

Hon Kiri Allan

Associate Minister for Arts, Culture and Heritage

Proactive release of Cabinet Material: Adopting a revised Policy for
Government's Management of its Cultural Heritage Places

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Title: Adopting a revised Policy for Government's Management of its Cultural Heritage Places

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These document/s have been proactively released by the Associate Minister for Arts, Culture and Heritage. This package includes the Cabinet paper and other key decision papers, as listed below.

Title: Adopting a revised Policy for Government's Management of its Cultural Heritage Places

Title: Appendix 1 – Policy for Government's Management of its Cultural Heritage Places

Title: Appendix 2 – Consultation Summary

Title: Appendix 3 – Application of the Policy across the State sector

Title: SWC-22-MIN-0198 Adopting a revised Policy for Government's Management of its Cultural Heritage Places

Title: SWC-22-SUB-0198 Adopting a revised Policy for Government's Management of its Cultural Heritage Places

Title: CAB-22-MIN-0498 Report of the Cabinet Social Wellbeing Committee Minute: Period Ended 11 November 2022

Some parts of this information release would not be appropriate to release and, if requested, would be withheld under the Official Information Act 1982 (the OIA). Where this is the case, the relevant sections of the OIA that would apply have been identified. Where information has been withheld, no public interest has been identified that would outweigh the reasons for withholding it.

OIA section 9(2)(ba)(i) Likely to prejudice the supply of similar information

OIA section 9(2)(g)(i) Free and frank expressions of opinions

OIA section 9(2)(f)(iv) Confidentiality of advice

In Confidence

Office of the Associate Minister of Arts, Culture and Heritage
Cabinet Social Wellbeing Committee

Adopting a revised Policy for Government's Management of its Cultural Heritage Places

Proposal

- 1 This paper seeks Cabinet agreement to adopt the revised Policy for Government Management of Cultural Heritage Places (the Policy).

Relation to government priorities

- 2 The Policy aligns with the Government's priority to lay the foundations for a better future, by enabling state sector agencies to apply best practice to the management of cultural heritage places in its care. The Policy supports our commitment to sustainability and strengthening Māori-Crown relations by setting expectations for the appropriate stewardship of cultural heritage places by government agencies, which includes relationships with Iwi and hapū.

Executive Summary

- 3 Since 2004, Government has had a policy in place for government departments' management of cultural heritage places. Despite this, significant heritage places in government stewardship have continued to be lost or are not being appropriately cared for.
- 4 To improve outcomes for cultural heritage places, the Policy has been revised to extend coverage to all state sector agencies, ensure it is consistent with international best practice standards in the management of cultural heritage places, and align with general property management processes.
- 5 I am seeking Cabinet's agreement to adopt the Policy and authorise the Minister for Arts, Culture and Heritage to make decisions on future minor amendments to the Policy as required to reflect changes in legislation (for example, as a result of resource management reform) or guidance referred to in the Policy. I also seek approval to receive report-backs from Manatū Taonga Ministry for Culture and Heritage on the progress of agencies' implementation after reporting requirements are in place.
- 6 Should Cabinet agree to adopt the Policy, it will take effect from 1 February 2023. It is anticipated that agencies will phase implementation over two to five years with advice and guidance from Manatū Taonga.

Background

Government has had a policy in place for managing its cultural heritage places since 2004

- 7 Government plays a key role in the management of cultural heritage by establishing heritage legislation and agencies¹, and as the owner and steward of a largest portfolio of cultural heritage places. This includes over 600 places on the New Zealand Heritage List/Rārangi Kōrero, and many other cultural heritage places scheduled in District Council Plans or identified as archaeological sites.
- 8 Government's role was recognised in 2004 with the adoption of the Policy for Government Departments' Management of Historic Heritage [CAB MIN (04) 28/3], which applied to all government departments.
- 9 The purpose of the 2004 policy is to ensure government departments fulfil their duty to safeguard heritage structures and places that they own or manage consistently, and lead by example in taking a responsible approach to their role as custodians of unique heritage resources.

Reviews of the policy in 2009 and 2019 made recommendations designed to improve agencies' take-up and implementation of the policy

- 10 Even with the 2004 policy in place, significant heritage places in government stewardship have continued to be lost or are not being appropriately cared for. Reviews in 2009 and 2019 found that non-compliance with the 2004 policy was largely due to one or more of the following reasons:
 - 10.1 A lack of knowledge or understanding of the Policy and the general principles of heritage conservation.
 - 10.2 A lack of a systematic approach to property management.
 - 10.3 Budgetary pressures leading to spending on cultural heritage not being prioritised.
- 11 The reviews led to three main recommendations:
 - 11.1 Coverage – all state sector agencies should apply best practice approaches to the management of heritage places.
 - 11.2 Promotion and reporting– better promotion and requiring agencies to submit compliance reports would encourage agencies to implement the Policy and lead to better outcomes for heritage.
 - 11.3 Content – the content requires revising to reflect what is now considered best practice in the management of heritage places.

¹ Such as Heritage New Zealand Pouhere Taonga, Manatū Taonga Ministry for Culture and Heritage, Te Papa Atawhai Department of Conservation.

A revised Policy has been consulted on and is ready to be adopted

- 12 To improve outcomes for cultural heritage places, the Policy has been revised in line with review recommendations to extend coverage to all state sector agencies, incorporate international best practice standards in the management of heritage places, and align with general property management processes. The Policy is attached at Appendix 1.
- 13 Consultation with state sector agencies, heritage sector experts, and Iwi Authorities on a draft revised Policy was completed in early 2022. Feedback was incorporated prior to the Policy being finalised. A summary of state sector agency feedback is attached at Appendix 2.

All state sector agencies will be expected to implement the Policy as part of their property management processes

- 14 Currently, a best practice approach to the management of heritage places is not able to be fully realised because coverage is limited to 35 government departments. There are over 200 state sector agencies not subject to the Policy.
- 15 Over 60 percent of government property (by dollar value) is managed by agencies not currently covered by the Policy. I am proposing that coverage of the Policy be extended to all state sector agencies as defined in Chapter 3 of the Cabinet Manual 2017, except school boards of trustees².
- 16 The impact on individual agencies of expanding coverage will vary depending on the number of heritage places within their property portfolios. Some agencies will have responsibility for few, if any, heritage places while others will have responsibility for a large number.
- 17 Adoption of this Policy sets an expectation for agencies to better manage their cultural heritage places. Better management of cultural heritage will mitigate loss of heritage and improve its care. A phased approach to implementation over two to five years will ensure agencies have enough time to plan for the integration of the Policy into their property management processes, including any associated costs.
- 18 However, there is a risk that cost pressures and operational requirements may cause agencies to de-prioritise cultural heritage management. Although there are no sanctions for non-compliance with the Policy, agencies will need to report decisions that lead to detrimental outcomes for cultural heritage places, and reporting may be publicly scrutinised.
- 19 Some agencies already have their own operational policies for managing their heritage places, which align with the 2004 policy e.g., the Department of

² The Ministry of Education (MOE) will be responsible for the application of the Policy to buildings in the care of the MoE. In the limited number of cases where a state school Board of Trustees owns a heritage building independently of the MOE, they will be encouraged to apply the Policy to those assets where practicable.

