



Memorandum

Response to Comments – Archaeological Assessment (Glen Farley)

- **Project:** Taharoa Central and Southern Block – Archaeology Response
- **Author:** Glen David Farley – Clough & Associates Limited.
- **Date:** 18/06/2026
- **To:** Expert Panel

Purpose

This memorandum provides a response to comments received from invited parties in relation to the following aspects of the Central and Southern Block Mining Fast-track Approvals Act 2024 (FTAA) application by Taharoa Ironsands Limited (TIL):

- Appendix O – Archaeological Assessment; and
- Appendix X – Archaeological Authority Application Bundle.

The comments were received from The Proprietors of Taharoa C Block Incorporated (Taharoa C), Te Ruunanga o Ngāti Mahuta ki te Hauāuru Charitable Trust (NMKTH), and Te Nehenehenui.

Expertise and Code of Conduct Compliance

My full name is Glen David Farley. I am a Co-Director of Clough and Associates Ltd, Heritage Consultants. I have the qualification of Master of Arts in Anthropology from the University of Auckland. I have 25 years' experience in the field of archaeology, including research, survey, investigation, analysis and report preparation in New Zealand and in the United Kingdom. Over the last 16 years my work has focussed on New Zealand archaeology. I prepared the Archaeological Assessment and Archaeological Authority Application (including the Archaeological Management Plan) included in TIL's substantive application.

I have read the Expert Witness Code of Conduct set out in the Environment Court Practice Note 2023. I have complied with the Code of Conduct in preparing this report. The content of the report is within my area of expertise, and I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in the report.



- 1) **The Proprietors of Taharoa C Block Incorporated (Taharoa C)**
- 2) The comments outline the historical background and ownership interest of Taharoa C in relation to the whenua, and in particular the longstanding relationship between Taharoa C and the Mine. Matters of archaeological interest include the discovery of koiwi, urupā, input into both the Archaeology Report and the “Taharoa Mine Site Health and Safety - Environmental Procedure: Discovery of Human Remains and/or Items of Cultural Significance”. Of particular relevance to the Archaeological Assessment and Archaeological Authority Application, Taharoa C states:
- 3) **Comment (Point 25, Page 6):** “The discovery of koiwi at the Mine has occurred from time to time over the years in inland areas. If any discoveries are made, kaumātua nominated by Taharoa C attend the site and observe tikanga which is derived from many years of interacting with discoveries of koiwi and taonga in the Taharoa dune system.”
- 4) **Comment (Point 26, Page 6):** “Legally and physically defined urupā exist within the dune system where koiwi discovered in the Mine site are interred. No mining activity is undertaken within or in close proximity to the urupā. There is observance and clear demarcation of these areas.”
- 5) **Comment (Point 27, Page 7):** “Taharoa C provided input into the Archaeology Report, including requesting updates to Taharoa Ironsands Limited’s (TIL) “Taharoa Mine Site Health and Safety - Environmental Procedure: Discovery of Human Remains and/or Items of Cultural Significance”, to add a requirement for TIL to inform Taharoa C, as well as the Police, if any bones are discovered and to provide Taharoa C with a copy of any archaeological records prepared. Taharoa C also provided a Māori cultural values report for the Archaeological Authority Application, which concluded that:

In line with our values, the accidental discovery protocols and the ability to exercise our own tikanga within these protocols have now been formalised into a draft Archaeological Management Plan. The continuation of these protocols and regular mining plan updates maintains integrity of the relationship between TIL and Taharoa C. This will ensure that the significant cultural values associated with the Taharoa C Block are recognised and provided for and the adverse effects of ongoing mining excavation activity on those values are mitigated and appropriately managed.”

- 6) **Comment (Point 28, Page 7):** “Taharoa C was also provided with an opportunity to review and provide input to the updates to Archaeological Authority conditions and TIL’s “Taharoa Mine Site Health and Safety - Environmental Procedure: Discovery of Human Remains and/or Items of Cultural Significance” arising out of discussions with HNZPT and did so.”



