



New Zealand
Historic Places Trust *Pouhere Taonga*

Archaeological Guidelines Series No. 3

Guidelines for Research Strategies for Section 15 and 18 Investigations, *Historic Places Act 1993*



**New Zealand Historic Places Trust
Pouhere Taonga**

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Cover image: Excavations at Lawrence Chinese Camp (2004, Jo Wylie).

1. Introduction

These guidelines have been prepared by the New Zealand Historic Places Trust ('NZHPT') to assist with the preparation of research strategies that may be required as part of the information requirements for applications made under Sections 15 and 18 of the *Historic Places Act 1993* ('HPA'), or as a condition of archaeological authorities granted under that Act. Section 2 of these guidelines provides some background about archaeological investigations and the HPA.

Section 3 contains a list of matters to be considered. This has been divided into seven main headings, each with a discussion of key points to be considered. The headings may form sections of the research strategy or an alternative structure may be adopted. The key points should however be addressed in the strategy. It is recognised that strategies produced following these guidelines will vary in length and complexity depending on the scope of the investigation. Day-to-day operational matters and management of archaeological work for authorities to modify, damage or destroy archaeological sites should be addressed in a separate document, such as an Archaeological Management Plan.

Research strategies should follow accepted archaeological good practice. In addition to research objectives and methods of implementation, research strategies prepared for HPA purposes should also include information about the people who will be involved in the investigation and, if appropriate, a cost estimate for the work. Both these requirements relate to specific matters that must be addressed by the NZHPT when making decisions under the HPA.

2. Archaeological Investigations and the HPA

2.1 Background

The HPA contains a consent (authority) process for any work affecting archaeological sites, where an archaeological site is defined as any place in New Zealand that

- (a) Either –
 - (i) was associated with human activity that occurred before 1900; or
 - (ii) is the site of the wreck of any vessel where that wreck occurred before 1900; and
- (b) Is or may be able through investigation by archaeological methods to provide evidence relating to the history of New Zealand (HPA section 2).

Any person who intends carrying out work that may modify, damage or destroy an archaeological site, or **to investigate a site using invasive archaeological techniques**, must first obtain an authority from the Historic Places Trust. The process applies to sites on land of all tenure including public, private and designated land. The HPA contains penalties for unauthorised site damage or destruction. Sections 13, 15 and 18 of the HPA set out the authority requirements for investigating archaeological sites.

‘Archaeological investigation’ is not defined in the HPA. For the purposes of administering the HPA, it is considered to be any investigation of a site using archaeological methods that will result in the disturbance of, or damage to, that site. This includes (but is not limited to) invasive techniques such as test pitting, trenching, areal investigation and the removal of physical fabric. Electronic and manual survey and visual inspection that do not cause disturbance or damage to a site are not considered to be archaeological investigation for the purposes of the HPA. Advice should be sought from the NZHPT if clarification is needed about whether the use of a particular technique will require an authority.

2.2 Section 13 Investigations

An investigation under Section 13 may be undertaken if the NZHPT has reasonable cause to believe that work will proceed that will damage or destroy an archaeological site AND that no Section 11 or 12 application has been received for that work. The NZHPT may carry out an investigation to determine if the site exists and if an authority is necessary, or engage an archaeologist to carry out the work on its behalf.

2.3 Section 15 Investigations

Section 15 investigations may be required as a condition of an authority to modify, damage or destroy an archaeological site. The NZHPT must be satisfied that such an investigation is likely to provide significant information about the historic and cultural heritage of New Zealand.

The NZHPT is able to carry out Section 15 investigations on a cost recovery basis itself, unless it has given its consent under Section 17 for the authority holder to engage an archaeologist to carry out work required as a condition of the authority. The HPA provides guidance as to the appropriateness of people to carry out such archaeological work. The person must have sufficient access to appropriate institutional and professional resources, or be sufficiently skilled, competent and capable of ensuring that the work is carried out satisfactorily.

The NZHPT Board must approve any authority decision where the cost of an investigation, required as a condition of an authority to modify, damage or destroy an archaeological site, will exceed \$100,000.

