

PARNELL RETIREMENT VILLAGE, AUCKLAND: HISTORIC HERITAGE ASSESSMENT

Prepared for Summerset NZ

June 2020



By

Rod Clough (PhD)

Clough
& ASSOCIATES LTD

321 Forest Hill Rd,
Waiatarua, Auckland 0612
Telephone: (09) 8141946
Mobile 0274 850 059
www.clough.co.nz

Contents

Introduction	1
Project Background	1
Methodology	1
Historical Background	4
Maori Settlement	4
European Settlement	4
Recorded Historic Heritage Sites	8
Historical Survey	10
Information from Early Plans and Aerials	10
Field Assessment	15
Field Survey Results	15
Discussion and Conclusions	18
Summary of Results	18
Maori Cultural Values	18
Survey Limitations	18
Historic Heritage Value and Significance	18
Effects of the Proposal	19
Resource Management Act 1991 Requirements	19
Heritage New Zealand Pouhere Taonga Act 2014 Requirements	20
Conclusions	21
Recommendations	22
Bibliography	23
Appendix A: Archaeological Authority 2020/453	24

INTRODUCTION

Project Background

Summerset (Parnell) Villages Limited has commissioned a number of environmental impact assessments as part of the planning process for the proposed development of a retirement village at the old railway workshop site, being 23 and 41 Cheshire Street (site) in Parnell, Auckland City (Figure 1, Figure 2).

The development site is located immediately adjacent to the Auckland Metro Rail Network North Auckland Line (NAL) (Britomart – Onehunga Line), accessed off Cheshire Street in Parnell (Figure 2). A ground level plan for the proposed development is shown in Figure 3 below.

This report assesses the potential effects of the proposed development on known archaeological and other historic heritage values and the significance of those effects.

This report has been prepared as part of the required assessment of effects accompanying a resource consent application under the Resource Management Act 1991 (RMA), and to identify any requirements under the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA).

Where it is considered that there will be potential adverse effects on any archaeological or other historic heritage values, recommendations are made relating to mitigation and any statutory requirements are identified.

Methodology

The New Zealand Archaeological Association's (NZAA) site record database (ArchSite), Auckland Council's Cultural Heritage Inventory (CHI), Auckland Unitary Plan schedules and the Heritage New Zealand Pouhere Taonga (Heritage NZ) New Zealand Heritage List were searched to determine whether any archaeological sites had been recorded on or in the immediate vicinity of the property.

Literature and archaeological reports relevant to the area were reviewed (see Bibliography). Early plans held at Land Information New Zealand (LINZ) were checked for information relating to past use of the property. Historic aerial photographs (Auckland Council Geomaps and Retrolens) were also reviewed to establish the history of the site.

A visual inspection of the site was conducted on 28 August 2019. 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).

Exposed and disturbed soils were examined on the site where encountered for evidence of earlier modification, and an understanding of the local stratigraphy. Observed features were photographed and recorded. Additional photographs were taken to record the general location and features of the area and its immediate surrounds.

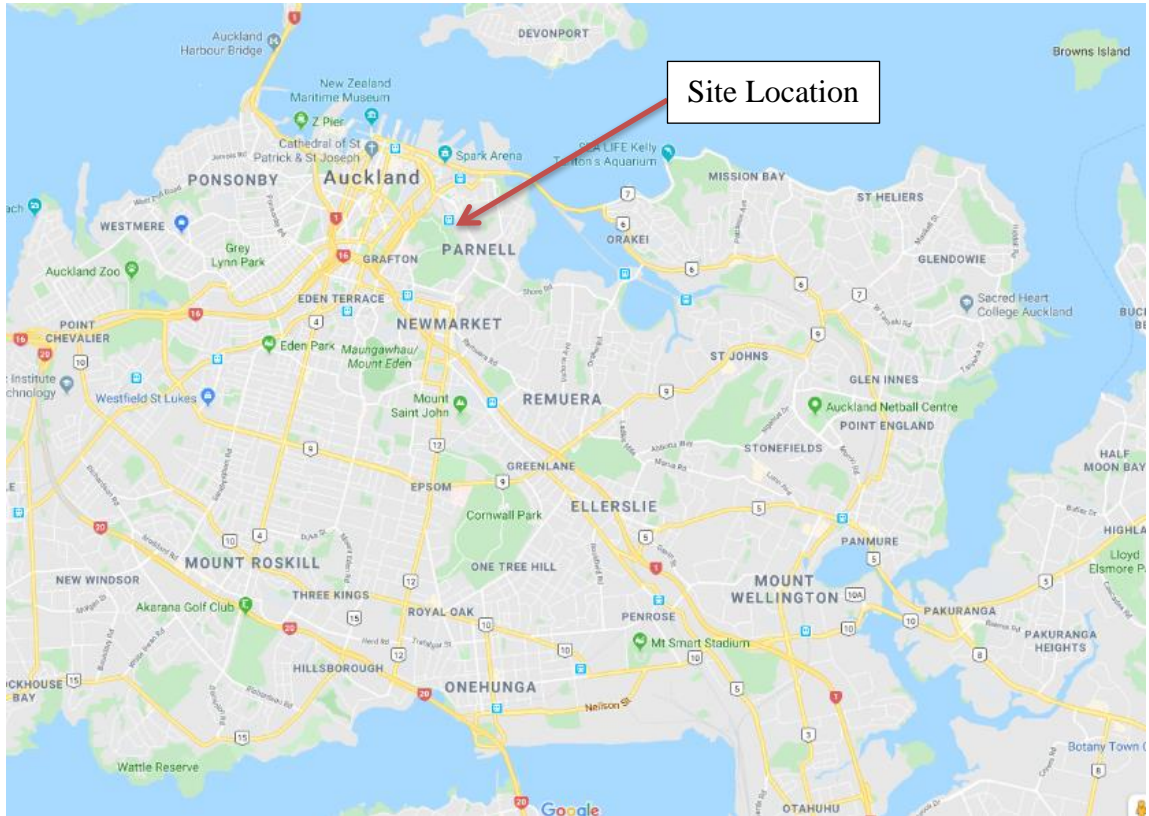


Figure 1. Location of the proposed development site in Parnell (source: Google maps 2019)



Figure 2. Development site to the east of the NAL Britomart – Onehunga Railway and the Auckland Domain (source: Google maps 2019)



Figure 3. Ground level plan showing proposed development

HISTORICAL BACKGROUND

Maori Settlement

Situated between the Waitemata and Manukau harbours, the Auckland Isthmus was known to Maori as Tamaki-makau-rau, often translated as ‘the land desired by many’ or ‘the land of a hundred lovers’. Its sheltered harbours, wide-ranging fishing and shell fishing grounds, fertile volcanic soils, easy waka (canoe) access, and portage routes made the area a highly desirable location for settlement.

