

SH16 IMPROVEMENTS, STAGE 2 BRIGHAM CREEK TO KUMEŪ: ARCHAEOLOGICAL MANAGEMENT PLAN

Prepared for Beca Ltd

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By

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Contents

Introduction	1
Purpose	1
Project Archaeologist	2
Maori Cultural Values	2
Site Management	7
Pre-Start Requirements	7
Earthworks Phase	7
Procedures if Archaeological Sites are Discovered when the Archaeologist is not Present	8
Protocols Relating to Koiwi Tangata (Human Remains)	8
Protocols Relating to Taonga (Maori Artefacts)	9
Post-Earthworks Phase	9
Archaeological Team and Other Contacts	11
Archaeological Team	11
Contact Details	11
Stand Down Periods	12
Applicant's and Contractor's Responsibilities	13
Authority Holder's Responsibilities	13
Contractor's Responsibilities	13
Dispute Resolution	14

INTRODUCTION

Purpose

Waka Kotahi is seeking to undertake safety, capacity, walking and cycling improvements to State Highway 16 (SH16) between Whenuapai and Kumeū. The SH16 Stage 2 Project corridor extends from the end of the Auckland North-Western Motorway at the intersection of SH16, Brigham Creek Road and Fred Taylor Drive (Whenuapai) through to Weza Lane (east of Kumeū), and is a total distance of approximately 4.3km (see Figure 1).

An archaeological assessment of the effects of the project was prepared:

Farley, G. and S. Macready. September 2022 (Updated from February 2021). SH16 Improvements, Stage 2 Brigham Creek to Kumeū: Archaeological Assessment. Clough & Associates report prepared for Beca Limited.

The assessment established that there are thirteen recorded historic heritage sites within 200m of proposed works, all except one of which (R11/2079, CHI 13587 – a shell midden) are associated with European settlement. They are mainly related to the Sinton and Johnston families whose homesteads, store and slaughterhouse were located in this area. One is the site of the bridge (and weir) across the creek which preceded the existing bridge (R11/2081, CHI 13589). The others are: a turning area for boats servicing the Sinton store (R11/2080, CHI 13588); the unconfirmed site of the store/butchery (CHI 20452); the site of the first Sinton homestead (CHI 20450); the site of the 1890s Sinton slaughterhouse (CHI 20451); and the much-modified Sinton House at 238 SH16 (R11/2828, CHI 13241). The latter is scheduled as a historic heritage place on the AUP OP (ID 525, Category B) and the scheduled extent of place covers the whole property up to the road reserve.

In addition to the archaeological sites and Sinton House there are a number of heritage buildings recorded on the CHI in Section A: one an early 20th century villa near Brigham Creek Road (CHI 3713); and two pre-1900 buildings near Brigham Creek on the eastern side (CHI 3486 (R11/3432) and CHI 3379, both associated with the Sinton family). While these sites are within 200m of SH16 there is only potential for archaeological effects on any subsurface remains relating to the 19th century shed associated with Alexander Sinton's homestead (R11/3486, CHI 3486).

Old Railway Road, to the east of Kumeū, is the location of a recorded archaeological site (R10/1487, CHI 15093) which marks the location of the Portage Railway (Figure 4). At Kumeū there are two historic buildings within 200m of SH16. CHI 16385 is a house at 7 Main Road which may originally have been a railway house. CHI 13242 is the Kumeū Railway Goods Shed at 37 Main Road; this structure is also recorded in the AUP OP as a Category B historic heritage place (schedule 14.1 ID 483).

It is possible that other subsurface remains may be exposed within the development area. The adverse effects can be appropriately mitigated through archaeological investigation and recording to recover information relating to the history of the area. As archaeological sites will be modified, an Authority is required under the HNZPTA.

An application for a general Authority under section 44(a) of the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA) is therefore being made prior to the start of works. This archaeological management plan outlines the research aims and methodology for the investigation and recording of the known archaeological sites, and the procedures to be followed during archaeological monitoring of earthworks, and the discovery of

archaeological remains including koiwi tangata (human remains) or taonga (Maori artefacts).

Project Archaeologist

The 'Project Archaeologist' referred to in this plan is the archaeologist approved by Heritage NZ under section 45 of the HNZPTA.

