

# Accidental Cultural Discovery Protocol

## 1. Purpose

The MacKay's to Peka Peka Alliance will be undertaking initial site works in preparation for the start of construction works in July 2013. Once construction starts, this Accidental Discovery Protocol will also cover all archaeological finds uncovered during earthworks.

This protocol outlines the steps to be taken in the event of the accidental discovery of cultural or historic artefacts, as the result of any physical disturbance to the existing ground surface.

## 2. The Historic Places Act 1993

An archaeological site is defined in the *Historic Places Act 1993* (the HPA) as any place associated with pre-1900 human activity, including shipwrecks, where there is evidence relating to the history of New Zealand that can be investigated using archaeological methods.

If any work that may affect an archaeological site is to be undertaken, an authority from the New Zealand Historic Places Trust (NZHPT) must be sought prior to works starting. This work could include, amongst other things:

- Invasive geotechnical investigations
- Earthworks for road construction
- Earthworks for relocation of buildings or structures, creation of accessways, etc.
- Earthworks for landscaping,
- Trenching for stormwater management, and waste disposal
- Quarrying, building demolition or removal.

It is an offence to do work that may affect an archaeological site without a written authority from the NZHPT.

## 3. Identifying Archaeological Sites

For Maori sites the largest and most obvious site types are pa, pits and terraces. However, evidence may be of a smaller nature, in the form of bones, shells, charcoal, burnt stone etc; a midden is an archaeological rubbish tip, in which many of these items can be found consolidated together. Evidence of disturbance of a midden can be a scattering of shell across a wide area; this can be confusing if it is near a beach. Pieces of obsidian or chert, together with stone tools, may also be recovered.

In later sites of European origin, artefacts such as bottle glass, iron/metal, crockery etc. may be found, or evidence of old foundations, wells, drains or similar structures. Burials/koiwi tangata may be found from any period.

Some examples include:

- Shell midden
- Discoloured soils indicating burning or cooking
- Animal bone

- Historic pottery on a roadside scrape
- Shell midden uncovered in road scraping

## 4. Procedures

Prior to construction work commencing, the field team shall be briefed on the likely nature of cultural and historic artefacts in the area, and on this procedure. Staff will also view the *History in Action* DVD which outlines the requirements of all staff in dealing with archaeological finds.

If any suspected archaeological material is uncovered, all work within 20m of the discovery shall stop immediately.

The Alliance, including any sub-consultants and sub-contractors, is required to keep confidential all discoveries.

The Alliance is responsible for on-site safety and may from time to time need to restrict access, for the safety of all parties.

The Cultural Adviser is responsible for ensuring all iwi groups are advised of the find and provided an opportunity to participate in decision-making.

In coordination with the Project Engineer, the Archaeologist shall conduct exploratory work to determine the nature of the find.

The Environmental Manager, in consultation with the Archaeologist, Cultural Adviser and Project Engineer shall coordinate the response as follows:

- a) If the event of the discovery of any Taonga artefacts or other signs of previous Maori presence or occupation, work with iwi representatives to ensure that the appropriate steps are taken to make the site safe.
- b) Decide where and when work can continue around the site.
- c) The archaeologist shall coordinate the appropriate consent process in accordance with the requirements of the Historic Places Act (1993). Works can proceed only after granting of an archaeological authority.
- d) Works affecting the archaeological site shall not resume until the New Zealand Historic Places Trust and iwi are satisfied that the site has been identified, the find recorded, and cultural protocols appropriately observed.

The Archaeologist and Cultural Adviser shall first liaise on all issues with the Environmental Manager, who will keep the other parties informed.

If any artefacts are removed from a find site, the Ministry for Culture and Heritage will be advised to ensure that the correct procedures under the *Protected Objects Act 1975* are adhered to.

Any media statements in relation to this protocol will be prepared with the assistance of iwi and only after discussions between the Alliance and iwi.

Archaeological finds in wetlands may include organic material preserved as a result of anaerobic conditions. Typically these remains are extremely fragile and susceptible to rapid decay in the event of any changes in environment, so usually require specialist attention. Finds can include (but are not limited to) wooden artefacts such as adze handles, weapons or horticultural implements and woven flax, or artefacts made from organic materials such as gourds.

Where wooden or organic artefacts are found in wetlands:

- a) Finds should remain, where possible, in-situ until professional advice has been obtained;
- b) In the event that items are inadvertently removed from their original context, the Project Engineer shall ensure the organic material is kept wet by being placed in a suitable storage container filled with water or kept damp with a wetted cloth/sack;
- c) Work in that location shall cease and the Archaeologist and Cultural Adviser shall be called;
- d) The Archaeologist shall obtain specialist conservation services and advice from an appropriate specialist, such as a wet wood conservator, to ensure the survival and appropriate conservation treatment of the artefact;
- e) The Ministry of Heritage and Culture will also be notified in accordance with the statutory requirements of the *Protected Objects Act 1975*; and

The Alliance shall be responsible for all transportation and conservation costs that may be incurred.

## 5. Koiwi Tangata/Human Remains

If Koiwi Tangata (human remains) are found, the Police must be involved in the first instance, to determine whether or not the location is a crime scene. Thereafter the Archaeologist and NZHPT will be involved to determine the archaeological context of the discovery. The Archaeologist will make a preliminary record of the state of the koiwi, including the site of discovery, and any other relevant facts and will make these records available to iwi and the police if required.

