

Attachment 4

Takitimu North Link - Stage 2

NZ Transport Agency Waka Kotahi (NZTA) response to Heritage New Zealand Pouhere Taonga (HNZPT) comment dated 9 December 2025 and section 51 report dated 25 November 2025

NZTA acknowledges and appreciates the several statements made by HNZPT that are supportive of / agree with NZTA's proposed approach on various matters, the bulk of which are not commented on in this response table. In particular, NZTA notes HNZPT's recommendation to grant the Archaeological Authorities (subject to some proposed condition changes), and approval of Dr Warren Gumbley as the person to undertake the archaeological work under the Authorities. NZTA appreciates the constructive approach HNZPT has taken towards engagement in relation to the Project throughout the Application process and the detailed feedback it has provided on the Application and [Proposed Archaeological Authority Conditions](#).

Since lodgement of the Substantive Application, NZTA has engaged further with HNZPT to narrow the few outstanding areas of disagreement with respect to the Proposed Archaeological Authority Conditions, including discussions between NZTA's heritage expert and HNZPT. There remain some areas of disagreement with HNZPT on some conditions. These areas of disagreement largely relate to HNZPT's desire to retain 'standard' conditions that it generally applies on archaeological authorities (i.e. authorities that are not obtained under the Fast-track Approvals Act 2024), which NZTA do not consider are necessary or appropriate for this Project. That said, in response to the latest round of engagement with HNZPT and HNZPT's comments and s51 report, NZTA has made a number of updates to the Proposed Archaeological Authority conditions that seek to address HNZPT's residual concerns. Updated versions of the Proposed Archaeological Authority Conditions are attached as Attachment 4A (clean) and Attachment 4B (tracked).

#	Reference	Topic	Extracts (or summary, where specified)	NZTA response to s51 report / comment
1.	[20]	Conditions	<p><i>HNZPT recommends amendments to the conditions in order to ensure that the archaeological works:</i></p> <ul style="list-style-type: none"> • <i>are undertaken in a culturally appropriate way; and</i> • <i>mitigate any adverse effects on the archaeological values; and</i> • <i>will allow for any information collected to be recorded in a report and accessible to other archaeologists and interested persons; and</i> • <i>can be monitored and measured to ensure ongoing compliance.</i> 	<p>NZTA considers the Proposed Archaeological Authority Conditions ensure all of these outcomes. That said, NZTA agrees in principle with some of HNZPT's suggested changes to the Conditions, and has sought to incorporate some of the feedback provided by HNZPT to further improve the Conditions. NZTA's responses to each suggested amendment are as set out below and updated versions of the Proposed Archaeological Authority Conditions are attached as Attachment 4A (clean) and Attachment 4B (tracked).</p>
2.	[22]			
3.	[32-33]	Statement of General Policy	<p><i>[32] The project is consistent with the objectives and policies of the Statement of General Policy. Policy 2.36 sets out the expectation for the applicant to create and implement a plan for the archaeological archive (written or drawn documentation, digital files, and materials recovered).</i></p> <p><i>[33] Further, Policy 2.35 sets out the expectation that processes will be developed with hapū and iwi or landowners to retain/ dispose of the archaeological archive. Due to the scale of this project and the longevity of the proposed authority, HNZPT recommends that such a plan be included in the AMP, required in the recommended conditions. This would ensure that the project is consistent with and gives effect to the relevant Statement of General Policy.</i></p>	<p>As noted in HNZPT's s51 report, the Substantive Application was prepared prior to the adoption of this Statement of General Policy, and the previous Statement of General Policy in place did not include policies relating to the archaeological archive. NZTA agrees with HNZPT that any requirements relating to the new Statement of General Policy can be covered off in the Archaeological Management Plan (AMP).</p>

Proposed condition amendments			HNZPT conditions commentary	NZTA response
4.	Appendix B ¹	AA1	The Authority shall expire 20 years after the date the Authority is granted.	<p><i>The expiry is recorded above, no need for a condition stating same.</i></p> <p>NZTA agrees with the deletion, so long as the 20 year expiry (from the date the Authority is granted), is retained in the Archaeological Authorities documentation.</p>
5.		AA2	<i>The Authority Holder shall advise Heritage New Zealand Pouhere Taonga (HNZPT), Pirirākau, and Ngāti Taka of the date when archaeological works will begin at least two Working Days before archaeological works start.</i>	<p><i>-</i></p> <p>NZTA agrees with the insertion of references to Pirirākau and Ngāti Taka in this condition. NZTA opposes the change with respect to 'HNZPT' as this is a defined term in the definitions within the Proposed Archaeological Authority conditions. Accordingly, the amendment proposed is not required.</p>

¹ Note the conditions included in Appendix C to HNZPT's s51 report are slightly different to the condition amendments proposed in Appendix B. Our response table captures the Appendix B proposed amendments in **red**, with the additional Appendix C amendments that were not included in Appendix B identified in **green**. The headers for each condition included in Appendix C but not Appendix B have not been incorporated. NZTA considers that these headers are not necessary. NZTA notes the proposed order of conditions in Appendix C is also different to that in Appendix B. NZTA seeks to retain the conditions order that it has proposed in Attachments 4A and 4B.

