

Te Tai o Poutini Plan  
Section 42A Officer's Report  
Historic Heritage



**Te Tai o Poutini**

**PLAN**

*A combined district plan for the West Coast*

## Table of Contents

|   |    |
|---|----|
| <i>List of Submitters and Further Submitters addressed in this report</i>                       | 3  |
| <i>Abbreviations</i>  | 4  |
| <i>1.0 Purpose of Report</i>  | 4  |
| <i>2.0 Qualifications and experience</i>  | 5  |
| 2.1 Code of Conduct   | 5  |
| 2.2 Conflict of Interest  | 5  |
| 2.3 Expert Advice   | 5  |
| <i>3.0 Scope of Report and Topic Overview</i>   | 6  |
| 3.1 Scope of Report   | 6  |
| 3.2 Topic Overview  | 6  |
| <i>4.0 Statutory Requirements</i>   | 7  |
| 4.1 Resource Management Act   | 7  |
| 4.2 National Planning Standards   | 7  |
| 4.3 Procedural Matters  | 7  |
| <i>5.0 Consideration of Submissions Received</i>  | 7  |
| 5.1 Overview of Submissions Received  | 7  |
| 5.2 Structure of this report  | 7  |
| <i>6.0 General Submissions, Submissions on the Whole Chapter and Submissions on Definitions</i> | 8  |
| <i>7.0 Submissions on the Objectives</i>  | 17 |
| <i>8.0 Submissions on the Policies</i>  | 21 |
| <i>9.0 Submissions on the Rules and Methods</i>   | 28 |
| 9.1 Submissions on Permitted Activities   | 28 |
| 9.2 Submissions on Repositioning and Relocation of Historic Heritage Items                      | 36 |
| 9.3 Infrastructure and Heritage Items   | 40 |
| 9.4 Other Rules   | 43 |
| 9.5 Other Methods   | 49 |
| <i>10.0 Submissions on Schedule One and associated Planning Maps</i>                            | 50 |
| 10.1 General Submission on Schedule One   | 50 |
| 10.2 Submissions on Specific Scheduled Items  | 54 |
| 10.3 Submissions seeking additional Heritage Items be included in Schedule 1                    | 65 |
| <i>11.0 S32AA Evaluation for all Recommended Amendments</i>                                     | 72 |
| 11.1 Efficiency and Effectiveness   | 72 |
| 11.2 Costs/Benefits   | 72 |

|  |           |
|--|-----------|
| <b>11.3 Risk of Acting or Not Acting .....</b>           | <b>73</b> |
| <b>11.4 Decision about most appropriate option .....</b> | <b>73</b> |
| <b>12.0 Conclusion.....</b>                              | <b>73</b> |

## List of Submitters and Further Submitters addressed in this report

| Submitter ID  | Submitter Name                                       | Abbreviation       |
|---------------|--|--------------------|
| S7            | Aisla Hart   |                    |
| S71           | Barbara King   |                    |
| S491          | Bathurst Resources Limited and BT Mining Limited     | Bathurst Resources |
| FS232         | Birchfield Coal Mines                                |                    |
| S526          | BP & CA JONES  |                    |
| S306          | Brendon McMahon                                      |                    |
| S576          | Brian Anderson                                       |                    |
| S552          | Buller Conservation Group                            |                    |
| S538<br>FS149 | Buller District Council                              |                    |
| S663          | Chorus NZ Ltd, Spark NZ Trading Ltd, Vodafone NZ Ltd |                    |
| S558          | Chris & Jan Coll                                     |                    |
| S566          | Chris J Coll Surveying Limited                       |                    |
| S581          | David Ellerm   |                    |
| S347          | David Marshall                                       |                    |
| S602          | Department of Conservation                           |                    |
| S524          | Federated Farmers of New Zealand                     | Federated Farmers  |
| S478          | Frank and Jo Dooley                                  |                    |
| S553          | Frida Inta   |                    |
| S74           | Glenn Johnston                                       |                    |
| S608<br>FS1   | Grey District Council                                |                    |
| S104          | Greymouth Heritage Trust                             |                    |
| S140<br>FS111 | Heritage New Zealand Pouhere Taonga                  | HNZPT              |
| S426          | Heritage West Coast                                  |                    |
| S3            | Kate Kennedy   |                    |
| S38           | Kathleen Maitland                                    |                    |