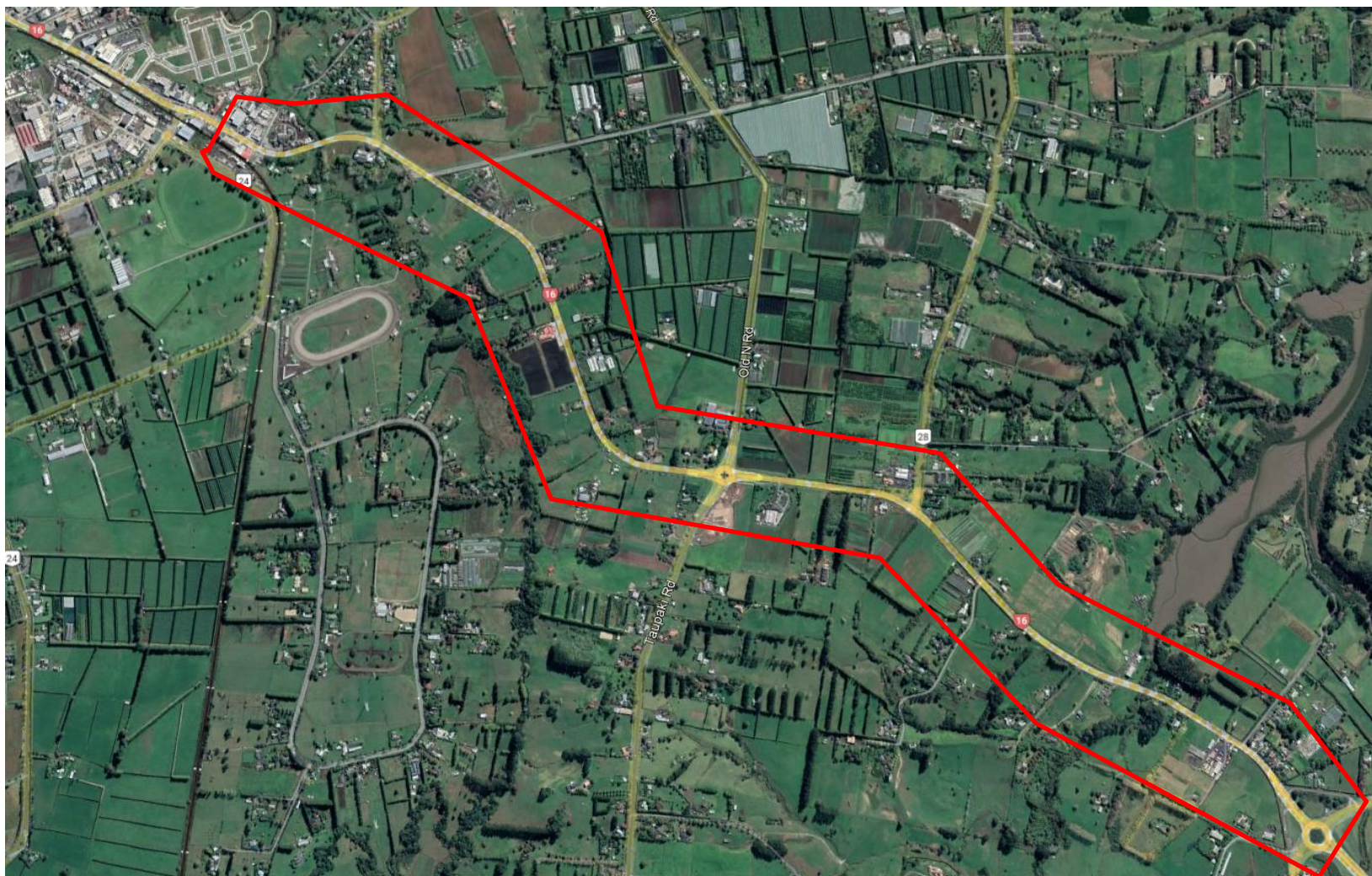
Some of the archaeological work may be undertaken by other qualified archaeologists under the direction of the Project Archaeologist. The general term 'Archaeologist' is used to denote either the Project Archaeologist or a qualified archaeologist working under their direction.

Maori Cultural Values

Archaeological sites of Maori origin have cultural value to tangata whenua in addition to the archaeological values provided for in this plan.

Contact details for representatives of iwi that have an interest in the sites within the project area are provided in this document, as are protocols that must be adhered to if archaeological remains of Maori origin are exposed. In carrying out the requirements of the authority the archaeologists will be guided by the Iwi representatives in matters of tikanga.

