



16 June 2023

File ref: 2023/534
11013-070

Tēnā koe Keren McDonnell

**APPLICATION FOR ARCHAEOLOGICAL AUTHORITY UNDER HERITAGE NEW ZEALAND
POUHERE TAONGA ACT 2014: Authority no. 2023/534: NZAA site Q08/652, at 47 Millbrook
Rd, Waipū, Northland.**

Thank you for your application on behalf of Vaco Industries (Waipū Project) Ltd for an archaeological authority which has been granted and is attached.

In considering this application, Heritage New Zealand Pouhere Taonga notes that Waco Investment (Waipū Project) Ltd wish to build a vehicle service centre. This centre will include extensive earthworks to provide a full petrol station, truck stop, food and beverages facility, supermarket, automotive assistance shop, public amenities and car parking, at 47 Millbrook Rd, Waipū, Northland.

The McGregor's Blacksmith shop (Q08/652) is the only site recorded within the property. The current proposed activity will involve extensive cut and fill earthworks over the area containing the blacksmith shop. While the small mound of blacksmith debris is the only confirmed feature relating to the site known to survive, it is very likely that subsurface archaeology relating to the actual blacksmith shop (where this debris came from), and other ancillary structures are still present in the vicinity. As such the proposed development will destroy any recorded and unrecorded subsurface archaeology present.

Although the property as a whole has suffered minor damage in the past from farming, it still possesses archaeological values. The site is of significance to Patuharakeke Resource Management Unit and Te Parawhau, 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.

In accordance with section 51 of the Heritage New Zealand Pouhere Taonga Act, we have notified relevant parties of this decision. 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.

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

Dr James Robinson
Senior Archaeologist – Poutairangahia
Heritage New Zealand Pouhere Taonga, Kerikeri Office
PO Box 836, Kerikeri 0245

Phone (09) 407 0473 Email ArchaeologistNA@heritage.org.nz

Nāku noa, nā



PP: Kiri Sharpe

Vanessa Tanner

Manager Archaeology, Heritage New Zealand Pouhere Taonga



HERITAGE NEW ZEALAND
POUHERE TAONGA

AUTHORITY

Heritage New Zealand Pouhere Taonga Act 2014

AUTHORITY NO: 2023/534

FILE REF: 11013-070

DETERMINATION DATE: 16 June 2023

EXPIRY DATE: 16 June 2028

AUTHORITY HOLDER: Vaco Investments (Waipū Project) Ltd

ARCHAEOLOGICAL SITES: Q08/652 and possible subsurface sites, to be determined

LOCATION: 47 Millbrook Rd, Waipū, Northland

SECTION 45 APPROVED PERSON: Glen Farley

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 site described above, within the area specified as Lot 1 DP 44163 to Vaco Investments (Waipū Project) Ltd for the proposal to build a service centre with petrol station, truck stop, food and beverages facility, supermarket, automotive assistance shop, public amenities and car parking, at 47 Millbrook Rd, Waipū, Northland, 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 the management plan; Farley May 2023; Archaeological Management Plan: Proposed Service Centre – 47 Millbrook Road, Waipū, Prepared for Vaco Investments (Waipū Project) Ltd, Clough and Associates Ltd, attached to the authority application and any changes to the plan require the prior written agreement of Heritage New Zealand Pouhere Taonga.
4. Prior to the start of any earthworks, an archaeological investigation must be carried out on site Q08/652 within the proposed development footprint, in accordance with section 52(2) of the Act. The aims of the investigation shall be to investigate, research and analyse archaeological stratigraphy, features and remains in accordance with current archaeological practice to gather information about the historical and cultural heritage of New Zealand.
5. The archaeological investigation must be exercised in accordance with a research strategy to be prepared by the s45 approved archaeologist. The plan must be submitted to the Heritage New Zealand Pouhere Taonga Senior 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.
6. All earthworks that may affect any as yet unrecorded archaeological sites must be monitored by the s45 approved person who may appoint a person to carry out the monitoring on their behalf.
7. Any archaeological evidence encountered during the exercise of this authority must be investigated, recorded and analysed in accordance with current archaeological practice.
8. In addition to any tikanga agreed to between the authority holder and Patuharakeke Resource Management Unit and Te Parawhau were provided with the authority application; the following shall apply:
 - a) Access for Patuharakeke Resource Management Unit and Te Parawhau shall be enabled in order to undertake tikanga consistent with any requirements of site safety.
 - b) Patuharakeke Resource Management Unit and Te Parawhau 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 Senior Archaeologist, New Zealand Police and Patuharakeke Resource Management Unit and Te Parawhau 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) Patuharakeke Resource Management Unit and Te Parawhau 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) Patuharakeke Resource Management Unit and Te Parawhau 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.
9. That within 20 working days of the completion of the on-site archaeological work associated with this authority, the authority holder shall ensure that:
- a) An interim report following the Archaeological Report Guideline ([AGS12 2023](#)) is submitted to the Heritage New Zealand Pouhere Taonga Senior Archaeologist for inclusion in the Heritage New Zealand Pouhere Taonga Archaeological Reports Digital Library.
 - b) Site record forms are updated or submitted to the NZAA Site Recording Scheme.
10. That within 12 months of the completion of the on-site archaeological work, the authority holder shall ensure that a final report, completed following the Archaeological Report Guideline ([AGS12 2023](#)), is submitted to the Heritage New Zealand Pouhere Taonga Senior 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 Senior Archaeologist.
 - b) Digital copies of the final report must also be sent to: the NZAA Central Filekeeper, Waipū house of Memories Museum, Patuharakeke Resource Management Unit and Te Parawhau, and the landowner.

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: 16 June 2023

ADVICE NOTES

Contact details for Heritage New Zealand Pouhere Taonga Senior Archaeologist

Dr James Robinson
Senior Archaeologist
Heritage New Zealand Pouhere Taonga, Kerikeri Office
PO Box 836, Kerikeri 0245

Phone (09) 407 0473 Email ArchaeologistNA@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.

Reporting Conditions

Reports required by authority conditions are to be prepared following the Archaeological Report Guideline (reference [AGS12 2023](#)).

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.

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: 2023/534

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APPROVAL DATE: 16 June 2023

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

APPROVAL

Pursuant to section 45 of the Act, **Glen Farley**, is approved by Heritage New Zealand Pouhere Taonga to carry out any archaeological work required as a condition of authority 2023/534, and to compile and submit a report on the work done. Glen Farley 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: 16 June 2023