Maori occupation of the Isthmus can be traced back over centuries and is evidenced by the numerous archaeological sites and associated place names throughout the region. Several different iwi and hapu groups claim affiliation with the Auckland area including Ngati Whatua, Ngati Paoa, Te Kawerau a Maki, Ngai Tai, and Te Wai-o-Hua, whose tribal territories commonly changed in response to warfare, migration or intermarriage.

Early settlements were predominantly established near shorelines and major rivers and were occupied either long-term, seasonally, or temporarily, according to the availability of food resources. The area around the Auckland Domain was prized for its rich volcanic soils and access to marine resources, namely shellfish and fisheries, and D. Wilson notes: ‘The centrality of this region within the passageways between the West and East coasts and its lithic sources must also have increased the value of the land.’

Wetland areas, where the playing fields are now located, provided important habitats for birds, eels and flax which encouraged and supported early habitation. A number of settlement sites (now evident in the form of pits, terraces and middens) were established in the vicinity of the Auckland Domain and the presence of oyster, cockle and tuatua in midden deposits suggests early occupants may have utilised nearby bays, such as Te Toangaroa (Mechanic’s Bay) or Taurarua (now known as Judges Bay) to collect resources before returning to their inland camps (Brown and Burnett 2017).¹

European Settlement

Parnell Background (from Burnett and Clough 2010)

Bounded in the north and east by its foreshores, Parnell was originally a marine suburb. Hills and gullies covered with brushwood and tall bracken defined the Parnell landscape prior to European settlement.

In 1827 Captain d’Urville, attempting to reach Mt Eden after landing at what became Judges or St Georges Bay, described the difficulty of the terrain around Parnell: ‘After half an hour of quite inconceivable struggles and extraordinary fatigue, at the end of which we had only advanced about two hundred paces, we found ourselves in a spot that was so swampy, so entangled with bracken, dry brushwood and shrubs, that it was impossible to put one foot in front of another’ (Reed 1955:36).

Unsurprisingly, early Maori and European settlement was concentrated around Parnell’s foreshores: Mechanics Bay (Te Toangaroa), St Georges Bay and Judges Bay (Taurarua)

¹ This brief Maori background has been taken from Brown and Burnett 2017. The report provides information relating to both the history and archaeology of the Auckland Domain and general area.

(Wolfe 2002:130; and Reed 1955: 182). Broad and flat, Mechanics Bay was used as a point of arrival by Maori to beach their wakas (Wolfe 2002: 130). Nearby Judges Bay was used by Maori as a camping spot (aucklandmuseum.com). The Waipapa Stream, fed from springs in the domain, ran to the sea at Mechanics Bay and provided passage between the Ngati Whatua settlements along its banks (Simpson 2003: 1).

In 1840 the capital city of Auckland was founded, purchased from Ngati Whatua by Lt Governor Hobson. Parnell comprised nearly 500 acres and its first suburban allotments were sold in 1841 (Bonny and Irving 1998: 3). These were sections of 3 to 5 acres and fetched £25 to £100 (Reed 1955: 178-79). Further lots were offered for sale the following year, with sections of 4 acres sold for an average price of £45 14 shillings (Bonny and Irving 1998: 3). Many of the early purchasers subdivided the sections for resale. Robert Tod was one such speculator, who christened his allotment for resale (at the top of present day Parnell Rise) ‘Parnell’, probably after the prominent Irish Parnell family (ibid.). The principal roads of the district had been defined by 1840, and Parnell Road (known originally as High Street and then Manukau Road from 1875-1924) was formed from an old Maori path which connected the Waitemata and Manukau Harbours (ibid.; aucklandmuseum.com).

Early settlement in the area earned Parnell the nickname ‘Poor and proud’ (Reed 1955: 180). While magistrates settled in the subsequently named Judges Bay (or Judicial Bay) and exclusive homes were established in St Georges Bay, Mechanics Bay became a working-class community (ibid.: 182). In the period 1840s-1870, industry at Mechanics Bay thrived. Mechanics Bay was the centre for Auckland’s ship building and included the yard of Niccol and Sharp. Auckland’s first ‘factory’ (Robertson’s Rope Walk) and Low and Motion’s Flour Mill (Figure 4, Figure 5) were located nearby on the former area of Carlaw Park, alongside the Waipapa Stream on which both relied for power (Simpson 2003: 2). Other industries at Mechanics Bay included a sawmill, iron foundry, tannery, bone crushing mill and brickworks (*Southern Cross* 4, Sept. 1866).

The Auckland rail network had its inception in the 1860s, in the early days of European settlement when road transport was slow and difficult. Railways opened the Auckland hinterland and towns, suburbs and industry grew up along their routes. The Auckland to Onehunga line was constructed first. Between 1865 and 1866 a railway bridge was constructed at the foot of Parnell Rise (heritagewalks.co.nz). The proposed Auckland to Drury Railway Project was halted in 1866 due to costs, and the structure was dubbed the ‘bridge to nowhere’ by locals (ibid.). In 1872 the hill beneath Parnell Road was tunnelled to allow the railway thoroughfare from Newmarket to downtown (Wolfe 2002: 132). By 1874 trains were arriving at the new Point Britomart Station (Bickler et al. 2005: 83).

Throughout the 1870s and 1880s a series of reclamation projects gradually pushed the foreshore away from the original shoreline. The demolition of Point Britomart from 1879 was used to claim Commercial Bay, Mechanics Bay and then St Georges Bay (ibid.: 130). Reclamation land around Parnell was now used to support new industrial development, mostly for transport purposes including tram and carriage assembling, forges and stabling for horses (Bonny and Irving 1998: 3). Tramcars began to run along Parnell Road by the early 1900s, and in 1919 Parnell was permanently separated from the open harbour by the creation of Tamaki Drive (parnellhistory.net).

