

Appendix L Archaeological Report

Fast Track Approvals Act Application

Foxton Solar Farm

Genesis Energy Limited

SLR Project No.: 810.V14848.00001

13 February 2026

FOXTON SOLAR FARM: FAST TRACK APPROVAL ACT ARCHAEOLOGICAL ASSESSMENT

Prepared for Genesis Energy Limited

December 2025



By

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STATEMENT OF QUALIFICATIONS AND EXPERIENCE

I am a co-director at Clough & Associates. Clough & Associates is a heritage consultancy specialising in archaeological and historic heritage assessment and management. I hold a Master of Science Degree in Environmental Archaeology and Palaeoeconomy from the University of Sheffield which I completed in 1991. I am also a member of the New Zealand Archaeological Association (NZAA).

I have 27 years of professional experience in the heritage consultancy field. My experience includes archaeological research, survey, excavation, analysis and report preparation, initially in Asia and have worked full time in New Zealand carrying out assessments of effects for development and infrastructure projects since 2014.

I confirm that, in my capacity as the author of this report, I have read and abide by the Environment Court of New Zealand's Code of Conduct for Expert Witnesses Practice Note 2023. This report has been prepared in compliance with that code.

DocuSigned by:

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December 2025

INTRODUCTION

Project Background

Genesis Energy Limited (Genesis) is seeking resource consents under the Fast-track Approvals Act 2024 (“FTA”) to build and operate an approximately 180 MWac solar facility that will generate approximately 345 GWh per year of renewable electricity. This will be enough to power the equivalent of 47,000 homes annually. The site which will be referred to as the Project Area in this report is shown in Figure 1 and Figure 2. The site area is 488ha and the project development area is 335ha, which is the site area minus the landowner retention (52ha), Planting area (26ha), non-development area (45ha and other areas (Accesses, incidental areas, non-planted set back areas, non-planted watercourse set backs and drainage channels) 30ha.

The Project Area is located at 304 - 508 Wall Road and 447 Motuiti Road, Foxton with the legal descriptions provided in Table 1. The site is situated approximately 4 km north of the Foxton town centre, on 436 hectares of a 488 hectare site currently used for dairy farming and runoff grazing. The solar farm will consist of solar panels and power generation equipment arranged in rows across the site with a battery energy storage system. The renewable electricity generated will be connected to the National Grid via a new on-site substation and connection assets.

The project will include the following works: installation of solar panels which will be supported by metal piles driven into the ground requiring minimal earthworks, installation of a perimeter fence and security gate, the formation of internal access roads where no tracks currently exist with principal roads having a width of 6m and secondary roads having a width of 4m with depths of excavation required to 35cm below surface, excavation trenches for the installation of cabling (c. 1m in depth) which will lead from the blocks of panel arrays to central inverters back to the battery energy storage system (BESS) and substation, platforms for the central inverters (localised surface levelling) and building platforms for the BESS and substation area which will include a new site entrance, manoeuvring and parking area). Detail plans of the proposed works are shown in Appendix A.

An archaeological assessment was commissioned by Genesis to establish whether the proposed development 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 Fast Track Approvals Act (2024) (FTAA). All recommendations are made in accordance with statutory requirements.

Methodology

The New Zealand Archaeological Association’s (NZAA) site record database (ArchSite), District Plan schedules and the Heritage New Zealand Pouhere Taonga (Heritage NZ) 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 Project Area. 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 use of the properties. Archival research was carried out to establish the history of the properties.

A visual inspection of the Project Area was conducted on 26 and 27 March 2024 by Bernie Larsen. 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 relating to Māori settlement, 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 across the Project Area 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.

Table 1. Legal descriptions of the properties in the Project Area

Legal Description
Part Himitangi 4D2 Block
Part Himitangi 4D3B2 Block
Part Himitangi 4D3A Block
Part Himitangi 4C5 Block
Part Himitangi 4C4 Block
Part Himitangi 4C3 Block
Lot 1 DP 88328
Lot 2 DP 88328
Lot 3 DP 88328
Lot 4 DP 88328
Part Himitangi X Block
Lot 1 DP 31997
Lot 2 DP 31997
Part Himitangi 5A4B Block
Himitangi 4D3B1 Block
Lot 1 DP 427921
Part Himitangi 5A6B Block

