

Procedures for assessing adverse effects on cultural heritage

This checklist and associated flow chart (Figure 1) provide a guide for consent processing staff and applicants for assessing actual or potential effects on cultural heritage.

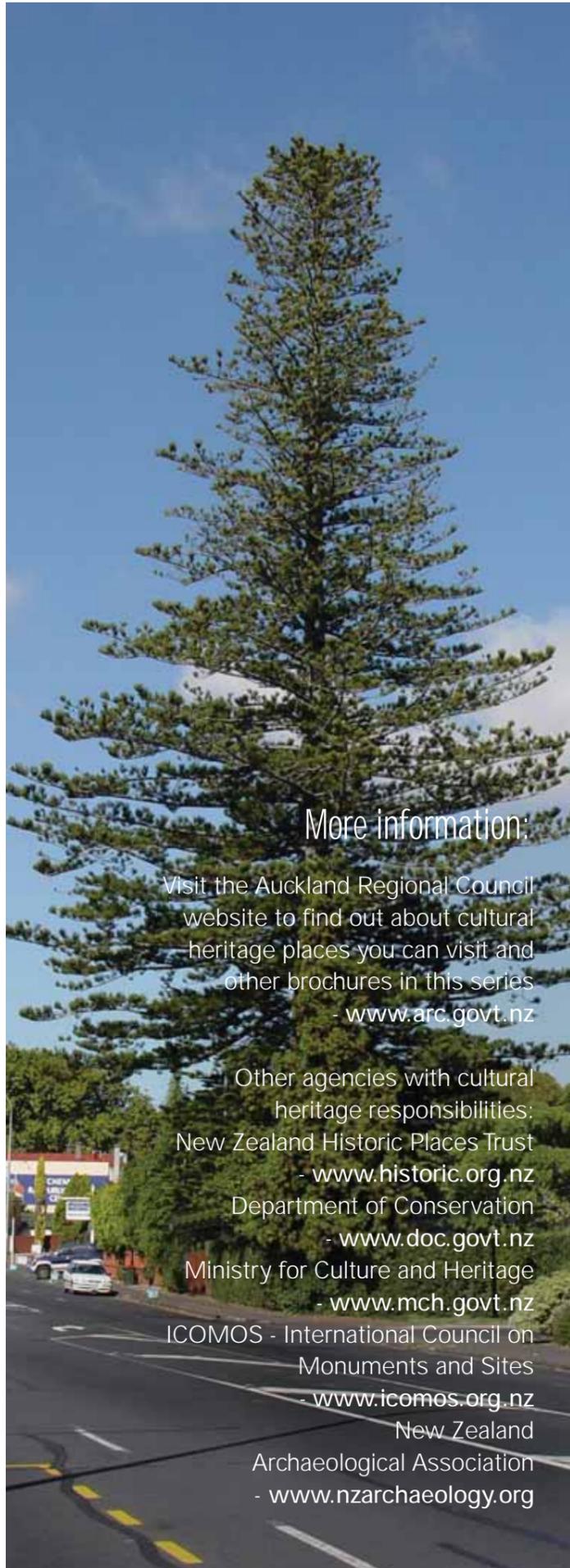
1. Has cultural heritage been addressed in the applicant's AEE? Is the AEE accurate and sufficiently detailed?
2. Has the development area been surveyed for archaeological sites? Are site location grid references provided and are they accurate?
3. Are there any; historic places, historic areas, wāhi tapu or wāhi tapu areas in the:
 - NZHPT Register, or proposed for Registration
 - Regional Plan: Coastal 2004 Schedules
 - District Plan Schedules
 - NZAA Site Record File
 - CHIwithin the area of application?
4. Is the development area subject to any district plan heritage rules or provisions? Is the development area subject to a heritage order?
5. Are there any historic places and areas in close proximity to the development area of application that may be adversely affected?
6. Are there any actual or potential adverse effects on cultural heritage resources?
7. Are adverse effects significant to warrant public notification?
8. Are there any recommendations within the application to avoid, remedy or mitigate any actual or potential adverse effects on cultural heritage? Are the recommendations appropriate?
9. Has the NZHPT been consulted? Has an NZHPT authority to destroy, damage or modify an archaeological site been applied for or granted (where relevant)? Has the NZHPT placed conditions on the authority to be complied with?
10. Have the relevant iwi groups been consulted? Are there any iwi concerns regarding cultural heritage sites potentially affected by the application? Have iwi concerns been recognised and provided for?
11. Have relevant local authority consents been applied for?
12. Is a field inspection necessary?
13. Make recommendations for consent conditions (to uphold statutory responsibilities).