		Proposed condition amendments	HNZPT conditions commentary	NZTA response
6.		AA3 <i>The Authority Holder shall advise HNZPT, <u>Pirirākau, and Ngāti Taka</u>, of the completion of archaeological works within five Working Days of completion.</i>	-	NZTA agrees with the insertion of references to Pirirākau and Ngāti Taka in this condition.
7.		AA4 <i>Pursuant to section 45(1) of the HNZPT Act 2014 and schedule 8 clause 7 of the Fast track Approvals Act 2024, the Project Archaeologist is approved by HNZPT to carry out any archaeological work required as a condition of this authority, and to compile and submit a report on the work done.</i>	<p><i>When finalised move to the "After Works" section to align with actual timeframes and requirements to assist the Authority Holder.</i></p> <p><i>This is not a condition of an authority - rather it is a separate permission, and is able to be changed. If this is a condition, then if the s45 approved archaeologist changes then it would require a formal application to vary conditions.</i></p>	NZTA agrees with this deletion, so long as confirmation of Mr Warren Gumbley as the s45 approved person for the Authorities is retained in the Archaeological Authorities documentation. NZTA notes that the Archaeological Authorities are being sought under the Fast-track Approvals Act (FTAA), with approval of the s45 Project Archaeologist being sought at the same time (Schedule 8, clause 7 of the FTAA). Therefore, no 'separate permission' outside of this process will be sought (unless there is a need to change the Project Archaeologist in the future).
8.		AA5 <i>(a) The Authority Holder shall prepare an Archaeological Management Plan (AMP). The purpose of the AMP is to outline procedures for day-to-day activities that may affect archaeological sites, <u>including provisions for:</u></i>	-	NZTA opposes this suggestion and prefers the original wording proposed.
		<i>(b) The AMP shall be prepared in accordance with New Zealand Transport Agency P45 Heritage specification for land transport infrastructure (April 2024), or any subsequent versions.</i>	<p><i>The AMP should be prepared in accordance with the HNZPT standards and guidelines which are prepared solely to achieve best practice for archaeological site management prepared by HNZPT to achieve consistency with all archaeological works around New Zealand.</i></p> <p><i>As drafted this condition refers to a document prepared by NZTA and it is not appropriate that a document prepared by the Applicant is the standard by which the AMP is prepared and then assessed by HNZPT for compliance with best practice.</i></p>	NZTA agrees with the deletion of AA5(b). While no specific amendments to the conditions have been proposed to this effect, NZTA notes that it does not consider it appropriate to require compliance with HNZPT Guidelines within the conditions. Guidelines are guidelines, not rules, and are not intended to be complied with in all scenarios. There may be some scenarios where steps differing from those set out in the HNZPT Guidelines are required. In addition, NZTA considers including a broad reference to compliance with general guidelines to be too vague and uncertain to satisfy the requirements for legally enforceable conditions.
		<i>(c) The AMP shall include:</i> <i>(i) Provision for <u>access to</u> Pirirākau and Ngāti Taka <u>to undertake tikanga consistent with any requirements of site safety cultural monitoring to take place during archaeological investigations</u>; and</i> <i>(ii) Procedures for reporting items, artefacts, and / or other archaeological finds to Pirirākau and Ngāti Taka.</i>	-	NZTA accepts the amendments to this provision, subject to some very minor wording refinements, which are set out in the updated versions of the Proposed Archaeological Authority Conditions at Attachment 4A (clean) and Attachment 4B (tracked).
		<i>(d) At least 10 Working Days before submitting the AMP to HNZPT for certification in accordance with AA5(e), the AMP shall be provided to Pirirākau and Ngāti Taka for review and comment. The Authority Holder shall consider any written feedback received from Pirirākau and Ngāti Taka and incorporate suggestions from the written feedback as the Authority Holder considers appropriate. The AMP shall include a summary of written feedback received by Pirirākau and Ngāti Taka and outline how feedback has been incorporated into the AMP and, if not, the reasons for that.</i>	<p><i>This condition refers to NZTA internal process. This is not something that HNZPT can monitor compliance with and as such should not be a condition of the authority.</i></p>	NZTA oppose this deletion. NZTA consider it important and appropriate to retain involvement of Pirirākau and Ngāti Taka in monitoring, reporting and preparation of the AMP and archaeological research and mitigation strategy (Strategy) for the archaeological authorities. NZTA's Proposed Archaeological Authority Conditions require NZTA to include a summary of any feedback received from Pirirākau and Ngāti Taka on the AMP and / or Strategy and how that feedback has been incorporated into the AMP and / or Strategy. HNZPT will then certify that the AMP and Strategy comply with the requirements in the Proposed Archaeological Authority Conditions, ie that they include a summary of hapū feedback. If HNZPT consider that the AMP and Strategy do not comply with the requirements (ie by not including this information), HNZPT can choose not to certify the documents. There is no requirement on HNZPT to monitor any internal NZTA process.
		<i>(e) Prior to starting At least 20 Working Days before starting Project Works archaeological works, the AMP shall be submitted to HNZPT for its written approval certification that the AMP satisfies the requirements of AA5(a) and (b). No archaeological works can commence until this approval has been given.</i>	<p><i>There is no need to specify a time period here. Rather the requirement is that no works can begin before the AMP is approved.</i></p> <p><i>HNZPT will accept the "20 working days" but recommends the inclusion of "No works can commence until this approval has been given."</i></p> <p><i>HNZPT cannot "certify" the AMP against a set of criteria set by NZTA (the Applicant). Rather HNZPT will assess the appropriateness of the AMP against best practice</i></p>	NZTA oppose the amendments sought. 20 working days provides HNZPT with sufficient time to review and certify the AMP, prior to Project Works commencing. NZTA consider that there is no need to include the reference to 'no works can commence until this approval has been given' as the prohibition on works until certification is provided (or deemed certification) is already addressed in (h). NZTA proposes to retain the existing reference to 'certify' as opposed to 'approval', as its meaning is well understood with respect to management plans. NZTA have sought to provide a list of requirements for the AMP in (b) that are the key features

