
Historic heritage impact assessment guide for state highway projects

This guide describes the processes to be used on NZ Transport Agency projects for assessing historic heritage effects and to determine appropriate mitigations.

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OUR PURPOSE

CREATING TRANSPORT SOLUTIONS FOR A THRIVING NEW ZEALAND



NZ Transport Agency

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If you have further queries, call our contact centre on 0800 699 000 or write to us:

NZ Transport Agency

Private Bag 6995

Wellington 6141.

This publication is also available on

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4 Other information (at document owner's discretion)

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Contact Us

Environment and Urban Design Team
Highway and Network Operations
environment@nzta.govt.nz

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LIST OF ABBREVIATIONS

ADP	Accidental discovery protocols
AEE	Assessment of environmental effects
CEMP	Construction environmental management plan
CIA	Cultural impact assessment report
DoC	Department of Conservation
ESR	Environmental and social responsibility screen
Heritage NZ	Heritage New Zealand Pouhere Taonga
HIP	Highways information portal
HMP	Heritage management plan
HPA	Historic Places Act 1993 (now replaced by HNZPTA)
HNZPTA	Heritage New Zealand Pouhere Taonga Act
ICOMOS	International Council of Monuments and Sites
IPENZ	Institute of Professional Engineers of New Zealand
LTMA	Land Transport Management Act 2003
MCH	Ministry for Culture and Heritage
MoU	Memorandum of understanding
NZAA	NZ Archaeological Association
NZHPT	NZ Historic Places Trust (now replaced by Heritage New Zealand)
RMA	Resource Management Act 1991
TLA	Territorial local authorities

1

Introduction

1.1 BACKGROUND

The NZ Transport Agency has a commitment to achieving quality environmental and social outcomes, including the management of historic heritage effects.

This reflects the requirements of the Land Transport Management Act 2003, Resource Management Act 1991 and Heritage New Zealand Pouhere Taonga Act 2014 as well as the commitments made in internal strategy and policy documents, including the Transport Agency's strategy set, environmental and social responsibility policy, the state highway environmental plan and the state highway environmental and social responsibility standard (see figure 1).

This guide gives effects to these statutory and policy obligations and outlines the approach that should be adopted when assessing the potential and actual impacts on historic heritage as they relate to state highway improvement projects.

All Transport Agency operational strategies, policies, standards and guidelines can be found at www.nzta.govt.nz and at www.hip.nzta.govt.nz.

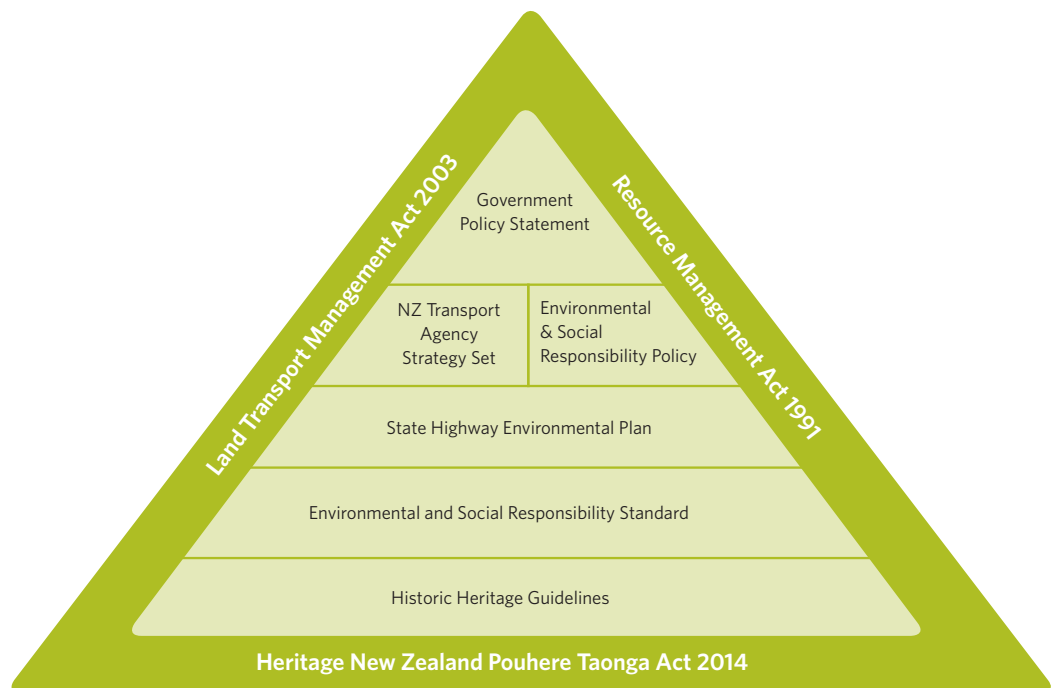


Figure 1: Relationship of this guide to key Transport Agency policy and strategy documents

The Transport Agency's state highway environmental plan sets out formal objectives regarding cultural heritage. These are:

- proactively limit the disturbance of significant cultural and heritage features along state highways
- for historic buildings we own, show a respect for them and maintain their integrity.

Additionally the following should be considered:

- Where avoidance is not possible, adequately mitigate adverse effects on historic heritage.
- Provide for the use, and adaptive re-use of significant historic heritage places, without detracting from their historic heritage values.
- Ensure a coordinated approach with stakeholders in the assessment of historic heritage values and effects.

1.2 PURPOSE OF THIS DOCUMENT

The purpose of this document is to provide guidance regarding the processes to be used for assessing historic heritage effects of state highway projects and outlines the minimum requirements for each phase of project development and delivery.

The guide has been developed to give effect to Transport Agency's policies and standards. All these documents can be found at www.nzta.govt.nz and www.hip.nzta.govt.nz (highways information portal).

The guide is aimed at project managers, planners and heritage specialists.



Opawa River Bridge, Category 1 historic place, SH1, Blenheim.
Options are currently being considered to improve safety and heavy traffic capacity.
(Photo by Heritage New Zealand Pouhere Taonga 2009)

2

Historic heritage

2.1 HISTORIC HERITAGE PLACES

Historic heritage describes the range of place-based heritage. It is defined in the RMA (s2) and includes:

- historic buildings and structures
- archaeological sites
- places of significance to Māori including wāhi tapu (sacred places) – these may include natural features such as trees, springs, rivers or mountains which were associated with historical or cultural activities or events but which have no known physical remains of those activities or events
- the surroundings of buildings, sites and places.



Archaeological investigations of pre-European Māori garden features at Taupiri, site S14/198. Taupiri Link. (Photo by CFG Heritage Ltd.)

Historic heritage places may have significant aesthetic, archaeological, architectural, cultural, historical, scientific, social, spiritual, technological or traditional value, and be appreciated by the public for their contribution to New Zealand's heritage environment.

Historic heritage places are non-renewable resources. They constitute a unique and invaluable record which contributes to our understanding of the history and cultures of New Zealand and are often significant landscape elements. Once destroyed or damaged, the record is lost (unless it is first investigated and recorded) and the landscape disrupted. If a place of significance to Māori is destroyed or damaged, the cultural relationship between tangata whenua and the place may be impacted. Avoidance of development impacts on, and preservation in situ of, historic heritage places are always the preferred options.

Not all historic heritage places that may be present within a project area are recorded or known. There may be previously unknown archaeological sites hidden beneath the ground surface, or buildings or items of heritage significance that have not yet been identified and assessed. Places of significance to tangata whenua (including wāhi tapu) may be known only to them, and information regarding Māori cultural heritage is considered taonga and should be treated sensitively. It is through the assessment process during the investigation phase that potential historic heritage value is first considered.

Activities that could have an impact on historic heritage include but are not limited to:

- geotechnical investigations
- road construction

- topsoil stripping
- accessway construction
- trenching associated with utility services
- vegetation/tree removal
- planting and landscaping
- any other activity that may involve ground disturbance
- repairs and alterations to historic structures
- demolition or relocation of historic structures
- any other activity that may result in vibration, noise and visual effects.

There are a variety of archaeological sites in New Zealand. Sites which are evidence of Māori settlement include but are not limited to:

- pa sites, which are fortified places with banks and ditches and often found on cliffs, headlands or ridges
- sites associated with settlement, including artificially levelled terraces, and pits for storing kumara
- middens, which are rubbish dumps that may contain shells, bones, artefacts, charcoal and sometimes oven stones
- remains of cultivation areas and gardens which can be seen in soils and from lines or walls of loose stones or stone mounds
- rock art sites which may contain paintings, drawings, carvings or engravings
- urupa (burial grounds).



Adze and hammerstone found by archaeologists at Taupiri, site S14/158, Taupiri Link. (Photo by Hamish Macdonald for CFG Heritage Ltd.)



Broken crockery, including a ceramic egg, found by archaeologists at Taupiri, site S14/198, Taupiri Link. (Photo by CFG Heritage Ltd.)

Other sites which have cultural significance for tangata whenua may or may not present physical archaeological remains. They are often associated with natural features such as springs, lakes, rivers, mountains, trees, and may be considered by tangata whenua to be wāhi tapu. They include but are not limited to:

- places associated with significant events
- battle grounds

- burial preparation areas
- food gathering and hunting areas.

Tangata whenua should be consulted in regard to any potential impacts on archaeological sites which have Māori cultural associations and on other sites of significance to them. This is a statutory requirement under both the RMA and the HNZPTA.

Other historic heritage places relate to Early European settlement in New Zealand, or settlement by other groups (notably the Chinese). These include but are not limited to:

- sites associated with industries such as whaling, milling, tanning, logging, mining, ship building
- the remains of mission stations
- military redoubt sites
- settlement and trading station sites
- homestead and farmstead sites
- abandoned buildings, structures and their surrounds
- early roads, bridges and associated features
- historic reclamations
- historic shipwrecks.

