



S:/Archaeology/Archaeological Authorities

07 December 2018

File ref: 2019/268
11013-059

s 7(2)(a) - Privacy

Tauranga City Council
Private Bag 12022
TAURANGA 3143

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**APPLICATION FOR ARCHAEOLOGICAL AUTHORITY UNDER HERITAGE NEW ZEALAND
POUHERE TAONGA ACT 2014: Authority no. 2019/268, U14/3654, Pit/Terrace, Southern End
of the Mauao Historic Reserve, 1 Adams Avenue, Mount Maunganui**

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 build a new 360m section of the base track within the Mauao Historic Reserve, 1 Adams Avenue, Mount Maunganui. This activity will have a considerable effect on this nationally significantly archaeological landscape, which is recognised as a wahi tapu in the New Zealand Heritage List Rārangi Kōrero (List No. 9423)

Construction work for the new section of base track and the remediation of the existing track will destroy part of the recorded terrace site U14/3654 where there are over 20 mapped features. The new track will travel over and through this archaeological landscape requiring significant cuts in places. Buried archaeological features will also be damaged or destroyed. The project archaeologist, Lynda Walter, has described the features as forming an important component of the extensive archaeological and cultural landscape on the southern and eastern slopes of Mauao.

While archaeological features in the Historic Reserve have been affected by natural processes and management actions in the past, this project intentionally modifies a relatively intact area of terraces, midden and associated buried features. The wider heritage values will also be affected as this is a significant change to the Historic Reserve. While some attempt has been made by Council to design the track to minimise the physical impact on the archaeological resources, the emphasis of the project is on other factors (including landscape, ecology and the desire for a gradient accessible to the whole community), this has sacrificed the archaeological values.

In deciding to grant this application, Heritage New Zealand Pouhere Taonga notes that you have submitted a Research Strategy to fully investigate the archaeological features affected. It is rare for this level of archaeological investigation to be carried out within the Historic Reserve. Heritage New Zealand Pouhere Taonga staff have discussed with you the importance of public engagement during this process and making appropriate archaeological information accessible to the community. To enable this to occur we have included a condition in the

authority decision requiring regular archaeological updates for the public throughout the investigation as well as a community report.

The site is of significance to Ngati Ranginui, Ngai Te Rangi, Ngati Pukenga and Waitaha and we note the consultation you have undertaken.

Please inform the Mauao Trust and Nga Poutiriao o Mauao, the approved archaeologist and the Heritage New Zealand Pouhere Taonga Archaeologist 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 decision is based on the design submitted in your application on 11 October 2018. I note the project does not have Resource Consent. If the design of the project changes, during the resource consent process, this authority may not be able to be exercised. You have discussed this matter with Heritage New Zealand Pouhere Taonga and have chosen to continue with making the current application.

The granting of this authority by Heritage New Zealand Pouhere Taonga does not constitute affected party approval under the Resource Management Act or in any way prejudice its response to any other consent processes in respect of the proposed works.

Please note that the definition of 'working day' in the Heritage New Zealand Pouhere Taonga Act 2014 excludes the period from the 20th December until the 10th January; therefore, Wednesday the 19th of December is the last working day of 2018, and Friday the 11th of January is the first working day of 2019.

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

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Senior Archaeologist
Heritage New Zealand Pouhere Taonga, Tauranga Office
PO Box 13339, Tauranga 3141

Phone (07) 577 4535 Email ArchaeologistLN@heritage.org.nz

Yours sincerely

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Manager Archaeology

cc: Tauranga City Council, § 7(2)(a) - Privacy
via email at § 7(2)(a) - Privacy

cc: Boffa Miskell, § 7(2)(a) - Privacy
via email at § 7(2)(a) - Privacy

cc: § 7(2)(a) - Privacy
Tauranga City Council
via email at § 7(2)(a) - Privacy

cc: § 7(2)(a) - Privacy
via email at § 7(2)(a) - Privacy

cc: Mauao Trust, § 7(2)(a) - Privacy
via email at § 7(2)(a) - Privacy

cc: § 7(2)(a) - Privacy
Nga Pouiriao o Mauao
via email at § 7(2)(a) - Privacy

cc: Department of Conservation, § 7(2)(a) - Privacy
via email § 7(2)(a) - Privacy

cc: Planning Manager
Tauranga City Council
via email at info@tauranga.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: NZAA Central Filekeeper
c/o DOC, WELLINGTON
§ 7(2)(a) - Privacy

cc: Heritage New Zealand Pouhere Taonga, Senior Archaeologist, § 7(2)(a) - Privacy

cc: Heritage New Zealand Pouhere Taonga, Director Northern Region, § 7(2)(a) - Privacy

cc: Heritage New Zealand Pouhere Taonga Tuakana Pouarahi,  s 7(2)(a) - Privacy

cc: Heritage New Zealand Pouhere Taonga Maori Heritage Manager,  s 7(2)(a) - Privacy



HERITAGE NEW ZEALAND
POUHERE TAONGA

AUTHORITY

Heritage New Zealand Pouhere Taonga Act 2014

AUTHORITY NO: 2019/268

FILE REF: 11013-059

DETERMINATION DATE: 07 December 2018

EXPIRY DATE: 07 December 2023

AUTHORITY HOLDER: Tauranga City Council

POSTAL ADDRESS: Private Bag 12022, TAURANGA 3143

ARCHAEOLOGICAL SITES: U14/3654

LOCATION: Southern end of Mauao, 1 Adams Avenue, Mount Maunganui

APPROVED ARCHAEOLOGIST: [REDACTED] s 7(2)(a) - Privacy

LANDOWNER CONSENT: Completed

This authority may not be exercised during the appeal period of 15 working days to allow receipt by all parties by post, or until any appeal that has been lodged is resolved.

