



Section 51(2)(d) Fast-track Approvals Act 2024 Report

Milldale [FTAA-2502-1015]

Recommendation:

- Heritage New Zealand Pouhere Taonga (HNZPT) recommends that an archaeological authority is **granted**, subject to conditions, under the Fast-track Approvals Act 2024 (FTA Act).
- If the authority is granted, HNZPT recommends that the panel **approve** the application for Ellen Cameron as the approved person to carry out the archaeological work under the authority.

Introduction:

HNZPT is an administering agency under the FTA Act where an application contains an approval for an archaeological authority. As an administering agency, HNZPT has been directed to provide a report on the application for an archaeological authority to be considered by the Panel as part of the MILLDALE substantive application. This report has been prepared in accordance with the requirements of an archaeological authority, as outlined in Schedule 8 of the FTA Act.

The Application

Fulton Hogan Development Ltd (the Applicant) has applied for an archaeological authority to carry out bulk earthworks for a residential subdivision (proposed development).

This recommendation is based on HNZPT's review of the following documents:

- Cameron, E. February 2025. Wainui, Auckland, Proposed Milldale Residential Development, Stages 4C and 10-13: Fast Track Archaeological Assessment. Clough & Associates report prepared for Fulton Hogan Land Development Ltd.
- Cameron, E. February 2025. Milldale Development, Auckland- Wastewater Treatment Plant: Fast Track Archaeological Assessment. Clough & Associates report prepared for Fulton Hogan Land Development Ltd.
- Cameron, E. February 2025. Archaeological Management Plan, Wainui, Auckland, Proposed Milldale Fast Track Residential Development. Clough & Associates report prepared for Fulton Hogan Land Development Ltd.
- Cameron, E. February 2025. Description of archaeologist's skill and competency.
- MacDonald, A. 2025. Kaitiaki Report.
- McDonald, A. February 2025. Milldale Wastewater Treatment Plant – Cultural Investigation Report.

HNZPT agrees with the conclusions of the archaeological assessments, the consultation undertaken, and the proposed mitigation measures included in the Archaeological Management Plan, the proposed conditions, and the AAE, in regard to consideration of effects on archaeology. HNZPT supports the role of Mana Whenua to advise on matters of tikanga.



Effect of the proposal on the archaeological, Māori and other related values:

Archaeological Assessment

One archaeological site, R10/1452 (drystone wall) has been recorded in Stage 11. Historical research has indicated that the proposed WWTP, Stage 4C and Stages 10 - 13 properties are situated in allotments that were granted to early European settlers in the mid-19th century and appear to have been in use for general agricultural purposes in the past. The potential for presence of archaeological sites associated with Māori occupation and settlement is considered low as the properties are located somewhat inland and not near any navigable waterways.

Consultation

The Applicant states they contacted all iwi identified by the Auckland Council website as having a potential interest in the area on 29 October 2024. Of the 12 iwi groups contacted, two sought engagement, Ngāti Manuhiri and Te Kawerau ā Maki. The other ten, Ngāi Tai ki Tāmaki, Ngāti Maru, Ngāti Pāoa, Ngāti Te Ata, Ngātiwai, Ngaati Whanaunga, Ngāti Whātua ki Kaipara, Ngāti Whātua Ōrākei, Te Ākitai Waiohau and Te Rūnanga o Ngāti Whātua did not respond.

| Iwi/Hapū | Name of Kaitiaki | Details of engagement and responses provided |
|-------------------|------------------|--|
| Ngāti Manuhiri | [REDACTED] | <ul style="list-style-type: none">- Online meeting on 14 November 2024, where an overview of the proposed works was provided.- A site visit was carried out on 5 December 2024 with representatives from Ngāti Manuhiri and Te Kawerau ā Maki.- [REDACTED] from Ngāti Manuhiri emailed the Applicant on 24 January 2025, confirming they would provide a statement of support for the project.- Ngāti Manuhiri provided a cultural assessment on 11 February 2025, confirming they do not oppose the project.- Ngāti Manuhiri attended another site visit on 12 February 2025. |
| Te Kawerau ā Maki | [REDACTED] | <ul style="list-style-type: none">- Online meeting on 19 November 2024, where an overview of the proposed works was provided.- A site visit was carried out on 5 December 2024 with representatives from Ngāti Manuhiri and Te Kawerau ā Maki.- [REDACTED] on behalf of Te Kawerau ā Maki confirmed by email on 24 January 2025 they do not oppose the proposal and provided a Cultural Investigation Report. |

Māori Cultural Values

The cultural association of this landscape to tangata whenua is evident from the traditional histories and known Māori place names. Both Ngāti Manuhiri and Te Kawerau ā Maki describe a long connection to this landscape over generations.