2.2 HISTORIC HERITAGE LANDSCAPES

Assessments of effects on historic heritage places should also include consideration of effects on the wider historic heritage landscapes within which those resources are set. The terminology used to describe cultural heritage landscapes varies – archaeological landscape, heritage landscape, historic heritage landscape, cultural heritage landscape, and cultural landscape are all terms that are used depending on the scope of the assessments undertaken.

In simple terms historic heritage landscapes can be defined as:

‘Large areas or places containing a number of interrelated places or sites with sometimes many layers of value and history.’¹

‘Cultural landscapes’ are defined by the International Council of Monuments and Sites (ICOMOS) New Zealand Charter for the Conservation of Places of Cultural Heritage Value (ICOMOS NZ Charter 2010) as:

‘An area possessing cultural heritage value arising from the relationships between people and the environment. Cultural landscapes may have been designed, such as gardens, or may have evolved from human settlement and land use over time, resulting in a diversity of distinctive landscapes in different areas. Associative cultural landscapes, such as sacred mountains, may lack tangible cultural elements but may have strong intangible cultural or spiritual associations.’

These different types of cultural landscapes are defined by the United Nations Educational, Scientific and Cultural Organisation (UNESCO) World Heritage Committee, as:

Designed landscapes: Those which have been intentionally designed and created by man, ie historic gardens and parks. For example the Royal Botanic Kew Gardens, London, United Kingdom.

Evolved landscapes: This type includes both relict and continuing landscapes resulting from social, economic, administrative, and/or religious imperative and has developed into its present form as a result of its natural environmental context. For example The Rhine Valley (Upper Middle Section), Germany.

Associative landscapes: Those with powerful religious, artistic or cultural associations of the natural element rather than material or built cultural evidence. For example Tongariro National Park, New Zealand and Uluru-Kata Tjuta National Park, Australia.

¹ NZHPT (now Heritage NZ), Sustainable management of historic heritage, Discussion paper no.3. Heritage Landscape Values, 2007: 1.

For effects assessment purposes under the RMA it is necessary to distinguish between:

‘Historic heritage landscapes’ that are created through human interaction with or use of the environment, ie both designed and evolved landscapes (relating to s6(f) and s6(e)).

‘Associative cultural landscapes’, which are essentially natural landscapes which (or elements of which) hold particular cultural meaning for tangata whenua (relating to s6(e)).

‘Natural landscapes’ (relating to s6(b)). For example Fiordland National Park, New Zealand.

The historic heritage assessment report will focus primarily on s6(f) matters. However, all the above represent different aspects and values of the same landscape and their interconnectivity should be recognised.

Historic heritage places should be understood in terms of their setting or context, which includes the wider heritage landscape. The relationship of a place with other historic heritage places in the environment and the wider historical context should be appropriately considered in any heritage assessment. It is important that any heritage landscape identified should be clearly defined geographically and in terms of its heritage components.

Assessments of effects on associative cultural landscapes of significance to Māori should be undertaken through consultation with tangata whenua.

Case study **Victoria Park Tunnel**

The 450m Victoria Park Tunnel on SH1 was constructed to address the last major bottleneck on the central motorway network between the Auckland Harbour Bridge and Newmarket. Assessment undertaken in the early stages of the project identified potential effects on three significant scheduled buildings: the Birdcage Tavern (formerly the Rob Roy Hotel, built in 1885), Victoria Park Market (formerly the city’s refuse Destructor, 1905) and the Campbell Free Kindergarten (1908). The tunnel also cut through an area of 19th century reclamation with potential for significant archaeological remains and an area significant to Māori (the former coastline).

The final design ensured that effects on the Destructor and the kindergarten building were avoided, while the stability of the Destructor chimney was monitored during construction in case of vibration damage and the dilapidated kindergarten building was repaired. The Birdcage Tavern lay in the direct path of the cut and cover tunnel, but effects were mitigated by carefully moving the heritage building on specially designed concrete tracks with a greased teflon surface to a site about 44m away, and returning it to its original location when works were completed. The tunnel excavations were monitored by archaeologists and Ngati Whatua and Ngati Paoa representatives, and significant information was recovered relating to the historic reclamation process, former wharves and jetties, artefacts and waste deposited in the bay from nearby industries, as well as wells and early building foundations. As part of the mitigations for this project, restoration and landscaping work was undertaken at the historic Rob Roy hotel and Campbell Free Kindergarten to enhance and preserve their heritage values.



The Birdcage Tavern (Rob Roy Hotel) before the move



The historic Rob Roy Hotel was returned to its original location, which in 1886 was the Freemans Bay foreshore. It now sits on the roof of the Victoria Park Tunnel near the tunnel entrance.

3

Legislative framework and protection of historic heritage

3.1 LEGISLATION

Land Transport Management Act 2003 (LTMA)

The LTMA requires the Transport Agency to:

‘exhibit a sense of social and environmental responsibility ... prepare a National Land Transport Programme which contributes to the purpose of the Act... gives effect to the Government Policy Statement and takes into account any regional land transport plans; and [establish and maintain processes to provide opportunities for Māori to contribute to the Transport Agency’s land transport decision making processes].’

Resource Management Act 1991 (RMA)

A number of sections of the RMA provide for the recognition and protection of historic heritage. Section 6 of the RMA identifies matters of national importance which include ‘the protection of historic heritage from inappropriate subdivision, use, and development’ (6(f)). There is a duty to avoid, remedy or mitigate any adverse effects on the environment arising from an activity S(17), including on historic heritage.

‘The relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga’ (6(e)) is also a matter of national significance and has significant implications for the sustainable management of cultural and historic heritage. Section 8 of the RMA requires the Territorial local authorities (TLAs) to take into account the Treaty of Waitangi in relation to managing the use, development, and protection of natural and physical resources.

‘The protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development’ (6(b)) may also be relevant, as it has been used by courts in conjunction with 6(e) as a mechanism to consider cultural heritage landscapes.

Historic heritage is defined by the RMA (s2) as follows:

‘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
 - (vii) 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.’

Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA)

The HNZPTA promotes the identification, protection, preservation and conservation of the historical and cultural heritage of New Zealand and is administered by Heritage New Zealand Pouhere Taonga (Heritage NZ). The Act contains specific provisions relating to the protection of archaeological sites, historic places and historic areas.

An archaeological site is defined by the HNZPTA s6 as follows:

'archaeological site means, subject to section 42(3), –

(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)'

Heritage NZ also has the power under s43(1) to declare a place that does not meet this definition to be an archaeological site (by notice in the NZ Gazette and public notice).

Heritage NZ is required to maintain a list of historic places and areas, wāhi tāpuna, wāhi tapu and wāhi tapu areas (the New Zealand Heritage List). Criteria for listing are set out in s66. Local authorities should have regard to the list under the RMA and there is provision for the issue of recommendations under s74 of the HNZPTA. Local authorities should also have particular regard to recommendations under s74(3) of the HNZPTA.

Any person wishing to undertake work that may damage, modify or destroy an archaeological site, or to investigate a site by excavation, should first obtain an authority from Heritage NZ in accordance with sections 44 or 56 of the HNZPTA. This applies to all sites that fit the HNZPTA definition (or have been formally declared to be an archaeological site), except in the case of buildings, where an authority is not required unless the building is to be demolished (s42(3)). It applies regardless of whether:

- the site is recorded in the New Zealand Archaeological Association (NZAA) site recording scheme or listed by Heritage NZ
- the site becomes known through development activities
- the activity is permitted under a district or regional plan, or a resource or building consent has been granted.

It applies to sites on land of all tenure, including public, private and designated land. The HNZPTA contains penalties for unauthorised site damage or destruction.

Historic area and historic place are defined by the HNZPTA (s6) as:

'Historic area means an area of land that –

(a) contains an inter-related group of historic places; and

(b) forms part of the historical and cultural heritage of New Zealand; and

(c) lies within the territorial limits of New Zealand

Historic place –

(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:

(i) land, including an archaeological site or part of an archaeological site:

(ii) a building or structure (or part of a building or structure):

(iii) any combination of land, buildings, structures, or associated buildings or structures (or parts of buildings, structures, or associated buildings or structures); and

(b) includes any thing that is in or fixed to land described in paragraph (a)'

Heritage NZ's sustainable management of historic heritage guidance series and heritage management guidelines for resource management practitioners² outline the general principles in relation to management and protection of historic heritage under the RMA and other related resource management and planning legislation.

Other related legislation includes:

- the Protected Objects Act 1975, which regulates the trade and ownership of objects relating to the Māori culture
- the Conservation Act 1987 and the Reserves Act 1977, which promote the conservation of New Zealand's natural and historic resources.

National and regional policies

There are a number of national and heritage policies that should also be consulted. These include but are not limited to:

- the *Policy for government departments' management of historic heritage* (2004), Ministry for Culture and Heritage³
- district plans and regional policy statements.

3.2 SUPPLEMENTARY RESOURCES

ICOMOS New Zealand Charter for the Conservation of Places of Cultural Heritage Value (ICOMOS NZ Charter 2010)

ICOMOS, the International Council of Monuments and Sites, is an international non-governmental organisation of heritage professionals engaged in the conservation of places of cultural heritage value and dedicated to the conservation of the world's historic monuments and sites.

The ICOMOS NZ Charter⁴ is a set of guidelines on cultural heritage conservation, produced by ICOMOS New Zealand. The charter constitutes a recognised benchmark for conservation standards and practice.

As defined by the charter, places of cultural heritage value include sites which:

- have lasting values and can be appreciated in their own right
- inform us about the past and the cultures of those who came before us
- provide tangible evidence of the continuity between past, present and future
- underpin and reinforce community identity and relationships to ancestors and the land
- provide a measure against which the achievements of the present can be compared.

The Transport Agency has developed agreements with Heritage NZ and many tangata whenua. These agreements should also be taken into account when planning and/or undertaking activities that may impact historic heritage resources and cultural values.