7) Response:

- 8) These comments reflect the operational reality of the mine, the relationship between TIL and Taharoa C, and the input made by Taharoa C into the key elements of TIL's application relating to archaeology, namely the Archaeology Assessment, Archaeological Authority conditions, Archaeological Management Plan, and TIL's environmental procedure document.
- 9) As demonstrated by Taharoa C's comments, to the extent they had comments on the archaeological components of TIL's application, these have already been addressed through previous engagement, and no further issues have been raised. Therefore, no changes to the conclusions of the Archaeological Assessment or the content of the Archaeological Management Plan are required.

10) Te Ruunaunga o Ngāti Mahuta ki to Hauaaruru Charitable Trust (NMKTH)

- 11) The comments raised by NMKTH were provided to TIL prior to lodgement of the substantive application, but in a different format. They were considered at that time and some amendments were made to the Archaeological Management Plan and the proposed conditions prior to filing. NMKTH's comments were also summarised and responded to in the Archaeological Authority Application Bundle (Appendix X) – see page 5, item 2(1)(i) of the Archaeological Application and Appendix A to the Archaeological Application.
- 12) TIL delayed filing of its application to address NMKTH's comments.
- 13) The Archaeological Authority Bundle, including the response to NMKTH, was subsequently reviewed by Heritage New Zealand Pouhere Taonga and the Māori Heritage Council as part of the s51 reporting process.
- 14) Below I respond to NMKTH's comments on the application that are not already addressed in Appendix A to the Archaeological Application.

15) General comments relating to mana whenua interest and involvement in the archaeological assessment

- 16) In respect of this topic NMKTH have made the following comments:
- 17) "NMKTH mandated representatives were not involved kanohi ki te kanohi in the archaeological investigations or preparation of the application with agreed tikanga and roles. By limiting the Cultural Values Report to the perspectives of the landowner, the assessment fails to reflect the representative voice of mana whenua, through mandated marae representatives, or set out the cultural values of the affected sites.
- 18) Of particular importance is the spiritual connectedness NMKTH have with the sites and waahi tapu. Mana whenua interests and values have not been appropriately recognised and understood, particularly given the substantive application documents were not circulated in full or well understood by representative and mandated mana whenua to complete a cultural values assessment.



- 19) Section 6(e) of the Resource Management Act 1991 and section 4(d) of the Heritage New Zealand Pouhere Taonga Act 2014 recognise the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tuupuna, waahi tapu, and other taonga. This must extend to active participation in archaeological management. To enable this in practice, adequate resourcing and capacity support must be provided by the applicant to ensure sustained mana whenua participation, monitoring, and decision making, through mandated marae representatives.
- 20) The assessment also includes several statements that diminish the cultural and historical importance of the sites and fails to acknowledge that most remaining dune sites are now rare, many having been lost to mining and forestry. NMKTH consider that the sites offer great information potential in which koorero tuku iho could inform a deeper understanding had consultation been undertaken with the representative voice of mana whenua, being the mandated marae representatives. Their rarity significantly increases their value.
- 21) The mandated authority of NMKTH sits with the marae and TRONM when it comes to speaking on behalf of the whenua, moana, wai hau, and the people of Tahaaroa, NMKTH consider that the substantive application does not sufficiently address the potential archaeological and cultural adverse effects of the substantive application. NMKTH maintain that the feedback provided to the applicant before lodgement be adopted in full and reflected in proposed conditions, including resourced representative and mandated marae participation and active involvement in monitoring and decision making.”

