

**BEFORE A HEARING PANEL  
CONSTITUTED BY HORIZONS REGIONAL COUNCIL**

*IN THE MATTER OF* an application dated 21 December 2020  
for regional consents by Grenadier  
Limited to develop the Douglas Link  
Golf Course at 765 Muhunua West Road,  
Ohau

*IN THE MATTER OF* Part 6 of the Resource Management Act  
1991

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**STATEMENT OF EVIDENCE OF MARY PATRICIA O'KEEFFE**

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## Section A – Introduction

### *Name, qualifications and experience*

[1] My full name is Mary Patricia O’Keeffe.

[2] I am a self-employed consultant archaeologist. I have run my consultancy, Heritage Solutions, for 26 years. As a consultant I have given evidence as an Expert Witness numerous times in both the Environment Court and in council hearings. Prior to establishing my consultancy, I worked as an archaeologist for the Historic Places Trust (the precursor to Heritage New Zealand Pouhere Taonga) and Department of Conservation.

[3] I hold a Master of Literature (speciality archaeology) from Auckland University which I obtained in 1991.

[4] I also hold the role of Central Filekeeper for ArchSite, the on-line archaeological database for the NZ Archaeological Association.

[5] I am a member of the New Zealand Archaeological Association, and member and past Chair of ICOMOS New Zealand, A member and past council member of the Australasian Institute of Maritime Archaeology, and Patron of the Maritime Archaeological Association of New Zealand. I am currently on the panel for the Minister of Conservation’s consideration of Stewardship Land.

### *Expert Code*

[6] While this is not an Environment Court hearing I have met the standards in that Court for giving expert evidence.

[7] I have read the Code of Conduct for expert witnesses issued as part of the Environment Court Practice Note 2014 (Part 7). I agree to comply with the Code of Conduct. I am satisfied that the matters addressed in this statement of evidence are within my expertise. I am not aware of any material facts that have either been omitted or might alter or detract from the opinions expressed in this statement of evidence.

### *Role in Project*

[8] I have completed an archaeological assessment for the project, to the standard required for the purposes of the Resource Management Act 1991 and the Heritage New Zealand Pouhere Taonga Act 2014.

*Scope and purpose of Evidence*

[9] In my evidence I will describe:

- (a) The known and potential archaeology in the area of proposed development
- (b) The archaeological, historical, geomorphological, and documentary evidence that contributes to my understanding of the archaeology of the area
- (c) Implications for known and potential sites
- (d) Recommendations for mitigation

**Section B – Executive Summary**

[10] I conclude that whilst there are known and potential sites these are likely, on the basis of available evidence, to be of local significance.

[11] I base this on information gained from geomorphology, documentary evidence and previous archaeological work undertaken.

[12] I note that I have undertaken an assessment of archaeological significance only. The sites are presumed to be of significance to iwi also; however it is not the place of an archaeologist to determine the nature of this cultural significance.

**Section C – Evidence**

[13] In undertaking an archaeological assessment for the proposed golf links, I sought contextual information from various sources: the physical environment, documentary sources, and previous archaeological work.

[14] I then identified the known sites and determined the potential for further unknown unrecorded sites.

[15] I assessed the effects of the proposed work on the archaeological resources.

[16] I shall describe each piece of research and data.

### **Physical context**

[17] The nature of the geomorphology of the physical landscape is an important determining factor in the presence and distribution of archaeological sites, as people are responding directly to the advantages and limitations of the landscape and resources it holds.

[18] Information from previous archaeological work (discussed below), most notably the archaeological programme I undertook for the construction of the MacKays to Peka Peka Expressway (M2PP) was a major contributor of data.

[19] The M2PP programme demonstrated:

- (a) that sites were located on the sand dunes;
- (b) that the location of the sites on the dunes adjacent to low swales and previous wetlands indicate that the wetlands were previously navigable and a major seismic event some time after the 1500s had raised the coastline and drained the waterways;
- (c) the sites were predominantly shell middens with fishbone indicating a strong reliance on kaimoana. There was also evidence of utilisation of resources from the forested sand dunes, including bird bone, and eels from the waterways;
- (d) there was no evidence of pre-contact horticulture on the dunes, presumably for two reasons: the difficulty of establishing and maintaining gardens in the shifting unstable dunes, and the lack of need of horticultural crops in the face of the vast kaimoana resource available; and
- (e) there was also no evidence of permanent Māori settlement prior to the 1820s. This is again due to the unstable dunes making living sites such as terraces and pa too hard to establish and maintain. It is more likely people lived further north in areas of stable soils where gardening was

possible, and travelled to the Kapiti Coast to utilise the rich marine resources.

[20] These findings can be extrapolated to the Douglas Links area. It is part of the same linear dune belt stretching north of the Waikanae River, with the same dynamic, unstable dunes, and the same proximity to the coastline and resources.

[21] Consequently the types of sites likely to be present are similar to those of the Kapiti Coast within the area of the M2PP project: shell middens and ovens, and no evidence of gardening, nor of occupation sites such as terraces or pa.

