



26 November 2021

File ref: 2022/296  
11013-018

South Port NZ Limited  
PO Box 1  
Bluff 9842  
Attn: Andrew Hill

Tēnā koe Andrew

**APPLICATION FOR ARCHAEOLOGICAL AUTHORITY UNDER HERITAGE NEW ZEALAND  
POUHERE TAONGA ACT 2014: Authority no. 2022/296: E47/169, Beacon, Tiwai Point,  
Invercargill**

Thank you for your application for an archaeological authority which has been granted and is attached.

In considering this application, Heritage New Zealand Pouhere Taonga notes that you wish to undertake earthworks to install solar power at Tiwai Point. This activity may affect a recorded archaeological site and as yet unrecorded sites. Tiwai Point was an important area for Murihiku Māori and is the location of the several archaeological and cultural sites. It was also used by European settlers and has been part of the Marine history of the Port with historic beacons located across the Peninsula to aid navigation. Although the site has been damaged in the past, it may still possess archaeological values. Archaeological information from this area would provide insight into the long history of human occupation on Tiwai Point. The site is of significance to Awarua Rūnanga and we appreciate the consultation you have undertaken.

Please inform Te Ao Marama Ltd, the s45 approved person and Heritage New Zealand Pouhere Taonga of start and finish dates for the work.

An appeal period from receipt of decision by all parties applies. Therefore, this authority may not be exercised during the appeal period of 15 working days, or until any appeal that has been lodged is resolved.

This authority may not be exercised until landowner consent is received by Heritage New Zealand Pouhere Taonga for all land affected by this authority.

If you have any queries, please direct your response in the first instance to:

Nikole Wills  
Archaeologist, Otago / Southland  
Heritage New Zealand Pouhere Taonga, Dunedin Office  
P O Box 5467, Dunedin 9058

Phone (03) 470 2364  
Email [ArchaeologistOS@heritage.org.nz](mailto:ArchaeologistOS@heritage.org.nz)

Nāku noa, nā



Vanessa Tanner  
Manager Archaeology, Heritage New Zealand Pouhere Taonga

cc: Andrew Hill, South Port NZ Limited  
via email at [ahill@southport.co.nz](mailto:ahill@southport.co.nz)

cc: Amy McStay  
via email at [amy@heritageproperties.co.nz](mailto:amy@heritageproperties.co.nz)

cc: Awarua Rūnanga via Te Ao Marama Ltd  
via email at [stevie@tami.maori.nz](mailto:stevie@tami.maori.nz)

cc: John McCarroll and Matt Schmidt, Department of Conservation  
via email at [jmcarroll@doc.govt.nz](mailto:jmcarroll@doc.govt.nz); [mschmidt@doc.govt.nz](mailto:mschmidt@doc.govt.nz)

cc: Planning Manager  
Invercargill City Council  
via email at [services@icc.govt.nz](mailto:services@icc.govt.nz)

Pursuant to Section 51 Heritage New Zealand Pouhere Taonga Act 2014 Heritage New Zealand Pouhere Taonga must notify TLAs of any decision made on an application to modify or destroy an archaeological site. We recommend that this advice is placed on the appropriate property file for future reference.

cc: Ministry for Culture and Heritage  
via email at [protected-objects@mch.govt.nz](mailto:protected-objects@mch.govt.nz)

Pursuant to Section 51 Heritage New Zealand Pouhere Taonga Act 2014

cc: NZAA Central Filekeeper  
Attn: Mary O’Keeffe  
via email at [centralfilekeeper@archsite.org.nz](mailto:centralfilekeeper@archsite.org.nz)

cc: Heritage New Zealand Pouhere Taonga Archaeologist, Andrew Winter

cc: Heritage New Zealand Pouhere Taonga Area Manager, Nick Dixon

cc: Heritage New Zealand Pouhere Taonga Pouarahi, Nigel Harris



HERITAGE NEW ZEALAND  
POUHERE TAONGA

## Heritage New Zealand Pouhere Taonga Act 2014

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**AUTHORITY NO:** 2022/296

**FILE REF:** 11013-018

**DETERMINATION DATE:** 26 November 2021

**EXPIRY DATE:** 26 November 2026

**AUTHORITY HOLDER:** South Port NZ Limited

**POSTAL ADDRESS:** PO Box 1, Bluff 9842, Attn: Andrew Hill

**ARCHAEOLOGICAL SITES:** E47/169 – Beacon, and possible subsurface sites, to be determined

**LOCATION:** Tiwai Point, Invercargill

**SECTION 45 APPROVED PERSON:** Amy McStay

**LAND OWNER CONSENT:** To be provided

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**This authority may not be exercised during the appeal period of 15 working days, or until any appeal that has been lodged is resolved.**

**This decision does not ascribe mana whenua status.**

**This authority may not be exercised until landowner consent is received by Heritage New Zealand Pouhere Taonga for all land affected by this authority.**