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			<p>which is what its Guidelines are based on and provide its written consent if the AMP is fit for purpose.</p> <p>As such references to "certified" or "certification" have been removed in AA5</p>	<p>that need to be included in the AMP (in accordance with best practice), providing clear parameters against which HNZPT is to certify the AMP.</p> <p>NZTA oppose the replacement of 'Project Works' with 'archaeological works' because the description in the header of HNZPT's draft authority, being "extensive earthworks associated with the construction of a four-lane, median-divided highway, referred to as Takitimu North Link Project – Stage 2 (archaeological works)" does not provide sufficient specificity and clarity of the works intended to be captured. NZTA notes that 'Project Works', is defined in the Proposed Conditions as including 'Enabling Works' and 'Construction Works', with specific definitions listing activities to be captured by both of those individual definitions. NZTA's definition of 'Project Works' therefore encompasses archaeological investigations. However, is it not clear that 'Enabling Works' as per NZTA's definition would be captured by HNZPT's 'archaeological works' definition. NZTA therefore propose to retain its existing reference to 'Project Works', which is clearly defined in the Proposed Archaeological Authority Conditions definitions, captures all activities to be covered by the Archaeological Authority, and is consistent with language used in all the other sets of NZTA's proposed conditions.</p>
		(f) The certified approved AMP shall be implemented and complied with for the duration of the Archaeological Authority.	For the reasons already provided.	NZTA opposes this change for the reasons set out above.
		(g) The Authority Holder may update the AMP by submitting the amended AMP in writing to HNZPT for certification its written approval in accordance with AA5(e) .	Same reasoning as above - it is not appropriate for the Applicant to set the criteria by which HNZPT, as the regulator, must measure the appropriateness of an AMP also prepared by the Applicant.	NZTA opposes this change for the reasons set out above.
		-	-	<p>NZTA notes that (h) setting out provision for deemed certification was not included (ie not included or tracked against) in HNZPT's comments on conditions. For completeness, NZTA's position is that:</p> <ol style="list-style-type: none"> The provision of 20 working days for HNZPT to certify the proposed AMP and Strategy is ample time, and allows for a process of updating the AMP and Strategy in response to any feedback provided by HNZPT. The Project cannot be indefinitely held up as a result of a delay in HNZPT providing certification of its proposed AMP and Strategy. The provision of deemed certification of the AMP and Strategy is consistent with the approach taken for other management plans that are to be provided to the councils, or other agencies for certification. The Proposed Archaeological Authority Conditions allow for updates to be made to the AMP and Strategy, which could be used for any changes to the AMP and Strategy that are appropriate, in response to later feedback from HNZPT.
9.	AA6	<p>(a) The Authority Holder shall prepare an Archaeological Research and Mitigation Strategy (Strategy). The purpose of the Strategy is to identify the research objectives that archaeological investigations should address and the methodologies to be followed to achieve those objectives. The research objectives shall be informed by regional and national research themes.</p> <p>(b) At least 10 Working Days before submitting the Strategy to HNZPT for certification in accordance with AA6(c), the Strategy shall be provided to Piriākau and Ngāti Taka for review and comment. The Authority Holder shall consider any written feedback received from Piriākau and Ngāti Taka prior to providing the Strategy to HNZPT, as required in AA6(c), and incorporate suggestions from the written feedback as the Authority Holder considers appropriate.</p>	-	-
			<p>This condition refers to NZTA internal process. This is not something that HNZPT can monitor compliance with and as such should not be a condition of the authority.</p>	NZTA opposes this deletion, for the reasons set out above.