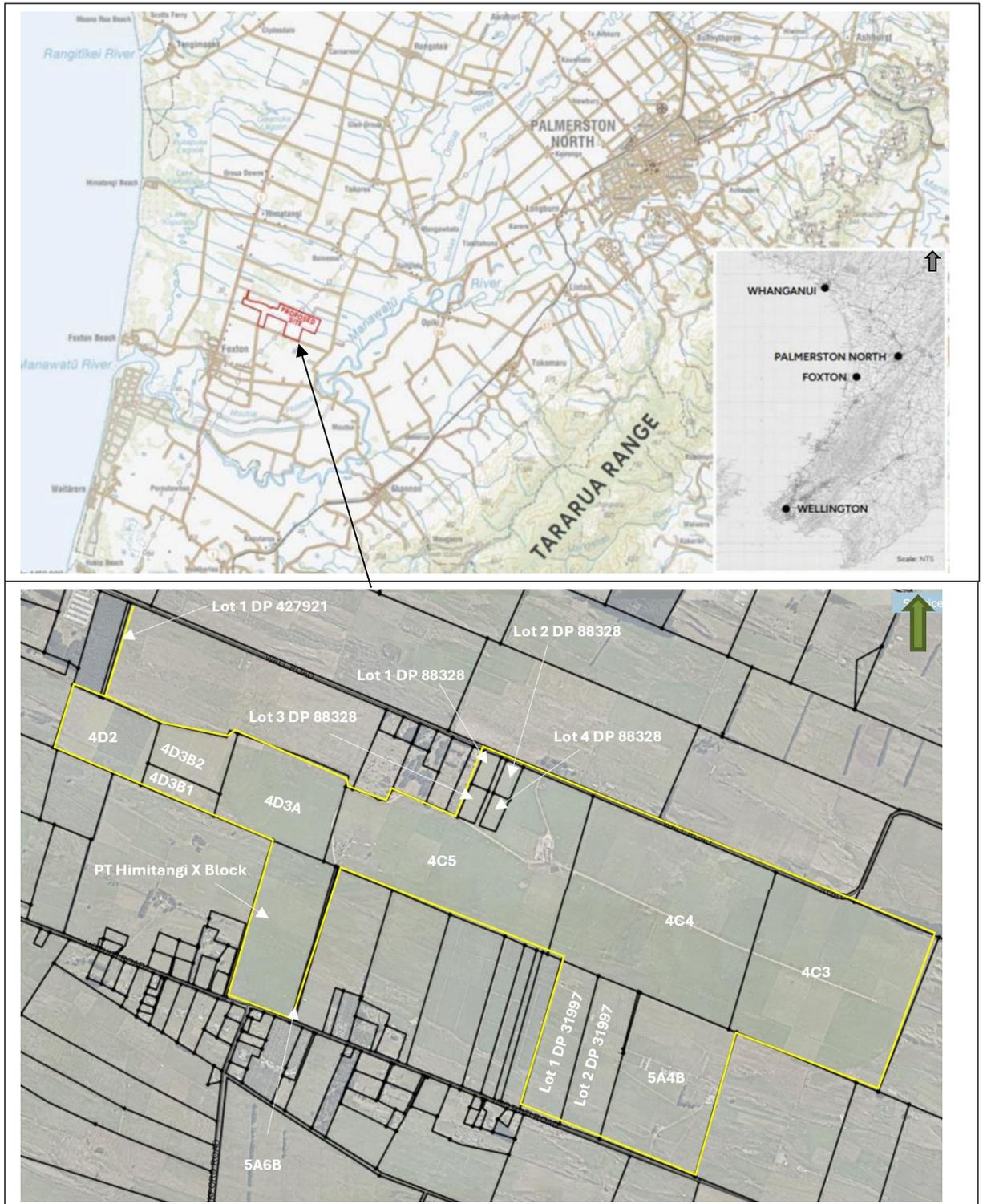


Figure 1. Upper map showing the location of the Project Area in the regional setting and lower aerial plan showing the properties in the Project Area with legal descriptions - note the 4D, 4C and 5A Blocks are prefixed Himitungi (source: upper SLR; and lower - Horizons Regional Council Local Maps)

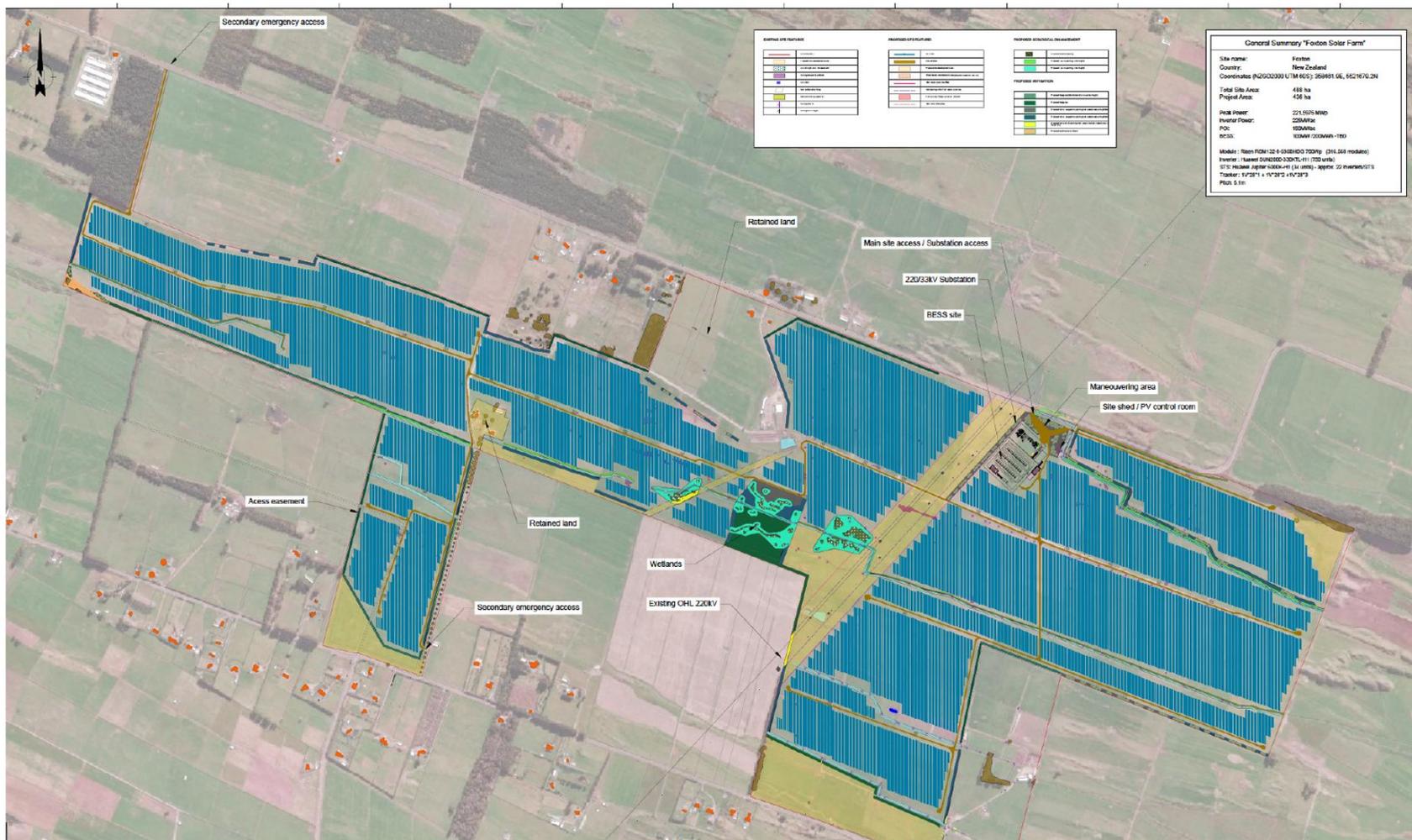


Figure 2. Layout plan of the proposed solar farm (source: FRV)

HISTORICAL BACKGROUND

Māori Settlement

Radiocarbon dates from coastal sites in the Kāpiti/Horowhenua Coast show that Māori have been present in the area for more than 700-800 years (Cunliffe 2017: 24; McFadgen 1972). The earliest settlements in the Manawatū area were along the coast, as further inland the land originally contained thick bush and swampland. Over time people did move further inland and settlements along the Manawatū River were common, as travel inland by the river was the main transportation route and, not surprisingly, kāinga and pā were often found in proximity to the river. Subsistence patterns also changed over time from a mainly coastal resource collection strategy to crop cultivation and freshwater food sources such as eels and birds becoming more common. In general, the area around the Manawatū River was less densely populated than many other parts of the North Island in the past (Parker 2015: 23-24).

