

# Application for change or cancellation of resource consent condition (S.127)

(Or Associated Consent Pursuant to the Resource Management Act 1991 (RMA)) Prior to, and during, completion of this application form, please refer to Resource Consent Guidance Notes and Schedule of Fees and Charges — [both available on the Council's web page](#).

## 1. Pre-Lodgement Meeting

Have you met with a council Resource Consent representative to discuss this application prior to lodgement?

Yes  No

If yes, who have you spoken with? \_\_\_\_\_

## 2. Type of Consent being applied for

Change of conditions (s.127)

## 3. Consultation:

Have you consulted with Iwi/Hapū?  Yes  No

If yes, which groups have you consulted with?

Te Paatu Marae

Who else have you consulted with?

NRC

*For any questions or information regarding iwi/hapū consultation, please contact Te Hono at Far North District Council [tehonosupport@fndc.govt.nz](mailto:tehonosupport@fndc.govt.nz)*

## 4. Applicant Details:

Name/s:

Ranhi Generation

Email:

Phone number:

Postal address:

(or alternative method of service under section 352 of the act)

Office Use Only  
Application Number:

## 5. Address for Correspondence

Name and address for service and correspondence (if using an Agent write their details here)

Name/s:

Alice Hosted

Email:

Phone number:

Postal address:

(or alternative method of service under section 352 of the act)

All correspondence will be sent by email

## 6. Details of Property Owner/s and Occupier/s

Name and Address of the Owner/Occupiers of the land to which this application relates (where there are multiple owners or occupiers please list on a separate sheet if required)

Name/s:

Northland Property Holdings

Property Address/  
Location:

Postcode

## 7. Application Site Details

Location and/or property street address of the proposed activity:

Name/s:

Site Address/  
Location:

6901B State Highway 1 Kaitaia

Postcode

Legal Description:

Lots 2 & 3 DP 564184

Val Number:

Certificate of title:

1004894

Please remember to attach a copy of your Certificate of Title to the application, along with relevant consent notices and/or easements and encumbrances (search copy must be less than 6 months old)

Site visit requirements:

Is there a locked gate or security system restricting access by Council staff?  Yes  No

Is there a dog on the property?  Yes  No

## 7. Application Site Details (continued)

Please provide details of any other entry restrictions that Council staff should be aware of, e.g. health and safety, caretaker's details.

*This is important to avoid a wasted trip and having to re-arrange a second visit.*

## 8. Detailed description of the proposal:

This application relates to the following resource consent:

Specific conditions to which this application relates:

Describe the proposed changes:

## 9. Would you like to request Public Notification?

Yes  No

## 10. Other Consent required/being applied for under different legislation

*(more than one circle can be ticked):*

Building Consent

Regional Council Consent (ref # if known)

National Environmental Standard consent

Other (please specify)

## 11. Assessment of Environmental Effects:

*Every application for resource consent must be accompanied by an Assessment of Environmental Effects (AEE). This is a requirement of Schedule 4 of the Resource Management Act 1991 and an application can be rejected if an adequate AEE is not provided. The information in an AEE must be specified in sufficient detail to satisfy the purpose for which it is required. Your AEE may include additional information such as Written Approvals from adjoining property owners, or affected parties (including consultation from iwi/hapū).*

Your AEE is attached to this application  Yes

## 12. Draft Conditions:

Do you wish to see the draft conditions prior to the release of the resource consent decision?  Yes  No

If yes, do you agree to extend the processing timeframe pursuant to Section 37 of the Resource Management Act by 5 working days?  Yes  No

## 13. Billing Details:

This identifies the person or entity that will be responsible for paying any invoices or receiving any refunds associated with processing this resource consent. Please also refer to Council's Fees and Charges Schedule.

**Name/s:** (please write in full) Alice Hosted

**Email:**

**Phone number:**

**Postal address:**  
(or alternative method of service under section 352 of the act)

### Fees Information:

An instalment fee for processing this application is payable at the time of lodgement and must accompany your application in order for it to be lodged. Please note that if the instalment fee is insufficient to cover the actual and reasonable costs of work undertaken to process the application you will be required to pay any additional costs. Invoiced amounts are payable by the 20th of the month following invoice date. You may also be required to make additional payments if your application requires notification.

### Declaration concerning Payment of Fees:

I/we understand that the Council may charge me/us for all costs actually and reasonably incurred in processing this application. Subject to my/our rights under Sections 357B and 358 of the RMA, to object to any costs, I/we undertake to pay all and future processing costs incurred by the Council. Without limiting the Far North District Council's legal rights if any steps (including the use of debt collection agencies) are necessary to recover unpaid processing costs I/we agree to pay all costs of recovering those processing costs. If this application is made on behalf of a trust (private or family), a society (incorporated or unincorporated) or a company in signing this application I/we are binding the trust, society or company to pay all the above costs and guaranteeing to pay all the above costs in my/our personal capacity.

**Name:** (please write in full) Alice Hosted

**Signature:** (signature of bill payer)

**Date** 17-Feb-2025

**MANDATORY**

## 14. Important Information:

### Note to applicant

You must include all information required by this form. The information must be specified in sufficient detail to satisfy the purpose for which it is required.

You must pay the charge payable to the consent authority for the resource consent application under the Resource Management Act 1991.

### Privacy Information:

Once this application is lodged with the Council it becomes public information. Please advise Council if there is sensitive

information in the proposal. The information you have provided on this form is required so that your application for consent pursuant to the Resource Management Act 1991 can be processed under that Act. The information will be stored on a public register and held by the Far North District Council. The details of your application may also be made available to the public on the Council's website, [www.fndc.govt.nz](http://www.fndc.govt.nz). These details are collected to inform the general public and community groups about all consents which have been issued through the Far North District Council.

### Declaration

The information I have supplied with this application is true and complete to the best of my knowledge.

Name: (please write in full)

Signature:

Date

*A signature is not required if the application is made by electronic means*

### Checklist (please tick if information is provided)

- Payment (cheques payable to Far North District Council)
- Details of your consultation with Iwi and hapū
- A current Certificate of Title (Search Copy not more than 6 months old)
- Copies of any listed encumbrances, easements and/or consent notices relevant to the application
- Applicant / Agent / Property Owner / Bill Payer details provided
- Location of property and description of proposal
- Assessment of Environmental Effects
- Written Approvals / correspondence from consulted parties
- Reports from technical experts (if required)
- Copies of other relevant consents associated with this application
- Location and Site plans (land use) AND/OR
- Location and Scheme Plan (subdivision)
- Elevations / Floor plans
- Topographical / contour plans

Please refer to chapter 4 (Standard Provisions) of the Operative District Plan for details of the information that must be provided with an application. This contains more helpful hints as to what information needs to be shown on plans.

# RESOURCE CONSENT APPLICATION

Assessment of Environmental Effects

VARIATION PURSUANT TO S127 TO  
CONDITION 1 RC 2230428

Rānui Generation

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## 1.0 Applicant and Property Details

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To:	<b>Far North District Council (FNDC)</b>
Site Address:	6091B State Highway 1, Kaitaia
Applicant Name:	Rānui Generation
Address for Service:	C/O Alice Hosted Kerikeri 0230
Legal Description:	Lot 2 & 3 DP 564184 <b>(see Appendix 1)</b>
Site Owner:	Northland Property Holdings Limited
District Plan:	Operative & Proposed Far North District Plan
OFNDP Zoning:	Rural Production
OFNDP Overlays & Controls:	NRC Flood Susceptible
PFNDP Zoning:	Rural Production
PFNDP Overlays & Controls:	River Flood Hazard (100 & 10 years)
Brief Description of Proposal:	Pursuant to s127 of the RMA amendments are sought to condition 1 of RC2230428 to increase earthworks volumes.
Summary of Reasons for Consent:	<b>Discretionary activity</b> resource consent for the construction, operation and maintenance of a utility scale solar farm and supporting infrastructure including grid connection.

Prepared By:



Alice Hosted, NZPI Int.



## 2.0 Introduction

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Rānui Generation (**Rānui**) seek an amendment to condition 1 of RC 2230428 to facilitate an increase in earthworks to be undertaken within a 12month period across the solar farm site.

### 2.1 Background & Project Context

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Rānui is an independent solar company established in 2020 and based in Kerikeri. The team has extensive experience in developing renewable energy projects internationally and has four projects within New Zealand at various stages of development.

This Application relates to the Twin Rivers Solar farm construction of which is now more than 25% complete. The following sets out a brief consenting history from Northland Regional Council (**NRC**) and Far North District Council (**FNDC**) for the project:

- RC 2300407 subdivision consent creating the solar farm site.
- RC 2300618 land use consent for the construction, operation and maintenance of solar farm and associated bulk earthworks.
- RC 2230428 Land use consent for additional earthworks (trenching, internal road formation and grid connection). The additional earthworks addressed by this consent pushed the bulk earthworks approved by RC 2300618 into a discretionary activity and as such were treated as a separate application and not included as part of the application to vary RC 2300618 (addressed below) which approves a restricted discretionary activity.
- RC 2300618 VAR to accommodate changes to reflect implementation of the subdivision and minor changes to solar farm design.
- AUT .042817.01.01 – 042817.03.02 (varied) for earthworks within high risk flood area and associated diversion and discharge of stormwater.

For context, this Application relates to RC 2230428, amendment to consent from NRC has been sought concurrently. This Application has been prepared on behalf of Rānui and in accordance with the Resource Management Act 1991 (**RMA**).

## 3.0 Site and Locality Description

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### 3.1 Site and Surrounding Environment

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The solar farm site to which this application relates is legally described as Lots 2 & 3 DP 564184(**the Site**) and is Owned by Northland Property Holdings Limited, director Jason Foden is CEO of Rānui Generation. Lot 2 DP 564184 is the parcel within which the solar farm will be located and measures 34ha, and Lot 3 DP 564184 an access leg measuring 3635m<sup>2</sup>. Lot 1 DP 564184 contains a residential property and is not included as part of the Site to which this application relates.

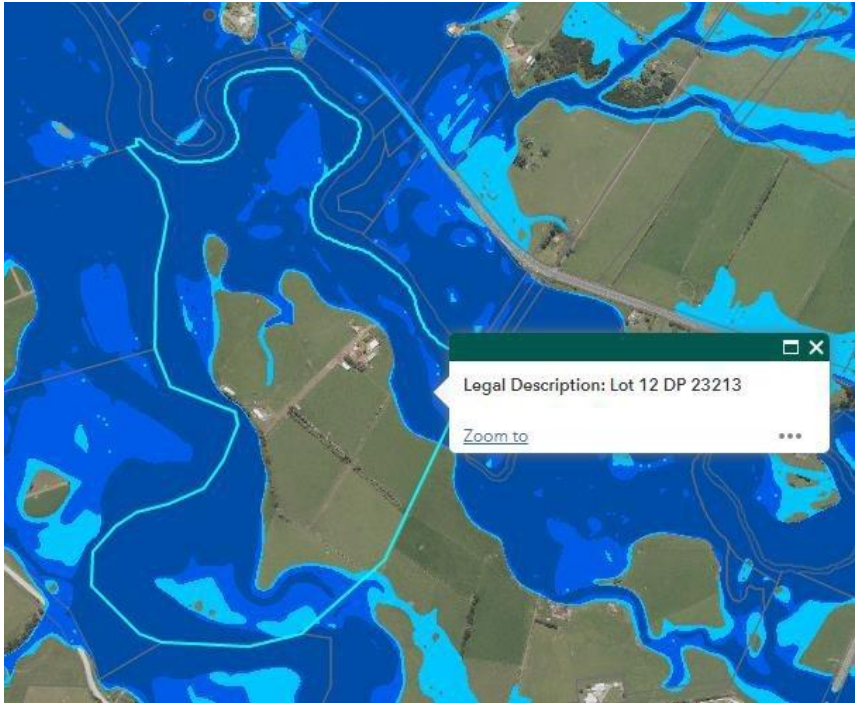
The Site adjoins the Takahue River on the western boundary and the Victoria River along the north to east boundary, and currently remains predominantly in pasture and can generally be described as having a flat topography, with some areas sloping towards the river's edge.

The Site is mapped as being subject to flooding as shown by NRC's Natural Hazards Flood Maps of the potential flood extent for 1 in 10 and 1 in 100-year events is as indicated in **Figure 2** below.

The Site is not subject to any other mapped overlays; however, there is an urupa which has been protected by way of land covenant through the subdivision process shown in **Figure 3** below as 'Area XX'. No earthworks are proposed within this area.

The surrounding area can generally be described as a rural environment with pockets of rural living type properties predominantly along State Highway 1.

As noted above, RC 2300618 to undertake the construction and operation of a solar farm and up to 11,900m<sup>3</sup> of earthworks has now been given effect to with the solar farm construction 25% complete including the bulk earthworks provide for as part of the consent. RC 2230428 has also partially been given effect to with the access ways completed, trenching has not yet commenced. Accordingly, these activities form part of the receiving environment within which this application must be assessed.



**Figure 1** showing the flood mapping (left) and the two separate titles that make up the Site for the purposes of this application.

Attachment A – Area to be subject to land protection covenant



**Figure 2** showing the urupa and area agreed to be covenanted with Te Paatu Marae in red hash.

### 3.1 Record of Titles

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The Record of Title included as **Appendix 1** includes a consent notice referenced 12375173 created as part of RC 2300407 the subdivision reference earlier. The consent notice includes a number of conditions, of relevance is condition (iii) which relates to 'Area XX' and it reiterated that no works are proposed within this areas.

## 4.0 Proposal

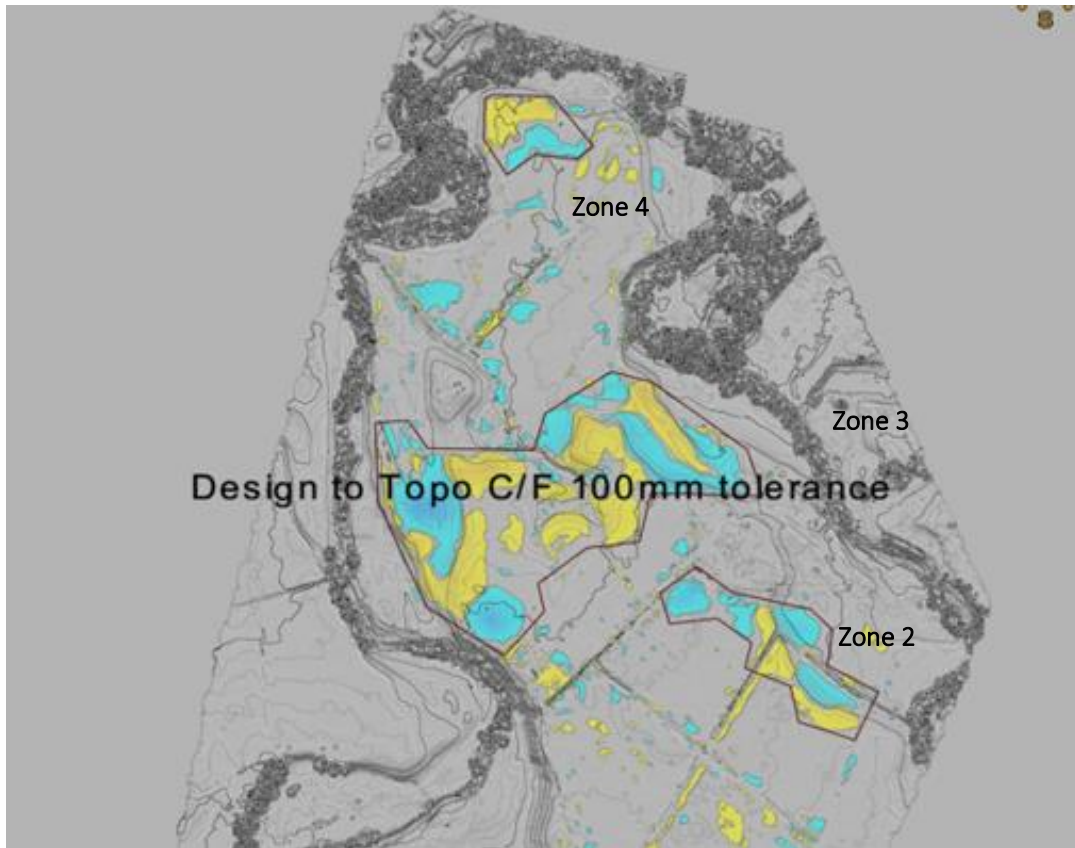
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During construction, additional design has been undertaken to create further efficiencies in the layout. This has resulted in a requirement to flatten out some areas and fill others to even out the Sites undulations and reach required tolerances for the solar arrays. This Application seeks amendment to condition 1 of RC 2230428-RMALUC to include reference to new plans facilitating the additional 30,871m<sup>3</sup> of cut and fill (combined) required to enable this additional work.

**Figure 3** below shows the proposed area of additional works indicated as Zones 2, 3 and 4 (zone 1 being the bulk earthworks already completed, approved by RC 2300618. A full scale plan is provided as **Appendix 2**.

Erosion and sediment control measures will be implemented in accordance with best practice.

It is highlighted that while the volume of earthworks sought to be included as part of the variation is more than double that originally approved by RC 2230428 the effects themselves will not be materially different particularly given that the works are being staged over the construction period. Further that the consent approves earthworks as a discretionary activity, the additional earthworks proposed will not result in a new activity status.



**Figure 3** indicating the location of the additional cut and fill works outlined in red referenced Zone 2, 3 & 4.

**Table 1** below provides a summary of earthworks volumes consented across the Site additional proposed all of which will take place within a 12-month period.

