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# **Archaeological Technical Review of the Rotokauri North Archaeological Assessment; Private Plan Change 7, Hamilton**

28 June 2021

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# 1. Introduction

## 1.1 Purpose of the Review Report

Simmons and Associates Ltd. have been engaged by Hamilton City Council (HCC) to provide an archaeological review of the Rotokauri North SHA Private Plan Change 7 Archaeological Assessment prepared by Arden Cruickshank, CFG Heritage Ltd. (CFG). The CFG archaeological report was submitted as part of the assessment of environmental effects (AEE) for the rezoning of 140 hectares of land and to insert a new Structure Plan- Private Plan Change 7. The Rotokauri North Private Plan Change 7 is being sought under the provisions of the Resource Management Act 1991.

The purpose of the Simmons and Associates Ltd. (SAL) technical review is to assess the thoroughness of the CFG report for purposes of the plan change. The issues considered are the completeness and technical accuracy of the CFG report for assessing the Plan Change 7 subdivision area, the effects of the subdivision on archaeological values, and the recommended conditions to avoid or mitigate potential effects to archaeological sites. The SAL review report supports the Section 42A report prepared on behalf of HCC. It contains supplemental information to inform the review and address Resource Management Act matters, the Waikato Regional Policy Statement, and the Hamilton City Operative District Plan.

## 1.2 Documents Considered

A number of documents were considered as part of the review process. Information drawn from these documents has been used to inform my assessment.

- Cruickshank, A. (2018). Rotokauri North SHA: archaeological assessment. CFG Heritage Ltd. Prepared for Ma Development Enterprises Ltd. 3 December 2018. [Unpublished report]
- Hamilton Parks and Gardens (2011). Waiwhakareke Natural Heritage Park Operative Management Plan 2011. Hamilton City Council. Available at: <https://www.hamilton.govt.nz/our-city/parks/parksandgardens/Documents/Waiwhakareke%20Natural%20Heritage%20Park%20Management%20Plan%20-%20Operative%20-%20August%202011.pdf>
- Keith, S. (2018). Archaeological Assessment Rotokauri Greenway Hamilton. Sian Keith Archaeology Ltd. November 19, 2018. [Unpublished report]
- New Zealand Archaeological Site Recording Scheme Records: S14/5, S14/8, S14/11, S14/69, S14/50, and S14/486. Available at: <https://archsite.eaglegis.co.nz/NZAA/>
- Norris, H.C.M. (1956). *Armed Settlers*. Paul's Book Arcade. Hamilton.
- Pick, D. (1968). Waikato Island and Swamp Pa. *Newsletter of the New Zealand Archaeological Association*, 11(1) p. 30-34.
- Rotokauri North Tangata Whenua Working Group (2020). Cultural Impact Assessment Rotokauri North Private Plan Change. February 2020. Prepared for Green Seed Consultants Ltd. [Unpublished report]
- Simmons, A. (2003). Archaeological Assessment of the Subdivision Proposed by Mr and Mrs Stead, Duck Road, Te Kowhai. Simmons and Associates Ltd. [Unpublished report]
- Tollemache M. and Fraser-Smith R. (2019). Rotokauri North Private Plan Change Request Assessment of Effects on the Environment. Prepared for Green Seed Consultants Ltd.

## 2. Location

The land that forms the subject of this technical review is located in the north-west part of Hamilton City. The Rotokauri North Private Plan Change 7 area is situated on Te Kowhai Road, between Exelby and Burbush Roads (Figures 1 and 2). Plan Change 7 encompasses a total area of 140 hectares, 133 hectares fall within a recommended Special Housing Area (SHA). The subdivision is relatively flat and the land drained by a series of farm drains (artificial watercourses) that feed into

Ohote Stream tributary and Te Otamarua Stream tributary. The Mangaheka stream flows along the eastern boundary of the subdivision.<sup>1</sup>