|               |   |                |
|---------------|---|----------------|
| S442          | KiwiRail Holdings Limited   | KiwiRail       |
| S574          | Laura Coll McLaughlin   |                |
| S309<br>FS48  | Laura Mills   |                |
| S322          | Lucina Brady  |                |
| S438          | Manawa Energy Limited   | Manawa Energy  |
| S142          | Northern Buller Communities Society Incorporated                          |                |
| S500          | Papahaua Resources Limited  |                |
| S134          | Paul Thomas   |                |
| FS88.3        | PE Property Group   |                |
| S474          | Rocky Mining Limited  |                |
| S498          | Runanga Miners Hall Trust   |                |
| S190          | Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora       | Te Mana Ora    |
| S620<br>FS41  | Te Rūnanga o Ngai Tahu, Te Rūnanga o Ngati Waewae, Te Rūnanga o Makaawhio | Ngāi Tahu      |
| S171          | Te Tai o Poutini Plan Committee   | TTPP Committee |
| S466          | The O’Conor Institute Trust Board   |                |
| S181          | Westland District Council   |                |
| S547<br>FS222 | Westpower Limited   |                |
| S567          | William McLaughlin  |                |

## Abbreviations

| Abbreviation | Meaning                              |
|--------------|--------------------------------------|
| NZCPS        | New Zealand Coastal Policy Statement |
| TTPP         | Te Tai o Poutini Plan                |
| RMA          | Resource Management Act              |
| WCRPS        | West Coast Regional Policy Statement |

## 1.0 Purpose of Report

- This report has been prepared in accordance with Section 42A of the RMA to:
  - assist the Hearings Panel in making their decisions on the submissions and further submissions on the Te Tai o Poutini Plan (TTPP); and
  - provide submitters with an opportunity to see how their submissions have been evaluated and the recommendations being made by officers, prior to

the hearing.

2. This report responds to submissions on Historic Heritage. The report provides the Hearing Panel with a summary and analysis of the submissions received on the Historic Heritage Chapter in Part 2, Schedule One in Part 4 as well as relevant Definitions from Part 1, and to make recommendations on either retaining the TTPP provisions without amendment or making amendments to the TTPP in response to those submissions.
3. The recommendations are informed by evaluation undertaken by me as the planning author. In preparing this report I have had regard to the following reports:
  - Introduction and General Provisions report that addresses the higher order statutory planning and legal context s42A report prepared by myself
  - Strategic Directions report that addresses the wider strategic direction of the Plan s42A report prepared by myself
  - General District Wide Matters s42A report prepared by Briar Belgrave
  - Energy, Infrastructure and Transport s42A report prepared by Briar Belgrave
  - Notable Trees s42A report prepared by myself.
4. The conclusions reached and recommendations made in this report are not binding on the Hearing Panel. It should not be assumed that the Hearing Panel will reach the same conclusions having considered all the information in the submissions and the evidence to be brought before them, by the submitters.

## **2.0 Qualifications and experience.**

5. My full name is Lois Margaret Easton, and I am Principal Consultant for Kereru Consultants, an environmental science and planning consultancy engaged by the West Coast Regional Council to support the development of Te Tai o Poutini Plan (TTPP).
6. I hold a Master of Science (Environmental Science and Botany) with first class honors from Auckland University, Auckland which I obtained in 1995.
7. I have 25 years' experience in planning and resource management including 10 years at the Waitakere City Council and five years at the Gisborne District Council. The remaining time I have worked as an environmental and planning consultant primarily providing policy advice to local government and not for profit organisations.
8. My experience involves policy development, writing district plans and regional plans. I have written Section 32 and 42A reports and appeared at hearings for the development of several plans involving matters principally around the natural environment, Māori issues and rezoning of land. I have represented the Waitakere District Council and Gisborne District Council in mediation on appeals and have presented planning evidence to the Environment Court.
9. In recent years I have been involved in the development of TTPP. I have either led or been a member of the planning team who developed the provisions of TTPP and s32 reports in relation to all parts of the plan. In the case of Historic Heritage, I was a member of the planning team.

### **2.1 Code of Conduct**

10. I confirm that I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023 and that I have complied with it when preparing this report. Other than when I state that I am relying on the advice of another person, this evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.
11. I am authorized to give this evidence on behalf of the Tai o Poutini Plan Committee to the TTPP hearings commissioners (Hearings Panel).

