



S:\Archaeology\Archaeological Authorities

16 June 2020

File ref: 2020/745
11013-009

Kieran Reilly
Ministry of Health
83 Castle Street
Dunedin

Dear Kieran

**APPLICATION FOR ARCHAEOLOGICAL AUTHORITY UNDER HERITAGE NEW ZEALAND
POUHERE TAONGA ACT 2014: Authority no. 2020/745: I44/903, I44/904, I44/905, I44/906,
I44/913, I44/914, I44/915, I44/916, I44/917 and I44/918, Residential and commercial, 360
Cumberland Street, 398 Cumberland Street, 168 Castle Street, 172, 174, 174A, 174B and
174D Castle Street, Dunedin**

Thank you for your application for an archaeological authority which has been granted and is attached.

In considering this application, Heritage New Zealand Pouhere Taonga notes that you wish to undertake earthworks associated with the demolition of existing buildings, removal of foundations, site clearance, ground preparation, installations of services and excavations associated with access ways and construction of buildings associated with the new Dunedin Hospital build at 360 Cumberland Street, 398 Cumberland Street, 168 Castle Street, 172, 174, 174A, 174B and 174D Castle Street, Dunedin. This activity will affect recorded archaeological sites. The area impacted had dense domestic and commercial occupation in the nineteenth century. Although the sites have been damaged in the past, they may still possess archaeological values. They are excellent examples of working-class occupation during the formative years of the Dunedin settlement. The area is of significance to Te Rūnanga ō Ōtākou and we appreciate the consultation you have undertaken.

Please inform tangata whenua, the s45 approved person and Heritage New Zealand Pouhere Taonga of start and finish dates for the work.

An appeal period from receipt of decision by all parties applies. Therefore this authority may not be exercised during the appeal period of 15 working days, or until any appeal that has been lodged is resolved.

This authority replaces authority 2019/611, granted to the Ministry of Health on 9 May 2019 because of changes to the extent of the project area.

This authority may not be exercised until landowner consent is received by Heritage New Zealand Pouhere Taonga for all land affected by this authority.

If you have any queries please direct your response in the first instance to:

Nikole Wills
Archaeologist, Otago / Southland
Heritage New Zealand Pouhere Taonga, Dunedin Office
P O Box 5467, Dunedin 9058

Phone (03) 470 2364
Email ArchaeologistOS@heritage.org.nz

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Vanessa Tanner', is centered on the page. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Vanessa Tanner
Manager Archaeology

cc: Kieran Reilly, Ministry of Health
via email at kieran.reilly@health.govt.nz

cc: Dr Dawn Cropper
via email at dawn@heritageproperties.co.nz

cc: Aukaha
via email at Tania@aukaha.co.nz

cc: Te Runanga o Otakou
via email at komiti@tro.org.nz

cc: Richard Shaw, New Zealand Transport Agency
via email at Richard.shaw@nzta.govt.nz

cc: Planning Manager
Dunedin City Council
via email at dcc@dcc.govt.nz

Pursuant to Section 51 Heritage New Zealand Pouhere Taonga Act 2014 Heritage New Zealand Pouhere Taonga must notify TLAs of any decision made on an application to modify or destroy an archaeological site. We recommend that this advice is placed on the appropriate property file for future reference.

cc: Ministry for Culture and Heritage
via email at protected-objects@mch.govt.nz

Pursuant to Section 51 Heritage New Zealand Pouhere Taonga Act 2014

cc: ArchSite Central Filekeeper
Attn: Mary O'Keeffe
via email at centralfilekeeper@archsite.org.nz

