



Section 51(2)(d) Fast-track Approvals Act 2024 Report

Alternative to Brynderwyn Hills, FTAA-2603-1178

Heritage New Zealand Pouhere Taonga (HNZPT) recommends:

1. That the archaeological authorities are **granted**, subject to conditions, under the Fast-track Approvals Act 2024 (FTA Act).

Introduction

2. On 2 April 2026, NZ Transport Agency Waka Kotahi (the Applicant) lodged a substantive application for Brynderwyn Hills section of the Alternative to Brynderwyn Hills Project (the Project) with the Environmental Protection Agency (EPA). On 30 April 2026 the substantive application was deemed complete and complied with section 46(2) of the FTA Act. It was deemed to not have any competing applications or existing resource consents under section 47 of the FTA Act on 14 May 2026.
3. As a part of the application, the Applicant has applied for four archaeological authorities. HNZPT is the administering agency for the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPT Act) under the FTA Act.
4. On 29 April 2026 the Panel Convener issued a Minute directing the EPA to obtain a report prepared by Heritage New Zealand Pouhere Taonga and the Māori Heritage Council, in accordance with section 51(2)(d) of the Act (April Minute).
5. This report is due 29 July 2026.

Purpose of the Report

6. The specific directions of the Panel Convener in the April Minute were:
 - (a) *How the weighting of matters set out in the relevant schedules should be approached, having regard to applicable statutory provisions and relevant senior court decisions (s51(1)).*
 - (b) *If DOC, HNZPT and MHC do not agree with, or wish to amplify, the expert and planning assessments lodged in support of the application, they must file a report in accordance with the relevant schedule (s51(2)(c) or s51(2)(d)).*
 - (c) *DOC, HNZPT and MHC may confirm and append advice, including legal advice, previously given in response to directions under section 51 on another project.*
 - (d) *DOC, HNZPT and MHC are to respond to the draft conditions, including any management plans attached to the application, recommending tracked changes (if any).*
7. This Report addresses these matters and makes a recommendation to the Panel regarding the archaeological authority applications as part of the Project.

The Project

8. The Project is the construction of a 17 km four-lane state highway extending north from the SH1 / Baldrock Road intersection at Pukekaroro in the south, traversing the Brynderwyn Hills (to the west of the existing SH1) and terminating immediately west of Waipū in the north. This includes the construction of bridges, significant earthworks, establishment of temporary haulage/site access roads, stormwater and stream management, landscaping and environmental mitigation works.

Documentation received and reviewed

9. This recommendation is based on HNZPT's review of the following documents:
- Vol.B - Appendix D05 - Assessment of Effects on Archaeology (Campbell & Brown Assessment)
 - Vol.D - Appendix C - Archaeological authority conditions
 - VOLUME D - FTAA Substantive Application - HNZPT Archaeological Authorities
 - Vol.A - Appendix G - Cultural Impact Assessment - Patuharakeke Te Iwi Trust Board
 - Vol.A - Appendix H - Cultural Impact Assessment - Te Uri o Hau

Updated Documents

10. On 13 July 2026 the Applicant circulated the following documents that have been considered by HNZPT in relation to the comments on the proposed conditions:
- Vol.D - Appendix C – Archaeological authority conditions – 13 July 2026
 - Archaeological authority conditions – Appendix A – archaeological authorities
 - Archaeological authority conditions – Appendix B – Pa sites

Heritage New Zealand Pouhere Taonga Assessment

Matters in clause 3, Schedule 8

11. HNZPT recommends that all four archaeological authorities be **granted with conditions**, attached as **Appendix A**.

Weighting of clause 4, Schedule 8 matters

12. HNZPT has provided advice on this to the Panel in the Delmore application, a copy of that advice is appended to this Report as **Appendix B**. In short, the greatest weight is given to (a) the purpose of the FTA Act; in respect of the matters set out in section 59(1)(a) of the HNZPTA, it is an overall assessment, rather than a hierarchy of matters for consideration.

