site may be rare or significant? Is the policy seeking to allow the removal of some items for research purposes or maybe to make those items available for public display or return to the owners?

The NZHPT seeks the following decision:
That policy 6 is clarified to make its intension clear.

Submission 7.

Issue X: Cultural and historic heritage
Policy 7 uses the term “non-destructive methods”. Is this defined in the definitions section of the proposed coastal plan? It is unclear exactly what non-destructive methods might include. Is the opposite of non-destructive the destruction of cultural or heritage site or associated item? If the objective of this policy is to stop only the destruction of cultural or heritage site or associated items, the NZHPT puts forward that this approach is not restrictive enough and that the policy is amended to not only include the destruction of, but damage and modification to archaeological items and sites. In addition, amending the policy will bring it in line with part 1 of the Historic Places Act governing applications to do works to archaeological sites.

The NZHPT seeks the following decision:
That policy 7 be amended to state;

Any activity using non-destructive methods of investigation for the purpose of research that will enhance knowledge and understanding of a cultural or heritage site, or both, that will not damage, modify or destroy the site, shall generally be considered appropriate
Submission 8.

Issue X: Cultural and historic heritage
Policy 8 outlines when the excavation of sites of cultural or historic heritage value is appropriate. It is almost certain that if the site is pre 1900, any such excavation would also be subject to an Archaeological Authority under the Historic Places Act. As such, the Department of Conservation (DOC) needs to be careful not to give the impression that by meeting the requirements of policy 8 “when alternative less destructive methods cannot be used” that this is the only test that must be applied to the situation. NZHPT understands that in such remote and inhospitable locations such as the Kermadec and Subantarctic Islands, the scope for other options or locations for relocating developments or activities is limited. However, in allowing such excavation and predetermining that it would be appropriate in all such cases, you risk the loss of important historic heritage.

The NZHPT seeks the following decision:
If this policy is adopted, an advice note is included alongside the policy outlining the need for an archaeological authority being;

Note: Archaeological sites associated with human activity that occurred before 1900 are protected by the Historic Places Act 1993. An Archaeological Authority will be required from the New Zealand Historic Places Trust to destroy, damage or modify these sites.

Submission 9.

Issue X: Cultural and historic heritage
Policy 9 outlines some excellent assessment criteria for assessing applications that have the potential to affect cultural and heritage sites. The wording used in policy 9 ‘having considered the policies above, is deemed appropriate...’ suggests that some assessment has already occurred and policy 9 should only be employed after policies 1 -8 have been considered and a decision as to appropriateness has been made. I am unsure as to weather or not this list should be included as a policy and it may be more effectively positioned under a separate heading of ‘assessment criteria’.

There seems to be some confusion as to if some of the ‘policies’ are in fact true policies, or if they are rules or in some cases objectives. This confusion is also apparent in policy 10 (assessment criteria?), 11 and 12 (objectives?).

The NZHPT seeks the following decision:

 Consideration is given to the format and arrangement of the Issue X: Cultural and historic heritage section. In particular thought should be given to including assessment criteria and rules to give full effect to the policies and objectives outlined.
Submission 10.

Disturbance
The table covering ‘disturbance’ mentions that all works shall only be undertaken in accordance with the requirements of a conservation plan approved by DOC. Not having had any experience in dealing with the DOC conservation plans, I am concerned that the effects of disturbance, damage or destruction to the sea bed can have detrimental effects to historic heritage that may lie on or in the seabed. The NZHPT would be seeking to ensure that any DOC conservation plan would assess any proposed disturbance in relation to historic heritage. It may be prudent to include an advice note in this section that reminds people that they may also need an Archaeological Authority to disturbance, damage or destruction to the sea bed.

The NZHPT seeks the following decision:

- That consideration for the effects of disturbance, damage or destruction to the sea bed on historic heritage that may lie on or in the seabed, be reflected in the ‘disturbance’ section of the coastal plan;
- That any conservation plan for a heritage site be approved by DOC and the NZHPT (in accordance with the DOC SOP), and;
- That the following advice note be included in the disturbance section;

Note: Archaeological sites associated with human activity that occurred before 1900 are protected by the Historic Places Act 1993. An archaeological authority will be required from the New Zealand Historic Places Trust to destroy, damage or modify these sites.

Submission 11.

Definitions
For clarity, a definition of archaeology should be included in the coastal plan. In most instances where archaeology is referred to it is also in relation the Historic Places Act. As such the definition of archaeology in the Historic Places Act is the most appropriate to use, thus avoiding confusion between conflicting definitions and promoting alignment between the Historic Places Act and the Resource Management Act (the RMA does not include a definition of an archaeological site).

The NZHPT seeks the following decision:
That the coastal plan adopts the definition of archaeological site as outlined in the Historic Places Act being;

Archaeological site means any place in New Zealand that—
  o (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
  o (b) Is or may be able through investigation by archaeological methods to provide evidence relating to the history of New Zealand:

Submission 12.

Deposits from Ships
The NZHPT is concerned that deposits from ships, such as ballast, can be detrimental to historic heritage that may lie on or in the seabed. The NZHPT would be seeking to ensure that any Deposits from ships were considered a discretionary activity to ensure that any proposed deposit was assessed in relation to historic heritage.

The NZHPT seeks the following decision:

That deposits from ship be considered a discretionary activity with assessment criteria reflecting concern for the protection, preservation, identification and conservation of historic heritage.

Thankyou for the opportunity to comment on the proposed Offshore Islands regional Coastal Plan (coastal plan) initial draft document. The NZHPT looks forward to seeing an ‘official’ draft plan sometime in the near future.