2011 Transport Agency-Heritage NZ Memorandum of Understanding (MoU)

The Transport Agency-Heritage NZ MoU⁵ formalises the commitment of both organisations to maintain an effective working relationship to help both organisations deliver their functions and services. A key outcome sought through the MoU includes:

² www.historic.org.nz

³ www.mch.govt.nz

⁴ www.icomos.org.nz

⁵ NZ Transport Agency and Heritage NZ (2011) Memorandum of Understanding, www.nzta.govt.nz

‘the early engagement of Heritage NZ in state highway development and maintenance activities. The purpose of this is to:

- identify and resolve issues early and thoroughly
- seek the Heritage NZ’s expertise on matters of cultural and historical significance.’

The Transport Agency has a liaison programme with Heritage NZ involving meetings on a regular basis at regional and national levels to discuss matters relating to areas such as planning and consenting, asset management and maintenance as well as tangata whenua engagement.

Tangata whenua agreements

Agreements (MoU) with tangata whenua are also developed at a regional and/or project level. Copies of these documents can be obtained from the Transport Agency’s regional offices.

3.3 HISTORIC HERITAGE ASSESSMENT CRITERIA

Criteria for the assessment of the heritage significance of historic heritage places and areas for listing purposes are set out in the HNZPTA (s66). These statutory criteria were established under the former HPA and have been used by regional and district councils as the basis for developing their own sets of criteria for scheduling purposes. Below is a table suggested by Heritage NZ to assist in the identification of historic heritage values following information sheet 2 of their sustainable management of historic heritage guidance series (www.heritage.org.nz).

Criteria used in regional policy statements and district plans may vary and should be referred to.

More specific assessment criteria are required for assessing archaeological sites⁶.

The cultural significance of heritage resources and landscapes to Māori should be determined through consultation with tangata whenua.

Thresholds for assessing historic heritage significance may vary for archaeological and built heritage resources. The assessment should include a statement of relative heritage significance ie high, medium or low. A suggested approach for archaeological and built heritage resources is provided in Appendices 1 and 2.

PHYSICAL VALUES	
ARCHAEOLOGICAL INFORMATION	Does the place or area have the potential to contribute information about human history of the region, or current archaeological research questions, through investigation using archaeological methods?
ARCHITECTURE	Is the place significant because of its design, form, scale, materials, style, ornamentation, period, craftsmanship or other architectural element?
TECHNOLOGY AND ENGINEERING	Does the place demonstrate innovative or important methods of construction or design, does it contain unusual construction materials, is it an early example of the use of a particular construction technique or does it have the potential to contribute information about technological or engineering history?
SCIENTIFIC	Does the area or place have the potential to provide scientific information about the history of the region?
RARITY	Is the place or area, or are features within it, unique, unusual, uncommon or rare at a district, regional or national level or in relation to particular historical themes?

⁶ Criteria used for assessing values and significance are presented in T Walton, Assessing the archaeological values of historic places: procedures, methods and field techniques, Department of Conservation Science & Research, Internal report no. 167, 1999. Heritage NZ Archaeological guidelines series no. 2. Guidelines for writing archaeological assessments, 2006: p8 also details the relevant archaeological values.

REPRESENTATIVENESS	Is the place or area a good example of its class, for example, in terms of design, type, features, use, technology or time period?
INTEGRITY	Does the place have integrity, retaining significant features from its time of construction, or later periods when important modifications or additions were carried out?
VULNERABILITY	Is the place vulnerable to deterioration or destruction or is it threatened by land use activities?
CONTEXT OR GROUP	Is the place or area part of a group of heritage places, a landscape, a townscape or setting which when considered as a whole amplify the heritage values of the place and group/ landscape or extend its significance?
HISTORIC VALUES	
PEOPLE	Is the place associated with the life or works of a well-known or important individual, group or organisation?
EVENTS	Is the place associated with an important event in local, regional or national history?
PATTERNS	Is the place associated with important aspects, processes, themes or patterns of local, regional or national history?
CULTURAL VALUES	
IDENTITY	Is the place or area a focus of community, regional or national identity or sense of place, and does it have social value and provide evidence of cultural or historical continuity?
PUBLIC ESTEEM	Is the place held in high public esteem for its heritage or aesthetic values or as a focus of spiritual, political, national or other cultural sentiment?
COMMEMORATIVE	Does the place have symbolic or commemorative significance to people who use or have used it, or to the descendants of such people, as a result of its special interest, character, landmark, amenity or visual appeal?
EDUCATION	Could the place contribute, through public education, to people's awareness, understanding and appreciation of New Zealand's history and cultures?
TANGATA WHENUA	Is the place important to tangata whenua for traditional, spiritual, cultural or historical reasons?
STATUTORY RECOGNITION	Does the place or area have recognition in New Zealand legislation or international law including: World Heritage Listing under the World Heritage Convention 1972; registration under the Historic Places Act 1993 (now listed under the HNZPTA); is it an archaeological site as defined by the Historic Places Act 1993 (now the HNZPTA); is it a statutory acknowledgement under claim settlement legislation; or is it recognised by special legislation?

3.4 STAKEHOLDERS

For historic heritage, the stakeholders include:

- Heritage NZ
- regional and local councils
- tangata whenua
- landowners.

Local historical societies and appropriate community groups should also be consulted.

Consultation should occur on a regular basis from the strategic case stage of the process to ensure the suitability and acceptability of the predicted impacts and mitigation options for the proposed project. The Transport Agency's *Public engagement guidelines*⁷ contain useful information on the Transport Agency's approach when engaging with the public and stakeholders.



Old Mangere Bridge, State Highway 20, Auckland



Public consultation. Old Mangere Bridge Project

⁷ NZ Transport Agency *Public engagement guidelines*, www.nzta.govt.nz

4

Assessment process

4.1 OVERVIEW OF TECHNICAL ASSESSMENT PROCESS

The Transport Agency's project development and delivery process is guided by the development of a project's business case. The business case begins at a strategic level and progresses to a detailed level. There are decision points along the way to determine whether the investment is worthwhile in relation to the desired outcomes. For further information on the Transport Agency's processes, standards and procedures refer to the Highways Information Portal.

Technical assessments of effects and possible mitigation assist in evaluating options, making decisions to progress a project, as well as supporting statutory approvals for approved projects. Technical assessments are carried out at different phases of project development, so it is important that the impact assessment is tailored to the project lifecycle phase and is carried out at the appropriate level of detail. Each level of impact assessment should focus on providing the information that is needed to inform the decision that is to be taken and on the risks and opportunities associated with the project.

This guide (as part of the Transport Agency's Environmental and Social Responsibility Standard) outlines how and where to implement technical assessments of cultural and historic effects during project development and delivery in accordance with the business case. The cultural and historic assessment should:

- assist the Transport Agency in the decision making process
- inform the broader design process
- meet the requirements of the appropriate statutory processes
- assist in achieving the environmental and social objectives of the project.

There are three key guidance documents for assessment of cultural and historic effects:

- the environmental and social responsibility screen and
- this guide to assessing cultural and historic effects
- the public engagement manual.

Figure 2 overleaf illustrates the Transport Agency's project phases, the technical assessment of cultural and historic effects required at each phase and the guidance available at each stage.

The results of the screen along with this guide help determine the level of detail required for technical assessment of cultural and historic effects.

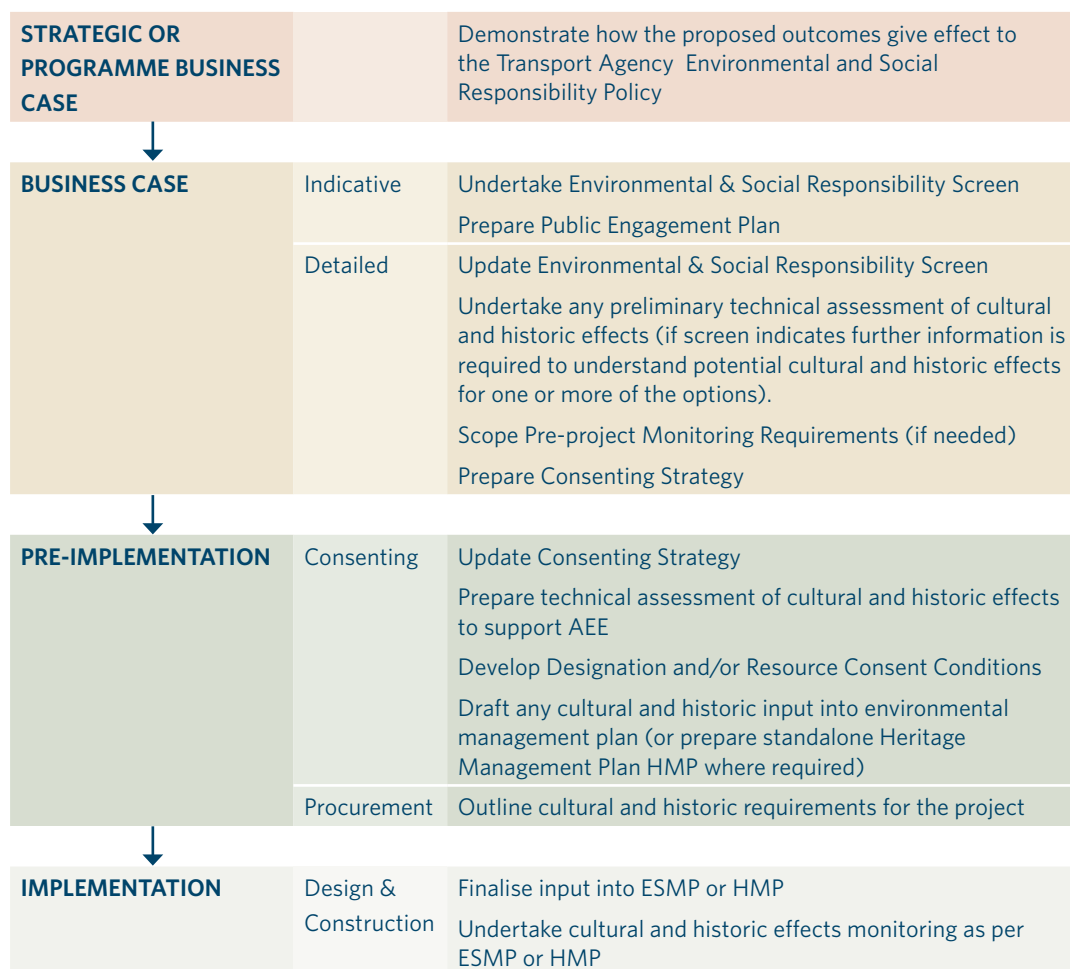


Figure 2. The steps in a typical Transport Agency road project that involves assessment of cultural and historic effects

4.2 ENVIRONMENTAL AND SOCIAL RESPONSIBILITY SCREEN

The Transport Agency works with the Government and partners throughout the country to identify and respond to opportunities to improve capacity and efficiency in our transport system. During the indicative business case phase project team members consider what options are available and decide which should undergo further consideration. The indicative business case is when the first level of assessment of cultural and historic risks and opportunities occurs; as part of the completion of the environmental and social responsibility screen. The screen and an explanation on its use can be found at the Highways Information Portal at www.hip.nzta.govt.nz. The ESR screen seeks to identify all known cultural and historic heritage sites/places and areas within the project extent.

