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**PROPOSED NGAWHA INNOVATION &
ENTERPRISE PARK, STATE HIGHWAY 12,
NGAWHA**

**ARCHAEOLOGICAL SURVEY AND
ASSESSMENT *of* EFFECTS**

Prepared for

Far North Holdings Ltd

by

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PROPOSED NGAWHA INNOVATION & ENTERPRISE PARK, STATE HIGHWAY 12, NGAWHA: ARCHAEOLOGICAL SURVEY AND ASSESSMENT

Introduction

This archaeological survey and report was carried out at the request of Jane Johnson on behalf of North Holdings Ltd in order to determine if archaeological features/sites will be affected by the proposed Ngawha Innovation and Enterprise Park at State Highway 12, Ngawha. The property is located c.3.5km east of Kaikohe bounded by rural properties to the north, east and west and State Highway 12 (SH 12) to the south (Figure 1). The southern boundary has three frontage points with SH 12 while the western has frontage with Wallis Rd. The property is legally described as Lot 1 DP172355, Lot 1 DP190387, Lot 1 DP196320, Reiwhatia B1 and Section 155 Te Pua Settlement and is generally referred to as ‘the property’ in this report. This survey is part of the required assessment of effects in support of a resource consent application for the proposed works.

Iwi consultation is being carried out separate to this report.

Statutory Requirements

The statutory requirements relating to the archaeological and other heritage values of the project area are outlined below.

Two major Acts govern the management of heritage sites in NZ:

- The Resource Management Act 1991 (RMA)
- The Heritage NZ Pouhere Taonga Act 2014 (HNZPTA)

Under the RMA archaeological and other historic heritage sites are resources that should be sustainably managed by “avoiding, remedying or mitigating any adverse effects of activities on the environment” (Section 5 (2) (c)).

Under Section 6 of the RMA 1991 it is recognised as a matter of national importance that “all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance: (e) relationship of Maori and their culture and traditions with their ancestral lands, water, wahi tapu and other taonga [and] (f) the protection of historic heritage from inappropriate subdivision, use and development”.

The RMA defines historic heritage 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” (RMA Section S2).

Historic heritage includes: (i) historic sites, structures, places and areas; (ii) archaeological sites; (iii) sites of significance to Maori, including wahi tapu; (iv) surroundings associated with the natural and physical resources”.

The archaeological remains within the study area constitute historic heritage as defined under the RMA, and their protection should be recognised and provided for when managing the proposed project.

In addition to the requirements of the RMA (1991), the Heritage NZ Pouhere Taonga Act 2014 (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 the Heritage NZ Pouhere Taonga (HNZPT).

An archaeological site, as defined by the HNZPTA (2014) is, a place associated with pre-1900 human activity, where there may be evidence relating to the history of New Zealand. A place associated with post-1900 human activity may be declared by gazettal as an archaeological site under the Act. Archaeological sites may not be destroyed damaged or modified except pursuant to an authority granted under the HNZPTA (2014).

Authorities to modify archaeological sites can be applied for under a general authority, in respect to a particular site or sites, or for all sites that may be present within a specific area. Applications made under a general authority may require approval by the Maori Heritage Council of the HNZPT. The tangata whenua should be consulted regarding applications to modify or destroy archaeological sites which have Maori cultural associations.

Note that 20 or 40 working days should be allowed for the processing of authorities, which include a statutory stand down period of 15 working days before an authority may be exercised.

All archaeological remains and historic places within the project area are protected under the provisions of the HNZPTA and may not be damaged, modified or destroyed without an Authority from HNZPT.

There are no registered wahi tapu within the project area.

Implementation of the RMA in relation to Okaihau is undertaken by the Far North District Council.

Other Legislation:

- Coroners Act 2006, requires that “a person who finds a body in NZ must report that finding to a member of the police as soon as practicable”.
- Burial and Cremation Act 1964, controls the burial, cremation, and exhumation of bodies as well as the management of burial grounds and cemeteries. Conditions of the Act make it an offence to “remove any body or the remains of any body buried in a cemetery, Maori burial ground or other burial ground or place of burial without licence under the hand of the Minister [Health]”.
- The Protected Objects Act 1975 is administered by the Ministry for Culture and Heritage and regulates:
 1. Export of protected NZ objects
 2. Illegal export and import of protected NZ and Foreign objects
 3. Sale, trade and ownership of taonga tuturu.