Review of Technical Reports

13. HNZPT agrees with the Campbell & Brown assessment, in particular:
14. There are 13 recorded archaeological sites within the proposed designation area including:
- four pā (Q08/360, Q08/39, Q08/700 and Q08/546)

- three pit sites (Q08/56, Q08/702 and Q08/57)
- one midden site (Q08/701)
- one findspot of a nephrite adze (Q08/403)
- Old kauri working area (Q08/560)
- Site of Hugh McKenzie's Homestead (Q08/555)
- McGregor's Blacksmith (Q08/663)
- Site of several domestic and commercial buildings at the Junction (Q08/652)

15. The site of the Hugh McKenzie's Homestead was recorded within the proposed designation, however, through subsequent research, the actual location was outside of the proposed designation. Therefore, will not be affected by the proposed works and is not assessed further or included in the archaeological authority.

16. The four pā located within the designation have all been avoided as set out in VOLUME-D-FTAA-Substantive-Application-HNZPT-Archaeological-Authorities_Redacted. There is potential for additional archaeological sites and material to be encountered during the proposed works;

17. The proposed works will modify or destroy the remaining nine recorded archaeological sites, and there is potential that other sites may be modified or destroyed during the proposed works;

Archaeological Management Plan

18. HNZPT considers that a management plan is essential to ensure mitigation of any adverse effects and provide certainty for same. The Applicant has not included a management plan in its application but has proposed a condition that sets out the matters that such a plan (Historic Heritage Management Plan) is required to include, and provision for this to be certified by HNZPT as satisfying those requirements.

19. Although HNZPT has not had any discussions or reviewed a draft management plan, we are comfortable that the proposed condition, with some amendments, sets out the architecture for an appropriate management plan and future certification of same. This is set out in condition AA2 of Appendix A.

Archaeological Research and Mitigation Strategy

20. Similarly, the Applicant has not provided an Archaeological Research and Mitigation Strategy (Strategy) and proposes inclusion of a Strategy within the management plan proposed above.

21. The purpose of a research strategy is to provide the research objectives that archaeological investigations should address and the methodologies to be followed to achieve those objectives. HNZPT is satisfied that a condition can appropriately capture what must be included in a Strategy.

22. HNZPT recommends that the management plan and Strategy are separate conditions, due to their different functions and the need for both to be approved in their own right by HNZPT, prior to works commencing. This is set out in condition AA3 of Appendix A.

Recommendation

23. HNZPT has considered the application against the criteria set out in clause 4, Schedule 8, summarised as follows:

Section 59(1)(a) HNZPTA

24. The granting of the archaeological authorities for this application would be consistent with the matters set out in section 59(1)(a) of the HNZPTA:
25. There is no evidence to suggest that the historical and cultural heritage value of the recorded and any potential subsurface archaeological sites justifies their protection. While it has been noted that a statutory acknowledgement area (Te Uri o Hau Settlement) overlaps part of the Proposed Designation, no works or archaeological authorities are required within this area. The Applicant has undertaken consultation with iwi/hapū, who have not expressed opposition to the application proposal.
26. HNZPT considers that the conditions, with the suggested amendments, for the authorities will work with any fast-track approval for the land use activity to effectively manage the identification and recovery of archaeological information within the application site.

Section 47(1)(a)(ii) and (5) HNZPTA

27. Section 47(1)(a)(ii) and (5) only apply for an authority application made pursuant to section 44(b) of the HNZPTA – a minor effects authority. This is not a minor effects application, and therefore these sections are not relevant.

Relevant Statement of General Policy

28. The relevant Statements of General Policy are Tauākī Mātai Whaipara Archaeology Statement and Tauākī Hapahapai Advocacy Statement included in He Tauākī Kaupapahere Whānui Statements of General Policy dated October 2025. (Statements of General Policy).
29. The proposal is consistent with the objectives and policies of Tauākī Mātai Whaipara Archaeology Statement, particularly with regard to Policies 2.1 and 2.2 in relation to ongoing and meaningful involvement of hapū and iwi.

