

NZCPS 2010 guidance note

Policy 17: Historic heritage identification and protection



Dated October 2018

Contents

<i>Policy 17 Historic heritage identification and protection</i>	1
<i>Overview of the policy</i>	2
<i>Rationale</i>	2
<i>Related objectives, policies and provisions</i>	3
NZCPS.....	3
Resource Management Act 1991.....	7
Heritage New Zealand Pouhere Taonga Act 2014.....	8
Other legislation.....	9
Relevant agencies and authorities.....	10
Other obligations.....	12
<i>Origins of the policy</i>	14
<i>Implementing the policy</i>	15
Identification and assessment of historic heritage.....	15
Collaboration and integrated management.....	18
Historic landscapes.....	18
Conservation of historic heritage.....	19
Management of historic heritage that spans the line of MHWS.....	19
Regional policy statements, plans and consents.....	20
Conditions on resource consents and designations.....	22
Conservation conditions.....	22
Relief grants or rates relief.....	23
Coastal hazards and climate change impacts.....	23

<i>Resources</i>	25
Relevant case law.....	25
Examples of non-statutory strategies and collaboration	26
Examples of regional policy statements and plan provisions	27
Reports, websites and additional information.....	28
<i>Glossary of terms and definitions</i>	30
NZCPS 2010 glossary	30
Other definitions/explanations	30

Policy 17 Historic heritage identification and protection

Protect historic heritage in the coastal environment from inappropriate subdivision, use, and development by:

- (a) identification, assessment and recording of historic heritage, including archaeological sites;
- (b) providing for the integrated management of such sites in collaboration with relevant councils, heritage agencies, iwi authorities and kaitiaki;
- (c) initiating assessment and management of historic heritage in the context of historic landscapes;
- (d) recognising that heritage to be protected may need conservation;
- (e) facilitating and integrating management of historic heritage that spans the line of mean high water springs;
- (f) including policies, rules and other methods relating to (a) to (e) above in regional policy statements, and plans;
- (g) imposing or reviewing conditions on resource consents and designations, including for the continuation of activities;
- (h) requiring, where practicable, conservation conditions; and
- (i) considering provision for methods that would enhance owners' opportunities for conservation of listed heritage structures, such as relief grants or rates relief.

[Note: A definition of 'historic heritage' is provided in section 2 of the Resource Management Act 1991 (RMA) and included in the 'Glossary of terms' at the end of this guidance note.]

Disclaimer: This guidance is intended as general guidance on implementing the New Zealand Coastal Policy Statement 2010 and has been written primarily for local government practitioners. It does not substitute for professional advice where and when that is needed and should not be taken as providing legal advice or the Crown's legal position. This guidance is not official government policy.

Overview of the policy

Policy 17 of the New Zealand Coastal Policy Statement 2010 (NZCPS 2010) requires the protection of historic heritage in the coastal environment from inappropriate subdivision, use and development. Decision-makers are directed to identify, assess and record coastal historic heritage, including in the context of historic landscapes. The policy emphasises that historic heritage in the coastal environment should be managed using an integrated and collaborative approach with others (including local authorities, heritage agencies, iwi authorities and kaitiaki), particularly where it spans the line of mean high water springs (MHWS). The policy directs that implementation should include policies, rules and other methods that are outlined in regional policy statements, and regional and district plans. It also directs that consent conditions and other methods for conserving historic heritage (including methods such as grants or rates relief) should be considered.

Readers of this policy guidance note should also refer to the ‘NZCPS 2010 Implementation Guidance Introductory note’,¹ which contains general information and guidance that is important for implementing all of the objectives and policies in the NZCPS. The implementation guidance can be found [here](#).

Rationale

Historic heritage is important to New Zealand’s history and New Zealanders’ sense of nationhood. Historic heritage in the coastal environment includes structures such as wharves and jetties, wharf buildings, coastal defences, sea walls, lighthouses, shipwrecks, and hulks; places of significance to Māori, such as wāhi tapu (sacred places), urupā (burial grounds) and tauranga waka (canoe landing places); archaeological sites; and places of historical or cultural interest and significance. In particular, sites that are associated with past Māori occupation are often concentrated around the coastline. Historic heritage in the coastal environment continues to be discovered, unearthed and recorded.

New Zealand’s historic heritage is vulnerable to adverse effects arising from use and development of the coastal environment, and from coastal processes. Previously unidentified heritage sites or places may also be revealed during development. Demolitions, redevelopments, subdivisions, infill, incremental loss (such as vandalism or the removal of artefacts from shipwreck sites), disturbances to the foreshore or seabed, changes in technology (e.g. redundant lighthouses not being maintained) and coastal erosion can contribute to the destruction of historic heritage in the coastal environment. In addition, sea level rise associated with climate change will exacerbate coastal erosion (or hazards) and increase pressure on historic heritage around our coastlines. The first step towards looking after New Zealand’s historic heritage is identifying, assessing and recording it.

¹ <https://www.doc.govt.nz/globalassets/documents/conservation/marine-and-coastal/coastal-management/guidance/introductory-note.pdf>

Related objectives, policies and provisions

This section covers the links between the various provisions of the NZCPS 2010, the Resource Management Act 1991 (RMA), the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPT Act) and other legislation in terms of historic heritage identification and protection.

NZCPS

Giving effect to Policy 17 of the NZCPS requires consideration of all NZCPS objectives and policies. Objectives 3, 5, 6 and 7, and Policies 1, 2, 4, 5, 6, 7, 19 and 20 of the NZCPS are particularly relevant to Policy 17, and the links with these objectives and policies are considered below.

Key related objectives and policies	Other related objectives	Other related policies
Objectives 3, 5, 6 and 7 Policies 1, 2, 4, 5, 6, 7, 15, 19 and 20	-	Policies 24-27

Objective 3

Objective 3 highlights the need to take account of the role of tangata whenua as kaitiaki and provide for tangata whenua involvement in the management of the coastal environment. Historic heritage in coastal areas is likely to be of significance to Māori and this objective requires that the characteristics of the coastal environment that are of special value to tangata whenua are recognised and protected. Many of the wāhi tapu and wāhi tūpuna (traditionally significant) sites and wāhi tapu areas that have been entered on the New Zealand Heritage List/Rārangi Kōrero are in the coastal environment.

Objective 5

Objective 5 is about ensuring that coastal hazard risks are managed by protecting or restoring natural defences to coastal hazards while taking account of climate change. Historic heritage in coastal areas is vulnerable to coastal processes and climate change increases this risk. Although managing risk is not explicitly addressed in Policy 17, it is an important aspect of the integrated management of historic heritage in the coastal environment.

Objective 6

Objective 6 focuses on enabling people and communities to provide for their social, economic and cultural wellbeing, as well as their health and safety through subdivision, use and development while recognising certain values. Historic heritage in the coastal environment is extensive but not yet fully known, making it vulnerable

to loss or damage from inappropriate subdivision, use and development (which relates directly to Policy 17).

