Appendix A

NORTHLAND CORRIDOR – BRYNDERWYN HILLS SECTION OF THE ALTERNATIVE TO THE BRYNDERWYN HILLS PROJECT – PROPOSED ARCHAEOLOGICAL AUTHORITY CONDITIONS

Draft as at [20] October 2026

Authority Number: [Four unique authority numbers to be provided for the four areas shown in Schedule A]

Determination Date: [TBC]

Expiry Date: 35 years from the determination date

Authority Holder: NZ Transport Agency Waka Kotahi

Postal Address: [TBC]

Archaeological Sites: As identified in the attached Appendix C

Location: As identified in the attached Schedule A

Landowner Consent: To be provided (except where the Crown is the landowner)

Section 45 Approved Person: To be approved pursuant to section 45 of the Heritage New Zealand Pouhere Taonga Act 2014.

DEFINITIONS

The table below defines the acronyms and terms used in the archaeological authority conditions. Defined terms are capitalised in these conditions.

Abbreviation/term	Meaning/definition
Authority Area	The land subject to the archaeological authority, as outlined in Schedule A
Authority Holder	NZ Transport Agency Waka Kotahi
Designation	The designation(s) for the Project, included in the Kaipara District Plan / Whangārei District Plan (as relevant).
HNZPT	Heritage New Zealand Pouhere Taonga
NZAA	New Zealand Archaeological Association
Project	The construction, operation, maintenance and improvement of the Brynderwyn Hills section of the Alternative to the Brynderwyn Hills project.
~~Project Archaeologist~~	~~Any person approved in accordance with s45 of the Heritage New Zealand Pouhere Taonga Act 2014 to undertake an activity under the Authority.~~
Project Works	Activities undertaken to construct the Project.
Suitably Qualified Person	A person (or persons) who can provide sufficient evidence to demonstrate their suitability and competence in the relevant field of expertise.

Commented [MR1]: "Project Archaeologist" is an NZTA term, not consistent with HNZPT, the HNZPT Act, or HNZPT Guidelines.
We recommend the use of "section 45 approved person" throughout the document as that is consistent with standard HNZPT process. The requirements, criteria, and ability to replace are also established in s45 HNZPT Act, so reference to s45 is common practice that industry and HNZPT staff who will be monitoring compliance and enforcing the conditions are familiar with.

Abbreviation/term	Meaning/definition
Working Day	A day of the week other than— (a) Saturday, a Sunday, Waitangi Day, Good Friday, Easter Monday, Anzac Day, the Sovereign's birthday, Te Rā Aro ki a Matariki/Matariki Observance Day, and Labour Day; and (b) if Waitangi Day or Anzac Day falls on a Saturday or a Sunday, the following Monday; and (c) a day in the period commencing on 20 December in any year and ending with 10 January in the following year.

DETERMINATION

The FTAA Expert Consenting Panel grants archaeological authorities pursuant to section 81 of the Fast Track Approvals Act 2024 and section 48 of the Heritage New Zealand Pouhere Taonga Act 2014 in respect of the archaeological sites described above, within the areas specified in Schedule A, to the Authority Holder for earthworks associated with the construction, operation, maintenance and improvement of the Brynderwyn Hills section of the Alternative to the Brynderwyn Hills project (Project Works), subject to the following conditions:

BEFORE WORKS

Start Work Notification

AA1 The Authority Holder must ~~shall~~ notify HNZPT and Te Uri o Hau, Patuharakeke Te Iwi Trust and Te Parawhau ki Tai of the date when archaeological works will begin at least two Working Days before starting Project Works.

Historic Heritage Management Plan

AA2 A **Historic Heritage Management Plan (HHMP)** must~~shall~~ be prepared before the start of Project Works. The purpose of the HHMP is to appropriately manage effects on archaeological sites.

AA3 The HHMP must~~shall~~ be prepared by a Suitably Qualified Person and include:

(a) A map and description of known archaeological sites and associated values, and areas of archaeological potential within the Authority Area (including maps identifying the location of these sites);

(b) Procedures for any archaeological investigation or recording of archaeological information;

(c) Timeframes for archaeological work;

(d) Measures to protect archaeological sites that are not subject to the authority (specifically, pā sites: Q08/360, Q08/39, Q08/700 and Q08/546 (as shown on the map in **Appendix [B]**);

(e) Protocols to be followed in the event of any accidental discovery of archaeological sites, remains, artefacts, taonga (Māori artefacts) or kōiwi (human remains) during the Project Works, including:

(i) Details on where and when Project Works need to cease and can restart;

(ii) Procedures for notifying HZNPT and Te Uri o Hau, Patuharakeke Te Iwi Trust and Te Parawhau ki Tai of any accidental discoveries; and

(iii) For kōiwi:

(A) Procedures for notifying the New Zealand Police;

(B) Subsequent steps for management of the kōiwi in general accordance with the Guidelines for Kōiwi Tangata/Human Remains (AGS8 2014);

(f) Roles, responsibilities and contact details of personnel that are involved in the Project Works relating to archaeology, including the section 45 approved person HNZPT, Te Uri o Hau, Patuharakeke Te Iwi Trust and Te Parawhau ki Tai and the responsibilities of contractors with regard to notification of archaeological sites;

(g) Requirements for an on-site briefing and training for those working within the Authority Area to ensure that the HHMP is complied with; and

(h) Mechanisms for dispute resolution.

Commented [MR2]: HNZPT continues to recommend including dispute resolution processes in case anything arises between the archaeologist and authority holder - we have seen this arise a lot recently and rather than parties contacting HNZPT to try and assist, we recommend this is provided for in the HHMP.

AA4 The HHMP must:

(a) Be prepared in consultation with Te Uri o Hau, Patuharakeke Te Iwi Trust and Te Parawhau ki Tai;

(b) Include a summary of this consultation; and

(c) Outline how feedback has been incorporated, or if not, the reasons for that.

Commented [MR3]: Have added this to provide for meaningful iwi involvement, consistency with AA9 and also comments made by Te Parawhau.

AA5 At least 20 Working Days before starting Project Works, the HHMP must be submitted to HNZPT for certification that it satisfies the requirements of Conditions [AA2]-[AA4].

AA6 The Authority Holder may update the HHMP by submitting the amended HHMP in writing to HNZPT for certification that is satisfies the requirements of Conditions [AA2]-[AA4].

AA7 The Authority Holder must implement the certified HHMP for the duration of Project Works.

Archaeological Research and Mitigation Strategy

AA8 The Authority Holder must~~shall~~ prepare an Archaeological Research and Mitigation Strategy (ARMS). The purpose of the ARMS is to develop the research strategy and methodology for appropriate sampling of the archaeological landscape in the Designation and for investigating and recording sites that will be disturbed or destroyed due to Project Works. It shall include:

(a) The research objectives or questions that archaeological investigations shall address. These shall be informed by regional and national research themes, taking into account advice and knowledge of Te Uri o Hau, Patuharakeke Te Iwi Trust and Te Parawhau ki Tai; and

(b) The methodologies and sampling strategies to be followed to achieve the research objectives in (a) proportionate to the archaeological potential and the contribution that site can make to address research objectives.

AA9 The ARMS must:

(a) Be prepared in consultation with Te Uri o Hau, Patuharakeke Te Iwi Trust and Te Parawhau ki Tai;

(b) Include a summary of this consultation; and

(c) Outline how feedback has been incorporated, or if not, the reasons for that.

AA10 At least 20 Working Days before starting Project Works, the ARMS shall be submitted to HNZPT for certification that it satisfies the requirements of Conditions [AA8] and [AA9].

AA11 The Authority Holder must implement the certified ARMS for the duration of Project Works.

AA12 The Authority Holder may update the ARMS by submitting the amended ARMS in writing to HNZPT for certification that it satisfies the requirements of [AA8] and [AA9].

Landowner Consent

AA13 The Authority Holder must provide HNZPT with the written consent of all landowners of the land subject to this Authority prior to any archaeological works commencing. This requirement does not apply where the Crown is the landowner.

AA14 **Section 45 approved person**

This authority may not be exercised until a person to undertake the work required has been approved in writing by HNZPT under section 45 of the Heritage New Zealand Pouhere Taonga Act 2014.

Commented [MR4]: As there is no nomination for a person to be approved to carry out the works under the Authority, this condition is included as there must be a person approved pursuant to s45 HNZPT Act prior to any activity under the Authority being carried out.

Site Briefing

AA15 The Authority Holder must ensure that all contractors working on the project are briefed on site by the section 45 approved person~~Project Archaeologist~~ (who may appoint a person to carry out the briefing on their behalf) prior to any archaeological works commencing. The briefing must include the possibility of encountering archaeological evidence, how to identify possible archaeological sites, the archaeological work required by the conditions of this authority, and contractors' responsibilities with regard to discovering archaeological evidence.

