

**Before the Hearings Panel  
Appointed by the Hutt City Council**

**IN THE MATTER** of the Resource Management Act  
1991[RMA]

**AND**

**IN THE MATTER** of Hutt City Council Proposed  
District Plan Change 52: Alignment  
of the District Plan with the New  
Zealand Heritage List

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**STATEMENT OF EVIDENCE OF KAREN ROSE ASTWOOD, on behalf of  
HERITAGE NEW ZEALAND POUHERE TAONGA**

**Area Manager, Central Region - Heritage New Zealand Pouhere Taonga**

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**9 APRIL 2019**

## **Introduction**

1. My name is Karen Rose Astwood. I am an Area Manager and Heritage Assessment Advisor at the Central Regional Office of Heritage New Zealand Pouhere Taonga (Heritage New Zealand).
2. I am providing evidence on behalf of Heritage New Zealand [Submitter].

## **Qualifications and experience**

3. I have a Master of Museum and Heritage Studies degree from Victoria University of Wellington. I specialise in heritage assessment and had eight years' experience in heritage assessment as an independent contractor and IPENZ (now Engineering New Zealand) Heritage Advisor before joining Heritage New Zealand. I have been in a heritage assessment role with Heritage New Zealand since May 2016. In my current role with Heritage New Zealand I am involved in assessing the significance of places for the purposes of entry on the New Zealand Heritage List/Rārangi Kōrero (the List), and also Crown Land Disposal, in the Central Region of New Zealand. This region extends from Taranaki and Hawke's Bay to Marlborough, Nelson, and includes the Chatham Islands. As a heritage assessment contractor for Heritage New Zealand and in my current role, I have assessed over 200 places or areas for entry on the List and for updating the information of existing List entries.

## **Code of Conduct**

4. Although this evidence is not prepared for an Environment Court hearing, I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2014 and have complied with it in when preparing this evidence. I have considered all the material facts that I am aware of that might alter or detract from the opinions I express. This evidence is within my area of expertise, except where I state that I am relying on the evidence of another person.

## **Scope of Evidence**

5. Heritage New Zealand made a submission on this application. I was not involved in preparing Heritage New Zealand's submission or further submission, but have familiarised myself with those documents. I am providing heritage evidence for Heritage New Zealand as a submitter.
6. My evidence focuses on the heritage values of the following places:
  - ANZAC Memorial Flagpole, List No. 9438 (Category 1 historic place)
  - Nash House, List No. 7742 (Category 1 historic place)
  - Lower Hutt Central Fire Station, List No. 9319 (Category 1 historic place)
  - Petone Magistrate's Court, List No. 9439 (Category 2 historic place)
  - Dudley Cottage (removed from the List)
  - Naenae Post Office (nominated for entry on the List)
7. In preparing this evidence I have considered:

- the Proposed District Plan Change 52: Alignment of the District Plan with the New Zealand Heritage List document (Plan Change document)
- the Proposed District Plan Change 52: Section 42a Officer's Report (s42a report)
- the related submissions and further submissions
- the Heritage New Zealand Pouhere Taonga Act 2014
- Heritage New Zealand's List
- Heritage New Zealand's 'Statement of General Policy: The Administration of the New Zealand Heritage List/Rārangi Kōrero', 2015, <https://www.heritage.org.nz/resources/statements-of-general-policy> (Policy) [see Appendix 1]
- Heritage New Zealand List reports for: ANZAC Memorial Flagpole; Nash House; the former Lower Hutt Central Fire Station; the former Petone Magistrate's Court; and Dudley Cottage
- Heritage New Zealand file and nomination information for: Naenae Post Office (Former).

## Evidence

8. The Plan Change document's Appendix A includes detailed Heritage New Zealand documentation for all the subject places, with the exception of Dudley Cottage. Therefore, as part of my evidence I am providing an overview of each of the places which are within the scope of this evidence to: illustrate the results of Heritage New Zealand's assessments of their values, their current List entry status, and my recommendations regarding their scheduling.
9. **ANZAC Memorial Flagpole (List No. 9438)**
  - 9.1. In my capacity as an independent contractor, I completed the heritage assessment of the ANZAC Memorial Flagpole for Heritage New Zealand in 2011.
  - 9.2. My assessment found, the ANZAC Memorial Flagpole is of historical importance as one of the few remaining early vestiges of the Petone Railway Workshop, which played a central role in establishing Petone as an important industrial and manufacturing centre in New Zealand. The ANZAC Memorial Flagpole was constructed in 1916 in time for the inaugural ANZAC Day commemorations, and was devised as part of a trans-Tasman collegial venture between employees at the Petone and Hornsby railway workshops in honour of their World War One ANZAC workmates who had fought in the Gallipoli campaign. The ANZAC Memorial Flagpole is also of outstanding significance as one of the first ANZAC related World War One memorials constructed in New Zealand, where ANZAC activities at Gallipoli are considered to be an important aspect in the development of national identity. The circumstances in which it was conceived, and the combining of New Zealand and Australian native timbers in its construction, also lend weight to the flagpole's symbolic value, rarity, and its special national significance.
  - 9.3. The ANZAC Memorial Flagpole was entered on the List as a Category 1 historic place on 2 March 2011. Accordingly, I support the transfer of this item from Appendix Heritage 2 to Appendix Heritage 1.

**10. Nash House (List No. 7742)**

- 10.1. The assessment of Nash House describes, and successfully makes the case for, that property having outstanding historical and social significance as the home for nearly 40 years of Sir Walter Nash, Prime Minister of New Zealand (1957-1960), Leader of the Labour Party (1950-1963) and long serving Member of Parliament for Hutt (1929-1968), and his wife Lottie. As the Minister of Finance in the first Labour Government Nash oversaw substantial economic and social reform. He was one of New Zealand's best-known politicians on the international stage and although only Prime Minister for one term, his long and sometimes controversial political career makes Nash one of New Zealand's most significant statesmen of the twentieth century. Their house became a de facto electorate office where Nash would meet constituents who had fallen on hard times and sought his assistance. At other times Lottie Nash used the house for sewing circles to aid victims of the Depression and later the Hawke's Bay earthquake of 1931. The house continued to be used in this fashion following the election of the first Labour Government in 1935.
- 10.2. Nash House was entered on the List as a Category 1 historic place on 4 April 2008. Accordingly, I support the addition of this item to Appendix Heritage 1.

**11. Lower Hutt Central Fire Station (List No. 9319)**

- 11.1. The assessment of the former Lower Hutt Central Fire Station describes, and successfully makes the case for, the fire station being of outstanding architectural value as an authentic and intact example of Post-War Modern architecture in a city that was a 'flagship' for Post-War Modernism. Completed in 1955, this former municipal structure is located in a central position on Waterloo Road and makes a special contribution to the wider historical and cultural landscape of Lower Hutt which includes the Lower Hutt Civic Centre Historic Area. The building was considered to be the most modern fire station in the Southern Hemisphere and has significant value for its technological innovations and design that is informative of its use but sympathetic to its residential setting. It opened in time to mark the 50th Jubilee of the Lower Hutt Fire Brigade and started an important chapter in the firefighting services for Lower Hutt. At its completion the fire station was one of the most modern in the Southern Hemisphere and a tribute to the planning and design of Mitchell and Mitchell and Partners in association with King, Cook and Dawson.
- 11.2. The former Lower Hutt Central Fire Station was entered on the List as a Category 1 historic place on 30 April 2010. Accordingly, I support the addition of this item to Appendix Heritage 1.

**12. Petone Magistrate's Court (List No. 9439)**

- 12.1. The assessment of the former Petone Magistrate's Court describes, and successfully makes the case for, the building having historical and social significance. Opened in 1911, it served Petone and parts of the Lower Hutt Community for nearly 80 years, first as a courthouse and then as a police station. Architecturally the Petone Magistrate's Court is a typical example of a courthouse designed in the Edwardian Baroque style by John Campbell, the Government Architect from 1909-1922. It is one of only two remaining examples of this type of court building in the Greater Wellington region, and is almost certainly one of the last remaining

Edwardian public buildings in the Hutt Valley. It was built at a time when changes were being made to the way courts operated following the introduction in 1893 of the Magistrate's Court, which replaced the Resident Magistrate's Court.