<b>Purpose</b>	<b>Method</b>	<b>Volume</b>
DC and AC cables and 33kv Top Energy cable (RC 2230428)	Trenching maximum 2m in depth	3,800m <sup>3</sup> cut 3,800m <sup>3</sup> fill
Internal access (RC 2230428) <i>Completed</i>	Scraping approx. 1,700m in length, 0.5 depth, max 5 wide topped with ravel	4,250m <sup>3</sup> cut 4, 250m <sup>3</sup> fill (gravel)
Bulk EW Zone 1 (RC 2300618) <i>Completed</i>	Cut and fill	11,900m <sup>3</sup>

	<b>Consented Total</b>	<b>28,050m<sup>3</sup> cut and fill</b>
Additional proposed (Zones 2-4)	Cut and fill	30, 871m <sup>3</sup>
	<b>Combined total</b>	<b>58,921m<sup>3</sup> cut and fill</b>

The amended wording is proposed below using strike through to indicate deleted wording and bold underlined text to indicate wording to be added:

1. The activity shall be carried out in general accordance with the approved plans prepared by GE Renewables Hybrids, referenced DC Cable Routing Layout and General Plant Layout Revision H (Twin Rovers Solar Farm 27.54MWdc), dated 8/12/2022, and Twin Rivers Solar Farm Zone 2-4 Cut and Fill plan attached to this consent with the Council's 'Approved Stamp' affixed to it. In particular the volume of earthworks shall not exceed ~~16,150m<sup>3</sup>~~ 47,021m<sup>3</sup> (excluding 11,900m<sup>3</sup> of earthworks approved under Resource consent 2300618-RMALUC).

## 5.0 RMA Status of Proposed Activity

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A rules assessment against the relevant provisions of the Operative and Proposed FNDP, is attached as **Appendix 3**. The proposal seeks an amendment to a condition of an approved resource consent pursuant to s127 of the RMA.

### 5.1 S127 of the RMA

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S127(3) establishes that s88-121 of the RMA apply as if:

- The application is a discretionary activity: and
- The reference to a resource consent and to the activity were references only to the change or cancellation of a condition and the effects of the change or cancellation respectively.

S127(4) sets out considerations for determining who is adversely affected by the change or cancellation and established that the consent authority must consider, in particular, every person who:

- Made a submission on the application; and
- May be affected by the change or cancellation.



With the above in mind, resource consent is sought as a **discretionary activity**, and the following assessment considers effects associated with the changes proposed only.

Further it is noted that no submissions were made on the existing resource consent as it was approved non-notified.

## 5.2 NES Contaminated Soil

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The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (**NES Contaminated Soils**) were gazetted on 13th October 2011 and took effect on 1st January 2012.

The standards are applicable if the land in question is, or has been, or is more likely than not to have been used for a hazardous activity or industry and the applicant proposes to subdivide or change the use of the land, or disturb the soil, or remove or replace a fuel storage system.

For completeness it is noted that it has been accepted by Council by way of previous application that the site to which this application relates is not 'land covered' by the NES Contaminated Soil, and no resource consents are required under this legislation and that no resource consent is required under this legislation.

## 5.3 NES Freshwater

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The National Environmental Standard for Freshwater (**NES Freshwater**) regulations came into effect on 3 September 2020, new consent pathways and general changes came into force 5 January 2023. The regulation imposes strong rules on the following activities that contribute to wetland loss:

- Vegetation clearance
- Earthworks/land disturbance
- Discharges and water takes, use, damming and diversion.

The proposal relates to earthworks associated with a consented solar farm, however there are no 'inland natural wetlands' within the Site as confirmed by as part of previous resource consent applications.

No resource consents are required under this legislation.

## 6.0 Public Notification Assessment (Sections 95A, 95C and 95D)

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### 6.1 Assessment of Steps 1 to 4 (Sections 95A)

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Section 95A specifies the steps the council is to follow to determine whether an application is to be publicly notified. These are addressed in statutory order below.

#### 6.1.1 Step 1: Mandatory public notification is required in certain circumstances

Step 1 requires public notification where this is requested by the applicant; or the application is made jointly with an application to exchange of recreation reserved land under section 15AA of the Reserves Act 1977.

**Comment:** The above does not apply to the proposal

#### 6.1.2 Step 2: If not required by step 1, public notification precluded in certain circumstances.

Step 2 describes that public notification is precluded where all applicable rules and national environmental standards preclude public notification; or where the application is for a controlled activity; or a restricted discretionary, discretionary or non-complying boundary activity.

**Comment:** In this case, the applicable rules do not preclude public notification, and the proposal is not a controlled activity or boundary activity. Therefore, public notification is not precluded

#### 6.1.3 Step 3: If not required by step 2, public notification required in certain circumstances.

Step 3 describes that where public notification is not precluded by step 2, it is required if the applicable rules or national environmental standards require public notification, or if the activity is likely to have adverse effects on the environment that are more than minor.

**Comment:** As noted under step 2 above, public notification is not precluded, and an assessment in accordance with section 95A is required, which is set out in the sections below. As described below, it is considered that any adverse effects will be less than minor

#### 6.1.4 Step 4: Public notification in special circumstances

If an application is not required to be publicly notified as a result of any of the previous steps, then the council is required to determine whether special circumstances exist that warrant it being publicly notified.

Special circumstances are those that are:

- Exceptional or unusual, but something less than extraordinary; or
- Outside of the common run of applications of this nature; or

- Circumstances which make notification desirable, notwithstanding the conclusion that the adverse effects will be no more than minor.

**Comment:** It is considered that there is nothing noteworthy about the proposal. It is therefore considered that the application cannot be described as being out of the ordinary or giving rise to special circumstances.

## 6.2 Assessment of Effects on Wider Environment

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The following sections set out an assessment of wider effects of the proposal being the additional 30, 871m<sup>3</sup> of earthworks (cut and fill).

### 6.2.1 Cultural & Heritage

An Authority to Modify applies to the project (see **Appendix 4**), the conditions of which are being closely followed/complied with by the Applicants contractors as will continue to do so as per the requirement of condition 2 of RC 2230428. A Cultural Monitor is on Site during earthworks as is the project Archaeologist as required by the Archaeological Management Plan (also provided as **Appendix 4** for completeness). Both parties have been made aware of the request for variation to the earthworks volumes, see correspondence provided in **Appendix 5**.

The Applicant and their contractors will continue to collaborate with Te Paatu Marae and the archaeology team to ensure that the additional earthworks are appropriately managed to ensure any adverse effects on any cultural or heritage values are less than minor.

### 6.2.2 Landscape & Visual Amenity

The Application Site is setback from the road, any views obtainable from neighbouring properties or public viewpoints present a construction Site associated with the activity already consented. The additional earthworks proposed if at all visible will not present any differently.

Accordingly, it is not considered that the additional volume will present any additional landscape or visual amenity effects to that currently present which in themselves are already less than minor.

### 6.2.3 Erosion and Sediment

Additional erosion and sediment control measures are proposed to ensure there is no transportation of sediment into the surrounding water bodies. The approved CEMP will be updated and provided to Council for review prior to commencement of works as per the requirement of Condition 3 of 2230428.

With these measures in place it is considered that any additional effects in this regards will be less than minor (if any).

### 6.2.4 Other Amenity Values

Dust and noise, including that from increased traffic contribute to amenity associated with an environment. As noted earlier the existing environment already represents a construction site. Effects on amenity in terms of these

matters have already been deemed by Council to be appropriately managed by conditions of consent. The additional earthworks proposed will not result in any noticeable change to the degree of effect noting the following:

- No additional traffic movements outside of the site (or within proximity to any neighbouring properties) will be required to facilitate these works; and
- The additional works will take approximately 1-2 weeks to complete and will not result in an extension to the construction period.

Accordingly, any additional effects in this regard will be less than minor (if any).

#### 6.2.5 Flood Hazard

As indicated earlier the site is subject to flood hazard and subsequently triggered resource consent from NRC triggered. A variation to the existing consent with NRC is being undertaken concurrently, we respectfully request that this matter be left with NRC to address to avoid an overlap in jurisdiction. We highlight however that it is considered that the additional works will not result in any additional exacerbation of flood risk.

#### 6.2.6 Summary

In summary it is considered that any adverse effects on cultural or heritage values, landscape and amenity values, amenity values in general, and existing natural hazards will be less than minor in the context of the wider environment.

## 7.0 Limited Notification Assessment (Sections 95B, 95E to 95G)

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### 7.1 Assessment of Steps 1 to 4 (Sections 95B)

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If the application is not publicly notified under section 95A, the council must follow the steps set out in section 95B to determine whether to limited notify the application. These steps are addressed in the statutory order below.

7.1.1 Step 1: Certain affected protected customary rights groups must be notified

Step 1 requires limited notification where there are any affected protected customary rights groups or customary marine title groups; or affected persons under a statutory acknowledgement affecting the land.

**Comment:** The above does not apply to the proposal.

7.1.2 Step 1: Certain affected protected customary rights groups must be notified

Step 2 describes that limited notification is precluded where all applicable rules and national environmental standards preclude limited notification; or the application is for a controlled activity (other than the subdivision of land).

**Comment:** In this case the applicable rules do not preclude limited notification and the proposal is not a controlled activity, therefore public notification is not precluded.

7.1.3 Step 3: If not precluded by step 2, certain other affected persons must be notified

Step 3 requires that, where limited notification is not precluded under step 2 above, a determination must be made as to whether any of the following persons are affected persons:

- In the case of a boundary activity, an owner of an allotment with an infringed boundary;
- In the case of any other activity, a person affected in accordance with s95E.

**Comment:** the proposal does not relate to a boundary infringement, therefore an assessment in accordance with section 95E is required as is set out below.

7.1.4 Step 4: Further notification in special circumstances

In addition to the findings of the previous steps, the council is also required to determine whether special circumstances exist in relation to the application that warrant notification of the application to any other persons not already determined as eligible for limited notification.

**Comment:** In this instance, having regard to the assessment in section 6.1.4 above, it is considered that special circumstances do not apply.

## 7.2 Section 95E Statutory Matters

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If the application is not publicly notified, a council must decide if there are any affected persons and give limited notification to those persons. A person is affected if the effects of the activity on that person are minor or more than minor (but not less than minor).

In deciding who is an affected person under section 95E:

- Adverse effects permitted by a rule in a plan or national environmental standard (the 'permitted baseline') may be disregarded;
- Only those effects that relate to a matter of control or discretion can be considered (in the case of controlled or restricted discretionary activities); and
- The adverse effects on those persons who have provided their written approval must be disregarded.

Having regard to the above provisions, an assessment is provided below.

### 7.3 Assessment of Effects on Adjacent Properties

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An assessment of effects on the wider environment on relevant values and matters has been undertaken in **section 6.2** of this Application. The assessment establishes that, the proposed amendments will not result in any materially different/additional effects to those already assessed and managed by existing conditions of consent.

The same assessment applies in the localised environment; accordingly, no further assessment is considered necessary.

### 7.4 Limited Notification Conclusion

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Having undertaken the section 95B limited notification tests, the following conclusions are reached:

- Under step 1, limited notification is not mandatory;
- Under step 2, limited notification is not precluded;
- Under step 3, limited notification is not required as it is considered that the activity will not result in any adversely affected persons; and
- Under step 4, there are no special circumstances.

Therefore, it is recommended that this application be processed without limited notification.

## 8.0 Consideration of Applications (Section 104)

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### 8.1 Statutory Matters

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Subject to Part 2 of the Act, when considering an application for resource consent and any submissions received, a council must, in accordance with section 104(1) of the Act have regard to:

- Any actual and potential effects on the environment of allowing the activity;

- Any relevant provisions of a national environmental standard, other regulations, national policy statement, a New Zealand coastal policy statement, a regional policy statement or proposed regional policy statement; a plan or proposed plan; and
- Any other matter a council considers relevant and reasonably necessary to determine the application.

As a controlled activity, section 104A of the Act states that a council:

- (a) must grant the resource consent, unless it has insufficient information to determine whether or not the activity is a controlled activity; and
- (b) may impose conditions on the consent under section 108 only for those matters over which it has reserved its control in its plan.

## 8.2 Weighting of Proposed Plan Changes: Proposed Far North District Plan

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The Act requires that before a proposed plan becomes operative, any resource consent application is considered in terms of the provisions of both the operative and proposed plan. In this case, the Proposed FNDC has been notified, accordingly the objectives and policies of the rules with immediate effect in the Proposed FNDC must also be considered.

An assessment of the relevant rules with immediate legal effect has been undertaken and it confirmed that no additional consents are required.

Where an application is being assessed under both the operative and proposed plan, it is standard practice to establish weighting of the plans. Case law indicates that more weight should generally be placed on the controls of an operative plan until such a time as a proposed plan has advanced sufficiently through the statutory process, although this is not the only criterion.

Weighting only becomes relevant in the event different outcomes arise from assessment of objectives and policies under both plans. In this case the objectives and policies generally seek the same outcome and the proposal is not considered contrary under either. Accordingly, weighting is not necessary.

## 9.0 Effects on the Environment (Section 104(1)(A))

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### 9.1 Positive Effects

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In accordance with section 104(1)(a) Council must have regard to any actual and potential effects on the environment of allowing the activity which includes positive effects. Council must also have regard to any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects on the

environment that will or may result from allowing the activity (section 104(1)(ab)).

An assessment of actual and potential effects generated by the proposal has been provided and it established that any adverse effects will be less than minor.

The additional earthworks are required to facilitate the establishment of a consented solar farm, the associated positive effects include:

- Providing additional zero-emissions solar resource contributing towards the national government target of 100% renewable energy by 2035;
- Increasing energy supply to support resilience within the national and local grid, creating enough electricity to power approximately 8,000 homes annually;
- Positively contributing to New Zealand's renewable energy dry periods during periods of low rainfall (and snowfall) in the headwaters of the country's hydroelectric schemes or periods of low wind speeds across major windfarms; and
- Generating jobs during construction phase and continued demand for highly skilled services on an ongoing basis for operation and maintenance purposes, and demand for new highly skilled labour forces within New Zealand to support the expanding industry.

When the above in mind any actual and potential adverse effects on the environment, including those positive effects of allowing the activity are **less than minor and acceptable**.

## 10.0 District Plan and Statutory Documents (Section 104(1)(B))

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### 10.1 National Policy Statement for Freshwater Management 2020 (Amended 2023)

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The National Policy Statement for Freshwater Management 2020 amended 2023 (**NPS FM**) sets out the objectives and policies for freshwater management under the Resource Management Act 1991.

The Solar Farm Site contains wet areas that have been confirmed to meet the NPS FM definition of 'natural wetland', accordingly this legislation is of relevance.

The objective of the NPS FM is to ensure that natural and physical resources are managed in a way that prioritises the health of waterbodies and ecosystems, the health needs of people, and the ability for communities to provide social, economic and cultural wellbeing now and into the future.



As noted earlier, no consents are required under the NES Freshwater, accordingly it is considered that the proposed activity accords with the intent of the NPS FM.

## 10.2 National Policy Statement for Renewable Electricity Generation 2011 (NPS REG)

---

The National Policy Statement for Renewable Energy Generation 2011 sets out the objective and policies for renewable electricity generation, and seeks to drive a consistent approach to planning in this space, as well as give clear direction on the benefits of renewable electricity. The legislation requires all councils to incorporate provisions (objectives policies and methods) that provide for the development, operation and maintenance of solar generation. This was to be undertaken within 24 months from the date the NPS REG came into effect.

In considering this application to enable additional earthworks to facilitate the construction of an approved solar farm, the decision maker is reminded of their obligation to consider Policies A – C which requires:

- Giving recognition to the benefits of renewable electricity;
- Acknowledging and having particular regard to the practical implications of achieving New Zealand’s targets for renewable generation, in particular the need to develop renewable generation activities; and
- Acknowledging and having particular regard to the practical constraints associated with development, operation and maintenance including the requirement to be located within close proximity to the distribution network.

## 10.3 Northland Regional Policy Statement (**NRPS**)

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The Regional Policy Statement for Taranaki (**RPST**) provides an overview of the region’s resource management issues and sets out high level policy that must be reflected in the Regional and District Plans.

An assessment of The Northland Regional Policy Statement was provided with RC 2230428 (included in this Application as **Appendix 6**). To avoid repetition, that assessment is relied on and it noted that no amendments to the relevant provisions have occurred since.

As such it is considered that the proposal remains consistent with the NRPS.

## 10.4 Operative and Proposed Far North District Plan (**FNDP**)

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An assessment of the relevant objectives and policies of the Proposed and Operative Far North District Plans was provided with RC 2230428 (included in this Application as **Appendix 6**) As with the above, this assessment is relied on and it noted that no amendments to the relevant provisions have occurred since.

As such, it is considered that the proposal remains consistent with the Proposed and Operative FNDP.

## 10.5 Summary

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It is considered that the proposed development is generally in accordance with the objectives and policies of the above.

## 11.0 Part 2 Matters

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Section 5 of Part 2 identifies the purpose of the RMA as being the sustainable management of natural and physical resources. This means managing the use, development and protection of natural and physical resources in a way that enables people and communities to provide for their social, cultural and economic well-being and health and safety while sustaining those resources for future generations, protecting the life supporting capacity of ecosystems, and avoiding, remedying or mitigating adverse effects on the environment.

Section 6 of the Act sets out a number of matters of national importance including (but not limited to) the protection of outstanding natural features and landscapes and historic heritage from inappropriate subdivision, use and development.