IN CONFIDENCE

Conservation, Ministry of Education, Kāinga Ora, and the New Zealand Defence Force.

- 20 If Cabinet agrees to adopt the revised Policy, it will come into effect on 1 February 2023.

Applying the Policy across the broader state sector

- 21 Approval by Cabinet will give effect to the Policy across the state sector in the following ways:
- 21.1 Government departments (including non-public service departments and departmental agencies) would be required to implement the Policy.
 - 21.2 The Policy would apply to other entities in the State sector (such as Crown entities) as an expression of Government policy with the relevant Minister conveying the expectations to the boards of those entities.
- 22 Other mechanisms considered by officials at Manatū Taonga are listed in Appendix 3.

Manatū Taonga will support agencies' implementation

- 23 Once the Policy is adopted, Manatū Taonga officials will support agencies with implementation through a stepped process that will address some of the failings in implementation of the 2004 policy and concerns raised by agencies during consultation about cost and implementation. This will include:
- 23.1 Year 1: Building awareness of the Policy and providing access to expert advice through webinars and written guidance. Design an approach to monitoring and reporting that will be practical and achievable for agencies.
 - 23.2 Year 2: Working closely with agencies to understand implementation progress. Introducing reporting requirements.
- 24 Public reporting will provide transparency of agencies' management of cultural heritage places and increase awareness of the Policy. These processes will support better management of cultural heritage and lead to further mitigation of loss.
- 25 The Policy refers to existing legislation and Government guidance, for example the Resource Management Act 1991 and the Te Arawhiti guidelines for engagement with Māori.
- 26 I propose that Cabinet authorise the Minister for Arts, Culture and Heritage to make decisions on future minor amendments to the Policy as required to reflect changes in legislation or guidance referred to in the Policy, and to receive report-backs on the progress of agencies' implementation from Manatū Taonga after reporting requirements are in place.

IN CONFIDENCE

Financial Implications

- 27 Implementation of the Policy may have financial implications for those agencies that have responsibility for a large cultural heritage portfolio and/or have significant work to do to ensure compliance with the Policy.
- 28 Agencies may need to seek additional funding to support implementation of the Policy through future Budget cycles or reprioritising from baseline.

Legislative Implications

- 29 This proposal does not have legislative implications.

Impact Analysis

- 30 A Regulatory Impact Statement and Climate Implications of Policy Assessment are not required.

Population Implications

- 31 This proposal will impact Iwi and hapū where state sector agencies have cultural heritage places in their rohe and need to engage on decisions about those places. The Policy outlines expectations for agencies' engagement with mana whenua. Individual agencies will be responsible for ensuring appropriate engagement occurs.

Human Rights

- 32 I consider the proposals in this paper are consistent with the New Zealand Bill of Rights Act 1990 and the Human Rights Act 1993.

Consultation

- 33 The following government agencies were consulted on this Cabinet paper:
- 34 Department of Corrections, Department of Internal Affairs, Department of the Prime Minister and Cabinet, Education Review Office, Inland Revenue Department, Ministry for the Environment, Ministry for Pacific Peoples, Ministry for Primary Industries, Ministry for Women, Ministry of Business, Innovation and Employment, Ministry of Defence, Ministry of Education, Ministry of Foreign Affairs and Trade, Ministry of Health, Ministry of Housing and Urban Development, Ministry of Justice, New Zealand Customs Service, Te Puni Kōkiri, Ministry of Social Development, Ministry of Transport, New Zealand Police, Oranga Tamariki, Parliamentary Service, Public Service Commission, Serious Fraud Office, Statistics New Zealand, the Treasury, Toitū Te Whenua – Land Information New Zealand.
- 35 The Department of Conservation has a large portfolio of remote, non-urban cultural heritage places and has sought to increase recognition of these types of places in the Policy. In response, officials in Manatū Taonga have worked to make the Policy equally applicable to tangible cultural heritage (buildings) and intangible cultural heritage (other places). 9(2)(ba)(i)

9(2)(ba)(i) [Redacted]
[Redacted]
[Redacted]

36 9(2)(ba)(i) [Redacted]
[Redacted]
[Redacted]

[Redacted], the Policy provides options such as adaptive re-use of cultural heritage places and does not prevent the disposal of places after alternative options have been fully considered.

37 Te Arawhiti raised that the concerns of hapū or whānau could have been missed during the consultation. This risk should be mitigated by the requirement for agencies to engage with Iwi and hapū to implement the Policy at the local level.

38 State sector agencies that were consulted during development of this Policy were generally positive about it. Concerns were raised about cost, and this has been factored into implementation timeframes. Agencies can manage costs by planning to integrate the Policy fully into their property management processes over the next two to five years. Some agencies raised concerns about the resourcing required to care for cultural heritage places that cannot be used for modern operational purposes. As above (para 36), the Policy acknowledges that agencies, after fully considering options for a place's reuse or alternative use, may need to dispose of a place or demolish a building. Manatū Taonga will continue to work with agencies on the design and roll-out of biennial reporting.

39 Heritage sector experts that were consulted during development of this Policy include Engineering New Zealand, New Zealand Institute of Architects, New Zealand Planning Institute, Professional Historians Association of New Zealand/Aotearoa, New Zealand Archaeological Association, the International Council of Monuments and Sites New Zealand, and Historic Places Aotearoa.

40 Iwi Authorities were consulted during development of this Policy. Although the revised Policy will not directly apply to Māori, it does require agencies to work with Iwi and hapū when agencies have stewardship of heritage places that are important to Māori.

Communications

41 9(2)(g)(i) [Redacted]
[Redacted]
[Redacted]

42 I expect some agencies to raise concerns about the potential costs of implementing the Policy. Communications will note that the Policy is a tool to guide agencies' management of cultural heritage places, that implementation will mitigate the risks of greater loss of cultural heritage, that implementation will be staged to help agencies manage costs, and that good stewardship of cultural heritage places can avoid costs further down the line.

- 43 Manatū Taonga will be responsible for further communication to state sector agencies about the Policy, implementation timeframes, and available support.