- 12.2. The former Petone Magistrate's Court was entered on the List as a Category 2 historic place on 15 April 2011. Accordingly, I support the transfer of this item from Appendix Heritage 2 to Appendix Heritage 1.

### **13. Dudley Cottage**

- 13.1. Dudley Cottage was removed from the List in May 2008. The heritage values for which it was originally recognised as a Category 2 historic place were lost when it was destroyed by fire in January 2008. Accordingly, I support the removal of this item from Appendix Heritage 1.

### **14. Naenae Post Office**

- 14.1. The former Naenae Post Office has been nominated for entry on the List by Dr Ben Schrader. The nomination was received in August 2018. This place is not currently entered on the List.
- 14.2. Heritage New Zealand was previously aware of the potential heritage values of Naenae, including the former Post Office, because of a 2012 research report commissioned from Dr Ben Schrader. Dr Schrader is a Wellington public historian specialising in urban history and the history of the built environment. He has published a number of books on these subjects, was Senior Researcher for the *New Zealand Historical Atlas* (1997) and has written extensively for Te Ara, the online encyclopedia of New Zealand, for which he co-edited the City and Economy theme. Dr Schrader's Master's thesis was on the design and development of Naenae.
- 14.3. In accordance with Statement of General Policy (Policy 7.10), the nomination was evaluated in the annual appraisal of all the nominations the Central Region Office received early 2019. The evaluation process considers whether the nominator has provided sufficient evidence in the application to suggest the place is likely would meet the significance threshold for entry on the List. This determines whether or not a nomination is accepted or declined (Policy 7.8).
- 14.4. I consider the application information to be robust, having been submitted by a reputable and noted subject expert. In my experience, Heritage New Zealand strives to make the List diverse and representative of a range of types of heritage. In my view, the former Post Office would help expand the scope of the List, because it is a good example of modernist architecture and represents a notable building within an important New Zealand state housing area.
- 14.5. After considering the information contained in the application, I was involved in the decision that the former Naenae Post Office is a strong candidate for entry on the List as a historic place because of its aesthetic, architectural, historical, and social heritage values.
- 14.6. Due to the timing of the nomination we were unable to include the former Naenae Post Office in our 2018-2019 List entry work programme. However, this nomination has been prioritised for completion in the Central Region's 2019-2020 List entry work programme (Policy 7.11). A

full heritage assessment report has been commissioned and will be prepared in the next few months. Heritage New Zealand has written to the owner to advise them of the nomination (Policy 7.5) and our interest in progressing it (Policy 7.14).

14.7. I believe that the List entry process is robust, including the preparation of a full heritage assessment report; consultation with owners, stakeholders and the public; and peer review; before the Heritage New Zealand Board makes the final decision on whether a place should be entered on the List (Policy 8-12).

14.8. Heritage values assessment

14.9. The former Naenae Post Office is an important building within its wider suburb, which is regarded as significant nationally because of the 'garden city' ideals it embodies. Garden cities were designed with a central hub, combining commercial, social and cultural functions. In Naenae's case this is Hillary Court - New Zealand's first pedestrianised mall - where the former Naenae Post Office is located.

14.10. Naenae Post Office, opened in 1960 by Prime Minister and the local Member of Parliament, Walter Nash, contributed strongly to the garden city ideals because it was a vital commercial and social facility for Naenae residents for over 50 years.

14.11. The building is a striking example of Ministry of Works designed modernist architecture. In particular, its distinctive clock tower is a significant element of the suburb's original design by internationally renowned modernist architect Ernst Plischke. The clock tower provides the bell tower element crucial to Plischke's referencing of San Marco Square in Venice. It is also important because it was the first post office clock tower built after the government rescinded its moratorium on constructing these previously characteristic post office features, due to seismic concerns. The former Naenae Post Office is a prominent landmark which is often photographed and used to represent Naenae as the public 'face' of the suburb.

14.12. Based on the information Heritage New Zealand has received from Dr Schrader, I consider that the former Naenae Post Office is a notable contributor to local heritage. This was confirmed for me when I undertook an external inspection of the building in February of this year. From my reading of the s42a report, 14F Heritage Buildings and Structures (Introduction (c)), I understand this evaluation indicates the former Naenae Post Office merits scheduling.

14.13. The former Naenae Post Office has been identified as having sufficient heritage values to make it eligible for progression towards List entry and also scheduling in the District Plan. Accordingly, I support the addition of this item to Appendix Heritage 2.

## **Conclusion**

15. Because of their assessed heritage values, between 2008 and 2011 Heritage New Zealand entered the ANZAC Memorial Flagpole, Nash House, former Lower Hutt Central Fire Station, and former Petone Magistrate's Court on the List. Therefore, I support scheduling these places

in Appendix Heritage 1, in recognition of them being places which make an important contribution to the distinct character and identity of Lower Hutt.

16. Dudley Cottage was removed from the List in 2008 because its heritage values were seriously compromised by a fire and it no longer met the threshold for List entry. Therefore, I support the removal of Dudley Cottage from Appendix Heritage 1.
17. Heritage New Zealand has been provided robust information in support of the List entry nomination for the former Naenae Post Office, which indicates the building is a strong candidate for List entry because it makes a notable contribution to local heritage. Heritage New Zealand will progress the List entry process in 2019-2020. Therefore, I support the addition of the former Naenae Post Office in Appendix Heritage 2.



**Karen Rose Astwood**

Area Manager, Heritage New Zealand Central Region

9 April 2019

**Appendix 1 – Statement of General Policy: The Administration of the New Zealand Heritage List/Rārangi Kōrero, 2015.**





HERITAGE NEW ZEALAND  
POUHERE TAONGA



# STATEMENT OF GENERAL POLICY

THE ADMINISTRATION OF THE  
NEW ZEALAND HERITAGE LIST/ RĀRANGI KŌRERO

29 October 2015

## ABOUT HERITAGE NEW ZEALAND POUHERE TAONGA

Heritage New Zealand Pouhere Taonga (HNZPT) is an autonomous Crown entity established by the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA). HNZPT's role, as defined by the HNZPTA, is "to promote the identification, protection, preservation and conservation of the historical and cultural heritage of New Zealand". HNZPT is New Zealand's leading national historic heritage agency and is seen by the public as the guardian of this country's national historic heritage.

**HNZPT IS** governed by a Board that is responsible for the organisation's strategic direction, while taking into account government priorities and desired outcomes. The Māori Heritage Council has specific statutory functions under the Act relating to the promotion and conservation of many aspects of Māori heritage. The Council works closely with the Board and advises the Board on matters of interest to Māori and on undertaking its work in a culturally appropriate manner.

The national office in Wellington provides key service, support and policy functions, and a Māori Heritage team operates throughout the management and organisational structure. There are regional and area offices located in Auckland, Wellington, Christchurch, Kerikeri, Tauranga and Dunedin and the Heritage Destinations Team manages 48 historic properties around the country, 15 of which are staffed.

The work of HNZPT focuses on:

- Identifying and recording information on historical and cultural heritage, through assessments and entering significant heritage onto the New Zealand Heritage List/Rārangī Kōrero or identifying National Historic Landmarks/Ngā Manawhenua o Aotearoa me ōna Kōrero Tūturu.
- Promoting the conservation of significant historical and cultural heritage, through advice, capacity building, advocacy, regulation, ownership of selected properties, and providing targeted incentive funding.
- Engaging with heritage owners, iwi and hapū, heritage professionals, the public, councils and government on heritage. ■

## STATEMENTS OF GENERAL POLICY

To provide leadership and direction in key areas of work, HNZPT has produced statements of general policy for five key activities, as required by section 17 of the HNZPTA. This policy covers the administration of the New Zealand Heritage List/Rārangī Kōrero.

**THE OTHER STATEMENTS** of general policy cover:

- The administration of the archaeological provisions
- The statutory role of advocacy
- The management and use of historic places owned or controlled or vested in HNZPT
- The administration of the National Historic Landmarks List/Ngā Manawhenua o Aotearoa me ōna Kōrero Tūturu.

