

**Aorere ki uta Aorere ki tai - Tasman Environment Plan**

## **Issues and Options Report**

### **Historic Heritage**

**(Buildings, Structures and European Cultural Heritage Sites)**

**Final report date:** June 2021

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## Important Note

March 2021

The Office of the Minister for the Environment released the Cabinet paper - *Reforming the resource management system* on 10 February 2021 (the Cabinet paper). As set out in that paper, Minister Parker proposes to repeal the RMA and replace it with:

- A Natural and Built Environments Act (NBA)
- A Strategic Planning Act (SPA), and
- A Managed Retreat and Climate Change Adaptation Act (CAA)

These Acts will influence the development of the TEP and how we are required to manage and plan for Tasman district's environment.

From the information we have we understand that the planning system will shift away from being effects-based, and instead focus on **outcomes**.

As of March 2021, this is what we know:

1. The purpose is likely to be to "*promote the quality of the environment to support the wellbeing of present and future generations and to recognise the concept of Te Mana o te Taiao*"
2. Biophysical limits will be set by the Minister
3. Twenty draft outcomes are identified (these are provided in Appendix 2)

Te Mana O Te Taiao is a concept that is likely to be central to the new legislation. It means "the mana of the natural world". People are a part of nature – and we can only thrive when nature thrives. This is described in more detail in this report.

**In this report the author will, where necessary and appropriate, address the issues and options from the perspective of the new NBA purpose and outcomes.**

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# 1 Executive Summary

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## 1.1 Introduction

Different forms of heritage protection have been provided for in Tasman's resource management plans for decades. In the early to mid-1990's these provisions were consolidated into the Tasman Resource Management Plan (TRMP) which was the first plan to cover the entire district. The TRMP historic heritage provisions include objectives, policies, and rules relating to heritage buildings and structures as well as pre-European and post European cultural heritage sites. There are approximately 127 buildings and structures and 250 European cultural heritage sites currently identified in the TRMP.

The Resource Management Act 1991 (RMA) was amended in 2003 to elevate the importance of historic heritage to a matter of national importance and historic heritage values have been further recognised in national policy change relating to freshwater, coastal values and urban development since then. In 2009 TDC notified Plan Change 16 to update the TRMP with RMA amendments relating to cultural heritage. The focus of this plan change was on cultural heritage rather than heritage buildings and structures. There have been a number of plan changes to add or remove heritage buildings since 2002 (Variation 28 and 58, Plan Change 41 and 53<sup>1</sup>), however there has been no comprehensive review of heritage listings.

In 2019, the National Planning Standards required that combined plans, such as the TEP, have an amended structure that separates out general historic heritage from sites and areas of significance to Māori.

This report investigates issues and options for the management of historic heritage as it relates to buildings, structures and European cultural heritage sites. A report relating to Sites and Areas of Significance to Maori will follow later in 2021.

## 1.2 Purpose and Scope

The purpose of this report is to outline specific issues around the management of historic heritage, investigate potential options and define the recommended option(s) to address the issue.

Historic heritage is currently managed in the Tasman Resource Management Plan (TRMP) via objectives and policies in Chapter 10 that require the appropriate protection, management and enhancement of historic heritage by recognising and protecting buildings, objects and places that are of historic, architectural or landmark value to the community. The reduction of risk of modification, damage or destruction of cultural heritage sites arising from subdivision, use and development activities is also sought. TRMP rules, in Chapter 16, provide for minor repairs and additions to heritage buildings and structures and the destruction and removal of Category II buildings and structures whilst discouraging destruction and removal of Category I Buildings and structures. Rules enable modification of cultural heritage sites where authority and approval has been provided by Heritage New Zealand (HNZ) and manawhenua iwi.

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<sup>1</sup> TRMP Efficiency and Effectiveness Evaluation – Chapter 10 Significant Natural Values and Historic Heritage - TDC 2020

TDC also currently offers a range of non-regulatory support including the Heritage Building Restoration Initiatives Fund. This is an annual fund of \$5,000 that provides grants throughout the year of \$500 for specified restoration work on buildings identified as having heritage value and listed in the TRMP and grants of up to \$1000 for large earthquake strengthening projects on listed heritage buildings.

Greater priority has been given to the protection of historic heritage in the RMA since the TRMP was initially developed and buildings, structures, and cultural heritage sites are susceptible to damage from increased development pressure and impacts from more intensive natural hazards. This paper will focus on how the TRMP significant resource management issues, objectives, and policies should be updated to better protect historic heritage in Tasman given the current context.

The scope of this paper does not cover the management of sites and areas of significance to Maori as this will be covered in a paper to follow. While sites and areas of significance to Maori are a critical part of historic heritage management the National Planning Standards have separated this out from general historic heritage management. A later paper on Maori issues will also provide further opportunities to engage with iwi prior to the relevant council workshop.

The outcomes of this paper will need to be reviewed in conjunction with a number of other key topics that have potential impacts on the management of historic heritage, due to their location and risks from development and natural hazards including:

- Resource Management Issues of Significance to Iwi Entities
- Climate change
- Natural Hazards
- Coastal
- Subdivision
- Soil Disturbance
- Growth Management
- Designations

While there has been some preliminary engagement with iwi partners and key stakeholders, any recommended option(s) defined in this report will be further tested with iwi, Council, and community and may evolve during the course of the plan development process. The feedback and direction received on the recommended option(s) will inform development of the Draft Aorere ki uta Aorere ki tai - Tasman Environment Plan (TEP).

### 1.3 Issue(s)

There are approximately 800 cultural heritage sites (250 European) and 127 buildings and structures currently identified in the TRMP. These are located throughout the Tasman District and play a key role in maintaining amenity and our links to past events, people, and places. Increasing development pressure and natural hazard events along with a changing national policy framework means there is a need to review how we identify and manage these taonga.

The following information sources have been used to understand the current historic heritage issues within the Tasman District:

- Initial TEP consultation Oct – Nov 2020
- Section 35 report: Chapter 10 ‘Significant Natural Values and Historic Heritage’ 1 Sept 2020’ (The Section 35 report)
- A review of relevant national policy changes
- TDC paper “Resource Management Issues of Significance to Iwi Entities”

- TDC Paper “Stage 2 of TRPS Efficiency and Effectiveness Review: Significant Resource Management Issues” 19 March 2021
- TDC Monitoring and Enforcement Team feedback
- TDC Consenting team feedback
- Preliminary engagement with key stakeholders April -May 2021
- Review of other Council’s provisions
- Review of Heritage Building Restoration Initiatives Fund

Using the evidence sources above, the issues in relation to historic heritage within the Tasman District are considered to fall into two key areas:

- *Issue 1: Historic heritage is integral to the region’s identity and is potentially vulnerable to adverse effects from natural hazards and inappropriate subdivision, use and development.*
- *Issue 2: Historic heritage could be more clearly and consistently assessed and identified in the resource management plan to cover a more comprehensive and representative range of this limited resource.*

## 1.4 Outcome(s) Sought

The outcome sought from the management of historic heritage within the Tasman District is:

- A representative range of historic heritage is clearly and consistently identified, retained and protected from inappropriate subdivision, use, and development and the risks from natural hazards are mitigated.

This outcome was derived from reviewing the existing provisions within the TRMP, the draft Natural and Built Environments Act (NBA) outcomes, and the policy direction set within the RMA and the New Zealand Coastal Policy Statement 2010 (NZCPS). Public consultation gathered via TEP engagement round one also sought measures to protect a more representative range of historic heritage which supports the inclusion of the outcome above.

## 1.5 Option(s)

The options considered for the management of historic heritage within the Tasman District are:

- 1 Status quo: Retain the current TRMP approach to historic heritage – featuring historic heritage objectives and policies that seek recognition and protection of heritage places that are of archaeological or scientific, cultural, historic, group, technological or architectural value. Rules enable maintenance and repair of heritage places and limit destruction and removal of Category II buildings and structures while avoiding destruction and removal of Category I buildings and structures. Destruction of cultural heritage sites is limited particularly where the site is highly significant or wahi tapu. A range of non-regulatory measures are also in place including limited funding for the restoration of heritage buildings.
- 2 Updated regulatory approach: Develop a specific set of objectives, policies, and rules for the management of historic heritage that requires a review of current listings to ensure consistent assessments are undertaken and relevant information is accessible. This would also require assessment of additional nominations by key stakeholders and the community to address under-represented themes. A wider range of activities, that are comparable with management approaches of other Councils, would also be provided for.

- 3 Partial updated regulatory approach: This would rely on Heritage New Zealand Pouhere Taonga (HNZ) for archaeological site management, would roll over existing listings for buildings and structures, and assess additional nominations made by key stakeholders and the community.
- 4 Non-regulatory approach: Remove historic heritage rules and rely solely on measures such as enhanced information, education, advocacy, and funding initiatives and the powers conferred on Heritage New Zealand under the Heritage NZ Pouhere Taonga Act 2014 .
- 5 Full Mixed Model approach: A combination of Option 2 and 4 that would see enhanced non-regulatory measures and new plan provisions comparable with other Councils and current national policy direction.
- 6 Partial Mixed Model Approach: A combination of Option 3 and 4 that would see enhanced non-regulatory measures, a review of new nominations only and HNZ would solely manage archaeological sites.

## 1.6 Summary of Analysis

The analysis actions undertaken in relation to historic heritage were:

- Section 35 reporting identified the need to improve the workability of rules and historic heritage assessment system along with increasing the coverage of heritage listings.
- Review of the existing historic heritage provisions in the TRMP and a comparison of these to provisions in other local authority’s planning documents.
- Review of the consultation responses received during the Oct – Nov 2020 issues and opportunities community engagement process.
- Feedback from preliminary key stakeholder engagement (April-May 2021) that highlighted significant gaps in heritage listings, the need for improved information management and financial assistance, integration with other plan rules, and more enabling and targeted plan provisions.
- Assessment of the regional significance of issues in relation to heritage.
- Meetings with Council’s Consents, Compliance, Science, Policy, Urban Growth, and Parks teams.
- Review of applicable national policy and legislation that requires separate European cultural heritage provisions and improved information accessibility.

## 1.7 Recommendations and Reasons

To address the issues, the following option is recommended:

**Table 1: Summary of Issues and Recommended Option**

Issue	Recommended Option	Outcome Sought	Assumptions, Uncertainties, Further work, Information Gaps
Issue 1 – Historic heritage is integral to the region’s identity and is potentially vulnerable to adverse effects from natural hazards and inappropriate	Option 5 – “Full Mixed Model” approach of enhanced non-regulatory measures and new plan provisions comparable with other	A representative range of historic heritage is clearly and consistently identified, retained, and protected from inappropriate subdivision, use, and development and the	Assumption: Stakeholder support for historic heritage actions remains in line with that already received.  Further work is required to develop a list of

<p>subdivision, use and development.</p> <p><i>Issue 2 - Historic heritage could be more clearly and consistently assessed and identified in the resource management plan to cover a more comprehensive and representative range of this limited resource</i></p>	<p>Councils and current national policy direction.</p>	<p>risks from natural hazards are mitigated.</p>	<p>potential historic heritage listings from Interest Groups.</p> <p>Further work is required to develop and update heritage assessments.</p> <p>Further work is necessary to review the funding model associated with historic heritage.</p> <p>Funding will be provided to undertake the work outlined above.</p>
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The TRMP provisions need to be updated to better reflect community desires, national policy direction, best practice and the efficiency and effectiveness of the plan to ensure the appropriate protection of historic heritage from inappropriate subdivision, use and development and the risks of natural hazards. Enhanced heritage assessments, funding, and public access is also critical to achieving appropriate protection. Option 5 will best achieve this outcome.

## 2 Principles Underpinning the Development of the TEP

### 2.1 Guiding Principles

The Council will use guiding principles in the development of the TEP. These principles are the philosophy and values that will underlie the approach and content of the TEP, but will not in themselves have specific objectives, policies or methods. The anticipated outcomes of the TEP should achieve these principles.

The principles are:

1. To recognise the interconnectedness of the environment and people, ki uta ki tai / mountains to the sea.
2. To enable healthy and resilient communities by achieving healthy and resilient environments (Te Mana O Te Taiao).
3. To meet the present and future needs of our communities, Council and iwi by working in partnership.
4. To enable community development within environmental limits.
5. To support and enable the restoration of environments.
6. To recognise and provide for the wellbeing of individuals, where this is not at the expense of the public good.
7. To take a precautionary or responsive management approach, dependent on the nature and extent of the risk, and where there is uncertainty or a lack of information.
8. To ensure the TEP provides strategic leadership for Council's key planning documents.