cc: Heritage New Zealand Pouhere Taonga Archaeologist, Nikole Wills

cc: Heritage New Zealand Pouhere Taonga Area Manager, Denise Anderson

cc: Heritage New Zealand Pouhere Taonga Pouarahi, Huia Pacey



HERITAGE NEW ZEALAND
POUHERE TAONGA

AUTHORITY

Heritage New Zealand Pouhere Taonga Act 2014

AUTHORITY NO: 2020/745

FILE REF: 11013-009

DETERMINATION DATE: 16 June 2020

EXPIRY DATE: 16 June 2025

AUTHORITY HOLDER: Ministry of Health

POSTAL ADDRESS: Kieran Reilly, Ministry of Health, 83 Castle Street, Dunedin

ARCHAEOLOGICAL SITES: I44/903, I44/904, I44/905, I44/906, I44/913, I44/914, I44/915, I44/916, I44/917 and I44/918; Residential and commercial

LOCATION: 360 Cumberland Street, 398 Cumberland Street, 168 Castle Street, 172, 174, 174A, 174B and 174D Castle Street, Dunedin

SECTION 45 APPROVED PERSON: Dr Dawn Cropper

LANDOWNER CONSENT: To be provided

This authority may not be exercised during the appeal period of 15 working days, or until any appeal that has been lodged is resolved.

This authority may not be exercised until land owner consent is received by Heritage New Zealand Pouhere Taonga for all land affected by this authority.

DETERMINATION

Heritage New Zealand Pouhere Taonga grants an authority pursuant to Section 48 of the Heritage New Zealand Pouhere Taonga Act 2014 within the area specified as Lots 1 2 DP 5915, SEC 43 BLK XXI SO 14196, SEC 45 BLK XXI SO 14196, PT SEC 54 BLK XXI SO 14194, Lot 1 DP 12082, part of Lot 1 DP 4790, Lot 2 DP 4790, Lots 1 and 3 DP 9784, SEC 57 BLK XXI SO 14196, SEC 44 BLK XXI SO 14196, SEC 58 BLK XXI SO 14196, SEC 59 BLK XXI SO 14196, Lots 1-6 BLK XXI DP 312 to Ministry of Health for the proposal to undertake building demolition and earthworks associated with the construction of the new Dunedin Hospital at 360 Cumberland Street, 398 Cumberland Street, 168 Castle Street, 172, 174, 174A, 174B and 174D Castle Street, Dunedin, subject to the following conditions:

CONDITIONS OF AUTHORITY

1. The authority holder must ensure that all contractors working on the project are briefed on site by the s45 approved person, who may appoint a person to carry out the briefing on their behalf, prior to any works commencing on the possibility of encountering archaeological evidence, the archaeological work required by the conditions of this authority, and contractors' responsibilities with regard to notification of the discovery of archaeological evidence to ensure that the authority conditions are complied with.
2. Prior to the start of any on-site archaeological work, the Authority Holder must ensure that Heritage New Zealand Pouhere Taonga is advised of the date when work will begin. This advice must be provided at least 2 working days before work starts. The Authority Holder must also ensure that Heritage New Zealand Pouhere Taonga is advised of the completion of the on-site archaeological work, within 5 working days of completion.
3. The authority must be exercised in accordance with an Archaeological Management Plan commissioned, or prepared with archaeological advice, by the Authority Holder. The Archaeological Management Plan shall provide operational guidelines and procedures for day to day activities that may affect archaeological sites during works.

The Plan shall include, but is not limited to, the following:

- a) Implementation of the archaeological management plan,
- b) on-site briefing by approved archaeologist for contractors about the archaeological work required,
- c) the role, responsibility and level of authority of the approved archaeologist
- d) works where the approved archaeologist must be present,
- e) requirements for stand down periods to enable archaeological work,
- f) procedures for any archaeological investigation or recording of archaeological information,
- g) The management and safe keeping of archaeological material,
- h) timeframes for archaeological work,
- i) archaeological reporting requirements,
- j) mechanisms for dispute resolution, *and*
- k) emergency contact details for approved archaeologist, Heritage New Zealand Pouhere Taonga Archaeologist and Pouarahi and Aukaha.