The HNZPTA requires that HNZPT consults on the draft policies by making them publicly available and inviting public comments. The draft policies were publicly notified on 3 February 2015 and submissions closed on 17 April 2015. HNZPT has considered all submissions received on the draft policies. This policy was approved by the Māori Heritage Council and the HNZPT Board on 29 October 2015. Each statement of general policy must be reviewed within 10 years of adoption. ■

## STATEMENT OF GENERAL POLICY: THE ADMINISTRATION OF THE NEW ZEALAND HERITAGE LIST/ RĀRANGI KŌRERO

INTRODUCTION	3
Why have a national heritage list?	3
Purpose of the policy	3
LEGISLATIVE CONTEXT	4
INTERPRETATION	5
OBJECTIVES AND POLICIES	6
Purpose and principles	7
Māori heritage values	8
Access to information	9
Relationship with the Resource Management Act 1991	10
Scope of the New Zealand Heritage List/Rārangi Kōrero	12
The application process	13
Assessment of proposals	15
Consultation	18
Decision-making	20
Maintenance of the New Zealand Heritage List/Rārangi Kōrero	23
GLOSSARY	25

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COVER: The Bath House, Rotorua Government Gardens.  
IMAGE: PHIL BRAITHWAITE 2006 FLICKR.COM

## INTRODUCTION

### WHY HAVE A NATIONAL HERITAGE LIST?

**THE NEW ZEALAND** Heritage List/Rārangi Kōrero (the 'List') is New Zealand's only national statutory record of our rich and diverse place-based historical and cultural heritage. It provides for recognition of the full range of heritage places in New Zealand, including **historic places** (such as buildings or structures, cultural and **archaeological sites**), **historic areas**, and places of interest to Māori for their spiritual values (**wāhi tapu** and **wāhi tapu areas**) and ancestral and associated cultural and traditional values (**wāhi tūpuna**).

The New Zealand Heritage List/Rārangi Kōrero is an important information source for heritage **owners**, local authorities and the general public about the places which provide evidence of New Zealand's distinct society and culture.

An important first step in managing and conserving finite heritage resources, and providing opportunities for New Zealanders to engage with heritage is to identify and record the stories of this country's significant heritage places. Access to comprehensive and accurate information about which places are significant and why they are important assists present and future generations of New Zealanders to experience and enjoy a sense of place, identity and nationhood. HNZPT's work in this area is key to both the **conservation** of heritage places and to enable New Zealanders to engage with heritage.

### PURPOSE OF THE POLICY

The purpose of this policy is to guide Heritage New Zealand Pouhere Taonga (HNZPT) administration of the New Zealand Heritage List/Rārangi Kōrero. It replaces the registration and wāhi tapu policies prepared under the Historic Places Act 1993 and is intended to be consistent with legislation in force at the time of writing. HNZPT will review and amend this policy when necessary to adapt to changes in legislation, changes in policy and in accordance with increased knowledge. HNZPT will participate fully in any legislative or policy review processes led by other agencies that relate to or affect the New Zealand Heritage List/Rārangi Kōrero or its purposes. ■

## LEGISLATIVE CONTEXT

This general policy has been prepared under section 17 of the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA) to provide policy for the administration of the New Zealand Heritage List/Rārangi Kōrero under subpart 1 of Part 4. This policy is intended to be consistent with legislation in force at the time of writing. HNZPT will review and amend this policy when necessary to adapt to changes in legislation and policy and in accordance with increased knowledge.

**TO RECOGNISE** and respect the Crown's responsibility to give effect to the Treaty of Waitangi, the HNZPTA contains specific provisions relating to the functions, powers and delegations of the Māori Heritage Council and processes relating to the New Zealand Heritage List/Rārangi Kōrero (including functions relating to **wāhi tūpuna**, **wāhi tapu** and **wāhi tapu areas**, notification of **applications**, determining **applications** and reviews relating to **wāhi tūpuna**, **wāhi tapu** and **wāhi tapu areas**, notification of decisions, and making recommendations to local authorities regarding **wāhi tapu areas**).

The HNZPTA continues to provide for the identification, protection, preservation, and **conservation** of the historical and cultural heritage of New Zealand.

It also continues the system for a list (formerly known as the Register under the Historic Places Act 1993) to be known as the New Zealand Heritage List/Rārangi Kōrero, comprising **historic places**, **historic areas**, **wāhi tūpuna**, **wāhi tapu**, and **wāhi tapu areas**, as a means for recognising and evaluating significant historical and cultural heritage. Pursuant to section 65(2) of the HNZPTA, all entries on the Register immediately prior to the commencement of the HNZPTA are deemed to be entries on the New Zealand Heritage List/Rārangi Kōrero.

The purposes of the New Zealand Heritage List/Rārangi Kōrero are:

- a) to inform members of the public about **historic places**, **historic areas**, **wāhi tūpuna**, **wāhi tapu**, and **wāhi tapu areas**
- b) to notify the **owners** of **historic places**, **historic areas**, **wāhi tūpuna**, **wāhi tapu**, and **wāhi tapu areas**, as needed, for the purposes of the HNZPTA
- c) to be a source of information about **historic places**, **historic areas**, **wāhi tūpuna**, **wāhi tapu**, and **wāhi tapu areas** for the purposes of the Resource Management Act 1991 (RMA).

Entry on the New Zealand Heritage List/Rārangi Kōrero does not equal automatic protection or directly create regulatory consequences or legal obligations on property owners and does not create specific rights or control over property. Entry on the New Zealand Heritage List/Rārangi Kōrero can lead to heritage properties being considered for protection under district plan heritage schedules and could provide heritage funding opportunities such as through the National Heritage Preservation Incentive Fund.

The New Zealand Heritage List/Rārangi Kōrero must separately identify **historic places**, **historic areas**, **wāhi tūpuna**, **wāhi tapu**, and **wāhi tapu areas**.

**Historic places** must be further identified as Category 1 or Category 2:

**CATEGORY 1:** places of special or outstanding historical or cultural heritage significance or value;

**CATEGORY 2:** places of historical or cultural heritage significance or value.

The category of **historic place** is assessed under section 66(3) of the HNZPTA having regard to the following criteria:

- a) The extent to which the place reflects important or representative aspects of New Zealand history
- b) The association of the place with events, persons, or ideas of importance in New Zealand history
- c) The potential of the place to provide knowledge of New Zealand history
- d) The importance of the place to tangata whenua
- e) The community association with, or public esteem for, the place
- f) The potential of the place for public education

- g) The technical accomplishment, value, or design of the place
- h) The symbolic or commemorative value of the place
- i) The importance of identifying historic places known to date from an early period of New Zealand settlement
- j) The importance of identifying rare types of historic places
- k) The extent to which the place forms part of a wider historical and cultural area.

Additional criteria may be prescribed in regulations made under this Act for the purpose of assigning Category 1 or Category 2 status, but there are no regulations currently in place. ■

## INTERPRETATION

This statement of general policy contains an introductory section which is followed by objectives, being the outcomes HNZPT is seeking, and policies that will achieve those objectives. Individual statements in the policy should not be considered in isolation but in the context of the policy as a whole.

**THIS POLICY** is is subservient to the HNZPTA.

In this policy the term “HNZPT” refers to the organisation Heritage New Zealand Pouhere Taonga generally and includes the Heritage New Zealand Pouhere Taonga Board (Board) and the Māori Heritage Council. The Board and the Council are identified specifically where relevant.

In this document “iwi and hapū” is considered to include reference with respect to the Chatham Islands to “imi” - the tribal grouping of Moriori.

A Glossary can be found at the back of this policy. Terms in bold text have the meaning as set out in the Glossary.

In this policy statement the numbering and order of objectives and policies is solely for convenience and is not to be interpreted as an indication of relative importance. ■

### PURPOSE AND PRINCIPLES

The purpose of the HNZPTA is to promote the identification, protection, preservation and **conservation** of the historical and cultural heritage of New Zealand. The purpose of the New Zealand Heritage List/Rārangi Kōrero is to identify, and be a source of information about, New Zealand's historical and cultural heritage.

**OBJECTIVE 1:** The New Zealand Heritage List/Rārangi Kōrero is inclusive in its identification of New Zealand's significant historical and cultural heritage.