European Settlement

The first Europeans to settle on the Kāpiti/ Horowhenua coast were predominantly whalers or traders who arrived in the early decades of the 19th century (O'Donnell 1929). These early settlers lived in or nearby the Māori settlements along the coastal dune belt, or along the major rivers, and traded with Māori for raw materials that could be on-sold or exported to the booming markets in Sydney (Dreaver 1984:34). Arriving at Rangiuuru, Ōtaki, in 1832, Hector McDonald was the first European settler to the Horowhenua. He later moved north to the mouth of the Hokio Stream where he established an accommodation house and leased substantial tracts of land from local Māori. While the pace of European settlement increased after the signing of the Treaty in 1840, few held land outside the main Māori or colonial settlements. By the early 1870s just six men held leases, from local Māori, for the whole of the coastal land from Ōtaki to the Manawatū (O'Donnell 1929: 2).

The closest town to the Project Area is Foxton. The settlement at Foxton was originally the Māori settlement of Te Awahou, situated on the Manawatū River, which was settled in the early 1840s. The original European settlement in the area was at Paiaka to the north of Foxton, where a sawmill was set up in 1840s by the Kebbell brothers, Thomas and John (Kete Horowhenua Website). The town, including the mill which was later converted to a flour mill, was for the most part destroyed by an earthquake in 1855. After the earthquake, the settlers from Paiaka moved downstream to Foxton which, as it was located on the Manawatū River, provided access to the sea. As such, Foxton became an important trading post and shipping port with access to the inland areas also via the river. The construction of the railway in the 1880s, which had originally been planned to run through Foxton but was eventually constructed on a route that bypassed the town, diminished the importance of the town as a trading port, although the flax industry continued for some time with booms in the years 1869-70, 1888-89 and still with a lot of activity up to 1919. Of the many flax mills that had been established in the area, only three were left in the town by 1935 (NZ History Website; Jones and Wooller 2020:7).

HISTORICAL SURVEY

Information from Early Maps and Plans

A review of early maps and plans provided a limited amount of information on the Project Area, with the main type of information being descriptions of the topography and vegetation. The plan dated 1913 in Figure 3 has annotations in Block 4C, which is in the eastern part of the current Project Area, as ‘Grass Flat with Patches of Manuka’ and ‘Grass Flat’ interspersed sand ridges and sand hills. The plan in Figure 4 dated 1916 also shows a survey of parts of the Project Area, with a description of the land as ‘Poor Sandy Flat Land’ in Blocks 5A4A and 5A4B, which are currently Lots 1-3 DP 31997. As well, an annotation of ‘Low Sandhill Country with Patches of Manuka’ in Blocks 4C4 and 4C3, which are located in the central eastern part of the Project Area, is included on the plan. It also shows the southern part of Block 4C5 as containing manuka. The plan in Figure 5, also dated from 1916, shows the western part of the Project Area with land described as ‘Flax Swamp’ along the southern boundary of Blocks 4D3A and 4C5 and with areas of Manuka shown running northwards along the border of the two blocks. The general description of blocks 4D3B and 4D3A is ‘Grass & Scrubby Manuka’, with Block 4D2 having the annotation ‘Poor Sandy Land’.

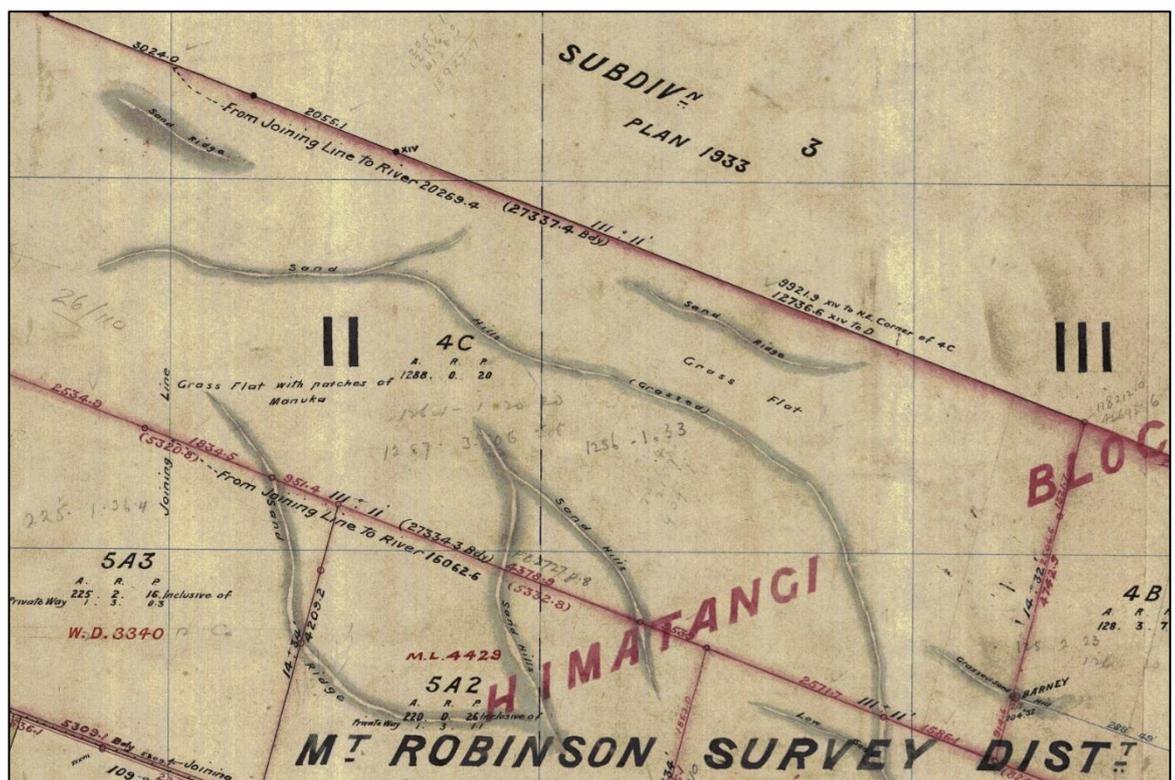


Figure 3. Detail from plan WN ML 2427 dated 1913 with description of the landscape and vegetation in the eastern part of the Project Area (source: Quickmap)

