

Takitimu North Link Stage 2 – Proposed Archaeological Authority Conditions (~~October~~ December 2025)

DEFINITIONS

The table below defines the acronyms and terms used in the Archaeological Authority conditions. Defined terms are capitalised.

Abbreviation/term	Meaning/definition
Authority Holder	New Zealand Transport Agency Waka Kotahi
Construction Works	Activities undertaken to construct the Project, excluding Enabling Works.
Designation	Designation D203 (Road purposes – State Highway 2) which includes an alteration to D203 extending its footprint over D181 (Road for access to State Highway 2) in the Western Bay of Plenty District Plan.
Enabling Works	<p>Preparatory works and investigations to enable Construction Works, including the following activities:</p> <ul style="list-style-type: none"> • Archaeological investigations • Geotechnical investigations • Formation of access for site investigations • Establishing construction yards and offices • Constructing and sealing (if necessary) access roads and accesses to private properties and the Project • Contaminated land investigations • Demolition or removal works, including contaminated land clearance • Fencing • Vegetation protection or removal works • Investigation, protection and relocation of utilities • Establishment of mitigation measures (such as screen planting) for Enabling Works
HNZPT	Heritage New Zealand Pouhere Taonga – <u>[to insert relevant contact]</u>
NZAA	New Zealand Archaeological Association
Project	The construction, operation and maintenance of Takitimu North Link Stage 2.
Project Archaeologist	The schedule 8 clause 7 Fast-track Approvals Act 2024 'approved person', being Dr Warren Gumbley; or any subsequent person as approved under the Heritage New Zealand Pouhere Taonga Act 2014.

Abbreviation/term	Meaning/definition
Project Works	All Enabling Works and Construction Works.
Working Day	A day of the week other than— <ul style="list-style-type: none"> (a) Saturday, a Sunday, Waitangi Day, Good Friday, Easter Monday, Anzac Day, the Sovereign's birthday, Te Rā Aro ki a Matariki/Matariki Observance Day, and Labour Day; and (b) if Waitangi Day or Anzac Day falls on a Saturday or a Sunday, the following Monday; and (c) a day in the period commencing on 20 December in any year and ending with 10 January in the following year.

~~AA1 The Authority shall expire 20 years after the date the Authority is granted.~~

AA12 The Authority Holder shall advise HNZPT, Pirirākau and Ngāti Taka of the date when archaeological works will begin at least two Working Days before archaeological works start.

AA23 The Authority Holder shall advise HNZPT, Pirirākau and Ngāti Taka of the completion of archaeological works within five Working Days of completion.

~~AA4 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.~~

AA53 (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.

~~(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.~~

~~(be)~~ The AMP shall include:

~~(i) Provision for access for Pirirākau and Ngāti Taka to undertake tikanga, subject to any requirements of site safety; cultural monitoring to take place during archaeological investigations; and~~

~~(ii) Procedures for reporting items, artefacts, and / or other archaeological finds to Pirirākau and Ngāti Taka, and HNZPT;~~

~~(iii) Identified areas of known and potential archaeology within the Designation, and management responses for those areas;~~

~~(iv) Requirements for archaeological investigations and / or testing;~~

~~(v) Procedures following the discovery of possible archaeological material or Taonga;~~

~~(vi) Procedures to apply in the event that kōiwi (human remains) are encountered during Project Works, including:~~

- ~~1. Details on where and when Project Works need to cease and can recommence;~~
- ~~2. Notification requirements, including notification to HNZPT, New Zealand Police and Pirirākau and Ngāti Taka, as soon as practicable;~~
- ~~3. Safety and security measures; and~~

Commented [NZTA1]: NZTA agrees with this deletion, so long as the 20 year expiry (from the date the Authority is granted), is retained in the Archaeological Authorities documentation.

Commented [NZTA2]: Condition deleted as recommended by HNZPT.

Commented [NZTA3]: Deleted as recommended by HNZPT.

Commented [NZTA4]: Recommended amendments from HNZPT incorporated as proposed.

4. Subsequent steps to take place in relation to the management of the kōiwi, such as ceremonies and removal, taking into account the Guidelines for Kōiwi Tangata/Human Remains (AGS8 2014).

(cd) At least 10 Working Days before submitting the AMP to HNZPT for certification in accordance with AA35(b), the Authority Holder AMP shall be provided the AMP 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 from Pirirākau and Ngāti Taka and outline how feedback has been incorporated into the AMP and, if not, the reasons for that.

(de) At least 20 Working Days before starting Project Works, the AMP shall be submitted to HNZPT for certification that the AMP satisfies the requirements of AA35(ba) and (b).

(ef) The certified AMP shall be implemented and complied with for the duration of the Archaeological Authority.

(fg) The Authority Holder may update the AMP by submitting the amended AMP in writing to HNZPT for certification in accordance with AA35(b).

(gh) If the AMP (or amendment) required under these conditions has been submitted to HNZPT for certification, and 20 Working Days has passed, and HNZPT has not certified the AMP (or amendment), or advised that the AMP (or amendment) is not suitable to certify, the AMP will be deemed to have been certified and the Authority Holder may commence Project Works in accordance with the AMP (or amendment) as submitted.

AA46 (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.

(b) At least 10 Working Days before submitting the Strategy to HNZPT for certification in accordance with AA46(c), the Authority Holder shall provide the Strategy 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 prior to providing-submitting the Strategy to HNZPT, as required in AA46(c), and incorporate suggestions from the written feedback as the Authority Holder considers appropriate. The Strategy shall include a summary of written feedback received from Pirirākau and Ngāti Taka and outline how feedback has been incorporated into the Strategy and, if not, the reasons for that.