Objective 7

Objective 7 is concerned with ensuring that management of the coastal environment recognises and provides for New Zealand's international obligations regarding the coastal environment. New Zealand is a signatory to a number of conventions and charters relating to heritage that apply in the coastal environment, and has specific commitments through the International Council on Monuments and Sites (ICOMOS)² and the ICOMOS New Zealand Charter for the Conservation of Places of Cultural Heritage Value 2010.³ Policy 17 is a primary way of implementing this objective. The Sendai Framework for Disaster Risk Reduction 2015–2030⁴ outlines seven clear targets and four priorities for action to prevent new and reduce existing disaster risks, and promotes planning for and reducing disaster risks to protect cultural heritage and increase resilience.

Policy 1: Extent and characteristics of the coastal environment

Policy 1 outlines matters that are relevant when considering the extent and characteristics of the coastal environment, while noting that these may change from locality to locality. Items of cultural and historic heritage in the coastal marine area (CMA) are included in the list of components of the coastal environment, creating links with Policy 17.

Policy 2: The Treaty of Waitangi, tangata whenua and Māori heritage

Policy 2 provides mechanisms for considering the principles of the Treaty of Waitangi, and the connections and relationships that whanau, hapū and iwi / tangata whenua have with the natural environment. Policy 17 is closely related to Policy 2(g), which focuses on Māori cultural and heritage values, including historic heritage. This provision also recognises that tangata whenua have the right to choose not to identify places or values of historic, cultural or spiritual significance or special value.

Policy 4: Integration

Policy 4 requires integrated management of natural and physical resources in the coastal environment, and of activities that affect that environment. It emphasises the need for the coordinated management of activities that cross administrative boundaries and a collaborative approach to management. This policy is of particular relevance where a regional council administers the CMA and a territorial authority administers the land above the MHWS, or where different regional councils or

² <https://www.icomos.org/en>

³ <http://icomos.org.nz/charters/>

⁴ <https://www.unisdr.org/we/coordinate/sendai-framework>

unitary authorities have jurisdiction over adjacent parts of the CMA. In some cases, heritage sites or places (and potential effects) will span the CMA boundary.

Policies 17 and 4 both seek an integrated approach to coastal management.

Policy 5: Lands or waters managed or held under other Acts

Policy 5 focuses on considering and managing the effects on coastal lands or waters that are held or managed under other Acts (i.e. not only the RMA) for conservation or protection purposes. This could include, for example, historic reserves and marine reserves. This allows heritage to be protected through other Acts – for example, archaeological sites are managed under the HNZPT Act.

Policy 6: Activities in the coastal environment

Policy 6 directs decision-makers to recognise and consider certain matters in relation to activities that affect the coastal environment and CMA. These matters include the location and scale of activities in the coastal environment that are important to the economic, social and cultural wellbeing of people and communities, such as infrastructure, energy generation, mineral extraction, built development and renewable energy generation. Policy 6(1)(j) states that, where appropriate, areas and sites of significant indigenous biological diversity or historic heritage value should be buffered. Policy 17 provides a list of actions in relation to activities in the coastal environment and includes managing effects on historic heritage.

Policy 7: Strategic planning

Policy 7 recognises the need for strategic planning in the preparation of regional policy statements, regional plans and district plans. It requires that priority is given to three strategic planning actions.

- Consideration of where, how and when to provide for activities in the coastal environment.
- Identification of where uses are inappropriate.
- Identification of coastal processes, resources or values that are under threat or at significant risk from adverse cumulative effects and, where practicable, setting thresholds in plans to help determine when activities causing adverse cumulative effects are to be avoided.

The management of historic heritage is an important consideration for strategic planning processes that affect the coastal environment.

Policy 15 Natural features and natural landscapes

Policy 15 requires the protection of natural features and natural landscapes of the coastal environment. This includes having regard to historical and heritage associations, and cultural and spiritual values for tangata whenua, including their expression as cultural landscapes and features.

Policy 19: Walking access and Policy 20: Vehicle access

Policy 19 recognises the value of public access and seeks to maintain and enhance public walking access to, along and adjacent to the CMA.

Policy 20 addresses the effects of vehicles on beaches, the foreshore, the seabed and adjacent public land where they may cause damage, harm or disturbance to the coastal environment.

Together, these policies provide that both walking and vehicle access to and along the coast need to be considered in terms of providing or limiting access to places of historic heritage and sites of cultural value to Māori.

Other related policies

Other related policies include Policies 24–27 (the hazards policies), which are discussed in the ‘Implementing the policy’ section later in this guidance.

Resource Management Act 1991⁵

The RMA is one of the two main pieces of legislation that regulate activities affecting historic heritage in the CMA.

Under section 6(f) of the RMA, all persons exercising powers and functions under the RMA must recognise and provide for the protection of historic heritage from inappropriate subdivision, use and development as a matter of national importance. The RMA also includes a definition of the term ‘historic heritage’.

Under section 6(e) of the RMA, ‘the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga’ shall be recognised and provided for.

Section 12 of the RMA requires that any activity in the CMA must be ‘expressly allowed by a national environmental standard, a rule in a regional coastal plan as well as a rule in a proposed regional coastal plan for the same region (if there is one), or a resource consent’. However, coastal activities above MHWS are regulated by sections 9 and 11, with the presumption that activities are permitted unless controlled by a rule in a district plan.

Regional councils have responsibilities for the integrated management of natural and physical resources, the management of actual or potential effects resulting from the use, development or protection of land that are of significance throughout the region (see section 30(1)(a) and (b)), and the control of land and associated natural and physical resources in the CMA (see section 30(1)(d)(i)). This gives them a role in the identification and protection of items of regionally significant heritage value (which can include scheduling) and all historic heritage in the CMA (see section 66(1)(b), which refers to Part 2). Territorial authorities have equivalent responsibilities relating to the management of land and associated natural and physical resources, including historic heritage, above MHWS for districts and cities (see sections 31(1)(a) and 74(1)(b)).

Sections 61(2)(ia), 66(2)(ia) and 74(2)(b)(ia) of the RMA require local authorities to have regard to any relevant entry on the New Zealand Heritage List/Rārangi Kōrero when preparing regional policy statements, regional plans and district plans. Heritage New Zealand Pouhere Taonga encourages local authorities to identify all places that are on ‘the List’ as well as areas that are on plan schedules and to protect them with suitable rules that are supported by appropriate objectives and policies.

Sections 187–198 of the RMA set out the provisions relating to heritage orders. A heritage order is a provision in a district plan to protect a particular place or structure. It is initiated by a notice of requirement by a heritage protection authority to the relevant territorial authority and takes effect as soon as this notice is issued. Heritage orders provide a specific opportunity and process within the RMA for the

⁵ <http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM230265.html>

protection of historic heritage on land. Further information on heritage orders is available on the Ministry for the Environment website.⁶

Heritage New Zealand Pouhere Taonga Act 2014⁷

The HNZPT Act is the other main piece of legislation that regulates activities affecting historic heritage in the CMA.