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		(c) <i>Prior At least 20 Working Days before to</i> starting any archaeological works Project Works, the Strategy shall be submitted to HNZPT for its written approval certification that the Strategy satisfies the requirements of AA6(a). <i>No archaeological works can commence until this approval has been given.</i>	<p>There is no need to specify a time period here. Rather the requirement is that no works can begin before the AMP is approved.</p> <p>HNZPT will accept the "20 working days" but recommends the inclusion of "No works can commence until this approval has been given."</p> <p>"archaeological" works is defined in the authority header details</p> <p>AA6(a) is not a standard by which something can be certified, rather it is a purpose for a document.</p> <p>As such references to "certified" or "certification" have been removed in AA6</p> <p>It is important to record that no works can begin until this approval has been given for certainty and avoidance of doubt.</p>	<p>NZTA oppose the changes proposed, as set out above.</p> <p>NZTA consider it is appropriate to provide a specific timeframe for when the AMP / Strategy are to be provided to HNZPT for certification, in order to ensure timeframe and process certainty for all parties.</p> <p>NZTA oppose the replacement of 'Project Works' with 'archaeological works' for the reasons set out above.</p>
		(d) The certified approved Strategy shall be implemented and complied with for the duration of the Archaeological Authority.	-	NZTA opposes this amendment as per comments above.
		(e) The Authority Holder may update the Strategy by submitting the amended Strategy in writing to HNZPT for its written approval certification in accordance with AA6(e).	-	NZTA opposes this amendment as per comments above.
		-	-	NZTA notes that (f) setting out provision for deemed certification was not included (ie not included or tracked against) in HNZPT's comments on conditions. See the comment above at 8 in relation to deemed certification.
		New <i>The Authority Holder must provide HNZPT with the consent of all landowners of the land subject to this Authority prior to any archaeological works commencing on that land.</i>	-	NZTA agrees in principle with this proposed condition, subject to wording refinements to make it clear that landowner consent is only required for non-Crown land. This proposed condition is set out in the updated versions of the Proposed Archaeological Authority Conditions at Attachment 4A (clean) and Attachment 4B (tracked).
10.	New	<i>The authority holder must ensure that all contractors working on the project are briefed on site by the s45 approved person, who may appoint a person to carry out the briefing on their behalf, prior to any works commencing. The briefing must include as to- the possibility of encountering archaeological evidence; how to identify possible archaeological sites during works; the archaeological work required by the conditions of this authority; and contractors' responsibilities with regard to notification of the discovery of discovering archaeological evidence (including stopping works and parties to notify) to ensure that the authority conditions are complied with.</i>	<i>This is an important condition to include to ensure that all persons working onsite understand the responsibilities under this authority; and understand what constitutes archaeological material and what the process is if this is encountered during works.</i>	NZTA agrees to this proposed condition, subject to some wording refinements for clarity and readability, which are set out in the updated versions of the Proposed Archaeological Authority Conditions at Attachment 4A (clean) and Attachment 4B (tracked).
11.	New	<i>Archaeological work must be undertaken in conformity with any tikanga Māori protocols agreed between the Authority Holder and Pirirākau and Ngāti Taka.</i>	-	-
12.	AA6	<i>If any kōiwi (human remains) are encountered, all work should cease within 5 metres of the discovery. The HNZPT, New Zealand Police and Pirirākau and Ngāti Taka must be advised immediately in accordance with Guidelines for Kōiwi Tangata/Human Remains (AGS8 2010) and no further work in the area may take place until future actions have been agreed by all parties.</i>	-	-
13.	New		-	NZTA agrees in principle for provision in relation to incidental discovery of kōiwi in the Archaeological Authority conditions. However, NZTA consider the condition proposed to be vague and unhelpful in terms of the required steps and process to apply in the event of kōiwi discovery. NZTA considers the condition is too uncertain to satisfy the requirements for legally enforceable conditions. NZTA therefore opposes the condition as drafted. NZTA consider that the detail in relation to discovery of kōiwi is more appropriately captured in the AMP itself (as has been done in the draft AMP). That said, NZTA will propose amendments to the Archaeological Authority conditions to provide specific reference to kōiwi process.