Yours faithfully

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Offshore Islands Regional Coastal Plan
C/- The Department of Conservation
P O Box 10420, Wellington 6143

Attention: Sarah Hucker

Feedback of New Zealand Historic Places Trust Pouhere Taonga to
The Department of Conservations Offshore Islands Proposed Regional
Coastal Plan

Please accept the following submission as an addendum to NZHPT's submission to the
Department of Conservations (DOC) Offshore Islands Proposed Regional Coastal Plan
and the protection of historic and cultural heritage of the Subantarctic and Kermadec
Islands dated 14.3.11.

Submission 13 – Amendments to Listings

The NZHPT is pleased to note the commitment throughout the document to protecting
and in some cases conserving historic and archaeological heritage in the CMA of the
Subantarctic Islands through the identification in Appendix 2 of known sites of heritage
value, and the management of impacts on such sites through the proposed rules.

With regard to the protection of historic places as listed in Appendix 2, the NZHPT is
aware of recent fieldwork by Archaeologist Dr Nigel Pickett, who has been undertaking
fieldwork on the Subantarctic Islands for some years. Dr Pickett has provided the
NZHPT with an informal list of notable sites on Campbell Island which the NZHPT
believes should be considered for inclusion in Appendix 2 (see attached list). The list
also notes some items which Dr Pickett believes are not present. The NZHPT would
suggest that consideration should be given to removing these sites from the list. It is
suggested that it would be worthwhile for the Department to consult further with Dr
Pickett regarding the findings of his recent fieldwork prior to confirming the list of
items to be contained in Appendix 2.
Furthermore, the NZHPT believes that future fieldwork is likely to result in the identification of further significant sites which may warrant inclusion in Appendix 2. The NZHPT considers that a commitment to regular revision and updating of Appendix 2 should be included in the other methods section of Issue 3 Cultural and Historic Heritage.

K036/1 has been listed twice and as the rules are directed at activities which are limited to those occurring within the CMA terrestrial sites that do not extend into the CMA should be excluded. NZHPT recommends including the Low Flat site and some of the dune burials on the grounds that these are prone to coastal erosion and may potentially be damaged by activities occurring on the adjacent foreshore.

Submission 14 - Issue 2 and Policies 26-27
NZHPT supports ongoing consultation with Ngati Kuri and Te Aoupouri concerning the Kermadec Islands. It is unlikely that the descendant community of the people responsible for the archaeological remains on Raoul Island will be conclusively identified in the near future, but in the interim Ngati Kuri and Te Aoupouri have asserted their mana whenua and role as kaitiaki, so it is appropriate to continue to consult with them and maintain a positive working relationship.

Submission 15 - Policy 34
NZHPT recommends adding Low Flat prehistoric site to the list of sites for active conservation on grounds of national historic significance. Little is known about the extent of the site but it is a site of exceptional national significance. It is the only site in NZ to contain direct evidence of two-way voyaging back into the Pacific and has unique potential to provide evidence relating to the earliest settlement of NZ.

Submission 16 - Policy 21 and Rule 4
The Fishing Rock and Boat Cove landings have historic values associated with the establishment of the Meteorological Station on Raoul Island so where possible the form and fabric of these should be retained. Recommend that a heritage assessment of these structures be carried out before any works are undertaken (in accordance with DOC Historic SOP)

Thank you for the opportunity to comment on the proposed Offshore Islands Regional Coastal Plan.

Please contact the undersigned if you would like to discuss any matters raised in the NZHPT submission.
Yours faithfully,

[Signature]

Ann Neill
General Manager Central Region,
New Zealand Historic Places Trust
Pouhere Taonga

Address for service:

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Appendix 2: Amendments to Appendix 2

Ca/01 Capstan Cove whaling haulout (part of Northwest Bay whaling station – note spelling)
Ca/02 Northwest Bay whaling station (Sandy Bay)
Ca/03 Northeast Harbour whaling station
Tucker Cover stone wharf/ jetty
Delete: Shipwreck remains, Davis Point (does not exist)
Delete: South East Harbour ship wreckage (does not exist)
Add: Monument Harbour ship wreckage
Add: World War 2 coast-watchers Tucker Camp
Add: Tucker Cove tryworks foundation
Add: Tucker Cove meteorological station jetty and causeway
Add: Tucker Cove early hut site with collapsed stone and brick chimney
Add: Tucker Cove castaway depot and boat run
Add: Tucker Cove shoreline peat cuttings
Add: Tucker Cove farm: homestead, woolshed, jetties and boat run
Add: Tucker Cover soc hut
Add: Beeman (Perseverance Harbour) meteorological station
Add: Beeman Hill names on rocks
Add: Venus Cove 1874 French ‘Transit of Venus’ base
Add: Tucker Cove and Depot Point stone tide fences
Add: Camp Cove sod hut
Add: Camp Cove sod fence
Add: Garden Cove hut site and Methven stove
Add: Garden Cove Canterbury Philosophical Society 1907 base

Raoul Island K036/1 Low Flat prehistoric settlement
Raoul Island K036/5 Rosa Y Carmen burials
Raoul Island K036/23 Picton shipwreck
Raoul Island K036/24 Shiner shipwreck
Raoul Island K036/27 Kinei Maru No.10 shipwreck
Raoul Island K036/28 Salano shipwreck

While not recorded NZHPT also recommends adding the Wairuna shipwreck (off the north coast) and the Fleetwood Denham grave (on the Denham Bay foredune) on account of their historic significance

Raoul Island Wairuna shipwreck
Raoul Island Fleetwood Denham grave