### **Documentary evidence**

[22] Documentary evidence such as historic survey maps showed semi-permanent occupation of the area by the 1870s, seen as whare and gardens recorded by surveyors.

[23] Flax milling was a major economic activity undertaken in the later 19<sup>th</sup> century, by both Māori and Europeans.

[24] Historic aerial photos verified the dynamic nature of the landscape, through shifting dunes and the shifting location of the river mouth.

### **Previous archaeological work**

[25] Prior to my site visit (discussed below) little systematic archaeological work had been undertaken in the area of the Douglas Links.

[26] Some sites had been recorded in the wider area in the 1980s, and by local earthworks in 2015.

[27] Recorded sites were all shell middens.

[28] As noted above, a significant contextual piece of archaeological work was the archaeological programme for M2PP construction, undertaken by me between 2013 and 2017. The 280 new sites have contributed a significant body of data to our understanding of the archaeology of the Kapiti Coast, and enabled the construction of a predictive model of site presence and nature. The understanding of the nature and location of sites, and their fundamental relationship with the

environment can be extrapolated to similar locations such as the Douglas Links area.

### **Site visit**

[1] I undertook a site visit on 6 November 2020 with Bryce Holmes of Land Matters, and Denis Paku of Kikopiri Marae. Deep thanks are expressed to Denis for his generosity in sharing information and tradition. A second visit was made on 12 November 2020, with Allan McKay (Grenadier) Tom Bland and Bryce Holmes (both of Land Matters). This second visit was specifically to view the coastal dunes beside and north of the river mouth, which is the area recorded as Tirotiro Whetu. In his korero Denis noted this was an area of great significance to the hapu, and that middens had been observed there.

[29] I observed the nature of the landscape and landforms, to confirm they were consistent with my expectations.

[30] I recorded two new sites during the site visit; both were shell middens.

[31] There was one previously recorded site within the proposed area of work. This was a shell midden. It was not relocated during the site visit. This is not surprising due to the vulnerability of shell middens from erosion and stock action, and the dynamic nature of the shifting sand.

### **Assessment**

[32] My assessment made the following statements:

(a) Based on information about the physical environment and its geomorphology, nature of recorded sites and their locations, and inferences from related work (most notably the MacKays to Peka Peka Expressway) further unrecorded middens are considered very likely to be located within the coastal dunes, especially the dunes immediately north of the river mouth in the vicinity of Tirotiro Whetu. Further unrecorded sites are also likely on the high inland dunes.

(b) Information on the geomorphology of the dynamic coast, as seen in the historic aerials, suggest this coast dune area is constantly changing

and the river mouth shifts its alignment and outlet. For this reason, middens located in the dunes in the vicinity of Tirotiro Whetu are likely to be relatively recent, as the dunes themselves are relatively recent. This hypothesis can be tested by radiocarbon dating sites.

[33] I assessed the effects of the proposed development on known and potential sites. I consider that adverse effects on known and potential sites are likely from:

- (a) Creation of fairways along the western coastal edge of the project adjacent to the coast;
- (b) Creation of fairways in the south-west corner of the project, in the vicinity of Tirotiro Whetu; and
- (c) Lowering of the large dune in the centre of the links.

[34] I assessed the archaeological values of the known and potential sites. They are a common site type in the Kapiti-Horowhenua area. They have some information potential through types of species present, indicating environments and resources being targeted. They have some amenity value, through associations with other sites present and the totality of the story of subsistence activities that all the sites provided. Middens are considered on archaeological grounds to be of local significance.

[35] However, from what I understand of the fairway and hole creation along the western margin, the Course Architect (Darius Oliver) wishes to maintain the majority of landform with only vegetation clearance, topsoil stripping and minor re-contouring. Because of the historical pattern of windblown sand (prior to stabilisation), it is possible that some archaeological material would be buried at depth below the proposed works.

[36] The potential for other site types was considered. Burials within the dunes are a moderately common site type on the Kapiti coast dune belt, and presumably may occur within the Horowhenua dunes. Ovens are also occasionally found in association with the shell middens. Terraces, pits and pa are very unlikely.



[37] I recommended that Grenadier Limited apply to Heritage New Zealand Pouhere Taonga for a general authority under Section 42 of the Act to modify or destroy potential archaeological sites.

[38] As authorities are issued with conditions, I made the following recommendations for appropriate reconditions:

- (a) That a site instruction is written to set out methods and processes for archaeological recording and investigation work;
- (b) That an archaeologist monitors all surface clearing, earthwork, track creation or other invasive subsurface groundwork required for site modification in the area of the western coastal dunes, and the southwest corner of the project;
- (c) That an archaeologist is on call for all surface clearing, earthwork, track creation or other invasive subsurface groundwork required for site modification elsewhere within the project area;
- (d) The archaeologist should be given the opportunity to examine any archaeological deposits disturbed by the earthworks; and
- (e) Analysis of artefacts and material recovered will be undertaken to gain information on subsistence activities. Artefacts and material uncovered and recorded during site clearing work will be lodged with an appropriate repository.

