

Comment on Draft Conditions Dominion Road Mixed-Use Development Fast-track Consent Application

Application Name	Dominion Road Mixed-Use Development
EPA Reference	FTC000020
Agency Providing Comment:	Heritage New Zealand Pouhere Taonga
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Thank you for the opportunity to provide comment on the draft conditions.

Heritage New Zealand wishes to reiterate comments provided previously to the Expert Consenting Panel recommending that an archaeological assessment be undertaken to determine the potential for extant unrecorded archaeology, as supported in the previous comments of Minister Sepuloni, Minister for Arts, Culture and Heritage, dated 14th June 2021.¹

Heritage New Zealand will work with the applicant to ensure that their informal commitment to undertaking an archaeological assessment, and applying for an archaeological authority if required, is carried out.² It is in the applicant's best interest to ensure this is done to avoid any subsequent delays in completing the project.

Heritage New Zealand requests that the draft land use conditions and advice notes be amended to correct errors and improve clarity as follows:

CONDITIONS

Pre-Commencement Meeting

43. Add the following:

The following information shall be made available at the pre-commencement meeting:

- [copies of any archaeological authority granted for the project, or the accidental discovery protocol as per condition 83.](#)

¹ https://www.epa.govt.nz/assets/Uploads/Documents/Fast-track-consenting/Dominion-Rd/Comments-received/15Jun21_Minister_for_Arts_Culture_and_Heritage_FTC20_Comments_Received.pdf.

² [Email from John Brown, 13 September 2021.](#)

Accidental Discovery Protocol

83. Should ~~earthworks on the site~~ expose suspected archaeological remains ~~result in the identification of any previously unknown archaeological site,~~ the Auckland Unitary Plan Accidental Discovery Rule (outlined in Standards E11.6.1 and E12.6.1) ~~set out in the Auckland Unitary Plan Operative in Part~~ shall apply ~~be applied~~ if an Archaeological Authority from Heritage New Zealand is not otherwise in place.

Advice Notes:

~~Please refer to the requirements of the standards outlined above in the event that any sensitive material is encountered at the result of the works.~~

ADVICE NOTES

- 16A *The Heritage New Zealand Pouhere Taonga Act 2014 provides for the identification, protection, preservation and conservation of the historic and cultural heritage of New Zealand. It is an offence under this Act to destroy, damage or modify any archaeological site without an authority from Heritage New Zealand Pouhere Taonga. An archaeological site is defined as a place associated with pre-1900 human activity where there may be evidence relating to the history of New Zealand.*
- 16B *Archaeological features cover the whole spectrum of past human activity. They may include sites of Maori origin such as ~~old whaling stations, ship wrecks,~~ shell middens, hangi or ovens, moa hunting sites, earthworks associated with pa sites or kainga, pit depressions, defensive ditches, artefacts, or koiwi tangata (human skeletal remains), etc. They also include, ~~etc.~~ 19th century building foundations, wells and cesspits, rubbish dumps of pottery and glass bottles or other artefacts, transport and infrastructure remains such as bridges, dams and old railways, sites of industrial activity such as pottery kilns, mining, sawmills etc. In the coastal area shipwrecks, wharf remains, whaling sites or other marine structures may be archaeological sites. For guidance and advice on archaeological assessments, obtaining an authority to modify under the HNZPTA and managing the discovery of archaeological features contact the relevant Heritage New Zealand Pouhere Taonga on 09 307 9920. regional office www.heritage.org.nz.*
- ~~18. If any archaeological features are uncovered on the site, works should cease and Auckland Council and Heritage New Zealand Pouhere Taonga (09 307 9920) should be notified immediately. If suspected archaeological remains are exposed during the works, the Accidental Discovery Rule (E11.6.1; E12.6.1) set out in the Auckland Council Auckland Unitary Plan Operative in Part (updated 2 November 2017) must be complied with if an Authority from Heritage New Zealand is not in place. For advice on the Accidental Discovery Rule, contact the Auckland Council Team Leader Cultural Heritage Implementation on 09 301 0101.~~