### **2.2 Conflict of Interest**

12. To the best of my knowledge, I have no real or perceived conflict of interest.

### **2.3 Expert Advice**

13. In preparing this report I rely on expert advice from Dr Ann McEwan who is a heritage consultant. The scope of this advice is around the heritage values of sites in the heritage

schedule and in particular where submissions sought the scheduling of additional items. This evidence is contained in Appendix 3 to this report.

## **3.0 Scope of Report and Topic Overview**

### **3.1 Scope of Report**

14. This report considers the submissions and further submissions that were received in relation to Part 2 – Historic Heritage Chapter and Part 4 - Schedule One: Schedule of Historic Heritage Sites of the proposed TTPP.
15. In addition, the provisions in the following chapters relating to the management of Historic Heritage and mapping are also addressed:
  - Part 1: Interpretation – Definitions
  - Planning maps showing listed heritage items
16. Recommendations are made to either retain provisions without amendment, or delete, add to or amend the provisions. All recommended amendments are shown by way of strikeout and underlining in Appendix 1 to this Report. Footnoted references to a submitter number, submission point and the abbreviation for their title provide the scope for each recommended change. Where it is considered that an amendment may be appropriate, but it would be beneficial to hear further evidence before making a final recommendation, this is made clear within the report. Where no amendments are recommended to a provision, submission points that sought the retention of the provision without amendment are not footnoted.
17. Clause 16(2) of the RMA allows a local authority to make an amendment to a proposed plan without using a Schedule 1 process, where such an alteration is of minor effect, or may correct any minor errors. A number of alterations have already been made to the TTPP using cl.16(2) and these are documented on the TTPP website. Where a submitter has requested the same or similar changes to the TTPP that fall within the ambit of cl.16(2), then such amendments will continue to be made and documented as cl.16(2) amendments in this s42A report.
18. The assessment of submissions generally follows the following format:
  - Submission Information
  - Analysis
  - Recommendation and Amendments
19. Where appropriate definitions unique to Historic Heritage have been considered in this s42A report.

### **3.2 Topic Overview**

20. The Historic Heritage chapter identifies buildings, structures, sites and items of particular historic heritage value to the West Coast. It seeks to protect these for the benefit of current and future generations and in recognition that the Resource Management Act (RMA) identifies historic heritage as a matter of national importance.
21. While Sites and Areas of Significance to Māori fall within the RMA definition of historic heritage, submissions on this topic, including Appendix Four Accidental Discovery Protocols and Appendix Ten NZAA Archaeological Sites of Māori Origin, are not covered in this report, but are dealt with in a separate, Sites and Areas of Significance to Māori s42A report.
22. The proposed Historic Heritage Chapter seeks to manage effects of activities on historic heritage including:
  - Four Objectives that focus on identifying, protecting and celebrating historic heritage
  - Nine Policies that address the identification and scheduling of heritage items, together with providing a basis for management of activities that could impact on the values of these items.
  - Rules that identify activities that could impact on the heritage items and put in place a consent regime to consider the appropriateness of activities.

- Exemptions for small scale, low risk or necessary activities e.g. earthquake strengthening.
- Definitions for key activities relevant to heritage rules, specifically archaeological site, heritage fabric, heritage professional, heritage resource, historic heritage relocation and repositioning.
- A schedule of historic heritage items, sites and areas made up of two parts – Schedule 1A of historic heritage items and areas, and Schedule 1B of archaeological sites.
- Notations on Planning Maps that identify heritage items.

## **4.0 Statutory Requirements.**

### **4.1 Resource Management Act**

23. TTPP must be prepared in accordance with the functions of a district council under section 31 of the RMA; Part 2 of the RMA; the requirements of sections 74 and 75, and its obligation to prepare, and have particular regard to, an evaluation report under section 32 of the RMA, any further evaluation required by section 32AA of the RMA; any national policy statement, the New Zealand coastal policy statement, national planning standards; and any regulations. Regard is also to be given to the WCRPS, any regional plan, district plans of adjacent territorial authorities, and any Iwi Management Plan.
24. In addition, there is a Mana Whakahono a Rohe agreement between West Coast Regional Council and Poutini Ngāi Tahu which must be implemented.
25. As set out in the 'Overview' Section 32 Report, and 'Introduction and Overview' s42a Report, there are a number of higher order planning documents and strategic plans that provide direction and guidance for the preparation and content of TTPP. These documents are discussed in more detail within this report where relevant to the assessment of submission points. This report also addresses any definitions that are specific to this topic.
26. The assessment of submission points is made in the context of the Section 32 reports already undertaken with respect to this topic, being:
  - Strategic Directions
  - Historical and Cultural Values

### **4.2 National Planning Standards**

27. The National Planning Standards requires that if a district plan addresses historic heritage, the objectives, policies and rules must be contained in a chapter called Historic Heritage.