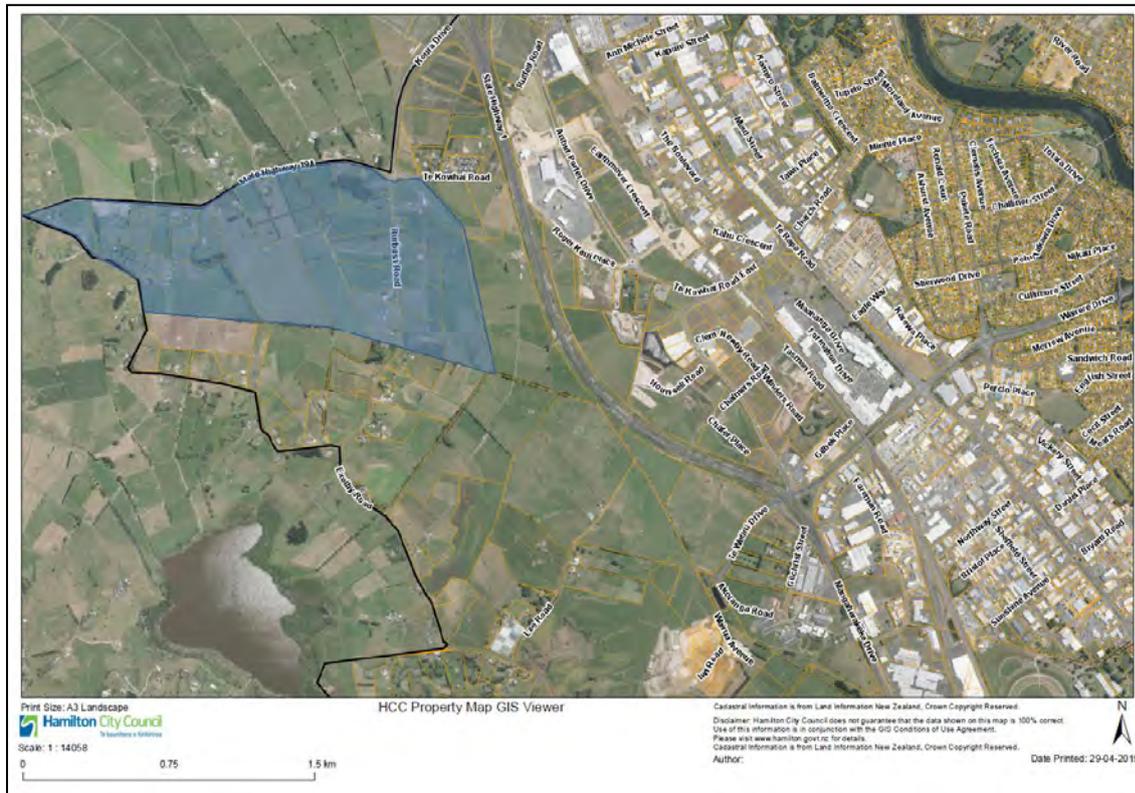


Figure 1. Rotokauri North Private Plan Change 7, location Plan.

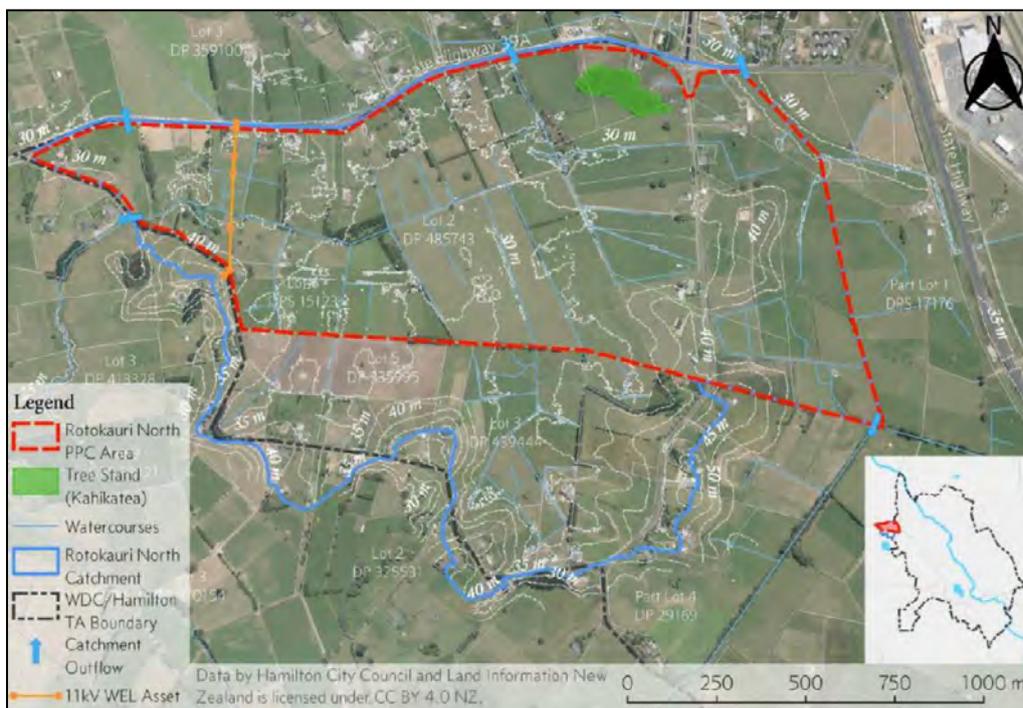


Figure 2. Rotokauri North Private Plan Change 7, topographic plan.

<sup>1</sup> Tollemache M. and Fraser-Smith R. (2019). Rotokauri North Private Plan Change Request Assessment of Effects on the Environment. p.17

## 3. Overview of Archaeological Matters

### 3.1 Assessment Report Prepared by CFG Heritage Ltd.

The Rotokauri North SHA: archaeological assessment report prepared by Arden Cruickshank of CFG Heritage Ltd. (CFG) is an investigation of the archaeological values of the subdivision area and the effects of proposed development works on these values. The CFG Archaeological Assessment (2018) for Rotokauri North SHA identified the legal descriptions of the land encompassed by their research and pedestrian surveyed as:

- Lots 2 and 3 DP 334215;
- Lots 2, 4, 5, and 6 DP 359488;
- Lots 1 and 2 DP 485743;
- Lots 3, 5 and 6 DPS 15123;
- Lots 1, 3, 4 and Pt Lot 2 DPS 15254;
- Lots 9, 10, 11 and Pt Lot 7 DPS 15255; and
- Sections 23 and 53 SO 495676.

