

Attachment Table 6

Takitimu North Link - Stage 2

NZ Transport Agency Waka Kotahi (NZTA) response to comments from Pirirākau hapū dated 9 December 2025

NZTA remains committed to maintaining its established partnerships with Pirirākau and Ngāti Taka. Throughout Project development to date, NZTA has worked closely with both hapū through regular engagement and collaborative input into key Project decisions.¹ Since the Panel Convener's conference held on 1 October, a draft work plan has been prepared to guide the next steps for engagement between NZTA and both hapū. NZTA will continue its regular fortnightly meetings with both hapū throughout the next stages of the Project and where possible will incorporate cultural knowledge shared by the hapū into detailed design, construction and operation.

NZTA acknowledges and appreciates the time and effort that Pirirākau has put into considering the Application and providing comment on it. NZTA has thoroughly considered all of the comments made by Pirirākau. NZTA notes however that it has not been able in the time available to respond to all points raised. NZTA has focussed its response on the key issues raised by Pirirākau that are relevant to the Panel's decision-making and consideration of the Application under the Fast-track Approvals Act 2024 (FTAA) statutory framework. NZTA will continue discussions with Pirirākau on points not addressed in this table, in parallel to the fast-track consenting process.

Guided by its Māori Strategy, Te Ara Kotahi, NZTA recognises and respects Te Tiriti o Waitangi and wishes to work with hapū to build strong, meaningful and enduring relationships to achieve mutually beneficial outcomes. Kaitiakitanga is a value included in Te Ara Kotahi, including in particular recognition that the environment is taonga that must be managed carefully, and that Māori have a responsibility and obligation of care over their communities and environments.

More generally, NZTA and Pirirākau are continuing to progress an enduring relationship which is guided by its formal relationship agreement. This includes developing, a separate project specific agreement relating to matters not directly connected to and/or outside of the scope of the FTAA process. NZTA's intention is that matters which are not relevant to the Panel's consideration of the Application under the FTAA, or legally appropriate for inclusion as conditions on the statutory approvals granted under the FTAA will be addressed, where appropriate, through these separate agreements with Pirirākau. These agreements will sit outside of the FTAA process.

NZTA notes that a series of comments made by Pirirākau relate to 'co-governance', and co-development of management plans. NZTA is committed to Pirirākau participating by providing feedback and advice on the detailed design of the Project and its management plans, but notes that NZTA as the Applicant, Consent Holder and Requiring Authority will maintain ownership and governance of the Project and management plans. NZTA must also adhere to its roles and responsibilities under legislation such as the Land Transport Management Act 2003 and the Public Works Act 1981.

