

# Your Comment on Melia Place

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.

<b>Organisation name (if relevant)</b>	Heritage New Zealand Pouhere Taonga		
<b>*First name</b>	Barbara		
<b>*Last name</b>	Rouse		
<b>Postal address</b>			
<b>*Home phone / Mobile phone</b>	027 684 0833	<b>*Work phone</b>	
<b>*Email (a valid email address enables us to communicate efficiently with you)</b>	brouse@heritage.org.nz		

## 2. \*We will email you draft conditions of consent for your comment

<b>Yes</b>	I can receive emails and my email address is correct	<input type="checkbox"/>	I cannot receive emails and my postal address is correct
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## 3. Please provide your comments on this application

**Thank you for the opportunity to comment on the resource consent application. Heritage New Zealand Pouhere Taonga has assessed the application, with input from specialist regional heritage staff, including those with Māori heritage expertise.**

**HNZPT confirms we have no significant concerns in respect of the application, and supports the applicant's proposal to include the Accidental Discovery Rule from the Auckland Unitary Plan as a condition of consent. Additional conditions related to pre commencement are suggested to better enable consideration of archaeology in the event of an accidental discovery on the project area. At this time the proposed works have not been required to be the subject of a HNZPT Archaeological Authority.**

### Archaeology

### Discussion

There are no recorded archaeological sites in the project area.

The Archaeological assessment indicates extensive earthworks associated with 20<sup>th</sup> century development has resulted in negligible potential for unrecorded subsurface archaeology to be identified and affected during works.

We concur that the Unitary Plan Accidental Discovery rule is an appropriate condition for construction works in this instance to address unexpected finds as is suggested in reference to condition for construction works and would support this as a condition, along with amended conditions relating to pre-commencement and contractor briefings by the project archaeologist to ensure operational awareness of the ADP and appropriate involvement of HNZPT.

#### Amendments proposed to conditions

#### **Proposed condition 31 and amendments sought - underline**

##### Pre- start Meeting

Within fifteen (15) working days prior to Commencement of Construction, the Applicant must arrange a pre-start meeting that:

- (a) Is located on the subject site; and
- (b) Is scheduled not less than five (5) working days before the anticipated Commencement of Construction; and
- (c) Includes Council representatives and representatives of Auckland Transport, Watercare Services Limited and any relevant network utility operators; and
- (d) Includes representation from the contractors who will undertake the works.

##### Advice Note:

*The Applicant is also encouraged to invite representatives of Ngaati Whanaunga, Ngāti Manuhiri and Te Kawerau a Māki to the above meeting, and the project archaeologist.*

#### **Proposed condition 32 and amendments sought- underline**

The pre-start meeting shall discuss the works methodology generally (including contaminants, water and wastewater services, erosion and sediment control measures, ~~and~~ earthworks methodology, including the Accidental Discovery Protocol) and shall ensure all relevant parties are aware of and are familiar with the conditions of the resource consents.

#### **Proposed new condition- Accidental Discovery Rule**

##### **Accidental Discovery Protocol as set out in the Operative Auckland Unitary Plan E12.6.1.**

(1) In the event of discovery of sensitive material which is not expressly provided for by any resource consent or other statutory authority, the standards and procedures set out in this E12.6.1 must apply.

(2) For the purpose of this rule, 'sensitive material' means:

(a) human remains and kōiwi;

(b) an archaeological site;

(c) a Māori cultural artefact/taonga tuturu;

(d) a protected New Zealand object as defined in the Protected Objects Act 1975 (including any fossil or sub-fossil);

(e) evidence of contaminated land (such as discolouration, vapours, asbestos, separate phase hydrocarbons, landfill material or significant odour); or

(f) a lava cave greater than 1m in diameter on any axis.

(3) On discovery of any sensitive material, the owner of the site or the consent holder must take the following steps:

Cease works and secure the area

(a) immediately cease all works within 20m of any part of the discovery, including shutting down all earth disturbing machinery and stopping all earth moving activities, and in the case of evidence of contaminated land apply controls to minimise discharge of contaminants into the environment.

(b) secure the area of the discovery, including a sufficient buffer area to ensure that all sensitive material remains undisturbed;

Inform relevant authorities and parties

(c) inform the following parties immediately of the discovery:

(i) the New Zealand Police if the discovery is of human remains or kōiwi;

(ii) the Council in all cases;

(iii) Heritage New Zealand Pouhere Taonga if the discovery is an archaeological site, Māori cultural artefact, human remains or kōiwi;

(iv) Mana Whenua if the discovery is an archaeological site, Māori cultural artefact, or kōiwi.

(d) Wait for and enable inspection of the site (d) wait for and enable the site to be inspected by the relevant authority or agency:

(i) if the discovery is human remains or kōiwi the New Zealand Police are required to investigate the human remains to determine whether they are those of a missing person or are a crime scene. The remainder of this process will not apply until the New Zealand Police confirm that they have no further interest in the discovery; or

(ii) if the discovery is of sensitive material, other than evidence of contaminants, a site inspection for the purpose of initial assessment and response will be arranged by the Council in consultation with Heritage New Zealand Pouhere Taonga and appropriate Mana Whenua representatives;

or (iii) if the discovery is evidence of contaminants, a suitably qualified and experienced person is required to complete an initial assessment and provide information to the Council on the assessment and response.

( e ) following site inspection and consultation with all relevant parties (including the owner and consent holder), the Council will determine the area within which work must cease, and any changes to controls on discharges of contaminants, until the requirements of E12.6.1(3)(f) are met.

### **Recommencement of work**

(f) work within the area determined by the Council at E12.6.1(3)(e) must not recommence until all of the following requirements, so far as relevant to the discovery have been met:

(i) Heritage New Zealand has confirmed that an archaeological authority has been approved for the work or that none is required;

(ii) any required notification under the Protected Objects Act 1975 has been made to the Ministry for Culture and Heritage;

(iii) the requirements of E30 Contaminated land and/or the National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 have been met;

(iv) any material of scientific or educational importance has been recorded and if appropriate recovered and preserved;

(v) if the discovery is a lava cave as outlined in E12.6.1(2)(f) above and if the site is assessed to be regionally significant, reasonable measures have been taken to minimise adverse effects of the works on the scientific values of the site; and

(vi) where the site is of Māori origin and an authority from Heritage New Zealand Pouhere Taonga is not required the Council will confirm, in consultation with Mana Whenua, that: • any kōiwi have either been retained where discovered or removed in accordance with the appropriate tikanga; and • any agreed revisions to the planned works to be/have been made in order to address adverse effects on Māori cultural values.

(vii) resource consent has been granted for any alteration or amendment to the earthworks or land disturbance that may be necessary to avoid the sensitive materials and that is not otherwise permitted under the Plan or allowed by any existing resource consent; and

(viii) there are no requirements in the case of archaeological sites that are not of Māori origin and are not covered by the Heritage New Zealand Pouhere Taonga Act 2014

Thank you for your comments