The CFG archaeological assessment report uses a standard archaeological methodology to identify sites in the Rotokauri North Private Plan Change 7 area. The research work includes a search of archaeological site records, reports, old maps and cadastral plans, historic aerial photographs, old newspaper articles and other information sources, albeit only a few of these documents are included in the CFG assessment report. The inclusion of additional primary records that are referenced in the CFG report would have increased the robustness of the reporting.

The CFG regional perspective on Maori land use and the potential for archaeological sites in the subdivision area would have benefitted from consideration of the recorded archaeology sites on the edge of Lake Rotokauri adjacent to the Ohote Stream, recorded Maori walking tracks, and cultural information about resource acquisition in this area. It is acknowledged that Mr Cruickshank considered the density of Maori horticultural sites recorded adjacent to the Waikato and Waipa Rivers and the focus on the alluvial soils in those areas. His inclusion of this information and soils map information provided a perspective on the low potential for Maori gardening in the subdivision area. He also noted Rotokauri and the wider wetlands provided various resources that might have been used in conjunction with Maori garden produce.

No recorded pre-1900 archaeological sites were identified by CFG in the Plan Change 7 area based on the literature and record search. The research was used to inform the archaeological survey carried out by Arden Cruickshank in late June 2018. The Rotokauri North SHA: archaeological assessment report provided by CFG is of a sufficient standard to provide surety about the CFG assessment results, conclusions, and recommendations.

### 3.2 Archaeological Context

The Private Plan Change 7 subdivision is located between the Waikato and Waipa Rivers, a region composed of inland lakes that formed behind sediment dams created by the movement of the Waikato River across the Hamilton Basin. The river's alluvial deposition dammed the valleys. Peat formed over the alluvium layer in the poorly drained flat basin creating fertile flat lying bogs and relatively infertile domed bogs. Lake Rotokauri, near the Plan Change 7 subdivision, is the largest of the remaining lakes. Historically the Rotokauri area was partially covered by wetland (fen) (Figure 3).

#### 3.2.1 Maori Land Use and Settlement

Recorded Maori archaeological sites in the general area are shown on Figure 4 and summarized in Table 1. The recorded site types consist of pa site located adjacent to Lake Rotokauri and the Ohote Stream. Table 1 includes information obtained from the New Zealand Site Recording Scheme for each site.

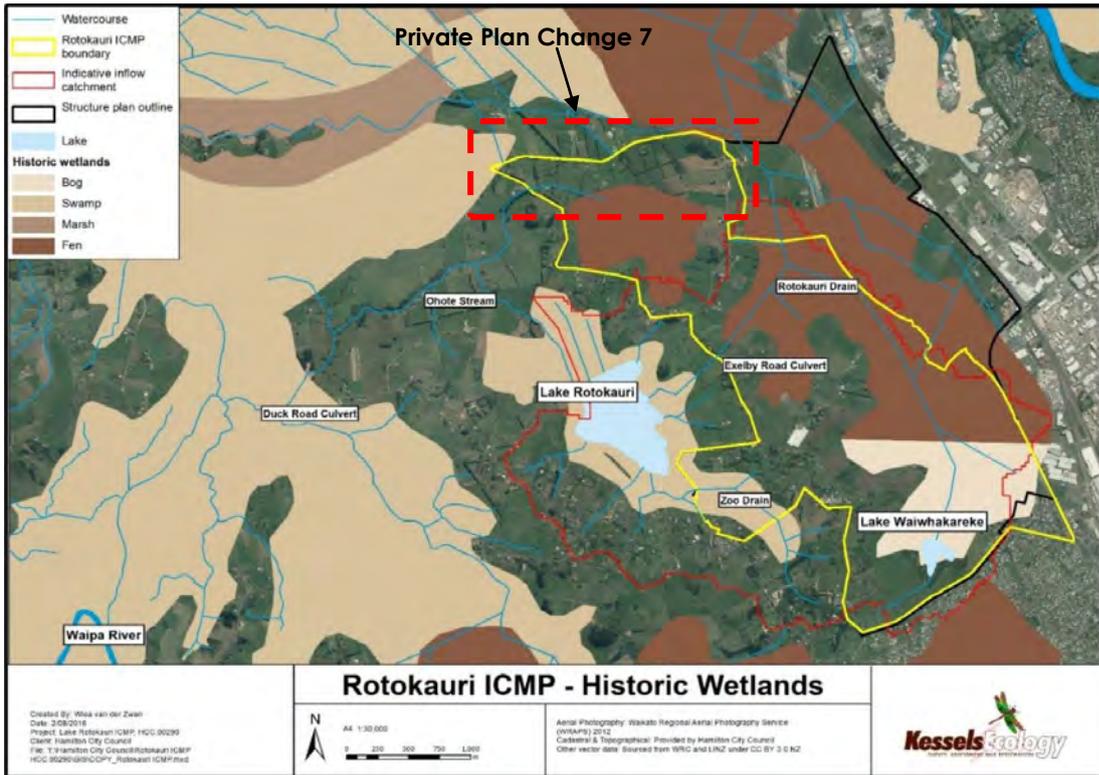


Figure 3. Historic wetlands map showing general project area. (Source: Kessels Ecology in Tollemache and Fraser-Smith 2018, p.10.)