#	Reference	Topic	Extracts (or summary, where specified)	NZTA response to <u>comment</u>
1.	[3]	Pirirākau Foundation Position	<p>In summary: Pirirākau assert that it is mana whenua and kaitiaki within the rohe affected by TNL2.</p> <p><i>[3.3] Pirirākau does not oppose the project in principle, provided that:</i></p> <ul style="list-style-type: none"> • Treaty settlement arrangements are upheld. • Mana whenua authority is recognised in practice, not only in wording. • The CIA and all recommendations included in it are considered in full by the Panel and included in their decision on the TNL2 application. • Cultural, environmental, social and economic effects are properly mitigated, compensated where appropriate, and embedded in enforceable conditions (to be co-developed with Pirirākau where they relate to effects on Pirirākau and to Pirirākau areas of expertise). • Conditions include that all Management Plans are co-developed with Pirirākau. • The destruction of specified sites is appropriately mitigated, as set out in the CIA, including site U14/1284 (within the traditional Pirirākau area known as Haumu); and • Whanau directly affected by the project are compensated by the transfer of surplus designated land, as set out in the CIA. 	<p>NZTA has prepared proposed archaeological authority, wildlife approval, resource consent and designation conditions that provide for a process for Pirirākau to input into all management plans of interest to Pirirākau (as informed by previous discussions between NZTA and Pirirākau). NZTA will consider all written feedback provided by Pirirākau on those management plans, incorporating suggestions where appropriate, and will provide reasons where suggestions are not adopted. See Archaeological Authority Condition AA5(d) and AA6(b) (now AA3(c) and AA4(b), in the new condition set provided to the Panel in Attachment 4A), Wildlife Permit Condition WA2(c), Resource Consent Condition 5.7 and Designation Condition CU1.² NZTA notes that it, as the applicant, consent holder and Requiring Authority, needs to maintain overall control and ownership of all management plans for the Project. NZTA recognises the importance of hapū involvement and will continue to work with Pirirākau to define their roles in the implementation phase of the Project. Pirirākau will be invited to hui and to participate in the detailed design and Project Works phases of the Project (as per proposed Designation Condition CU2). Pirirākau will also be offered the opportunity to undertake cultural monitoring during Construction Works, participate in site visits, present to construction tenderers on cultural matters, provide cultural advice to NZTA and jointly employ a Kaiārahi (with Ngāti Taka) to manage Kaitiaki during Project Works (proposed Designation Condition CU3).</p> <p>NZTA acknowledges the significance of archaeological site U14/1284 to Pirirākau. The Archaeological Management Plan (AMP) (a draft of which has been lodged as part of the Substantive Application) will manage all known, potential and unknown archaeological sites, including U14/1284. Pirirākau will have an ability to provide input on the AMP, including how it addresses U14/1284. See Archaeological Authority Condition AA5(d) (now AA3(c)). A separate management plan potentially covering long term use and management of the land adjacent to the site which may be retained as a part of the Project, and the inclusion of cultural recognition elements, has been discussed with Pirirākau. However, it is not needed to manage the effects of the Project and as such does not need to be included in conditions of this approval.</p>

¹ [Substantive Application](#), section 3.4.

² Note that the Proposed Conditions referred to in this table are the 'October 2025' versions, unless otherwise stated.