As soon as practicable after the Alliance has given notice to the appropriate iwi representatives that koiwi have been discovered, iwi representatives will inspect the site and advise the Alliance whether iwi wish to undertake any cultural ceremonies at the site. The Construction Manager in consultation with the Project Engineer will arrange access.

If iwi wish to undertake such ceremonies, the iwi representative will make the necessary arrangements for these ceremonies to occur at the site as soon as possible. Once these ceremonies are completed, the Archaeologist, in consultation with the Cultural Adviser and iwi representatives, will undertake a detailed investigation of the koiwi, if considered appropriate,

The Archaeologist will initiate discussions with iwi and the Alliance as to what will happen to the koiwi (do they remain in situ on the site, or are they in danger from the present activity and therefore all parties consider it safer culturally to remove them and rebury them elsewhere). If the koiwi are to be removed this must be undertaken by the Archaeologist who will record as much detail as possible. In some cases, and with discussion with iwi, the remains may be sent to Otago University for proper analysis.

If the discovery area is considered to be an archaeological site, approvals must be obtained from the New Zealand Historic Places Trust (NZHPT) to permit the detailed investigation and/or removal of koiwi. If the koiwi are Maori, and the police and/ or coroner have no uncertainty or suspicion about the koiwi, and the Archaeologist has undertaken the level of investigation they require, the iwi representatives will then gather up the koiwi and remove them from the site. In the event that the police and/ or coroner have any uncertainty or suspicion about the koiwi, they are responsible for making any records they require and for any koiwi that they remove from the site.

# IF IN DOUBT, STOP AND ASK

INFORM YOUR SUPERVISOR IMMEDIATELY

## 6. Tangata Whenua/Manawhenua

The Mackays to Peka Peka Expressway crosses the tribal jurisdiction of Ngati Toa Rangatira, Te Ati Awa ki Whakarongotai, Ngati Raukawa and Muaupoko; therefore in the event of an accidental discovery within any of the Expressway sectors the following iwi representatives will be contacted:

Te Ati Awa ki Whakarongotai	Ben Ngaia	04 472 3872 021 0203 0299
Takamore Trustees	Ben Ngaia	04 472 3872 021 0203 0299
Ngati Toa Rangatira	Jenny Smeaton	04 238 4952
Ngati Raukawa	Te Waari Carkeek	06 364 5121 027 667 4477
Muaupoko	Steve Hirini	06 3673311 021651958

## 7. Alliance Contact Details

### Environmental Manager

Kylie Eltham

Mobile: 027 201 6383  
E-mail: [kyliee@fcc.co.nz](mailto:kyliee@fcc.co.nz)

### Cultural Adviser

Amos Kamo

Phone: 09 359 5236  
Mobile: 0 27 545 4293  
E-mail: [amos.kamo@boffamiskell.co.nz](mailto:amos.kamo@boffamiskell.co.nz)

### Archaeologist

Mary O'Keeffe

Phone: 04 934 3837  
Mobile: 027 440 3769  
E-mail: [mary.okeeffe@paradise.net.nz](mailto:mary.okeeffe@paradise.net.nz)

## 8. Additional Contact Details

### New Zealand Historic Places Trust (NZHPT)

Kathryn Hurren  
Central Region Archaeologist/Kaihuakanga a Rohe  
NZ Historic Places Trust *Pouhere Taonga*  
PO Box 2629  
WELLINGTON 6140

Ph: 04 494 8324

Email: [khurren@historic.org.nz](mailto:khurren@historic.org.nz)

Anthony Tipene  
Maori Heritage Adviser (Central Region)  
N.Z. Historic Places Trust *Pouhere Taonga*

Phone: 04 802 0007  
Mobile: 027 246 3791

### Kapiti Police Station

Rimu Road  
Paraparaumu  
Kapiti 5032

Phone: 04 296 6800  
Fax: 04 296 6801

### Ministry for Culture and Heritage (MCH)

Liz Cotton  
Heritage Operations, Heritage Services Branch  
Phone: 0  
4 499 4229

## Accidental Discovery Procedures

Artefact Find	Koiwi Tangata/Human Remains Discovery
Immediately stop work.	Immediately stop work
Cordon off area in 20m radius	Cordon off area in 20m radius
Supervisor to contact Environmental Manager and Project Engineer	Supervisor to contact Environmental Manager and Project Engineer
Environmental Manager contacts Archaeologist and Cultural Adviser.	Environmental Manager contacts Kapiti Police Station, NZHPT, Archaeologist and Cultural Adviser.
Cultural Adviser contacts all iwi representative groups.	Cultural Adviser contacts all iwi representative groups.
Archaeologist advises NZHPT and co-ordinates site inspection.	Kapiti Police in coordination with the Coroner will analyse the remains to determine if it is a crime scene.
Iwi representatives are provided the opportunity to inspect the site and advise on appropriate protocols to be followed	If the remains are not associated with a crime then the Archaeologist and iwi representatives will determine whether/how the remains will be reinterred.
If necessary the Alliance will apply for an authority to modify, damage or destroy archaeological sites under the Historic Places Act 1993	Iwi representatives will be provided sufficient time to perform appropriate rituals and customary practices.
The Archaeologist will contact the Ministry for Culture and Heritage if artefacts are removed from the find site.	The Archaeologist will contact the Ministry for Culture and Heritage if artefacts are removed from the find site.
Work recommences once NZHPT and iwi are satisfied that correct procedures have been followed.	Work recommences once NZHPT and iwi are satisfied that correct procedures have been followed.