Ngāti Manuhiri define their rohe or tribal boundaries as *encompass[ing] Bream Tail / Mangawhai to the north and extend[ing] south to the Okura River mouth south of Whangaparaoa. [Their] easterly boundary takes in the islands of Hauturu-ō-Toi, Kawau Tūmārō-ō-Tōi, Tiritiri Matangi, Panetiki, the Mokohinau*



islands, Hāwera a Maki, Motu Tohorā, Motuihe, Moturekareka, Motuketekete, Motutara, Te Haupa and associations in the Waitemata and the lower Hauraki Gulf. The western boundary start[s] in the North at Patumakariri, Kaipara, Moturemu, Arapāra, Makarau through to Ōteha / Takapuna (MacDonald 2025).

Te Kawerau ā Maki state [o]ur rohe or area of shared ancestral interest extends from Whatipu to Waionui (South Head) in the west, and from the Tāmaki River to Mangawhai on the east including the northern inner Hauraki Gulf islands (particularly Tiritiri Matangi) (McDonald 2025).

There are no known or recorded Māori archaeological sites, wāhi tapu or sites of significance to Māori in the proposed works area. Cameron (2025) describes the likelihood of archaeological sites associated with Māori occupation and settlement as low, *as the properties are situated inland and not in close proximity to any navigable waterways*. McDonald (2025) states *there are no noted wāhi tapu on this site or within close proximity to the site*. However, the possibility of unrecorded Māori archaeological sites cannot be entirely ruled out. HNZPT considers that the effect on the Māori cultural values resulting from the proposed works can be mitigated or avoided if the advice of Kaitiaki is followed.

Proposed mitigation:

Archaeological Management Plan

HNZPT has reviewed the proposed mitigation measures included in the Archaeological Management Plan and agrees they will mitigate the identified adverse effects on the archaeological values of potential unrecorded sites within the subject land.

Proposed Conditions

HNZPT has reviewed the conditions proposed by the Applicant (Volume 6: Proposed Conditions of Consent | Milldale, Wainui, Section 5). HNZPT agrees with the conditions proposed and considers that they will contribute to the mitigation of the adverse effects on the archaeological values located within the subject land.

Assessment of Criteria listed in Schedule 8, clause 4 FTA Act:

Schedule 8, clause 4 of the FTA Act sets out the matters that the Panel must take into account when considering an application.

In reaching the recommendations set out below, HNZPT has considered the matters set out in section 59(1)(a) and section 47 (1)(a)(ii) and (5) of the HNZPT Act 2014, as well as the HNZPT statements of general policy and makes the following comments:

Section 59(1)(a) HNZPTA

There is no hierarchy between the matters set out in section 59(1)(a) of the HNZPTA, rather it is an overall assessment.

The granting of an archaeological authority for this application would be consistent with the matters set out in section 59 (1)(a) of the HNZPT Act 2014. There is no evidence to suggest that the historical and cultural heritage value of the recorded archaeological sites or any potential subsurface archaeological sites justify the protection of the site. The application states this area does not fall under any Statutory Acknowledgement Area and the Applicant has undertaken consultation with iwi/hapū, who have not expressed opposition to the application proposal.

Section 47(1)(a)(ii) and (5) HNZPTA



Section 47 (1) (a) (ii) and (5) only apply for an authority application made pursuant to section 44(b) of the HNZPTA – a minor effects authority.

The Milldale application is not for an authority pursuant to section 44(b), so the matters in Schedule 8, clause 4(c) are not relevant considerations for this application.

Relevant Statement of General Policy

The relevant Statement of General Policy is *The Administration of the Archaeological Provisions under the Heritage New Zealand Pouhere Taonga Act 2014*, dated 29 October 2015. (Statement of General Policy)

The granting of an archaeological authority for this application, with appropriate conditions, is consistent with the objectives and policies set out in the Statement of General Policy, in particular:

- Objective 1, and Policies 1.2, 1.3, and 1.8, in relation to the value and importance of researching, documenting and recording the historical and cultural heritage of New Zealand);
- Objective 2, and the policies in relation to Māori cultural values and consultation;
- Objective 4, and Policies 4.4 and 4.5 in relation to the importance of reports and the availability of the information contained within;
- Objective 5 and Policies 5.1 and 5.2 relating to obtaining historical and cultural heritage knowledge through archaeological research; and
- Objective 6 and policies that provide for kōiwi tangata to be treated in a sensitive and culturally respectful manner.

