

Section 32 Report – Part 2

Historic Heritage

prepared for the

Proposed Waikato District Plan

July 2018



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I OVERVIEW AND PURPOSE

The purpose of this s32 Report is to outline the approach undertaken by Council for the review and development of the framework of objectives, policies and rules that relate to the use and development for Historic Heritage.

This s32 summary report should be read in conjunction with Part I Section 32 report, Introduction to the Evaluation Report. Part I provides the overall broad context and approach for the evaluation and consultation undertaken in the development of the Proposed Waikato District Plan.

I.1 Topic Description

There is a legacy of historic heritage items that reflect the lives and work of former residents which has been left in the district. These items provide a valuable link to the past. It is important that these heritage items are protected so that the community can understand its past while it looks to its future. Some heritage items provide a valuable insight into the pre-European history of both the Waikato and New Zealand while others reflect the more recent European settlements and occupations.

Historic heritage is defined in the Resource Management Act (RMA) as

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

- (i) Archaeological:*
- (ii) Architectural:*
- (iii) Cultural:*
- (iv) Historic:*
- (v) Scientific:*
- (vi) Technological; and*

(b) includes –

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

For the purposes of this Section 32 report, notable trees are included, however historic heritage associated with Maaori is covered in the Section 32 report for Tangata Whenua.

I.2 Significance of this Topic

Heritage is a finite resource, once lost it can never be replaced. The majority of the heritage items are in private ownership and while many owners are willing to have their properties registered for protection, along with protection will come restrictions. The question has to be asked as to why a private owner should provide a benefit to the wider community.

Registration may impede the use of an owner to make the most of their property. This is particularly relevant should owners decide to undertake significant alterations to buildings. This being the case, how does Council justify the need for registration and how is it balanced against the need for protecting heritage as required under the RMA and allowing owners to get the maximum wellbeing from their properties.

This topic is not significant in terms of scale as it only applies to specific structures and places, however the protection of the heritage of the District is highly significant. Once these structure and places are destroyed, they cannot be replaced.

1.3 Resource Management Issue(s) to be Addressed

The main resource management issue is protection of historic heritage. In this regard, Section 6(f) of the RMA directs Council to protect historic heritage. Issues in regards to heritage do not change: protection is promoting the sustainable management of physical resources, and an absence of protection leaves the item vulnerable to demolition or deterioration and therefore not sustained for future generations.

The Act does not direct Council as to how to manage heritage to protect it but rather to promote the sustainable management of natural and physical resources. Protection may restrict the use of a person's property although the same could be said for any impositions placed on a property owner, ie restrictive subdivision, building requirements.

1.4 Current Objectives, Policies, Rules and Methods

Both sections of the current plan identify protection of heritage as an issue and have similar methods to do so and have a similar approach.

Waikato Section

Chapter 12: Historic Heritage focuses on the protection of historic heritage. There are a variety of policies to be implemented by a range of methods to achieve the stated objective. Rules control the demolition or removal of a heritage building while maintenance and alterations are permitted under certain conditions. Rules control special precinct areas which have been identified for their special qualities. Appendix C: Historic Heritage is a schedule of listed items as at the DP review of 2004.

Franklin Section

Part 8 Cultural Heritage focuses on protecting historic heritage and has objectives, policies and methods specific to this. There are policies to ensure that modifications, damage or destruction of heritage items are avoided; that resource consent conditions be utilised to avoid or minimise loss of the heritage value and that maintenance is permitted under strict conditions.

Register of listed buildings

Both sections of the district plan contain a heritage schedule. An assessment process would have been undertaken when these plans were notified which identified at that time these listed items as important to the wider community.

Archaeological sites

The current plan does not identify archaeological sites. All of the archaeological data was removed during the review in 2004. As a result of this, an agreement was made with Heritage New Zealand Pouhere Taonga (HNZPT) (previously Historic Places Trust) in 2009 to return the sites of significance to the district plan. Refer to s32 Tangata Whenua for further information on archaeological sites.

1.5 Information and Analysis

The following technical advice and information (Table I) has been used to assist with setting the plan framework for the historic heritage provisions.

Table I List of relevant background assessments and reports

Title	Author	Description of Report
WDC District Plan Review – Built Heritage Assessment	Dr Ann McEwan Heritage Consultancy Services (attached as Appendix 4 to 7)	The purpose of the report is to provide a Historic overview of the Waikato District and identify buildings for registration.
Built heritage items for proposed registration - peer review	Archifact – Architecture & Conservation Ltd	The purpose of the report is to undertake a Peer Review of a selection of built heritage items previously assessed by Dr Ann Mc Ewan of Heritage Consultancy services.
Notable Trees on the Heritage Register For the Proposed Waikato District Plan	Wakeling and Associates Ltd.	The purpose of the report is to review the trees currently registered in the District Plan as well assess trees that have been suggested for registration, for potential inclusion in the PDP.
The New Zealand Heritage List/Rārangi Kōrero ('the List')	Heritage New Zealand Pouhere Taonga	The New Zealand Heritage List/Rārangi Kōrero ('the List') identifies New Zealand's significant and valued historical and cultural heritage places. Buildings and items on this list have been assessed for potential inclusion.

1.6 Consultation Undertaken

This matter has been canvassed through the comprehensive consultation and engagement on the wider District Plan review, as well as specific engagement with landowners identified as having a historic heritage item.

A series of open days and stakeholder information days were held during 2015 and the third phase during 2017, these are listed below:

- 02/06/2015 – Open day Raglan
- 03/06/2015 – Open day Te Uku
- 04/06/2015 – Open day Te Kowhai
- 09/06/2015 – Open day Tamahere
- 10/06/2015 – Open day Puketaha
- 11/06/2015 – Open day Ngaruawahia
- 16/06/2015 – Open day Whitikahu
- 17/06/2015 – Open day Orini
- 18/06/2015 – Open day Te Akau
- 23/06/2015 – Open day Matangi
- 24/06/2015 – Open day Huntly
- 25/06/2015 – Open day Tuakau
- 30/06/2015 – Open day Waerenga
- 01/07/2015 – Open day Mangatani
- 02/07/2015 – Open day Pokeno
- 07/07/2015 – Open day Te Kauwhata
- 08/07/2015 – Open day Port Waiakto
- 09/07/2015 – Open day Otaua
- 23/07/2015 – Extended working group workshop
- 25/03/2015 – Extended working group workshop
- 27/08/2015 – Consultants workshop
- 19/01/2015 – Presentation to Extended Working Group
- 17/10/2017 – Stakeholder information day in Ngaruawahia town hall
- 19/10/2017 – Stakeholder information day in Tuakau town hall
- 20/11/2017 – Open day Tuakau
- 22/11/2017 – Open day Mangatangi
- 23/11/2017 – Open day Pokeno
- 28/11/2017 – Open day Te Kauwhata
- 29/11/2017 – Open day Huntly
- 30/11/2017 – Open day Raglan
- 05/12/2017 – Open day Te Kowhai
- 06/12/2017 – Open day Tamahere and
- 07/12/2017 – Open day Ngaruawahia.

Specific consultation commenced on this topic with landowners in May and June 2018 with letters sent to property owners where a heritage item or notable tree was located on their property. Discussions were had with landowners to discuss the draft provisions and what this would mean for them. These discussions were either via the drop in sessions in Tamahere, Raglan, Ngaruawahia and Tuakau during this period or via written feedback.

Feedback from Landowners is summarised as follows:

- What would listing mean, what restrictions would be placed on the building or notable tree
- Queries as to whether there was any ability to access funding for maintenance
- Queries as to the right of public access to view
- 3 owners vehemently opposed to scheduling

- 3 owners opposed to listing as they have other RMA options already in process
- Most owners were comfortable with the approach once an understanding had been reached on any restriction
- Many owners realised the benefits of listing
- Most owners respected the heritage values of the properties when purchasing.

As a result of consultation on the draft district plan in conjunction with various open days, feedback was received from the community. Feedback is summarised in Table 2 below. The draft district plan was available for public to view on Council's website from November 2017 to January 2018.

Table 2 Specific consultation processes

Date	Subject Matter	Feedback
2017	Built heritage	General feedback throughout the plan.
May	Effects on individual properties	Options for offsetting in subdivision in response to listing.
May	Costs	Financial burden on properties that may not have the ability to pay for upkeep.
May	Effects on individual properties	How does listing impact on property values.
May	Effects on individual properties	Oppose registration.
May	Effects on individual properties	Embrace registration as recognition of their property.

1.7 Iwi Authority Consultation and Advice

1.7.1 Consultation

Clause 3 of Schedule 1 of the RMA sets out the requirements for local authorities to consult with tangata whenua through Iwi authorities. Clause 3 also requires Local Authorities to consult with any person, group or ministry that may be affected by changes made to the District Plan.

Council used the following methods to create an Iwi Reference Group.

