

Lessons learned from one of New Zealand's most challenging civil engineering projects: rebuilding the earthquake damaged pipes, roads, bridges and retaining walls in the city of Christchurch 2011 - 2016.

Global Archaeology Authority – Lyttelton

Story: Looking after the Environment: SCIRT Global Resource Consents

Theme: Programme Management

An authority granted by the New Zealand Historic Places Trust, providing the authority to carry out earthquake repair work within the Lyttelton area that may affect archaeological sites.

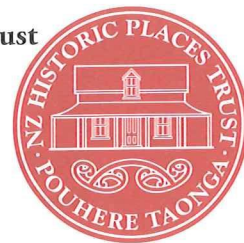
This document has been provided as an example of a tool that might be useful for other organisations undertaking complex disaster recovery or infrastructure rebuild programmes.

For more information about this document, visit www.scirtlearninglegacy.org.nz



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S:/Arch/2012-320eq

HP 11013/11036-013
In reply please quote 2012/320eq

26 September 2011

Christchurch City Council
PO Box 73020
CHRISTCHURCH 8154

Tena koe

APPLICATION FOR EMERGENCY AUTHORITY: Clause 10, *Canterbury Earthquake (Historic Places Act) Order 2011*

Authority No:	2012/320eq
Archaeological Sites:	Various
Location:	Lyttelton Township
Proposal:	To repair Lyttelton's horizontal infrastructure and carry out rock stabilisation work

DECISION

I am writing to inform you that the above authority has been granted.

The authority **attached** to this letter is an authority under the *Canterbury Earthquake (Historic Places Act) Order 2011* to undertake the work specified in your application that may affect an archaeological site(s). Please read the conditions imposed on this authority carefully.

ASSESSMENT AND ADVICE

This emergency authority has been created to carry out earthworks near archaeological sites to repair Lyttelton Townships' horizontal infrastructure that been affected by the Canterbury earthquake and its aftershocks. The aim of creating an emergency authority is to streamline and simplify the authority process to undertake such work in accordance with the purpose of the Canterbury Earthquake Recovery Act 2011.

In considering this application, the NZHPT notes that you wish to carry out earthworks associated with repairs to Lyttelton's horizontal infrastructure and rock stabilisation works following the earthquakes of 2010 and 2011. The exact nature of the works to be undertaken are not yet fully determined, but they will include repairs to roads, water supply, storm water, wastewater systems, parks, retaining walls and rock work. Works in the bed and on the banks of rivers for the purpose of repairing, replacing or relocating network utility structures and Council-owned assets includes, but is not limited to, the following: culverts, headwalls, retaining walls, gabions, outfall structures, bridge abutments, pedestrian access ways, and trenching and subsurface tunnelling for network pipes. Because the exact extent and nature of a lot of these works is not known at this stage, these proposed works have the potential to affect recorded and unrecorded archaeological sites.

Whakaraupo/Lyttelton Harbour has a long history of Maori occupation and activity by Ngai Tahu whanui (Waitaha, Ngati Mamoe, Ngai Tahu) as recorded in tribal histories and oral tradition. Manawhenua (tribal authority) for the Lyttelton area is held by Te Hapu o Ngati Wheke based at Rapaki, a small settlement on the eastern shoreline of Whakaraupo. The takiwa (tribal area) of Te Hapu o Ngati Wheke centres on Rapaki and includes the catchment of Whakaraupo and Te Kaituna. For the purposes of this archaeological authority, Maori archaeological sites, wahi tapu and sites of potential archaeological significance have been identified in consultation with tangata whenua representatives. The cultural evidence of the known and potential sites in the vicinity of the development area have important Maori values to Te Hapu o Ngati Wheke and wider Ngai Tahu whanui as they represent places of earlier occupation and association with tipuna (ancestors).

It is the view of the NZHPT that an emergency authority may be granted in this case on those conditions listed below.

An appeal to the Environment Court may be made by tangata whenua on a matter of culture or tradition against this decision or any conditions. The notice of appeal should state the reasons for the appeal and the relief sought and any matters referred to in Clause 15 of the *Canterbury Earthquake (Historic Places Act) Order 2011*. The notice of appeal must be lodged with the Environment Court and served on the NZHPT within 10 working days of receiving the NZHPT's decision, and served on the applicant or owner within five working days of lodging the appeal.

Please note in particular Condition 1, that this authority may not be exercised during the appeal period of 10 working days or until any appeal that has been lodged is resolved.

Thank you in anticipation of your compliance with the conditions of this authority. The NZHPT looks forward to receiving a report on the work done, which will make a valuable contribution to the knowledge of New Zealand's past.

