

Invitation for Comment on Papakura to Drury South State Highway 1 Improvements

The Papakura to Drury South State Highway 1 Improvements is a Listed Project under the COVID-19 Recovery (Fast-track Consenting) Act 2020

Application Name	Papakura to Drury South State Highway 1 Improvements – Stage 1B1
EPA Reference	FTC000015
Applicants	Waka Kotahi NZ Transport Agency and Transpower New Zealand Limited
Comments due by	Friday, 24 September 2021
Accessing the application	The full application and supporting documents can be viewed on the EPA website, which can be accessed here: https://www.epa.govt.nz/fast-track-consenting/listed-projects/papakura-to-drury-south-state-highway-improvements/

Notices of requirement have been lodged and applications made by Waka Kotahi NZ Transport Agency and Transpower New Zealand Limited for Stage 1B1 of Papakura to Drury South State Highway 1 Improvements under the COVID-19 Recovery (Fast-track Consenting) Act 2020.

To comment on the Stage 1B1 Papakura to Drury South State Highway 1 Improvements applications and notices of requirement using the form below, please fill in the details and:

- **Email** the form to papakuradrury.fasttrack@epa.govt.nz. Please mark in the subject line: “Comments on Stage 1B1 of Papakura to Drury South State Highway 1 Improvements Fast Track Application (Your name/organisation) by **Friday, 24 September 2021**”; or
- **Post** the form to Papakura to Drury South State Highway 1 Improvements Fast Track Application, Environmental Protection Authority, Private Bag 63002, Waterloo Quay, Wellington 6140 in time for the form to be received by the **Friday, 24 September 2021**; or
- **Deliver in person** to Environmental Protection Authority, Grant Thornton House, Level 10, 215 Lambton Quay, Wellington by the **Friday, 24 September 2021**. *Please note that due to potential changes in COVID-19 Alert Levels our reception may not be open to the public. We suggest phoning ahead to check.*

Comments must be received by the EPA, on behalf of the Papakura to Drury South State Highway 1 Improvements Expert Consenting Panel, no later than Friday, 24 September 2021

If your comment is not received by the EPA by **Friday, 24 September 2021** the Panel is not required to consider your comment (although it may decide to). Under the COVID-19 Recovery (Fast-track Consenting) Act 2020 there is no right to seek a waiver of the time limit.

If you are an iwi authority you may share the consent application with hapū whose rohe is in the project area in the application, and choose to include comments from the hapū with any comments you may wish to provide.

Important information

Your personal information will be held by the EPA and used in relation to the Stage 1B1 Papakura to Drury South State Highway 1 Improvements consent application and notices of requirement process. You have the right to access and correct personal information held by the EPA.

A copy of your comments, including all personal information, will be provided to the Expert Consenting Panel and the applicant.

All comments received on the application and notices of requirement will be available on the EPA website.

If you are a corporate entity making comments on this application and notices of requirement, your full contact details will be publicly available. For individuals, your name will be publicly available but your contact details (phone number, address, and email) will not be publicly available.

Please do not use copyright material without the permission of the copyright holder.

All information held by the EPA is subject to the Official Information Act 1982.

More information on the fast-track consenting process can be found at <https://www.epa.govt.nz/fast-track-consenting/about/>.

Comment on the Stage 1B1 Papakura to Drury South State Highway 1 Improvements applications and notices of requirement

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

1. Contact Details

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

Organisation name (if relevant)	Heritage New Zealand Pouhere Taonga		
*First name	Barbara		
*Last name	Rouse		
Postal address	63 Boulcott St Wellington		
*Home phone / Mobile phone		*Work phone	027 684 0833
*Email	brouse@heritage.org.nz		
Submission prepared by	Susan Andrews sandrews@heritage.org.nz		

2. *We will email you draft conditions of consent for your comment about the application and notices of requirement

Y	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 the application and notices of requirement

If you need more space, please attach additional pages. Please include your name, page numbers and Project name on the additional pages

Overview

Heritage New Zealand commends the consultation, measures taken to assess, avoid and minimise impacts on historic heritage, and historic and cultural heritage designation conditions proposed by Waka Kotahi in respect of Designation 6706 and Designation SUP.