These principles will be implemented through the evaluation of options in this report and in future Section 32 assessment, drafting and decisions.

## 2.2 Te Mana O Te Taiao

Te Mana O Te Taiao is the mana<sup>2</sup> of the natural world. People are a part of nature and can only thrive when nature thrives.

The TEP process and document provides a key mechanism to achieve our desired outcomes for our relationship with Te Taiao (the natural world), including the community outcomes defined in the Long Term Plan<sup>3</sup>, and the vision of the Te Taihū Intergenerational Strategy (Wakatū, 2020):

*“We are the people of Te Taihū. Together, we care for the health and wellbeing of our people and our places. We will leave our taonga in a better state than when it was placed in our care, for our children and the generations to come.”*

The use of Te Mana O Te Taiao in this report utilises a similar approach and hierarchy to that defined for Te Mana O Te Wai in the National Policy Statement for Freshwater Management 2020 (NPS-FM), and extends this fundamental concept to other domains: Te Tai (sea), Te Āngi (air) and Te Whenua (land).

The objective of this approach is to ensure that natural and physical resources are managed in a way that prioritises:

- (a) First, the health and wellbeing of the natural environment and ecosystems
- (b) Second, the health needs of people
- (c) Third, the ability of people and communities to provide for their social, economic, and cultural wellbeing, now and in the future.

The relevance of Te Mana O Te Taiao to historic heritage is set out as follows.

Historic heritage enhances peoples’ and cultural wellbeing through links to past events and people. The use of historic heritage places<sup>4</sup> provide for peoples social and economic wellbeing as these buildings and spaces can be used for commercial and community events. If historic heritage is managed in a way that mitigates natural hazard risk peoples’ general health and wellbeing needs will be met.

## 3 Background Context

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This portfolio relates to historic heritage which provide amenity and heritage values for visitors and the community.

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<sup>2</sup> Mana is defined in the online Maori dictionary as: prestige, authority, control, power, influence, status, spiritual power, charisma - mana is a supernatural force in a person, place or object. Mana goes hand in hand with tapu, one affecting the other. The more prestigious the event, person or object, the more it is surrounded by tapu and mana. source: <https://maoridictionary.co.nz>

<sup>3</sup> The outcomes are available in the Long Term Plan on the Council’s website

<sup>4</sup> Historic heritage place or heritage place refers to the collective term of buildings, structures and European cultural heritage sites.

Historic heritage values are defined in the RMA to include:

- 3.1.1.1.1 (a) 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
- 3.1.1.1.2 (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.

Amenity values are defined as those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes.

As noted, historic heritage in this paper covers heritage buildings and structures as well as European cultural heritage sites.

Heritage Buildings and structures have been assessed using the criteria in TRMP schedule 10A relating to historical, architectural, group, landmark, and scientific significance. The assessment is undertaken by a heritage expert utilising a range of background information and records from HNZ.

Buildings and Structures are classified in two distinct groups – Category I and II. Of the 127 heritage buildings and structures identified in the TRMP, only 12 are identified as Category I - having the greatest significance and afforded greater protection in the TRMP. The individual assessments of heritage buildings and structures and a description of their values currently sits outside the TRMP in Council's records. There is a regional spread of buildings and sites across the Golden Bay, Waimea-Moutere, Lakes-Murchison, Richmond, and Motueka wards with the majority (43) identified in the Waimea-Moutere ward. There are 25 listings that are solely Council listings, while the remaining 102 are also listed by HNZ.

There are approximately 800 cultural heritage sites currently listed in the TRMP. Approximately 250 of these sites relate to European sites. European sites include a range of matters such as old mines, settlements, shipwrecks, forestry, and infrastructure. There is a regional spread of sites that have been assessed against criteria relating to archaeological or other scientific value, as well as cultural, historic, group, technological, and architectural values as outlined in TRMP schedule 16.13D. While 46 sites are identified as Highly Significant Sites, following an assessment by archaeologist Karen Greig in 2007, only a small number (approximately 15) of these are European sites. Highly significant sites are afforded a slightly higher level of protection than general sites in the TRMP rules.

The adverse effects of poorly managed historic heritage include:

- Loss of amenity and historic heritage values.
- Susceptibility to natural hazards and safety issues through poor maintenance.

Information sources and consultation used to understand the issues related to historic heritage are:

### Section 35 report:

The section 35 report considers the effectiveness and efficiency of the historic heritage provisions within Chapter 10 and 16 of the TRMP. The TRMP provisions were considered to be partially effective, with the following recommendations provided:

- Improvements to the current system of identifying and recording heritage buildings and structures would increase the protection of historic heritage from inappropriate development.
- Rules are required in the regional coastal plan to protect historic buildings and structures located in the Coastal Marine Area.
- There are some important sites that may warrant protection but are not currently listed such as Motueka Quay, Waitapu Wharf, Motueka Saltwater Baths, early settler cemeteries.
- Unregulated earthworks are a significant threat to protection of cultural heritage sites which necessitates a review of land disturbance provisions.

### Initial TEP Consultation Oct – Nov 2020

Feedback from the initial consultation on the TEP development raised the following matters relating to historic heritage:

- There is general support for ongoing identification and protection of historic heritage.
- The plan should have better referencing including clear and concise summaries of heritage features and values as well as potential risks to heritage.
- All items listed with HNZ should be entered into the plan schedule.
- Engage a heritage consultant to review the schedule including reviewing whether there are thematic gaps.
- Remove reference to HNZ authority from the rules and make an advisory note.
- Enable activities that are in keeping with heritage values and provide for earthquake strengthening and adaptive re-use.
- Enhance coverage of interior protection rules (ie) only currently one listing – The Gables – 398 Waimea Road.
- Consider expanding rules to cover settings and curtilage too.

A number of potential historic heritage areas and sites in the Tasman District were also identified for further consideration including:

- Collingwood Village
- Kawatiri Truss Bridge
- Pupu Hydro Complex
- Wakefield – Post office, farms etc
- Earnest Rutherford memorial
- Maori cultural heritage along the coast
- Moutere Village
- Peninsula Bridge Motueka Valley
- Downies Hut - Nelson Lakes, Maruia
- Stock access around Mole saddle – Murchison
- Ransom Engine – Murchison
- Stock route from Rappanhannock Saddle to Mt Cann – Murchison
- Six Mile Creek historic hydro-electric installation – Murchison
- Horse Terrace Bridge – Brooks Road Murchison
- Site of Mammoth Hotel – Murchison

- Site of Coal Creek Coalmine – Kawatiri-Murchison
- Gowan Bridge – Dizzy’s store – Gowna Valley Road – Murchison
- Railway construction remains – Kawatiri – Murchison
- Site of historic Bulmer township – Murchison
- Oxnam Stock Routes Mt Newton and Kerr’s clearing – Collingwood
- Track to Thousand Acres – Collingwood
- Poor Pete’s Hut – Collingwood
- Black Valley – Collingwood
- De Havilland Dragon Crash site – Collingwood
- Owen Junction
- Lake Caslani Picnic area - Shenandoah

The owners of the relevant properties should be contacted to seek their views about historic heritage management on their property prior to the release of this report. Council should contract heritage experts to assess any additional nominations for consideration ahead of the release of this paper.

#### Key Stakeholder Engagement - April 2021

Meetings were sought with a range of heritage interest groups in Collingwood, Takaka, Motueka, Murchison, Waimea, Tapawera, and Nelson as well as Heritage New Zealand. It was not possible to meet with all groups ahead of the development of this paper. Meetings have been held with the Golden Bay Museum, Heritage Golden Bay, Motueka and District Historical Association, Nelson Historical Society, Heritage Nelson, and Heritage New Zealand.

There was general consensus about the need to update listings to fill thematic gaps and stakeholder feedback, improve mapping/referencing, enhance Council financial assistance, and target rules to enable earthquake strengthening and adaptive re-use of buildings where relevant heritage values are protected. There was also agreement about the need to integrate with other rules that impact on heritage values such as designations, coastal, earthworks/land disturbance, freshwater, and natural hazards.

Numerous themes, buildings and sites were also identified for further investigation including:

#### Motueka Group

- Saltwater Baths
- Rudolph Steiner School/Phyllis Moffat Hospital
- Bottom end of Pearse Valley – Lime and Marble Works
- Grooby farm – Underground tunnel
- Hop Kilns and graveyard themes.
- Trig station on Brown Acre
- Consider upgrading Motueka Museum to Category I as similar to Takaka BNZ

#### Takaka Group

- Pohara Band Rotunda
- Golden Bay Grandstand
- Takaka Tramway (see Waitapu to Waitui – A Journey up the Takaka Valley – Carol Dauber)
- Waitapu Embankment (reference 5129 in listings is not comprehensive – See description next to Arts Council building next to Delish)
- Old fire station in Town – 24 Commercial St
- Presbyterian Church – corner of Commercial St and Waitapu Road

- Labyrinth Rocks
- Golden Bay Theatre (Wholemeal Café)
- Central Takaka School – 44 Central Takaka Rd.
- Anglican Church – 42 Commercial St – intact interior
- Haase’s Shop – 27A Commercial St – Vacant due to fire
- Bike shop – 11 Commercial St
- Gooch House by Church – 95 Commercial St
- Radar Station – Pillar Point at Farewell Spit in the Puponga Farm Park
- Pohara Motor Camp gun Turret
- Lime Kiln site – 97 Fraser Road
- Old bakery in Collingwood on Main road where first fire – Hairdresser
- Lighthouses – Farewell Spit, Kahurangi and Philip Point
- Old mining houses at Puponga
- Puponga Coal mines
- Futuro House – 60 Selwyn St
- Catholic Church 94 Commercial St - currently listed.
- Bainham Store (listing 5110 p16/7) should go from Category 2 to Category 1.
- Old Courthouse in Motupipi St
- St Baden’s Church in Motupipi St
- Onekaha Iron Works
- Kahurangi Iron works
- Masonic Lodge behind Top Shop
- Explore military installations as an additional theme.

#### Nelson Group

- Agricultural building theme including hop kilns and historic milking sheds.
- Review great taste cycleway route as typically historical railway.
- Need to address purposeful neglect of heritage buildings.
- Support for brochures, heritage trails, and improved funding

#### Heritage NZ

- Confirmed Pupu Hydro Historic area is listed with HNZ (7519) and has good information while Kawatari Bridge (5148) has less information. Collingwood heritage area would be centred around the former courthouse, St Cuthbert’s Church, and WW1 Memorial but needs further research.
- HNZ is happy to review draft stakeholder/community nominations to provide any useful research information to help assessment process.
- HNZ happy to send other best practice examples of plan provisions from around NZ. Wellington City Council and Selwyn District Council have good examples of background information that is highly accessible via website and plan links.

The groups also provided useful resources for checking historic heritage coverage including “Along the Path” covering sites in Motueka and “The Takaka Town Plaques” brochure covering sites within and around Takaka.

The groups committed to providing more detailed locational information and asked for additional time to provide further feedback.

It is recommended that follow up meetings are held with other interest groups to discuss historic heritage and that this Issues and Options paper is updated prior to its release for wider public feedback following stakeholder meetings.

Council should contract heritage experts to assess any additional nominations for consideration ahead of the release of this paper.

#### Feedback from Tasman District Council Teams (including Resource Consents, Parks, Compliance, Science, Policy, and Urban Growth)

- Buildings and sites are at increased risk from development intensification, infrastructure projects, and natural hazards exacerbated by climate change, particularly those located close to roads, rivers, and the coast.
- Need to manage the interface between designations, forestry, land disturbance, and earthworks rules with sites and designations for buildings and structures.
- Protection of historic heritage would be considered in identifying intensification areas to implement the National Policy Statement Urban Development 2020 (NPSUD).
- Need to update TEP listings with HNZ listings.
- Non-regulatory measures such as Council funded maintenance is critical to the successful management of buildings and structures.
- Investigate how heritage funding could be enhanced including for earthquake prone buildings.
- Improve access to assessments.
- Review minor repair definition in conjunction with HNZ.
- Need for structural change to align with National Planning Standards.
- Better integration with other rules such as coastal marine area, land disturbance, and river works for sites.
- Greater direction on when an archaeological assessment is required.
- Review approach for adaptive management
- A re-assessment of buildings and structures is needed to clarify what values are important (EG) Interior or exterior
- There are limited heritage buildings on reserves (EG) Richmond Jail
- Reserve Management Plans typically consider heritage values when they are reviewed.
- Acquisition of reserves for heritage protection is mostly re-active at consent stage
- Some gaps in current listing including in the coastal environment.