Figure 1. Aerial view of the Stage 2 project area (source: Google Earth)



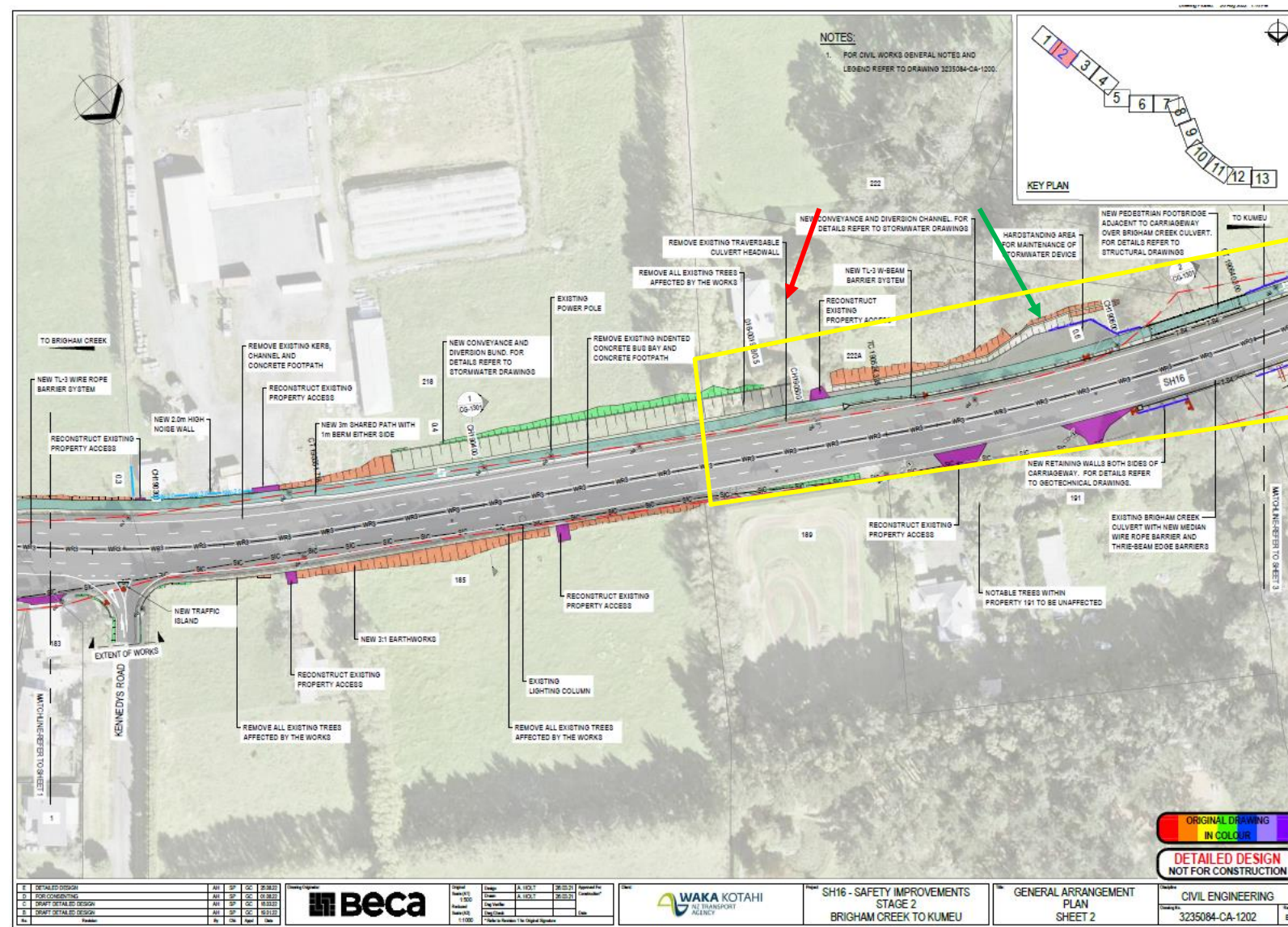


Figure 2. Proposed works at between Kennedys Road and Brigham Creek Bridge, Section A (32351084-CA-1201 to 1213, sheet 2). The red arrow indicates the building at 222A SH16 and the green arrow indicated the shed location. With the monitoring area highlighted in yellow.

