

SECTION 32 REPORT

Historical Heritage & Heritage Area Overlay

May 2022

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1 Executive Summary

The analysis provided in this report is intended to assist Far North District Council (**Council**) to fulfil its obligations under Section 32 of the Resource Management Act 1991 (**RMA**). This Section 32 evaluation report relates to historic heritage and the protection of the District's varied heritage resources and values within the Proposed Far North District Plan (**PDP**).

Historic heritage resources can be objects, sites, buildings or structures either individually or as a group. The Far North District has a rich history, having many heritage sites and areas which are of local, regional and national importance (such as the Treaty House at Waitangi), with many early Māori and European settlements that tell stories of local and regional importance, and areas of national and international significance.

Archaeological evidence points to settlement by Māori possibly as far back as 1,000 years ago, with archaeological sites and sites of significance to Māori illustrating a range of activities, such as intensive gardening, habitation, middens, defended places and wāhi tapu. Some of these activities have dramatically modified the landscape, especially coastal ridges and volcanic cones, e.g. Pouerua.

A diverse range of European archaeological sites and historic places also exist throughout the District. Early European settlers arrived to utilise the natural resources of the area, mainly seals, whales, timber, kauri gum and minerals.

Subdivision use and development can result in the damage or destruction of historic heritage. Historic heritage provides strong links to the past, while also creating social, cultural, and economic benefits, as it can create high quality places to live and offer tourism and education opportunities.

Protection of historic heritage is required in accordance with Section 6 of the RMA, the New Zealand Coastal Policy Statement (**NZCPS**) and the Northland Regional Policy Statement (**RPS**). Historic heritage is also protected under the Heritage New Zealand Pouhere Taonga Act 2014 (**HNZPT**). This Act applies regardless of whether a site, object or building is identified in the District Plan. Tensions can arise between public benefit in protecting historic heritage and the associated private costs.

Historic Heritage will be protected within the PDP by the introduction of:

- A Historic Heritage chapter with objectives that set out the intent of protecting historic heritage and managing the effects of development upon heritage resources by rules and standards that:
 - Set standards for maintenance, additions and alterations, demolition and removal of scheduled heritage buildings and structures;
 - Set standards for establishment of new buildings and additions and alterations to new buildings within proximity to scheduled heritage resources;
 - Enable subdivision where a scheduled heritage resource is maintained within an allotment suitable to protect the heritage values;
 - Earthwork limits within proximity to scheduled heritage resources and apply accidental discovery protocol.
- A Heritage Area Overlay chapter with objectives that set out the intent of protecting the historic heritage values relevant to the particular area. The Heritage Area Overlay has been applied to areas within the Far North District where there is a significant cluster of known, heritage sites, buildings, objects, archaeological sites, Sites and Areas of Significance to Māori and Outstanding Natural Landscapes or Features with an evidence base to support the identification. Heritage Area Overlays are proposed in the following locations in accordance with the technical review and subsequent recommendations in accordance with the recommendations of the Plan.Heritage (the independent historic heritage technical experts engaged by Council):

- Kerikeri;
- Kohukohu;
- Kororāreka-Russell;
- Mangōnui and Rangitoto Peninsula;
- Paihia;
- Pouerua;
- Rangihoua;
- Rāwene; and
Te Waimate.

Kororāreka-Russell is proposed to have a Special Purpose Zone, which complements the proposed Kororāreka-Russell Heritage Area Overlay. The Special Purpose Zone and Heritage Area Overlay support each other in protecting the unique characteristics, urban amenity and historic heritage of Kororāreka-Russell, this is addressed in a separate section 32 evaluation report.

To facilitate preservation of the historic heritage in heritage areas, and protection from inappropriate subdivision, use and development there is a need to identify the spatial extent of the Heritage Area Overlays. This is critical to ensure efficient and effective management of the environments across both urban, rural and coastal settings. Council needs to ensure that regulatory intervention appropriately balances the characteristics and qualities of the heritage areas while addressing issues relating to demand for use, development, and infrastructure that may have a functional need to be located within the heritage area .

A Heritage Area Overlay chapter with objectives and policies that set out the intent of protecting the heritage values of each heritage area and managing the effects of development upon heritage values by rules and standards specific to each heritage area that:

- Separate provisions for some locations (where appropriate) to apply controls to a level which reflect the heritage values within the heritage areas.
- Set standards for maintenance, additions and alterations, demolition and removal of scheduled heritage buildings and structures;
- Set standards for establishment of new buildings and additions and alterations to existing buildings within heritage areas;
- Enable subdivision where a scheduled heritage resource is maintained within an allotment suitable to protect the heritage values;
- Manage the effect of earthworks by limits within heritage areas and applying accidental discovery protocol.
- Identify heritage values via policy to direct appropriate consideration via resource consent applications.

The Operative District Plan (**ODP**) Heritage, Heritage Precincts and Areas and relevant Special Area zone chapters have been revised to ensure all relevant provisions for historic heritage are addressed. The Heritage Area Overlays predominantly encompass larger areas of land than the heritage precincts and areas identified in the ODP. It is considered that the extension of the areas will protect the historic heritage, values and landscapes from inappropriate use, development and subdivision. Further, it will give more certainty on the types of activities that can be established in different zones and overlays with respect to historic heritage and align with the hybrid approach proposed in the consolidated review of the ODP. Due to the special character and historic heritage of Kororāreka Russell and community aspirations the ODP special purpose zone for Russell is proposed to be retained in the PDP. The Kororāreka Russell Township Zone is intrinsically linked to the Kororāreka Russell Heritage Area Overlay, the proposed provisions complement each other, and the Kororāreka Russell Township Zone and Historic Heritage Overlay section 32 evaluation should be read in conjunction with this evaluation.

2 Introduction and Purpose

2.1 Purpose of report

This report provides an evaluation undertaken by the Far North District Council (**Council**) in preparation of district plan provisions for historic heritage in the Proposed Far North District Plan (**PDP**). This assessment is required under section 32 of the Resource Management Act 1991 (**RMA**).

Section 32 of the RMA requires Councils to examine whether the proposed objectives are the most appropriate to achieve the purpose of the RMA and whether the provisions (i.e., policies, rules and standards) are the most appropriate way to achieve the objectives. This assessment must identify and assess environmental, economic, social, and cultural effects, benefits and costs anticipated from the implementation of the provisions. Section 32 evaluations represent an on-going process in RMA plan development and a further evaluation under section 32AA of the RMA is expected throughout the review process in response to submissions received following notification of the PDP.

In preparation of this section 32 evaluation and review of the Operative District Plan (**ODP**), Council engaged independent historic heritage technical experts (Plan.Heritage) to review the ODP provisions, scheduling of historic heritage and the heritage areas, precincts and associated special purpose zones. Plan.Heritage are heritage experts with qualifications in archaeology, cultural heritage and geology. This section 32 evaluation has been supported by Plan.Heritage technical reviews refer to **Appendix 1 and 2**.

While this report covers the provisions in the Historic Heritage and Heritage Area chapters, the other closely related chapters to consider is Earthworks, Subdivision and the Kororāreka-Russell Township special purpose zone. Each of these topics have a related section 32 report, which in the case of the Kororāreka-Russell Township zone also evaluates the Russell Heritage Area overlay.

2.2 Overview of topic

Historic heritage must be directly managed and protected by the District Plan, in accordance with Section 6 of the RMA, the New Zealand Coastal Policy Statement (**NZCPS**) and the Regional Policy Statement for Northland (**RPS**). Historic heritage is also protected under the Heritage New Zealand Pouhere Taonga Act 2014 (**HNZPT**), which applies regardless of whether a site, object or building is identified in the District Plan.

This report sets out the issues for historic heritage, provides an overview of the statutory and policy context, and any specific consultation. The report also includes a review of the ODP and evaluation of alternatives to determine the most appropriate way(s) to achieve the purpose of the RMA in relation to heritage.

The ODP Heritage, Heritage Precincts/Areas, relevant Special Areas zones and Subdivision chapters have been revised to ensure all relevant provisions for managing historic heritage have been addressed.

Due to the special character and historic heritage of Kororāreka Russell and community aspirations the ODP Russell Township Zone is proposed to be retained as a special purpose zone in the PDP. The Kororāreka Russell Township Zone is intrinsically linked to the Kororāreka Russell Heritage Area Overlay, the proposed provisions complement each other and the Kororāreka Russell Township Zone & Heritage Overlay section 32 evaluation should be read in conjunction with this evaluation, as it also includes an assessment of the Russell Heritage Overlay.

Four additional heritage resources have been added to the schedule of historic sites, buildings and objects, in addition to carrying over the scheduled Heritage Resources in the ODP schedule:

Site	Site Location	Site Name	HPT Cat	Legal Description
246	30 Leigh Street (State Highway 10) Kaeo	Post office (Former)	II (#9519)	Sec 1 SO 63119 & Legal Road
247	7491 State Highway 1, Ohaeawai	Ludbrook	II (#3839)	Lot 3 DP 382399
248	Te Ahu Ahu Road, Waimate North	Church of St John the Baptist Sunday School (Anglican)	II (#9925)	Pt OLC 48
249	15 Matthews Avenue and 10 Melba Street, Remembrance Park, Kaitaia	War Memorial	II (#9985)	Lots 147-148 DP 12724

These four heritage resources have been included as they have been added to the New Zealand Heritage List/Rārangī Kōrero under the HNZPT Act 2014 since the historic heritage review was undertaken by Council. The ODP schedule for historic heritage is based on the Heritage List, and other Heritage Resources requested by the community to be protected. This will be carried over to the PDP, except for one Heritage Resource which was recently destroyed by a fire:

Site	Site Location	Site Name	HPT Cat	Legal Description
172	Yarborough St, Kohukohu	Masonic Hall	II (#440)	Lots 14 and 19 DP86 Kohukohu Township

3 Statutory and Policy Context

3.1 Resource Management Act 1991

The **Section 32 Overview Report for the PDP** provides a summary of the relevant statutory requirements in the RMA relevant to the PDP. This section provides a summary of the matters in Part 2 of the RMA (purpose and principles) of direct relevance to this topic.

Section 74(1) of the RMA states that district plans must be prepared in accordance with the provisions of Part 2. The purpose of the RMA is the sustainable management of natural and physical resources which is defined in section 5(2) of the RMA as:

“...sustainable management means managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic and cultural wellbeing, and for their health and safety while –

(a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and

(b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and

(c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.”

To achieve the purpose of the RMA, all those exercising functions and powers under the RMA are required to:

- Recognise and provide for the matters of national importance identified in section 6.
- Have particular regard to a range of other matters in section 7.
- Take into account the principles of the Treaty of Waitangi in section 8 of the RMA.

The following section 6 matters are directly relevant to historic heritage:

e). The relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.

f). The protection of historic heritage from inappropriate subdivision, use, and development.

Historic heritage is defined by the RMA as:

historic heritage—

(a) means those natural and physical resources that contribute to an understanding and appreciation of New Zealand’s history and cultures, deriving from any of the following qualities:

- (i) archaeological;*
- (ii) architectural;*
- (iii) cultural;*
- (iv) historic;*
- (v) scientific;*
- (vi) technological; and*

(b) includes—

- (i) historic sites, structures, places, and areas; and*
- (ii) archaeological sites; and*
- (iii) sites of significance to Māori, including wāhi tapu; and*
- (iv) surroundings associated with the natural and physical resources*

The following section 7 matters are directly relevant to historic heritage:

- (a) Kaitiakitanga.*
- (b) The efficient use and development of natural and physical resources.*
- (c) The maintenance and enhancement of amenity values.*
- (f) Maintenance and enhancement of the quality of the environment.*
- (g) Any finite characteristics of natural and physical resources*

Section 8 of the RMA requires that all persons exercising functions and powers under it take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi), which have been considered in the preparation of the Historic Heritage and Heritage Area Overlay chapters.

Protection of historic heritage is wider than protecting historical built form, the proposed Historic Heritage chapter will in combination with proposed district wide chapters such as Coastal Environment, Earthworks, Subdivision and Signs achieve sections 6 and 7 of the RMA. Sites and Areas of Significance to Māori are defined as ‘historic heritage’ and the PDP includes a specific Sites and Areas of Significance to Māori chapter which is supported by its own Section 32 report. Heritage Area Overlays, are proposed to afford protection to areas within the district where there is an identified cluster of Heritage Resources and there is potentially a mix of Significant Natural Areas (**SNA**), Outstanding Natural Features and Landscapes (**ONFL**), Coastal Environment, Notable Trees and places of significance to various Māori iwi and hapū groups. Thus, some of the Section 6 matters are

considered directly relevant to the Heritage Area Overlays and will be appropriately managed by the relevant District-Wide Matter provisions in the PDP.

3.2 Higher order planning instruments

Section 75(3) of the RMA requires district plans to give effect to higher order planning instruments – National Policy Statement (NPS), the New Zealand Coastal Policy Statement (NZCPS), National Planning Standards (Planning Standards), and the relevant regional policy statement. The **Section 32 Overview Report** provides a more detailed summary of the relevant RMA higher order planning instruments relevant to the PDP. The sections below provide an overview of provisions in higher order planning instruments directly relevant to historic heritage.

3.2.1 National Planning Standards

Section 75(3) (ba) of the RMA requires that district plans give effect to Planning Standards. The Planning Standards were gazetted in April 2019 and the purpose is to assist in achieving the purpose of the RMA and improve consistency in the structure, format and content of RMA plans.

The directions in the Planning Standards are of direct relevance to the Historic Heritage and Heritage Area Overlay chapters:

- The Planning Standards specify a legend for mapping symbols related to historic heritage, including heritage area overlay, heritage item overlay, and heritage item overlay extent.
- The Historic Heritage and Heritage Area Overlay chapters must be contained within Part 2 – District Wide Matters.
- In accordance with Mandatory Direction 7.15, the following matters must be addressed and located in the Historic Heritage chapter:
 - (a) Identification of historic heritage.
 - (b) Provisions to protect and manage historic heritage.
 - (c) Heritage orders.
 - (d) Schedule(s) of identified historic heritage and heritage orders. This may cross-reference an appendix.
- In accordance with Mandatory Direction 10.38, heritage buildings must be contained within schedules which are identified with 'SCHED', followed by a sequential number, a space, an en-dash, and schedule title.

3.2.2 National Policy Statements

Section 75(3)(a) of the RMA requires that district plans give effect to any NPS. The New Zealand Coastal Policy Statement (NZCPS) must be given effect to under section 75(3)(b). The NZCPS and the National Policy Statement on Urban Capacity (NPS-UD) are the only NPS's which have provisions that are directly relevant to Historic Heritage and Heritage Area Overlay chapters:

New Zealand Coastal Policy Statement 2010

The sections below provide a summary of the key provisions in NZCPS that are to be given effect to in the Historic Heritage and Heritage Area Overlay chapters:

NZCPS	
Policy 1	Extent and characteristics of the coastal environment
Policy 2	Treaty of Waitangi, tāngata whenua and Māori
Policy 6	Activities in the coastal environment
Policy 13	Preservation of natural character
Policy 15	Protect natural features and landscapes in the coastal environment

Policy 17	Protect historic heritage in the coastal environment from inappropriate subdivision, use and development
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The NZCPS emphasises ‘appropriate’ use of the coastal environment. Objectives and policies focus on, for example, the protection of historic heritage and the management of the coastal environment from inappropriate use and development while enabling people and communities to provide for their social, economic and cultural well-being.

Coastal environment, natural character, and outstanding natural landscapes and features are addressed in separate section 32 evaluation reports. It is acknowledged that a significant number of heritage resources are located within the Far North coastal environment, and development within the coastal environment can result in adverse effects on historic heritage resources.

The proposed Historic Heritage provisions are designed in conjunction with the Heritage Area Overlay provisions to give effect to the relevant provisions of the NZCPS.

National Policy Statement on Urban Development 2020

The sections below provide a summary of the key provisions in NPS-UD that are to be given effect to in the Historic Heritage and Heritage Area Overlay chapters.

The NPS-UD requires councils to plan for growth and ensure a well-functioning urban environment for all people, communities and future generations. This NPS does not currently apply to Council as it is not a Tier 3 Council, however it is considered good practice to take guidance from the NPS where relevant.

The NPS-UD does not have policy specifically referencing historic heritage; however, it does recognise the relevance of Heritage Orders.

The proposed Historic Heritage provisions are consistent with and give effect to the NPS-UD.

3.2.3 National Environmental Standards

Under section 74(1)(f) of the RMA, a district plan must be prepared in accordance with any regulations, which includes National Environmental Standards (**NES**). Section 44 of the RMA requires local authorities to recognise NES by ensuring plan rules do not conflict or duplicate with provisions in a NES. The following NES are directly relevant to the Historic Heritage and Heritage Area Overlay chapters:

- National Environmental Standard for Telecommunication Facilities (**NES-TF**)
- National Environmental Standard for Electricity Transmission Activities (**NES-ETA**)

The NES-ETA regulates earthworks under an Electricity Transmission Line as a restricted discretionary activity within a Heritage Area Overlay.

The NES-TF regulates activities that are carried out in a place identified in the district plan as subject to historic heritage rules, and defaults to the plan.

The proposed historic heritage provisions do not conflict with or duplicate the NES-TF and NES-ETA.

3.2.4 Regional Policy Statement for Northland

Section 75(3)(c) of the RMA requires district plans to ‘give effect’ to any relevant RPS. The RPS was made operative on 14 June 2018. The table below outlines the provisions in the RPS that are directly relevant to Historic Heritage and Heritage Area Overlay chapters:

RPS

Objective 3.11	Regional form
Objective 3.14	Natural character, outstanding natural features, outstanding natural landscapes and historic heritage
Objective 3.15	Active Management
Policy 4.5.3	Assessing, identifying and recording historic heritage
Policy 4.6.2	Maintaining the integrity of heritage resources
Policy 4.7.1	Promote active management
Policy 4.7.2	Support landowner and community efforts
Policy 5.1.1	Planning and coordinated development

The RPS covers the management of natural and physical resources across the Northland Region. The provisions within the RPS give guidance at a higher planning level in terms of the significant regional issues.

RPS policy 4.6.2 seeks to protect the integrity of heritage resources by identifying them in accordance with policy 4.5.3 and Method 4.5.4(3) of the RPS. It requires that subdivision, use and development avoid significant adverse effects on historic heritage by ensuring it is designed to retain heritage resources; restrict the demolition / relocation / or inappropriate modification of these resources. Further, the RPS recognises that groups or concentrations of heritage resources collectively contribute to a value and character of a place.

The RPS requires a higher level of protection of the coastal environment, natural character, outstanding natural features and landscapes and historic heritage resulting in the need to have stricter controls on subdivision, use and development within these mapped overlays. Policy 4.6.2 requires the avoidance of significant adverse effects and avoidance, mitigation and remediation of other adverse effects on historic heritage, the proposed heritage provisions are designed to give effect to RPS.

3.3 Regional Plan for Northland

Section 75(4)(b) of the RMA states that any district plan must not be inconsistent with a regional plan for any matter stated in section 30(1) of the RMA. The operative Northland Regional Plans and proposed Northland Regional Plan (Appeals version) are summarised in the **Section 32 Overview Report**.

3.3.1 Regional Coastal Plan for Northland (2004 Updated 2016)

The purpose of the Regional Coastal Plan is to assist the Northland Regional Council (**NRC**), in conjunction with the Minister of Conservation, to promote the sustainable management of resources in the coastal marine area. The Regional Coastal Plan does not include specific rules with respect to the protection of historic heritage; however, where an application is considered to cause modification, alteration or destruction to a site that is considered to be of historic importance, consent is required as a discretionary activity.

3.3.2 Regional Water and Soil Plan for Northland

This plan covers the effects of land use activities on water and soil in Northland above the line of mean high-water springs. In the beds of lakes and rivers, historic heritage is only a consideration if a consent is triggered and only as a matter of assessment.

3.3.3 Proposed Regional Plan (Appeals Version)

Section 74(2)(a) of the RMA states that when preparing or changing a district plan, a territorial authority shall have regard to any proposed regional plan of its region in regard to any matter of regional significance or for which the regional council has primary responsibility under Part 4 of the RMA. The table below provides an overview of regional plan provisions directly relevant to the Historic Heritage and Heritage Area Overlay chapters:

Proposed Regional Plan	
Objective F.1.5	Enabling economic well-being
Objective F.1.9	Tāngata whenua role in decision-making
Objective F.1.11	Improving Northland's natural and physical resources
Objective F.1.12	Natural character, outstanding natural features, historic heritage and places of significance to tāngata whenua
Policy D.1.4	Managing effects on places of significance to tāngata whenua
Policy D.1.5	Places of significance to tāngata whenua
Policy D.2.1	Rules for managing natural and physical resources
Policy D.2.2	Social, cultural and economic benefits of activities
Policy D.2.16	Managing adverse effects on historic heritage

The Proposed Regional Plan combines the operative Regional Plans (coastal, air quality, water and soil) into one plan. The provisions of the Proposed Regional Plan relating to managing effects on places of significance to tāngata whenua and managing adverse effects on historic heritage are relevant and the PDP heritage provisions must have regard to them. The relevant objectives and policies have been taken into consideration in the drafting of the proposed Historic Heritage and Heritage Area Overlay chapters.