- Joint Management Agreement
- Tai Tumu Tai Pari Tai Ao (Waikato Tainui Environmental Plan)
- Partnerships
- Collaboration

The purpose of the Iwi Reference Group was to provide Council with a single forum to socialise the proposed changes to the Operative District Plan.

The Iwi Reference group was made up of all iwi and hapuu within the district that council currently consults with via the Resource Consent Process.

Engagement and consultation with the Iwi Reference group took place between December 2014 and December 2017. (See Part I Section 32 Report – Introduction to the Evaluation Report)

1.7.2 Advice

Clause 4A of Schedule 1 of the RMA sets out the requirements for local authorities to consult with iwi authorities before notifying a proposed plan. Clause 4A(1)(b) requires Council to have particular regard to any advice received on a draft proposed policy statement or plan from those iwi authorities.

Council had discussions with the relevant Iwi and Hapuu and through Te Kahui Mangai website and included the following:

Iwi authorities within Waikato District

- Waikato Tainui
- Ngaati Tamaoho

Iwi for the purpose of RMA list on Te Kahui Mangai

- Tainui o Tainui

Iwi that have relationship from other districts

- Hauraki
- Ngaati Maniapoto
- Ngaati Paoa - Hauraki

A summary of the issues identified through consultation and Council's consideration of those issues are listed in Part I Section 32 Report – Introduction to the Evaluation Report.

1.8 Decision-making

A series of workshops were undertaken with Councillors and an explanation of Council's obligations under s6 of the Act has been explained. Workshops have presented:

- Discussion document
- Issue statement
- Objectives
- Policies
- Rules
- Individual assessments and scheduled listings
- Consultation with affected owners

Protection of heritage items and notable trees requires that the assessed items are scheduled to provide certainty. In order to be included in either of these schedules, the items need to be assessed for either their heritage or notable tree significance. These assessments were undertaken by experts qualified in these fields and their recommendations for registration were provided to Council. These recommendations have been reviewed by both staff and Councillors and have been accepted with some changes, detailed below.

During consultation the following landowners advised that they do not wish their properties to be registered.

- Former Marist Juniorate Training College building, Lavalla College
139 Dominion Road, Tuakau. Recommended 'A' ranking
- Former Kosoof bungalow / 'Rimu House'
40 Main Street, Huntly. Recommended 'B' ranking
- Former Taupiri Post Office & Postmaster's Residence
3 The Crescent, Taupiri. Recommended 'B' ranking

Councillors confirmed that due to the owners of these properties continuing protection of these buildings, they should not be included in the schedule.

The following three properties have either a Certificate of Compliance permitting demolition or are subject to a resource consent for development involving demolition of the building.

- Former Waikato Co-operative Dairy Company Butter Factory
Ryders Road, Tuakau. Recommended 'B' ranking
- Former Pulham & Begbie Store / Te Kauwhata Four Square
4 Main Road, Te Kauwhata. Recommended 'B' ranking
- Waipa Hotel / Waipa Tavern
Great South Road, Ngaruawahia. Recommended 'B' ranking

Councillors confirmed that as these buildings can be demolished now they should not be included in the schedule.

Staff advised Councillors that due to the current state of the buildings or additional issues with the properties, scheduling could be inappropriate for the following 2 properties:

- Former Robinsons' boarding house
79 Wilton Collieries Road, Glen Massey. Recommended 'B' ranking
- Former Cavanagh residence
67 Ellery Street, Ngaruawahia. Recommended 'B' ranking

Councillors confirmed that for those reasons they should not be included in the Schedule.

The following property is owned by Council and is currently not being utilised as it is earthquake prone and the costs of rehabilitation would outweigh the benefits of retaining.

- Ngaruawahia Centennial Memorial Plunket Rooms & Women's Rest Rooms
31 Jesmond Street, Ngaruawahia. Recommended 'B' ranking.

However, Council noted that due to the buildings historic heritage this should be recorded during demolition. They instructed staff to list this building and asked that a rule allowing demolition subject to recording heritage be included. Refer to Rule 18.3.10.2.

The following properties are in the ownership of Waikato Tainui and either on the marae complex or on their tribal land at Hopuhopu.

- Mahinarangi [Kingitanga Museum] and Turongo House
Turangawaewae Marae, River Road, Ngaruawahia
Recommended 'A' ranking
- 6 Former married staff cottages, Waikato Camp
425 Old Taupiri Road, Hopuhopu, Ngaruawahia
Recommended 'B' ranking
- Former magazines [3], Waikato Camp
400 Old Taupiri Road, Hopuhopu, Ngaruawahia
Recommended 'A' ranking

Council noted that due to the fact that Iwi will look after their own buildings on the marae, there is no basis for Council to be involved in protection of these buildings. With respect to the buildings at Hopuhopu, these buildings are classified as 'B' and Council considered that due to this, ranking should not be an impediment to Iwi development aspirations for the site.

It should also be noted that some items scheduled in the current district plan are no longer recommended for listing and that some items have been either relocated or demolished.

The following tree has been identified as being on road reserve of an unformed road. With the growth of Pokeno it is highly likely this road will be formed in the near future and Councillors made the decision to withdraw this tree from potential scheduling:

- Tree – Oak – Road reserve outside 26 Regina Street, Pokeno

Table 3: Summary of Councillor workshops

Meeting / Feedback	Document	Decision/direction
Councillor workshop	Workshop Presentation June 27 2017: Schedule presented.	Was an information workshop and Councillors were to review the information of the scheduled buildings and comment.
Councillor workshop	Powerpoint 13 June 2018	Update Councillors on: Notable Trees, letters sent, drop in session held and one tree identified as an issue. Buildings and items – 66 new items of which 34 private owned Consultation by phone and follow up letters Open days held Feedback identified several for consideration of listing.

1.9 Reference to Other Relevant Evaluations

This s32 topic report should be read in conjunction with the following evaluations:

- Tangata Whenua
- All zone evaluations
- Infrastructure
- National Grid
- Renewable electricity generation
- Transport
- Water supply, stormwater and wastewater

2 ISSUES, OBJECTIVES, POLICIES AND RULES

2.1 Higher Level Planning Documents and Legislation

The economic, social and cultural importance of heritage is recognised through a number of separate pieces of legislation and strategic planning documents at national, regional and local levels.

2.1.1 Resource Management Act

The protection of historic heritage from inappropriate subdivision, use and development is a matter of national importance under s6(f) of the RMA while s6(e) ensures that the relationship of Maori with their culture and traditions is upheld. Many of Maori traditions and culture revolve around heritage areas and it is

important that these too are recognised in the district plan. Refer to the s32 report addressing Tangata Whenua matters.

Under section 75(3) of the RMA, a district plan must give effect to the following:

- (a) any national policy statement; and
- (b) any New Zealand coastal policy statement; and
- (c) any regional policy statement.

These statutory documents are discussed in terms of their relevance to historic heritage below.

In addition, reviews of district plans are required by Section 74(2A) of the RMA to take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the district. The iwi management plans are more relevant to the management of historic heritage associated with tangata whenua and thus are addressed in the Section 32 for Tangata whenua.

2.1.2 NZ Costal Policy Statement 2010 (NZCPS)

Policy 17 of the NZCPS is particularly relevant to historic heritage in the coastal environment. Policy 17: Historic heritage identification and protection directs territorial authorities to:

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

- a. *identification, assessment and recording of historic heritage, including archaeological sites;*
- b. *providing for the integrated management of such sites in collaboration with relevant councils, heritage agencies, iwi authorities and kaitiaki;*
- c. *initiating assessment and management of historic heritage in the context of historic landscapes;*
- d. *recognising that heritage to be protected may need conservation;*
- e. *facilitating and integrating management of historic heritage that spans the line of mean high water springs;*
- f. *including policies, rules and other methods relating to (a) to (e) above in regional policy statements, and plans;*
- g. *imposing or reviewing conditions on resource consents and designations, including for the continuation of activities;*
- h. *requiring, where practicable, conservation conditions; and*
- i. *considering provision for methods that would enhance owners' opportunities for conservation of listed heritage structures, such as relief grants or rates relief.*

2.1.3 Waikato Regional Policy Statement (WRPS)

Policy 10.1 Provide for the collaborative, consistent and integrated management of historic and cultural heritage resources. The aim is to improve understanding, information sharing and cooperative planning to manage or protect heritage resources across the region.

2.1.4 Waikato Raupatu Claims Settlement Act 1995

The Waikato Raupatu Claims Settlement Act 1995 gave effect to the 1995 Deed of Settlement in respect of the Raupatu claims of Waikato-Tainui. As a consequence of this Act, The Deed of Settlement in relation to the Waikato came into effect 17 December 2009. There were a number of terms of settlement that were provided, of which the Vision and Strategy and the Joint Management Agreement 2010 are two.