If you have any queries please direct your response in the first instance to:

NZ Historic Places Trust Christchurch Office
PO Box 4403
CHRISTCHURCH 8140

Kia ora

Canterbury Archaeological Officer

EMERGENCY AUTHORITY

Canterbury Earthquake (Historic Places Act) Order 2011



EMERGENCY AUTHORITY NO: 2012/320eq

NZHPT File No.: 11013/11036-013

DECISION DATE: 26 September 2011

EXPIRY DATE: 18 April 2016

AUTHORITY HOLDER: Christchurch City Council

**POSTAL ADDRESS: PO Box 73020
CHRISTCHURCH 8154
Attn.**

ARCHAEOLOGICAL SITES: Various

LOCATION: Lyttelton Township

APPROVED ARCHAEOLOGIST: Katharine Watson

DECISION

Pursuant to Clause 11(1) of the *Canterbury Earthquake (Historic Places Act) Order 2011* and in respect of the archaeological sites described above, within the area on attached figure 1, specified as Road Reserve and other council owned land, the New Zealand Historic Places Trust grants a general emergency authority in whole to Christchurch City Council for the proposal to carry out earthworks to repair Lyttelton's horizontal infrastructure, and to undertake rock stabilisation works, subject to the following conditions:

CONDITIONS OF AUTHORITY

1. This authority may not be exercised for ten working days from the date of receipt or until any appeal has been resolved.
2. The Authority Holder must ensure that allowance is made in the work schedule for any archaeological work required as a condition of this authority. This shall be determined in consultation with the approved archaeologist.
3. The authority must be exercised in accordance with a Management Plan commissioned, or prepared with archaeological advice, by the Authority Holder. The Management Plan shall provide operational guidelines and procedures for day to day activities that may affect archaeological sites during any earthworks for the infrastructure repairs and rock stabilisation works. The Plan shall include, but is not limited to, the following:
 - a) The role, responsibility and level of authority of the approved archaeologist,
 - b) the monitoring and briefing requirements for any earthworks in the areas that have been identified in the archaeological assessment that was supplied with the application as being of high, medium and low archaeological risk,
 - c) on-site briefings by Project Archaeologist for contractors about the archaeological work required and how to identify archaeological sites during works,

- d) the responsibilities of contractors with regard to notification of archaeological sites,
- e) any tikanga Maori protocols or monitoring requirements agreed to by the Authority Holder and Te Hapu o Ngati Wheke, so long as the legal requirements of the authority are met.
- f) protocols for the unexpected discovery of archaeological material,
- g) procedures for any archaeological investigation or recording of archaeological information,
- h) timeframes for archaeological work,
- i) requirements for stand down periods to enable archaeological work,
- j) procedures and methods to preserve and protect any significant archaeological material *in situ*, including, but not limited to, sites that may be affected by directional drilling, significant volcanic red stone walls (condition 4), the historic cobblestones along Oxford Street (condition 5), and barrel drains (condition 6),
- k) procedures for updating the maps with areas of high, medium and low archaeological risk, based on the results of the work as these are being undertaken,
- l) mechanisms for dispute resolution, *and*
- m) emergency contact details for the Project Archaeologist, NZHPT Regional Archaeologist and Te Hapu o Ngati Wheke.

The Plan must be submitted to the NZHPT Regional Archaeologist for approval prior to the commencement of any earthworks. No earthworks shall commence until the NZHPT has given its written approval of the Plan.

4. Significant volcanic red stone walls must be preserved and reinstated to restore their original appearance. This will be determined in consultation with the NZHPT. Restoration of these walls must take place in such a manner that the retrieved red stone blocks can be reused to resurface the repaired parts of those walls, in order to restore their original appearance. If not sufficient complete stones are available for this purpose, half stones may be used, in which case the set-back of the modern repairs must be adjusted accordingly to provide a flush surface with the adjoining parts of the walls. A full course of stones must be used in the upper course.
5. Every effort should be made to avoid damage or modification of recorded site M35/385. If this is not possible, a photographic record must be created prior to any works being undertaken. This photographic record and other means (such as numbering and labelling) shall be used to identify cobblestones from the affected parts of the drain, in order that these sections of the drain can be re-built with the cobblestones in their original positions.
6. Every effort should be made to avoid damage or modification of the barrel drains. If this is not possible, these must be recorded fully prior to any works being undertaken, including photographs, drawings and measurements, and samples must be taken of the drain fabric.
7. Any archaeological work must be undertaken in conformity with any tikanga Maori protocols or monitoring requirements agreed to by the Authority Holder and Te Hapu o Ngati Wheke, so long as the legal requirements of the authority are met. Specifically, work must be undertaken in adherence to the Memorandum of Understanding developed between Te Hapu o Ngati Wheke, Te Ngai Tuahuriri Runanga, Te Runanga o Ngai Tahu and Christchurch City Council with regard to the horizontal infrastructure repair work.
8. The Authority Holder must ensure that every six months from the date of issue of this authority, the Authority Holder must submit to the NZHPT Regional Archaeologist, Te Hapu o Ngati Wheke and Te Runanga o Ngai Tahu a written report containing a summary of the progress of the project, a plan of the archaeological work undertaken, lists of any new archaeological sites that have been discovered, lists of archaeological finds or samples taken,

and a brief interpretation of the archaeological results to date. The report shall also document any breaches of any conditions of this authority, the nature of any investigations into that breach and the action taken.