Proposed Regional Plan rules manage works within Historic Heritage Sites within the Coastal Environment, in particular the following rules are relevant and beyond challenge:

- C.1.1.15 Works to a Historic Heritage Site within the scope of a historic heritage management plan – restricted discretionary activity
- C.1.1.25 Removal, alteration, extension, demolition, partial demolition or replacement of a Historic Heritage Site – non-complying activity

Proposed Regional Plan rules include references to historic heritage within general conditions and matters of discretion, many of these provisions were under appeal at the time of drafting this evaluation. The proposed Historic Heritage and Heritage Area Overlay chapters have regard to the Proposed Regional Plan rules.

3.4 Iwi and Hapū Environmental Management Plans

When preparing and changing district plans, Section 74(2A) of the RMA requires Council to take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the district. At present there are 14 iwi planning documents accepted by Council which are set out and summarised in the Section 32 Overview Report. The key issues in these plans that have been taken into account in the preparation of the provisions for the Historic Heritage and Heritage Area Overlay chapters are as follows:

- Including hapū and iwi groups in consultation of development plans and to recognise them as the kaitiaki of the heritage areas in their rohe (tribal territory);
- Avoiding earthworks, to protect wāhi tapu and sites of cultural and historical significance;
- Protecting mauri of coastal waters; and
- Recognising the importance of protecting cultural landscape.

The PDP Historic Heritage and Heritage Area Overlay chapters contain numerous identified wāhi tapu, sites of historical and cultural significance, or recorded archaeological sites. The proposed provisions of the Historic Heritage and Heritage Area Overlay chapters will ensure sufficient setback of future site development to afford a level of protection to the historic character, amenity and cultural values to ensure appropriate management is undertaken. Further, land disturbance and development within the identified overlays, such as the coastal environment and outstanding natural landscape each contain provisions within the district wide chapter that will ensure appropriate management of the natural environment with respect to tāngata whenua values.

3.5 Other Legislation and Policy Documents

When preparing or changing a district plan, section 74(2)(b)(i) of the RMA requires council to have regard to management plans and strategies prepared under other Acts to the extent that it has a bearing on resource management issues of the district. The **Section 32 Overview Report** provides a more detailed overview of strategies and plans prepared under legislation that are relevant to PDP. This section provides an overview of other strategies and plans directly relevant to historic heritage.

3.5.1 Far North 2100 – An 80-year strategy for the District

Recognition and protection of historic heritage is not explicitly mentioned, however indirect references are made to facilitate relationships with iwi and hapū via an implementation plan to build frameworks to development understanding of cultural heritage.

3.5.2 Heritage New Zealand Pouhere Taonga Act 2014

In addition to any requirements under the RMA, the HNZPT is relevant to the protection of historic heritage. The HNZPT 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 HNZPT (Section 42).

An archaeological site is defined by the HNZPT Section 6 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)

Section 74(2)(b)(iia) of the RMA requires local authorities to have regard to any relevant entry in the New Zealand Heritage List/Rārangi Kōrero established under the HNZPT. Further, local authorities are required to have particular regard to any recommendations from HNZPT concerning the conservation and protection of a historic area or wāhi tapu area.

Scheduled Historic Heritage Sites and Areas may also be archaeological sites under the HNZPTA, as well as any recorded archaeological sites on the NZAA Archsite database, or ‘accidental discoveries’ of unrecorded sites. Depending on the activity, the proposal may require a separate authority application process under the HNZPT. Heritage NZ may also be considered an affected party when processing resource consent applications for Heritage NZ listed properties.

The level of protection and significance afforded to scheduled sites within the PDP is categorised by HNZPT and recognised Council during resource consent processing.

3.5.3 Building Act 2004

The Building Act 2004 controls all matters relating to building construction, to safeguard the health, safety, and amenity of people, facilitate efficient energy use, and to protect property from damage. The key regulatory tool is the Building Regulations 1992 which contains the mandatory New Zealand Building Code.

It is the role of the Council to grant or refuse an application for a building consent, based largely on compliance with the building code. The principles to be applied when performing functions or duties, or exercising powers under Building Act include the need to facilitate the preservation of buildings of significant cultural, historical, or heritage value. However, recognising and protecting heritage values is primarily governed under the RMA.

4 Current State and Resource Management Issues

This section provides an overview of the relevant context for historic heritage and the current approach to manage historic heritage through the ODP, and key issues raised through consultation. It concludes with a summary of the key resource management issues for historic heritage to be addressed through the PDP.

4.1 Context

Heritage buildings, resources and landscapes are anticipated across a range of urban and rural contexts, but predominantly are found in coastal settings in the Far North. Disturbance of heritage resources have the potential to cause significant and detrimental short and long-term effects that are often associated with construction, development, land use and subdivision. These can result in adverse effects such as damage to cultural areas, values, landscapes and resources.

4.2 Operative District Plan Approach

4.2.1 Summary of current management approach

Currently, the provisions relating to historic heritage in the ODP are located in:

- Chapter 12.5 – Heritage;
- Chapter 12.5A – Heritage Precincts;
- Chapter 12.5B – Paihia Mission Heritage Area;
- Chapter 10.9 Russell Township Zone;
- Chapter 18.3 Waimate North Zone.

General policies and rules relating to protection of historic heritage are scattered throughout the district wide and overlay chapters of the ODP such as, chapters 10 Coastal Environment, 12.1 – Landscapes & Natural Features and 13 Subdivision.

The ODP has the following types of scheduled heritage items specifically identified in a plan schedule and protected by appropriate plan rules:

- Schedule of Historic Sites, Buildings and Objects (Appendix 1E);
- Schedule of Sites of Cultural Significance to Māori (Appendix 1F);
- Registered Archaeological Sites (Rule 12.5.6.1.3 and Appendix 1G and the New Zealand Historic Places Register); and,
- Heritage Precincts and Areas (Section 12.5A & B)

The ODP is an effects-based plan and has limited activity-based provisions. The ODP approach is summarised below:

- The ODP protects scheduled historic heritage via rules controlling modification and alteration of scheduled heritage resources, earthworks and subdivision of heritage resources. When compliance with permitted activity standards cannot be met, resource consent is required.
- The ODP applies a higher level of protection to historic heritage within heritage precincts (areas and special zones), which include rules controlling scale, finished colour and form of buildings, modification and alteration of scheduled heritage resources, earthworks and subdivision of heritage resources, protection of view shafts and heritage curtilage. When compliance cannot be met, resource consent is required.

4.2.2 Limitation with current approach

The Council has reviewed the current ODP approach, which has been informed through technical advice, internal workshops and feedback from the community and stakeholder feedback.

Council engaged Plan.Heritage to undertake a review of the ODP approach to historic heritage and to review the ODP heritage precincts and heritage areas. Plan.Heritage prepared two reports, **report one** was a general overview of historic heritage provisions, relevant policy and the ODP provisions, **report two** reviewed the heritage precincts and areas identifying heritage resources and spatial boundaries.

The Plan Heritage assessment reports were completed in June 2020 (refer to **Appendix 1 and 2**) and have informed the section 32 evaluation.

A number of limitations with the ODP have been identified through this process and by Plan.Heritage, including:

Plan Structure

- The Planning Standards seek to improve the efficiency and effectiveness of the planning system by providing nationally consistent structure, format, definition, electronic functionality, and volume and area metrics. The ODP structure is confusing made up of multiple historic heritage chapters, inconsistent chapters of both heritage areas and heritage precincts, and special purpose zones, a structure which does not comply with the Planning Standards mandatory directions.
- The current hierarchy of provisions is complex, repetitive and fragmented. This requires clearer vertical and horizontal integration of the policy framework to establish the relationship between the policy framework, mapped areas and rules.
- The reasons for having precincts vs heritage areas in the ODP is unclear, and the methods to manage the historic heritage vary from area to area, which may be appropriate. However, the management approach ranges from very high level to very detailed and the reasons for this are unclear.

Plan Provisions and Mapping

- The ODP includes expected outcomes at the beginning of each chapter. However, these do not translate into identification criteria, thresholds, heritage categories, assessment criteria or establish methods for evaluating historic heritage sites, items or areas when undertaking subdivision, land use and development proposals.
- The ODP does not include a schedule of heritage areas, as there are for other categories of historic heritage (e.g. Notable Trees).

Assessment Criteria

- There is no standard methodology or assessment criteria to identify significant heritage buildings and features, nor any criteria for identifying heritage precincts, heritage areas or special zones.

- Limited best practice guidance relating to heritage definitions and criteria for identifying heritage areas is provided at the national level, resulting in the inconsistent use and interpretation of heritage terminology and definitions hierarchy.
- Most heritage areas are coastal or built heritage focused, with varying levels of protection afforded to archaeological sites, as not all archaeological sites are scheduled within the District Plan.

Tangata Whenua

- Many of the heritage precincts are predominantly characterised by European built heritage, and do not always recognise Māori cultural historic heritage that also contributes to an area.

Definitions and Terminology

- Definition of heritage terminology, such as ‘heritage areas’, ‘heritage item’, ‘heritage precincts’ and ‘historic heritage areas’ must be established to address the inconsistent and weakly defined terms within the ODP that are not aligned with heritage terminology used in regional planning frameworks.

Heritage Precincts & Areas

- The historic heritage precincts and areas have been added to the ODP over time, involving differing levels of engagement with community or stakeholder involvement. A number appear to be based on recommendations from HNZPT.
- The interrelationship and recognition of pre-European settlement and histories and their importance in shaping early historical development is not well recognised, despite the high proportion of recorded archaeological sites of Māori origin and sites of cultural significance in the Far North.
- Generally, the identified heritage areas and precincts seek to manage visual effects on the built form (i.e. heritage buildings), with limited attention given to amenity and natural landscape features.
- The application of heritage provisions is spatially inconsistent, with some areas adopting visual buffers and special zones and others not.
- Limited information regarding historic heritage values is provided and all heritage areas (except Kohukohu) do not acknowledge the significant number of individual heritage sites across different categories that share historical, archaeological and contact associations with existing heritage precincts/areas.

4.3 Key issues identified through consultation

The **Section 32 Overview Report** provide a detailed overview of the consultation and engagement Council has undertaken with tangata whenua, stakeholders and communities throughout the district to inform the development of the PDP and the key issues identified through this consultation and engagement. This section provides an overview of key issues raised through consultation in relation to historic heritage and a summary of advice received from iwi authorities.

4.3.1 Summary of issues raised through consultation

There was a moderate level of interest in the Historic Heritage Chapter and a high level of interest in specific heritage area overlays from the community through consultation and engagement of the Draft District Plan (**Draft Plan**).

The Draft Plan was released in March 2021 and as part of Council “Navigating Our Course” engagement programme and received 180 responses to the Draft Plan online survey, responses relating to heritage:

- 54 did not support the new approach to heritage management;

- 66 did support;
- 37 were unsure.

In addition to the online survey, a further 30 detailed pieces of feedback were received relating to historic heritage matters.

The majority of feedback was provided by individual home owners, with the exception of technical submission from HNZPT and two group submissions from the Russell Protection Society and Hancock Forestry Management NZ.

The overarching theme of feedback focused on the 'one size fits all' approach adopted by the Draft Plan to manage heritage area overlays. There was strong opposition to the expansion of some heritage area overlays, particularly in Mangōnui and Paihia. Most of the feedback received targeted the changes to Heritage Area Overlays in Russell, Paihia, Mangōnui and Kerikeri, with a small number of feedback points relating to heritage provisions more generally. No specific feedback was received with respect to the five remaining Heritage Overlays (Rangihoua, Pouerua, Rāwene, Te Waimate and Kohukohu).

In addition to the key themes identified above, feedback has prompted discussions regarding the extent that the heritage provisions within the Draft Plan align and integrate with other chapters in the Draft Plan, as well as the higher order policy hierarchy.

This feedback prompted Council to undertake a further round of public consultation with respect to Heritage Area Overlays.

Far North Heritage Area Engagement

Targeted engagement for this topic was held between September – October 2021, and was undertaken during COVID-19 Alert Level 2. The engagement programme was adapted from in-person community drop-in sessions to digital and included the following engagement methods:

- One online information session
- Online survey
- One on one MS Teams meetings

The online session was presented by Greg Wilson (Manager District Plan), Tammy Wooster (Senior Policy Planner), Theresa Burkhardt (Policy Planner), John Brown (Plan.Heritage), with Q&A facilitated by Aisha Huriwai (Team Leader Governance & Administration). Members of the public attended, along with elected members, Council Senior Leadership, and stakeholders such as Heritage New Zealand Pouhere Taonga.

Of the feedback received, there were 124 responses to the online survey with 13 in support, 33 that sought amendments, and 76 opposed. Additionally, 99 free form responses were also received with the majority in opposition or seeking amendments to the Heritage Area approach as presented in the Draft Plan.

Feedback has been summarised in the key themes below:

- **Engagement Process** – a significant amount of feedback received was in response to the engagement process. The issues raised related to the lack of public meetings, timeframes for feedback, the perceived pace at which the provisions were being developed, lack of tangata whenua engagement and community level engagement, timing of letters, and a general dissatisfaction with the process. A number of requests were made for additional in-person community meetings and extensions to the notification process.
- **Tangata Whenua Engagement** – there were a number of concerns raised regarding tangata whenua engagement and the perceived lack of targeted engagement. A separate engagement programme with tangata whenua through their Iwi Authorities and hapū with management

plans is concurrently being undertaken as part of the District Plan review. That feedback is detailed further on in the report.

- **Māori Cultural Heritage** – many of the comments considered there to be insufficient recognition of tangata whenua values and cultural heritage within the Draft Plan framework. Greater consideration of Māori cultural heritage and how this can be appropriately recognised is requested. Specifically, concerns were raised that a number of pā sites, wāhi tapu, and other significant sites had not been included either in the heritage areas and/or are not scheduled in the Draft Plan at all. It is understood that a separate review of Māori cultural heritage will either be addressed through submissions on a case-by-case basis or as a separate plan change post Council decisions on the PDP subject to funding, RMA and Local Government Reform. The Historic Heritage and Heritage Area Overlay chapters incorporate provisions to protect cultural heritage.
- **‘One size fits all’ Approach** – the nine heritage areas are located across diverse urban and rural environments, and are influenced by a range of Heritage Resources, Outstanding Natural Landscapes and Features, Coastal Environment, and Sites and Areas of Cultural Significance to Māori. All of these features contribute to the attributes and heritage values that make each location unique. However, it was considered that the simplistic framework of spatial layers, objectives and associated provisions presented in the Draft Plan, did not adequately recognise and distinguish between the respective locations. The feedback is more generalised, with very little feedback received on specific objectives, policies, rules or standards. This has been addressed in the PDP by introducing additional spatial layers, and nuanced provisions that reflect the historic heritage values and characteristics that are specific to each location.
- **Mapping** – The majority of feedback understood and acknowledged the importance of the existing heritage areas as identified in the ODP. However, the majority of the feedback considered the Draft Plan spatial extent to be too broad and encompassing, and in some instances incorrect. Site specific feedback was received to either include or exclude properties at the fringe of the spatial extent of heritage areas. Detailed feedback was received from HNZPT for each heritage area requesting specific amendments for all but Rāwene and Rangihoua. All feedback has been reviewed, however in the absence of sufficient assessment from heritage experts, the PDP mapping remains consistent with the recommendations of Plan.Heritage. In response to the feedback some of the more complex heritage overlays have been separated into ‘parts’ creating a new spatial layer to allow relaxation of provisions in locations where the identified historic heritage values provide for it.
- **Sites with no obvious Heritage Values** – a number of requests for more information were made from landowners where there were no obvious heritage resources recorded on their property to understand why these provisions applied to their property.
- **Resource Consents and Costs** – concerns were raised with regards to the increased spatial extent of the nine heritage areas and the resultant resource consenting costs. In particular, concerns related to additional consenting costs associated with buildings (new or alterations) that did not hold any heritage values. This has been addressed in the PDP by introducing new spatial layers identified as “Parts” (they could not be called precincts or areas due to the Planning Standards) which have allowed for the relaxation of provisions in locations where the identified historic heritage values provide for it.
- **Zone Integration** – various feedback points related to the interaction of the heritage area and the underlying zone framework. In terms of the rural environment, concerns generally related to rural activities such as farming, horticulture and associated earthworks and the restrictions that may be imposed by the new framework. On the other hand, concerns were similarly raised where areas are zoned for intensification, such as the general residential and mixed use zones, and to a lesser extent the rural residential zone. The PDP Historic Heritage and Heritage Area Overlay provisions have been refined to act as an overlay applying additional protection

for Heritage Resources and Heritage Areas as necessary while leaving underlying zones to appropriately manage effects.

- **Heritage Fund** – requests to establish a heritage fund were made to support the maintenance and restoration of historic heritage.
- **New Heritage Areas** – there were a number of requests to include new heritage areas.
- **Scheduling Update** – feedback sought an update to scheduled heritage in the Proposed District Plan.
- **Rāwene** – mixed feedback was received in relation to the Rāwene Heritage Area with the majority of feedback seeking amendments to the spatial layer. Much of the feedback recognised that Rāwene held historic heritage values that warranted management under the new District Plan, but did not provide justification or detail as to how this could be done differently. One piece of feedback advised that many significant sites had not been captured by the spatial extent of the Heritage Area. Additional feedback sought extension of the area to include the Rāwene Hospital complex. The PDP proposes to differentiate between the heritage resources and values present by utilising spatial layers and nuanced provisions.
- **Paihia** – the majority of feedback received on Paihia sought amendment or opposed the draft Heritage Area. With many referring to the previous heritage area plan review process and subsequent Environment Court order. Development costs and restrictions generally to residential development was of high interest to the Paihia community. However, some of feedback supported the Draft Plan Heritage Area, and sought inclusions of sites such as the village green, the Williams House Public Library, and the islands as recommended in the Plan.Heritage Reports. The PDP proposes to differentiate between the heritage resources and values present by utilising spatial layers and nuanced provisions.
- **Rangihoua** – there was only a small number of written feedback received for Rangihoua, which predominantly acknowledged the historic heritage values present within this area and generally supported the intention of the provisions. The feedback predominantly sought assurance that appropriate tangata whenua input was provided, and that development could still be undertaken as approved by underlying resource consents. No changes are proposed to the spatial extent of the PDP Rangihoua’s Heritage Area Overlay from the ODP Area.
- **Kororāreka Russell** – there was a significant number of written feedback and online survey responses to this location. There was a high level of interest from landowners, community groups and HNZPT. The feedback generally opposed the framework that is presented in the Draft Plan and focussed on the simplistic ‘one-size fits all’ approach that is described above. Broadly, the feedback sought a framework that recognised the layered historic heritage values that allows a higher level of protection for the core of Russell township, while providing more flexibility outside the centre. Feedback sought greater restrictions for building colour palettes, built form, streetscape, parking provisions, and signage. The PDP has taken account of this feedback, through the introduction of specific provisions for each heritage area within the Heritage Area Overlay chapter. The Kororāreka Russell Heritage Area, reflects the ODP with ‘parts’ being introduced to allow for nuanced rules for built form, streetscape, colour palettes in identified locations. The Kororāreka Russell Heritage Area complements the proposed Russell Township Zone which have been evaluated in as separate section 32 report.
- **Pouerua** – a range of feedback was received regarding this Heritage Area that acknowledged the historic heritage and cultural values associated with this location. Concerns were raised regarding the enlarged extent and the implications this would have on residential

development, farming practices and horticultural activities. Generally, the feedback considered the framework to be too generalised given the extent of the Heritage Area and also suggested that there needed to be multi-layer approach with provision for rural activities. Many of the comments recognised the cultural importance of Pouerua as well as the historic associations with horticultural and rural practices that date back to the mid-1800s. The PDP introduces specific provisions for the management of heritage resources in the Pouerua Heritage Area Overlay. These are considered to address the matters raised above, while managing potential and actual effects on of use, development and subdivision on the identified Historic Heritage values.