HNZPT commends the Applicant for its deliberate avoidance of pā sites within the Designation boundary and the inclusion of measures to protect recorded archaeological sites. This is consistent with Policy 1.38 in Tauākī Hapahapai Advocacy Statement, which states that HNZPT does not support any development activity on significant archaeological sites, including pā, other than in exceptional circumstances.

Conditions

30. HNZPT has considered the Applicant's proposed conditions against the conditions listed in Schedule 8, clause 5(1) of the FTA Act, and the standard conditions that HNZPT imposes on authorities granted under the HNZPTA. These standard conditions have demonstrated their effectiveness in regulating this type of activity and give effect to the Statement of General Policy, in particular with regard to the objectives and policies identified above.
31. HNZPT recommends amendments and some additional conditions in order to ensure that the archaeological works:

- are undertaken in a culturally appropriate way; and
 - mitigate any adverse effects on the adversely affected archaeological values; and
 - will allow for any information collected to be recorded in a report and accessible to other archaeologists and interested persons; and
 - can be monitored and measured to ensure compliance.
32. HNZPT has prepared a modified set of conditions included at **Appendix A** for all four archaeological authorities based on the 13 July 2026 archaeological condition set. The same condition set has been duplicated for all four authorities.
33. The explanatory detail in the 13 July 2026 condition set, including the definitions and the advice notes have been removed and incorporated into the authority details where relevant.
34. The following key amendments have been made to the applicants' conditions:

NZTA (13 July 2026) condition no.	HNZPT comment	HNZPT condition No. (Appendix A)
AA1	This forms part of the header in the Authority when it is entered into the HNZPT Portal, so no need for separate condition	n/a
AA2	Agree- however has been split into two separate conditions as per the HNZPT Portal based on pre, during, and post works conditions order.	AA1 and AA13
AA3	Agree- however have combined with HHMP condition	AA2
AA4	Have added additional components to be included in the HHMP such as procedures for investigation and recording of archaeological information; timeframes for archaeological work; responsibilities of contractors; shutdown periods to enable works and dispute resolution. This ensures the HHMP meets current archaeological practice standards set out in HNZPT's guideline series.	AA2
	Have separated out the HHMP and the ARMS into two separate conditions. The ARMS and the HHMP function differently in practical terms. HHMP is an on-site document that informs the contractors of the required work in regard to compliance with the archaeological authority. The ARMS sets out the research focus of the archaeological works and the methodology to be employed by the archaeologists to undertake this work. Both the HHMP and the ARMS will require certification before any works commence.	AA3
AA5	Agree- but have combined into HHMP condition and new ARMS condition	AA2/ AA3
AA6	Agree- have combined into HHMP condition	AA2
AA7	Agree- have combined into HHMP condition	AA2

AA8	Disagree- Deemed certification is not supported by HNZPT. The HHMP governs works that may modify or destroy archaeological sites, and as such must be reviewed and certified by an expert HNZPT archaeologist.	n/a
AA9	Agree- added in accordance with current archaeological practice, the HHMP and the ARMS	AA9
AA10	Agree- edited to current practice (in line with the HNZPTA 2014) and included the ARMS separately.	AA10
AA11	Removed general	AA13
AA12	Removed general and added House of Memories Museum in Waipu	AA14

35. The following new conditions have been added to ensure the conditions of the authorities are consistent with the conditions listed in Schedule 8, clause 5(1) of the FTA Act the requirements set out in paragraph 31, above.

- Landowner consent – HNZPT condition no. AA4
- Section 45 approved person – HNZPT condition no. AA5
- Site briefing – HNZPT condition no. AA6
- Tikanga – HNZPT condition no. AA7
- Kōiwi discovery – HNZPT condition no. AA8
- Annual reporting – HNZPT condition no. AA11

Section 45 HNZPTA Approved person

36. The applicant has not yet nominated an archaeologist to undertake the archaeological work under the proposed authorities. As such, a condition must be added to each authority requiring that a person is approved pursuant to section 45 HNZPT Act, prior to any works being undertaken. HNZPT