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2.	[4]	Position on the draft AMP and Lizard Management Plan (LMP)	<p>[4.2] <i>Pirirākau acknowledges receipt of both plans. However, Pirirākau is not satisfied that either plan currently gives proper effect to the CIA or reflects the mitigation expectations set out in Section 7 of the CIA.</i></p>	[4.2] NZTA acknowledges the Cultural Impact Assessments (CIAs) provided by Ngāti Taka and Pirirākau, and has incorporated recommendations from the CIAs into the Project and proposed conditions, where appropriate.
3.	[6]	AMP	<p>[6.1] <i>Pirirākau raised concerns regarding archaeological impacts well before lodgement of the draft AMP. These concerns remain unresolved.</i></p> <p>[6.2] <i>In particular: The plan does not yet reflect the unresolved harm associated with the Stage 1</i></p> <p><i>a) Te Mete Road kōiwi disturbance, including the absence of:</i></p> <ul style="list-style-type: none"> • <i>A formally agreed re-interment location endorsed by Pirirākau; and</i> • <i>A permanent memorial acknowledging the waahi of original discovery.</i> <p><i>b) Stronger tikanga-driven protocols are required for:</i></p> <ul style="list-style-type: none"> • <i>Kōiwi discovery and reinterment.</i> • <i>Kaumātua leadership in decision-making.</i> • <i>Archaeological authority governance (not just monitoring).</i> 	<p>[6.1] NZTA acknowledges Pirirākau's concerns regarding archaeological impacts and has been addressing them through a combination of opportunities for input to the draft AMP and the draft Archaeological Authority conditions, ongoing engagement, design refinements to avoid or minimise impacts, and preparation of a project specific agreement that sits outside the statutory processes</p> <p>[6.2] NZTA notes that the current draft AMP is not the same as that implemented for Stage 1. In particular, the incidental discovery protocols / kōiwi discovery protocols in the draft AMP have been amended to provide clear process steps in the event of a discovery. In addition, NZTA proposes to include conditions on the Archaeological Authority requiring pre-investigation meetings between archaeologists and Pirirākau, and cultural induction for archaeological works. See new conditions AA6(a)(i) and (ii) in the updated Archaeological Authority Conditions in Attachment 4A (clean). NZTA wishes to include a formally agreed re-interment location and process in the final AMP and has invited both Pirirākau and Ngāti Taka to identify a suitable location.</p> <p>An incidental discovery protocol is included in the draft AMP. NZTA will apply incidental discovery protocols with support from Ngāti Taka and Pirirākau. Procedures for managing kōiwi discoveries are set out in the draft AMP submitted with the Project's Substantive Application, which was prepared in accordance with the recommendations in the Assessment of Archaeological Values. The draft AMP was provided to Pirirākau for comment prior to lodgement and remains subject to further participation through a review / feedback process with Pirirākau in accordance with Archaeological Authority Condition AA5(d) (now AA3(c)), during which the draft protocols can be reviewed and potentially amended.</p> <p>Proposed Condition AA7 of the Archaeological Authority Conditions (now AA8) requires archaeological work to be undertaken in conformity with any tikanga Māori protocols agreed between the Authority Holder and Pirirākau and Ngāti Taka.</p>
4.	[7]	LMP	<p>[7.1] <i>Pirirākau acknowledges the ecological intent of the draft LMP. However:</i></p> <ul style="list-style-type: none"> • <i>Cultural relationships to taonga species are not yet adequately embedded.</i> • <i>Cultural relocation protocols are not clearly governed by Pirirākau tikanga.</i> • <i>Cultural monitoring is referenced, but hapū authority over outcomes is not explicit.</i> <p>[7.2] <i>Under the Pirirākau CIA:</i></p> <ul style="list-style-type: none"> • <i>Taonga species relocation is subject to co-design, not consultation only.