Heritage New Zealand Pouhere Taonga is the lead historic heritage agency whose functions were established by the HNZPT Act. The purpose of the HNZPT Act is to 'promote the identification, protection, preservation, and conservation of the historical and cultural heritage of New Zealand'. This Act outlines the functions and powers of Heritage New Zealand Pouhere Taonga and the Māori Heritage Council, which include protecting archaeological sites, managing properties owned or controlled by Heritage New Zealand Pouhere Taonga, administering the New Zealand Heritage List/Rārangī Kōrero⁸, including the National Historic Landmarks List/Ngā Manawhenua o Aotearoa me ōna Kōrero Tūturu, and advocating for the conservation and protection of historic heritage.⁹

Heritage New Zealand Pouhere Taonga is directly responsible for administering the archaeological provisions of the HNZPT Act under Part 3 of the Act. All pre-1900 archaeological sites, whether recorded or not, are protected by the provisions of the Act. It is unlawful to modify or destroy an archaeological site without prior authority from Heritage New Zealand Pouhere Taonga, regardless of whether the land on which the archaeological site occurs is designated, a resource or building consent has been granted, or the activity is permitted under a regional or district plan. Thus, the HNZPT Act is a key piece of legislation in relation to Policy 17 of the NZCPS.

As discussed above, when preparing or changing a regional policy statement or a regional or district plan, a regional council or territorial authority must have regard to any relevant entry on the New Zealand Heritage List/Rārangī Kōrero (under sections 61, 66 and 74 of the RMA).

The Māori Heritage Council has a wide range of functions, including assisting Heritage New Zealand Pouhere Taonga in developing and reflecting a bicultural view while exercising its powers and functions. It also has a range of responsibilities, which include developing its own iwi and other consultative and reporting processes when dealing with matters of interest to Māori; identifying and recommending wāhi tūpuna and wāhi tapu areas, historic places, and historic areas of interest to Māori for inclusion on the New Zealand Heritage List/Rārangī Kōrero; and making

⁶ <http://www.mfe.govt.nz/rma/rma-processes-and-how-get-involved/heritage-orders-district-plans>

⁷ <http://legislation.govt.nz/act/public/2014/0026/latest/DLM4005414.html>

⁸ <http://www.heritage.org.nz/the-list>

⁹ Heritage New Zealand Pouhere Taonga has published general statements of policy on each of these functions; see <http://www.heritage.org.nz/resources/statements-of-general-policy>.

recommendations to local authorities in respect of listed wāhi tapu areas. The HNZPT Act imposes a duty on local authorities to have particular regard to any recommendations from the Māori Heritage Council (section 74 of the HNZPT Act), the strategic vision of which is set out in ‘Tapuwae’.¹⁰

Other legislation

The protection of historic heritage involves a number of statutory controls and administering agencies. Other relevant laws that sit alongside the RMA and HNZPT Act are outlined below.

Local Government Act 2002

The Local Government Act 2002 (LGA) provides for a democratic and effective local government and recognises the diversity of New Zealand communities. This includes providing for local authorities to play a broad role in meeting the current and future needs of their communities in terms of infrastructure, local public services and regulatory processes.

Under the LGA, local authorities must develop a long-term plan every 3 years. These plans include budgets and work plans for the next 10 years and are developed in consultation with the community. Investment in historic heritage is often covered in these plans.

Conservation Act 1987

The Conservation Act 1987 makes many references to historic resources. The Department of Conservation (DOC) manages for conservation purposes all land and all other natural and historical resources that are owned by the Crown, as well as all other land and natural and historic resources whose owners agree with the Minister of Conservation that they should be managed by DOC. DOC also advocates for the conservation of natural and historic resources in general; promotes the benefits of the conservation of natural and historic resources in general, and the natural and historic resources of New Zealand in particular to present and future generations; and fosters the use of natural and historic resources for recreation and allows their use for tourism where this use is not inconsistent with their conservation.

Together with the Reserves Act 1977 (see below), the Conservation Act is a key piece of legislation in relation to protected landscapes. It can provide for the protection of large areas of land and sea, as well as specific places.

¹⁰ www.heritage.org.nz/resources/tapuwaeh

Reserves Act 1977

Reserves that are protected under the Reserves Act 1977 include lands administered by DOC, Heritage New Zealand Pouhere Taonga and local authorities, including those with historic heritage value (refer to section 18 of the Reserves Act).

Building Act 2004

The sustainable development of buildings requires an approach that provides for matters such as health, safety and efficiency, while also respecting historic heritage values. The Building Act 2004 provides for alternative solutions that may be appropriate for managing potential effects on historic heritage.

Section 39 of the Building Act states that a territorial authority must advise Heritage New Zealand Pouhere Taonga of applications that affecting entries on the New Zealand Heritage List/Rārangī Kōrero in the following circumstances:

- (1) This section applies if-
 - (a) an application for a project memorandum, or a building consent, affects a historic place, historic area, wāhi tapu, or wāhi tapu area that has been entered on the New Zealand Heritage List/Rārangī Kōrero; and
 - (b) the territorial authority has not previously advised Heritage New Zealand Pouhere Taonga about the building work to which that application relates.

Section 39 also states that ‘the territorial authority must advise Heritage New Zealand Pouhere Taonga within 5 days after receiving the application’.

Relevant agencies and authorities

Several agencies and authorities are involved in historic heritage management.

- Local authorities (regional councils and territorial authorities) administer many reserves in the coastal environment under the Reserves Act 1977. They may also make bylaws, such as controlling the use of vehicles on beaches under the LGA, and may own heritage assets such as wharves and structures in the coastal environment.
- DOC cares for and protects historic and cultural heritage on public conservation land and manages a large number of historic sites¹¹ that reflect the rich tapestry of New Zealand history, many of which are located in the coastal environment.

DOC’s roles include the active conservation of historic places, including 20 icon sites¹² that express New Zealand’s natural character (and historic heritage) and include Māori and European places of interest. Some of these icon sites are in the coastal environment.

¹¹ <https://www.doc.govt.nz/our-work/heritage/>

¹² <https://www.doc.govt.nz/our-work/heritage/icon-heritage-sites/>

- Heritage New Zealand Pouhere Taonga is an autonomous Crown Entity that was established under the HNZPT Act. It is committed to the identification and long-term protection and conservation of New Zealand's heritage places, is a custodian of historic properties, and administers the archaeological provisions of the HNZPT Act, which make it unlawful to modify or destroy an archaeological site without authority from Heritage New Zealand Pouhere Taonga.
- Iwi and other relevant Māori organisations can identify historic heritage places and sites that are of cultural significance and include them in iwi management plans. These plans need to be taken into account during resource management decision making, including while preparing and amending policy statements and plans.¹³

Policy 17 may also be given effect to through Mana Whakanono ā Rohe: Iwi Participation Arrangements, which were introduced to the RMA under the Resource Legislation Amendment Act 2017.

- The Ministry for Culture and Heritage advises the Government on arts, culture, heritage, sport and recreation, and broadcasting.¹⁴ It administers the HNZPT Act 2014 and the Protected Objects Act 1975, and has also published a policy setting out expectations for the management of historic heritage by government departments.¹⁵
- The New Zealand Archaeological Association (NZAA) is a voluntary organisation that maintains a national database of archaeological sites called ArchSite. This resource is the primary source of information on archaeological sites in New Zealand.¹⁶
- Other government departments or local-authority-controlled entities own historic heritage in the coastal environment. For example, a number of lighthouses and their associated infrastructure are owned by Maritime New Zealand.
- Other organisations that are involved in the conservation of historic heritage are set out in the 'Resources' section later in this guidance.