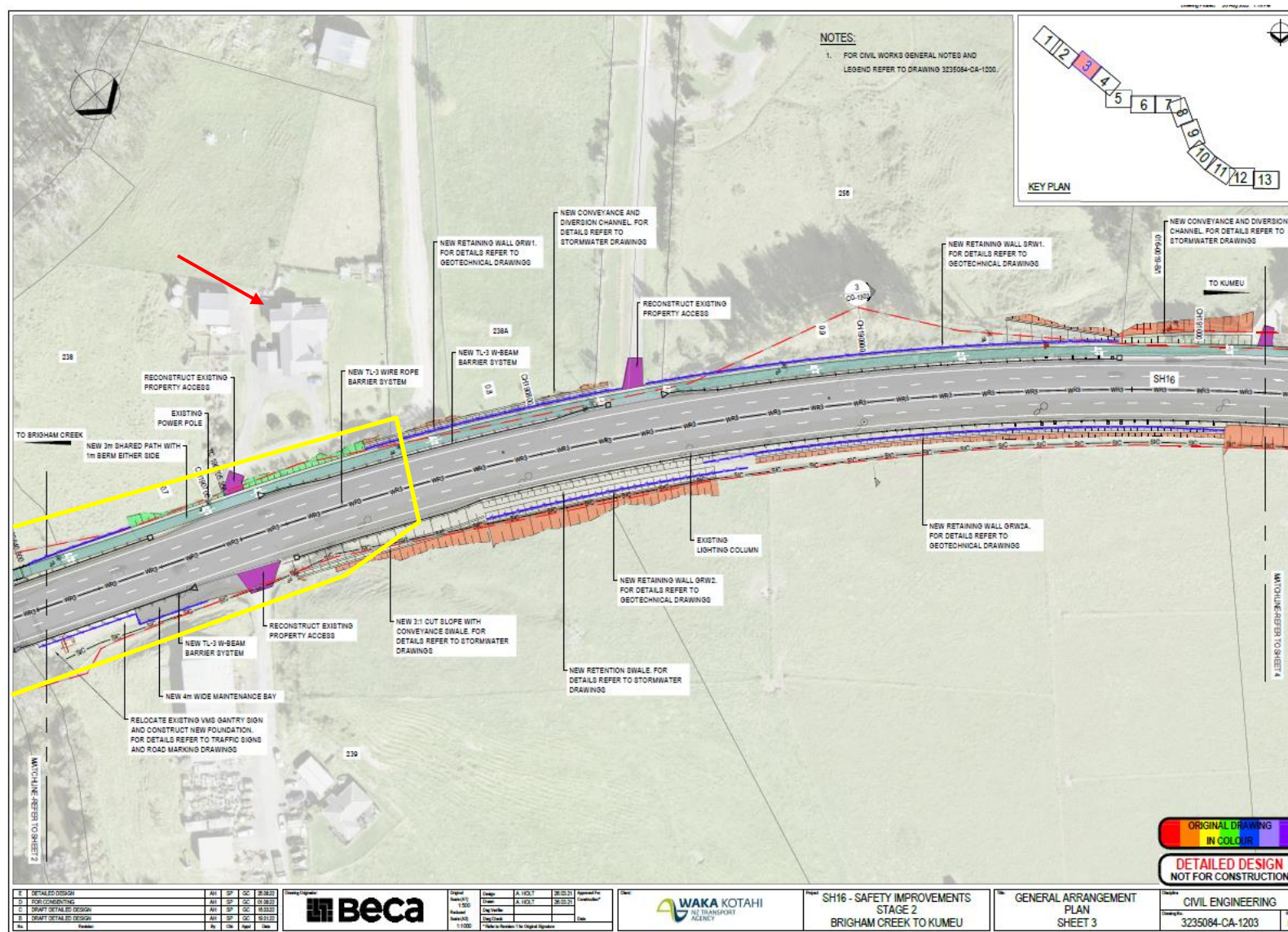


Figure 3. Proposed works in the section that crosses the west branch of Brigham Creek, Section A. The arrow indicates the scheduled building at 238 SH16 (32351084-CA-1201 to 1213, sheet 3). The monitoring area is highlighted in yellow