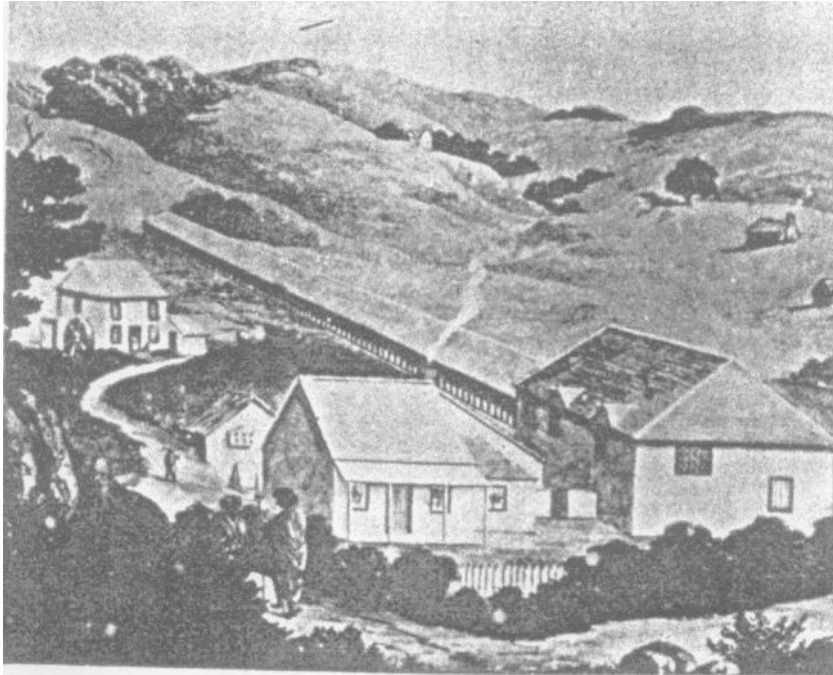


Figure 4. 1840s sketch of millhouse and ropewalk (the long building), from Platts 1971



Figure 5. 1864 Plan showing the mill and streams supplying the mill pond. The Matson's spring No 1 originally flowed through the Railyards Site

Parnell Railway Workshops

Duplication of the rail from a single track to double tracks commenced in 1906 between Auckland and Penrose, which resulted in island platforms and changes to or replacement of station buildings.

The Parnell Railway Workshops on the development site were constructed after World War II in the mid-1950s, to maintain diesel locomotives. Railway workshops were once located at Newmarket and Otahuhu but have been demolished.

More recently the Parnell Railway Workshops were used by a national trust which restored and operated mainline steam locomotives (Figure 6). This use of the former workshops was identified as ideal from a heritage perspective as the building remained in use for its original designed purpose (Figure 6) (Salmond Reed 2009).

However, the workshops were subsequently demolished c.2014 and only remnants of their foundations remain. The Parnell Railway Station was also constructed immediately north of the former workshop buildings around this time.



Figure 6. Mainline Steam Trust use of the Parnell Railway Workshops 2009 (source: Salmond Reed Architects Ltd 2009)

RECORDED HISTORIC HERITAGE SITES

There are no recorded archaeological sites or scheduled historic heritage items located within the proposed retirement village development area.

The Auckland Domain on the opposite side of the railway tracks is scheduled in the Auckland Unitary Plan (Operative in part) (AUP) (Schedule 14.1 ID 1566 Auckland Domain/Pukekaroa/Pukekawa Hill), with the extent of place reaching to the railway corridor. The railway workshop building is included on the Auckland Council CHI (18657) but was demolished c.2014, as noted above.

The closest recorded archaeological site is located on 8 Ngahere Terrace (midden/oven) outside of the southern end of the development site.

Other sites recorded in the general area are in Parnell, Mechanics Bay and the Auckland Domain (Table 1, Figure 7) which, with the exception of a taro patch, are of European origin and dating from the middle of the 19th century.

Table 1. Archaeological sites recorded in the general area of the development site

NZAA #	CHI #	Description	Location	Easting	Northing
R11/1138	5053	Midden/oven	8 Ngahere Terrace	1758589	5919608
R11/1640	8993	Acclimatisation Society Fish Hatchery	Auckland Domain	1758355	5919701
R11/1139	3949	Taro patch	Auckland Domain	1758266	5919804
R11/2806	3095	1860s cottage of Stonemason Benjamin Strange	Parnell	1758627	5919762
R11/1462	11274	Robertson's Flourmill Chinese Market Garden	Parnell, former Carlaw Park	1758273	5920031
R11/2738	11793	Parnell Rail Bridge	Parnell/Mechanics Bay	1758327	5920065
R11/3087	-	Windsor Castle Hotel	Parnell	1758649	5919894

