



Practice Note No 2

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MANAGING HISTORICAL ARCHAEOLOGICAL SIGNIFICANCE IN THE WORKS APPLICATION PROCESS

PREAMBLE

The Tasmanian Heritage Council (Heritage Council) has issued a series of Practice Notes designed to provide advice and guidance on a range of historic heritage topics. This Practice Note refers to the management of significant historical archaeological sites and features in the Works Application process. Further guidelines regarding historical archaeological research and education can be obtained from Heritage Tasmania.

This Practice Note advocates the application of professional standards with the aim of securing information resident in archaeological contexts either through meaningful protection *in situ* or through a logical well founded process of inquiry and specialised investigation. A central tenet of the document is realisation of a public benefit from archaeological investigations. This acknowledges the high level of public interest in archaeology and the contributions which new found information can make to the cultural amenity of the Tasmanian community.

Parts

- 1 The Works Application process
- 2 Assessing historical archaeological significance
- 3 Disturbance of an archaeological site
- 4 Archaeological excavation strategy and research design
- 5 Professional standards
- 6 The collection, storage and curation of excavated finds
- 7 Dealing with unexpected discoveries
- 8 Making new found information available to the community

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What is historical archaeology?

Historical archaeology is the study of the past using physical evidence in conjunction with historical sources.

It focuses on the objects used by people in the past and the places where they lived and worked. It can tell us about the way things were made and used and how people lived their daily lives. Such information is usually brought to light through careful controlled archaeological excavation informed by a wide range of processes and techniques.

What is a historical archaeological site?

Archaeological sites are a repository of information, with details of the past sealed within an often complex matrix of structures and deposits. They may include features below or above the ground, including structures and/or artefact bearing occupation and refuse deposits.

A historical archaeological site may include:

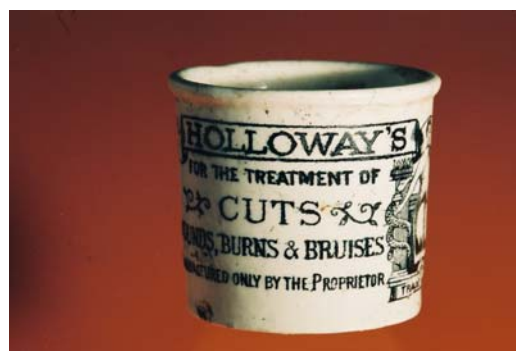
- Topographical features and evidence of past environments (ie, resident in pollens and diatoms)
- Evidence of site formation, evolution, redundancy and abandonment (ie, features and materials associated with land reclamation, sequences of structural development, demolition/deconstruction, and renewal)
- Evidence of function and activities according to historical theme/s represented (eg, an industrial site may contain diagnostic evidence of process, products and by-products)
- Evidence associated with domestic occupation including household items and consumables, ornaments, personal effects and toys
- Evidence of diet including animal and fish bones, and plant residues
- Evidence of pastimes and occupations including tools of trade and the tell tale, and often fragmentary, signatures of these activities and processes

- Methods of waste disposal and sanitation, including the waste itself which may contain discarded elements from all classes of artefact as well as indicators of diet and pathology
- Any surviving physical evidence of the interplay between site environment and people.

The information found in historical archaeological sites is often part of a bigger picture which offers opportunities to compare and contrast results between sites. The most common comparisons are made at the local level, however, due to advances in research and the increasing sophistication and standardisation of methods of data collection, the capacity for wider reference (nationally and, occasionally, internationally) exists and places added emphasis on conservation of historical archaeological resources.



Archaeological excavations in Wapping revealed 150 year old structural remains including subtle evidence of former sub-floor timber structures and associated underfloor deposits (photo courtesy of Hobart City Council and, Tony Jenners / Austral Archaeology 1998).