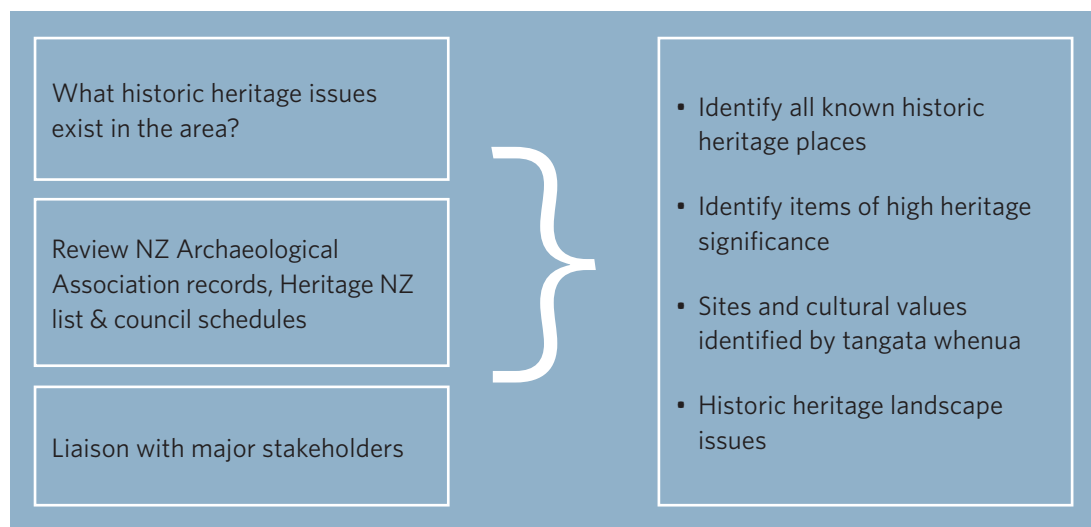


Figure 3: Heritage considerations for the ESR screen assessment

The screen may identify that further information is required to understand potential cultural and historic effects for one or more of the options considered. Further information may be required to understand how options might avoid or minimise effects on cultural and historic heritage sites. This information would be targeted to the particular issue identified and would comprise a preliminary technical assessment, described in Section 4.3.

The screen will be completed internally by the Transport Agency project team.

At this stage engagement with Heritage NZ and tangata whenua should be initiated to help to identify any further potential heritage impacts of the project.

As the project progresses to the detailed business case stages the ESR screen should be reviewed and updated as necessary. If a project is found to have high risk from impacts on cultural and historic heritage, the next step is to undertake a more detailed technical assessment as described in section 4.3.

4.3 PRELIMINARY TECHNICAL ASSESSMENT FOR HIGH-RISK PROJECTS

A preliminary technical assessment is completed when a project has been identified by the ESR screen as having high historic heritage risk at the indicative business case stage. The preliminary technical assessment will inform the development of the detailed business case of the project and the preferred option.

It will consider both archaeological and built heritage and will cross reference the cultural impact assessment (CIA) and consultation process with tangata whenua.

The preliminary technical assessment will include but not be limited to:

- the preparation of a desktop study identifying recorded historic heritage sites
- methodology, including sources of information and any limitations
- sufficient background information to support the assessment of historic heritage values (ie, physical environment, historical background, previous archaeological research)
- the results of partial survey/site inspections if required*
- maps and tables providing a clear summary of the historic heritage sites in the study area
- preliminary assessment of heritage significance following regional policy statement, district plan and/or HNZPTA assessment criteria

* Partial survey would be required if heritage issues of the region have not yet been well studied and/or information is not available from the NZAA, Heritage NZ and regional databases.

- statement on tangata whenua consultation and reference to the CIA process
- assessment of impacts, including heritage landscape effects. Key considerations include:
 - how the preferred option will avoid rather than seek to mitigate adverse heritage effects
 - how the preferred option will achieve positive heritage outcomes
 - if the preferred option involves impact on heritage items, how significant is this impact and what measures are acceptable to mitigate this impact?
- identification of all required heritage legislative approvals, advice on documentation required to obtain them as well as a timeframes for lodging any HNZPTA applications
- recommendations for measures to avoid, remedy and mitigate the effects or portential effects of the project on heritage values, for example:
 - avoidance of heritage sites
 - relocation of heritage buildings/structures (if warranted)
 - site protection during construction (ie fencing off sites, stability monitoring for buildings/structures eg bridges, monuments)
 - long-term site protection measures (ie building conservation, enhancement planting)
 - public access and interpretation provision
 - authority applications under the HNZPTA
 - archaeological investigation and/or recording of affected sites (under the HNZPTA)
 - archaeological monitoring of specific areas with potential for subsurface remains
 - use of accidental discovery protocols (ADP) based on the Transport Agency's accidental discovery procedures minimum standard Z/22 (<http://www.nzta.govt.nz/resources/state-highway-professional-services-contract-proforma-manual/standards/docs/Z22.pdf>) and in consultation with tangata whenua
 - any relevant recommendations from the CIA
- recommendations for any further assessment required, ie:
 - heritage building/structure assessment by a conservation architect
 - assessment of vibration effects on heritage building/structures eg bridges, monuments
 - CIA (if not already undertaken)
 - heritage tree assessment
 - S56 exploratory archaeological investigations under the HNZPTA
 - further historical research.

Information regarding potential mitigations, required heritage approvals and further work/assessment will be considered in the development of cost estimates.

Case study

Western Ring Route: Waterview Connection

The Waterview Connection project, which will connect SH20 with SH16 at Waterview in Auckland, is a major roading project requiring 4.5km of new state highway (approximately half of which is tunnel) and alterations to 7.5km of existing highway. Survey and assessment of effects were undertaken over a 10-year period (2000–2010) and ensured that heritage effects (primarily archaeological) were taken into account in route planning and project design.

The process identified a significant heritage area near the interchange at Waterview, which included a historic mill and tannery site and a former Māori settlement. While visual effects could not be avoided, the final design ensured there would be no physical effects on the

major part of the heritage area. In mitigation, the Transport Agency proposed the preparation and implementation of a plan to restore and enhance the area, including public access provision and interpretation. This plan is being developed with input from several stakeholders such as the Heritage NZ, tangata whenua, Council and the local community. An Archaeological Site Management Plan was prepared to manage effects during construction, and provide for the monitoring of sensitive areas, tangata whenua involvement, protection of sites during construction, training of contractors and accidental discovery protocols.



Great North Road Interchange and proposed heritage area improvements along Oakley Creek.

Case study

Takiroa Rock Art Site

The Takiroa Māori Rock Art Site located just west of Duntroon and beside State Highway 83 is a significant landmark in the traditions of Ngai Tahu Whānui, attracting between 20,000 and 30,000 visitors a year. The historic area is of exceptional cultural and traditional significance due to its association with the early Māori inhabitants of the South Island, the outstanding rock art preserved in situ and the archaeological rarity of the site. In recent years due to a steady increase in visitor numbers and traffic volumes concerns have been raised over visitor safety. Visibility was restricted at the entrance to the site where visitors often walked across the highway or turned around to park. When plans were unveiled to upgrade the site, including the entrance, the Transport Agency saw an opportunity to improve safety on the highway.

In conjunction with Ngai Tahu's Māori Rock Art Charitable Trust a plan was developed to enhance and improve the safety of the site by moving the entrance and constructing a car park and walkway. The Transport Agency lodged an application to alter the existing state highway designation, so a landscaped car park, walkway and picnic area could be constructed. The design evolved in close consultation with iwi and the end result is a safer and more attractive and welcoming access for tourists, located in a central position between two bends for improved visibility. The improvements have been welcomed by all parties and the site is now attracting many more visitors who are able to safely park and view this historic area without having to cross the state highway.



Improvements to the Takiroa site on SH83



Rock art designs at Takiroa site. Ngai Tahu Māori Rock Art Charitable Trust

4.4 TECHNICAL ASSESSMENT FOR RMA ASSESSMENT OF ENVIRONMENTAL EFFECTS

An assessment of environmental effects will be required for the Notice of Requirement (NoR) and resource consent application to secure land designation and build the project.

Archaeological and/or built heritage assessments will generally form part of the assessment of environmental effects, unless the effects are less than minor and can be adequately addressed in the planner's assessment of environmental effects. At this stage, a scheme concept would be fully developed. However, some elements of the scheme may be modified later on as a result of the statutory and tender processes.

At this stage, the assessments should be fit for purpose and based on data obtained from the previous assessments as well as any further work carried out to determine historic heritage effects. The assessment/s should follow the format of the Transport Agency's archaeological assessment report template (Guideline 1) and built (architectural) heritage assessment report template (Guideline 2). In cases where there is no significant built heritage requiring assessment, a general historic heritage report may be sufficient based on Guideline 1.