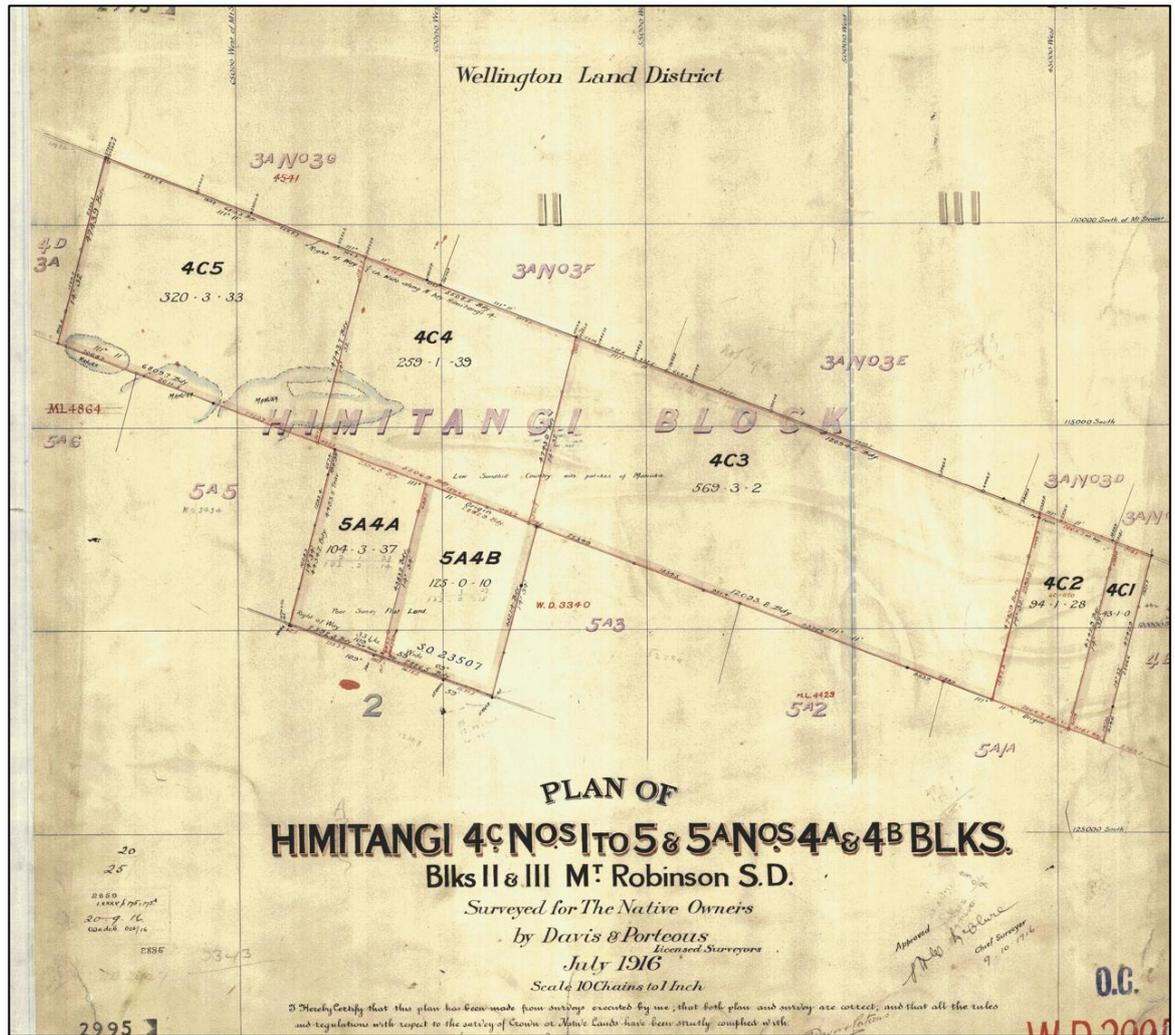


Figure 4. WN ML 2995 plan dated 1916 showing parts of Project Area with land described as ‘Poor Sandy Flat Land’ and ‘Low Sandhill Country with patches of Manuka’ (source: Quickmap)