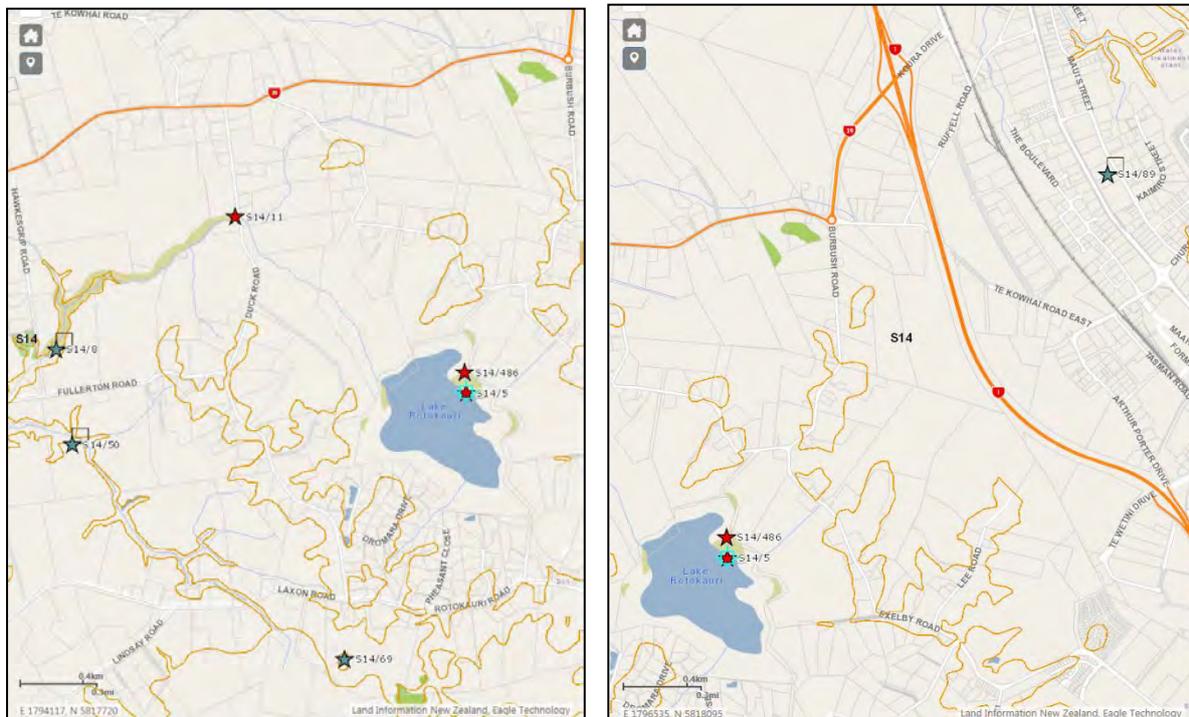


Figure 4. Plan showing archaeological sites in the Private Plan Change 7 region.

Table 1. Sites Recorded Near the Private Plan Change 7 area.

Site Record	Site Type	Notes
S14/5	Pa	Swamp Pa on edge of Lake Rotokauri investigated by Doug Pick in the late 1960s. A large number of artefacts and samples were recovered from the site including stone adzes, pounders, obsidian, pumice and wooden objects. As far as the records state, this site was not dated by modern dating techniques, however it is clear from the material viewed that the pa site has its origins in the pre-European period.
S14/8	Pa	Adjacent to Ohote Stream; features filled in / modified
S14/11	Pa	Reported Burial Site on Ohote Stream (no evidence found in 2003). Letter in the file requesting deletion.
S14/50	Pa	Adjacent to Ohote Stream; Could not be accurately relocated in 2007, two possible locations identified. No surface features evident.
S14/69	Pa	Site visited and record updated in ca 2000.
S14/89	Isolated Finds	Wooden decorative panels, four incomplete sections found in the upper reaches of a stream gully.
S14/486	Pa	Te Uhi adjacent to Lake Rotokauri. The site is detailed in the The Waiwhakareke Heritage Park Management Plan 2011 which details that the land was shared by three local hapu, the Ngati Koura, Ngati Ruru and Ngati Ngamurikaitaua, and that they lived on the shore margins of Rotokauri and occupied a Pa there named Te Uhi during the 1840s. Te Uhi Pa is further discussed by Hayward and Samuels (2015) in their report on 'Ngati Mahanga & the lands of Hamilton West': Te Uhi Pa was on the Northern Bank of Lake Rotokauri. Te Uhi Pa, was occupied by Ngati Ngarape and Ngati Hourua. Ngati Ngarape was a hapu that had dual whakapapa both to Ngati Tamainupo and Ngati Mahanga; but became more associated with Ngati Mahanga over time by being one of Te Awaitaia's personal hapu. Te Awaitaia's Father, Te Kata was of this hapu; and it was his close relatives that occupied this Pa. Another nearby Pa was Mangapakiaha; where the same people lived as well. The occupation at Te Uhi Pa ceased in the time of the confiscation, and Ngati Ngarape left this pa and joined their relatives at Takapaunui, Raglan.