### **4.3 Procedural Matters**

28. At the time of writing this s42A report there has been one pre-hearing meeting with HNZPT. The record of this meeting will be provided ahead of the hearing separately to this report. .

## **5.0 Consideration of Submissions Received**

### **5.1 Overview of Submissions Received**

29. A total of 223 submissions points and 36 further submissions points were received on the Historic Heritage chapter, Schedule One and relevant definitions.

### **5.2 Structure of this report**

30. The structure of this report is that general submissions, submissions on the whole chapter, where a submission has raised an issue that does not relate to a proposed objective, policy or rule, overarching submissions and those on the key definitions for the chapter are dealt with first. Then submissions are addressed first by objectives, then

policies, then rules and methods in the order they are found in the Plan. Following this submissions on Schedule One.

31. Where an amendment is recommended the applicable s32AA assessment for that issue is located in Section 11 of this report.
32. Recommended amendments to are contained in Appendix 1: Recommended Amendments to Historic Heritage Topic.
33. A full list of submissions and further submissions is contained in Appendix 2: Submissions and Further Submissions on the Historic Heritage Chapter.
34. The assessments of new heritage items recommended to be included in the Plan is contained in Appendix 4.
35. Additional information can be obtained from the:
  - Section 32 report on Historic and Cultural Values; and
  - Overlays and maps on the ePlan.

## 6.0 General Submissions, Submissions on the Whole Chapter and Submissions on Definitions

### *Submissions*

| Submitter Name / ID                                | Submission Point   | Position        | Decision Requested  |
|--|--------------------|-----------------|---|
| Westland District Council (S181)                   | S181.064, S181.013 | Support         | Retain historical and cultural values objectives, policies and rules  |
| Heritage New Zealand Pouhere Taonga (HNZPT) (S140) | S140.080           | Support in part | HNZPT seeks amendments to strengthen and clarify provisions within the Proposed Plan as they relate to the management and protection of historic heritage   |
| Heritage New Zealand Pouhere Taonga (S140)         | S140.016           | Amend           | HNZPT requests that in relation to archaeology, any reference to 'site' is removed and the full term 'archaeological site' is always used   |
| David Marshall (S347)                              | S347.004           | Support         | Implementation of the TTPP plan Historical and Cultural Values. This should remain open with clear processes for the addition of future sites. It is VERY important that legislation be flexible enough to make it easy for any potential small community groups to manage these areas. This should be taken into account on any case-by-case decision making |
| Greymouth Heritage Trust (S104)                    | S104.007           | Amend           | That the Plan include a statement that provides guidelines on how and when heritage sites / buildings can be added to the Plan and what attributes are required before a site or building would make it onto the plan's Heritage List   |
| Rocky Mining Limited (S474)                        | S474.033           | Amend           | Seek recognition within all overlay chapters that mineral extraction has a functional and operational need to locate where the resource is, and that this functional and operational need be given due consideration in resource consent applications within the specific overlay.  |



|   |                 |               |  |
|---|-----------------|---------------|--|
| <i>Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (Ngāi Tahu) (FS41)</i> | <i>FS41.229</i> | <i>Oppose</i> | <i>Disallow</i>  |
| Papahaua Resources Limited (S500)   | S500.022        | Amend         | Seek recognition within all overlay chapters that mineral extraction has a functional and operational need to locate where the resource is, and that this functional and operational need be given due consideration in resource consent applications within the specific overlay.   |
| <i>Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (Ngāi Tahu) (FS41)</i> | <i>FS41.230</i> | <i>Oppose</i> | <i>Disallow</i>  |
| Rocky Mining Limited (S47)  | S474.036        | Amend         | Seek that directive overlay provisions seeking to "avoid, protect, prevent" or "minimise, restrict and preserve" should be limited to situations where they are warranted (i.e. for significant adverse effects, or in environments meeting significance criteria (such as SASM or Significant Natural Areas)) because they can be problematic for passing the gateway test. |
| <i>Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (Ngāi Tahu) (FS41)</i> | <i>FS41.231</i> | <i>Oppose</i> | <i>Disallow</i>  |
| Papahaua Resources Limited (S500)   | S500.025        | Amend         | Seek that directive overlay provisions seeking to "avoid, protect, prevent" or "minimise, restrict and preserve" should be limited to situations where they are warranted (i.e. for significant adverse effects, or in environments meeting significance criteria (such as SASM or Significant Natural Areas)) because they can be problematic for passing the gateway test. |