2.1.5 Heritage New Zealand Pouhere Taonga Act 2014

This Act is administered by Heritage New Zealand Pouhere Taonga (HNZPT). The purpose of this Act is to promote the identification, protection, preservation, and conservation of the historical and cultural heritage of New Zealand. Heritage New Zealand Pouhere Taonga administers the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA), and specially seeks to register historic buildings, sites or areas, or Waahi tupuna, Waahi tapu sites or areas.

It also aims to protect archaeological sites for the purpose of: informing members of the public and landowners about these sites, and assisting in the protection of these sites through the Resource Management Act 1991. NHZPT also prepares general policy statements relating to archaeological sites and heritage, administers the New Zealand Heritage List/Rarangi Korero, including the National Historic Landmarks List, is the statutory advocacy voice of Heritage New Zealand and is custodian of properties owned or controlled by Heritage New Zealand. Heritage NZ is the sole regulating authority in the protection of archaeological sites and any work on these sites needs the approval of Heritage NZ under their process.

The Heritage NZ Pouhere Taonga Act 2014 includes a number of provisions that are closely aligned with the RMA, especially the protection of archaeological sites, heritage covenants and the New Zealand Heritage List/Rārangi Kōrero.

2.1.6 Waikato District Heritage Policy

The Heritage Policy is prepared to reinforce the commitment by Council to the protection of historic heritage for the current landowners (including Council), iwi / hapu, community, visitors and future generations. The policy will provide direction for the day to day management of heritage by staff and councillors. It will be implemented through the development and review of the District Plan, the Annual Plan and Heritage Strategy. The relationship that Council develops with the owners and the wider community will be pivotal to meeting this commitment. This policy is based on the principles of retention, protection and recognition of our heritage and culture, of both private and council owned heritage items as follows:

“Principle 1:

The Council has a responsibility to promote the protection of privately owned heritage items that both respects private property rights and recognises public values of these items.”

Council wishes to retain and promote heritage values in the Waikato District and is committed to ensuring that heritage is appropriately identified and that there is a responsible approach to development. A partnership approach with building and landowners will be adopted to ensure the best outcome is achieved. Heritage values

develop over a considerable timeframe and it is important that this investment is recognised into the future.

2.1.7 Waikato District Heritage Strategy

The context for the Waikato District Heritage Strategy is set by the following Principle in the Waikato Heritage Policy:

“Principle 2:

The Council has a responsibility to lead by example, by protecting Council-owned and managed heritage and to collate and make available to the public, heritage items and information.”

The Waikato is a source of rich history in terms of the growth of New Zealand as a nation. Council is committed to protecting the heritage items it owns and manages and promote a greater public understanding of the District’s history. This Strategy has been developed to provide a platform for the district council and the people of Waikato to assist all parties in identifying, protecting, promoting and managing the heritage of the district.

Those strategic matters and provisions that have been specifically given effect to or had regard to in this chapter are summarised in Table 4 below. These documents broadly identify the resource management issues for the District and provide the higher level policy direction to resolve these issues.

Table 4 Higher order and guiding documents

Document (Statutory obligation in italics)	Relevant provisions the Heritage topic is required to take into account/give effect to
Waikato Regional Policy Statement	<p>Chapter 10. Policy 10.1 Managing historic and cultural heritage. Provide for the collaborative, consistent and integrated management of historic and cultural heritage resources. Improve understanding, information sharing and cooperative planning to manage or protect heritage resources across the region.</p> <p>Policy 10.2 Relationship of Maori to taonga. Recognise and provide for the relationship of taangata whenua and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.</p> <p>Policy 10.3 Effects of development on historic and cultural heritage. Manage subdivision, use and development to give recognition to historic and cultural heritage and to integrate it with</p>

	development where appropriate.
New Zealand Coastal Policy Statement	Policy 17: Historic heritage identification and protection. Protect historic heritage in the coastal environment from inappropriate subdivision, use, and development by a number of methods.
Heritage New Zealand Pouhere Taonga Act 2014	The purpose of this Act is to promote the identification, protection, preservation, and conservation of the historical and cultural heritage of New Zealand.
Waikato District Heritage Policy (April 2014)	To protect, promote and manage the heritage of Waikato so that the people of the district can better acknowledge and appreciate their history today and share it with others in the future.
Waikato District Heritage Strategy (March 2014)	To assist all parties in identifying, protecting, promoting and managing the heritage of the district.

2.2 Issues

The evaluation of objectives and provisions in the following sections relate to the resource management issue stated below:

Issue statement	Activities that damage or destroy historic heritage lead to the loss of tangible connections to the community's social, cultural and economic past
<p>The Resource Management Act requires that the protection of historic heritage from inappropriate subdivision, use and development is a matter of national importance. The district plan is the primary means of protecting historic heritage. Heritage New Zealand Pouhere Taonga also has a responsibility to establish and maintain a Register of Historic Places, Historic Areas, Waahi Tapu and Waahi Tapu Areas for the purposes of informing the public, notifying owners and assisting protection under the Resource Management Act.</p> <p>Heritage resources are often fragile and may be adversely affected by activities, development or lack of care and maintenance. There is a need to allow communities to alter and grow, while ensuring that significant heritage resources are retained for both present and future generations. The origins and location of the Waikato District have given it heritage resources that have a distinctive character, and as such are a reminder of the district's past. This heritage includes sites associated with events or experiences and those objects, sites and places that are valued and which the community wishes to pass on as a gift to future generations.</p>	

3 SCALE AND SIGNIFICANCE EVALUATION

The level of detail undertaken for the evaluation of the proposed District Plan provisions has been determined by an assessment of the scale and significance of the implementation of the proposed District Plan provisions. The scale and significance assessment considered the environmental, economic, social and cultural effects of the provisions. In making this assessment regard has been had to the following, namely whether the provisions:

- (a) Are of regional or district wide significance;
- (b) Have effects on resources that are considered to be a matter of national importance in terms of Section 6 of the Act;
- (c) Adversely affect people's health and safety;
- (d) Result in a significant change to the character and amenity of local communities;
- (e) Adversely affect those with particular interests including Maori;
- (f) Limit options for future generations to remedy effects;
- (g) Whether the effects have been considered implicitly or explicitly by higher order documents; and
- (h) Include regulations or other interventions that will impose significant costs on individuals or communities.

The evaluation has focused on those provisions that will result in a substantial change to the items registered as part of the Heritage Schedule and are of greater importance to ensure the objective of the Historic Heritage Chapter 7 (and other objectives where relevant) are achieved. The majority of changes proposed to the current provisions involve registration of additional buildings and current rules will be updated to reflect the existing environment.

Policies and rules have been evaluated as a package, as together they address the issue of historic heritage and seek to meet a specific objective. Some rules implement more than one policy, for example rules around building demolition and alteration implement part e) and g) while also implementing policy 7.1.3 and therefore have been referred to multiple times.

The following table (Table 5) contains a summary of the policies and rules considered to be of a scale and significance to justify a more comprehensive evaluation of options.

Table 5 Scale and significance assessment

Issue	Provisions evaluated	Scale and Significance Reasoning
<p>Activities that damage or destroy historic heritage lead to the loss of tangible connections to the community's social, cultural and economic past.</p>	<ul style="list-style-type: none"> • Policies: • 7.1.2 - Identification • 7.1.3 - Heritage Items • 7.1.4 - Heritage precincts • 7.1.5 - Subdivision • 7.1.7 - Tree identification • 7.1.8 - Tree protection • 7.1.9 - Tree maintenance • Heritage item rules in all zones: • Signs – permitted • Demolition and removal – resource consent • Repairs and maintenance – permitted • Additions and alterations – permitted • Building in battlefield view shafts – permitted • Site development – permitted under certain conditions • Precincts – resource consent • Subdivision – resource consent • Built form standards – height, protecting the significant features, setbacks for site development and precincts, design and consistency to design 	<p>The provisions in the PDP that relate to Historic Heritage are of low scale over the district with 185 heritage items and 160 trees proposed to be registered. However, in terms of the individual property owners this registration can have a significant impact.</p> <p>a) Policies – Individual property owners will be affected by all policies for building, trees or general site development. Those items identified as being in precinct areas have additional policies that are applicable. This is due to the significance of the whole of the precinct in keeping as well as with the individual property.</p> <p>b) Heritage item Rules – Restrictions in the rules may mean that owners may not be able to undertake a general maintenance task in the same way as a general property owner is able to do. Standards allow for general maintenance to be carried out however depending on the nature of work a resource consent may be required. In regards to subdivision the standards are necessary in order that the heritage context and setting is not lost with this activity. Rules for demolition or removal are necessary to enable Council to meet its requirements under s6 and promote the protection of heritage. The location of a heritage item provides its own context and setting and should a subdivision occur it is important to retain that context with the item and the resource consent needs to consider these aspects.</p> <p>c) Tree Rules – Rules allow for emergency work to be undertaken for safeguarding the health and safety of communities. Indiscriminate pruning or work within</p>

	<p>guides.</p> <ul style="list-style-type: none"> • Subdivision – context and setting of the heritage item <p>Notable Tree Rules:</p> <ul style="list-style-type: none"> • Removal or destruction – resource consent or permitted under certain conditions • Trimming – permitted • Activities with dripline – permitted under certain conditions • Activity standards for trees – certification from an arborist, amount of trimming, types of activities allowed within driplines. • Subdivision boundaries – resource consent 	<p>driplines can have an undesirable effect on these items and cause the tree to decline in health and vigour and ultimately become unsustainable. Trees have a part in promoting the amenity of an area which is valued by the community and the loss of a significant tree can impact on the amenity values of the community. Trees can be replaced however is not ever likely to have the same significance within the community.</p> <p>The bundles of rules are to ensure that the heritage item and its context and setting are kept.</p>
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4 EVALUATION OF OBJECTIVES

Below (Table 6) is a summary of the objectives that have been identified as the most appropriate to address this resource management issue and achieve the purpose of the Resource Management Act 1991.

