



27 January 2020

File ref: 2020/378  
11013-019

Richard and Alastair Mansell  
PO Box 99  
Paraparaumu 5254

Attn. Richard Mansell

Tēnā koe Richard

**APPLICATION FOR ARCHAEOLOGICAL AUTHORITY UNDER HERITAGE NEW ZEALAND  
POUHERE TAONGA ACT 2014: AUTHORITY NO. 2020/378: 58 Tieko Street, 48 Tieko Street,  
147 Otaihanga Road, 139 Otaihanga Road And 131 Otaihanga Road, Otaihanga, Kapiti**

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 for subdivision at 58 Tieko Street, 48 Tieko Street, 147 Otaihanga Road, 139 Otaihanga Road And 131 Otaihanga Road, Otaihanga, Kapiti. This activity may encounter archaeological material relating to the wider settlement of the Kapiti area. The archaeological work undertaken for the Mackays to Pekapeka Expressway near the proposed subdivision has encountered a number of archaeological sites such as midden. It cannot be discounted that further archaeological material may be encountered on the subject property with the most likely site type being midden. The area is of significance to Te Ati Awa ki Whakarongotai and Muaūpoko Tribal Authority 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 archaeological authority only covers the initial subdivision set up works identified in the authority application. The authority does not cover works on individual lots by future owners. All prospective property buyers should be informed of the archaeological potential of the lot/s they are considering buying. All assessments and reports should be provided to them and their legal responsibilities under the Heritage New Zealand Pouhere Taonga Act 2014 explained. Any additional earthworks works on the sold lots will be subject to a new archaeological authority application under the Heritage New Zealand Pouhere Taonga Act 2014.

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.

Under section 45 of the Heritage New Zealand Pouhere Taonga Act 2014 Heritage New Zealand Pouhere Taonga must give prior written consent for any person engaged to undertake the current archaeological practice required as a condition of this authority. To date, this approval has not been given to any person for the work associated with this authority. If you have any questions about this requirement, please contact the Heritage New Zealand Archaeologist.

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

Kathryn Hurren  
Archaeologist  
Heritage New Zealand Pouhere Taonga, Wellington Office  
PO Box 2629, Wellington 6140

Phone (04) 494 8324 Email [ArchaeologistCR2@heritage.org.nz](mailto:ArchaeologistCR2@heritage.org.nz)

Yours sincerely,

A handwritten signature in blue ink, appearing to be 'Vanessa Tanner', is written over a light blue rectangular background.

Vanessa Tanner  
Manager Archaeology

cc: Richard and Alastair Mansell  
via email at [rmansell@coastlands.co.nz](mailto:rmansell@coastlands.co.nz)

cc: Chris Hansen  
via email at [chris@rmaexpert.co.nz](mailto:chris@rmaexpert.co.nz)

cc: Kevin Jones  
via email at via [kenx1000@gmail.com](mailto:kenx1000@gmail.com)

cc: Te Ati Awa ki Whakarongotai  
Mahina-a-Rangi Baker via email at [taiao@teatiawakikapiti.co.nz](mailto:taiao@teatiawakikapiti.co.nz)

cc: Muaūpoko Tribal Authority  
Di Rump via email at [ceo@muaupoko.iwi.nz](mailto:ceo@muaupoko.iwi.nz)

cc: Planning Manager  
Kapiti Coast District Council  
via email at [kapiti.council@kapiticoast.govt.nz](mailto:kapiti.council@kapiticoast.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](mailto:protected-objects@mch.govt.nz)

Pursuant to Section 51 Heritage New Zealand Pouhere Taonga Act 2014

cc: NZAA Central Filekeeper  
Attn: Mary O’Keeffe  
via email at [centralfilekeeper@archsite.org.nz](mailto:centralfilekeeper@archsite.org.nz)

cc: Heritage New Zealand Pouhere Taonga Archaeologist, Kathryn Hurren

cc: Heritage New Zealand Pouhere Taonga Director Central Region, Jamie Jacobs

cc: Heritage New Zealand Pouhere Taonga Kaiwhakahaere Tautiaki Wahi Taonga, Mita Harris

cc: Heritage New Zealand Pouhere Taonga Pouarahi, Brian Ruawai-Hamilton



HERITAGE NEW ZEALAND  
POUHERE TAONGA

# **AUTHORITY**

## **Heritage New Zealand Pouhere Taonga Act 2014**

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**AUTHORITY NO: 2020/378**

**FILE REF: 11013-019**

**DETERMINATION DATE: 27 January 2020**

**EXPIRY DATE: 27 January 2025**

**AUTHORITY HOLDER: Richard and Alastair Mansell**

**POSTAL ADDRESS: PO Box 99, Paraparaumu 5254. C/- Richard Mansell at  
[rmansell@coastlands.co.nz](mailto:rmansell@coastlands.co.nz)**