Section 7 identifies a number of "other matters" to be given particular regard by Council and includes (but is not limited to) Kaitiakitanga, the efficient use of natural and physical resources, the maintenance and enhancement of amenity values, and maintenance and enhancement of the quality of the environment.

Section 8 requires Council to take into account the principles of the Treaty of Waitangi.

Overall, as the effects of the proposal are considered to be less than minor, and the proposal accords with the relevant SDP objectives and policies, it is considered that the proposal will not offend against the general resource management principles set out in Part 2 of the Act.

## 12.0 Conclusion

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The proposal seeks a variation to condition 1 of RC 2230428 to facilitate additional earthworks involved associated with the construction, operation and maintenance of the Twin Rivers Solar Farm in Pamapurua.

Based on the above report it is considered that:

- Public notification is precluded;
- Limited notification is not required as adverse effects will be less than minor;

- The proposal accords with the relevant objectives and policies of the Far North District Plan ; and
- The proposal is considered to be consistent with Part 2 of the Act.

It is therefore concluded that the proposal satisfies all matters the consent authority is required to assess, and that it can be granted on a non-notified basis.



**RECORD OF TITLE  
UNDER LAND TRANSFER ACT 2017  
FREEHOLD  
Search Copy**



  
R.W. Muir  
Registrar-General  
of Land

**Identifier** **1004894**  
**Land Registration District** **North Auckland**  
**Date Issued** 18 February 2022

**Prior References**  
NA3D/176

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**Estate** Fee Simple  
**Area** 34.3380 hectares more or less  
**Legal Description** Lot 2-3 Deposited Plan 564184  
**Registered Owners**  
Northland Property Holdings Limited

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**Interests**

750180.1 Gazette Notice (NZ Gazette 1 March 1979 No. 16 p.465) declaring the adjoining State Highway No. 1 (Awanui to Bluff) to be a limited access road - 2.8.1979 at 10:42 am (affects Lot 3 DP 564184)

12052507.3 Mortgage to ASB Bank Limited - 16.4.2021 at 2:48 pm

Subject to Section 241(2) Resource Management Act 1991 (affects DP 564184)

12375173.2 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 18.2.2022 at 9:04 am (affects Lot 2 DP 564184)

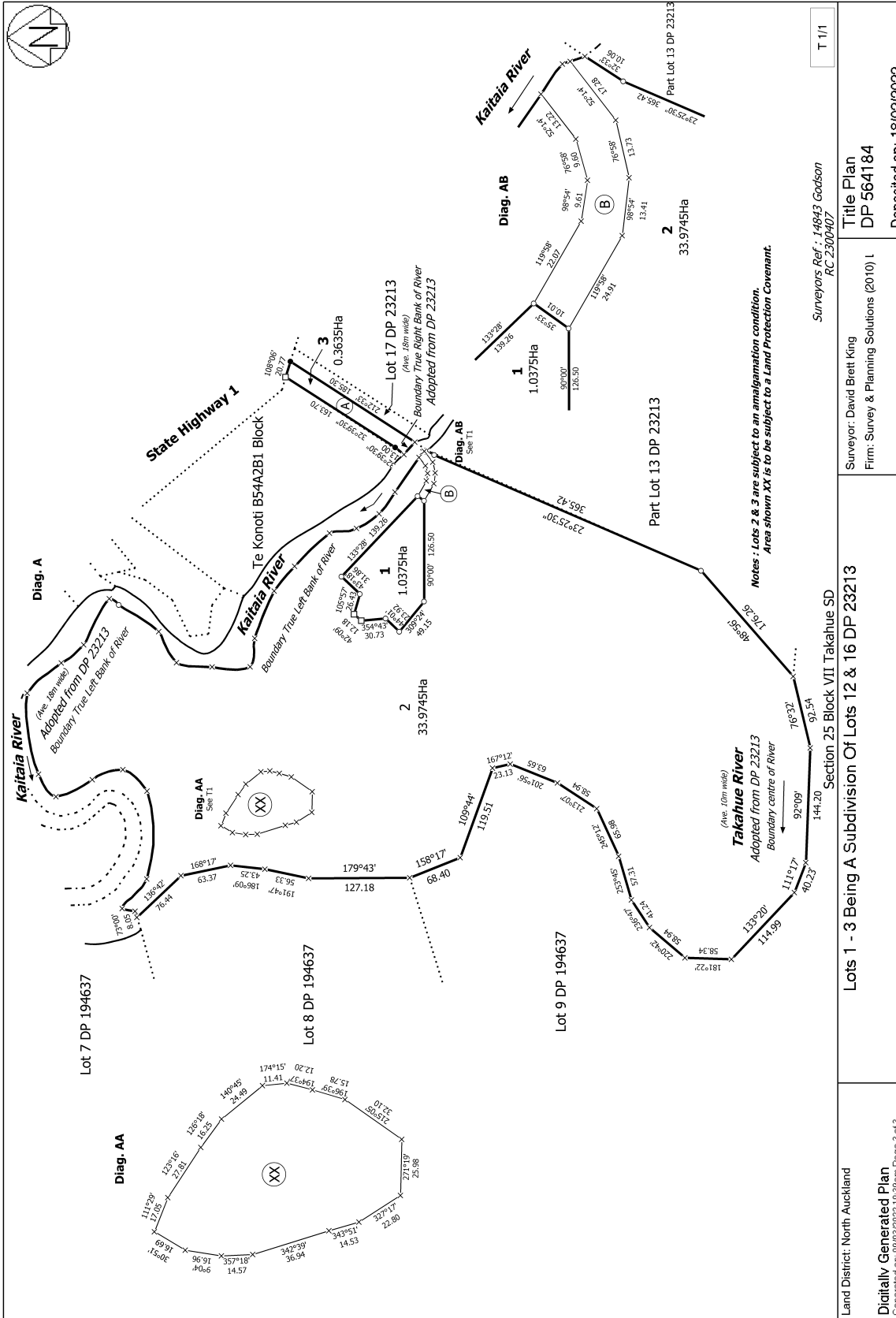
Subject to a right of way and a right to convey electricity and telecommunications over part Lot 2 DP 564184 marked B and over part Lot 3 DP 564184 marked A all on DP 564184 created by Easement Instrument 12375173.3 - 18.2.2022 at 9:04 am

The easements created by Easement Instrument 12375173.3 are subject to Section 243 (a) Resource Management Act 1991

12817985.2 CAVEAT BY TOP ENERGY LIMITED - 2.10.2023 at 10:37 am

13182596.1 CAVEAT BY RANUI TWIN RIVERS ASSET LP - 19.12.2024 at 4:45 pm

Subject to a right (in gross) to produce and convey electricity over Lot 2 DP 564184 and a right of way over Lot 3 DP 564184 marked A all on DP 564184 in favour of Ranui Generation Limited created by Easement Instrument 13182596.2 - 19.12.2024 at 4:45 pm



Surveyors Ref.: 14843 Godson  
RC 2300407

Land District: North Auckland

Digitally Generated Plan  
Generated on: 09/02/2022 10:39am Page 3 of 3

Section 25 Block VII Takahue SD  
Lots 1 - 3 Being A Subdivision Of Lots 12 & 16 DP 23213

Surveyor: David Brett King  
Firm: Survey & Planning Solutions (2010) L

Title Plan  
DP 564184


Deposited on: 18/02/2022

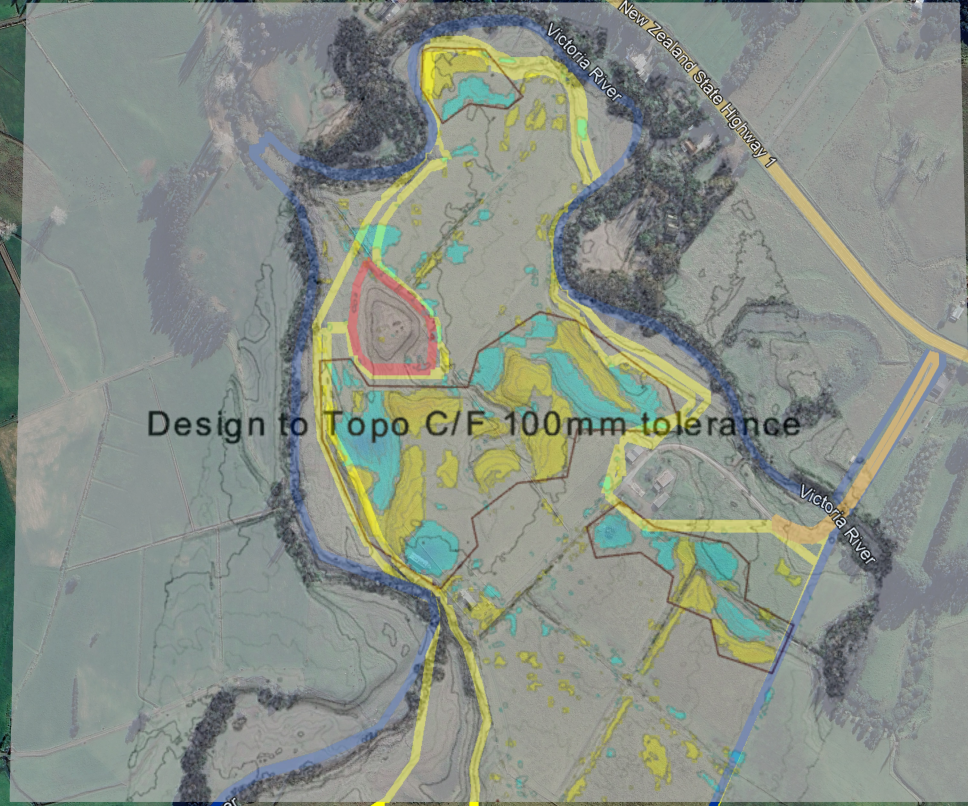
T 1/1

# Twin River Solar Farm

Site Plan showing location of additional earthworks proposed

Legend

 Urupa



	Volume m2
<b>Cut</b>	16,781
<b>Fill</b>	14,090
<b>Total</b>	30,871

Google Earth

Image © 2025 Airbus

600 m



## Appendix 3 - Rules Assessment

### Operative Far North District Plan – Rules of relevance

<b>12.7 Lakes, Rivers, Wetlands and Coastline</b>	
<b>12.7.6.1 Setback from lakes rivers and the coastal marine area</b>	N/A
<b>12.7.6.1.2 Setback from small lakes rivers and the coastal marine area</b>	N/A
<b>12.7.6.1.3 Preservation of indigenous wetlands</b>	N/A – As established in the ecological assessment accepted by Council as part of RC 2300618, the Site does not contain wetlands
<b>12.3 Soils and Minerals</b>	
<b>12.3.6.1 Excavation and/or filling in the....Rural Production Zone</b>	RC 2230428 Includes approval pursuant to 12.3.6.2.3 as a discretionary activity. The proposed variation does not change this.
<b>12.3.6.1.4 Nature of filling material in all zones</b>	<b>Complies</b>
<b>8. 1 Rural Production</b>	
<b>8.6.5.1.1 Residential intensity</b>	N/A
<b>8.6.5.1.2 Sunlight</b>	N/A
<b>8.6.5.1.3 Stormwater management</b>	N/A
<b>8.6.5.2.2 Papakainga housing</b>	N/A
<b>8.6.5.2.3 Minor residential unit</b>	N/A
<b>8.6.5.2.4 Noise for military training</b>	N/A
<b>8.6.5.2.5 Building coverage</b>	N/A

**Proposed Far North District Plan – Rules with immediate legal effect**

<b>Earthworks</b>	
<b>EW-R12 Earthworks and discovery of suspected sensitive materials</b>	<b>Complies</b> – The proposed earthworks will comply with the Accidental Discovery Protocol
<b>EW-R13 Earthworks and erosion and sediment control</b>	<b>Complies</b> – Erosion and sediment controls will be implemented in accordance with GDO5 and silt and sediment shall be prevented from entering the waterbodies, and being tracked onto the road.



# **ARCHAEOLOGICAL MANAGEMENT PLAN: PROPOSED PAMAPURIA SOLAR FARM NEAR KAITAIA, NORTHLAND**

Prepared for Ranui Generation Ltd

February 2023

By

Doug Gaylard (MA Hons)

Rod Clough (PhD)

Ellen Cameron (MSc)

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## **INTRODUCTION**

### **Purpose**

As part of a proposed solar farm, Ranui Generation Limited is required to install a network of solar panels across existing farmland at 6901 State Highway 1 (Legal Description – Lot 12 DP 23213), as well a connection cable to an existing substation will also be installed in Te Konoti B5NO4A1A1, the road reserve of State Highway 1 and lot 1 and Lot 2 DP 136112 east of Kaitaia, Northland.

An archaeological assessment of the effects of the project was prepared:

D. Gaylard, R. Clough and E. Cameron. February 2023. Proposed Pamapurua Solar farm near Kaitaia, Northland: Archaeological Assessment. Clough & Associates Report prepared for Ranui Generation Ltd.

The assessment established that while there are no recorded archaeological sites in the project area, the presence of archaeological sites in the surrounding area along with the unrecorded urupa (which will be avoided by the project works) suggests that there is some potential for subsurface archaeological remains to be present relating to pre-European Māori settlement and occupation activities in the general area.

An application for a general Authority under section 44(a) of the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA) is therefore being made as a precaution prior to the start of works. This will ensure that if the above listed sites are affected during the proposed works appropriate action can be taken and any delays will be minimised.

This archaeological management plan outlines the procedures to be followed during archaeological monitoring of earthworks and procedures for recording any archaeological evidence before it is modified or destroyed. It also provides protocols for the exposure of archaeological remains including koiwi tangata (human remains) or taonga (Maori artefacts). The areas to be covered under the authority are shown in Figure 2.

### **Project Archaeologist**

The ‘Project Archaeologist’ referred to in this plan is the archaeologist approved by Heritage NZ under section 45 of the HNZPTA.

Some of the archaeological work may be undertaken by other qualified archaeologists under the direction of the Project Archaeologist. The general term ‘Archaeologist’ is used to denote either the Project Archaeologist or a qualified archaeologist working under their direction.

### **Aims of Monitoring, Investigation and Recording**

The aims of monitoring is to investigate any archaeological features and deposits exposed during works that relate to Māori occupation/ settlement such as shell midden, earth ovens and firescoops, kumara pits and postholes.

It is important that this information is recovered prior to the removal of archaeological deposits and features to offset the loss of the site.

## Maori Cultural Values

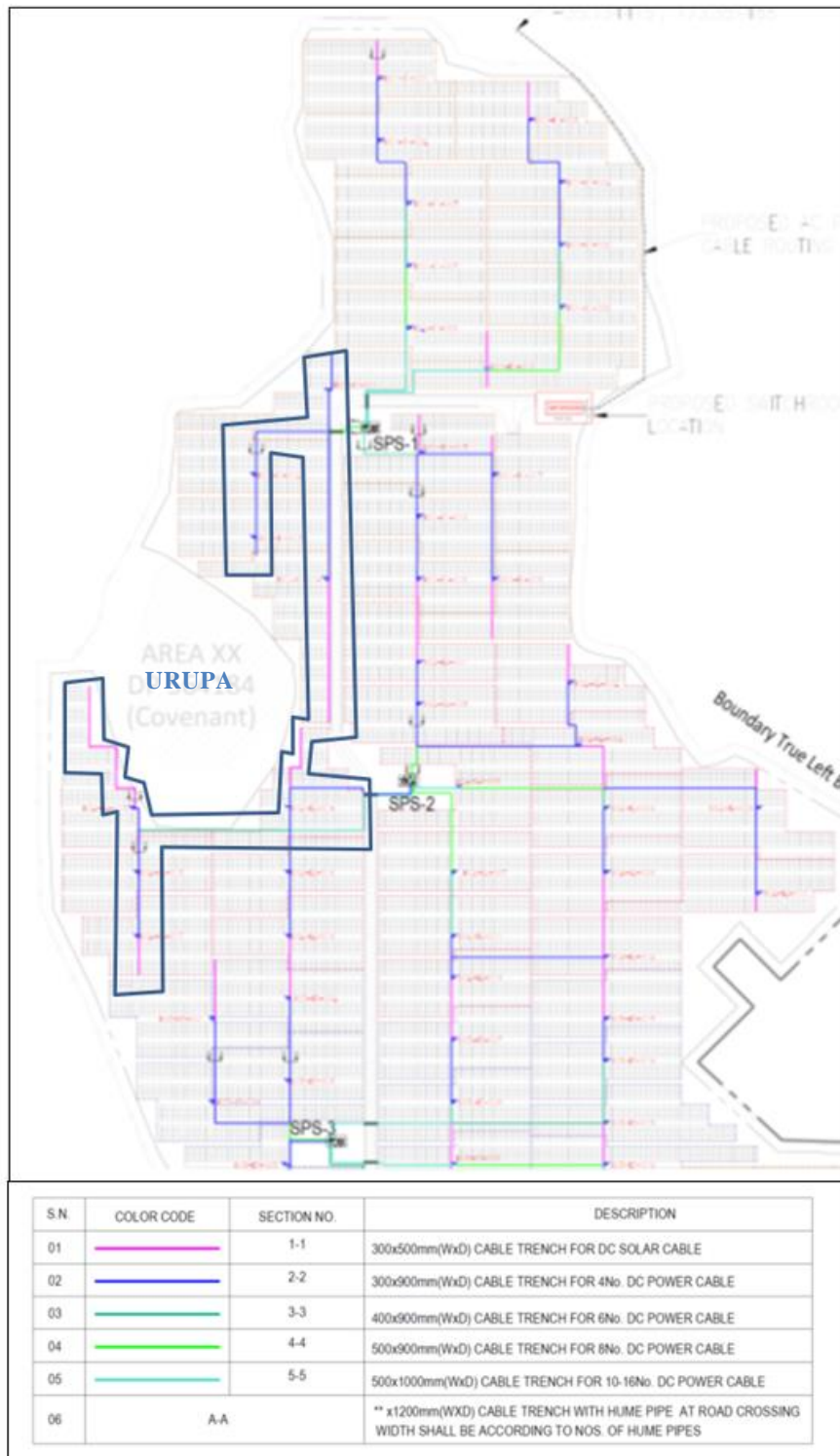
Archaeological sites of Māori origin have cultural value to tangata whenua in addition to the archaeological values provided for in this plan.