Please note that the definition of ‘working day’ in the Heritage New Zealand Pouhere Taonga Act 2014 excludes the period from the 20th December until the 10th January; therefore, Wednesday the 19th of December is the last working day of 2018, and Friday the 11th of January is the first working day of 2019. Please take careful note of this when determining your start dates.

DETERMINATION

Heritage New Zealand Pouhere Taonga grants a general authority pursuant to section 48 of the Heritage New Zealand Pouhere Taonga Act 2014 in respect of the archaeological site described above, within the area specified as Part of Lot 1 DP 429354, Mauao Historic Purpose Reserve (Attachment 1) to Tauranga City Council for the proposal to build a new section of the Base Track (according to the track alignment corridor as shown on Attachment 1, drawing numbers 51-37691-SK030 and 51-37691-SK031 dated 11 October 2018) and to remediate a section of the existing track at the southern end of Mauao, 1 Adams Avenue, Mount Maunganui subject to the following conditions:

CONDITIONS OF AUTHORITY

1. 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.
2. The authority holder must ensure that all contractors working on the project are briefed by the approved archaeologist on the possibility of encountering archaeological evidence, how to identify possible archaeological sites during works, 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 conditions of the authority are complied with.
3. The authority must be exercised in accordance with the Archaeological Site Management Plan (October 2018) and the Research Strategy attached to the authority application and any changes to the plans requires the prior written agreement of Heritage New Zealand Pouhere Taonga.
4. All earthworks that may affect any archaeological sites must be investigated and monitored at the discretion of an archaeologist approved by Heritage New Zealand Pouhere Taonga and in accordance with the Archaeological Site Management Plan and the Research Strategy referred to in Condition 3. A representative sample of archaeological evidence encountered during the exercise of this authority must be investigated, recorded and analysed in accordance with current archaeological practice and the Research Strategy.
5. If any koiwi tangata (human remains) are encountered, all work should cease within 5 metres of the discovery. The Heritage New Zealand Pouhere Taonga Lower Northern Senior Archaeologist, New Zealand Police, the Mauao Trust and Nga Poutiriao o Mauao must be advised immediately in accordance with Guidelines for Koiwi 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. This condition is not a statement of mana whenua status.
6. Any archaeological work must be undertaken in conformity with any tikanga Maori protocols agreed to by the authority holder and the Mauao Trust and Nga Poutiriao o Mauao, so long as the legal requirements of the authority are met. This condition is not a statement of mana whenua status.
7. During the recovery of archaeological information under the Research Strategy, required in Condition 4, information about the archaeology investigated must be provided on a regular basis to the community in an appropriate form and must be emailed to the Heritage New Zealand Pouhere Taonga Lower Northern Senior Archaeologist, the Mauao Trust and Nga Poutiriao o Mauao.
8. That within 20 working days of the completion of the on-site archaeological work associated with this authority a brief interim report, outlining the archaeological work undertaken, must be emailed to the Heritage New Zealand Pouhere Taonga Lower Northern Senior Archaeologist, the Mauao Trust and Nga Poutiriao o Mauao. This must

include copies of the new or updated site record forms that have been submitted to the NZAA Site Recording Scheme.

9. That within 6 months of the completion of the on-site archaeological work, the authority holder shall ensure that a community report, completed to the satisfaction of Heritage New Zealand Pouhere Taonga, is emailed to the Heritage New Zealand Pouhere Taonga Lower Northern Senior Archaeologist. Digital copies of the community report must also be sent to the Mauao Trust and Nga Poutiriao o Mauao. The report must be provided to the community in an appropriate form to the satisfaction of Heritage New Zealand Pouhere Taonga.
10. That 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 emailed to the Heritage New Zealand Pouhere Taonga Lower Northern Senior Archaeologist. Digital copies of the final report must also be sent to the NZAA Central Filekeeper, the Mauao Trust and Nga Poutiriao o Mauao.

Signed for and on behalf of Heritage New Zealand.

That the Maori Heritage Council has considered the application number 2019/268 made by Tauranga City Council for an authority to modify or destroy archaeological sites of interest to Maori within the area specified as Part of Lot 1 DP 429354, Mauao Historic Purpose Reserve (Attachment 1) to Tauranga City Council for the proposal to build a new section of the Base Track (according to the track alignment corridor as shown on Attachment 1, drawing numbers 51-37691-SK030 and 51-37691-SK031 dated 11 October 2018) and to remediate a section of the existing track at the southern end of Mauao, 1 Adams Avenue, Mount Maunganui, noted the consultation procedures and **resolved** that an authority **be granted** subject to conditions attached.

**Māori Heritage Council
Heritage New Zealand Pouhere Taonga
PO Box 2629
WELLINGTON 6140**

Date 05 December 2018

ADVICE NOTES

Contact details for Heritage New Zealand Archaeologist

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Senior Archaeologist
Heritage New Zealand Pouhere Taonga, Tauranga Office
PO Box 13339, Tauranga 3141

Phone (07) 577 4535 Email ArchaeologistLN@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 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

APPROVED ARCHAEOLOGIST

Heritage New Zealand Pouhere Taonga Act 2014

AUTHORITY NO: 2019/268

FILE REF: 11013-059

APPROVAL DATE: 07 December 2018

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, s 7(2)(a) - Privacy [REDACTED] is approved by Heritage New Zealand Pouhere Taonga to carry out any archaeological work required as a condition of authority 2019/268, and to compile and submit a report on the work done. Lynda Walter 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.

[REDACTED]
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**Director Policy
Heritage New Zealand Pouhere Taonga
PO Box 2629
WELLINGTON 6140**

Date 07 December 2018