



SECTION 32 REPORT Historic Heritage

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1 Executive Summary

The Operative District Plan lists over 100 Category A heritage buildings and items and over 700 waahi taonga/sites of significance to Māori and archaeological sites. These places are important to the District as they provide us with a sense of time, of where we have been and where we are now, and give us the opportunity to shape our future.

The Operative District Plan identifies these places on planning maps and requires resource consent for activities that occur on or within their vicinity. The rules are generally working well for heritage buildings and items. However, there are several hundred heritage buildings and items listed in the Operative District Plan that are not subject to resource consent so they have no formal protection. This is particularly evident in the central city where several buildings with heritage value have been demolished.

In 2007, the Council initiated a wider review to verify waahi taonga/sites of significance to Māori and archaeological sites in the District Plan. This included identifying further sites for inclusion and the extent of sites where possible. This work is on-going.

The Huatoki Stream within the central city is protected through a dedicated policy. However, the mechanism is generally only triggered under the relevant rules. Early settlement of the area by Te Ātiawa and the fact it remains a unique and dominant feature influencing urban form in the central city, mean the Huatoki Stream deserves greater protection.

The 2019 National Planning Standards require management of historic sites into: Sites and Areas of Significance to Māori as a standalone chapter, and Archaeological Sites as a section under the Historic Heritage chapter.

The key resource management issues related to Historic Heritage are:

- The strategic framework that protects historic heritage requires alignment with the 2019 National Planning Standards.
- Heritage buildings and items, heritage character areas and archaeological sites require protection from inappropriate land use, subdivision and development.
- The Huatoki Stream in the central city requires greater focus as it pertains to Te Ātiawa and the influence of urban development.

To address these issues the following key changes are proposed:

- A Historic Heritage chapter that includes heritage buildings and items, heritage character areas and archaeological sites as per the National Planning Standards.
- A standalone chapter for Sites and Areas of Significance to Māori as per the National Planning Standards.
- Strengthened objectives and policies for historic heritage to highlight it as matter of national importance.
- Refined rules for heritage buildings and items to reflect issues that have emerged since adoption of the Operative District Plan.
- Updated criteria system for heritage status assessment and addition of 39 heritage buildings and items for protection.
- Introduction of a heritage character area in the central city, which includes a concentration of identified heritage buildings as well as other contributory

buildings that add visual interest or play an important role in the historic character of the area but are not identified in the District Plan as heritage buildings.

- A greater emphasis on the Huatoki Stream within the City Centre Zone in relation to urban design and the relationship tangata whenua have with the stream.
- Application of the same but refined rules to all archaeological sites and areas of significance to Māori in the Proposed Plan with the rules repeated in both chapters. A site that is of significance to Māori and an archaeological site is subject to both sets of rules.
- Addition of 309 sites and areas of significance to Māori and archaeological sites to the 726 already identified in the District Plan.

The strengthened provisions of the Proposed Plan will result in better protection of a greater number of heritage buildings and items, heritage character areas, archaeological sites, and sites and areas of significance to Māori.

2 Introduction and Purpose

This report contains a summary section 32 evaluation of the objectives, policies and methods relating to historic heritage in the Proposed District Plan. It is important to read this report in conjunction with the section 32 overview report which contains further information and evaluation about the overall approach and direction of the District Plan Review and Proposed District Plan.

Heritage buildings and items, waahi taonga/sites of significance to Māori and archaeological sites are important to the District as they provide us with a sense of time, of where we have been and where we are now, and give us the opportunity to shape our future. It is important to protect them from damage or loss resulting from inappropriate land use, subdivision and development. This report sets out the statutory and policy context for historic heritage, the key resource management issues, specific consultation and approach to evaluation on this topic to decide on the proposed provisions. The report also includes a review of the existing plan provisions and an evaluation of alternative methods to achieve the purpose of the Resource Management Act (RMA) in relation to the historic heritage topic.

This section 32 report addresses Historic Heritage which covers heritage buildings and items, heritage character areas and archaeological sites. Given sites and areas of significance to Māori and archaeological sites have traditionally been grouped together in the Operative District Plan there is discussion throughout this document regarding sites and areas of significance to Māori. However, a separate section 32 report exists for this topic. There is also a separate section 32 report for notable trees.

3 Statutory and Policy Context

3.1 Resource Management Act

The RMA sets out in Section 31 the functions of territorial authorities. The key function for the Council is the integrated management of the use, development, or protection of land and associated natural and physical resources of the District. "Natural and physical resources" includes natural landforms, buildings and structures.

Section 6 of the RMA specifically requires that the Council recognise and provide for matters of national importance. The Section 6 matters of national importance relevant to the proposed historic heritage provisions are:

- (e) the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.*
- (f) the protection of historic heritage from inappropriate subdivision, use, and development.*

Historic heritage is defined in the RMA as:

- (a) means those natural and physical resources that contribute to an understanding and appreciation of New Zealand's history and cultures, deriving from any of the following qualities:*
 - i) archaeological;*
 - ii) architectural;*
 - iii) cultural;*
 - iv) historic;*
 - v) scientific;*
 - vi) technological; and*
 - vii) includes-*
 - viii) historic sites, structures, places, and areas; and*
 - ix) archaeological sites; and*
 - x) sites of significance to Māori, including wahi tapu; and*
 - xi) surrounding associated with the natural and physical resources.*

Section 7 of the RMA requires the Council to have particular regard to the following matters:

- (c) the maintenance and enhancement of amenity values.*
- (f) maintenance and enhancement of the quality of the environment.*
- (g) any finite characteristics of natural and physical resources.*

Section 8 of the RMA requires the Council to take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi). There are Treaty of Waitangi matters identified in Section 8 that are relevant to the proposed Historic Heritage provisions. Tangata whenua, through iwi authorities, have been consulted as part of the review process and the obligation to make informed decisions based on that consultation is noted.

All of the above matters are relevant for the protection of historic heritage from inappropriate subdivision, use and development.

3.2 Statutory Planning Documents

3.2.1 New Zealand Coastal Policy Statement 2010

The New Zealand Coastal Policy Statement came into effect in 2010. Its policies aim to achieve the purpose of the RMA in relation to the coastal environment. Policy 17 is relevant to the protection of Historic Heritage:

Policy 17: Historic Heritage Identification and Protection

Protect historic heritage in the coastal environment from inappropriate subdivision, use and development by:

- *Identification, assessment and recording of historic heritage, including archaeological sites.*
- *Providing for the integrated management of such sites in collaboration with relevant councils, heritage agencies, iwi authorities and kaitiaki.*
- *Initiating assessment and management of historic heritage in the context of historic landscapes.*
- *Recognising that heritage to be protected may need conservation.*
- *Facilitating and integrating management of historic heritage that spans the line of mean high water springs.*
- *Including policies, rules and other methods relating to the above in regional policy statements, and plans.*
- *Imposing or reviewing conditions on resource consents and designations, including for the continuation of activities.*
- *Requiring, where practicable, conservation conditions.*
- *Considering provision for methods that would enhance owners' opportunities for conservation of listed heritage structures, such as relief grants or rates relief.*

3.2.2 National Planning Standards 2019

Gazetted in April 2019, the purpose of the National Planning Standards is to improve consistency in plan and policy statement structure, format and content. The standards were introduced as part of the 2107 amendments to the RMA. Their development is enabled by sections 58B-58J of the RMA. They support implementation of other national direction such as national policy statements and help people to comply with the procedural principles of the RMA.

The standards outline the spatial layers that can be used in a district plan, including zones, overlays, precincts, special controls, development areas and designations. Heritage buildings and items, heritage character areas and archaeological sites are all overlays, a mechanism that spatially identifies distinctive values, risks or other factors which require management in a different manner from underlying zone provisions.

The term "heritage character precinct" was used in the draft phase of the District Plan but this has been changed to "heritage character area" for the Proposed District Plan to avoid complications with the precinct mechanism which is used for other spatial layers. Heritage buildings and items, heritage character areas and archaeological sites fall under the Historic Heritage topic. Historic Heritage in turn falls under the prescribed heading of Historic and Cultural Values.

One set of rules has applied to waahi taonga/sites of significance to Māori and archaeological sites since the Operative District Plan was proposed in 1998. The standards require the Council to split the provisions into two separate chapters:

1. Sites and areas of significance to Māori.
2. Archaeological sites.

The standards also state that any schedules of items must be located within the relevant chapter or there may be a cross reference to an appendix.

3.3 Regional Policy Statement

Under Section 75(3)(c) of the RMA, the District Plan must give effect to the Regional Policy Statement. The Taranaki Regional Policy Statement (RPS) recognises that many important historic heritage sites are at risk from inappropriate subdivision, use and development. In certain circumstances, these activities may include farm-related activities, earthworks, hydrocarbon exploration and development, coastal and urban development, and alterations, demolition and relocation of buildings. It also states that many archaeological sites and heritage buildings are in a state of decline due to non-development or resource use. The RPS identifies four main issues in relation to Taranaki's historic heritage:

- HIS ISS 1 Identifying and raising awareness of Taranaki's historic heritage to promote its protection.
- HIS ISS 2 Managing adverse effects of inappropriate subdivision, use and development activities on Taranaki's historic heritage.
- HIS ISS 3 Promoting the active management of the region's historic heritage.
- REL ISS 1 Restoring, maintaining and enhancing the cultural relationships and links of Iwi o Taranaki.

The RPS has two objectives and three associated policies directing the enhancement of historic heritage values and protection of these from inappropriate subdivision, use and development.

Methods of implementation outlined in the RPS that the District Plan may consider include:

- HIS METH 6 Identification, protection and enhancement of historic heritage.
- HIS METH 7 Supporting surveys, research and investigations identifying historic heritage.
- HIS METH 8 Advocating for the establishment of heritage protection authorities.
- HIS METH 9 Providing financial incentives to maintain and enhance historic heritage (e.g. rates relief).
- HIS METH 10 Providing technical advice and support to owners of historic sites, buildings, or places.
- HIS METH 11 Maintain and update heritage records.
- HIS METH 12 Encouraging the development of heritage trails.
- HIS METH 13 Promoting awareness of heritage values to the community.
- REL METH 11 Include in district plans and conditions of resource consents provision for the protection of wahi tapu and other places of cultural significance.

- REL METH 15 Encourage landowners to protect wāhi tapu on their properties through voluntary agreements or covenants.
- REL METH 16 Protect sensitive information about the location and nature of wāhi tapu.

3.4 Iwi Environmental Management Plans

For the purposes of the District Plan Review, Iwi Environmental Management Plans must be taken into account under section 74(2A) of the RMA. The iwi within the District and the status of their plans are as follows:

- Taranaki Iwi – lodged with Council.
- Maniapoto Iwi – draft, not lodged with Council.
- Ngāti Mutunga Iwi – draft, not lodged with Council.
- Te Ātiawa Iwi – draft, being finalised following submissions, not lodged with Council.

3.4.1 Taranaki Iwi

Taranaki Iwi's plan is called "Taiao, Taiora Iwi Environmental Management Plan" and was published in 2018. Taiao, Taiora is a document for Taranaki Iwi to guide and inform decision making by the Iwi. It is structured into five sections, reflecting the interrelated natural systems. Taiao, Taiora sets out issues, objectives and policies. The section on Papatuanuku (the land) includes the following issue and objectives relevant to archaeological sites (many of which are also sites and areas of significance to Māori):

Issue 9.

Poorly designed subdivision and development can lead to unsustainable and inefficient land use, destruction of wāhi tapu and other important sites ...

Issue 12.

Cultural values are often considered as separate to the physical elements of landscapes.

Objective 1.

The mouri of Papatuanuku in the Taranaki Iwi rohe will be protected, cared for and restored.

Objective 5.

The whenua will be cared for by Taranaki Iwi and others for mutual, reciprocal benefit for the whole community. Taranaki Iwi are seen as leaders in sustainable living and sustainable land management on our whenua.

Taiao, Taiora clearly states that the Taranaki Iwi will not support any action or activities that will result in the degradation of the mouri of Papatuanuku, and any subdivision and development that adversely impacts the important cultural values associated with landscapes of importance to Taranaki Iwi (hapū, marae/pā).

3.4.2 Maniapoto Iwi

Maniapoto Iwi's plan is called "Ko Tā Maniapoto Mahere Taiao." It identifies 14 sections that focus on resource management: Air; Climate Change; Fresh Water; Wetlands; Fisheries; Coastal and Marine Environment; Land; Natural Heritage and Biodiversity;

Natural Hazards; Energy, Transport, Water Services, Telecommunication, Social Infrastructure; Mining and Quarrying, Oil, Gas, Minerals; Solid and Hazardous Waste; Biosecurity – Pests, Control Agents and GMO's; and Tourism and Recreation.

The Coastal and Marine Environment section states that the cultural heritage landscape along the coast is highly significant to Maniapoto. Land use and development in the coastal marine area has the potential to impact on cultural heritage and associated historical elements, including wāhi tapu, historical pā sites and papakāinga. As a result an objective is to protect coastal and marine cultural heritage from inappropriate use and development.

3.4.3 Ngāti Mutunga Iwi

Ngāti Mutunga's Iwi Environmental Management Plan identifies six sections that focus on resource management: Air and Atmosphere; Whenua Ngahere/Bushland; Te Puna Waiora/Freshwater; Whenua Mānia/Plains; Takutai/Coast; and Cultural Landscapes and Wāhi Tapu. Reference is made to wāhi tapu (many of which are also archaeological sites) in the Whenua Ngahere/Bushland and Takutai/Coast sections. However, the Cultural Landscapes and Wāhi Tapu section provides in depth discussion, emphasising that it is important to recognise the context of sites within the landscape. Objectives focus on ensuring the protection and safety of wāhi tapu and establishing clear procedures with relevant organisations that acknowledge the status of Ngāti Mutunga Iwi and allow for them to be involved in decision making regarding wāhi tapu.

3.4.4 Te Ātiawa Iwi

Te Ātiawa Iwi's plan is called "Tai Whenua, Tai Tangata, Tai Ao – Te Ātiawa Iwi Environmental Management Plan." Primarily it is an environmental and resource planning document to reaffirm Te Ātiawa's role as kaitiaki. Secondary to this, it is a guide to assist central government agencies, regional council and district councils to understand the issues of significance to Te Ātiawa and manage their resource consent processes, policies, plan development, reviews and changes to incorporate Te Ātiawa values and interests. It is structured into five parts with part five outlining the issues, objectives and policies. Eight domains are focused on – guardianship, inland and coastal whenua, freshwater, coastal and marine environment, air and atmosphere, flora and fauna, heritage, and Taranaki Maunga. The following issues and objectives under the inland and coastal whenua domain, the coastal and marine environment domain, and the wāhi tapu/wāhi taonga, urupā and sites of significance to Māori domain are of relevance to historic heritage.

Inland and Coastal Whenua

Issue TTAN6: Land disturbance activities can damage and destroy wāhi tapu/wāhi taonga, urupā and sites of significance to Māori.

Objective TTAN6.1: Wāhi tapu/wāhi taonga, urupā and sites of significance to Māori are protected from damage, modification or destruction.

