

Heritage New Zealand Pouhere Taonga Comment on Draft Conditions Papakāinga Development - Kaitaia

Papakāinga Development - Kaitaia is a Listed Project under the
COVID-19 Recovery (Fast-track Consenting) Act 2020

Application name	Papakāinga Development - Kaitaia
EPA reference	FTC000008
Applicant/s	He Korowai Trust

HNZPT Comment on the Draft Conditions Papakāinga Development - Kaitaia

All sections of this form with an asterisk (*) are mandatory.

1. Contact Details

Please ensure that you have authority to comment on the application on behalf of those named on this form.

Organisation name (if relevant)	Heritage New Zealand Pouhere Taonga		
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I can receive emails and my email address is correct I cannot receive emails and my postal address is correct

Thank you for the opportunity to comment on the draft conditions.

On 7 July, Heritage New Zealand Pouhere Taonga provided comments on the application, including the draft conditions proposed by the applicant. Our comments appear to have been overlooked, but they still stand. While there are no known archaeological sites within the application area, there is potential for human habitation and discovery of archaeological material, particularly on raised areas within the site. Setting out the procedures to be followed in the event of a discovery, and ensuring that workers on the site are familiar with the Accidental Discovery Protocol, protects the consent holder from damaging sites, an offence under the Heritage New Zealand Pouhere Taonga Act. It spells out who to contact if material is found.

We asked that the advice note supplied by the applicant be replaced with suitable conditions, and an advice note reminding the consent holder of the separate requirements of the Heritage New Zealand Pouhere Taonga Act, i.e.:

We recommend using the Heritage New Zealand Pouhere Taonga Accidental Recovery Protocol, as a condition, with a standard advice note about the requirements of the Heritage New Zealand Pouhere Taonga Act. We also recommend a supporting condition that those working on the site be supplied with copies of the ADP and advice note.

We also note that the Minister for Arts, Culture and Heritage in her comments on the application supported the Heritage New Zealand Pouhere request, and that the applicant did not raise any issues with the conditions we requested.

Therefore, we request that the Panel reconsider our original request for amendments to the draft conditions:

Advice note 1 (following condition 26) to be replaced with the following condition, and the attached Accidental Discovery Protocol to be added as an Appendix:

Archaeological conditions

x. In the event of any discovery of archaeological material, work shall stop immediately in the vicinity of the discovery and the Heritage New Zealand Pouhere Taonga Accidental Discovery Protocol, attached as Appendix X, shall be followed.

xx. The consent holder shall ensure that all contractors and staff working on the site are supplied with a copy of the Heritage New Zealand Pouhere Taonga Accidental Discovery Protocol in Appendix X.

Advice Note:

Advice Note: It is an offence under s87 of the Heritage New Zealand Pouhere Taonga Act 2014 to modify or destroy an archaeological site without an authority from Heritage New Zealand irrespective of whether the works are permitted or consent has been issued under the Resource Management Act or other legislation.

Advice note: Special care should be taken if excavating in the vicinity of any raised areas on the site. . These raised areas are generally where occupation occurred, and there is potential for the discovery of archaeological material in these areas.

Accidental Discovery Protocol (ADP)

From Heritage New Zealand Pouhere Taonga

Prior to the commencement of any works, a copy of this ADP should be made available to all contractors working on site.

Under the *Heritage New Zealand Pouhere Taonga Act 2014* 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. Over 12,000 archaeological sites have been recorded in Northland, and more are identified on a regular basis.

For Maori sites (the most common site types in Northland), the largest and most obvious site types are pa, pits and terraces. However, evidence may be of a smaller nature, in the form of bones, shells, charcoal, burnt stone etc; a midden is an archaeological rubbish tip, in which many of these items can be found consolidated together. Evidence of disturbance of a midden can be a scattering of shell across a wide area; this can be confusing if it is near a beach. Pieces of obsidian or chert, together with stone tools, may also be recovered.

In later sites of European origin artefacts such as bottle glass, iron/metal, crockery etc. may be found, or evidence of old foundations, wells, drains or similar structures.

Burials/koiwi tangata may be found from any period.

Some examples:



Shell midden



Historic bottle



Animal bone



Archaeological stratigraphy



A flight of pits in forest



Shell midden uncovered in road scraping

In the event of an “accidental discovery” of archaeological material the following steps must be taken:

1. All work on the site will cease immediately. The contractor/works supervisor will shut down all equipment and activity.
2. The contractor/works supervisor/owner will take immediate steps to secure the site (tape it off) to ensure the archaeological remains are undisturbed and the site is safe in terms of health and safety requirements. Work may continue outside of the site area.
3. The contractor/works supervisor/owner will notify the Area Archaeologist of Heritage New Zealand – Pouhere Taonga (Northland Office), tangata whenua and any required statutory agencies¹ if this has not already occurred.
4. Heritage New Zealand – Pouhere Taonga advise the use of a qualified archaeologist who will confirm the nature of the accidentally discovered material.
5. If the material is confirmed as being archaeological, under the terms of the *Heritage New Zealand Pouhere Taonga Act 2014*, the landowner will ensure that an archaeological assessment is carried out by a qualified archaeologist, and if appropriate, an archaeological authority is obtained from Heritage New Zealand – Pouhere Taonga before work resumes.
6. If burials, human remains/koiwi tangata are uncovered, steps 1 to 3 above must be taken and the Area Archaeologist of Heritage New Zealand – Pouhere Taonga, the New Zealand Police and the Iwi representative for the area must be contacted immediately. The area must be treated with discretion and respect and the koiwi tangata/human remains dealt with according to law and tikanga.
7. Works at the site area shall not recommence until an archaeological assessment has been made, all archaeological material has been dealt with appropriately, and statutory requirements met. All parties will work towards work recommencement in the shortest possible timeframe while ensuring that archaeological and cultural requirements are complied with.

ADVICE TO ALL CONTRACTORS/SITE WORKERS/OWNERS:-

IF IN DOUBT, STOP AND ASK; TAKE A PHOTO AND SEND IT TO THE AREA ARCHAEOLOGIST

Contact details for the Area Archaeologist in Northland is:

James Robinson, Regional Archaeologist
Heritage New Zealand – Pouhere Taonga
PO Box 836, Kerikeri 0245
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¹ For example, the New Zealand Police in the event that human remains are found.