#### Approach of Other Councils

An assessment of historic heritage management of other Councils is provided in Appendix 3. Councils with recently operative provisions (Auckland and Christchurch), recently notified provisions (New Plymouth), and Te tau Ihu Councils have been reviewed in order to understand how provisions have changed to align with National Planning Standards and RMA requirements and to anticipate how TDC may need to adjust the current approach to align with neighbouring Councils.

The provisions in the Appendix 3 have a common theme or objective of the need to identify, retain and protect historic heritage from inappropriate subdivision use and development. There is also a theme of supporting adaptive re-use and minimising loss from natural hazards.

Most Councils, apart from New Plymouth, differentiate between different categories of heritage items (highly significant vs significant). All Councils use a range of criteria including historical, social, cultural, knowledge, technological, scientific, physical, architectural, aesthetic, and context values to assess items and rely on expertise from HNZ.

Of note, Auckland carried over a significant number of listings from legacy plans with the intention of assessing these further in the future while other Councils indicate that listings will be updated over time.

All councils appear to provide a range of non-regulatory support for protection of historic heritage including financial (free consents and technical advice, along with maintenance/seismic strengthening contributions and grants), information, and voluntary covenants.

Consideration is given to impacts on safety, heritage values, cost, reasonable use and re-use, alternative options and scale of change in consent decisions.

It appears that archaeological sites are largely managed by HNZ listings in Christchurch although earthworks thresholds are low and historic heritage is a matter of discretion.

Rules tend to:

- Permit a similar range of activities including:
  - Maintenance and repair
  - Hazard investigation and seismic strengthening
  - Minor infrastructure works and earthworks/soil disturbance
  - Temporary activities and alterations
- Restrict subdivision and new buildings and structures (restricted discretionary or discretionary).
- Discourage or avoid demolition (non-complying or prohibited for highly significant heritage items and discretionary for significant items)
- Cover the setting as well as the specific item (within 50m, the site, or a defined setting).

### 3.1 Issue(s) we are Seeking to Address

***Issue 1: Historic Heritage is integral to the region's identity and is potentially vulnerable to adverse effects from natural hazards and inappropriate subdivision, use and development.***

Historic heritage buildings, structures and sites provide local amenity, links to historic events and people, and points of interest for local, national, and international visitors. Due to their location, close to waterways and the coast, and their proximity to urban development, heritage places are at risk from damage or destruction from natural hazards and inappropriate subdivision, use and development.

The majority of cultural heritage sites (68%) relate to sites of interest to Maori, the remaining 32% are post European. Five non-notified consents between 2010-2019 for buildings and earthworks related to cultural heritage. Between 2009-2019 135 authorities from HNZ were granted in Tasman (46(6%) are classified as Highly Significant sites and 22(3%) are HNZ listed). Approximately 75% of heritage buildings and structures are also listed by HNZ.

Fifteen non-notified resource consents were granted between 2009-2019 for heritage buildings and structures.

While there has been limited destruction of heritage places since the plan was notified in 2009, this limited resource is still at risk from future development and hazard risk.

Based on TDC GIS data and the New Zealand Archaeological Association's (NZAA) ArchSite records, there are 350 archaeological sites within Tasman and Golden Bays that are vulnerable to coastal

storm inundation and sea level rise. The bulk of sites are vulnerable to the present day 1% AEP coastal storm inundation, with increasing numbers of sites being exposed in line with sea level rise. The largest number of sites are in the Motueka – Riwaka coastal cell, however a significant portion are also located in Golden Bay. The Motueka – Riwaka coastal cell has 54 sites in the mapped extent of the present day 1% AEP coastal storm inundation and a total of 94 sites in the mapped extent of a 1% AEP coastal storm inundation and 2.0 m sea level rise scenario. Of the 127 heritage buildings in the District listed in the TRMP, 20 are vulnerable (16%) with half of the vulnerable buildings (10) being located within the Motueka – Riwaka coastal cell.

The figures above do not account for the significant number of heritage places that are located in areas with potential river flooding risk. TDC GIS data indicates approximately 140 sites and 15 buildings are located in areas that have been subject to historic flood events.

There are approximately 25 heritage buildings that are potentially earthquake prone according to Council building records as of February 2021.

As urban areas intensify there will be increasing pressure to alter or remove heritage buildings, structures and sites. Of the 127 Heritage buildings, approximately 50% are located in TRMP urban zones with the majority of those being in the residential zone. By contrast, of the 800 cultural heritage sites only 17 are located in TRMP urban zones.

Historic heritage places adjacent to the road corridor are also at risk due to future infrastructure projects.

The Heritage Building Restoration Initiatives Fund has an annual budget of \$5,000 per annum and is not well advertised and is currently oversubscribed. Eligible restoration works include re-piling, repainting, re-roofing, replacing guttering, earthquake strengthening and fire protection of listed heritage buildings. Therefore, the fund does not provide comprehensive cover of activities and different types of historic heritage matters such as archaeological restoration.

***Issue 2: Historic heritage could be more clearly and consistently assessed and identified in the resource management plan to cover a more comprehensive and representative range of this limited resource.***

Plan users and key stakeholders have indicated that it is difficult to navigate the on-line version of the TRMP as the often users are wanting to search by address. Once the heritage place is identified in the plan schedule there is little information available to understand the relevant attributes. The Electronic Accessibility and Functionality Standard in the National Planning Standards 2019 seeks better accessibility of resource management plans, their spatial layers, the ability to link between provisions and download any part of the plan. The TRMP must meet this standard by 2024.

Preliminary feedback from Council staff and key stakeholders indicates that there may be significant gaps in heritage listings including themes relating to HNZ listings, the coastal environment, military installations, building interiors, agricultural sites and buildings, hop kilns and graveyards.

While TDC's general approach to heritage assessments is consistent with other Councils It may also be necessary to align with how council's assess heritage places nationally as part of RMA reform.

## **3.2 Why Change is Needed (or Not)**

It has been some time since a comprehensive review of Tasman Districts heritage listings has been undertaken. The review of the TRMP necessitates an assessment of the efficiency and effectiveness



(s35 Report) of the current provisions. The Section 35 Report has identified that the current provisions are only partially effective as the workability of the rules could be improved.

Community, initial stakeholder engagement, and Council staff feedback also indicates the importance of heritage places, that the workability of the rules could be improved, and that there are increasing risks from natural hazards and future development. Public access to the heritage assessments could also be improved.

A review of approaches of other Councils, current national policy direction, and RMA reform also echoes the need for the changes highlighted above.

### 3.3 Issue(s): Waahi-Specific or Whole of District?

Council must implement integrated management of natural resources. This will be supported by the ki uta ki tai guiding principle, where everything is connected – from the mountains to the sea. To achieve this, the TEP process will consider natural resource use, protection and enhancement spatially across Tasman in seven waahi (places). The waahi are based on groupings of catchments where there are communities with shared values and interests that are likely to affect natural resources in those catchments. Consideration of issues and options across all the resource management functions within each waahi will allow for identification of conflicts or overlaps between different issues, as well as synergistic options that provide for multiple outcomes sought within the waahi.

Waahi planning at its core is a means to:

- Coordinate management of interconnected elements/resources (natural, cultural, social, economic, physical).
- Take into account the impacts of management of one element/resource on the values of another, or the environment.
- Ensure resource management approaches across administrative boundaries are consistent and complementary.
- Ensure strategic outcomes are identified for each waahi, promoting healthy ecosystems and ecosystem services, and associated objectives, policies and methods that negate the risk of exceeding environmental bottom limits.
- Ensure principles of Te Tiriti O Waitangi are taken into account.

Table 3 below identifies if the issue occurs in a specific waahi or across the whole of the district.

**Table 3: Planning Issues and Where they Occur**

Planning Issue	Waahi 1 Waimea	Waahi 2 Moutere	Waahi 3 Motueka- Riuwaka	Waahi 4 Abel Tasman- Kaiteretere	Waahi 5 Tākaka	Waahi 6 Aorere-West Coast	Waahi 7 Upper Buller
<i>Issue 1: Historic Heritage is integral to the region’s identity and is potentially vulnerable to adverse effects from natural hazards and inappropriate subdivision, use and development.</i>	Applies to all areas given the regional spread of current and potential for additional listings						
<i>Issue 2: Historic heritage could be more clearly and consistently assessed and identified in the</i>	Applies to all areas as noted above.						

<i>resource management plan to cover a more comprehensive and representative range of this limited resource.</i>	
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### 3.4 How Issue(s) relate to other Topics

The outcomes of this paper will need to be reviewed, in conjunction with a number of other key topics that have potential impacts on the management of historic heritage, due to their location and risks from development and natural hazards including:

- Resource Management Issues of Significance to Iwi Entities
- Climate Change
- Natural Hazards
- Coastal
- Subdivision
- Soil Disturbance
- Growth Management
- Designations

The historic heritage topic will consider the methodology for managing the adverse effects on heritage values. The management of historic heritage will be impacted by, and will impact on, the values relevant to the above topics so the approach to historic heritage will be considered in collaboration with the development of those topics.

### 3.5 How Issues(s) relate to Iwi Interests and Values

The TEP plays an important role to support the expression of kaitiakitanga and rāngatiratanga. Iwi resource management priorities and leadership may be realised through provisions of the TEP. An innovative plan will support aspirations for managing ancestral whenua and taonga in the Tasman District and across Te Tau Ihu. To achieve Te Mana O Te Taiao, Te Mana O Te Wai and Te Mana O Te Tangata, this report has considered the following strategic outcomes:

- Respectful partnerships and governance structures supporting council and iwi collaboration, in the Tasman District and across Te Tau Ihu are established and strengthened.
- Te Tiriti O Waitangi principles and customary rights inform a resource management framework to support iwi resource management values and priorities within the TEP.
- Iwi connections and access to cultural landscapes, sites of significance and heritage are protected and restored.
- Economic and cultural development is enabled through access to and the use of cultural redress resources, Te Tiriti O Waitangi settlement land and taonga, including the coastal environment, in accordance with Settlement Acts and Statutory Acknowledgments.
- Environmental limits and targets are set to achieve meaningful cultural, environmental and economic outcomes, enhancing the mauri of Te Taiao.
- Integrated management is supported by a ki uta ki tai philosophy enabling the application of tikanga and Mātauranga Māori to TEP provisions.

As identified in section 2.2, the management of historic heritage has a key link to the relationship with Te Mana O Te Taiao. This can also flow through to Te Mana O Te Wai and Te Mana O Te Tangata. Appropriate management of heritage places that have particular cultural value is

fundamental to the mana of the environment, water and people. This includes effects on customary rights to access, kaitiakitanga, and ensuring heritage values are protected and restored. These matters are part of the environment and relevant to the concept of Te Mana O Te Taiao. Management of historic heritage therefore supports the achievement of the strategic outcomes above.

Of note, the Ngati Tama ki Te Waipounamu Trust Environmental Management Plan 2018 (Aspiration 10.2) seeks that Ngati Tama cultural heritage is valued, protected and enhanced for future generations including the protection of cultural heritage resources, sites, and areas.

The Nga Taonga Tuku Iho Ki Whakatu Management Plan 2004 highlights the importance of tangata whenua as Rangatira and kaitiaki (5.2.1), maintaining customary use (5.2.4) and protecting waahi tapu (5.2.5). Objectives seek that waahi tapu (sacred places) are protected and managed according to tikanga (protocols), for the benefit of present and future generations.

The Ngati Koata No Rangitoto Ki Te Taonga Trust Iwi Management Plan 2002 seeks the protection of Ngati Koata Heritage values via recognition in resource management plans and rules governing land disturbance and development activities have full and proper regard to potential impacts on heritage values.