#### POLICIES:

- 1.1 The **List** includes internationally, nationally, regionally and locally significant heritage.
- 1.2 The **List** identifies historical and cultural heritage throughout New Zealand of significance to people and communities.
- 1.3 HNZPT recognises the principle that heritage on the **List** has lasting value in its own right and provides evidence of the origins of New Zealand's distinct society.<sup>1</sup>
- 1.4 HNZPT recognises the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, **wāhi tūpuna, wāhi tapu** and other taonga in its administration of the **List**.<sup>2</sup>
- 1.5 HNZPT works collaboratively with **owners**, iwi and hapū, central government agencies, local authorities, heritage societies, corporations and individuals to identify New Zealand's historical and cultural heritage on the **List** and build effective working relationships.<sup>3</sup>
- 1.6 HNZPT recognises the special relationship it has with national, regional and local heritage organisations.
- 1.7 In the administration of the **List**, HNZPT recognises the principle that the identification of New Zealand's historical and cultural heritage should:
  - a) take account of all relevant cultural heritage values, knowledge and disciplines
  - b) take account of material of cultural heritage value and involve the least possible alteration or loss of it
  - c) safeguard the options of present and future generations
  - d) be fully researched, documented and recorded where culturally appropriate.<sup>4</sup>

<sup>1</sup> As per section 4 of the HNZPTA

<sup>2</sup> As per section 4 of the HNZPTA

<sup>3</sup> As per section 4 of the HNZPTA

<sup>4</sup> As per section 4 of the HNZPTA



## MĀORI HERITAGE VALUES

In its administration of the New Zealand Heritage List/Rārangi Kōrero, HNZPT recognises that New Zealand’s historical and cultural heritage includes many **sites of interest to Māori**.

HNZPT acknowledges that Māori heritage sites can have both physical and non-physical attributes, and the **List** expressly provides for the identification of a range of Māori heritage sites, whether as **wāhi tūpuna**, **wāhi tapu**, **wāhi tapu areas** or **historic places** or **historic areas of interest to Māori**.

**OBJECTIVE 2:** Significant Māori heritage sites are included on the New Zealand Heritage List/Rārangi Kōrero.

### POLICIES:

- 2.1 A range of significant Māori heritage is represented on the **List** as **historic places** and **historic areas of interest to Māori**, **wāhi tūpuna**, **wāhi tapu** and **wāhi tapu areas**.
- 2.2 HNZPT works with iwi and hapū to identify significant **sites of interest to Māori** and enter them on the **List**.
- 2.3 Decisions on **List** entries of interest to Māori are fully informed by iwi and hapū, by other relevant Māori interests with historical and cultural association, and by traditional Māori knowledge (mātauranga Māori), where appropriate.
- 2.4 All proposed entries on the **List** are assessed for Māori heritage values and information on Māori connections to the place or area is considered and included in the proposal report, in proportion to the strength of the connections and their relevance to the proposal.
- 2.5 All **sites of interest to Māori** proposed for entry on the **List** are considered by the Māori Heritage Council or its delegated authority.<sup>5</sup>

<sup>5</sup> As per section 69(4) of the HNZPTA

## ACCESS TO INFORMATION

The New Zealand Heritage List/Rārangi Kōrero is an important source of information about New Zealand’s significant historical and cultural heritage. The **List** informs the public and notifies the custodians (**owners**, managers and kaitiaki) of our **historic places, historic areas, wāhi tūpuna, wāhi tapu, and wāhi tapu areas**. The **List** is a source of information for the purposes of the RMA. **List** information should therefore be reliable, consistent and readily accessible.

**OBJECTIVE 3:** The New Zealand Heritage List/Rārangi Kōrero is an easily accessible source of information about New Zealand’s significant historical and cultural heritage.

### POLICIES:

- 3.1 Upon entry onto the **List** or when a **List** entry is reviewed HNZPT will provide necessary and accurate notification to **owners, registered interests**, relevant local authorities and the appropriate iwi and hapū of historical and cultural heritage included on the **List**.
- 3.2 Information about all **List** entries is available on the HNZPT website.
- 3.3 HNZPT makes as much information available as possible on our website for each **List** entry, although the amount of information may vary depending on the part of the **List** the entry relates to, when it was entered, and the views of the **owner** or iwi and hapū.
- 3.4 Images taken on private property are made available on our website only with the express permission of **owners**.
- 3.5 Referenced **List** reports, where available, can be requested from HNZPT.
- 3.6 As the **List** is a matter of public record, HNZPT will avoid collecting confidential information to support **List** decisions.
- 3.7 HNZPT makes information in the **List** and information on notified proposals for entry easily available for the purposes of the Overseas Investment Act 2005.
- 3.8 HNZPT responds to enquiries about **List** entries in a timely, helpful and consistent manner.
- 3.9 HNZPT may recover the cost of providing information relating to the **List** (other than information in the List itself) under the Official Information Act 1982, or the cost of providing such information for commercial use in accordance with our policy on charging for information.
- 3.10 HNZPT promotes understanding of the purposes, availability, and effects of the **List** through public education and awareness opportunities.
- 3.11 The entry of **historic places, historic areas, wāhi tūpuna, wāhi tapu and wāhi tapu areas** on the **List** provides information contributing to their active protection.

## RELATIONSHIP WITH THE RESOURCE MANAGEMENT ACT 1991

HNZPT recognises that one of the key functions of the New Zealand Heritage List/Rārangi Kōrero is to be a source of information about **historic places**, **historic areas**, **wāhi tūpuna**, **wāhi tapu** and **wāhi tapu areas** for the purposes of the RMA.

Local authorities must have regard to the **List** when preparing their regional policy statements, regional plans and district, city or unitary plans, and to the recommendations of HNZPT with respect to **historic areas** and **wāhi tapu areas** entered on the **List**. Annual updates of the **List** are provided to local authorities, who are required to make the **List** available to the public in council offices. Local authorities must inform HNZPT when a building consent application is received for an entry on the **List**. HNZPT is often involved in the resource consent process for consents affecting **List** entries.

HNZPT may advocate for the retention of heritage values for **List** entries in both statutory and non-statutory processes.

**OBJECTIVE 4:** The New Zealand Heritage List/Rārangi Kōrero is an authoritative, respected and comprehensive source of information about New Zealand’s historical and cultural heritage for the purposes of the RMA.

### POLICIES:

- 4.1 HNZPT endeavours to ensure information in the **List** is necessary and sufficient for the statutory purpose of being a source of information for the purposes of the RMA and other relevant legislation.<sup>6</sup>
- 4.2 HNZPT informs local authorities about proposed **List** entries and reviews in their areas of jurisdiction and supplies local authorities with details of **List** entries, proposals and reviews on an annual and quarterly basis, together with sufficient explanation to promote an understanding of the purposes and effects of the **List**.<sup>7</sup>
- 4.3 HNZPT will have a collaborative working relationship with local authorities, particularly in relation to consent applications and the change and review of policy statements and plans, to provide information about **List** entries.
- 4.4 HNZPT will continue to collate information relating to **List** entries as it is received.

<sup>6</sup> As per section 65(3)(c) of the HNZPTA

<sup>7</sup> As per section 76(1) of the HNZPTA

**OBJECTIVE 5:** Historical and cultural heritage entered on the New Zealand Heritage List/Rārangi Kōrero is conserved for the future.

**POLICIES:**

- 5.1** HNZPT advocates for the protection of places on the **List** in statutory processes in accordance with HNZPT’s Statement of General Policy for the Statutory Role of Advocacy (2015).
- 5.2** HNZPT promotes the inclusion of entries on the **List** in the relevant statutory instruments under the RMA.
- 5.3** HNZPT advocates for all entries on the **List** to be protected through scheduling on district plans where appropriate and actively works to ensure all Category 1 **historic places** have the highest level of protection afforded by a district plan.
- 5.4** At the time of entry on the **List**, HNZPT may make recommendations to the relevant local authority/authorities, **owners**, iwi and hapū as to the appropriate measures they should take to assist in the **conservation** and protection of the **historic place, historic area, wāhi tūpuna, wāhi tapu** or **wāhi tapu area**. Any recommendation must recognise the interests of the **owner**, as far as they are known.

## SCOPE OF THE NEW ZEALAND HERITAGE LIST/RĀRANGI KŌRERO

The New Zealand Heritage List/Rārangi Kōrero is New Zealand's only national statutory record of our rich and diverse historical and cultural heritage. As the **List** represents the heritage of all New Zealanders, it should include historical and cultural heritage of national, regional and local significance to people and communities across New Zealand.

**OBJECTIVE 6:** The New Zealand Heritage List/Rārangi Kōrero includes a variety of the themes, activities, cultures and traditions that contribute to the historical and cultural heritage of New Zealand.