The following objectives are considered to be the most appropriate way to achieve the purpose of the Act.

Table 6 Summary of objectives

Objectives	Summary of evaluation
<p>7.1.1 A district that acknowledges its past by: recognising, identifying, protecting and promoting heritage.</p> <p>7.1.6 Recognise and maintain the contribution of the district's notable trees to the community</p>	<p>Council receives its direction for protection from the Act: <i>S 5 Purpose</i> <i>(1)</i> <i>The purpose of this Act is to promote the sustainable management of natural and physical resources.</i></p> <p><i>S 6 Matters of national importance</i> <i>(e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:</i> <i>(f) the protection of historic heritage from inappropriate subdivision, use, and development:</i></p> <p>Council must give effect to the Waikato Regional Policy Statement, <i>Chapter 10, Policy 10.1 Managing historic and cultural heritage</i> <i>Provide for the collaborative, consistent and integrated management of historic and cultural heritage resources. Improve understanding, information sharing and cooperative planning to manage or protect heritage resources across the region.</i></p> <p>The objectives as written are the most appropriate way to achieve the purpose of the Act as they promote the sustainable management of physical resources while also protecting historic heritage from inappropriate subdivision, use and development.</p> <p>This objective ensures that significant 'items' having heritage value are protected with certainty.</p> <p>This protection is in line with the provisions of the Heritage New Zealand Pouhere Taonga Act 2014 the purpose of which is "to promote the identification, protection, preservation, and conservation of the historical and cultural heritage of New Zealand."</p>

5 EVALUATION OF PROPOSED POLICIES, RULES AND METHODS

Section 32 (1)(b) requires an evaluation of whether the provisions are the most appropriate way to achieve the objectives by identifying other reasonably practicable options, assessing the efficiency and effectiveness of the provisions in achieving the objectives, and summarising the reasons for deciding on the provisions. The assessment must identify and assess the benefits and costs of environmental, economic, social and cultural effects that are anticipated from the implementation of the provisions, including opportunities for economic growth and employment. The assessment must if practicable quantify the benefits and costs and assess the risk of acting or not acting if there is uncertain or insufficient information available about the subject matter.

5.1 Identification of Reasonably Practicable Options – for Achieving Objectives

The following assessment (Table 7) consists of an examination of all reasonably practicable options for achieving Objectives 7.1.1 and 7.1.6. This high-level screening process considers the effectiveness of each option. Only those options considered to be reasonably practicable are evaluated in this section.

Table 7 Reasonably Practicable Options for Achieving Objectives 7.1.1 and 7.1.6

Objective	7.1.1 A district that acknowledges its past by: recognising, identifying, protecting and promoting heritage. 7.1.6 Recognise and maintain the contribution of the district's notable trees to the community.				
Options Approach to achieve objectives	Description (brief) Describe the option and acknowledge the source of this option (if there is one e.g. feedback from consultation, suggestions from workshops with elected members etc).	Relevance How effective provisions are in achieving the objective(s).	Feasibility Within council's powers, responsibilities and resources, degree of risk and uncertainty of achieving objectives, ability to implement, monitor and enforce.	Acceptability Level of equity and fair distribution of impacts, level of community acceptance. Where possible identify at a broad level social, economic, environmental, cultural effects.	Recommendation Discard or evaluate further (with brief explanation).
Option I Do nothing – (remove all policies and associated methods)	No policies and provisions to support the recognition, protection or enhancement of historic heritage. This would mean no requirement for land owners to protect a heritage item on their property through the district plan This approach would enable landowners to undertake any works, including	This approach will not achieve the objective through the district plan. The Heritage New Zealand Pouhere Taonga Act 2014 only promotes the protection of historic heritage although full protection by this organisation is given to archaeological sites.	Section 6(f) of the RMA requires protection of historic heritage as a matter of national importance. The RPS (Objective 10.1) also requires historic heritage to be protected, maintained or enhanced. The do nothing approach would not give effect to the Regional Policy Statement or provide for Section	Within each community there will be a degree of historic heritage, whether this is physical or intangible. Lack of protection will not allow communities to provide for the social, economic, environmental or cultural needs in terms of preserving historic heritage of the District.	Discard This option would not support the objective. In addition, it would not give effect to the RPS or the NZCPS, and would not fulfil the requirements of Section 6(f) of the RMA.

Objective	<p>7.1.1 A district that acknowledges its past by: recognising, identifying, protecting and promoting heritage.</p> <p>7.1.6 Recognise and maintain the contribution of the district's notable trees to the community.</p>				
Options Approach to achieve objectives	Description (brief) Describe the option and acknowledge the source of this option (if there is one e.g. feedback from consultation, suggestions from workshops with elected members etc).	Relevance How effective provisions are in achieving the objective(s).	Feasibility Within council's powers, responsibilities and resources, degree of risk and uncertainty of achieving objectives, ability to implement, monitor and enforce.	Acceptability Level of equity and fair distribution of impacts, level of community acceptance. Where possible identify at a broad level social, economic, environmental, cultural effects.	Recommendation Discard or evaluate further (with brief explanation).
	<p>demolition, or alterations to heritage items or sites and the potential for the heritage item to be lost.</p> <p>While this option does not involve any response from the district plan, it should be noted that the Heritage New Zealand Pouhere Taonga Act 2014 provides some direction in that the</p>		<p>6(f) of the RMA.</p> <p>In addition to this the New Zealand Coastal Policy Statement also prioritises the protection of historic heritage within the coastal environment and as such a 'do nothing' approach would not give effect to the NZCPS.</p> <p>There would be a high degree of risk and uncertainty to</p>		

Objective	7.1.1 A district that acknowledges its past by: recognising, identifying, protecting and promoting heritage. 7.1.6 Recognise and maintain the contribution of the district's notable trees to the community.				
Options Approach to achieve objectives	Description (brief) Describe the option and acknowledge the source of this option (if there is one e.g. feedback from consultation, suggestions from workshops with elected members etc).	Relevance How effective provisions are in achieving the objective(s).	Feasibility Within council's powers, responsibilities and resources, degree of risk and uncertainty of achieving objectives, ability to implement, monitor and enforce.	Acceptability Level of equity and fair distribution of impacts, level of community acceptance. Where possible identify at a broad level social, economic, environmental, cultural effects.	Recommendation Discard or evaluate further (with brief explanation).
	purpose is to promote the identification, protection, preservation, and conservation of the historical and cultural heritage of New Zealand.		achieving the objective as the approach would not provide for protection of historic heritage (other than archaeological sites through Heritage New Zealand Pouhere Taonga Act 2014) and has potential to lead to the loss of historic heritage within the district.		

Objective	7.1.1 A district that acknowledges its past by: recognising, identifying, protecting and promoting heritage. 7.1.6 Recognise and maintain the contribution of the district's notable trees to the community.				
Options Approach to achieve objectives	Description (brief) Describe the option and acknowledge the source of this option (if there is one e.g. feedback from consultation, suggestions from workshops with elected members etc).	Relevance How effective provisions are in achieving the objective(s).	Feasibility Within council's powers, responsibilities and resources, degree of risk and uncertainty of achieving objectives, ability to implement, monitor and enforce.	Acceptability Level of equity and fair distribution of impacts, level of community acceptance. Where possible identify at a broad level social, economic, environmental, cultural effects.	Recommendation Discard or evaluate further (with brief explanation).
Option 2 - Status quo (retain existing policies) Retain existing policies and provisions from both the Waikato and Franklin sections. These comprise of a comprehensive framework of provisions that protects aspects of historic heritage as	There are policies and methods in both plans which provide for the protection of Historic Heritage Waikato section has schedules of identified Heritage items (buildings, monuments, trees and heritage precinct areas and battle field view shafts. Franklin section has	There is potential to achieve the objective under this option. However the wording of the policy and provisions do not provide a consistent approach and retaining existing provisions will result in a difference in how each area of the	Section 6(f) of the RMA requires protection of historic heritage as a matter of national importance. The RPS also requires historic heritage to be protected, maintained or enhanced. While this approach does give effect to the Regional Policy Statement and	The community would likely be accepting of this approach as this is the current approach to heritage management. Provision is currently made for the community to be involved in heritage management. There are costs involved in	Discard While the heritage provisions are generally similar across both plans one set of methods is necessary to ensure consistency over the district.