Artefacts recovered from archaeological contexts can reveal details of every day life. Holloway's ointment was a popular imported remedy for a range of skin ailments. Thomas Holloway began producing medicinal compounds in c1828. By 1837 the business had a factory at the Strand in London, moving to Oxford St in 1867. This item was recovered from deposits in Hobart's Wapping district (photo courtesy Hobart City Council and Tony Jenner / Austral Archaeology 1998).

Why are historical archaeological sites important?

In Australia there is the opportunity to gain insight into aspects of our history from the earliest period of European settlement, with Tasmania having some of the most significant and well preserved historical archaeological sites in the nation.

The careful recording and collection of tangible evidence from archaeological sites, when analysed and interpreted can provide valuable, and often original, information that enhances our understanding and appreciation of our history.

Historical archaeological sites are also considered for their interpretation potential and use as a cultural resource and / or a venue for community engagement.

Historical archaeological resources are perpetually at risk and ever diminishing. The effects of disturbance cannot be undone nor can a site be re-excavated.

How are historical archaeological sites protected in Tasmania?

The *Historic Cultural Heritage Act 1995* (the Act) promotes the identification, assessment, protection and conservation of places having historic cultural heritage significance.

Places are protected by listing in the Tasmanian Heritage Register, if, in the opinion of the Heritage Council, the significance of the place meets one or more of seven criteria listed in the Act (see www.thelaw.tas.gov.au).

The Act defines historic cultural heritage significance as meaning 'significance to any group or community in relation to the archaeological, architectural, cultural, historical, scientific, social or technical value of a place'.

Most commonly, archaeological heritage is valued for its research potential, i.e. its value as evidence for creating new knowledge about the past (criterion c). However, archaeological heritage may also have historic value (criterion a), community value (criterion f), and associative value (criterion g). In addition, archaeological sites may also meet rarity thresholds (criterion b) or the representative threshold (criterion d).

1 THE WORKS APPLICATION PROCESS

1.1 Works on a heritage registered place

Any works on a heritage registered place that may affect the place's historic cultural heritage significance (including archaeological or potential archaeological significance) requires formal approval from the Heritage Council.

The Act defines 'works' to include 'any development (see below); any physical intervention, excavation or action which may result in a change to the nature or appearance of the fabric of a place; any change to the natural or existing condition or topography of land; any removal, destruction or lopping of trees otherwise than in accordance with forest practices as defined in the *Forest Practices Act 1985*; and any removal of vegetation or topsoil'.

This definition includes a range of activities that may affect the historic cultural heritage (including archaeological) significance of a place. One example of 'works' is excavation, including actions relating to the installation of services. Another example is where 'works' on adjacent land may affect the historic cultural heritage values of a heritage registered place.

The term 'development' includes construction, exterior alteration or exterior decoration of a building; the demolition or removal of a building; the subdivision or consolidation of land, including buildings or airspace; the placing or relocating of a building; and the

construction, or putting up for display, of signs or hoardings.

Any activity on a heritage registered place that falls within the above definitions must form the subject of a Works Application to the Heritage Council. A Works Application can be obtained from Heritage Tasmania or downloaded from Heritage Tasmania's website www.heritage.tas.gov.au

Note 1: In all cases regardless of Applicant it is the owner of the property who bears the legal responsibility to ensure that conditions imposed by the Heritage Council are carried out to the required standards

Note 2: A Works Application may not be required if there is certainty expressed in **writing** that the works will not affect the archaeological significance of the place.

Note 3: The Heritage Council may grant an exemption of works. An exemption can only be issued when the matter is referred to the **Heritage Council before** a Works Application is lodged. Once a Works Application has been lodged it must be processed as per statutory requirements.

1.2 Contacting the Tasmanian Heritage Council

The first approach in proposing any new works on a heritage registered place is to understand the significance of the place.

It is recommended that the Heritage Council is contacted in the initial stage of proposing any works, preferably in the conceptual phase of project planning. This will establish the procedures that need to be followed.