### POLICIES:

- 6.1** HNZPT can consider additional examples of types of heritage already represented on the **List** for potential entry, recognising that heritage of importance in a particular location or to a particular community, iwi or hapū is not devalued by the entry of heritage located elsewhere.
- 6.2** HNZPT has not adopted a minimum age for entries on the **List**, recognising that:
- a) the **List** should be representative of the achievements, creativity and traditions of all generations up to the present;
  - b) a minimum age would be inconsistent with contemporary conservation philosophy and with the perception of the past and the present as a continuum, particularly for iwi and hapū;
  - c) the passage of time may be necessary for an enduring association with the place to be formed and heritage values to become apparent.
- 6.3** Although Part 3, subpart 2 of the HNZPTA provides processes for protecting **archaeological sites** whether or not they are entered on the **List**, these sites should be considered for entry on the **List** where there is sufficient evidence to meet the criteria for entry and where the provisions of this policy can be satisfied.
- 6.4** Heritage places owned or managed by HNZPT should be considered for entry on the **List**, recognising the contribution that they make to the historical and cultural heritage of New Zealand.
- 6.5** **Applications** for entry on the **List** are identified and assessed in the context of national, regional and local thematic studies and heritage identification and assessment studies, where such studies exist or are undertaken by us or other agencies.

## THE APPLICATION PROCESS

Any person can apply in writing to nominate a **historic place**, **historic area**, **wāhi tūpuna**, **wāhi tapu** or **wāhi tapu area** for entry on the New Zealand Heritage List/Rārangī Kōrero. HNZPT administers the **application** process efficiently and fairly, and undertakes an annual assessment and prioritisation of **applications** to determine which will be progressed as proposals for entry on the **List**.

**OBJECTIVE 7:** The **application** process for the New Zealand Heritage List/Rārangī Kōrero is inclusive, open and administered efficiently and fairly.

### POLICIES:

- 7.1 Anyone can make an **application** for entry on the **List** by way of written **application** on the prescribed **application** form and HNZPT may be the applicant.<sup>8</sup>
- 7.2 Heritage of significance to people and communities in all localities in New Zealand can be considered for entry on the **List**.
- 7.3 HNZPT informs applicants that the information in the **application** will be made available if required under the Official Information Act.
- 7.4 **Applications** are received and acknowledged promptly in writing by HNZPT.
- 7.5 In cases where the applicant is not the **owner**, HNZPT informs the **owner** that an **application** has been received for their property as soon as practicable.
- 7.6 **Applications** should include a statement on any consultation that has taken place, identifying any parties involved and the nature of any views expressed.
- 7.7 An **application** for the entry of a **wāhi tūpuna**, **wāhi tapu** or **wāhi tapu area** should be endorsed by appropriate iwi or hapū.
- 7.8 HNZPT accepts all **applications** for entry on the **List** which meet statutory requirements and are sufficient for further assessment and consideration.
- 7.9 HNZPT may request further information from an applicant if this is needed to support the case for entry on the **List**.
- 7.10 HNZPT undertakes a preliminary assessment and prioritisation of all **applications** received at least annually, to determine which will go forward as proposals for entry on the **List**.
- 7.11 HNZPT's assessment and prioritisation of **applications** takes into account the needs for research, assessment and consultation, the desirability of generating agreement and support and other factors such as risk, alignment to HNZPT's strategic outcomes, the impact that a particular entry may have, and any potential efficiency associated with progressing an entry.

<sup>8</sup> As per section 67(1) of the HNZPTA

- 7.12 Applications should not be progressed as proposals for entry on the **List** unless:
- a) the statutory definitions and criteria are met
  - b) the place or area is sufficiently identified
  - c) there is sufficient evidence, so that the case for entry on the **List** is robust and is capable of withstanding review
  - d) the purpose of entry on the **List** is appropriate in the particular case
  - e) the **owner** has been consulted.
- 7.13 **Applications** should not be progressed as proposals for entry on the **List** for any property undergoing substantial physical change at the time of **application** which could impact on an assessment of significance.
- 7.14 If accepted for progression as a proposal for entry on the **List**, HNZPT advises applicants and the **owner** (if the applicant is not the **owner**) in writing of the outcome of the assessment process, whether the application meets the statutory requirements, and whether or not their **application** has been prioritised.

## ASSESSMENT OF PROPOSALS

The New Zealand Heritage List/Rārangi Kōrero comprises five sections:

A section relating to **historic places**, comprising the following categories:

- Category 1: Places of special or outstanding historical or cultural heritage significance or value
- Category 2: Places of historical or cultural heritage significance or value
  - A section relating to **historic areas**
  - A section relating to **wāhi tūpuna**
- A section relating to **wāhi tapu**
- A section relating to **wāhi tapu areas**.

HNZPT has regard to the definitions and criteria provided in the HNZPTA when assessing which section of the **List** a proposal should be entered under.

**OBJECTIVE 8:** Historical and cultural heritage is entered on the relevant section of the New Zealand Heritage List/Rārangi Kōrero appropriate to its significance or value and the definitions and criteria provided in the HNZPTA.

### POLICIES:

#### *All proposals*

- 8.1 HNZPT maintains guidelines for the entry of **historic places, historic areas, wāhi tūpuna, wāhi tapu** and **wāhi tapu areas** on the **List**.
- 8.2 Every proposal for entry on the **List** is considered on its merits and case by case.
- 8.3 HNZPT does not set a maximum or minimum **land** area for proposals.
- 8.4 The boundaries of individual entries in one section of the **List** should not overlap each other.
- 8.5 Entries on the **List** may contain, or overlap, with other entries made under a different section of the **List**.
- 8.6 A **historic place, historic area, wāhi tūpuna, wāhi tapu** or **wāhi tapu area** proposed for entry on the **List** must have an extent which provides a clear and logical demarcation from the surrounding area, having regard to the integrity and heritage feature(s) of the place or area, or a reasonable representation of such.
- 8.7 Where more than one heritage feature is to be acknowledged in a **historic place, historic area, wāhi tūpuna, wāhi tapu** or **wāhi tapu area** they should be located in relatively close proximity to each other within an area of geographical continuity.
- 8.8 In assessing a **historic place** or **historic area** of interest to Māori, **wāhi tūpuna, wāhi tapu** or **wāhi tapu area** for entry on the **List**, HNZPT will take into account the kaitiakitanga obligations and responsibilities of an iwi or hapū in relation to the place or area.



*Historic places*

- 8.9** Decisions on whether a proposal for entry on the **List** should be considered as a **historic place** are made by the Board in accordance with the definition provided in the HNZPTA and are consistent with the view that a **historic place** is comprised of a single, integrated whole including, where appropriate, its **curtilage** or setting if necessary for retaining or interpreting the heritage significance or value of the place.<sup>9</sup>
- 8.10** All proposed **historic place** entries on the **List** are assessed according to the following criteria: aesthetic, archaeological, architectural, cultural, historical, scientific, social, spiritual, technological and traditional, and must meet at least one criterion to be eligible for entry.<sup>10</sup>
- 8.11** In assigning Category 1 or Category 2 status to any **historic place** proposed for entry, the Board considers the degree of historical or cultural significance or value, recognising that the threshold for assigning Category 1 status under section 66(3) of the HNZPTA is that the place is of “special or outstanding” significance or value.<sup>11</sup>
- 8.12** The assignment of Category 1 or Category 2 status to any particular **historic place** of interest to Māori is assessed in consultation with the appropriate iwi or hapū.
- 8.13** **Historic places** should not be entered on the **List** within **historic places** already entered.