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### **DETERMINATION**

Heritage New Zealand Pouhere Taonga grants an authority pursuant to section 48 of the Heritage New Zealand Pouhere Taonga Act 2014 in respect of the archaeological site described above, within the area specified as LINZ Parcel ID: 3218888 (Closed Road Block XIII Campbelltown Hundred), 3210216 (Pt Section 2 Blk XIII Campbelltown Hundred), 3251370 (Pt Section 4 Blk XIII Campbelltown Hundred) to South Port NZ Limited for the proposal to undertake earthworks and geotechnical testing to install solar systems to supply power to marine beacons at Tiwai Point, Invercargill, subject to the following conditions:

## **CONDITIONS OF AUTHORITY**

1. The authority holder must ensure that all contractors working on the project are briefed on site by the s45 approved person, who may appoint a person to carry out the briefing on their behalf, prior to any works commencing on the possibility of encountering archaeological evidence, how to identify possible archaeological sites during works, the archaeological work required by the conditions of this authority, and contractors' responsibilities with regard to notification of the discovery of archaeological evidence to ensure that the authority conditions are complied with.
2. Prior to the start of any on-site archaeological work, the Authority Holder must ensure that Heritage New Zealand Pouhere Taonga is advised of the date when work will begin. This advice must be provided at least 2 working days before work starts. The Authority Holder must also ensure that Heritage New Zealand Pouhere Taonga is advised of the completion of the on-site archaeological work, within 5 working days of completion.
3. The authority must be exercised in accordance with the site instruction (McStay 2021: Solar Beacons, Tiwai Peninsula: a site instruction for E46/169 and other sites as yet unrecorded) attached to the authority application. Any changes to the plan require the prior written agreement of Heritage New Zealand Pouhere Taonga.
4. All earthworks that may affect any archaeological sites must be monitored by the s45 approved person who may appoint a person to carry out the monitoring on their behalf.
5. Any archaeological evidence encountered during the exercise of this authority must be investigated, recorded and analysed in accordance with current archaeological practice.
6. As no agreed and signed tikanga between the authority holder and Te Ao Marama Ltd were provided with the authority application, the following shall apply:
  - a) Access for Te Ao Marama Ltd shall be enabled in order to undertake tikanga consistent with any requirements of site safety.
  - a) Te Ao Marama Ltd shall be informed 48 hours before the start and finish of the archaeological work.
  - b) If any kōiwi (human remains) are encountered, all work should cease within 20 metres of the discovery. The Heritage New Zealand Pouhere Taonga Archaeologist, New Zealand Police and Te Ao Marama Ltd must be advised immediately in accordance with Guidelines for Kōiwi /Human Remains (Archaeological Guideline Series No.8) and no further work in the area may take place until future actions have been agreed by all parties.
  - c) Te Ao Marama Ltd shall be informed if any possible taonga or Māori artefacts are identified to enable appropriate tikanga to be undertaken, so long as all statutory requirements under the Heritage New Zealand Pouhere Taonga Act 2014 and the Protected Objects Act 1975 are met.
  - d) Te Ao Marama Ltd shall be provided with a copy of any reports completed as a result of the archaeological work associated with this authority and be given an opportunity to discuss it with the s45 approved person if required.
7. That within 20 working days of the completion of the on-site archaeological work associated with this authority;

- a) An interim report outlining the archaeological work undertaken must be submitted to the Heritage New Zealand Pouhere Taonga Archaeologist for inclusion in the Heritage New Zealand Pouhere Taonga Archaeological Reports Digital Library.
  - b) Site record forms must be updated or submitted to the NZAA Site Recording Scheme.
8. That within 12 months of the completion of the on-site archaeological work, the authority holder shall ensure that a final report, completed to the satisfaction of Heritage New Zealand Pouhere Taonga, is submitted to the Heritage New Zealand Pouhere Taonga Archaeologist for inclusion in the Heritage New Zealand Pouhere Taonga Archaeological Reports Digital Library.
- a) One hard copy and one digital copy of the final report are to be sent to the Heritage New Zealand Pouhere Taonga Archaeologist.
  - b) Digital copies of the final report must also be sent to: the NZAA central file keeper; Southland Museum and Art Gallery; Te Ao Marama Ltd

**Signed for and on behalf of Heritage New Zealand.**



**Claire Craig**  
**Deputy Chief Executive Policy, Strategy and Corporate Services**  
**Heritage New Zealand Pouhere Taonga**  
**PO Box 2629**  
**WELLINGTON 6140**

**Date 26 November 2021**

## **ADVICE NOTES**

### **Contact details for Heritage New Zealand Archaeologist**

Nikole Wills  
Archaeologist, Otago / Southland  
Heritage New Zealand Pouhere Taonga, Dunedin Office  
P O Box 5467, Dunedin 9058

Phone (03) 470 2364, Email ArchaeologistOS@heritage.org.nz

### **Current Archaeological Practice**

Current archaeological practice may include, but is not limited to, the production of maps/ plans/ measured drawings of site location and extent; excavation, section and artefact drawings; sampling, identification and analysis of faunal and floral remains and modified soils; radiocarbon dating of samples; the management of taonga tūturu and archaeological material; the completion of a final report and the updating of existing (or creation of new) site record forms to submit to the NZAA Site Recording Scheme. The final report shall include, but need not be limited to, site plans, section drawings, photographs, inventory of material recovered, including a catalogue of artefacts, location of where the material is currently held, and analysis of recovered material.