Coastal and Marine Environment

Issue TTOT12: The lack of protection for Te Ātiawa coastal and marine wāhi tapu/wāhi taonga, urupā and sites of significance to Māori may generate adverse effects on Te Ātiawa's values.

Objective TTOT12.1: Ensure that all Taonga within our Te Ātiawa rohe are protected from inappropriate use, development and destruction.

Wāhi Tapu/Wāhi Taonga, Urupā and Sites of Significance to Māori

Issue TTHE2: The lack of acknowledgement and protection of wāhi tapu/wāhi taonga, urupā and sites of significance to Māori.

Objective TTHE2.1: Ensure that wāhi tapu/wāhi taonga, urupā and sites of significance to Māori within our Te Ātiawa rohe are protected from inappropriate use, development and destruction.

3.5 Other Legislation and Policy Documents

3.5.1 Heritage New Zealand Pouhere Taonga Act 2014

The purpose of the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA) is to promote the identification, protection, preservation, and conservation of the historical and cultural heritage of New Zealand. All decision-makers must recognise the following principles:

- Historic places have lasting value in their own right and provide evidence of the origins of New Zealand's distinct society.
- The identification, protection, preservation, and conservation of New Zealand's historical and cultural heritage should:
 - Take account of all relevant cultural values, knowledge, and disciplines.
 - Take account of material of cultural heritage value and involve the least possible alteration or loss of it.
 - Safeguard the options of present and future generations.
 - Be fully researched, documented, and recorded, where culturally appropriate.
 - There is value in central government agencies, local authorities, corporations, societies, tangata whenua, and individuals working collaboratively in respect of New Zealand's historical and cultural heritage.
 - The relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tūpuna, wāhi tapu, and other taonga.¹

Heritage New Zealand has various functions under the HNZPTA, including:

- Identifying, listing and protecting historic places, historic areas, wāhi tūpuna, wāhi tapu, and wāhi tapu areas on the New Zealand Heritage List.
- Issuing archaeological authorities in accordance with the HNZPTA.
- Managing historic places, buildings, and other property owned by Heritage New Zealand.
- Providing advice on heritage matters in the event of a national or local emergency.
- Maintaining a list of places of outstanding national heritage value called the National Historic Landmarks.
- Acting as a heritage protection authority under the RMA.

¹ <http://www.environmentguide.org.nz/issues/heritage/managing-historic-heritage/heritage-new-zealand-pouhere-taonga-act-2014/>

The New Plymouth District has no items on the National Historic Landmarks List. On the Heritage New Zealand List it has 85 historic places (16 are Category 1 and 69 are Category 2), 2 historic areas, 0 wāhi tūpuna, 0 wāhi tapu, and 1 wāhi tapu area. This list is an information and advocacy tool only. Heritage New Zealand Pouhere Taonga generally lobbies councils to have buildings and items on the Heritage New Zealand List listed in district plans because once listed they are generally subject to resource consent.

The HNZPTA makes it unlawful for any person to modify or destroy, or cause to be modified or destroyed, the whole or any part of an archaeological site without the prior authority of Heritage New Zealand. An authority (permission) must be obtained from Heritage New Zealand before any work that may affect an archaeological site is begun. This is the case regardless of whether the land on which the site is located is designated, or the activity is permitted under a District or Regional Plan or a resource or building consent has been granted. The HNZPTA provides for substantial penalties for unauthorised destruction or modification.

3.5.2 Building Act 2004

The Building Act 2004 requires local authorities to ensure that buildings are safe, promote physical independence and wellbeing, have adequate fire escape and seismic provisions, and are designed, constructed and able to be used in ways that promote sustainable development. Local authorities are also required to take into account Section 4(2) which includes the need to facilitate the preservation of buildings of significant cultural, historical or heritage value. In applying the purpose of this Act the relevant heritage principles are:

- d) *the importance of recognising any special traditional and cultural aspects of the intended use of the building.*
- l) *the need to facilitate the preservation of buildings of significant cultural, historical or heritage value.*

Important changes to this Act relating to the management of earthquake prone buildings (EQPB) came into effect on 1 July 2017. In summary:

- The Council should be using the identification and remediation methodology and processes for EQPB set out in the Act.
- The Council's EQPB Policy ceased to apply from the commencement of the changes to the Act.
- EQPBs must adhere to new timeframes:
 - Priority buildings - 5 years to identify, 12.5 years to strengthen.
 - Other EQPB - 10 years to identify, 25 years to strengthen.
 - Identification timeframes begin from the date of changes to the Act, strengthening timeframes begin from date on the EQPB notice.
- New EQPB identification obligations and consultation/reporting requirements.

3.6 Local Policies, Plans and Strategies

3.6.1 New Plymouth District Strategic Framework

The vision for the New Plymouth Strategic Framework is Building a Lifestyle Capital (He Whakatutu Haupū Rawa Hei Ahua Noho). The community outcomes this will achieve are: Putting people first (Aroha kit e Tangata), Caring for our place (Manaaki

whenua, manaaki tangata, haere whakamua) and Supporting a prosperous community (Awhi mai, Wahi atu, tatou katoa).

3.6.2 The New Plymouth District Blueprint

The Blueprint is a 30-year spatial plan for the district first adopted in June 2015. Historic heritage is an important part of New Plymouth's sense of place and helps to deliver on these Blueprint key directions:

- Communities: Strengthen and connect local communities.
- Citizens: Enable engaged and resilient citizens.
- Central City: Champion a thriving Central City for all.
- Destination: Become a world class destination.

3.6.3 Heritage Strategy 2012

The Heritage Strategy was developed following numerous feedback and submissions on many of the Council's heritage activities and assets. It was considered beneficial to guide the management of Council's heritage activities and assets and to provide an overarching framework to inform other Council plans.

The Heritage Strategy identified many actions relating to the District Plan. The majority of these actions were to be considered as part of the District Plan Review. Some examples of these actions include:

- Review District Plan provisions for heritage buildings and items to help ensure each building and item is appropriately identified, categorised and protected.
- Review New Zealand Historic Places Trust (now Heritage New Zealand) register and other relevant heritage registers for outstanding buildings and items not currently listed in the District Plan and assess any outstanding buildings and items for possible inclusion in the District Plan.

These actions were taken into consideration as part of the District Plan Review.

3.6.4 Built, Cultural and Natural Heritage Protection Grant

The Heritage Protection Fund helps with the conservation, restoration and protection of historic heritage. The grants can also help meet some of the additional costs associated with owning and caring for a heritage property. Applications can be made for any item listed in the District Plan, including:

- Heritage buildings, items, places or areas.
- Significant areas of vegetation or wetlands.
- Individual trees or groups of trees.
- Geological features.
- Wāhi tapu sites and areas, wāhi taonga/sites of significance to Māori.
- Archaeological sites.

It may also apply to items that are not listed in the District Plan if they meet the Council's criteria for significance.

Preliminary evaluation of applications is undertaken using a scoring system based mainly on heritage attributes and public visibility and accessibility. It is unusual for private dwellings to qualify unless they are of extreme importance. Items or sites that

have some public use or access are given priority. The works that are eligible for assistance are:

- Essential maintenance, restoration or strengthening of the structure of heritage buildings or objects, e.g. earthquake strengthening or re-roofing.
- Rehabilitation or retention of the original character of heritage buildings or objects, e.g. facades.
- Fencing of waahi tapu sites, trees, bush and wetlands.
- Other physical works required to conserve or preserve heritage values.

3.6.5 Heritage Trails Policy 2005

This policy outlines how future proposed heritage trails (or additions to existing trails) are evaluated. Key criteria include:

- The point(s) on the trail is (are) of significant local, regional or national historical importance as determined by the relevant historical authorities.
- That there is an education value to interpreting the heritage features with signage as determined the relevant educational authorities.
- That the point(s) on the trail would be of interest to visitors to the area as determined by the relevant tourism authorities.

3.7 Other Documents

In addition to the above documents, the following background documents have been considered and informed in reviewing the District Plan and evaluating provisions:

- Assessments that were conducted as part of compiling the Proposed District Plan (1998), including:
 - Heritage Study Non-Māori Sites (by Dinah Holman in conjunction with Boon Goldsmith Jackson).
 - New Plymouth CBD Heritage Study (by Chris Cochran and Di Stewart and Associates).
 - Heritage Precinct Evaluation (by Dinah Holman).
- Category A Non-Māori Heritage Item Field Visit for Councillors (2/12/97).
- NZ Historic Places Trust (2007) Sustainable Management of Historic Heritage, Guide No. 3: District Plans.
- NZ Historic Places Trust (2007) Sustainable Management of Historic Heritage, Discussion Paper No. 6: Heritage at Risk: Addressing the Issue of the Demolition by Neglect of Historic Heritage in New Zealand.

4 Context, Research and Trends

4.1 Operative District Plan Approach

4.1.1 Content

Historic heritage, as defined in the RMA, means natural and physical resources that contribute to an understanding and appreciation of New Zealand's history and cultures, deriving from any of the following qualities: archaeological, architectural, cultural, historic, scientific, or technological. Historic heritage includes historic sites, structures, places and areas, and archaeological sites, sites of significance to Māori, including waahi tapu, and surroundings associated with the natural and physical resources.

The protection of historic heritage from inappropriate subdivision, use and development is a matter of national importance under the RMA. The relationship of Māori and their cultural and traditions with their ancestral lands, water, sites, waahi tapu and other taonga is also a matter of national importance that must be recognised and provided for.

The Operative District Plan has a strong focus on identifying and protecting historic heritage. Since it was made operative in 2005 the Council has dedicated a substantial amount of time to identifying more historic heritage, as demonstrated by the number of plan changes listed below. In addition to carrying out these plan changes the Council has also spent considerable time progressing the Waahi Tapu Review. This review is discussed in more detail later in this report.

4.1.2 Plan Changes

Plan Change PLC08/00001 – Waahi Tapu and Archaeological Sites

This plan change updated the location of some of the symbols on the planning maps that are used to show where waahi tapu and archaeological sites are situated. It was based on the results of the New Zealand Archaeological Association upgrade project. This plan change became operative on 18 March 2008.

Plan Change PLC08/00003 – Addition of Category A Heritage Building

This plan change added 42 Young Street, New Plymouth to schedule 8.3: Category A Heritage Buildings and Items. This building was a Category B heritage building and upon request from the landowner was re-assessed. It met the criteria to become Category A. This plan change became operative on 5 June 2007.

Plan Change PLC08/00010 – Addition of Category A Heritage Building

This plan change added The Gables Morgue to schedule 8.3: Category A Heritage Buildings and Items. Originally the Gables building was listed but the Gables Morgue was not. In August 2006 a conservation plan was prepared for the Gables Morgue. It recommended that the morgue be listed in the District Plan. The morgue was assessed and it met the criteria to become Category A. This plan change became operative on 13 September 2007.

Plan Change PLC09/00014 – Addition of Monuments and Memorials to Category A Schedule

This plan change added 18 monuments and memorials to schedule 8.3: Category A Heritage Buildings and Items. Following lobbying from a local group called Save Our Sites many monuments and memorials around the District were upgraded from Category B to Category A. This plan change became operative on 29 September 2009.

Plan Change PLC09/00016 – Addition of St Joseph's Church, Waitara to Category A Schedule

This plan change added St Joseph's Church, Waitara to schedule 8.3: Category A Heritage Buildings and Items. This plan change became operative on 29 September 2009.

Plan Change PLC09/00019 – Addition of Tikorangi Pa to Schedule 26.1 Wāhi Tapu and Archaeological Sites

This plan change added Tikorangi Pa to schedule 26.1: Wāhi Tapu and Archaeological Sites. This plan change became operative on 16 June 2010.

Plan Change PLC10/00024 – Addition of Dudley Road War Memorial, Inglewood District to Category A Schedule

This plan change added Dudley Road War Memorial, Inglewood District to schedule 8.3: Category A Heritage Buildings and Items. This plan change became operative on 14 September 2010.

Plan Change PLC11/00032 – Addition of Honeyfield Drinking Fountain and Te Henui Cemetery Gates to Schedule 8.3 of the New Plymouth District Plan

This plan change added Honeyfield Drinking Fountain and Te Henui Cemetery Gates to schedule 8.3: Category A Heritage Buildings and Items. This plan change became operative on 20 June 2012.

Plan Change PLC13/00040 – Updating provisions applying to Wāhi Taonga/Sites of Significance to Māori and Archaeological Sites

This plan change added a new definition to the District Plan (Waahi Taonga/Sites of Significance to Māori) and amended related rules. In summary, these changes were as follows:

- Remove the definition of “wāhi tapu site” and introduce “wāhi taonga/sites of significance to Māori”. Note that the definition for “wahi tapu” was retained.
- Update references to Acts which have been repealed and replaced with new legislation.
- Remove 50 metre and 100 metre building setback requirements for the Residential and Business Environment Areas.
- Amend Appendix 26 to include two tables: one for sites verified through the review and subsequent Plan Changes (e.g. PLC14/00043), and one for the existing sites listed in the Operative District Plan.
- Include a column in Appendix 26 setting out the northing and easting of site centroids for verified sites.

This plan change became operative on 19 December 2016.

Plan Change PLC14/00041 – Classification of Barrett Street Hospital Gates and Brick Wall, New Plymouth as Category A Heritage Item

This plan change classified the Barrett Street Hospital Gates and Brick Wall, New Plymouth as a Category A Heritage Item. It introduced a new rule (OL38A) which allowed for the gates and wall to be repositioned within the New Plymouth District. This plan change became operative on 16 June 2016.

Plan Change PLC14/00043 – Confirming the location and extent of Wāhi Taonga/Sites of Significance to Māori and Archaeological Sites in the Ngāti Rahiri Rohe

This plan change confirmed the location and extent of wāhi taonga/sites of significance to Māori in the District Plan which are located within the Ngāti Rahiri Rohe. This plan change became operative on 19 December 2016.

4.1.3 Operative District Plan Provisions

The Operative District Plan identifies two types of heritage resource in the District - natural and cultural:

1. Natural heritage relates to those areas of the natural environment, which provide a link to the past or have important ecological value.
2. Cultural heritage is those man-made objects that through the history of the District provide a sense of cultural identity.

The Operative District Plan splits the management of natural and cultural heritage as follows:

Natural	Cultural	Relevant Management Strategy Issue
Notable Trees		Issue 11: Degradation of heritage resources
Significant indigenous vegetation and habitats		Issue 16: Natural Values
	Heritage buildings, items and areas	Issue 11: Degradation of heritage resources
	Archaeological sites	Issue 11: Degradation of heritage resources
	Waahi taonga/sites of significance to Māori	Issue 19: The traditional relationship of tangata whenua with the natural environment of the district

Issue 11: Degradation of heritage resources, sets out the policy direction for the recognition and protection of notable trees and European historic heritage in the Operative District Plan.

Issue 19: The traditional relationship of tangata whenua with the natural environment of the district, primarily recognises cultural and spiritual values of tangata whenua in resource management but also provides policy direction on managing waahi taonga/sites of significance to Māori.

The relevant objective and policies relating to historic heritage in this report are:

Objective 11: To recognise the district's heritage resources, provide for their protection and promote their enhancement.