Recommended Conditions (Schedule 8, clause 5 FTA Act)

HNZPT has considered the Applicant's proposed conditions, the conditions listed in Schedule 8, clause 5(1) FTA Act, and the standard conditions that HNZPT imposes on authorities granted under the HNZPTA. These standard conditions have demonstrated their effectiveness in regulating this type of activity and give effect to the Statement of General Policy, in particular with regard to the objectives and policies identified above.

In its recommendation, HNZPT sets out the conditions it considers appropriate in the event this authority is granted. These conditions are considered important mechanisms to ensure that archaeological works:

- are undertaken in a culturally appropriate way; and
- mitigate any adverse effects on the adversely affected archaeological values; and
- will allow for any information collected to be recorded in a report and accessible to other archaeologists and interested persons; and
- that can be monitored and measured to ensure compliance.

Application for approval of person to carry out activity:

HNZPT has reviewed the support information provided with the application for a person nominated to undertake an activity under the authority against the requirements of Schedule 8, clause 7 of the FTA Act, namely:

- (a) has sufficient skill and competency, is fully capable of ensuring that the proposed activity is carried out to the satisfaction of Heritage New Zealand Pouhere Taonga, and has access to appropriate institutional and professional support and resources; and



- (b) in the case of a site of interest to Māori,
 - (i) has the requisite competencies for recognising and respecting Māori values; and
 - (ii) has access to appropriate cultural support.

HNZPT considers that Ellen Cameron has sufficient skill and competency to undertake the work required if this authority is granted and has access to appropriate institutional and professional support.

Ellen Cameron has an established working relationship with iwi/hapū in the Tāmaki region. Kaitiaki Māori consulted have not expressed opposition to Ellen Cameron undertaking archaeological works. Ellen Cameron has stated she has the requisite competencies necessary to undertake works and can recognise and respect Māori values. Kaitiaki Māori will provide ongoing guidance where cultural matters and tikanga are concerned regarding archaeological material / taonga that may be uncovered during proposed works.

Recommendation (Schedule 8, clause 3 FTA Act)

HNZPT recommends that an archaeological authority be granted under the FTA Act, subject to the following conditions:

1. Site Briefing

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. Start Work Notification

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. Archaeological Management Plan

The authority must be exercised in accordance with the Archaeological Management Plan (Cameron, E. 2025 Wainui, Auckland, Proposed Milldale Fast Track Residential Development) attached to this authority and an archaeological investigation must be carried out of R10/1452 in accordance with the recording strategy included in the management plan. The aims of the investigation shall be to investigate, research and analyse standing structures and remains in accordance with current archaeological practice to gather information about the historical and cultural heritage of New Zealand. Any changes to the plan require the prior written agreement of Heritage New Zealand Pouhere Taonga.

4. Additional Archaeological Sites

Any earthworks that may affect any additional archaeological sites encountered during the works must be monitored by the s45 approved person who may appoint a person to carry out monitoring on their behalf.

5. Archaeological Finds

Any archaeological evidence encountered during the exercise of this authority must be investigated, recorded and analysed in accordance with archaeological practice.



6. Ngāti Manuhiri and Te Kawerau ā Maki

In addition to any tikanga agreed to between the authority holder, Ngāti Manuhiri and Te Kawerau ā Maki provided with the authority application, the following shall apply:

- (a) Access for Ngāti Manuhiri and Te Kawerau ā Maki shall be enabled in order to undertake tikanga consistent with any requirements of site safety;
- (b) Ngāti Manuhiri and Te Kawerau ā Maki 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, Ngāti Manuhiri and Te Kawerau ā Maki must be advised immediately in accordance with Guidelines for Kōiwi Tangata/Human Remains (AGS8 2010) and no further work in the area may take place until future actions have been agreed by all parties;
- (d) Ngāti Manuhiri and Te Kawerau ā Maki 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; and
- (e) Ngāti Manuhiri and Te Kawerau ā Maki 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.

7. Completion of Archaeological Siteworks

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; and
- (b) Site record forms are updated or submitted to the NZAA Site Recording Scheme.

8. Archaeological Records

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; and
- (b) Digital copies of the final report must also be sent to the NZAA Central Filekeeper,



HERITAGE NEW ZEALAND
POUHERE TAONGA



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: 15 July 2025