The peat soils in this part of Hamilton were not suitable for traditional gardening by Maori with the exception of the soil in the northern part of the subdivision. The favoured horticultural areas were adjacent to the Waikato and Waipa Rivers where traditional crops such as kumara were grown. Maori obtained various natural resources in this zone between the Waipa and Waikato Rivers. Use of the area prior to 1900 included fishing, fowling, and the collection of wild foods and fibre plants.

Doug Pick noted in his article on the peat lakes that Maori bush foraging activities included collecting berries and other native plants such as tree cabbage and hunted birds in the bush.<sup>2</sup> Stream and lake food resources included: raupo, waterfowl, kakahi (fresh water mussels), koura (fresh water crawfish) and eels. The summary of cultural resources in this lakes region is described in the Waiwhakareke Natural Heritage Park Management plan: "bush stands of totara, matai, kauri, kahikatea pukatea and tawa. . . the first three used of building materials. Berries such as hinau, koroi (kahikatea), and miro were collected and prepared for consumption. Native birds such as korimako (bellbird), huia, kiwi, kaka and kuku (native pigeon) came to feed on forest berries or fruits were snared and trapped."<sup>3</sup>

The eel fishery at nearby Lake Rotokauri was a particular focus, as were fishing rights on streams. In 1846 the Reverend Benjamin Ashwell received a letter requesting he settle a land and eel fisheries dispute at Rotokauri between the Ngatiruru and Ngatingamuri tribes (Norris 1956, p.7). He arranged a settlement, but when he returned the following day he found the dispute had reignited. The lake fishery involved the construction of eel weirs at the outlets. A number of the weirs were removed

<sup>2</sup> Pick, D. (1968). Waikato Island and Swamp Pa.

<sup>3</sup> Hamilton Parks and Gardens (2011). Waiwhakareke Natural Heritage Park Operative Management Plan 201, p.42.

from Lake Rotokauri by a European settler in the early 1890s as part of the effort to lower the water level.<sup>4</sup>

The pa sites on the lake and stream would have provided a central location from which activities were carried out over the broader area. A Maori track, Te Tongahuanui, went past Te Uni pa/S14/486 (adjacent to Lake Rotokauri) linked Kirikiriroa (Hamilton) to Whatawhata. The Exelby-Rotokauri Roads are now built over the top of the track.<sup>5</sup> (Exelby Road is located on the western edge of the Private Plan Change 7 subdivision, Figure 1.)

### 3.2.2 Europeans and Settlement

In the mid to late 1800s European traders and missionaries made periodic visits to the region that encompasses Rotokauri North. Traders focused on resources such as flax and later kauri gum<sup>6</sup>. Christian missionaries, like Reverend Benjamin Ashwell, visited periodically to preach the gospel and assist with other matters. The missionaries focused on religious conversion and encouraged the cultivation of European plant species including potatoes, maize, and wheat. They also fostered the adoption of European dishes, e.g. bread. The extent to which clearing activities and propagation of European crops affected the Rotokauri area is not known. It is likely the focus was on more fertile soils near the major rivers. The river systems also provided transportation corridors for marketing crops in Auckland.

The extent of pre-1900 settlement by Europeans seems to have been very limited. Cruickshank (2018) observed, "Roads are plotted in several 1880s survey maps, but there is no recorded evidence of land use or buildings until the 20<sup>th</sup> century. This is likely due to the area being dominated by wetland."<sup>7</sup> He also noted that part of the subdivision property was deeded to Robert Gillies in 1871 who on sold the allotment in 1872 to a Mr Orbell who began splitting up the allotment in 1899. The subdivision area was sold in 1903.<sup>8</sup>

By 1911 a one room school, the Rotokauri School was opened. This indicates a number of families had settled in the general area by this time. The development of the local dairy industry is referenced in an article on the school opening.<sup>9</sup> Albeit, as noted by Cruickshank, there was no permanent road access to the school until about 1917.<sup>10</sup>

Eventually the wetlands were drained to facilitate European style agricultural uses. Cruickshank observed, "from 1919 (DP 14534) the area of the proposed development is listed as 'drained swamp country' with undulating country in grass' to the East, in the vicinity of Burbush Road."<sup>11</sup>

Today the Rotokauri landscape setting reflects the effectiveness of the drainage schemes and agricultural uses, particularly livestock farming. Sub-division of the area into lifestyle blocks is also quite apparent. A few patches of bush remain; Burbush Road Forest (Perkins Bush) is one of these patches.

### 3.3 Archaeological Field Work Conducted by CFG Heritage Ltd.

The CFG field work was carried out on 22 June 2018 by Arden Cruickshank and consisted of a pedestrian survey of approximately 133 hectares. Mr Cruickshank's survey methodology focussed on areas where drains, erosion, fence lines, animal damage and tree throws exposed the ground surface and subsurface. No invasive test pitting was carried out.

