



30 November 2022

File ref: 2023/251
11013-006

Tēnā koe Hari De Alwis

**APPLICATION FOR ARCHAEOLOGICAL AUTHORITY UNDER HERITAGE NEW ZEALAND
POUHERE TAONGA ACT 2014: Authority no. 2023/251: Q10/1123, Q10/1128, Q10/1130 and
Q10/1131, 2127 Kaipara Coast Highway, Makarau, Rodney, 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 undertake roading and earthworks, and install infrastructure and fencing, in preparation for a 25-lot subdivision at 2127 Kaipara Coast Highway in Makarau. This activity may affect the recorded archaeological sites Q10/1123, Q10/1128, Q10/1130 and Q10/1131, which are pits and middens relating to Māori occupation. Although these sites may have been damaged in the past, they may still possess archaeological values. The sites are of significance to Ngāti Whātua o Kaipara and Ngāti Manuhiri 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.

In accordance with section 51 of the Heritage New Zealand Pouhere Taonga Act, we have notified relevant parties of this decision. 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.

Heritage New Zealand Pouhere Taonga appreciates the effort you have made to avoid the known extents of archaeological sites in your subdivision roading, planting, and pathway plans.

Please note that the definition of ‘working day’ in the Heritage New Zealand Pouhere Taonga Act 2014 excludes the period from the 20th December until the 10th January; therefore, Monday the 19th of December is the last working day of 2022, and Wednesday the 11th of January is the first working day of 2023. Please take careful note of this when determining your start dates.

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

Kurt Bennett
Archaeologist - Poutairangahia
Heritage New Zealand Pouhere Taonga, Auckland Office
P O Box 105-291, Auckland 1143

Phone (09) 303 4428 Email ArchaeologistMN3@heritage.org.nz

Nāku noa, nā

A handwritten signature in blue ink, appearing to read 'Victoria Pond', written in a cursive style.

PP: Victoria Pond

Vanessa Tanner

Manager Archaeology, Heritage New Zealand Pouhere Taonga



HERITAGE NEW ZEALAND
POUHERE TAONGA

AUTHORITY

Heritage New Zealand Pouhere Taonga Act 2014

AUTHORITY NO: 2023/251

FILE REF: 11013-006

DETERMINATION DATE: 30 November 2022

EXPIRY DATE: 30 November 2027

AUTHORITY HOLDER: ABIB (Oamaru) Limited

ARCHAEOLOGICAL SITES: Q10/1123, Q10/1128, Q10/1130, Q10/1131, and possible subsurface sites, to be determined

LOCATION: 2127 Kaipara Coast Highway, Makarau, Rodney, Auckland

SECTION 45 APPROVED PERSON: Glen Farley

LANDOWNER CONSENT: Completed

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

Please note that the definition of ‘working day’ in the Heritage New Zealand Pouhere Taonga Act 2014 excludes the period from the 20th December until the 10th January; therefore, Monday the 19th of December is the last working day of 2022, and Wednesday the 11th of January is the first working day of 2023. Please take careful note of this when determining your start dates.

This decision does not ascribe mana whenua status.

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 Pt Sec 50 Blk II Kaipara Survey District SO 51097, Sec 1 SO 328127, Pt Makarau Blk 4A SO 28095, Pt Makarau Blk 4B SO 28095 to ABIB (Oamaru) Limited for the proposal to undertake roading, infrastructure, boundary fencing and general earthworks in preparation for a 25-lot subdivision at 2127 Kaipara Coast Highway, Makarau, Rodney, Auckland, 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 archaeological management plan (Farley and Clough, 2022, 2127 Kaipara Coast Highway, Makarau: Archaeological Management Plan) provided to Heritage New Zealand Pouhere Taonga on the 19th of November 2022. 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 tikanga between the authority holder and Ngāti Whātua o Kaipara and Ngāti Manuhiri were provided with the authority application, the following shall apply:
 - a) Access for Ngāti Whātua o Kaipara and Ngāti Manuhiri shall be enabled in order to undertake tikanga consistent with any requirements of site safety.
 - b) Ngāti Whātua o Kaipara and Ngāti Manuhiri 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 Ngāti Whātua o Kaipara and Ngāti Manuhiri 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) Ngāti Whātua o Kaipara and Ngāti Manuhiri shall be informed if any possible taonga or Māori artefacts are identified to enable appropriate tikanga 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) Ngāti Whātua o Kaipara and Ngāti Manuhiri 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.
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 for

inclusion in the Heritage New Zealand Pouhere Taonga Archaeological Reports Digital Library.

- 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 for inclusion in the Heritage New Zealand Pouhere Taonga Archaeological Reports Digital Library.
- 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: the NZAA Central Filekeeper, Ngāti Whātua o Kaipara and Ngāti Manuhiri.

Signed for and on behalf of Heritage New Zealand Pouhere Taonga,



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

Date: 30 November 2022

ADVICE NOTES

Contact details for Heritage New Zealand Pouhere Taonga Archaeologist

Kurt Bennett
Archaeologist - Poutairangahia
Heritage New Zealand Pouhere Taonga, Auckland Office
P O Box 105-291, Auckland 1143

Phone (09) 303 4428 Email ArchaeologistMN3@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 tūturu 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.

Reporting Conditions

In relation to the creation of reports as required by the authority conditions, Heritage New Zealand Pouhere Taonga supports transparent reporting processes. It therefore is expected that all relevant directly affected parties have reviewed the report in question, are happy with its contents, and understand that it will be made publicly available via the Heritage New Zealand Pouhere Taonga Archaeological Reports Digital Library.

Heritage New Zealand Pouhere Taonga has the right to make available any report produced under an authority where the distribution of the report is for the purpose of providing archaeological information about the place in question for research or educational purposes.

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

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>.

Landowner 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: 2023/251

FILE REF: 11013-006

APPROVAL DATE: 30 November 2022

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, **Glen Farley**, is approved by Heritage New Zealand Pouhere Taonga to carry out any archaeological work required as a condition of authority 2023/251, and to compile and submit a report on the work done. Glen Farley 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 Pouhere Taonga,

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

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

Date: 30 November 2022