Policy 11.2: The heritage values of buildings and items and their settings should be protected and where practicable enhanced.

Policy 11.3: The special character of heritage character areas should be recognised and promoted.

Policy 11.5: Archaeological sites should be protected from destruction and alteration that will adversely affect their archaeological values.

Objective 19: To recognise and provide for the cultural and spiritual values of tangata whenua in all aspects of resource management in the district in a manner which respects and accommodates Tikanga Māori.

Policy 19.2: Subdivision, land use or development should not adversely affect the relationship, culture or traditions that tangata whenua have with waahi taonga/sites of significance to Māori.

Notable trees have been identified in a separate chapter in the Proposed District Plan. For information on notable trees, please see the Notable Trees s32 Report.

The significance of the Huatoki Stream has been identified in the Commercial and Mixed Use Zones section in the Proposed District Plan. The Huatoki Stream is also classed as a significant waterbody. For more information on development close to the Huatoki Stream, please see the Commercial and Mixed Use Zones s32 Report and the Waterbodies s32 Report.

4.1.3.1 Heritage Buildings, Items and Areas

There are more than 800 buildings, items and areas identified as having heritage value within the District. They are each ranked as Category A, B or C:

- Category A: Buildings, items and areas of great cultural heritage value. 103 buildings, items and areas are subject to rules protecting their cultural heritage values. These are identified in Schedule 8.3 in Appendix 8 and are marked on the planning maps. Interior elements of eight buildings have significant heritage value (Schedule 8.4 in Appendix 8) and are subject to rules.
- Category B: Buildings, items and areas of considerable heritage value. 560 buildings, items and areas are identified but are not listed in Schedule 8.3 and are not subject to rules in this District Plan.
- Category C: Buildings, items and areas of some heritage value. 140 buildings, items and areas are identified but are not listed in Schedule 8.3 and are not subject to rules in this District Plan.

A brochure is available that provides information such as the availability of funding and architectural advice. A list of Category B and C buildings, items and areas can be obtained from the Council on request.

The criteria used to determine the heritage value of a building, item or area, are:

- Historical – is it important in the history of the New Plymouth District?
- Importance to the Community – is it an important physical landmark to the community?
- Aesthetic Appeal – does it conform to a past or present sense of beauty?
- Rarity – is it rare or unique in the New Plymouth District?
- Architecture and Use – does it have architectural merit or belong to an important architectural period or time?
- Technical – is it technically accomplished or of a high quality of building materials, methods or craft skills?
- Setting – does the setting of the place add to its cultural heritage value?
- Context – does it form part of a wider historical and cultural complex or landscape?

- Cultural heritage value for present and future generations – does it have value for present and future generations?

Each criterion is given a score out of five. A total score between 27 and 45 is Category A, between 22 and 26 is Category B, and between 16 and 21 is Category C.

4.1.3.2 Heritage Character Areas

In addition to the above, 17 areas are identified as heritage character areas. These are parts of the District containing collections of buildings that have defining characteristics relating to the function, scale, age, style and mixture of development, development pattern and the role of, and impact on, the natural setting. Some heritage character areas have consistent cultural heritage values in terms of origin, style and age of development, while other heritage character areas have more complex patterns, and layers of history and development. The heritage character areas are as follows:

Residential	Commercial	Bach
<ul style="list-style-type: none"> • Hine Street • Barrett Street • Pendarves Street (NZHPT Historic Area) • Buller Street • Fitzroy: Barriball, Richmond, Sackville, Newton and Record Streets • Oriental Street • Brooklands 	<ul style="list-style-type: none"> • New Plymouth Heritage Special Character Area • Waitara • Inglewood • Kaimata • Ōkato 	<ul style="list-style-type: none"> • Ōākura (the keyhole) • Urenui • Onaero Bay • Onaero Beach Road • Tongaporutu

The Operative District Plan states that some of these heritage character areas are more significant than others and that each is subject to different threats. The priority heritage character areas that have been identified based on their significance and their threats are Oriental Street, Brooklands, New Plymouth Heritage Special Character Area, Inglewood and Waitara.

All of the areas above have been mapped, but this was done after the District Plan was operative and the maps are not included in the District Plan. They are not listed in Schedule 8.3 and are not subject to rules in this District Plan.

4.1.3.3 Archaeological Sites

An archaeological site is any place in New Zealand (including buildings, structures or shipwrecks) that was associated with pre-1900 activity, where there is evidence relating to the history of New Zealand that can be investigated using archaeological methods.

The majority of archaeological sites in the District are located on private land, often in the city, town and local centres or older residential parts of New Plymouth and Waitara. Given these locations, often the extent or setting of many of these sites has

never been identified and it is likely that some degree of damage caused by levelling to make way for built development may have occurred.

Archaeological sites are generally recorded by the New Zealand Archaeological Association or registered by Heritage New Zealand Pouhere Taonga. These lists are information and advocacy tools only. Generally councils use these lists to compile their list of archaeological sites in the district plan and these in turn are subject to resource consent. Under the HNZPTA it is unlawful to destroy, damage or modify an archaeological site (regardless of whether a site is recorded by the New Zealand Archaeological Association, registered by Heritage New Zealand Pouhere Taonga and/or listed in the District Plan or not) without obtaining an archaeological authority from Heritage New Zealand Pouhere Taonga before work starts. An archaeological authority is required in addition to any resource consents required by the Council.

Wāhi taonga/sites of significance to Māori are sites, places and things that are tapu, sacred or spiritually endowed and of special importance to tangata whenua. They may include Māori burial sites; historic pa and kainga sites; battle grounds; mountains and mountain ranges; rivers, wetlands and lakes; symbolic and legendary landscape features; mauri stones and trees; canoe landing sites; natural, clean sources of water for baptism or other ceremonial rites; food gathering areas; and plants prized for weaving, medicine and healing).

The Operative District Plan contains a schedule of 726 wāhi taonga/sites of significance to Māori and archaeological sites. The Council is currently undertaking a review of this schedule and the number of sites in this schedule is expected to increase considerably. Refer to the Sites and Areas of Significance to Māori Section 32 Report for more detailed information on this review.

4.1.3.4 Applicable Rules

Category A Heritage Buildings and Items

Permitted	
OL34	<p>Erection of buildings</p> <p>on the same site and within 30m of the heritage items: 64 (37A Cameron Street) 18 (84 Pendarves Street) 19 (90 Pendarves Street) 20 (94 Pendarves Street) 21 (98 Pendarves Street) 22 (102 Pendarves Street)</p> <p>Where the building: is a maximum of 5m in height; and has a maximum floor area of 30m²; and is separated from the heritage building by a minimum of 6m</p> <p>Restricted Discretionary Activity if the works do not meet the conditions for a permitted activity</p>
OL35	<p>Addition to, alteration, demolition or removal of, the interiors of buildings</p> <p>for the following buildings: 26 (Hurworth Cottage)</p>

Permitted	
	<p>36 (New Plymouth Opera House) 38 (Plas Mawr) 40 (Pridham Hall – New Plymouth Boys’ High School) 51 (St Mary’s Church and grounds) 55 (The Camp House) 56 (The Gables) 60 (The White Hart Hotel)</p> <p>Where: restoration or decoration of those interior elements identified in Schedule 8.4, to the original character, carried out in the same design and using similar materials to those originally used; work on interior elements other than those identified in Schedule 8.4</p> <p>Restricted Discretionary Activity if the works do not meet the conditions for a permitted activity</p>
OL36	<p>Alteration of or addition to the exteriors of buildings or items</p> <p>Where: restoration or decoration of the building or item, to the original character, carried out in the same design and using similar materials to those originally used; or work on the interior of the building.</p> <p>Restricted Discretionary Activity if the works do not meet the conditions for a permitted activity</p>
Restricted Discretionary Activity	
OL38	<p>Repositioning of a heritage item 4 (Beam Oil Pump, Ocean View Parade, New Plymouth); and 102 (Te Henui Cemetery Gates, Watson Street, New Plymouth)</p> <p>Where: the item is repositioned on the same site</p>
OL38A	<p>Repositioning of a heritage item or part of a heritage item</p> <p>103 (Barrett Street Hospital (Otūmaikuku) Gates and Brick Wall, Dawson Street, New Plymouth)</p> <p>Where: the item or part of the item is repositioned within the New Plymouth District</p>
OL39	<p>Subdivision of Land</p> <p>subdivision of an allotment which contains a Category A heritage building or item</p> <p>Where the subdivision: is no smaller than the minimum allotment size specified for a discretionary activity in the underlying environment area</p>
Non Complying Activity	
OL37	<p>Demolition or removal of buildings or items</p>

Wāhi Taonga/Sites of Significance to Māori and Archaeological Sites

Permitted	
OL82	<p>Erection of structures (excluding minor upgrading) in the vicinity of waahi taonga/sites of significance to Māori and/or archaeological sites</p> <p>on any waahi taonga/site of significance to Māori or archaeological site in the rural, industrial or open space environment area listed in Appendix 26 or within 100m</p> <p>Where the structure: May be erected up to a maximum height of 10m, unless the underlying environment area specifies a lesser height, or is for the purpose of the erection of lines</p> <p>Restricted Discretionary Activity if the works do not meet the conditions for a permitted activity</p>
OL86	<p>Minor upgrading in the vicinity of waahi taonga/sites of significance to Māori and/or archaeological sites</p> <p>on or within 50m of any waahi taonga/site of significance to Māori or archaeological site listed in Appendix 26</p> <p>Where: Notice of proposed works is provided to mandated Mana Whenua and Heritage New Zealand Pouhere Taonga 10 working days prior to excavation or filling</p> <p>Restricted Discretionary Activity if the works do not meet the conditions for a permitted activity</p>
Restricted Discretionary Activity	
OL81	<p>Erection of structures (excluding minor upgrading) in the vicinity of waahi taonga/sites of significance to Māori and/or archaeological sites</p> <p>on any waahi taonga/site of significance to Māori or archaeological site in the rural, industrial or open space environment area listed in Appendix 26 or within 50m</p>
OL83	<p>Erection of structures (excluding minor upgrading) in the vicinity of waahi taonga/sites of significance to Māori and/or archaeological sites</p> <p>on any waahi taonga/site of significance to Māori or archaeological site in the residential or business environment area listed in Appendix 26</p>
OL85	<p>Excavation and filling, clearance of trees (excluding minor upgrading)</p> <p>on or within 50m of any waahi taonga/site of significance to Māori or archaeological site listed in Appendix 26</p>
OL87	<p>Subdivision of an allotment which contains a waahi taonga/site of significance to Māori or archaeological site listed in Appendix 26</p> <p>Where: (the allotment) is no smaller than the minimum allotment size specified for a discretionary activity in the underlying environment area</p>

4.2 Other Methods

Other methods outside the Operative District Plan include:

- Maintenance of a database for all categories of heritage buildings and items.
- Maintenance of a GIS viewer for waahi taonga/sites of significance to Māori and archaeological sites that is also accessed by iwi/hapū groups within the District.
- Recording of historic heritage on the Council's property information base.
- Financial assistance from the Council's Heritage Protection Fund for historic heritage.
- Provision of information to prospective purchasers when a land information memorandum is applied for where historic heritage is located on a site.

4.3 State of the Environment

In order to understand the Historic Heritage resource management issues that are facing the District, a scoping exercise was undertaken which involved gathering different layers of information. As a starting point information was gathered from Council records (including resource consents and monitoring data) and included discussions and meetings between Council planners. These discussions helped understand the general effectiveness and efficiency of the current Historic Heritage provisions in the Operative District Plan and gave an indication as to what changes, if any, would need to be made. In addition, the Council commissioned heritage advice from experienced heritage experts. Their report entitled "Heritage Buildings and Items Review" is attached as Appendix 1.

4.3.1 Heritage Buildings and Items - Background

As indicated earlier, there are over 800 heritage buildings and items identified as either Category A, B or C. Most were identified through the development of the Operative District Plan in the mid 1990s.

Through this background work, a study was commissioned by the Council, entitled "New Plymouth District Heritage Study – Non-Māori Sites." This study was produced by Dinah Holman, Heritage Planner, in conjunction with Boon Cox Goldsmith Jackson, Architects, 1995. There are several volumes to this study focusing on individual items and precincts with heritage value, as well as possible heritage management provisions.

Also produced was the "New Plymouth Central Business District Heritage Study" by Chris Cochran, Conservation Architect, and Di Stewart and Associates, 1995. Volume I of this study outlined themes of Māori and European historic development and made recommendations on the regulatory management approach as well as possible non-regulatory methods. Volume II of this study identified buildings, groups of buildings and spaces with heritage value. As part of the first study photos were taken and an A, B or C grade was allocated to buildings and items with heritage value in the New Plymouth district. At the end of this exercise there were 222 Category A buildings and items on the list. This number was considered unmanageable so criteria based on the then Historic Places Act 1993 was developed.

Using the Historic Places Act criteria, Council officers did a reassessment of all buildings and items that were allocated a Category A grade. These reassessments were reviewed by councillors in 1997. The revised Category A schedule and associated heritage provisions were then subject to an extensive consultation process prior to, and after, public notification of the Proposed District Plan in November 1998.

Administrative oversights, decisions on submissions to the Proposed District Plan, an appeal by the New Zealand Historic Places Trust, a Council initiated variation (a plan change while the District Plan is in the proposed phase), and numerous plan changes has seen the number on the Category A schedule in the Operative District Plan rise to a current total of 103.

Since the District Plan became operative in 2005, the Council has proposed seven plan changes to add 25 buildings and items to the Category A schedule. These plan changes are outlined in section 4.

4.3.1.1 Category A Heritage Buildings and Items

Category A buildings are generally located in business areas that were the focus of early settlement. This is particularly the case in the central city of New Plymouth, Inglewood and Waitara. Only a handful of Category A buildings are residential buildings. Some stand out residential examples include the Hen and Chickens on Cameron and Pendarves Streets. No Category A heritage buildings have been removed under the Operative District Plan, although partial demolition of the north western wing of the White Hart Hotel, 188 Devon Street West, New Plymouth was granted because this wing was in poor condition and of lesser heritage value than the remainder of the building. This area was replaced with a courtyard which would enhance the utility of the building without having a significant adverse effect on the heritage value of the building.

Over a ten year period from 2008 to 2017, seven resource consent land use applications were granted relating to the alteration of heritage buildings. One was for alterations to the interior of the New Plymouth Opera House (TSB Showplace), 94 Devon Street West, New Plymouth. Six were for alterations to the exterior of 102 Pendarves Street, New Plymouth; the Govett-Brewster Art Gallery, 42 Queen Street New Plymouth; Willowfield, 37 Cameron Street, New Plymouth; National Bank, 41 Devon Street West, New Plymouth; 15 Lismore Street, New Plymouth; and the Mangorei Power Station, 9 Hydro Road, New Plymouth. The low number of resource consent applications indicate that the rules are generally working effectively and that the owners of heritage buildings and items respect their historical values.