For example, where a place is registered for its archaeological or potential archaeological significance, the Heritage Council **may require** the proponent to prepare a statement of historical archaeological potential and to have factored in any recommendations arising from that assessment into their works proposal **before** a Works Application is submitted (see Part 2: Assessing Historical Archaeological Significance).

1.3 Works Application approval / conditions process

Having considered a Works Application the Heritage Council may approve the application with or without any conditions or restrictions, or may refuse the application (see also the Heritage Council's *Works Application Practice Note 1* online at www.heritage.tas.gov.au).

For example, where proposed works will disturb the archaeological or potential archaeological significance of a place, the Heritage Council may require the design of the works to be amended or additional studies to be undertaken. Where design modification or meaningful protection is not possible the Heritage Council may require a controlled excavation to be undertaken (see Part 3).

Where conditions are imposed, the Heritage Council will prescribe the standards by which the works are to be undertaken. This may require the engagement of experts to supervise or undertake the works (or any part thereof).

As a rule, the destruction or reduction of a significant historical archaeological site or feature will only be sanctioned by the Heritage Council if it can be demonstrated that:

- a. there is no prudent and feasible alternative to carrying out the works; and/or
- b. its excavation or removal will contribute to our knowledge of the site and its social and cultural context, however broadly or narrowly defined.



Careful excavation in Wapping revealed stratified yard surfaces, interspersed with evidence of flood borne deposits (photo courtesy Hobart City Council and Tony Jenner / Austral Archaeology 1998).



Photo courtesy PHASMA (2004)

2 ASSESSING HISTORICAL ARCHAEOLOGICAL SIGNIFICANCE

2.1 Statement of historical archaeological potential

A statement of historical archaeological potential is a desktop assessment. Its purpose is to:

- understand in more detail the archaeological values of the place, including its potential to contain significant archaeological features and deposits, and
- to provide guidance on an appropriate course of action to protect those values.

It provides the opportunity to:

- redesign or reconsider any proposals at an early stage, in order not only to avoid identified zones of historical archaeological potential or sensitivities
- minimise or eliminate the capacity for later delays to critical path timetables
- identify areas of low significance thereby providing some flexibility for works to occur in certain locations.

The scope of the statement will reflect the size of the project and any other factors deemed relevant by the Heritage Council.

The statement must be undertaken by a qualified historical archaeologist. In the case of a large project or development at a highly significant site, the archaeological assessment will typically require the skills of a multi disciplinary team including, for example, a historical archaeologist, an historian, architectural historian and / or other appropriate expert(s).

2.2 Outcomes of the statement of historical archaeological potential

The following components shall be included in the statement of historical archaeological potential.

- a) An illustrated site and disturbance history: Prepared by a professional historian, this document shall include a series of overlay plans that depict key periods or phases (as dictated by the availability of archival evidence), together with explanatory text and illustrations.
- b) An evaluation of historical archaeological potential: A qualified historical archaeologist shall review the site and disturbance history to predict sensitivity and historical archaeological potential. This shall be presented graphically with supporting text explaining the basis for the judgement(s) made.
- c) A statement of archaeological significance: Depending on the sensitivity zoning this may vary within the subject study area. Where applicable, the statement will make specific reference to criterion (c) of the Act (i.e. where there is potential to yield information that will contribute to a greater understanding of Tasmania's history) and any other relevant criteria.

The statement should also address:

- The nature of information that may be derived from a study of the place

- A summary of the current information already available in the particular research area, and
 - A statement which clearly identifies the contribution, or the potential contribution, the information may make to an understanding of Tasmania's history.
- d) Places identified as having low historical archaeological significance: Where the statement of historical archaeological potential finds the place has low historical archaeological significance the Heritage Council may require no further action.

Note 1: The statement of historical archaeological potential **MUST** be provided to the Heritage Council for endorsement as part of the Works Application process, even if the place is identified as having low historical archaeological significance.