[39] I note these are conditions typical of an archaeological authority

### **Cultural values**

[40] An important limitation of my archaeological assessment is the consideration of cultural values and significance.

[41] My assessment report clearly states “Archaeological sites may be of Māori origin and therefore of significance to Māori. There may also be other sites of spiritual or traditional significance to Māori and which may have no physical or tangible remains, and therefore do not fall within the legal definition of an

archaeological site. This report focuses solely on the archaeological values within the study area, and does not attempt in any way to comment on or judge the Māori values of these sites. This is not meant to detract from or undermine the value of these places of significance to Māori; rather, it is an acknowledgement that it is inappropriate for an archaeologist to comment on matters of significance to Tangata Whenua”<sup>1</sup>.

[42] I note in their submission to the proposal Te Iwi o Ngāti Tukorehe stated “Despite 21 years of trying to promulgate a more Māori nuanced approach to cultural/ancestral landscape assessment and protection, this assessment by Mary O’Keefe [sic] of Heritage Solutions, December 2020 continues to highlight a problematic approach to yet another of the many rural developments and archaeological assessments, of the effects of subdivisions and developments on the Kāpiti Coast and Horowhenua. She enables the paradox of ancestral and cultural landscape destruction to continue unabated. There is no offer of archaeological expertise that might honour a Tiriti-led approach, or how key cultural or ancestral sites of interrelated significance from a Māori world view for current generations, might be protected from accidental finds or disturbances made by mechanical means. What follows is an approach that makes applications to largely record any sites found, the artefacts present, then to have them destroyed for the benefit of the links development. A Māori centred view would prefer any cultural significance to be retained, and in this case Tirotirowhetu pā and related middens by the Ōhau River mouth are at peril of being obliterated completely.”

[43] It is quite correct to note that the archaeological assessment does not consider cultural matters; this is intentional. There are two main reasons for this: process and ethics.

### Process

- (a) Archaeological and cultural values are quite separate. Whilst they may be present in the same site, the values themselves are not the same, and thus they must be assessed separately. A site may have high cultural values and low archaeological values, and vice versa.

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<sup>1</sup> O’Keefe, 2020: 6

(b) The assessment has been written for the statutory requirements of the Heritage New Zealand Pouhere Taonga Act 2014 (“the Act”), in relation to the archaeological authority process. This separation of values is underpinned by the authority application process for Heritage New Zealand. The application form for an archaeological authority requires both an archaeological assessment and a separate cultural values assessment. Both the application form and the accompanying guidelines make it clear that the cultural values assessment should be provided by iwi, not the archaeologist:

*In addition to the consultation details provided earlier in the application, you also need to provide an assessment of the Māori or Moriori (Chatham Islands) values of the archaeological site and the effect of your activity on those values. As explained in the application form, this information may take the form of a values statement or an assessment provided by Māori or Moriori (Chatham Islands)<sup>2</sup>*

### Ethics

(c) Archaeologists do not include an assessment of cultural values in their work for two reasons: it is beyond their professional scope, and it is culturally disrespectful.

(d) Archaeologists have been trained in a western scientific discipline, which deals with the observation, assessment and analysis of tangible physical remains, and is limited to these physical sites. Cultural values, often being intangible, are outside this professional scope

(e) Archaeologists generally acknowledge in their assessment that the sites also have cultural values, but go no further in determining what these values might be, or assessing them.

(f) Archaeologists do not assess cultural values within their archaeological assessment, as to do so would be profoundly disrespectful to mana whenua: archaeologists do not have the knowledge or the mandate

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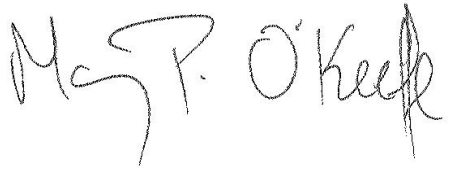
<sup>2</sup> Heritage New Zealand Guide A: Application for a general archaeological authority

to assess cultural values. Further, to do so would undermine the role of mana whenua in terms of the Treaty to determine their own outcomes.

### Summary

[44] There is a chance that the project will encounter archaeological sites. The sites are likely to be of local significance. However, such sites are not uncommon in the dune belt, and process will manage how currently undiscovered sites are dealt with during the proposed activities. From an archaeological perspective, I can see no reason why a consent would not be granted by Horizons Regional Council or Heritage New Zealand Pouhere Taonga.

Dated 22 April 2022

A handwritten signature in black ink, appearing to read 'M P O'Keeffe', with a horizontal line underneath it.

M P O'Keeffe

### References

O'Keeffe, M. 2020. Douglas Golf Links, Ohau: archaeological assessment of proposed construction. Unpublished report to Grenadier Limited, C/- Land Matters