- **Te Waimate** – a range of views were expressed by the community and stakeholders on this area, with both strong support and opposition to the Draft Plan framework. Similarly, to Pouerua, exemptions were sought for rural activities to acknowledge the rural context, and expected change in land use toward horticulture activities due to irrigation and the associated historic land uses that dominate the area. Support for the inclusion of Ōkuratope pā, as well as the European built heritage present within the area. The PDP introduces specific provisions for the management of heritage resources in the Te Waimate Heritage Area Overlay. These are considered to address the matters raised above, while managing potential and actual effects on of use, development and subdivision on the identified Historic Heritage values.
- **Kerikeri** – feedback in support and opposition was received for the Kerikeri Basin and Kororipo Pā Heritage Area. Concerns regarding the enlarged spatial extent, simplification of the framework and general costs that would be imposed on landowners to undertake development were raised. A large portion of feedback considered the spatial extent should be restricted to the basin and pā itself and should not be extended as presented in the Draft Plan. The PDP introduces additional spatial layers to recognise the nationally important heritage resources located within the basin area and allow for nuanced provisions.
- **Kohukohu** – feedback for the Kohukohu Heritage Area was limited. However, the feedback that was received generally opposed or sought amendments to the Draft Plan on the basis of engagement methods. A question was raised over a mapping error with the library building. It is however within the heritage area overlay, and it is not a scheduled building in the ODP. No error could be identified.
- **Mangōnui and Rangitoto** – the majority of feedback received was predominantly in opposition to the new spatial extent. The main issues raised related to consenting costs, the ‘modern’ built form part of the wider Mangōnui area, and a lack of consultation with tangata whenua. One of the key reasons in opposition to the proposed expansion of the heritage area related to additional consenting costs and the implications this would have on development. There was general support for heritage management over the existing ODP area, and limited support for the inclusion of Rangikapiti and Rangitoto pā. Further, there was a request to include additional sites such as reserves and other buildings. The PDP refines the spatial extent of the Mangōnui and Rangitoto Heritage Area Overlay and introduces an additional layer to recognise the different values present in this location. The PDP provisions have been prepared to recognise these distinctions.

4.3.2 Summary of advice from iwi authorities

Section 32(4A)(a) of the RMA requires that evaluation reports include a summary of advice on a proposed plan received from iwi authorities. The **Section 32 Overview Report** provides an overview of the process to engage with tāngata whenua and iwi authorities in the development of the PDP and key issues raised through that process. Historic heritage, by definition, includes sites and areas of significance to Māori and cultural heritage. The Planning Standards require the PDP to have a specific

overlay and chapter for Sites and Areas of Significance to Māori, which has been evaluated as separate section 32 report. Section 3.4 above provided a summary of the key concerns and issues raised in hapū and iwi environmental management plans. Feedback from hapū apply to both historic heritage and Sites and Areas of Significance to Māori, and 23 pieces of feedback were received relevant to the historic heritage and heritage overlay chapters.

In relation to historic heritage, iwi authorities provided the following advice:

- Prioritise working with Ngati Rēhia on cultural and historical heritage inventories.
- Heritage management is the poor cousin of all items within the District Plan. Administrations have failed to carry out an appropriate review and allowance for sites of significance to be scheduled and included for various reasons. The inclusion of cultural landscapes, another items which is found within numerous Iwi / Hapu Environmental Plans has been continuously neglected and although new RMA legislation has links to cultural landscapes, this has not been considered throughout the Plan.
- Provide a timeframe within which Council will carry out identification of sites of significance to Māori.
- General support for the Draft Plan historic heritage objectives, improve consistency with Tangata whenua chapter policy direction.
- Management of non-scheduled heritage resources at time of land use and subdivision, information with respect to sites of cultural significance which are not scheduled in the PDP may be identified in iwi/hapū management plans and plan users should be directed to refer to these.
- The draft plan does not provide for accidental discovery of artefacts or kōiwi (human remains) and the repatriation of those taonga to tangata whenua as an automatic requirement of resource consents. This has led to the loss of taonga in the past.
- Require Cultural Impact Assessments within provisions including when there is reasonable cause to suspect there is a site of significance to Māori present.
- Rules are limited in providing for tangata whenua to have a relationship with these sites, no requirement for example to provide an access strip or legal right to physical access to sites of significance (or any other mechanism). So, tangata whenua remain those at the gate having to ask for access rights to see urupa, sites of significance, cultural landscapes and other cultural areas of importance. There is no requirement for a CIA so tangata whenua can't express the relationship supposedly being enhanced.
- Delete site 222 from Schedule 3 as a historic building / area having this heritage resource over the old shipyard and sawmill at Totorā North as it is limiting the potential of the site.

Section 5 of this report outlines how the proposed management approach responds to this advice in accordance with section 32(4A)(b) of the RMA.

4.4 Summary of resource management issues

The protection of historic heritage was identified as a Significant Resource Management Issue (**SRMI**) in the development of the PDP. Protection of historic heritage is required in higher order policy. Disturbance of heritage resources has the potential to cause significant and detrimental short and long-term effects that are often associated with construction, development, land use and subdivision. These can result in adverse effects such as damage to cultural areas, values, landscapes and resources.

Based on the analysis of relevant context, current management approach, and feedback from consultation, the key resource management issues for historic heritage to be addressed through the PDP are:

- **Tangata Whenua Partnerships** – Council recognises the importance of iwi and hapū planning documents, which has assisted in the completion of a number of management plans which articulate the cultural and spiritual values Māori have with resources. Recognition and

protection of cultural and archaeological landscapes, wāhi tapu and cultural heritage are a core concern identified in the management plans given the potential adverse effects on cultural values.

- **Heritage Management** - The Far North has a wealth of historic heritage that contributes to the social, economic and cultural well-being of the district both within the rural and urban areas. Historic heritage, particularly archaeological and heritage sites which are unidentified can and are being damaged or lost, from heritage areas if they are not appropriately recognised, managed and protected.
- **Urban Sustainability** – Many heritage resources are located within urban environments, development is a critical part of supporting urban land use, subdivision and development to meet demands for urban infrastructure. There can be tension between the requirement to protect historic heritage and provide for urban intensification, therefore careful balance must be struck.
- **Rural Sustainability** - – Many heritage resources are located within rural environments, which are primarily active environments where rural land use, subdivision and development can result in extensive built form, earthworks, vegetation formation. There can be tension between the requirement to protect historic heritage and provide for primary production activities, therefore careful balance must be struck.

5 Proposed District Plan Provisions

The proposed provisions are set out in the Historic Heritage and Heritage Area Overlay chapters of the PDP. These provisions should be referred to in conjunction with this evaluation report.

5.1 Strategic Objectives

The PDP includes a strategic direction section which provides high level direction on the strategic or significant matters for the District and objectives to guide strategic decision-making under the PDP. The PDP strategic direction focuses upon, cultural prosperity, social prosperity, environmental prosperity, economic prosperity and urban form and development. The strategic direction objectives of direct relevance to Historic Heritage and Heritage Area Overlay chapters are:

- **SD-CP-01** - Te Tiriti o Waitangi partnerships support iwi and hapū to deliver on the social, economic, environmental and cultural wellbeing outcomes for tangata whenua.
- **SD-CP-03** - The District's diverse cultures and communities celebrated, and cultural heritage recognised.
- **SD-CP-04** - The District's historic heritage is identified and managed to ensure its long-term protection for current and future generations.
- **SD-SP-01** - Community wellbeing is heightened by a sense of place.

Historic heritage by definition includes cultural landscapes and sites and areas of significance to Māori, the proposed historic heritage provisions are an important tool within the PDP to supporting iwi and hapū to achieve cultural wellbeing. Historic heritage provisions seek to protect the cultural heritage of the District, which contributes to the sense of place and community wellbeing. However, this will be mainly managed through the sites and areas of cultural significance to Māori chapter as per the Planning Standards.

The proposed Historic Heritage provisions are designed in conjunction with the Heritage Area Overlay provisions to achieve the strategic direction objectives.

5.2 Proposed Management Approach

This section provides a summary of the proposed management approach for the Historic Heritage chapter focusing on the key changes from the ODP. The **Section 32 Overview Report** outlines and evaluates general differences between the PDP provisions and ODP, includes moving from an effects-based plan to a 'hybrid plan' that includes effects and activities-based planning and an updated plan format and structure to align with the national planning standards.

The main changes in the overall proposed management approach are:

- Changes to chapter structure, location and provisions to align with the Planning Standards and to provide a consolidated list of objectives, policies, rules and standards that specifically address Historical Heritage and Heritage Area Overlays.
- Separation of Historic Heritage chapter and Heritage Area Overlays into two chapters, clearly articulating the relationship between the chapters and cross referencing. Improved hierarchy of district plan structure from the ODP, grouping of overlays, consistent use of spatial identification and terminology within the PDP, and reduction in the number of special zones.
- Extension of spatial area of heritage areas as identified in the ODP to reflect the technical assessment and recommendations of Plan.Heritage. Common identification of the Heritage Area Overlays and Parts within the District Plan maps in accordance with the directions of the Planning Standards.
- Assessment methodology applied to identify and assess proposed Heritage Area Overlays that is consistent with HNZPT and RPS criteria.
- Updated scheduling of heritage resources to reflect the RPS identification criteria.
- The PDP provisions provide clarity and apply protection appropriate to the heritage resource being protected.
- Integration with and reliance upon the Sites and Areas of significance to Māori provisions.
- Provide more clarity and direction on assessment of cultural values and the need for a cultural impact assessment.

The sections below provide a high-level summary of the objectives, policies, and rules and other methods for the Historic Heritage and Heritage Area Overlay chapters.

5.3 Summary of proposed objectives and provisions

This section provides a summary of the proposed objectives and provisions which are the focus of the section 32 evaluation in section 7 and 8 of this report.

5.3.1 Summary of objectives

The proposed management approach for the Historic Heritage and Heritage Area Overlay chapters includes the following objectives:

Historic Heritage:

- Historic Heritage is identified and managed to ensure its long-term protection for present and future generations.
- Land use and subdivision does not result in the loss or degradation of Historic Heritage.
- Recognise and provide for the ongoing relationship Tāngata whenua have with sites and areas of spiritual, cultural or historical significance.
- The community is aware of, appreciates and celebrates its historic heritage and the sense of place it fosters.

Heritage Area Overlays:

The heritage values of Heritage Area Overlays, derived from the sites, buildings and objects of historic significance, archaeological sites and landform are identified and protected.

5.3.2 Summary of provisions

For the purposes of section 32 evaluations, ‘provisions’ are the “policies, rules, or other methods that implement, or give effect to, the objectives of the proposed plan or change”.

The proposed management approach for the Historic Heritage Chapter includes policies that:

- Identify Historic Heritage.
- Enable maintenance and repair.
- Prohibit the demolition of historic heritage that have national significance.
- Avoid the demolition or destruction of Scheduled Heritage Resources.
- Provide for new uses, including adaptive reuse of Heritage Resources and provide for modifications to, or restoration of Heritage Resources.
- Provision for infrastructure when the activity will not result in adverse effects on scheduled Heritage Resources.
- Allow earthworks on historic heritage sites and areas where it can be demonstrated that the identified heritage values will be protected.
- Control earthquake strengthening, fire protection, and accessibility upgrades to heritage buildings or structures.
- Protect Heritage Resources and areas of cultural significance.

The proposed management approach is specific for Heritage Area Overlays and policies generally:

- To protect the unique heritage values of each Heritage Area Overlay by:
 - Identifying and protecting the heritage buildings, objects and sites, and archaeological sites within the Heritage Area Overlay;
 - Maintaining the architectural and historical integrity of scheduled Heritage Resources;
 - Acknowledging the surrounds or setting of the Heritage Area Overlay which has an important relationship with the values of the Heritage Resources; and
 - Providing for construction and alternation of new buildings or structures when they contribute to, or the demolition of buildings and structures when they do not contribute to the cultural values, character and heritage values of the Heritage Area Overlay.
 - Maintain the early form of early townships.
 - Enable subdivision which recognises and protects heritage values [*specific to the heritage area overlay*].
 - Enable earthworks in less sensitive locations and have more restrictive controls as required in certain locations eg Part A of the Kerikeri Heritage Area Overlay.
 - Policies which identify and protect specific heritage values of each Heritage Area Overlay and enable activities where appropriate e.g. Rural activities.

The proposed management approach for the Historic Heritage chapter includes rules and standards that allow for:

- Maintaining, repairing, alterations, additions and strengthening of scheduled Heritage Resources.
- Management of new buildings or structures in proximity to a scheduled Heritage Resource.
- Management of demolition or removal of scheduled Heritage Resources.
- Management of earthwork in proximity to scheduled Heritage Resources.

The proposed management approach for the Heritage Area Overlays chapter includes rules and standards that allow for:

- Separation of Rāwene, Mangōnui, Paihia, and Kerikeri into Parts A and B and Kororāreka Russell into Parts A, B, C and D to enable the application of rules and standards appropriate to the level of protection necessary based upon the heritage values.

- Maintaining, repairing, alterations, additions and strengthening of scheduled Heritage Resources.
- Management of new buildings in proximity to a scheduled Heritage Resource.
- Management of demolition or removal of a scheduled Heritage Resources.
- Management of earthwork in proximity to scheduled Heritage Resources.
- Accidental discovery of archaeological sites.
- Enabling activities provided for within the underlying zone when appropriate level of protection of heritage values is provided.

The proposed management approach for the Historic Heritage and Heritage Area Overlay chapters also involves the following methods to implement and give effect to the objectives:

- A streamlined list of definition is included within the PDP to ensure alignment with the Planning Standards.

5.3.3 Responding to advice from iwi authorities

Section 32(4A) of the RMA requires evaluation reports to summarise advice received from iwi authorities on a proposed plan and the response to that advice, including any provisions that are intended to give effect to the advice. Section 4.3.2 of this report provides a summary of advice received from iwi authorities on heritage management which focused on identification of sites and areas of significance to Māori and cultural landscapes, requirement for Cultural Impact Assessments, improved access to historic heritage. The proposed management approach responds to this advice as follows:

- Te Runanga O Ngāti Rēhia
 - *Council should prioritise working with Ngāti Rēhia on cultural and historical heritage inventories to be initiated as an integral part of this plan.* Ngāti Rēhia throughout the plan making process has had opportunities to provide information relating to what should be scheduled in the PDP, in relation to historic heritage. Council has advised that if the preference is for Council to undertake a joint project with tangata whenua, then a dedicated plan change would need be undertaken post Council decisions subject to funding, RMA and local government reform. A significant reason for this approach is the resources that would be required to support undertaking this work due to the scale of cultural values in the district.
 - *Overall, supports the objectives outlined for historical heritage and the extended Heritage area over Kerikeri.* The PDP will include the area identified in the Draft Plan for Kerikeri.
 - *Cultural landscapes are not reflected in this section, although they are identified in TW-P3. Sites and areas of significance to Māori are the foundations of cultural landscapes and yet there is no mentioned of how these align in this section. SASM-P1 & 2 are examples of the policies that could include cultural landscapes to lead to implementation of TW-P3.* Some of the heritage areas included landscape values, where these areas were identified in the Plan.Heritage report. Relationships between the Heritage Area overlays and Sites and Areas of Significance to Māori provisions have been clarified in the PDP, by directing users to have regard to both chapters as required.
- Te Runanga O Te Rarawa
 - *Amend the historical heritage overview to included "Council will work with other government agencies (.....), tangata whenua and the public to identify valued historic resources and schedule them in the Plan if appropriate. Non-scheduled historic heritage is managed at the time of land use or subdivision.* This was accepted in part and the PDP overview was amended. The PDP affords protection to non-scheduled

- archaeological sites and areas via heritage, earthworks, and subdivision rules and specific assessment criteria, when considering a resource consent.
- *Amended the historical heritage overview to include “Tangata whenua regard cultural artefacts as physical connections to their tupuna and tangata whenua of the past. Iwi/hāpu management plans contain information relating to cultural values, including in some cases identifying sites of cultural significance (including historical significance to tangata whenua) which are not scheduled in the Plan. Reference to relevant iwi/hapu management plan is recommended when considering historical and cultural values of a proposal.* Accepted in part. Heritage chapters have been updated to cross reference Sites and Areas of Significance to Māori chapter. It is also noted that policy framework does require applications to consider iwi/hapu management plans as does the RMA.
 - *Insert two new objectives, one to address accidental discovery of artefacts or kōiwi with the following wording “a protocol for handling the accidental discovery of artefacts or kōiwi (human remains) which is consistent with any relevant iwi/hapu management plan(s) be a condition of consent for all works requiring land use consent. A second objective “monitoring of earthworks in areas of cultural significance to be overseen by affected iwi/hāpu in accordance with any relevant iwi/hāpu management plans(s). The cost of this is to be met by the developer. Additionally, amend HH-P14 to reflect these two new objectives.* Accepted in part. The objectives are set at a higher level of outcomes. Policies HH-P11 and 17 included reference to protocol for accidental discovery. The general earthworks rules include a accidental discovery standard.
 - *Support HH-P11 and want it retained.* Accepted.
- Kahukuraariki, Matauri X, Ngati Kuri, Ngai Takoto, Whaingaroa, Ngati Kuta, Te Aupori, Ngati Kuta
 - *Heritage management is the poor cousin of all items within the Plan. Administrators have failed to carry out an appropriate review and allowance for sites of significance to be scheduled and included for various reasons. The inclusion of cultural landscapes, another item which is found within numerous iwi/hapu environmental plans have been continuously neglected and although new RMA legislation has links to cultural landscapes, this has been ignored throughout the plan.* Accept in part. Matters relating to Sites and Areas of Significance to Māori sit within their own chapter in the PDP and are covered by a separate section 32 report. While the new legislation has detailed cultural landscapes, we are developing a plan under the existing RMA. Some of the heritage areas include landscape values, and there is scope for submissions to be made to include other cultural landscapes, additionally Council is wanting to undertake a dedicated plan change to consider how best to protect the cultural values in the district, which would be done in partnership with tangata whenua.
 - *HH-02 – concern over there being no clarity around how access to historic heritage will be provided for.* Reject. The PDP provisions seek to protect historic heritage in accordance with the RMA. No provision restricts access to historic heritage. A rule in the district plan, cannot give access to private property. This can only be considered under certain circumstances if a resource consent was required.
 - *HH-03 – Rules are limited in providing for tangata whenua to have a relationship with these sites. In the subdivision chapter there is no requirements for physical access to these sites. There is no requirement for a cultural impact assessment, so tangata whenua can’t express the relationship being enhanced.* Reject. This advice appears to relate more to the tangata whenua overarching chapter and the chapter for Sites and

Areas of Significance to Māori. This objective complements the tangata whenua framework and gives effect to and is consistent with section 6 of the RMA.

- *HH-P14 – This must include a cultural impact assessment, and needs to be expanded to include – reasonable cause to suspect there is a site of significance to Māori, as not all sites are currently scheduled.* Accept in part. The policy has been updated to require a cultural impact assessment when appropriate. The plan must provide clear, enforceable rules, affording protection to all non-scheduled heritage resources does not meet these criteria. The PDP afford protection to non-scheduled archaeological sites and areas via heritage, earthworks, and subdivision rules and specific assessment criteria, when considering a resource consent.

- Kahukuraariki, Matauri X, Ngati Kuri, Ngai Takoto, Whaingaroa, Ngati Kuta, Te Aupori
 - *Supports HH-01 but how is this going to be achieved? Without updating the schedule.* This concern appears to relate to site and areas of cultural significance and cultural landscapes. Refer to the above bullet point.
 - *HH-P20-only requires consultation (if any) with tangata whenua), this is not good enough. If subdivision or land use applications involves a historic heritage (of cultural value), then a cultural impact assessment should be required. The term “heritage resource” now captures sites of cultural significance to Māori. HH-R9 does not include any assessment criteria for tangata whenua. It is also unclear which rules take precedence i.e the rules in the historic heritage section or the rules in the sites and areas of significance to Māori section.* Accept in part. The policy has been updated to include cultural impact assessment’s when appropriate. The definition for heritage resource has also been amended to exclude sites and areas of cultural significance to address integration issues with the specific chapter that manages those heritage / cultural values.

- Ngati Kuta
 - *HH-01-needs to be amended with an appropriate timeframe to carry out identification, which requires resourcing.* Accept in part. Council has advised that 2 years post Council decisions subject to funding, RMA and local government reform it will undertake a plan change to address this issue.
 - *HH-P1-needs to provide a timeframe in which Council will carry out the identification of Sites and Areas of cultural significance to Māori.* Accept in part. Sites and Areas of Significance to Māori are managed in a separate chapter, however there is a relationship between the two chapters. As stated above it is intended to have in the Plan reference to a timeframe of undertaking this work.
 - *HH-P8-Historic heritage sites includes sites of significance, the effects of earthworks on cultural values needs to be included in this policy, and recommendations of a cultural impact assessment.* Accept in part. Proposed policies HH-P11 and 17 include references to protocol for accidental discovery. The earthworks rule also include an accidental discovery compliance standard. Policy 17 also includes requirements for cultural impact assessment as required.
 - *HH-P18-Council also needs to investigate and identify cultural landscapes, this should be amended to include cultural landscapes.* Accept in part. As stated earlier in response to advice, Council is wanting to undertake a separate plan change to address this issue in partnership with tangata whenua.

- *HH-R9 does not include any assessment criteria for tangata whenua or cultural values, it should included cultural values as a matter of discretion.* Accept in part. Historic Heritage chapter have been updated to include assessment of cultural values.
- Whaingaroa
 - *Site 222 in APP3 schedule of historic sites, buildings and objectives, should be removed as it is limiting potential site and heritage protection of the area.* Reject. Insufficient information has been provided to demonstrate why this site no longer warrants protection under the RMA. The heritage values on the site also does not prevent redevelopment, it just requires that the associated heritage values are considered and managed as required when undertaking development. Further information would need to be provided via the submission process to demonstrate why this site no longer has heritage values that warrant protection under the PDP.

