



Memo

To: Fast-track Panel, Central and Southern Block Mining Project

From: Melanie Russell, Heritage New Zealand Pouhere Taonga

Date: 21 July 2026

Re: FTAA-2512-1153: Response to Minute 21 RFI of Panel

1. On 14 July 2026, the Expert Panel issued Minute 21, being a Request for Information to Heritage New Zealand Pouhere Taonga and the Māori Heritage Council (HNZPT) in relation to the Central and Southern Block Mining Project.
2. At [8] of that Minute, it stated:

The question that the Panel has for NZHPT is how it generally expects an Archaeological Authority to recognise the respective roles of Māori landowners, mana whenua and marae where these roles overlap as they do at Taharoa.

3. It is very common to have multiple tangata whenua parties involved in archaeological authorities, and this answer is based on HNZPT experience in processing archaeological authorities pursuant to the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPT Act).

Background

4. HNZPT is the administering agency for the HNZPT Act under the Fast-track Approvals Act 2024 (FTA Act). This requires HNZPT to make a recommendation to Expert Panels in relation to archaeological authority applications made under the FTA Act, including in respect of any appropriate conditions.¹
5. Alternatively, an archaeological authority may be applied for pursuant to the HNZPT Act. Under this process, HNZPT makes the determination whether to grant or decline the archaeological authority.² Where an archaeological authority is granted, HNZPT may impose any conditions that it considers appropriate.³

¹ FTA Act, cl3 of Sch 8.

² HNZPT Act, s48.

³ HNZPT Act, s52.

6. There are multiple ways that HNZPT recognises and provides for the role of tangata whenua throughout the archaeological authority process under both the HNZPT Act and the FTA Act, as follows:

Processing an Application

7. When processing an archaeological authority application for either decision or recommendation (under the HNZPT or FTA Acts respectfully) HNZPT is required to consider the role of tangata whenua when assessing an application for completeness and when considering conditions to be imposed.
8. An application for an archaeological authority must include⁴:

a statement as to whether consultation with tangata whenua, the owner of the relevant land (if the applicant is not the owner), or any other person likely to be affected—

- (i) has taken place, with details of the consultation, including the names of the parties and the tenor of the views expressed; or*
- (ii) has not taken place or been completed, with the reasons why consultation has not occurred or been completed (as applicable).*

9. This means, prior to application, the Applicant has most likely already engaged in consultation with tangata whenua parties and land owners. Sometimes this results in an agreed process for ongoing involvement, at other times this is left to be determined after the granting of the authority.
10. Where the information in [8] above is not provided, HNZPT would consider the application incomplete and advise accordingly.
11. In addition to this, when making its determination or recommendation, HNZPT must have regard to the interests of any person directly affected by the decision⁵, which recognises the interest of any Māori landowners.

Conditions

12. When granting an archaeological authority, HNZPT imposes a set of conditions⁶ that, *inter alia*, ensure the archaeological work are undertaken in a culturally appropriate way. Similarly, when

⁴ HNZPT Act, s46(2)(h); FTA Act, cl2(1)(i) of Sch 8.

⁵ HNZPT Act, s59(1)(a)(iv); FTA Act, cl4(1)(b) of Sch 8.

⁶ HNZPT Act, s52.

making a recommendation pursuant to section 51(2)(d) of the FTA Act, conditions are included as a part of that recommendation⁷.

13. Conditions can ensure that each appropriate tangata whenua party, and/or Māori landowners are included in the process following the grant and that they are given access via direct route to the Authority Holder and section 45 approved person in relation to the archaeological works approved under the archaeological authority. This may include conditions that provide for:

- Notification of start works;
- Input to the Archaeological Management Plan and/or Research Strategy and/or other protocols;
- Access to the site to carry out any tikanga, subject to health and safety site requirements;
- Notification in the event that any koiwi are encountered;
- Notification of works completion; and
- Provision of a copy of the Final Report.

14. There may also be provision in the Archaeological Management Plan that provides for ongoing involvement or collaboration with the tangata whenua parties or landowners, including contact details.

Recognition of Roles

15. In our experience who is involved and the level of involvement is sorted out between the tangata whenua parties. In some instances where there are multiple parties, the roles may be consolidated into one representative for all, other instances will involve multiple representatives for multiple parties.

16. The archaeological authority conditions provide a mechanism to recognise and provide for this involvement.

17. If the Panel have any further questions or concerns in relation to the archaeological authority process or conditions, please let me know.

⁷ FTA Act, cl3(a), cl5 of Sch 8.