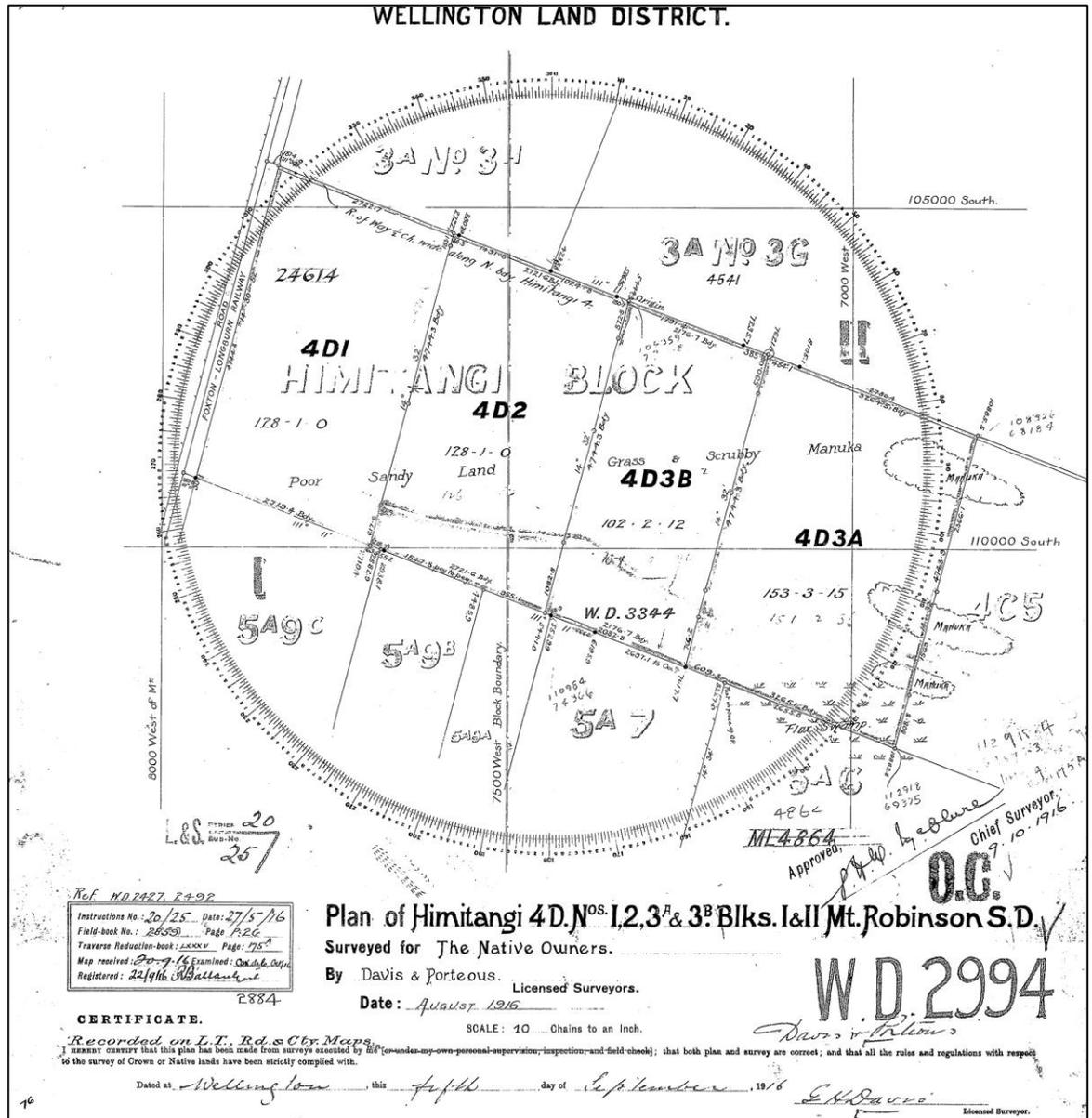


Figure 5. WN ML 2994 plan dated 1916 showing the western part of the Project Area with annotation of ‘Poor Sandy Land’, ‘Grass & Scrubby Manuka’ and ‘Flax Swamp’ (source: Quickmap)

ARCHAEOLOGICAL BACKGROUND

Recorded Archaeological Sites

There are no recorded archaeological sites within or in close proximity to the Project Area (Figure 6), the closest being four sites located between c.1500m and 3000m to the east along the Manawatū River. The first of these sites is S24/23 (Graves), which was recorded in 1980 with very little information provided on the site record form, which only notes that there is a grave dated 1933 and possible older graves that are unmarked. Site S24/44 is recorded as a Māori grave structure constructed of wooden boards arranged in tiers in a pyramid shape with five tiers visible in a 1905 photograph, but with only four remaining when it was visited in 1984. It is not known if the structure is in its original location as it was situated on wooden runners. Site S24/45 (midden/oven) is described as a 1m long and 3cm thick shell lens recorded in 1984, containing tuatua with dark sand above and below and located at the top of a c.15m high sand ridge. The fourth site is S24/97, which is recorded as a pā located c.600m from the west bank of the Manawatū River. It is also site of a 19th century Māori village with modern and 19th century material identified during earthworks for the upgrade of stop banks along the eastern edge of the site. Figure 6 shows the site locations in relation to the Project Area and Table 2 has a summary description of the sites.

There are also a number of sites recorded in Foxton that are associated with Early European settlement, including settlers' houses, flax mills, wharves and a hotel and a church. These sites represent the early commercial and industrial activities in the area in the late 19th century and into the early 20th century. No sites associated with European settlement have been identified in the vicinity of the Project Area.

Previous Investigations

Bruce McFadgen's excavations of a 'Moa hunter' site to the northwest of Foxton provide insights into one mode of early Māori occupation in the coastal dune belt (McFadgen 1972, 1978). The small settlement, which was situated on the landward side of an inland lake, consisted of a cluster of small, raised mounds containing houses and occupational debris in a general landscape of lagoons and wetland. A rich variety of faunal and artefactual material was recovered during the investigations of the site, including numerous bird species, with at least five species of Moa identified, fish and shellfish, and fishhooks, adzes and personal ornaments. The investigation also shed light on the surrounding environment which, along with the wetlands, indicated well-developed forest vegetation in the vicinity. The site also showed changes over time, with the later occupation stages showing a predominance of freshwater and forest bird bones (McFadgen 1997:16) with earlier stages being more marine orientated.

A number of archaeological investigations have been carried out more recent times in the coastal dune landscape as a result of development projects, although most have been located closer to the coast than the current Project Area. In general, the investigations have shown changes in resource collection over time (Dodd 2013:25) and also a pattern of forest clearance beginning around 600BP, with the coastal forest for the most part cleared by 200BP, which indicates the spread of horticultural activities (Grouden 2009).

Archaeological Landscape

The Kāpiti / Horowhenua dune system contains a large number of archaeological sites. The most common site type within this area are shell midden/oven sites located along the dunes and for the most part in proximity to the coast, although some have also been identified further inland in proximity to rivers. These sites have the potential to provide valuable information relating to occupation and the subsistence activities of the people who lived there and help with our understanding of the settlement patterns across the Kāpiti/Horowhenua coastal dunes. In general, two types of midden have been distinguished based on location. These are coastal belt middens which are located up to c.400m from the coast and consist mainly of scattered pipi shells, oven stones and a very few artefacts and inland belt middens which range from c.600-2000m from the coast. These middens are generally compact and contain mostly pipi and often also contain artefacts of bone and imported stone (McFadgen 1997:13). Pā sites have also been recorded along with burials, and these may be associated with deliberate dune burials or potentially with battle. Sites such as these are of high cultural and archaeological value. In general, early Māori settlement was situated in a forested sand dune environment with site types characterised by central sites with houses and evidence of food processing, cooking and artefact manufacture, including imported materials, and by satellite single-phase food-gathering sites.

Later sites are noted to be more numerous than earlier sites. This later period, which includes pre-European times and the time shortly after European contact, is characterised by pā sites located along rivers as well as along the coastal dunes. The pā sites were important as they had access to inland resources, including swamps, lakes and forests. As well, inland camps probably related to birding and cleared areas in the forest for horticultural activities have been identified, although also often in proximity to rivers, which again would have been based on the convenience of having a nearby transportation route. In general, the later sites also appear to be more dispersed and less centralised than earlier ones (McFadgen 1997: 18-19).

The archaeological information indicates that the Project Area is part of a broad archaeological landscape associated with Māori settlement and occupation along the Kāpiti-Horowhenua Coast. The Project Area lies inland between the coast and the Manawatū River with the main area of occupation in its vicinity being along the Manawatū River to the east. Before 20th century modifications, the Project Area consisted of a landscape of sand dunes and swampy land which would likely have been exploited for resource collection in the past, but is unlikely to have been attractive for Māori settlement.

