



29 August 2018

File ref: 2019/069  
11013-21

Mark Peacocke  
Weston Lea Limited  
24 Duncan Parade  
HAMILTON 3216

Tena koe Mark

**APPLICATION FOR ARCHAEOLOGICAL AUTHORITY UNDER HERITAGE NEW ZEALAND  
POUHERE TAONGA ACT 2014: Authority no. 2019/69, S14/64, S14/176, S14/224, S14/318,  
S14/319, S14/475, S14/476, S14/477, S14/478, S14/479 and S14/480, Maori Horticultural  
Sites, 337 and 461 Peacockes Road, Hamilton (Map 1)**

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 the Amberfield development at 337 and 461 Peacockes Road, Hamilton (Map 1). Amberfield is a large subdivision (105ha) that will be developed in stages over the next decade. This will cause the destruction of 11 recorded archaeological sites (S14/64, S14/176, S14/224, S14/318, S14/319, S14/475, S14/476, S14/477, S14/478, S14/479 and S14/480) relating to pre-European Maori horticulture. This is an extensive and important archaeological landscape and there is reasonable cause to suspect that unrecorded subsurface sites shall be encountered. Visible surface features are usually part of larger archaeological gardening systems that are unable to be identified prior to development. We note that two authorities have already been granted for this development (2018/266 and 2018/466) for the purposes of gaining a greater understanding of the archaeology prior to the current application being made. This work identified 33.4ha of gardening soils in 11 tracts spread the length of the project area.

The authority has been granted for a 10 year period to cover the timeframe of the development. The conditions of the authority are based around the "Archaeological Site Management Plan" and the "Mitigation and Research Strategy" prepared by Warren Gumbley and submitted with the application. These documents will guide the recovery of archaeological information and it is our expectation that they will be reviewed prior to each major stage of development to ensure they reflect the current state of knowledge. The conditions of the authority provide for this.

It is also noted that you have proposed to reserve 12.5ha to protect part of S14/318. The area of the proposed reserve has been excluded from this application (as shown on Map 1). It is intended that this area will preserve a representative element of the archaeological landscape and provide an opportunity for it to be interpreted for the public. The area is of significance to Nga Mana Toopu o Kirikiriroa, Te Ha o Te Whenua o Kirikiriroa and Waikato Tainui and we appreciate the consultation you have undertaken.

Please inform Nga Mana Toopu o Kirikiriroa, Te Ha o Te Whenua o Kirikiriroa and Waikato Tainui, 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.

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.

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

Dr Rachel Darmody  
Archaeologist  
Heritage New Zealand Pouhere Taonga, Tauranga Office  
PO Box 13339, Tauranga 3141

Phone (07) 577 4535 Email [ArchaeologistLN@heritage.org.nz](mailto:ArchaeologistLN@heritage.org.nz)

Yours sincerely



Vanessa Tanner  
Manager Archaeology

- cc: Weston Lea Limited Mark Peacocke  
via email at [mark@whitehorse.nz](mailto:mark@whitehorse.nz)
- cc: Strategic Property Solutions Ltd, Andrew Duncan  
via email at [andrew.duncan@spsl.net.nz](mailto:andrew.duncan@spsl.net.nz)
- cc: Warren Gumbley  
via email at [warren@archaeologist.co.nz](mailto:warren@archaeologist.co.nz)
- cc: Nga Mana Toopu o Kirikiriroa, Wiremu Puke and Boris Samujh  
via email at [wiremupuke123@xtra.co.nz](mailto:wiremupuke123@xtra.co.nz) and [boris.samujh@gmail.com](mailto:boris.samujh@gmail.com)
- cc: Te Ha o Te Whenua o Kirikiriroa, Rawiri Bidois  
via email at [rawiribidois@gmail.com](mailto:rawiribidois@gmail.com)
- cc: Waikato Tainui, Lee Tane  
via email at [Lee.Tane@tainui.co.nz](mailto:Lee.Tane@tainui.co.nz)
- cc: Land Owner, The Adare Company Limited, Mark Peacocke  
via email at [mark@whitehorse.nz](mailto:mark@whitehorse.nz)
- cc: Planning Manager  
Hamilton City Council  
via email at [info@hcc.govt.nz](mailto:info@hcc.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  
c/o DOC, WELLINGTON  
Attn: Nicola Molloy  
via email at [nmolloy@doc.govt.nz](mailto:nmolloy@doc.govt.nz)
- cc: Heritage New Zealand Pouhere Taonga, Archaeologist, Dr Rachel Darmody
- cc: Heritage New Zealand Pouhere Taonga, Director Northern Region, Sherry Reynolds
- cc: Heritage New Zealand Pouhere Taonga Pouarahi, Dave Robson and Makere Rika-Heke