¹³ www.tkm.govt.nz/

¹⁴ www.mch.govt.nz/

¹⁵ Policy for Government departments' management of historic heritage 2004 (August 2004).

¹⁶ <http://nzarchaeology.org/cms/>

Other obligations

*Ministry for Culture and Heritage Government Policy*¹⁷

The Ministry for Culture and Heritage has published a policy that sets out expectations and provides a framework for the management of historic heritage by government departments.

*ICOMOS New Zealand Charter 2010*¹⁸

The ICOMOS New Zealand Charter, Te Pumanawa o ICOMOS o Aotearoa Hei Tiaki I Nga Taonga Whenua Heke Iho o Nehe, is a set of guidelines on cultural heritage conservation that have been produced by ICOMOS New Zealand. It covers the purpose, principles, practice and processes of conservation, and also provides useful definitions for key conservation terms, such as ‘preservation’, ‘maintenance’ and ‘restoration’.

The ICOMOS New Zealand Charter is widely used in the New Zealand heritage sector and provides a recognised benchmark for conservation standards and practices. It is used by central government ministries and departments, by local bodies in district plans and heritage management, and by practitioners as guiding principles.

Heritage New Zealand Pouhere Taonga, the Ministry of Culture and Heritage and the Department of Conservation use the ICOMOS New Zealand Charter to guide their heritage conservation work. It was also used by Ngāi Tahu in their Deed of Settlement and is used by the Lotteries Grants Board for guidance in its deliberations.

The ICOMOS New Zealand Charter has been adopted as heritage policy by a number of district councils and is used as a standard reference document by a number of local authorities, including Auckland, Christchurch and Hutt City.

¹⁷ <https://mch.govt.nz/research-publications/our-research-reports/policy-government-departments-management-historic-heritag>

¹⁸ <http://icomos.org.nz/charters/>

*Sendai Framework*¹⁹

New Zealand is a party to the Sendai Framework for Disaster Risk Reduction 2015–2030 (the Sendai Framework), which places an emphasis on disaster risk preparedness for cultural heritage.

The Sendai Framework is a 15-year, voluntary, non-binding agreement that recognises that the State has a primary role in reducing disaster risk but that responsibility should be shared with others, including local government, the private sector and other stakeholders. It aims for the following outcome:

The substantial reduction of disaster risk and losses in lives, livelihoods and health and in the economic, physical, social, cultural and environmental assets of persons, businesses, communities and countries.

¹⁹ www.unisdr.org/we/coordinate/sendai-framework

Origins of the policy

The NZCPS 1994 included consideration of historic heritage as part of the policies on natural character, tangata whenua and activities, and subdivision, use and development. By contrast, Policy 17 of the NZCPS 2010 is dedicated to historic heritage.

The 2008 Board of Inquiry²⁰ recommended that the NZCPS should make it clear that local authorities must give a greater priority to avoiding the loss of historic heritage and should work collaboratively with other bodies and agencies that are involved in heritage identification and management. The Board noted that this work should not be seen as being solely the role of the New Zealand Historic Places Trust (now Heritage New Zealand Pouhere Taonga).

The Board also found that collaborating with Māori is essential for protecting historic heritage of significance to tangata whenua.

The recommendations of the Board of Inquiry are largely reflected in Policy 17. The Minister of Conservation further recommended that historic heritage be considered in relation to ‘inappropriate subdivision, use and development’. For further information, refer to the ‘Proposed NZCPS: Board of Inquiry Report and Recommendations, Volume 2’ (pp. 350–361).²¹

²⁰ <https://www.doc.govt.nz/get-involved/have-your-say/all-consultations/2010/new-zealand-coastal-policy-statement/board-of-inquiry/>

²¹ <https://www.doc.govt.nz/documents/getting-involved/consultations/closed-consultations/nzcps/NZCPS-2008-board-of-inquiry-vol-2.pdf>

Implementing the policy

In addition to the guidance provided here, readers should refer to the ‘NZCPS 2010 Implementation Guidance Introductory note’,²² which covers matters of relevance to giving effect to the NZCPS.

Policy 17 directs decision-makers (including plan writers) to protect historic heritage in the coastal environment from inappropriate subdivision, use and development. Local authorities will use different approaches to provide protection from inappropriate use depending on local circumstances.

In general, the protection of historic heritage is achieved under the RMA through the inclusion of relevant objectives and policies in regional policy statements that are given effect to by provisions, including rules, in regional and district plans. Thus, the RMA provides a framework within which local authorities can set regional and district regulatory rules for historic heritage.

District and regional plans should make sense of higher-level documents in a regional or district context and give decision-makers certainty about whether a particular activity is inappropriate. Further advice on drafting policy statements and plans is available on the Quality Planning website.²³

The protection of historic heritage is also achieved through heritage orders, heritage covenants and a range of non-regulatory measures, such as incentives, conservation plans, reserve management plans and the provision of information. Rules are most effective when accompanied by non-regulatory methods and when prepared and implemented in consultation with the owners of historic heritage and the community, including tangata whenua.

Identification and assessment of historic heritage

Policy 17(a) directs that historic heritage, including archaeological sites,²⁴ is identified, assessed and recorded. Historic heritage of national and regional significance may be identified in regional policy statements, which should ideally include policies that require local authorities to identify and protect historic heritage. The responsibility for identifying, assessing and recording historic heritage generally falls to territorial authorities for the landward side of the coastal environment and to regional councils for the CMA.

A large number of resources are available for the identification of historic heritage. The New Zealand Heritage List/Rārangī Kōrero identifies significant historic heritage at a national level, and Heritage New Zealand Pouhere Taonga encourages local authorities to schedule and protect all places and areas on this List. Furthermore, under section 74 of the HNZPT Act, local authorities are required to have particular regard to any recommendations from Heritage New Zealand Pouhere

²² <https://www.doc.govt.nz/globalassets/documents/conservation/marine-and-coastal/coastal-management/guidance/introductory-note.pdf>

²³ <http://www.qp-test.org.nz/planning-process/planning-process-2>

²⁴ Refer to the ‘Glossary of terms’ for a definition of ‘archaeological sites’.

Taonga concerning the conservation and protection of a historic area or wāhi tapu area. Consequently, local authorities must have particular regard to the List when preparing regional policy statements and regional and district plans.

Heritage New Zealand Pouhere Taonga also encourages local authorities to assess locally significant heritage using transparent assessment criteria and to schedule these sites for protection.

Sources of information on historic heritage include heritage inventories, local histories, community and iwi organisations, iwi management plans, land and building owners, and heritage experts and professionals. Seeking community input during plan preparation will also help identify historic heritage.

There are practical challenges in identifying, assessing and recording historic heritage, as values may not be formally documented and may change over time, making it difficult to keep up-to-date information on the state of known and recorded historic heritage.

Under Policy 17(a), as well as Objective 3 and Policy 2(g) of the NZCPS, local authorities are required to consult and collaborate with tangata whenua, recognise the importance of Māori cultural and heritage values, and provide for the identification, assessment, protection and management of areas or sites of significance or special value to Māori.

