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COVID-19 Fast-track consenting: Heritage New Zealand Pouhere Taonga advice on proposed conditions

Application name	Karaka North
EPA reference	FTC 000037
Applicant/s	Karaka North Village Limited
Comments due by	15 June 2022

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Discussion

HNZPT welcomes the opportunity to review the applicant's proposed draft consent conditions. HNZPT is supportive of a condition requiring the avoidance of known extents of the five archaeological sites (R12/234, R12/235, R12/1091, R12/1090 & R12/1089) identified in the CFG 2021 report.

Condition 35 as proposed, however, does not sufficiently outline how the works will be managed to avoid adverse effects on these sites as the result of tree planting, removal of trees, minor landscaping and creation of informal tracks on the archaeological sites (as identified in the Feb 2022 Greenwoods Landscape Management Plan), prior to, during, and after works. Nor does it clarify how indirect effects such as those associated with the location of laydowns, spoil and parking during construction works will be undertaken and where to ensure avoidance of sites.

The requirement for archaeological supervision of works within 10m of these sites as proposed in condition 35 is also problematic with regards to duplication of the requirements of the archaeological provisions of the HNZPTA 2014.

The CFG Sept 2021 assessment notes the potential for works in certain areas to have the potential to affect possible extents of known sites and the potential for unidentified subsurface sites. The report recommends archaeological monitoring as per an archaeological authority obtained under the HNZPT 2014, in respect of any earth disturbance taking place within 20 metres of the known extents of the middens R12/1089 and R12/1090, shallow planting to stabilise R12/1090, and for any earth disturbance within 50m of the Whangamaire Stream, as having the potential to affect unidentified archaeological sites.

The assessment also notes several paddocks that were not able to be accessed during initial survey in 2019, which appear not to have been subject to further field assessment.

HNZPT propose the inclusion of new conditions to address the above in the form of:

- A) preparation of a Heritage Management Plan by a qualified archaeologist (in consultation with HNZPT) to be approved identifying how direct and indirect effects will be avoided on the known extents of the 5 recorded archaeological sites during works.

The plan should include:

- i) Procedures to ensure inclusion of additional sites as may be identified during works to ensure appropriate long term protection as outlined in the Greenwoods Landscape Management Plan (8-8.2 appendix 49).
- ii) The identification of the project area/sites to be subject to archaeological monitoring under an archaeological authority obtained under the HNZPTA 2014 and areas otherwise subject to the Council ADR.
- iii) The facilitation of appropriate Interpretational signage as to the archaeological and cultural values of the sites and Māori Ancestral Footprints (in consultation with iwi/hapū).

- B) An appropriately worded pre-commencement condition to provide awareness of contractors as to the areas of works for which an archaeological authority under the HNZPTA will apply and where the Council Accidental Discovery Rule would apply, is also sought.

Recommendations on draft conditions

Draft condition number	Discussion	Recommendation
35	It is unclear in this condition who is responsible for locating and fencing off existing middens, (R12/234, R12/235, R12/1091, R12/1090 & R12/1089) and the appropriate method to do so.	Amend condition 35 to require the identified extents of sites (R12/234, R12/235, R12/1091, R12/1090 & R12/1089) to be marked on the ground by the project archaeologist, with a suitable buffer, and fenced-off prior to, during and after works, in accordance with the Heritage Management Plan required in condition (new).

	<p>The potential for R12/1089 and R12/1090 to be wider than identified, and likely extending into the project works area, is established in the CFG Sept 2021 report.</p> <p>The CFG Sept 2021 assessment recommends archaeological monitoring as per an archaeological authority obtained under the HNZPT 2014, in respect of any earth disturbance taking place within 20 metres of the known extents of the middens R12/1089 and R12/1090, shallow planting to stabilise R12/1090, and for any earth disturbance within 50m of the Whangamaire Stream.</p> <p>Duplication of archaeological conditions provided for under the HNZPTA 2014 should be avoided.</p>	<p>Delete reference to archaeological supervision of earthworks within 10 metres of the middens.</p>
13	<p>Specific Conditions-Earthworks, contaminated land and Vegetation Removal.</p> <p>Pre-commencement conditions: Pre- Start Meeting to include:</p> <ul style="list-style-type: none"> • a briefing by the project archaeologist to ensure awareness of the areas to be avoided, areas subject to archaeological authority and those areas under ADR. • addition of the Heritage Management Plan as proposed in new condition, to inform the above. 	<p>Inclusion in condition 13 of additional actions for the pre-start meeting to:</p> <p>(j) include the presence of the project archaeologist to undertake a briefing</p> <p>And add a requirement for the following information to be made available:</p> <p>(k) the approved Heritage Management Plan, and conditions of an authority obtained under the HNZPTA 2014.</p>
new	<p>Requirement for preparation of a Heritage Management Plan by the project archaeologist to inform avoidance of direct and indirect effects on recorded archaeological sites within the project area of works, and to ensure their appropriate management and long-term protection, prior to, during and after works.</p> <p>The project area to be monitored by the project archaeologist under an archaeological authority obtained from HNZPT. Project Area covered by the above ADR.</p>	<p>A Heritage Management Plan is to be compiled by the project archaeologist (in consultation with HNZPT) for approval by the Council Heritage Manager to:</p> <p>a) Identify actions to be undertaken by the project archaeologist to ensure the avoidance of direct and indirect effects on the known extents of R12/234, R12/235, R12/1091, R12/1090 & R12/1089 and their long-term management and protection prior to, during and after works.</p> <p>b) procedures to ensure inclusion of additional sites as may be identified during works to ensure appropriate long-term protection as outlined in the Greenwoods Landscape</p>

		<p>Management Plan (8-8.2 appendix 49).</p> <p>c) The identification of the project area/sites to be subject to archaeological monitoring under an archaeological authority obtained under the HNZPTA 2014 and areas otherwise subject to the Council ADR.</p> <p>d) The facilitation of appropriate Interpretational signage as to the archaeological and cultural values of the sites and Māori Ancestral Footprints (in consultation with iwi/hapū).</p>
34	<p>The process of accidental discovery of archaeological sites, not provided for under an authority issued by HNZPT is referred to below.</p> <p>The potential for unrecorded sites to be present within 50m of the Coastal margin is established in the CFG Sept 2021 report. Accordingly, recording of any unidentified sites exposed during works would expectedly be provided for and/ or a requirement for an archaeological authority to be obtained under the HNZPTA 2014.</p> <p>All reports associated with this process are provided to Council for their records and inclusion in the CHI. Similarly, iwi/hapū are included in protocols in respect of the ADR below and in the authority process.</p>	Delete condition 34 or amend to refer to unrecorded archaeological sites exposed as result of consented works to be avoided and protected.
new	<p>Land Use/Earthworks. Heritage:</p> <p>Inclusion of new condition to identify Council Accidental Discovery Rule as a condition of consent, to ensure awareness of actions in the event of unexpected archaeological finds.</p>	<p>Inclusion of new condition to ensure Adherence to Accidental Discovery Protocol as set out in standards E11.6.1 & E12.6.1 AUP (OP) and advice note re HNZPTA 2014.</p>