Proactive Release

- 44 I intend to release this paper proactively. This proactive release would be subject to redaction as appropriate under the Official Information Act 1982.

Recommendations

The Minister for Arts, Culture and Heritage recommends that the Committee:

- 1 **note** that in 2004, Cabinet agreed to adopt a Policy for Government Departments' Management of Historic Heritage that applied to government departments [CAB MIN (04) 28/3];
- 2 **note** that even with the 2004 policy in place, significant heritage places in government stewardship have continued to be lost or are not being appropriately cared for;
- 3 **note** that reviews of the 2004 policy (in 2009 and 2019) resulted in recommendations to expand coverage to all state sector agencies, improve promotion and monitor (through reporting), and update content to reflect best practice standards for the management of heritage places;
- 4 **note** the 2004 policy has now been revised in response to review recommendations and to align it with general property management processes;
- 5 **agree** to adopt the revised Policy, which will come into effect on 1 February 2023;
- 6 **note** that implementation of the Policy by agencies will be staged to enable planning to integrate it into property management processes, including costs;
- 7 **note** that Manatū Taonga will be responsible for promoting awareness of the Policy, supporting implementation with guidance and access to expert advice, and working with agencies to put in place a reporting framework that is practical and achievable;
- 8 **authorise** the Minister for Arts, Culture and Heritage to make decisions on minor amendments to the Policy as required to reflect changes in related legislation or guidance and receive report-backs on the progress of agencies' implementation from Manatū Taonga once reporting requirements are in place;
- 9 **note** that some agencies may need to seek additional funding through future Budget cycles or reprioritise from baseline to enable them to fully implement the Policy.

I N C O N F I D E N C E

Authorised for lodgement

Hon Kiri Allan

Associate Minister for Arts, Culture and Heritage

I N C O N F I D E N C E

Appendices

Appendix 1 – Policy for Government’s Management of its Cultural Heritage places

Appendix 2 – Consultation summary A3

Appendix 3 – Application of the Policy to State sector agencies

Policy for Government's Management of its Cultural Heritage Places

FOREWORD

Manaaki whenua, Manaaki tangata, Haere whakamua – Ka whai whakaaro tēnei kaupapa here ki te hirahiratanga o te whenua, o ngā wāhi e whai hononga ki ngā wā o mua, hei oranga mō te tangata me te iwi whānui.

Aotearoa New Zealand's cultural heritage is part of our country's foundation and an important contributor to our personal, community and national identities. Protecting and conserving cultural heritage places ensures that the stories, histories and events that reflect who we are and where we have come from will continue to be experienced by future generations.

Our government is steward of many cultural heritage places on behalf of all New Zealanders from government buildings in metropolitan areas to sacred and historic sites across the motu. This national collection includes highly significant places and many places of importance to Māori.

The Policy will guide government to conserve cultural heritage places and manage them efficiently. by ensuring that heritage is identified and considered at key points during the property management life cycle. For places of significance to Māori, the Policy establishes processes to ensure they are appropriately managed and conserved in a way that respects mātauranga Māori.

Government must take a leadership role in being good stewards of the heritage places in its care. This Policy will enable our government departments to identify, protect and conserve Aotearoa New Zealand's cultural heritage places and ensure they continue to contribute to our collective wellbeing now and in the future.

Carmel Sepuloni

Minister for Arts, Culture
and Heritage

October 2022

Kiri Allan

Associate Minister for Arts,
Culture and Heritage

October 2022

PURPOSE

The *Policy for Government Management of its Cultural Heritage Places* (the Policy) applies to state sector organisations³ and the places with cultural heritage values that they care for.

The Policy is designed to guide the conservation of cultural heritage places in the context of delivery of government services. It sets out best practice heritage management standards that can be incorporated into an agency's property management processes.

The strategic, systematic approach to the management of cultural heritage places outlined in this Policy will enable government both to conserve places according to their cultural heritage values and to manage assets efficiently.

INTRODUCTION

New Zealand's cultural heritage is rich, varied and unique. It is a legacy of all generations, from the earliest places of Māori use and occupation to inner-city buildings. Heritage places connect us to our personal, community and national identity, support sustainable development and contribute to society's resilience and wellbeing. For Māori, place gives meaning to the history, traditions, culture and identity of whānau, hapū, and iwi.

The government manages a significant portfolio of heritage places on behalf of the people of New Zealand. The heritage assets managed by government agencies often have important operational functions but are also valuable physical reminders of government's role in the history of New Zealand. The government's portfolio of heritage places is an important national collection which includes some highly significant places and many places of significance to Māori. Many of these places are also valued by the communities they are connected to and make a contribution to community identity.

The government is committed to the identification, protection, and conservation of New Zealand's heritage places and has established legislation and agencies for this purpose.⁴ Awareness of heritage places amongst those who exercise authority over them is vital to the prevention of damage and destruction of heritage places.

Government is responsible for the stewardship of its own cultural heritage assets so that they can be enjoyed for their contribution to wellbeing now and into the future.

Cabinet has agreed that the Policy will take effect from 1 February 2023.

OBJECTIVE

Government agencies are stewards of the heritage places in their care and follow best practice to ensure their long-term contribution to New Zealanders' economic, social, environmental and cultural wellbeing.

³ As defined in chapter 3 of the Cabinet Manual 2017.

⁴ For example, Heritage New Zealand Pouhere Taonga, Manatū Taonga Ministry for Culture and Heritage, Te Papa Atawhai Department of Conservation.

Outcomes

By taking a leadership role in cultural heritage management, it is anticipated that government agencies will:

- respect and acknowledge the importance of cultural heritage
- foster a wider appreciation of and pride in the nation's heritage and identity
- consistently use best practice when managing heritage places
- ensure that cultural heritage is conserved and, where appropriate, used for the benefit of all New Zealanders
- ensure that places of significance to Māori are appropriately managed and conserved, in a manner that respects mātauranga Māori and is consistent with the tikanga and kawa of the tangata whenua
- model best practice to other owners of cultural heritage places
- ensure meaningful engagement and participation of iwi/hapū/kaitiaki in cultural heritage management

Evaluation

The Ministry for Culture and Heritage Manatū Taonga will periodically evaluate the effectiveness of this policy at achieving the outcomes outlined above.

SCOPE

The Policy applies to all State sector organisations with cultural heritage places in their care, except for school boards of trustees. Other public bodies that are not subject to the Policy, such as local authorities, could adopt it as good practice.

A heritage place is considered to be 'in the care of' an organisation that owns, manages or leases it. The policy applies to the extent that the organisation has the authority (as owner, manager or lessee) to implement it.

