

Memo

To: Vanessa Leddra – Policy Planner – Planning Central / South, Plans and Places, Auckland Council.

From: Mica Plowman, Principal Heritage Advisor: Cultural Heritage Implementation, Heritage Unit, Plans and Places Department.

Date: 24/11/2023

Subject: New Zealand Transport Agency [Waka Kotahi]. Bombay Weigh Right (CVSC) Site, 253 Mill Road, Bombay, Auckland, Notice of Requirement.

1. Purpose of this memo

- 1.1. This memo sets out Auckland Council's Cultural Heritage Implementation Team's assessment of the impact that the proposed works, covered by the Notice of Requirement (NOR) will have on historic heritage within the applications boundaries.
- 1.2. The assessment was requested by Vanessa Leddra – Policy Planner, Planning - Central/South.
- 1.3. This memo has been prepared by Mica Plowman – Principal Heritage Advisor on behalf of the Cultural Heritage Implementation Team, within Auckland Council's Heritage Unit.

2. Exclusions

- 2.1. This memo does not include an assessment of the cultural significance of the application area to mana whenua. The cultural and other values that mana whenua places in the area may differ from its archaeological values and are determined by mana whenua. For example, low archaeological values do not necessarily equate to low cultural values. Archaeological mitigation proposed in the application should not be considered mitigation for effects on cultural values.

3. Reviewed application documents

- 3.1. In making its assessment, the Cultural Heritage Implementation Team has reviewed the following documents, which were provided in support of the application:

- *Notice of Requirement for a Designation of Land Waka Kotahi NZ Transport Agency Bombay Commercial Vehicle Centre, 24 October 2023.*
- *PART C – Assessment of Effects on the Environment. Waka Kotahi NZ Transport Agency Bombay Commercial Vehicle Safety Centre. Prepared by WSP New Zealand Ltd 24 October 2023.*
 - *Appendix C.1- Bombay CVSC Permitted Activities (Regional)*
 - *253 Mill Road, Bombay: Archaeological Assessment. Prepared for WSP New Zealand Limited by CFG Heritage Limited (Hayley Glover) 28 October 2022.*
 - *Waka Kotahi NZ Transport Agency Bombay Weigh Right (CVSC) Site, Auckland Weigh Right Programme. ARCH CHECK prepared by WSP (Patrick Harsveldt Senior Archaeologist and Heritage Consultant) 20 February 2022.*

- Waka Kotahi Commercial Vehicle Safety Centre Programme, Bombay, Auckland Site Management Plan. Prepared by WSP 6 August 2023.
 - Appendix C – Unexpected Discovery Protocol
- The team has assessed the information in these documents against the Auckland Unitary Plan operative in part November 2018.

3.2. In making its assessment, the team has also taken into account:

- Auckland Council Cultural Heritage Inventory (CHI) <https://chi.net.nz/>
- New Zealand Archaeological Association (NZAA) *ArchSite* Database <http://www.archsite.org.nz/>
- Heritage New Zealand Pouhere Taonga Rārangī Kōrero/The List <https://www.heritage.org.nz/the-list>
- ICOMOS New Zealand Charter <https://icomos.org.nz/charters/>
- Other relevant sources containing historical and archaeological information.

3. The proposed works

3.3. Waka Kotahi (Requiring Authority) proposes to establish a Commercial Vehicle Safety Centre in Bombay, Auckland (the 'CVSC') at 253 Mill Road, Bombay Auckland. To provide for the CVSC, Waka Kotahi is proposing to designate land through a Notice of Requirement (NOR) under the Resource Management Act, 1991 (RMA) and is applying for the associated resource consents for the construction, operation and maintenance of the CVSC.

3.4. The intention is that Heavy Commercial Vehicles (HCVs) will be directed to the CVSC from State Highway 1 (SH1) for inspection by the New Zealand Police. The wider Project also includes infrastructure upgrades within the state highway corridor and local roads to support the operation of the CVSC, such as installing in-road smart technology and signage to detect and direct HCVs to the site.