(c) At least 20 Working Days before starting Project Works, the Strategy shall be submitted to HNZPT for certification that the Strategy satisfies the requirements of AA6(a).

(d) The certified Strategy shall be implemented and complied with for the duration of the Archaeological Authority.

(e) The Authority Holder may update the Strategy by submitting the amended Strategy in writing to HNZPT for certification in accordance with AA64(ce).

(f) If the Strategy (or amendment) required under these conditions has been submitted to HNZPT for certification, and 20 Working Days has passed, and HNZPT has not certified the Strategy (or amendment), or advised that the Strategy (or amendment) is not suitable to certify, the Strategy will be deemed to have been certified and the Authority Holder may commence Project Works in accordance with the Strategy (or amendment) as submitted.

AA5 The Authority Holder must provide HNZPT with the consent of all landowners or holders of a specified registered interest in the land subject to this Authority prior to any archaeological works commencing on that land pursuant to this Authority. This requirement does not apply where the Crown is the landowner.

Commented [NZTA5]: Alternative proposed drafting to address point raised by HNZPT in relation to kōiwi.

Commented [NZTA6]: We have inserted these requirements for matters to be included in the AMP, to provide a more robust condition and obligations on NZTA, and to make it clear what must be included in the AMP in order for HNZPT to certify it. Note also we have amended (ii) to clarify that reporting obligations to HNZPT also need to be covered off in the AMP.

Commented [NZTA7]: Wording refinements for clarity.

Commented [NZTA8]: Inserted in response to feedback from Ngāti Taka.

Commented [NZTA9]: Amendments for clarity.

Commented [NZTA10]: Inserted in response to HNZPT feedback. Note some wording refinements have been made to HNZPT's proposed wording to marry up with the wording in the FTAA, incorporating reference to 'specified registered interest', as well as to make it clear that landowner consent is only required for non-Crown land.

AA6 (a) Prior to starting Project Works, NZTA shall provide an offer to Pirirākau and Ngāti Taka to:

(i) Undertake a cultural induction with the Project Archaeologist, contractor's staff and subcontractors; and

(ii) Undertake a pre-investigation meeting with the Project Archaeologist.

(b) If an offer made under AA6(a) is not responded to within four weeks of the offer being made, the offer will be deemed to have not been accepted (unless the Authority Holder agrees to a longer time period in the particular circumstance). Any offer subject to a longer time period must be accepted within 12 weeks of the offer being made, otherwise the offer will be deemed to have not been accepted.

Commented [NZTA11]: Inserted in response to Pirirākau and Ngāti Taka feedback.

AA7 The Authority Holder must direct all contractors working on the Project to be briefed on site by the Project Archaeologist, who may appoint a person to carry out the briefing on their behalf, prior to any Project Works commencing. The purpose of the briefing is to support subsequent compliance with the Authority conditions. The briefing must include:

(a) The possibility of encountering archaeological evidence;

(b) How to identify possible archaeological sites during works;

(c) The archaeological works required by the conditions of this Authority; and

(d) Contractors' responsibilities with regard to discovering archaeological evidence (including stopping works and parties to notify).

Commented [NZTA12]: New condition inserted in response to HNZPT feedback. Note some very minor refinements have been proposed to HNZPT's drafting, for readability of the condition.

AA78 Archaeological work must be undertaken in conformity with any tikanga Māori protocols agreed between the Authority Holder and Pirirākau and Ngāti Taka.

AA98 Any earthworks that may will or are likely to (in the view of the Project Archaeologist) affect an archaeological site may must be monitored by an archaeologist at the discretion of the Project Archaeologist (or someone suitably qualified who they have appointed to carry out the work on their behalf).

Commented [NZTA13]: Amendments inserted in response to HNZPT feedback, with some amendments to clarify the intent and meaning of the condition – ie a risk-based approach, and scenarios whereby a suitably qualified person may be able to undertake work on behalf of the Project Archaeologist.

AA109 Any archaeological evidence encountered during the exercise of this Archaeological Authority must be investigated, recorded and analysed by the Project Archaeologist (or someone suitably qualified who they have appointed to carry out the work on their behalf) in accordance with current accepted archaeological practice, the AMP and the Strategy.

Commented [NZTA14]: As per comment above.

AA110 Within 20 Working Days of the completion of on-site archaeological work associated with this Authority, the Authority Holder shall ensure that:

Commented [NZTA15]: Amended as per HNZPT recommendation.

(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.

Commented [NZTA16]: Amendments inserted as 'to the satisfaction of HNZPT' is too vague and not necessary given compliance with the Guideline is specified within the requirements of the condition.

(b) Site records are updated or submitted to the NZAA Site Recording Scheme.

AA124 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.

Commented [NZTA17]: Amendments inserted as 'to the satisfaction of HNZPT' is too vague and not necessary given the obligation is for progress updates – the Authority Holder will either meet the monthly obligation, or it won't. No need to specify 'to the satisfaction of HNZPT'.

AA132 Within 24 months of the completion of the on-site archaeological work, the Authority Holder shall ensure that a final report, completed in accordance with 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.

Commented [NZTA18]: Amendments inserted as recommended by HNZPT, subject to some wording refinements.

Advice note 1: these conditions apply to all Archaeological Authorities held by the Authority Holder to implement the Project. For clarity, a separate AMP or Strategy under AA35 and AA46 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.

Advice note 2: the requirement in AA11 for provision of interim reports to HNZPT, and updates to site records need not be completed for each Authority individually. The Authority Holder may provide interim reports and site record updates for multiple 'grouped' Archaeological Authorities at the same time.

Commented [NZTA19]: New advice note inserted for clarification that reporting under AA11 may be grouped for multiple Authorities.