Contact details for representatives of iwi that have an interest in the sites within the project area are provided in this document, as are protocols that must be adhered to if archaeological remains of Maori origin are exposed. In carrying out the requirements of the authority the archaeologists will be guided by the Iwi representatives in matters of tikanga.

Ranui Generation Ltd or their designated representative should ensure that the iwi representatives are informed at least 48 hours before the start of the works requiring archaeological monitoring.



**Figure 1. Areas to be covered under the authority (left) The road reserve of State Highway 1 and Lots 1 and 2 DP 136112 and Te Konoti B5NO4A1A1 and (right) Lot 12 DP 23213 (source: Northland Regional Council Intramaps)**



**Figure 2. Plan showing the proposed trenching works for cable installation requiring archaeological monitoring in the vicinity of the unrecorded urupa (source: GE Renewable Hybrids)**



**Figure 3. Aerial plan showing the proposed access road with area to be monitored by an archaeologist in the vicinity of the urupa outlined in black (source: GE Renewable Hybrids)**

## **SITE MANAGEMENT**

### **Pre-Start Requirements**

1. Prior to the start of earthworks, the Project Archaeologist will be called to meet the Contractor on site to brief them on the archaeological requirements.
2. The Archaeologist will ensure that the Contractor/Project Manager have a copy of the Authority and Archaeological Management Plan, and will provide confirmation to Heritage NZ that they have been received and understood, either by providing copies of both documents signed by the relevant parties, or by obtaining email confirmation from them, copied to Heritage NZ.
3. The Project Archaeologist must be given at least 2 weeks' notice by the Contractor that works are about to begin.

### **Earthworks Phase**

1. Monitoring of all preliminary excavations required for the project in the areas shown on Figure 2 and Figure 3 will be carried out by a qualified Archaeologist, to determine whether pre-1900 archaeological remains are present.
2. Monitoring will continue until the natural deposits have been reached (where excavations are continued to this depth), or until it becomes clear that the area has been modified to the point where no archaeology would be expected.
3. If in situ archaeological features or deposits are identified during monitoring, the Archaeologist will stop works in the immediate vicinity by notifying the Contractor.
4. Any in situ archaeological deposits or features exposed during monitoring, that cannot be avoided, will be investigated, recorded and sampled by the Archaeologist consistent with accepted archaeological practice and in accordance with the requirements of the Heritage NZ authority. Detailed notes of each feature and deposit will be made, photographs will be taken, and all subsurface features located will be detailed on the site plan. Stratigraphic drawings and photographs of features and deposits will be undertaken. Any artefacts will be retained for analysis and their positions marked on the site plan.
5. Additional Archaeologists will be brought to site as required to assist in the monitoring, and for the subsequent archaeological recording and sampling.
6. The Contractor will allow sufficient time and opportunity for the recording and sampling of any archaeological features or deposits encountered. The Archaeologist(s) will record the archaeological feature(s) or deposit(s) as quickly as possible so that earthworks may resume without undue delay.
7. If suspected archaeological deposits or features are identified at times or in areas where the Archaeologist is temporarily not present, the Contractor must stop works (within 10m) and follow the procedure set out below.
8. Heritage NZ will be advised by the Project Archaeologist if any significant archaeological features or deposits are exposed that were not anticipated. This will trigger the stand down procedure set out below.
9. Any significant archaeological features exposed will be retained in situ if feasible following investigation and recording.

10. If archaeological remains relating to Maori occupation are exposed, the Project Archaeologist will inform the appropriate Iwi representatives (if not present).
11. If human bone (koiwi tangata) or taonga (Maori artefacts) are encountered, the protocols set out below will be followed.

### **Procedures if Archaeological Sites are Exposed when the Archaeologist is not Present**

If the Archaeologist is temporarily not present and remains are exposed that are potentially archaeological features or deposits (as described to the Contractor at the pre-start meeting), the following procedure should be adopted:

1. The Contractor will ensure that earthworks shall cease in the immediate vicinity (within 20m) while the Archaeologist is called in to establish whether the remains are part of an archaeological site as defined under the HNZPTA.
2. If the Archaeologist confirms that it is an archaeological site, the area of the site will be defined by the Archaeologist and excluded from earthworks.
3. The archaeological site will be investigated and recorded by the Archaeologist in accordance with accepted archaeological practice and the conditions of the authority.
4. Heritage NZ will be advised by the Archaeologist if any significant archaeological features or deposits that were not anticipated are exposed.
5. If the archaeological site relates to Maori occupation the appropriate Iwi representatives will be informed by the Archaeologist (if not present) prior to investigation.
6. If human bone (koiwi tangata) or taonga (Maori artefacts) are unearthed the protocols set out below will be followed.

### **Protocols Relating to Koiwi Tangata (Human Remains)**

If bone material is identified that could potentially be human, the following protocol will be adopted:

1. Earthworks/investigation should cease in the immediate vicinity while an Archaeologist establishes whether the bone is human.
2. If it is not clear whether the bone is human, work shall cease in the immediate vicinity until the University's reference collection and/or a specialist can be consulted and a definite identification made.
3. If bone is confirmed as human (koiwi tangata), the Archaeologist will immediately contact Iwi representatives (if not present), Heritage NZ and the NZ Police.
4. The site will be secured in a way that protects the koiwi as far as possible from further damage.
5. Consultation will be undertaken with all Iwi representatives as outlined in the authority, the Heritage NZ Regional Archaeologist and the authority holder to determine and advise the most appropriate course of action. No further action will



be taken until responses have been received from all parties, and the koiwi will not be removed until advised by Heritage NZ.

6. The Iwi representatives will advise on appropriate tikanga and be given the opportunity to conduct any cultural ceremonies that are appropriate.
7. If the Iwi representatives are in agreement and so request, the bones may be further analysed by a skilled bio-anthropological specialist prior to reburial, in line with the *Heritage NZ Guidelines Koiwi Tangata Human Remains* (2014).
8. Activity in that place can recommence as soon the bones have been reinterred or removed and authorisation has been obtained from Heritage NZ.

## **Protocols Relating to Taonga (Maori Artefacts)**

Maori artefacts such as carvings, stone adzes, and greenstone objects are considered to be taonga (treasures). These are taonga tuturu within the meaning of the Protected Objects Act 1975. Taonga may be found in isolated contexts, but are generally found within archaeological sites. If taonga are found the following protocols will be adopted:

1. The area containing the taonga will be secured in a way that protects the taonga as far as possible from further damage, consistent with conditions of the Authority.
2. The Archaeologist will then inform Heritage NZ and the Iwi representatives so that the appropriate actions (from cultural and archaeological perspectives) can be determined.
3. These actions will be carried out within the stand down period specified below, and work may resume at the end of this period or when advised by Heritage NZ or the Archaeologist.
4. The Archaeologist will notify the Ministry for Culture and Heritage of the find within 28 days as required under the Protected Objects Act 1975. This can be done through the Auckland War Memorial Museum.

The Ministry for Culture and Heritage, in consultation with the tangata whenua, will decide on custodianship of the taonga (which may be a museum or the iwi whose claim to the artefact has been confirmed by the Maori Land Court). If the taonga requires conservation treatment (stabilisation), this can be carried out by the Department of Anthropology, University of Auckland (09-373-7999) and would be paid for by the Ministry. It would then be returned to the custodian or museum.

## **Post-Earthworks Phase**

1. Any artefacts recovered and samples taken will be analysed and recorded by the appropriate specialists.
2. Any Maori artefacts will be notified to the Ministry for Culture and Heritage in accordance with the Protected Objects Act 1975.
3. The Project Archaeologist will provide a report to Heritage NZ within 20 days of the completion of archaeological work. This may be the final report if no or limited archaeological remains are found.
4. If more extensive remains requiring detailed analysis are found, the Project Archaeologist will complete a full monitoring report within 12 months of the end

of the archaeological work, and will provide it to Heritage NZ and other parties identified in the Authority.

## ARCHAEOLOGICAL TEAM AND OTHER CONTACTS

### Archaeological Team

Rod Clough will have overall direction of the project as the contracted archaeologist. Ellen Cameron will direct the project as the Section 45 archaeologist. Fieldwork will be carried out by her or under her supervision.

The archaeological team will include some or all of the following:

Name	Role	Responsibility
Rod Clough, PhD	Director	Overall direction of project
Ellen Cameron	Section 45 Archaeologist	Manage project in field and prepare report
Doug Gaylard	Archaeologist	Monitoring, recording
Leah Harding	Archaeologist	Monitoring, recording

Other qualified archaeologists and/or specialists may be brought in to the project if required. These may include specialists in particular categories of artefact or other remains.

### Contact Details

Project Archaeologist	Ellen Cameron: 022 3905455 <a href="mailto:ellencameron@clough.co.nz">ellencameron@clough.co.nz</a> Rod Clough: (09) 8141946 or 0274850059, <a href="mailto:heritage@clough.co.nz">heritage@clough.co.nz</a>
Heritage NZ Regional Archaeologist	James Robinson: (09) 4070473 or 0272490864, <a href="mailto:JRobinson@heritage.org.nz">JRobinson@heritage.org.nz</a>
Iwi Representatives	Robert Gabel- <a href="mailto:Robert.gabel@xtra.co.nz">Robert.gabel@xtra.co.nz</a> Eileen Craig- <a href="mailto:tpmt14sec@gmail.com">tpmt14sec@gmail.com</a>

## STAND DOWN PERIODS

Depending on what is revealed by the earthworks, stand down periods may be required at various stages to allow for archaeological work to be carried out or for consultation with the appropriate parties may be required at various stages.

Stand down will require earthworks to cease only in the immediate vicinity of the feature or find, and work may proceed in other areas. The following maximum stand down periods will apply, but earthworks may be resumed earlier if the required work has been completed.

Timeframes need to be flexible enough to ensure that archaeological works are completed as necessary to ensure that the conditions of the authority are met.

Trigger	Stand Down Period	Requirements	Release
Archaeological feature, deposit or artefacts	Up to 2 days within each area where remains are found (maximum 4 days), but work may continue in areas where no remains are identified	Sufficient time must be allowed for the Archaeologist to investigate and record the remains.	Work resumes when the Archaeologist advises the Contractor that work is completed
Significant archaeological feature, deposit or artefacts <sup>1</sup>	Up to 3 days for a response from Heritage NZ, and up to 3 days for any detailed investigation required	The likely requirement is a mitigation investigation and/or recording by standard archaeological techniques, but this will be advised by Heritage NZ.	Work resumes when the Archaeologist advises the Contractor that work is completed
Human bone found	As agreed between the project manager, Heritage NZ and Iwi	Heritage NZ and NZ Police to be satisfied that koiwi identification is correct. Iwi representative(s) to organise reinterment or removal of bones from site and appropriate cultural ceremonies.	Work resumes following reinterment or removal of bones from site and when authorisation from Heritage NZ has been received.
Taonga, or archaeological remains of Maori origin found that were not anticipated	Up to 3 days	Heritage NZ and Iwi representative(s) to be consulted on appropriate action. Archaeological recording as required	Work resumes when the Archaeologist or Heritage NZ advises the Contractor that work is completed

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<sup>1</sup> i.e. with the potential to provide significant information through detailed investigation

## **APPLICANT'S AND CONTRACTOR'S RESPONSIBILITIES**

### **Authority Holder's Responsibilities**

Auckland Council or their designated representative has the following responsibilities:

1. To advise Heritage NZ of the start and finish dates of any required archaeological work.
2. To ensure that sufficient time is provided to carry out any archaeological investigations required.
3. To provide sufficient site security to ensure that archaeological material on site is protected from unlawful excavation or removal.
4. To ensure that a copy of the archaeological Authority is kept on site and its contents are made known to all contractors and subcontractors.
5. To ensure that a copy of this Archaeological Management Plan is kept on site and its contents are made known to all contractors and subcontractors.
6. To ensure that the conditions and protocols outlined in the Authority and this document are observed by Contractors and subcontractors.
7. To provide a safe environment for the archaeologists to carry out their work.

### **Contractor's Responsibilities**

The Contractor's responsibilities are as follows:

1. To meet the Project Archaeologist on site prior to the start of works for a briefing on the archaeological requirements.
2. To provide the Project Archaeologist with 2 weeks' notification that project earthworks are about to begin, and to ensure that an Archaeologist is present when earthworks begin in the areas requiring monitoring shown in Figure 2 and Figure 3.
3. To comply with the protocols above if archaeological sites, koiwi or taonga (pp.6-7) are exposed.
4. To allow the Archaeologists sufficient time to investigate and record any archaeological remains before resuming works in the immediate vicinity.
5. To ensure a safe working environment for the Archaeologists.

## DISPUTE RESOLUTION

Disputes fall into a number of categories but are usually the result of poor communication between the developer, subcontractors, Iwi representatives and the project archaeologists. Most can be avoided if sufficient detail of the archaeological issues and responsibilities is outlined in the tender document or work management documentation.

Common examples of a dispute are: that the subcontractors consider that the archaeologists are causing unacceptable delays, or that the archaeologists feel they have insufficient time to fulfil the obligations of the authority. In the event of a dispute relating to the Authority investigation the following procedure for resolution should be followed:

1. If the dispute relates to archaeological issues, a meeting between the Authority holder (or designated representative), Contractor or subcontractor and Archaeologists should be convened as soon as possible to attempt to resolve the dispute.
2. If the dispute relates to cultural issues, a meeting between the Authority holder (or designated representative), Contractor or subcontractor, Iwi representatives, and Archaeologists should be convened as soon as possible to attempt to resolve the dispute.
3. If the dispute cannot be resolved a further meeting of all parties with representatives of Heritage NZ will be arranged within 1 working day to resolve the dispute. Heritage NZ has ultimate responsibility for resolving issues relating to the conditions of the Authorities it issues.

Taonga tūturu (Maori artefacts) recovered from archaeological investigations are often deposited in local or national museums following archaeological analysis, and with the agreement of iwi. On other occasions iwi may prefer to retain ownership of artefacts and disputes can arise between different iwi with an interest in the area. Any disputes relating to the long term ownership and custody of taonga tūturu should be dealt with through the statutory processes of the Protected Objects Act 1975. The provisions of the Act require that all taonga tūturu are notified to the Ministry for Culture and Heritage within 28 days of the completion of archaeological fieldwork. Under s.11 and s.12 of the Act the Ministry for Culture and Heritage must notify all parties that have an interest in the taonga, and if competing claims for ownership are made and cannot be resolved the matter may be referred to the Maori Land Court for resolution.

# **PROPOSED PAMAPURIA SOLAR FARM NEAR KAITAIA, NORTHLAND: ARCHAEOLOGICAL ASSESSMENT**

Prepared for Ranui Generation Limited



February 2023

Updated from March 2021

By

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# 1 INTRODUCTION

## 1.1 Project Background

As part of a proposed solar farm, Ranui Generation Limited is required to install a network of solar panels across existing farmland at 6901 State Highway 1 (Legal Description – Lot 2 DP 564184), east of Kaitaia, Northland. In addition a cable connecting the solar farm to an existing substation will also be included in the project in Te Konoti B5NO4A1A1, the road reserve of State Highway 1 and Lots 1 and 2 DP 136112 (Figure 1-Figure 3). Early stages of the solar farm construction will involve driving a number of steel posts up to 2m below existing ground surfaces. These steel posts will constitute the support structure of the proposed solar panes. The cable alignment connecting the solar farm to the existing substation is to be installed through directional drilling. Other works required for the solar farm are the construction of an access road, several power stations, trenching for power supply to the MV stations and an area of earthworks in the southern part of the property (Figure 4).

An archaeological assessment was commissioned by Des Godson on behalf of Ranui Generation Limited to establish whether the proposed work is likely to impact on archaeological values. This report has been prepared as part of the required assessment of effects accompanying a resource consent application under the Resource Management Act 1991 (RMA) and to identify any requirements under the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA). Recommendations are made in accordance with statutory requirements.

## 1.2 Methodology

The New Zealand Archaeological Association's (NZAA) site record database (ArchSite), District Plan schedules and the New Zealand Heritage List/Rārangi Kōrero were searched to determine whether any archaeological sites had been recorded on or in the immediate vicinity of the proposed area of works. Literature and archaeological reports relevant to the area were consulted (see Bibliography). Early survey plans and aerial photographs were checked for information relating to past activities within the proposed development areas.

A visual inspection of the property at 6901 State Highway 1 was undertaken on 25 February 2021. The ground surface was examined for evidence of former occupation (in the form of shell midden, depressions, terracing or other unusual formations within the landscape, or indications of 19th century European settlement remains). Exposed and disturbed soils were examined where encountered for evidence of earlier modification, and an understanding of the local stratigraphy. Subsurface testing with a probe and spade was carried out intermittently across the property to determine whether buried archaeological deposits could be identified or establish the nature of possible archaeological features. Photographs were taken to record the area and its immediate surrounds. As the alignment for connecting the solar farm to the substation had not been determined at the time of the survey it was not included.