|  |                    |        |   |
|--|--------------------|--------|---|
| Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (Ngāi Tahu) (FS41) | FS41.232           | Oppose | Disallow  |
| <b>Submissions on the Overview</b>   |                    |        |   |
| Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (Ngāi Tahu) (S620) | S620.102, S620.154 | Amend  | Amend Overview to include the following wording:...If you discover a previously unknown archaeological site (for example, when you are undertaking earthworks) you must stop any work that could affect the site and contact HNZPT for advice on how to proceed. If there are <del>human remains</del> <u>kōiwi or taonga</u> revealed, then the Accidental Discovery Protocol in Appendix Five Four must be followed and if any artefacts are found they must be handed over to the Ministry for Culture and Heritage.   |
| Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (Ngāi Tahu) (S620) | S620.101, S620.353 | Amend  | Include the following wording in the Overview Section: ....Appendix Ten - This appendix contains NZAA listed archaeological sites of Māori origin. The exact spatial location and extent of these sites has not yet been clearly identified but they are included in this appendix for information purposes <u>and are a matter for consideration where resource consent is required for an activity that may impact on an archaeological site.</u> <u>Appendix 10 will be mapped and included as an "Alert Layer" in the e-planning maps.</u> Like all archaeological sites, these <u>sites</u> are protected under the Heritage New Zealand Pouhere Taonga Act 2014 |
| Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (Ngāi Tahu) (S620) | S620.392, S620.153 | Amend  | Amend typo in Overview Section Notable Trees - the Notable Trees Chapter contains the provisions in relation to the trees identified "inSchedule Two"   |

|   |                           |              |  |
|---|---------------------------|--------------|--|
| <p>Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (Ngāi Tahu) (S620)</p> | <p>S620.152, S620.100</p> | <p>Amend</p> | <p>Include the following changes or changes to this affect to paragraph 7: Archaeological sites.... are protected under Heritage New Zealand Pouhere Taonga Act 2014, archaeological sites <u>predominately related to European colonial history</u> of particular significance to the community on the West Coast/Te Tai o Poutini are included in Schedule One and the Historic Heritage rules also apply to these archaeological sites. <u>The archaeological sites listed in Schedule One, while an important part of the history of the West Coast/Te Tai o Poutini are not the full list.</u> Alongside this, the New Zealand Archaeological Association has identified a list of archaeological sites of Māori origin. <u>Further investigation is required to ensure the exact spatial location and extent of some of these sites, therefore</u> these sites are included in Appendix Ten for information and awareness to plan users, particularly resource consent applicants, of the increased likelihood of discovering archaeological material of Māori origin in the vicinity of these areas. <u>Appendix 10 will be mapped and included as an 'Alert Layer' on the e-plan maps. The Councils will continue to work with both Heritage New Zealand Pouhere Taonga and Poutini Ngāi Tahu over the next ten years to ensure that the archaeological sites of Māori origin are accurately mapped before being considered for inclusion in Schedule One via a plan change.</u> Historic heritage and archaeological sites are also important to Poutini Ngāi Tahu <u>for values other than Historic heritage.</u> Some of ....</p> |
| <p>Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (Ngāi Tahu) (S620)</p> | <p>S620.151</p>           | <p>Amend</p> | <p>Include the following changes to paragraphs 5 and 8: Historic Heritage items are listed in Schedule One, <u>Schedule Two and Schedule Three. Schedule One predominately covers the built and colonial heritage and also this schedule</u> also identifies if there are any interior elements of a heritage building that are also protected. <u>Schedule Two covers important notable and heritage trees to the community and Schedule Three reflects Poutini Ngāi Tahu heritage</u> Historic areas area also identified .... Where a site is scheduled in multiple locations, the provisions of all chapters must be considered. <u>Some objectives and policies of this chapter also apply to sites listed only in Schedule Two or Three.</u></p>   |