Any taonga tuturu (Maori artefacts) discovered must be notified to the Ministry which will determine their custody in consultation with tangata whenua. The Act also covers goods or samples associated with burials.

Summary

The current proposal will create an Innovation and Enterprise Park where the desire is to target local businesses, offering opportunities to businesses suited to the locality. It is envisioned that Stage 1 of the project will be developed on the drained flats adjacent to State Highway 12.

Although details were not available at the time of writing it is understood ground disturbance associated with the development is required to establish building platforms, vehicle access and installation of utilities. Background research failed to identify any previously recorded archaeological sites within or in the immediate vicinity of the property and no archaeological sites or evidence that undetected subsurface archaeological sites exist, were identified during the current inspection. However, the property has a number of attributes such as fresh waterways, thermal wetland, fertile flats and elevated locations known to be favoured for pre-1900 settlement. Anecdotal evidence exists regarding a WWII military camp established on the SH 12 frontage, but no physical evidence of the camp has been identified.

As a result of the negative findings of the research and on-site inspection it is recommended there be no constraints on archaeological grounds for the development to proceed as currently proposed. It must be noted that iwi consultation has yet to be carried out and issues may arise from that consultation that require further inspection/assessment.

At this point in time it is not necessary to seek and obtain an authority from HNZPT to modify or destroy archaeological features. However, if in the unlikely event that archaeological evidence is encountered during earthworks associated with the upgrades then the Accidental Discovery Protocol (ADP) contained within this assessment be followed.



Figure 1: Far North Holdings proposed Ngawha Innovation and Enterprise property.

Constraints and Limitations

This report is based on research of the available historic records, NZAA's digital database and visible site inspection with limited subsurface testing.

The field inspection was limited to a visible examination of the landscape proposed for subdivision (Figure 1) with sub-surface testing limited to probing. No records of any archaeological excavation/mitigation within the area were found.

It should be noted that as an assessment of cultural values can only be competently made by the affected tangata whenua, as at this point-in-time iwi consultation has yet to be undertaken, this report does not address cultural values.

Methodology

Far North Holdings provided plans and maps relevant to the projects. The NZ Archaeological Associations Online Digital Site Record File (ArchSite) was searched for archaeological sites recorded on or in the vicinity of the property. A visual inspection with limited subsurface testing was carried out of the property focusing on landscapes affected by the proposed project. Soil profiles were examined for evidence of earlier modification such as modified soils, storage pits or the presence of shell midden and hangi. It should be recognised that archaeological survey techniques cannot provide evidence for the absence of subsurface archaeological features or deposits. Surface visibility at the time of inspection was adequate for archaeological assessment.

Results

Cultural Setting

Consultation with tangata whenua has yet to be carried out and the outcome of those consultations may result in future investigation. An assessment of the cultural significance can only competently be made by the affected tangata whenua. Since archaeological survey cannot necessarily detect sites of traditional significance to Maori, or wahi tapu, the affected tangata whenua should be consulted regarding the possible existence of such sites. It should be noted that an assessment of cultural significance might not necessarily correspond with an assessment of archaeological significance.

Physical Setting

The soils of the property are predominantly a mix of clays, limestones and sandstone conglomerates derived from the Late Cretaceous Onerahi Formations (Ferrar 1928). Although at the time of inspection soils of the property essentially consisted of wet soils pugged where stock had recently been grazing.

Post 1900 modifications to the property are farm related with structural infrastructure, unsealed roads and races, fenced grazing paddocks, blocks of native trees and shelter belts. Otherwise, the original contour of the property is largely unmodified.

Previous Archaeological Research

It appears few previous archaeological surveys have been carried out within the general area of the property. As a result, it is likely the recorded archaeological inventory for the area is under representative.

Background research failed to identify any previously recorded archaeological sites on or in the vicinity of the property. The nearest recorded archaeological site is a hilltop pa (P05/236) located c.530m west of the property's western boundary while two further pa (P05/199 & P05/205) have been recorded c.640m to the northeast (Figure 2 & Table 1).