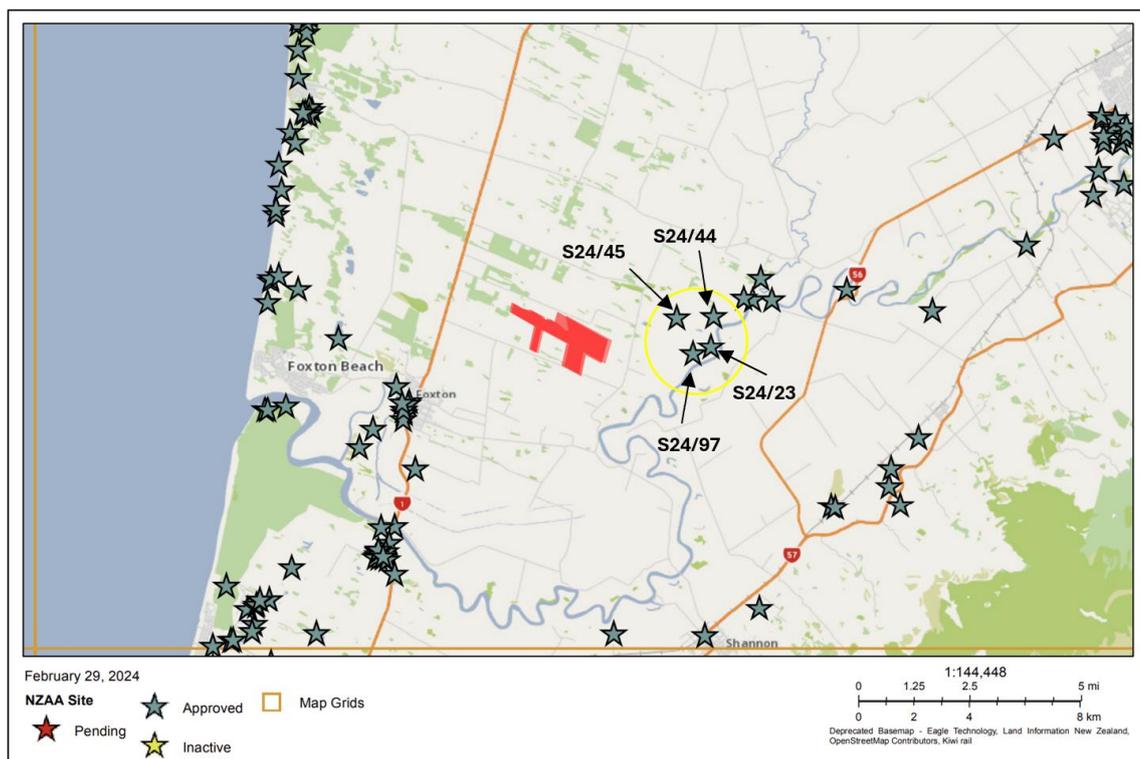


Figure 6. Map showing the locations of recorded archaeological sites in the general vicinity of the Project Area (shaded red) with the closest archaeological sites (between c.1500 and 3000m) circled in yellow (source: NZAA ArchSite)

Table 2. Brief description of recorded archaeological sites located within 3000m of the Project Area

NZAA Ref	Site Type	Description	NZTM Easting	NZTM Northing
R24/43	Burial/ Cemetery	Cemetery with a 1933 grave present	1804385	5519291
R24/44	Burial/ Cemetery	Wooden grave structure	1804485	5520392
R24/45	Midden/ Oven	Tuatua midden identified on sand dune	1803146	5520344
R24/97	Pā	Papakiri. Also, site of 19th century village	1803734	5519045

PHYSICAL ENVIRONMENT

Geology and Geomorphology

The dune sequence on the Kāpiti/Horowhenua coast was first identified by Cowie (1963), who documented dune phases in the vicinity of the Manawatū River mouth. The dunes were found to have been formed from sediment washed down rivers and streams, then redeposited inland and along the coast by wind and wave action. The oldest dunes are generally those located further inland and the younger dunes, which are deposited over the top of older dune formations, are closer to the coast (Dodd 2018). As can be seen in the map in Figure 7, the Project Area is located along the border of the Motuiti Phase and Foxton Phase Holocene Dunes. The dune sequences in the Kāpiti/Horowhenua region have been classified with Foxton (with phases dating from 6500BP to 1600BP) and with the Motuiti accumulating around 1720 years BP at the time of the Taupo Pumice Eruption (Sparks et al. 1995) and beginning its advance over the Foxton Dunes around 900 years ago as part of the Tamatean depositional episode which continued to c.450 yearsBP (McFadgen 1997; Shepherd 1987). Studies of the profiles of the dunes show their development over time, with the older phases having more developed soils than the younger ones. The Tamatean depositional episode began prior to human arrival in New Zealand and the dunes would have been unstable during the earliest human occupation, although they did become stable over time. Research has indicated that the depositional episodes do not appear to have been affected by human activity but were instead in response to natural processes (McFadgen 1997).



Figure 7. Geomorphology of the lower Manawatū Valley with approximate location of the Project Area indicated by arrow (source: Shepherd 1987)

Topography, Vegetation and Past Land Use

The topography of the Kāpiti-Horowhenua Coast is a relatively narrow and flat coastal shelf characterised by interspersed sand dunes and wetlands. It has been noted that the coastal shelf is for the most part made up of recent Aeolian dunes dating from the Holocene, with the map in Figure 7 showing the location of the Project Area in the overall dune sequence. The dune belt extends down the southwest coast of the North Island and is approximately 65km long and up to 10km wide, with steep hills to the east. The dune sands overlie alluvial gravel and sandstone along the inland edge and are ‘broken along their length by substantial deposits of river alluvium’ (McFadgen 1997). The soils of the area consist of a mix of shallow topsoils overlying grey sands, well drained and therefore relatively suitable for crop cultivation, to brown soils in the imperfectly drained lower-lying areas, where swamps and lagoons accumulate, perfect for eel weirs and whitebait fishing (Dodd 2018).

The aerial photograph from 1942 in Figure 8 shows the sand dune landscape to the west of the Manawatū River, including the Project Area. The landscape can be seen to be less developed than the alluvial plain to the east of the river. More recent aerial photographs shown in Figure 9 indicate that most parts of the Project Area were still mostly grass covered in 1985, but with a forestry plantation in a southern extension. The 2011 aerial photograph, however, shows that by this time much of the land in the Project Area had been planted out for forestry. An aerial photograph from 2017 (not shown – accessed at Google Earth) shows that the forestry plantations have been cleared. The aerial photographs reviewed also indicate that the land in Lots 1-3 DP 31997 remained in use for agricultural purposes and was not part of the forestry plantation.