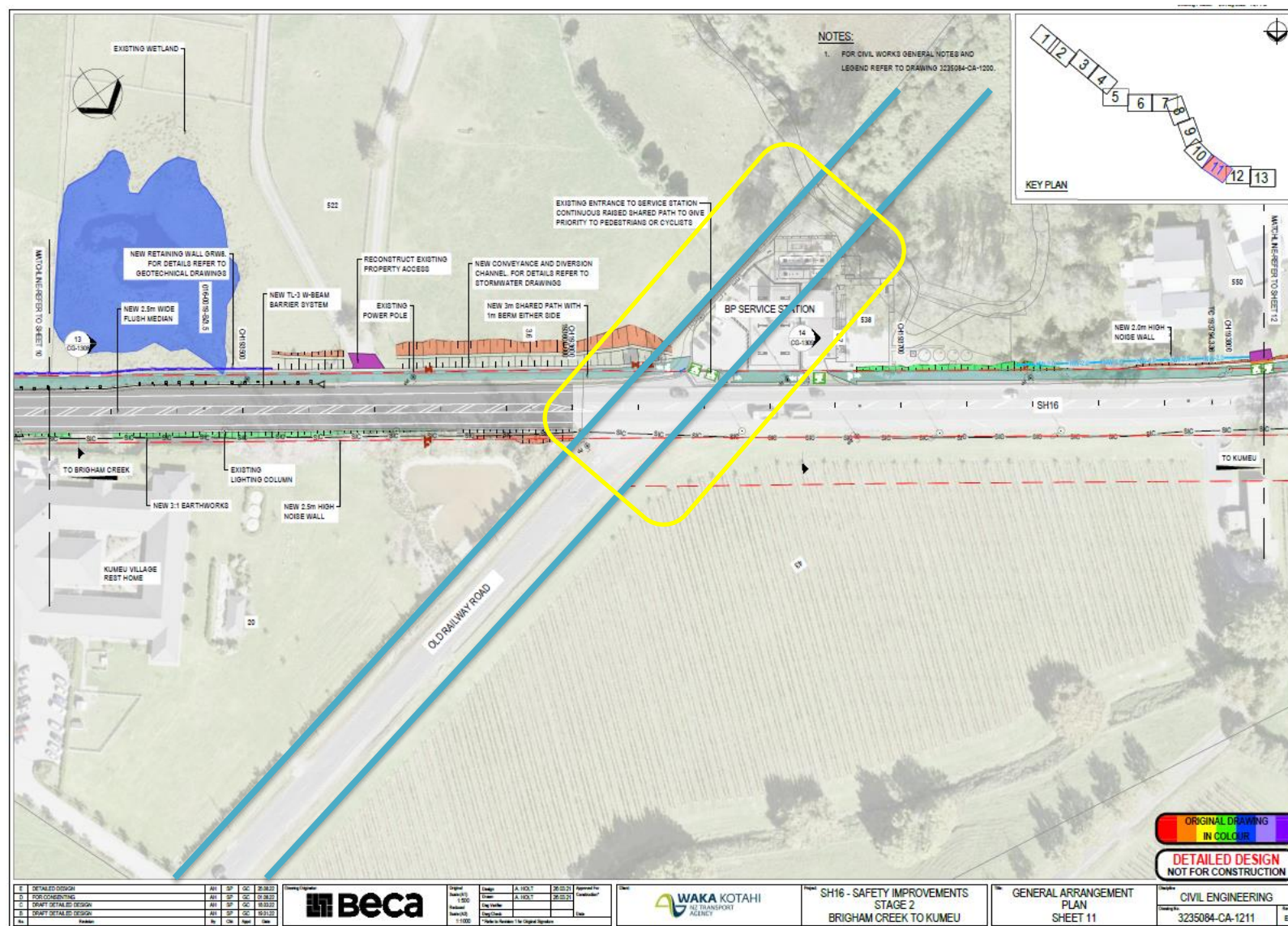


Figure 4. Proposed works in the vicinity of the Old Railway Road intersection, Section D. Cyan lines indicate the alignment of the rail line R10/1487 (32351084-CA-1201 to 1213, sheet 11). The monitoring area is highlighted in yellow.

SITE MANAGEMENT

Pre-Start Requirements

1. Prior to the start of earthworks, the Project Archaeologist will be called to meet the Contractor[s] on site to brief them on the archaeological requirements.
2. The Archaeologist will ensure that the Contractor/Project Manager have a copy of the Authority and Archaeological Management Plan, and will provide confirmation to Heritage NZ that they have been received and understood, either by providing copies of both documents signed by the relevant parties, or by obtaining email confirmation from them, copied to Heritage NZ.
3. The Project Archaeologist must be given at least 2 weeks' notice by the Contractor that works are about to begin.