Note 2: Due to the predictive nature of this type of assessment, there is always the possibility of unexpected finds being made after the works have commenced. (See Part 7)

3 DISTURBANCE OF AN ARCHAEOLOGICAL SITE

3.1 Redesign

Where a site predicted to have archaeological significance, sensitivity and/or potential will be disturbed, the Heritage Council may require an amendment to the design of the works to avoid significant or potentially significant impacts.

3.2 Further investigation

Where a site predicted to have archaeological significance, sensitivity and/or potential will be disturbed and where the feasibility of an amendment to the Works Application depends upon further study, the Heritage Council may require the archaeological potential to be clarified by further investigations. This may take the form of non-invasive studies

(such as geophysical remote sensing and/or test trenching). The Heritage Council may require that any resultant information is factored into an amendment of the Works Application.

3.3 Archaeological excavation

Where design modification and/or meaningful protection is not possible and loss of significant fabric is inevitable, appropriate actions will be requested by the Heritage Council to mitigate loss. The range of activities required to be undertaken could include, but not necessarily be limited to;

- a. Combined archaeological testing and recording (see Parts 5-8)
- b. Controlled archaeological excavation of archaeological features and deposits (see Parts 4 -8)
- c. Monitoring of works to mitigate archaeological impacts and recover information before it is lost, as part of a wider program of archaeological works. Monitoring will only be approved as part of a project design where, depending upon the findings, budget and time exists to progress to a more detailed phase of investigation and analysis (see Parts 5-8).

The above options, with decisions and outcomes, are represented in the chart on page 7.



Controlled open area excavation in Wapping revealed extensive evidence of early – mid 19th century dwellings and yard surfaces pock marked with artefact bearing cesspits. All at a depth of nearly 2metres below existing street levels (photo courtesy Hobart City Council and Tony Jenner / Austral Archaeology 1998).

3.4 Figure I: Process Chart

(Numbers in bold refer to Part headings within this Practice Note)