Te Runanga o Ngati Kuia Pakohe Management Plan indicates that rules about historic heritage and land disturbance are of most relevance to the protection of Pakohe. There are numerous sites identified within Tasman District including in the Matakaitaki (near Murchison) Lee, and Motueka rivers. Policies seek to establish recognition for the secure management of wahi tupuna, which cover the extent of the Pakohe Resource, in resource management plans. This includes ensuring resource management plan provisions relating to land disturbance and heritage provisions cover the extent of the Pakohe resource and require that Ngati Kuia be informed immediately, in the case of accidental discovery of wahi tupuna.

### 3.6 Statutory, Policy Context and Scope

The management of historic heritage is mandated by a number of statutory documents as outlined in the table below.

**Table 4: Key Statutory Requirements**

Statutory Document / Section	Relevant matter / comment
<b>Resource Management Act 1991</b>	
RMA Sec 6 Matters of National Importance	<p>6 a) The values of the coastal environment, wetlands and lakes and rivers and their margins can be enhanced through the retention of historic heritage in these environments.</p> <p>6 e) The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga can be recognised through the retention of historic heritage that reflect tangagta whenua values.</p> <p>6 f) The retention and management of heritage places helps to protect historic heritage from inappropriate subdivision, use and development.</p>

Statutory Document / Section	Relevant matter / comment
	<p>6 g) customary rights can be protected where access to sites with heritage values is provided.</p> <p>6 h) protection of heritage places need to consider the management of significant risks from natural hazards given proximity to coastal inundation and flood risk and earthquake prone buildings.</p>
RMA Sec 7 Other matters	<p>7 a) &amp; aa) The principle of kaitiakitanga and the ethic of stewardship can be enabled through the retention of heritage values</p> <p>7 c) The maintenance and enhancement of amenity values can be directly affected by destruction and poor management of heritage places.</p> <p>7 f) The quality of the environment can be maintained and enhanced through the retention of heritage values.</p>
RMA Sec 30 & 31	Regional and Territorial Council functions require integrated management of a range of natural and physical resources including matters of regional significance, natural hazards, and development capacity. Retention of heritage places supports integrated management of heritage values which are of regional significance in the Tasman region and these provisions will need to be considered alongside development capacity and natural hazard management.
RMA Sec 61, 66 and Sec 74	When preparing Regional Policy Statements and other resource management Plans, regard must be had to HNZ listings.
<b>Heritage New Zealand Pouhere Taonga Act 2014</b>	
ss39 and 40	Heritage NZ Pouhere Taonga may enter into a heritage covenant with the owner of a heritage area to provide for the protection of that place.
ss42 to 47	The requirement for overarching protection of archaeological sites will be relevant to cultural heritage sites.
Part 4 (ss65 to 84)	<p>Part 4 relates to the recognition of places of historical, cultural, and ancestral significance on the New Zealand Heritage List. The Act covers the criteria and process for listing places as historic places, historic areas, wāhi tūpuna, wāhi tapu or wāhi tapu areas.</p> <p>Councils must then have particular regard to the recommendations of Heritage NZ Pouhere Taonga with respect to the historic areas or wāhi tapu. Consequently there is a need to engage with HNZ and ensure there is integrated planning and implementation of historic heritage provisions.</p>
<b>Building Act 2004</b>	
Sec 35	Directs that heritage status of buildings be recorded on the project information memorandum so there is a requirement to co-ordinate with HNZ and link to the District Plan provisions.

Statutory Document / Section	Relevant matter / comment
Sec 39	Directs the circumstances under which Heritage New Zealand Pouhere Taonga must be advised so there is a requirement to co-ordinate with HNZ.
Sec 133AO	Allows for an extension of time to complete seismic work on heritage buildings so rules relating to seismic work should consider links with the Building Act.
<b>NZ Coastal Policy Statement 2010</b>	
Objective 6	Providing for rules that identify historic heritage places and manage development and activities in proximity to those places will enable people and communities to provide for their social, economic, and cultural wellbeing and their health and safety through subdivision, use and development that recognises how vulnerable loss or damage to historic heritage can be.
Policy 17	The identification and protection of Historic heritage in the coastal environment will be achieved by listing and retaining heritage places and will be supported by enhancing owner's opportunities for conservation through such matters as maintenance funding.
<b>National Policy Statement Urban Development 2020</b>	
Policy 3 and 4	While Tier 1 Councils can provide exceptions from building height requirements (policy 3) if a qualifying matter (Historic Heritage or Biodiversity) applies (Policy 4), Tier 2 councils (TDC) need to enable heights commensurate with public transport access or housing and business demand so there is no restriction on Heritage or biodiversity matters. However, discussions with MfE indicate that heritage values can be used as a qualifying matter for Tier 2 Councils and have been for the Nelson-Tasman Future Development Strategy. Consequently, the retention of Historic Heritage will not overly constrain Tasman's future growth requirements.
<b>Resource Management (NES for Freshwater) Regulations 2020</b>	
Sec 55 (10)	General conditions for activities in an around wetlands include the requirements ensure the activity does not destroy, damage, or modify a site that is protected by an enactment because of the sites historic heritage.
<b>Resource Management (NES for Telecommunication Facilities) Regulations 2016</b>	
Regulation 46	The NES directs that the regulated activity must also comply with any relevant district plan rules in relation to historic heritage so there is a requirement to consider telecommunication facilities in developing historic heritage provisions.
<b>Resource Management (NES for Electricity Transmission Activities) Regulations 2009</b>	
Regulation 33(8)	The NES directs that earthworks in a historic heritage area must be carried out in accordance with HNZ Pouhere Taonga Act 2014. Non-compliance will require a restricted discretionary activity consent

Statutory Document / Section	Relevant matter / comment
	under NES s35. Consequently, there is a need to integrate plan provisions to ensure there is no duplication in consenting processes.

### 3.7 Methods Considered

Consideration of options to address identified issues and achieve desired outcomes fall into six main categories that are within the functions of Council:

- Regulation (through the Tasman Environment Plan)
- Investigation and Monitoring
- Education, Advice and Advocacy
- Works and Services provided by Council
- Financial Assistance
- Community Partnerships

Other methods may also be undertaken by iwi, industry or community groups, which play an important role in achieving the outcomes sought in the Tasman District, however these aspects fall outside the scope of the options considered in this report, except indirectly where they may be supported by a Council function or service (for example financial subsidy or technical assistance for a community group project).

In the case of management of historic heritage, this is mostly achieved through regulation but also includes the ability for non-regulatory education, advice and advocacy and financial assistance. How Council and other providers deliver works and services such as roading and other infrastructure, water management, and natural hazard response can also have an impact on the protection of historic heritage given the location relative to infrastructure, rivers and the coast. The on-going funding of heritage buildings and structure maintenance is also a critical element for the success of historic heritage management and ongoing landowner support for the current regulatory approach.

### 3.8 Implementation Plans

Any regulation options identified will be implemented through the development of the TEP. Any other non-regulatory methods identified will be actioned through a separate Implementation Plan that is released for community feedback alongside the Draft TEP.

The intent of the Implementation Plan will be to outline and cost the non-regulatory methods for inclusion in other council processes including funding through the Long Term Plan process and implementation through the Activity Management Plans.

## 4 Issues in Relation to Historic Heritage

***Issue 1: Historic Heritage is integral to the region’s identity and is potentially vulnerable to adverse effects from natural hazards and inappropriate subdivision, use and development.***

***Issue 2: Historic heritage could be more clearly and consistently assessed and identified in the resource management plan to cover a more comprehensive and representative range of this limited resource.***

## 4.1 Outcome(s) Sought

**Outcome 1: A representative range of historic heritage is clearly and consistently identified, retained, and protected from inappropriate subdivision, use, and development and the risks from natural hazards are mitigated.**

Historic heritage buildings, structures and sites provide local amenity, links to historic events and people, and points of interest for local, national, and international visitors. A comprehensive review of historic heritage listings is required as part of the full review of the TRMP, particularly given national policy change since previous reviews. In addition, the public and key stakeholders have difficulty accessing assessments and have signalled significant gaps in historic heritage listings. The TRMP review is an opportunity to ensure that the listings cover a representative range of heritage values across the Tasman District. It is also an opportunity to improve online access to assessments in aligning with the Electronic Accessibility and Functionality standards required by the National Planning Standards 2019.

It is critical that, once appropriately identified, heritage values are protected from inappropriate subdivision, use, and development and that the risks from natural hazards are mitigated in order to achieve the heritage protection and natural hazard risk management purpose of the RMA. This will require changes to the current rule framework to permit a broader range of activities including hazard investigation and seismic strengthening, minor infrastructure works and earthworks/soil disturbance, and temporary activities and alterations where these activities will not impact on more thoroughly defined heritage values. Other rules that might impact historic heritage such as subdivision and development controls, designations, soil disturbance, earthworks, and works required to mitigate natural hazards need to be reviewed to ensure that the ongoing protection is afforded to historic heritage. The maintenance of a broader range of heritage places may also need to be better supported through enhanced financial assistance to ensure natural hazard risk relating to earthquakes, flooding and coastal inundation/erosion are appropriately mitigated.

## 4.2 Scale and Significance

**Table 5: Scale and significance table**

	Comments	Assessment
Degree of change from the Status Quo	The outcomes sought are minor to medium level changes to the status quo depending on whether the Council pursues options that amend the regulatory and/or non-regulatory approach and whether a full review is undertaken of current listings as well as new nominations.	Low-Moderate
Effects on matters of national importance (s6 RMA)	Heritage places are listed for their historic heritage values which are s6 matters. Historic heritage places are a finite resource that are at risk from future development and natural hazards.	High
Scale of effects – geographically (local, district wide, regional, national)	Historic heritage listings are spread across the district but cover a proportionally small land area. However, historic heritage is a finite resource that cannot be recovered once lost.	Moderate
Scale of effects on people (how many will be affected – single landowners,	There is public appreciation of historic heritage that are geographically spread across Tasman District. There are currently 127 buildings and structures and 250	Moderate

	Comments	Assessment
multiple landowners, neighbourhoods, the public generally, future generations)	European cultural heritage sites located on principally on private land (only 7 Buildings are located in Open Space, recreation or conservation zones while 315 sites out of 800 cultural heritage sites are located in these zones including 1 site on a Lake).	
Scale of effects on those with particular interests, e.g. Tangata Whenua	A variety of groups have an interest in historic heritage. These include, iwi, heritage interest groups', road controlling authorities, designating authorities, and network utility operators. The scale of effect is therefore considered moderate although the degree of overall change is likely to be low.	Moderate
Degree of policy risk – does it involve effects that have been considered implicitly or explicitly by higher order documents? Does it involve effects addressed by other standards/commonly accepted best practice?	Historic heritage is relevant to the aspects of the RMA, Building Act, NZCPS, NPSUD, NESFW and electricity and telecommunications regulations set out in section 3.7. No substantial change has been identified in this space which would challenge those legislative and policy documents.	Low
Likelihood of increased costs or restrictions on individuals, businesses or communities	The outcomes sought are minor to moderate changes to the status quo depending on which implementation option is adopted. It is not anticipated that the overall number of listings will be significantly increased but rather their management will be improved. Costs associated with re-assessing/assessing buildings and sites could range from approximately \$ 16,500 - 83,000 <sup>5</sup> . Costs could be reduced if the Council decides to leave ongoing management of archaeological sites to HNZ. Increases in potential financial support from \$5,000 to \$100,000 to align with Nelson City Council (NCC) for a broader range of heritage maintenance would need to be considered as part of the LTP/Annual Plan process. Costs associated with improvements to public access to heritage assessments will be incorporated into Eplan changes required across the plan generally.	Low - moderate

### 4.3 Option(s) to address Issues

The main option(s) to manage the two identified issues are summarised in Table 6:

**Table 6: Options Identified**

Option number	Option Name	Description of Option

<sup>5</sup> Cost estimates are based on NCC costings of \$200 per cultural heritage sites and \$130 per building. 250 sites would be \$50,000 and 127 Buildings would be \$16,500. If there are 50 more buildings and 50 more sites to be assessed via public nominations then this would be an additional \$16,500, which totals \$83,000. These figures will need to be reviewed as work progresses.