22) Response

- 23) I have generally addressed these comments in Appendix A to the Archaeological Authority Application.
- 24) It is acknowledged that NMKTH mandated representatives were not directly involved in the archaeological investigations undertaken for the substantive application and that the Cultural Values Report was prepared by Taharoa C – the Māori landowners – and then circulated to the relevant iwi groups including Te Kooraha Marae and Te Runanga prior to filing, to allow them to provide feedback (along with the entire Archaeological Application).
- 25) As set out in Appendix A to the Archaeological Authority Application, TIL has a long-established relationship with Taharoa C, as the Māori landowner, and its nominated kaumātua regarding archaeological discoveries, koiwi management, and implementation of tikanga associated with archaeological finds. These arrangements are set out in the Archaeological Management Plan and associated discovery protocols and continue to operate as the primary framework for on-site engagement. Both TIL and Taharoa C have indicated a desire for these arrangements to continue.
- 26) The Archaeological Assessment recognised that the Taharoa dune system contains sites and places of significance to Māori and that archaeological sites may possess



cultural, spiritual, historical, and traditional values in addition to their archaeological values.

- 27) The Archaeological Assessment does not seek to diminish the cultural or historical importance of archaeological sites within the Taharoa dune system. The Assessment acknowledges the significance of the archaeological landscape and the presence of sites associated with long-term Māori occupation and use of the area. It is also acknowledged that remaining archaeological sites within the dune system have become increasingly uncommon due to historic land-use activities for years across the site, including mining and forestry. While rarity can increase archaeological significance, significance is assessed using a range of factors, including condition, integrity, context, representativeness, and information potential. The Archaeological Assessment considered these factors when evaluating archaeological values and potential effects.
- 28) The matters raised by NMKTH do not identify any new archaeological evidence or effects that would alter the conclusions of the Archaeological Assessment.

29) Comments on the 2024 RMA Hearing Panel Decision and reporting to mana whenua (Appendix 1, Page 36, 37)

- 30) “NMKTH maintain the following feedback provided to the applicant prior to lodgement:
- a) The consent conditions imposed by the 2024 RMA Hearing Panel Decision must be upheld, or replicated and any archaeological authority or AMP must incorporate and not weaken those existing protections whereby the stricter or more protective condition must prevail where inconsistencies occur;
 - b) all references to tikanga must be determined by representatives of Aaruka and/or Te Kooraha Marae and recorded in any Archaeological Management Plan (AMP);
 - c) all works must be carried out under agreed tikanga, explicitly recognising the spiritual and genealogical connectedness of NMKTH to the whenua, moana, and wai maaori;
 - d) references to “Ngaati Mahuta”, “local kaumatua” or “iwi representatives” must clearly specify representatives appointed by Aaruka and/or Te Kooraha Marae, noting these are highly likely to be the same kaumaatua identified by the landowners but provides specifically for the relationship with and transparency to these marae;
 - e) these representatives must be notified under condition 2 and receive all draft reports for review and comment, and receive the final reports under conditions 7-8; and
 - f) the final AMP must be provided for review by Aaruka and/or Te Kooraha Marae.”

31) Response

- 32) I have already addressed these comments in Appendix A to the Archaeological Authority Application (see “Archaeological Application” topic at row 2, and



“Conclusion” topic at row 7). However, for completeness, I note that the conditions imposed by the 2024 Hearing Panel Decision have been effectively superseded by the conditions of the proposed Archaeology Authority which is being sought as part of the FTAA process. During pre-application consultation, Heritage New Zealand Pouhere Taonga advised that its preference was to remove resource consent conditions dealing with accidental discovery given TIL would be applying for an archaeological authority which would address this matter.

33) Comment (Appendix 1, Page 36, 37)

34) “In addition, all archaeological processes, authority conditions, and management frameworks must include clear mechanisms for transparency and reporting to mana whenua, being the mandated marae representatives. This includes:

- a) provision of all archaeological reports, monitoring data, and authority updates to Te Ruunanga o Ngaati Mahuta ki te Hauaauru, Aaruka, and Te Kooraha Marae;
- b) research and investigation strategies (including any excavation or investigation plan) must be provided for review and endorsement by mandated marae representatives before approval;
- c) all data, artefact records, and monitoring results collected under this authority remain the intellectual property of mana whenua and must be shared through agreed protocols;
- d) a standing invitation for mandated marae representatives to attend any site inspections, excavations, or authority and AMP reviews; and
- e) regular hui to review archaeological management, compliance outcomes, monitoring and proposed AMP variations, with decisions recorded and shared transparently.”