*Historic areas*

- 8.14** Decisions on whether a proposal for entry on the **List** should be considered as a **historic area** are made by the Board in accordance with the definition provided in the HNZPTA and are consistent with the view that a **historic area** is comprised of a single, contiguous area that contains an inter-related group of **historic places**.<sup>12</sup>
- 8.15** All proposed **historic area** entries on the **List** are assessed according to the following criteria: aesthetic, archaeological, architectural, cultural, historical, scientific, social, spiritual, technological and traditional, and must meet at least one criterion to be eligible for entry.<sup>13</sup>

*Wāhi tūpuna*

- 8.16** Decisions on whether a proposal for entry on the **List** should be considered as a **wāhi tūpuna** are made by the Māori Heritage Council in accordance with the definition of **wāhi tūpuna** in the HNZPTA.<sup>14</sup>
- 8.17** All proposed **wāhi tūpuna** entries on the **List** are assessed according to the criteria provided in section 66(5) of the HNZPTA, which specifies that a **wāhi tūpuna**:
- a) has strong traditional associations with one or more ancestors significant to an iwi or hapū; and
  - b) is integral to the identity or cultural well-being of the iwi or hapū; and
  - c) is a distinct and cohesive place or area.<sup>15</sup>
- 8.18** A **wāhi tūpuna** must meet all three criteria to be eligible for entry on the **List**.
- 8.19** HNZPT will assess both places and areas for entry on the **List** as a **wāhi tūpuna**, noting that a **wāhi tūpuna** may contain a single heritage feature or a group of inter-related heritage features.

<sup>9</sup> Definition as per section 6 of the HNZPTA

<sup>10</sup> As per section 66(1) of the HNZPTA

<sup>11</sup> As per sections 65(4)(a)(i) and 66(3) of the HNZPTA

<sup>12</sup> Definition as per section 6 of the HNZPTA

<sup>13</sup> As per section 66(1) of the HNZPTA

<sup>14</sup> As per section 6 of the HNZPTA

<sup>15</sup> As per section 66(5) of the HNZPTA

- 8.20 HNZPT recognises that **wāhi tūpuna** status may be applied to, or include, buildings or structures representative of, or associated with, tūpuna.
- 8.21 Where there are overlapping ancestral interests relating to a proposed **wāhi tūpuna**, the collective extent of those interests will be contained within a single boundary and a single **wāhi tūpuna** entry on the **List**.
- 8.22 HNZPT recognises that a **wāhi tūpuna** relates to iwi and hapū interests in a place rather than a whānau level of interest, although the interests of a whānau can be accommodated within the wider hapū focus.
- 8.23 HNZPT recognises that in certain circumstances, there will be one or more iwi or hapū interest in a **wāhi tūpuna**, and that a **wāhi tūpuna** can involve one or more ancestors for the same place or area.

#### *Wāhi tapu and wāhi tapu areas*

- 8.24 Decisions on whether a proposal for entry on the **List** should be considered as a **wāhi tapu** or **wāhi tapu area** are made by the Māori Heritage Council in accordance with the definition in the HNZPTA that **wāhi tapu** means a place sacred to Māori in the traditional, spiritual, religious, ritual, or mythological sense. These decisions have regard to the views of the hapū or iwi or other relevant Māori interests with historical and cultural association in any particular case where appropriate.<sup>16</sup>
- 8.25 The Māori Heritage Council will not enter a **wāhi tapu** or **wāhi tapu area** on the **List**, unless it has an extent which has regard to the integrity of the **wāhi tapu** within its bounds.
- 8.26 **Wāhi tapu** and **wāhi tapu areas** entered on the **List** could include residential sites or dwelling places present on the **land**, unless warranted by special circumstances in the view of the Māori Heritage Council.
- 8.27 Consideration is given to the physical, spatial, social, cultural and historical context, as appropriate, relating to any structural components within **wāhi tapu** or **wāhi tapu areas** proposed for entry on the **List**.
- 8.28 **Wāhi tapu** and **wāhi tapu areas** entered on the **List** may include **land** comprising streets or roadways, or water bodies such as rivers, streams, springs and waterways.
- 8.29 When considering proposals for entry on the **List** as **wāhi tapu** or **wāhi tapu areas**, the Māori Heritage Council will have regard to public use of, and public access over, water bodies and streets or roadways.

<sup>16</sup> As per section 6 of the HNZPTA

## CONSULTATION

**OBJECTIVE 9:** HNZPT ensures appropriate notification and undertakes effective and meaningful consultation in its administration of the New Zealand Heritage List/Rārangi Kōrero.

### POLICIES:

- 9.1** For all proposals for entry on the **List**, HNZPT gives **notice** by a process in accordance with the requirements of the HNZPTA and appropriate to the particular circumstances, and written submissions are considered.<sup>17</sup>
- 9.2** HNZPT will consider **entry by agreement** with the **owner** and any **registered interests** in each case, but if there are several **owners** or **registered interests**, or if the **List** entry proposal is of particular interest to the public and it would be of benefit to notify, then public notification will be considered.<sup>18</sup>
- 9.3** HNZPT consults with **owners** and those making an **application**, upon receipt of an **application** for entry, and following preliminary assessment of the **application**.
- 9.4** HNZPT consults with **owners**, those with a **registered interest**, iwi and hapū, those making an **application**, and others having an interest, at the following stages:
- a) prior to public notification of a proposal for entry on the **List**, or review of an existing entry<sup>19</sup>
  - b) prior to making a recommendation to a territorial authority or regional council as to the appropriate measures it should take to assist in **conservation** and protection of the place or area
  - c) following independent assessment of a proposal for entry on the **List**, in cases where HNZPT is the applicant, and has not accepted the recommendation(s) of the **independent assessor(s)**
  - d) following a decision to confirm an entry on the **List**.<sup>20</sup>
- 9.5** Consultation on **List** entry proposals with other organisations and individuals with an interest or expertise in heritage identification and assessment is sought whenever possible.
- 9.6** HNZPT takes into consideration any feedback received from the **owner**, those with a **registered interest**, iwi and hapū, and others having an interest.
- 9.7** Hearings will not be held and oral submissions will not be received in relation to **List** entry proposals, recognising that the entry process is an administrative process, not a judicial one, and that the HNZPTA does not provide for hearings.

<sup>17</sup> Notification procedure as per sections 67(4) to 67(9) and section 68(4) to 68(9) of the HNZPTA.

<sup>18</sup> Entry by agreement covered by section 72 of the HNZPTA

<sup>19</sup> As per section 67(4)(b) and 68(4)(b) of the HNZPTA

<sup>20</sup> As per section 73(1) of the HNZPTA

**OBJECTIVE 10:** Consultation with iwi and hapū for the purposes of the New Zealand Heritage List/Rārangi Kōrero is inclusive and meaningful.

**POLICIES:**

- 10.1** All consultation with iwi, hapū and other Māori interests on **List** matters is conducted by HNZPT staff having regard to tikanga ā iwi.
- 10.2** HNZPT takes an inclusive approach to consultation with iwi or hapū interests in a proposed entry on the **List**, but has particular regard to the views of those with mana whenua, particularly if asked to consider the interests of iwi or hapū who do not, or no longer have, mana whenua there.
- 10.3** HNZPT may refer to Waitangi Tribunal findings or determinations of the courts in determining mana whenua status.
- 10.4** HNZPT gives **notice** to, and consults with, any holders of **customary marine title** or **protected customary right** for any proposals for entry on the List in the **common marine and coastal area**, as defined in the Marine and Coastal Area (Takutai Moana) Act 2011.<sup>21</sup>
- 10.5** HNZPT will recognise local tikanga when visiting **sites of interest to Māori** for the purposes of the **List**.

<sup>21</sup> As per sections 67(9) and 68(9) of the HNZPTA

## DECISION-MAKING

When making a decision on a New Zealand Heritage List/Rārangi Kōrero proposal, the Board or Māori Heritage Council, as appropriate, has regard to the relevant criteria of the HNZPTA, and also considers all submissions received and any issues raised.

Decisions on **List** proposals are supported by sufficient and appropriate information, meaningful consultation and are robust and capable of withstanding review.

**OBJECTIVE 11:** Information supporting New Zealand Heritage List/Rārangi Kōrero decisions is sufficient and appropriate to the circumstances of the proposed entry.