Earthworks Phase

1. Monitoring of all preliminary excavations within the identified monitoring zones (Figure 2 to Figure 4) will be carried out by a qualified Archaeologist, to determine the extent of pre-1900 archaeological remains.
2. Monitoring will continue until the natural deposits have been reached (where excavations are continued to this depth), or until it becomes clear that the area has been modified to the point where no archaeology would be expected.
3. If in situ archaeological features or deposits are identified during monitoring, the Archaeologist will stop works in the immediate vicinity by notifying the Contractor and will investigate and record the remains.
4. Any in situ archaeological deposits or features exposed during monitoring will be investigated, recorded and sampled by the Archaeologist consistent with accepted archaeological practice and in accordance with the requirements of the Heritage NZ authority. Detailed notes of each feature and deposit will be made, photographs will be taken, and all subsurface features located will be detailed on the site plan. Stratigraphic drawings and photographs of features and deposits will be undertaken. Any artefacts will be retained for analysis and their positions marked on the site plan.
5. Additional Archaeologists will be brought to site as required to assist in the monitoring, and for the subsequent archaeological recording and sampling.
6. The Contractor will allow sufficient time and opportunity for the recording and sampling of any archaeological features or deposits encountered. The Archaeologist(s) will record the archaeological feature(s) or deposit(s) as quickly as possible so that earthworks may resume without undue delay.
7. If suspected archaeological deposits or features are identified at times or in areas where the Archaeologist is temporarily not present, the Contractor must stop works (within 10m) and follow the procedure set out below.
8. Heritage NZ will be advised by the Project Archaeologist if any significant archaeological features or deposits are exposed that were not anticipated. This will trigger the stand down procedure set out below.

Procedures if Archaeological Sites are Discovered when the Archaeologist is not Present

If the Archaeologist is temporarily not present and remains are exposed that are potentially archaeological features or deposits (as described to the Contractor at the pre-start meeting), the following procedure should be adopted:

1. The Contractor will ensure that earthworks shall cease in the immediate vicinity (within 20m) while the Archaeologist is called in to establish whether the remains are part of an archaeological site as defined under the HNZPTA.
2. If the Archaeologist confirms that it is an archaeological site, kōiwi/human remains and/or taonga, the area of the site will be defined by the Archaeologist and excluded from earthworks.
3. The archaeological site will be investigated and recorded by the Archaeologist in accordance with accepted archaeological practice and the conditions of the authority.
4. Heritage NZ will be advised by the Archaeologist if any significant archaeological features or deposits that were not anticipated are exposed.
5. If the archaeological site relates to Maori occupation the appropriate Iwi representatives will be informed by the Archaeologist (if not present) prior to investigation.
6. If human bone (kōiwi tangata) or taonga (Maori artefacts) are unearthed the protocols set out below will be followed.

Protocols Relating to Kōiwi Tangata (Human Remains)

If bone material is identified that could potentially be human, the following protocol will be adopted:

1. Earthworks/investigation should cease in the immediate vicinity while an Archaeologist establishes whether the bone is human.
2. If it is not clear whether the bone is human, work shall cease in the immediate vicinity until the University's reference collection and/or a specialist can be consulted and a definite identification made.
3. If bone is confirmed as human (kōiwi tangata), the Archaeologist will immediately contact Iwi representatives (if not present), Heritage NZ, Auckland Council, and the NZ Police.
4. The site will be secured in a way that protects the kōiwi as far as possible from further damage.
5. Consultation will be undertaken with all Iwi representatives as outlined in the authority, the Heritage NZ Regional Archaeologist, Auckland Council, New Zealand Police, and the authority holder to determine and advise the most appropriate course of action. No further action will be taken until responses have been received from all parties, and the kōiwi will not be removed until advised by Heritage NZ.
6. The Iwi representatives will advise on appropriate tikanga and be given the opportunity to conduct any cultural ceremonies that are appropriate.

7. If the remains are of Māori derivation there are a number of sensitive issues to work through including: if a disinterment license is required from the local Public Health Unit; what protocols will be followed for the removal of the remains if in situ preservation is not possible; the final location of the remains; the level of recording and extent of any further scientific analysis; and who will remove the remains.
8. If the Iwi representatives are in agreement and so request, the bones may be further analysed by a skilled bio-anthropological specialist prior to reburial, in line with the *Heritage NZ Guidelines Kōiwi Tangata Human Remains* (2014).
9. The Project Archaeologist will record details of the kōiwi/human remains, the site of discovery, and any other relevant facts, and these records will be made available to the New Zealand Police, HNZPT, and the appropriate iwi group(s) or other descendants.
10. Activity in that place can recommence as soon the bones have been reinterred or removed and authorisation has been obtained from Heritage NZ.