Key elements of the technical assessment for RMA AEE include:

- archaeological survey of recorded sites and all potential areas of risks
- built heritage assessment of historic buildings/structures at risk
- assessment of heritage significance following regional policy statements/HNZPTA assessment criteria
- assessment of effects on historic heritage values
- mitigation recommendations
- draft management plan (if applicable) including accidental archaeological discovery protocols based on the Transport Agency's Z/22 minimum standard⁹
- draft conditions based on SM 030 standard conditions for resource consent.

Cultural impact assessment by tangata whenua

A CIA prepared by tangata whenua will be required in addition to the historic heritage assessments prepared by the appropriate heritage professionals. The need for a CIA is determined by tangata whenua. Relevant information from the CIA will be referred to in the archaeological assessment report but it will be a stand-alone document within the overall suite of assessments of environmental effects.

The CIA(s) will vary in scope and content according to the requirements of tangata whenua, but would normally include¹⁰:

- methodology – describing the consultative process used in preparing the report (site visit, hui, tangata whenua presentations, reviews of draft and sign-off)
- a brief description of the proposed activity
- recognition of the mana whenua within the area subject to the application and a description of who the report is being prepared on behalf of
- a brief overview of the relevant planning framework
- identification and description of Māori cultural values associated with the site or the resource that is subject to the application
- identification of impacts and evaluation of effects of a proposed activity on the identified cultural values
- recommendations to avoid, remedy or mitigate any adverse effects on Māori cultural values
- recommended conditions of consent should the application be granted
- iwi/hapū expectations for 'where to from here' – the process following the CIA.

⁹ Accidental discovery procedures standard Z\22 www.nzta.govt.nz.

¹⁰ From www.qp.org.nz/consents/cultural-impact-assessment.php

4.5 HERITAGE NEW ZEALAND POUHERE TAONGA ACT 2014 AUTHORITY APPLICATION PROCESS

In addition to any requirements under the RMA, the HNZPTA protects all archaeological sites whether recorded or not and they may not be damaged or destroyed unless an authority to modify an archaeological site has been issued by the Heritage NZ.

Examples of activities with the potential to affect archaeological sites that may require an authority from the Heritage NZ have been detailed in section 2.1 of this guide.

The HPA authority process can be triggered at anytime during the lifecycle of a project. For example, during the project development and consenting phase a HNZPTA authority may be required if geotechnical activities are to be undertaken in areas of archaeological risk.

In addition, an authority may also be required prior to construction for those projects where there is the potential to affect archaeological sites. If no sites have been identified but it is possible that sites may be present subsurface, a general authority is recommended as a precautionary approach to minimise delays should unrecorded subsurface remains be exposed when works are underway. If that occurs and no authority is in place, work may be held up for a few weeks while an authority is obtained so that work may legally proceed.

Documentation required for HNZPTA authority lodgement may include:

- an archaeological assessment (assessment prepared for RMA purposes should include sufficient detail, but additional information may be required if design changes have resulted in greater or lesser effects on archaeological sites)
- any additional plans, drawings, specifications, etc to help the Heritage NZ assess the effects of the work
- a research strategy, if a known site (s) is to be affected and investigated by way of mitigation (this will set out the research aims and methodology for archaeological investigation)
- a management plan setting out procedures to be followed during archaeological monitoring works, and an accidental discovery protocol relating to the discovery of archaeological remains, human remains or taonga (this will also specify how construction activities will be managed to minimise impact on historic heritage). The management plan will be reviewed to incorporate any additional requirements contained in the authority decision received from the Heritage NZ
- evidence of consultation with Māori and assessment of effects on Māori cultural values (the CIA can generally be used, but more specific consultation in relation to archaeological effects may be required)
- a schedule detailing legal descriptions of all properties to be covered by the authority application
- landowner consent if these properties are not owned by the Transport Agency. An authority can be issued without the landowner's consent but consent must be obtained before the authority holder may enter the site or undertake any activities under that authority.

4.6 HERITAGE SKILLS FOR EXPERT WITNESS, RMA AND HNZPTA CONSENTING PROCESS

The heritage skills necessary to undertake archaeological and built heritage assessments to take a project through to the RMA and HNZPTA process will depend on the nature of the project but will generally require consideration of the following aspects:

Archaeology:

- Master (or higher degree) in Archaeology.
- Meets s45 criteria under the HNZPTA and/or has been approved by Heritage NZ as a s45 archaeologist.
- Experience presenting expert evidence at Environment Court or Board of Inquiry.
- Experience on Transport Agency projects.
- Specialist archaeology skills ie Historic/Industrial archaeology as appropriate to the project.

Built heritage:

- Heritage/conservation architect with a post-graduate qualification in building conservation or is a recognised practising conservation architect.
- Experience presenting expert evidence at Environment Court or Board of Inquiry.
- Experience on Transport Agency projects.

4.7 MITIGATING AND MANAGING CONSTRUCTION EFFECTS ON HISTORIC HERITAGE

Mitigation of effects should be commensurate with the value of the heritage resource and be designed to each individual circumstance. Specific measures may be required before the project, during construction and post-construction.

For historic buildings, this may include relocation or if that is not possible recording prior to demolition. For effects on archaeological sites, that cannot be avoided, proposed mitigation measures include standard archaeological investigation and recording under an HNZPTA authority. Archaeological investigation and recording of sites which do not meet the HNZPTA criteria (ie post 1900) may also provide valuable information and, if appropriate, can be made a condition of consent under the RMA. Archaeological investigation of pre-1900 sites as mitigation for site damage or loss as provided for under the HNZPTA may not be considered sufficient to offset the effects within an RMA context. Other mitigation options should also be considered.

Engagement with stakeholders and the community would help identify appropriate mitigation for effects on historic heritage places. The Transport Agency encourages mitigation which would bring benefits to the community and increase public awareness and appreciation of historic heritage. This may include:

- Protection for remaining historic heritage sites (eg covenants, physical improvements, landscaping/revegetation, relocation, limited restoration)
- Public access provision
- Interpretation signage
- Heritage publications
- Involving the local community in historic heritage activities for the project, on site open days, etc.

Effects on unknown archaeological sites or unidentified remains during construction can be provided for by developing Accidental Archaeological Discovery Protocols in conjunction with tangata whenua and Heritage NZ to ensure that effects are appropriately mitigated through investigation, recording, retrieval of artefacts or (in the case of human remains) reburial in accordance with Māori tikanga. These protocols should be based on the Transport Agency's Accidental Archaeological discovery procedures minimum standard Z/22, which has been endorsed by Heritage NZ.

A Heritage Management Plan (HMP) which includes specific procedures to manage historic heritage during construction activities will form part of the overall Construction Environmental Management Plan (CEMP) to be developed for the project. The HMP will include:

- any provision for site protection during construction (ie fencing off sites),
- information on statutory requirements under the RMA and HNZPTA,
- roles and responsibilities,
- training requirements,
- operating procedures and mitigation measures,
- ADPs,
- monitoring requirements,
- stand down periods,
- reporting requirements,
- etc.

Guideline 1:

Transport Agency archaeological assessment report template

This document outlines the Transport Agency's minimum requirements when preparing archaeological assessments for the consenting process as part of the assessment of environmental effects.

The aim of this template is to ensure a consistent approach is used in all Transport Agency projects and that all archaeological assessments meet international current best practice, and are in accordance with international and New Zealand ICOMOS charters, national legislation, government heritage policy and codes of ethics for historic heritage practice.

The archaeological assessment template has been adapted from Heritage NZ's Archaeological guidelines series no. 2 *Guidelines for writing archaeological assessments* and from best practice historic heritage assessment examples.

Depending on the nature of the project, the archaeological assessment may include heritage buildings that have archaeological values. Any detailed built heritage assessment may be undertaken by a heritage architect following Guideline 2.

1. EXECUTIVE SUMMARY

This section should include purpose, key environmental effects, assessments undertaken, results and suggested approach for these effects.

2. CONTENTS

3. INTRODUCTION

The introduction should cover the project description, purposes of the assessment, commission details and geographic area in consideration.

The project description should present the key elements of the project. A map showing project area and route alignment should be included in this section.

The purpose and objectives of the archaeological assessment should be clearly stated in the report. Any limitations on access/field survey should be stated.

A statement should be included clarifying that it is not an assessment of effects on Māori cultural values, which is being undertaken separately. The consultation process should be referred to and any cultural impact assessment (CIA) that has been prepared.

4. REGULATORY FRAMEWORK

Outline any legislation relevant to the assessment, including the Resource Management Act 1991 (RMA) and the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA), as well as any relevant regional/district plan policies and rules.

5. METHODOLOGY

Describe all documentary (and other) sources and techniques used to obtain information.

Documentary sources should include but are not limited to:

- New Zealand Archaeological Association (NZAA) site recording scheme (ArchSite)
- Heritage NZ list
- regional and district council records and schedules (eg Auckland Council Cultural Heritage Inventory – CHI)

- early maps and surveyors' records
- aerial photography
- local histories
- land titles
- archaeological survey and excavation reports
- previous heritage assessments and conservation plans
- published and archival resources.
- Other sources of information may include:
 - information on sites of cultural significance provided by tangata whenua
 - assessments of heritage buildings undertaken by heritage specialists in connection with the project
 - verbal information from landowners or local residents.

Methods and techniques for archaeological assessment should include but are not limited to:

- site visit and walkover
- archaeological survey
- geophysical surveys (if appropriate)
- limited subsurface testing to identify or define the extent of sites¹¹
- archaeological site investigations (if required to complete the assessment of effects – these will require an authority from the Heritage NZ (s56 of the HNZPTA).

6. PHYSICAL ENVIRONMENT

Describe the broad physical context of the area being assessed and discuss relevant aspects such as geology, topography, climate, vegetation and urban landscape. This information should be considered in terms of its relevance to human history and the purposes of the assessment.