Issues are noted below regarding the approach of Transpower which fails to take account of:

- the requirements of an archaeological authority under the HNZPTA 2014 (which should be in place before work starts); and
- that an accidental discovery protocol condition of consent under the RMA 1991 in respect of transmission line works would only apply to any areas not covered by an archaeological authority.

Amendments to Conditions Sought

Transpower Transmission Line Works Resource Consents

Accidental discovery protocols

~~5 — A suitably qualified archaeologist shall be on site during the earthwork operations authorised under this consent to monitor the earthworks. The archaeologist is to be present during excavations for the foundations of Structures 73B and 74A.~~

6 For ~~activities and~~ any areas of the Project not covered by an Archaeological Authority granted under the Heritage New Zealand Pouhere Taonga Act 2014, an Accidental Discovery Protocol shall be prepared and shall apply to ~~for~~ any accidental archaeological discoveries which occur during the Works.

The Accidental Discovery Protocol shall be consistent with the accidental discovery rule ~~in Chapter E11 (Land disturbance – Regional)~~ set out in Standards E11.6.1 and E12.6.1 of the Auckland Unitary Plan: Operative in Part or any subsequent version.

~~7 — If, at any time during site works, sensitive materials (koiwi/human remains, an archaeology site, a Maori cultural artefact, a protected NZ object, contamination or a lava cave greater than 1 m in diameter) are discovered, then the protocol set out in standards E11.6.1 and E12.6.1 of the Auckland Unitary Plan: Operative in Part must be followed. In summary these are:~~

~~(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.~~

~~(b) — The consent holder must immediately advise Council, Heritage New Zealand Pouhere Taonga and Police (if human remains are found) and arrange a site inspection with these parties.~~

~~(c) — If the discovery contains koiwi, archaeology or artefacts of Maori origin, representatives from those Iwi groups with mana whenua interest in the area are to be provided information on the nature and location of the discovery.~~

~~(d) — The consent holder must not recommence works until the steps set out in the above-mentioned standards have been followed and commencement of works approved by Council.~~

Commentary

Waka Kotahi NoR for Alteration of Designation 6706 & NoR Shared User Path (SUP) Designation

Heritage New Zealand has been extensively consulted in relation to these NoRs during the pre-lodgement phases. We consider the Historic Heritage Assessment provided, processes followed to avoid and minimise impacts on historic heritage features, the applications, and the conditions proposed to address both historic heritage and cultural heritage exemplary.

Further Heritage New Zealand notes that archaeological authorities will be applied for in relation to works within the extents of known archaeological sites and look forward to working with the applicants in this regard in due course.

Transpower Transmission Line Works Resource Consents

Regarding the Transpower resource consent applications also lodged in conjunction with and to enable the project, Heritage New Zealand has concerns regarding confusing and conflicting statements provided in the application materials.

Advice has been provided to the applicant by their consultant archaeologist that an archaeological authority should be obtained pursuant to the HNZPTA given there is *'reasonable cause to suspect potential previously unrecorded deposits may be encountered ... as the area has a dense pre-1900 human land use footprint'*.

Accidental Discovery Protocol conditions however are also proposed *'should an Archaeological Authority not be in place prior to the work commencing'*. The applicant appears to consider that an authority should only be sought if and when accidental discovery of archaeological remains occurs.

Given that 'reasonable cause' has been established any discovery of archaeological remains can therefore not be regarded as accidental.

An archaeological authority should be in place prior to works commencing, and any accidental discovery protocol should only apply to any areas of works not covered by an authority.

Heritage New Zealand therefore seeks the 'Accidental Discovery Protocol' conditions be amended as above.

Heritage New Zealand will follow up with the applicant to clarify and seek assurance that an authority will be applied for and be in place prior to the commencement of works as required under the HNZPTA 2014.

Thank you for your comments