6 Approach to Evaluation

6.1 Introduction

The overarching purpose of section 32 of the RMA is to ensure all proposed statements, standards, regulations, plans or changes are robust, evidence-based and are the most appropriate, efficient and effective means to achieve the purpose of the RMA. At a broad level, section 32 requires evaluation reports to:

- Examine whether the objectives in the proposal are the most appropriate to achieve the purpose of the RMA.
- Examine whether the provisions are the most appropriate way to achieve the objectives through identifying reasonably practicable options and assessing the efficiency and effectiveness of the provisions, including an assessment of environment, economic, social and cultural economic benefits and costs.

These steps are important to ensure transparent and robust decision-making and to ensure stakeholders and decision-makers can understand the rational for the proposal. There are also requirements in section 32(4A) of the RMA to summarise advice received from iwi authorities on the proposal and the response to that advice through the provisions.

6.2 Evaluation of scale and significance

Section 32(1)(c) of the RMA requires that evaluation reports contain a level of detail that corresponds with the scale and significance of the environmental, economic, social and cultural effects that are anticipated from the implementation of this proposal. This step is important as it determine the level of detail required in the evaluation of objectives and provisions so that it is focused on key changes from the status quo.

The scale and significance of the environmental, economic, social and cultural effects of the provisions for the Historic Heritage and Heritage Area Overlay chapters are evaluated in the table below.

Criteria	Comment	Assessment
Raises any principles of the Treaty of Waitangi	There is significant iwi and hapū interest in the seeking to protect wāhi tapu values and areas of cultural and historical significance. The relationship of Māori and their culture and traditions with their ancestral lands, water, sites,	Medium

Criteria	Comment	Assessment
	<p>waahi tapu, and other taonga is a matter of national importance.</p> <p>The PDP has been drafted to ensure that the provisions provide for ongoing protection of scheduled Heritage Resources and identification of other resources at the time of development. Controls directly related to the protection of Historic Heritage are in the Earthworks, Subdivision, Historic Heritage, Heritage Areas and Site and Areas of Cultural Significance to Māori.</p> <p>Concern has been raised in feedback from tangata whenua, over the need to further identify and schedule historic heritage and landscapes of cultural importance. Council has advised that within 2 years of Council decision on the PDP, a dedicated plan change in partnership with tangata whenua will be undertaken to address this concern subject to RMA and Local Government reform and funding being sourced. In the interim submissions can be made to include other historic heritage not scheduled in the PDP.</p> <p>It is considered that the proposed provisions will not raise any issues in relation to the Treaty of Waitangi.</p> <p>In the context of this evaluation, the scale and significance are medium.</p>	
Degree of change from the Operative Plan	<p>The PDP proposes a level of change to the format and approach to Historic Heritage that is necessary to comply with Planning Standards and higher order policy direction. PDP Historic Heritage and Heritage Area provisions seek to manage activities which is generally consistent with the ODP.</p> <p>The PDP proposes to streamline the number of chapters protecting historical heritage via spatial tools (areas, specific locations within some areas, special zones). This is a level of change from the ODP which will require plan users to familiarise themselves with.</p> <p>Ranghioua will no longer be a non-statutory alert layer and the Waimate North special zone has not been brought over to the PDP. Spatially there have been changes made to most heritage areas, with the majority increasing in size.</p>	Medium

Criteria	Comment	Assessment
	<p>There will be a change in the management of earthworks, with the Earthworks chapter also managing historic heritage. This differs from the OPD which had no accidental discovery rule.</p> <p>There has also been changes to the subdivision framework. The ODP required historic heritage to be considered only as a matter of assessment. The PDP has a specific rule for subdivision in a Heritage Area or subdividing land that contains a scheduled Heritage Resource, in addition to it being a matter of assessment for land without those identified values in the PDP. To ensure that unscheduled historic is also protected as required.</p> <p>In the context of this evaluation, the scale and significance are medium.</p>	
Effects on matters of national importance	Protection of historic heritage is a matter of national importance in accordance with section 6 of the RMA. The PDP introduces clear objectives, policies and provisions to ensure the appropriate management and protection of historical and cultural heritage in accordance with section 6 of the RMA, giving effect to the policy direction of the NZCPS and RPS.	Medium
Scale of effects – geographically (local, district wide, regional, national).	<p>Historic heritage is located throughout the District, with heritage resources being assessed as significant at local, district, regional and national scales. The PDP Heritage Area Overlay chapter will be applied in localised geographical locations, protecting significant heritage resources. The scale of the combined Heritage Area Overlays is 3,499ha, while the Heritage Precincts / Areas in the OPD was 1769ha. 3,499ha is only 0.52% of the district.</p> <p>Apart from four additional new scheduled Heritage Resources, all other historic items are being carried over from the OPD (apart from one building which recently burnt down).</p> <p>The PDP Historic Heritage Chapter will be applied district-wide, as historic resource can be located throughout the district and in many instances may not have been scheduled, through lack of identification.</p> <p>In the context of this evaluation, the scale and significance are considered high due to the extent of the extent of historic heritage in the district (when considering none scheduled</p>	High

Criteria	Comment	Assessment
	historc heritage for example).	
Scale of people affected – current and future generations (how many will be affected – single landowners, multiple landowners, neighbourhoods, the public generally, future generations?).	<p>Protection of historic heritage is important to the public generally, due to the extent of heritage and the important function heritage resources plays in relation to the amenity, character and identify of the District. The historic heritage provisions will be frequently triggered due the scale of heritage area overlays, heritage resources and discovery of heritage at the time of development. Given the scale of people affected by historic heritage provisions, the high-level assessment is considered appropriate in this case.</p> <p>The scale of the combined Heritage Area Overlays is 3,499ha, affecting 2,305 properties. The scale of Heritage Precincts / Areas in the OPD was 1769ha and affected 1206 properties. It should be noted however that in some instances the only rule that will apply to these properties is “an accidental discovery protocol”, therefore it will have minimal impact on properties being in a Heritage Area Overlay. A summary of the Heritage Area spatial changes are:</p> <p>Kohukohu - no change – still 120 properties within it and same area.</p> <p>Kerikeri - 638 properties in the identified area vs the 326 in the ODP spatial layer. However, 605 of those properties will be within Part B, which has less regulations apply, than those properties in the core area, based on the ODP Precinct.</p> <p>Kororāreka Russell – 381 properties in the identified area vs the 476 in the ODP. 260 of these properties are in Part D, which is less regulated than Part A – The strand for example.</p> <p>Mangonui & Rangitoto Peninsula – 305 properties in the identified area vs 56 in the ODP spatial layer. However, 207 of those properties are in Part B which has less regulations apply, than those properties in the core area Part A area, which is mainly based on the ODP Precinct.</p> <p>Paihia – 161 properties in the identified area vs 8 in the OPD spatial layer. However, 148 properties are in Part B which has less regulations apply, than those properties in the</p>	High

Criteria	Comment	Assessment
	<p>core area Part A areas.</p> <p>Pouerua – 230 properties in the identified area vs 38 in the ODP Precinct.</p> <p>Rangihoua – 9 properties in the identified area, which is reflective of the 9 properties identified in the ODP. The difference being the OPD had a non statutory layer, vs these 9 properties will now having rules applying to protect historic heritage.</p> <p>Rawene – 243 properties in the identified area vs 42 in the ODP spatial layer. However, 201 of those properties are in Part B which has less regulations apply, than those properties in the core area Part A area which is on the ODP Precinct.</p> <p>Te Waimate – 218 properties in the identified area vs the 25 properties in the ODP Precinct. However, an additional 106 properties were in the Waimate North specific area in the ODP, which was created to protect the heritage values of this area. This zone has not been rolled over the PDP, as heritage values will be managed via the extended Heritage Area.</p> <p>Therefore, while the number of people affected is small when considering the overall district, there is a doubling in the number of properties that will be regulated through the expansion of the Heritage Areas, with some properties more regulated than others, with specific rules being applied to Heritage Areas, and in some cases locations within them.</p> <p>In the context of this evaluation, the scale and significance are considered high due to this.</p>	
<p>Scale of effects on those with specific interests, e.g., Tangata Whenua</p>	<p>Because protection of historic heritage will affect all tangata whenua, HNZPT, Department of Conservation and a large number of stakeholder groups with specific interests, a medium level assessment is considered appropriate in this case. Several Heritage Area overlays apply to locations with a concentration of Sites and Areas of significance to Māori.</p>	<p>Medium</p>
<p>Degree of policy risk – does it involve effects that have been considered implicitly or explicitly</p>	<p>Overall, the PDP approach aligns with the Standards, NZCPS, RPS and Proposed Regional Plan addressing effects which have been explicitly considered. Therefore, it is considered the degree of policy risk is low.</p>	<p>Low</p>

Criteria	Comment	Assessment
by higher order documents? Does it involve effects addressed by other standards/commonly accepted best practice?		

6.3 Summary of scale and significance assessment

Overall, the scale and significance of the effects from the proposal is assessed as being medium. Consequently, a medium level of detail is appropriate for the evaluation of the objectives and provisions for the Historic Heritage and Heritage Area Overlay chapters in accordance with section 32(1)(c) of the RMA. This evaluation focuses on key changes in the proposed management approach from the ODP - changes to provisions for clarification and to reflect new national and regional policy direction are not included in the evaluation in section 7 and 8 below.

7 Evaluation of Historic Heritage and Heritage Area Overlay Chapters Objectives

Section 32(1)(a) of the RMA requires that the evaluation report examine the extent to which the objectives of the proposal are the most appropriate way to achieve the purpose of the RMA. The assessment of the appropriateness of the objectives for the Historic Heritage and Heritage Area Overlay chapters is against four criteria to test different aspects of 'appropriateness' as outlined below.

Criteria	Assessment
Relevance	<ul style="list-style-type: none"> Is the objective directly related to a resource management issue? Is the objective focused on achieving the purpose of the RMA?
Usefulness	<ul style="list-style-type: none"> Will the objective help Council carry out its RMA functions? Does the objective provide clear direction to decision-makers?
Reasonableness	<ul style="list-style-type: none"> Can the objective be achieved without imposing unjustified high costs on Council, tāngata whenua, stakeholders and the wider community?
Achievability	<ul style="list-style-type: none"> Can the objective be achieved by those responsible for implementation?

Section 32 of the RMA encourages a holistic approach to assessing objectives rather than necessarily looking each objective individually. This recognises that the objectives of a proposal generally work inter-dependently to achieve the purpose of the RMA. As such, some of the objectives for the Historic Heritage and Heritage Area Overlay chapters have been grouped in the evaluation below.

7.1 Evaluation of existing objectives

The ODP has multiple chapters containing objectives relevant to Historic Heritage, for ease of evaluation these have been grouped.

General Protection Objectives:

Objective(s):	
12.5.3.1 - To protect and retain the heritage values of resources.	
12.5.3.3 - To protect notable trees.	
12.5.3.4 - To conserve the historic and amenity values of settlements with significant historic character.	
12.5.3.7 - To ensure that subdivision and land use management practices avoid adverse effects on heritage values and resources.	
Relevance	These objectives are relevant as they seek to protect historic heritage. As such, these objectives directly relate to resource management issues and give effect section 6 of the RMA.
Usefulness	These objectives are useful as they provide clear direction and guide decision makers with respect to protection, given effect to and are consistent with the higher order policy direction of the NZCPS and RPS.
Reasonableness	Costs associated with implementation will be generated by the subsequent requirements to apply for consent (on any future developer) and monitoring (on Council). The proposed objectives do not result in any un-justifiable costs given the importance of historic heritage and the higher order policy direction to avoid adverse effects.
Achievability	The objectives and associated controls are achievable.
Overall evaluation	
The intent of these objectives is still appropriate and will be carried across to the proposed objectives. However, the wording will be changed to improve clarity, ensure consistency with the language used in the PDP, noting that Notable Trees and Heritage Area Overlays will be addressed in separate chapters, containing specific objectives and policies to conform with the National Planning Standards.	

Cultural Heritage Protection objectives:

Objective(s):	
12.5.3.2 - To protect wāhi tapu and other sites of spiritual, cultural or historical significance to Māori from inappropriate use, development and subdivision.	
12.5.3.5 - To protect the cultural, spiritual, scientific and historic values of archaeological sites from inappropriate use, development and subdivision.	
Relevance	These objectives are relevant as they seek to protect historic heritage particularly cultural heritage. As such, these objectives directly relate to resource management issues and will give effect to section 6 of the RMA.
Usefulness	These objectives are useful as they provide clear direction and guide decision makers with respect to protection. They, give effect to higher order policy direction of the NZCPS and RPS.
Reasonableness	Costs associated with implementation will be generated by the subsequent requirements to apply for consent (on any future developer) and monitoring (on Council). The proposed objectives do not result in any un-justifiable costs given the importance of historic and cultural heritage and the higher order policy direction to avoid adverse effects.
Achievability	The objectives and associated controls are achievable.
Overall evaluation	
The intent of these objectives is still appropriate and will be carried across to the proposed objectives.	

However, the wording will be changed to improve clarity, ensure consistency with the language used in the PDP, noting that Sites and Areas of Significance to Māori will be addressed in a separate Overlay chapter, containing specific objectives and policies to conform with the National Planning Standards.

Non-regulatory Objectives

Objective(s):	
12.5.3.6 – To assist landowners understanding of heritage resources on their land.	
12.5.3.8 – To support landowners who protect heritage by providing financial relief.	
Relevance	These objectives are relevant as they support landowners to understand and protect their historic heritage. As such, these objectives directly relate to resource management issues and give effect to section 6 of the RMA.
Usefulness	The intent of these objectives is useful, supporting landowners to understand and protect historic heritage. However, implementation relies upon providing financial relief which is beyond the district plan, should funding not be provided within the Long Term Plan, the objectives will not be achievable.
Reasonableness	Costs associated with implementation will be generated and lie with Council. The proposed objectives do not result in any un-justifiable costs given the importance of historic heritage and the higher order policy direction to avoid adverse effects.
Achievability	The objectives and associated controls are achievable.
<u>Overall evaluation</u>	
The intent of these objectives is still appropriate however there is no certainty of implementation, as this relies upon financial budget within a Long Term Plan. At this point in time Council has not included a specific heritage fund in the Long Term Plan, however funding is provided for “rate relief” where land owners enter into land covenants to protect historic heritage. These objectives would be implemented by way of non-statutory methods outside of the District Plan.	

Precincts/Area Objectives

Objective(s):
Heritage Precincts (Russell (The Strand, Wellington Street, Christ Church), Mangonui, Kohukohu, Rawene, Kerikeri Basin, Te Waimate and Pouerua)
12.5A.3.1 To recognise and protect retain the heritage values of the various heritage precincts derived from the sites, buildings and objects of historic significance, and to protect such sites, buildings and objects from inappropriate subdivision, use and development.
12.5A.3.2 To recognise and protect the heritage values of the various heritage precincts derived from the archaeological sites of the precincts and to retrieve and record archaeological evidence where appropriate.
12.5A.3.3 To recognise and protect the special character of the various heritage precincts that derives from the built form in combination with the landforms.
Paihia Mission Heritage Area:
12.5B.3.1 To recognise and protect the heritage values of the Paihia Mission Heritage Area derived from the sites, notable trees, buildings and objects of historic significance, and to protect such sites, buildings and objects from inappropriate subdivision, use and development.
12.5B.3.2 To recognise and protect the heritage values and special character of the Paihia Mission Heritage Area that derive from the built form, coastal setting and natural landforms that contribute to an appreciation and understanding of its heritage resources.

12.5B.3.3 To enable land in the Paihia Mission Heritage Area to be developed for commercial activities while recognising and, protecting the heritage values that exist.	
Relevance	These objectives are relevant as they seek to protect historic heritage within Heritage Area Overlays. As such, these objectives directly relate to resource management issues and give effect to section 6 of the RMA.
Usefulness	These objectives are useful as they provide clear direction and guide decision makers with respect to protection of heritage resources within the Heritage Area Overlays.
Reasonableness	Costs associated with implementation will be generated by the subsequent requirements to apply for consent (on any future developer) and monitoring (on Council). The proposed objectives do not result in any un-justifiable costs given the importance of historic heritage and the higher order policy direction to avoid adverse effects.
Achievability	The objectives and associated controls are achievable.
Overall evaluation	
The intent of these objectives is still appropriate and will be carried across to the proposed objectives. However, the wording will be changed to improve clarity, ensure consistency with the language used in the PDP, being tailored to the heritage values of each Heritage Area Overlay.	

Special Area zone – Waimate North

As stated earlier in the report there is a separate section 32 report for the Russell special area zone.

Objective(s):	
18.3.3.1	To maintain and enhance the natural character, landscapes, historic heritage values, and parklike vistas of the Waimate North Zone.
18.3.3.2	To manage the subdivision, use and development of the Waimate North Zone in a way that contributes to the social, economic and cultural well being of the Waimate North Zone community in particular, and the wider community in general.
18.3.3.3	To promote and encourage the enhancement of the historic and visual character of the Waimate North Zone.
Relevance	These objectives are relevant as they seek to protect historic heritage within the Waimate North Zone, directly relating to resource management issues and giving effect to section 6 of the RMA. Objective 18.3.3.2 is consistent with sustainable management under section 5 of the RMA.
Usefulness	Objectives 1 and 3 are useful in protecting historic heritage values in accordance with section 6 of the RMA. While objective 2 is generally useful and repeats the purpose of the RMA, it's relationship with objectives 1 and 3 is unclear.
Reasonableness	Costs associated with implementation will be generated by the subsequent requirements to apply for consent (on any future developer) and monitoring (on Council). The proposed objectives do not result in any un-justifiable costs given the importance of historic heritage and the higher order policy direction to avoid adverse effects.
Achievability	The objectives and associated controls are achievable.
Overall evaluation	
The Waimate North Zone will be discontinued, and instead will be part of the Te Waimate Heritage Area Overlay, with an underlying Rural Production zoning. The intent of objectives 1 and 3 is still appropriate and will be carried across to the proposed Heritage Area Overlay objectives. However, the wording will be changed	

to improve clarity, ensure consistency with the language used in the PDP, being tailored to the heritage values of Te Waimate Heritage Area overlay.

7.2 Evaluation of proposed objectives

Objective(s): Historic Heritage (HH)	
HH-O1 - Heritage Resources are identified and managed to ensure their long-term protection for current and future generations.	
HH-O2 - Land use and subdivision does not result in the loss or degradation of Heritage Resources.	
HH-O3 - The community is aware of, appreciates and celebrates its Heritage Resources and the sense of place it fosters.	
Relevance	These objectives are relevant as they seek to protect historic heritage and support community awareness which directly relates to the identified resource management issues and will give effect to and be consistent with section 6 of the RMA.
Usefulness	These objectives are useful providing clear direction and guidance to decision makers with respect to protection of historic heritage.
Reasonableness	Costs associated with implementation will be generated by the subsequent requirements to apply for consent (on any future developer) and monitoring (on Council). The proposed objectives do not result in any un-justifiable costs given the importance of historic heritage and the higher order policy direction to avoid adverse effects.
Achievability	These objectives and associated controls are achievable.
Overall evaluation	
The objectives address the resource management issues relevant to historic heritage in a way that is consistent with the plan structure required by the Planning Standards and improves alignment with the NZCPS and RPS.	

Objective(s): Historic Overlay (HO)	
HO-O1 - The heritage values of Heritage Area Overlays are derived from the sites, buildings and objects of historic significance, archaeological sites and landform are identified and protected.	
Relevance	This objective is relevant as it seeks to protect historic heritage and heritage values specific to each Heritage Area Overlay, which directly relates to the identified resource management issues and will give effect to and be consistent with section 6 of the RMA.
Usefulness	This objective is useful providing clear direction and guidance to decision makers with respect to protection of historic heritage within each Heritage Area Overlay.
Reasonableness	Costs associated with implementation will be generated by the subsequent requirements to apply for consent (on any future developer) and monitoring (on Council). The proposed objective does not result in any un-justifiable costs given the importance of historic heritage and the significant heritage values of Heritage Area Overlays and the higher order policy direction to avoid adverse effects.
Achievability	This objective and associated controls are achievable.
Overall evaluation	
The objective addresses the resource management issues relevant to the historic heritage of each Heritage Area Overlay in a way that is consistent with the plan structure required by the Planning Standards and	

8 Evaluation of Historic Heritage and Heritage Area Overlay Chapters Provisions to Achieve the Objectives

8.1 Introduction

Section 32(1)(b) of the RMA requires the evaluation report to examine whether the provisions are the most appropriate way to achieve the objectives by:

- (i) *identifying other reasonably practicable options for achieving the objectives; and*
- (ii) *assessing the efficiency and effectiveness of the provisions in achieving the objectives; and*
- (iii) *summarising the reasons for deciding on the provisions.*

When assessing the efficiency and effectiveness of the provisions in achieving the objectives, section 32(2) of the RMA requires that the assessment:

(a) identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for—

- (i) economic growth that are anticipated to be provided or reduced; and*
 - (ii) employment that are anticipated to be provided or reduced; and*
- (b) if practicable, quantify the benefits and costs referred to in paragraph (a); and*
- (c) assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.*

This section provides an assessment of options and associated provisions (policies, rules and standards) for achieving the objectives in accordance with these requirements. This assessment of options is focused on the key changes from the status quo as outlined in the 'proposed management approach' in section 5.2 of this report.