</i> • <i>Wildlife Act approvals must be culturally governed as well as ecologically justified</i> 	<p>[7.1] Pirirākau will have an opportunity to review and participate in the preparation of the final LMP as per Wildlife Approval Condition WA2(c). This will be an opportunity to embed appropriate cultural protocols. Pirirākau will be invited to hui and to participate in the detailed design and Project Works phases of the Project (as per Designation Condition CU2) which will include vegetation clearance works that affect lizard habitat. Pirirākau will also be offered the opportunity to undertake cultural monitoring during Construction Works, participate in site visits, present to construction tenderers on cultural matters, provide cultural advice to NZTA and jointly employ a Kaiārahi (with Ngāti Taka) to manage Kaitiaki during Project Works (proposed Designation Condition CU3).</p> <p>[7.2] NZTA is committed to involving Pirirākau in the implementation of the LMP and anticipates the hapū will have an active role in lizard translocation, monitoring and pest management (as was the case for Stage 1). However, NZTA's proposed condition WA3 sets out that a suitably qualified experienced person (SQEP) be responsible for authorised activities under the wildlife permit approval. This means that while there is scope for participation and collaboration on the exercise of the approval with Pirirākau, the approval itself is ultimately subject to statutory requirements and required to be exercised by a SQEP on behalf of NZTA as the approval holder. As such, opportunities for co-design or cultural governance in the exercise of the permit are somewhat limited by these legal and technical constraints.</p>
5.	[9]	Contractor-drafted future plans	<p>[9.1] <i>Pirirākau is concerned by advice that a major contractor will be responsible for drafting future management plans.</i></p> <p>[9.2] <i>This presents unacceptable risk because:</i></p> <ul style="list-style-type: none"> • <i>It distances the Crown from direct accountability for mitigation delivery.</i> • <i>It removes Pirirākau from early design authority.</i> • <i>It mirrors the very mechanism that caused harm during TNL Stage 1.</i> <p>[9.3] <i>Mitigation agreements must be entered directly with Waka Kotahi, not deferred to contractors; and must not be transferred, novated, or diluted through downstream construction contracts without Pirirākau written consent.</i></p>	<p>[9.1] Contractors will not be responsible for the drafting of all management plans. NZTA will retain overall responsibility for the management plans and will be actively involved in their delivery. NZTA will at all times remain the consent holder / approval holder / authority holder and retain ultimate responsibility for ensuring that the objectives of these approvals are met and all conditions are complied with as required by law. Management plans will be drafted by SQEPs, (eg as per Proposed Resource Consent Condition 5.3. Pirirākau will have the ability to input into all relevant management plans of interest to Pirirākau (as informed by previous discussions between NZTA and Pirirākau). NZTA will consider all written feedback provided by Pirirākau on those management plans, incorporating suggestions where appropriate, and will provide reasons where suggestions are not adopted. See proposed Archaeological Authority Condition AA5(d) and AA6(b) (now AA3(c) and AA4(b)), Wildlife Permit Condition WA2(c), Resource Consent Condition 5.7 and Designation Condition CU1. NZTA recognises the importance of hapū participation and will continue to work with Pirirākau to define their roles in the implementation phase of the Project. Pirirākau will be invited to hui throughout the detailed design and Project Works phases of the Project (as per Proposed Designation Condition CU2). Pirirākau will also be offered the opportunity to undertake cultural monitoring during Construction Works, participate in site visits, present to construction tenderers on cultural matters, provide cultural advice to NZTA and jointly employ a Kaiārahi (with Ngāti Taka) to manage Kaitiaki during Project Works (proposed Designation Condition CU3).</p> <p>[9.3] NZTA notes that any project specific agreement progressed with Pirirākau will be between NZTA and Pirirākau. While contractors may carry out the physical works associated with the agreement, NZTA at all times retains ultimate responsibility for upholding the agreement.</p>