35) Response

36) I have already addressed these comments in Appendix A to the Archaeological Authority Application (see “Archaeological Application” topic at row 3).

37) Comment (Appendix 1, Page 37, 38)

38) “In relation to Archaeological Management Plan:

- a) any references to “Ngaati Mahuta”, “local kaumatua” or “iwi representatives” must be amended to clearly specify representatives appointed by Aaruka and/or Te Kooraha Marae. Contact details must reference those of Aaruka Marae, Te Kooraha Marae, and Te Ruunanga o Ngaati Mahuta ki te Hauaauru, as set out in the EMP.
- b) all discovery protocols must explicitly state that cultural procedures take precedence over any physical or scientific work until kaumaatua have conducted necessary tikanga, including karakia, direction, and guidance on treatment of kooiwi or taonga;



- c) the AMP must attach or reference the certified urupaa/waahi tapu maps required under the consent conditions currently under appeal (conditions 2-6), with a defined process for review and updates agreed with Aaruka and Te Kooraha Marae;
- d) the consent conditions currently under appeal require local kaumatua appointed by Aaruka and/or Te Kooraha Marae to be contracted within 12 hours of discovery. This requirement must be explicitly carried through to the authority and AMP, and those marae must be listed as notified parties;
- e) regarding dispute resolution, any cultural disputes should first be resolved through tikanga-based processes, with external intervention only after mana whenua consensus, through mandated marae, cannot be reached; and
- f) it is further recommended that the AMP include a clause establishing a Marae Archaeological Lead, appointed by Aaruka and/or Te Kooraha Marae, to co-lead archaeological activities alongside the Project Archaeologist, with related conditions reflecting this role. This ensures decisions are guided jointly by archaeological expertise and tikanga Māori.”

39) Response

- 40) I have already addressed these comments in Appendix A to the Archaeological Authority Application (see “Archaeological Application” topic at row 1, and “Archaeological Management Plan” topic at row 6).

41) Comment on resource consent conditions relating to the urupaa and other waahi tapu sites (Suggested Draft Conditions, Point 54, Page 15)

- 42) “Conditions: Amendment to AUTH142035.01.01 condition 2(h) imposed in the 2024 RMA Hearing Panel Decision.
- a) 2. The Consent Holder shall prepare a map (or maps) of the Central and Southern Blocks (Consent Area) at a suitable scale showing:
 - b) (h) The location of, and a setback of 50m from, a urupaa and other waahi tapu sites known to the Consent Holder at commencement of this consent.”

43) Response

- 44) This is a resource consent condition matter. Condition 2 and 6 of AUTH142035.01.01 provide for these matters, except that Condition 2(f) provides that the maps prepared of the Consent Area must include the location of urupa and other waahi tapu sites, including a 20m buffer from cultural reserve sites. Condition 6 prohibits mining operations within these areas.

45) Comments on archaeological authority conditions (Appendix 3, Pages 117-120)

- 46) Thirteen amendments are proposed to the archaeological authority conditions. The first amendment seeks to reduce the authority duration from 35 years to 20 years. The



remaining twelve amendments relate to the inclusion of the Ruunanga and marae within various processes.

47) Response

48) The intention of the 35 year authority duration is to align with the proposed 35 year term for the resource consent (which I note for completeness that WRC agrees is an appropriate term of consent). The comments regarding Ruunanga and marae involvement have already been addressed in Appendix A of the Archaeological Authority Application (see “Archaeological Application” topic at row 2).