Each option is assessed in terms of the benefits, costs, and effectiveness and efficiency of the provisions, along with the risks of not acting or acting when information is uncertain or insufficient. For the purposes of this assessment:

- **effectiveness** assesses how successful the provisions are likely to be in achieving the objectives and addressing the identified issues
- **efficiency** measures whether the provisions will be likely to achieve the objectives at the least cost or highest net benefit to society.

The sections below provide an assessment of options (and associated provisions) for achieving the objectives in accordance with sections 32(1)(b) and 32(2) of the RMA.

8.2 Quantification of benefits and costs

Section 32(2)(b) of the RMA requires that, where practicable, the benefits and costs (environmental, economic, social and cultural) of a proposal are quantified. The requirement to quantify benefits and costs if practicable recognises it is often difficult and, in some cases, inappropriate to quantify certain costs and benefits through section 32 evaluations, particularly those relating to non-market values.

As discussed in section 6.2, the scale and significance of the effects of proposed changes for the Historic Heritage and Heritage Area Overlay chapters are assessed as being medium. Therefore, exact quantification of the benefits and costs of the different options to achieve the objectives is not considered to be necessary or practicable for the Historic Heritage and Heritage Area Overlay chapters. Rather this evaluation focuses on providing a qualitative assessment of the environmental, economic, social and cultural benefits and costs anticipated from the provisions.

8.3 Evaluation of Historic Heritage and Heritage Area Overlay chapters options

The following provides an evaluation of the options for the Historic Heritage and Heritage Area Overlay chapters only. Russell Township special zone has been evaluated within a separately section 32 report, which also has regard to the Russell Heritage Overlay due to its integrated relationship.

8.3.1 Option 1: Status quo

Option 1: Operative Plan Approach - Retains historic heritage, heritage precincts/areas and Waimate North special purpose zone, objectives, policies and provisions that support ongoing protection of historic heritage.		
Benefits	Costs	Risk of acting / not acting
<ul style="list-style-type: none"> • ODP plan structure, objectives, policies and provisions are familiar for plan users. • Compliance and administrative costs are known to Council. • Historic heritage will continue to be preserved and protected from inappropriate development. • Spatial identification of heritage precincts, areas and zones within the Planning Maps is an effective method to clearly illustrate where provisions apply with clear boundaries which avoids implementation errors and miss-interpretation. • 	<ul style="list-style-type: none"> • Social costs may arise through the introduction of a new approach which is not familiar to plan users. • ODP historic heritage provisions and mapping do not give effect to RPS historic heritage identification policy 4.5.3. • The objectives and policies of the ODP do not account for all the PDP resource overlays and zones. • The ODP approach, structure and drafting is not consistent with the high-level direction provided in the Planning Standards, or preferred electronic plan format. • Definition of heritage terminology, such as 'heritage areas', 'heritage item', 'heritage precincts' and 'historic heritage areas' in ODP is inconsistent and weakly defined and does not align with heritage terminology used in regional planning frameworks. • The ODP provisions do not align with the hybrid approach of the PDP which encompasses an effects and activities-based plan, as opposed to the effects-based plan that is reflected within the ODP. 	<ul style="list-style-type: none"> • Option 1 presents a medium risk of not acting, due to the complex, fragmented and repetitive hierarchy of provisions relating to historic heritage, and given the ODP approach, structure and drafting is not consistent with high-level direction provided in the Planning Standards or the hybrid approach of the PDP which encompasses an effects and activities-based plan.

	<ul style="list-style-type: none"> • Plan.Heritage have identified heritage resources which are located outside of the ODP heritage area spatial extent; therefore Option 1 will be inconsistent with the RPS higher order policy and will give effect to RPS policy 4.5.3 and method 4.5.4 (3). • Lacks the ability to create awareness and education with respect to Historic Heritage protection within a wider context, being solely reliant upon rules in mapped locations. • Cultural costs with not protecting the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga. 	
<p><u>Effectiveness</u></p> <ul style="list-style-type: none"> • The ODP provisions are complex and outdated, reducing the effectiveness in managing the adverse effects of subdivision, use and development on historic heritage. The ODP approach provides an unclear policy framework as provisions are spread across various chapters of the District Plan and do not clearly link the matters of Section 6 of the RMA. Thus, a refined approach to managing historic heritage would be more effective and provide a clearer link to the purpose of the RMA. 	<p><u>Efficiency</u></p> <ul style="list-style-type: none"> • The ODP is not efficient in achieving the objectives due to the complexity and inconsistency of the ODP heritage provisions resulting in interpretation issues and confusion for plan users. 	
<p><u>Overall evaluation</u></p> <p>On balance this option is not considered to be the most appropriate option to achieve the objectives because:</p> <ul style="list-style-type: none"> • The ODP provisions for heritage, heritage areas/precincts and special areas zones is an inefficient and ineffective approach. • The ODP provisions are contained across various and overlay chapters, which does not accord with the higher order statutory directions and the Planning Standards which direct a Historic Heritage chapter. • The provisions lack specificity and provides an effects-based plan as opposed to an activity-based plan, that does not adequately protect historic heritage. 		

8.3.2 Option 2: Statutory provisions and non-statutory district plan maps

Option 2: Statutory provisions and non-statutory district plan map approach - Apply district plan historic heritage provisions (objectives, policies and rules) to scheduled historic heritage only, with a non-statutory alert or awareness layer for heritage areas.		
Benefits	Costs	Risk of acting / not acting
<ul style="list-style-type: none"> • Will create awareness and education with respect to historic heritage protection within a wider context, not being solely reliant upon rules. • Reduced compliance and consenting costs for historic heritage owners. • Scheduled historic heritage will continue to be preserved and protected from inappropriate development. • 	<ul style="list-style-type: none"> • Does not recognise the collective value of concentrated groups of historic heritage resources and their value to a place. May result in the loss of heritage resources and degrade the integrity of heritage resources within the District. • Historic heritage provisions and mapping will not give effect to RPS historic heritage identification policy 4.5.3 and NZCPS policy 17. • Hierarchy of statutory provisions relating to historic heritage and non-statutory alert layers is complex, repetitive and fragmented, causing confusion for plan users. • The structure is not consistent with the high-level direction provided in the Planning Standards, or preferred electronic plan format. • Relationship of the alert layer and statutory mapped layers (such as coastal environment) could be miss-interpreted and may fail to avoid adverse effect. • Will not clearly illustrate where provisions do and don't apply, clear boundaries avoid implementation errors and miss-interpretation. • Unscheduled historic heritage within identified heritage areas would only be protected by the HNZPT Act, and Council would not be able to take any enforcement action under the RMA. • Cultural costs with not protecting the 	<ul style="list-style-type: none"> • Option 2 presents a medium risk of not acting, due to the complex, fragmented and repetitive hierarchy of provisions relating to historic heritage, and given the approach, structure and drafting is not consistent with high-level direction provided in the Standards.

	relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.	
<p><u>Effectiveness</u></p> <ul style="list-style-type: none"> Option 2 relies upon a complex relationship between statutory provisions and non-statutory mapping reducing the effectiveness in managing the adverse effects of subdivision, use and development on historic heritage. The approach will not clearly give effect to higher order policy and link to the matters of Section 6 of the RMA. Thus, a refined statutory approach to managing historic heritage would be more effective and provide a clearer link to the purpose of the Act. 	<p><u>Efficiency</u></p> <ul style="list-style-type: none"> Option 2 is not efficient in achieving the objectives due to the complexity and inconsistency of statutory and non-statutory provisions and mapping resulting in interpretation issues and confusion for plan users. 	
<p><u>Overall evaluation</u></p> <p>On balance this option is not considered to be the most appropriate option to achieve the objectives because:</p> <ul style="list-style-type: none"> The combination of statutory provisions and non-statutory mapping layers is an inefficient and ineffective approach. The combination of statutory provisions and non-statutory layers does not accord with the higher order statutory directions and the Standards. The option will not give effect to higher order policy direction. 		

8.3.3 Option 3: Preferred approach

Option 3: Proposed approach - Identify historic heritage, including heritage area overlays, in accordance with technical assessment of Plan. Heritage within

the statutory District Plan maps and District Plan provisions, objectives, policies and rules.

Benefits	Costs	Risk of acting / not acting
<ul style="list-style-type: none"> • Historic heritage provisions and mapping will give effect to RPS historic heritage identification policy 4.5.3 and NZCPS policy 17. • Comprehensive consideration and protection of historic heritage, relying on RMA consultation, notification, and enforcement processes. • The ability to consider non-compliance in relation protection of historic heritage through the RMA process ensures that the outcomes identified in the PDP are achieved, resulting in greater environmental outcomes. • A simplified management regime may result in a more efficient process for both Council and applicants. • Utilising a single statutory tool may result in a greater awareness and understanding for communities and plan users regarding the location and interpretation of historic heritage provisions. • The community has greater opportunity to challenge whether the rules for historic heritage and any decisions on resource consent applications are consistent with or promote the objectives of the plan and are appropriately managing adverse effects of such works. • All rules and standards are clearly laid out in two separate Historic Heritage and Heritage Area Overlay chapters with a clear framework in accordance with the direction in the Planning Standards. • Technical evidence to support the spatial extent. • Retain the integrity of heritage resources that contribute to the historic heritage values of a place. • Provisions will reduce risk of consenting costs and 	<ul style="list-style-type: none"> • Potential for applicants to incur greater cost and time involved in having to obtain a resource consent for activities that affect historic heritage that were previously permitted by the ODP. • Plan users will need to familiarise themselves with a new, single management approach to protecting historic heritage. 	<ul style="list-style-type: none"> • The risk of acting on these provisions is low, considering the extent of issues experienced under the ODP framework and the proposal changes to address these matters. The proposed approach is also generally consistent with other second-generation district plans throughout New Zealand. • Not acting on this approach may mean that the current implementation issues with the ODP continue and incrementally result in loss of amenity values, adverse effects on instability and quality of the environment.

<p>process as a result of managing non-heritage resources by way of setbacks from heritage resources.</p>		
<p><u>Effectiveness</u></p> <ul style="list-style-type: none"> The PDP gives effect to the Planning Standards, RPS and are considered to accord with the RMA. The preferred approach of Option 3 will allow for comprehensive consideration of historic heritage in conjunction with the wider development, including providing a pathway for consultation and a consistent approach in managing the associated adverse effects of these works. It will improve consistency and assist in achieving better environmental outcomes through robust RMA monitoring and enforcement processes. 	<p><u>Efficiency</u></p> <ul style="list-style-type: none"> Option 3 provides a high level of certainty and clarity about the types of activities that require consent for land use, subdivision and development affording protection of historic heritage in accordance with the direction of higher order policy. The proposed option is considered to be the most efficient method in achieving the objectives, having the greatest benefits which outweigh the costs when compared to the other options considered. 	
<p><u>Overall evaluation</u></p> <p>On balance this option is considered to be the most appropriate option to achieve the objectives because:</p> <ul style="list-style-type: none"> Consolidated Historic Heritage and Heritage Area Overlay chapters provide for a simpler plan structure that is aligned with the Planning Standards. The proposed provisions set clear, manageable limits, and explicit directions in terms of permitted activities and standards that protect historic heritage from adverse effects from inappropriate subdivision, use and development. Provisions are the most effective and efficient methods to achieve the objectives. 		

8.3.4 Option 4: Do nothing - non-statutory approach

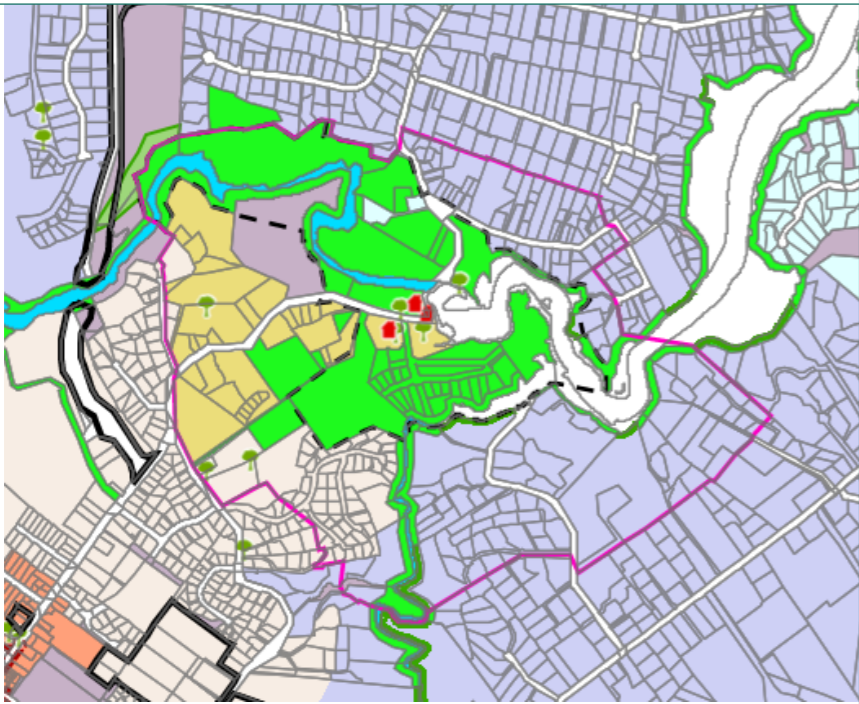
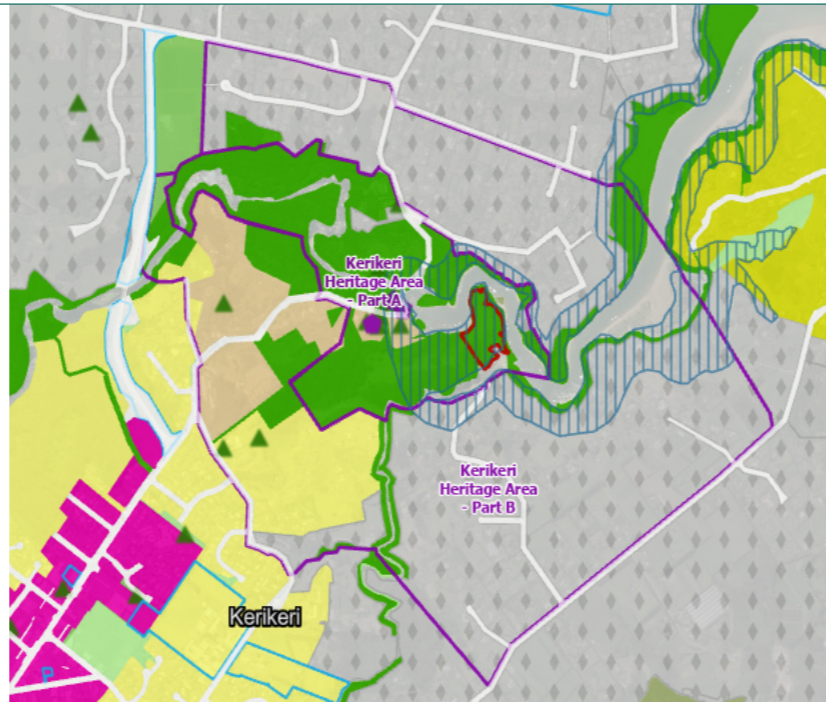
Option 3: Non-statutory approach – No objectives, policies, rules or mapping of historic heritage in the District Plan, relying upon Heritage New Zealand to protect heritage, methods of education and heritage protection funds.

Benefits	Costs	Risk of acting / not acting
<ul style="list-style-type: none"> No consenting cost and time involved in having to obtain a resource consent for activities that affect historic heritage. Will create awareness and education with respect to Historic Heritage protection within a wider context, not being solely reliant upon rules. Reduced compliance and consenting costs for historic heritage owners. Avoids duplication with HNZPTA protection of historic heritage and authority processes. 	<ul style="list-style-type: none"> PDP will fail to give effect to RPS historic heritage identification policy 4.5.3 and NZCPS policy 17. Absence of RMA processes to provide for consultation, notification, and enforcement. No ability to consider non-compliance in relation protection of historic heritage through the RMA processes to ensure outcomes identified in the PDP are achieved. Lack of ability for the community to challenge whether the rules for historic heritage and any decisions on resource consent applications are consistent with or promote the objectives of the plan and are appropriately managing adverse effects of such works. 	<ul style="list-style-type: none"> Option 2 presents a medium risk of not acting, due to the complex, fragmented and repetitive hierarchy of provisions relating to historic heritage, and given the approach, structure and drafting is not consistent with high-level direction provided in the National Planning Standards.
<p><u>Effectiveness</u></p> <ul style="list-style-type: none"> Option 4 relies upon non-statutory methods reducing the effectiveness in managing the adverse effects of subdivision, use and development on historic heritage. The approach will not clearly give effect to higher order policy and link to the matters of Section 6 of the RMA. Thus, a refined statutory approach to managing historic heritage would be more effective and provide a clearer link to the purpose of the Act. 	<p><u>Efficiency</u></p> <ul style="list-style-type: none"> Option 4 is not efficient in achieving the objectives due to the reliance upon non-statutory methods and the inability to undertake monitoring and enforcement without RMA statutory framework. 	
<p><u>Overall evaluation</u></p> <p>On balance this option is not considered to be the most appropriate option to achieve the objectives because:</p> <ul style="list-style-type: none"> The non-statutory methods are inefficient and ineffective. The non-statutory methods do not accord with the higher order statutory directions and the Standards. The option will not give effect to higher order policy direction. 		

9 Heritage Area Overlay Spatial Evaluation

The following evaluates the options for identifying heritage area overlays, being assessed in terms of the benefits, costs, and effectiveness and efficiency of the provisions, along with the risks of not acting or acting when information is uncertain or insufficient. Evaluation of alternative options for each Heritage Area Overlay have been summarised in the table below:

9.1 Kerikeri Heritage Area Overlay

<u>Heritage Area Overlay Description</u>	<u>Features/Matters to be Protected</u>	<u>Within Coastal Environment</u>	<u>Within Outstanding Landscape</u>	<u>Identified SSM</u>
<p>Outstanding archaeological and scientific values, evidenced through the archaeological sites of Māori origin in the locality, including Kororipo Pa, burial sites, a kainga and midden sites.</p> <p>Outstanding architectural and technological values, due to the survival of Māori earthworks and reconstructions of a pre-European village (Rewa's Village). The historic area houses some of the earliest European-style buildings constructed in New Zealand (1820 – 1880).</p> <p>It has an outstanding association with prominent people and events of the time, including Hongi Hika, the Kemp family and the Reverend John Butler, who is credited with important developments in New Zealand agriculture.</p>	<p>The Kerikeri Heritage Area Overlay, around the tidal inlet, incorporates historic buildings, archaeological sites, interpretations and open space.</p> <p>Kerikeri Basin, including Kemp House, Stone Store, St James Church, and Kemp Tearoom Properties, recorded archaeological sites Kororipo (Te Waho o te Riri), Traditional site, burial area; caves now closed; Rewa's Village shell midden and Kororipo Pa Historic Reserve; with other Crown land and reserve facing onto the Kerikeri Basin.</p>	Partial	ONF – Rainbow Falls	Kororipo Pa
<u>Operative Far North District Plan – Spatial Extent</u>	<u>Draft District Plan – Plan.Heritage Spatial Extent</u>	<u>Plan.Heritage Evaluation and Significance:</u>		
		<ul style="list-style-type: none"> • Overall Value*: Outstanding • Overall Score*: 4 Outstanding: of exceptional importance and interest: retention of the identified value(s)/ significance is essential (equivalent to HNZPT Category 1) • Overall Context: National • Statement of Significance: Refer to page 88 of Heritage Report • Eligibility for scheduling: Yes 		
<u>Option 1</u> <u>Statutory Mapping Based Upon ODP</u>	<u>Option 2</u> <u>Statutory Mapping Based Upon Plan.Heritage</u>	<u>Option 3</u> <u>Alert Layer</u>	<u>Option 4</u> <u>Statutory Mapping and Alert Layer</u>	
The spatial extent of the ODP includes all identified heritage sites.	Plan.Heritage have identified an extended the spatial area to include surviving early orchard subdivisions and	Alert layer will capture all relevant heritage resources. Will give effect to RPS historic heritage identification	Spatial extent will capture all relevant heritage resources.	