Objective	<p>7.1.1 A district that acknowledges its past by: recognising, identifying, protecting and promoting heritage.</p> <p>7.1.6 Recognise and maintain the contribution of the district’s notable trees to the community.</p>				
Options Approach to achieve objectives	Description (brief) Describe the option and acknowledge the source of this option (if there is one e.g. feedback from consultation, suggestions from workshops with elected members etc).	Relevance How effective provisions are in achieving the objective(s).	Feasibility Within council’s powers, responsibilities and resources, degree of risk and uncertainty of achieving objectives, ability to implement, monitor and enforce.	Acceptability Level of equity and fair distribution of impacts, level of community acceptance. Where possible identify at a broad level social, economic, environmental, cultural effects.	Recommendation Discard or evaluate further (with brief explanation).
defined in the RMA, reflecting areas of national significance and district significance.	<p>a schedule of items that incorporates the trees and heritage buildings.</p> <p>The approach of both sections of the plan involves the recognition and protection of historic heritage features listed in the New Zealand Heritage List Rarangi Korero and those identified areas of district</p>	district achieves these objectives.	<p>provide for Section 6(f) of the RMA it is not consistent.</p> <p>The New Zealand Coastal Policy Statement also prioritises the protection of historic heritage within the coastal environment and as written these current provisions may not give effect to the NZCPS.</p>	<p>protecting heritage. However such costs are not unjustifiably high on the community. Some costs have been accounted for via the Long Term Plan through the heritage fund. There may be development costs for individuals if they are unable to meet the permitted standards set.</p> <p>Because this</p>	

Objective	7.1.1 A district that acknowledges its past by: recognising, identifying, protecting and promoting heritage. 7.1.6 Recognise and maintain the contribution of the district's notable trees to the community.				
Options Approach to achieve objectives	Description (brief) Describe the option and acknowledge the source of this option (if there is one e.g. feedback from consultation, suggestions from workshops with elected members etc).	Relevance How effective provisions are in achieving the objective(s).	Feasibility Within council's powers, responsibilities and resources, degree of risk and uncertainty of achieving objectives, ability to implement, monitor and enforce.	Acceptability Level of equity and fair distribution of impacts, level of community acceptance. Where possible identify at a broad level social, economic, environmental, cultural effects.	Recommendation Discard or evaluate further (with brief explanation).
	significance.		Having two differing sets of methods would be an inefficient way to consistently manage the effects of development on heritage across the district as well as which be difficult for plan users to implement, monitor and be clear on methods.	approach reflects historic heritage of both national and district significance, it will recognise the cultural identity of the District and recognises the social and economic benefits associated with this recognition.	
Option 3 – Non regulatory	This option would look at using other	This is likely to be an ineffective way	This approach would only partially	This option relies on encouragement	Discard This option would

Objective	7.1.1 A district that acknowledges its past by: recognising, identifying, protecting and promoting heritage. 7.1.6 Recognise and maintain the contribution of the district's notable trees to the community.				
Options Approach to achieve objectives	Description (brief) Describe the option and acknowledge the source of this option (if there is one e.g. feedback from consultation, suggestions from workshops with elected members etc).	Relevance How effective provisions are in achieving the objective(s).	Feasibility Within council's powers, responsibilities and resources, degree of risk and uncertainty of achieving objectives, ability to implement, monitor and enforce.	Acceptability Level of equity and fair distribution of impacts, level of community acceptance. Where possible identify at a broad level social, economic, environmental, cultural effects.	Recommendation Discard or evaluate further (with brief explanation).
approach	methods, such as the heritage fund, rates relief, and education. While these are essentially methods outside the district plan, the district plan may recognise their contribution to achieving the objectives through policies.	to meet the objectives. This approach is more of a carrot than stick, meaning there is encouragement to protecting historic heritage rather than consequences of damage or destruction. The objective would rely solely on the property owner to give effect to it. There would be no	give effect to the Regional Policy Statement or provide for Section 6(f) of the RMA. This approach only encourages protection rather than requiring it. In addition to this the New Zealand Coastal Policy Statement also prioritises the protection of historic heritage within the coastal	(including financial) rather than regulatory for protection. It is likely to lead to continuing loss of historic heritage features and items. The community will likely continue to express concerns regarding the loss of historic heritage. There is potential for some who would take advantage of no policies and methods, while others make an	not support the objective. In addition, it would not give effect to the RPS or the NZCPS, and would not fulfil the requirements of Section 6(f) of the RMA.

Objective	7.1.1 A district that acknowledges its past by: recognising, identifying, protecting and promoting heritage. 7.1.6 Recognise and maintain the contribution of the district's notable trees to the community.				
Options Approach to achieve objectives	Description (brief) Describe the option and acknowledge the source of this option (if there is one e.g. feedback from consultation, suggestions from workshops with elected members etc).	Relevance How effective provisions are in achieving the objective(s).	Feasibility Within council's powers, responsibilities and resources, degree of risk and uncertainty of achieving objectives, ability to implement, monitor and enforce.	Acceptability Level of equity and fair distribution of impacts, level of community acceptance. Where possible identify at a broad level social, economic, environmental, cultural effects.	Recommendation Discard or evaluate further (with brief explanation).
		requirement for land owners to protect a heritage item on their property, or manage the effects of any alterations or development on the heritage item or on the surrounding area.	environment. This approach would not give effect to the NZCPS. There would be a high degree of risk and uncertainty to achieving the objective. This approach has potential to lead to the loss of historic heritage within the district.	effort. The non-regulatory option would mean the plan is not providing for the social, economic, environmental and cultural well-being of its communities.	
Option 4 –	This approach	This approach only	This option would	This approach	Discard.

Objective	7.1.1 A district that acknowledges its past by: recognising, identifying, protecting and promoting heritage. 7.1.6 Recognise and maintain the contribution of the district's notable trees to the community.				
Options Approach to achieve objectives	Description (brief) Describe the option and acknowledge the source of this option (if there is one e.g. feedback from consultation, suggestions from workshops with elected members etc).	Relevance How effective provisions are in achieving the objective(s).	Feasibility Within council's powers, responsibilities and resources, degree of risk and uncertainty of achieving objectives, ability to implement, monitor and enforce.	Acceptability Level of equity and fair distribution of impacts, level of community acceptance. Where possible identify at a broad level social, economic, environmental, cultural effects.	Recommendation Discard or evaluate further (with brief explanation).
Recognise areas and sites of historic heritage significance, but no protection provided	involves the recognition only of identified historic heritage features in the district plan (scheduled and on the district plan maps), but provides no protection.	partially achieves the objective, i.e. historic heritage is "recognised". The objective would rely solely on the property owner to give effect to it. There would be no requirement for land owners to protect a heritage item on their property, or manage the effects of any alterations or development on the	not achieve Section 6(f) of the RMA which requires <i>protection</i> of historic heritage as a matter of national importance. This approach would also only partially give effect to the RPS and NZCPS insofar as it "identifies" historic heritage, This approach does not provide any protection.	provides landowners with a great deal of flexibility with regards to development or destruction of historic heritage. However it is likely to result in the loss of historic heritage to the community. This may negatively impact on the District's cultural identity. The acceptability to the community will be varied – some landowners will	This option does not achieve Section 6(f) of the RMA and only partially gives effect to the RPS and NZCPS in terms of "identification" of historic heritage. It will not result in protection or retention of historic heritage as required by the higher order planning documents.