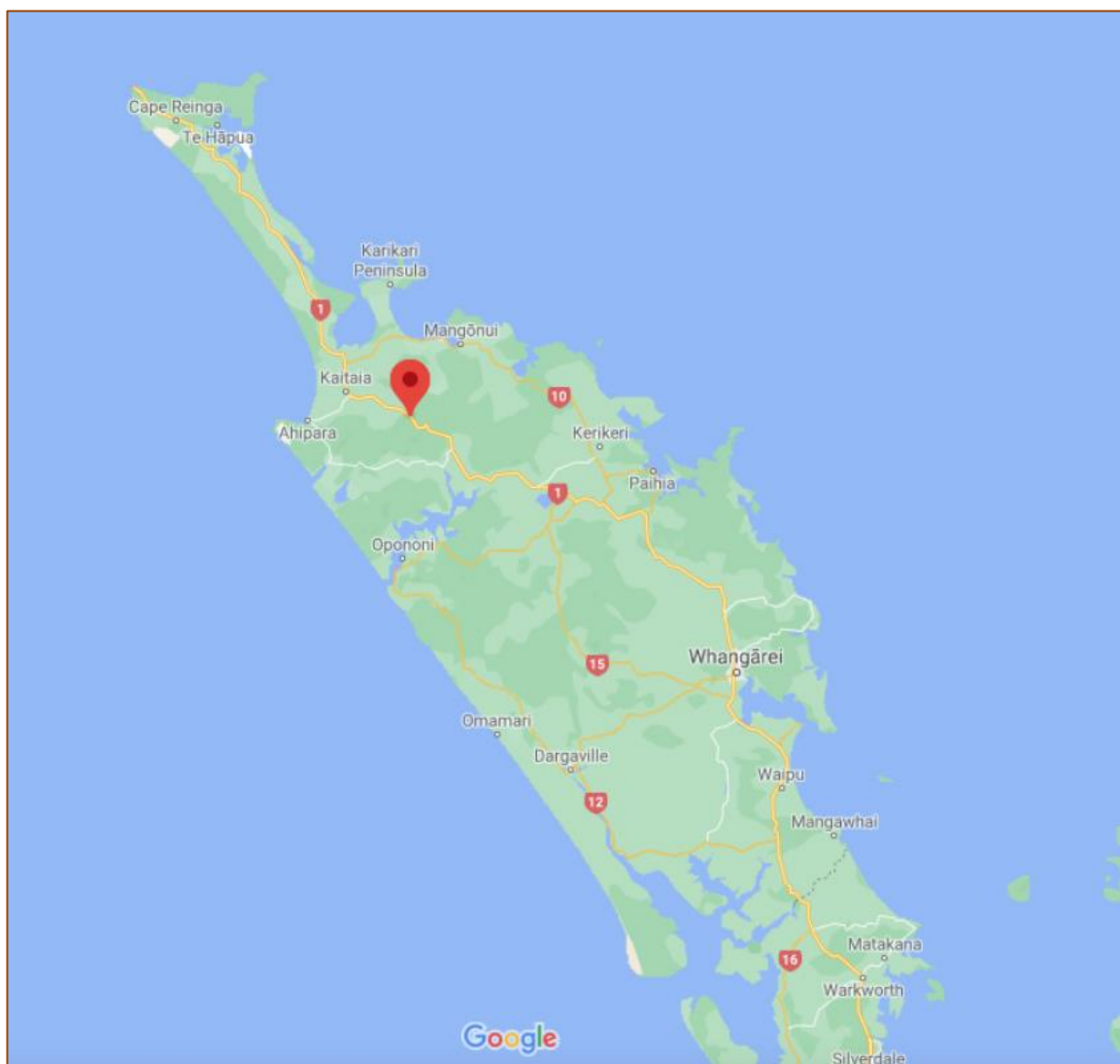


Figure 1. General location of the proposed solar farm development (source: Google Maps 2021)



**Figure 2. Aerial view of the general area containing the proposed development shown in upper aerial photograph circled in red and location of the proposed solar farm (right hand lower inset) and proposed alignment from the solar farm to substation in lower left inset (source: Upper - Google Maps and insets Northland Regional Council Intramaps)**



Figure 3. Proposed solar farm layout with area covenanted for urupa indicated (source: GE Renewable Hybrids)

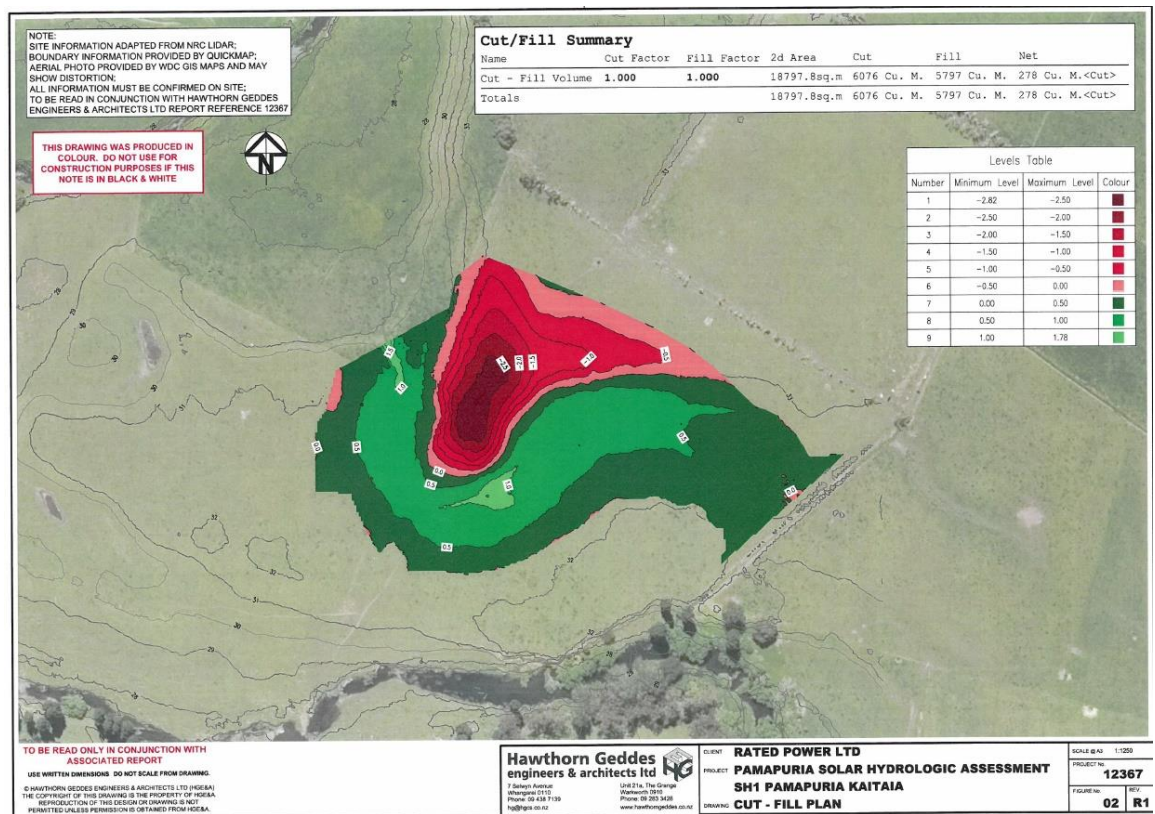


Figure 4. Proposed earthworks near the southern part of the property (source: Hawthorn Geddes)

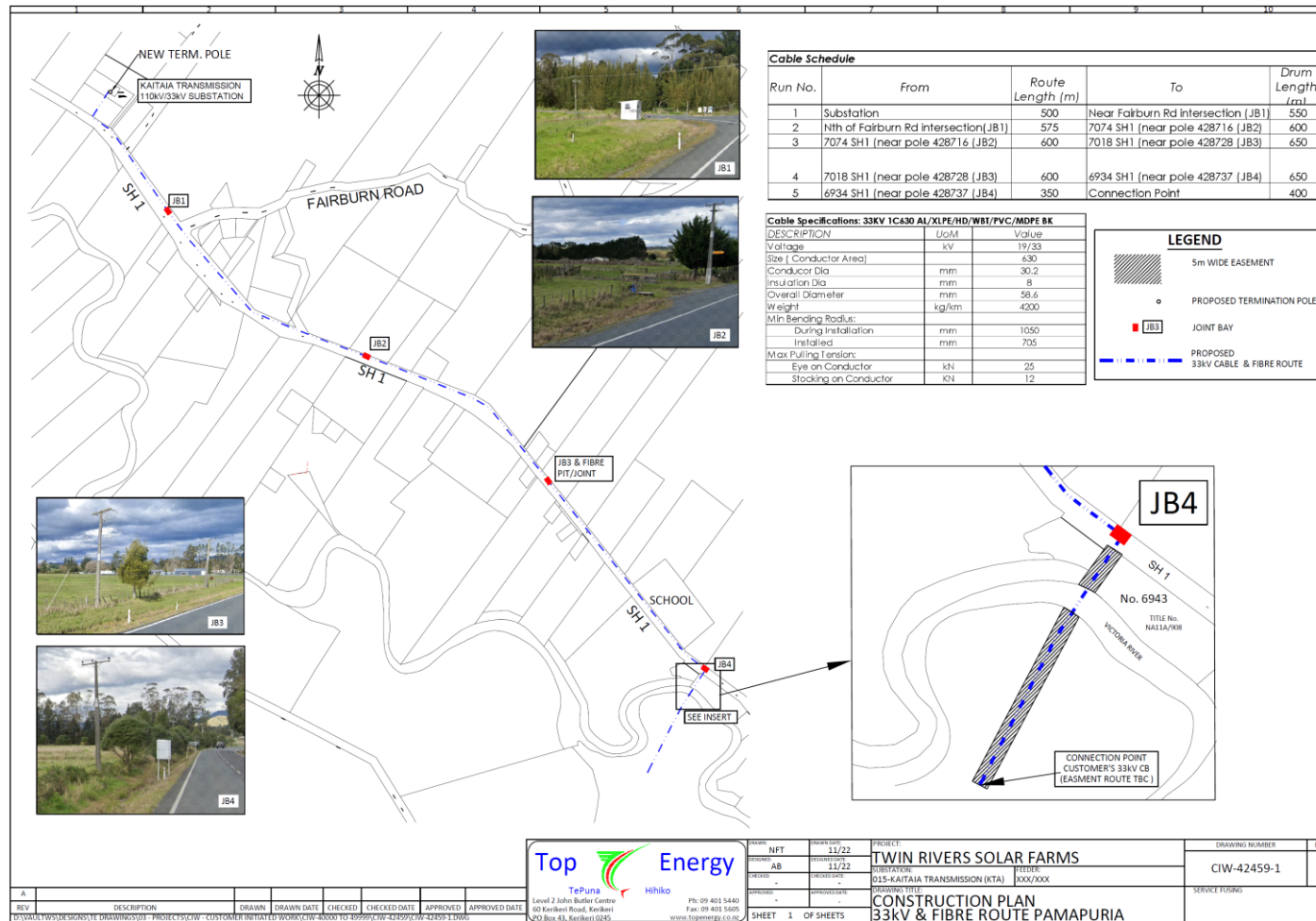


Figure 5. Plan of the 33kV & Fibre Route Pamapuria (source: Top Energy)

## 2 HISTORICAL BACKGROUND

### 2.1 Early Māori Settlement

The following historical background is partially derived from Farley and Clough (2009), Phear and Clough (2011) and Jamieson and Judge (2019). This is only a general overview of the Kaitaia area and is aimed to provide an overall background to the works.

Prior to the 18th century a number of hapu had occupied or visited the Muriwhenua/Far North region (Waitangi Tribunal 1997:14). By the end of the century tribal boundaries were beginning to settle into patterns that are recognisable today. The tribes of the Muriwhenua are Ngāti Kuri, Te Aupouri, Ngāi Takoto, Ngāti Kahu, Te Paatu and Te Rarawa. A detailed history of these tribes is beyond the scope of this assessment, but can be found in Cloher and Penfold (2002).

Briefly, Cloher and Penfold (2002) describe Ngāti Awa as being associated with Te Ahu (Kaitaia), as they were a very early northern tribe who occupied many pa in the region prior to the rise of Ngāpuhi. Their established settlement was Te Tahuna near Kaikohe, and they were famous for being the architects of the six pā that surrounded Kaitaia (after Yarborough 1906:221-4; Sissons et al. 1987:54). The six pā were known as Te Aute, Kerekere, Pukemiro, Rapukete, Tiki-Autaki and one without a known name.

It was after 1832 that Te Ahu became known as Kaitaia, after the Reverend Joseph Mathews and W. Gilbert Puckey had arrived to set up their mission station (Cloher and Penfold 2002). According to Keene (1989) the Māori population of Te Ahu at this time was small, with only 40 men, women and children, although there appeared to have been a much larger population at some stage prior to this (Cloher and Penfold 2002:78). Keene gave a further description of the Te Ahu/Kaitaia settlement:

‘The site was the centre of a ring of six or seven pas, with the remains of the palisades still standing. Old cultivations were still traceable on the flats, and numerous kumara pits showed on the side of the hills. Where the business part of the town now stands had once been cultivated but now was overgrown. The balance of the valley was heavy Kahikatea bush with patches of raupo swamp’ (Keene 1989:18).

### 2.2 19th to 20th Century Settlement

Land transactions in Kaitaia prior to the Treaty of Waitangi were predominantly with missionaries and people related to the church, and involved the most fertile and/or accessible profitable areas of land in relation to the export of timber (Te Uria Associates 2004:32). The chief known as Panakareao is said to have made the transactions, or transactions were completed under his supervision. The Church Missionary Society made the first transaction for 700 acres (The Muriwhenua Land Report n.d:54, cited in Te Uria Associates 2004:32). Panakareao is said to have provided protection, land and food as well as timber and thatching for building houses, and labour to clear the land and build roads. The mission site was suggested by Panakareao, and in 1834 the mission station was built on the eastern side of the river, as marked by the modern Church Road and Mission Place. Various land blocks were then claimed by Mathews, Puckey and other European settlers associated with the church (see Te Uria Associates 2004:33 for details). An enquiry into the transactions by Commissioner Godfrey began in Kaitaia in 1843, following the Crown Purchase Programme which took place from 1840. The plan dated 1913 in Figure 6 shows

the location of the proposed solar farm as being located in the Ruaroa Block with the land bordering the Victoria River described as being covered by “heavy manuka”. The 1930 plan shown in Figure 7 shows the subdivision that created Lot 12 DP 23213 (which has recently been subdivided to separate it from the urupa- and is now Lot 2 DP 564184) with the land bordering the Victoria and Takahue Rivers as “alluvial in grass” and the central part of the property as “Flat Tableland”.