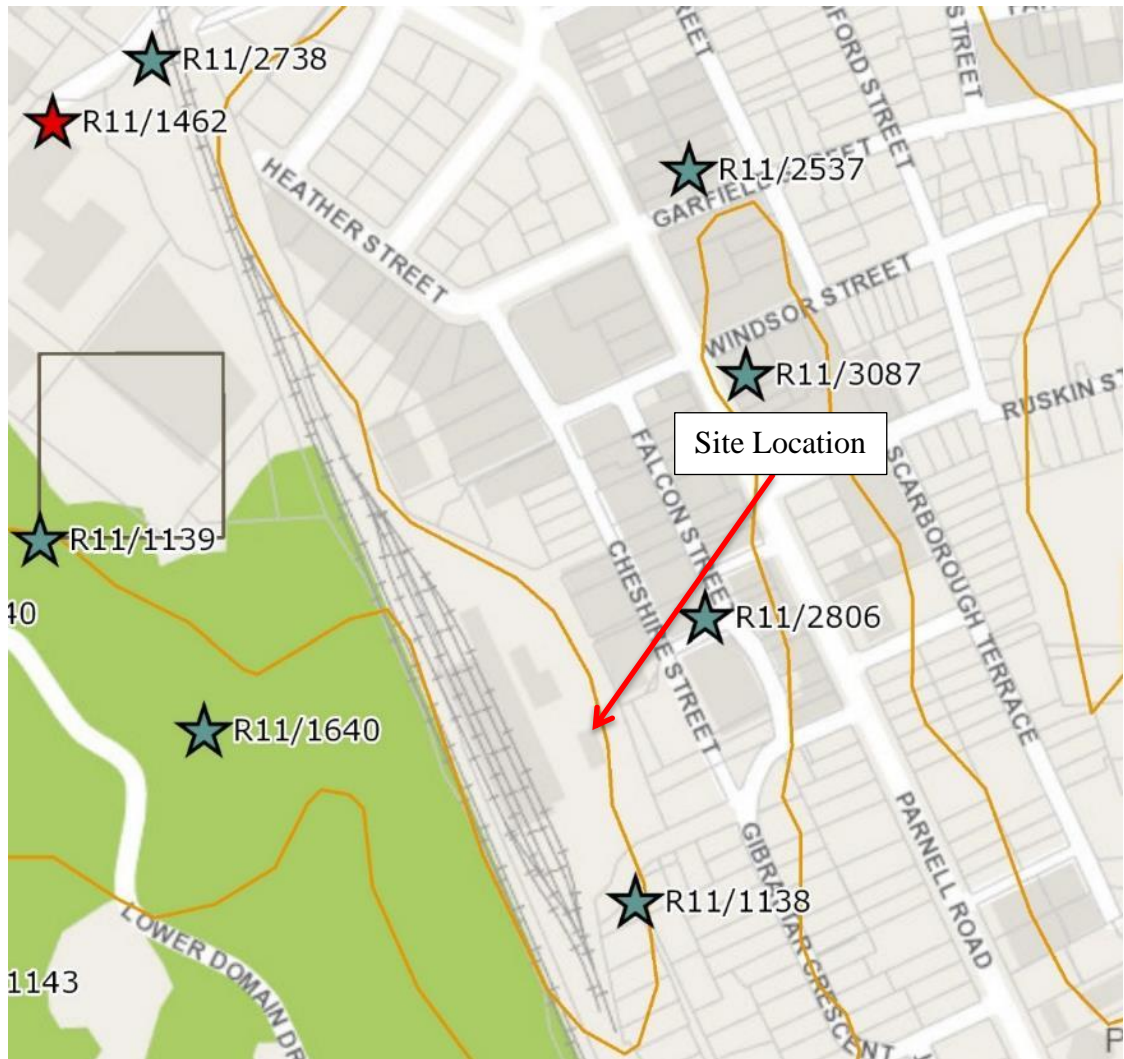


Figure 7. Overlay of archaeological sites recorded in the general area of the development site (arrowed) (NZAA ArchSite)

line (Figure 9, Figure 11). Aerial photographs from 1959 (Figure 12) and 1972 Figure 13) show the Railway Workshops.



Figure 9. Detail from Auckland City Council planning map, Sheet No. 5A (1948) , which shows the absence of any of the Parnell Railway Workshops at this time (Auckland Libraries Heritage Collections NZ Map 3808)