|   |                   |                |   |
|---|-------------------|----------------|---|
| Heritage New Zealand Pouhere Taonga (S140)  | S140.015          | Oppose in part | <p>HNZPT requests the wording in the Overview section be amended: '<u>Under the Heritage New Zealand Pouhere Taonga Act 2014</u>, Archaeological sites are any place in Aotearoa New Zealand (including buildings and structures) that are associated with pre-1900 human activity, where there is evidence relating to the history of New Zealand that can be investigated using archaeological methods.</p> <p>There are a large number of archaeological sites identified in the West Coast/Te Tai o Poutini. While all pre-1900 archaeological sites are protected under Heritage New Zealand Pouhere Taonga Act 2014, archaeological sites of particular significance to the community on the West Coast/Te Tai o Poutini are included in Schedule One and the Historic Heritage rules also apply to these archaeological sites. <u>This schedule can also contain post-1900 sites which have archaeological significance.</u> Alongside this, the New Zealand Archaeological Association has identified a list of archaeological sites of Māori origin. These are included in Appendix Ten for information.</p> |
| <i>Westpower Limited</i>  | <i>FS222.0161</i> | <i>Oppose</i>  | <i>Disallow</i>   |
| Heritage New Zealand Pouhere Taonga (S140)  | S140.017          | Amend          | HNZPT requests the wording be amended: "If you discover a previously unknown archaeological site (for example, when you are undertaking <u>works earthworks</u> ) you must stop any work that could affect the <u>archaeological</u> site and contact HNZPT for advice on how to proceed.   |
| Grey District Council (S608)  | S608.010          | Amend          | Remove reference to "Site or Area of Significance to Māori in the Overview section.   |
| <i>Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (Ngāi Tahu) (FS41)</i> | <i>FS41.004</i>   | <i>Oppose</i>  | <i>Disallow</i>   |
| <b>Definitions</b>  |                   |                |   |
| <b>ARCHAEOLOGICAL SITE</b>  |                   |                |   |
| Heritage New Zealand Pouhere Taonga (S140)  | S140.002          | Oppose         | HNZPT requests the automatic link be removed from the word 'site' within this definition.   |
| <b>HERITAGE FABRIC</b>  |                   |                |   |

|  |                                  |                        |   |
|--|----------------------------------|------------------------|---|
| Heritage New Zealand Pouhere Taonga (S140)   | S140.003                         | Amend                  | HNZPT requests the automatic link be removed from the word 'site' within the definition of 'heritage fabric'.   |
| <b>HERITAGE PROFESSIONAL</b>   |                                  |                        |   |
| Heritage New Zealand Pouhere Taonga (S140)   | S140.004                         | Support                | Retain as proposed  |
| Federated Farmers of New Zealand (S524)  | S524.009                         | Oppose                 | Delete definition of heritage professional  |
| <i>Heritage New Zealand Pouhere Taonga (HNZPT)</i>   | <i>FS111.004</i>                 | <i>Oppose in part</i>  | <i>Disallow in part – retain definition of heritage professional, and use this instead of heritage architect in HH – R2</i>   |
| <i>Buller District Council</i>   | <i>FS149.049</i>                 | <i>Oppose</i>          | <i>Allow in part – retain definition of heritage professional but delete reference to 5 years experience</i>  |
| Federated Farmers of New Zealand (S524)  | S524.137<br>S524.046<br>S524.138 | Support                | Delete definition for "heritage professional" and replace in chapter as per wording used in these rules: suitably qualified heritage professional.  |
| <i>Heritage New Zealand Pouhere Taonga (HNZPT)</i>   | <i>FS111.006</i>                 | <i>Oppose S524.046</i> | <i>Disallow</i>   |
| <i>Heritage New Zealand Pouhere Taonga</i>   | <i>FS111.008</i>                 | <i>Oppose S524.138</i> | <i>Disallow</i>   |
| <b>HERITAGE RESOURCE</b>   |                                  |                        |   |
| Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (Ngāi Tahu) (S620) | S620.031                         | Support                | Retain as notified  |
| <b>HISTORIC HERITAGE</b>   |                                  |                        |   |
| Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (Ngāi Tahu) (S620) | S620.032                         | Amend                  | Delete proposed definition and replace with the following wording: has the same meaning as in section 2 of the RMA (as set out in the box below a. means those natural and physical resources that contribute to an understanding and appreciation of New Zealand's history and cultures, deriving from any of the following qualities i. archaeological: ii.architectural: iii._cultural: iv.historic: v.scientific: vi.technological; and b. includes—i._historic sites, structures, places, and areas; and ii. archaeological sites; and iii. sites of significance to |