State sector organisations that manage private assets are encouraged to apply the policy to those assets where practicable.

INTERPRETATION

Archaeological site has the same meaning as defined in the Heritage New Zealand Pouhere Taonga Act 2014.

Best practice means a method that has been judged to be superior to other methods, or a procedure or activity that has produced outstanding results in one situation and could be adapted to improve effectiveness, efficiency and/or innovation in another situation.

Community means a group of people who share either a common identity, the same interests, pursuits, or occupation and/or who live in the same geographical area.

Conservation means all the processes of understanding and caring for a place so as to safeguard its cultural heritage value.⁵

Cost means the full spectrum of potential costs - economic, social, environmental and cultural.

Designation has the same meaning as defined in the Resource Management Act 1991.

⁵ Based on the ICOMOS New Zealand Charter 2010 definition of conservation.

Government agency means an organisation that is part of the State sector as defined in chapter 3 of the Cabinet Manual 2017 but does not include any school board of trustees.⁶

Cultural 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: archaeological, architectural, cultural, historic, scientific, technological, and
- (b) includes historic sites, structures, places, and areas; and archaeological sites; and sites of significance to Māori, including wāhi tapu; and surroundings associated with the natural and physical resources.⁷

Cultural heritage value means possessing aesthetic, archaeological, architectural, commemorative, functional, historical, landscape, monumental, scientific, social, spiritual, symbolic, technological, traditional, or other tangible or intangible values, associated with human activity.⁸

Heritage place is a place with cultural heritage value.

Property means real property, i.e. land and any building or structure or anything fixed to land.

Setting means the area around and/or adjacent to a heritage place that is integral to its function, meaning, and relationships; and to the understanding and appreciation of the place's cultural heritage value.⁹

Site of significance means all places of Māori/Moriori origin, as well as later places of significance, as determined by Iwi/Imi and hapū.

Stewardship means active planning and management of medium- and long-term interests.

Thematic study means a study that focuses on the heritage of a theme or period of New Zealand's history e.g. justice or 1960s.

Typological study means a study that focuses on a particular type of heritage place e.g. courthouses.

PRINCIPLES

The following key principles on which this policy is based reflect:

- New Zealand legislation and government policy
- New Zealand and international heritage charters and guidelines including the ICOMOS New Zealand Charter for the Conservation of Places of Cultural Heritage Value 2010.
- Rights relating to cultural heritage contained in the United Nations Declaration on the Rights of Indigenous Peoples.

1. Cultural heritage has value and meaning

Cultural heritage is a finite and non-renewable resource with lasting value in its own right and provides evidence of the origins and development of New Zealand's distinct peoples and society.

⁶ See Appendix for list of organisation types.

⁷ Based on the Resource Management Act 1991 definition of historic heritage.

⁸ Based on the ICOMOS New Zealand Charter 2010 definition of cultural heritage value.

⁹ Based on the ICOMOS New Zealand Charter 2010 definition of setting.

2. Cultural heritage contributes to wellbeing and resilience

The retention and conservation of cultural heritage supports New Zealanders' economic, environmental, social and cultural wellbeing and resilience.

3. Cultural heritage conservation contributes to environmental sustainability

The retention, conservation and, where appropriate, adaptive reuse of cultural heritage benefits the community by promoting the sustainable use of resources, retention of embodied energy and minimisation of waste.

4. The protection of cultural heritage is a matter of national importance

Under the Resource Management Act 1991, the protection of historic heritage from inappropriate subdivision, use and development is a matter of national importance, as is the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga.

5. Government agencies work to give effect to the principles of the Treaty of Waitangi

The Treaty of Waitangi provides the foundation for engagement with Māori communities in respect of their heritage places.

Government agencies make informed decisions and work in partnership with Māori/Moriori and recognise and provide for the relationship of Māori/Moriori communities with their ancestral lands, water, sites, wāhi tapu, wāhi tūpuna.¹⁰

6. Government agencies recognise that Māori/Moriori are the holders of their traditional knowledge

When partnering with Māori, government agencies recognise and respect that Māori/Moriori are the holders of their traditional knowledge of Māori/Moriori cultural heritage places.

7. Government agencies lead by example

By adopting appropriate heritage management strategies, processes and practices, the New Zealand government shows leadership by setting the standard for the management of cultural heritage assets and values to the rest of the community.

8. Government agencies are responsible for the long-term stewardship of public assets

Government agencies have responsibility for the long-term stewardship and efficient and effective management of their property and assets, including cultural heritage, acknowledging that asset management is about providing desired services by managing assets in the most cost-effective way, for today's and future generations.¹¹

9. Government agencies are open and transparent

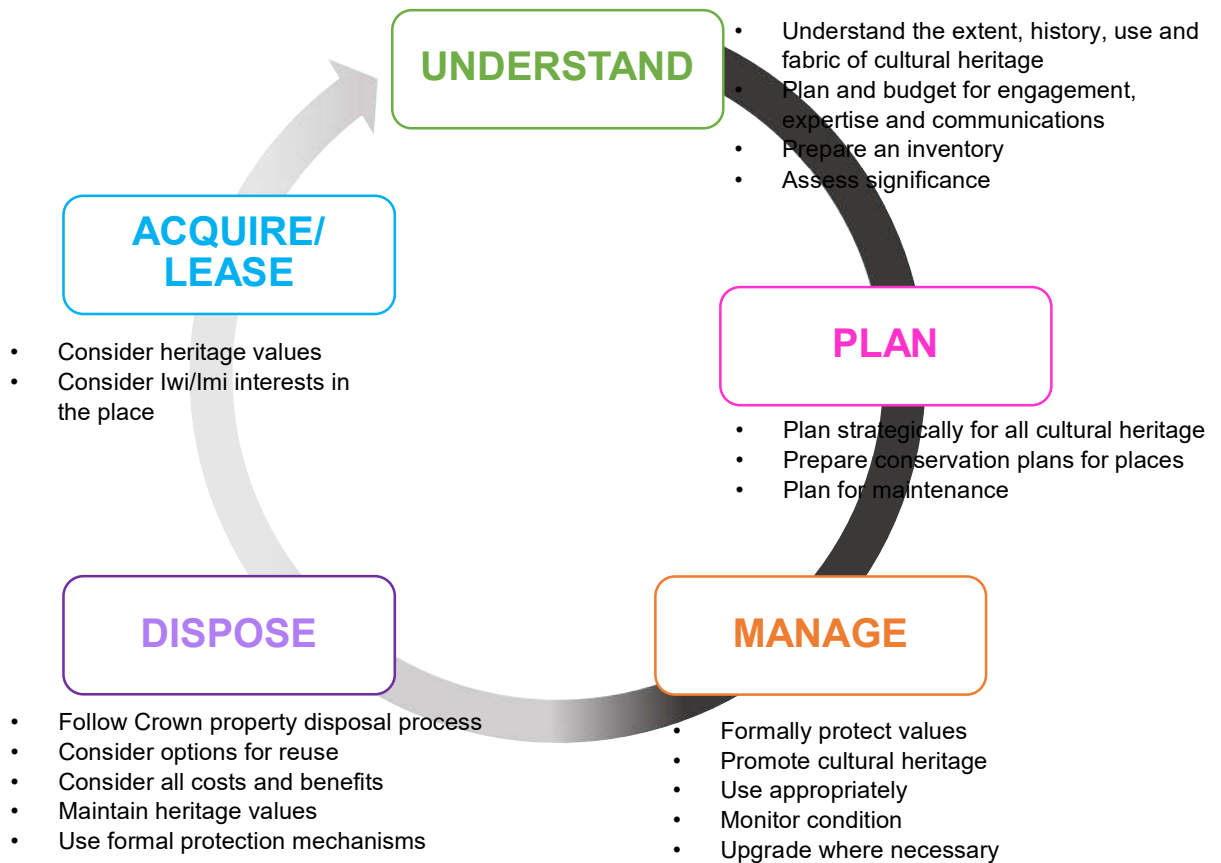
The government is accountable to the public who have a valid interest in the conservation of heritage places.