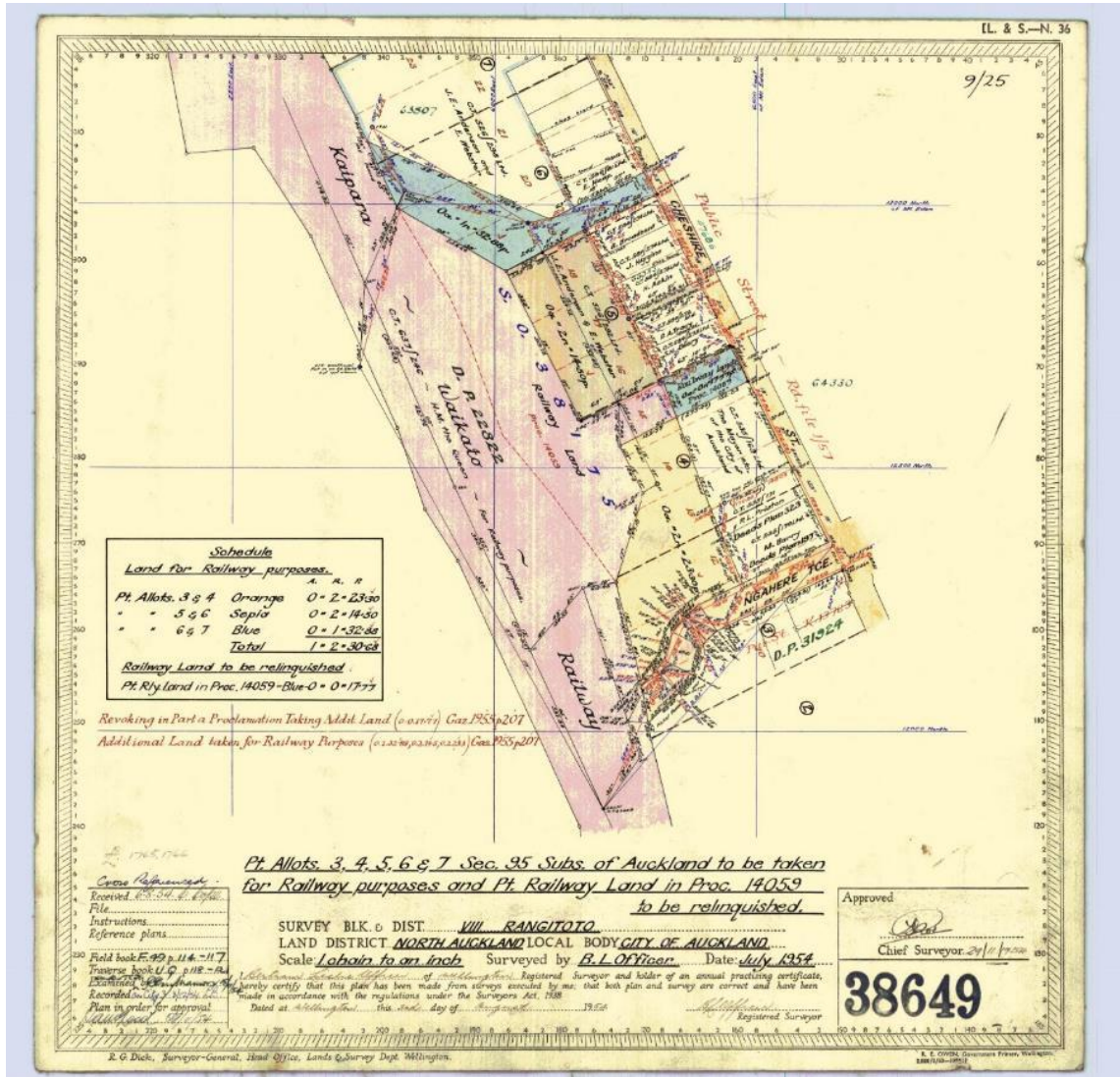


Figure 10. SO 38649 Plan of railway purchase in 1954

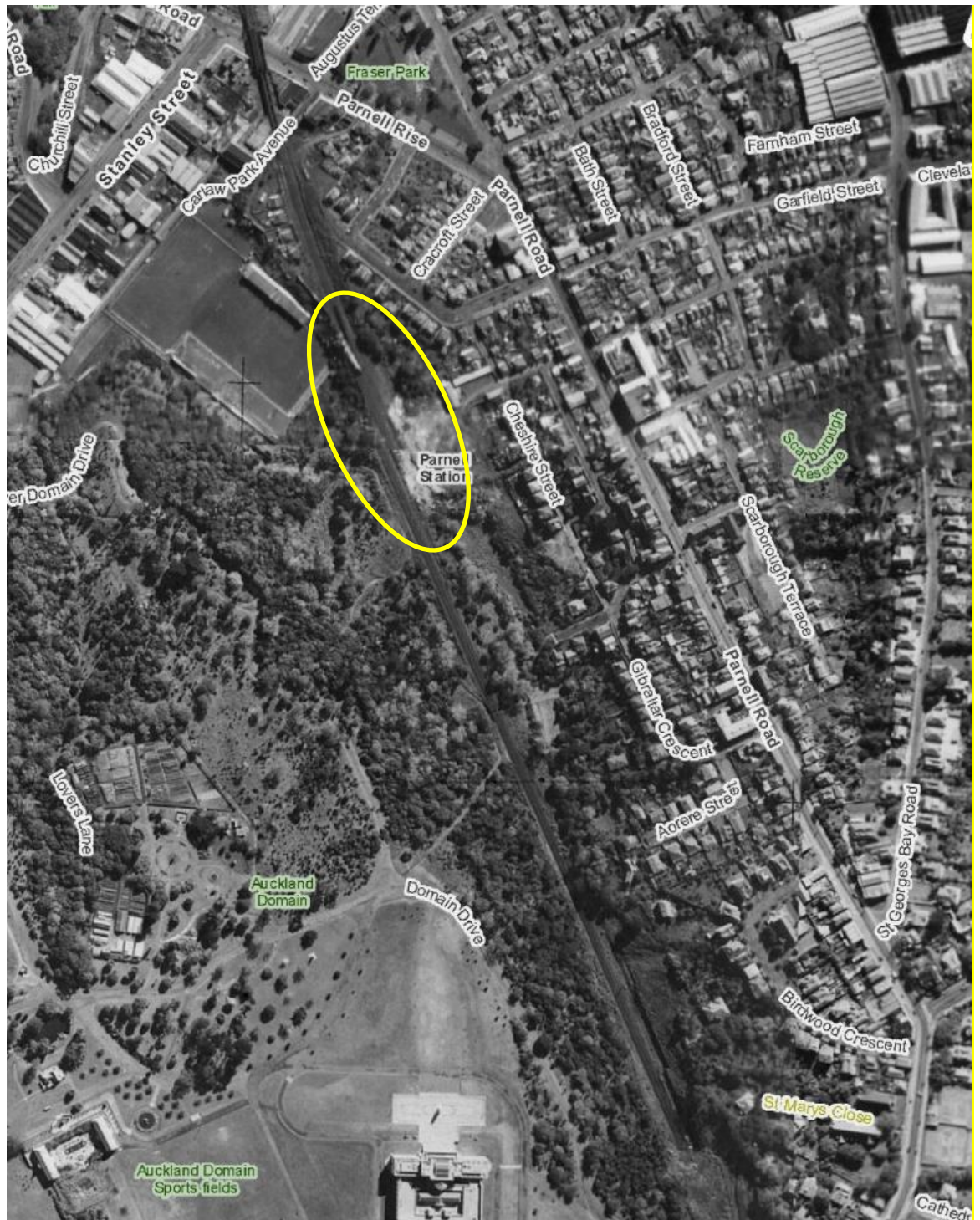


Figure 11. 1940 Aerial (Auckland Council Geomaps). Development site approximately located (yellow circle). Then in rank pasture and trees. Location of present Parnell Station indicated but not in existence at the time



Figure 12. 1958 Aerial showing the railway workshops on the development site



Figure 13. Close-up of railyards/workshops in 1972 (Retrolens)

FIELD ASSESSMENT

Field Survey Results

A visual inspection of the proposed development site was conducted on 28 August 2019. The site is currently vacant and used as a makeshift carpark for the Parnell Railway Station. The site comprises remnant concrete and tarmac floors relating to the former Railway Workshops that were demolished c.2014. Remnant rail tracks, inspection pits and workshop floors can still be observed (Figure 14–Figure 18).

Inspection of the general area indicated that it had been extensively modified for the construction of the workshops, subsequent demolition and during the construction of adjacent buildings (retaining walls, etc). There was a considerable volume of redeposited material, basecourse and building waste around the periphery of the site.

With the exception of the remnants of the 1950s workshop foundations, there was no indication of any archaeological remains.



Figure 14. View from the northern end of the site looking south towards the Parnell Station and the development area



Figure 15. View to south and old concrete floor of the rail workshops



Figure 16. Looking north showing remnant rail tracks formerly in the workshops



Figure 17. Probably the infilled remains of an inspection pit within the former workshop



Figure 18. View from southern end of the development site

DISCUSSION AND CONCLUSIONS

Summary of Results

A search of heritage databases (recorded and scheduled sites), historic plans, aerial photographs and a review of historical sources and archaeological reports failed to identify any historic heritage or archaeological remains on the proposed development site other than the remnants of the railway workshops constructed in the 1950s.

The existing remnants on the site include rail tracks, inspection pits and workshop floors. These are considered to be of some (limited) significance because of their relationship to the NAL, which is an important element in Auckland's transport story.

The archaeological sites recorded in the broader area were primarily remains relating to 19th century European settlement, although the remains of a midden/oven in Ngahere Terrace and other sites in the Domain are clear evidence of earlier Maori settlement in the area. This would be expected, given the proximity of Mechanics Bay and the Waitemata Harbour (Figure 8) and the known Maori place names in the area.

Visual inspection of the site equally provided no indication of Maori or Early European settlement beyond the 1950s remains of the railway workshops.

Maori Cultural Values

This is an assessment of effects on archaeological values and not an assessment of Maori cultural values. Such assessments should only be made by the tangata whenua.

Maori cultural concerns may encompass a wider range of values than those associated with archaeological sites.

The historical association of the general area with the tangata whenua is evident from the recorded sites, traditional histories and known Maori place names.

Survey Limitations

It should be noted that archaeological survey techniques (based on visual inspection in this instance) cannot necessarily identify all sub-surface archaeological features, or detect wahi tapu and other sites of traditional significance to Maori, especially where these have no physical remains. However, the site has been extensively modified in the past and much beyond the remains of the workshops is not expected.

