



S:/Arch/2009-134

Patron:
*His Excellency The Hon
Anand Satyanand, PCNZM
Governor General of New Zealand*

HP 11013/11036-005 and 061
In reply please quote 2009/134

2 March 2009

Al Yates
Wind Farm Group
PO Box 106 888
AUCKLAND 1143

Tena koe Al

**AUTHORITY PURSUANT TO SECTION 14, *HISTORIC PLACES ACT* 1993 -
2009/134: Transmission Corridor, Hauauru Ma Raki Waikato Wind Farm**

APPLICATION

The Trust has considered your application on behalf of Contact Wind Limited and Contact Energy Limited for an authority to modify, damage or destroy archaeological sites within the transmission corridor of the Waikato Wind Farm.

The Trust has made the following decision on your application.

DECISION

In accordance with section 14 (1) of the *Historic Places Act* 1993, the New Zealand Historic Places Trust grants a general authority (in whole) to Contact Wind Limited and Contact Energy Limited to modify or damage or destroy archaeological sites within the area of the Transmission Corridor of Hauauru Ma Raki Waikato Wind Farm specified as Part Section 28 Block VI Whaingaroa SD, Lot 2 DP 304868, Part Section 8 and Section 25 Block VI Whaingaroa SD, Part Section 2 Block II Whaingaroa SD, Part Section 11 and Section 12 Block II Whaingaroa SD, Lot 4 DP 346210, Lots 1 - 2 DPS 3808, Lot 1 DPS 52647, Te Akau B2B Block, Lots 2 - 3 DPS 52647, Legal Road, Section 3 Block II Whaingaroa SD, Lot 1 DPS 8417, Lot 1 DPS 27901, Part Te Akau B7B Block, Lot 1 DP 406960, Part Te Akau B7A Block, Part Section 8 Block II Whaingaroa SD, Te Akau B12J Block, Lot 2 DP 33978, Sections 15 - 16 Block XIII Awaroa SD, Te Akau B15B2A2A Block, Part Lot 1 DP 33978, Part Section 1 Block XIII Awaroa SD, Sections 4 - 14 Block XIII Awaroa SD, Pukerewa A Block, Te Akau B15B2C1C Block, Part Te Akau B15B2C1A Block, Lot 2 DP 370414, Lot 2 DP 310365, Lot 2 DP 384874, Lot 1 DPS 5551, Part Section 6 Block IX Awaroa SD, Section 4 Block IX Awaroa SD, Section 10 Blk IX Awaroa SD, Lot 2 DPS 29367, Part Lot 1 DPS 29366, Legal Road (unformed), Part Sections 11 and 12 and Section 16 Block II Coast Survey District, Part Sections 11 and 12 and Sections 4, 13, 15, 19 and 20 Block V Awaroa SD, Part Te Akau B24 Block, Part Te Akau

B15B1 Block, Section 4 Block V Awaroa SD, Part Te Akau B24 Block, Lot 5 DPS 11657, Part Te Akau A13B Block, Part Te Akau A11 Block, Section 114 Whangape Parish, Section 4 Block II Awaroa SD, Sections 5, 6 Block II Awaroa SD, Part Allotment 98B Whangape Parish, Part Allotment 110 Whangape Parish, Part Allotment 101 and Allotment 102 Whangape Parish, Allotments 197, 198 Whangape Parish, Opuatia 5C2A Block, Opuatia 5C2B Block, Part Opuatia 4 No. 48 Block, Part Opuatia 4 Block, Marginal Strip under Part IVA Conservation Act 1987, Stream bed, Section 23 Block XVI Onewhero SD, Section 11 Block XVI Onewhero SD, Part Sections 5, 6 Block XVI Onewhero SD, Section 16 Block XVI Onewhero SD, Lot 3 DPS 40364, Lot 4 DPS 40364, Lot 5 DPS 40364, Lot 2 DPS 40362, Lot 1 DP 13393, Lot 3 DPS 40447, Lot 3 DP 315829 and Section 5 Block XIII Maramarua SD, Section 6 Block XIII Maramarua SD, Lot 3 DP 400784, Lot 1 DP 377068, Lot 4 DPS 51711, Lot 1 DPS 51711, Lot 9 DP 24536, Part Lot 7 DP 24536, for the purposes of constructing the transmission corridor for Hauauru Ma Raki Waikato Wind Farm, subject to the following conditions:

- 1. Pursuant to Section 20A of the Historic Places Act 1993, this authority may not be exercised during the appeal period of 15 working days or until any appeal that has been lodged is resolved.**
- 2. This authority does not give the authority holder permission to undertake any work that may affect the recorded archaeological sites R13/130, R13/205, R13/143, R13/76, R13/142, R13/60, R14/177, R14/184, R14/192. Any of these sites located in the immediate vicinity of the works will be identified so that contractors working on the project are aware of their presence.**
- 3. The authority holder shall ensure that the Trust is informed no later than 2 working days prior to the start of any archaeological work required as a condition of this authority. The authority holder shall also ensure that the Trust is informed of the finish date no later than 2 working days after work has been completed.**
- 4. That any earthworks that may affect any archaeological sites shall be monitored by an archaeologist approved under section 17, in accordance with the *Hauauru Ma Raki Waikato Wind Farm Research Strategy and Site Management Plan* prepared by R Clough (February 2009). The archaeologist shall ensure that:

 - a) Archaeological stratigraphy, features, and remains are identified, recorded, measured, investigated, assessed and sampled in accordance with accepted archaeological practice,**
 - b) A representative part at least of any midden encountered is sampled and sieved to identify, remove, analyse, and preserve as appropriate bulk shell samples, samples for radiocarbon dating, diagnostic fauna and flora, historic artefacts or Maori material culture remains,****

- c) **That the Trust is notified without delay if there appear to be any reasonable grounds on which an archaeological investigation of any site(s) encountered could provide significant information as to the historical and cultural heritage of New Zealand (in relation to section 15(1) of the Act). Any earthworks that may affect such a site shall cease until the Trust has given its response (this response would be given within 3 working days), and**
 - d) **Ensure that samples are submitted for radiocarbon dating, as appropriate.**
5. **If any koiwi tangata (human remains) are encountered, no further modification of the site concerned shall occur until the NZ Police, Ngati Tahinga, Tainui Awhiro and the Trust have been advised and their responses received.**
 6. **Any archaeological work shall be undertaken in conformity with any tikanga Maori protocols or monitoring requirements agreed to by Ngati Tahinga and Tainui Awhiro and the authority holder.**
 7. **Note that the discovery of taonga and recognised Maori cultural material is notified to the Ministry for Culture and Heritage or local public museum (pursuant to the requirements of the *Protected Objects Act 1975*).**
 8. **That within 20 working days of the completion of the on-site archaeological work associated with this authority:**
 - a) **A brief written summary outlining the archaeological work undertaken, the preliminary results, and the approximate percentage of archaeological material remaining *in-situ*, is submitted to the Trust, and to Ngati Tahinga and Tainui Awhiro, and**
 - b) **NZAA Site Record are updated in the NZAA Site Recording Scheme, as appropriate, by the archaeologist.**
 9. **That within 12 months of the completion of the on-site archaeological work a final report is submitted to the Trust. As a minimum standard this report shall contain: site plans; section drawings; inventory of material recovered, including a catalogue of artefacts; location of where the material is currently held; and, analysis of recovered material in accordance with accepted archaeological practice. Copies of the report shall be lodged with the Trust (a digital copy of this report should be sent to the National Office for the digital library), the NZAA Central Filekeeper, the Anthropology Departments at Auckland and Otago University, Auckland War Memorial Museum, and to Ngati Tahinga and Tainui Awhiro.**
 10. **This authority is valid for 10 years from the date of issue.**

Pursuant to section 17 (1) and (3) of the Act, consent is notified for Dr Rod Clough, with such assistants as may be necessary, as a person approved by the Trust to undertake the archaeological work required under this authority, and to compile and submit a report on the work done.