Option 1	Status quo	Retain the current TRMP approach to historic heritage – featuring historic heritage objectives and policies that seek recognition and protection of heritage places that are of archaeological or scientific, cultural, historic, group, technological or architectural value. Rules enable maintenance and repair of heritage places and limit destruction and removal of category II buildings and structures while avoiding destruction and removal of category I buildings and structures. Destruction of cultural heritage sites is limited particularly where the site is highly significant or wahi tapu. A range of non-regulatory measures are also in place including limited funding for the restoration of heritage buildings.
Option 2	Updated Regulatory approach	Develop a specific set of objectives, policies, and rules for the management of historic heritage that requires a review of current listings to ensure consistent assessments are undertaken and relevant information is accessible. This would also require assessment of additional nominations by key stakeholders and the community to address under-represented themes. A wider range of activities, that are comparable with management approaches of other Councils, would also be provided for
Option 3	Partial updated regulatory approach	This would rely on HNZ for archaeological site management, would roll over existing listings for buildings and structures, and assess additional nominations made by key stakeholders and the community
Option 4	Non-regulatory Approach	Remove historic heritage rules and rely solely on measures such as enhanced information, education, advocacy, and funding initiatives. This would also, by default, mean relying on HNZ to actively protect items of heritage value but this would only likely apply to nationally significant sites and features and would not adequately safeguard items of district significance and importance.
Option 5	Full Mixed Model approach	A combination of Option 2 and 4 that would see enhanced non-regulatory measures and new plan provisions comparable with other Councils and current national policy direction.
Option 6	Partial Mixed Model Approach	A combination of Option 3 and 4 that would see enhanced non-regulatory measures, a review of new nominations only and HNZ managing archaeological sites.

The options set out in Table 6 are assessed below.

### 4.3.1 Option Analysis

#### 4.3.1.1 Current approach

**Table 7: Current approach within the TRMP**

<p><b>Policy Direction:</b> TRMP objectives and policies require the appropriate protection, management and enhancement of historic heritage by recognising and protecting buildings, objects and places that are of historic, architectural or landmark value to the community. The reduction of risk of modification, damage or destruction of cultural heritage sites arising from subdivision, use and development activities is also sought.</p>
<p><b>Permitted Criteria:</b> Minor repairs and additions to heritage buildings and structures where works are sympathetic to the character and style of the buildings and structures.</p> <p>Land use activities where there are no cultural heritage sites on the subject site, the cultural heritage site will not be modified, damaged or destroyed, the activity is for the maintenance or repair of the cultural heritage site, or an authority has been obtained by Heritage New Zealand (HNZ) to modify, damage or destroy the site and the site is not wahi tapu or a highly significant site.</p>

**Activity Status:** Includes permitted and restricted discretionary activity for minor repairs and additions and discretionary and non-complying activity for demolition and removal depending on whether the buildings or structures are significant (Category II) or highly significant (Category II).

Varies between permitted, controlled, and restricted discretionary activity for cultural heritage sites depending on whether land use activities will affect wahi tapu or highly significant sites and if approval has been given from iwi and or HNZ.

**Non—regulatory Measures:** The Heritage Building Restoration Initiatives Fund has an annual budget of \$5,000 per annum. Eligible restoration works include re-piling, repainting, re-roofing, replacing guttering, earthquake strengthening and fire protection of listed heritage buildings. General maintenance is eligible for a \$500 grant while significant earthquake strengthening is eligible for a \$1,000 grant.

#### 4.3.1.2 Assessment of Strengths and Weaknesses of Options

**Table 8: Strengths and Weakness of Options**

	Strengths	Weakness
<b>Option 1 - Status Quo</b>	<ul style="list-style-type: none"> <li>• Has some policy direction for protection of historic heritage.</li> <li>• Has provided for some protection of identified historic heritage to date.</li> <li>• Has provided a consistent method of site assessment for TDC.</li> <li>• Assessments can be accessed from the Council.</li> <li>• Permits some maintenance and restoration activities.</li> <li>• Provides maintenance funding support for category I and II Buildings.</li> <li>• Provides both regulatory and non-regulatory support for historic heritage protection.</li> </ul>	<ul style="list-style-type: none"> <li>• Does not split out Sites and Areas of Significance to Maori as required by National Planning Standards.</li> <li>• Does not effectively recognise natural hazard and safety risks.</li> <li>• Does not provide for as wide a range of activities as other Councils and provided for in national direction.</li> <li>• Does not clearly articulate specific values for protection.</li> <li>• Does not integrate particularly well with other related rules such as earthworks and soil disturbance etc.</li> <li>• Heritage assessments are not easily publicly accessible.</li> <li>• Listings may not be comprehensive given time since last review and identified gaps via initial engagement.</li> <li>• Could integrate better with HNZ and NZAA information/requirements</li> </ul>
<b>Option 2 – Updated Regulatory Approach</b>	<ul style="list-style-type: none"> <li>• Clear policy direction.</li> <li>• Focused protection of heritage places related to specific values.</li> <li>• Best Practice and consistent heritage assessment</li> <li>• Highly accessible heritage assessments</li> <li>• Integrated provisions</li> <li>• Consistent with the National Planning Standards 2019, national policy direction, and neighbouring Councils.</li> </ul>	<ul style="list-style-type: none"> <li>• Does not provide non-regulatory assistance critical for landowner support.</li> <li>• Cost implications associated with updated heritage assessments (approximately \$80,000) and improved accessibility.</li> </ul>

	Strengths	Weakness
<b>Option 3 – Partial Updated Regulatory Approach</b>	<ul style="list-style-type: none"> <li>• Clear policy direction.</li> <li>• New assessments would be current.</li> <li>• Highly accessible heritage assessments</li> <li>• Integrated provisions</li> <li>• Could focus short term funds on non-regulatory measures such as financial assistance rather than reviewing existing assessments (\$66,500)</li> </ul>	<ul style="list-style-type: none"> <li>• Old assessments would be out of date and would not reflect best practice so would need to be updated eventually.</li> <li>• Does not provide non-regulatory assistance critical for landowner support.</li> <li>• Archaeology may not be adequately protected if solely rely on HNZ authority</li> </ul>
<b>Option 4 – Non-regulatory Approach</b>	<ul style="list-style-type: none"> <li>• Relying solely on education and financial assistance may gain support of affected landowners.</li> <li>• Providing additional non-regulatory support (grants, free/reduced consent fees, assessment costs) for a wider range of heritage owners (archaeology and sites) will enhance equitability.</li> </ul>	<ul style="list-style-type: none"> <li>• May be pressure to increase financial support for landowners and Interest groups.</li> <li>• May not be supported by Heritage agencies and Interest Groups due to lack of regulatory support.</li> <li>• Risk of damage to historic heritage without regulatory back-up.</li> <li>• Will not achieve national and regional consistency/compliance.</li> <li>• Relying on HNZ in the absence of local regulation would not adequately protect local heritage values</li> </ul>
<b>Option 5 – Full Mixed Model Approach</b> <b>(Combining Option 2 and 4)</b>	<ul style="list-style-type: none"> <li>• Clear policy direction.</li> <li>• Appropriately targeted rules</li> <li>• Increased permitted activities may mean less consents would need financial support.</li> <li>• Best Practice and consistent assessments</li> <li>• Highly accessible assessments</li> <li>• National and regional consistency.</li> <li>• Integrated plan provisions</li> <li>• Enhanced funding equitability.</li> </ul>	<ul style="list-style-type: none"> <li>• Cost implications associated with updated heritage assessments (approximately \$80,000) and improved accessibility.</li> <li>• Increased annual costs due to broadened financial support (e.g. Increase from \$5,000 to \$100,000 to be comparable with NCC)</li> </ul>
<b>Option 6 - Partial Mixed Model Approach</b> <b>(Combining Option 3 and 4)</b>	<ul style="list-style-type: none"> <li>• Clear policy direction</li> <li>• New assessments would be current.</li> <li>• Highly accessible assessments</li> <li>• Cost of existing assessments (\$66,500) could go towards initial financial support to improve equitability.</li> </ul>	<ul style="list-style-type: none"> <li>• Old assessments would be out of date and would not reflect best practice so would need to be updated eventually.</li> <li>• Archaeology may not be adequately protected if solely rely on HNZ authority.</li> <li>• May not be supported by Heritage agencies and Interest Groups due to lack of regulatory support.</li> <li>• Risk of damage to historic heritage without regulatory back-up.</li> <li>• Will not achieve national and regional consistency/compliance.</li> </ul>

### 4.3.2 Evaluation Summary per Option

Table 9 summarises the extent to which each option meets or achieves a number of key considerations.

**Table 9: Evaluation of Options**

Options possible listed below	RMA purpose	National Direction	TEP Principles	Efficiency at addressing issue(s)	Effectiveness at addressing issue(s)	Strengths	Weaknesses
<b>Option 1</b>	Moderate	Moderate	Moderate	Moderate	Moderate	Moderate	Moderate
<b>Option 2</b>	High	High	High	High	Moderate	High	Moderate
<b>Option 3</b>	High	Moderate	Moderate	Moderate	Moderate	Moderate	High
<b>Option 4</b>	Low	Low	Low	low	low	low	Low
<b>Option 5</b>	High	High	High	High	High	High	Low
<b>Option 6</b>	Moderate	Moderate	Moderate	Moderate	low	Moderate	High

#### 4.3.2.1 Relevance and Applicability

Historic heritage places are a limited resource located throughout the district and within all Waahi. Historic heritage protection is a regionally significant issue in terms of the Regional Policy Statement assessment, and protection is required by the RMA and relevant national policy direction. The loss of, or inappropriate management of, historic heritage would have a significant impact on heritage values that support community, cultural and economic wellbeing. For these reasons, it is important that Council manages historic heritage in a way that provides clear and consistent policy direction, an improved rule framework, and enhances the assessment and accessibility of assessments and funding. It is within Council’s ability to do this through resource management documents.

Due to the importance of achieving the desired outcomes Option 5 is recommended. This will allow Council to carry out its resource management functions in relation to managing historic heritage in an improved manner to the status quo.

### 4.3.3 Scenario Examples and Comparison

#### 4.3.3.1 Existing Regime

Application of existing provisions (status quo) does not provide satisfactory outcomes in terms of historic heritage management. The objectives and policies in the plan need to be more targeted and the rules could be more streamlined (to enable matters such as hazard management, minor infrastructure and temporary activities) and integrated with other relevant rules in the plan to more appropriately manage other activities, such as earthworks and soil disturbance. Similarly, the heritage assessment and funding system needs to be updated to ensure national and regional consistency, national policy direction is met, representative coverage, and financial assistance is equitable.

The examples below set out some outcomes that could eventuate under the six key options assessed.

#### 4.3.3.2 Option 1 – Status Quo

Continued reliance on the current provisions will result in no change. Historic heritage will continue to be exposed to natural hazard risk such as earthquake and flood and will potentially expose the community to safety risk without appropriate maintenance. Difficulty accessing heritage assessments will frustrate current and future landowners. It is also unclear whether the scheduled heritage listings are sufficiently representative given the time it has been since a full review of the listings and the initial feedback from key stakeholders. Continuing to require consents for matters such as seismic strengthening and minor infrastructure works will continue to frustrate landowners and professionals and may leave heritage buildings exposed to hazard and safety risks. Inadequate financial assistance, in terms of value and scope, will also continue to frustrate owners and may lead to the loss of this limited resource. A lack of clarity of heritage values in assessments may also frustrate operators who work across the region.

#### 4.3.3.3 Option 2 - An Updated Regulatory Approach

This approach will ensure that specific objectives and policies are developed for historic heritage that address the issues highlighted in this paper and reflect the following outcome:

*A representative range of historic heritage is clearly and consistently identified, retained, and protected from inappropriate subdivision, use, and development and the risks from natural hazards are mitigated.*

European and Maori historic heritage provisions would be separated out to reflect the National Planning Standards. Rules will be redrafted to permit a broader range of activities, such as earthquake strengthening and minor infrastructure additions, where they do not affect targeted heritage values. Other rules that impact on historic heritage, such as earthworks and land disturbance, will be reviewed to ensure adequate protection is maintained.

All heritage assessments will be reviewed to ensure that they identify critical heritage values so that rules can be targeted, and assessments are regionally consistent. These heritage assessments will be electronically linked to the TEP as updates are undertaken to the plan to align with national electronic accessibility standards.

Relying solely on a regulatory response will not address potential funding issues for heritage owners.