A qualified heritage professional will need to be consulted to gain accurate information on the presence of cultural heritage resources in an area.

Assistance available for protecting historic and cultural heritage

- Local authorities have a number of incentives and funds available to assist in the protection and preservation of historic and cultural heritage, for example the ARC's Environmental Initiatives Fund (see our website www.arc.govt.nz). Contact your local council for further information on the type of assistance they provide.
- New Zealand Historic Places National Preservation Incentive Fund.
- Lottery Environment and Heritage funds.
- QEII Covenants.

Historic Norfolk Island Pine, Manukau Road



More information:

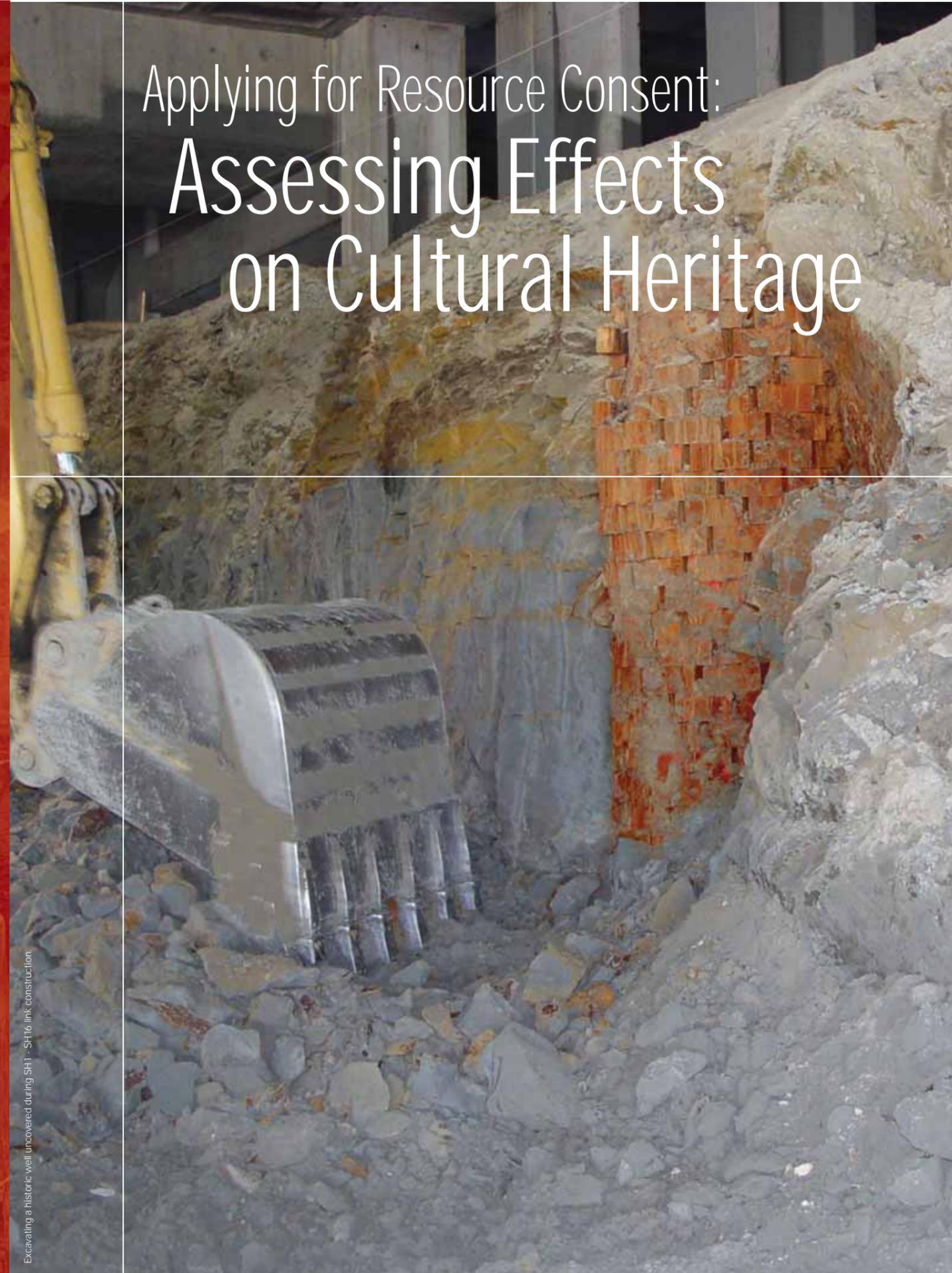
Visit the Auckland Regional Council website to find out about cultural heritage places you can visit and other brochures in this series
- www.arc.govt.nz