Please note that where one is required, an interim report should contain a written summary outlining the archaeological work undertaken, the preliminary results, and the approximate percentage of archaeological material remaining *in-situ* and a plan showing areas subject to earthworks, areas monitored and the location and extent of any archaeological sites affected or avoided.

### **Reporting Conditions**

In relation to the creation of reports as required by the authority conditions, Heritage New Zealand Pouhere Taonga supports transparent reporting processes. It therefore is expected that all relevant directly affected parties have reviewed the report in question, are happy with its contents, and understand that it will be made publically available via the Heritage New Zealand Pouhere Taonga Archaeological Reports Digital Library.

Heritage New Zealand Pouhere Taonga has the right to make available any report produced under an authority where the distribution of the report is for the purpose of providing archaeological information about the place in question for research or educational purposes.

### **Rights of Appeal**

An appeal to the Environment Court may be made by any directly affected person against any decision or condition. The notice of appeal should state the reasons for the appeal and the relief sought and any matters referred to in section 58 of the Heritage New Zealand Pouhere Taonga Act 2014. The notice of appeal must be lodged with the Environment Court and served on Heritage New Zealand Pouhere Taonga within 15 working days of receiving the determination and served on the applicant or owner within five working days of lodging the appeal.

### **Review of Conditions**

The holder of an authority may apply to Heritage New Zealand Pouhere Taonga for the change or cancellation of any condition of the authority. Heritage New Zealand Pouhere Taonga may also initiate a review of all or any conditions of an authority.

### **Non-compliance with conditions**

Note that failure to comply with any of the conditions of this authority is a criminal offence and is liable to a penalty of up to \$120,000 (Heritage New Zealand Pouhere Taonga Act 2014, section 88).

### **Costs**

The authority holder shall meet all costs incurred during the exercise of this authority. This includes all on-site work, post fieldwork analysis, radiocarbon dates, specialist analysis and preparation of interim and final reports.

### **Assessment and Interim Report Templates**

Assessment and interim report templates are available on the Heritage New Zealand Pouhere Taonga website: [archaeology.nz](http://archaeology.nz)

### **Guideline Series**

Guidelines referred to in this document are available on the Heritage New Zealand Pouhere Taonga website: [archaeology.nz](http://archaeology.nz)

### **The Protected Objects Act 1975**

The Ministry for Culture and Heritage (“the Ministry”) administers the Protected Objects Act 1975 which regulates the sale, trade and ownership of taonga tūturu.

If a taonga tūturu is found during the course of an archaeological authority, the Ministry or the nearest public museum must be notified of the find within 28 days of the completion of the field work.

Breaches of this requirement are an offence and may result in a fine of up to \$10,000 for each taonga tūturu for an individual, and of up to \$20,000 for a body corporate.

For further information please visit the Ministry’s website at <http://www.mch.govt.nz/nz-identity-heritage/protected-objects>.

### **Landowner Requirements**

If you are the owner of the land to which this authority relates, you are required to advise any successor in title that this authority applies in relation to the land. This will ensure that any new owner is made aware of their responsibility in regard to the Heritage New Zealand Pouhere Taonga Act 2014.





HERITAGE NEW ZEALAND  
POUHERE TAONGA

## **SECTION 45 APPROVED PERSON**

### **Heritage New Zealand Pouhere Taonga Act 2014**

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**AUTHORITY NO: 2022/296**

**FILE REF: 11013-018**

**APPROVAL DATE: 26 November 2021**

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**This approval may not be exercised during the appeal period of 15 working days, or until any appeal that has been lodged is resolved.**

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#### **APPROVAL**

Pursuant to section 45 of the Act, **Amy McStay** is approved by Heritage New Zealand Pouhere Taonga to carry out any archaeological work required as a condition of authority 2022/296, and to compile and submit a report on the work done. Amy McStay will hold responsibility for the current archaeological practice in respect of the archaeological authority for which this approval is given.

**Signed for and on behalf of Heritage New Zealand,**

**Claire Craig  
Deputy Chief Executive Policy, Strategy and Corporate Services  
Heritage New Zealand Pouhere Taonga  
PO Box 2629  
WELLINGTON 6140**

**Date 26 November 2021**