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6.	[10]	Time for review of management plans	<p>[10.1] Pirirākau reiterates its request for a minimum of four (4) weeks / 20 working days to review and provide formal written feedback on the two lodged management plans before any final certification.</p> <p>[10.2] This timeframe is required to:</p> <ul style="list-style-type: none"> • Fulfil tikanga-based due diligence. • Engage kaumātua and specialist advisors properly. • Cross-reference the CIA and Mitigation framework. • Avoid replicating failures of Stage 1. 	<p>NZTA acknowledges the concerns of Pirirākau in relation to the provision of 10 working days for review of management plans. With respect to the two management plans already lodged, NZTA notes that draft versions were provided to Pirirākau for comment prior to lodgement, and opportunities for input have continued to be available since lodgement as well as through the formal FTAA comment process. NZTA is open to considering any further feedback received and will make amendments to the management plans where appropriate. NZTA notes that, in practice, it intends to provide draft management plans to Pirirākau in advance of the formal management plan review and feedback timeframes. The 10 working day period specified in the conditions ensures that feedback is able to be incorporated into management plans before they are submitted to council for certification. NZTA will provide Pirirākau with sufficient warning prior to management plans being provided for comment, to enable Pirirākau sufficient time to source resources for review, and will also provide an advance programme of expected timeframes for provision of draft plans. However, NZTA does not consider it is practical to allow additional time in the conditions for Pirirākau to review and comment.</p>
7.	[12]	Concerns with conditions framework	<p>[12.1] Pirirākau has diminished confidence that the current framework will deliver fair and durable outcomes due to:</p> <ul style="list-style-type: none"> • FTAA timing pressures during national reform. • The limited number of lodged plans. • Heavy reliance on future contractor-led plans. • Deemed certification mechanisms without sufficient hapū safeguards. 	<p>[12.1] NZTA notes that detailed design for the Project has not been completed. Accordingly, the management plans required under the Proposed Conditions have largely not yet been prepared (and therefore not lodged). It would not be appropriate for these management plans to have been prepared in advance of detailed design, and lodged or 'locked in' with the Application – this risks locking in requirements and management that will not address the final design of the Project. NZTA has proposed a comprehensive set of conditions that identify what outcomes must be achieved to secure the outcomes for effects management of the Project, that will be implemented through the management plans when drafted. Conditions provide the necessary certainty by specifying the outcomes to be achieved. The subsequent preparation of management plans, once further detail is available, is an appropriate and established mechanism for detailing the actions needed to achieve those outcomes, and ensures alignment with national direction and best practice. Pirirākau will have an opportunity to influence the detailed design as well as the management plans through NZTA's Proposed Archaeological Authority Condition AA5(d) and AA6(b) (now AA3(c) and AA4(b)), Wildlife Permit Condition WA2(c), Resource Consent Condition 5.7 and Designation Condition CU1.</p> <p>NZTA's position regarding deemed certification is that:</p> <ul style="list-style-type: none"> • It has provided ample time for parties to review and certify the relevant management plans in the Proposed Conditions. Any extension of the certification process timeframes proposed would be unreasonable. Draft management plans either have been or will be shared with Pirirākau prior to formal submission, and opportunities for feedback continue throughout the process. • The Project cannot be indefinitely held up as a result of an unreasonable delay in the relevant parties providing certification of its proposed management plans.
8.	[13]	Management plans	<p>[13.1] Only the AMP and LMP are currently lodged. Most key plans will be drafted later, many by the contractor.</p> <p>[13.2] Pirirākau seeks that the Panel direct:</p> <ul style="list-style-type: none"> • Clear distinction between Crown obligations and contractor implementation. • Mandatory co-design with Pirirākau. • No deemed certification where substantive issues remain unresolved. • Minimum 20 working day review periods for all plans. • Any failure to resolve substantive Pirirākau objections during management plan certification be treated as a failure to achieve Treaty consistency under section 7 FTAA. 	<p>[13.1] See response above on item 7.</p> <p>[13.2] NZTA has prepared proposed archaeological authority, wildlife approval, resource consent and designation conditions that provide for a process for Pirirākau to input into all management plans of interest to Pirirākau (as has been informed by previous discussions between NZTA and Pirirākau). NZTA will consider all written feedback, incorporating suggestions where appropriate, and will provide reasons where suggestions are not adopted. See also the response in item 1 relating to Pirirākau input into detailed design.</p> <p>See above response on item 6 regarding NZTA's position on the minimum working day review period for management plans.</p>
9.	[14]	Archaeology, Kōiwi and Cultural Authority	<p>[14.1] Pirirākau Stage 1 kōiwi experience caused significant mamae.</p> <p>[14.2] The Panel is requested to require:</p> <ul style="list-style-type: none"> • Co-decision authority for archaeological investigation design. • Pirirākau leadership in kōiwi discovery and treatment. • Suspension of works and re-evaluation of conditions where kōiwi are discovered. 	[14.2] An incidental discovery protocol, including in relation to kōiwi is included in the draft AMP. See the response on item 3 above.
10.	[15]	Ecological offsets, streams and cultural indicators	<p>[15.2] Conditions should require:</p> <ul style="list-style-type: none"> • Measurable ecological uplift. • Hapū-defined cultural indicators. 	NZTA notes that water sensitive design methodologies have been incorporated in the specimen design and will be incorporated in the Stream Management and Monitoring Plan, the Stormwater Operation and Maintenance Plan, and the Culverts and Stream Hydraulic Design Report that NZTA will be required to prepare under Proposed Resource Consent Conditions 27, 38 and 49. As set out above, Pirirākau will be invited to provide feedback on these plans prior to those plans being certified by council.