The Plan must be submitted to the Heritage New Zealand Pouhere Taonga Archaeologist for approval prior to the commencement of any earthworks. No earthworks shall commence until Heritage New Zealand Pouhere Taonga has given its written approval of the Plan.

4. All earthworks that may affect any archaeological sites must be monitored by the s45 approved person who may appoint a person to carry out the monitoring on their behalf.
5. Any archaeological evidence encountered during the exercise of this authority must be investigated, recorded and analysed in accordance with current archaeological practice by the s45 approved person, who may appoint a person to carry out this activity on their behalf.
6. Prior to any earthworks, an archaeological investigation must be undertaken, in accordance with section 52(2) of the Act, based on the research strategy attached to the application. The aims of the investigation shall be to investigate, research and analyse

archaeological stratigraphy, features and remains in accordance with current archaeological practice to gather information about the historical and cultural heritage of New Zealand.

7. As no signed protocols between the authority holder and Te Rūnanga o Ōtākou were provided with the authority application, the following shall apply:
 - a) Access for Te Rūnanga o Ōtākou shall be enabled in order to undertake tikanga consistent with any requirements of site safety.
 - b) Te Rūnanga o Ōtākou shall be informed 48 hours before the start and finish of the archaeological work.
 - c) If any kōiwi (human remains) are encountered, all work should cease within 5 metres of the discovery. The Heritage New Zealand Pouhere Taonga Archaeologist and Pouarahi, New Zealand Police and Te Rūnanga o Ōtākou must be advised immediately in accordance with Guidelines for Kōiwi Tangata/Human Remains (*Archaeological Guideline Series No.8*) and no further work in the area may take place until future actions have been agreed by all parties.
 - d) Te Rūnanga o Ōtākou shall be informed if any possible taonga or Maori artefacts are identified to enable appropriate tikanga to be undertaken, so long as all statutory requirements under the Heritage New Zealand Pouhere Taonga Act 2014 and the Protected Objects Act 1975 are met.

This is not a statement of mana whenua status.

8. Within 20 working days of the completion of the on-site archaeological work associated with this authority;
 - a) An interim report in hard copy and digital copy outlining the archaeological work undertaken must be submitted to the Heritage New Zealand Pouhere Taonga Archaeologist.
 - b) Site record forms must be updated or submitted to the NZAA Site Recording Scheme.
9. That annually from the date of issue of this authority, the authority holder must submit to the Heritage New Zealand Pouhere Taonga Archaeologist a written report containing a summary of the progress of the project.
10. Within 12 months of the completion of the on-site archaeological work, the authority holder shall ensure that a final report, completed to the satisfaction of Heritage New Zealand Pouhere Taonga, is submitted to the Heritage New Zealand Pouhere Taonga Archaeologist.
 - a) One hard copy and one digital copy of the final report are to be sent to the Heritage New Zealand Pouhere Taonga Archaeologist.
 - b) Digital copies of the final report must also be sent to the ArchSite Central Filekeeper; Otago Museum; Otago Settlers Museum; New Zealand Transport Agency; Aukaha

Signed for and on behalf of Heritage New Zealand.

A handwritten signature in blue ink, appearing to read 'Claire Craig', with a stylized flourish at the end.

**Claire Craig
Deputy Chief Executive Policy, Strategy and Corporate Services
Heritage New Zealand Pouhere Taonga
PO Box 2629
WELLINGTON 6140**

Date 16 June 2020

ADVICE NOTES

Contact details for Heritage New Zealand Archaeologist

Nikole Wills
Archaeologist, Otago / Southland
Heritage New Zealand Pouhere Taonga, Dunedin Office
P O Box 5467, Dunedin 9058

Phone (03) 470 2364, Email ArchaeologistOS@heritage.org.nz

Current Archaeological Practice

Current archaeological practice may include, but is not limited to, the production of maps/ plans/ measured drawings of site location and extent; excavation, section and artefact drawings; sampling, identification and analysis of faunal and floral remains and modified soils; radiocarbon dating of samples; the management of taonga tuturu and archaeological material; the completion of a final report and the updating of existing (or creation of new) site record forms to submit to the NZAA Site Recording Scheme. The final report shall include, but may not be limited to, site plans, section drawings, photographs, inventory of material recovered, including a catalogue of artefacts, location of where the material is currently held, and analysis of recovered material.