Signed for and on behalf of Heritage New Zealand Pouhere Taonga,



Dean Whiting

Chief Executive
Heritage New Zealand Pouhere Taonga
PO Box 2629
WELLINGTON 6140

Date: 29 July 2026

Appendix A: Archaeological authority conditions

ARCHAEOLOGICAL AUTHORITY 1

AUTHORITY DETAILS

Authority Number:

Determination Date:

Expiry Date: 35 years

Authority Holder: NZ Transport Agency Waka Kotahi

Postal Address:

Archaeological Sites: Q08/652, Q08/663, Q08/701 and potential subsurface archaeological sites

Location: See Schedule A

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

Landowner Consent: To be provided

DETERMINATION

The FTAA Expert Consenting Panel grants an archaeological authority 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 the location above, to NZ Transport Agency Waka Kotahi 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:

CONDITIONS OF AUTHORITY

No.	Condition
Before Works	
AA1	Start Work Notification The Authority Holder shall notify Heritage New Zealand Pouhere Taonga (HNZPT) and Te Uri o Hau, Patuharakeke Te Iwi Trust and Te Parawhau ki Tai of its proposed start date at least two Working Days before starting Project Works
AA2	Historic Heritage Management Plan The authority must be exercised in accordance with the Historic Heritage Management Plan (HHMP). The purpose of the HHMP is to appropriately manage effects on archaeological sites. The HHMP shall be prepared by a Suitably Qualified Person and include:

	(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: a. Details on where and when Project Works need to cease and can restart; b. Procedures for notifying HZNPT and Iwi Representatives of any accidental discoveries; and c. For kōiwi: i. Procedures for notifying the New Zealand Police; ii. 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 and Iwi Representatives; and (g) Requirements for an on-site briefing and training for those working within the Authority Area to ensure that the HHMP is complied with. (h) the responsibilities of contractors with regard to notification of archaeological sites. (i) requirements for standdown periods to enable archaeological work (j) mechanisms for dispute resolution At least 20 Working Days before starting Project Works the HHMP must be submitted to HNZPT for certification that it satisfies the requirements of this condition. The Authority Holder may update the HHMP by submitting the amended HHMP in writing to HNZPT for its written approval.
AA3	Archaeological Research and Mitigation Strategy The authority holder 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 Iwi Representatives (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. (c) Provision for review and feedback by Te Uri o Hau, Patuharakeke Te Iwi Trust and Te Parawhau ki Tai prior to submission to HNZPT, including for any potential amendments after approval At least 20 Working Days before starting Project Works, the ARMS shall be submitted to HNZPT for written approval. The approved ARMS shall be implemented and complied with for the duration of the Authority. The Authority Holder may update the ARMS by submitting the amended ARMS in writing to HNZPT for written approval.
AA4	Landowner Consent 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.
AA5	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.
AA6	Site Briefing The Authority Holder must ensure that all contractors working on the project are briefed on site by the section 45 approved person (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	
AA7	Tikanga Archaeological work must be undertaken in conformity with any tikanga Māori protocols agreed between the Authority Holder and Te Uri o Hau, Patuharakeke Te Iwi Trust and Te Parawhau ki Tai.
AA8	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.

AA9	Monitoring Any Project Works that will or are likely to affect a known or potential archaeological site must be monitored by the section 45 approved person (or a Suitably Qualified Person the section 45 approved person have appointed to carry out the work on their behalf) in accordance with current archaeological practice, the HHMP and the ARMS.
AA10	Investigation Any evidence of archaeological sites encountered during the exercise of this Archaeological Authority must be investigated, recorded and analysed by the section 45 approved person (or a Suitably Qualified Person the section 45 approved person have appointed to carry out the work on their behalf) in accordance with accepted archaeological practice, the HHMP and the ARMS.
AA11	Annual Reporting Annually from the date of issue of this authority, the Authority Holder must submit to Heritage New Zealand Pouhere Taonga a written report containing a summary of the progress of the activity and any archaeological findings.
After Works	
AA12	Work Completion Notification 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.
AA13	Completion of Archaeological Siteworks 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, to the satisfaction of HNZPT, following the Archaeological Report Guideline (AGS12 2023) is submitted to HNZPT for inclusion in the HNZPT Archaeological Reports Digital Library. (b) Site records are updated or submitted to the NZAA Site Recording Scheme.
AA14	Archaeological Records Within 24 months of the completion of the 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 Waipu. A copy must also be provided to the NZAA Central Filekeeper.