Objective	7.1.1 A district that acknowledges its past by: recognising, identifying, protecting and promoting heritage. 7.1.6 Recognise and maintain the contribution of the district's notable trees to the community.				
Options Approach to achieve objectives	Description (brief) Describe the option and acknowledge the source of this option (if there is one e.g. feedback from consultation, suggestions from workshops with elected members etc).	Relevance How effective provisions are in achieving the objective(s).	Feasibility Within council's powers, responsibilities and resources, degree of risk and uncertainty of achieving objectives, ability to implement, monitor and enforce.	Acceptability Level of equity and fair distribution of impacts, level of community acceptance. Where possible identify at a broad level social, economic, environmental, cultural effects.	Recommendation Discard or evaluate further (with brief explanation).
		heritage item or on the surrounding area.	There would be a high degree of risk to achieving the objective. This approach has potential to lead to the loss of historic heritage within the district.	appreciate the flexibility and development opportunities while others may be concerned at the loss of historic heritage. It may allow for adaptive reuse of historic heritage but is more likely to result in the loss of historic heritage values.	
Option 5 – A comprehensive framework of provisions that	This approach involves the recognition and protection of historic	This approach would be very effective in achieving the	This approach would achieve Section 6(f) of the RMA requiring	Because this approach reflects historic heritage of both national and district	Evaluate further. This option achieves Section 6(f) of the RMA gives effect to

Objective	7.1.1 A district that acknowledges its past by: recognising, identifying, protecting and promoting heritage. 7.1.6 Recognise and maintain the contribution of the district's notable trees to the community.				
Options Approach to achieve objectives	Description (brief) Describe the option and acknowledge the source of this option (if there is one e.g. feedback from consultation, suggestions from workshops with elected members etc).	Relevance How effective provisions are in achieving the objective(s).	Feasibility Within council's powers, responsibilities and resources, degree of risk and uncertainty of achieving objectives, ability to implement, monitor and enforce.	Acceptability Level of equity and fair distribution of impacts, level of community acceptance. Where possible identify at a broad level social, economic, environmental, cultural effects.	Recommendation Discard or evaluate further (with brief explanation).
protects all aspects of historic heritage as defined in the RMA, reflecting areas of national significance and district significance	heritage features listed in the New Zealand Heritage List Rarangi Korero and those identified areas of district significance. This option is supported by the community and by Councillors.	objective. Identification of historic heritage sites and features provides certainty for landowners and the community as to the location of these features. The features listed enable the spiritual, cultural and historical values to be described. This approach uses a schedule derived from a number of	protection of historic heritage as a matter of national importance. It would also give effect to the RPS and New Zealand Coastal Policy Statement requiring protection of historic heritage.	significance, it will recognise the cultural identity of the district. While development opportunities may be constrained for individuals where those features and sites are located, this approach is likely to have a community benefit in terms of preserving cultural identity. Some property owners may gain economic benefit as registration may	the RPS and NZCPS in terms of "identification" of historic heritage. It will result in protection and retention of historic heritage as required by the higher order planning documents and fulfil Councils obligations and retain the districts' cultural and heritage identity.

Objective	7.1.1 A district that acknowledges its past by: recognising, identifying, protecting and promoting heritage. 7.1.6 Recognise and maintain the contribution of the district's notable trees to the community.				
Options Approach to achieve objectives	Description (brief) Describe the option and acknowledge the source of this option (if there is one e.g. feedback from consultation, suggestions from workshops with elected members etc).	Relevance How effective provisions are in achieving the objective(s).	Feasibility Within council's powers, responsibilities and resources, degree of risk and uncertainty of achieving objectives, ability to implement, monitor and enforce.	Acceptability Level of equity and fair distribution of impacts, level of community acceptance. Where possible identify at a broad level social, economic, environmental, cultural effects.	Recommendation Discard or evaluate further (with brief explanation).
		sources and ensures protection of those items through District Plan mechanisms as well as non regulatory methods both within Council and provided by outside agencies.		help to promote their item ie a historic house open to the public.	

5.2 Evaluation of Selected Options

This section contains an evaluation of those options identified above for further evaluation. The short list of options has been developed further to include (where relevant) policies, rules and methods. In some instances, provisions have been bundled where they are expected to work together to achieve the objective(s). For efficiency, this second tier evaluation focuses on the approach and the policies and rules which implement that approach as a package, rather than a detailed analysis of every policy and every rule. The following table provides a summary of the evaluation results.

5.3 Heritage and Notable Tree Objectives

The following provisions act as a package to achieve Objectives 7.1.1 and 7.1.6.

Policies:

- 7.1.2 Policy – Identification – Heritage Items
- 7.1.3 Policy – Heritage Items
- 7.1.4 Policy – Matangi and Huntly Heritage precinct
- 7.1.5 Policy – Subdivision
- 7.1.7 Policy – Identification
- 7.1.8 Policy – Tree Protection
- 7.1.9 Policy – Tree maintenance

Notable Tree Rules:

- Trees - All zones:
- Permitted activities with specific standards for:
 - trimming
 - activities undertaken within dripline
 - removal or destruction for safety or decline in tree in accordance with the Tree Removal Certificate (Appendix 3).
- Resource consent if:
 - permitted standards are breached
 - to remove or destroy a tree not in accordance with a permitted activity.

Built Heritage Rules – All zones:

- Permitted activities with specific standards for:
 - signs
 - height of buildings within a battlefield view shaft
 - alteration or addition
 - maintenance or repair
 - site development
- Resource consent if:
 - permitted standards are breached
 - subdivision of land containing heritage items
 - demolition, removal or relocation

Matangi and Huntly Heritage Precincts:

- Resource consent for construction or alteration of a building within a precinct

Schedules:

- 30.1 Historic Heritage Items
- 30.2 Notable Trees

Planning Maps:

- identification of individual heritage items on maps
- identification of precincts on maps
- identification of individual/groups of notable trees on maps

5.3.1 Identification of Options

In considering options for managing and enabling Heritage and Notable Tree objectives, a number of factors were taken into account including:

- S6(f) of the RMA
- Waikato Regional Policy Statement
- NZ Coastal Policy Statement
- The Heritage New Zealand Pouhere Taonga Act 2014
- Feedback from the community
- Feedback from Councillors
- Report M.E Consulting - Waikato District s32 Heritage Topic Assessment Framework

All the documents listed above provide for promotion and protection of historic heritage. It should be noted that these documents do not protect heritage, merely provide Council with the tool to enforce that requirement. It is important to understand that heritage is a finite resource and therefore once lost can never be replaced. Heritage plays a vital part in the history of New Zealand and all communities have a link to heritage in some form i.e. New Zealand's reliance on coal as a fuel resource – coal mining heritage and areas of the district, New Zealand's early reliance on rural production – farming heritage, farming technology advancements and dairy company heritage, towns along the river – development of the Waikato area.

This heritage is respected and embraced by the communities and many communities use this history to promote their towns or areas and therefore promote their own social and economic wellbeing. Communities are passionate about ensuring their heritage is protected for future generations.

Options considered for protection of built heritage and notable trees included:

- More restrictive rules
- Regulatory and non-regulatory methods
- No rules and relying on the owners good will for protection

5.3.2 Policy, Rule and Method Evaluation

This section (Table 8) assists to identify the provisions (i.e. policies, rules and methods) that are the most appropriate to achieve the objective.

Table 8 Evaluation of provisions

Provisions most appropriate	Effectiveness and Efficiency	
	Benefits	Costs
<p>All zones</p> <p>Policies:</p> <p>7.1.2 Policy – Identification – Heritage Items</p> <p>7.1.3 Policy – Heritage Items</p> <p>7.1.4 Policy – Matangi and Huntly Heritage precinct</p> <p>7.1.5 Policy – Subdivision</p> <p>7.1.7 Policy – Identification</p> <p>7.1.8 Policy – Tree Protection</p> <p>7.1.9 Policy – Tree maintenance</p> <p>Rules:</p> <p>Permitted activities</p> <p>Notable Trees – Trimming</p> <p>Notable Trees – Activities within the dripline</p> <p>Signs</p> <p>Building Height in a battlefield view shaft area</p> <p>Heritage items – alteration or addition</p> <p>Heritage items – maintenance or repair</p> <p>Heritage items – site development</p>	<p>Environmental:</p> <ul style="list-style-type: none"> • Subdivision on or around sites of heritage value may be constrained. 	<p>Environmental:</p> <ul style="list-style-type: none"> • The heritage item may be left to ruin
	<p>Economic:</p> <ul style="list-style-type: none"> • Heritage items in private ownership are able to be demolished if they meet certain criteria. • Individual property owners pride in the item. • Possible increase in land values from heritage registration. • Funding availability • Tourism opportunities 	<p>Economic:</p> <ul style="list-style-type: none"> • Development on heritage sites may be constrained due to the need to ensure the context and setting of the item is not lost. • Retaining the heritage item may be costly. • Higher costs in comparison with similar methods of maintenance for a non-heritage building. • Cost of resource consent process if required. • Additional costs for specialised reports. • Possible loss of land values. • Costs to developers to recognise the heritage item in their development and reduction in development potential. • Upgrading the building to earthquake and current building standards may be prohibitive • May constrain the use of the building.
	<p>Social:</p> <ul style="list-style-type: none"> • Through the retention of heritage items and notable trees the community is able to identify with their heritage and culture. 	<p>Social:</p> <ul style="list-style-type: none"> • With the loss of heritage items part of the social fabric of a district is lost.