<p>Spatial extent includes a visual buffer based upon view shafts from Kororipo Pa, large extents of vegetation and built form has changed since the mapping of the ODP spatial extent.</p> <p>No technical evidence to support spatial extent of visual buffer.</p> <p>Visual buffer extends over large areas of land zoned residential and rural living, imposing additional consenting requirements to locations identified for intensification.</p> <p>Will give effect to NZCPS and RPS policy direction.</p>	<p>to reflect the change in built development of the urban core.</p> <p>Technical evidence to support the spatial extent.</p> <p>Will give effect to NZCPS and RPS policy direction.</p> <p>Significant increase in properties subject to compliance in comparison to option 1 and imposing additional consenting requirements to locations identified for intensification. 605 properties will be regulated vs the current 326 in the OPD.</p>	<p>policy 4.5.3.</p> <p>Failure to give effect to the NZCPS protecting historic heritage within the coastal environment from adverse effects.</p> <p>Failure to give effect to the RPS policy direction to avoid significant adverse effects.</p> <p>Reduced consenting cost.</p>	<p>No technical evidence to support the different levels of protection.</p> <p>Inconsistent protection of historic heritage and plan implementation.</p> <p>No justification or section 32 support to afford different levels of protection to heritage area overlays.</p> <p>Will give effect to NZCPS and RPS policy direction.</p> <p>Increase in properties subject to compliance in comparison to option 1, no increase in additional consenting requirements to locations identified for intensification.</p>
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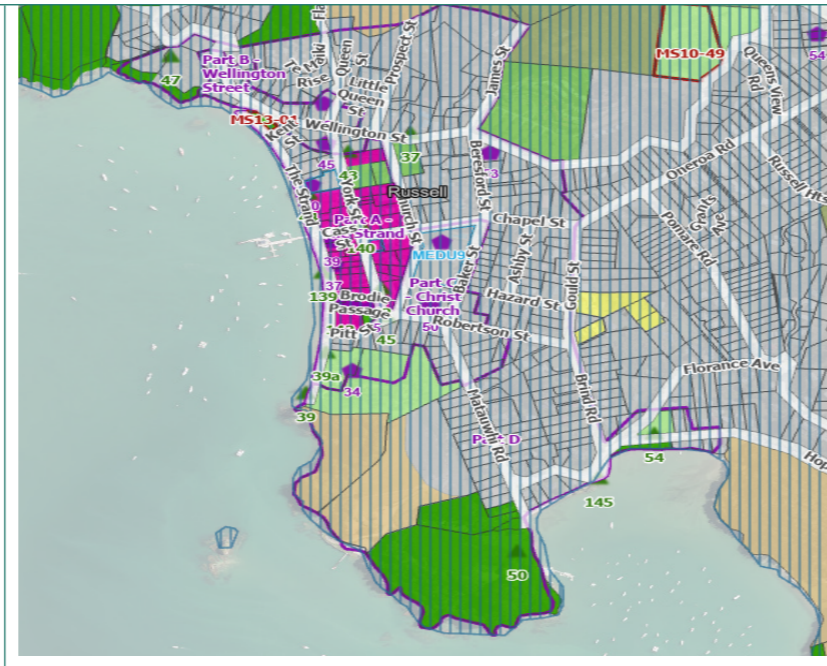
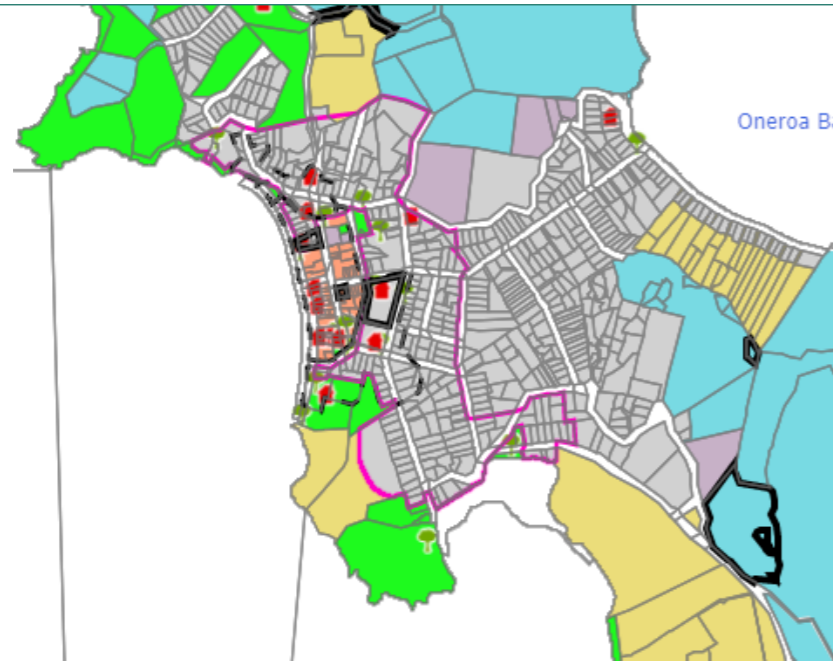
Overall Evaluation:

Map as a statutory layer in the PDP the Heritage Area Overlay, based upon the Plan.Heritage spatial extent. Divide the Heritage Area Overlay into two areas to enable different rules to apply. “Part A” consistent with the ODP heritage area spatial extent applying all rules (built heritage, earthworks, signage, new building or structures, additions, or alterations limitation) and “Part B” applying less rules relating to accidental discovery protocol earthworks rule, signage, new building or structures, additions, or alterations limitation.

This applies Option 2, being the most appropriate method to give effect to the objectives. It is considered to be the most efficient and effective method of identifying the heritage area, while using rules to reduce the risk of additional consenting requirements.

9.2 Kororāreka Russell Heritage Area Overlay

<u>Heritage Area Overlay Description</u>	<u>Features/Matters to be Protected</u>	<u>Within Coastal Environment</u>	<u>Within Outstanding Landscape</u>	<u>Identified SSM</u>
<p>Russell (Kororāreka) is a historically significant location of Māori and Early European settlement in the Bay of Islands. Pre-European Pa sites are recorded on the headlands to the north and south of the historical town centre and middens are recorded at Matauwhi Bay.</p> <p>In 1830 Kororāreka is recorded as the site of a battle between rival Māori (The ‘girls war’), involving Hōne Heke amongst others.</p> <p>Russell has architectural significance as a very good example of a 19th century / early 20th century settlement which includes several important historical buildings. Several of these are scheduled in the New Zealand Heritage List as places of national significance.</p> <p>Development has been limited from the second half of the 20th century, so that Kororāreka Russell retains a high degree of integrity and context, which is significant at the regional and national level.</p>	<p>The Kororāreka Russell Heritage Area Overlay includes the land between the foreshore and the ridgeline of St James Road and Long Beach Road to the west. To the north and south.</p> <p>Incorporates historic buildings, archaeological sites, boundary treatments, street furniture and historic plantings, and open space.</p> <p>A wider visual buffer area captures part of the hillside and western portion of the town. it includes parts of the headlands with recorded pa sites near Wellington Street and Matauwhi Bay Reserve, and part of Florence Ave towards the Matauwhi Bay foreshore.</p>	<p>Entirely (plus HNC)</p>	<p>No</p>	<p>Te Hikuwai Urupa</p>
<u>Operative Far North District Plan – Spatial Extent</u>	<u>Draft District Plan – Plan.Heritage Spatial Extent</u>	<u>Plan.Heritage Evaluation and Significance:</u>		



- Overall Value*: Outstanding
- Overall Score*: 4 Outstanding: of exceptional importance and interest: retention of the identified value(s)/ significance is essential (equivalent to Category 1)
- Overall Context: National
- Statement of Significance: Refer to page 92 of Heritage Report
- Eligibility for scheduling: Yes

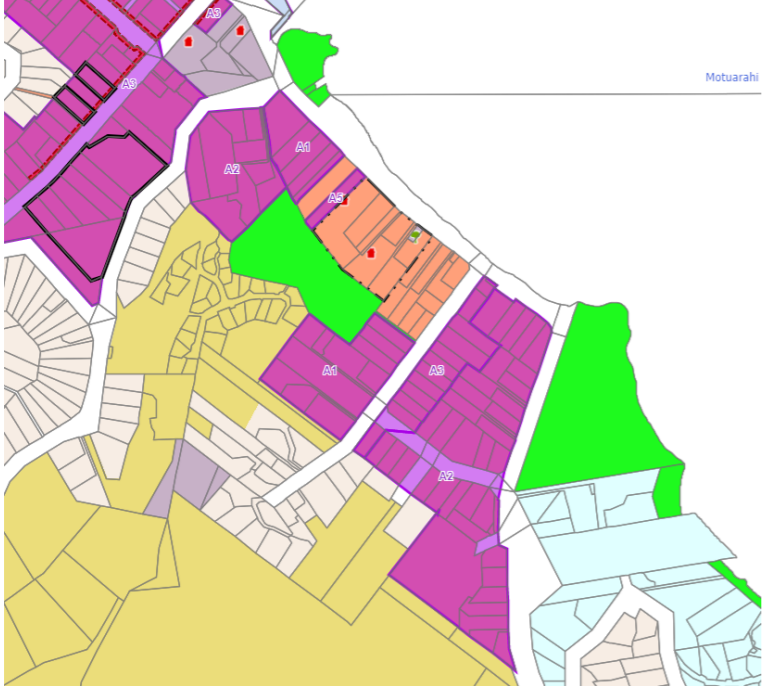

Option 1 Statutory Mapping Based Upon ODP	Option 2 Statutory Mapping Based Upon Plan.Heritage	Option 3 Alert Layer	Option 4 Statutory Mapping and Alert Layer
<p>Spatial extent of the ODP does not include all relevant heritage resources.</p> <p>No technical evidence to support spatial extent.</p> <p>Will give effect to RPS historic heritage identification policy 4.5.3.</p> <p>Will not give effect to NZCPS and RPS policy direction.</p>	<p>Significant number of archaeological and heritage sites have been recorded within the Russell area following the ODP, the spatial extent of the Plan.Heritage mapped area includes all relevant sites.</p> <p>Technical evidence to support spatial extent.</p> <p>Will give effect to RPS historic heritage identification policy 4.5.3.</p> <p>Will give effect to NZCPS and RPS policy direction.</p> <p>Significant increase in area subject to compliance in comparison to option 1 and imposing additional consenting requirements to locations identified for intensification. However, while the area has increased, it has resulted in only 381 properties being regulated vs the existing 476 as changes to the overall location have been made.</p>	<p>Significant number of archaeological and heritage sites have been recorded within the Russell area following the ODP, the alert layer will capture all sites.</p> <p>Will give effect to RPS historic heritage identification policy 4.5.3.</p> <p>Failure to give effect to the NZCPS protecting historic heritage within the coastal environment from adverse effects.</p> <p>Failure to give effect to the RPS policy direction to avoid significant adverse effects.</p> <p>Reduced consenting cost.</p>	<p>Spatial extent will capture all relevant heritage resources.</p> <p>No technical evidence to support the different levels of protection.</p> <p>Inconsistent protection of historic heritage and plan implementation.</p> <p>No justification or section 32 support to afford different levels of protection to heritage area overlays.</p> <p>Will give effect to NZCPS and RPS policy direction.</p> <p>Increase in properties subject to compliance in comparison to option 1, no increase in additional consenting requirements to locations identified for intensification.</p>

Overall Evaluation:

Map as a statutory layer in the PDP the Heritage Area Overlay, based upon the Plan.Heritage spatial extent. Divide the Heritage Area Overlay into four areas to enable different rules to apply. “Part A The Strand”, “Part B Wellington Street” and “Part C Christ Church” consistent with the ODP heritage area spatial extent applying all rules (built heritage, earthworks, signage, new building or structures, additions, or alterations limitation) and “Part D” applying less rules relating to earthworks, signage, new building or structures, additions, or alterations limitation.

This applies Option 2, being the most appropriate method to give effect to the objectives. It is considered to be the most efficient and effective method of identifying the heritage area overlay, while using rules to reduce the risk of additional consenting requirements.

9.3 Paihia Heritage Area Overlay

<u>Heritage Area Description</u>	<u>Features/Matters to be Protected</u>	<u>Within Coastal Environment</u>	<u>Within Outstanding Landscape</u>	<u>Identified SSM</u>
<p>The proposed historic heritage area includes the foreshore and headlands at either end of Paihia Beach. It is bounded to the southeast by Seaview Road, to the northwest by Williams Road, and to the southwest by Island View Close.</p> <p>Heritage Area Overlay, and individual scheduled buildings, scheduled archaeological site, site of significance to Māori.</p>	<p>The sites of Māori origin along the foreshore and within scenic reserves, and the important historic sites located near the Horotutu Creek, which is itself an important historical landscape feature.</p> <p>The archaeological potential for sites within the former low-lying field systems, from numerous historical images and currently recorded archaeological sites.</p> <p>The forested high ground to the Southwest of MacMurray Road is included as an area of archaeological potential associated with the recorded location of Te Koke's Pa. this may be revised with future investigation.</p>	Partial	No	No
<u>Operative Far North District Plan – Spatial Extent</u>	<u>Draft District Plan – Plan.Heritage Spatial Extent</u>	<u>Plan.Heritage Evaluation and Significance:</u>		
		<ul style="list-style-type: none"> • Overall Value*: Outstanding • Overall Score*: 3 High: of great importance and interest: retention of the identified value(s)/ significance is essential (equivalent to Category 2) • Overall Context: National • Statement of Significance: Refer to page 88 of Heritage Report • Eligibility for scheduling: Yes 		
<p><u>Option 1</u> <u>Statutory Mapping Based Upon ODP</u></p>	<p><u>Option 2</u> <u>Statutory Mapping Based Upon Plan.Heritage</u></p>	<p><u>Option 3</u> <u>Alert Layer</u></p>	<p><u>Option 4</u> <u>Statutory Mapping and Alert Layer</u></p>	
<p>Significant number of archaeological and heritage sites have been recorded within the Paihia Overlay following the ODP, the spatial extent of the ODP does not include all relevant sites.</p> <p>No technical evidence to support spatial extent.</p> <p>Failure to give effect to RPS historic heritage</p>	<p>Significant number of archaeological and heritage sites have been recorded within the Paihia Overlay following the ODP, the spatial extent of the Plan.Heritage mapped area includes all relevant sites.</p> <p>Technical evidence to support spatial extent.</p> <p>Will give effect to RPS historic heritage identification</p>	<p>Significant number of archaeological and heritage sites have been recorded within the Paihia Overlay following the ODP, the alert layer will capture all sites.</p> <p>Will give effect to RPS historic heritage identification policy 4.5.3.</p> <p>Failure to give effect to the NZCPS protecting</p>	<p>Spatial extent will capture all relevant heritage resources.</p> <p>No technical evidence to support the different levels of protection.</p> <p>Inconsistent protection of historic heritage and plan implementation.</p>	

identification policy 4.5.3. Failure to give effect to the NZCPS protecting historic heritage within the coastal environment from adverse effects.	policy 4.5.3. Will give effect to NZCPS and RPS policy direction. Significant increase in properties subject to compliance in comparison to option 1 and imposing additional consenting requirements to locations identified for intensification. 161 properties will be regulated vs the 8 in the ODP.	historic heritage within the coastal environment from adverse effects. Failure to give effect to the RPS policy direction to avoid significant adverse effects. Reduced consenting cost.	No justification or section 32 support to afford different levels of protection to heritage area overlays. Will give effect to NZCPS and RPS policy direction. Increase in properties subject to compliance in comparison to option 1, no increase in additional consenting requirements to locations identified for intensification.
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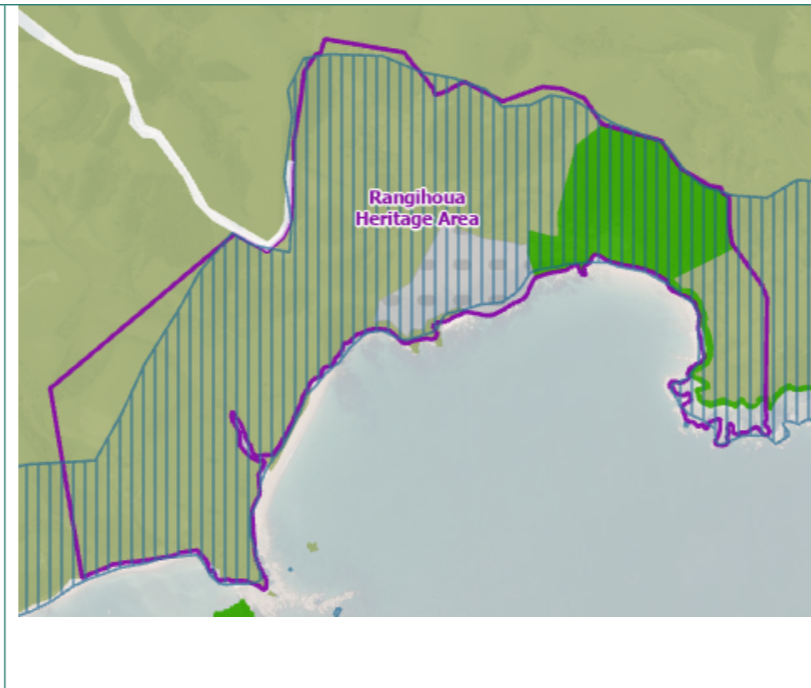
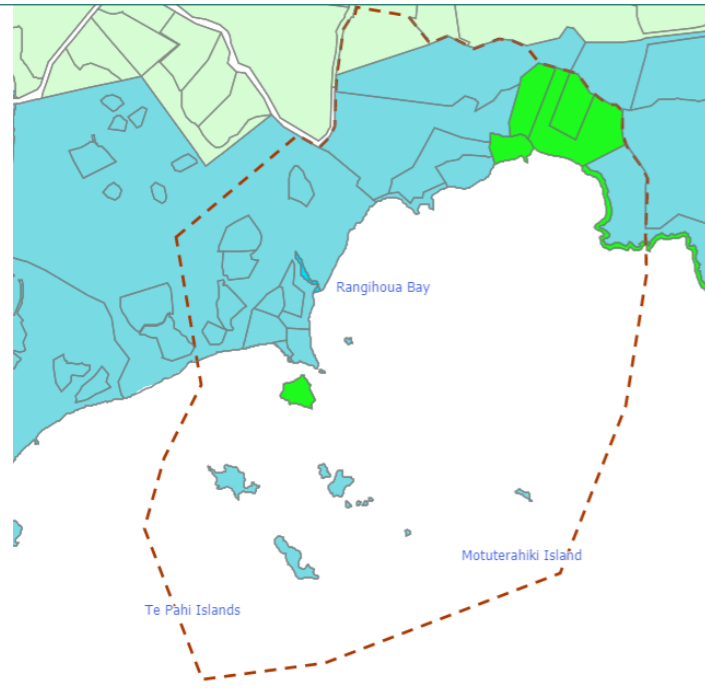
Overall Evaluation:

Map as a statutory layer in the PDP the Heritage Area Overlay, based upon the Plan.Heritage spatial extent. Divide the Heritage Area Overlay into two areas to enable different rules to apply. “Part A” area spatial extent applying all rules (built heritage, earthworks, signage, new building or structures, additions, or alterations limitation) and “Part B” applying less rules relating to accidental discovery protocol earthworks rule, signage, new building or structures, additions, or alterations limitation.

This applies Option 2, being the most appropriate method to give effect to the objectives. It is considered to be the most efficient and effective method of identifying the heritage area overlay, while using rules to reduce the risk of additional consenting requirements.