Iwi management plans and Mana Whakanono a Rohe: Iwi Participation Arrangements may provide direction on how iwi and tangata whenua would like to approach the identification, assessment, protection and management of areas or sites of significance or special value to them. This may include affording sensitive areas special protection by keeping information about them private (called 'silent files'). One particular challenge for historic heritage management is that under Policy 2(g) of the NZCPS, tangata whenua have the right to choose not to identify places or values of historic, cultural or spiritual significance or special value, which can make the scheduling of places that are of value or significance to Māori difficult.

Examples of the approaches that can be used to identify and assess historic heritage are outlined in the 'Resources' section later in this guidance.

Archaeological sites

All archaeological sites, whether recorded or not, are protected under the archaeological provisions of the HNZPT Act, which are administered by Heritage New Zealand Pouhere Taonga. Under this Act, archaeological sites are defined as:

- (a) any place in New Zealand, including any building or structure (or part of a building or structure), that—
 - (i) was associated with human activity that occurred before 1900 or is the site of the wreck of any vessel where the wreck occurred before 1900; and
 - (ii) provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand ...

Post-1900 sites, including wreck sites, can also be declared archaeological sites within the meaning of the HNZPT Act through a process of gazettal that is set out in section

43 of the Act. Two examples of declared archaeological sites in the coastal environment are the Norwegian whaling station on Stewart Island/Rakiura (pictured below) and the wreck of the *Ventnor*.²⁵



Norwegian whaling station on Stewart Island/Rakiura. *Photo: J. Howard, Heritage New Zealand Pouhere Taonga, March 2013.*

It is very important that a collaborative approach to site management is developed in consultation with Heritage New Zealand Pouhere Taonga and local tangata whenua. Many archaeological sites are culturally important to iwi and may contain kōiwi tangata (human remains).²⁶

Heritage New Zealand Pouhere Taonga encourages interested parties to undertake archaeological assessments prior to planning any work that may affect archaeological sites, and the HNZPT Act requires that if known or suspected archaeological sites are likely to be modified or destroyed by any proposed activity, an archaeological authority must be obtained in advance from Heritage New Zealand Pouhere Taonga.

Information about the location and nature of recorded archaeological sites is provided in ArchSite,²⁷ which is the NZAA's recording scheme and is updated as new archaeological sites are discovered and recorded. Local authorities are encouraged to subscribe to Archsite and to provide up-to-date information on the location of known archaeological sites on their planning maps.

²⁵ www.heritage.org.nz/protecting-heritage/archaeology/declaration

²⁶ Refer to the 'Glossary of terms' for a definition of 'Kōiwi tangata/human remains'.

²⁷ [Http://www.archsite.org.nz/](http://www.archsite.org.nz/)

Collaboration and integrated management

Policy 17(b) directs that the integrated management of historic heritage, including archaeological sites, should be provided for in collaboration with relevant councils, heritage agencies, iwi authorities and kaitiaki. This direction is relevant to RMA historic heritage decisions in the coastal environment. ‘Heritage agencies’ include Heritage New Zealand Pouhere Taonga, DOC, and the Ministry for Culture and Heritage, all of which have statutory responsibilities for heritage protection.

Collaboration on historic heritage matters can build understanding and agreement and can help achieve integrated management.

The development of non-statutory strategies is useful for progressing collaborative processes. A number of local authorities have already prepared heritage strategies or policies to provide a planned and integrated approach to the management of historic heritage. When preparing such documents, the following matters should be considered.

- What process will be used to establish the priorities?
- Have consultation objectives been set? For example, consultation with Heritage New Zealand Pouhere Taonga is recommended where historic heritage is involved.
- Has tangata whenua involvement been planned for in the process?
- Do professional experts need to be involved?
- What is the budget for this work?

Policy 17(b) directs local authorities to collaborate with iwi authorities and kaitiaki. Deeds of Settlement²⁸ between Māori and the Crown, and Waitangi Tribunal records are useful sources of information. In addition, iwi management plans and Mana Whakanono a Rohe: Iwi Participation Arrangements may also be useful. Further guidance on consultation and collaboration with tangata whenua is given in the guidance note for Policy 2: The Treaty of Waitangi, tangata whenua and Māori heritage²⁹.

Examples of non-statutory strategies and collaboration are provided in the ‘Resources’ section later in this guidance. Non-regulatory approaches, such as advocacy and education, can also add value.

Historic landscapes

Policy 17(c) directs that the assessment and management of historic heritage in the context of historic landscapes should be initiated. The term ‘historic landscape’ is not defined in the RMA but one definition that was given before the Environment Court is ‘... an area which has been a setting for an event or activity

²⁸ <http://www.ots.govt.nz/>

²⁹ <https://www.doc.govt.nz/globalassets/documents/conservation/marine-and-coastal/coastal-management/guidance/policy-2.pdf>

which is significant in human history'.³⁰ A discussion paper on heritage landscapes is available from Heritage New Zealand Pouhere Taonga.³¹

There is increasing recognition that the setting and curtilages of historic heritage are often as important as the buildings, structures and other historic or archaeological remnants they contain. This is partly recognised in the definition of historic heritage, which includes 'surroundings associated with the natural and physical resources'.

Local authorities are required to have particular regard to any recommendations from Heritage New Zealand Pouhere Taonga concerning the conservation and protection of a historic or wāhi tapu area.

Conservation of historic heritage

Policy 17(d) recognises that heritage protection may involve active conservation. In this context, the term 'conservation' is taken to mean management actions that are intended to maintain or restore historic heritage values.

Policy 17(d) can be implemented by:

- requiring, where practical, conservation conditions on resource consents (Policy 17(h))
- considering the provision for methods that would enhance opportunities for owners to conserve scheduled historic heritage, such as heritage incentive grants or rates relief (Policy 17(i)).

Another approach is through conservation management strategies and plans. DOC prepares conservation management strategies in consultation with communities to ensure the conservation of valued places and resources, including historic heritage in the coastal environment.

Local authorities are encouraged to check the New Zealand Heritage List/Rārangī Kōrero³² and to liaise with other heritage agencies and local authorities, where relevant, when considering options for the conservation of historic heritage. Conservation activities should also follow the provisions of the ICOMOS New Zealand Charter.³³

Management of historic heritage that spans the line of MHWS

Policy 17(e) requires the facilitation and integrated management of historic heritage that spans the MHWS. The MHWS represents the boundary between a land use

³⁰ *New Zealand Marine Hatcheries (Marlborough) Ltd v Marlborough District Council*, Environment Court, Wellington, W129/97, page 18. <http://www.nzlii.org/cgi-bin/sinodisp/nz/cases/NZEnvC/1997/404.html?query=W129/97>

³¹ <http://www.heritage.org.nz/resources/sustainable-management-guides>

³² <http://www.heritage.org.nz/the-list>

³³ http://icomos.org.nz/wp-content/uploads/2016/08/NZ_Charter.pdf

consent under section 9 of the RMA and a coastal permit under section 12 of the RMA. However, historic heritage in the coastal environment often extends across this boundary. Therefore, it may be helpful to have some clarification in the relevant regional policy statement.

A number of agencies and organisations are involved in protecting historic heritage and such an integrated approach will often be important in the coastal environment. Consideration of an integrated approach to strategic management of the coastal environment is also promoted in Policy 4: Integration and Policy 7: Strategic planning. Regional policy statements and plans provide important opportunities for more integrated planning to ensure that historic heritage is managed in a coordinated way. For example, regional councils and unitary authorities can use regional policy statements to provide guidance to regional and district plans, and regulatory decision-making.

