



18 November 2022

File ref: 2023/218
11013-026

SR and BJ Williams Charitable Trust Board
C/- BWR
111 Avenue Rd East
PO Box 146
Hastings 4156
Attn: Lawrence Yule

Tēnā koe Lawrence

**APPLICATION FOR ARCHAEOLOGICAL AUTHORITY UNDER HERITAGE NEW ZEALAND
POUHERE TAONGA ACT 2014: Authority no. 2023/218: V23/89; V23/88; V23/92 and V23/72
and potential sites, as yet unrecorded, 42 Okura Road, Mangakurī Beach, Central Hawke's
Bay**

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 to develop eleven lots on a portion of Mangakurī Station at 42 Okura Road, Mangakurī Beach, in the Central Hawke's Bay. Your works include cut and fill earthworks for access routes, trenching for services, and excavation for building platforms and stormwater/wastewater piping and tanks. This activity may affect recorded archaeological sites. There are four archaeological sites located within your proposed subdivision, which are comprised of midden and agricultural pits and terraces, evidencing Māori horticulture and kaimoana harvesting. Although the sites may have been damaged in the past, they may still possess archaeological values.

The sites are of significance to Kairakau Lands Trust 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.

Heritage New Zealand Pouhere Taonga appreciates the effort you have made to avoid the known extents of V23/88, V/23/92, and V23/72 in the design of your subdivision.

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

Christine Barnett
Archaeologist- Poutairangahia
Heritage New Zealand Pouhere Taonga, Wellington Office
PO Box 2629, Wellington 6140

Phone (04) 494 8323 Email ArchaeologistCR1@heritage.org.nz

Nāku noa, nā



PP: Victoria Pond
Vanessa Tanner
Manager Archaeology, Heritage New Zealand Pouhere Taonga

cc: Lawrence Yule, SR and BJ Williams Charitable Trust Board
via email at lawrence@yuleadvisory.nz

cc: Dr Elizabeth Pishief
via email at elizabeth.pishief@heritageservices.nz

cc: Stella August and Wikitoria Moore, Kairakau Land Trust
via email at smagust11@gmail.com; and wikitoria.moore@outlook.co.nz

cc: Planning Manager
Central Hawke's Bay District Council
via email at customerservice@chbdc.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
Attn: Mary O'Keeffe
via email at centralfilekeeper@archsite.org.nz

cc: Heritage New Zealand Pouhere Taonga Archaeologist, Christine Barnett

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

cc: Heritage New Zealand Pouhere Taonga Pou Rārangī Kōrero / Māori Heritage Listing Advisor
Māori Heritage Team, Dr Annemarie Gillies



HERITAGE NEW ZEALAND
POUHERE TAONGA

AUTHORITY

Heritage New Zealand Pouhere Taonga Act 2014

AUTHORITY NO: 2023/218

FILE REF: 11013-012

DETERMINATION DATE: 18 November 2022

EXPIRY DATE: 18 November 2027

AUTHORITY HOLDER: SR and BJ Williams Charitable Trust Board

**POSTAL ADDRESS: C/- BWR, 111 Avenue Rd East, PO Box 146, Hastings 4156. Attn:
Lawrence Yule**

ARCHAEOLOGICAL SITES: V23/89, V23/88, V23/92, and V23/72

LOCATION: 42 Okura Road Mangakurī Beach, Central Hawke's Bay, as per Appendix 1

SECTION 45 APPROVED PERSON: Dr Elizabeth Pishief

LANDOWNER CONSENT: Completed

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 decision does not ascribe mana whenua status.

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 archaeological sites described above, within the area specified as part LOT 2 DP 481291 (see Appendix 1) to SR and BJ Williams Charitable Trust Board for the proposal to undertake earthworks to develop eleven lots on a part of Mangakuri Station, Okura Road, Central Hawkes Bay, 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, 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 latticework tower upgrade works.

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 any other person appointed to undertake archaeological work on their behalf. Names and contact details of all other persons whom the s45 approved person appoints 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 by the s45 approved person (who may appoint a person to carry out the briefing on their behalf) for contractors about the archaeological work required and how to identify archaeological sites during works. 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. 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.
6. As no tikanga between the authority holder and Kairakau Land Trust were provided with the authority application, the following shall apply:
 - a) Access for Kairakau Land Trust shall be enabled in order to undertake tikanga consistent with any requirements of site safety.

- b) Kairakau Land Trust 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 10 metres of the discovery. The Heritage New Zealand Pouhere Taonga Archaeologist, New Zealand Police and Kairakau Land Trust 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) Kairakau Land Trust shall be informed if any possible taonga or Māori 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.
 - e) Kairakau Land Trust 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.
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 for inclusion in the Heritage New Zealand Pouhere Taonga Archaeological Reports Digital Library.
 - 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 for inclusion in the Heritage New Zealand Pouhere Taonga Archaeological Reports Digital Library.
- 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 NZAA Central Filekeeper and Kairakau Land Trust.

Signed for and on behalf of Heritage New Zealand Pouhere Taonga,



Claire Craig
Deputy Chief Executive Policy, Strategy and Corporate Services
Heritage New Zealand Pouhere Taonga
PO Box 2629
WELLINGTON 6140
Date: 18 November 2022

Appendix 1

Authority 2023/218: Areas within Lot 2 DP 481291 subject to the authority application.



ADVICE NOTES

Contact details for Heritage New Zealand Pouhere Taonga Archaeologist

Christine Barnett
Archaeologist- Poutairangahia
Heritage New Zealand Pouhere Taonga, Wellington Office
PO Box 2629, Wellington 6140

Phone (04) 494 8323 Email ArchaeologistCR1@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 tūturu 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.

Reporting Conditions

In relation to the creation of reports as required by the authority conditions, Heritage New Zealand Pouhere Taonga supports transparent reporting processes. It therefore is expected that all relevant directly affected parties have reviewed the report in question, are happy with its contents, and understand that it will be made publicly available via the Heritage New Zealand Pouhere Taonga Archaeological Reports Digital Library.

Heritage New Zealand Pouhere Taonga has the right to make available any report produced under an authority where the distribution of the report is for the purpose of providing archaeological information about the place in question for research or educational purposes.

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>.

Landowner 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

SECTION 45 APPROVED PERSON

Heritage New Zealand Pouhere Taonga Act 2014

AUTHORITY NO: 2023/218

FILE REF: 11013-026

APPROVAL DATE: 18 November 2022

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 Elizabeth Pishief**, is approved by Heritage New Zealand Pouhere Taonga to carry out any archaeological work required as a condition of authority 2023/218, and to compile and submit a report on the work done. Dr Elizabeth Pishief 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 Pouhere Taonga,

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

Date: 18 November 2022