HERITAGE NEW ZEALAND  
POUHERE TAONGA

# **AUTHORITY**

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

**AUTHORITY NO:** 2019/069

**FILE REF:** 11013-21

**DETERMINATION DATE:** 29 August 2018

**EXPIRY DATE:** 29 August 2028

**AUTHORITY HOLDER:** Weston Lea Limited

**POSTAL ADDRESS:** 24 Duncan Parade, HAMILTON 3216

**ARCHAEOLOGICAL SITES:** S14/64, S14/176, S14/224, S14/318, S14/319, S14/475, S14/476, S14/477, S14/478, S14/479 and S14/480

**LOCATION:** 337 and 461 Peacockes Road, Hamilton (Map 1)

**APPROVED ARCHAEOLOGIST:** Warren Gumbley

**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.

### **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 sites described above, within the area specified as Lot 1 DPS 81210 - SA66A/99, Lot 2 DPS 81210 - SA66A/99, Lot 3 DPS 81210 - SA66A/100, Lot 4 DPS 81210 - SA66A/100, Lot 1 DP 36935 - SA5D/1211, Pt Lot 6 DP 34164 - SA4B/788, Lot 5 DP 17475 - SA718/181, Allotment 87 Te Rapa Parish - SA528/20, Lot 1 DPS 78023 - SA60A/826, Pt Allotment 94 Te Rapa Parish - SA528/20, Pt Allotment 93 Te Rapa Parish - SA528/20 (Map 1) to Weston Lea Limited for earthworks for the proposal to undertake the Amberfield development at 337 and 461 Peacockes Road, Hamilton (Map 1), subject to the following conditions:

### **CONDITIONS OF AUTHORITY**

1. 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.

2. The authority must be exercised in accordance with the "Amberfield Archaeological Site Management Plan" (2 July 2018) and the "Amberfield Mitigation and Research Strategy" (July 2018) attached to the authority application and any changes to the plan require the prior written agreement of Heritage New Zealand Pouhere Taonga.
3. Annually from the date of issue of this authority, the authority holder and the archaeologist approved by Heritage New Zealand Pouhere Taonga must review the "Amberfield Archaeological Site Management Plan" (2 July 2018) and the "Amberfield Mitigation and Research Strategy" (July 2018) to ensure the documents are up-to-date and reflect the current state of knowledge. The results of the review must be submitted to Heritage New Zealand Pouhere. Any changes to the plan require the prior written agreement of Heritage New Zealand Pouhere Taonga.
4. All earthworks that may affect any archaeological sites must be monitored at the discretion of an archaeologist approved by Heritage New Zealand Pouhere Taonga and in accordance with the Site Management Plan and Mitigation and Research Strategy referred to in Conditions 2 and 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.
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 Archaeologist, New Zealand Police and Nga Mana Toopu o Kirikiriroa, Te Ha o Te Whenua o Kirikiriroa and Waikato Tainui 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 Nga Mana Toopu o Kirikiriroa, Te Ha o Te Whenua o Kirikiriroa and Waikato Tainui, so long as the legal requirements of the authority are met. This condition is not a statement of mana whenua status.
7. That annually from the date of issue of this authority, the authority holder must submit to the Heritage New Zealand Pouhere Taonga Archaeologist and Nga Mana Toopu o Kirikiriroa, Te Ha o Te Whenua o Kirikiriroa and Waikato Tainui a written report containing a summary of the progress of the project.
8. The NZAA Site Recording Scheme must be updated annually from the date of issue of this authority with new or updated site record forms by the approved archaeologist.
9. 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 Archaeologist. Digital copies of the final report must also be sent to the NZAA Central Filekeeper and Nga Mana Toopu o Kirikiriroa, Te Ha o Te Whenua o Kirikiriroa and Waikato Tainui.