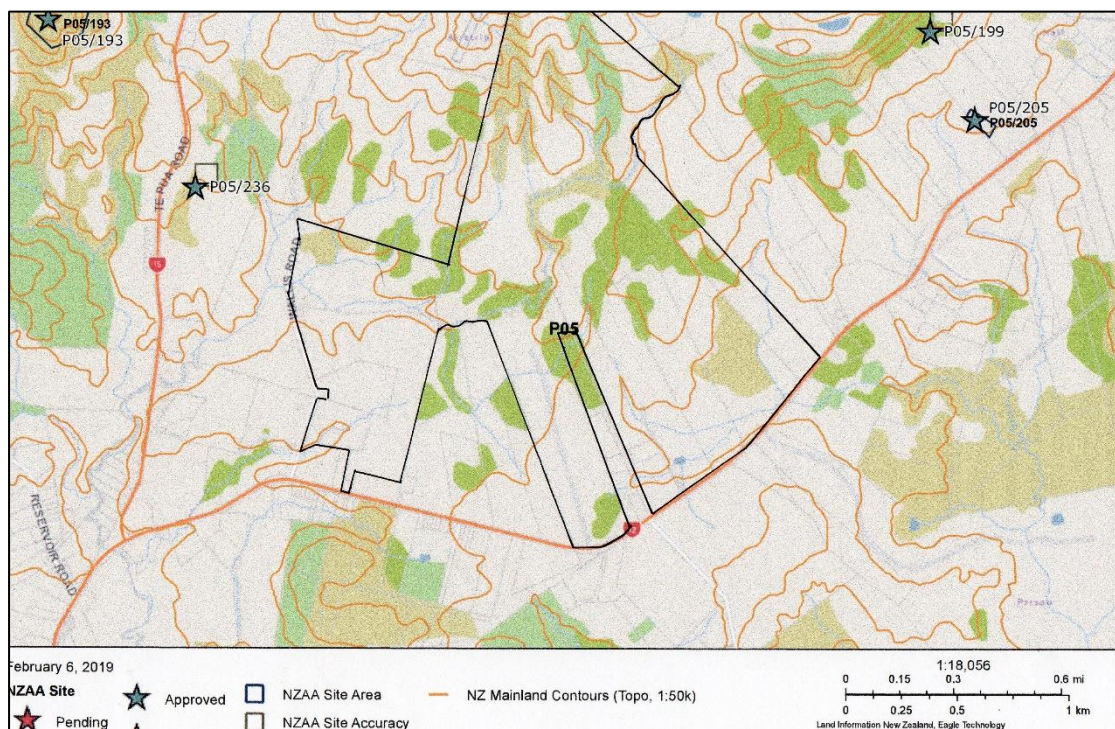


Figure 2: Spatial image of nearest recorded archaeological sites (ArchSite February 2019).

Site No.	Site Type	NZTM Co-ordinates
P05/193	Pa	E1673445/N6085210
P05/199	Pa	E1677405/N6085165
P05/205	Gunfighter pa	E1677605/N6084765
P05/236	Pa	E1674110/N6084460

Table 1: Nearest recorded archaeological sites to the property (ArchSite February 2019).

Field inspection

Don Prince carried out an archaeological field inspection of the landscape proposed for subdivision on January 22 & 23, 2019.

At the time of inspection, the property consisted of fenced paddocks rotationally grazed by dairy cows established on undulating slopes that fall south to generally level flats toward SH 12. Blocks of native trees (predominantly totara and regenerating native species) and water courses can be seen throughout the property, and a thermal wetland is in the property's northwest adjacent to Wallis Rd.

No archaeological features or evidence that undetected archaeological sites exist were identified during the current inspection.



Figure 3: General image of the property viewed from the northeast (Prince 2019).

Effects

No known archaeological sites/features will be affected by the proposed residential subdivision of the property and it appears highly unlikely that unrecorded subsurface archaeological sites will be encountered during earthworks. However, if in the event that undetected subsurface features are encountered during earthworks related to the establishment of the subdivision the Accidental Discovery Protocol (ADP) contained in this report should be adhered to.

Given the negative results of this assessment it is not necessary to seek and obtain an authority from HNZPT under conditions contained in the HNZPT Act (2014).