DURING WORKS

Tikanga

AA16 Archaeological work must be undertaken in conformity with any tikanga Māori protocols agreed between the Authority Holder and Te Uri o Hau, Patuharake7e Te Iwi Trust and Te Parawhau ki Tai.

AA17 **Kōiwi Discovery**

If any kōiwi (human remains) are encountered, all works must cease within 20 metres of the discovery. HNZPT, New Zealand Police, and Te Uri o Hau, Patuharakeke Te Iwi Trust and Te Parawhau ki Tai must be advised immediately. Any steps following must be undertaken in accordance with Guidelines for Kōiwi Tangata/Human Remains (AGS8 2014) and no further work in the area may take place until future actions have been agreed by all parties.

Commented [MR5]: HNZPT recommends inclusion of this condition, as the conditions are more accessible for contractors and others on site, rather than relying on provisions in the HHMP. The HHMP will provide additional information in relation to process - but it is important that the cease works area and people to contact are readily accessible in the conditions.

Monitoring

AA18 Any Project Works that will, or are likely to (in the view of the ~~Project Archaeologist~~ section 45 approved person), affect a known or potential archaeological site must be monitored by the ~~Project Archaeologist~~ section 45 approved person (or a Suitably Qualified Person the section 45 approved person ~~Project Archaeologist~~ has appointed to carry out the work on their behalf) in accordance with current archaeological practice, the HHMP and the ARMS.

Investigation

AA19 Any evidence of archaeological sites encountered during the exercise of this Archaeological Authority must be investigated, recorded and analysed by the ~~Project Archaeologist~~ section 45 approved person (or a Suitably Qualified Person the ~~Project Archaeologist~~ section 45 approved person has appointed to carry out the work on their behalf) in accordance with accepted archaeological practice, the HHMP and the ARMS.

Annual Reporting

AA20 Annually from the date of issue of this authority, the Authority Holder must submit to HNZPT a written report containing a summary of the progress of the activity and any archaeological findings.

AFTER WORKS

Work Completion Notification

AA21 The Authority Holder shall advise HNZPT and Te Uri o Hau, Patuharakeke Te Iwi Trust and Te Parawhau ki Tai of the completion of archaeological works within five Working Days of completion.

Completion of Archaeological Works

AA22 Within 20 Working Days of the completion of on-site archaeological work associated with this authority, the Authority Holder shall ensure that:

(a) An interim report in general accordance with the Archaeological Report Guideline (AGS12 2023) is submitted to HNZPT for inclusion in the HNZPT Archaeological Reports Digital Library; and

(b) Site records are updated or submitted to the NZAA Site Recording Scheme.

Archaeological Records

AA23 Within 24 months of the completion of on-site archaeological work, the Authority Holder shall ensure that a final report, completed following the Archaeological Report Guideline (AGS12 2023), is emailed to HNZPT for inclusion in HNZPT's Archaeological Reports Digital Library, and to Te Uri o Hau, Patuharakeke Te Iwi Trust, Te Parawhau ki Tai and House of Memories Museum in Waipū. A copy must also be provided to the NZAA Central Filekeeper.

Advice Note 1: *These conditions apply to all Archaeological Authorities held by the Authority Holder to implement the Project. For clarity, a separate HHMP or ARMS under Conditions [AA2] and [AA8] does not need to be prepared for each Authority held. The Authority Holder may prepare one HHMP and one ARMS, applying to some or all Authorities held for the Project, in order to comply with these conditions.*

Advice Note 2: *The requirement in [AA22(a)] for provision of interim reports to HNZPT, and updates to site records need not be completed for each Authority individually. The Authority Holder may provide interim reports and site record updates for multiple 'grouped' Archaeological Authorities at the same time.*

