

TE RŪNANGA O NGĀTI WAEWAE ARCHAEOLOGICAL SITE ACCIDENTAL DISCOVERY PROTOCOL

Purpose

The purpose of this protocol is:

- To manage and protect the integrity of “known” and “unknown” archaeological sites from damage and loss.
- To maximise the opportunity to retrieve physical and archaeological evidence from disturbed sites. In cases where sites clearly are unable to be retained intact, the orderly and systematic removal of archaeological evidence and information is of the utmost importance.
- Kōwi Tāngata (human skeletal remains) are from time to time unearthed through a range of causes, human-made and natural. The dignified and appropriate cultural management of such sites and remains is of vital importance.
- To obtain quality information on the lives, activities, food, resource use, trails and camp sites of Ngāti Waewae ancestors from archaeological sites. Early detection and assessment is dependent on early intervention to manage retrieval of such information.
- To obtain quality historic information on the lives of people, their activities, resource use and structures.
- To provide the consent conditions to be imposed on any earthworks consent.

Definition

“Archaeological site” means any place in New Zealand that...

- (i) Was associated with human activity that occurred before 1900; or is the site of the wreck of any vessel where that wreck occurred before 1900; and
- (ii) Provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand

Heritage New Zealand Pouhere Taonga Act 2014

Process

The Contractor or Landowner shall consult with Te Rūnanga o Ngāti Waewae (the Rūnanga) to determine, in accordance with Tikanga Māori, if there are any matters of protocol which mana whenua wish to undertake in relation to the commencement of any development works, significant events or the commissioning of the completed works.

In the event of any discovery of suspected cultural remains (e.g. shells, charcoal or charcoal-stained soil, fire-fractured stone, or bones) the Contractor or Landowner shall take the following action:

1. Cease all works immediately.
2. Staff to advise the Contractor of a find.

3. The Contractor and/or Landowner owner shall contact an appointed archaeologist to advise on the significance of the find. If no archaeologist has been appointed before the works occurred, the Contractor and/or Landowner shall contact Heritage New Zealand Pouhere Taonga.
4. If the find is of potential significance to Ngāti Waewae, the Chair of the Rūnanga must be advised.
5. Heritage New Zealand Pouhere Taonga must be advised in all cases. It is an offence under the Heritage New Zealand Pouhere Taonga Act 2014 to modify, damage or destroy an archaeological site without the prior authority of the Heritage New Zealand Pouhere Taonga.

In cases of wāhi taonga and wāhi tapu

- The Chair of the Rūnanga will be contacted by the Contractor, Landowner or Archaeologist to determine what further actions are appropriate to avoid, reduce, remedy, or mitigate any damage to archaeological sites.
- The Contractor, Landowner and/or Archaeologist shall work with the Rūnanga on any matters of protocol which they may wish to undertake in relation to the find and prior to the commencement of any investigation.
- The Contractor, Landowner or Archaeologist shall contact Heritage New Zealand Pouhere Taonga for advice of any requirements under the Heritage New Zealand Pouhere Taonga Act 2014.

In cases of suspected Kōiwi Tāngata (human remains)

- The Contractor, Landowner and/or Archaeologist shall take steps to immediately stop work, shut down all machinery or activity, secure the area to ensure that the remains are not touched and then notify the New Zealand Police and the Chair of the Rūnanga.
- The Contractor, Landowner and/or Archaeologist shall contact Heritage New Zealand Pouhere Taonga for advice of any requirements under the Heritage New Zealand Pouhere Taonga Act 2014.
- The Contractor, Landowner and/or Archaeologist must ensure that staff or themselves are available to meet and guide Police (note that the Coroners Act applies), the Rūnanga and Heritage New Zealand Pouhere Taonga staff to the site and to assist with any requests made. The area shall be marked off and if the remains are of Māori origin, the Rūnanga will decide what will happen to the remains and advise the Police and other parties of their decision.
- Work may only recommence in the area with the approval of the New Zealand Police, the Rūnanga and Heritage New Zealand Pouhere Taonga.

In the case of Pounamu

Pounamu (including all nephrite, semi-nephrite, bowenite and serpentine) is under the ownership of Te Rūnanga o Ngāi Tahu pursuant to the Ngāi Tahu (Pounamu Vesting) Act 1997. Where any pounamu is found by the Contractor or Landowner on or under the land during site works, the Contractor or Landowner is required to notify the Chairperson of Te Rūnanga o Ngāti Waewae.

In all other cases

- The Contractor, Landowner or Archaeologist will contact Heritage New Zealand Pouhere Taonga to determine what further actions are appropriate to avoid, reduce, remedy or mitigate any damage to archaeological sites.

Responsibilities

The Rūnanga

1. To inform the Contractor, Landowner and/or Archaeologist of the position of any known sites prior to earth disturbance.
2. To inform the Contractor, Landowner and/or Archaeologist in accordance with tikanga Māori, if there are any matters of protocol which mana whenua wish to undertake in relation to the commencement of work or significant events.
3. To provide a contact person, email address and mobile numbers and the marae office number to the Contractor, Landowner and/or Archaeologist.
4. To adopt a policy of responding to notification of a “suspected site find” within a 2 working day timeframe;
5. The response will include contacting appropriate people and organisations depending on the nature of the “find” and arranging a time for inspecting the site.
6. Co-ordination of the appropriate action to remove (if appropriate) any archaeological material from the site in consultation with Heritage New Zealand Pouhere Taonga.

The Contractor or Landowner

1. To require all staff/contractors involved in drilling, earthmoving, or mining operations to undertake a training session on the recognition of archaeological sites, wāhi tapu, wāhi taonga, urupā or kōiwi tangata if requested to do so by the Rūnanga.
2. To implement internal management protocols to ensure staff are aware of the requirement to monitor operations in a way that allows the identification of archaeological sites including wāhi tapu, wāhi taonga, urupā or historic (European) cultural sites.
3. To implement a reporting procedure in the event of a “find” of any archaeological material as described in the Process above.
4. To ensure that the Contractor and Landowner will meet all statutory obligations under the Heritage New Zealand Pouhere Taonga Act and comply with all conditions of any resource consent as they relate to matters of archaeological significance.
5. If requested beforehand, to provide a copy of the work plan no less than 25 working days prior to any earth-moving works to the Rūnanga and Heritage New Zealand Pouhere Taonga setting out:
 - A schedule of the dates of all significant earthmoving events, their sequence and duration
 - A summary of all measures being undertaken to ensure that adverse effects on archaeological values are avoided, remedied, or mitigated.
6. To invite the Rūnanga to attend any episode of archaeological, monitoring or earthmoving activity.
7. To provide the Rūnanga and Heritage New Zealand Pouhere Taonga a copy of all archaeological monitoring and investigation results with an invitation to respond, comment or meet to discuss any results.
8. The consent holder shall notify the District Council of all information provided to the Rūnanga and any responses received. If appropriate, the District Council, with the

agreement of the consent holder and the Rūnanga shall convene meetings/hui should any of the information or issues require further discussion.

9. To appoint an archaeologist(s) or a Ngāti Waewae Cultural Monitor approved by the Rūnanga to be available during all earthworks and excavations to act as an advisor on identification or protection of wāhi tapu, wāhi taonga, urupā or historic cultural sites. This person(s) to be on-site as required by conditions of resource consent, at the request of the Rūnanga or as required in the event of a discovery.

Contact details

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