He observed, "the eastern paddocks are gently rolling hills, which extend approximately 200m west of Burbush Road. Beyond this the paddocks are generally flat, drained wetlands, which again slopes up

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<sup>4</sup> "a European settler in the 1890s who removed eel weirs from an outlet on Lake Rotokauri to lower the water level . . ." (*Waikato Times*, 10 January 1891, p.2 in Cruickshank (2018), p. 3). Cruickshank, A. (2018). Rotokauri North SHA: archaeological assessment. CFG Heritage Ltd. Prepared for Ma Development Enterprises Ltd

<sup>5</sup> Cultural Impact Assessment (2020).

<sup>6</sup> Keith, S. (2018) Archaeological Assessment Rotokauri Greenway Hamilton. Keith noted kauri gum-digging was a focus of Maori in the Rotokauri area in to the 1920s.

<sup>7</sup> Cruickshank, A. (2018). Rotokauri North SHA: archaeological assessment, p.3.

<sup>8</sup> Ibid, p.4.

<sup>9</sup> Waikato Argus, 12 July 1911 "Opening of the Rotokauri School.

<sup>10</sup> Ibid p.3-4.

<sup>11</sup> Cruickshank, A. Op. cit., p.3.

towards Exelby Road to the west. . . the drained wetland still suffers from water retention, with many of the paddocks within the centre of the proposed development retaining water."<sup>12</sup>

The assessment resulted in the identification of no sites in the Rotokauri North Private Plan Change 7.

### 3.4 CFG Conclusions and Recommendations

Arden Cruickshank found no evidence of pre-1900 archaeological or heritage, or significant 20<sup>th</sup> century heritage including built heritage in the proposed subdivision area as a result of historical research and field survey.<sup>13</sup> Based on this finding he commented, "no assessment of [archaeological] values or significance can be made."<sup>14</sup>

Cruickshank recommended the following:

- "An authority to destroy or modify archaeological sites within the proposed subdivision does not need to be applied for from Heritage New Zealand Pouhere Taonga (HNZPT) under Section 44 of the Heritage New Zealand Pouhere Taonga Act 2014; is required.
- All work should be undertaken following an accidental discovery protocol (APD).
- Since archaeological research cannot always detect sites of traditional significance to Maori or wahi tapu, the appropriate tangata whenua authorities should be consulted regarding the possible existence of such sites, and the recommendations in this report."<sup>15</sup>

I support the CKL Heritage Ltd. recommendations.

## 4. Key Issues Relating to Archaeology

The key issues in relation to potential effects of the sub-division works include the following:

- Physical impacts on unrecorded sub-surface archaeological sites exposed during construction works.

## 5. Assessment of Potential Effects

### 5.1 Assessment and Proposed Mitigation

Based on Mr Cruickshank's research, field work, and reporting there is a low risk of exposing pre-1900 archaeological deposits or features during works associated with development of the Private Plan Change 7 subdivision. It has been recommended that an accidental discovery protocol (APD) be used for all works. I strongly support this recommendation.

An APD provides a set of instructions for the actions required if an unrecorded archaeological site or koiwi are discovered during construction works. Use of an APD ensures the appropriate cultural, legal, and scientific management of effects to the find are carried out. The effects to archaeological deposits, for example, can be mitigated through data recovery processes stipulated in the conditions of a Heritage New Zealand Pouhere Taonga archaeological authority. Mitigation through the use of archaeological data recovery methods—site recording, data collection, and analysis are accepted methods for mitigating adverse effects to archaeological deposits.

### 5.2 Matters Raised by Submitters

No matters were raised by submitters.

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<sup>12</sup> Cruickshank, A. (2018). Rotokauri North SHA: archaeological assessment, p.6

<sup>13</sup> Ibid p.7

<sup>14</sup> Ibid p.7

<sup>15</sup> Ibid p.7

## 6. Statutory Context—Historic Heritage Archaeology

### 6.1 Resource Management Act 1991

The Resource Management Act 1991 Section 6f, Matters of National Importance, requires the protection of historic heritage from inappropriate subdivision, use, and development.

*An archaeological assessment was carried out of the Rotokauri North Private Plan Change 7 area in 2018 by CFG Heritage Ltd to address Section 6f the protection of historic heritage from inappropriate subdivision, use, and development. No pre-1900 archaeological sites were identified within the boundary of Plan Change 7.*

*CFG recommended an accidental discovery protocol (ADP) be used for work in the subdivision to provide additional protection for heritage resources and consultation with the appropriate tangata whenua authorities regarding the possible existence of traditional significance to Maori or wahi tapu in the subdivision area. The CKL report was reviewed by Simmons and Associates Ltd. (SAL) and the recommendations supported.*

### 6.2 Waikato Regional Policy Statement

The Waikato Regional Policy Statement (RPS) Section 10 Heritage, Policy 10.3 states, effects of development requires that subdivision use and development give recognition to historic and cultural heritage and to integrate it with development where appropriate. Mechanisms for achieving this are identified in Policy 10.3.1 and include cultural values assessments and cultural impact assessments, conservation and open space covenants, and accidental discovery protocols.