The cost estimate component of the research strategy (this guideline Section 3.8) relates primarily to this statutory requirement, as NZHPT staff need to know when this provision is likely to be triggered. There are additional benefits to providing a budget as part of a research strategy. The planning process should assist the archaeologist in determining the appropriate level of investigation and resources required. It will also provide some indication to the client of the likely cost of the project from the outset, thus avoiding possible conflict over costs at a later stage.

2.4 Section 18 investigations

Section 18 contains provisions for the investigation of archaeological sites for any purpose, other than an authority to modify, damage or destroy a site, consistent with the HPA. For example, this could be for research purposes or to obtain information about the significance or condition of a site prior to planning for developments. Nothing in Section 18 applies however where an investigation has been required under Section 15 as part of an authority to modify, damage or destroy a site.

3. Guidelines

3.1 Background

The background and purpose of the investigation should be set out. The location of the site(s) or area under investigation should be described and supported by a map showing the location and specific site(s) to be investigated at an appropriate scale.

3.2 Site Descriptions, History and Setting

For Section 15 investigations, if an archaeological assessment has already been prepared for the project, a detailed description of archaeological sites and previous archaeological work is not required. Reference should be made to the assessment as appropriate.

In all other cases, where background information has not otherwise been provided to NZHPT, summary information should be included to establish the context for the archaeological investigation. It may include site descriptions, significance statements, previous archaeological work, historical background and environmental setting.

3.3 Research Objectives

Research objectives should be clearly stated. They should be designed to resolve a particular question, or to test a hypothesis, idea or model. Objectives should be framed within the existing body of archaeological knowledge, and current research questions and hypotheses about New Zealand's past. Where similar investigations have been carried out, the results should be discussed in relation to the current strategy.

Objectives may also address archaeological resource management issues about site conservation, mitigation and further work.

3.4 Implementation

The strategy should outline the approaches, methods and techniques for information gathering and analysis that will be used to address the research objectives.

For Section 15 investigations required by authority conditions for large scale projects and developments, where the research objectives are well thought-out and clearly defined, it may not be necessary to excavate and record all archaeological material in detail. A selective sampling and excavation strategy, with monitoring of earthworks, may meet research objectives and be more efficient and cost effective than a total excavation approach, and may allow more time/ resources for post-excavation analysis.

Methods of information collection may include:

- Historical research
- Survey (visual, geophysical)
- Surface collection
- Monitoring of earthworks with recording of any finds (where Section 15 investigation is part of a large scale project or development)
- Sampling
- Test excavation
- Areal investigation

Analytical techniques may include:

- Faunal and botanical studies
- Artefact studies
- Dating (the type of analysis and number of samples required should be stated)
- Predictive modeling

3.5 Curation of Archaeological Material

Arrangements for the long-term housing of any archaeological material (e.g. artefacts, faunal samples etc) recovered during the investigation should be addressed.

These arrangements will be partially determined by the requirements of the *Antiquities Act* 1975; whereby Maori artefacts are *prima facie* the property of the Crown and must be deposited in regional museums, and historic/European artefacts are the property of the landowner, if they wish to retain them.

3.6 Reporting and Publication of Results

Timeframes for reporting to the NZHPT and the public dissemination of results should be included.

3.7 Personnel

The NZHPT must be satisfied as to the competence of archaeologists carrying out investigations. The strategy should include sufficient information to demonstrate to the NZHPT that the directors of the investigation have the skills and experience to an appropriate level, and possess or have access to the necessary facilities and resources, to ensure the implementation of the research strategy.

Personnel involved in the investigation and their level of responsibility (for example, director, field crew, specialist analysis) should be listed. An up-to-date *Curriculum Vitae*

should be provided for key personnel who have not been involved in authority work previously.

3.8 Estimated Costs

The strategy may include an estimate of the costs of the investigation, including on-site work, analysis and reporting. Fees for specialist skills such as faunal analysis and dating should be included. It can also be useful to include the time required for each task, and also in the case of development projects, any resources to be provided by the client, for example, mechanical excavators/ operators.

This section is particularly important if costs will exceed \$100,000, as the NZHPT Board must approve any authority decision where the costs of the investigation will be in excess of this amount.

3.9 References

The Harvard system is the recommended style for references. References should be cited in the text and listed at the end of the strategy in alphabetical order.