Any significant changes to the physical environment due to human settlement that have had effects on occupation and land use patterns should also be discussed.

7. HISTORICAL BACKGROUND

Provide an overview of the human history of the area. This section should place the assessment within the context of what is known of the local and wider regional area. This will establish a framework for understanding the historic heritage sites that may be present in the project area.

The known history of any historic buildings or sites in the project area should be included.

Early historic plans and other relevant sources of information should be appropriately discussed in the text.

8. ARCHAEOLOGICAL/HISTORIC HERITAGE ENVIRONMENT AND RECORDED SITES

Describe and briefly discuss previous work carried out in the project area, and confirm whether the area has been subject to systematic archaeological survey, whether these surveys are likely to have identified most of the sites, etc.

Any relevant information from previous investigations in the project area should also be described in this section, including the purpose of previous investigations. This information is available from Heritage NZ's regional archaeologist and digital library.¹² Archaeological and built heritage reports prepared for previous Transport Agency projects are also available online at www.nzta.govt.nz.

¹¹ An authority is not required for the purposes of identifying an archaeological site in the first instance, defining the extent of an archaeological site in areas where it does not appear to exist, or confirming that an archaeological site does not exist': Heritage NZ Archaeological guidelines series no. 4: Guidelines for section 18 authorities, p.2. For any more extensive investigations, an authority should be obtained.

¹² Heritage NZ digital library, www.historic.org.nz

Include a list or table of all sites located in the project area that are recorded in the NZAA records (ArchSite), regional and district plans and schedules, Heritage NZ list and other relevant heritage inventories.

Recorded wāhi tapu and sites of significance to tangata whenua should also be identified.

Describe the outcomes of the information gathering phase of the assessment and any limitations of the methods/data sources used in the assessment. Results of the fieldwork assessment should be thoroughly described.

Archaeological sites, potential archaeological sites, historic buildings or other structures, identified wāhi tapu and other places of significance to tangata whenua, and recorded heritage trees or other heritage features should be described.

The following elements should be included in this section:

- Maps showing extent of field surveys.
- Maps showing previously recorded historic heritage sites, and any newly identified sites (sites identified in the field should be accurately located using GPS, and their known extents defined).
- Maps showing areas which may have the potential to contain unknown archaeological sites.
- Selected photographs of historic heritage sites.
- Table identifying all sites located within the project footprint and immediately adjacent to the designation. It should include site record number (if relevant), grid locations, site type, and information regarding site integrity/status. Any sites or areas scheduled on the district plan or registered by Heritage NZ should be referenced.

Discuss whether the survey results provide a comprehensive coverage of the area and the potential for unrecorded archaeological sites. Briefly explain how the sites fit in with the current knowledge of the area and what is their potential to contribute to areas of current research interest.

Consider the historic heritage sites in the project area in a wider context from a geographical and historical perspective. Discuss whether meaningful broader heritage landscapes can be defined, and how the sites interrelate within these landscapes.

9. ASSESSMENT OF HERITAGE VALUES AND SIGNIFICANCE

This section should assess the heritage values of the archaeological sites or groups of sites, buildings or other heritage features identified. The assessment of heritage values should also be undertaken from a heritage landscape perspective.

Detailed heritage assessment of any historic building potentially affected by the project generally requires the involvement of a conservation architect whose assessment of significance should be referred to.

The criteria used to assess heritage significance should be explained. Most regional councils have developed specific criteria based on the HNZPTA (s66) (formerly HPA s23) criteria. These sets of criteria can be found in the regional policy statements and district plans.

The report should state at what level the item/study area meets each criterion (high, moderate or low significance). The Transport Agency acknowledges the issues of ranking one place against another. However, for large-scale roading projects which involve impacts over a considerable area, this method provides the best practical solution for identifying which sites should be avoided or protected and which need to be further evaluated.

Any existing significance assessments or ranking should be referenced (district plan schedules, Heritage NZ list, other heritage assessments and conservation plans).

A table can summarise the information when a large number of sites are considered in the analysis. However, the justification should be clearly described in the report. The system used for assigning levels of significance to heritage items should be objective, consistent and capable of being defended in the Environment Court if necessary¹³.

An assessment of Māori cultural values is also a requirement under the RMA and HNZPTA. This assessment should be undertaken by tangata whenua and generally forms part of a CIA which involves broader elements of the landscape, eg springs, waterways, mountains, lakes, archaeological sites and areas, biodiversity. This information should be considered and integrated within the heritage assessment as appropriate.

10. ASSESSMENT OF EFFECTS

This section focuses on assessing the direct effects of the project. Effects on historic heritage sites are not only physical¹⁴ – other effects such as visual effects and noise can have an impact on the amenity of buildings, sites and areas. In addition to the identification of effects on known historic heritage sites, potential effects on unrecorded archaeological sites should also be discussed and assessed.

The CIA should be cross-referenced regarding effects on Māori cultural values.

A summary of the overall effects on the heritage landscape should also be provided at the end of this section.

All project elements should be considered in the assessment. This includes but is not limited to:

- roads and ramps
- access road realignment
- construction yards
- stormwater/retention ponds
- bridges
- noise walls
- drainage works
- utilities realignment
- ground investigations
- cycleways
- landscaping, vegetation clearance.

If no detailed information on these elements is available at the time of the study, the assessment should then use the land designation as a reference. In this case, the identification of 'no go areas' containing sensitive heritage elements should be clearly identified to inform the project design process.

Information that should be provided in the assessment includes:

- how the Transport Agency has avoided adverse effects through route selection or re-design
- how much of a heritage site(s) will be affected, to what degree and what effects this will have on the values of the sites and heritage landscape
- whether the project will increase the risk of damage to the site in the future
- whether a re-design may avoid adverse effects on the sites.

¹³ Assessing the significance of archaeological values is problematic in view of the unknown nature and extent of subsurface elements, but ranking systems have been developed, eg by the former Auckland City Council, for the purpose of scheduling archaeological sites. The following may be of assistance: (1) T Walton, Assessing the archaeological values of historic places, Department of Conservation Science & Research Internal report no. 167, 1999; Chapter 3: Assessing the significance of archaeological values. (2) The NZHPT (now Heritage NZ) archaeological guidelines series no. 2. Guidelines for writing archaeological assessments, 2006: p.8, which details the relevant archaeological values that contribute to the significance of a site.

¹⁴ Vibration effects during construction should be considered under this heading.

11. MITIGATING AND MANAGING THE EFFECTS

Recommended measures to mitigate the effects or potential effects of the project on heritage values should be provided.

This section will propose measures to mitigate the effects of the selected route that will provide the basis for consent conditions.

Mitigation of effects should be commensurate with the value of the heritage place. Measures may be required before the project, during construction and post-construction.

Mitigation of effects on historic buildings may include relocation¹⁵ or, if that is not possible, detailed recording prior to demolition. Note that pre-1900 buildings are defined as archaeological sites under the HNZPTA and an authority is required if the building is to be demolished. Where a built heritage assessment has been prepared, the recommended mitigation in the report should be referred to.

Where effects on known archaeological sites cannot be avoided, proposed mitigation measures include standard archaeological investigation and recording of any affected archaeological features under an authority from Heritage NZ in order to obtain information which will contribute to current knowledge of the history and archaeology of the area. The statutory involvement of tangata whenua in the HNZPTA authority process should be explained. Archaeological investigation and recording of sites which do not meet the HNZPTA criteria (ie post-1900) may also provide valuable information and, if appropriate, can be made a condition of consent under the RMA.

Archaeological investigation of pre-1900 sites as mitigation for site damage or loss as provided for under the HNZPTA may not be considered sufficient to offset the effects under an RMA context. Other mitigation options should also be considered in consultation with stakeholders and the community.

Engagement with stakeholders and the community would help identify appropriate mitigation for effects on historic heritage places. The Transport Agency encourages mitigation which would bring benefits to the community and increase public awareness and appreciation of historic heritage. This may include:

- protection for remaining historic heritage sites (eg covenants, physical improvements, landscaping/revegetation, relocation, limited restoration)
- public access provision
- interpretation signage
- heritage publications
- involving the local community in historic heritage activities for the project, on site open days.

Any positive effects of the project achievable through proposed mitigation should be referred to.

Any other mitigation regarding historic heritage sites should also be mentioned in the report, eg mitigation identified through urban design or tangata whenua consultation.

General and site-specific mitigation should be described separately.

Effects on unknown archaeological sites or unidentified remains exposed during construction can be provided for by developing Accidental Discovery Protocols (ADP) in conjunction with tangata whenua, which ensure that effects are appropriately mitigated through investigation, recording, retrieval of artefacts or (in the case of human remains) reburial in accordance with Māori tikanga. These protocols should be based on the Transport Agency's Accidental discovery procedures minimum standard Z/22, which has been endorsed by Heritage NZ.

¹⁵ This would generally only be appropriate for buildings of high heritage significance.

A Heritage Management Plan (HMP) which includes specific procedures to manage historic heritage during construction activities will form part of the overall Construction Environmental Management Plan (CEMP) to be developed for the project. The HMP will include:

- any provision for site protection during construction (ie fencing off sites),
- information on statutory requirements under the RMA and HNZPTA,
- roles and responsibilities,
- training requirements,
- operating procedures and mitigation measures,
- ADPs, monitoring requirements,
- stand down periods,
- reporting requirements,
- etc.

The HMP should be referred to and described.

12. CONCLUSIONS

This chapter should explain how the Transport Agency has addressed its obligations in terms of the RMA which include avoiding, remedying and mitigating adverse effects on historic heritage. There should be an overall statement of effects subject to the proposed mitigation measures being adopted.

In addition, any requirements under the HNZPTA should be clearly described.

13. BIBLIOGRAPHY

14. APPENDICES

Appendices should include:

- all archaeological site record forms (and any record forms for other historic heritage sites)
- other relevant specialist reports
- preliminary HMP as described above.