<p>Resource consent: Notable trees – removal or destruction Group A heritage items – demolition, removal or relocation Group B heritage items – demolition, removal or relocation Heritage Precincts – Matangi and Huntly Subdivision of land containing heritage items.</p>	<ul style="list-style-type: none"> • Heritage items can become focal points in communities. • Retention of Notable trees and heritage buildings contributes to the amenity of an area. • Community groups may establish to restore and conserve buildings and utilise the building for social networking. • Ensures the surroundings of the site / building are also protected, thus retaining the context • Identification of historic heritage features and items in a schedule and on district plan maps provides certainty for landowners and the community as to the location of these features. 	
	<p>Cultural:</p> <ul style="list-style-type: none"> • Sites and surroundings are protected for future generations. • Communities have an enhanced connection to cultural heritage through the protection of heritage items. 	<p>Cultural:</p> <ul style="list-style-type: none"> • Loss of heritage buildings or notable trees may mean the loss of the cultural identify of an area. • Heritage values may become out of date – particularly if the site / feature is modified.
<p>Opportunities for economic growth and employment</p>		
<p>Heritage promotion, tourism ventures, potential for increased property valuation where heritage is appreciated. Potential employment opportunities for specialist in heritage protection and promotion.</p>		
<p>Options less or not as appropriate to achieve the objective</p>		
<p>Option 1: Do nothing No recognition of historic heritage in the district plan.</p> <p>Appropriateness:</p>		

<p>This is considered to be an inappropriate option. It would not achieve Section 69f) of the RMA, nor the RPS or NZCPS directives to identify and protect historic heritage.</p>
<p>Option 2: Status quo Retain existing policies and provisions from both the Waikato and Franklin sections.</p> <p>Appropriateness: This is considered to be an inappropriate option. It would mean that adopting these two sets of provisions does not provide a consistent approach to heritage management. It is desirable to have one set of provisions that are applicable to the whole of the district.</p>
<p>Option 3 – Non regulatory approach</p> <p>This option would look at using other methods such as funding, rates relief and education. These are methods outside the district plan and the plan may recognise their contribution to achieving the objectives through policies.</p> <p>Appropriateness: This option is not appropriate as it would not fully meet the requirements under the RPS, or the NZCPS.</p>
<p>Option 4 – Alternative broad approach Recognise areas and sites of historic heritage significance but no protection provided.</p> <p>Appropriateness: This approach only partially achieves the objectives. The objectives would rely solely on the property owners to provide the protection on a voluntary basis with no encouragement to protecting historic heritage rather than the consequences of damage or destruction. This does not fulfil the requirements of higher order planning documents.</p>
<p>Risk of acting or not acting</p>
<p>Uncertainty or insufficiency of information: There has been substantial technical work undertaken by experts to understand and document the heritage values of the places and determine whether they are significant for inclusion in the plan. This has provided Council and property owners with a high degree of understanding and direction when considering undertaking a project.</p> <p>Risk of acting or not acting: The risk of not acting may mean the loss of significant heritage items and would not be appropriate with respect to giving effect to higher order documents.</p>
<p>Efficiency and effectiveness</p>

Efficiency

These policies provide an efficient way to achieve the two Objectives as the benefits of identifying and protecting historic heritage outweigh the costs. The primary benefits from the policies are the protection of historic heritage which will ultimately benefit the well-being of both current and future generations.

The schedules identify the District's significant heritage sites and notable trees whilst the policies and rules provide the protection. This is an efficient approach in achieving the objectives.

Effectiveness

The proposed policies provide an effective framework to achieve the Objectives by providing mechanisms to protect historic heritage. In summary, the policies will be effective to achieve the Objectives for the following reasons:

- The policies provide a strong framework for protecting Waikato District's historic heritage for future generations.
- Heritage is an integral part of the District's character and its future development. For this reason the destruction or alteration of buildings, or significant elements of buildings, objects, areas, trees that are of heritage significance will be assessed in terms of the loss of an item's heritage value. The loss of heritage values will only be considered through a resource consent application.
- The policies recognise that adverse effects can be generated by inappropriate activities on historic heritage features and sites.
- Recognition of the importance of the immediately surrounding environment in the heritage values of buildings or structures.
- Providing an opportunity to align all documents that identify historic heritage features and sites and provide an integrated approach to protection.
- The demolition of historic heritage can result in the loss of associated heritage values. The aim of the policies is to minimise the loss of any of historic buildings and structures listed within the Schedule. Demolition of highly significant historic buildings and structures will only be considered in exceptional circumstances.
- The policies encourage activities that will facilitate the retention and or enhancement of historic buildings and structures. Greater flexibility in what historic buildings and structures can be used for, whilst ensuring the management of any potential adverse effects, can help to preserve the historic buildings and structures by finding an ongoing use.
- Clearly identifying the location and extent of the District's significant historic heritage sites provides the opportunity for a targeted approach to managing the values of these areas where they are at risk from inappropriate subdivision, use and development.
- Identification of sites before development occurs will be particularly important. If the general location of sites can be signalled then developers and landowners will be able to plan development that minimises or avoids disturbance to sites.

The proposed provisions will be both effective and efficient means of achieving the purposes of the RPS, NZCPS and Heritage NZ Act and afford protection for significant heritage items.

6 CONCLUSION

After undertaking an evaluation as required by Section 32 of the RMA, the Objectives contained in this report (Objective 7.1.1 and 7.1.6) are considered the most appropriate way to achieve the Purpose of the RMA (Section 5) for identifying and protecting historic heritage.

It is considered that the recommended policies and methods outlined above are the most appropriate way for achieving the objective, having considered:

- (i) other reasonably practicable options for achieving the objective; and
- (ii) assessing the efficiency and effectiveness of the provisions in achieving the objective.

APPENDIX I: PROVISION CASCADE

Issue to be addressed	Objectives	Policies	Rules	Assessment Criteria
<p>Issue 1 Activities that damage or destroy historic heritage lead to the loss of tangible connections to the community's social, cultural and economic past</p>	<p>7.1.1 A district that acknowledges its past by: recognising, identifying, protecting and promoting heritage.</p> <p>7.1.6 Recognise and maintain the contribution of the districts notable trees to the community</p>	<p>7.1.2 Policy – Identification (a) Identify and schedule historic heritage throughout the district that represents the heritage and cultural themes and activities of the district.</p> <p>7.1.3 Policy – Heritage Items (a) The contribution of historic heritage to the Waikato District and its communities is maintained through the protection and conservation of its buildings, sites, structures, places and areas through restoring, conserving and reusing. (b) Protect scheduled Heritage items and their values from inappropriate subdivision, use and development of land where the values may include: (i) architectural, (ii) archaeological, (iii) cultural, (iv) technological (v) scientific, (vi) intrinsic or amenity values (vii) any other significant features (c) Relationships between heritage buildings, sites, structures, places and their settings, including the view, of the identified Heritage item, are retained. (d) Protect the relationship of identified redoubts and battlefields with their surrounds or settings from inappropriate subdivision, use and development. (e) Protect scheduled heritage items from demolition or removal unless: (i) the condition of an item poses a serious risk to human life, and (ii) reasonable alternatives have been investigated and considered, including restoration or adaptation, reuse or relocation, and these alternatives have been found to be impracticable or uneconomic. (f) Ensure alterations to identified heritage items and curtilage are; (i) consistent with the scale, detailing, style, materials and character of the heritage item, and (ii) retain cultural and heritage values and (iii) do not compromise the heritage item, or have a design that competes with its heritage values, and (iv) do not compromise the heritage setting of the item. (g) Ensure maintenance and repairs protect the significance feature identified in (schedule 30.1 Heritage item) (h) Ensure signs on scheduled heritage items are only for the purposes of identification and interpretation</p>	<p>Signs – general P2 A sign must comply with all of the following conditions: (ix)The sign is not attached to a tree identified in Schedule 30.2 Notable Trees, except for the purpose of identification and interpretation;; (x)The sign is not attached to a heritage item listed in Schedule 30.1 (Heritage Items), except for the purpose of identification and interpretation;</p> <p>Height - building in a battlefield view shaft area PI The maximum height of a building, structure or vegetation within a battlefield view shaft as shown on the planning maps, must not exceed 5m.</p> <p>Group A heritage item – demolition, removal or relocation NC I Demolition, removal or relocation of any Group A heritage item listed in Schedule 30.1 (Heritage Items)</p> <p>Group B heritage item – demolition, removal or relocation PI Demolition, removal or relocation of Group B heritage item - Item No 104 Ngaruawahia Plunket Rooms - listed in Schedule 30.1 (Heritage Items) must comply with all of the following conditions: (i) The owner advises the Ngaruawahia Community Board in writing 20 working days prior to the removal or demolition (in whole or part) of the building; (ii) A heritage research report on the building by a qualified heritage researcher as well as a comprehensive photographic record of the interior and exterior of the building is completed and made available in Council records.</p> <p>D I Demolition, removal or relocation of any Group B heritage item listed in Schedule 30.1 (Heritage Items)</p> <p>All heritage items – alterations or addition PI (a) Alteration of or addition to of a heritage item listed in Schedule 30.1 (Heritage Items) must comply with the following conditions: (i) no significant feature of interest is removed, destroyed or damaged; and (ii) alterations or additions are not visible from a public place.</p> <p>All heritage items – maintenance or repair PI (a) Maintenance or repair of a heritage item listed in Schedule 30.1 (Heritage Items) must comply with all of the following conditions: (i) no significant feature of interest is destroyed or damaged; and (ii) replacement materials are the same as, or similar to, the original in terms of form, style and appearance.</p> <p>All heritage items – site development PI (a) Development on a site containing a heritage item listed in Schedule 30.1 (Heritage Items) must comply with all of the following conditions: (i) be set back at least 10m from the heritage item; (ii) not locate a building between the front of the heritage item and the road.</p>	<p>Signs- General RD I (b)Council's discretion shall be restricted to the following matters: (vii)Effects on the heritage values of any heritage item due to the size, location, design and appearance of the sign; (ix) Effects on notable architectural features of the building.</p> <p>Notable trees – removal or destruction (b)Council's discretion shall be restricted to the following matters (i) Timing and manner in which the activity is carried out; (ii) Effects on amenity values; and (iii) Effects on heritage values.</p> <p>Notable tree – trimming (b)Council's discretion shall be restricted to the following matters: (i) Timing and manner in which the activity is carried out; (ii) Effects on amenity values.</p> <p>Notable tree – activities within the dripline (b)Council's discretion shall be restricted to the following matters: (i) Location of activity in relation to the tree; (ii) Timing and manner in which the activity is carried out; (iii) Remedial measures; (iv) Effect on the health of the tree; and (v) Amenity values.</p> <p>All heritage items – alterations or addition (b) Council's discretion shall be restricted to the following matters: (i) Form, style, materials and appearance; and (ii) Effects on heritage values.</p> <p>All heritage items – maintenance or repair (b)Council's discretion shall be restricted to the following matters: (i) form, style, materials, appearance and (ii) effects on heritage values</p> <p>All heritage items – site development (b)Council's discretion is restricted to</p>