4.3.1.2 Category B and C Heritage Buildings and Items

Category B and C heritage buildings and items are generally a mix of commercial and residential buildings. They tend to have been modified substantially compared to Category A's and have less obvious heritage values. Understanding how they have fared under the Operative District Plan is challenging because they are not regulated, i.e. there is no requirement to obtain a resource consent to demolish or remove them. This means information on alterations to or demolition of these buildings is not always recorded by Council. Similarly, there are only limited circumstances under the Building Act where Council will have records, i.e. demolition permits.

A monitoring exercise which analysed the state of environment for Category B and C heritage buildings and items was last carried out in 2008. 31 Category B's and 9 Category C's had been demolished and five could not be located. It is likely that Category B and C heritage buildings and items have been demolished/altered because they are often located in popular areas close to the city centre where there is pressure for development. The recent demolition of three buildings within the New Plymouth central city gained significant public attention. Two of these were Category B heritage buildings – the Masters Building on Egmont Street and the EC Hayton Buildings on Gill Street.

Given heritage buildings and items are a precious and finite resource and the level of public scrutiny that the Council received about how it was managing heritage in the New Plymouth central city, the Council prioritised heritage assessments of Category B buildings in this area (there are no Category C buildings in this area). The New Plymouth central city logically contains the highest concentration of heritage buildings in the District, particularly around the Huatoki Stream Basin, because this is where early tangata whenua settlement occurred and later where the original 1842 survey plan by Frederick Carrington was applied as a grid pattern. It is also the area most under threat from development, meaning that some buildings with heritage value that are not regulated could be removed or demolished.

As part of the Heritage Buildings and Items Review, the heritage experts visited all Category B heritage buildings in the central city to determine which had heritage values and justified a full heritage assessment. The list was expanded to include other buildings in the New Plymouth central city that the heritage experts considered worthy of regulation, e.g. New Plymouth Friendly Societies Dispensary, Exchange Chambers and East End Buildings. The Council also asked the heritage experts to inspect other buildings outside the New Plymouth central city that had been nominated through other processes such as Council resolutions and public nominations. 35 buildings were subject to a full heritage assessment and were identified as having sufficient heritage values to be protected with specific rules in the District Plan.

4.3.2 Heritage Character Areas

As indicated earlier, there are 17 heritage character areas identified in the District. These were identified in the study entitled "New Plymouth District Heritage Study – Non-Māori Sites" produced by Dinah Holman, Heritage Planner, in conjunction with Boon Cox Goldsmith Jackson, Architects, 1995.

Monitoring of the residential heritage character areas was carried out in 2007 by Opus as part of a study called "Heritage Character Areas Monitoring Evaluation." To undertake the monitoring these areas were first defined through maps, then photos of each building within each area were taken and a code allocated according to the degree of modification made to the building. The total numbers for each area were then compared against the numbers given in the 1995 study.

The findings from this assessment revealed that many of the heritage character areas had lost heritage fabric in the twelve years since the District Plan was notified in 1998. Oriental Street may have lost as much as half, Fitzroy and Brooklands may have lost almost a quarter, Barrett and Buller Streets may have lost nearly a fifth, and Hine Street and Pendarves Street may have lost about an eighth.

Further investigations into heritage character areas were undertaken as part of the District Plan Review. The heritage experts visited the residential heritage character areas listed above as well as areas suggested through feedback to the Draft Digital District Plan. At a high level they concurred with the findings of the 2007 study that the heritage fabric of most areas had been lost. They observed that while some areas, e.g. Barrett Street (Westtown), Coronation Avenue (Welbourn) and Richmond Street (Fitzroy) have outstanding individual examples of historic houses, a contiguous group of more than five outstanding historic houses in a row was hard to find. It is acknowledged that further planning work on this issue may be required in the future.

The heritage experts did, however, find that the identification of a heritage character area was warranted in the central city. In determining its boundary, the findings of the Heritage Buildings and Items Review were:

- The presence of a significant concentration of current and proposed listed heritage buildings that warrant formal recognition in the Proposed District Plan.
- The presence of a collection of 20 contributory buildings that, while not individually meeting the threshold for heritage listing, make a contribution to the streetscape value of the area that should be managed in the Proposed District Plan.
- The arts and cultural hub of the TSB Showplace, Library/Puke Ariki research centre, Govett Brewster Gallery and Len Lye Centre at its western end.
- The area is an integral part of the historical and geographic heart of the New Plymouth central city and a place much frequented by tourists and visitors.

The heritage character area roughly covers Devon Street from the west side of Queen Street to just beyond Liardet Street. It includes Queen, King, Egmont and Brougham Streets on the northern side and most of the block between Robe and Brougham Streets on the southern side. It is centred on the cultural and commercial heart of New Plymouth. Focusing primarily on buildings, the area also incorporates streets, open spaces, the Huatoki Stream, street furniture and art. Architectural styles and construction materials on display in the precinct include 19th century and early 20th century timber and masonry buildings (largely Neo-Classical in style), concrete buildings from the first half of the 20th century (generally Stripped Classical and Art Deco styles), and a range of later 20th century buildings (in a variety of Modernist styles). Although there are a few taller buildings within the precinct, the predominant pattern is of two storey buildings built to the street edge. This contributes to a well-defined and generally consistent streetscape character that is most pronounced along Devon Street.

4.3.3 Earthquake Prone Buildings

The heritage assessment of buildings within the New Plymouth central city also provided the opportunity to consider resilience issues, especially in relation to public safety and the economics of maintaining earthquake prone buildings. This was timely given important changes to the Building Act 2004 relating to the management of earthquake prone buildings that came into effect on 1 July 2017.

The Council is in the process of identifying potentially earthquake prone buildings and applying a management approach to these². Once the Council releases its earthquake

² 143 heritage buildings and items are being proposed for listing in the Proposed District Plan. Of these, 16 are potentially earthquake prone. 20 contributory buildings are being proposed for listing in the Proposed District Plan. Of these, 12 are potentially earthquake prone. Numbers are as at 1 August

prone notice, owners of confirmed priority buildings have 12.5 years to earthquake strengthen and owners of the remaining buildings have 25 years to earthquake strengthen. Understandably this will have a substantial financial impact on affected building owners. It is hoped this financial impact will be softened by the Proposed District Plan provisions which direct retail and office activities to establish in the New Plymouth central city and centres and encourage residential intensification in these areas as an alternative to suburban living.

A high profile example of an earthquake prone building is the Taranaki Cathedral Church of St Mary located on the fringe of the New Plymouth central city. It is currently closed to the public and parishioners for an unknown period of time while assessments are conducted, plans for strengthening are drawn up and funding is sought. Substantial progress has been made. A strengthening solution for the church has been developed; community fundraising has been taking place; grants of \$5m from the provincial growth fund, \$1.5m from TSB Community Trust and \$500,000 from Lotteries have been received; and a design concept for the wider site has been released.

Recently the Red Post Building received \$200,000 from the Heritage EQUIP Fund administered by the Ministry of Culture and Heritage and \$50,000 from Council's Heritage Protection Fund for earthquake strengthening. This building is currently a Category B and it is proposed to add it to the list of buildings subject to resource consent.

Upgrading earthquake prone heritage buildings is likely to be a continuing challenge, particularly in the New Plymouth central city and small towns.

4.3.4 Wāhi Taonga/Sites of Significance to Māori and Archaeological Sites Review

Sites that are important to iwi and hapū and/or that have important archaeological values are identified and protected in the Operative District Plan. There are currently 726 sites identified in the Operative District Plan.

As mentioned previously, sites and areas of significance to Māori are sites, places and things that are of historical, cultural and spiritual significance to Māori. 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. It is possible for a site to be both a site or area of significance to Māori and an archaeological site.

The information about sites in the District Plan was originally obtained from New Zealand Archaeological Association records and from iwi/hapū in the mid 1990s. Despite efforts to improve the accuracy of this data there have been on-going issues regarding the location and description of sites identified in the District Plan.

Inaccurately located triangles on the planning maps have a significant effect on the day to day administration of the District Plan and can lead to inefficiencies. More importantly, these inaccuracies have led to site degradation and loss. Iwi and hapū have consistently indicated that they are concerned about the loss of waahi tapu sites due to inaccurate mapping. The total number of sites impacted is not known, but with

2019. As buildings are altered, demolished or their use changes their status is modified under legislation, e.g. a seismically strengthened building would dictate removal of earthquake prone status.

the extensive history of occupation in the district, there is the potential for significant impact.

A wider review was initiated in 2007. The review is on-going and iwi led to ensure that the values associated with these sites are appropriately identified. There is a key focus on building relationships between iwi/hapū and landowners to ensure the protection and management of sites over time. The regulatory purposes of the review are:

3. To verify the location of the sites currently listed in the District Plan and where possible identify their extents.
4. To identify further sites and where possible identify their extents and their appropriateness for inclusion in the District Plan.

Archaeological assessments have been completed by Geometria (an archaeological company) and many iwi/hapū have worked through or are currently working through verification processes, including engagement with affected landowners.

A total of 1035 sites are going to be included in the Proposed District Plan. 726 sites are already identified in the Operative District Plan. 309 sites will be added to the Proposed District Plan.

The number of resource consents triggered for the ten years from 2008 to 2018 for each rule relating to wāhi taonga/sites of significance to Māori and archaeological sites is outlined in the table below.

Rule	Activity	Number of Resource Consents Triggered
OL81	Erection of structures (excluding minor upgrading) in the vicinity of wāhi taonga/sites of significance to Māori and/or archaeological sites on any wāhi taonga/site of significance to Māori or archaeological site in the rural, industrial or open space environment area listed in Appendix 26 or within 50m.	68
OL82	Erection of structures (excluding minor upgrading) in the vicinity of wāhi taonga/sites of significance to Māori and/or archaeological sites on any wāhi taonga/site of significance to Māori or archaeological site in the rural, industrial or open space environment area listed in Appendix 26 or within 100m.	4
OL83	Erection of structures (excluding minor upgrading) in the vicinity of wāhi taonga/sites of significance to Māori and/or archaeological sites on any wāhi taonga/site of significance to Māori or archaeological site in the residential or business environment area listed in Appendix 26.	2
OL84	Erection of fences on any wāhi tapu site or archaeological site listed in Appendix 26.1 Schedule A. <i>(Note: This rule was removed as a result of Plan Change 40.)</i>	9

Rule	Activity	Number of Resource Consents Triggered
OL85	Excavation and filling, clearance of trees (excluding minor upgrading) on or within 50m of any wāhi taonga/site of significance to Māori or archaeological site listed in Appendix 26.	70
OL86	Minor upgrading in the vicinity of waahi taonga/sites of significance to Māori and/or archaeological sites on or within 50m of any wāhi taonga/site of significance to Māori or archaeological site listed in Appendix 26. <i>(Note: This rule was added as a result of Plan Change 40)</i>	3
OL87	Subdivision of an allotment which contains a waahi taonga/site of significance to Māori or archaeological site listed in Appendix 26.	86

The table indicates that the last ten years has seen considerable growth in building activities, excavation and filling, and subdivision in the district, and this has placed pressure on the Council's responsibility to protect and maintain sites and areas of significance to Māori. It also indicates that the rules may not be sufficiently protective and need review.

4.3.5 Multiple Heritage Values

Within the district's heritage context, sites can have multiple heritage values. A site can contain a heritage building listed in the District Plan and be classed as an archaeological site (i.e. constructed prior to 1900) even though it is not listed in the District Plan as an archaeological site. The site may also happen to be a site of significance to Māori. These heritage values are often intertwined and challenging to separate.

Many pre-1900 buildings still exist today in the New Plymouth District. In 1880, surveyor T. Kingwell Skinner's produced a plan of New Plymouth that identified the location and approximate shape of all buildings present within New Plymouth at that time. This plan is a consistent and reliable source that can be definitively dated to pre-1880. It is also supported by research from Hamish Crimp who has collected a wide range of supplementary evidence for these buildings, including deeds of sale, advertisements requesting builders to construct buildings at a specific location, advertisements for rent of buildings at a specific location, and historic rates payments (these indicate when a fire rate is included which in turn indicates there is a building on the property). 31 pre-1900 buildings that are still standing are scattered in a half circle shape around the fringes of the central city. Their locations roughly extend from Morley Street in the west to Hobson Street in the east and to Gilbert Street in the south. There are none located within the central city itself. Many have been heavily modified, but in most cases it is possible to record an extent of the original building, not the larger, modern one that now tends to exist on the site. At the request of Heritage Taranaki, Council is proposing to include these pre-1900 buildings as archaeological sites in the Proposed District Plan. Some of these pre-1900 buildings are already included in the Operative District Plan as heritage buildings and are subject to resource consent. They will continue to be listed in the Proposed District Plan as heritage buildings. Examples include Scotlands Cottage (New Plymouth Girls' High

School), New Plymouth Prison, Nga Motu Mission House and Taranaki Cathedral Church of St Mary. These sites have not been included as archaeological sites as well. In the future it might be appropriate to consider an alternative mechanism for identifying and protecting sites in the District Plan that have multiple heritage values.

4.4 Effectiveness of the Operative District Plan Approach

To ensure the Council is meeting its obligations under the RMA, the District Plan Review of Historic Heritage looked at whether the Operative District Plan rule framework is sufficiently robust to provide protection of the District's historic heritage for the future. The key implementation issues that are being experienced with the Operative District Plan approach to managing historic heritage are outlined below.

Issue	Comment	Response
Issue 1: The objectives and policies are generic and there are issues with the rule framework.	<p>The objectives and policies are very broad and do not focus on resource management issues specific to the District.</p> <p>The use of restricted discretionary status limits ability to consider other effects and objectives and policies.</p>	<p>Reviewed objectives and policies so they are specific to the particular historic heritage matters.</p> <p>Reviewed rules so wider assessment can be made and consideration given to the settings of heritage buildings and items and the impacts of signage.</p>
Issue 2: The heritage buildings and items schedule is not up to date.	<p>The Council's Heritage Strategy and Council resolutions include actions to assess certain buildings and items. Requests have also been received from landowners to assess buildings and items on their properties.</p> <p>There is uncertainty around the purpose of Category B and C historic heritage in the district because they are not subject to rules. Sometimes Category B and C historic heritage is confused with the Category I and II classifications on the New Zealand Pouhere Taonga List.</p> <p>Assessment criteria used to assess heritage buildings and items does not reflect best practise.</p>	<p>Reviewed assessment criteria for potential heritage buildings and items in the district.</p> <p>Consolidation of A, B and C categories into one list.</p> <p>Assessment of Category B and C heritage buildings in the central city.</p>
Issue 3: The wāhi taonga/sites of significance to Māori and archaeological sites schedule needs updating.	<p>In some cases, sites in the Operative District Plan are not accurate and only Ngāti Rahiri sites and extents have been updated.</p>	<p>Continue with the waahi tapu review.</p> <p>Identification and inclusion of sites and areas of</p>

Issue	Comment	Response
	The identification of extents reduces uncertainty and confusion as to where to apply buffers for building and earthworks, to ensure that the values of the sites are protected.	significance to Māori and archaeological sites. Introduction of Plan Changes for sites, when they are hapū verified as required.
Issue 4: The historic importance of the New Plymouth central city is not adequately recognised.	The New Plymouth central city has lost prominent Category B buildings which has raised public concern that New Plymouth is losing historic heritage. Changes to heritage buildings and items are currently considered in isolation. There is no ability to consider effects on the wider historical and cultural landscape, such as the Huatoki Stream.	Assessment of Category B and C heritage buildings and items in the New Plymouth central city. Inclusion of a heritage character area in the District Plan and associated rules.
Issue 5: Seismic strengthening is not recognised	The District Plan needs to acknowledge the role of the Building (Earthquake-prone Buildings) Amendment Act 2016 and ensure that owners of buildings are able to undertake strengthening work.	Inclusion of new provisions that enable seismic strengthening without compromising heritage values.