#### 4.3.3.4 Option 3 – Partial Updated Regulatory Approach

Option 3 would focus on only updating new heritage assessments and rely on existing assessment for sites already identified in the plan in a similar fashion to Auckland Council. Management of archeological sites would also rely solely on the HNZ authorization process. Heritage assessments (old and new) would be electronically accessible and plan provisions would be updated as per option 2. This approach would mean heritage assessments would not be consistent as old assessments would not be updated. Relying on HNZ to manage archaeological sites would not potentially meet the broader sustainable management purpose of the RMA or reflect the need to mitigate natural hazard risk.

Relying solely on a regulatory response will not address potential funding issues for heritage owners.

#### 4.3.3.5 Option 4 – A Non-regulatory Approach

This approach would see a continuation of support currently given to landowners and community groups with an increase in funding to support the maintenance costs associated all historic heritage. While relying solely on a non-regulatory approach that provides financial support across the board will help address some equity issues, this will not meet Councils statutory obligation of historic heritage protection and hazard risk mitigation under the RMA. This approach is unlikely to satisfy the desires of heritage interest groups who support both a regulatory and non-regulatory approach.

#### 4.3.3.6 Option 5 - Full Mixed Model Approach

This option includes the same approach as outlined for Option 2 and 4 combined that would see enhanced non-regulatory measures and new plan provisions comparable with other Councils. This approach will result in a clearer policy direction, appropriately targeted and integrated rules, a consistent and accessible set of heritage assessments, and an equitable funding assistance model. Updated heritage assessments would cost approximately \$80,000. Increasing annual financial support from \$5,000 to \$100,000 to be comparable with Nelson City Council would be considered as part of Annual/Long Term Plan decision making.

#### 4.3.3.7 Option 6 – Partial Mixed Model Approach

The Partial Mixed Model approach is a combination of Option 3 and 4 that would see enhanced non-regulatory measures, a review of new nominations only, and HNZ managing archaeological sites. While the plan would be broadly aligned with national policy direction and assessments would be accessible, this would not adequately protect archaeological sites and would only allow targeted heritage rules for those sites with updated assessments (EG approximately 100 newly nominated sites rather than the existing 250 European cultural heritage sites and 125 buildings and structures). Focusing spending on new assessments costs of approximately \$66,500 to invest in financial support in the short term but would ultimately need to be spent to eventually bring assessments up to date.

### 4.4 Draft Recommended Option

#### 4.4.1 Draft Recommended Option

The option of comprehensively updating regulatory provisions with enhanced non-regulatory support (Option 5) is recommended. This would involve the following key actions:

- Continuing stakeholder engagement with relevant interest groups to develop up a list of potential heritage sites to be assessed.
- Engaging a heritage expert to review the current and proposed listings to ensure that they are fit for purpose and align with national policy direction and regional consistency.
- Developing Draft TEP provisions to address:
  - Stakeholder and professional advice outlined above.
  - The outcome for historic heritage outlined in this paper.
  - Potential double up with heritage management of other agencies (eg) the Department of Conservation and Heritage New Zealand.
  - Assessments identifying key thematic gaps and heritage values for protection (eg) Interior, exterior, façade, curtilage.
  - Enabling a broader range of appropriate activities that protect identified values including:
    - maintenance and repair,
    - adaptive re-use
    - hazard investigation and seismic trimming
    - minor infrastructure works and earthworks/land disturbance
    - temporary activities and alterations and pruning activities undertaken in a way that protects key values.
  - Integration with other provisions that significantly impact on historic heritage Protection.
  - Consideration of other Council projects such as critical roading corridors and associated earthquake risk.

- Ensure heritage assessments will be electronically linked to the TEP as updates are undertaken to the plan to align with national electronic accessibility standards.
- Address potential financial assistance inequities for heritage owners as part of the Annual Plan/Long Term Plan process.

#### 4.4.2 Assessment and Reasons

Option 5 is recommended for the management of historic heritage within the Tasman District. This updates Tasman’s approach to historic heritage by ensuring a representative list of historic heritage assessments are publicly available. TEP provisions will be consistent with national policy direction and streamlined and integrated to ensure historic heritage is appropriately protected.

This is efficient and effective as it provides a measurable standard that removes any subjective assessment of whether there is an effect. This approach will be consistent with other national and regional approaches and will respond to preliminary feedback from key stakeholders.

## 5 Summary

**Table 10: Summary of Issues and Options**

Issue	Recommended Option	Outcome Sought	Assumptions, Uncertainties, Further work, Information Gaps
Issue 1 – Historic heritage is integral to the region’s identity and is potentially vulnerable to adverse effects from natural hazards and inappropriate subdivision, use and development.	Option 5 - Full Mixed Model	A representative range of historic heritage is clearly and consistently identified, retained, and protected from inappropriate subdivision, use, and development and the risks from natural hazards are mitigated.	Assumption: Stakeholder support for historic heritage actions remains in line with that already received.
Issue 2 – Historic heritage could be more clearly and consistently assessed and identified in the resource management plan to cover a more comprehensive and representative range of this limited resource.			Further work is required to develop a list of potential historic heritage listings from Interest Groups.  Further work is required to develop and update heritage assessments.  Further work is necessary to review the funding model associated with historic heritage.  Funding will be provided to undertake the work outlined above.

The management of historic heritage is of interest to many people as directly affected landowners, stake holder groups and the general public.

The TRMP provisions need to be updated to better reflect community desires, national policy direction, best practice and the efficiency and effectiveness of the plan to ensure the appropriate protection of historic heritage from inappropriate subdivision, use and development and the risks of natural hazards. Enhanced heritage assessments, funding, and public access is also critical to achieving appropriate protection.

This paper therefore suggests that historic heritage remains a matter that Council actively manages through its resource management planning documents and other non-regulatory policies as

appropriate. The opportunity to achieve consistency with other Councils in the wider region and nationally will also be achieved should the approach in this paper be adopted.



## 6 Appendix 1 - References

Reference	Detail
Archives NZ 2021	Te Tiriti o Waitangi. Source: <a href="https://archives.govt.nz/discover-our-stories/the-treaty-of-waitangi">https://archives.govt.nz/discover-our-stories/the-treaty-of-waitangi</a>
NZ Government 2020	Ministry for the Environment. 2020. National Policy Statement for Freshwater Management. Source: <a href="https://www.mfe.govt.nz/publications/fresh-water/national-policy-statement-freshwater-management-2020">https://www.mfe.govt.nz/publications/fresh-water/national-policy-statement-freshwater-management-2020</a>
MfE 2019	Ministry for the Environment. Nov 2019. National Planning Standards. Source: <a href="https://www.mfe.govt.nz/sites/default/files/media/RMA/national-planning-standards-november-2019.pdf">https://www.mfe.govt.nz/sites/default/files/media/RMA/national-planning-standards-november-2019.pdf</a>
MfE 2021	Ministry for the Environment. Feb 2021 Cabinet paper – Reforming the resource management system. Source <a href="https://www.mfe.govt.nz/more/briefings-cabinet-papers-and-related-material-search/cabinet-papers/reforming">https://www.mfe.govt.nz/more/briefings-cabinet-papers-and-related-material-search/cabinet-papers/reforming</a>
NZ Government 1991	New Zealand Government 1991, Resource Management Act, Wellington NZ.
NZ Government 2004	Building Act 2004 Source: <a href="https://www.legislation.govt.nz/act/public/2004/0072/latest/dlm306036.html">https://www.legislation.govt.nz/act/public/2004/0072/latest/dlm306036.html</a>
NZ Government 2009	Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009. Source: <a href="https://www.legislation.govt.nz/regulation/public/2009/0397/latest/DLM2626036.html">https://www.legislation.govt.nz/regulation/public/2009/0397/latest/DLM2626036.html</a>
NZ Government 2010	New Zealand Government / Department of Conservation 2010. New Zealand Coastal Policy Statement 2010, Wellington NZ.
NZ Government 2014	Heritage New Zealand Pouhere Taonga Act 2014. Source: <a href="https://www.legislation.govt.nz/act/public/2014/0026/latest/DLM4005414.html">https://www.legislation.govt.nz/act/public/2014/0026/latest/DLM4005414.html</a>
NZ Government 2016	Resource Management (NES for Telecommunication Facilities) Regulations 2016. Source: <a href="https://www.legislation.govt.nz/regulation/public/2016/0281/30.0/DLM6697001.html">https://www.legislation.govt.nz/regulation/public/2016/0281/30.0/DLM6697001.html</a>
NZ Government 2020	National Policy Statement on Urban Development. Source: <a href="https://environment.govt.nz/publications/national-policy-statement-on-urban-development/">https://environment.govt.nz/publications/national-policy-statement-on-urban-development/</a>
NZ Government 2020	Resource management (National Environmental Standards for Freshwater) Regulations 2020 Source: <a href="https://www.legislation.govt.nz/regulation/public/2020/0174/latest/LMS364099.html">https://www.legislation.govt.nz/regulation/public/2020/0174/latest/LMS364099.html</a>
Nelson City Council 2020	Nelson City Council 2020 draft Nelson Plan Documents. Source: <a href="https://shape.nelson.govt.nz/nelson-plan/draft-nelson-plan-documents">https://shape.nelson.govt.nz/nelson-plan/draft-nelson-plan-documents</a>
Nelson City Council 2021	The Nga Taonga Tuku Iho Ki Whakatu Management Plan 2004. Source: <a href="http://www.nelson.govt.nz/council/plans-strategies-policies/strategies-plans-policies-reports-and-studies-a-z/iwi-management-plans/">http://www.nelson.govt.nz/council/plans-strategies-policies/strategies-plans-policies-reports-and-studies-a-z/iwi-management-plans/</a>
TDC 2020	Tasman District Council. Sept 2020. Tasman Resource Management Plan Efficiency and Effectiveness Evaluation, Chapter 10: Significant Natural Values and Historic Heritage. Source <a href="https://tasman.govt.nz/my-council/projects/tasman-environment-plan/">https://tasman.govt.nz/my-council/projects/tasman-environment-plan/</a>
TDC 2021	Heritage Building Restoration Initiatives Fund. Source <a href="https://www.tasman.govt.nz/my-community/grants-and-funding/available-grants-and-funding/heritage-building-restoration-initiatives-fund/">https://www.tasman.govt.nz/my-community/grants-and-funding/available-grants-and-funding/heritage-building-restoration-initiatives-fund/</a>
TDC 2021	Resource Management Issues of Significance to Iwi Entities
TDC 2021	Stage 2 of TRPS Efficiency and Effectiveness Review: Significant Resource Management Issues
TDC 2021	Ngati Tama ki Te Waipounamu Trust Environmental Management Plan 2018. Source: <a href="https://www.tasman.govt.nz/my-region/iwi/iwi-management-plans/">https://www.tasman.govt.nz/my-region/iwi/iwi-management-plans/</a>
TDC 2021	The Ngati Koata No Rangitoto Ki Te Taonga Trust Iwi Management Plan 2002. Source: <a href="https://www.tasman.govt.nz/my-region/iwi/iwi-management-plans/">https://www.tasman.govt.nz/my-region/iwi/iwi-management-plans/</a>

## 7 Appendix 2 – Draft Natural and Built Environment Act Outcomes

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(1) To assist in achieving the purpose of this Act, those exercising functions and powers under it must provide for the following outcomes:

### ***Natural environment***

- (a) enhancement of features and characteristics that contribute to the quality of the natural environment;
- (b) protection and enhancement of:
  - (i) nationally or regionally significant features of the natural character of the coastal environment (including the coastal marine area), wetlands, lakes, rivers and their margins;
  - (ii) outstanding natural features and outstanding natural landscapes;
  - (iii) areas of significant indigenous vegetation and significant habitats of indigenous fauna;
- (c) enhancement and restoration of ecosystems to a healthy functioning state;
- (d) maintenance of indigenous biological diversity and restoration of viable populations of indigenous species;
- (e) maintenance and enhancement of public access to and along the coastal marine area, wetlands, lakes, rivers and their margins;

### ***Built environment***

- (f) sufficient development capacity for housing and business to respond to demand and provide for urban growth and change;
- (g) housing supply and choice to meet diverse and changing needs of people and communities;
- (h) strategic integration of infrastructure with land use;

### ***Tikanga Māori***

- (i) protection and restoration of the relationship of iwi, hapū and whanau and their tīkanga and traditions with their ancestral lands, cultural landscapes, water and sites;
- (j) protection of wāhi tapu and protection and restoration of other taonga;
- (k) recognition of protected customary rights;

### ***Rural***

- (l) sustainable use and development of the natural and built environment in rural areas;
- (m) protection of highly productive soils;
- (n) capacity to accommodate land use change in response to social, economic and environmental conditions;

### ***Historic heritage***

- (o) protection of significant historic heritage;

***Natural hazards and climate change***

- (p) reduction of risks from natural hazards;
- (q) improved resilience to the effects of climate change including through adaptation;
- (r) reduction of greenhouse gas emissions;
- (s) promotion of activities that mitigate emissions or sequester carbon; and
- (t) increased use of renewable energy.