Accidental Discovery of New Archaeological or Cultural Heritage Sites

If any new archaeological or cultural heritage sites are exposed during works, then the following procedures should apply (Note that this protocol does not apply when an archaeological authority issued under the HNZPT Act (2014) is in place):

1. Immediately it becomes apparent that an archaeological or traditional site has been exposed all works within 20m of the site should cease.
2. The contractor must shut down all machinery, secure the area and advise the site manager.
3. The site manager shall secure the site and notify HNZPT Regional Archaeologist. Further assessment by an archaeologist may be required.
4. If the site is of Maori origin the site manager shall notify the HNZPT Regional Archaeologist and the appropriate iwi groups or kaitiaki representative of the discovery and ensure site access to enable appropriate cultural procedures and tikanga to be undertaken, as long as all statutory requirements under legislation are met (*HNZPT Act & Protected Objects Act*).
5. If human remains (koiwi tangata) are uncovered the site manager shall advise the HNZPT Regional Archaeologist, NZ Police and appropriate iwi groups or kaitiaki representative and the above process under 4 shall apply. Remains are not to be moved until such time as iwi and HNZPT have responded.
6. Works affecting the archaeological site and any human remains shall not resume until HNZPT gives written approval for the work to continue. Further assessment by an archaeologist may be required.
7. Where iwi so request, any information recorded as a result of the find such as a description of location and content, is to be provided for their records.
8. HNZPT will determine if an archaeological authority under the HNZPT Act (2014) is required for works to continue.

It is an offence under S87 of the HNZPT Act (2014) to modify or destroy an archaeological site without an authority form HNZPT irrespective of whether the works are permitted, or consent has been issued under the RMA (1991).

Identification and Assessment of Effects

This archaeological inspection involved a visual survey with limited subsurface testing of rural landscape north of SH 12, Ngawha proposed for staged development as the Ngawha Innovation and Enterprise Park (Figure 1). Although details regarding the establishment of the subdivision were not available at the time of writing, it is understood ground disturbance will be required for vehicle access, building platforms and installation of utilities.

No previously recorded archaeological sites are located within or in the general vicinity of the property and the current inspection failed to identify any unrecorded archaeological features or evidence that subsurface features exist. However, it is not possible to give an assurance that ground disturbance associated with the Park's development will not encounter undetected subsurface archaeological features. In addition, it is possible that iwi consultation will indicate issues of concern.

Therefore, although it is not considered necessary at this point in time to seek and obtain an authority to damage or destroy from Heritage NZ Pouhere Taonga under conditions contained in the Heritage NZ Pouhere Taonga Act (2014). But, in the event that archaeological evidence is encountered the Accidental Discovery Protocol above should be followed.

It should be noted that archaeological survey and mitigation deals solely with the identification and recovery of the physical evidence of past human habitation. Archaeological methods cannot necessarily identify the spiritual or cultural values associated with that occupation.

Archaeological sites as defined by the Heritage NZ Pouhere Taonga Act (2014) are provided initial protection for all archaeological sites, as defined by the Act, whether recorded or not, and they cannot be damaged, modified or destroyed without prior authority having been obtained under the provisions of the Act.

Recommendations

The following recommendations for avoidance or mitigation are provided as points of discussion between the applicant, statutory agencies and tangata whenua.

- That a Heritage NZ Pouhere Taonga authority to modify or destroy an archaeological site is **not** required in order to carry out the rural residential subdivision of the property proposed for development as the Ngawha Innovation and Enterprise Park.
- That if unidentified archaeological sites are encountered during ground disturbance associated with the development all work should cease in the immediate vicinity and the Heritage NZ Pouhere Taonga, project archaeologist and tangata whenua contacted as per the Accidental Discovery Protocol contained within this report.
- That if koiwi (human remains) should be exposed during development, work should cease in the immediate vicinity and the tangata whenua and Heritage NZ Pouhere Taonga should be contacted so that appropriate arrangements can be made as per the Accidental Discovery Protocol contained within this report.
- That since archaeological survey cannot always detect wahi tapu and sites of traditional significance to Maori, the tangata whenua should be consulted regarding the Maori values of this area and the recommendations in this report.

References

- Ferrar, H. 1928. Geological Map of Kawakawa Survey District. Lands and Survey Department.
- Lee, J. 1983. The Bay of Islands. Reed Publishing, Auckland.