

NZTA acknowledges and appreciates 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 proposed changes to condition 2). NZTA appreciates the constructive approach HNZPT has taken towards engagement in relation to the Project.

Since lodgement of the Substantive Application, NZTA has engaged with HNZPT to narrow the few outstanding areas of disagreement with respect to the Proposed Archaeological Authority Conditions. The only remaining disagreement relates to condition 2 and only insofar as the certification approach for the ACSMP. In this regard it is noted that the intention of NZTA is that the ACSMP will be agreed by HNZPT and Whitiara prior to the issuing of draft conditions by the Expert Panel, so that condition 2 can be amended such that it only requires implementation of the ACSMP. It is understood that HNZPT agrees to this approach.

Updated versions of the Proposed Archaeological Authority Conditions are attached as 2E Proposed Archaeological Authority Conditions Tracker. The revised conditions use the draft authorities provided in HNZPT's Section 51 Report as a base, and show changes using underlining and strikethrough. The reasons for the changes are provided in comments bubbles.

Attachment 5 - NZTA response to comments from Heritage New Zealand Pouhere Taonga in relation to State Highway 1 North Canterbury – Woodend Bypass Project (Belfast to Pegasus)					
Date received	Document name & page / para reference	Comment ID	Topic	Extract / summary of comment	NZTA response
Commenter 4 - Heritage New Zealand Pouhere Taonga					
Section 51(2)(d) archaeological authority report for – FTAA-2512-1157 State Highway 1 North Canterbury – Woodend Bypass Project (Belfast to Pegasus)					
17/04/2026	S51(2)(d) Report, Para 32	4.1	Conditions	NZTA and HNZPT have worked together to achieve an agreed set of conditions, with the exception of condition 2. HNZPT and NZTA are continuing discussion on condition 2.	NZTA and HNZPT have agreed the condition set, with the exception of condition 2. NZTA does not disagree with the purpose statement or listed content of the ACSMP. The specific elements of Condition 2 that NZTA does not agree with are: - No approval timeframe specified; and - the absence of deemed certification if the timeframe is not met. NZTA seeks certification timeframes and deemed certification across all management plan conditions for consistency, and to better facilitate the efficient delivery of the Project.
17/04/2026	S51(2)(d) Report, Paras 34-35	4.2	Conditions	The ACSMP cannot be certified by HNZPT at this stage. A future certification is required, outlining matters that must be included in the ACSMP.	NZTA acknowledges HNZPT's position and will continue to work with HNZPT to finalise the ACSMP so it can be approved as part of the FTAA process. If this can be achieved, disagreement about certification timeframes and deemed certification would fall away.
17/04/2026	S51(2)(d) Report, Para 38	4.3	Section 45 HNZPT Approved Person	HNZPT has reserved its person in relation to the nominated person, and has not made a recommendation on this issue.	Please see response to Comment 4.6
17/04/2026	S51(2)(d) Report, Appendix A	4.4	Conditions	HNZPT recommended conditions	NZTA has agreed the condition sets with HNZPT, with the exception of condition 2 (please see response to Comment 4.1). In addition NZTA has proposed one minor amendment in response to comment from Whitiara (please response to Comment 6.4)
Section 53(2)(k) comments on FTAA-2512-1157 State Highway 1 North Canterbury – Woodend Bypass Project (Belfast to Pegasus)					
04/05/2026	S53(2)(k) Comments	4.5	Conditions	The parties have reached agreement in respect of all but one condition, being condition 2 – the Archaeological and Cultural Sites Management Plan (management plan). The parties agree that there must be a management plan and what that management plan must include. The Applicant is currently working to finalise that	NZTA acknowledges that there are very few matters in contention with respect to the archaeological authorities and associated draft conditions. With respect to Condition 2, the specific elements NZTA seeks are certification timeframes and deemed certification. This applies across all management plan

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				management plan in order to have that certified by HNZPT prior to the granting of the authority, and thus reflected in the conditions. Currently, there is some disagreement as to “deemed certification” in relation to the management plan condition, however the parties are still in discussion, and are confident in reaching agreement on this one remaining matter, if the full certification condition is required. In the event the management plan is certified prior, then HNZPT can advise the Panel via memorandum and note this in its section 70 comments, once invited. To assist the Panel, we have attached a word version of the conditions that we recommend at Appendix A. As the majority of the conditions are agreed, there are only two conditions with track changes applied: • Condition 2 (the management plan condition); and • A new condition relating to the requirement to have a person approved in writing pursuant to section 45 of the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPT Act).	conditions for consistency, and to better facilitate the efficient delivery of the Project. In the event that the ACSMP is approved by HNZPT and Whitiara during the application process, this issue will fall away. NZTA notes HNZPT’s position on the Section 45 condition (please see response to comment 4.6). In short, NZTA accepts the additional condition if Dr Habberfield-Short is not approved as the Section 45 approved person at this time.
04/05/2026	S53(2)(k) Comments	4.6	Section 45 Approved Person	The Applicant has included an application for approval of Dr Jeremy Habberfield-Short to be the person nominated to undertake an activity under the authority. HNZPT advised in its s51 Report that it was awaiting additional information in order to make that recommendation. That information was a final report for a similar roading project that was completed over five years ago. As this final report has not been provided, HNZPT is not satisfied that Dr Habberfield-Short has sufficient skill and competency, or that he is fully capable of ensuring that the proposed activity is carried out to the satisfaction of HNZPT, as required by clause 5(3)(a). As such, HNZPT cannot recommend that Dr Habberfield Short be approved as it is not satisfied that the requirements of clause 5(3) of the FTA Act or s45(2) of the HNZPT Act have been met. As above, due to there being no approved person recommended, new condition 5 is required. This has been discussed with the Applicant.	NZTA has only recently become aware of this matter at the s51 comments stage, where HNZPT reserved their position. The report in question is for another NZTA project, being the North Canterbury Transport Infrastructure Recovery Alliance following the Kaikoura earthquake (NCTIR). That project was of a unique scale and complexity with reporting obligations that are larger than this project. Should the panel be minded not to include approval for Dr Habberfield Short under Section 45 based on the feedback from HNZPT, then NZTA will accept the proposed additional condition requiring the Section 45 person be approved prior to giving effect to the authorities. This would allow sufficient time for Dr Habberfield Short to close out the remaining work on NCTIR and continue on this project. Alternatively NZTA will need to appoint a new Section 45 archaeologist in consultation with Whitiara. NZTA notes that this matter does not affect HNZPT’s recommendation nor the Panel’s ability to grant the Archaeological Authorities for the Project.