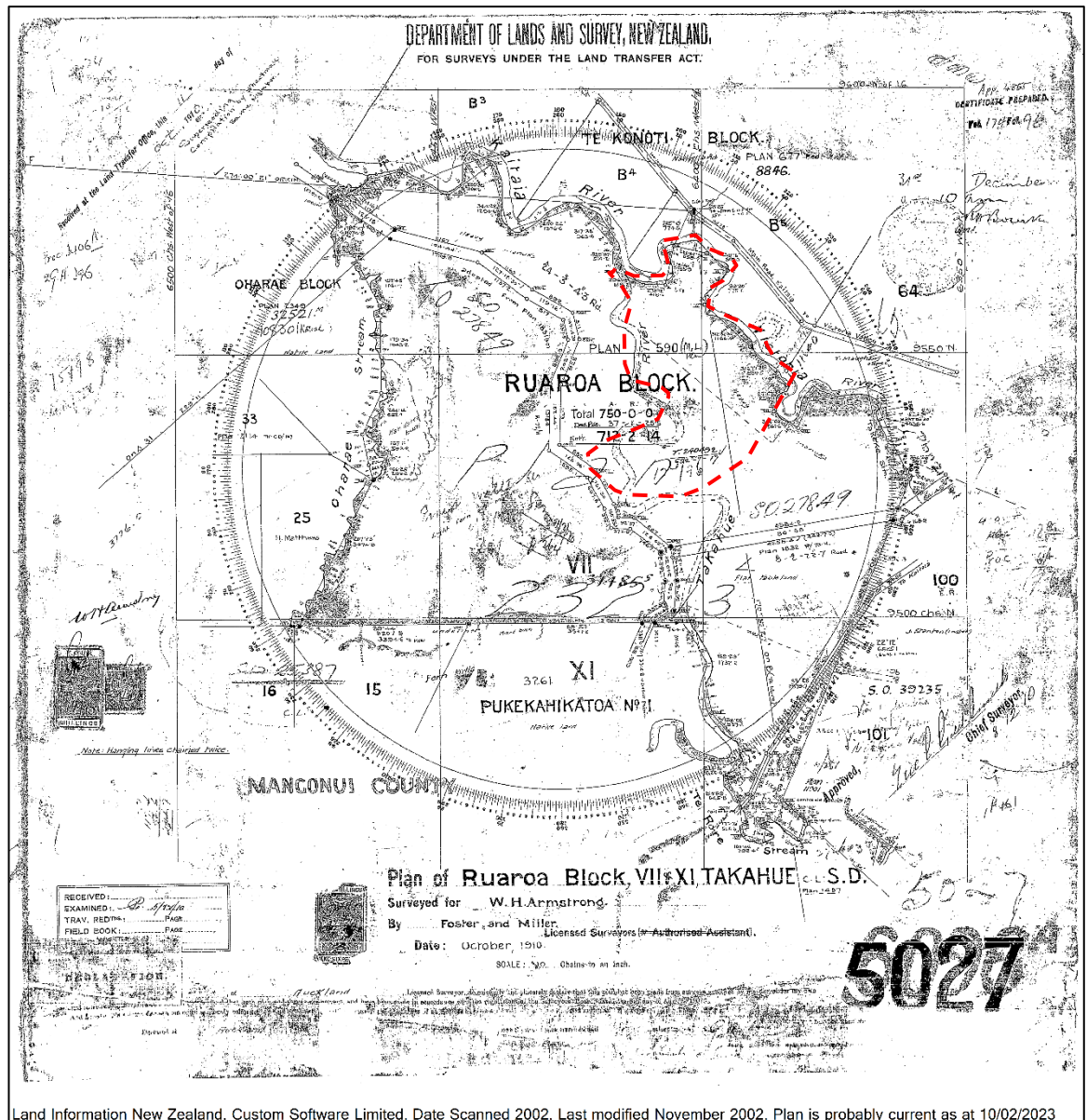


Figure 6. AK DP 5027 showing the location of the proposed solar farm (outlined by red dashed line) located in the Ruaroa Block (source: Quickmap)



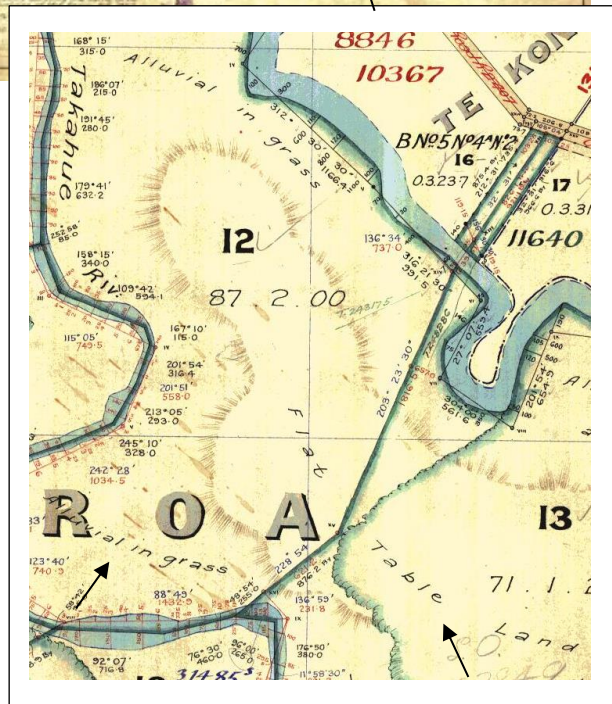
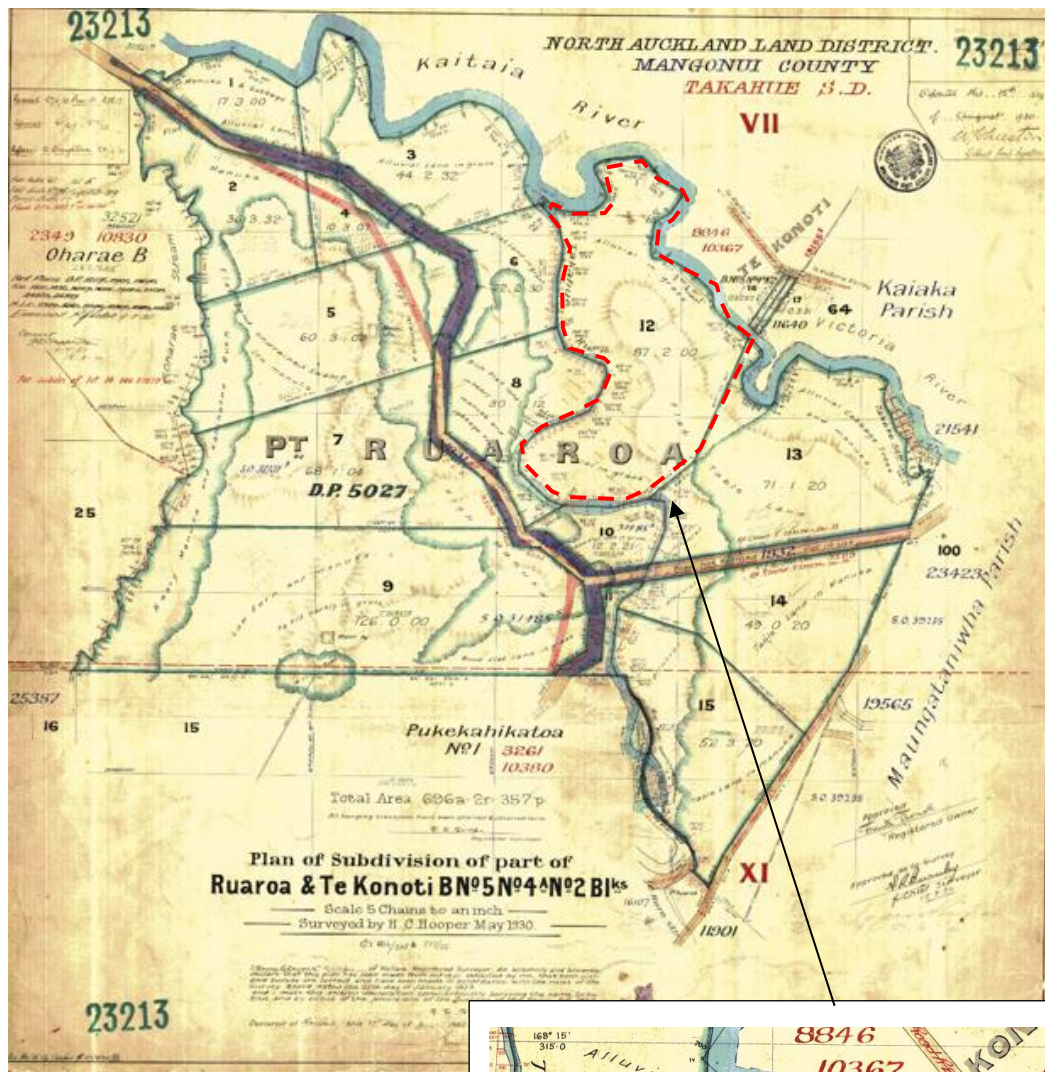


Figure 7. AK DP 23213 plan dated 1930 showing the subdivision that created Lot 12 DP 23213 (outlined by red dashed line) which created the property containing the proposed solar farm with annotations of “Alluvial in grass” and “Flat Table Land” indicated by arrows (source: Quickmap)

### 3 ARCHAEOLOGICAL BACKGROUND

There are no archaeological sites recorded in any of the proposed works areas. Ten archaeological sites have previously been recorded in the general area (Figure 8). These archaeological sites comprise: four pā, four terrace complexes and two sets of pits (Table 1), eight are located on higher elevations to the west and southwest of the proposed works with the other two located to the north of the existing substation (all within c.2km). The latter two have both been recorded as pits with O04/565 containing two pits and located on a ridge and O04/566 recorded as four pits and located on a slope. These two sites were recorded in 1982 as noted on the site records. Many of the other sites can be seen on the site records to have been recorded slightly earlier by Ann Leahy. The sites recorded as terrace complexes are firstly, O04/146 which was described as three terraces, two located on one spur and the third located on an adjacent spur end. O04/181 was described as six terraces running down a slope with indistinct surface features. O04/210 was recorded in the 1970s when it was noted that it had been partially destroyed by an Anglican cemetery, pits and terraces were identified and it was thought to have possibly contained more features in the past. O04/998 has been recorded as three terraces on the northern end of a ridge. The four pā sites were also recorded in the late 1970s. O04/144 was described as being located on the flattened top of a small hill with wide and long terraces on the south and west sides and with shallow ditches at the base of scarps on the south side. O04/145 is located to the west of O04/146 (terraces). It was described as a double tihi with a sunken platform between. Terraces were noted to be present down the side slopes and a ditch was identified at the base of the scarp in some sections. O04/211 was described as being located on a round hill top with a large rectangular area enclosed by a scarp on the east and south sides and possibly on the west. Long, flat scarped ledge terraces were also noted on the west side and scattered terraces on the northern slope. O04/212 is located on a ridge on the southern side of a modern road with a rectangular and flattish platform on the top and with terraces down the east and north sides with a ditch along the southeast side.

The majority of sites recorded during the surveys undertaken during the late 1970s and early 1980s the latter of which were undertaken by Robert Cassels (from the University of Auckland), Robert Pollack and Stan Bartlett consisted of pā and pit and terrace complexes; features that were clearly visible from a distance within the landscape. Since then periodic recording of archaeological sites has occurred as a result of development driven processes.

Finally, the location of an unrecorded urupa (burial ground) was identified by local iwi to the previous landowner and in turn to Ranui Generation Ltd (Des Goodman, pers. comm.). The urupa will be excluded from the development and the land has been covenanted under a separate title (Figure 9).

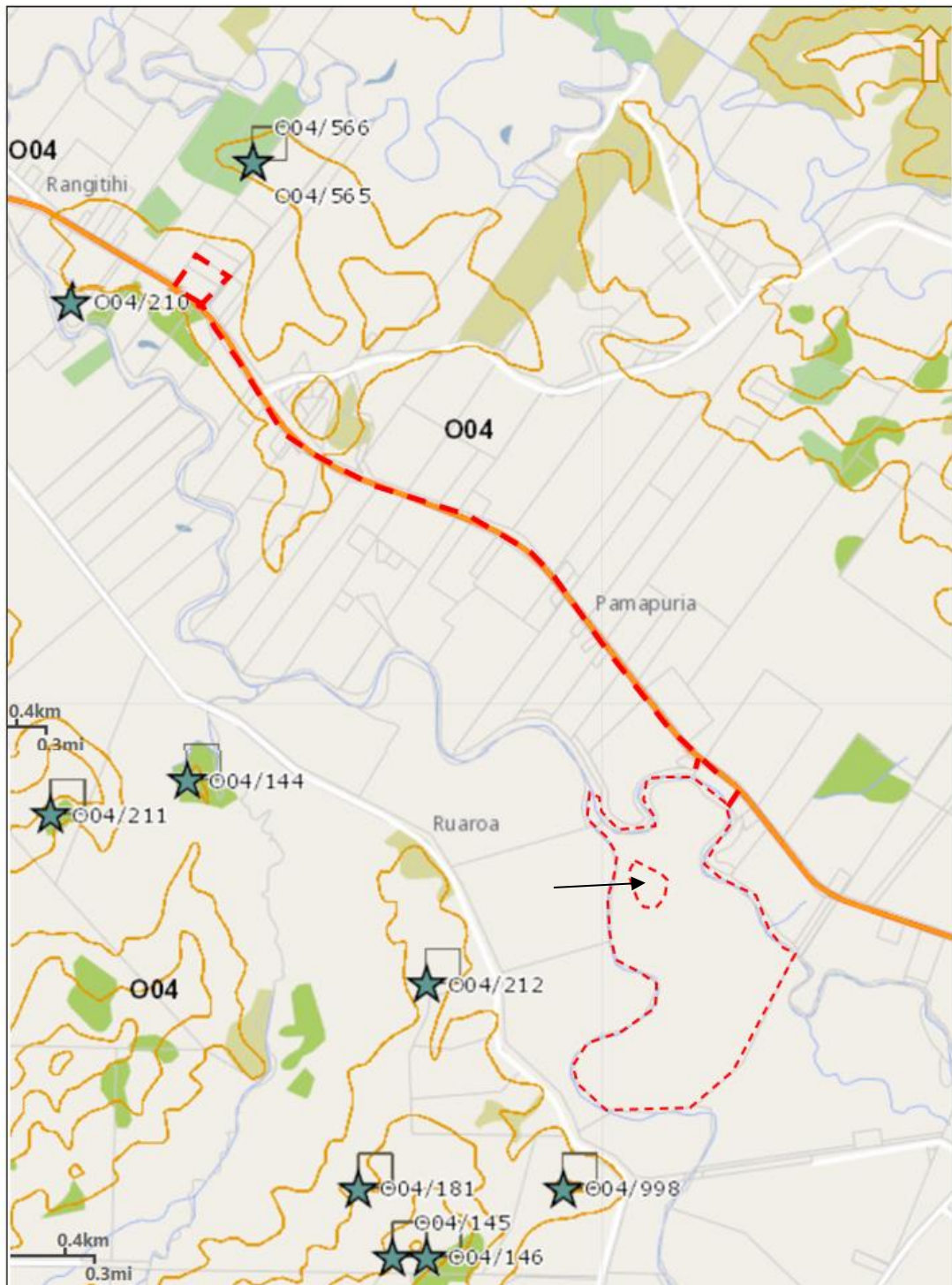


Figure 8. Archaeological sites recorded in proximity to the proposed development (indicated by red dashed line) and with the urupa indicated by arrow (source: NZAA ArchSite Website)

**Table 1. Details of recorded archaeological sites in proximity to the proposed development areas shown in Figure 8**

<b>NZAA Site No.</b>	<b>Site Type</b>	<b>NZTM Easting</b>	<b>NZTM Northing</b>	<b>Description</b>
O04/144	Pā	1630556	6112026	Located on top of small hill with terraces along south and west. Ditch along east side.
O04/145	Pā	1631160	6110629	Double tihi with sunken platform. Ditch at base of scarp and terraces down side slopes.
O04/146	Terraces	1631260	6110629	Three terraces on end of spur with additional terrace at end of adjacent spur.
O04/181	Terraces	1631059	6110828	Six terraces located on hill slope. Possible additional terraces (indistinct)
O04/210	Terraces	1630225	6113419	Step terraces beside the Awanui River and possible ditch. Disturbed by cemetery.
O04/211	Pā	1630157	6111925	Located on rounded hilltop. Defensive ditches/scarps on east, west, and south sides. Terracing on northern slope.
O04/212	Pā	1631257	6111429	Rectangular pā with terraces down east and north sides of ridge.
O04/565	Pit/ Terrace	1630751	6113826	Two pits identified on a ridge- 3x2m and .4m deep and 7.5m x 2.5m and .6m deep.
O04/566	Pit/ Terrace	1630751	6113826	Three pits located on a slope 3mx3.5m and .25m deep/ 3mx2.5m and .25m deep and 4mx3m and .3m deep
O04/998	Terraces	1631659	6110830	Three terraces located on northern end of ridge.

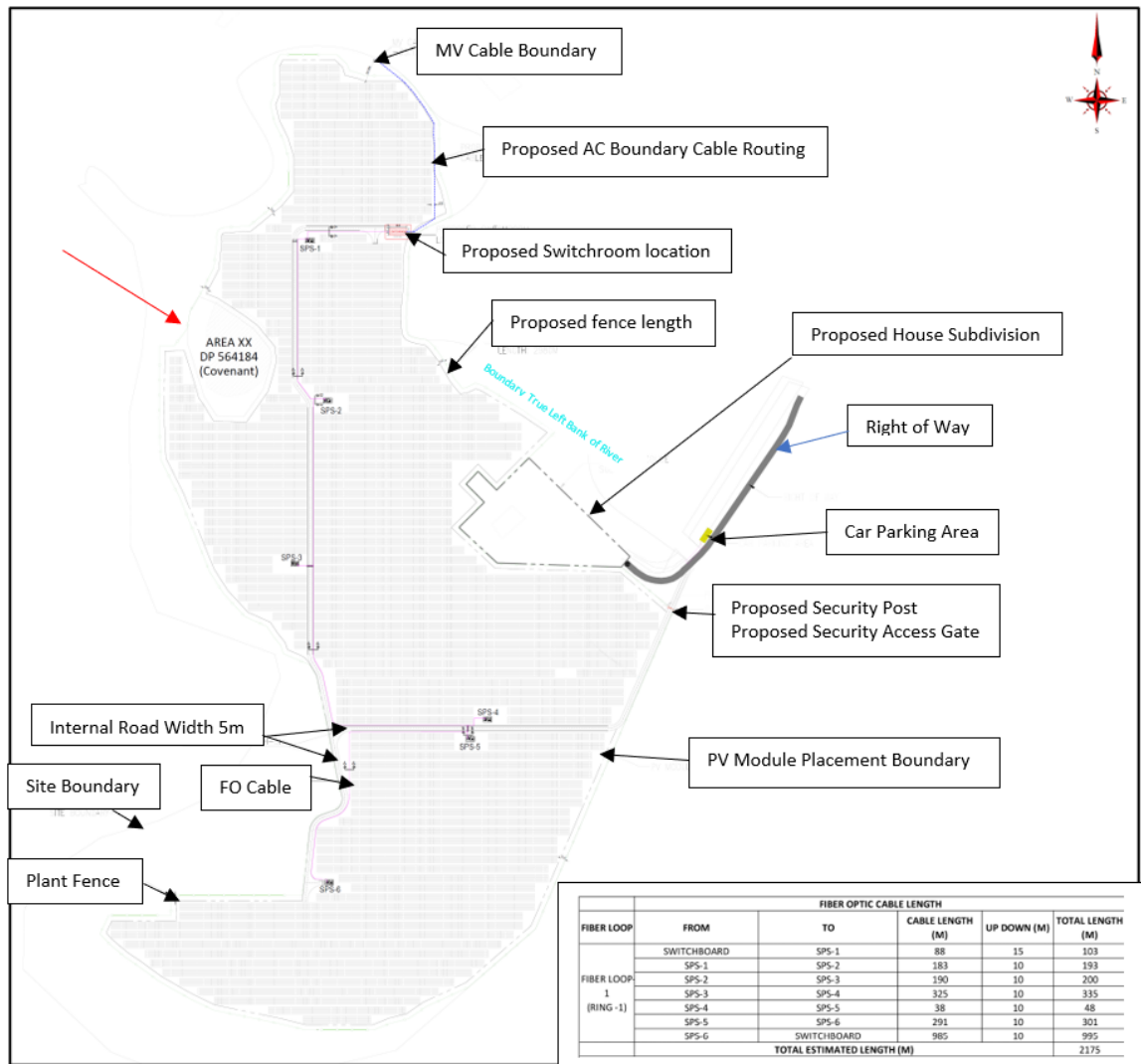


Figure 9. Location of unrecorded urupa identified by local iwi (indicated by red arrow) in relation to the proposed solar farm (source: GE Renewable Hybrids)