Other agencies with cultural heritage responsibilities:
New Zealand Historic Places Trust
- www.historic.org.nz

Department of Conservation
- www.doc.govt.nz
Ministry for Culture and Heritage
- www.mch.govt.nz

ICOMOS - International Council on Monuments and Sites
- www.icomos.org.nz
New Zealand Archaeological Association
- www.nzarchaeology.org

Applying for Resource Consent: Assessing Effects on Cultural Heritage



Excavating a historic well uncovered during SH1 - SH16 link construction



Shell midden (refuse deposit).



Restored Brook Homestead, Āwhitu Regional Park.



Archaeological monitoring of earthworks.



Archaeological investigation.

Introduction

The Auckland Regional Council (ARC) is working with other heritage agencies and the community to promote the preservation and management of a diverse and representative range of historic and cultural heritage.

We are developing plans and policy particularly focused on the sustainable management of the resources located within the coastal marine area and on Auckland regional parkland. Our work involves consultation, provision of information, research and monitoring, education and advocacy, and participation in the resource consent process. Resource consent applications are assessed to ensure that proposed activities do not adversely affect protected historic places and areas, taonga, wāhi tapu and other heritage places of significance to tāngata whenua and the community.

When do you need to address cultural heritage in your resource consent?

The following are examples of instances when your activity may affect cultural heritage. If any of the following apply to your activity or development area, you will need to address cultural heritage in your resource consent application.

- If your activity affects a Registered or scheduled historic place, historic area, wāhi tapu or wāhi tapu area.
- If your activity affects an archaeological site.
- If your activity affects a place of significance to tāngata whenua.
- If your development area has been occupied by people for more than 100 years.
- If your development area is located within 2km of the coast.
- If your consent involves any earthworks or ground disturbance.
- If you are applying for a consent to subdivide your property.

Who can help you identify a cultural heritage site or area?

Often a simple check for historic or cultural heritage information on the Auckland Region Cultural Heritage Inventory (CHI), may be all that is required. The CHI is held by your local council and by the ARC.

However, depending on the nature of your activity, you may also need to consult with the following agencies to adequately address effects on cultural heritage:

- The New Zealand Historic Places Trust (NZHPT) - for the Register of historic places, historic areas, wāhi tapu and wāhi tapu areas.
- The ARC - for the Regional Plan: Coastal 2004 schedules of protected and preserved historic and cultural heritage sites.
- District and city councils (territorial authorities) - for Plan schedules of protected cultural heritage resources, related rules and provisions, and whether you require any additional consents.
- Iwi agencies - for taonga and wāhi tapu.
- The New Zealand Archaeological Association - for archaeological sites in the Site Record File.

Other agencies and sources of information include local museums, historical societies and heritage protection authorities (under the RMA).

You can also engage a qualified heritage professional to undertake this for you - ask the above listed agencies for information on heritage professionals.

Legislation for the management and protection of historic and cultural heritage

There are two primary pieces of legislation protecting historic and cultural heritage. These are the Historic Places Act 1993 and the Resource Management Act 1991.

Historic Places Act 1993 (HPA)

The HPA is the main statute for historic and cultural heritage management and protection. The HPA establishes the NZHPT whose specific responsibilities include the management of historic places, the control of archaeological sites and the formation and maintenance of a national Register of historic places, historic areas, wāhi tapu and wāhi tapu areas.

Under the HPA:

An historic place is: Any land (including an archaeological site); or any building, or structure or combination of the above, that form part of the historical and cultural heritage of New Zealand.

Wāhi tapu is defined as:

A place sacred to Māori in the traditional, spiritual, religious, ritual, or mythological sense and a wāhi tapu area is defined as an area of land that contains one or more wāhi tapu.