9.4 Rangihoua Heritage Area Overlay

<u>Heritage Area Overlay Description</u>	<u>Features/Matters to be Protected</u>	<u>Within Coastal Environment</u>	<u>Within Outstanding Landscape</u>	<u>Identified SSM</u>
<p>Rangihoua has outstanding archaeological significance for the long period of Māori occupation of the land prior to European arrival, extending back to at least the 14th century AD, early contact sites and early European settlement sites. Matakā on the north headland is one of five hills that are identified as pou (boundary markers) for the Ngāpuhi.</p> <p>The Rangihoua Heritage Area Overlay has historic heritage value of national importance. As a site of prolonged early contact between Māori and Pakeha, prior to British colonisation, Rangihoua is considered to have outstanding identity value as one of the foundation places of modern bicultural New Zealand. It is recognised as one of the key historic meeting places of two cultures, and as such is of outstanding significance in relation to people and events of national importance. It was the location of Rangihoua Pa, and the earliest major Māori trading post in NZ, controlled by the influential chief Te Pahi whose name remains in the landscape. The earliest land-based church service was performed here, by the missionary Samuel Marsden.</p>	<p>The landward boundary of the Heritage Area Overlay runs along the top of a steep ridgeline at the eastern end of Rangihoua Bay, encompassing part of the headland at this end. Heading north-westwards, it continues along the northern ridge of the Oihi Valley before joining a westward track at the head of the valley. At the northern apex of the overlay, the boundary connects with a more substantial roadway running southwards between two belts of trees. Towards the southern limit of the track, the boundary extends westwards across the Te Puna valley, over the ridge on its western side, to the Wairoa Stream. The stream marks the western boundary of the overlay.</p>	Partially (plus HNC)	Partially	No
<u>Operative Far North District Plan – Spatial Extent</u>	<u>Draft District Plan – Plan.Heritage Spatial Extent</u>	<u>Plan.Heritage Evaluation and Significance:</u>		



- Overall Value*: Outstanding
- Overall Score*: 4 Outstanding: of exceptional importance and interest: retention of the identified value(s)/ significance is essential (equivalent to Category 1)
- Overall Context: National
- Statement of Significance: Refer to page 67 of Heritage Report
- Eligibility for scheduling: Yes

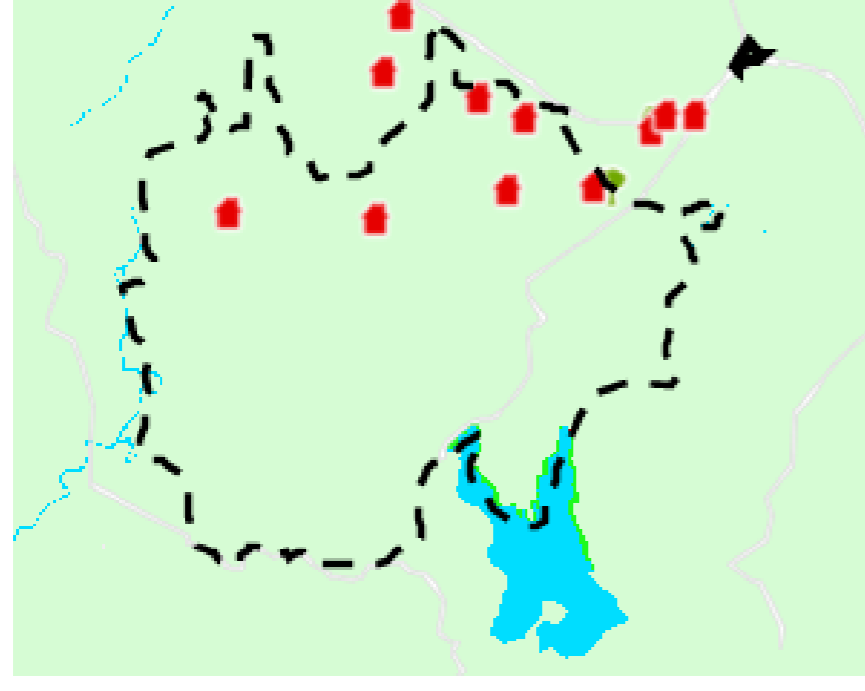

<u>Option 1</u> <u>Statutory Mapping Based Upon ODP</u>	<u>Option 2</u> <u>Statutory Mapping Based Upon Plan.Heritage</u>	<u>Option 3</u> <u>Alert Layer</u>	<u>Option 4</u> <u>Statutory Mapping and Alert Layer</u>
<p>Spatial extent of the ODP includes all relevant heritage resources.</p> <p>No technical evidence to support spatial extent.</p> <p>Will give effect to RPS historic heritage identification policy 4.5.3.</p> <p>Will give effect to NZCPS and RPS policy direction.</p>	<p>Spatial extent is consistent with the ODP and includes all relevant heritage resources.</p> <p>Technical evidence to support spatial extent.</p> <p>Will give effect to RPS historic heritage identification policy 4.5.3.</p> <p>Will give effect to NZCPS and RPS policy direction.</p>	<p>Spatial extent is consistent with the ODP and includes all relevant heritage resources.</p> <p>Will give effect to RPS historic heritage identification policy 4.5.3.</p> <p>Failure to give effect to the NZCPS protecting historic heritage within the coastal environment from adverse effects.</p> <p>Failure to give effect to the RPS policy direction to avoid significant adverse effects.</p> <p>Reduced consenting cost.</p>	<p>Spatial extent will capture all relevant heritage resources.</p> <p>No technical evidence to support the different levels of protection.</p> <p>Inconsistent protection of historic heritage and plan implementation.</p> <p>No justification or section 32 support to afford different levels of protection to heritage area overlays.</p> <p>Will give effect to NZCPS and RPS policy direction.</p> <p>Increase in properties subject to compliance in comparison to option 1, no increase in additional consenting requirements to locations identified for intensification.</p>

Overall Evaluation:

Map the heritage area overlay as a statutory layer in the PDP maps, with the spatial extent based upon the Plan.Heritage spatial extent, noting that this is consistent with the ODP maps.

This applies Option 2, being the most appropriate method to give effect to the objectives. It is considered to be the most efficient and effective method of identifying the heritage area overlay, while using rules to reduce the risk of additional consenting requirements.

9.5 Pouerua Heritage Area Overlay

<u>Heritage Area Overlay Description</u>	<u>Features/Matters to be Protected</u>	<u>Within Coastal Environment</u>	<u>Within Outstanding Landscape</u>	<u>Identified SSM</u>
<p>Pouerua is a traditional site of great importance to the Ngapuhi runanga and all its hapu: Ngati Hine, Ngati Whakaeke, Ngati Maoerewa, Ngati Rahiri, Ngati Kawa, Ngati Kopaki, Ngati Teara, and all others around the Taiamai area. Pouerua is considered the origin and the watershed or pou of the two tribal areas of Ngapuhi, at the Hokianga in the west and Taumarere in the east.</p> <p>Pouerua is considered to be an archaeological site of special and outstanding historical and cultural heritage significance and value. The site and its connecting landscape includes the pa Pouerua; stonefield areas gardened by Māori using traditional methods; stonefield systems created by the missionary Williams in his training of Māori in British farming practices; and the lake Owhareiti, which is also of cultural importance.</p>	<p>The Pouerua lava field and Lake Owhareiti to the south, west to the Waiaruhe river, north to SH1 and the settlement of Pakaraka, then east as far as the field system containing Ngawuha Pa.</p> <p>The Pouerua pa and surrounding sites are, as a group, of outstanding value in demonstrating (archaeologically) Pre-contact architecture and engineering, including the spatial arrangement of kainga. The overlay contains stone mounds representing filed clearance for Māori gardening systems, as well as drystone walling techniques introduced by Europeans.</p> <p>The Pouerua Heritage Area Overlay also includes a number of early settler homesteads, and associated farm buildings, loosely centred on the Holy Trinity Church.</p>	No	<p>ONF – Pouerua scoria cone</p> <p>ONL – Ohaewai volcanic field</p> <p>ONF – Ngahuha scoria cone</p>	<p>Pouerua Maunga tapu, waahi tapu, pa</p> <p>Ngahuhu Pa</p> <p>Owhareiti scared lake</p>
<u>Operative Far North District Plan – Spatial Extent</u>	<u>Draft District Plan – Plan.Heritage Spatial Extent</u>	<u>Plan.Heritage Evaluation and Significance:</u>		
		<ul style="list-style-type: none"> • Overall Value*: Outstanding • Overall Score*: 4 Outstanding: of exceptional importance and interest: retention of the identified value(s)/ significance is essential (equivalent to Category 1) • Overall Context: National • Statement of Significance: Refer to page 117 of Heritage Report • Eligibility for scheduling: Yes 		
<u>Option 1</u> <u>Statutory Mapping Based Upon ODP</u>	<u>Option 2</u> <u>Statutory Mapping Based Upon Plan.Heritage</u>	<u>Option 3</u> <u>Alert Layer</u>	<u>Option 4</u> <u>Statutory Mapping and Alert Layer</u>	
<p>Spatial extent of the ODP does not include all relevant heritage resources.</p> <p>No technical evidence to support spatial extent.</p> <p>Will not give effect to RPS historic heritage identification policy 4.5.3.</p>	<p>Significant number of archaeological and heritage sites have been recorded within the Pouerua Overlay following the ODP, the spatial extent of the Plan.Heritage mapped area includes all relevant sites.</p> <p>Technical evidence to support spatial extent.</p> <p>Will give effect to RPS historic heritage identification</p>	<p>Significant number of archaeological and heritage sites have been recorded within the Pouerua Overlay following the ODP, the alert layer will capture all sites.</p> <p>Will give effect to RPS historic heritage identification policy 4.5.3.</p> <p>Failure to give effect to the RPS policy direction to</p>	<p>Spatial extent will capture all relevant heritage resources.</p> <p>No technical evidence to support the different levels of protection.</p> <p>Inconsistent protection of historic heritage and plan implementation.</p>	

Will not give effect to RPS policy direction.	<p>policy 4.5.3.</p> <p>Will give effect to RPS policy direction.</p> <p>Significant increase in properties subject to compliance in comparison to option 1 and imposing additional consenting requirements to locations identified for intensification. 230 properties will be regulated vs the 38 in the ODP.</p>	<p>avoid significant adverse effects.</p> <p>Reduced consenting cost.</p>	<p>No justification or section 32 support to afford different levels of protection to heritage area overlays.</p> <p>Will give effect to RPS policy direction.</p> <p>Increase in properties subject to compliance in comparison to option 1, no increase in additional consenting requirements to locations identified for intensification.</p>
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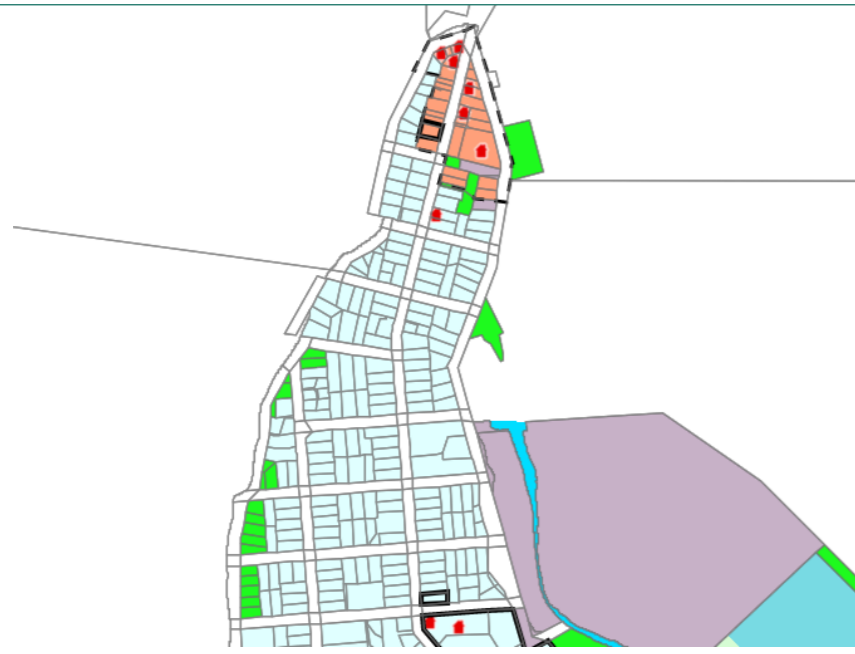
Overall Evaluation:

Map as a statutory layer in the PDP the Heritage Area Overlay, based upon the Plan.Heritage spatial extent, utilising provisions to afford appropriate level of protection of heritage resources while enabling farming activities.

This applies Option 2, being the most appropriate method to give effect to the objectives. It is considered to be the most efficient and effective method of identifying the heritage area overlay, while using rules to reduce the risk of additional consenting requirements.

9.6 Rāwene Heritage Area Overlay

<u>Heritage Area Overlay Description</u>	<u>Features/Matters to be Protected</u>	<u>Within Coastal Environment</u>	<u>Within Outstanding Landscape</u>	<u>Identified SSM</u>
<p>Rāwene Township demonstrates a number of features which share spatial, landscape and historical context. The limestone cliffs particularly on the western edge create a significant natural landmark upon which Rāwene the town was founded. The Forest block south of the hospital and cemetery marks the historical boundary of the Township.</p> <p>In the wider context Rāwene is one of several early Pakeha settlements associated with the export of Kauri timber from the Hokianga.</p>	<p>Includes foreshore around the headland. It encompasses the historical township from the north of Birch Street to the foreshore</p> <p>Heritage Precinct; scheduled Historic Sites; Outstanding Natural Feature.</p> <p>Rāwene has high historical and context value as one of the earliest permanent European settlements in Northland, and as a centre for the export of kauri timber on the Hokianga. Rāwene is a physical link to the early days when shipping was the main form of transport, and this context is maintained today with the car ferry across the Hokianga. The pattern of subdivision is unchanged from the early days of the township, with a number of pre-1940 villas and bungalows concentrated along the higher ground either side of Parnell Street.</p> <p>Architecturally, the significant built heritage of the Rāwene Heritage Area Overlay derives from the survival of the historic commercial buildings on the headland, and their association with the waterfront.</p>	Entirely	ONF – Limestone cast on coastal edge	No
<u>Operative Far North District Plan – Spatial Extent</u>	<u>Draft District Plan – Plan.Heritage Spatial Extent</u>	<u>Plan.Heritage Evaluation and Significance:</u>		



- Overall Value*: High
- Overall Score*: 3 High: of great importance and interest: retention of the identified vale(s)/ significance is very important (equivalent to Category 2).
- Overall Context: Regional
- Statement of Significance: Refer to page 139 of Heritage Report
- Eligibility for scheduling: Yes

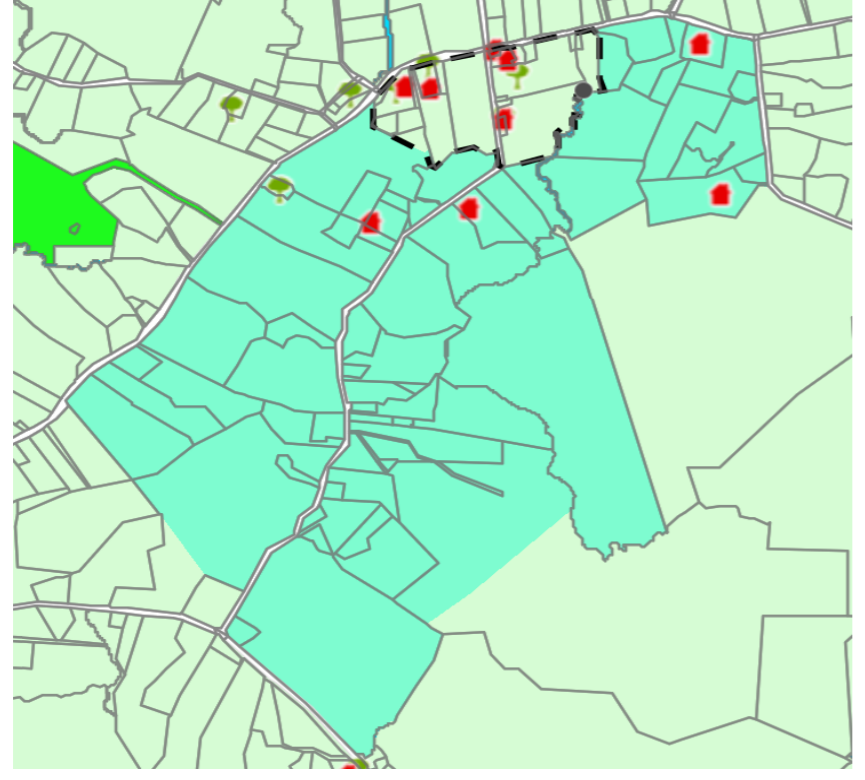
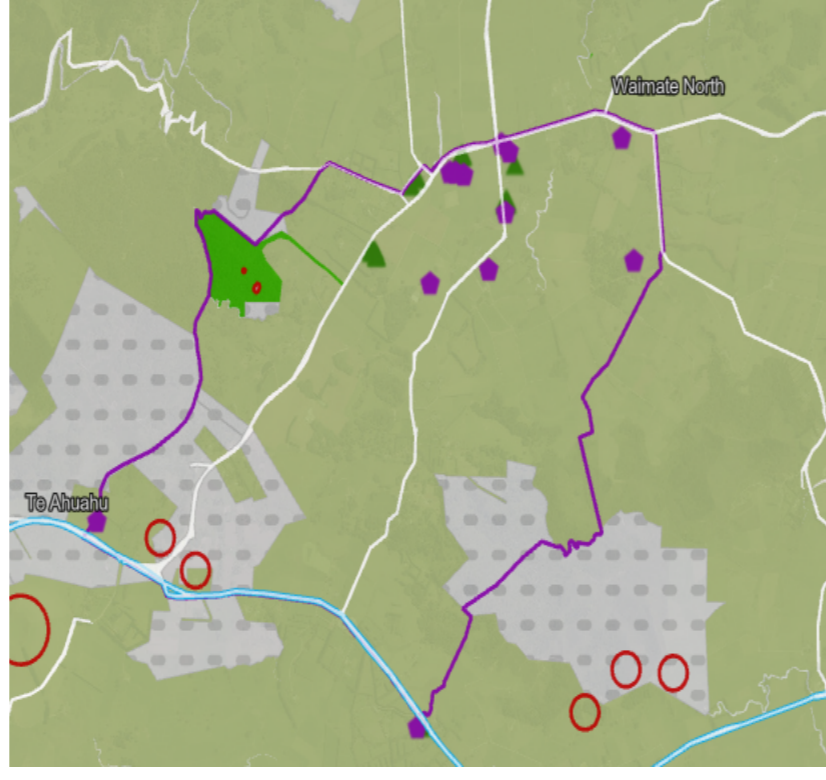
<u>Option 1</u> <u>Statutory Mapping Based Upon ODP</u>	<u>Option 2</u> <u>Statutory Mapping Based Upon Plan.Heritage</u>	<u>Option 3</u> <u>Alert Layer</u>	<u>Option 4</u> <u>Statutory Mapping and Alert Layer</u>
<p>Spatial extent of the ODP does not include all relevant heritage resources.</p> <p>No technical evidence to support spatial extent.</p> <p>Will not give effect to RPS historic heritage identification policy 4.5.3.</p> <p>Will not give effect to RPS policy direction.</p>	<p>The Plan.Heritage mapped overlay follows the distinctly different patten of earlier subdivision form and includes a number of villa, bungalow and churches.</p> <p>Technical evidence to support spatial extent.</p> <p>Will give effect to RPS historic heritage identification policy 4.5.3.</p> <p>Will give effect to NZCPS and RPS policy direction.</p> <p>Significant increase in properties subject to compliance in comparison to option 1 and imposing additional consenting requirements to locations identified for intensification. 243 properties will be regulated vs the 42 in the OPD.</p>	<p>Significant number of archaeological and heritage sites have been recorded within the Rawene Heritage Area Overlay following the ODP, the alert layer will capture all sites.</p> <p>Will give effect to RPS historic heritage identification policy 4.5.3.</p> <p>Failure to give effect to the RPS policy direction to avoid significant adverse effects.</p> <p>Reduced consenting cost.</p>	<p>Spatial extent will capture all relevant heritage resources.</p> <p>No technical evidence to support the different levels of protection.</p> <p>Inconsistent protection of historic heritage and plan implementation.</p> <p>No justification or section 32 support to afford different levels of protection to heritage area overlays.</p> <p>Will give effect to RPS policy direction.</p> <p>Increase in properties subject to compliance in comparison to option 1, no increase in additional consenting requirements to locations identified for intensification.</p>

Overall Evaluation:

Map as a statutory layer in the PDP the Heritage Area Overlay, based upon the Plan.Heritage spatial extent. Divide the Heritage Area Overlay into two areas to enable different rules to apply. “Part A” consistent with the ODP heritage area spatial extent applying all rules (built heritage, earthworks, signage, new building or structures, additions, or alterations limitation) and “Part B” applying less rules relating to accidental discovery protocol earthworks rule, signage, new building or structures, additions, or alterations limitation.

This applies Option 2, being the most appropriate method to give effect to the objectives. It is considered to be the most efficient and effective method of identifying the heritage area overlay, while using rules to reduce the risk of additional consenting requirements.

