



Date: 23 May 2022

COVID-19 Fast-track consenting: Heritage New Zealand Pouhere Taonga advice on draft conditions

Application name	Melia Place
EPA reference	FTC 000046
Applicant/s	Melia Development Limited
Comments due by	24 May 2022

Organisation name	Heritage New Zealand Pouhere Taonga		
*First name	Peter		
*Last name	Richardson		
Postal address	P O Box 2629 Wellington 6140		
*Home phone / Mobile phone	027 312 0909	*Work phone	04 494 8038
*Email	prichardson@heritage.org.nz		
Submission prepared by:	Bev Parslow Mid Northern Area Manager		
Contact details	bparslow@historic.org.nz		

Recommendations on draft conditions

Draft condition number	<u>Discussion</u>	<u>Comment and amendment sought</u>
34	Advice Note to include project archaeologist	Support condition as proposed
35	Pre-commencement meeting condition to refer to ADP	Support condition as proposed
50	The intent of the advice note is to ensure awareness of the HNZPT provisions relating to the protection of pre-1900 archaeological sites, as may be identified during works.	<i>Support but remove summary points (a)-(c) and amend the advice note as indicated below (deletions and underlining):</i>

	<p>We support the addition of an advice note to further clarify HNZPT's role as referenced in the Council Accidental Discovery Rule E 12.6.1. However, the summary points (a) to (c) do not fully summarise the requirements under this rule and should be omitted to focus attention instead on the full requirements.</p> <p>The additional detail we have deleted from the Advice Note is not necessary. Actions in respect of iwi groups and mana whenua with an interest in the area are already provided for in the consent.</p>	<p>If, at any time during construction works, sensitive materials (kōiwi/human remains, an archaeology site, a Māori cultural artefact, a protected New Zealand object, contamination or a lava cave greater than 1m in diameter) are discovered, then the protocol set out in standards E11.6.1 and E12.6.1 of the AUP must be followed. the summary these are</p> <p>(a) — All works must cease in the immediate vicinity (at least 20m from the site of the discovery) and the area of the discovery must be secured including a buffer to ensure all sensitive material remains undisturbed.</p> <p>(b) — The Consent Holder must immediately advise the Council, Heritage New Zealand Pouhere Taonga and the Police (if human remains are found) and arrange a site inspection with these parties.</p> <p>(c) — (c) If the discovery contains kōiwi, archaeology or artefacts of Māori origin, representatives from Ngāti Manuhiri, Ngaati Whanaunga, Te Kawerau ā Maki and other groups with mana whenua interests in the area are to be provided information on the nature and location of the discovery.</p> <p><i>Advice Note:</i></p> <p><i>If any archaeological features are uncovered on the site, works should cease and the Council and Heritage New Zealand Pouhere Taonga (09 307 9920) should be notified immediately. 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</i></p>
--	--	--

		<p><i>an offence under this Act to destroy, damage or modify any archaeological site without an authority from Heritage New Zealand Pouhere Taonga, <u>regardless of a resource or building consent having been obtained or a permitted activity under the AUP.</u></i></p> <p><i>An archaeological site is defined as a place associated with pre-1900 human activity where there may be evidence in relation to <u>the</u> history of New Zealand. Archaeological features may include old whaling stations, shipwrecks, shell middens, hāngī or oven pit depressions, defensive ditches, artefacts, or kōiwi tangata (human skeletal remains), etc. For guidance and advice on managing the discovery of archaeological features, including details on how to contact iwi groups with mana whenua interest in the area, please contact the Team Leader, Cultural Heritage Implementation on 09 301 0101.</i></p>
51	<p>Condition 50 does not currently reference the full suite of steps (3 a-e) required to be followed as outlined in the ADR E12.6.1 to ensure appropriate responses have been given effect from parties (including iwi and HNZPT) prior to the commencement of works approved by Council.</p> <p>This includes ensuring that an archaeological authority has been obtained, or advice from HNZPT that an authority is not required.</p>	<p>Support but amend as indicated below (underlining):</p> <p>The Consent Holder must not recommence construction works until <u>the full</u> steps <u>3F (i-vii)</u> as set out in the above-mentioned standards <u>E 12.6.1</u> have been followed and commencement of works approved by the Council.</p>

Discussion

As per our initial comment on the application, HNZPT supports:

- the inclusion of the Accidental Discovery Rule from the Auckland Unitary Plan as a condition of consent and
- conditions related to pre-commencement and contractor briefing to better enable consideration of archaeology in the event of an accidental discovery.

However, while the Council ADR E.12.6.1 is identified in condition 50, the summary points do not cover all the actions that are required. Removal of the summary points in condition 50 would re-focus reference to the ADP rule as a whole.

Including a reference in condition 51 to the relevant part of the ADP will raise contractors' awareness of actions required in the event an archaeological site is identified during works, and prior to their re-commencement.