9. Any archaeological evidence encountered during the exercise of this authority must be investigated, recorded and analysed in accordance with current archaeological practice.

Current archaeological practice may include, but is not limited to, the production of plans of site location and extent, excavation, section and artefact drawings and sampling, identification and analysis of faunal and floral remains and modified soils and radiocarbon dating of samples.

This work must be carried out by an archaeologist approved by NZHPT.

10. If any koiwi tangata (human remains) are encountered, all work should cease within 20 metres of the discovery. The NZHPT Regional Archaeologist, NZ Police, and Te Hapu o Ngati Wheke must be advised immediately, in accordance with Guidelines for Koiwi Tangata/Human Remains (*NZHPT Archaeological Guideline Series No. 8*), and no further work in the area may take place until they have responded.
11. Where possible, significant archaeological material encountered shall be preserved and protected *in situ*.
12. Reasonable efforts must be made to safeguard any archaeological material on site from unlawful excavation and removal.
13. The Authority Holder must ensure that within 6 months of the completion of the on-site archaeological work a final report, completed to the satisfaction of the NZHPT, is submitted to the NZHPT Regional Archaeologist.

This report shall include, but may not be limited to, site plans, section drawings, photographs, inventory of material recovered, including a catalogue of artefacts; location of where the material is currently held, and analysis of recovered material in accordance with accepted archaeological practice.

This report must be prepared by an archaeologist approved by the NZHPT.

14. The Authority Holder shall ensure that one hard copy of the final report is sent to the NZHPT Regional Archaeologist. A digital copy must also be sent to the NZHPT's National Office for inclusion in the Digital Library.

Hard copies of the final report must also be sent to: NZAA Central Filekeeper, Canterbury Museum, Te Hapu o Ngati Wheke and Te Runanga o Ngai Tahu.

15. Site Record Forms must be submitted to the NZAA Site Recording Scheme as appropriate. These forms must be prepared by an archaeologist approved by the NZHPT.

APPROVED ARCHAEOLOGIST

Pursuant to clause 14(2) of the *Canterbury Earthquake (Historic Places Act) Order 2011*, Katharine Watson, with such assistants as may be necessary, is approved by NZHPT to carry out any archaeological work required as a condition of this authority, and to compile and submit a report on the work done.

ADVICE NOTES

Costs

Pursuant to clause 14(3) of the *Canterbury Earthquake (Historic Places Act) Order 2011*, the Authority Holder shall meet all costs incurred during the exercise of this authority. This includes all on-site work (monitoring and excavation by the archaeologist or extended field crew), post fieldwork analysis (midden and artefact sorting and identification), radiocarbon dates, specialist analysis (pollen identification, wood identification, artefact conservation), and preparation of interim and final reports.

Final report

Hard copies of reports must include all information, including appendices, in printed form. Digital reports must be submitted in PDF format as a single file, including appendices.

NZHPT Guideline Series

Guidelines referred to in this document are available for download from the NZHPT website:
http://www.historic.org.nz/ProtectingOurHeritage/Archaeology/Arch_Guidelines.aspx

Non-compliance with conditions

Note that failure to comply with any of the conditions of this authority is a criminal offence and is liable to a penalty of up to \$40,000 (*Canterbury Earthquake (Historic Places Act) Order 2011*, clause 16(b)).

Protected Objects Act

The Ministry for Culture and Heritage administers the *Protected Objects Act 1975* which protects antiquities in New Zealand. An artefact is a specific category of antiquity that forms part of the cultural tradition of Maori. The *Protected Objects Act 1975* requires that any finds of Maori artefacts are notified to the Ministry for Culture and Heritage or the nearest public museum within 28 days of finding. For more information contact:

The Antiquities Officer:
antiquities@mch.govt.nz
Phone (04) 499-4229
Fax (04) 499-4490
www.mch.govt.nz/antiquities/index.html#content

Signed for and on behalf of the New Zealand Historic Places Trust.



Frank van der Heijden
NZHPT Canterbury Archaeological Officer
PO Box 4403
CHRISTCHURCH 8140

Date

26 September 2011

Legend

-  Lyttelton Authority Area
-  Authority Boundary
-  Ngati Whaka & Tuhuriri
-  Te Hapu O Ngati Whaka
-  Te Hapu Tuhuriri Runanga
-  Silent File
-  Park
-  Medium Risk Area
-  High Risk Area