An archaeological site is:

The physical remains of human activity that occurred before 1900, or the site of a shipwreck where that occurred before

1900; and may, through archaeological investigation, be able to provide evidence relating to the history of New Zealand.

It is important to note that all archaeological sites are protected by the HPA, whether or not they are recorded, listed or registered. This means that any person wishing to modify, damage, or destroy an archaeological site must first obtain an authority from the NZHPT. It is an offence to modify, damage, or destroy an archaeological site without the written authority of the NZHPT.

Resource Management Act 1991 (RMA)

The RMA creates the framework within which Local Government manages natural and physical resources. Historic heritage is one of the resources recognised, under section 6(f), as being of national importance.

Your resource consent application requirements

The RMA (section 88) provides direction for making resource consent applications. Your application must include a statement of any actual or potential effects the activity may have on the environment, and the ways in which any adverse effect may be avoided, remedied or mitigated.

The Fourth Schedule of the RMA lists matters that should be included and considered in an Assessment of Effects on the Environment (AEE), including any effect on natural and physical resources. The RMA considers historic heritage to be a natural and physical resource derived from archaeological, architectural, cultural, historic, scientific or technological qualities, which contributes to an understanding and appreciation of New Zealand's culture and history.

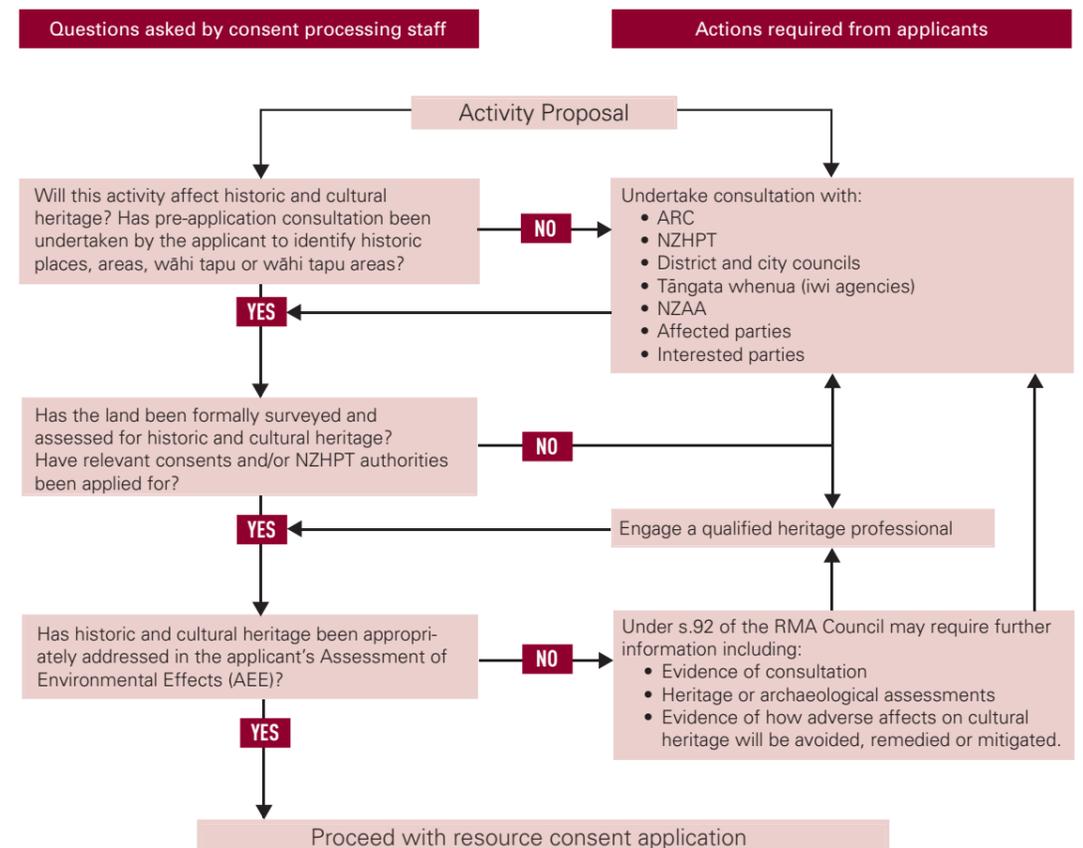


Figure 1: Procedures for assessing effects on historic and cultural heritage: guide for consent processing staff, applicants and other Local Authority staff.