¹⁰ Iwi Management Plans may set out Iwi expectations for partnering with Iwi. Other advice on Māori cultural heritage may be available from Iwi planning documents eg Environmental Management Plans. Te Arawhiti's guidance on [Crown Engagement with Māori](#) should be consulted.

¹¹ Officer of the Auditor General, *Managing Public Assets* 2013.

CULTURAL HERITAGE MANAGEMENT CYCLE

The following diagram is a visual depiction of where the key policies for government management of cultural heritage occur in the cycle of management.



AT ALL STAGES IN THE CYCLE

- Meet conservation standards, such as the ICOMOS Charter 2010
- Meet legislative requirements
- Seek specialist advice from Heritage New Zealand Pouhere Taonga, Iwi/Imi, hapū, marae or rūnanga, local authorities and heritage professionals
- Use appropriately qualified workers
- Partner and consult with Māori/Moriori and other communities
- Document management
- Report on compliance with the Policy

POLICIES

The following policies set the standards expected to be achieved by government agencies' managing cultural heritage. Government agencies will:

At all stages in the cycle

1. Integrate heritage management into property management

Government agencies will integrate management of cultural heritage values into their asset management planning, policies and practices.

2. Meet legislative requirements and heritage conservation standards

For all planning and work on heritage places, government agencies will comply with:

- relevant statutory and regulatory requirements, such as requirements for resource consents under Part 6 of the Resource Management Act 1991, archaeological authorities under the Heritage New Zealand Pouhere Taonga Act 2014 and Treaty Settlement deeds and legislation.
- accepted conservation standards, such as the ICOMOS New Zealand Charter 2010.

3. Seek specialist advice and use appropriately qualified workers

Government agencies will seek advice from Iwi/Imi, hapū, marae or rūnanga on any matter related to the management of places of significance to Māori/Moriori.

Government agencies will seek advice from Heritage New Zealand Pouhere Taonga on:

- the conservation of heritage values in the Crown property disposal process
- the conservation of National Historic Landmarks/Ngā Manawhenua o Aotearoa me ōna Kōrero Tūturu and items entered in the New Zealand Heritage List/Rārangi Kōrero
- archaeological sites
- heritage orders where Heritage New Zealand Pouhere Taonga is the protection authority.

Government agencies may seek advice from Heritage New Zealand Pouhere Taonga on any other matter related to the management of cultural heritage.

Government agencies will involve, where necessary, appropriately qualified people, including kaitiaki Māori, conservation professionals, conservators and tradespeople in all aspects of the management of cultural heritage.

Government agencies will appropriately remunerate all specialists and other workers including resourcing of Iwi/Imi/hapū/kaitiaki in undertaking research, input, and participation.

Government agencies will ensure that relevant employees are aware of the principles of heritage conservation and the heritage values of properties in their agency's care.

4. Partner and consult

Government agencies will partner with iwi and hapū in the identification, assessment and management of sites of significance to Māori/Moriori.¹²

Government agencies recognise the importance of early engagement with Iwi/Imi/hapū and kaitiaki to build and maintain partnerships between iwi and government agencies.

¹² Starting points for identifying Iwi and hapū include Te Kāhui Māngai (Te Puni Kōkiri's Directory of Iwi and Māori Organisations) and local authorities.

Government agencies will consult with relevant communities when making decisions that may have a significant impact on heritage places.

Government agencies will invite public participation, where appropriate, in the management of cultural heritage through various initiatives, such as:

- seeking public comment on conservation plans or disposal of cultural heritage
- establishing partnerships with communities of interest
- voluntary notification of resource consent applications.

Where appropriate, government agencies will collaborate in their management of cultural heritage.

5. Record management of cultural heritage

Government agencies will appropriately record their cultural heritage including by undertaking research, assessments, plans and documentation of changes.

Cultural heritage will be recorded using appropriate and accurate language, dialect, and terminology to describe places including Māori cultural heritage places and their values.

Government agencies seek agreement with Iwi/hapū regarding Mātauranga Māori, and the gathering, use, storage, and dissemination of this knowledge.

Government agencies will allow public access to records in accordance with legal requirements.

6. Report on compliance with the policy

Government agencies will report biennially in the format prescribed by Manatū Taonga on the extent of their compliance with this policy and provide reasons for non-compliance. Outcomes of reporting will be made publicly available on Manatū Taonga's website.



7. Understand heritage places

Government agencies will research and identify the heritage places on the property they manage periodically, including sites of significance to Māori/Moriōri.

Research may need to include engagement with local Iwi/Imi who may hold information not available on public databases and inventories.

Where appropriate, government agencies will take a thematic or typological study approach to identifying cultural heritage values, which can assist with setting priorities for conservation and management.

8. Prepare and maintain an inventory of heritage places

Inventories of the heritage places identified by government agencies will be published centrally. At a minimum, inventories must include:

- World Heritage sites
- National Historic Landmarks/Ngā Manawhenua o Aotearoa me ōna Kōrero Tūturu
- places on the New Zealand Heritage List/Rārangi Kōrero
- recorded archaeological sites
- heritage places scheduled in reserve management plans
- places included heritage schedules to regional or district plans

- places that have been identified as likely to meet the threshold for listing or scheduling in an area, thematic, typological or other heritage study prepared by suitably qualified heritage practitioners
- places subject to heritage orders
- places subject to heritage covenants.