Historic Heritage Value and Significance

The site has no known archaeological values based on the pre-1900 definition of archaeological sites as defined in the AUP and the HNZPTA. However, it is considered that the remains of the 1950s workshops have some, although limited, historical value because of their relationship to the NAL.

Effects of the Proposal

A review of the proposed application material as part of this assessment confirms that the proposed activity will have no effect on any known pre-1900 archaeological remains, and has little potential to affect unrecorded subsurface remains, although the possibility cannot be completely excluded.

The proposal will involve earthworks across the site including basement excavations in part and all remnants of the 1950s workshops will be removed. However, these are of limited historic heritage significance and therefore are considered appropriate.

Resource Management Act 1991 Requirements

Section 6 of the RMA recognises as matters of national importance: ‘the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga’ (S6(e)); and ‘the protection of historic heritage from inappropriate subdivision, use, and development’ (S6(f)).

All persons exercising functions and powers under the RMA are required under Section 6 to recognise and provide for these matters of national importance when ‘managing the use, development and protection of natural and physical resources’. There is a duty to avoid, remedy, or mitigate any adverse effects on the environment arising from an activity (S17), including historic heritage.

Historic heritage is defined (S2) as ‘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’. Historic heritage includes: ‘(i) historic sites, structures, places, and areas; (ii) archaeological sites; (iii) sites of significance to Maori, including wahi tapu; (iv) surroundings associated with the natural and physical resources.’

Regional, district and local plans contain sections that help to identify, protect and manage archaeological and other heritage sites. The plans are prepared under the provisions of the RMA. The AUP is relevant to the proposed activity.

There are no scheduled historic heritage sites located on the site. This assessment has established that the proposed activity will have no effect on any known archaeological remains and has little potential to affect unrecorded subsurface remains.

With reference to the above, as part of the approved resource consent, conditions relating to archaeological monitoring or protection would not be required. However, consideration could be given to a condition requiring documentation of the Railway Workshop remains prior to and during their removal.

Heritage New Zealand Pouhere Taonga Act 2014 Requirements

In addition to any requirements under the RMA, the HNZPTA protects all archaeological sites whether recorded or not, and they may not be damaged or destroyed unless an Authority to modify an archaeological site has been issued by Heritage NZ (Section 42).

An archaeological site is defined by the HNZPTA Section 6 as follows:

‘**archaeological site** means, subject to section 42(3), –

(a) any place in New Zealand, including any building or structure (or part of a building or structure) that –

(i) was associated with human activity that occurred before 1900 or is the site of the wreck of any vessel where the wreck occurred before 1900; and

(ii) provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand; and

(b) includes a site for which a declaration is made under section 43(1).’²³

Authorities to modify archaeological sites can be applied for either in respect to archaeological sites within a specified area of land (Section 44(a)), or to modify a specific archaeological site where the effects will be no more than minor (Section 44(b)), or for the purpose of conducting a scientific investigation (Section 44(c)).

Applications that relate to sites of Maori interest require consultation with (and in the case of scientific investigations the consent of) the appropriate iwi or hapu and are subject to the recommendations of the Maori Heritage Council of Heritage NZ.

In addition, an application may be made to carry out an exploratory investigation of any site or locality under Section 56, to confirm the presence, extent and nature of a site or suspected site.

While no known archaeological sites will be affected by the proposed works, the possibility that unidentified subsurface archaeological remains may be exposed during development cannot be completely excluded. It is noted that the project area is in close proximity to the Auckland Domain, where a number of archaeological sites have been recorded, and to a previously recorded midden site near the southern boundary.

Consultation has been undertaken with HNZPT in respect of the proposed development and Archaeological Authority was approved for the works on 20 February 2020. A copy of this is appended as Appendix A.

The conditions of this authority require archaeological monitoring of earthworks undertaken, and procedures for recording any archaeological evidence before it is modified or destroyed.

² Under Section 42(3) an Authority is not required to permit work on a pre-1900 building unless the building is to be demolished.

³ Under Section 43(1) a place post-dating 1900 (including the site of a wreck that occurred after 1900) that could provide ‘*significant evidence relating to the historical and cultural heritage of New Zealand*’ can be declared by Heritage NZ to be an archaeological site.

Conclusions

Historic research and site inspection did not identify any pre-1900 archaeological remains on the proposed development site and it is considered that the potential to expose any subsurface remains during works is low.

The historic heritage remains relating to the mid-20th century railway workshops are of limited significance and effects on these can be appropriately mitigated through recording conditions set under s108(4)(a) of the RMA.

RECOMMENDATIONS

- There should be no constraints on the proposed development on archaeological grounds, since no archaeological sites are known to be present and it is considered unlikely that any will be exposed during development.
- The remains of the former Railway Workshops should be recorded prior to and during removal as a condition of consent.
- In accordance with Authority 2020/453 issued by Heritage NZ (Appendix A) and the approved archaeological management plan (Clough 2019), initial earthworks on the site should be monitored to determine whether any archaeological remains are present and if so to record them prior to their removal.
- The protocols set out in condition 6 of the Authority (Appendix A) relating to potential discoveries of Maori archaeological remains must be followed prior to and during development of the site.

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APPENDIX A: ARCHAEOLOGICAL AUTHORITY 2020/453



20 February 2020

File ref: 2020/453
11013-006

Summerset Villages (Parnell) Limited
Level 4, 5 Short Street,
Newmarket,
Auckland 1023.

Attn: Adam Tyrie

Tēnā koe

**APPLICATION FOR ARCHAEOLOGICAL AUTHORITY UNDER HERITAGE NEW ZEALAND
POUHERE TAONGA ACT 2014: Authority no. 2020-453 Possible subsurface archaeological
evidence to be confirmed, 23 Cheshire Street, Parnell, Auckland**

Thank you for your application for an archaeological authority which has been granted and is attached.

In considering this application, Heritage New Zealand Pouhere Taonga notes that you wish to carry out earthworks for the construction of a retirement village and a pedestrian rail subway at 23 Cheshire Street, Newmarket Line rail corridor and 24 Nichols Lane, Parnell. This activity may affect possible subsurface archaeological sites which may exist in the project area. While no sites are currently identified that will be affected, several have been recorded in the wider vicinity. Any sites identified during works will possess archaeological values.

The area is of significance to Ngai Tai ki Tamaki; Ngati Whatua Orakei and Ngati Tamaoho Trust and we appreciate the consultation you have undertaken.