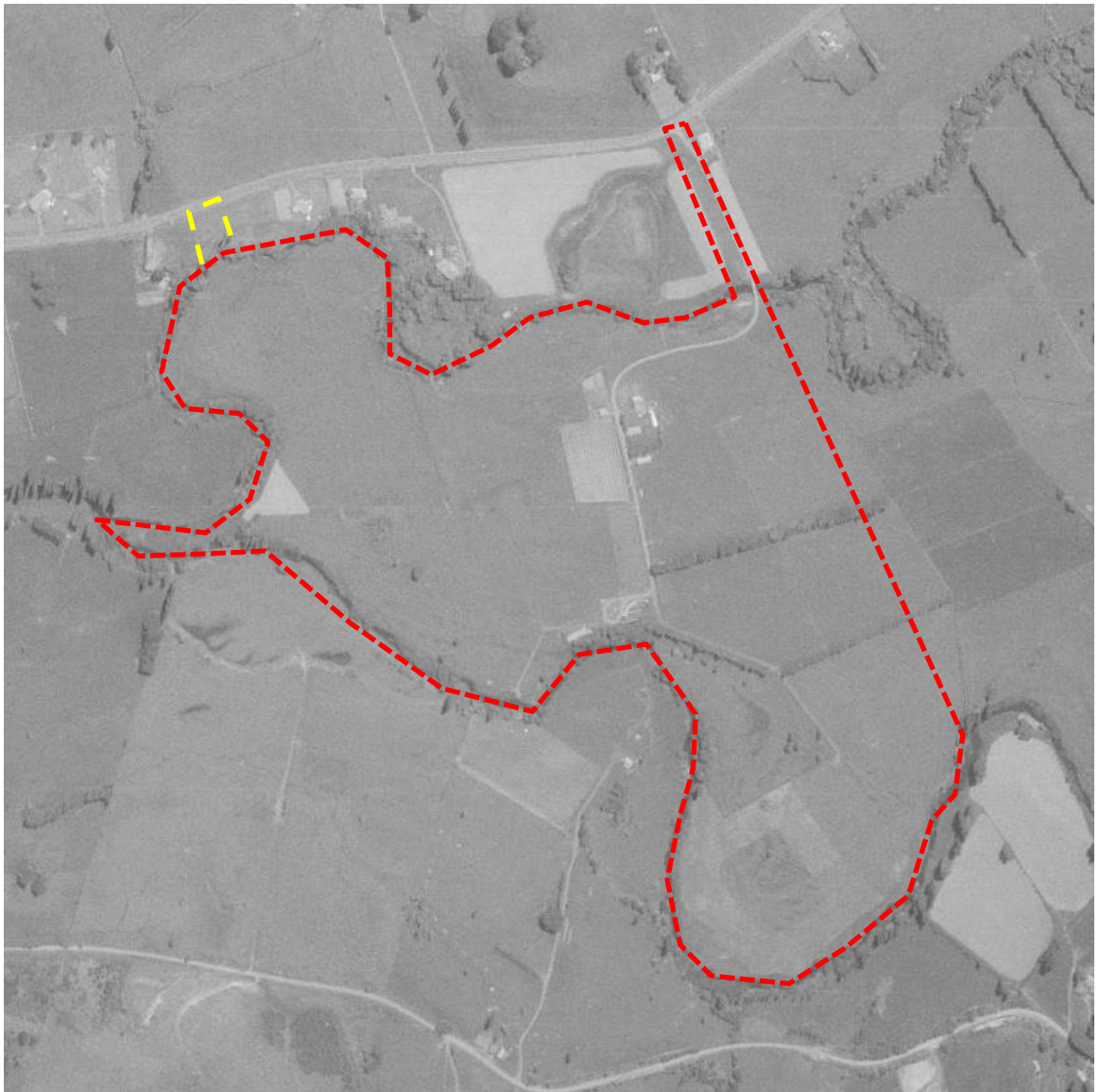
## 4 HISTORICAL SURVEY

### 4.1 Information from Early Maps, Plans and Aerials

Early survey plans were reviewed but provided little information on the properties at 6901 and 6943 State Highway 1 that might indicate the presence of archaeological sites. The 1950 aerial photograph in Figure 10 shows the property at 6901 State Highway 1 as grazing farmland. The property at 6943 State Highway 1 is shown as undeveloped at this point. The aerial photograph in Figure 11 from 1977 shows that the property at 6901 State Highway 1 has remained mostly unchanged, while the eastern part of 6943 State Highway 1 now has buildings present. The later photograph from 1986 in Figure 12 shows the part of the property at 6943 State Highway 1 where the proposed cable alignment is located has been planted out in crops. The substation site is heavily modified by the previous installation works (Figure 13).



**Figure 10. Aerial SN350 from 1950 showing small patches of vegetation within the property at 6901 State Highway 1 (outlined by red dashed line) and with alignment at 6943 State Highway 1 outlined by yellow dashed line – note urupa is not indicated on this figure (sourced from <http://retrolens.nz> and licensed by LINZ CC-BY 3.0)**



**Figure 11. Aerial photograph SN5006 from 1977 showing the property for the proposed solar farm at 6901 State Highway 1 indicated by red dashed line with vegetation patched removed and location for connecting cable at 6943 State Highway 1 outlined by yellow dashed line – note urupa is not indicated in this figure (sourced from <http://retrolens.nz> and licensed by LINZ CC-BY 3.0)**



**Figure 12. Aerial photograph Crown 8506 C 5 dated 1986 with part of the connection cable alignment (outlined by yellow dashed line) shown to contain a garden at this time (sourced from: <http://retrolens.nz> and licensed by LINZ CC-BY 3.0)**



**Figure 13. Aerial photograph c. 2016 showing the existing substation (source: Northern Regional Council Intramaps)**



## 5 FIELD ASSESSMENT

### 5.1 Field Survey Results

A field survey of the property proposed for the solar farm at 6901 State Highway 1 was conducted for this assessment on 25 February 2021. The subject property is bordered to the north and east by the Victoria River, by the Takahue River to the west, and by farmland to the south. Currently the property contains dwellings and buildings associated with its use as grazing farmland (- Figure 17). Generally the topology of the property is flat, with occasional gentle undulations likely attributable to shaping by surrounding waterways. A gravelled accessway connects the property to State Highway 1. Survey conditions were clear and visibility was good. Ground surfaces were dry. Survey of the property at 6901 State Highway 1 was carried out by foot, and involved walking all parts of the property, visual scanning and limited subsurface probing was also undertaken. Small test pits were opened in key areas.

As the connection cable alignment at 6943 State Highway 1 had not been defined at the time of the survey it, along with the cable alignment within the road reserve of State Highway 1 and the existing substation were not included in the survey. Based on the previous impacts to these areas and short time frame for the authority application submission in this updated report, these areas have not been surveyed with desk-based information used instead.

As well, the urupa identified by local iwi was observed but not probed or spade tested as this would be inappropriate on an urupa. It is clearly visible as a raised/mounded area, approximately 30m long by 15m in width and oriented on a NW/SE axis. The height of the raised/mounded area was estimated to be approximately 3m (Figure 18).

In general, the surveyed area displayed little landscape modification, consistent with its use as grazing farmland, and no surface archaeological features were observed.

Seven test pits were opened within central areas of each power station (Figure 19). The first, TP1 was located on flat grazing pasture at coordinates E1631874 N6111633 (+-1m). TP1 was excavated to a depth of 25cm. A 5cm turf and topsoil layer was encountered, grading to 15cm of mid/dark clayey silt. No inclusions were observed within TP1 (Figure 20).

TP2 was located within the northern extent of the property at coordinates E1631956 N6111852 (+-1m) and opened to a depth of 25cm. TP2 displayed the same 5cm turf and topsoil layer as TP1, grading to a reddish mid brown clayey silt. No inclusions were observed within TP2 (Figure 21)

TP3 was located near the eastern boundary of the property at coordinates E1631997 N6111402 (+-1m). TP3 displayed the 5cm turf and topsoil layer present in previous test pits, grading to a dark brown silty clay. No inclusions were observed within TP3 (Figure 22).

TP4 was located within the southern extent of the property at coordinates E1631979 N6111157 (+-1m). TP4 displayed a 10cm turf and topsoil layer grading to 15cm of dark brown silty clay. Natural clay substrates were encountered at the base of TP4 (Figure 23).

TP5 was located at coordinates E1632060 N6111248 (+-1m). TP5 displayed a 3cm turf and topsoil layer grading to 17cm of mid brown silty clay. Natural clay substrates were encountered at the base of TP5. No inclusions were observed within TP5 (Figure 24).

TP6 was located at coordinates E1632151 N6111476 (+-1m) and in proximity to dwellings and farm sheds. TP6 displayed a 2cm turf and topsoil layer grading to 20cm of dark brown silt. Natural clay substrates were encountered at the base of TP6. Rare charcoal fragments (~3mm in diameter) and rare gravel inclusions were observed within the silt layer (Figure 25).

TP7 was located at coordinates E1632102 N6111651 (+-1m). TP7 displayed a 2cm turf and topsoil layer grading to a 20cm mid brown clayey silt. No inclusions were observed within TP7.

No archaeological evidence was observed across the surveyed areas (excluding the unrecorded urupa), or within any of the test pits.



**Figure 14. Drone view over proposed solar farm property at 6901 State Highway 1, Kaitaia, looking north (provided by Des Godson)**



**Figure 15. View east over the proposed solar farm property at 6901 State Highway 1, Kaitaia**



**Figure 16. View south over the proposed solar farm at 6901 State Highway 1, Kaitaia**



**Figure 17. View northwest over the proposed solar farm at the property at 6901 State Highway 1, Kaitaia**



**Figure 18. Drone view of unrecorded urupa (indicated by red arrow) (provided by Des Godson)**



Figure 19. Test pit locations



**Figure 20. Detail of TP1**



**Figure 21. Detail of TP2**



**Figure 22. Detail of TP3**



**Figure 23. Detail of TP4**



**Figure 24. Detail of TP5**



**Figure 25. Detail of TP6**



## 6 DISCUSSION AND CONCLUSIONS

### 6.1 Summary of Results

There are no previously recorded archaeological sites within the property, but there are a number of pā, pit and terrace sites recorded within 2km on more elevated land to the west, southwest and to the north of the existing substation. However, an unrecorded urupa identified by local iwi, recently covenanted and put onto a separate title will be excluded from the works. The property at 6901 State Highway 1 for the proposed solar farm is largely unmodified grazing pasture which includes associated dwellings and buildings. No archaeological evidence was identified during the survey for this assessment through visual inspection or subsurface testing. Although the presence of archaeological sites in the general area and the unrecorded urupa and the Victoria and Takahue Rivers in proximity to the proposed development may indicate the likelihood of unrecorded subsurface archaeological remains to be present, especially, in the property proposed for the solar farm at 6901 State Highway 1, Kaitaia. Based on desk-based research, the cable alignment running from the proposed solar farm to the existing substation is mostly situated on previously disturbed land. This includes crop growing at 6943 State Highway 1, construction works associated with State Highway 1 itself and works associated with the existing substation. Although these works would have damaged or destroyed any archaeological remains that may have once been present, the possibility that some remnant archaeological remains may have survived cannot be completely discounted.

### 6.2 Māori Cultural Values

This is an assessment of effects on archaeological values and does not include an assessment of effects on Māori cultural values. Such assessments should only be made by the taMāorita whenua. Māori cultural concerns may encompass a wider range of values than those associated with archaeological sites. The historical association of the general area with the taMāorita whenua is evident from the recorded sites, traditional histories and known Māori place names.

We understand that representatives of the Trustees of Te Paatu Marae have been consulted regarding the protection of the urupa, and that a covenant has been registered with a new title.

### 6.3 Survey Limitations

It should be noted that archaeological survey techniques (based on visual inspection and minor sub-surface testing) cannot necessarily identify all sub-surface archaeological features, or detect wahi tapu and other sites of traditional significance to Māori, especially where these have no physical remains.

No attempt was made to confirm the presence of burials within the unrecorded urupa, the location of which has been identified by kaumatua of Te Paatu Marae. Subsurface testing with a probe and spade would not be appropriate within an urupa and in any case would not necessarily result in the identification of burials.

As well, based on previous modifications identified through desk-based research and the late finalisation of the alignment, the connecting cable alignment was not surveyed.

## 6.4 Archaeological Value and Significance

The Kaitaia area retains high archaeological value and significance with many extensive sites related primarily to pre-European Māori occupation, food cultivation and defence noted across the elevated ridges and spurs and on the fertile river flats along the eastern and southern sides of the Township. However, no sites have previously been identified within the proposed works areas and no archaeological evidence was identified during the survey. The proposed development areas therefore have no known archaeological value, apart from the urupa identified by Te Paatu which has been excluded from the proposed area of works. The urupa has high cultural value and significance.

## 6.5 Effects of the Proposal

The proposed works for the construction of the solar farm development include installation of solar panels, which will be supported by slim metal shafts driven directly in to the ground at regular intervals across the site (Figure 26), 6 power stations (SPS) which are to be situated in shipping containers set onto concrete support piers 500-750mm wide and up to 1m deep in an area of compacted ground with a surface of pea gravel (Figure 27), an access road, which would be similar to a farm track (Figure 28), trenching for power lines requiring up to 1.2m deep and 800m wide excavation (Figure 29 and Figure 30 and Appendix A) and cut works with depths between 0.5-2.5m, in the southern part of the proposed solar farm to make it suitable for deploying solar panels, with an adjacent area of fill to provide for inundation during the 100-year flood event (Figure 4).

The proposed solar farm development works will have no known effects on archaeological values as no archaeological sites have been identified within the proposed area of works and the identified urupa will be avoided in a newly covenanted area, as shown in Figure 9. However, in any area where archaeological sites have been recorded in the general vicinity it is possible that unrecorded subsurface remains may be exposed during development. In this situation, due to the proximity of the unrecorded urupa and recorded sites in the wider area and the fact that the proposed solar farm property itself is adjacent to the Victoria and Takahue rivers and relatively unmodified, there is considered to be some potential for unrecorded subsurface archaeological remains to be present. If so, this would not be apparent during installation of the support shafts as there would be no opportunity to inspect subsurface deposits. If archaeological remains are present they would only be expected to be exposed by trenching for power lines, or construction of the power stations and access road, or within the area of cut earthworks in the southern part of the property. As these works would damage or destroy any archaeological features it is recommended that archaeological monitoring is undertaken in the area surrounding the urupa (see Figure 28 and Figure 30).

Archaeological features and remains can take the form of burnt and fire cracked stones, charcoal, rubbish heaps including shell, bone and/or 19th century glass and crockery, ditches, banks, pits, old building foundations, artefacts of Māori and early European origin or human burials.