SCHEDULE A

Appellation		
Road reserve	Section 44 SO 510398	Lot 3 DP 514700
ROAD Section 15 SO 70379	ROAD Section 45 SO 510398	Part Allotment 5 Parish of Waipu
ROAD Section 14 SO 70379	Section 4 7 SO 510398	Lot 2 DP 180474
ROAD Section 12 SO 70379	Part Allot 42 PSH OF Waipu	Lot 1 DP 532165
ROAD Section 16 SO 510398	ROAD Section 46 SO 510398	Part Allot 5 PSH OF Waipu
ROAD Section 7 SO 70379	Part Lot 2 DP 45580	Lot 3 DP 180474
ROAD Section 6 SO 70379	Part Allot 62 PSH OF Waipu	Lot 2 DP 532165
ROAD Section 4 SO 70379	Part Allot 42 PSH OF Waipu	Lot 2 DP 309994
ROAD Section 17 SO 510398	ROAD Section 2 SO 313920	Part Allot 4 PSH OF Waipu
ROAD Section 20 SO 510398	Part Lot 4 DP 26325	Part Allot 4 PSH OF Waipu
Part Lot 2 DP 171833	ROAD Section 3 SO 313920	Part Allot 4 PSH OF Waipu
ROAD Section 1 SO 70379	Lot 3 DP 26325	Part Allot 3 PSH OF Waipu
Section 18 SO 510398	Lot 2 DP 26325	Part Allot 4 PSH OF Waipu
ROAD Section 21 SO 510398	Part Lot 1 DP 26325	Part Allot 4 PSH OF Waipu
ROAD Section 22 SO 510398	Part Allot 8 PSH OF Waipu NA557/84,	Part Allotment 5 Parish of Waipu
Section 19 SO 510398	Part Allot 9 PSH OF Waipu	Part Allot 4 PSH OF Waipu
ROAD Section 23 SO 510398	Part Allot 8 PSH OF Waipu	Part Allot 4 PSH OF Waipu
ROAD Section 25 SO 510398	Part Allot 9 PSH OF Waipu	Section 1 SO 64911
ROAD Section 24 SO	Part Allot 8 PSH OF Waipu	STOPPED ROAD SO 64911
Section 26 SO 510398 852379	Part Allot 8 PSH OF Waipu	Lot 7 DP 310457
ROAD Section 27 SO 510398	Lot 2 DP 536742	Lot 6 DP 310457
ROAD Section 28 SO	Lot 1 DP 536742	Part Allot 4 PSH OF Waipu
Section 29 SO 510398	Part Allot 8 PSH OF Waipu	Part Lot 1 DP 46980
Part Allot 115 PSH OF Waipu	Lot 1 DP 24207	Lot 5 DP 310457
ROAD Section 30 SO 510398	ROAD Section 8 SO 389660	ROAD Section 37 SO 510398
ROAD Section 31 SO 510398	Part Allot 8 PSH OF Waipu	ROAD Section 1 SO 313920
ROAD Section 32 SO	ROAD Section 7 SO 389660	Part Lot 1 DP 44163
Allot 113 PSH OF Waipu	Part Allot 8 PSH OF Waipu	
ROAD Section 33 SO 510398	Lot 1 DP 514700	
Allot 595 PSH OF Waipu NA33A/572	Lot 2 DP 514700	
Section 36 SO 510398	Lot 1 DP 180474	



ARCHAEOLOGICAL AUTHORITY 2

AUTHORITY DETAILS

Authority Number:

Determination Date:

Expiry Date: 35 years

Authority Holder: NZ Transport Agency Waka Kotahi

Postal Address:

Archaeological Sites: Q08/546, Q08/403 and potential subsurface archaeological sites

Location: Part Lot 2 DP 24461, Lot 8 DP 162581, Part Allot 316A PSH OF Waipu, Allot 254 PSH OF Waipu, Lot 1 DP 422449

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

Landowner Consent: To be provided

DETERMINATION

The FTAA Expert Consenting Panel grants an archaeological authority 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 the location above, to NZ Transport Agency Waka Kotahi 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:

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AA4	Landowner Consent 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.
AA5	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.
AA6	Site Briefing The Authority Holder must ensure that all contractors working on the project are briefed on site by the section 45 approved person (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	
AA7	Tikanga Archaeological work must be undertaken in conformity with any tikanga Māori protocols agreed between the Authority Holder and Te Uri o Hau, Patuharakeke Te Iwi Trust and Te Parawhau ki Tai.
AA8	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.

AA9	Monitoring Any Project Works that will, or are likely to (in the view of the section 45 approved person), affect a known or potential archaeological site must be monitored by the section 45 approved person (or a Suitably Qualified Person the section 45 approved person have appointed to carry out the work on their behalf) in accordance with current archaeological practice, the HHMP and the ARMS.
AA10	Investigation Any evidence of archaeological sites encountered during the exercise of this Archaeological Authority must be investigated, recorded and analysed by the section 45 approved person (or a Suitably Qualified Person the section 45 approved person have appointed to carry out the work on their behalf) in accordance with accepted archaeological practice, the HHMP and the ARMS.
AA11	Annual Reporting Annually from the date of issue of this authority, the Authority Holder must submit to Heritage New Zealand Pouhere Taonga a written report containing a summary of the progress of the activity and any archaeological findings.
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AA13	Completion of Archaeological Siteworks 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, to the satisfaction of HNZPT, following the Archaeological Report Guideline (AGS12 2023) is submitted to HNZPT for inclusion in the HNZPT Archaeological Reports Digital Library. (b) Site records are updated or submitted to the NZAA Site Recording Scheme.
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ARCHAEOLOGICAL AUTHORITY 3

AUTHORITY DETAILS

Authority Number:

Determination Date:

Expiry Date: 35 years

Authority Holder: NZ Transport Agency Waka Kotahi

Postal Address:

Archaeological Sites: Q08/560, Q08/700, Q08/703, Q08/39 and potential subsurface archaeological sites

Location: See Schedule A

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

Landowner Consent: To be provided

DETERMINATION

The FTAA Expert Consenting Panel grants an archaeological authority 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 the location above, to NZ Transport Agency Waka Kotahi 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:

CONDITIONS OF AUTHORITY

No.	Condition
Before Works	
AA1	Start Work Notification The Authority Holder shall notify Heritage New Zealand Pouhere Taonga (HNZPT) and Te Uri o Hau, Patuharakeke Te Iwi Trust and Te Parawhau ki Tai of its proposed start date at least two Working Days before starting Project Works
AA2	Historic Heritage Management Plan The authority must be exercised in accordance with the Historic Heritage Management Plan (HHMP). The purpose of the HHMP is to appropriately manage effects on archaeological sites. The HHMP shall be prepared by a Suitably Qualified Person and include:

	(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: g. Details on where and when Project Works need to cease and can restart; h. Procedures for notifying HZNPT and Iwi Representatives of any accidental discoveries; and i. For kōiwi: i. Procedures for notifying the New Zealand Police; ii. 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 and Iwi Representatives; and (g) Requirements for an on-site briefing and training for those working within the Authority Area to ensure that the HHMP is complied with. (h) the responsibilities of contractors with regard to notification of archaeological sites. (i) requirements for standdown periods to enable archaeological work (j) mechanisms for dispute resolution At least 20 Working Days before starting Project Works the HHMP must be submitted to HNZPT for certification that it satisfies the requirements of this condition. The Authority Holder may update the HHMP by submitting the amended HHMP in writing to HNZPT for its written approval.
AA3	Archaeological Research and Mitigation Strategy The authority holder 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:

	(g) 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 Iwi Representatives (h) 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. (i) Provision for review and feedback by Te Uri o Hau, Patuharakeke Te Iwi Trust and Te Parawhau ki Tai prior to submission to HNZPT, including for any potential amendments after approval At least 20 Working Days before starting Project Works, the ARMS shall be submitted to HNZPT for written approval. The approved ARMS shall be implemented and complied with for the duration of the Authority. The Authority Holder may update the ARMS by submitting the amended ARMS in writing to HNZPT for written approval.
AA4	Landowner Consent 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.
AA5	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.
AA6	Site Briefing The Authority Holder must ensure that all contractors working on the project are briefed on site by the section 45 approved person (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	
AA7	Tikanga Archaeological work must be undertaken in conformity with any tikanga Māori protocols agreed between the Authority Holder and Te Uri o Hau, Patuharakeke Te Iwi Trust and Te Parawhau ki Tai.
AA8	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.
AA9	Monitoring

	Any Project Works that will, or are likely to (in the view of the section 45 approved person), affect a known or potential archaeological site must be monitored by the section 45 approved person (or a Suitably Qualified Person the section 45 approved person have appointed to carry out the work on their behalf) in accordance with current archaeological practice, the HHMP and the ARMS.
AA10	Investigation Any evidence of archaeological sites encountered during the exercise of this Archaeological Authority must be investigated, recorded and analysed by the section 45 approved person (or a Suitably Qualified Person the section 45 approved person have appointed to carry out the work on their behalf) in accordance with accepted archaeological practice, the HHMP and the ARMS.
AA11	Annual Reporting Annually from the date of issue of this authority, the Authority Holder must submit to Heritage New Zealand Pouhere Taonga a written report containing a summary of the progress of the activity and any archaeological findings.
After Works	
AA12	Work Completion Notification 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.
AA13	Completion of Archaeological Siteworks 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, to the satisfaction of HNZPT, following the Archaeological Report Guideline (AGS12 2023) is submitted to HNZPT for inclusion in the HNZPT Archaeological Reports Digital Library. (b) Site records are updated or submitted to the NZAA Site Recording Scheme.
AA14	Archaeological Records Within 24 months of the completion of the 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 Waipu. A copy must also be provided to the NZAA Central Filekeeper.



SCHEDULE A

Appellation
Lot 1 DP 86796
Lot 2 DP 521775
Lot 1 DP 573641
Road reserve
Part Lot 1 DP 113162
Lot 2 DP 113162
Lot 1 DP 196710
Lot 3 DP 573641
5240636
Lot 1 DP 521775
Lot 1 DP 208336
Lot 2 DP 196710
Part Lot 11 DP 3184
Lot 6 DP 160430
Lot 7 DP 162581
Lot 2 DP 417208
Lot 3 DP 171842
Lot 1 DP 171842
STREAM BED Lot 9 DP 162581
Lot 3 DP 162581
Lot 1 DP 162581
Lot 1 DP 417208
Lot 2 DP 573641
Lot 1 DP 86300
Lot 1 DP 374877



ARCHAEOLOGICAL AUTHORITY 4

AUTHORITY DETAILS

Authority Number:

Determination Date:

Expiry Date: 35 years

Authority Holder: NZ Transport Agency Waka Kotahi

Postal Address:

Archaeological Sites: Q08/56, Q08/57, Q08/360, Q08/702 and potential subsurface archaeological sites

Location: See Schedule A

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

Landowner Consent: To be provided

DETERMINATION

The FTAA Expert Consenting Panel grants an archaeological authority 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 the location above, to NZ Transport Agency Waka Kotahi 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:

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SCHEDULE A

Appellation
Road Reserve
Lot 1 DP 125854
Lot 2 DP 168734
Section 12 SO 456515
ROAD Section 1 SO 456515
ROAD Section 2 SO 456515
Section 10 SO 456515
Section 11 SO 456515
Section 3 SO 456515
Lot 1 DP 49503
Lot 1 DP 131271
Lot 1 DP 85974
Lot 4 DP 143908
Lot 8 DP 196115
Lot 1 DP 168734
Lot 3 DP 143908
Lot 2 DP 135342
Lot 2 DP 37995
Lot 100 DP 447692
Lot 1 DP 544537
Lot 9 DP 44 7692
Lot 2 DP 27868
Part Lot 7 DP 28821
Lot 1 DP 466121
Part Lot 1
Part Lot 2 DP 29926
Lot2 DP466121
Lot 1 DP 41573
ROAD Section 1 SO 413363
Part Lot 6 Deposited Plan 28821
ROAD Section 2 SO 413363



Appendix B: Weighting of matters set out in Schedule 8, Clause 4 of the FTA Act

Re: Delmore [FTAA-2502-1015] Request for advice dated 11 April 2025

37. You have asked Heritage New Zealand Pouhere Taonga (Heritage New Zealand) for advice regarding the following:

- 38. the weighting of matters outlined in Schedule 8, clause 4 of the Fast Track Approvals Act 2024 (FTA Act), having regard to senior court decisions; and
- 39. agreement or otherwise in respect of the statutory summary provided by Barker & Associates Ltd (Barker Report).

Weighting of matters outlined in Schedule 8, Clause 4 of the FTA Act

40. Schedule 8, clause 4 states:

For the purposes of [section 81](#), when considering an application for an archaeological authority, including conditions in accordance with [clause 5](#), the panel must take into account, giving the greatest weight to paragraph (a),—

- (a) the purpose of this Act; and*
- (b) the matters set out in [section 59\(1\)\(a\)](#) of the HNZPT Act¹; and*
- (c) the matters set out in [section 47\(1\)\(a\)\(ii\) and \(5\)](#) of the HNZPT Act; and*
- (d) a relevant statement of general policy confirmed or adopted under the HNZPT Act.*

41. The wording of the clause itself makes it clear that the Panel gives the greatest weight is given to (a) the purpose of the FTA Act. Of the other matters:

Section 59 matters

42. There is no hierarchy between the matters set out in section 59(1)(a), rather it is an overall assessment. This is evident in the assessment carried out by Heritage New Zealand that will be provided to the Panel with a recommendation.

Section 47(1)(a)(ii) and (5)

43. These sections only apply for an authority application made pursuant to section 44(b) of the HNZPTA – a minor effects authority.

44. The Delmore application is not for an authority pursuant to section 44(b), so the matters in Schedule 8, clause 4(c) are not relevant considerations for this application.

¹ Heritage New Zealand Pouhere Taonga Act 2014

Statement of General Policy

45. The relevant Statement of General Policy is *The Administration of the Archaeological Provisions under the Heritage New Zealand Pouhere Taonga Act 2014*, dated 29 October 2015.
46. Note, this is currently under review and we anticipate a new Statement of General Policy will be in place from October 2025.

Statutory Summary in Barker Report

47. We have reviewed section 13.3² and section 14.5³ of the Barker Report that set out the statutory requirements in relation to an approval under the HNZPT Act.
48. Section 13.3 sets out relevant information in relation to obtaining an approval pursuant to the HNZPT Act. We agree with the description of clauses 3, 4, and 5 of the FTA Act.
49. Section 14.5 uses subheadings to assess the matters set out in Schedule 8, clause 4 of the FTA Act that the Panel is to have regard to.
50. We agree that the matters listed are those contained in Schedule 8, clause 4. Of these, sections 47(a)(ii) and (5) HNZPT Act are not relevant considerations for this matter, as this is not an application made pursuant to section 44(b) HNZPT Act – minor works authority.
51. The s51 Report prepared by Heritage New Zealand will comment on each of these sections and give an assessment of same before reaching an overall recommendation for the authority application.

² Titled “Approvals Relating to HNZPT 2014 – Schedule 8”

³ Titled “Heritage Authority Approval Sought: Sections 59(1)(a) and 47(1)(a)(ii) and (5) of the HNZPT and Relevant Statement of General Policy”