(2) When providing for the outcomes in (1) local authorities must provide for the applicable regional spatial strategies prepared under the Strategic Planning Act **202X**

## 8 Appendix 3 - Historic Heritage approaches from other Councils

Planning Document	Summary of Approach
Auckland Council	<p><u>RPS Issues:</u> Auckland’s distinctive historic heritage is integral to the region’s identity and important economic, social, and cultural wellbeing. Historic heritage needs active stewardship to protect it from inappropriate subdivision, use and development.</p> <p>RPS objectives seek that:</p> <ul style="list-style-type: none"> <li>• significant historic heritage places are identified and protected from inappropriate subdivision, use and development.</li> <li>• significant historic heritage places are used appropriately, and their protection, management and conservation are encouraged, including retention, maintenance, and adaptation.</li> </ul> <p>RPS policies require the identification and evaluation of historic heritage places into category A or B utilising plan criteria, as well as the protection of significant historic heritage places. Policies also provide for the occupation, use, seismic strengthening, development, restoration, and adaptation where this will support the retention of historic heritage values. Historic heritage plan criteria include historical, social, mana whenua, knowledge, technology, physical attributes, aesthetic, and context.</p> <p>Note – Distinctions are made between original legacy plan listings and new listings to allow for original listings to be re-assessed over time.</p> <p><u>District Plan</u></p> <p><u>Objectives:</u></p> <ul style="list-style-type: none"> <li>• The protection, maintenance, restoration and conservation of scheduled historic heritage places is supported and enabled.</li> <li>• Scheduled historic heritage places are protected from inappropriate subdivision, use and development, including inappropriate modification, relocation, demolition or destruction.</li> <li>• Appropriate subdivision, use and development, including adaptation of scheduled historic heritage places, is enabled.</li> </ul> <p><u>Policies:</u> Encourage and enable maintenance and repair where it protects relevant values and is undertaken in accordance with good practice conservation methods. Support is encouraged via reducing or waiving consent fees, funding, grants and incentives, and expert advice.</p> <p>Use, development, and adaptation is enabled where it will not result in adverse effects and it will support the long-term viability, retention, and ongoing use of a place. Use, development, and adaptation is supported via reducing or waiving consent fees, granting consents to infringe general development standards, and providing funding, grants, expert advice, and transferable development rights. Assessment of effects need to address effects on heritage values, significance, and the setting of places.</p> <p>Modifications, restoration and new buildings maintain or enhance historic heritage values by minimising loss of fabric of heritage values, do not compromise interpretation, complement form and fabric and setting, and avoid significant adverse effects. Modification and restoration are supported where they recover values,</p>

Planning Document	Summary of Approach
	<p>remove compromising features, secure long term viability, and provide for adaptation, repair or seismic strengthening.</p> <p>Demolition or destruction is avoided to the primary features of Category A (original listings) and category B places and the non-primary features of Category A (original listings) and Category A (new listings). General avoidance of demolition and destruction of features is required where this will negate the reason for initially listing the place. Total or substantial demolition or destruction of features is enabled where the feature detracts from, or is a non-contributing feature to, the place.</p> <p>Relocation of primary features of category A places are avoided where this is permanent. Relocation is to be generally avoided unless significant public benefit will be achieved, and this will outweigh the value of retaining the feature.</p> <p>Temporary activities such as signage, freestanding displays, exhibits, and temporary structures are provided for where adverse effects are avoided, remedied, or mitigated.</p> <p>Subdivision is only provided for where it is complimentary to heritage values, adverse effects are avoided, remedied, or mitigated, and it will contribute to the retention of the place.</p> <p>Infrastructure operation, maintenance, repair, upgrading, and connections are enabled where new adverse effects on values are avoided, remedied, or mitigated. Establishment of network utilities and small-scale electricity generation facilities are enabled where there is a functional need, significant effects on values are avoided and other adverse effects are avoided, remedied, or mitigated.</p> <p><u>Rules:</u> permit maintenance and repair of features, gardens, lawns, limited infrastructure, and pest plant removal. Temporary buildings and structures accessory to temporary activities are also permitted as well as temporary signs. Grazing activities and non-invasive archaeological or invasive seismic investigations are also permitted. Activities that impact on features identified in exclusions from listings, such as building interiors, are also generally permitted.</p> <p>Demolition or destruction of more than 70% of any feature is prohibited if it is a primary feature of a Category A place. The relocation of features is beyond the scheduled area and Farming in a Category A place are also Prohibited.</p> <p>Demolition or destruction of category A and B places or relocation of features within scheduled places generally ranges from non-complying to discretionary activities.</p> <p>Subdivision of land, farming, and new buildings or structures are generally discretionary activities.</p> <p>Modifications for seismic strengthening are restricted discretionary activities.</p>
Marlborough Environment Plan	<p><u>Issue:</u> Marlborough’s historic heritage may be lost or adversely affected by changes in land use and land use management practices</p> <p><u>Objective (RPS):</u> Retain and protect heritage resources that contribute to an understanding and appreciation of Marlborough’s and New Zealand’s history and cultures.</p>

Planning Document	Summary of Approach
	<p><u>Policies:</u></p> <p>Manage Marlborough’s heritage resources in association with Heritage New Zealand, the Department of Conservation, the New Zealand Archaeological Association, Marlborough’s tangata whenua iwi, other heritage organisations and the local community, including landowners.</p> <p>Support community and landowner initiatives to retain and enhance heritage resources.</p> <p>Identify and provide appropriate protection to Marlborough’s heritage resources, including:</p> <ul style="list-style-type: none"> <li>• historic buildings (or parts of buildings), places and sites;</li> <li>• heritage trees;</li> <li>• places of significance to Marlborough’s tangata whenua iwi;</li> <li>• archaeological sites; and</li> <li>• monuments and plaques.</li> </ul> <p>Identify heritage resources for scheduling in Appendix 13 of the MEP, including historic buildings, places, sites, monuments and plaques that meets one or more of the following criteria for significance or value:</p> <ul style="list-style-type: none"> <li>• have value as a local landmark, over a significant length of time;</li> <li>• have historic association or value with a person, idea or event of note, or has strong public association for any reason;</li> <li>• reflect past skills, design, style, materials, methods of construction or workmanship that would make it of educational or architectural value;</li> <li>• is a unique or rare heritage resource, or is a work of art;</li> <li>• is important to Marlborough’s tangata whenua iwi;</li> <li>• forms part of a precinct or area of heritage value;</li> <li>• has the potential to provide knowledge of New Zealand history or public education of value; or</li> <li>• has symbolic commemorative value.</li> </ul> <p>Avoid adverse effects on the historic heritage values of Category A heritage resources identified in Schedule 1 of Appendix 13 and sites and places of significance to Marlborough’s tangata whenua iwi identified in Schedule 3 of Appendix 13.</p> <p>Avoid adverse effects on historic heritage values from the demolition or partial demolition of Category B heritage resources identified in Schedule 2 of Appendix 13, except where the item is of danger to public safety and repair is not the best practicable option after having regard to the matters in the Policy below.</p> <p>While the MEP seeks to avoid all adverse effects to heritage resources, where modifications are proposed to Category A heritage resources and Category B other heritage resources, or Sites and Places of Significance to Marlborough’s tangata whenua iwi, the adverse effects of the modifications on the values of the resources should be avoided, remedied or mitigated.</p> <p>When assessing resource consent applications in relation to heritage resources included in Appendix 13, have regard to:</p> <ol style="list-style-type: none"> <li>(a) the contribution the heritage resource makes to the local or national identity and sense of place;</li> <li>(b) the effects demolition, removal, alteration or additions will have on the historic heritage values of the heritage resource, including the relationship between distinct elements of the heritage resource and its surroundings;</li> </ol>

Planning Document	Summary of Approach
	<p>(c) the extent to which the adaptive reuse of a heritage resource enables reasonable and economic use of that resource;</p> <p>(d) the extent to which the work is necessary to enable the continued use of the heritage resource;</p> <p>(e) the extent to which the work is necessary to ensure structural stability, accessibility, fire egress, sufficient earthquake strengthening, and the extent of the impact of the work on the heritage values of the heritage resource;</p> <p>(f) any cumulative effects, especially where the resource is part of a group of similar resources;</p> <p>(g) efforts by the applicant to retain important features of the heritage resource;</p> <p>(h) the extent to which any alteration or addition is in keeping with the original design and materials, or otherwise enhances the heritage value of the resource;</p> <p>(i) the need for ongoing recognition of the significance of sites currently identified by monuments or plaques;</p> <p>(j) options for retaining a heritage resource when its demolition is proposed; and</p> <p>(k) for heritage resources on the New Zealand Heritage List/Rārangī Kōrero, the views of Heritage New Zealand.</p> <p>Except as set out in Policy 10.1.12, and the Schedule of Archaeological Requirements in Appendix 13, Schedule 5, primarily rely on Heritage New Zealand and the requirements of the Heritage New Zealand Pouhere Taonga Act 2014 to regulate archaeological sites within Marlborough.</p> <p><u>Rules</u> permit repair and maintenance and internal and external safety alterations relating to heritage resources, as well as signage no greater than 2.0m2. New customer connections from an adjacent utility network are controlled activities. All other activities are discretionary apart from the whole or partial demolition of Category A heritage resources which are prohibited unless related to dangerous buildings under the Building Act.</p>
Draft Nelson Plan (September 2020)	<p><u>RPS Issues</u></p> <p>Whakatū Nelson’s distinctive historic and cultural heritage is integral to the region’s identity and is potentially vulnerable to adverse effects from inappropriate subdivision, use and development.</p> <p>Development of natural and physical resources in the region has the potential to adversely affect the cultural relationships tāngata whenua have with their ancestral lands, waters, sites, wāhi tapu, and other taonga.</p> <p><u>RPS objectives and policies</u> require the maintenance, enhancement and protection of significant historic heritage resources from inappropriate subdivision use and development via identification and evaluation of historic heritage items, minimising loss of resources, and providing retention of resources through restoration and works that mitigate natural hazard risk.</p> <p><u>Objectives:</u></p> <p>Historic heritage resources and the heritage values associated with them are protected.</p> <p>Heritage owners and the community recognise and actively protect Whakatū Nelson’s heritage resources.</p> <p><u>Policies:</u></p> <p>Discourage the demolition or removal of Group A historic heritage items, unless the item is a serious risk to safety or property or is in a serious state of disrepair and the cost of remedying the risk or disrepair is prohibitive.</p>