Please note that where one is required, an interim report should contain a written summary outlining the archaeological work undertaken, the preliminary results, and the approximate percentage of archaeological material remaining *in-situ* and a plan showing areas subject to earthworks, areas monitored and the location and extent of any archaeological sites affected or avoided.

Rights of Appeal

An appeal to the Environment Court may be made by any directly affected person against any decision or condition. The notice of appeal should state the reasons for the appeal and the relief sought and any matters referred to in section 58 of the Heritage New Zealand Pouhere Taonga Act 2014. The notice of appeal must be lodged with the Environment Court and served on Heritage New Zealand Pouhere Taonga within 15 working days of receiving the determination, and served on the applicant or owner within five working days of lodging the appeal.

Review of Conditions

The holder of an authority may apply to Heritage New Zealand Pouhere Taonga for the change or cancellation of any condition of the authority. Heritage New Zealand Pouhere Taonga may also initiate a review of all or any conditions of an authority.

Non-compliance with conditions

Note that failure to comply with any of the conditions of this authority is a criminal offence and is liable to a penalty of up to \$120,000 (Heritage New Zealand Pouhere Taonga Act 2014, section 88).

Costs

The authority holder shall meet all costs incurred during the exercise of this authority. This includes all on-site work, post fieldwork analysis, radiocarbon dates, specialist analysis and preparation of interim and final reports.

Assessment and Interim Report Templates

Assessment and interim report templates are available on the Heritage New Zealand Pouhere Taonga website: archaeology.nz

Guideline Series

Guidelines referred to in this document are available on the Heritage New Zealand Pouhere Taonga website: archaeology.nz

The Protected Objects Act 1975

The Ministry for Culture and Heritage (“the Ministry”) administers the Protected Objects Act 1975 which regulates the sale, trade and ownership of taonga tūturu.

If a taonga tūturu is found during the course of an archaeological authority, the Ministry or the nearest public museum must be notified of the find within 28 days of the completion of the field work.

Breaches of this requirement are an offence and may result in a fine of up to \$10,000 for each taonga tūturu for an individual, and of up to \$20,000 for a body corporate.

For further information please visit the Ministry’s website at <http://www.mch.govt.nz/nz-identity-heritage/protected-objects>.

Land Owner Requirements

If you are the owner of the land to which this authority relates, you are required to advise any successor in title that this authority applies in relation to the land. This will ensure that any new owner is made aware of their responsibility in regard to the Heritage New Zealand Pouhere Taonga Act 2014.



HERITAGE NEW ZEALAND
POUHERE TAONGA

S45 APPROVED PERSON

Heritage New Zealand Pouhere Taonga Act 2014

AUTHORITY NO: 2020/745

FILE REF: 11013-009

APPROVAL DATE: 16 June 2020

This approval may not be exercised during the appeal period of 15 working days, or until any appeal that has been lodged is resolved.

APPROVAL

Pursuant to section 45 of the Act, **Dr Dawn Cropper**, is approved by Heritage New Zealand Pouhere Taonga to carry out any archaeological work required as a condition of authority 2020/745, and to compile and submit a report on the work done. Dr Dawn Cropper will hold responsibility for the current archaeological practice in respect of the archaeological authority for which this approval is given.

Signed for and on behalf of Heritage New Zealand.

A handwritten signature in blue ink, appearing to read 'Claire Craig'.

Claire Craig
Deputy Chief Executive Policy, Strategy and Corporate Services
Heritage New Zealand Pouhere Taonga
PO Box 2629
WELLINGTON 6140

Date 16 June 2020