4.5 Effectiveness of Other Methods

Council has a database that holds information on all heritage buildings and items (Category A, B and C). The records within this are electronically linked to affected properties in Council's property database. This is an effective way of informing the community, e.g. for a land information memorandum or project information memorandum.

As mentioned previously, Council received strong feedback as part of compiling the Operative District Plan in the mid-1990s that regulation of heritage character areas would be an encroachment of private property rights. Many non-regulatory methods of implementation were identified instead and it was intended that some of these would be implemented through a dedicated Council resource. This was not instigated, and many of the non-regulatory methods of implementation have not been implemented, highlighting that a non-regulatory approach has not been successful in the District.

In terms of waahi taonga/sites of significance to Māori and archaeological sites, information is provided to prospective purchasers when a land information memorandum is applied for where historic heritage is located on a site. This includes current and proposed symbol locations of waahi taonga/sites of significance to Māori and archaeological sites, as per the results of the review.

4.6 Other Relevant Research/Documents

Current practice has been considered in respect of the topic, with a review undertaken of the following District Plans:

- Auckland Unitary Plan.
- Wellington City District Plan (Plan Change 48).

These plans were selected because they have been subject to recent reviews or plan changes that have addressed the identification and regulation of historic heritage features using a variety of mechanisms.

5 Consultation

Extensive consultation has been undertaken as part of this District Plan Review process with key stakeholders and the local community. Refer to the General Overview s32 Report for details on the methods that were used to carry out that consultation. Feedback from consultation relevant to the historic heritage topic is summarised below.

5.1 General Consultation

5.1.1 Draft District Plan 2016

The Draft District Plan was notified to the public at a general level in late 2016. The Draft District Plan included a new policy framework for historic heritage. It did not contain a schedule of heritage buildings and items or waahi taonga/sites of significance to Māori and archaeological sites.

Specific feedback was received in late 2016 on the Historic Heritage section of the Draft District Plan from Taranaki Regional Council (TRC), Federated Farmers of New Zealand (FFNZ), Heritage New Zealand Pouhere Taonga (HNZPT), Powerco Limited, Trustpower Limited and Friends of Pukekura Park New Plymouth Inc.

TRC stated that the objectives and policies are generally in accordance with the Regional Policy Statement. TRC agreed that historic heritage is important to the District's identity and requested that the Council's heritage fund be retained for the purposes of maintaining the historic heritage of the District.

FFNZ supported the objectives, HH-P1 (identifying and scheduling significant heritage buildings and items), HH-P10 (supporting landowners to manage, maintain and preserve historic heritage) and HH-P11 (ensuring efficient processing by avoiding duplication with other statutory processes for land containing archaeological sites). FFNZ had concerns around the use of the word "surrounding" because it is an imprecise word and landowners might find they have activities that are unnecessarily affected.

HNZPT suggested amendments as follows:

- HH-P1 (identifying and scheduling significant heritage buildings and items) – remove "significant," add "historic" before heritage, add "scientific and technological qualities" as a matter.
- Add a new policy that classifies historic heritage, excluding waahi taonga/sites of significance to Māori and archaeological sites, into Category A (where the historic heritage contributes to an understanding and appreciation of New Zealand's

history and cultures in an outstanding manner) and Category B (where the historic heritage contributes to an understanding and appreciation of New Zealand's history and cultures).

- HH-P3 (protect and maintain historic heritage from inappropriate activities) – (a) delete the word "disturbance, add the words "demolition," "partial demolition"; (b) add the words "where practicable," replace "cultural" with "historic".
- HH-P6 (require activities adjacent to or affecting historic heritage to minimise the impact on the historic heritage values) – add (e) for historic heritage included on the New Zealand Heritage List/Rarangi Korero, waahi taonga/sites of significance to Māori and archaeological sites, the outcomes of consultation with Heritage New Zealand Pouhere Taonga; and (f) the classification, if any, given to historic heritage as set out in <point to schedule> and the reasons for which it was scheduled".
- HH-P7 (require activities adjacent to or affecting waahi taonga/sites of significance to Māori and/or archaeological sites where they are scheduled or where there is a reasonable cause to suspect here is an archaeological site, to demonstrate the activity is appropriate) – (b) replace "any assessments or advice from a suitably qualified and experienced archaeological expert" with "the need to provide additional protection to an archaeological site to that provided under the Heritage New Zealand Pouhere Taonga Act 2014"; (c) replace "the outcomes of consultation with Heritage New Zealand Pouhere Taonga" with "the degree of compliance with the archaeological requirements set out in Schedule X".
- HH-P8 (require any activity which proposes additions and alterations to scheduled heritage buildings and items demonstrate the additions and alterations are appropriate) – (a) add "setting," (b) add "or obstruction," (c) add "exterior, including the façade," delete (d).
- HH-P9 (only allow heritage items to be repositioned where it can be demonstrated it is appropriate to reposition the item) – replace "items" with "buildings and structures" and add "relocated; add (c) "that the building or structure is not Category A as identified in <point to schedule>".
- HH-P10 (support landowners to manage, maintain and preserve historic heritage) – add "providing selective exemptions to district plan rules".

Powerco Limited sought an amendment to HH-P5 (controlling activities that occur on or in proximity to historic heritage) so that "in proximity" was removed and replaced with a sentence that read "control activities that occur on or within scheduled historic heritage items or areas where those activities would adversely affect the historic heritage values..." Powerco Limited also sought that the operation, maintenance, replacement and minor upgrade of infrastructure be managed in the rules as a permitted activity.

Trustpower Limited acknowledged that the Mangorei Power Station is a Category 2 listed building with Heritage New Zealand and a Category A in the Operative District Plan. It considered it important that the Draft District Plan acknowledges that some maintenance and upgrades of the building will inevitably be required to keep the infrastructure working optimally. In this regard, it is supportive of the direction taken in this chapter.

Friends of Pukekura Park New Plymouth Inc. stated that heritage buildings may be renovated and should be kept true to their design as far as possible, replacing like with like to maintain their identity, even if it comes at a greater cost. It is noticeable

that many older buildings are being lost, changing the character and history of our city when with some better planning they could be retained.

Targeted meetings to explain the new District Plan framework and the intended heritage management approach were held with Heritage Taranaki on 12 July 2017 and Legacy Trust on 14 November 2017.

5.1.2 Draft Digital District Plan 2018

In February 2018 a letter and information pamphlet was sent to landowners within the proposed City Centre Zone. This advised that they may be affected by features in the District Plan, e.g. contributory buildings, heritage character precinct. Letters and information pamphlets were also sent to landowners that had buildings proposed for heritage status. Where applicable, they were sent heritage assessments. The main purpose of these letters was to give the owners the opportunity to consider the draft listing/identification of their property and invite further discussion with officers prior to notification in the Proposed District Plan.

On 14 February 2018 the Council held an open day regarding the Draft District Plan that included meetings with the owners of current and proposed heritage buildings. On the same day, the Council also arranged for a representative from the Ministry of Culture and Heritage to speak about their Heritage EQUIP fund. The fund has been established to assist owners of earthquake-prone heritage buildings (buildings that are Category I or II on the Heritage New Zealand List are eligible, although a case may be made for those that are, or are proposed to be, listed in the District Plan; Council officers targeted owners of buildings that would be eligible).

In total, meetings were held with 12 owners at the open day. No landowners challenged the proposed heritage listing on their buildings. Instead the primary concern appeared to be the cost to earthquake strengthen their buildings. All except one expressed concern about the cost, particularly the initial cost to find out how badly affected their buildings are in the first place, e.g. the cost of engineering reports, investigative work, design solutions, etc. Some said this cost was in the vicinity of \$40-50,000. In addition to funding assistance, some owners want guidance on other matters, e.g. how to strengthen a group of buildings involving multiple owners, and contact details for engineers specialising in heritage. Council officers will discuss the outcomes of these meetings and any possible ways that the Council could assist.

Clarification was also sought on minor matters such as whether double glazing, aluminium windows and attaching heat pumps to the exterior of a heritage building will trigger resource consent. More clarity has been provided in the Proposed District Plan regarding these matters.

During the feedback period, several individuals made points regarding the Historic Heritage provisions. These points can be summarised as follows:

- Add "enhance" to SO-5 (recognise, maintain and protect buildings, items, areas and features that have special qualities).
- Amend SP-13 (a range of business and industry activities are enabled) by discouraging commercial service activities in areas around the city centre and local centres, and include rail and shipping when referring to heavy industry activities.
- Add "restored and/or enhanced" to HH-O1 (historic heritage is recognised, protected and maintained).

- Amend HH-P1 (identify and schedule significant heritage building and items having regard to the following matters) to include “the potential for restoration”;
- HH-R2 (erection of a building on the same site as a scheduled heritage building or item) should be a non-complying activity.
- HH-R3 (total or partial demolition or removal of a scheduled contributory building within a heritage character precinct) does not provide enough protection and will undermine the aims of the heritage character precinct.
- The treatment of heritage buildings should be in accordance with the principles of the ICOMOS charter. Where new additions are added, conservation rather than preservation should be the philosophy.
- There should be a cohesive design approach regarding the use of verandah posts throughout the central city.
- The removal of Category B and C heritage building classifications is not supported.

An individual stated that more buildings should have heritage status and felt the priorities for assessment should be as follows:

- Pre-1945 buildings within older residential areas of New Plymouth city especially in CBD fringe residential areas.
- Pre-1900 buildings across the entire New Plymouth District with emphasis on board and batten clad buildings from this era and also structures associated with the Taranaki Wars.
- 1900-1945 commercial and residential buildings within smaller towns (Waitara, Inglewood, Urenui, Oakura, etc).

Two landowners questioned the heritage/contributory building status proposed for their buildings and one landowner wanted their building assessed to see if it had heritage status. An individual suggested the listing of a building which they do not own.

An individual wanted the heritage character precinct in the central city extended, and the following areas added as heritage character precincts: New Plymouth central western residential area, New Plymouth central eastern residential area, Fitzroy Bungalow area, lower Vogeltown, Brooklands state housing, Coronation Avenue southern entrance corridor, Strandon residential area and Inglewood town centre.

An individual recommended increased listings of heritage sites and buildings and increased protection and funding for their preservation. One area they feel particularly strongly about is the preservation of cemeteries because they contain the headstones and remains for our forefathers and mothers and many are dilapidated.

No feedback was received from landowners regarding waahi taonga/sites of significance to Māori and/or archaeological sites. However, it should be noted that landowners of these sites were not sent letters because they have already been sent letters as part of the review.

Patea Historical Society had concerns regarding the lack of regulation for a particular building. It also suggested that a clause be added that so that developers must consider relocation of a Category B or C building where possible.

Te Ātiawa Iwi Holdings Limited Partnership requested an updated review of a building currently listed as Category A that sits on land subject to their Treaty Settlement Claim. It considered it inappropriate that the items listed in the schedules of the Operative District Plan be simply “rolled over” into the Proposed District Plan.

The Taranaki Branch of the New Zealand Institute of Architects wanted the heritage character precinct in the central city extended.

Bland & Jackson Surveyors Ltd stated that the heritage building information in Appendix 1 only pertained to those buildings with interior elements regulated and sought inclusion of information on other heritage and contributory buildings.

Heritage Taranaki provided feedback on several points as follows:

- HH-R2 (erection of a building on the same site as a scheduled heritage building or item) should be a restricted discretionary activity with the matters of discretion being those in HH-P8 (require activities adjacent to or affecting historic heritage to minimise the impact on the historic heritage values).
- Add more buildings and items to the list as per another individual’s feedback but specifically add these: Early Pioneer 1841 Landing Memorial, Fitzroy School Memorial Gates and Omata War Memorial.
- Identify heritage character areas already identified in the Operative District Plan plus significant archaeological areas such as the Waitara Road Taranaki Wars assemblage reach from Matarikoriko Road to Waitara.
- The loss of appendices is not supported as it makes it difficult to do wider reviews and assessment of heritage sites and to compare with other heritage databases such as the Heritage New Zealand Pouhere Taonga List. It is not clear how many sites are on this list and it is a complicated process to check if New Zealand Archaeological Site data and Council data is aligned. Heritage Taranaki want the ability to draw heritage data from areas as well as individual properties.
- Given there is no longer a schedule or appendix to the plan which lists the buildings, items, waahi taonga/sites of significance to Māori and/or archaeological sites, the references to “schedules” within the text is confusing.

FFNZ provided feedback on several points as follows:

- These policies are supported: HH-P1 (identify and schedule significant heritage buildings and items), HH-P2 (identify and schedule contributory buildings that add visual interest or play an important role in the historic character of the New Plymouth city centre), HH-P3 (identify heritage character precinct(s) that have special streetscape qualities that contribute to the District’s identify and sense of place), HH-P4 (identify and schedule known waahi taonga/sites of significance to Māori and archaeological sites), HH-P12 (support landowners to manage, maintain and preserve historic heritage) and HH-P13 (ensure efficient processes by avoiding duplication with other statutory processes for land containing archaeological sites).
- HH-P5 is supported in part. While having reservations about the phrase “surrounding historic heritage” (which seeks to control an undefined area beyond identified heritage sites) the modifying words “inappropriate activities” and “where practicable” are supported.
- HH-P7 (control activities that occur on or in proximity to scheduled historic heritage), HH-P8 (require activities adjacent to or affecting historic heritage to minimise the impact on the historic heritage values) and HH-P11 (require activities

adjacent to or affecting waahi taonga/sites of significance to Māori and/or archaeological sites where they are scheduled or where there is a reasonable cause to suspect there is an archaeological site to demonstrate the activity is appropriate) – “in proximity to” is an extremely difficult phrase to a plan user to decipher and the boundaries of a site should be drawn such that the phrase is not needed. The term “adjacent to” in HH-P8 and HH-P11 is a little better, although for HH-P11 the term is redundant because “affecting” has already been used and if the activities are not affecting the site you would presumably not need to control them. FFNZ seeks to amend HH-P7 so it reads “control activities that occur on or in proximity to scheduled historic heritage” and HH-P11 so it reads “Require activities adjacent to or affecting waahi taonga/site of significance to Māori and/or archaeological sites...”