Please inform tangata whenua, the s45 approved person and Heritage New Zealand Pouhere Taonga of start and finish dates for the work.

An appeal period from receipt of decision by all parties applies. Therefore this authority may not be exercised during the appeal period of 15 working days, or until any appeal that has been lodged is resolved.

This authority may not be exercised until land owner consent is received by Heritage New Zealand Pouhere Taonga for all land affected by this authority.

If you have any queries please direct your response in the first instance to:

Greg Walter
Archaeologist
Heritage New Zealand Pouhere Taonga, Auckland Office
P O Box 105-291, Auckland 1143

Phone (09) 307 9924 Email ArchaeologistMN2@heritage.org.nz

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Vanessa Tanner', with a stylized flourish at the end.

PP:

Vanessa Tanner

Manager Archaeology, Heritage New Zealand Pouhere Taonga

cc: Adam Tyrie, Summersert Villages (Parnell) Limited
via email at adam.tyrie@summerset.co.nz

cc: Craig McGarr, Bently and Co.
via email at cmcgarr@bentley.co.nz

cc: Dr Rod Clough, Clough and Associates
via email at heritage@clough.co.nz

cc: Zaelene Maxwell-Butler, Ngai Tai ki Tamaki
zaelene.maxwell-butler@ngaitai-ki-tamaki.co.nz

Kingi, Ngati Whatua Orakei
kingi@ngatiwhatuaorakei.com

Lucie Rutherford, Ngati Tamaoho Trust
lucierutherford@gmail.com

cc: Darren Cunningham, Auckland Council
via email at Darren.cunningham@aucklandcouncil.govt.nz

cc: Pam Butler, KiwiRail
via email at pamela.butler@kiwirail.co.nz

cc: Team Leader Cultural Heritage Implementation
Auckland Council
via email to heritageconsents@aucklandcouncil.govt.nz

cc: Property Records and Files
Auckland Council
via email to records@aucklandcouncil.govt.nz

Pursuant to Section 51 Heritage New Zealand Pouhere Taonga Act 2014 Heritage New Zealand Pouhere Taonga must notify TLAs of any decision made on an application to modify or destroy an archaeological site. We recommend that this advice is placed on the appropriate property file for future reference.

cc: Ministry for Culture and Heritage
via email at protected-objects@mch.govt.nz

Pursuant to Section 51 *Heritage New Zealand Pouhere Taonga Act 2014*

cc: NZAA Central Filekeeper
Attn: Mary O'Keeffe
via email at centralfilekeeper@archsite.org.nz

cc: Heritage New Zealand Archaeologist, Greg Walter

cc: Heritage New Zealand Area Manager, Mid Northern, Bev Parslow,

cc: Heritage New Zealand Director, Northern Region, Sherry Reynolds

cc: Heritage New Zealand Pouhere Taonga Tuakana Pouarahi, Makere Rika-Heke



HERITAGE NEW ZEALAND
POUHERE TAONGA

AUTHORITY

Heritage New Zealand Pouhere Taonga Act 2014

AUTHORITY NO: 2020/453

FILE REF: 11013-006

DETERMINATION DATE: 20 February 2020

EXPIRY DATE: 20 February 2025

AUTHORITY HOLDER: Summerset Villages (Parnell) Limited

POSTAL ADDRESS: Level 4, 5 Short Street, Newmarket, Auckland 1023. Attn Adam Tyrie

ARCHAEOLOGICAL SITES: Possible subsurface archaeological evidence to be confirmed

LOCATION: 23 Cheshire Street, Parnell

SECTION 45 APPROVED PERSON: Dr Rod Clough

LAND OWNER CONSENT: To be provided

This authority may not be exercised during the appeal period of 15 working days, or until any appeal that has been lodged is resolved.

This authority may not be exercised until land owner consent is received by Heritage New Zealand Pouhere Taonga for all land affected by this authority.

DETERMINATION

Heritage New Zealand Pouhere Taonga grants an authority pursuant to section 48 of the Heritage New Zealand Pouhere Taonga Act 2014 in respect of the archaeological sites described above, within the area specified as Sect 1 SO 516461; Lot 1 DP 477135; Pt Lot 10 Allot Sect 95 RL Newmarket to Summerset Villages (Parnell) Limited for the proposal to carry out earthworks for the construction of a retirement village and a pedestrian rail subway at 23 Cheshire Street, Newmarket Line rail corridor and 24 Nichols Lane, Parnell, subject to the following conditions:

CONDITIONS OF AUTHORITY

1. The authority holder must ensure that all contractors working on the project are briefed on site by the s45 approved person, who may appoint a person to carry out the briefing on their behalf, prior to any works commencing on the possibility of encountering archaeological evidence, how to identify possible archaeological sites during works, the archaeological work required by the conditions of this authority, and contractors'

responsibilities with regard to notification of the discovery of archaeological evidence to ensure that the authority conditions are complied with.

2. Prior to the start of any on-site archaeological work, the Authority Holder must ensure that Heritage New Zealand Pouhere Taonga is advised of the date when work will begin. This advice must be provided at least 2 working days before work starts. The Authority Holder must also ensure that Heritage New Zealand Pouhere Taonga is advised of the completion of the on-site archaeological work, within 5 working days of completion.
3. The authority must be exercised in accordance with the management plan (Clough, R. December 2019; Archaeological Management Plan: Parnell Retirement Village) attached to the authority application and any changes to the plan require the prior written agreement of Heritage New Zealand Pouhere Taonga.
4. Any earthworks that may affect any archaeological sites must be monitored by the s45 approved person who may appoint a person to carry out the monitoring on their behalf.
5. Any archaeological evidence encountered during the exercise of this authority must be investigated, recorded and analysed in accordance with current archaeological practice.
6. As no protocols between the authority holder and Ngai Tai ki Tamaki; Ngati Whatua Orakei and Ngati Tamaoho Trust were provided with the authority application, the following shall apply:
 - a) Access for Ngai Tai ki Tamaki; Ngati Whatua Orakei and Ngati Tamaoho Trust shall be enabled in order to undertake tikanga Māori protocols consistent with any requirements of site safety.
 - b) Ngai Tai ki Tamaki; Ngati Whatua Orakei and Ngati Tamaoho Trust shall be informed 48 hours before the start and finish of the archaeological work.
 - c) If any kōiwi (human remains) are encountered, all work should cease within 5 metres of the discovery. The Heritage New Zealand Pouhere Taonga Archaeologist, New Zealand Police and Ngai Tai ki Tamaki; Ngati Whatua Orakei and Ngati Tamaoho Trust must be advised immediately in accordance with Guidelines for Kōiwi Tangata/Human Remains (Archaeological Guideline Series No.8) and no further work in the area may take place until future actions have been agreed by all parties.
 - d) Ngai Tai ki Tamaki; Ngati Whatua Orakei and Ngati Tamaoho Trust shall be informed if any possible taonga or Māori artefacts are identified to enable appropriate tikanga protocols to be undertaken, so long as all statutory requirements under the Heritage New Zealand Pouhere Taonga Act 2014 and the Protected Objects Act 1975 are met.
 - e) Ngai Tai ki Tamaki; Ngati Whatua Orakei and Ngati Tamaoho Trust shall be provided with a copy of any reports completed as a result of the archaeological work associated with this authority and be given an opportunity to discuss it with the s45 approved person if required.