Planning Document	Summary of Approach
	<p>Restrict the demolition or removal of Group B historic heritage items, unless the item:</p> <ul style="list-style-type: none"> <li>• is a serious risk to safety or property or is in a serious state of disrepair, and the cost of remedying the risk or disrepair is prohibitive;</li> <li>• can be demolished in part without adverse effect on the heritage values of the item; or</li> <li>• must be moved to facilitate its ongoing use or protection, measures are in place to minimise the risk of damage to the item, and the heritage values of the item in its new location are not significantly diminished.</li> </ul> <p>Consider all of the following as part of the assessment of a proposal for alteration, demolition, destruction or removal (including relocation) of a historic heritage item:</p> <ul style="list-style-type: none"> <li>• the category of protection afforded to the item;</li> <li>• the heritage values of the item;</li> <li>• the extent to which the item or feature has particular value due to the scarcity of that particular heritage resource;</li> <li>• the effects of any replacement activity or building proposed for the site, including the standard of design and appearance;</li> <li>• the effect of any addition or alteration on the integrity of the original item, including the compatibility with the building;</li> <li>• effects on values of significance to tāngata whenua; and</li> <li>• the purpose and principles of the ICOMOS New Zealand Charter for the Conservation of Places of Cultural Heritage Value 2010.</li> </ul> <p>Protect historic heritage from the adverse effects of new buildings on the same site.</p> <p>Enable the adaptive reuse of historic heritage items while ensuring that adverse effects on heritage values are avoided, remedied or mitigated.</p> <p>Require that the heritage values of a historic heritage item that is being repaired, restored, added to or altered be maintained through the use of materials and design that reflect the heritage values of the item.</p> <p>Encourage works to mitigate the risk of damage to heritage buildings from earthquakes while ensuring that materials and design avoid, remedy or mitigate any adverse effects on heritage values, including by:</p> <ul style="list-style-type: none"> <li>• protecting architectural features and details that contribute to the heritage values of the item;</li> <li>• maintaining or reinstating original facade appearance;</li> <li>• minimising the visual impact of additions on protected parts of the item, and;</li> <li>• in the case of any replacement of an elevated feature on a facade or roof, ensuring that the new feature is visually indistinguishable from the feature being replaced.</li> </ul> <p>Provide for additions and alterations whose principal purpose is to improve the energy efficiency, interior comfort or environmental footprint of a heritage building, while ensuring that any adverse effects of those additions and alterations on the heritage values are avoided, remedied or mitigated.</p> <p>Allow for flexibility in the development of sites containing a historic heritage item where:</p> <ul style="list-style-type: none"> <li>• the heritage values of the item are not adversely affected by the development;</li> <li>• any adverse effects on adjoining sites are avoided, remedied or mitigated; and</li> <li>• there is a resulting environmental benefit from protection of the item, site or overlay.</li> </ul>



Planning Document	Summary of Approach
	<p>Maintain and enhance the special heritage character and streetscape value of heritage streetscape overlays by having regard to the contribution existing buildings and fences make, or new buildings or fences would make, to the character of the heritage streetscape overlay concerned.</p> <p>Require that any alterations to buildings or new buildings within heritage streetscape overlays are compatible with the applicable heritage streetscape overlay design guide.</p> <p>Identify regionally significant archaeology and protect it from activities which would have adverse effects on the heritage values associated with those sites.</p> <p>Consider all of the following as part of the assessment of proposals that involve the damage, modification or destruction of regionally significant archaeology:</p> <ul style="list-style-type: none"> <li>• alternative methods, locations or designs that would avoid or reduce the impact on the archaeological values associated with the site;</li> <li>• the nature, form and extent of the activity and the likelihood of damage, modification or destruction of the site;</li> <li>• the significance of the archaeological site, as assessed on the uniqueness and representative nature of the site; and</li> <li>• the findings of any archaeological assessment of effects and proposals for avoidance or mitigation of those effects, prepared by a qualified archaeologist.</li> </ul> <p><u>Rules:</u> Permit the alterations and additions to buildings fronting main roads in City Centre, seismic strengthening required by the Building Act, repairs and maintenance, temporary alterations, aerals, new building greater than 100m on the same site, removal of unreinforced masonry chimneys, and sustainable additions to heritage buildings. Earthworks within an archaeological overlay associated with the maintenance of an existing road or track along its existing formation are permitted.</p> <p>Earthworks in the rural or open space zones within 50m of icon of regionally significant archaeology, or on a site with regionally significant archaeology in any other zone are restricted discretionary activities. New or extended buildings within an archaeological overlay are also restricted discretionary.</p> <p>Disturbance of the foreshore or seabed within an archaeological overlay or within 50m of a site are restricted discretionary.</p> <p>Demolition of a Group B historic heritage item is discretionary and a Group A is non-complying.</p>
New Plymouth District Plan	<p><u>Overview:</u> Section 6 of the Act identifies "the protection of historic heritage from inappropriate subdivision, use, and development" as a matter of national importance. Historic heritage in our community provides us with a sense of time and identity, of where we have been and where we are now. It also provides an opportunity to shape future development. It is therefore important that historic heritage is protected from activities that will compromise heritage values. In order to do this, the District Plan responds in different ways depending on the type of historic heritage involved. Historic heritage within the district includes:</p> <ul style="list-style-type: none"> <li>• Heritage buildings and items – The District Plan lists scheduled heritage buildings and items in SCHED1 – Schedule of Heritage Buildings and Items and where the interior elements of a heritage building are also scheduled, these are listed in SCHED2 - Schedule of Heritage Buildings (Interior Elements).</li> </ul>

Planning Document	Summary of Approach
	<p>In order to ensure heritage buildings and items are protected, it is generally necessary to retain them in their entirety.</p> <ul style="list-style-type: none"> <li>Heritage character areas - The District Plan identifies and maps a heritage character area in the city centre, primarily to recognise a concentration of scheduled heritage buildings, but also to recognise streets, open spaces, the Huatoki Stream, street furniture and art that contribute to heritage character in the city centre. It also recognises contributory buildings that add visual interest or play an important role in the historic character of the area, but which are not scheduled in the District Plan as heritage buildings.</li> <li>Archaeological sites - An archaeological site is any place in New Zealand (including buildings, structures or shipwrecks) that was associated with pre-1900 human activity, where there is evidence relating to the history of New Zealand that can be investigated using archaeological methods. The District Plan lists scheduled archaeological sites in SCHED3 – Schedule of Archaeological Sites or Sites of Significance to Māori. The identification of archaeological sites will enable developers and landowners to plan and undertake development activities in a way that minimises or avoids disturbance. For sites that don't have a verified extent, the accuracy of the location of sites is to +/- 200m and the extent of the site will be treated as the area within a 200m radius of the site's centroid marker. The location of sites that have a "silent file" status are accurate to the land parcel and the extent of the site will be treated as the area within a 200m radius of the site's centroid marker.</li> </ul> <p>It is important to note that for a number of sites, the original visible features may have been lost or damaged through exposure to weather, earthworks or coverage of a site by buildings or impermeable surfaces, but subsurface features may still remain. In order to ensure that the sites are not further damaged or compromised, this chapter contains provisions that seek to protect the sites, and to manage activities on, or in proximity to the sites to ensure that the effects of these activities can be assessed. Where development has already taken place and the site's features have been destroyed or damaged, recognition of the site's existence may still be desirable through signs, planting or some other method.</p> <p><u>Objectives:</u>  Historic heritage is recognised, protected and maintained.  Historic heritage is appreciated by the community and is acknowledged as important to the district's identity.  Heritage buildings are actively used and maintained.</p> <p><u>Policies</u> require identification of significant heritage buildings and sites having regard to:</p> <ul style="list-style-type: none"> <li>Historical values;</li> <li>Importance to community;</li> <li>Architecture and construction features;</li> <li>Setting and context;</li> <li>Archaeological values; and</li> <li>Rarity, representativeness and integrity.</li> </ul> <p>Heritage building and items are to be protected by avoiding demolition and relocation and activities in proximity are to avoid adverse effects on heritage values. Maintenance and repair, seismic strengthening, and adaptive re-use of buildings is allowed where heritage values are not compromised. Activities in proximity to buildings an items, including erection of structure and impervious areas, relocation of</p>

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	<p>structures and buildings, alterations and additions, subdivision and signage, are to be managed. Compatibility with form, proportions, materials and settings, loss of architectural features, exterior treatments, impacts on values and setting, and contribution to retention and functional use are some of the matters that need to be assessed when considering additions and alterations. Landowner support is encouraged by obtaining, recording and sharing information, via voluntary agreements/covenants, and providing assistance to landowners who maintain and restore historic heritage.</p> <p>Archaeological sites are to be mapped, scheduled, and protected by avoiding disturbance, destruction and removal and requiring adjacent activities to avoid adverse effects. A range of activities are allowed where they do not compromise the sites values including land disturbance, demolition, alterations, signage, and maintenance and repair or upgrading of network utility structures. Earthworks, subdivision, and erection of additions and relocation of structures is to be managed. Activities and structures on, adjacent to or affecting archaeological sites are to avoid adverse, remedy or mitigate adverse effects having regard to a range of matters including values present and their setting, reduction or loss of values, sensitivity to change, opportunities for enhancement, archaeological assessment, and cumulative effects on values. Landowner support is encouraged by obtaining, recording and sharing information, voluntary agreements/covenants, assistance, verification by archaeological assessment, avoiding duplication with other statutory processes.</p> <p><u>Rules:</u> permit maintenance and repair to the exterior of heritage buildings or items.</p> <p>Erection or relocation of structures and installation of impervious surfaces on a site containing a heritage building or item are a restricted discretionary activity along with relocation of limited heritage buildings or items specifically provided for. Demolition or removal of scheduled contributory buildings are also restricted discretionary.</p> <p>Additions and alterations to heritage buildings are discretionary activities apart from minor matters including fire alarm panels, security alarms, sprinkler inlets, and attachments provided it does not affect a factor contributing to the buildings heritage values.</p> <p>Subdivision of land containing a heritage building or item is a discretionary activity and demolition or removal is a non-complying activity.</p> <p>Permitted activities on archaeological sites include:</p> <ul style="list-style-type: none"> <li>• land disturbance for minor activities such as fence posts and grazing,</li> <li>• alterations to structures where there are no earthworks or alterations to the structure’s footprint and foundations,</li> <li>• erection, additions and relocation of structures within 50m of scheduled site where these are no located on the scheduled site.</li> </ul> <p>Maintenance, repair and upgrading of network utility structures on or within 50m of a scheduled site is a controlled activity where earthworks meet limited parameters (EG - 0.3m<sup>2</sup>&lt;450mm depth, within existing utility area).</p> <p>Earthworks on or within 50m of an archaeological site not meeting permitted or controlled standards are discretionary along with subdivision.</p> <p>Note – Separate rules for Archaeological sites and Sites and Areas of Significance to Maori but schedule contains both.</p>

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Christchurch District Plan	<p><u>Objective:</u> the overall contribution of historic heritage is maintained through protection and conservation of significant historic heritage in a way that supports ongoing retention, use and adaptive re-use, maintenance and repair, upgrade, restoration, and repair while recognising building condition and that demolition may be justified in accordance with policy.</p> <p><u>Policies:</u> require identification and assessment of historic heritage that represents important cultural and historic themes and determines whether sites and buildings are significant (Group 2) or highly significant (Group 1) utilising identified criteria with reference to themes, sense of place and identity, authenticity, integrity. Identified criteria include the following values: historical and social, cultural and spiritual, architectural and aesthetic, technological and craftsmanship, contextual, and architectural and scientific significance. Policies also require the identification of heritage areas and the management of the effects of subdivision use and development scheduled historic heritage in a way that provides for ongoing and adaptive re-use and enables repairs, investigation, upgrades, restoration and reconstruction that is sensitive to the values. Ongoing use of heritage items and settings is provided for as is the relocation of heritage items where this is the only reasonable option. Demolition needs to be considered in light of a range of matters including safety, whether the scale of repairs would compromise values, cost, reducing the scale of demolition, and the level of significance of the item. Design of utilities should support heritage values. Enhanced awareness and education is sought along with incentives and assistance in the form of financial support and technical advice relating to values and earthquake repairs and seismic strengthening. A future work programme including assessment of interior heritage fabric, heritage settings, and heritage area identification is also identified.</p> <p>The policy relating to archaeological sites focusses on the need to assist HNZ in identification and protection of archaeological sites.</p> <p><u>Rules:</u> permit small signs, maintenance and repair, investigation and temporary works, events and structures. Demolition, partial demolition, deconstruction, and replacement of buildings as a result of the Canterbury earthquakes of 2010 and 2011 is also permitted. Heritage upgrade works and reconstruction and restoration on Group 1 buildings is permitted for repairs and Group 2 buildings generally. Temporary lifting for repairs and investigation is also permitted. Installation, modification or removal of electrical plumbing, heating, cooling, ventilation, lighting, audio visual, cooking, hot or cold water, security and/or other service systems and fixtures is permitted.</p> <p>Controlled activities include heritage upgrade works, reconstruction or restoration, and temporary lifting or moving for Group 1 and 2 items not meeting permitted standards.</p> <p>Restricted discretionary activities include new buildings in a heritage setting, alteration to heritage items, and activities not meeting permitted or controlled standards.</p> <p>Relocation of a heritage item beyond its setting and demolition of category 2 items in a discretionary activity while demolition of category 1 items are non-complying.</p>