- HH-P7 (control activities that occur on or in proximity to schedule historic heritage) seeks to control erection of structures (2) and signage (7). FFNZ has concerns that fencing and management of weeds/shelterbelts could potentially be caught. These should be permitted activities in proximity to sites, i.e. near but not within;
- These rules are supported: HH-R2 (erection of a building on the same site as a scheduled heritage building or item), HH-R14 (maintenance of or rebuilding or an existing structure or building on a waahi taonga/site of significance to Māori and/or archaeological site) and HH-R15 (land disturbance on or within 50m of a waahi taonga/site of significance to Māori and/or archaeological site).
- HH-R12 (maintenance of or re-building of an existing structure or building on or within 50m of a waahi taonga/site of significance to Māori and/or archaeological site) and HH-R13 (erection of a new building or structure within 50m-100m of a waahi taonga/site of significance to Māori and/or archaeological site) – if the term “structure” did not encompass fences, stock yards, etc. these rules could be supported. It is suggested that “structure” is defined to exclude farm fences and similar small farm infrastructure.

Harvey Norman Properties (NZ) Ltd sought that the resource consenting requirement for earthworks or buildings within 50m or 100m of a specific waahi taonga/site of significance to Māori and/or archaeological site be deleted because this requirement will have adverse and unintended consequences with respect to development in the vicinity of this site.

A targeted meeting was held with Heritage Taranaki on 14 February 2018 to show the Draft Digital District Plan and to explain the objectives, policies and rules in the Historic Heritage section relating to heritage buildings and items, contributory buildings and waahi taonga/sites of significance to Māori and archaeological sites. The connection with the City Centre Zone in terms of the heritage character precinct and the contributory buildings was also emphasised. On-going discussions have occurred with Heritage Taranaki who consider that further sites can be included in the District Plan to manage historic heritage.

5.2 Consultation with Iwi Authorities

The Council has worked with Ngā Kaitiaki made up of mandated representatives from iwi/hapū throughout the District. Ngā Kaitiaki was formed specifically to provide feedback as part of the District Plan Review. Their suggestions in relation to the Historic Heritage chapter of the Draft District Plan are summarised below:

- Despite the good intentions of the Operative District Plan, the limitations that listing of sites, and subsequent missing of other broader values associated with areas, places or sites has minimised waahi tapu considerations through the resource consent process. The presence or absence of a listed waahi tapu often determines whether tangata whenua are considered to be an affected party and able to participate in the process.
- Retention of Issue 19 in the Operative District Plan is supported, in particular methods promoted regarding protecting sensitive information, consultation, facilitating landowner/iwi/hapū discussions, providing rates relief, and working towards access to waahi tapu on private property.
- Include specific provisions to address/provide direction for waahi tapu as a component of Historic Heritage (Māori Historic Heritage).
- The use of the term "Historic Heritage" is supported as an umbrella term defined in the RMA but must not be at the expense of other important terms, i.e. waahi tapu. Definitions could include Māori Historic Heritage, Waahi Tapu, Sites of Significance to Māori. These terms should be defined in Te Reo Māori as well as English.
- Add specific objectives regarding Māori Historic Heritage. Suggested wording is: "The tangible and intangible values of Māori Historic Heritage to tangata whenua are protected and enhanced." "The relationship of tangata whenua with Māori Historic Heritage, including the practical expression of kaitiakitanga, is recognised and provided for".
- Add a policy to acknowledge that tangata whenua are the only persons able to identify Māori Historic Heritage. Suggested wording is: "Recognise that only tangata whenua can identify their associations, values and interests with Māori Historic Heritage in the District".
- Amend HH-P2 (identify and schedule known waahi taonga/sites of significance to Māori and archaeological sites) to read: "Identify and schedule known Māori Historic Heritage in the District".
- Currently HH-P3 (protect and maintain historic heritage from inappropriate activities) addresses activities and their interface with historic heritage. A further method of protection and maintenance is providing for tangata whenua as kaitiaki to determine the best process/approach/method of working in and around Māori Historic Heritage areas/places/sites.
- Suggest that HH-P4 (allow X activities they do not compromise historic heritage values) references "heritage buildings or items" as opposed to historic heritage more generally.
- HH-P5 (control activities that occur on or in proximity to historic heritage) does not list all activities or actions which can damage or destroy Māori Historic Heritage. It should set a direction that any activity looking to manipulate, damage, destroy or disturb Māori Historic Heritage is avoided rather than list activities and this should guide the most restricted activity status possible – prohibited.
- HH-P6 (require activities adjacent to or affecting historic heritage to minimise the impact on the historic heritage values) – greater clarity is sought regarding what adjacent/in proximity to means and the implications of the use of 'adjacent' on notification decisions through the resource consent process.
- HH-P7 (require activities adjacent to or affecting wāhi taonga/sites of significance to Māori and/or archaeological sites where they are scheduled or where there is reasonable cause to suspect there is an archaeological site to demonstrate the activity is appropriate) should be two policies with a specific policy given weight

to kaumatua evidence in relation to Māori Historic Heritage. The use of terms like “having regard to” in this context is not supported as this minimises kaumatua evidence.

- It is questioned whether HH-P9 (only allow heritage items to be repositioned where it can be demonstrated it is appropriate to reposition the item) will extend to certain Māori heritage items/features, e.g. carvings.
- HH-P10(b) (support landowners to manage, maintain and preserve historic heritage by ... encouraging matauranga Māori, tikanga and kaitiakitanga to manage and maintain waahi taonga) is considered a better fit under HH-P3 (protect and maintain historic heritage from inappropriate activities). It is suggested it is redrafted to encourage consultation, education of values of an area/place/site and to form/maintain a relationship with tangata whenua. Additional wording could include HH-P10(d): encourage landowners to protect historic heritage on their properties through voluntary agreements or covenants;
- Additional policies specific to Māori Historic Heritage with more emphasis/visibility of waahi tapu are required. Existing policies in the Operative District Plan are considered to address issues well, e.g. Policy 19.2.
- A notification statement should be included in rules in relation to Māori Historic Heritage stating that tangata whenua are affected parties at all times.
- The current 50m/100m split for different activities is confusing. Often larger setbacks as rule triggers are required. As the plan is moving to a more activities based approach further discussion is encouraged on setback rule triggers for different activities in relation to Māori Historic Heritage and wāhi tapu.

Following the feedback received from individuals, organisations and iwi authorities, further work was undertaken by the heritage experts to assess further buildings and items to see if they were worthy of heritage status. As a result the following buildings and items will also be proposed for inclusion in the Proposed District Plan:

- Devonport Flats, St Aubyn Street New Plymouth.
- Fishleigh Cottage, 20 Aubrey Street New Plymouth.
- Fitzroy School Memorial Gates, 30 Barriball Street New Plymouth.
- Omata War Memorial, South Road Omata.

The consultants also visited and reassessed the State Hotel, Devon Street East following feedback from the landowner who questioned its heritage status. This was subsequently removed from the list due to the significant amount of modification that had occurred to the building in stages over a long period of time.

The assessments for the above six buildings and items are attached as Appendix 2. The assessment for the State Hotel in Appendix 2 replaces the assessment for it in Appendix 1.

6 Key Resource Management Issues

The key resource management issue for historic heritage is:

- The damage or loss of heritage buildings and items, heritage character areas and archaeological sites if they are not identified and protected from inappropriate land use, subdivision and development.

Damage or loss of historic heritage could impact on the district's sense of identity as well as amenity values and the quality of the environment. It could also be detrimental to the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga because many archaeological sites are also sites and areas of significance to Māori.

7 Proposed District Plan Provisions (Objectives, Policies and Methods/Rules)

The proposed provisions are set out in the Historic Heritage and City Centre Zone chapters of the Proposed District Plan. These provisions should be referred to in conjunction with this evaluation report. The proposed provisions are summarised below.

In general, the approach used in the Operative District Plan is similar to that used in the Proposed District Plan.

Heritage buildings and items are still identified and there are rules regarding what activities can be done in, on or within their vicinity. Category A, B and C heritage buildings and items are no longer identified. Instead the Proposed District Plan identifies just one list of heritage buildings. There is no need to classify these as "Category A" because there are no other categories identified. In total, 144 heritage buildings and items are identified.

The rules have been reworked to acknowledge issues that have emerged in recent years and to provide greater overall protection given the District is developing at a greater pace than what it was when the Operative District Plan was notified in the mid 1990's.

A heritage character area is a new concept that has been introduced into the Proposed District Plan. It includes a concentration of identified heritage buildings, as well as 20 contributory buildings that add visual interest or play an important role in the historic character of the area but are not identified in the Proposed District Plan as heritage buildings.

Archaeological sites are still identified and, where possible, their extents are mapped. 31 buildings that are classed as archaeological sites because they were built before 1900 have been added to the archaeological schedule. There are still rules regarding what activities can be done on or within their vicinity. The rules have been adapted to suit the new rule framework.

Archaeological sites and sites and areas of significance to Māori have also been split into two chapters as required by the National Planning Standards.

The Wāhi Tapu Review is an ongoing project and includes identifying further sites for inclusion and the extent of sites where possible. Ngāti Rahiri updated their sites several years ago via Plan Change 43 several years ago. Information relating to Manukorihi, Ngāti Mutunga, Ngāti Tawhirikura, Ngāti Te Whiti, Otaraua, Puketapu and Ngā Mahanga-a-Tairi is updated for inclusion in the Proposed District Plan. Site information relating to Ngāti Maniapoto, Ngāti Maru, Ngāti Tama and Pukerangiora will be proposed for addition through variations or a plan change processes at some time in the future.

7.1 Strategic Objectives

The applicability/relevance of all the proposed Strategic Objectives will need to be considered for all development proposals under the Proposed District Plan. Of particular relevance to Historic Heritage are the following Strategic Objectives:

HC-1: The district's heritage and cultural values contribute to the district's sense of place and identity, and are recognised and protected.

HC-2: The cultural, spiritual and/or historical values associated with historic heritage and sites and areas of significance to Māori are protected.

HC-3: Tangata whenua's relationships, interests and associations with their culture, traditions, ancestral lands, waterbodies, sites, areas and landscapes, and other taonga of significance are recognised and provided for.

TW-9: Recognise that only tangata whenua can identify impacts on their relationship with their culture, traditions, ancestral lands, waterbodies, sites, areas and landscapes and other taonga of significance to Māori.

UFD-13: The district develops in a cohesive, compact and structured way that:

- 1. maintains a compact urban form that provides for connected, liveable communities;*
- 2. manages impacts on the natural and cultural environment;*
- 3. recognises the relationship of tangata whenua with their culture, traditions, ancestral lands, waterbodies, sites, areas and landscapes and other Taonga of significance;*
- 4. enable greater productivity and economic growth;*
- 5. enables greater social and cultural identity;*
- 6. takes into account the short, medium and long-term potential impacts of climate change and the associated uncertainty;*
- 7. utilises existing infrastructure and or/can be efficiently serviced with new infrastructure; and*
- 8. meets the community's short, medium and long-term housing and industrial needs.*

7.2 Objectives and Policies

The objectives for historic heritage are as follows:

- The recognition, protection and maintenance of historic heritage.
- Appreciation by the community of historic heritage and acknowledgement that it is important to the District's identity.
- The active use and maintenance of heritage buildings.

7.2.1 Policies - Heritage Buildings, Items and Character Areas

- Identify significant heritage buildings and items.
- Identify heritage character areas.
- Protect and maintain heritage buildings, items and character areas from inappropriate activities.
- Allow activities provided they contribute to the long-term viability and retention or ongoing functional use and do not compromise historic heritage values.

- Manage activities that occur on or in proximity to heritage buildings and items;
- Manage activities that occur within a heritage character area.
- Avoid total or partial demolition or removal of heritage buildings and items and specified interior elements.
- Ensure activities adjacent to or affecting heritage buildings and items minimise the impact on the historic heritage values.
- Ensure activities proposing additions and alterations to heritage buildings and items demonstrate the additions and alterations are appropriate;
- Ensure new buildings and/or additions and alterations to contributory buildings within a heritage character area demonstrate they are appropriate.
- Support landowners to manage, maintain and preserve heritage buildings, items and character areas.

7.2.2 Policies – Archaeological Sites

- Identify archaeological sites.
- Protect and maintain archaeological sites from inappropriate activities.
- Allow activities on, in or adjacent to archaeological sites provided they do not compromise historic heritage values.
- Manage activities that occur on or in proximity to archaeological sites.
- Ensure activities on or adjacent to archaeological sites or on sites where there is reasonable cause to suspect archaeological sites may exist to avoid, remedy or mitigate any adverse effects on historic heritage values.
- Ensure structures proposing to exceed permitted height limits on or adjacent to archaeological sites demonstrate that the effects of the additional height is appropriate.
- Support landowners to manage, maintain and preserve archaeological sites.

7.3 Rules

7.3.1 Heritage Buildings, Items and Character Areas

Allowing as a permitted activity:

- Maintenance and repair to the exterior of a heritage building or item and/or to any interior elements.
- Signs on or attached to a heritage building or item.*

Managing as a restricted discretionary activity:

- Erection of a structure on a site containing a heritage building or item.
- Installation of an impervious surface area on a site containing a heritage building or item.
- Relocation of a structure onto a site containing a heritage building or item.
- Relocation of specified heritage building or items.
- Demolition or removal of contributory buildings.

Managing as a discretionary activity:

- Alterations and additions to the exterior of a heritage building or item and/or to interior elements.

- Subdivision of a site containing a heritage building or item.

Avoiding as a non-complying activity:

- Demolition or removal of a heritage building or item (including interior elements identified).

** These rules are in the Signs chapter of the Proposed District Plan.*

7.3.2 Archaeological Sites

Allowing as a permitted activity

- Land disturbance on an archaeological site.
- Demolition or removal of a structure on an archaeological site.
- Alterations to a structure on an archaeological site.
- Maintenance and repair or upgrading of a network utility structure, including associated earthworks, on or within 50m of an archaeological site.
- Erection of a structure on or within 50m of an archaeological site.
- Additions to a structure on or within 50m of an archaeological site.
- Relocation of a structure on or within 50m of an archaeological site.

Managing as a discretionary activity

- Earthworks on or within 50m of an archaeological site, including earthworks associated with the clearance of trees and the erection of structures, but excluding earthworks associated with the maintenance and repair or upgrading of a network utility.
- Subdivision of land containing an archaeological site.

7.4 Schedules

143 heritage buildings and items are proposed for inclusion in the Proposed District Plan. Of these, 103 are previous Category A's being carried over from the Operative District Plan, 33 are Category B's that have been reassessed (1 item was subsequently split into two items) and 6 are new, with no previous category.

The buildings and items being added to the list were assessed against updated criteria. The consultants are of the opinion that the current criteria is overly long, repetitive and, in some cases, not organised coherently. A more focused straightforward criteria has been used to assist with effective heritage management practice. It also helps those using the criteria to concentrate on the core attributes of a place. The criteria is as follows:

- Historical.
- Importance to the community.
- Architecture and construction.
- Setting.
- Archaeology.
- Representativeness, rarity and integrity.

Included is a schedule proposing that eight heritage buildings in the District have some or all of their interior elements protected. Floor plans are shown for those that have

some of their interior elements protected to assist in determining their location. This information has been rolled over from the Operative District Plan.

1035 wāhi taonga/sites of significance to Māori and/or archaeological sites are proposed for inclusion in the Proposed District Plan. Of these, 726 are being carried over from the Operative District Plan and 309 are being added. 136 of the sites are solely archaeological sites and 61 are solely sites and areas of significance to Māori, leaving 841 sites that are both archaeological and of significance to Māori. Some original sites have been deleted from the Operative District Plan because they were a duplication of other sites, while other sites that represented different aspects of the same site were merged into a single site. The number of silent files has reduced from 16 to 9. Of the 726 sites already listed in the Operative District Plan, 374 will have their extents included.