**ARCHAEOLOGICAL SITES: Potential sites, as yet unrecorded**

**LOCATION: 58 Tieko Street, 48 Tieko Street, 147 Otaihanga Road, 139 Otaihanga Road and  
131 Otaihanga Road, Otaihanga, Kapiti**

**SECTION 45 APPROVED PERSON:**

**LAND OWNER CONSENT: Land owner is applicant**

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**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 a person to undertake the work required has been approved in writing by Heritage New Zealand Pouhere Taonga under section 45 of the Act and the aforementioned appeal period has passed.**

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### **DETERMINATION**

Heritage New Zealand Pouhere Taonga grants an authority pursuant to section 48 of the Heritage New Zealand Pouhere Taonga Act 2014 in respect of the potential for archaeological sites as described above, within the area specified as Pt 1 Lot 6 DP 53191, Pt Lots 1 and 3 DP 3030764, Lot 4 DP 84524, Lot 2 DP 84524 and Lot 3 DP 84524 to Richard and Alastair Mansell for the proposal to undertake earthworks for subdivision at 58 Tieko Street, 48 Tieko Street, 147 Otaihanga Road, 139 Otaihanga Road and 131 Otaihanga Road, Otaihanga, Kapiti, 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 prior to any works commencing. All site briefings shall be the responsibility of the s45 approved person. Briefings will cover 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 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 a management plan commissioned, or prepared with archaeological advice, by the authority holder. The management plan shall provide operational guidelines and procedures for day to day activities that may affect archaeological sites during earthworks for the subdivision.

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

- a) Methods to protect any archaeological sites or features from damage,
- b) procedures for any archaeological investigation or recording of archaeological information,
- c) the role, responsibility and level of authority of the s45 approved person and for all other persons for whom the s45 approved person is responsible for. Names and contact details of all other persons for whom the s45 approved person is responsible for must be stated in the management plan,
- d) timeframes for archaeological work,
- e) protocols for the unexpected discovery of archaeological material,
- f) on-site briefing for contractors about the archaeological work required and how to identify archaeological sites during works. All site briefings shall be the responsibility of the s45 approved person. The management plan must state who will be carrying out the briefings,
- g) the responsibilities of contractors with regard to notification of archaeological sites,
- h) requirements for stand down periods to enable archaeological work,
- i) mechanisms for dispute resolution, and
- j) emergency contact details for the s45 approved person, Heritage New Zealand Pouhere Taonga Archaeologist and Iwi.

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. The monitoring of any earthworks that may affect any archaeological site is the responsibility of the s45 approved person.
5. Any archaeological evidence encountered during the exercise of this authority must be investigated, recorded and analysed in accordance with current archaeological practice.
6. As no protocols between the authority holder and Te Ati Awa ki Whakarongotai and Muaūpoko Tribal Authority were provided with the authority application, the following shall apply:
  - a) Access for Te Ati Awa ki Whakarongotai and Muaūpoko Tribal Authority shall be enabled in order to undertake tikanga Māori protocols consistent with any requirements of site safety.
  - b) Te Ati Awa ki Whakarongotai and Muaūpoko Tribal Authority 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, New Zealand Police and Te Ati Awa ki Whakarongotai and Muaūpoko Tribal Authority 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 Ati Awa ki Whakarongotai and Muaūpoko Tribal Authority shall be informed if any possible taonga or Māori artefacts are identified to enable appropriate tikanga protocols 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.
  - e) Te Ati Awa ki Whakarongotai and Muaūpoko Tribal Authority shall be provided with a copy of any reports completed as a result of the archaeological work associated with this authority and be given an opportunity to discuss it with the s45 approved person if required.

This is not a statement of mana whenua status.
7. That within 20 working days of the completion of the on-site archaeological work associated with this authority;
  - a) An interim report 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.
8. 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 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: NZAA Central Filekeeper; Kapiti Coast Museum; Te Ati Awa ki Whakarongotai and Muaūpoko Tribal Authority.

**Signed for and on behalf of Heritage New Zealand.**



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

**Date 27 January 2020**

## **ADVICE NOTES**

### **Contact details for Heritage New Zealand Archaeologist**

Kathryn Hurren  
Archaeologist  
Heritage New Zealand Pouhere Taonga, Wellington Office  
PO Box 2629, Wellington 6140

Phone (04) 494 8324 Email [ArchaeologistCR2@heritage.org.nz](mailto:ArchaeologistCR2@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 need 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](http://archaeology.nz)

**Guideline Series**

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