		Proposed condition amendments	HNZPT conditions commentary	NZTA response
				See new Condition AA3(vi) in the updated Archaeological Authority Conditions contained in Attachment 4A (tracked).
14.	AA8	<i>Any earthworks that may affect an archaeological site may must be monitored by the s45 approved archaeologist, who may appoint a person to carry out the monitoring on their behalf in accordance with accepted archaeological practice, the AMP, and the Strategy, an archaeologist at the discretion of the Project Archaeologist.</i>	<i>This is an important condition that must be complied with - therefore the directive used needs to be stronger than "may". The wording has been amended to reflect this mandatory requirement, and also capture the intent of the Applicant - that the monitoring may be delegated - however monitoring must occur in the situation that earthworks may affect an archaeological site.</i> <i>Wording consistent with the HNZPT Act and Statement of General Policy</i>	The draft AMP provides for a risk-based approach as to whether the Project Archaeologist is required to be on-site during earthworks. NZTA understands the intent of the proposed change to Condition AA8 is to require the same, risk-based approach, where whether or not the Project Archaeologist should be on site during earthworks depends on the risk of archaeological sites being affected. NZTA agrees with HNZPT that where there is a likelihood of earthworks affecting an archaeological site, the Project Archaeologist must be on site. However, NZTA considers it unnecessary for the Project Archaeologist to be on site at all times, for all earthworks. As such, NZTA has proposed changes to this Condition to clarify. These changes are set out in the updated versions of the Proposed Archaeological Authority Conditions at Attachment 4A (clean) and Attachment 4B (tracked). NZTA propose to retain the existing reference to 'Project Archaeologist' as opposed to 's45 approved archaeologist' as 'Project Archaeologist' is defined to be the s45 approved archaeologist.
15.	AA9	<i>Any archaeological evidence encountered during the exercise of this Archaeological Authority must be investigated, recorded and analysed in accordance with accepted current archaeological practice, the AMP and the Strategy.</i>	-	NZTA agrees with the proposed change.
16.	AA10	<i>Within 20 Working Days of the completion of on-site archaeological work associated with this Authority, the Authority Holder shall ensure that:</i> <i>(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.</i> <i>(b) Site records are updated or submitted to the NZAA Site Recording Scheme.</i>	-	-
17.	AA11	<i>The Authority Holder shall submit to HNZPT written updates on progress of the Project and archaeological results to date on a monthly basis from the date of commencement of archaeological works, to the satisfaction of HNZPT.</i>	-	-
18.	AA12	<i>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) to the satisfaction of HNZPT, is emailed to HNZPT for inclusion in HNZPT's Archaeological Reports Digital Library, and to Pirirākau and Ngāti Taka. A copy must also be provided to the NZAA Central Filekeeper.</i>	<i>12 months is a more realistic timeframe, considering there are 62 authorities with a 20 year lifespan. The information that can be obtained during the exercise of these authorities is potentially significant and as such should be made available to the public and other archaeologists within 12 months.</i> <i>HNZPT produces a Guideline that provides best practice for submitted reports - this addition reflects the requirement to follow this Guideline to achieve best practice.</i>	NZTA agrees with the amendment proposed in relation to inserting a reference to the Archaeological Report Guideline, subject to wording refinements, which are set out in the updated versions of the Proposed Archaeological Authority Conditions at Attachment 4A (clean) and Attachment 4B (tracked). NZTA consider that 24 months is an appropriate timeframe for final reports on on-site archaeological work (as opposed to 12 months), as radiocarbon data can take 12 months to process and interpret.
19.	Advice Note	Advice note: these conditions apply to all Archaeological Authorities held by the Authority Holder to implement the Project. For clarity, a separate AMP or Strategy under AA5 and AA6 does not need to be prepared for each Authority held. The Authority Holder may prepare one AMP and one Strategy, applying to some or all Authorities held for the Project, in order to comply with these conditions.	-	-