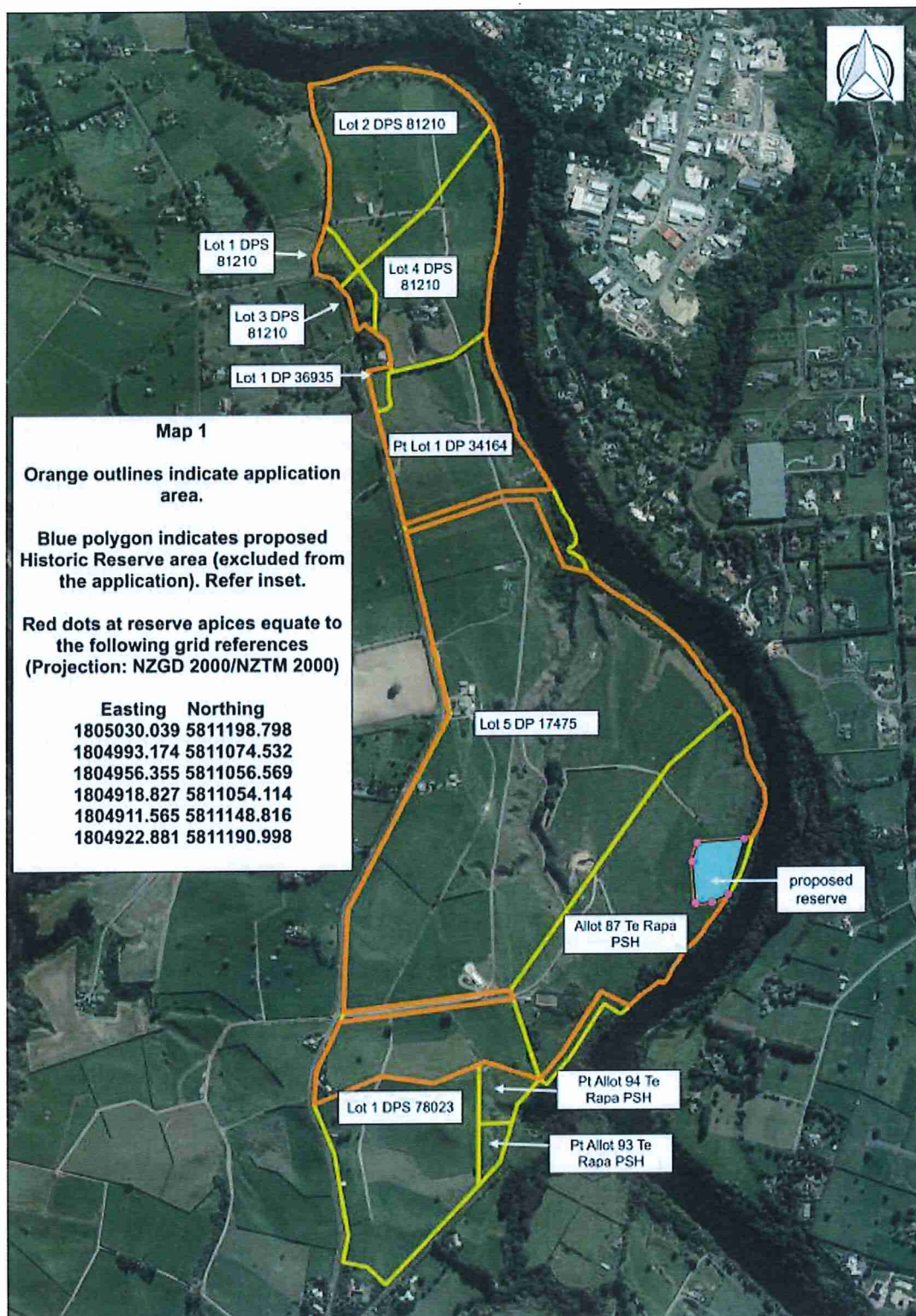
**Signed for and on behalf of Heritage New Zealand.**

That having given due consideration to Section 21(c) of the Act, the Board approve the granting of authority **2019/069** to Weston Lea Limited, for the proposal to undertake the Amberfield development subject to the conditions of this authority.

**Heritage New Zealand Pouhere Taonga Board  
PO Box 2629  
WELLINGTON 6140**

**Date 23 August 2018**





## **ADVICE NOTES**

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

Dr Rachel Darmody  
Archaeologist  
Heritage New Zealand Pouhere Taonga, Tauranga Office  
PO Box 13339, Tauranga 3141

Phone (07) 577 4535 Email [ArchaeologistLN@heritage.org.nz](mailto: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](http://archaeology.nz)

**Guideline Series**

Guidelines 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.



HERITAGE NEW ZEALAND  
POUHERE TAONGA

## **APPROVED ARCHAEOLOGIST**

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

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AUTHORITY NO: 2019/069

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APPROVAL DATE: 29 August 2018

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This approval may not be exercised during the appeal period of 15 working days or until any appeal that has been lodged is resolved.

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#### **APPROVAL**

Pursuant to section 45 of the Act, **Warren Gumbley**, is approved by Heritage New Zealand Pouhere Taonga to carry out any archaeological work required as a condition of authority 2019/069, and to compile and submit a report on the work done. Warren Gumbley 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.

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

Date 29 August 2018