



16 February 2024

File ref: 2024-332
11013-037

Tēnā koe Neil Donaldson

**APPLICATION FOR ARCHAEOLOGICAL AUTHORITY UNDER HERITAGE NEW ZEALAND
POUHERE TAONGA ACT 2014: Authority no. 2024/332: O27/326 and O27/327, 7 Ralphine
Way, Nelson.**

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 CCKV Maitai Dev Co LP wish to clear the project area as preparation for the development of the property into residential sections at 7 Ralphine Way, Nelson. This activity will affect recorded archaeological sites: O27/326, a historic domestic site; and O27/327, an agricultural/pastoral site. Although the sites have been damaged in the past, they may still have archaeological and historic values. The area is of significance to Ngāti Rārua, Te Ātiawa Trust, Ngāti Tama ki Te Waipounamu, Ngāti Toa Rangatira, Te Runanga o Ngāti Kuia Trust, Ngati Apa ki te Rā Tō Trust, Ngāti Koata, and Rangitāne O Wairau, 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:

Christine Barnett
Archaeologist - Poutairangahia
Heritage New Zealand Pouhere Taonga, Wellington Office
PO Box 2629, Wellington 6140

Phone (04) 494 8323 Email ArchaeologistCR1@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: 2024/332

FILE REF: 11013-037

DETERMINATION DATE: 16 February 2024

EXPIRY DATE: 16 February 2029

AUTHORITY HOLDER: CCKV Maitai Dev Co LP

ARCHAEOLOGICAL SITES: O27/326 and O27/327

LOCATION: 7 Ralphine Way, Nelson

SECTION 45 APPROVED PERSON: Amanda Young

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 sites within the area specified as Pt Sec 11 Brook Street and Maitai District (Appendix A) to CCKV Maitai Dev Co LP for the proposal to clear all above-ground structures and features within the subject area plus the removal of foundations involving excavations of up to 2m in depth at 7 Ralphine Way, Nelson, 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 a management plan commissioned, or prepared with archaeological advice, by the authority holder. The management plan shall provide operational guidelines and procedures for day-to-day activities that may affect archaeological sites during the proposed works. The plan shall include, but is not limited to, the following:
 - a) procedures for any archaeological investigation or recording of archaeological information,
 - b) the role, responsibility and level of authority of the s45 approved person and any other person appointed to undertake archaeological work on their behalf. Names and contact details of all other persons whom the s45 approved person appoints must be stated in the management plan,
 - c) timeframes for archaeological work,
 - d) protocols for the unexpected discovery of archaeological material,
 - e) Sampling strategies and artefact management protocols,
 - f) on-site briefing by the s45 approved person (who may appoint a person to carry out the briefing on their behalf) for contractors about the archaeological work required and how to identify archaeological sites during works. The management plan must state who will be carrying out the briefings,
 - g) the responsibilities of contractors with regard to notification of archaeological sites,
 - h) requirements for stand down periods to enable archaeological work,
 - i) mechanisms for dispute resolution, and
 - j) emergency contact details for the s45 approved person, Heritage New Zealand Pouhere Taonga Senior Archaeologist and Iwi.

The plan must be submitted to the Heritage New Zealand Pouhere Taonga 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.

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. The pre-1900 elements of the buildings at 7 Ralphine Way, Nelson must be investigated, recorded and analysed prior to their demolition to document and recover information about their construction, alteration and use through time. This is to be undertaken to a minimum standard of Level II recording as defined in Guidelines for the Investigation and Recording of Buildings and Standing Structures ([AGS1 2018](#)).
7. The authority holder must ensure that if any possible taonga or Māori artefacts, or sites of Māori origin are encountered, all work should cease within 10 metres of the

discovery. The Heritage New Zealand Pouhere Taonga Archaeologist must be advised immediately and no further work in the area may take place until they have responded.

8. 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 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.
9. 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 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 Archaeologist.
 - b) Digital copies of the final report must also be sent to: the NZAA Central Filekeeper, Nelson Provincial Museum, Ngāti Rārua, Te Ātiawa Trust, Ngāti Tama ki Te Waipounamu, Ngāti Toa Rangatira, Te Runanga o Ngāti Kuia Trust, Ngāti Apa ki te Rā Tō Trust, Ngāti Koata, and Rangitāne O Wairau.

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 February 2024

Appendix A: Area of works covered by authority 2024/332 indicated by red circle.



ADVICE NOTES

Contact details for Heritage New Zealand Pouhere Taonga Archaeologist

Christine Barnett
Archaeologist - Poutairangahia
Heritage New Zealand Pouhere Taonga, Wellington Office
PO Box 2629, Wellington 6140

Phone (04) 494 8323 Email ArchaeologistCR1@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: 2024/332

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APPROVAL DATE: 16 February 2024

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

APPROVAL

Pursuant to section 45 of the Act, **Amanda Young**, is approved by Heritage New Zealand Pouhere Taonga to carry out any archaeological work required as a condition of authority 2024/332, and to compile and submit a report on the work done. Amanda Young 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 February 2024