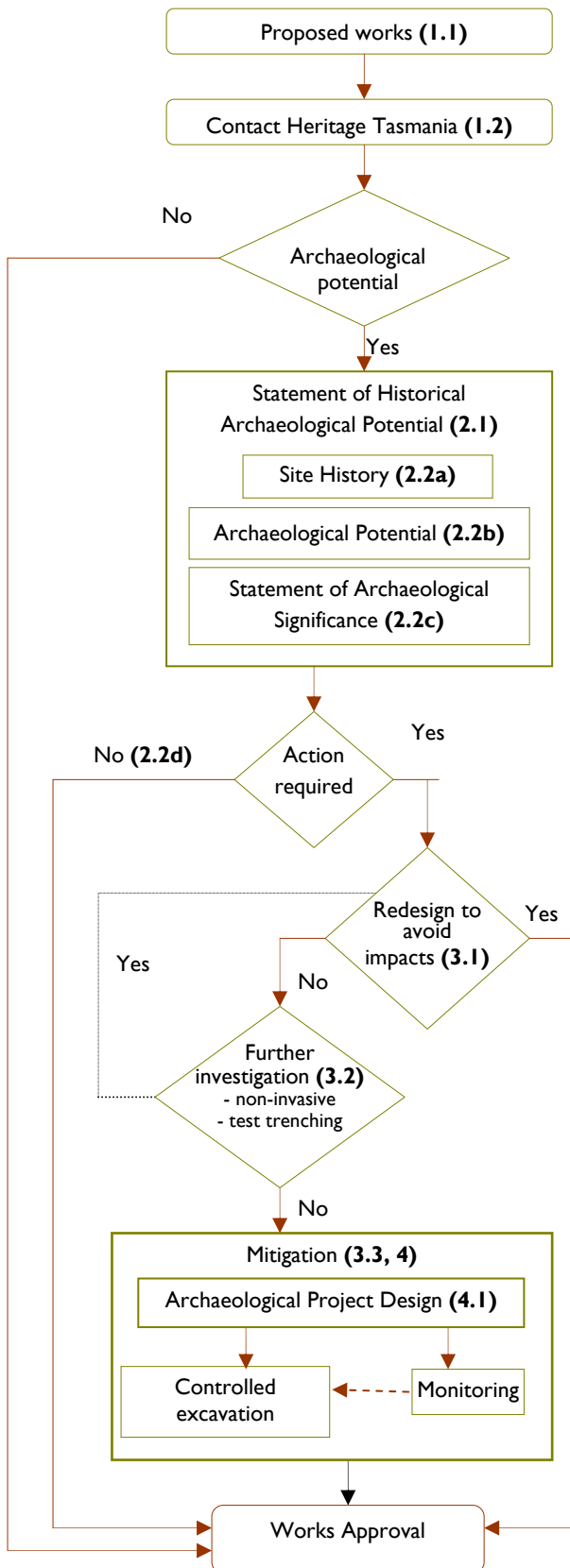


Photo courtesy Jody Steele (2003)



Photo courtesy of Jody Steele (2004)



Photo courtesy of PAHSMA (2005)

4 Archaeological Excavation Strategy and Research Design

4.1 Project design

Where controlled archaeological excavation before site development is required, a method statement shall be prepared and provided to the Heritage Council for consideration.

The method statement shall include:

- a. Extracts as appropriate from the statement of historical archaeological potential (see Part 2)
- b. An archaeological strategy, outlining the proposed stages of works and protocols for undertaking that work
- c. An archaeological research design
- d. An archaeological methodology for a full controlled excavation
- e. Provisions for archaeological advice to be given in planning stages of any exploratory works or environmental site assessments, if applicable
- f. A conservation strategy for the protection, where required, of features to remain *in-situ*
- g. A method statement for extant recording(s), if applicable
- h. A strategy for reburial / rehabilitation of the site, if applicable
- i. A proposal for artefact analysis, including a procedures for the management and conservation of finds during the field program and analysis stage
- j. A program that provides for the communication of new found information to be made available to the Tasmanian community (see Part 8).

4.2 Reporting

Following excavation the Heritage Council will require two separate reports in a timely manner:

- (1) A final report which presents the findings of the excavation in a

comprehensive and systematic framework. This report is to be a definitive and succinct document that will cross reference to the project archive. It will provide a base for more detailed analysis and interpretation by the archaeological community, and provide a reference for future work in the area. The final report shall contain, but not be limited to:

- A plain English abstract which can act as a stand alone site overview
- Introduction and background
- The excavation process and descriptions of methods used
- A description of stratigraphic sequences across the excavated areas
- An outline response to the Research Design
- A summary of excavation results taking into account the analysis of artefacts (comparing fabric type, functional attributes, usage, chronology, distribution and associations), and
- A synthesis of findings and interpretation in the wider context and in light of relevant themes.

(2) A project archive containing:

- Copies of final excavation records (trench notebooks, context sheets etc)
- Plans and Section drawings
- Photographs of the excavation
- Selected artefact drawings and / or photographs
- Notes pertaining to site interpretation and analysis
- Artefacts catalogue
- Other relevant primary material
- Appropriate digital copies of documentation, and
- An index of all material provided.

Note 1: The historical archaeologist will need to be endorsed by the Heritage Council and will also be required to consult with the Heritage Council at all stages of the project design and implementation.

Note 2: The contractual parties must discuss and agree on the commencement and completion of the excavation, and the methods of payment.

Note 3: Although this Practice Notes deals with historic heritage only, the potential to encounter Aboriginal sites within a project area should be discussed with the Tasmanian Aboriginal Heritage Office, DTAE and the Tasmanian Aboriginal Land and Sea Council (TALSC). The *Aboriginal Relics Act 1975*, states in III(9) that: '(1) except in accordance with the terms of a permit granted by the Director, no person (a) shall destroy, damage, disfigure, conceal, uncover, expose, excavate, or otherwise interfere with a protected object.....(2) Except in accordance with the terms of a permit granted by the Minister on the recommendation of the Director, no person shall remove a protected object from a protected site'.