Figure 8. Aerial photograph dated 1942 showing the approximate location of the Project Area (black arrow) and Manawatū River (white arrow)

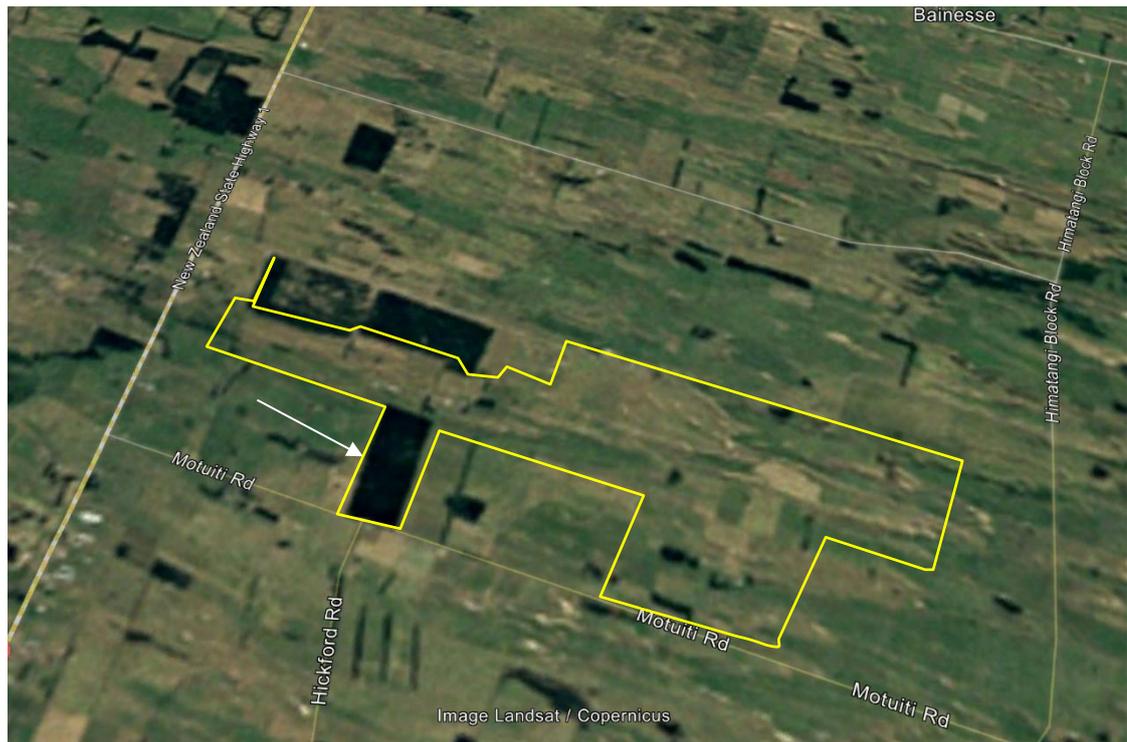


Figure 9. Aerial photographs showing the Project Area in recent years with upper dated 1985, showing much of the Project Area grass covered but with limited forestry plantations, and lower aerial photograph dated 2011, showing parts of the Project Area containing forestry plantations and agricultural areas (source: Google Earth)

FIELD ASSESSMENT

Field Survey Results

The field survey was carried out over two days in fine weather on 26-27 March 2024 with no limitations on access. The Project Area is currently an active dairy farm and associated improvements were present, such as extensive fencing, large linear irrigation structures, drainage/irrigation channels (Figure 10) and a small number of gravel access tracks. A double line of large steel power line towers was present running northeast-southwest across the central eastern side of the Project Area (Figure 11). These were situated on small hillocks that were likely artificial as no other similar features were present in the area.

The topography is generally flat across the entire Project Area (Figure 12), with some small variations. Low remnant dune ridges were present in the south, from Motuiti Road to the southern edge of the main section of the Project Area. These varied in height from <1m to 3m (Figure 13). More dunes were present on the eastern boundary (Figure 14 and Figure 15) and the western boundary. These dunes continued extensively into the neighbouring property with only a small part in the Project Area, suggesting the dunes had been cut down within the Project Area at some stage. Substantial evidence of ploughing was identified in the eastern half of the project area (Figure 16).

Two farm sheds and a concrete foundation were the only structures identified (Figure 17). They were located in the vicinity of the domestic dwelling at 231 Motuiti Road. A small corrugated iron shed located 160m northwest of the house at 231 Motuiti Road measured approximately 12m x 8m (Figure 18). Locks prevented access to the inside but modern nails fixing the exterior cladding indicate it was a modern structure. A larger shed measuring approximately 30m x 8m located 100m to the west of the small shed was also present, with a fenced area to the north of it (Figure 19 and Figure 20). The structure had a wooden board exterior and corrugated iron roof and was open to the north. There was no aspect of the construction or materials that suggested the structure was historic. About 50m to the northwest of the large shed was a partially exposed concrete foundation (Figure 21). The concrete had grey angular stone inclusions and was of moderate quality. There was no further information indicating the structure which the foundation related to.

No archaeological features or deposits were observed during the walkover of the Project Area.



Figure 10. Artificial drainage channel looking east



Figure 11. Looking southwest from the northern end of project area at double line of powerline towers



Figure 12. Looking southwest across project area from northeast corner



Figure 13. Low dune adjacent to Motuiti Road looking east



Figure 14. Remnant dune ridge at northeast corner of project area, looking northeast



Figure 15. Remnant dunes along the eastern border of the project area, looking south



Figure 16. Plough marks in centre of project area looking north



Figure 17. Location of small shed (blue arrow), large shed (red arrow), and concrete foundation (black arrow)



Figure 18. Small shed near 231 Motuiti Road looking northeast



Figure 19. Large shed near 231 Motuiti Road looking southeast



Figure 20. Inside large shed looking south



Figure 21. Concrete foundation north of large shed looking east

Test Pit Information

Three test pits were excavated across the Project Area (Figure 22; Table 1). All three showed the same general stratigraphy of mid grey-brown sandy soil, of firm to moderately firm compaction (Figure 23 and Figure 24). The topsoil varied from 16 to 19cm in depth over a grey unconsolidated sand. In test pit 2 the lower boundary was horizontal and sharp whereas the other two test pits had more gradational boundaries. A slump near the peak of a dune near the southern boundary in the western end of the Project Area also showed the same stratigraphy with a deeper topsoil at 28cm (Figure 25).