|  |          |         |  |
|--|----------|---------|--|
|  |          |         | Māori, including wāhi tapu; and iv. surroundings associated with the natural and physical resources. |
| <b>RELOCATION</b>                          |          |         |  |
| Heritage New Zealand Pouhere Taonga (S140) | S140.006 | Support | Retain definition as proposed  |
| <b>REPOSITIONING</b>                       |          |         |  |
| Heritage New Zealand Pouhere Taonga (S140) | S140.007 | Support | Retain definition as proposed  |

### Analysis

36. Westland District Council (S181.064 and S181.013) support the objectives, policies and rules in the chapter. HNZPT (S140.080) supports the chapter, subject to amendments outlined in other submission points. This support is noted.
37. HNZPT (S140.016) seek that in relation to archaeology, any reference to "site" is replaced with the full term "archaeological site". This amendment is sought because of confusion with the definitions of the term "site". While this is proposed to be addressed in the s42A report Introduction and General Provisions, I consider that use of the full term "archaeological site" is also clearer and support this submission.
38. David Marshall (S347.004) and Greymouth Heritage Trust (S104.007) seek that the plan outline a process for additional heritage sites and buildings to be added to the Plan. Unfortunately the addition of sites, buildings and items can only be via Plan Change. There is no other legal mechanism to amend the Plan. Greymouth Heritage Trust also seek clear guidance on what attributes are required for a site to make it into the Schedule. I note that there are a range of submissions seeking additional heritage items be included in the Plan, and that during the drafting stage local heritage groups sought additional items be included. Due to resourcing issues and capacity, the ability to assess these items was very limited. However I acknowledge that there are likely to be important heritage items, that are valued by the West Coast Community, that are not included on the Schedule – as this is largely made up of items listed by HNZPT. Policy HH – P3 outlines the criteria for evaluation of historic heritage for inclusion in the Plan. Policy HH – P2 talks about identifying, assessing and mapping historic heritage and archaeological sites. In order to provide a clear process for the community around how items can be added to the Plan I propose the addition of a Method outlining this process.
39. Rocky Mining Ltd (S474.033) and Papahaua Resources Limited (S500.022) seek recognition within this, and all other overlay chapters that mineral extraction has a functional and operational need to locate where the resource is. While I acknowledge this fact, the RMA has identified that *the protection of historic heritage from inappropriate subdivision, use and development* is a matter of national importance. Case law is clear that protection is a strong direction. There is no such direction under the RMA, or any National Policy Statement that mineral extraction has a priority over Section 6 matters. I therefore do not support these submissions.
40. Papahaua Resources Limited (S500.025) and Rocky Mining Limited (S474.036) also seek that terms such as "avoid, prevent, protect, minimise, restrict and preserve" are limited to situations where they are warranted as they can be problematic for passing the gateway test. In relation to historic heritage, as discussed above this is a Section 6 matter that specifically references protection of historic heritage. Therefore I consider that the use of these terms in this historic heritage chapter are entirely appropriate and should not be removed on an across the board basis. I therefore do not support these submissions.
41. A range of amendments are sought by submissions to the Overview. Ngāi Tahu (S620.102, S620.154, S620.100, S620.101, S620.102, S620.152 S620.392, S620.353 and S620.153) seek a range of changes that correct typos and terminology and expand upon

the description of the intent of Appendix Ten. I generally support these changes as they make interpretation of the Plan clearer. However in relation to Appendix Ten, I consider that the wording needs to make it clear that while these sites are not currently mapped, any mapping will need to be introduced via Plan Change.