5 PROFESSIONAL STANDARDS

ALL proposals outlining any suggested archaeological work will require the explicit written approval of the Heritage Council.

Any archaeological monitoring, recording or excavations etc must be conducted by a professional historical archaeologist, with procedures and documentation carried out ethically, following the Australia ICOMOS Burra Charter, 1999, of industry 'best practice' and the Australian Archaeological Association's (AAA) Code of Ethics.

The Burra Charter advocates a cautious approach to change; 'do as much as necessary to care for the place and to make it useable, but otherwise change it as little as possible so that its cultural significance is retained'.

The AAA Code of Ethics charges archaeologists with an obligation to manage archaeological sites and materials in a manner which conserves the archaeological and cultural heritage values of the sites and materials.

The Heritage Council also places a strong ethical and practical obligation on archaeologists to contribute, where applicable, to community involvement in archaeological work programs and to provide source material that will assist in delivering a public benefit arising from any program of work (see Part 8).

Ultimate responsibility to deliver high-quality interpretation and community involvement as part of the heritage management / Works Application process rests with the owner / developer.

Copies of all archaeological / assessment reports are to be lodged with the Heritage Council for endorsement and or information as specified in the conditions of approval.

While ownership of copyright should be confirmed in writing between the relevant parties, the archaeological consultant and the Heritage Council will retain unrestricted rights to use the project results, data and records in perpetuity.

6 THE COLLECTION, STORAGE AND CURATION OF EXCAVATED FINDS

The Heritage Council will require all materials and documentation derived from an archaeological project to be suitably curated upon completion. Materials are to be appropriately conserved and retained on conclusion of the project.



Photo courtesy PAHSM (2004)

7 DEALING WITH UNEXPECTED DISCOVERIES

Any unexpected archaeological features and/or deposits revealed during works, must be reported to the Heritage Council. Works must cease and advice must be sought from the Heritage Council or the Aboriginal Heritage Office, as appropriate, on how best to proceed.

Possible outcomes may necessitate:

- a. An amendment to the design of the development
- b. Carrying out of archaeological excavations prior to the re-commencement of works
- c. Archaeological monitoring and recording during works
- d. Preparation (and implementation) of a strategy to ensure communication of the new information to the community, or
- e. A combination of the above.

8 MAKING NEW FOUND INFORMATION AVAILABLE TO THE COMMUNITY

Making new found information available to the community increases public awareness of archaeology within Tasmania and promotes the importance of conserving Tasmania's historical archaeological heritage.

Archaeological sites can also have broader social values and community contexts. For example, 'hands on' experiences can provide communities with an opportunity to connect directly with their history and heritage. Related public tours, community participation programs, published books, media releases etc can also form part of the social context of an archaeological site.

The Heritage Council may require, as part of the Works Application process, proposals for communicating new found information to the community.

8.1 Options for communicating new found information

The Heritage Council may recommend new found information to be communicated through:

- a. Organised tours
- b. Structured schools programs
- c. Participation by undergraduates
- d. Community on site (trench side) talks with archaeologists on hand to talk about the excavation, the discoveries made and the role of an archaeological team in 'writing history'
- e. Incorporation of archaeological features as visible features in new development (where enduring conservation *in situ* can be achieved)
- f. Public lectures, exhibits and displays
- g. Initial media launch and press conference
- h. Continual media updates (television, radio and print media)
- i. Documentary film
- j. Installation of site based passive, or preferably, interactive interpretation (sign boards, interactive touch screens, small display of artefacts provided they are appropriately referenced within any wider collection under curation)
- k. Print Publications
- l. Electronic publications through Heritage Tasmania's website.

The Heritage Council may provide guidance in the above processes.