Inventories may also include heritage places identified in:

- Iwi/Imi management plans noting that there may be several and overlapping plans in some areas.
- areas acknowledged in Treaty settlements as being of significance to Māori/Moriori.

Inventories will use appropriate and accurate language, dialect, and terminology for Māori/Moriori cultural heritage places and their values.

9. Support proposals to protect cultural heritage

Government agencies will support initiatives to publicly recognise the values of cultural heritage they manage. For example:

- inclusion on a regional or district plan heritage schedule
- listing under the Heritage New Zealand Pouhere Taonga Act 2014 as a National Historic Landmark, wāhi tapu, wāhi tūpuna, historic place or historic area
- inscription as a World Heritage site.



10. Plan for the long-term conservation of cultural heritage

Government agencies will provide for the long-term conservation (including disaster mitigation) of the cultural heritage in their care by preparing, updating and implementing plans and strategies, such as:

- an agency-wide heritage asset management strategy
- conservation plans
- cyclical maintenance plans
- management plans for historic reserves
- risk management plans, including planning for threats arising from climate change.

Plans and strategies may be for individual places, for sites, or prepared typologically. Where practical and appropriate, government agencies will make their plans for cultural heritage publicly available.¹³



11. Promote the values of cultural heritage

Government agencies will promote and celebrate heritage places in their care. For example, by facilitating public access, or making online or in-situ interpretation available.

Where possible, government agencies ensure that Iwi/Imi/hapū/kaitiaki have and maintain physical access to cultural heritage places of importance to them.

¹³ Online or by lodgement in an appropriate local or national archive, library or other public repository.
Policy for Government's Management of its Cultural Heritage Places

12. Consider ways to use, adapt or protect cultural heritage places

Government agencies will ensure that their cultural heritage places continue to retain their original or long-term use. If this use cannot be continued, places are adaptively re-used for a purpose sympathetic to their cultural heritage value.

Recognising that adaptive re-use is not appropriate for all cultural heritage places, if the original use cannot be continued, government agencies will secure the place from physical damage and safeguard its cultural heritage values.

Decisions on re-use will uphold the relationship of Iwi/Imi/hapū with their cultural heritage places in meaningful and practical ways, eg tikanga whakahaere, access, commemoration.

Cultural heritage places are not disposed of or demolished without fully exploring viable options for their reuse or alternative compatible uses. It is acknowledged that an agency's operational requirements may prevent adaptive re-use or may necessitate changes that are unsympathetic to their cultural heritage value, including disposal or demolition of a place.

13. Take into account all relevant values, cultural knowledge, and disciplines when planning change or development

If alterations are needed for a new or continuing use of a heritage place, or to secure its long life, government agencies will take all reasonable steps to ensure that cultural heritage values are not adversely affected.

Government agencies will take care to protect the setting of cultural heritage places from inappropriate development.

When planning and carrying out work adjacent to heritage places, government agencies will seek to ensure that heritage values are not adversely affected.

Where avoidance is not possible, government agencies will mitigate to the greatest extent possible adverse effects on cultural heritage.

When seeking a designation for a site, government agencies will take account of heritage values.

14. Monitor the condition of heritage places

Government agencies will care for their heritage places by periodically (for example, as determined by conservation management plans) monitoring their condition.

15. Maintain heritage places and appropriately repair them

Government agencies will regularly maintain and appropriately repair their heritage places.

This conserves heritage value and prevents deterioration and expensive deferred maintenance or major repairs. Maintenance is also key to resilience in the face of seismic risk and climate change.



DISPOSE

16. Ensure heritage values are protected when disposing of property

When considering properties for disposal, government agencies will:

- identify any previously unrecognised cultural heritage including the presence of wāhi tapu or sites of significance to Iwi/Imi, at the earliest opportunity and before undertaking any earthworks or demolition of buildings or structures
- consider ways of disposal that will support Iwi/Imi/hapū/kaitiaki to maintain physical access to cultural heritage places of importance to them
- maintain heritage values while decisions about future use and disposal are made, recognising that inadequate maintenance will make ultimate disposal more difficult.

When disposing of property government agencies will:

- follow the Crown land disposal process, where applicable, and consult Heritage New Zealand Pouhere Taonga at an early stage and throughout the process
- recognise and protect the heritage values of transferred property as recommended by Heritage New Zealand Pouhere Taonga (through a heritage covenant for example), or provide reasons to Heritage New Zealand Pouhere Taonga if any recommendation is not adopted
- give clear information about values and any protections to potential purchasers
- take into account public good and the full spectrum of costs and benefits (social, economic, environmental and cultural) ensuring that financial return is not the sole consideration
- consider large sites in their entirety to avoid isolating cultural heritage and adversely affecting setting or long-term sustainability.



ACQUIRE/LEASE

17. Take heritage values into account when acquiring or leasing property

When acquiring or leasing property government agencies will:

- consider opportunities to conserve or adaptively reuse cultural heritage
- consider Iwi/Imi interests in the place
- use cultural heritage places in a way that is compatible with heritage values
- recognise the contribution that government can make to the conservation of heritage values in historic regional town centres by locating appropriate services there.

Appendix: State sector organisations

Public service

- Departments
- Departmental agencies
- Interdepartmental executive boards

Non-public service departments

- Executive branch
- Legislative branch

Crown entities

- Statutory entities
 - o Crown agents
 - o Autonomous Crown entities
 - o Independent Crown entities
- Crown entity companies
 - o Crown Research Institutes
 - o Other companies
 - o Crown Entity Subsidiaries of NZIST
 - o Other Crown entity subsidiaries
- Tertiary institutions
- Independent statutory entities

Public Finance Act Schedule 4 Organisations

Public Finance Act Schedule 4A Companies

Reserve Bank of New Zealand

Offices of Parliament

State-owned enterprises

Mixed Ownership Model companies

KEY LEGISLATION, POLICY AND GUIDANCE

Building Act 2004

Heritage New Zealand Pouhere Taonga Act 2014

Heritage New Zealand Sustainable Management of Historic Heritage Guidance series, 2007

ICOMOS New Zealand Charter for the Conservation of Places of Cultural Heritage Value, 2010

James Semple Kerr, *The Conservation Plan*, 2013

Quality Planning website

Resource Management Act 1991 (and any relevant planning documents, such as National Directions, Regional Policy Statements and District Plans issued under the Act)