Guideline 2:

Transport Agency built heritage assessment report template

This document outlines the NZ Transport Agency's minimum requirements when preparing built heritage assessments as part of the Assessment of Environmental Effects and consenting process.

The aim of this template is to ensure a consistent approach is used in all Transport Agency projects, and that all built heritage assessments are prepared in accordance with ICOMOS NZ Charter, national legislation, government heritage policy and codes of ethics for historic heritage practice.

The built heritage assessment template has been developed according with best practice examples.

Depending on the nature of the project, the built heritage assessment may also include pre-1900 heritage buildings that have archaeological values and are defined as archaeological sites under the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA). Any detailed archaeological assessment may be undertaken by an archaeologist following Guideline 1.

1. EXECUTIVE SUMMARY

The summary should include purpose, key environmental effects, assessments undertaken, results and approach for managing these effects.

2. CONTENTS

3. INTRODUCTION

A description of the scope and brief of the report, exclusions, assumptions and limitations.

In order to assess any potential direct, indirect and cumulative impacts of the project on any non-archaeological built heritage resources, a detailed description of the proposed project should be provided. This should include a written description of the project, the area affected, construction timeframes, project phasing, and project lifetime. It should include maps and descriptions of any associated ancillary developments such as access roads and location of plant and machinery to the extent that these are relevant to potential effects on built heritage.

4. REGULATORY FRAMEWORK

A description of the policy, legal and administrative framework within which the project can take place eg Resource Management Act 1991 (RMA), Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA), as well as regional plans and policy statements and local authority district plans, objectives, policies and rules.

5. METHODOLOGY

The methodology for assessment should be clearly identified and should comprise reference to all documentary sources consulted as well as a description of the scope of any field survey undertaken to inform the assessment.

Documentary sources should include but are not limited to:

- existing lists and records of heritage including the New Zealand Heritage List/Rārangī Kōrero (formerly the Register), district plans schedules and the respective Heritage NZ and council building files, World and Tentative World Heritage lists, the Department of Conservation's (DoC) heritage assets, NZ Archaeological Association records, the IPENZ Heritage Register and records, NZ Rail Heritage Trust Inventory, local historic society inventories, Notable Trees List maintained by the Royal New Zealand Institute of Horticulture (RNZIH), Sheppard Collection, University of Auckland Schools of Architecture and Engineering records, etc
- primary sources from national and local museum archives and photographic collections, local authority building archives, Land Information NZ records, National Library of NZ, Paperspast
- published works including Heritage NZ historic building publications, thematic studies, Waitangi Tribunal reports, DOCOMOMO New Zealand publications on modern movement structures, publications of local historical and railway societies, local authority histories, church histories and architectural monographs, building type histories (eg books by Geoffrey Thornton)
- unpublished reports (eg archaeological reports, architectural and engineering student theses and drawings, previous heritage assessments and conservation plans).

Field survey scope and methodology should follow international best practice which will generally involve a detailed visual/field survey within the necessary width of the project to inspect and document built heritage, setting and landscapes already statutorily recognised as well as any others not currently recognised. There are several international and national guidelines for recording heritage buildings including ICOMOS *Principles for the recording monuments, groups of buildings and sites*¹, Heritage NZ *Guidelines for investigation and recording of buildings and standing structures*², English Heritage *Understanding historic building: a guide to good recording practice*³, etc.

Consultation with Heritage NZ would assist in the identification of built heritage not yet listed and proposals for listing. Potential built heritage can be identified visually by indicators such as age, style, setting, surrounding archaeology, building details, building materials as well as through historical research of significant people, events or patterns of development associated with the built heritage or area.

Dates and durations of the site visits should be stated in the report. Describe any limitations of the assessment, eg restrictions on access to sites or information.

6. THE EXISTING PHYSICAL ENVIRONMENT

A full description of the existing physical environment (sometimes termed the baseline) including buildings and the landscape setting will provide the context for evaluating the impact on cultural heritage landscapes and built heritage resources of a project. An appropriate width of the proposed project should be viewed and assessed, depending on heritage affected. The area to be viewed and researched should be determined by the heritage specialist and may range from 1km to 10km⁴ of the centre line of the roadway. Maps with clear boundaries showing the area assessed and the location of identified buildings and features are useful as a means of supporting descriptions of the physical environment.

¹ www.international.icomos.org

² www.heritage.org.nz

³ www.english-heritage.org.uk

⁴ From National Roading Authority (Ireland) Guidelines for the assessment of architectural heritage impacts of national road schemes. www.nra.ie

7. THE HISTORICAL BACKGROUND AND BUILT HERITAGE ENVIRONMENT

The developmental history of the area should be researched and written to establish the physical and cultural environment of the area within which the built heritage was created. This should enable a description of the original and evolved historic setting, landscape and character, boundaries, extant historic elements and cultural heritage.

Definitions of historic landscapes are provided in section 2.2 of this guide.

For the purposes of this guidance, the setting of an asset is, broadly speaking, the surroundings in which a place is experienced, while embracing an understanding of perceptible evidence of the past in the present landscape. It is important to identify what in the current landscape survives and continues to contribute to the values associated with the built heritage landscape.

Context is a part of setting, including topography and views. Context embraces any relationship between a place and other places. It can be, for example, temporal, functional, intellectual or political, as well as visual, so any one place can have a multi-layered context. The range of contextual relationships of a place will normally emerge from an understanding of its origins and evolution.

Understanding context is particularly relevant to assessing whether a place has greater value for being part of a larger entity or group.

Setting and context should be considered together rather than separately. In summary a combination of the archaeological and historical context, the visual appearance and the aesthetic qualities of the site's surroundings play an important role in modern perceptions of the site.

Once built heritage and heritage landscapes have been visually identified, a detailed inventory of all potentially affected heritage is written. The physical and social history of each structure and landscape would be researched and documented to enable a full description and understanding of the structure and an assessment of heritage values. Apart from the history of each structure, other areas to consider should include: physical characteristics, levels of authenticity, integrity, context, condition, setting and inter-relationships with other buildings, structures or landscapes, sensitive viewpoints and intangible associations which may relate to heritage values. Where accessible, interiors should also be viewed and assessed as they have an integral relationship with the exterior and contribute to the knowledge and use of a place. Each structure will need a unique identification, eg GPS, legal description, and/or street number.

8. ASSESSMENT OF HERITAGE VALUES AND SIGNIFICANCE

An overall assessment of heritage values for each building and setting and any identified cultural heritage landscapes should be written based on legislative, governmental or local authority assessment criteria (eg HNZPTA s66, Heritage NZ Information Sheet 2 see section 3.3 of this guide).

Values can be assessed according to the following thresholds:

- very high
- high
- medium
- low.

Places also need to be assessed in terms of their component parts. These should be considered and evaluated as a whole to determine an overall value.

Where the structure or landscape has not previously been identified and assigned a heritage status, there is a need to assess relative heritage value applying the above assessment criteria and thresholds.

Where a structure or structures are part of a group or an historic landscape, their associated attributes and contributions to the group and/or of the landscape will need to be described.

Numerical rankings are not recommended as this form of evaluation has been found to be problematic and tends to give an artificial impression of accuracy. Instead the rankings recommended above of very high, high, medium and low should be used.

9. ASSESSMENT OF EFFECTS

The impacts of the project on individual and group built heritage as well as heritage landscapes will need to be identified and quantified. How each value is affected should be identified as well as effects on the overall heritage value of the place. A broad approach is needed, such as that described in clauses 1, 2, 3 and 4 of the Xi'an *Declaration on the conservation of the setting of heritage structures, sites and areas*⁵ (2005). An assessment should be made on how the changes may be perceived by the community locally, regionally and nationally.

Potential impacts can be direct or indirect. Direct impacts can result in the physical loss of part or all of an attribute and/or changes to its setting. Direct impacts are usually permanent and irreversible occurring as a consequence of construction and confined within the project footprint.

Indirect impacts occur as a secondary consequence of construction or operation and can result in physical loss or changes to the setting beyond the project footprint.

Potential negative impacts on built heritage resources include but are not limited to:

- destruction or relocation of any, or part of any, significant heritage features, original materials or fabric
- alteration that is not sympathetic, or is incompatible, with the historic fabric and appearance
- shadows created that alter the appearance of a heritage attribute or change the viability of a natural feature or plantings, such as a garden
- isolation of a heritage attribute from its surrounding environment, context or a significant relationship
- direct or indirect obstruction of significant views or vistas within, from, or of built and natural features
- a change in land use such as rezoning a battlefield from open space to residential use, allowing new development or site alteration to fill in the formerly open spaces
- land disturbances such as a change in grade that alters soils, and drainage patterns that may adversely impact on archaeological values
- introduction of physical, visual, audible or atmospheric elements that are not in keeping with the character and setting of the built heritage resource.

These impacts can be cumulative, temporary / permanent, reversible / irreversible.

The magnitude, geographic extent, duration and frequency, reversibility and context of the effects should be considered. The UK Highways Agency, Design Manual for Roads and Bridges: Volume 11, Cultural Heritage Advice Note, HA 208/07⁶, suggests a short-term impact would last for the period of the construction, medium term would be 15 years which is defined as temporary. Permanent is longer than 15 years.

Scale or severity of impacts or changes can be judged taking into account their direct and indirect effects and whether they are temporary or permanent, reversible or irreversible. The cumulative effect of separate impacts should also be considered.

⁵ www.international.icomos.org

⁶ www.highways.gov.uk/dmrb/vol11/

The UK Highways Agency, HA 208/07 recommends ranking the magnitude of the impact as follows:

- Major = change to key historic elements, such that the resource is totally altered and/or Comprehensive changes to the setting.
- Moderate = change to many key historic building elements, such that the resource is significantly modified.
- Minor = change to key historic buildings, such that it is significantly modified.
- Negligible = slight changes to historic building elements or setting that hardly affect it.
- No change = no change to fabric or setting.