SCHEDULE A – Land parcels subject to Archaeological Authorities

Archaeological Authority 1		
Road reserve	Part Allot 62 PSH OF Waipu	Lot 2 DP 532165
Section 18 SO 510398	Part Allot 42 PSH OF Waipu	Lot 2 DP 309994
Section 19 SO 510398	ROAD Section 2 SO 313920	Part Allot 4 PSH OF Waipu
ROAD Section 23 SO 510398	Part Lot 4 DP 26325	Part Allot 3 PSH OF Waipu
ROAD Section 25 SO 510398	ROAD Section 3 SO 313920	Part Allotment 5 Parish of Waipu
ROAD Section 24 SO	Lot 3 DP 26325	Section 1 SO 64911
Section 26 SO 510398 852379	Lot 2 DP 26325	STOPPED ROAD SO 64911
ROAD Section 27 SO 510398	Part Lot 1 DP 26325	Lot 6 DP 310457
ROAD Section 28 SO	Part Allot 8 PSH OF Waipu	Part Lot 1 DP 46980
Section 29 SO 510398	Part Allot 9 PSH OF Waipu	Lot 5 DP 310457
Part Allot 115 PSH OF Waipu	Lot 2 DP 536742	ROAD Section 37 SO 510398
ROAD Section 30 SO 510398	Lot 1 DP 536742	ROAD Section 1 SO 313920
ROAD Section 31 SO 510398	Lot 1 DP 24207	Part Lot 1 DP 44163
ROAD Section 32 SO 510398	ROAD Section 8 SO 389660	Part Allot 5 PSH OF Waipu
Allot 113 PSH OF Waipu	ROAD Section 7 SO 389660	Lot 3 DP 180474
ROAD Section 33 SO 510398	Lot 1 DP 514700	ROAD Section 46 SO 510398
Allot 595 PSH OF Waipu	Lot 2 DP 514700	Part Lot 2 DP 45580
Section 36 SO 510398	Lot 1 DP 180474	Lot 2 DP 180474
Section 44 SO 510398	Lot 3 DP 514700	Lot 1 DP 532165
ROAD Section 45 SO 510398	Part Allotment 5 Parish of Waipu	Part Allot 42 PSH OF Waipu

Section 47 SO 510398		
Archaeological Authority 2		
Part Lot 2 DP 24461	ROAD Section 12 SO 70379	ROAD Section 21 SO 510398
Lot 8 DP 162581	ROAD Section 16 SO 510398	ROAD Section 22 SO 510398
Part Allot 316A PSH OF Waipu	ROAD Section 7 SO 70379	ROAD Section 15 SO 70379
Allot 254 PSH OF Waipu	ROAD Section 6 SO 70379	ROAD Section 14 SO 70379
Lot 1 DP 422449	ROAD Section 4 SO 70379	Part Lot 2 DP 171833
Section 18 SO 510398	ROAD Section 17 SO 510398	ROAD Section 1 SO 70379
Section 19 SO 510398	ROAD Section 20 SO 510398	
Archaeological Authority 3		
Lot 1 DP 86796	Lot 2 DP 417208	Part Lot 11 DP 3184
Lot 2 DP 521775	Lot 3 DP 171842	Lot 6 DP 160430
Lot 1 DP 573641	Lot 1 DP 171842	Lot 7 DP 162581
Road reserve	STREAM BED Lot 9 DP 162581	Lot 2 DP 573641
Part Lot 1 DP 113162	Lot 3 DP 162581	Lot 1 DP 86300
Lot 2 DP 113162	Lot 1 DP 162581	Lot 1 DP 374877
Lot 1 DP 196710	Lot 1 DP 417208	Lot 1 DP 521775
Lot 3 DP 573641	Lot 1 DP 208336	Lot 2 DP 196710
Archaeological Authority 4		
Road Reserve	Lot 2 DP 135342	Lot 1 DP 41573
Lot 1 DP 125854	Lot 2 DP 37995	ROAD Section 1 SO 413363
Lot 2 DP 168734	Lot 100 DP 447692	Part Lot 6 Deposited Plan 28821
Section 12 SO 456515	Lot 1 DP 544537	ROAD Section 2 SO 413363
ROAD Section 1 SO 456515	Lot 9 DP 44 7692	Lot 1 DP 86796
ROAD Section 2 SO 456515	Lot 2 DP 27868	Lot 1 DP 85974
Section 10 SO 456515	Part Lot 7 DP 28821	Lot 4 DP 143908

Section 11 SO 456515	Lot 1 DP 466121	Lot 8 DP 196115
Section 3 SO 456515	Part Lot 1 DP 29926	Lot 1 DP 168734
Lot 1 DP 49503	Part Lot 2 DP 29926	Lot 3 DP 143908
Lot 1 DP 131271	Lot 2 DP 466121	

APPENDIX A – Map showing geographic extent of archaeological authorities

APPENDIX B – Pā sites not subject to authority

APPENDIX C – Schedule of archaeological authorities, including any known / recorded archaeological sites

Archaeological Authority Reference	Known / Recorded Archaeological Sites
1	Q08/652, Q08/663, Q08/701
2	Q08/546, Q08/403
3	Q08/560, Q08/700, Q08/703, Q08/39
4	Q08/56, Q08/57, Q08/360, Q08/702