Figure 22. Test pit locations with Project Area outlined in red

Table 1. Coordinates for test pits

Test pit	Northing	Easting
1	5520102	1798308
2	5519421	1799879
3	5519628	1796784



Figure 23. Test pit 1 (left) and Test pit 2 (right)



Figure 24. Test pit 3



Figure 25. Soil profile on remnant dune at southern boundary in western end of project area

DISCUSSION AND CONCLUSIONS

Summary of Results

There are no previously recorded archaeological sites within or in close proximity to the Project Area and none were identified during the survey for this assessment. Recorded archaeological sites associated with Māori settlement and occupation in the general area are usually located near rivers or along the coast. There was also no evidence of any European settlement in the Project Area in the 19th century.

Māori Cultural Values

This is an assessment of archaeological values and does not include an assessment of effects on Māori cultural values. Such assessments should only be made by the tangata 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 tangata whenua is evident from the recorded sites, traditional histories and known Māori place names.

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.

Archaeological Value and Significance

The archaeological value of sites relates mainly to their information potential, that is, the extent to which they can provide evidence relating to local, regional and national history using archaeological investigation techniques, and the research questions to which the site could contribute. The surviving extent, complexity and condition of sites are the main factors in their ability to provide information through archaeological investigation. For example, generally pa are more complex sites and have higher information potential than small midden (unless of early date). Archaeological value also includes contextual (heritage landscape) value. Archaeological sites may also have other historic heritage values including historical, architectural, technological, cultural, aesthetic, scientific, social, spiritual and traditional values.

Currently, the Project Area has no known archaeological value or significance as no archaeological sites have been identified within its boundaries.

Effects of the Proposal

Based on the findings of this assessment the proposed solar farm development will have no known effects on archaeological values as no archaeological sites have previously been recorded within the boundaries of the Project Area and none were identified during the survey for this assessment.

It is noted that 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. While it is considered unlikely in this situation, as the Project Area is located some distance from the coast and any navigable rivers or streams, where the majority of archaeological sites associated with Māori occupation are located, and there is no evidence of early European usage apart from general agricultural activities, the possibility can be provided for by putting procedures in place ensuring that the Council, Heritage NZ and in the case of archaeological sites of Māori origin, iwi are contacted should this occur.

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.

Fast Track Approval Act 2024 Requirements

Under the Act in Section 42 (1), an authorised person for a listed project or a referred project may lodge with the EPA. Under section 42 (3) (a) the applicant must be eligible to apply for any corresponding approval under a specified Act. A substantive application may seek: under Section 42(4)(a) a resource consent that would otherwise be applied for under the Resource Management Act 1991 and section 42(4)(d) a designation or an alteration to an existing designation for which a notice of requirement would otherwise be lodged under the Resource Management Act 1991. As well, under Section 42 subsection (4) (i) an archaeological authority described in section 44(a) or (b) of the Heritage New Zealand Pouhere Taonga Act 2014 that would otherwise be applied for under that Act- but as stated in section 42 subsection (9) (a) may be made only if the application also seeks an approval described in subsection 4 (a) or (d); it may also include an application under clause 7 of Schedule 8 application for approval of person to carry out activity subsection 9 (b).

Schedule 8 clause 4 (1) states that the panel when considering an application for an archaeological authority, the panel must take into account

- (a) The purpose of this Act; and
- (b) The matters set out in section 59 (1) (a) and (5) of the HNZPT Act; and
- (c) The matters set out in section 47 (10) (a)(ii) and 5 of the HNZPT Act; and
- (d) A relevant statement of the general policy confirmed or adopted under the HNZPT Act.

Schedule 8 clause 9 states that an authority granted under this Act-

- (a) Has the same force and effect as if it were granted under section 48 of the HNZPT Act; and
- (b) For the purposes of the HNZPT Act, must be treated as if it were an authority granted under that Act.

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 Auckland Unitary Plan Operative in Part 2014 (AUP OP) is relevant to the proposed activity. The purpose and principles of the RMA in relation to historic heritage are discussed below. Regional, district and local plans contain sections that help to identify, protect and manage archaeological and other historic heritage sites. The plans are prepared

under the provisions of the RMA. The Horizons Regional Council One Plan Regional Policy Statement and the Horowhenua Operative District Plan 2015 are relevant to the proposed activity. There are no scheduled archaeological or other historic heritage sites within or in proximity to the Project Area.

This assessment has established that the proposed activity will have no effect on any known archaeological remains and has little potential to affect unrecorded subsurface remains. If resource consent is granted conditions relating to archaeological monitoring or protection would therefore not be required. A general condition relating to the accidental discovery of archaeological remains could be included, requiring that if any archaeological remains are exposed during development, work should cease in the immediate vicinity and the Council, Heritage NZ and in the case of archaeological sites of Māori origin, iwi should be informed.

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 taonga’ (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’.

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)¹

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.

An archaeological authority would not be required for the proposed activity as no archaeological sites have been identified in the Project Area and the potential for unidentified sites to be present is low. However, if an archaeological site were to be exposed, it would be subject to the provisions of the HNZPTA unless an authority had already been issued under the FTAA consent.

Conclusions

No archaeological sites have been recorded previously in the Project Area and no sites were identified during the survey for this assessment. Based on the location of the Project Area (inland and some distance from the known locations of archaeological sites), it is considered unlikely that any unidentified archaeological sites are present within the proposed development area. An authority is therefore not required. However, if previously unidentified archaeological remains are exposed by earthworks, they would have statutory protection under the HNZPTA and can only be modified under an authority issued under the HNZPTA, or under an authority issued under the proposed Fast Track Approvals Act that would replace and have the same effect as an Authority under the HNZPTA.

¹ 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.

RECOMMENDATIONS

- There should be no constraints on the proposed solar farm development on archaeological grounds, since no archaeological sites are known to be present and it is considered unlikely that any will be exposed during development works.
- If subsurface archaeological evidence should be unearthed during construction (e.g. intact shell midden, hangi, storage pits relating to Māori occupation, or cobbled floors, brick or stone foundation, and rubbish pits relating to 19th century European occupation), work should cease in the immediate vicinity of the remains and Heritage NZ and the Council and in the case of archaeological sites of Māori origin, iwi should be notified.
- If modification of an archaeological site does become necessary, an Authority must be applied for under Section 44(a) of the HNZPTA and granted prior to any further work being carried out that will affect the site. (*Note that this is a legal requirement*).
- In the event of kōiwi tangata (human remains) being uncovered, work should cease immediately in the vicinity of the remains and the tangata whenua, Heritage NZ, NZ Police and Council should be contacted so that appropriate arrangements can be made.
- Since archaeological survey cannot always detect sites of traditional significance to Māori, such as wāhi tapu, the tangata whenua should be consulted regarding the possible existence of such sites in the Project Area.

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