



07 September 2020

File ref: 2021/061  
11013-006

Ministry for Culture and Heritage  
Public Trust Building,  
Level 1, 133-135 Lambton Quay  
PO Box 5364  
Wellington

Attn. Brodie Stubbs

Tēnā koe Brodie,

**APPLICATION FOR ARCHAEOLOGICAL AUTHORITY UNDER HERITAGE NEW ZEALAND  
POUHERE TAONGA ACT 2014: Authority no. 2021/061: R11/2681 Kilbryde, Dove Myer Park,  
Parnell, Auckland**

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 install the National Erebus Memorial at Dove Myer Robinson Park, Parnell, Auckland. This activity will affect a recorded archaeological site. Kilbryde (R11/2681) was one of three houses of Sir John Logan Campbell. The residence was built in the Italianate style and included a landscaped garden consisting of terraces, a pond, pathways and trees. The house was demolished in 1924 and the landscape soon modified to create a public reserve. Although the site has been damaged in the past, it still possesses important archaeological and heritage landscape values. The site is of significance to Ngati Whatua o Orakei 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 subsurface remains of the pond, and to reduce and remove where possible, any adverse effects on surviving subsurface remains of the house foundations.

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

Dr Sarah Phear  
Archaeologist  
Heritage New Zealand Pouhere Taonga, Auckland Office  
PO Box 105-291, Auckland 1143

Phone [REDACTED] s 9(2)(a) Email [REDACTED] s 9(2)(a)

Yours sincerely,

[REDACTED] s 9(2)(a)

Vanessa Tanner  
Manager Archaeology

- cc: Brodie Stubbs, MCH  
via email at [REDACTED] s 9(2)(a)
- cc: [REDACTED] s 9(2)(a), The Building Intelligence Group  
via email at [REDACTED] s 9(2)(a)
- cc: [REDACTED] s 9(2)(a) Clough & Associates Ltd  
via email at [REDACTED] s 9(2)(a) <[heritage@clough.co.nz](mailto:heritage@clough.co.nz)>
- cc: Ngati Whatua o Orakei (Andrew Brown)  
via email at [REDACTED] s 9(2)(a)
- cc: Laurence Jones, Auckland Transport  
via email at [REDACTED] s 9(2)(a)
- cc: Allan Christensen, Auckland Council  
via email at [REDACTED] s 9(2)(a)
- cc: Team Leader Cultural Heritage Implementation  
Auckland Council  
via email to [heritageconsents@aucklandcouncil.govt.nz](mailto:heritageconsents@aucklandcouncil.govt.nz)
- cc: Property Records and Files  
Auckland Council  
via email to [records@aucklandcouncil.govt.nz](mailto:records@aucklandcouncil.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  
Attn: Mary O'Keeffe  
via email at [centralfilekeeper@archsite.org.nz](mailto:centralfilekeeper@archsite.org.nz)
- cc: Heritage New Zealand Pouhere Taonga Archaeologist, Dr Sarah Phear
- cc: Heritage New Zealand Pouhere Taonga Area Manager, Mid Northern, Bev Parslow
- cc: Heritage New Zealand Director Pouhere Taonga, Northern Region, Sherry Reynolds
- cc: Heritage New Zealand Pouhere Taonga Tuakana Pouarahi and Kaiurungahoe Maori Heritage Team Leader Northern Region, Makere Rika-Heke



HERITAGE NEW ZEALAND  
POUHERE TAONGA

# **AUTHORITY**

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

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**AUTHORITY NO: 2021/061**

**FILE REF: 11013-006**

**DETERMINATION DATE: 07 September 2020**

**EXPIRY DATE: 07 September 2025**

**AUTHORITY HOLDER: Ministry for Culture and Heritage**

**POSTAL ADDRESS: Public Trust Building, Level 1, 133-135 Lambton Quay, PO Box 5364, Wellington. Attn. Brodie Stubbs**

**ARCHAEOLOGICAL SITES: R11/2681**

**LOCATION: Dove Myer Robinson Park, Parnell, Auckland**

**SECTION 45 APPROVED PERSON: Charlotte Judge**

**LAND OWNER CONSENT: Completed**

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**This authority 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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### **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 Pt Allot 4 and Pt Allot 1 Sec 2 Suburbs of Auckland and Gladstone Road Reserve to the Ministry for Culture and Heritage for the proposal to undertake earthworks to install the National Erebus Memorial at Dove Myer Robinson Park, Parnell, Auckland, 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 (C. Judge and R. Clough, July 2020, Archaeological Management Plan: Proposed Erebus Memorial, Dove Myer Robinson Park, Parnell) attached to the authority application and 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 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 protocols between the authority holder and Ngati Whatua o Orakei were provided with the authority application, the following shall apply:
  - a) Access for Ngati Whatua o Orakei shall be enabled in order to undertake tikanga Māori protocols consistent with any requirements of site safety.
  - b) Ngati Whatua o Orakei 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 Ngati Whatua o Orakei 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) Ngati Whatua o Orakei shall be informed if any possible taonga or Māori artefacts are identified to enable appropriate tikanga protocols 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) Ngati Whatua o Orakei 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.

This is not a statement of mana whenua status.
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.
  - 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.

- 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: NZAA Central Filekeeper; Auckland Council Heritage Unit; Auckland War Memorial Museum; Ngati Whatua o Orakei.

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

s 9(2)(a)



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

**Date 07 September 2020**

## **ADVICE NOTES**

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

Dr Sarah Phear  
Archaeologist  
Heritage New Zealand Pouhere Taonga, Auckland Office  
P O Box 105-291, Auckland 1143

Phone [REDACTED] s 9(2)(a) Email [REDACTED] s 9(2)(a)

### **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 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.

### **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 referred to in this document 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

# **SECTION 45 APPROVED PERSON**

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

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**AUTHORITY NO: 2021/061**

**FILE REF: 11013-006**

**APPROVAL DATE: 07 September 2020**

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

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### **APPROVAL**

Pursuant to section 45 of the Act, **Charlotte Judge**, is approved by Heritage New Zealand Pouhere Taonga to carry out any archaeological work required as a condition of authority 2021/061, and to compile and submit a report on the work done. Charlotte Judge 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,**

s 9(2)(a)



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

**Date 07 September 2020**