Reserves Act 1977

State Sector Agencies' Consultation Responses on a revised *Policy for Government's Management of its Cultural Heritage*

State sector agencies the revised policy would apply to

- Government departments
- Crown entities including District health boards, Crown research institutes, Tertiary institutions, Commissions
- Public Finance Act Schedule 4 Organisations such as Fish and Game Councils
- Public Finance Act Schedule 4A Companies
- State Owned Enterprises

State sector agencies have a diverse range of purposes and functions

This means that many agencies do not care for any heritage places

- 45% of the agencies that responded to the survey had no heritage properties in their care

While other agencies may care for a few or thousands of heritages places

- 15% of the agencies that responded to the survey cared for 1 or 2 heritage places
- 12% had identified 10 heritage places
- 10% had identified 50 heritage places
- 8% had identified 100s of heritage places
- 5% had identified 1000s of heritage places

And some agencies have not started the process of identification

- 5% of agencies did not know whether they had heritage places

Statistics are derived from agencies that responded to the survey or earlier engagements (45/196 agencies)

Common survey responses included:

- Support for the extension of the policy across the state sector
- Agreement that aligning best practice heritage requirements with property management processes was sensible and beneficial to heritage
- Concern that the Policy was too focused on built heritage
- Support for a 36-month reporting period
- Requests for guidance to help with compliance with the creation of inventories, planning requirements, reporting, Iwi consultation
- Identification of heritage was ad hoc and a systematic processes to identify heritage was lacking
- Requests for a source of funding to assist agencies to protect heritage

The property management processes of the majority of agencies are at least somewhat aligned to the Policy

3% Completely	10% Not very
16% Strongly	10% Not at all
51% Somewhat	10% Don't know / Not applicable

The main concerns were:

- uncertainty about how to implement the requirements of the revised Policy
- staff training requirements
- balancing the requirements of cultural heritage with agencies' operational functions
- availability and cost of specialist advice
- public and Iwi consultation processes and costs
- costs of implementing the requirements in the Policy
- costs of seismic strengthening and adaptive reuse

The Ministry will support agencies through

Revising the Policy content to incorporate feedback
Completion June 2022 prior to Cabinet process starting

Promotion of the Policy to ensure agencies know its purpose and how to implement it

Programme of advice and guidance on the requirements of the Policy

Simple reporting template and process reporting from 2024

ADVICE AND GUIDANCE IN THE FIRST YEAR

9(2)(g)(i)

ACQUIRE/LEASE

UNDERSTAND

PLAN

DISPOSE

MANAGE

IWI ENGAGEMENT

"We support the initiative and recognise the importance of protecting NZ's heritage for future generations"

9(2)(ba)(i)

"The Policy provides a tool for property management that can substantiate good cultural heritage practices"

9(2)(ba)(i)

"The expansion will enable everyone to support and share the 'good practice' approach"

9(2)(ba)(i)

"The policy would impose additional costs and require additional resource which would not be appreciated given our significant focus on post-Covid recovery."

9(2)(ba)(i)

Government agencies provided these examples of the diverse heritage places they care for:

- Department of Internal Affairs *Premier House*
- Capital and Coast District Health Board *Museum site and one unused building*
- Otago University *13 heritage buildings, 2 structures, 20 archeological sites, and areas adjacent to the Water of Leith*
- Massey University *5 listed buildings, 5 archeological sites*
- University of Auckland *over 30 heritage places*
- Department of Conservation *14,000 heritage sites including 10,000 Māori sites*
- Ministry of Education *42 category 1 & 2 buildings identified on Ministry school sites*
- Kāinga Ora *222 registered historic places*
- New Zealand Defence Force *archeological sites, WWI & WWII heritage sites, coastal fortifications*
- Landcorp *118 farms including historic buildings, wāhitapu and urupā*
- Waka Kotahi *500 heritage assets*
- New Zealand Plant and Food Research *some structure and natural features*
- AgResearch *3 historic buildings, 3 historic research sites, one place cared for with DOC*
- Maritime New Zealand *6 listed lighthouses, several protected in district plans, 18 archeological sites*
- Department of Corrections *historic custodial sites*
- New Zealand Police *2 properties*
- Parliamentary Service *Parliament buildings and site*
- Heritage New Zealand Pouhere Taonga *manages 43 heritage properties*
- Ministry for Culture and Heritage *over 4,000 memorial and grave sites*

Appendix 3 Application of the Policy across the State sector

Three mechanisms in the Crown Entities Act 2004 for giving effect to government policy were considered. Sections 103 and 104 relate to particular types of Crown entity, and the Policy would need to relate to each entity's functions and objectives. Section 107 would apply to all Crown entities but can be used for five specified purposes only.

Mechanism	Application	Who	Effect	Constraints
S 103	Crown agents	Responsible Minister	Give effect to government policy	The policy must relate to the entity's functions and objectives
S 104	Autonomous Crown entities	Responsible Minister	Have regard to government policy	The policy must relate to the entity's functions and objectives
S 107	Whole of government	Minister of State Services & Minister of Finance	Direct	For five specified purposes: (a) to improve (directly or indirectly) public services: (b) to secure economies or efficiencies: (c) to develop expertise and capability: (d) to ensure business continuity: (e) to manage risks to the Government's financial position.



Cabinet Social Wellbeing Committee

Minute of Decision

This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.

Adopting a Revised Policy for Government's Management of its Cultural Heritage Places

Portfolio Associate Arts, Culture and Heritage (Hon Kiri Allan)

On 9 November 2022, the Cabinet Social Wellbeing Committee:

- 1 **noted** that in 2004, Cabinet approved the *Policy for Government Departments' Management of Historic Heritage* (the Policy), which comprised high level principles and policies for the best practice management of departments' heritage properties [POL Min (04) 19/1];
- 2 **noted** that even with the Policy in place, significant heritage places in government stewardship have continued to be lost or are not being appropriately cared for;
- 3 **noted** that reviews of the Policy in 2009 and 2019 resulted in recommendations to expand coverage to all state sector agencies, improve promotion and monitor (through reporting), and to update content to reflect best practice standards for the management of heritage places;
- 4 **noted** that the Policy has now been revised in response to review recommendations and to align it with general property management processes;
- 5 **agreed** to adopt the revised *Policy for Government Departments' Management of Historic Heritage*, attached under SWC-22-SUB-0198, which will come into effect on 1 February 2023;
- 6 **noted** that implementation of the Policy by agencies will be staged to enable planning to integrate it into property management processes, including costs;
- 7 **noted** that Manatū Taonga Ministry for Culture and Heritage will be responsible for promoting awareness of the Policy, supporting implementation with guidance and access to expert advice, and working with agencies to put in place a reporting framework that is practical and achievable;
- 8 **authorised** the Minister for Arts, Culture and Heritage to make decisions on minor amendments to the Policy as required to reflect changes in related legislation or guidance and receive report-backs on the progress of agencies' implementation from Manatū Taonga Ministry for Culture and Heritage once reporting requirements are in place;

- 9 **noted** that some agencies may need to seek additional funding through future Budget cycles or reprioritise from baseline to enable them to fully implement the Policy.