Cumulative impacts are those resulting from incremental changes caused by other past, present or reasonably foreseeable actions together with the project. Cumulative impacts can arise from multiple effects of the same scheme on a single asset, different multiple effects of the scheme and other schemes on the same asset, or incremental effects arising from a number of actions over time. Interactions may arise from activities related to other topics.

For example:

- incremental noise from a number of separate developments
- combined effect of individual impacts, eg noise, dust and visual, from one development on a particular receptor
- several developments with insignificant impacts individually but which together have a cumulative effect
- the reactions between impacts whether between the impacts of just one project or between the impacts of other projects in the area.

Further useful definitions of impacts are provided in international guidelines such as *Guidance on heritage impacts: assessment for cultural world heritage properties* ICOMOS 2011⁷.

The significance of the effect of change, ie the overall impact on an attribute is a function of the importance of the attribute and the scale of change. This can be summarized for each attribute described using the following descriptors. As change or impacts may be adverse or beneficial, there is a nine-point scale with 'neutral' as its centre point:

- major beneficial
- moderate beneficial
- minor beneficial
- negligible beneficial
- neutral
- negligible adverse
- minor adverse
- moderate adverse
- major adverse.

Potential beneficial effects include but are not limited to:

- re-establishment of historic setting
- screening of intrusive elements
- improved lighting
- restoration of structures
- improved visibility and accessibility
- interpretation/knowledge about a place.

The following table shows potential adverse and beneficial impacts.⁸

⁷ www.international.icomos.org

⁸ www.highways.gov.uk

	ACTIVITY	IMPACT ADVERSE	IMPACT BENEFICIAL
SITE CLEARANCE	Removal of trees and vegetation	Damage to setting of historic building	Re-establishment of historic setting Protection of the heritage place/ resource
	Fencing	Intrusion	
ROAD CONSTRUCTION	Demolition, drainage, shallow, foundations, piling borrow pits, decontamination etc	Damage to building fabric effect on setting Vibration from piling: damage to historic structures	
	Landscaping/ earth mounding	Visual and noise effects on setting	Re-establishment of historic setting Screening of intrusive elements
	Spoil disposal	Visual and noise effects on setting	Re-establishment of historic setting Indirect: screening of intrusive elements
	Structures, installation features (bridges, signage, fencing etc)	Visual and noise effects on setting	
	Installation of lighting scheme	Visual and noise effects on setting	Improved lighting systems can impact less on night time scene
	Road alignment	Repairs to, or alteration of historic building	Re-establishment of historic setting
OPERATIONAL	Planting	Visual and noise effects on setting	Re-establishment of historic setting Screening of intrusive elements
	Traffic movement	Visual and noise effects on setting	
	Maintenance	Repairs to, or alteration of historic building	
OTHER ENVIRONMENTAL MITIGATION	Topsoil stripping	Damage to setting	
	Screen planting	Visual and noise effects on setting	Re-establishment of setting screening of intrusive elements
	Noise barriers and low-noise road surface materials	Visual and noise effects on setting	
	Acoustic insulation	Visual and noise effects on setting	

The effect on the overall heritage resource, individual, built heritage, groups, and cultural landscapes needs to be assessed. In general, if the effects on all heritage resources were adverse the overall impact would be the highest impact. Conversely, if the effects were all beneficial, the average level of benefit would be selected, rather than the greatest, as assessments should be conservative. Below is the guidance from the UK Highways Agency on definitions of impacts and their significance.

VALUE	VERY HIGH	Neutral	Slight	Moderate/ Large	Large/ Very large	Very large
	HIGH	Neutral	Slight	Moderate/ Slight	Moderate/ Large	Large/ Very large
	MEDIUM	Neutral	Neutral/ Slight	Slight	Moderate	Moderate/ Large
	LOW	Neutral	Neutral/ Slight	Neutral/ Slight	Slight	Slight/ Moderate
	NEGLIGIBLE	Neutral	Neutral	Neutral/ Slight	Neutral/ Slight	Slight
		NO CHANGE	NEGLIGIBLE	MINOR	MODERATE	MAJOR
MAGNITUDE OF IMPACT						

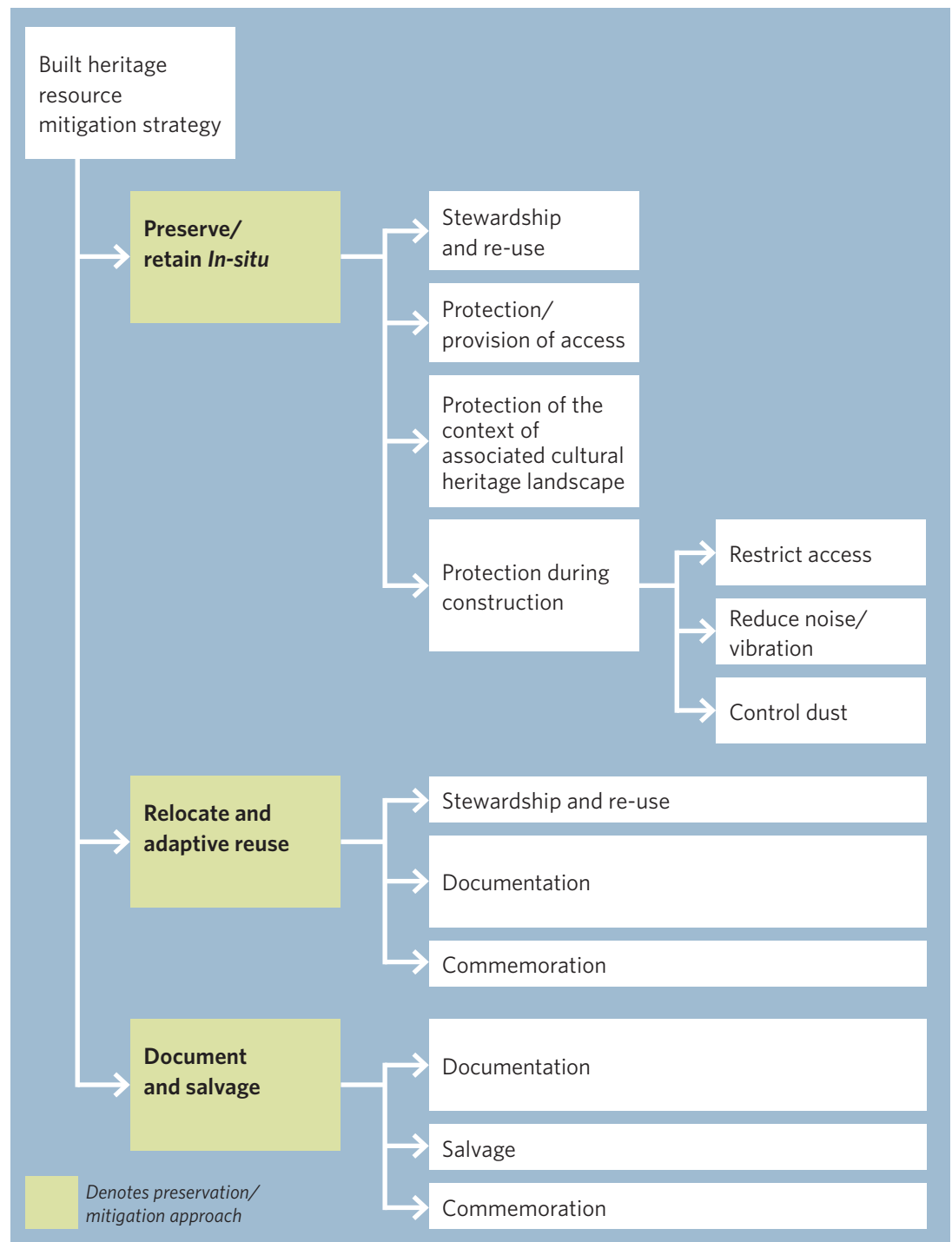
10. MITIGATING AND MANAGING THE EFFECTS

The intention of mitigation is to avoid or minimise the negative impacts of a project on built heritage and heritage landscapes from the baseline position. The baseline should take account of what would likely to have happened anyway if the project was not envisaged. The mitigation should commensurate with the value of the heritage resource and be designed to each individual circumstance.

The proposed general and site specific measures should be identified and discussed as follows:

- those needed before the project
- those needed during construction
- any post-construction measures, such as interpretation, access measures, awareness building, education, and reconstruction.

The Ontario Ministry of Transport ⁹ provides the following mitigation options for built heritage.



⁹ www.raqs.mb.mto.on.ca

Appropriate recording should be recommended where demolition or alteration will result and it should be to the highest level possible and commensurate with the building's significance (refer to Heritage NZ building recording guidelines which identifies different levels of recording for different levels of impact and significance). Recording levels may also relate to aspects/parts of a place where certain aspects require a higher degree of documentation than others dependent on the hierarchy of significances found associated with a place. Recording will also include accurate measured drawings, photography to archival standards and significance assessment documentation.

The setting of built heritage should be considered with any mitigation. Improvements to the setting may include improved access, enhancing views to or from the structure and the removal of intrusive elements.

Engagement with stakeholders and the community can also help identify appropriate mitigation for effects on built heritage. The Transport Agency encourages mitigation which would bring benefits to the community and increase public awareness and appreciation of built heritage. This may include physical improvements, restoration, public access provision, covenants, etc.

11. MONITORING

Any identified mitigation measures may be need to be monitored to ensure they are carried out and also to check the accuracy of predicted outcomes and to change measures where these could be made more effective. This is especially needed where there is the possibility of indirect impacts.

12. BIBLIOGRAPHY

13. APPENDICES

Appendices should include any detailed data and information to support the assessment.

FURTHER INFORMATION

Please go to the NZ Transport Agency's website at www.nzta.govt.nz

OUR CONTACT DETAILS

Environment and Urban Design
Highways and Networks Outcomes

Telephone: +64 9 928 5478
environment@nzta.govt.nz