#	Reference	Topic	Extracts (or summary, where specified)	NZTA response to <u>comment</u>
			<ul style="list-style-type: none"> • Hapū agreement on offset locations where culturally significant. 	As set out above, NZTA notes there is provision for significant input and involvement from Pirirākau on the Project through Proposed Designation Condition CU2. NZTA does not consider that additional conditions relating to cultural indicators are necessary for managing the effects of the Project, but is committed to discussing the development of a cultural indicators and baseline cultural monitoring in parallel to the consenting process.
11.	[18]	Effects on marae	<p>[18.1] Although the application identifies that current and future operational noise has effects on Tawhitinui Marae, and notes the cultural importance of outdoor speech, a construction noise effects assessment does not appear to have been undertaken for the marae. Although the marae is approx. 350m from the Project, we note that activities which may involve higher noise generation and the potential for night works (e.g. bridge construction) will be occurring at Barrett Road.</p> <p>[18.2] It is also recommended that a condition is included to pause high-noise generating activities (and dust-generating activities) near the marae during important cultural events (e.g. tangihanga, iwi gatherings, marae events).</p> <p>[18.3] Additionally, there may be opportunities through the landscape design and planting to improve the mitigation of increased operational noise effects on the marae and urupā. This should be included in the detailed design and landscape management plan.</p> <p>[18.4] Pirirākau expect that the effects of TNL2, both construction and operational, on the marae and cultural practices should be fully mitigated through conditions.</p>	<p>[18.1] NZTA acknowledges the concerns Pirirākau have regarding the Project's impact on culturally significant activities that occur on Tawhitinui Marae. Construction noise will be managed in accordance with the relevant national standard (NZS 6803:1999) and Proposed Designation Conditions CNV1-CNV9. A Construction Noise and Vibration Management Plan (CNVMP) will be prepared, which will include identification of potentially affected receivers, engagement processes, noise and vibration control measures, monitoring, and complaints procedures. If any construction activity is predicted or measured to exceed the relevant criteria (in NZS 6083:1999 and Proposed Designation Conditions CNV1 or CNV2), a site-specific Schedule will be prepared in consultation with affected landowners to identify the best practicable mitigation options. While daytime works are predicted to readily comply with the relevant noise limits, night-time works will need to be managed to achieve compliance with the night-time noise criterion, particularly if the marae is used for overnight stays. If determined to be necessary at this stage, noise mitigation options for the marae could include careful choice of equipment and construction methodology, timing of high noise activities, and communication prior to works.</p> <p>[18.2] NZTA notes that it may not be possible at all times to pause high-noise generating activities near the marae during cultural events. However, the Construction Management Plan (CMP) (Proposed Resource Consent Condition 13.2) must include methods to communicate key construction works milestones and proposed hours of construction works. Implementation of the CMP will therefore include discussions with Pirirākau regarding high-noise activities and dust-generating activities, and important cultural events so as to avoid as far as practicable those activities taking place near the marae during important events.</p> <p>[18.3] A computer noise model was used to predict future traffic noise levels at the Tawhitinui Marae and urupā. The closest marae building is about 500m and the urupā nearly 600m from the existing SH2. The specimen design alignment will be further from the site; approximately 580m to the closest marae building and about 660m to the urupā. As outlined in Section 6.3.2 of the Assessment of Acoustic and Vibration Effects, in June 2025 noise level surveys were undertaken at Tawhitinui Marae and the urupā south of Old Highway at Whakamārama. The measured noise levels at both locations were noticeably lower than those predicted under the model, indicating traffic on local roads and other noise sources have an effect on the noise environment. Based on the noise assessment, the Project is predicted to add very slightly (1 – 2 decibels) to the predicted future traffic noise levels at the marae and urupā, with the Project in place. Therefore, the change in noise levels as a result of the Project will have an unnoticeable effect on the Marae and urupā.</p> <p>Pirirākau will be invited to hui throughout the detailed design and Project Works phases of the Project (as per Proposed Designation Condition CU2), and will be able to input specifically into the detailed design of landscape and planting through Proposed Designation Condition CU1.</p> <p>NZTA notes that planting does not provide noise mitigation on its own. Where noise mitigation is required, this has been identified in the Assessment of Acoustic and Vibration Effects, and conditioned accordingly. No traffic noise mitigation is proposed for the marae or urupā for the reasons set out above.</p>