Protocols Relating to Taonga (Maori Artefacts)

Maori artefacts such as carvings, stone adzes, and greenstone objects are considered to be taonga (treasures). These are taonga tuturu within the meaning of the Protected Objects Act 1975. Taonga may be discovered in isolated contexts, but are generally found within archaeological sites. If taonga are discovered the following protocols will be adopted:

1. The area containing the taonga will be secured in a way that protects the taonga as far as possible from further damage, consistent with conditions of the Authority.
2. The Archaeologist will then inform Heritage NZ and the Iwi representatives so that the appropriate actions (from cultural and archaeological perspectives) can be determined.
3. These actions will be carried out within the stand down period specified below, and work may resume at the end of this period or when advised by Heritage NZ or the Archaeologist.
4. The Archaeologist will notify the Ministry for Culture and Heritage of the find within 28 days as required under the Protected Objects Act 1975. This can be done through the Auckland War Memorial Museum.

The Ministry for Culture and Heritage, in consultation with the tangata whenua, will decide on custodianship of the taonga (which may be a museum or the iwi whose claim to the artefact has been confirmed by the Maori Land Court). If the taonga requires conservation treatment (stabilisation), this can be carried out by the Department of Anthropology, University of Auckland (09-373-7999) and would be paid for by the Ministry. It would then be returned to the custodian or museum.

Post-Earthworks Phase

1. Any artefacts recovered and samples taken will be analysed and recorded by the appropriate specialists.
2. Any Maori artefacts will be notified to the Ministry for Culture and Heritage in accordance with the Protected Objects Act 1975.

3. The Project Archaeologist will provide a report to Heritage NZ within 20 days of the completion of archaeological work. This may be the final report if no or limited archaeological remains are found.
4. If more extensive remains requiring detailed analysis are found, the Project Archaeologist will complete a full monitoring report within 12 months of the end of the archaeological work, and will provide it to Heritage NZ and other parties identified in the Authority.
5. A plan for the management of those archaeological sites situated within the public reserve areas should be finalised in conjunction with iwi. This should include a planting and maintenance guide. Planting across archaeological sites should be done with low growing (shallow rooting) species to arrest further damage to those features. Planting should be archaeologically monitored.

ARCHAEOLOGICAL TEAM AND OTHER CONTACTS

Archaeological Team

Glen Farley will direct the project as the Section 45 archaeologist. Fieldwork will be carried out by him or under his supervision.

The archaeological team will include some or all of the following:

Name	Role	Responsibility
Rod Clough, PhD	Director	Overall direction of project
Glen Farley, MA	S45 Archaeologist	Manage project in field and prepare report
Richard Shakles, BSc	Senior Archaeologist	Monitoring, recording
Kirsten Roth, MA	Archaeologist	Monitoring, recording
Jen Low, MA	Archaeologist	Monitoring, recording

Other qualified archaeologists and/or specialists may be brought in to the project if required. These may include specialists in particular categories of artefact or other remains.

Contact Details

Project Archaeologist	Glen Farley: (09) 940 7865 or 0210775439, glenfarley@clough.co.nz Rod Clough: (09) 8141946 or 0275328883, heritage@clough.co.nz
Heritage NZ Regional Archaeologist	Kurt Bennett: (09) 307 9933, 027 605 4341, KBennett@heritage.org.nz Greg Walter: (09) 307 9924, GWalter@heritage.org.nz
Iwi Representatives	Te Kawerau a Maki: Edward Ashby, 022 602 6630, Edward.Ashby@tekawerau.iwi.nz Ngati Whatua o Kaipara: Savanna Steele, Savanna.steele@kaiparamoana.com

STAND DOWN PERIODS

Depending on what is revealed by the earthworks, stand down periods may be required at various stages to allow for archaeological work to be carried out or for consultation with the appropriate parties may be required at various stages.

Stand down will require earthworks to cease only in the immediate vicinity of the feature or find, and work may proceed in other areas. The following maximum stand down periods will apply, but earthworks may be resumed earlier if the required work has been completed.

Timeframes need to be flexible enough to ensure that archaeological works are completed as necessary to ensure that the conditions of the authority are met.