### POLICIES:

- 11.1** Information supporting a **List** decision is sufficient to inform the public, notify **owners**, and be a source of information about **historic places, historic areas, wāhi tūpuna, wāhi tapu** and **wāhi tapu areas** for the purposes of the RMA.<sup>22</sup>
- 11.2** The information produced supporting a **List** decision is fit for purpose and appropriate to the significance of the place.
- 11.3** Information supporting a **List** decision:
- a) includes sufficient evidence to clearly identify the location and extent of the proposed entry, including its name (as well as its former name and other names by which it is currently known), the legal description of the **land** affected and maps, plans or diagrams precisely defining the location and boundaries of the **land** proposed for entry
  - b) clearly documents the rationale for setting a particular extent around the **historic place, historic area, wāhi tūpuna, wāhi tapu** or **wāhi tapu area**
  - c) includes evidence of consultation with the **owner** of the **land** and relevant iwi and hapū as well as others affected by the proposal, and states the views expressed
  - d) specifies the recommendations which HNZPT will make to the territorial authority or regional council as to the appropriate measures they should take to assist in the **conservation** and protection of the **historic place, historic area, wāhi tūpuna, wāhi tapu** or **wāhi tapu area**.
- 11.4** Information supporting a **List** decision includes sufficient evidence to validate the significance assessment, including:
- a) an account of the full range of relevant historical or cultural heritage values and knowledge
  - b) A physical description of the place in its current form, (including any structure exteriors and interiors where accessible), and relevant high quality photographs (where appropriate, with the express permission of **owners**)
  - c) a list of the references or information sources on which the account relies.

<sup>22</sup> As per section 65(3) of the HNZPTA

- 11.5** Information supporting a decision on the entry of a **historic place** or **historic area** of interest to Māori, **wāhi tūpuna**, **wāhi tapu** or **wāhi tapu area** on the **List** includes sufficient evidence of consultation with the appropriate iwi and hapū (or other relevant Māori interest as the case may require in the Māori Heritage Council’s opinion) and the views expressed.
- 11.6** Information supporting a decision on the entry of a **wāhi tūpuna** on the **List** includes an assessment in relation to the relevant eligibility criteria in section 66(5) of the HNZPTA and must include an assessment under all three criteria to be eligible for entry.<sup>23</sup>
- 11.7** Information supporting a decision on the entry of a **historic place** or **historic area** on the **List** includes an assessment in relation to the relevant eligibility criteria in section 66(1) of the HNZPTA, and must include an assessment under at least one criterion to be eligible for entry.<sup>24</sup>
- 11.8** Information supporting a decision on the entry of a **historic place** on the **List** includes an assessment of the reasons for proposed assignment to Category 1 or Category 2, having regard to the relevant criteria in section 66(3) of the HNZPTA, and must include an assessment of the place as having special or outstanding significance under at least one criteria to be eligible for entry as a Category 1 **historic place**.<sup>25</sup>
- 11.9** An assessment for the proposed entry of a Category 1 **historic place** on the **List** includes appropriate comparative analysis (where the place is compared to other similar places).
- 11.10** Where HNZPT proposes the inclusion of a **chattel** or **chattels** in the **List** entry of a **historic place**, a description sufficient to clearly identify the **chattel** or **chattels** is included in the information supporting the entry decision.

<sup>23</sup> Criteria as per section 66(5) of the HNZPTA

<sup>24</sup> As per 66(1) of the HNZPTA

<sup>25</sup> As per section 66(3) of the HNZPTA

**OBJECTIVE 12:** New Zealand Heritage List/Rārangī Kōrero entry decisions are robust and capable of withstanding review.

**POLICIES:**

- 12.1** The Board makes decisions on the entry of any **historic place** or **historic area** on the **List** and the Māori Heritage Council makes decisions on the entry of any **wāhi tūpuna**, **wāhi tapu** or **wāhi tapu area** on the **List**.<sup>26</sup>
- 12.2** The Māori Heritage Council or its delegated authority will determine whether a **historic place** or **area** is of Māori interest, and if so, will make a recommendation to the Board regarding its proposed entry on the **List**.<sup>27</sup>
- 12.3** Any proposals for entry on the **List** for which HNZPT is the applicant will be independently assessed following notification, along with any submissions received, to ensure that the supporting information is sufficient and appropriate to the circumstances of the proposed entry.<sup>28</sup>
- 12.4** The Board or Māori Heritage Council as appropriate, will have regard to the recommendation(s) of the **independent assessor**, and will provide reasons to the assessor and submitters if it does not accept any recommendation.<sup>29</sup>
- 12.5** Decisions are consistent with the general principles of administrative law and natural justice, recognising that they are statutory decisions under the HNZPTA and may have consequences for the **owner** and other **persons** having an interest.
- 12.6** Decisions are approached with an open mind with regard to the particular merits of the case, and are fair and reasonable in the public interest.
- 12.7** Decisions take into account issues raised, in so far as these are identified during the consultation process.
- 12.8** **Persons** in a position to make any **List** decision who have any conflict of interest in relation to the entry (such as a relevant financial interest, a relationship to some party involved, or any prejudice towards a party or a party's case) will declare the conflict of interest and have no part in the decision.
- 12.9** Personal assurances or statements of intent will not be given prior to a **List** decision by the Board or Māori Heritage Council.
- 12.10** If the Board, Māori Heritage Council or their delegated authority, as appropriate, declines or defers a proposal for entry on the **List**, HNZPT will provide for the record the reason(s) and notify the applicant and other stakeholders of the decision.
- 12.11** HNZPT writes to the **owner** and other consulted parties usually within two weeks following any Board or Māori Heritage Council decision on a **List** proposal, and informs the public of the decision by way of **public notice** and on the HNZPT's website.<sup>30</sup>

<sup>26</sup> As per section 69 of the HNZPTA

<sup>27</sup> As per section 69(4) of the HNZPTA

<sup>28</sup> As per section 70(1) of the HNZPTA

<sup>29</sup> As per sections 70(2) to 70(3) of the HNZPTA

<sup>30</sup> As per section 73(1) of the HNZPTA

## MAINTENANCE OF THE NEW ZEALAND HERITAGE LIST/RĀRANGI KŌRERO

The HNZPTA requires HNZPT to “continue and maintain” the New Zealand Heritage List/Rārangi Kōrero. The maintenance of the List, including the upgrading and review of entries as appropriate to the circumstances, is critical to ensuring its reputation as an authoritative and accurate record of New Zealand’s significant historical and cultural heritage.

Any person may apply for a review of an entry provided it has been more than three years since the date of entry of the last review or entry onto the **List**. HNZPT may review an entry at any time.

The operation, maintenance and development of the **List** will be substantially funded from public sources because it is a public asset where the general public receives benefit from the information in the **List**, and is part of the national resource management system.

**OBJECTIVE 13:** HNZPT operates, maintains and develops the New Zealand Heritage List/Rārangi Kōrero to the highest standards achievable.

### POLICIES:

- 13.1** HNZPT updates information in the **List** to maintain accuracy and consistency, and upgrades supporting information when necessary, to meet current standards and legal requirements.
- 13.2** Such maintenance of the **List** by upgrading or updating the information does not require a review under section 78 of the HNZPTA, unless the new information calls into question the heritage significance or value of the entry.
- 13.3** HNZPT liaises with current and subsequent **owners**, occupiers and managers of entries on the **List** to encourage protection and **conservation** in accordance with good practice and ensure awareness of the purposes and effects of the **List**.
- 13.4** HNZPT will endeavour to visit historical and cultural heritage entered on the **List** before and following major changes such as the destruction or modification of sites, or the demolition, relocation or major damage or alteration of buildings or structures, including adaptation involving façade retention, to record any information relating to changes
- 13.5** HNZPT seeks the permission of the **owner** prior to undertaking any visit to a privately owned place or area entered on the **List**, for the purpose of maintaining the **List**.



**OBJECTIVE 14:** HNZPT ensures the reliability and accuracy of the New Zealand Heritage List/Rārangī Kōrero as a source of information through the review process.