Regional policy statements, plans and consents

Regional policy statements and regional and district plans are required to give effect to the NZCPS. As mentioned previously, the protection of historic heritage can be achieved under the RMA through the provision of rules and/or other methods in regional and district plans. Regional policy statements, regional coastal plans and district plans must recognise and provide for the protection of historic heritage in the coastal environment from inappropriate subdivision, use and development (s6(f) RMA). Policy 17(f) of the NZCPS particularly requires the inclusion of policies, rules and other methods to implement clauses (a)–(e) of Policy 17.

The protection of heritage from inappropriate subdivision, use and development requires the identification of historic heritage values and the provision of appropriate controls on activities associated with subdivision, use or development that may adversely affect historic heritage. This is most typically provided through the inclusion of objectives and associated policies relating to historic heritage in regional policy statements, and objectives, policies and rules that give effect to the regional policy statement in district and regional coastal plans. The most effective way of targeting the provisions to particular historic heritage places and items is by identifying the places on the planning maps and providing scheduling in the plan. The schedule should identify the nature of the historic heritage place that is protected and the values that are sought to be protected, and will need to reflect the national planning standards for schedules. Policies and rules may distinguish between different types of heritage and different levels of significance. Items on the schedule should be identified and assessed according to consistent and well-formulated criteria.

The fact that some heritage places, items and values (e.g. wharves and sea walls) cross the MHWS presents a particular challenge in the coastal environment. Where this occurs, identification and protection should involve complementary provisions in separate plans, which may be formulated at different times and subject to different processes. A process for dealing with cross-boundary issues should also be included – particularly in the regional policy statement. Councils and communities need to pay particular attention to integrated management in such circumstances.

There are direct linkages between the implementation of Policy 17 and Policy 6, particularly with respect to:

- considering where development that maintains the character of the existing built environment should be encouraged and where development that results in a change would be acceptable (Policy 6(1)(f))
- where appropriate, recognising the value of buffers for areas and sites of historic heritage value (Policy 6(1)(j))
- promoting the efficient use of the occupied CMA by requiring the removal of any abandoned or redundant structure that has no heritage, amenity or reuse value (Policy 6(2)(e)(ii)). Before this is carried out, a few checks should be made, such as ensuring that it is not scheduled in the district plan and checking whether it predates 1900 (which would make it an archaeological site). It may also be necessary to consult the community on their views about removing a structure.

Other useful approaches include:

- using consistent and well-formulated criteria as a basis for identifying and scheduling historic heritage for protection in the regional coastal and/or district plan
- developing policies that promote the conservation of historic heritage and recognise the ICOMOS New Zealand Charter.

When preparing or changing a regional policy statement or a regional or district plan, regional councils and territorial authorities are directed to have regard to any relevant entry in the New Zealand Heritage List/Rārangi Kōrero (see sections 61, 66 and 74 of the RMA), as well as recommendations from Heritage New Zealand Pouhere Taonga on historic areas and wāhi tapu areas (section 74 of the HNZPT Act).

Particular attention should be given to the management of archaeological values through plan development and resource consent processes. In particular, local authorities should take these actions.

- Obtain and use up-to-date information on the location and nature of archaeological sites, including the information available on ArchSite, and make this information available on planning maps. It is recommended that local authorities subscribe to Archsite for this information.
- Check whether regional and district councils' rules for earthworks or other land disturbances integrate with those for the management of archaeological sites (where identified and protected in a plan).
- Encourage applicants to work closely with Heritage New Zealand Pouhere Taonga where it is likely that an archaeological authority will be needed as well as a resource consent to align these processes. Known archaeological sites should be referenced. Some councils attach advice notes to this effect to resource consents.
- Require an archaeological assessment for resource consent applications that may affect archaeological sites. Since this report will be needed for the

archaeological authority, it should be prepared at the resource consent stage and used for both processes.

- Check that tangata whenua have been involved in providing a ‘values assessment’, ‘cultural impact assessment’ or similar, where relevant.
- Conduct a section 32 cost benefit analysis.

Examples of regional policy statement and plan provisions are provided in the ‘Resources’ section later in this guidance.

Conditions on resource consents and designations

Policy 17(g) directs that historic heritage is to be protected in the coastal environment by imposing or reviewing conditions on resource consents and designations, including for the continuation of activities.

A wide range of historic heritage-related conditions may be included in a resource consent decision. These conditions should be designed for each particular consent on a case-by-case basis. For example, common consent conditions for heritage buildings include:

- preparation of a conservation plan and for works to proceed according to this plan
- preparation of specialist reports, such as an engineering assessment
- repair, maintenance and restoration works
- structural repairs, including earthquake strengthening
- matters relating to materials and design (i.e. specifying a particular type of roofing material)
- matters relating to standards of work
- heritage covenants
- supervision by a conservation architect or other heritage professional
- use of heritage colour schemes
- monitoring.

An accidental discovery protocol may be used to cover circumstances where an unidentified archaeological site is discovered during works. However, this is only appropriate in instances where an archaeologist has determined that there is a low likelihood of archaeological evidence being present. Such a protocol may be included as a condition of a plan rule or resource consent. Heritage New Zealand Pouhere Taonga can provide guidance on the necessary content of this protocol.

Conservation conditions

Policy 17(h) directs that historic heritage is to be protected in the coastal environment by requiring, where practical, conservation conditions.

Conservation conditions can be developed following a conservation plan, which sets out a general strategy for the long life of a place and contains all of the reasonably accessible information that can be found about a heritage place.

Typically, a conservation plan will include:

- a history of the heritage place and people associated with it.
- a description of the place
- an assessment of the significance of the place as a whole and its various components, features or spaces
- matters that should be taken into account in the conservation policy, including the district plan requirements and the requirements of relevant Acts
- conservation policy, which states how conservation of the place will be best achieved in both the long and short term by considering:
 - a) the heritage significance of the place
 - b) all other factors affecting the fabric, contents and setting of the place
 - c) options for use
- recommendations
- a repair specification, unless deemed unnecessary at a particular place.

Relief grants or rates relief

Policy 17(i) recognises that historic heritage in the coastal environment can be protected by considering provisions for methods that would enhance opportunities for owners to conserve listed heritage structures, such as through relief grants or rates relief.

The National Heritage Preservation Incentive Fund³⁴ is administered by Heritage New Zealand Pouhere Taonga and provides financial incentives to encourage the conservation of nationally significant heritage places that are in private ownership. This fund is a means of conserving historic heritage in the coastal environment.

A number of local authorities have their own heritage incentive funds and, in some cases, offer rates relief – see, for example, the Wellington City Council and Dunedin City Council heritage funds.³⁵

Coastal hazards and climate change impacts

New Zealand's coastal historic heritage is vulnerable to the effects of coastal hazards and climate change, including sea-level rise. Archaeological sites and sites of significance to tangata whenua are particularly vulnerable to coastal hazards. The implementation of Policy 17 also requires consideration of other NZCPS policies, including Policy 3: Precautionary approach, Policy 4: Integration, and Policies 24 to 27, which are related to coastal hazards. Many of the direct threats to coastal sites result from long-term natural processes that occur over hundreds of years. However, the rate of change is likely to increase markedly with climate change. New Zealand is a party to the Sendai Framework for Disaster Risk Reduction 2015–2030 (the Sendai Framework),³⁶ which places an emphasis on disaster risk preparedness for cultural heritage.