Rachel Clarke
Committee Secretary

Present:

Rt Hon Jacinda Ardern
Hon Grant Robertson
Hon Dr Megan Woods
Hon Chris Hipkins
Hon Carmel Sepuloni (Chair)
Hon Andrew Little
Hon Peeni Henare
Hon Willie Jackson
Hon Jan Tinetti
Hon Michael Wood
Hon Kiri Allan
Hon Dr Ayesha Verrall
Hon Priyanca Radhakrishnan
Hon Aupito William Sio

Officials present from:

Office of the Prime Minister
Office of the Chair
Officials Committee for SWC



Cabinet Social Wellbeing Committee

Summary

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Adopting a Revised Policy for Government's Management of its Cultural Heritage Places

Portfolio	Associate Arts, Culture and Heritage (Hon Kiri Allan)
Purpose	This paper seeks agreement to adopt the revised <i>Policy for Government Management of Cultural Heritage Places</i> (the Policy).
Previous Decisions	In 2004, Cabinet agreed to the adoption of the <i>Policy for Government Departments' Management of Historic Heritage</i> which applied to all government departments [CAB MIN (04) 28/3].
Proposal	<p>Government has had a policy in place for managing its cultural heritage places since 2004. Reviews of the policy in 2009 and 2019 made recommendations designed to improve agencies' take-up and implementation of the policy (see paragraphs 10-11).</p> <p>A revised Policy (attached at Appendix 1) has been consulted on and is ready to be adopted. A summary of state sector agency feedback is attached at Appendix 2.</p> <p>Currently, a best practice approach to the management of heritage places is not able to be fully realised because coverage is limited to 35 government departments. There are over 200 state sector agencies not subject to the Policy. Over 60 percent of government property (by dollar value) is managed by agencies not currently covered by the Policy. It is proposed that coverage of the Policy be extended to all state sector agencies as defined in Chapter 3 of the Cabinet Manual 2017, except school boards of trustees.</p> <p>Once the Policy is adopted, Manatū Taonga officials will support agencies with implementation through a stepped process that will address some of the failings in implementation of the 2004 policy and concerns raised by agencies during consultation about cost and implementation (see paragraphs 23-26).</p>
Impact Analysis	Not required.
Financial Implications	Implementation of the Policy may have financial implications for those agencies that have responsibility for a large cultural heritage portfolio and/or have significant work to do to ensure compliance with the Policy. Agencies may need to seek additional funding to support implementation of the Policy through future Budget cycles or reprioritising from baseline.

Legislative Implications	None.
Timing Matters	If agreed, the Policy will take effect from 1 February 2023.
Communications	<p>9(2)(g)(i)</p> <p>Manatū Taonga will be responsible for further communication to state sector agencies about the Policy, implementation timeframes, and available support.</p>
Consultation	<p>Paper prepared by MCH MBIE (Commerce and Consumer Affairs), DoC, Corrections, Customs, NZDF, ERO, MoE, MfE, Treasury, MPI (Food Safety), MFAT (Foreign Affairs), MoH, DIA, MoJ, LINZ, TPK, Police, SFO, DPMC (Prime Minister), IRD, Parliamentary Service, Statistics, MBIE (Tourism), MoT, MfW, MPP, MPI (Agriculture) (Biosecurity) (Rural Communities) (Forestry), Oranga Tamariki, Te Arawhiti, MHUD, Te Kawa Mataaho Public Service Commission, MSD, MPI (Oceans and Fisheries) and MBIE (Economic and Regional Development) were consulted. Engineering New Zealand, New Zealand Institute of Architects, New Zealand Planning Institute, Professional Historians Association of New Zealand/Aotearoa, New Zealand Archaeological Association, the International Council of Monuments and Sites New Zealand, Historic Places Aotearoa, and iwi authorities. were also consulted.</p> <p>The Associate Minister for Arts, Culture and Heritage (Hon Kiri Allan) indicates that all SWC Ministers were consulted.</p>

The Associate Minister for Arts, Culture and Heritage recommends that the Committee:

- 1 note that in 2004, Cabinet agreed to adopt a *Policy for Government Departments' Management of Historic Heritage* that applied to government departments [CAB MIN (04) 28/3];
- 2 note that even with the 2004 policy in place, significant heritage places in government stewardship have continued to be lost or are not being appropriately cared for;
- 3 note that reviews of the 2004 policy (in 2009 and 2019) resulted in recommendations to expand coverage to all state sector agencies, improve promotion and monitor (through reporting), and update content to reflect best practice standards for the management of heritage places;
- 4 note the 2004 policy has now been revised in response to review recommendations and to align it with general property management processes;
- 5 agree to adopt the revised Policy, *Policy for Government Departments' Management of Historic Heritage*, attached under SWC-22-SUB-0198, which will come into effect on 1 February 2023;
- 6 note that implementation of the Policy by agencies will be staged to enable planning to integrate it into property management processes, including costs;

- 7 note that Manatū Taonga will be responsible for promoting awareness of the Policy, supporting implementation with guidance and access to expert advice, and working with agencies to put in place a reporting framework that is practical and achievable;
- 8 authorise the Minister for Arts, Culture and Heritage to make decisions on minor amendments to the Policy as required to reflect changes in related legislation or guidance and receive report-backs on the progress of agencies' implementation from Manatū Taonga once reporting requirements are in place;
- 9 note that some agencies may need to seek additional funding through future Budget cycles or reprioritise from baseline to enable them to fully implement the Policy

Vivien Meek
Committee Secretary

Hard-copy distribution:
Cabinet Social Wellbeing Committee



Cabinet

Minute of Decision

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Report of the Cabinet Social Wellbeing Committee: Period Ended 11 November 2022

On 14 November 2022, Cabinet made the following decisions on the work of the Cabinet Social Wellbeing Committee for the period ended 11 November 2022:

NOT IN SCOPE

SWC-22-MIN-0198

Adopting a Revised Policy for Government's Management of its Cultural Heritage Places
Portfolio: Associate Arts, Culture and Heritage
(Hon Kiri Allan)

CONFIRMED

NOT IN SCOPE

Rachel Hayward
Secretary of the Cabinet