		<p>and:</p> <ul style="list-style-type: none"> (i) do not detract from the heritage values and (ii) maintain the heritage item as the primary visual element. <p>7.1.4 Policy – Matangi and Huntly Heritage precinct</p> <ul style="list-style-type: none"> (a) Ensure the design of new buildings and structures and external alterations or additions to buildings are compatible with the setting, scale, detailing, style, materials and character of the precinct and protect heritage values within: <ul style="list-style-type: none"> (i) Matangi Heritage Precinct (ii) Huntly Heritage Precinct. <p>7.1.5 Policy – Subdivision</p> <ul style="list-style-type: none"> (a) Subdivision and development within an identified precinct does not compromise and is sympathetic to the existing historic heritage item or feature. <p>7.1.7 Policy – Identification</p> <ul style="list-style-type: none"> (a) Identify and schedule trees, including groups of trees and assess them for significance and/ or notable values. <p>7.1.8 Policy –Tree Protection</p> <ul style="list-style-type: none"> (a) Ensure removal of a notable tree (Schedule 30.2 Notable Trees) only occurs if the tree is in an unsafe condition and or there is a serious risk to human life or property. (b) Ensure land use or work within the dripline of a notable tree (Schedule 30.2 Notable Trees) does not affect the form or health of the tree. <p>7.1.9 Policy – Tree maintenance</p> <ul style="list-style-type: none"> (a) Enable the maintenance and management of a notable tree for the purposes of: <ul style="list-style-type: none"> (i) ensuring the continuing health, structural integrity and amenity value of the tree (ii) the reasonable use and enjoyment of the property and surrounds 	<p>Heritage Precincts – Matangi and Huntly</p> <p>C1</p> <ul style="list-style-type: none"> (a) Construction of a building in the Matangi or Huntly Heritage Precincts identified on the planning maps that is set back at least 8m from road boundaries. (b) Council's control is reserved over the following matters: <ul style="list-style-type: none"> (i) Effects on historic heritage, amenity values and character of the precinct; and (ii) Building height, side setbacks, scale, form, materials and architectural style to be consistent with the relevant part of Appendix 3.6 (Matangi Heritage Precinct Design Guide) or Appendix 3.5 (Huntly Heritage Precinct Design Guide). <p>C2</p> <ul style="list-style-type: none"> (a) Alteration of a building in the Matangi or Huntly Heritage Precincts identified on the planning maps. (b) Council's control is reserved over the following matters: <ul style="list-style-type: none"> (i) Effects on historic heritage, amenity values and character of the precinct; and (ii) Building height, side setbacks, scale, form, materials and architectural style to be consistent with the relevant part of Appendix 3.6 (Matangi Heritage Precinct Design Guide) or Appendix 3.5 (Huntly Heritage Precinct Design Guide). <p>C3</p> <ul style="list-style-type: none"> (a) Attachment of an advertising sign(s) to a building or located within the 8m setback from road boundaries in the Matangi or Huntly Heritage Precincts identified on the planning maps. (c) Council's control is reserved over the following matters: <ul style="list-style-type: none"> (i) Effects on historic heritage, amenity values and character of the precinct; and (ii) Advertising signs. <p>Notable trees – removal or destruction</p> <p>PI</p> <p>Removal or destruction of a notable tree identified in Schedule 30.2 (Notable Trees) where certification is provided to Council from a works arborist that states the tree is dead, dying, diseased or is unsafe in accordance with Appendix 11 Tree Removal Certificate.</p> <p>Notable tree – trimming</p> <p>PI</p> <ul style="list-style-type: none"> (a) The trimming of a notable tree identified in Schedule 30.2 (Notable Trees) is either: <ul style="list-style-type: none"> (i) to remove dead, dying, or diseased branches and the tree work is undertaken by a works arborist; or (ii) the maximum branch diameter does not exceed 50mm at severance and no more than 10% of live foliage growth is removed in any one consecutive 12 month period. <p>Notable tree – activities within the dripline</p> <p>PI</p> <ul style="list-style-type: none"> (a) Any activity within the dripline of a notable tree identified in Schedule 30.2 Notable Trees) must comply with all of the following conditions: <ul style="list-style-type: none"> (i) No excavation, compaction, sealing or soil disturbance and placement of fill material, except for sealing of an existing road or footpath; (ii) No parking or storage of materials, vehicles or machinery; (iii) Discharge of an eco-toxic substance; and (iv) No construction of structures. <p>Subdivision of land containing heritage items</p> <ul style="list-style-type: none"> (a) Subdivision of land containing a heritage item listed in Schedule 30.1 (Heritage Items). 	<p>the following matters:</p> <ul style="list-style-type: none"> (i) effects on the values, context and setting of the heritage item; (ii) location, design, size, materials and finish; (iii) landscaping; and (iv) the relationship of the heritage item with the setting, including the area between the front of the heritage item and the road. <p>Heritage Precincts – Matangi and Huntly</p> <ul style="list-style-type: none"> (b) Council's discretion shall be restricted to the following matters: <ul style="list-style-type: none"> (i) Effects on historic heritage, amenity values and character of the precinct; (ii) Building height, side setbacks, scale, form, materials and architectural style to be consistent with the relevant part of Appendix 3.6 (Matangi Heritage Precinct Design Guide) or Appendix 3.5 (Huntly Heritage Precinct Design Guide); (iii) Advertising signs; and (v) Setback from road boundaries. <p>Subdivision of land containing heritage items</p> <ul style="list-style-type: none"> (b) Council's discretion shall be restricted to the following matters: <ul style="list-style-type: none"> (i) Effects on heritage values; (ii) Context and setting of the heritage item; and <p>The extent to which the relationship of the heritage item with its setting is maintained.</p>
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APPENDIX 2: WAIKATO DISTRICT S32 HERITAGE TOPIC ASSESSMENT FRAMEWORK

APPENDIX 3: TREE REMOVAL CERTIFICATE

APPENDIX 4: WAIKATO DISTRICT COUNCIL DISTRICT PLAN REVIEW – BUILT HERITAGE ASSESSMENT

Part I

Executive Summary

Methodology & Outcomes

Future Built Heritage Actions

Authorship & Acknowledgements

Study Area Map

**Appendix 1: Waikato Regional Council, Regional Policy Statement - Table
10-1: Historic and cultural heritage assessment criteria**

Appendix 2: Waikato District Council Heritage Ranking Guidance Notes

Appendix 3: Historic heritage item record form

Author: Heritage Consultancy Services

APPENDIX 5: WAIKATO DISTRICT COUNCIL DISTRICT PLAN REVIEW – HISTORIC OVERVIEW

Part 2 Historic Overview

- 1 Tuakau**
- 2 Pokeno**
- 3 Te Kauwhata**
- 4 Huntly**
- 5 Eastern Section**
- 6 Ngaruawahia**
- 7 Raglan**
- 8 List of sources**

APPENDIX 6: WAIKATO DISTRICT COUNCIL DISTRICT PLAN REVIEW - IDENTIFICATION OF BUILT HERITAGE RESOURCES

Part 3

APPENDIX 7: WAIKATO DISTRICT COUNCIL DISTRICT PLAN REVIEW – ASSESSMENT SHEETS

Part 4