

COMPLYING WITH AN ARCHAEOLOGICAL AUTHORITY



HERITAGE NEW ZEALAND
POUHERE TAONGA



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NOW YOU'VE GOT YOUR AUTHORITY – WHAT NEXT?

YOU HAVE RECEIVED AN ARCHAEOLOGICAL AUTHORITY FROM HERITAGE NEW ZEALAND POUHERE TAONGA BECAUSE YOU ARE PLANNING WORK THAT MAY AFFECT AN ARCHAEOLOGICAL SITE. THIS IS A LEGAL DOCUMENT.

HERITAGE NEW ZEALAND WANTS TO SEE THE BEST OUTCOME FOR THE ARCHAEOLOGICAL SITES INVOLVED AND TO HELP ENSURE THAT YOUR PROJECT RUNS SMOOTHLY. ANSWERS TO COMMONLY ASKED QUESTIONS REGARDING COMPLIANCE WITH THE AUTHORITY ARE PROVIDED HERE. IF YOU HAVE OTHER QUESTIONS, PLEASE CALL THE REGIONAL ARCHAEOLOGIST IN THE OFFICE NEAREST YOU.

WHY COMPLY?

Archaeological sites are an irreplaceable part of our heritage and, although our history is short, it is rich, varied and unique, and belongs to all New Zealanders. What we discover from archaeological sites helps us to better understand our past and to learn from it. By complying with your authority conditions you help to add to our knowledge, and help us to preserve our heritage for the future.

We take compliance seriously and the *Heritage New Zealand Pouhere Taonga Act 2014* has strong provisions for non-compliance with authority conditions. It is a criminal offence to breach the conditions of an authority, and you could be penalised with a fine of up to \$120,000.

READ YOUR AUTHORITY CONDITIONS CAREFULLY

When authorities are granted, they contain a list of conditions which must be followed. Make sure you understand what the conditions mean and if you have any questions contact the Regional Archaeologist. Their contact details will be printed on the authority decision. You can also talk through the conditions with your approved archaeologist.

APPROVED ARCHAEOLOGIST

The archaeological conditions of the authority must be carried out by an archaeologist approved in writing by Heritage New Zealand before work starts. Check the authority decision to ensure that your nominated archaeologist has been approved.

If you change your archaeologist you must have the new person approved by Heritage New Zealand before you start work.

REVIEW OF CONDITIONS

Authority holders may apply to Heritage New Zealand to change or cancel any of the authority conditions. You must state the details of the authority, the area of land involved, the conditions opposed and the reasons for the application for a review. Heritage New Zealand will consider the documentation and provide a written response.

15 WORKING DAYS STAND-DOWN PERIOD

You may not start work under your authority until you have waited 15 working days (plus 3 days to allow for receipt by all parties by post) or until any appeal that has been lodged is resolved. The appeal period is part of the *Heritage New Zealand Pouhere Taonga Act 2014* which means we do not have the discretion to waive it.

APPEALING THE DECISION

The *Heritage New Zealand Pouhere Taonga Act 2014* allows any person directly affected by a decision to appeal it to the Environment Court. In the past, the Court has taken a narrow interpretation of people “directly affected”, but noted that it relates to the particular circumstances of each case. It does not include strong feelings or personal attachment to an area, or living or working close by. Appeals can be made by any person with a proprietary interest in the land, the applicant for the authority, or tangata whenua. There are other special circumstances where the views of people without a proprietary interest in the land will be considered based on the evidence of the case.

Appeals should be made in writing stating the reasons for the appeal and the relief sought. The appeal must be lodged with the Environment Court and served on the Heritage New Zealand within 15 working days of receipt of the authority decision. If your authority is appealed, you must be served with the appeal notice within five working days of it being lodged with the Court (see www.justice.govt.nz/courts/environment-court).



START AND FINISH DATES

Please inform Heritage New Zealand when on site archaeological work will commence, and is completed so that we can undertake compliance and update our records.

MINISTRY FOR CULTURE AND HERITAGE

Heritage New Zealand is required to send a copy of the authority decision to the Ministry for Culture and Heritage. This is to ensure that any artefacts recovered from the excavation are handled under the provisions of the *Protected Objects Act 1975* (see www.mch.govt.nz/protected-objects/index.html).

SITE SECURITY

Consider the security of the site from trespassers and whether this is likely to be an issue on your property. Historic sites in urban environments are more likely to be the target of vandals, particularly if there is potential for them to contain valuable artefacts.

TIMING IS EVERYTHING

Allow plenty of time to schedule the work that your approved archaeologist will undertake. For bigger projects this is particularly important because the approved archaeologist may need to organise a team of field workers to help with the investigation. Archaeologists normally work on a number of projects at one time across the country, so ensuring that resources are in place well in advance will help avoid delays to your plans.

HERITAGE NEW ZEALAND POUHERE TAONGA SITE VISIT

Heritage New Zealand staff may organise a site visit while the archaeological investigation is being undertaken to ensure that the conditions of the authority are being met. If there are any issues with compliance, the Regional Archaeologist will contact the authority holder to discuss them.

IMAGES:

Cover image: Remains of old gold miners town at Logantown, Bendigo, (IMAGE: ARNO GASTEIGER)

- 1 Tāhei, necklace, circa 1150, associated iwi, Hokonui Rūnanga (IMAGE: SOUTHLAND MUSEUM)
- 2 Archaeologists on site (IMAGE: ARNO GASTEIGER)



FOR INFORMATION ABOUT ARCHAEOLOGICAL SITES:

For enquiries about archaeological sites and applications to modify or destroy sites contact the Regional Archaeologist in your nearest Heritage New Zealand office:

- Northland Area Office, Kerikeri (Northland) ph: 09 407 0470
- Northern Regional Office, Auckland (Auckland, Hauraki, Thames / Coromandel) ph: 09 307 9920
- Lower Northern Area Office, Tauranga (Bay of Plenty, Waikato, Gisborne) ph: 07 577 4530
- Central Regional Office (Lower North Island, Nelson / Tasman, Marlborough) ph: 04 494 8320
- Southern Regional Office, Christchurch (Canterbury, West Coast) ph: 03 357 9629
- Otago / Southland Area Office (Otago, Southland) ph: 03 477 9871
- The Senior Archaeologist Heritage New Zealand PO Box 2629, Wellington Email: archaeologist@heritage.org.nz ph: 04 472 4341

For further information about the New Zealand Archaeological Association database of archaeological sites visit www.archsite.org.nz. For a list of consultant archaeologists visit their website www.nzarchaeology.org