3.5. The proposed works are described in the resource consent application and its supporting documentation. They include:¹

- Earthworks for site preparation and structure foundations, retaining walls and embankments around the northern, eastern and southern boundaries of the site.
- The proposed earthworks will occur over the entire extent of the CVSC footprint necessary to build the site platform. The total earthworks have an approximate total area of 11,190m² and volume of 22,252m³ in cut, and 184m³ in fill.

4. Archaeology/historic heritage within the application area

4.1. This section summarises the historic heritage of the area within the resource consent application's boundaries and includes any specific historic sites that have been identified. The information derives from the NOR/resource consent application and its supporting documentation (see Section 4), and from the Auckland Council Cultural Heritage Inventory.

¹ PART C – Assessment of Effects on the Environment. Waka Kotahi NZ Transport Agency Bombay Commercial Vehicle Safety Centre. Prepared by WSP New Zealand Ltd 24 October 2023, pg.,19.

- 4.2. The application proposal does not affect scheduled archaeological sites in Schedule 14.1 (Schedule of Historic Heritage) in the Auckland Unitary Plan Operative in part (updated 10 February 2023) [AUP OIP].
- 4.3. No sites are recorded on the New Zealand Heritage List/Rārangī Kōrero for the application area.
- 4.4. The applicants' archaeological assessment provides a detailed discussion of the historical and archaeological background of the project area, which is not repeated here. A brief summary is provided below to provide context to this assessment.
- 4.5. The archaeological landscape of Bombay is under-recorded, with limited systematic archaeological investigations undertaken in the area. However, current archaeological and historical records indicate that the land has been occupied by Māori prior to the arrival of European settlers. Prehistoric settlement sites recorded in the wider landscape include small, defended settlements, undefended kāinga and defended pā sites. Kumara gardens and storage pits were most likely distributed across the region. Evidence of this fertile gardening cultivation ground has most likely been destroyed or obscured during farming practices, intensive residential and rural development over the last century.
- 4.6. Historically, this landscape was also the setting for Māori and European military battles and skirmishes during the New Zealand Wars' Waikato Campaign from the 1860s, with a number of archaeological sites relating to this period of hostility located in the wider area.
- 4.7. Many of the recorded sites within Bombay are related to the colonial settlement of the area. These include the various redoubts and stockades from the Waikato War recorded by Bulmer in 1979 (Martyn's Farm Stockade R12/183, Baird's Hill stockade R12/184, William's Clearing Redoubt R12/187, Razorback Redoubt R12/185 and Rhodes Clearing R12/186), and sites relating to the construction of the Great South Road including stone-lined culverts (R12/781 and R12/757) recorded by Tanner for the Auckland Regional Council in 2003.
- 4.8. There are no recorded archaeological sites within the footprint of the proposed Waka Kotahi CVSC footprint at 253 Mill Road Drury. Nor are there any recorded archaeological sites in close proximity to the proposed works area. The nearest recorded archaeological site is located c.800m to the southeast and marks the location of a 19th century bridge/culvert (R12/757). The next closest sites are three historic-period sites located between 1km – 1.2km to the north of the site, which refer to a European military redoubt (Williamson's Clearing Redoubt R12/187), Bairds Hill Stockade (R12/184), and a stone lined culvert (R12/781) over 1km to the north. These recorded archaeological sites are located outside of the project works area at 253 Mill Road and will not be affected by proposed works.²

² A). *253 Mill Road, Bombay: Archaeological Assessment. Prepared for WSP New Zealand Limited by CFG Heritage Limited (Hayley Glover) 28 October 2022, pg., 4-6.*

b). *Waka Kotahi NZ Transport Agency Bombay Weigh Right (CVSC) Site, Auckland Weigh Right Programme. ARCH CHECK prepared by WSP (Patrick Harsveldt Senior Archaeologist and Heritage Consultant), 20 February 2022.*

5. Effects of the proposed works on archaeology/historic heritage within the application area

5.1. The applicant's consultant archaeologist states –

*“No evidence of archaeology was observed during the site survey, and no items have come to light during the desktop portion of the study. The area of proposed works is largely modified. There is no reasonable cause to suspect that in-situ archaeological material will be encountered or affected by the proposed”*³

5.2. This statement is based on the applicant's consultant archaeologist reviewing literature and archaeological reports, undertaking archival research, reviewing survey plans and aerial photographs, and conducting a visual ground inspection of 253 Mill Road.