You should be aware of the provisions of the Act summarised below. These concern the rights and obligations of the holder of an authority, and (with respect to section 20) of any person who is directly affected by an authority decision. If you are unsure of these provisions, you may wish to contact the Trust, or to seek legal advice.

- a) REVIEW OF CONDITIONS - S 16 - The holder of an authority may apply to the Trust for the change or cancellation of any condition of the authority. The Trust may also initiate a review of all or any conditions of an authority.
- b) RIGHTS OF APPEAL - S 20 - Any person who is directly affected by any decision, condition, or review of a condition made under sections 14 (1) (a) and (b), 15, 16, 17 and 18 may appeal against that decision or condition to the Environment Court. The notice of appeal shall - (1) state the reasons for the appeal and the relief sought; (2) state any matters referred to in section 120 of the *Resource Management Act 1991*; (3) be lodged with the Environment Court and served on the Trust within 15 working days of receiving the Trust's decision; (4) be served on the applicant or owner within five working days of lodging the appeal.

ASSESSMENT AND ADVICE

In considering this application, the Trust notes that Contact Wind Limited and Contact Energy Limited are proposing to establish a large wind farm that will extend 32km down the Waikato coastline, from Port Waikato to Te Akau South. Eleven authority applications have been made for the extent of the project, however this application only relates to activities within the transmission corridor, which includes the installation of pylons.

Although nine archaeological sites have been recorded within the area of the transmission corridor it is understood that effort has been made to avoid the sites and they will not be affected. There is potential however for unrecorded sites to be encountered and the conditions of this authority allow for this event. All archaeological work will be undertaken in accordance with the research strategy and management plan prepared by Clough and Associates. The Trust appreciates the effort you have made to consult with Ngati Tahinga and Tainui Awhiro.

Thank you in anticipation of your compliance with the conditions of this authority. The Trust looks forward to receiving a report on the work done, which will make a valuable contribution to the knowledge of New Zealand's past. In the first instance, please refer any questions and the report to:

Rachel Darmody - NZHPT Lower Northern Regional Archaeologist
NZHPT Tauranga Office
PO Box 13339
TAURANGA

Phone (07) 578 1229 / Fax (07) 578 1141
Email rdarmody@historic.org.nz

Kia ora

A handwritten signature in black ink, appearing to be 'NJ', with a long horizontal stroke extending to the right.

Nicola Jackson
National Heritage Policy Manager

cc: Dr Rod Clough
Clough and Associates
321 Forest Hill Road
Waiatarua
Waitakere City
AUCKLAND 0612

cc: NZHPT Regional Archaeologist (Dr Rachel Darmody)

cc: NZHPT Lower Northern Area Manager (Gail Henry)

cc: Ngati Tahinga
PO Box 1341
Papakura
AUCKLAND 1140

cc: Tainui Awhiro
University of Waikato
Geography Section, I214
PO Box 3105
HAMILTON 3240

cc: NZAA Regional Filekeeper, Waikato

cc: Planning Manager
Franklin District Council
Private Bag 5
PUKEKOHE 2340

Pursuant to Section 14 (9) *Historic Places Act 1993* the Trust must notify TLAs of any decision made on an application to damage, modify or destroy an archaeological site. We recommend that this advice is placed on the appropriate property file for future reference.

cc: Planning Manager
Waikato District Council
Private Bag 544
NGARUAWAHIA 3742

Pursuant to Section 14 (9) *Historic Places Act 1993* the Trust must notify TLAs of any decision made on an application to damage, modify or destroy an archaeological site. We recommend that this advice is placed on the appropriate property file for future reference.

cc: Heritage Operations
Ministry for Culture and Heritage
PO Box 5364
WELLINGTON

Section 19 *Historic Places Act 1993* refers

cc: NZAA Central Filekeeper, c/- DOC, Box 10420, WELLINGTON