The efficient and effective implementation of the proposed provisions relies on a representative and accurate range of heritage buildings and items and wāhi taonga/sites of significance to Māori and/or archaeological sites. This requires a robust process so that the schedules adequately reflect the significance of the district's historic heritage.

7.5 Planning Maps

Heritage buildings and items, the heritage character area and archaeological sites are identified on the planning maps. The electronic nature of the Proposed District Plan means that a user can click on a property with a site on it and obtain its Site ID and name.

7.6 City and Town Centre Design Guide

This guide primarily applies urban design principles to alterations and additions to existing buildings as well as the construction of new buildings within the New Plymouth central city, Waitara and Inglewood, but it also contains guidance on working with or near heritage buildings.

Specifically the design guide seeks to ensure that new building development is sympathetic if it directly affects a heritage building and/or that it considers the impact on any adjacent heritage building and/or the heritage character area, ensuring similarity of frontage alignment, height and overall bulk, form and scale.

The design guide also contains a history of how the city centre has developed around the Huatoki Stream. It maps the heritage character area and describes the features within it, particularly the type of buildings.

7.7 Other Methods

In addition to the proposed provisions, the methods outside the District Plan set out in Section 4.2 are proposed to continue.

8 Approach to Evaluation

Section 32(1)(a) of the RMA requires that this report contain a level of detail that corresponds with the scale and significance of the environmental, economic, social and cultural effects that are anticipated from the implementation of this proposal.

The section of the RMA requires that:

- New proposals must be examined for their appropriateness in achieving the purpose of the RMA.
- The benefits and costs, and risks of new policies and rules on the community, the economy and the environment need to be clearly identified and assessed.
- All advice received from iwi authorities and the response to the advice needs to be summarised.
- The analysis must be documented, so stakeholders and decision-makers can understand the rationale for policy choices.

8.1 Evaluation of Scale and Significance

Assess the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal	Minor	Low	Medium	High
Degree of change from the Operative Plan		✓		
Effects on matters of national importance			✓	
Scale of effects – geographically (local, district wide, regional, national).			✓	
Scale of effects on people (how many will be affected – single landowners, multiple landowners, neighbourhoods, the public generally, future generations?).			✓	
Scale of effects on those with specific interests, e.g. Tangata Whenua				✓
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?			✓	
Likelihood of increased costs or restrictions on individuals, communities or businesses.			✓	

8.2 Explanation Summary

In summary:

- The degree of change from the Operative District Plan is moderate.
 - The same Category A heritage buildings and items will continue to be identified with 39 buildings being added to the schedule. Category B and C's will no longer be referred too but will be identified on the Council's property database as information only, which is consistent with the current approach.
 - There has been some refining of the rules that apply to heritage buildings and items. Generally the matters are the same, but a relocation rule and a signage

rule has been added and the rule about erecting structures on the same site now applies to all heritage buildings and items not just to the Hen and Chickens.

- The same interior elements of heritage buildings will continue to be identified. No new ones are being added.
 - 20 contributory buildings are being added with associated rules. Contributory buildings add visual interest or play a role in the historic character of the heritage character area but are not listed as heritage buildings. This is a new concept.
 - A heritage character area in the New Plymouth central city is being added with associated rules. This will replace the existing heritage character area in the Operative District Plan that is not subject to rules.
 - The schedule of archaeological sites will be updated in the Manukorihi, Ngāti Mutunga, Ngāti Tawhirikura, Ngāti Te Whiti, Otaraua, Puketapu and Ngā Mahanga-a-Tairi rohe.
 - The rules applying to archaeological sites in the Operative District Plan have generally been carried over into the Proposed District Plan.
- The proposal relates to section 6 matters and three section 7 matters in the RMA, as well as section 8.
 - The proposal does not relate to a specific key direction in the Blueprint. However, historic heritage is inherent in all key directions. The Central City key direction is of particular relevance due to the proposed use of various historic heritage mechanisms in the New Plymouth central city. The proposal also addressed matters outlined in the Heritage Strategy.
 - The geographical scale of effects for heritage buildings and items and the heritage character area is generally limited to the New Plymouth central city where most of the new heritage buildings and the heritage character area are located. The geographical scale of effects for archaeological sites is District wide because of the large number of sites identified in the District.
 - The scale of effects on people is moderate. The majority of buildings and land affected by the proposed changes are owned by private landowners who may raise concern with the restrictions on their private property rights. However, these restrictions will only come into effect if the landowners are proposing activities that trigger rules in the District Plan. In the majority of instances, the restrictions will have little effect on the day to day operation and function of businesses and residences. In addition, any landowner in the City Centre Zone will require a resource consent regardless of whether they have historic heritage identified on their property. From a public good perspective, future generations will benefit greater from the protection of historic heritage.
 - The scale of effects on tangata whenua is substantial. The more archaeological sites identified and regulated in the District Plan (most of which are also sites and areas of significance to Māori), the more tangata whenua can maintain their relationship with their ancestral lands, water, sites, waahi tapu, and other taonga, as per section 6(e) of the RMA.
 - The identification procedures and proposed provisions (which are discussed in detail below) are in accordance with commonly accepted best practice, and consistent with approaches in other second-generation District Plans that have been produced around New Zealand.

Overall, it is considered that the scale and significance of the proposal is medium. The level of detail in this report corresponds with the scale and significance of the environmental, economic and cultural effects that are anticipated from the implementation of the historic heritage provisions.

9 Evaluation of Objectives

Existing Objective(s)	Appropriateness to achieve the purpose of the Act
<p>Objective 11: To recognise the district’s heritage resources, provide for their protection and promote their enhancement.</p>	<p>The objective is generally consistent with the Council’s position and the statutory and policy context. However, to more appropriately address the key resource management issue, the objectives need to provide certainty to plan users, particularly regarding the types of activities historic heritage should be protected from (e.g. inappropriate subdivision, use and development, or damage, modification and destruction). Currently, plan users and decision makers lack certainty on the expected outcomes and appropriate activities under the District Plan provisions. In addition, the current objective does not adequately raise public awareness of historic heritage and could be better aligned with the RMA and regional policy direction.</p> <p>The current objective is not considered the most appropriate in addressing the Historic Heritage issues identified and achieving the purpose of the RMA. New objectives are proposed as detailed below.</p>

Proposed Objective(s)	Appropriateness to achieve the purpose of the Act
<p>HH-O1: Historic heritage is recognised, protected and maintained.</p> <p>HH-O2: Historic heritage is appreciated by the community and is acknowledged as important to the district’s identity.</p> <p>HH-O3: Heritage buildings are actively used and maintained.</p>	<p>The purpose of the RMA is to promote the sustainable management of natural and physical resources. Sustainable management means managing the use, development and protection of these resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety.</p> <p>The proposed objectives will assist with identifying and protecting heritage buildings and items, a heritage character area and archaeological sites, which are physical resources important to present and future generations. Identification and protection of these resources contributes to economic well-being, e.g. by making centres attractive places for people to visit and spend time in which has flow-on effects in terms of money spent on goods and services. It also contributes to cultural well-being, providing people with a sense of time and identity, a sense of where we have been and where we are now.</p> <p>Section 6 of the RMA requires all persons exercising functions and powers under it to recognise and provide for: (e) “the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga” and (f) “the protection of</p>

Proposed Objective(s)	Appropriateness to achieve the purpose of the Act
	<p>historic heritage from inappropriate subdivision, use, and development,” as a matter of national importance. HH-O1 aligns with this section because it is about identifying historic heritage and protecting it from inappropriate activities. There are different threats for heritage buildings and items and heritage character areas (inappropriate subdivision, use and development) versus archaeological sites (damage, modification and destruction). It is important that decision makers are aware that historic heritage is identified and protected and that certain activities should be avoided to provide the community with important connections to the past.</p> <p>Objective HH-O2 recognises the public appreciation of historic heritage and its contribution to community identity as an important aspect of protection. Outlining the need to protect important historic heritage in the District achieves the purpose of the RMA to promote sustainable management of our natural and physical resources. In addition, retaining historic heritage adds to community identity and sense of place as it provides connections to past and future generations. Historic heritage also enhances the amenity of the District for residents and visitors. It can also promote economic revitalisation, e.g. through the protection, maintenance and enhancement of buildings in traditional town centres. It can also provide educational and tourism opportunities and enhance the visitor experience, e.g. the erection of interpretation panels at Koru Pa (end of Surrey Hill Road in Oakura) which has notable features such as extensive terracing, stone revetting, rua pits, defensive ditches and visible dwelling sites.</p> <p>Objective HH-O3 is specifically relevant to heritage buildings. Many are earthquake-prone and are subject to new strengthening requirements under the Building Act. This has economic implications, not only for individual landowners but particularly for the viability and vitality of the New Plymouth central city as a whole. It is important they are actively used and maintained. If they are left to deteriorate, they can become dangerous to the public, create an eyesore, and rare heritage values could be lost forever.</p> <p>The proposed objectives are responsive to community and stakeholder feedback and align with national guidance and regional policy direction. The objectives are appropriate and reasonable as they provide a clear direction for assessment and decision making affecting historic heritage. The objectives are considered reasonable and achievable as they are consistent with other districts and focus on the particular issues in the District. They are appropriate and effective in achieving the purpose of the RMA.</p>

Evaluation of Alternative Options	Appropriateness to achieve the purpose of the Act
Do not amend the Operative Plan (status quo)	<p>This option will have the following consequences:</p> <p>Buildings and items and archaeological sites that have heritage value will not be regulated meaning that they could be at risk from modification or demolition.</p> <p>The collective value of important New Plymouth central city buildings will not be adequately recognised, again meaning that they could be at risk from modification or demolition. In addition, there will be no ability to consider effects on the wider historical and cultural landscape.</p> <p>The importance of seismic strengthening heritage buildings and the role that it plays in maintaining our historic heritage will not be acknowledged.</p> <p>Decision makers will be hindered when assessing resource consent applications as they will have limited guidance on what outcomes are expected and can only consider certain effects.</p> <p>Council will not meet its obligations under section 6 of the RMA, including recognising the social, cultural and economic benefits gained from historic heritage protection.</p> <p>The District Plan will not be aligned with National Planning Standards.</p>
<p>Summary</p> <p>The preferred objectives will achieve the purpose of the RMA as they are clear statements of intent that recognise the values of historic heritage and protect it from inappropriate subdivision, use and development. They provide certainty as to the outcomes that are appropriate under the District Plan provisions and are aligned with best-practice throughout New Zealand.</p>	

10 Evaluation of Options to Achieve the Objectives

10.1 Managing Historic Heritage

Options to achieve the District Plan objectives relating to Historic Heritage	Benefits	Costs	Efficiency and Effectiveness	Risks of acting/not acting
<p>Option A: Proposed Approach</p> <p>This option is recommended.</p> <ul style="list-style-type: none"> Objectives and policies in one Historic Heritage chapter for the identification, recognition and protection of heritage buildings and items, interior elements of heritage buildings, contributory buildings, a heritage character area, and archaeological sites. Apply flexible rules for matters such as maintenance and repair; erection and relocation of structures nearby; erection, relocation, total or partial demolition of structures; land disturbance; earthworks; subdivision and signage. 	<ul style="list-style-type: none"> The objectives and policies will provide stronger direction on the resource management issue affecting heritage in the District, allow for full discretionary status where appropriate, and allow for wider environmental effects to be considered. This should result in better environmental outcomes. The historic importance of the New Plymouth central city will be more adequately recognised through the identification of more heritage buildings, as well as contributory buildings and a heritage character area. This will enhance the amenity of the District for residents and visitors and can 	<ul style="list-style-type: none"> This approach means more landowners will be subject to rules than under the status quo approach. Some may perceive this as an additional economic burden. As the layers of historic heritage are interrelated in the Taranaki context there will be duplications of archaeological site rules with those with sites of significance to Māori. 	<ul style="list-style-type: none"> The objectives and policies for historic heritage will be in one chapter of the District Plan instead of two (currently Issues 11 and 19) creating less confusion for readers. Notable trees will have their own chapter in the District Plan, as per the National Planning Standards. It is inappropriate to classify notable trees as historic heritage as only some trees have historic information available. Trees are valued more for their amenity and landscape value. Potential heritage buildings and items will be assessed under an amended criteria that reflects best practice. 	<ul style="list-style-type: none"> The evaluation under section 32 must consider the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions in the proposal. It is considered that the provisions proposed have been fully researched and carefully evaluated and the information is sufficient to support the proposed change. The District Plan sets up a framework that will allow further heritage buildings, heritage character areas and archaeological sites to be introduced through plan changes when there is sufficient information available to

Options to achieve the District Plan objectives relating to Historic Heritage	Benefits	Costs	Efficiency and Effectiveness	Risks of acting/not acting
<p>Note: Notable trees has its own section and the Huatoki Stream is addressed in the City Centre Zone section.</p>	<p>contribute to economic revitalisation.</p> <ul style="list-style-type: none"> • New rules regarding the erection of structures in close proximity to heritage buildings and the erection of signage should result in better environmental outcomes. • Seismic strengthening will be recognised. It is vital that landowners be able to strengthen heritage buildings provided heritage values are not compromised. This has strong economic implications for the New Plymouth central city given many earthquake-prone heritage buildings are in this area. • Increased certainty for landowners and developers with the amendment of operative archaeological sites and addition of further sites, 		<ul style="list-style-type: none"> • Maintaining just one list of heritage buildings and items as opposed to the current Category A, B and C lists will make it easier for people to understand what has heritage value and what is subject to rules. • The Council will be meeting its obligations under the RMA, including the recently released National Planning Standards, although there will be duplication of rules in relation to historic heritage. 	<p>support additional listing.</p>

Options to achieve the District Plan objectives relating to Historic Heritage	Benefits	Costs	Efficiency and Effectiveness	Risks of acting/not acting
	including the mapping of extents where possible.			
<p>Option B: Status Quo</p> <p>This option is not recommended.</p> <ul style="list-style-type: none"> • One overall objective and one policy per topic area in Issue 11 for notable trees, heritage buildings and items, heritage character areas, the Huatoki Stream and archaeological sites. • One overall objective and one policy in Issue 19 for waahi taonga/sites of significance to Māori and archaeological sites. • Apply rules for notable trees, heritage buildings and items (erection of structures, additions and alterations, repositioning, demolition or removal, and subdivision), the Huatoki 	<ul style="list-style-type: none"> • The same number of landowners will be subject to rules if the status quo approach continues. These landowners are already familiar with these rules. 	<ul style="list-style-type: none"> • The objectives and policies will not provide stronger direction on resource management issues affecting heritage in the District, will not allow for full discretionary status where appropriate, and will not allow for wider environmental effects to be considered. This may result in adverse environmental outcomes. • The historic importance of the New Plymouth central city will not be adequately recognised through the identification of more heritage buildings, as well as contributory buildings and a heritage character area. This means that the amenity of the District will not be enhanced and 	<ul style="list-style-type: none"> • The objectives and policies for historic heritage will still be in two chapters of the District Plan (Issues 11 and 19) creating confusion for readers. • Potential heritage buildings and items will continue to be assessed under criteria that does not reflect best practice. • Maintaining the current Category A, B and C lists instead of one heritage buildings and items list will continue to create confusion for people as to what has heritage value and what is subject to rules. • The Council will be meeting its obligations under the RMA to a degree, but the District Plan will not be in alignment with the 	<ul style="list-style-type: none"> • The evaluation under section 32 must consider the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions in the proposal. It is considered that there is certain and sufficient information about the provisions in this approach because they have been in place since the Operative District Plan came into effect in 2005.