5.3. Although the application property has no identified historic heritage or archaeological values, in summarising the potential archaeological/historic heritage risk the applicant's consultant archaeologist states –

*“ It should be recognised that the visual inspection carried out during the survey cannot provide conclusive evidence for the absence of archaeological sites as many are only identified following significant ground disturbance and topsoil removal”.*⁴

5.4. The applicant's consultant archaeologist makes the following recommendations;

- An authority to modify or destroy archaeological sites within the scope of works does not need to be applied for from Heritage New Zealand Pouhere Taonga under Section 44 of the Heritage New Zealand Pouhere Taonga Act 2014;
- All works should be undertaken under the Accidental Discovery Rule in Chapter E11.6.1 of the Auckland Unitary Plan;
- Since archaeological survey cannot always detect sites of traditional significance to Māori, or wahi tapu, the appropriate tangata whenua authorities should be consulted regarding the possible existence of such sites, and the recommendations in this report.

5.5. I agree with and support this assessment of the potential archaeological/historic heritage risk.

6. Applicants Proposed Conditions

6.1. The applicant has proposed that the following conditions and advice notes be attached to any granted resource consent for archaeology/historic heritage –

Condition 10:

(a) An Accidental Discovery Protocol (ADP) shall be prepared prior to the start of construction. The purpose of the ADP is to set out the procedures to be followed if there are accidental archaeological discoveries which occur during construction.

³ 253 Mill Road, Bombay: Archaeological Assessment. Prepared for WSP New Zealand Limited by CFG Heritage Limited (Hayley Glover) 28 October 2022, pg.,10.

⁴ 253 Mill Road, Bombay: Archaeological Assessment. Prepared for WSP New Zealand Limited by CFG Heritage Limited (Hayley Glover) 28 October 2022, pg.,6.

(b) The ADP shall be:

(i) Consistent with the Waka Kotahi Minimum Standard P45 – *Accidental Archaeological Discovery Specification* (August 2018) or any subsequent updated version; and

(ii) Prepared in consultation with iwi.

6.2. No advice notes relating to archaeology/historic heritage are proposed by the applicant.

6.3. I support the applications proposal to undertake earthworks under the directive of Accidental Discovery protocols. However, as the Waka Kotahi Minimum Standard P45 – *Accidental Archaeological Discovery Specification* (August 2018) notes; *“in the Auckland region, works must comply with the Accidental Discovery Rule E12.6 in the Auckland Unitary Plan”*.

6.4. The AUP Accidental Discovery has additional triggers and process requirements relating to various sensitive materials in addition to archaeological sites (and human remains) not included in the Waka Kotahi Standard P45 specification.

6.5. As the Accidental Discovery Rule covers a range of sensitive materials – not just archaeological sites - it is recommended that the specific wording of the Accidental Discovery Rule provided for in Chapters E11 and E12 in the Auckland Unitary Plan Operative in part (updated November 2023)) is retained.

6.6. I recommend that the wording for proposed condition 10. should be replaced with the following –

Should the consented works result in the identification of any previously unknown sensitive materials (i.e., archaeological sites), the requirements of land disturbance – Regional and District Accidental Discovery rules set out in the Auckland Unitary Plan Operative in part (updated 10 February 2023)) shall be complied with.

6.7. As the Accidental Discovery Rule is a district/regional rule that requires adherence or compliance it does not need to be included as a condition. However, the inclusion of it as a condition is ultimately a planning decision to make and outside of my subject matter expertise.

7. Recommendations

7.1. After reviewing the Waka Kotahi Notice of Requirement (NOR) documentation for 253, Mill Road, and where the planner supports the NOR application, I make the following recommendation.

7.2. Should a condition be included about the Accidental Discovery Rule, the wording of proposed condition 10 (and associated advice note) should be replaced with the wording in paragraph 6.6.

7.3. In reviewing the application documentation, the conditions I have recommended will mitigate for potential archaeological/historic heritage risk and give effect to s6 (f) of the RMA.

8. Contact for further information

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