This is not a statement of mana whenua status.
7. That within 20 working days of the completion of the on-site archaeological work associated with this authority;
 - a) An interim report outlining the archaeological work undertaken must be submitted to the Heritage New Zealand Pouhere Taonga Archaeologist.

- b) Site record forms must be updated or submitted to the NZAA Site Recording Scheme.
8. That within 12 months of the completion of the on-site archaeological work, the authority holder shall ensure that a final report, completed to the satisfaction of Heritage New Zealand Pouhere Taonga, is submitted to the Heritage New Zealand Pouhere Taonga Archaeologist.
- a) One hard copy and one digital copy of the final report are to be sent to the Heritage New Zealand Pouhere Taonga Archaeologist.
 - b) Digital copies of the final report must also be sent to: NZAA Central Filekeeper; Auckland Museum; Auckland Council CHI; Ngai Tai ki Tamaki; Ngati Whatua Orakei and Ngati Tamaoho Trust

Signed for and on behalf of Heritage New Zealand.



Claire Craig
Deputy Chief Executive Policy, Strategy and Corporate Services
Heritage New Zealand Pouhere Taonga
PO Box 2629
WELLINGTON 6140

Date 20 February 2020

ADVICE NOTES

Contact details for Heritage New Zealand Archaeologist

Greg Walter
Archaeologist
Heritage New Zealand Pouhere Taonga, Auckland Office
P O Box 105-291, Auckland 1143

Phone (09) 307 9924 Email ArchaeologistMN2@heritage.org.nz

Current Archaeological Practice

Current archaeological practice may include, but is not limited to, the production of maps/ plans/ measured drawings of site location and extent; excavation, section and artefact drawings; sampling, identification and analysis of faunal and floral remains and modified soils; radiocarbon dating of samples; the management of taonga tuturu and archaeological material; the completion of a final report and the updating of existing (or creation of new) site record forms to submit to the NZAA Site Recording Scheme. The final report shall include, but need not be limited to, site plans, section drawings, photographs, inventory of material recovered, including a catalogue of artefacts, location of where the material is currently held, and analysis of recovered material.

Please note that where one is required, an interim report should contain a written summary outlining the archaeological work undertaken, the preliminary results, and the approximate percentage of archaeological material remaining *in-situ* and a plan showing areas subject to earthworks, areas monitored and the location and extent of any archaeological sites affected or avoided.

Rights of Appeal

An appeal to the Environment Court may be made by any directly affected person against any decision or condition. The notice of appeal should state the reasons for the appeal and the relief sought and any matters referred to in section 58 of the Heritage New Zealand Pouhere Taonga Act 2014. The notice of appeal must be lodged with the Environment Court and served on Heritage New Zealand Pouhere Taonga within 15 working days of receiving the determination, and served on the applicant or owner within five working days of lodging the appeal.

Review of Conditions

The holder of an authority may apply to Heritage New Zealand Pouhere Taonga for the change or cancellation of any condition of the authority. Heritage New Zealand Pouhere Taonga may also initiate a review of all or any conditions of an authority.

Non-compliance with conditions

Note that failure to comply with any of the conditions of this authority is a criminal offence and is liable to a penalty of up to \$120,000 (Heritage New Zealand Pouhere Taonga Act 2014, section 88).

Costs

The authority holder shall meet all costs incurred during the exercise of this authority. This includes all on-site work, post fieldwork analysis, radiocarbon dates, specialist analysis and preparation of interim and final reports.

Assessment and Interim Report Templates

Assessment and interim report templates are available on the Heritage New Zealand Pouhere Taonga website: archaeology.nz

Guideline Series

Guidelines referred to in this document are available on the Heritage New Zealand Pouhere Taonga website: archaeology.nz

The Protected Objects Act 1975

The Ministry for Culture and Heritage (“the Ministry”) administers the Protected Objects Act 1975 which regulates the sale, trade and ownership of taonga tūturu.

If a taonga tūturu is found during the course of an archaeological authority, the Ministry or the nearest public museum must be notified of the find within 28 days of the completion of the field work.

Breaches of this requirement are an offence and may result in a fine of up to \$10,000 for each taonga tūturu for an individual, and of up to \$20,000 for a body corporate.

For further information please visit the Ministry’s website at <http://www.mch.govt.nz/nz-identity-heritage/protected-objects>.

Land Owner Requirements

If you are the owner of the land to which this authority relates, you are required to advise any successor in title that this authority applies in relation to the land. This will ensure that any new owner is made aware of their responsibility in regard to the Heritage New Zealand Pouhere Taonga Act 2014.



HERITAGE NEW ZEALAND
POUHERE TAONGA

SECTION 45 APPROVED PERSON

Heritage New Zealand Pouhere Taonga Act 2014

AUTHORITY NO: 2020/453

FILE REF: 11013-006

APPROVAL DATE: 20 February 2020

This approval may not be exercised during the appeal period of 15 working days, or until any appeal that has been lodged is resolved.

APPROVAL

Pursuant to section 45 of the Act, **Dr Rod Clough**, is approved by Heritage New Zealand Pouhere Taonga to carry out any archaeological work required as a condition of authority 2020/453, and to compile and submit a report on the work done. Dr Rod Clough will hold responsibility for the current archaeological practice in respect of the archaeological authority for which this approval is given.

Signed for and on behalf of Heritage New Zealand,

A handwritten signature in blue ink, appearing to read 'Craig'.

Claire Craig
Deputy Chief Executive Policy, Strategy and Corporate Services
Heritage New Zealand Pouhere Taonga
PO Box 2629
WELLINGTON 6140

Date 20 February 2020