Trigger	Stand Down Period	Requirements	Release
Archaeological feature, deposit or artefacts ¹	Up to 3 days within each area where remains are found, but work may continue in areas where no remains are identified	Sufficient time must be allowed for the Archaeologist to investigate and record the remains.	Work resumes when the Archaeologist advises the Contractor that work is completed
Significant archaeological feature, deposit or artefacts	Up to 3 days for a response from Heritage NZ, and up to 3 days for any detailed investigation required	The likely requirement is a mitigation investigation and/or recording by standard archaeological techniques, but this will be advised by Heritage NZ.	Work resumes when the Archaeologist advises the Contractor that work is completed
Human bone found	As agreed between the project manager, Heritage NZ and Iwi	Heritage NZ and NZ Police to be satisfied that koiwi identification is correct. Iwi representative(s) to organise reinterment or removal of bones from site and appropriate cultural ceremonies.	Work resumes following reinterment or removal of bones from site and when authorisation from Heritage NZ has been received.
Taonga, or archaeological remains of Maori origin found that were not anticipated	Up to 3 days	Heritage NZ and Iwi representative(s) to be consulted on appropriate action. Archaeological recording as required	Work resumes when the Archaeologist or Heritage NZ advises the Contractor that work is completed

¹ i.e. with the potential to provide significant information through detailed investigation

APPLICANT'S AND CONTRACTOR'S RESPONSIBILITIES

Authority Holder's Responsibilities

Beca or their designated representative has the following responsibilities:

1. To advise Heritage NZ of the start and finish dates of any required archaeological work.
2. To ensure that sufficient time is provided to carry out any archaeological investigations required.
3. To provide sufficient site security to ensure that archaeological material on site is protected from unlawful excavation or removal.
4. To ensure that a copy of the archaeological Authority is kept on site and its contents are made known to all contractors and subcontractors.
5. To ensure that a copy of this Archaeological Management Plan is kept on site and its contents are made known to all contractors and subcontractors.
6. To ensure that the conditions and protocols outlined in the Authority and this document are observed by Contractors and subcontractors.
7. To provide a safe environment for the archaeologists to carry out their work.

Contractor's Responsibilities

The Contractor's responsibilities are as follows:

1. To meet the Project Archaeologist on site prior to the start of works for a briefing on the archaeological requirements.
2. To provide the Project Archaeologist with 2 weeks' notification that project earthworks are about to begin, and to ensure that an Archaeologist is present when earthworks begin in the areas requiring monitoring shown in Figure 1 and Figure 2.
3. To comply with the archaeological discovery protocols if archaeological sites, koiwi or taonga (pp.8-9) are discovered.
4. To allow the Archaeologists sufficient time to investigate and record any archaeological remains before resuming works in the immediate vicinity.
5. To ensure a safe working environment for the Archaeologists.

DISPUTE RESOLUTION

Disputes fall into a number of categories but are usually the result of poor communication between the developer, subcontractors, Iwi representatives and the project archaeologists. Most can be avoided if sufficient detail of the archaeological issues and responsibilities is outlined in the tender document or work management documentation.

Common examples of a dispute are: that the subcontractors consider that the archaeologists are causing unacceptable delays, or that the archaeologists feel they have insufficient time to fulfil the obligations of the authority. In the event of a dispute relating to the Authority investigation the following procedure for resolution should be followed:

1. If the dispute relates to archaeological issues, a meeting between the Authority holder (or designated representative), Contractor or subcontractor and Archaeologists should be convened as soon as possible to attempt to resolve the dispute.
2. If the dispute relates to cultural issues, a meeting between the Authority holder (or designated representative), Contractor or subcontractor, Iwi representatives, and Archaeologists should be convened as soon as possible to attempt to resolve the dispute.
3. If the dispute cannot be resolved a further meeting of all parties with representatives of Heritage NZ will be arranged within 1 working day to resolve the dispute. Heritage NZ has ultimate responsibility for resolving issues relating to the conditions of the Authorities it issues.

Taonga tūturu (Maori artefacts) recovered from archaeological investigations are often deposited in local or national museums following archaeological analysis, and with the agreement of iwi. On other occasions iwi may prefer to retain ownership of artefacts and disputes can arise between different iwi with an interest in the area. Any disputes relating to the long term ownership and custody of taonga tūturu should be dealt with through the statutory processes of the Protected Objects Act 1975. The provisions of the Act require that all taonga tūturu are notified to the Ministry for Culture and Heritage within 28 days of the completion of archaeological fieldwork. Under s.11 and s.12 of the Act the Ministry for Culture and Heritage must notify all parties that have an interest in the taonga, and if competing claims for ownership are made and cannot be resolved the matter may be referred to the Maori Land Court for resolution.