49) Te Nehenehenui

50) Comment on reserve buffers (Section 6, Page 6):

- 51) “Mining is not proposed to occur in demarcated archaeological and cultural reserve areas. We note:
- 52) A 20 m buffer between the crest of pit slopes and cultural/archaeological reserves and adjacent property boundaries is proposed, unless a location specific geotechnical assessment can identify a reduced setback (section 4.7 of the substantive application).
- 53) The Archaeological Management Plan incorporates notice to local kaumātua if koiwi or archaeological remains are discovered.
- 54) Kaumātua nominated by Taharoa C will be involved in the management of archaeological discoveries.
- 55) On this matter, TNN acknowledges and defers to the knowledge and guardianship of mana whenua, Ngaati Mahuta ki te Hauaauru uri and Taharoa C Block representatives as kaitiaki of the area. TNN first and foremost supports any comments made by mana whenua on this matter. We observe that:
- 56) A 20 m buffer between the crest of pit slopes and cultural/archaeological reserves may not be a wide enough setback for some sites.
- 57) The ability to reduce the 20m buffer from cultural reserve sites unless a local specific geotechnical assessment has identified an appropriate reduced setback is not acceptable. We oppose AUTH142035.01.01 condition 2(f).”

58) Response

59) As noted above, a 20m buffer is proposed in TIL’s resource consent conditions between the crest of pit slopes and cultural/archaeological reserves, with provision for modification where supported by site-specific geotechnical assessment. The reference to a site-specific geotechnical assessment relates to ground stability and geotechnical considerations. My understanding is that this measure is provide flexibility in the implementation of the buffer distance, allowing mining operations to occur closer to cultural/archaeological reserves where it can be demonstrated that the stability of the ground and the integrity of the reserve will not be compromised. From an



archaeological perspective, a 20m buffer is considered to be a suitable separation distance to provide protection. The ability to consider modification of this distance through a site-specific geotechnical assessment provides an appropriate mechanism to address location-specific ground conditions, while ensuring that any reduction in separation distance does not result in adverse effects on the reserve areas.

60) Comment site discovery buffers (Section 6, Page 7 and Section 6, Page 8):

- 61) “Ceasing work within 10m of a newly discovered site as set out in the Archaeological Management Plan is a narrow buffer in a high wind environment with heavy machinery operating. Our preference is a 20m buffer as a minimum.”
- 62) “Archaeological Authority Proposed Conditions: Condition 2, Archaeological Management Plan.
- 63) Amend the “Procedures for undertaking works in the vicinity of recorded sites when the Archaeologist is present” as follows: *If suspected archaeological deposits or features are identified at times or in areas where the Archaeologist is temporarily not present, the Operator must stop works (within ~~20+0m~~) and follow the procedure set out below.*
- 64) Amend the “Procedures if Archaeological Sites are Exposed when the Archaeologist is not Present” as follows: *The Operator will ensure that earthworks shall cease in the immediate vicinity (within ~~20+0m~~) while the Archaeologist is called in to establish whether the material is part of an archaeological site as defined under the HNZPTA.*”

65) Response

- 66) The 10m buffer proposed around newly discovered sites is a standard measure utilised in archaeological authorities. This relates to discoveries made within areas undergoing active modification, and as such is intended as a temporary measure to protect both the archaeological material and personnel during archaeological investigation and recording.
- 67) Management of the buffer during an investigation lies with the archaeologist directing the works, and who may request a wider buffer if the working conditions necessitate.

68) Comment on mana whenua representation (Section 6, Page 7)

- 69) “There is unresolved disagreement with mana whenua regarding process and representation which needs to be fully addressed to ensure the protection of the remaining archaeological sites.”

70) Response

- 71) Te Nehenehenui note the different views between mana whenua and Taharoa C and TIL regarding process and representation. This has been addressed in my response to NMKTH’s comments, set out above, and in Appendix A to the Archaeological Authority Application.



72) Other Matters

73) Heritage New Zealand Pouhere Taonga

- 74) Heritage New Zealand Pouhere Taonga and the Māori Heritage Council prepared a s51 report which recommended that the authority be granted, subject to an agreed set of conditions.
- 75) Some minor amendments were recommended to the conditions and the Discovery Protocol for consistency, and these were made and agreed upon by Heritage New Zealand Pouhere Taonga, TIL and Taharoa C.
- 76) No additional issues were raised.
- 77) Heritage New Zealand Pouhere Taonga made no s53 comments.

Glen David Farley (MA Hons)

Co-Director

18/06/2026