*The potential effects to archaeological sites were considered and an archaeological assessment carried out by CFG Heritage Ltd. A record and literature search was carried out, as well as a pedestrian survey of the Plan Change properties. CFG identified no evidence of pre-1900 archaeological site in the Rotokauri North Private Plan Change 7 area. CFG recommended that all works should be under taken in compliance with an accidental discovery protocol (ADP) and appended an example of ADP to their assessment.*

### 6.3 Hamilton City Council Operative District Plan Historic Heritage

#### 6.3.1 Objective 19.2.1 Policy 19.2.1a, 19.2.1b, and 19.2.1c

The Hamilton City Council Operative District Plan (Operative Plan) Objective 19.2.1 states, significant buildings, structures, sites and items that define the City's historic heritage are identified and protected.

##### **6.3.1.1 Policy 19.2.1a**

Policy 19.2.1a requires the City's historic heritage shall be protected from adverse effects of subdivision, use and development.

*CFG Heritage Ltd. assessment found no archaeological sites in Rotokauri North Private Plan Change 7 area, therefore there should be no effect to archaeological sites.*

*CFG recommended the use of an accidental discovery protocol (ADP) for all works in the Plan Change 7 area. The use of an ADP for all the earthworks ensures that if pre-1900 archaeological features or deposits or human remains are discovered during the work that the find is recognized and adverse effects managed appropriately.*

##### **6.3.1.2 Policy 19.2.1b**

Policy 19.2.1b seeks to ensure that where features have been destroyed or damaged, the historical heritage values of these sites are recorded and recognised to insure historical legibility of Hamilton City.

The archaeological assessment conducted by CFG indicates there will be no effect to recorded archaeological sites and recommends unrecorded sites exposed during earthworks are recognised and managed using an accidental discovery protocol (ADP). The use of an ADP for all the earthworks ensures that if pre-1900 archaeological features or deposits or human remains are discovered during the work the find is recognized, recorded, and managed to insure the historical legibility of Hamilton City.

#### **6.3.1.3 Policy 19.2.1c**

Policy 19.2.1c specifies subdivision and development shall adhere to the conservation principles of the International Council on Monuments and Sites (ICOMOS) New Zealand Charter for the Conservation of Place of Cultural Heritage Value where applicable.

*Policy 19.2.1c is not applicable based on the archaeological assessment by CFG Heritage Ltd. which found no pre-1900 archaeological sites were located in the Rotokauri North Private Plan Change 7.*

*The use of an accidental discovery protocol (ADP) has been recommended by CFG Heritage Ltd. Policy 19.2.1c may become applicable if an archaeological site or sites are discovered during works.*

### **6.3.2 Objective 19.2.2 Policy 19.2.2b**

Policy 19.2.2b states the loss of heritage values associated with scheduled items shall be avoided.

*No Operative Plan scheduled archaeological or other historic sites are located in the Rotokauri North Private Plan Change 7 area. Therefore there will be no effects to the heritage values of scheduled items.*

### **6.3.3 Objective 19.2.4 and Policies 19.2.4a, b, c, d, and e**

The Operative Plan, Objective 19.2.4 states, significant archaeological and cultural sites shall be protected from damage or destruction.

*The protection of significant archaeological sites was discussed above under Objective 19.2.1: Policies 19.2.1a, 19.2.1b and 19.2.1c, and Objective 19.2.2 Policy 19.2.2b.*

*Cultural sites are addressed in a separate process and documented in a Cultural Impact Assessment for the Rotokauri North Private Plan Change.*

#### **6.3.3.1 Policy 19.2.4a**

Policy 19.2.4a requires subdivision, use and development shall be managed to avoid damage to archaeological and cultural sites where they exist, or are likely to exist.

*CFG Heritage Ltd. assessment found no archaeological sites in Rotokauri North Private Plan Change 7 area, therefore there should be no effect to archaeological sites.*

*CFG recommended the use of an accidental discovery protocol (ADP) for all works in the Plan Change 7 area. The use of an ADP for all the earthworks ensures that if pre-1900 archaeological features or deposits or human remains are discovered during the work that the find is recognized and adverse effects managed appropriately.*

#### **6.3.3.2 Policy 19.2.4b**

Policy 19.2.4b specifies, the protection and management of sites of archaeological and cultural significance shall be informed by their significance.

*CFG Heritage Ltd. found no evidence of archaeological sites in Rotokauri North Private Plan Change 7 area.*

*If sites are discovered during construction earthworks the use of an ADP provides for the assessment of site significance, protection, and appropriate management at the time of discovery.*

#### **6.3.3.3 Policy 19.2.4c**

Policy 19.2.4c states activities or development shall not adversely affect the physical structure and integrity of scheduled sites. This may include:

- i. Inappropriate planting;
- ii. The removal of vegetation where it affects the stability of the site; and
- iii. Additions, excavation or compaction of soil, rock or other materials.