³⁴ www.heritage.org.nz/protecting-heritage/national-heritage-preservation-incentive-fund

³⁵ <https://wellington.govt.nz/services/community-and-culture/funding/council-funds/built-heritage-incentive-fund> and www.dunedin.govt.nz/your-council/council-documents/policies/dunedin-heritage-fund

³⁶ www.unisdr.org/we/coordinate/sendai-framework

Future changes are expected to include the erosion or inundation of coastal sites. Many of these locations are home to a large amount of our historic and archaeological heritage, particularly that of early Māori settlement. Related effects, such as higher sea levels and an increased frequency and intensity of storm events, will also affect buildings and structures in these locations. This could include early coastal settlements, archaeological settlements and buildings, and wharves, as well as protective structures such as sea walls, which may need to be adjusted as the sea level changes.

Local authorities need to factor the effects of coastal hazards and climate change into their decision-making in the coastal environment. It will take a long time – and in some cases considerable resources – to prepare and respond to such changes, making advanced planning necessary. Coastal surveys and monitoring, such as the Southland coastal survey³⁷, are useful for identifying those areas at greatest risk.

A range of management options are available in relation to coastal hazard effects on historic heritage, including:

- modelling coastal change at a local level
- carrying out ongoing monitoring of the effects on historic heritage at particular sites
- exchanging information on historic heritage between public agencies, iwi authorities and others
- developing guidelines and case studies on adaptation responses and process options
- developing hazard identification and management response plans as part of resource management planning
- intervening to reduce the effects of coastal hazards where appropriate using both structural and non-structural (e.g. beach nourishment) protection mechanisms
- initiating site recording programmes for sites at major risk, listing priorities and undertaking detailed monitoring or excavation in association with iwi and/or other interest groups as appropriate
- carrying out other planning preparedness measures to support adaptations
- planning and budgeting for rescue archaeological excavation where important information about New Zealand's history and settlement are going to be lost and other methods of managing the archaeological sites have been exhausted
- considering long-term plan processes, as many of these options involve significant costs that need to be budgeted for.

Thus, the guidance on [Policies 24–27 of the NZCPS 2010](#) relating to coastal hazards is also relevant.

³⁷ https://www.planning.org.nz/Attachment?Action=Download&Attachment_id=3118

Related and ongoing work

Southland Coastal Heritage Inventory Project (SCHIP)

http://www.planning.org.nz/Attachment?Action=Download&Attachment_id=3118

SCHIP is a joint project between local government, iwi, Heritage New Zealand Pouhere Taonga, NZAA and DOC.

Resources

Relevant case law

Applying the NZCPS

- *Waterfront Watch Inc v Wellington City Council* [2012] NZEnvC74³⁸

Landscape criteria

- *Wakatipu Environmental Society Incorporated v Queenstown Lakes District Council* [1999] NZEnvC417³⁹

The Wakatipu decision is specific about the use of the ‘Amended Pigeon Bay Criteria’. The Court held:

- The corrected list of aspects or criteria for assessing a landscape includes:
- (a) the natural science factors – the geological, topographical, ecological and dynamic components of the landscape;
 - (b) its aesthetic values including memorability and naturalness;
 - (c) its expressiveness (legibility): how obviously the landscape demonstrates the formative processes leading to it;
 - (d) transient values: occasional presence of wildlife; or its values at certain times of the day or of the year;
 - (e) whether the values are shared and recognised;
 - (f) its value to tangata whenua;
 - (g) its historical associations.’

(Paragraph 80, emphasis added.)

Other decisions

- *Pick v Far North District Council* [2006] NZEnvC 165⁴⁰

³⁸ [http://www.nzlii.org/cgi-bin/sinodisp/nz/cases/NZEnvC/2012/74.html?query=title\(Waterfront%20Watch%20Inc%20and%20Wellington%20City%20Council%20\)](http://www.nzlii.org/cgi-bin/sinodisp/nz/cases/NZEnvC/2012/74.html?query=title(Waterfront%20Watch%20Inc%20and%20Wellington%20City%20Council%20))

³⁹ <http://www.nzlii.org/cgi-bin/sinodisp/nz/cases/NZEnvC/1999/417.html?query=C180/99%20wakatipu>

⁴⁰ [http://www.nzlii.org/cgi-bin/sinodisp/nz/cases/NZEnvC/2006/165.html?query=title\(Pick%20and%20Far%20North%20District%20Council%20\)](http://www.nzlii.org/cgi-bin/sinodisp/nz/cases/NZEnvC/2006/165.html?query=title(Pick%20and%20Far%20North%20District%20Council%20))

- *Intercontinental Hotel v Waterfront Investments Limited* [2008] NZEnvC72⁴¹
- *Howick Ratepayers and Residents Association Inc v Manukau City Council* [2004] NZEnvC446⁴²
- *Canterbury Regional Council v Waimakariri District Council* [2002] NZEnvC20⁴³

Examples of non-statutory strategies and collaboration

Wellington City Council Heritage Policy (2010)

<https://wellington.govt.nz/services/community-and-culture/heritage/heritage-policy>

Wellington Regional Council Coastal Historic Heritage Survey (2012)

www.gw.govt.nz/assets/Plans--Publications/Regional-Plan-Review/Coastal-Historic-Heritage-of-the-Wellington-Region.pdf

Wairarapa Coastal Strategy 2004

www.gw.govt.nz/Wairarapa-Coastal-Strategy/

This strategy is a collaboration between the regional and district councils.

Hawke's Bay Coastal Hazard 2120

<http://www.hbcoast.co.nz/#1>

<http://www.hbcoast.co.nz/assets/Document-Library/Project-Documents/Clifton-to-Tangoio-Coastal-Hazard-Strategy-2120-DRAFT-Aug-2016.pdf>

The Hawke's Bay Regional Council is developing the Clifton to Tangoio Coastal Hazards Strategy 2120 to understand the coastal hazards risks and management options for this key part of the Hawke's Bay coastline.

⁴¹ <http://www.nzlii.org/cgi-bin/sinodisp/nz/cases/NZEnvC/2008/72.html?query=W%20015%20/2008>

⁴² <http://www.nzlii.org/cgi-bin/sinodisp/nz/cases/NZEnvC/2004/446.html?query=A167/04>

⁴³ <http://www.nzlii.org/cgi-bin/sinodisp/nz/cases/NZEnvC/2002/20.html?query=NZRMA%20208>

Examples of regional policy statements and plan provisions

Auckland Unitary Plan

<http://unitaryplan.aucklandcouncil.govt.nz/Images/Auckland%20Unitary%20Plan%20Operative/Chapter%20B%20RPS/B5%20Built%20heritage%20and%20character.pdf>

This plan includes the regional policy statement, regional coastal plan and district plan for Auckland. It outlines the objectives, policies and regulatory methods for managing historic heritage in Auckland.