9.7 Te Waimate Heritage Area Overlay

<u>Heritage Area Overlay Description</u>	<u>Features/Matters to be Protected</u>	<u>Within Coastal Environment</u>	<u>Within Outstanding Landscape</u>	<u>Identified SSM</u>
<p>The Te Waimate Heritage Area Overlay is of outstanding local, regional and national importance as a landscape which shows the progression of pre-contact Māori Settlement, early interaction with settlers, and a scene of nationally important historic events including the signing of the Treaty of Waitangi. The Te Waimate Heritage Area Overlay is nationally important as one of the birthplaces of modern agricultural practice and farming tradition in New Zealand. As an area, it contains several important examples of early colonial Architecture and landscaping practices, including the second oldest surviving building in NZ, and the oldest Oak tree in NZ.</p>	<p>Te Waimate Historic Heritage Area Overlay covers the valley area between The Te Waimate Mission Station and Te Ahu Road on the northeast extent, to the State Highway 1 on the southwest extent.</p>	<p>No</p>	<p>No</p>	<p>Pirikotaha waahi tapu Parawhenua Marae Okuratope Pa Kuratope Pa (Partial Māori Purpose Zone)</p>
<u>Operative Far North District Plan – Spatial Extent</u>	<u>Draft District Plan – Plan.Heritage Spatial Extent</u>	<u>Plan.Heritage Evaluation and Significance:</u>		
		<ul style="list-style-type: none"> • Overall Value*: Outstanding • Overall Score*: 4 Outstanding: of exceptional importance and interest: retention of the identified value(s)/ significance is essential (equivalent to Category 1) • Overall Context: Local, Regional and National • Statement of Significance: Refer to page 164 of Heritage Report • Eligibility for scheduling: Yes 		
<p><u>Option 1</u> <u>Statutory Mapping Based Upon ODP</u></p>	<p><u>Option 2</u> <u>Statutory Mapping Based Upon Plan.Heritage</u></p>	<p><u>Option 3</u> <u>Alert Layer</u></p>	<p><u>Option 4</u> <u>Statutory Mapping and Alert Layer</u></p>	
<p>Spatial extent of the ODP does not include all relevant heritage resources.</p> <p>No technical evidence to support spatial extent.</p> <p>Will not give effect to RPS historic heritage identification policy 4.5.3.</p> <p>Will not give effect to RPS policy direction.</p>	<p>Significant number of archaeological and heritage sites have been recorded within the Te Waimate overlay following the ODP, the spatial extent of the Plan.Heritage mapped area includes all relevant sites.</p> <p>Technical evidence to support spatial extent.</p> <p>Will give effect to RPS historic heritage identification</p>	<p>Significant number of archaeological and heritage sites have been recorded within the Te Waimate Overlay following the ODP, the alert layer will capture all sites.</p> <p>Will give effect to RPS historic heritage identification policy 4.5.3.</p> <p>Failure to give effect to the RPS policy direction to</p>	<p>Spatial extent will capture all relevant heritage resources.</p> <p>No technical evidence to support the different levels of protection.</p> <p>Inconsistent protection of historic heritage and plan implementation.</p> <p>No justification or section 32 support to afford</p>	

	<p>policy 4.5.3.</p> <p>Will give effect to RPS policy direction.</p> <p>Significant increase in properties subject to compliance in comparison to option 1 and imposing additional consenting requirements to locations identified for intensification. 218 properties will be regulated vs the 106 in the OPD Waimate North special area and 25 in the OPD Heritage Waimate North Heritage Precinct.</p>	<p>avoid significant adverse effects.</p> <p>Reduced consenting cost.</p>	<p>different levels of protection to heritage area overlays.</p> <p>Will give effect to RPS policy direction.</p> <p>Increase in properties subject to compliance in comparison to option 1, no increase in additional consenting requirements to locations identified for intensification.</p>
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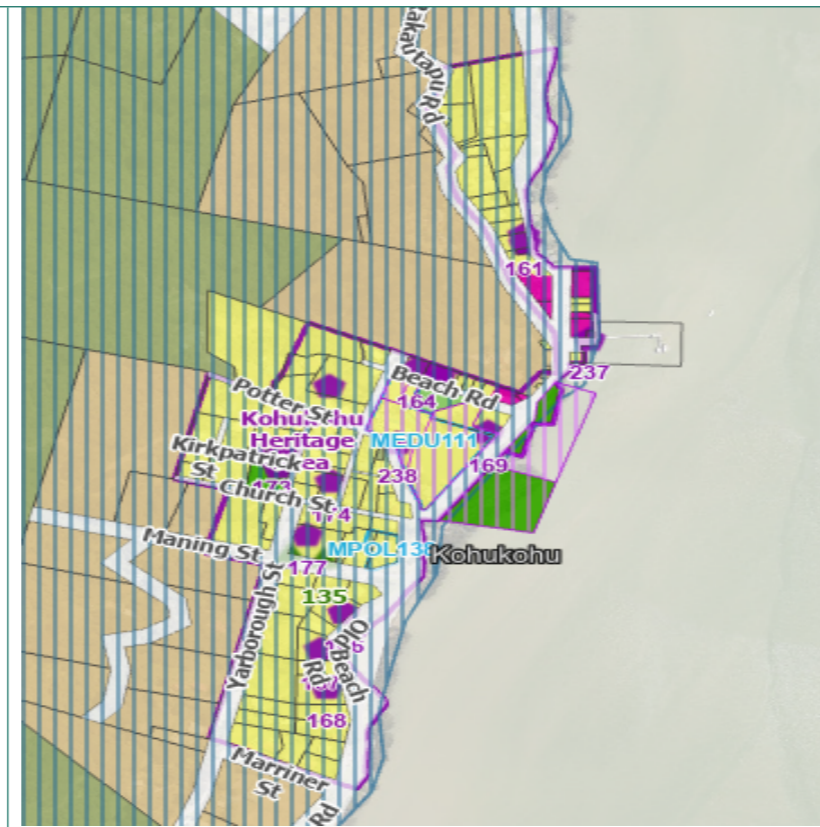
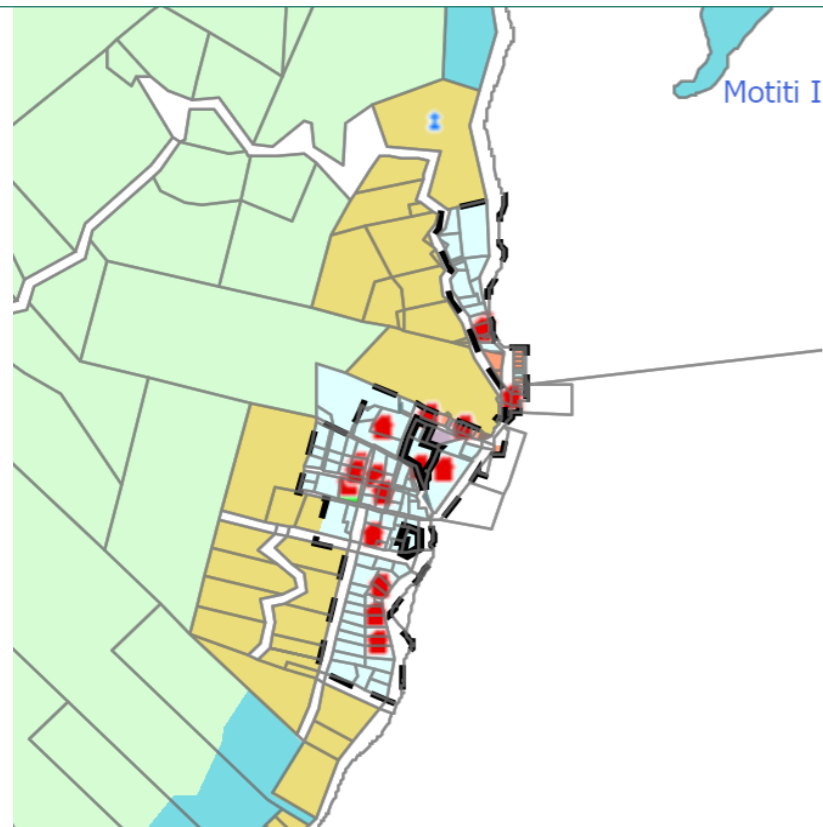
Overall Evaluation:

Map as a statutory layer in the PDP the Heritage Area Overlay, based upon the Plan.Heritage spatial extent, utilising provisions to afford appropriate level of protection of heritage resources while enabling farming activities.

This applies Option 2, being the most appropriate method to give effect to the objectives. It is considered to be the most efficient and effective method of identifying the Heritage Area Overlay, while using rules to reduce the risk of additional consenting requirements.

9.8 Kohukohu Heritage Area Overlay

<u>Heritage Area Overlay Description</u>	<u>Features/Matters to be Protected</u>	<u>Within Coastal Environment</u>	<u>Within Outstanding Landscape</u>	<u>Identified SSM</u>
<p>Kohukohu has outstanding local and regional heritage significance for its architectural and technological qualities as an intact and compact Victorian colonial settlement largely constructed between 1880 and 1910. The Kohukohu Stone Bridge is a nationally significant structure, being the earliest surviving bridge in the country.</p>	<p>There are only two formally recorded archaeological sites within the heritage area overlay, both of European Origin (the school and the Hokianga Sawmill). However, the Old Stone Bridge, reclamation between it and the current foreshore, and the majority of scheduled/listed buildings are dated prior to 1900. T</p>	<p>Partial</p>	<p>No</p>	
<p><u>Operative Far North District Plan – Spatial Extent</u></p>	<p><u>Draft District Plan – Plan.Heritage Spatial Extent</u></p>	<p><u>Plan.Heritage Evaluation and Significance:</u></p>		



- Overall Value*: Outstanding
- Overall Score*: 4 Outstanding: of exceptional importance and interest: retention of the identified value(s)/ significance is essential (equivalent to Category 1)
- Overall Context: Regional
- Statement of Significance: Refer to page 209 of Heritage Report
- Eligibility for scheduling: Yes

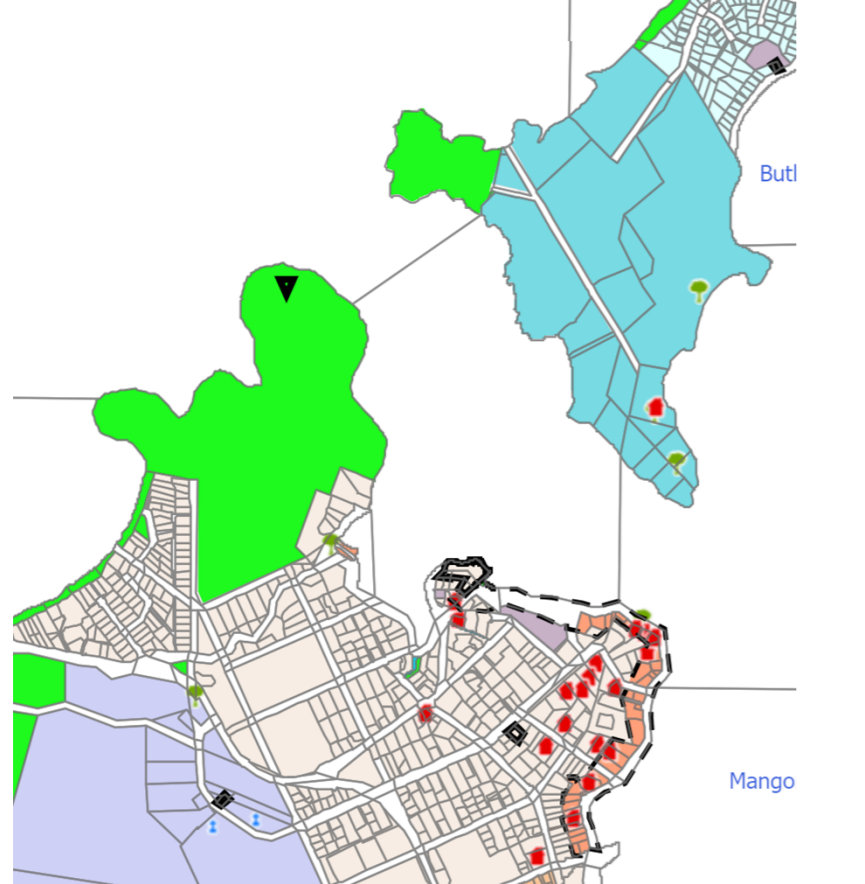
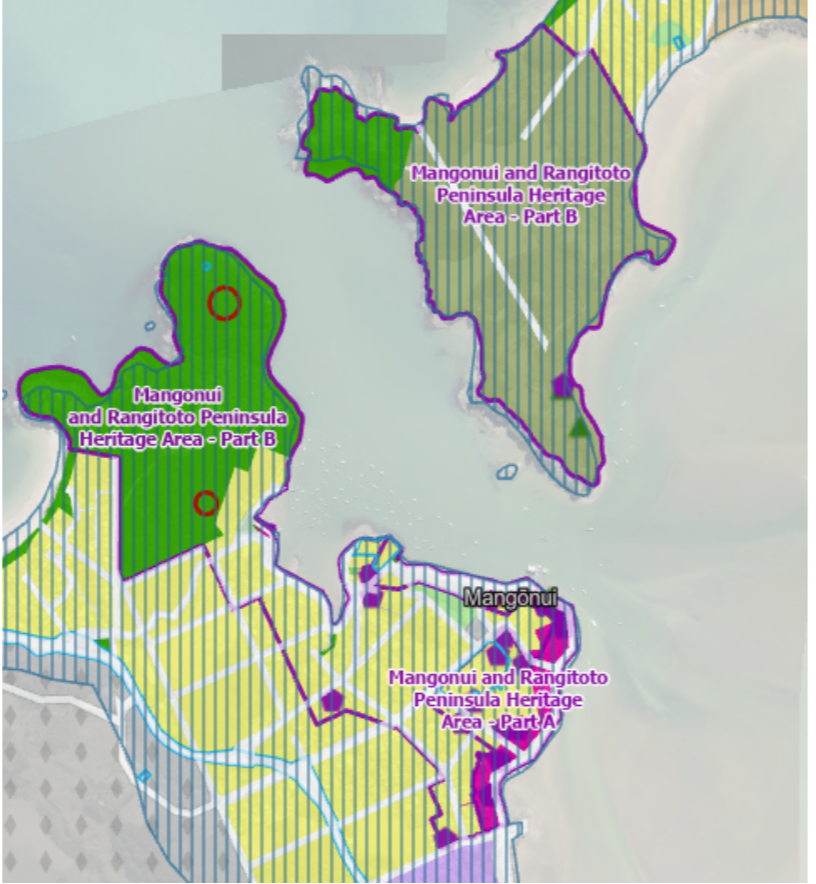
<u>Option 1</u> <u>Statutory Mapping Based Upon ODP</u>	<u>Option 2</u> <u>Statutory Mapping Based Upon Plan.Heritage</u>	<u>Option 3</u> <u>Alert Layer</u>	<u>Option 4</u> <u>Statutory Mapping and Alert Layer</u>
<p>Spatial extent of the ODP includes all relevant heritage resources.</p> <p>No technical evidence to support spatial extent.</p> <p>Will give effect to RPS historic heritage identification policy 4.5.3.</p> <p>Will give effect to NZCPS and RPS policy direction.</p>	<p>Spatial extent is consistent with the ODP and includes all relevant heritage resources.</p> <p>Technical evidence to support spatial extent.</p> <p>Will give effect to RPS historic heritage identification policy 4.5.3.</p> <p>Will give effect to NZCPS and RPS policy direction.</p>	<p>Spatial extent is consistent with the ODP and includes all relevant heritage resources.</p> <p>Will give effect to RPS historic heritage identification policy 4.5.3.</p> <p>Failure to give effect to the NZCPS protecting historic heritage within the coastal environment from adverse effects.</p> <p>Failure to give effect to the RPS policy direction to avoid significant adverse effects.</p> <p>Reduced consenting cost.</p>	<p>Spatial extent will capture all relevant heritage resources.</p> <p>No technical evidence to support the different levels of protection.</p> <p>Inconsistent protection of historic heritage and plan implementation.</p> <p>No justification or section 32 support to afford different levels of protection to heritage area overlays.</p> <p>Will give effect to NZCPS and RPS policy direction.</p> <p>Increase in properties subject to compliance in comparison to option 1, no increase in additional consenting requirements to locations identified for intensification.</p>

Overall Evaluation:

Map the Heritage Area Overlay as a statutory layer in the PDP maps, with the spatial extent based upon the Plan.Heritage spatial extent, noting that this is consistent with the ODP maps.

This applies Option 2, being the most appropriate method to give effect to the objectives. It is considered to be the most efficient and effective method of identifying the heritage area overlay, while using rules to reduce the risk of additional consenting requirements.

9.9 Mangonui and Rangitoto Peninsula Heritage Area Overlay

<u>Heritage Area Overlay Description</u>	<u>Features/Matters to be Protected</u>	<u>Within Coastal Environment</u>	<u>Within Outstanding Landscape</u>	<u>Identified SSM</u>
<p>Individual and interrelated places of significance to Māori, outstanding landscape features and natural topography which underlies the identity of the place as a historically important harbour town.</p> <p>The special heritage character of the Mangonui Township waterfront derives from the external appearance of the historic buildings, and their association with the harbour edge. The heritage area overlay covers the old business area of Mangonui.</p> <p>Heritage Area Overlay, and individual scheduled buildings, scheduled archaeological site, site of significance to Māori.</p>	<p>There are few recorded archaeological sites within the ODP precinct. Sites of Māori origin are represented by only a single midden site.</p> <p>There are clusters of Sites of Māori origin on surrounding headlands and islands which attest to earlier Māori settlement of the area generally. Pa</p> <p>Recorded archaeological sites include historical middens, the site of a former commercial building, and one shell midden located on the foreshore. An early trackway is recorded running up the ridgeline above Mangonui, past the Anglican Church and school and along Colonel Mould Drive.</p> <p>However, a number of surviving scheduled buildings are pre-1900 in date, and several are located on the site of properties recorded prior to 1900 as shown on historical maps.</p>	Entirely (partial HNC)	Partial ONL	Rangikapiti Pa Berghan Family Urupa
<u>Operative Far North District Plan – Spatial Extent</u>	<u>Draft District Plan – Plan.Heritage Spatial Extent</u>	<u>Plan.Heritage Evaluation and Significance:</u>		
		<ul style="list-style-type: none"> • Overall Value*: High • Overall Score*: 3 High: of great importance and interest: retention of the identified vale(s)/ significance is very important (equivalent to Category 2). • Overall Context: National • Statement of Significance: Refer to page 233 of Heritage Report • Eligibility for scheduling: Yes 		

<u>Option 1</u> <u>Statutory Mapping Based Upon ODP</u>	<u>Option 2</u> <u>Statutory Mapping Based Upon Plan.Heritage</u>	<u>Option 3</u> <u>Alert Layer</u>	<u>Option 4</u> <u>Statutory Mapping and Alert Layer</u>
<p>Significant number of archaeological and heritage sites have been recorded within the Mangonui Overlay following the ODP, the spatial extent of the ODP does not include all relevant sites.</p> <p>No technical evidence to support spatial extent.</p> <p>Failure to give effect to RPS historic heritage identification policy 4.5.3.</p> <p>Failure to give effect to the NZCPS protecting historic heritage within the coastal environment from adverse effects.</p> <p>No protection of Rangitoto Peninsular and consideration of the Sites of Significance to Māori and Outstanding Landscape.</p>	<p>Significant number of archaeological and heritage sites have been recorded within the Mangonui Overlay following the ODP, the spatial extent of the Plan.Heritage mapped area includes all relevant sites.</p> <p>Technical evidence to support spatial extent.</p> <p>Will give effect to RPS historic heritage identification policy 4.5.3.</p> <p>Will give effect to NZCPS and RPS policy direction.</p> <p>Significant increase in properties subject to compliance in comparison to option 1 and imposing additional consenting requirements to locations identified for intensification. 305 properties will be regulated vs the 56 in the OPD.</p>	<p>Significant number of archaeological and heritage sites have been recorded within the Mangonui Overlay following the ODP, the alert layer will capture all sites.</p> <p>Will give effect to RPS historic heritage identification policy 4.5.3.</p> <p>Failure to give effect to the NZCPS protecting historic heritage within the coastal environment from adverse effects.</p> <p>Failure to give effect to the RPS policy direction to avoid significant adverse effects.</p> <p>Conflicting with SSM and ONL provisions in the plan.</p> <p>Reduced consenting cost.</p>	<p>Spatial extent will capture all relevant heritage resources.</p> <p>No technical evidence to support the different levels of protection.</p> <p>Inconsistent protection of historic heritage and plan implementation.</p> <p>No justification or section 32 support to afford different levels of protection to heritage area overlays.</p> <p>Will give effect to NZCPS and RPS policy direction.</p> <p>Increase in properties subject to compliance in comparison to option 1, no increase in additional consenting requirements to locations identified for intensification.</p>

Overall Evaluation:

Map as a statutory layer in the PDP the Heritage Area Overlay, based upon the Plan.Heritage spatial extent. Divide the Heritage Area Overlay into two areas to enable different rules to apply. “Part A” consistent with the ODP heritage area spatial extent applying all rules (built heritage, earthworks, signage, new building or structures, additions, or alterations limitation) and “Part B” applying less rules relating to accidental discovery protocol earthworks rule, signage, new building or structures, additions, or alterations limitation.

This applies Option 2, being the most appropriate method to give effect to the objectives. It is considered to be the most efficient and effective method of identifying the heritage area overlay, while using rules to reduce the risk of additional consenting requirements.

10 Summary

An evaluation of the proposed objectives and provisions for historic heritage has been carried out in accordance with section 32 of the RMA. This evaluation has concluded that the objectives are the most appropriate way to achieve the purpose of the RMA and the provisions as detailed are the most appropriate way to achieve the objectives for the following reasons:

- Historic Heritage and Heritage Area Overlay chapters provide for a simpler plan structure that is particular to protection of historic heritage and which is aligned with the Planning Standards.
- The objectives and policies are designed to enable subdivision, use and development whilst avoiding significant adverse effects on historic heritage.
- The provisions will give effect to section 6 of the RMA, and the higher order policy direction of the NZCPS and RPS.
- The provisions have been designed to recognise, manage and protect the unique heritage values of each Heritage Area Overlay while considering the geographical context and constraints.

Overall, it is considered that the proposed provisions are the most appropriate given that the benefits outweigh the costs, and there are considerable efficiencies to be gained from adopting the preferred provisions.

11 Appendices

11.1 Appendix 1 Plan.Heritage Stage 1 Background Report

11.2 Appendix 2 Plan.Heritage Stage 2 Rapid Assessment Report