Options to achieve the District Plan objectives relating to Historic Heritage	Benefits	Costs	Efficiency and Effectiveness	Risks of acting/not acting
<p>Stream and waahi taonga/sites of significance to Māori and archaeological sites (erection of structures, excavation and filling, clearance of trees,, minor upgrading, subdivision of land).</p> <p>Note: see Section 32 Notable Trees Report for information on notable trees.</p>		<p>opportunities will be missed for economic revitalisation, e.g. using the heritage character area as a marketing tool.</p> <ul style="list-style-type: none"> • No rules regarding the erection of structures in close proximity and the erection of signage could result in adverse environmental outcomes. • Not recognising the importance of seismic strengthening could have strong implications for the New Plymouth central city given many earthquake-prone heritage buildings are in this area. • Not correcting the locations and where possible adding extents to the operative archaeological sites, as well as adding further sites may mean that archaeological sites 	<p>recently released National Planning Standards.</p>	

Options to achieve the District Plan objectives relating to Historic Heritage	Benefits	Costs	Efficiency and Effectiveness	Risks of acting/not acting
		continue to be damaged and destroyed.		
<p>Option C: Methods outside the District Plan</p> <p>This option is not recommended.</p> <ul style="list-style-type: none"> Rely on non-regulatory methods. Increase public recognition and understanding of the District's historic heritage and associated values, and rely on private landowners to manage and protect historic heritage. Encourage the use of non-regulatory incentives and assistance to facilitate the restoration and conservation of recognised historic heritage. 	<ul style="list-style-type: none"> Landowners will not be subject to rules meaning they will have increased economic opportunities and flexibility. Public awareness of the importance of protecting historic heritage is increased through education programmes. 	<ul style="list-style-type: none"> The historic importance of the New Plymouth central city will not be recognised through the identification of more heritage buildings, as well as contributory buildings and a heritage character area. It will be up to landowners to band together if they want to create opportunities for economic revitalisation, e.g. using the heritage character area as a marketing tool. Many of the landowners in this area are "mums and dads" who have inherited individual buildings as opposed to developers or chains that own a block of buildings so this may be challenging. No regulatory control places the onus on private landowners to 	<ul style="list-style-type: none"> The location and type of objectives and policies within the District Plan, and the need for criteria to assess potential heritage buildings and items will need to be evaluated given no regulatory methods will apply. It will not be clear to people as to what buildings and items have heritage value. Changing from a regulatory to a non-regulatory system is likely to cause confusion. The Council will not be meeting its obligations under the RMA and the District Plan will not be in alignment with the recently released National Planning Standards. 	<ul style="list-style-type: none"> The evaluation under section 32 must consider the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions in the proposal. It is considered that there is certain and sufficient information about this approach because Council has experience of dealing with only non-regulatory methods for other items in the District Plan. The effectiveness of non-regulatory methods is questionable, e.g. heritage character areas (Council has regularly been lobbied over the years by individuals and community groups seeking regulation; monitoring has shown that substantial loss of

Options to achieve the District Plan objectives relating to Historic Heritage	Benefits	Costs	Efficiency and Effectiveness	Risks of acting/not acting
		<p>protect historic heritage for the public good, which could result in adverse environmental outcomes. A loss of historic heritage is likely.</p> <ul style="list-style-type: none"> • No rules regarding the erection of structures in close proximity and the erection of signage could result in adverse environmental outcomes. • Not recognising the importance of seismic strengthening could have strong implications for the New Plymouth central city given many earthquake-prone heritage buildings are in this area. • Archaeological sites are less visible in the landscape compared to heritage buildings and items. Landowners/developers could damage them unintentionally if they are not made aware of 		<p>heritage fabric has occurred).</p>

Options to achieve the District Plan objectives relating to Historic Heritage	Benefits	Costs	Efficiency and Effectiveness	Risks of acting/not acting
		their existence, e.g. on a planning map or through a Land Information Memorandum, resulting in negative cultural effects.		
<p>Quantification</p> <p>Section 32(2)(b) requires that if practicable the benefits and costs of a proposal are quantified.</p> <p>Given the assessment of the scale and significance of the proposed changes above it is considered that quantifying costs and benefits would add significant time and cost to the s32 evaluation processes. The evaluation in this report identifies where there may be additional cost(s), however the exact quantification of the benefits and costs discussed was not considered necessary, beneficial or practicable.</p>				
<p>Summary</p> <p>The above table has demonstrated that Option A (Proposed Approach) is the most appropriate method for managing historic heritage.</p>				

10.2 Identification of Historic Heritage

Options to achieve the District Plan objectives relating to Historic Heritage	Benefits	Costs	Efficiency and Effectiveness	Risks of acting/not acting
<p>Option A: Proposed Approach</p> <p>This option is recommended.</p> <ul style="list-style-type: none"> • Identify the following in the District Plan and accurately locate them on planning maps: <ul style="list-style-type: none"> - Updated list of Heritage buildings and items; - Interior elements of heritage buildings; - Contributory buildings; - Heritage character area; and - Updated list of archaeological sites. <p>Note: Notable trees has its own chapter and the Huatoki Stream is addressed in the City Centre Zone chapter.</p>	<ul style="list-style-type: none"> • Historic heritage is identified, protected and maintained for present and future generations, adding to community identity and enhancing the amenity of the District for residents and visitors, and can contribute to economic revitalisation. • Landowner engagement has been undertaken with those with new listings and sites. • Application fees for resource consent applications for the modification of heritage buildings and items are waived as an incentive in the District Plan. • The identification of historic heritage will help build community cohesiveness and a sense of togetherness, e.g. the identification of 	<ul style="list-style-type: none"> • Landowners wanting to do work on or in the vicinity of historic heritage may need to seek advice at their expense from professionals, e.g. conservation architects, engineers, etc. A professional could cost in the range of \$80-\$250 hour. If they want to avoid this cost it may lead to a loss of historic heritage, e.g. on-going deterioration through neglect or demolition through neglect. • The land on which historic heritage is situated could be used for other things that contribute to amenity values and provide employment for large numbers of people, e.g. the erection of a new 	<ul style="list-style-type: none"> • Identifying specific historic heritage sites provides certainty about why a particular site is listed and what rules apply to development involving that site. • The identification of contributory buildings and a wider heritage character area meets the "Central City" key direction of the Blueprint. • Identifying the exact location of archaeological sites as well as their extents where possible will provide a higher degree of certainty for plan users, e.g. proposed activities can be better located and designed. • Resource consent will not be required for the "old" position (where the symbol has moved from 	<ul style="list-style-type: none"> • The evaluation under section 32 must consider the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions in the proposal. It is considered that the items proposed for listing have been fully researched and carefully evaluated and the information is sufficient to support the proposed change. • There is some risk that not all heritage items and archaeological sites have been identified. • The District Plan sets up a framework that will allow further heritage buildings, heritage character areas and archaeological sites to be introduced through

Options to achieve the District Plan objectives relating to Historic Heritage	Benefits	Costs	Efficiency and Effectiveness	Risks of acting/not acting
	<p>several new heritage buildings in close proximity may contribute to a sense of place or the identification of several new archaeological sites may help to reconnect tangata whenua to the site.</p> <ul style="list-style-type: none"> The identification of many more archaeological sites (many of which are also sites and areas of significance to Māori) will have positive cultural effects for the many iwi and hapū groups within the District and reinforce the relationship of Māori and their culture and traditions with their ancestral lands and sites as per section 6(e) of the RMA. In particular correcting the locations and where possible adding extents to the operative archaeological sites, as well as adding 	<p>state of the art office building.</p>	<p>the location shown in the Operative District Plan) removing an inappropriate burden on landowners who currently require resource consent for a site that has been more accurately located in an alternative lotion.</p>	<p>plan changes when there is sufficient information available to support additional listing.</p>

Options to achieve the District Plan objectives relating to Historic Heritage	Benefits	Costs	Efficiency and Effectiveness	Risks of acting/not acting
	<p>new archaeological sites provides increased certainty that these archaeological sites will be protected.</p>			
<p>Option B: Status Quo</p> <p>This option is not recommended.</p> <ul style="list-style-type: none"> • Identify the following in the District Plan and accurately locate them on planning maps: <ul style="list-style-type: none"> - Notable trees; - Heritage buildings and items; - Interior elements of heritage buildings; - Heritage character areas; and - Waahi taonga/sites of significance to Māori and archaeological sites. 	<ul style="list-style-type: none"> • Historic heritage is identified, protected and maintained for present and future generations, adding to community identity and enhancing the amenity of the District for residents and visitors, and can contribute to economic revitalisation. • Application fees for resource consent applications for the modification of heritage buildings and items are waived as an incentive in the District Plan. 	<ul style="list-style-type: none"> • Landowners wanting to do work on or in the vicinity of historic heritage may need to seek advice at their expense from professionals, e.g. conservation architects, engineers, etc. A professional could cost in the range of \$80-\$250 hour. If they want to avoid this cost it may lead to a loss of historic heritage, e.g. on-going deterioration through neglect or demolition through neglect. • The land on which historic heritage is situated could be used for other things that contribute to amenity values and provide employment for large numbers of people, e.g. 	<ul style="list-style-type: none"> • Identifying specific historic heritage sites provides certainty about why a particular site is listed and what rules apply to development involving that site. • This approach will not meet the "Central City" key direction of the Blueprint as well as it could. • Does not meet the requirements of the National Planning Standards as Waahi Taonga/Archaeological sites are not subject to separate listings and rules. 	<ul style="list-style-type: none"> • The evaluation under section 32 must consider the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions in the proposal. It is considered that there is certain and sufficient information about the provisions in this approach because they have been in place since the Operative District Plan came into effect in 2005. • However there is risk that buildings and sites with heritage value and sufficient information and landowner engagement to support a listing will be not protected.

Options to achieve the District Plan objectives relating to Historic Heritage	Benefits	Costs	Efficiency and Effectiveness	Risks of acting/not acting
		the erection of a new state of the art office building.		
<p>Option C: Methods outside the District Plan</p> <p>This option is not recommended.</p> <ul style="list-style-type: none"> Rely on non-regulatory methods. Increase public recognition and understanding of the District's historic heritage and associated values, and rely on private landowners to manage and protect historic heritage. Encourage the use of non-regulatory incentives and assistance to facilitate the restoration and conservation of recognised heritage items. 	<ul style="list-style-type: none"> Public awareness of the importance of protecting historic heritage is increased through education programmes. The Council will not have to administer resource consent applications for historic heritage. 	<ul style="list-style-type: none"> Non-regulatory methods of protection will not provide certainty that historic heritage will be protected. If this method is adopted, the Council is limited in actions it can take to prevent loss or degradation of historic heritage. There will most likely be a loss of historic heritage due to a lack of regulation. The Council will incur costs to provide free technical advice and to produce educational material. The Council may need to consider purchasing historic heritage in order to save them, thus impacting on rates. 	<ul style="list-style-type: none"> No rules or performance standards would enable inappropriate activities, subdivision and development to occur, damaging historic heritage without any constraints. This approach has the potential to result in significant adverse effects and a loss of historic heritage. No rules or standards is not considered effective in achieving the objectives for the identification and protection of historic heritage, and would be inconsistent with national and regional policy direction, as well as the "Central City" key direction of the Blueprint. 	<ul style="list-style-type: none"> The evaluation under section 32 must consider the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions in the proposal. It is considered that there is certain and sufficient information about the provisions in this approach because Council has experience of dealing with only non-regulatory methods for other items in the District Plan. The effectiveness of non-regulatory methods is questionable, e.g. heritage character areas (Council has regularly been lobbied over the years by individuals and community groups seeking regulation; monitoring has shown

Options to achieve the District Plan objectives relating to Historic Heritage	Benefits	Costs	Efficiency and Effectiveness	Risks of acting/not acting
				that substantial loss of heritage fabric has occurred).
<p>Quantification Section 32(2)(b) requires that if practicable the benefits and costs of a proposal are quantified.</p> <p>Given the assessment of the scale and significance of the proposed changes above it is considered that quantifying costs and benefits would add significant time and cost to the s32 evaluation processes. The evaluation in this report identifies where there may be additional cost(s), however the exact quantification of the benefits and costs discussed was not considered necessary, beneficial or practicable.</p>				
<p>Summary The above table has demonstrated that Option A (Proposed Approach) is the most appropriate method for identifying historic heritage.</p>				

11 Summary

This evaluation has been undertaken in accordance with Section 32 of the RMA in order to identify the need, benefits and costs and the appropriateness of the proposal having regard to its effectiveness and efficiency relative to other means in achieving the purpose of the RMA. The evaluation demonstrates that this proposal is the most appropriate option as:

- The objectives and policies provide direction and certainty to plan users on the outcomes expected for historic heritage.
- The updated schedule for heritage buildings and items is based on the heritage assessments attached in Appendix 1 and 2 and include a more representative range of the District's historic heritage.
- The updated schedule for archaeological sites is based on the outcomes of the waahi tapu review which is ongoing and include a more representative range of the District's historic heritage.
- Permitted activity rules in respect to heritage buildings and items allow for maintenance and repair to exteriors and identified interior elements.
- Activities that may generate adverse effects, reduce the quality of the environment and harm the integrity of finite heritage buildings and items are appropriately managed through the resource consent process. These include the erection and relocation of structures onto the same site, the installation of impervious surface areas on the same site, the relocation of specified heritage items, subdivision of land containing a heritage building or item and alterations and additions to, and demolition or removal of heritage buildings.
- Permitted activity rules in respect to archaeological sites allow for land disturbance, demolition or removal of structures, erection and relocation of structures, and alterations and additions to structures provided the works do not involve earthworks and structures do not visually encroach upon sites.
- Activities that may generate adverse effects and harm the integrity of finite archaeological sites are appropriately managed through the resource consent process. These include earthworks and the subdivision of land containing an archaeological site. Many of these archaeological sites are also sites and areas of significance to Māori so certain activities are appropriately managed to ensure they do not negatively affect the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.
- The Heritage Protection Fund and other methods outside the District Plan that are effective in practice to achieve the proposed objectives will continue to be used alongside the regulatory approach.

Overall, it is considered that the set of preferred provisions is the most appropriate given that the benefits outweigh the costs, and there are considerable efficiencies to be gained from adopting the preferred provisions. The risks of acting are also clearly identifiable and limited in their extent.

12 Appendices

Appendix 1: Heritage Buildings and Items Review

Appendix 2: Heritage Buildings and Items – Additional Assessments