Southland Regional Policy Statement 2017

<http://www.es.govt.nz/document-library/plans-policies-and-strategies/regional-policy-statement/Pages/default.aspx>

<http://www.es.govt.nz/Document%20Library/Plans.%20policies%20and%20strategies/Regional%20policy%20statement/Southland%20Regional%20Policy%20Statement%202017.pdf>

This regional policy statement outlines the objectives, policies and methods for managing historic heritage in the Southland region. It includes objectives and policies that give effect to the NZCPS.

Hawke's Bay Coastal Environment Plan

<http://www.hbrc.govt.nz/our-council/policies-plans-strategies/rcep/>

This plan requires that a restricted discretionary resource consent is obtained for any disturbance to the foreshore or seabed that may affect scheduled historic heritage.

Wairarapa Combined Plan 2011

<https://mstn.govt.nz/wairarapa-combined-district-plan/>

This plan includes a coastal environment section that acknowledges the rich historic (including archaeological) heritage of the Wairarapa coastal environment. The heritage chapter contains rules for protecting historic heritage.

Wellington City District Plan

https://wellington.govt.nz/~/_media/your-council/plans-policies-and-bylaws/district-plan/volume01/files/v1chap12.pdf?la=en

This plan sets out objectives and policies for management of the Lambton Harbour area, and rules for activities affecting historic heritage, including sites in the coastal environment.

Canterbury Regional Policy Statement

<http://www.ecan.govt.nz/your-region/plans-strategies-and-bylaws/canterbury-regional-policy-statement>

Chapter 13 of the Canterbury Regional Policy Statement, which was produced in 2013 and revised in February 2017, outlines issues, objectives and policies for the identification and appropriate protection of historic heritage.

Reports, websites and additional information

International

- UNESCO World Heritage for cultural landscapes
<http://whc.unesco.org/en/culturallandscape>
- Sendai Framework for Disaster Risk Reduction 2015–2030
www.unisdr.org/we/inform/publications/43291

National

- ICOMOS New Zealand Charter for the Conservation of Places of Cultural Heritage Value 2010
http://icomos.org.nz/wp-content/uploads/2016/08/NZ_Charter.pdf

Department of Conservation

- Historic conservation
<http://www.doc.govt.nz/conservation/historic/>
- Stephenson, J.; Bauchop, H.; Petchey, P. 2004: Bannockburn heritage landscape study. *Science for Conservation 244*. Department of Conservation, Wellington. 120 p.
<http://www.doc.govt.nz/globalassets/documents/science-and-technical/sfc244entire.pdf>

Heritage New Zealand Pouhere Taonga

- New Zealand Heritage List/Rārangi Kōrero
<http://www.heritage.org.nz/the-list>
- Archaeological sites
<http://www.heritage.org.nz/protecting-heritage/archaeology>
- National Heritage Preservation Incentive Fund

<http://www.heritage.org.nz/protecting-heritage/national-heritage-preservation-incentive-fund>

- Resource toolkit
<http://www.heritage.org.nz/resources/sustainable-management-guides>

Ministry for the Environment

- Heritage orders and heritage protection authorities
<http://www.mfe.govt.nz/rma/about-rma/roles-and-responsibilities/heritage-protection-authorities>

Ministry for Culture and Heritage

- Protected objects
<http://www.mch.govt.nz/nz-identity-heritage/protected-objects>
- Policy for Government departments' management of historic heritage 2004
<https://www.mch.govt.nz/research-publications/our-research-reports/policy-government-departments-management-historic-heritag>

Quality Planning

- Historic heritage guidance note
<http://www.qp-test.org.nz/planning-process-plan-topics/plan-topics-2>

New Zealand Archaeological Association (NZAA)

<http://nzarchaeology.org/cms/>

Engineering New Zealand

- Engineering heritage register
<https://www.engineeringnz.org/our-work/heritage/heritage-register/>

Glossary of terms and definitions

NZCPS 2010 glossary

No relevant definitions.

Other definitions/explanations

Archaeological site Subject to section 42(3), an archaeological site is:

- (a) any place in New Zealand, including any building or structure (or part of a building or structure), that—
 - (i) was associated with human activity that occurred before 1900 or is the site of the wreck of any vessel where the wreck occurred before 1900; and
 - (ii) provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand; and
- (b) includes a site for which a declaration is made under section 43(1)

(Section 6 of the HNZPT Act.)

Heritage order A provision made in a district plan to give effect to a requirement made by a heritage protection authority. (Section 187 of the RMA.)

Heritage protection authority

- (a) any Minister of the Crown including—
 - (i) the Minister of Conservation acting either on his or her own motion or on the recommendation of the New Zealand Conservation Authority, a local conservation board, the New Zealand Fish and Game Council, or a Fish and Game Council; and
 - (ii) the Minister of Maori Affairs acting either on his or her own motion or on the recommendation of an iwi authority;
- (b) a local authority acting either on its own motion or on the recommendation of an iwi authority;
- (c) Heritage New Zealand Pouhere Taonga, in so far as it carries out its functions under section 13(1)(i) of the Heritage New Zealand Pouhere Taonga Act 2014;
- (d) a body corporate that is approved as a heritage protection authority under section 188.

(Section 187 of the RMA.)

Historic heritage

- (a) means those natural and physical resources that contribute to an understanding and appreciation of New Zealand's history and cultures, deriving from any of the following qualities:
- (i) archaeological:
 - (ii) architectural:
 - (iii) cultural:
 - (iv) historic:
 - (v) scientific:
 - (vi) technological; and
- (b) includes—
- (i) historic sites, structures, places, and areas; and
 - (ii) archaeological sites; and
 - (iii) sites of significance to Māori, including wāhi tapu; and
 - (iv) surroundings associated with the natural and physical resources
- (Section 2 of the RMA.)

Kaitiakitanga The exercise of guardianship by the tangata whenua of an area in accordance with tikanga Māori in relation to natural and physical resources; this includes the ethic of stewardship. (Section 2 of the RMA.)

Kōiwi tangata/human remains Koiwi tangata/human remains (particularly bones) that have not been made or incorporated into an artefact. (Definition taken from the Heritage New Zealand Pouhere Toanga Archaeological Guideline Series, Koiwi tangata/Human remains.⁴⁴)

Mana whenua Customary authority exercised by an iwi or hapū in an identified area. (Section 2 of the RMA.)

Mana Whakanono a Rohe An iwi participation arrangement entered into under subpart 2 of Part 5. (Section 2 of the RMA.)

Tauranga waka Canoe landing sites. (Section 2 of the RMA.)

Urupā A burial ground, cemetery, graveyard. (Definition taken from Te Aka Online Māori Dictionary.⁴⁵)

⁴⁴ <http://www.heritage.org.nz/protecting-heritage/archaeology/archaeological-guidelines-and-templates>

⁴⁵ <http://www.maoridictionary.co.nz/>

Wāhi tapu (or waahi tapu) A place that is sacred to Māori in the traditional, spiritual, religious, ritual or mythological sense. (Section 6 of the HNZPT Act.)

The RMA definition of historic heritage includes ‘sites of significance to Māori, including wāhi tapu’.

Wāhi tūpuna A place that is important to Māori for its ancestral significance and associated cultural and traditional values. (Section 6 of the HNZPT Act.)