## POLICIES:

### Section 78 reviews to vary, remove or confirm an entry, or change the category of an entry

- 14.1** Upon receipt of an application for review made in writing on the prescribed form, HNZPT will advise the **owner** of the receipt of the application. The Board or Māori Heritage Council, as appropriate, will decide whether or not to initiate the review within one year, and the applicant and **owner** will be advised of the decision in writing.<sup>31</sup>
- 14.2** The Board or the Māori Heritage Council, as appropriate, will reject an application for a review, either in whole or in part, if the application does not disclose sufficient grounds to justify the review, or if the substance of the review (or part of it) has been considered within the previous three years.<sup>32</sup>
- 14.3** The Board (in the case of any **historic place** or a **historic area**) or the Māori Heritage Council (in the case of any **wāhi tūpuna, wāhi tapu** or **wāhi tapu area**) may at any time initiate a review of any **List** entry, after making such inspections and enquiries and engaging in such consultation as it considers appropriate.<sup>33</sup>
- 14.4** When a review is initiated under section 78 of the HNZPTA, it should be completed expeditiously and usually within one year from the date of initiation.
- 14.5** HNZPT will review an entry on the **List** when it is necessary to consider the following:
- the validity or appropriateness of the entry (for example, following substantial changes with adverse effects on heritage values including the relocation or removal of heritage structures or façadism)
  - a change in the extent of what is entered on the **List**
  - a change to the section of the **List** in which the entry is placed
  - a change to the category assigned to a **historic place**
  - the removal of an entry.
- 14.6** Reviews will be conducted in the same manner as proposals for entry on the **List**.<sup>34</sup> Specific policies relating to proposals therefore also apply to reviews, as appropriate.
- 14.7** HNZPT consults with **owners**, iwi and hapū, the relevant territorial authority and regional council and others having an interest or **registered interest**, as appropriate to the circumstances, prior to and following a decision to review an existing **List** entry under section 78 of the HNZPTA.

### Section 79 removals in the case of destruction or demolition

- 14.8** A removal of a **List** entry due to demolition or destruction under section 79 of the HNZPTA should be completed as soon as practicable and normally within six months of HNZPT receiving confirmation of the demolition or destruction.
- 14.9** When an entry is removed from the **List** as a result of destruction or demolition, **notice** will be given, usually within two weeks of the decision, to the relevant territorial authority and regional council and to other interested parties appropriate to the particular circumstances.<sup>35</sup>

<sup>31</sup> As per section 78(6) of the HNZPTA

<sup>32</sup> As per section 78(4) of the HNZPTA

<sup>33</sup> As per section 78(1) of the HNZPTA

<sup>34</sup> As per section 78(7) of the HNZPTA

<sup>35</sup> Local authorities must be notified as per section 79(b) of the HNZPTA

## GLOSSARY

Where the definition is derived from a statute, the relevant section in HNZPTA or other Act is given in brackets. Users are advised to check the most recent versions of these definitions in the relevant legislation in case there have been any amendments since the publication of this policy.

<b>Application</b>	An <b>application</b> is an application for entry on the <b>List</b> . [HNZPTA sections 67(1) and 68(1)]
<b>Archaeological site</b>	<b>Archaeological site</b> means (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). [HNZPTA section 6]
<b>Chattels</b>	<b>Chattels</b> are movable objects associated with a historic place, such as church pews, a grandfather clock or workshop tools. Chattels do not include items which are part of, and physically affixed to a place.
<b>Common marine and coastal area</b>	<b>Common marine and coastal area</b> is as defined in section 9(1) of the Marine and Coastal Area (Takutai Moana) Act 2011. [HNZPTA section 6]
<b>Conservation</b>	<b>Conservation</b> includes the processes of preserving, maintaining, and restoring historic places and historic areas so as to safeguard their historical and cultural values. [HNZPTA, section 6]
<b>Curtilage</b>	<b>Curtilage</b> is the geographical area that provides the immediate physical context for a heritage place. <b>Land</b> title boundaries and heritage curtilages may not coincide. <sup>36</sup>
<b>Customary marine title, customary marine title area</b>	<b>Customary marine title</b> and <b>customary marine title area</b> are as defined in section 9(1) of the Marine and Coastal Area (Takutai Moana) Act 2011. [HNZPTA section 6]

<b>Entry by agreement</b>	<p><b>Entry by agreement</b> means entry on the <b>List</b> without giving <b>public notice</b>, in cases where all <b>persons</b> who have a right to be notified under section 67(4)(b)(i) or section 68(4)9B)(i) and (ii) have given their written approval.</p> <p>[HNZPTA section 72]</p>
<b>Historic area</b>	<p>A <b>historic area</b> means an area of land that-</p> <ul style="list-style-type: none"> <li>(a) contains an inter-related group of <b>historic places</b>; and</li> <li>(b) forms part of the historical and cultural heritage of New Zealand; and</li> <li>(c) lies within the territorial limits of New Zealand.</li> </ul> <p>[HNZPTA section 6]</p>
<b>Historic place</b>	<p>A <b>historic place</b>-</p> <ul style="list-style-type: none"> <li>a) means any of the following that forms a part of the historical and cultural heritage of New Zealand and that lies within the territorial limits of New Zealand: <ul style="list-style-type: none"> <li>(i) land, including an archaeological site or part of an archaeological site:</li> <li>(ii) a building or structure (or part of a building or structure):</li> <li>(iii) any combination of land, buildings, structures, or associated buildings or structures (or parts of buildings, structures, or associated buildings or structures); and</li> </ul> </li> <li>(b) includes any thing that is in or fixed to land described in paragraph (a).</li> </ul> <p>[HNZPTA section 6]</p>
<b>Independent assessor</b>	<p>An <b>independent assessor</b> is an independent expert assessor appointed by the Board or Māori Heritage Council, as appropriate, to assess <b>List</b> applications for which HNZZPT is the applicant.</p> <p>[HNZPTA section 70]</p>
<b>Land</b>	<p><b>Land</b> Includes-</p> <ul style="list-style-type: none"> <li>(a) land covered by water; and</li> <li>(b) the airspace above land.</li> </ul> <p>[HNZPTA section 6]</p>
<b>List</b>	<p>The <b>List</b> refers to the New Zealand Heritage List/Rārangī Kōrero which is the same as the Register established under section 22 of the Historic Places Act 1993.</p> <p>[HNZPTA section 65(1)]</p>
<b>Notice</b>	<p>A <b>notice</b> means a written notice to which, if the case requires, section 104 (the giving of notices) applies.</p> <p>[HNZPTA section 6]</p>

<b>Owner</b>	<p>An <b>owner</b> means—</p> <ul style="list-style-type: none"> <li>(a) the owner of the fee simple estate in the relevant land; or</li> <li>(b) if there is no title to the land,— <ul style="list-style-type: none"> <li>(i) the person in whom the land is vested; or</li> <li>(ii) the person who has responsibility under any enactment for the land.</li> </ul> </li> </ul> <p>[HNZPTA section 6]</p>
<b>Person</b>	<p>A <b>person</b> includes the Crown, a corporation sole, and a body of persons, whether corporate or unincorporated.</p> <p>[HNZPTA section 6]</p>
<b>Protected customary right</b>	<p>A <b>protected customary right</b> has the meaning given in section 9(1) of the Marine and Coastal Area (Takutai Moana) Act 2011.</p> <p>[HNZPTA section 6]</p>
<b>Public notice</b>	<p><b>Public notice</b> means a notice published –</p> <ul style="list-style-type: none"> <li>(a) in one or more newspapers circulating in the area where the relevant <b>historic place, historic area, wāhi tūpuna, wāhi tapu, or wāhi tapu area</b> is located; or</li> <li>(b) on an internet site that is maintained by HNZPT and to which the public has free access.</li> </ul> <p>[HNZPTA section 6]</p>
<b>Registered interest</b>	<p>A <b>Registered interest</b> means –</p> <ul style="list-style-type: none"> <li>a) an estate or interest in land registered under the Land Transfer Act 1952; and</li> <li>(b) includes a mortgage or charge registered under that Act.</li> </ul> <p>[HNZPTA section 6]</p>
<b>Site of interest to Māori</b>	<p>A <b>site of interest to Māori</b> is an <b>archaeological site</b> or other place in which an iwi or a hapū has, or at any time has had, an interest. [HNZPTA section 6]</p>
<b>Wāhi tapu</b>	<p>A <b>wāhi tapu</b> is a place sacred to Māori in the traditional, spiritual, religious, ritual, or mythological sense. [HNZPTA section 6]</p>
<b>Wāhi tapu area</b>	<p>A <b>wāhi tapu area</b> is land that contains one or more wāhi tapu. [HNZPTA section 6]</p>
<b>Wāhi tūpuna</b>	<p>A <b>wāhi tūpuna</b> is a place important to Māori for its ancestral significance and associated cultural and traditional values, and a reference to wāhi tūpuna includes a reference, as the context requires, to—</p> <ul style="list-style-type: none"> <li>(a) wāhi tūpuna</li> <li>(b) wāhi tupuna</li> <li>(c) wāhi tipuna.</li> </ul> <p>[HNZPTA section 6]</p>

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