*As was noted in response to Policy 19.2.4b CFG Heritage Ltd. found no evidence of archaeological sites in Rotokauri North Private Plan Change 7 area. If sites are discovered during construction use of an ADP for subdivision works will ensure that the site or suspected site can be assessed and effects managed appropriately.*

#### **6.3.3.4 Policy 19.2.4d**

Policy 19.2.4d requires the relationships of tangata whenua with sites of spiritual, cultural or historical significance shall be recognised and provided for.

*Cultural sites have been addressed and documented in a Cultural Impact Assessment for the Rotokauri North Private Plan Change prepared as a collaborate document of members of the Rotokauri North Tangata Whenua Working Group (TWWG).*

*No archaeological sites were identified in the Rotokauri North Private Plan Change 7 area by CFG Heritage Ltd. The recommended ADP (Hamilton City Council Operative Plan (Appendix 8-2))<sup>16</sup> recognises and provides for tangata whenua involvement if a site is accidentally discovered during construction.*

#### **6.3.3.5 Policy 19.2.4e**

Policy 19.2.4e states, where features of significant cultural sites are lost, these features should be recorded and recognised through on-site marking to ensure the historical legibility of Hamilton City.

*As was noted in response to Policy 19.2.4b CFG Heritage Ltd. found no archaeological sites in Rotokauri North Private Plan Change 7 area.*

*If sites are discovered during construction using an ADP for the work ensures that the site can be recorded assessed and recognized through on site marking to ensure the historic legibility of Hamilton City.*

## **7. Conclusion and Recommended Conditions**

An archaeological assessment was carried out of the Rotokauri Greenway designation by CFG Heritage Ltd in 2018. No archaeological sites or effects on archaeological values were identified. It was recommended that all work should be undertaken using an ADP.

### **7.1 Recommended Conditions**

The use of an ADP for the subdivision works is strongly supported. It is recommended that the Hamilton City Council Operative Plan (Appendix 8-2) Accidental Discovery Protocol (ADP) be required as a condition of consent for all works. The ADP is included in 7.1.1.

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<sup>16</sup> Included as 7.1.1 in this Technical Review.

### 7.1.1 Archaeological Sites, Archaeological Areas, Historic Areas or Waahi Tapu

Where, during earthworks on any site, any archaeological feature, artefact or human remains are accidentally discovered or are suspected to have been discovered, the following protocol shall be followed:	
i.	All work on the site will cease immediately. The contractor/works supervisor will shut down all equipment and activity.
ii.	The area shall be secured and the consent holder or proponent and Hamilton City Council must be advised of the discovery.
iii.	Heritage New Zealand Pouhere Taonga must be notified by the consent holder or proponent so that the appropriate consent procedure can be initiated.
iv.	The consent holder or proponent must consult with a representative of the appropriate iwi to determine what further actions are appropriate to safeguard the site of its contents.
In the case where human remains have accidentally been discovered or are suspected to have been discovered, the following will also be required:	
v.	The area must be immediately secured by the contractor in a way which ensure human remains are not further disturbed. The consent holder or proponent must be advised of the steps taken.
vi.	The Police shall be notified of the suspected human remains as soon as practicably possible after the remains have been disturbed. The consent holder or proponent shall notify the appropriate iwi and Heritage New Zealand Pouhere Taonga and Hamilton City Council within 12 hours of the suspected human remains being disturbed, or otherwise as soon as practically possible.
vii.	Excavation of the site shall not resume until the Police, Heritage New Zealand Pouhere Taonga and the relevant iwi have each given the necessary approvals for excavation to proceed.
	<i>Note</i> If any land use activity (such as earthworks, fencing or landscaping) is likely to modify, damage or destroy any archaeological site (whether recorded or unrecorded) an "authority" consent from Heritage New Zealand Pouhere Taonga must also be obtained for the work to lawfully proceed.

## 8. Constraints and Limitations

The scope of this review report is limited to archaeological matters and does not represent tangata whenua views or attempt to address or review mana whenua issues.

## Authors Qualifications and Experience

-PhD Archaeology, University of Otago.

-Master of Arts Interdisciplinary Archaeology, Oregon State University

and

Historic Conservation Architecture, University of Oregon.

-Bachelor of Science Psychology, University of Oregon.

Dr Simmons has forty years of archaeological and historic heritage experience. Her work has included peer reviews, expert witness testimony at Environment Court and District Council hearings, and resource consent mitigation measures. She also has extensive experience in site assessment surveys and excavations, construction monitoring, artefact analysis, built heritage assessment and documentation, report compilation, preparation of management plans, and training hapu monitors.

She has been employed by Simmons & Associates Ltd. (SAL) since 2000 as an archaeologist and historic building specialist. Prior to her work for SAL she was employed by Heritage New Zealand (HNZ) for eight years as the Regional Officer for the Waikato, Bay of Plenty and Coromandel-Hauraki. She carried out both built heritage and archaeological work for HNZ.

Clients have included: Heritage New Zealand, Waipa District, Waikato District, Hamilton City Council, Taupo District, South Waikato District, Transpower NZ, Environmental Protection Agency, the New Zealand Transport Agency, and private companies, trusts, and property owners.