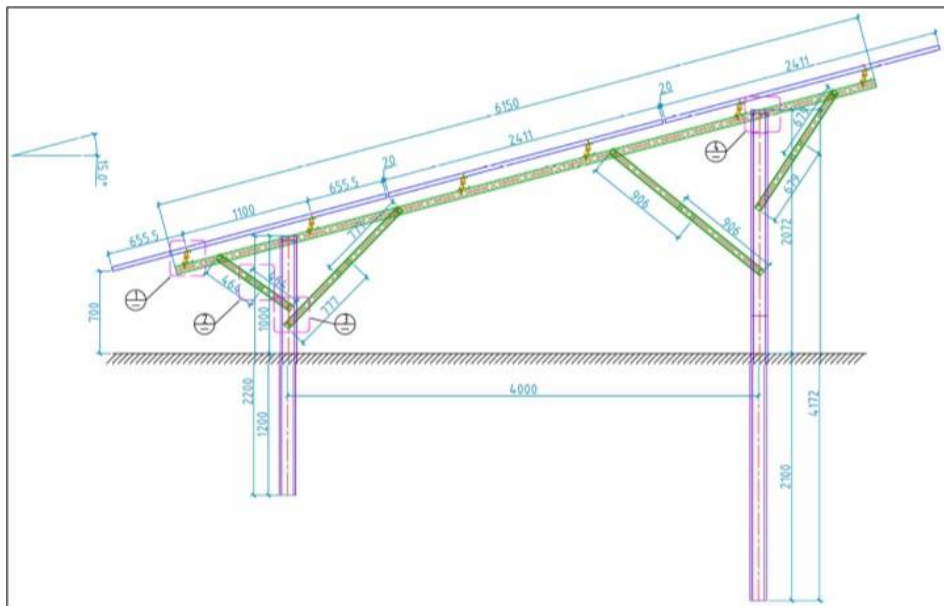


Figure 26. Indicative solar panel design (source: Terrabase Energy Inc)

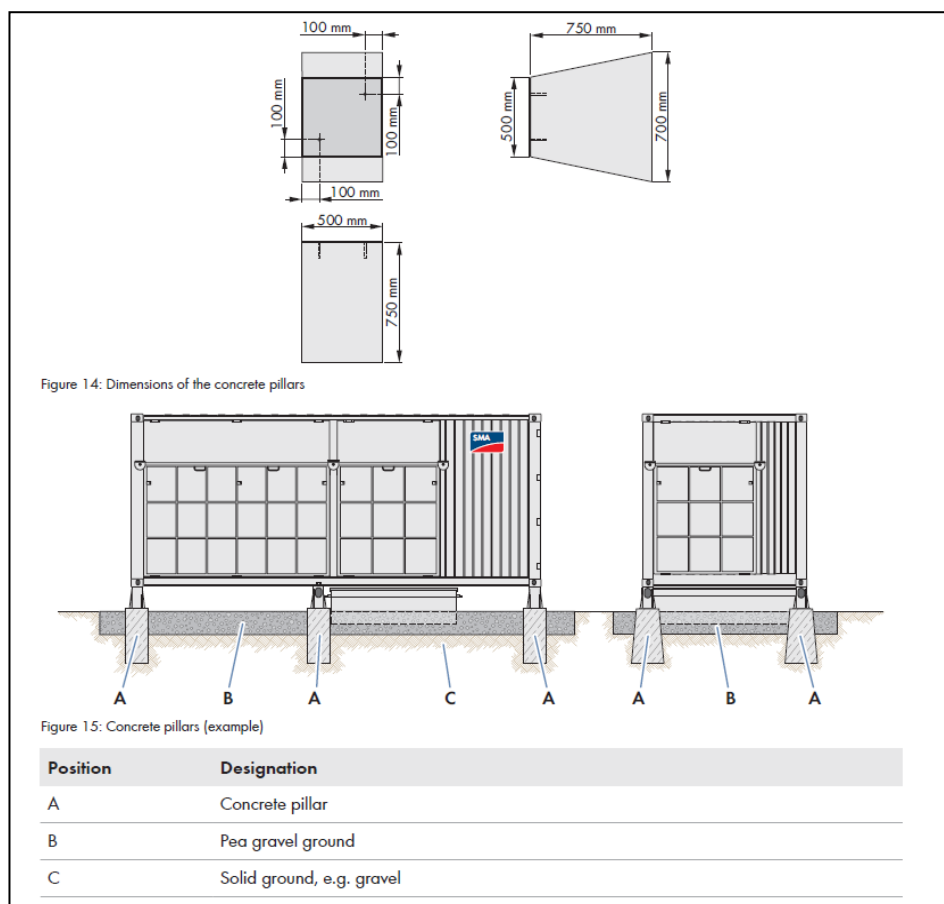
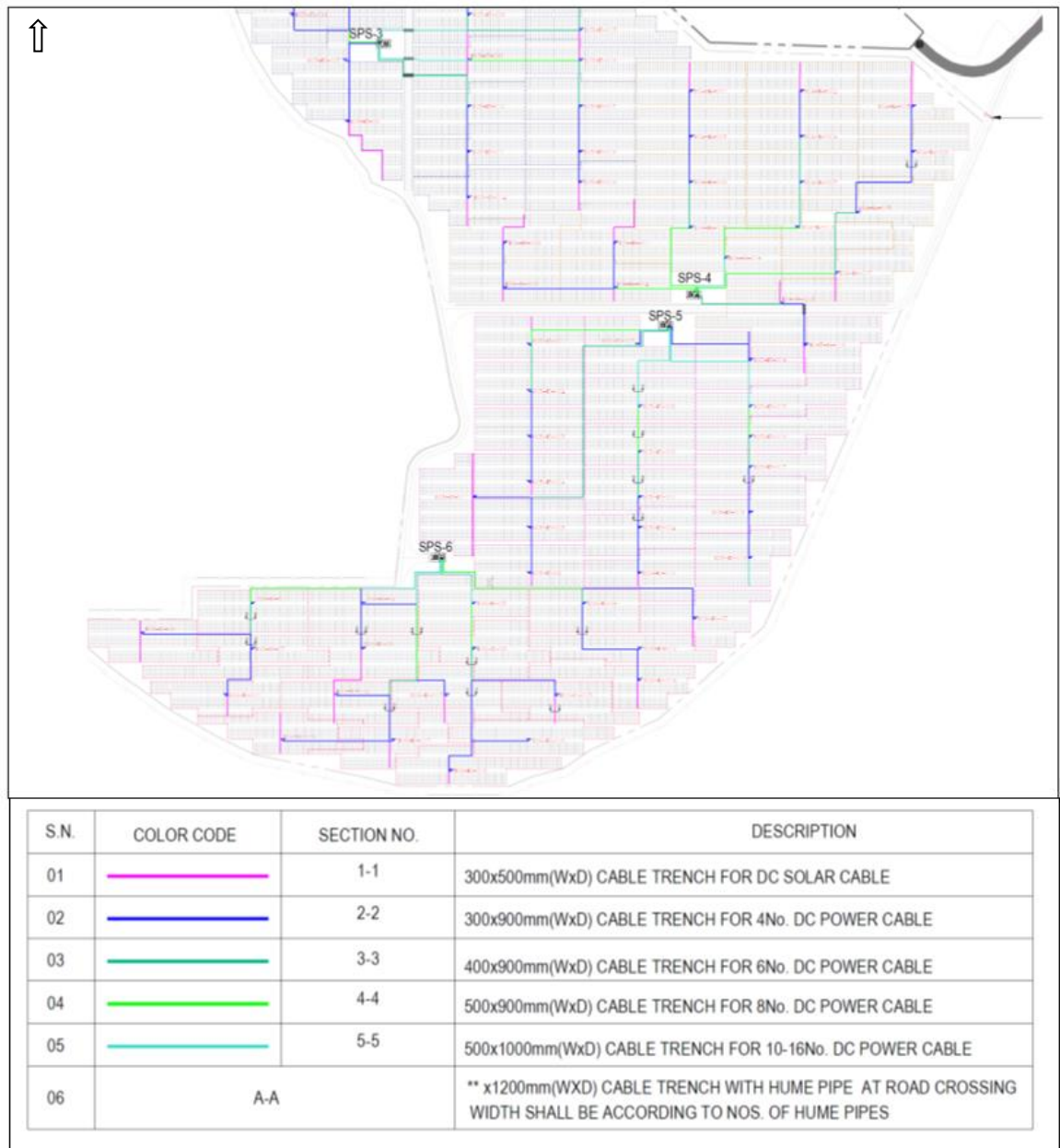


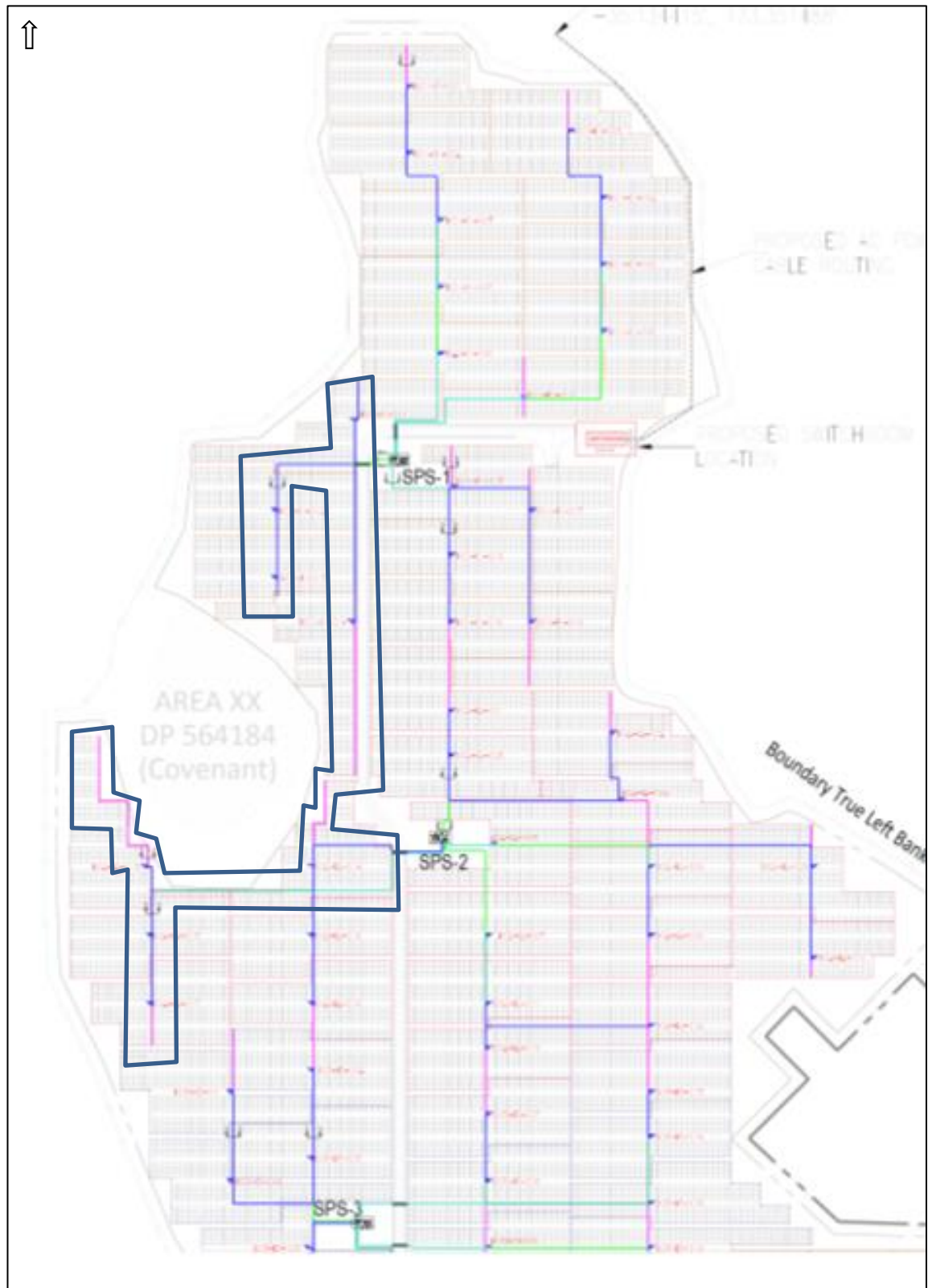
Figure 27. Indicative Power Station design (source: Terrabase Energy Inc)



**Figure 28. Plan showing the location of the proposed access road with the section to be monitored by an archaeologist in the vicinity of the urupa during preliminary construction outlined in black (source: GE Renewable Hybrids)**



**Figure 29. Plan showing the layout of the cable trenches in the southern part of the proposed solar farm property (source: GE Renewable Hybrids)**



**Figure 30. Plan showing the layout of the cable trenches in the northern part of the proposed solar farm property with area to be monitored by an archaeologist during trenching works outlined in black (see Figure 25 for legend) (source: GE Renewable Hybrids)**

## 6.6 Resource Management Act 1991 Requirements

Section 6 of the RMA recognises as matters of national importance: ‘the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taomāori’ (S6(e)); and ‘the protection of historic heritage from inappropriate subdivision, use, and development’ (S6(f)).

All persons exercising functions and powers under the RMA are required under Section 6 to recognise and provide for these matters of national importance when ‘managing the use, development and protection of natural and physical resources’. There is a duty to avoid, remedy, or mitigate any adverse effects on the environment arising from an activity (S17), including historic heritage.

Historic heritage is defined (S2) as ‘those natural and physical resources that contribute to an understanding and appreciation of New Zealand’s history and cultures, deriving from any of the following qualities: (i) archaeological; (ii) architectural; (iii) cultural; (iv) historic; (v) scientific; (vi) technological’. Historic heritage includes: ‘(i) historic sites, structures, places, and areas; (ii) archaeological sites; (iii) sites of significance to Māori, including wahi tapu; (iv) surroundings associated with the natural and physical resources’.

Regional, district and local plans contain sections that help to identify, protect and manage archaeological and other heritage sites. The plans are prepared under the provisions of the RMA. The Far North District Plan is relevant to the proposed activity.

There are no scheduled sites of cultural significance to Māori or historic sites in the District Plan. This assessment has established that the proposed activity will not affect any known archaeological remains but has some potential to affect unidentified subsurface archaeological remains that may be exposed during development. If resource consent is granted, it is recommended that archaeological monitoring is undertaken for the works shown in the black outlined areas in Figure 28 (for the construction of the access road) and Figure 30 (for trenching works for cable laying). It is also recommended that an advice note regarding the provisions of the HNZPTA is included as an Authority under that Act will be required for any modification and investigation of archaeological remains.

## 6.7 Heritage New Zealand Pouhere Taonga Act 2014 Requirements

In addition to any requirements under the RMA, the HNZPTA protects all archaeological sites whether recorded or not, and they may not be damaged or destroyed unless an Authority to modify an archaeological site has been issued by Heritage NZ (Section 42).

An archaeological site is defined by the HNZPTA Section 6 as follows:

‘**archaeological site** means, subject to section 42(3), –

(a) any place in New Zealand, including any building or structure (or part of a building or structure) that –

(i) was associated with human activity that occurred before 1900 or is the site of the wreck of any vessel where the wreck occurred before 1900; and

(ii) provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand; and

(b) includes a site for which a declaration is made under section 43(1)<sup>1</sup>

Authorities to modify archaeological sites can be applied for either in respect to archaeological sites within a specified area of land (Section 44(a)), or to modify a specific archaeological site where the effects will be no more than minor (Section 44(b)), or for the purpose of conducting a scientific investigation (Section 44(c)). Applications that relate to sites of Māori interest require consultation with (and in the case of scientific investigations the consent of) the appropriate iwi or hapu and are subject to the recommendations of the Māori Heritage Council of Heritage NZ. In addition, an application may be made to carry out an exploratory investigation of any site or locality under Section 56, to confirm the presence, extent and nature of a site or suspected site.

While no known archaeological sites will be affected by the proposed works, it is considered possible that unidentified subsurface archaeological remains may be exposed during development, especially in the area surrounding the unrecorded urupa.

To avoid any delays should unidentified subsurface features be exposed by the proposed works, consideration should be given to applying for an authority under Section 44(a) of the HNZPTA to cover all works undertaken for this project, as a precaution. This should be obtained before any earthworks are carried out. The conditions of the authority are likely to include archaeological monitoring of preliminary earthworks, and procedures for recording any archaeological evidence before it is modified or destroyed. This approach would have the advantage of allowing any archaeology uncovered during the development of the property to be dealt with immediately, avoiding delays while an Authority is applied for and processed.

## 6.8 Conclusions

No archaeological sites have previously been recorded within the properties containing the proposed development works, nor were any identified as a result of the current assessment and survey. An urupa identified by Te Paatu is located within the property and has been excluded from the proposed development, with an appropriate protective buffer (subject to further discussion with Te Paatu).

Mitigation in the form of recording and information recovery of any identified archaeological remains is recommended. It is also recommended that an authority issued by Heritage New Zealand is applied for prior to the commencement of earthworks for the entire Project Area, as this approach would have the advantage of allowing any archaeology uncovered during the development of the property to be dealt with immediately, avoiding delays while an Authority is applied for and processed. Based on the findings of this survey and assessment any potential effects on unrecorded subsurface remains are considered likely to be minor and can be appropriately mitigated by recording and information recovery under the archaeological provisions of the HNZPTA.

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<sup>1</sup> Under Section 42(3) an Authority is not required to permit work on a pre-1900 building unless the building is to be demolished. Under Section 43(1) a place post-dating 1900 (including the site of a wreck that occurred after 1900) that could provide 'significant evidence relating to the historical and cultural heritage of New Zealand' can be declared by Heritage NZ to be an archaeological site.



## 6.9 Recommendations

- There should be no major constraints on the proposed development on archaeological grounds, as no known archaeological sites will be affected, and the possibility that archaeological remains may be present can be appropriately mitigated through the provisions of the HNZPTA.
- Because it is possible that subsurface archaeological features will be exposed during development, an Authority to cover all works for the proposed development should be applied for under Section 44(a) of the HNZPTA as a precaution prior to the start of earthworks. This would establish appropriate procedures for the management of any archaeological remains discovered, reducing the potential for delays during the development process.
- Preliminary construction works for the section of the access road outlined in black in Figure 28.
- Trenching works for cable installation and works as shown in the black outlined areas in Figure 30 should be monitored by an archaeologist to determine if any archaeological sites are present.
- Any archaeological remains affected by the development should be avoided if possible, or investigated, recorded and sampled in accordance with the conditions of an Authority issued by Heritage NZ.
- If no authority has been obtained and subsurface archaeological evidence should be unearthed during earthworks (e.g. intact shell midden, hangi, storage pits relating to Māori occupation), work should cease in the immediate vicinity of the remains and Heritage NZ, the Council and mana whenua should be notified. If the remains cannot be avoided, an Authority must then be obtained before any further work can proceed which affects the archaeological site. (*Note that this is a legal requirement*).
- In the event of koiwi (human remains) being uncovered, work should cease immediately in the vicinity of the remains and Te Paatu, Heritage NZ, NZ Police and Council should be contacted so that appropriate arrangements can be made.

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## APPENDIX A: DETAILS OF TRENCHING FOR CABLE INSTALLATION