42. The Ngāi Tahu submission point S620.151 seeks to amend the overview to specifically identify that Schedules Two (Notable Trees) and Schedule Three (Sites and Areas of Significance to Māori) are Historic Heritage and that some objectives and policies in this chapter also apply to sites listed only in Schedule Two or Three. I support this submission in that the objectives and policies 1, 2, 3 and 9 fall within this category of being applicable across the other chapters in the Historical and Cultural Values Section.
43. HNZPT (S140.015 and S140.017) seek amendments to clarify the procedures when uncovering archaeological sites, and the role of HNZPT. I support these amendments as they clarify the overview section of this chapter.
44. Grey District Council (S608.010) seeks that the Overview be amended to remove the reference to "site or area of significance to Māori". This is part of a wider suite of submissions seeking to remove all provisions and references in relation to Sites and Areas of Significance to Māori from the Plan. The substantive matter is addressed in detail within the Sites and Areas of Significance to Māori s42A report, but in summary I do not support this submission. Section 6 of the RMA specifically identifies that the protection of historic heritage, which under the RMA definition includes sites and areas of significance to Māori, is a matter of national importance. It is not just European cultural heritage that is important to our nation or the West Coast.
45. There are a range of submissions on the definitions that are specific to this chapter. HNZPT supports the definitions for Heritage Professional (S140.004), Relocation (S140.006) and Repositioning (S140.007). Ngāi Tahu supports the definition for Heritage Resource (S620.031). This support is noted.
46. Federated Farmers of New Zealand (S524.009, S524.046 and S524.138) oppose the definition of heritage professional and seek its deletion. The term is used in relation to Policy HH-P7, Rule HH – R4 and Rule HH – R6. Federated Farmers oppose the definition because they consider the requirements are too onerous. I do not support this submission.
47. I acknowledge that the availability of heritage expertise on the West Coast is limited, however during the development of the Plan, consultation with heritage groups on the West Coast identified that relocation and modification of heritage items without input from appropriate experts was a significant issue and that as a consequence of this lack of input, damage to important heritage resources on the West Coast had occurred. This matter was also identified as an issue during consultation with NZHPT – the main national agency tasked with identifying, protecting and promoting the country's historical and cultural heritage. The Tai o Poutini Committee wanted to support activities such as repairs and maintenance and earthquake strengthening occurring and recognised that with good heritage advice, a lower consent threshold could be provided for. The definition of heritage professional supports these rules and recognises that expertise around heritage should have relevant qualifications and experience to provide appropriate advice.
48. I note that the Buller District Council, in their further submission (FS149.049) considers that the 5 year experience requirement is not necessary as the Council does not wish to ascertain the work experience of every professional. In terms of this issue, I consider that it would be normal for any heritage professional supplying a report associated with a resource consent to provide information within the report about their expertise and that they meet the requirements of the rule, therefore it should not create any additional requirements on the Council to include this provision. I consider that experience in heritage matters is as important as formal qualifications and do not support removing that aspect from the definition.
49. Ngāi Tahu seeks that the definition of Historic Heritage in the Plan be replaced with the definition from the RMA. I support this submission as this is the National Planning Standards definition.

### *Recommendations*



50. That the Plan be amended so that in relation to archaeology, any reference to "site" is replaced with the full term "archaeological site".
51. That the Plan be amended to include the following method: HH – M2 - The TTPP Committee will consider the merits of inclusion of additional heritage items in the Plan as part of their regular monitoring of Plan implementation. People seeking additional items to be scheduled will need to provide an assessment by a suitably qualified heritage professional that identifies the merits of the item proposed to be scheduled against the criteria in Policy HH – P2. The owner of the item should also be willing for it to be scheduled in the Plan. Where such an assessment and confirmation of agreement to scheduling is provided to the TTPP Committee, the Committee will assess whether there is sufficient justification for scheduling, and if so schedule the item via a Committee - initiated Plan Change.
52. That the Overview section of the Historic Heritage Chapter be amended as follows:

**Overview**.... Te Tai o Poutini Plan manages different types of historic heritage. Historic heritage items are listed in Schedule One, Schedule Two and Schedule Three. Schedule One predominately covers the built and colonial heritage and also This schedule also identifies if there are any interior elements of a heritage building that are also protected. Schedule Two covers important notable and heritage trees to the community and Schedule Three reflects Poutini Ngāi Tahu heritage....

...Archaeological sites are any place in Aotearoa New Zealand (including buildings and structures) that are associated with pre-1900 human activity, where there is evidence relating to the history of New Zealand that can be investigated using archaeological methods. There are a large number of archaeological sites identified in the West Coast/Te Tai o Poutini. While all archaeological sites are protected under Heritage New Zealand Pouhere Taonga Act 2014, archaeological sites predominately related to European colonial history of particular significance to the community on the West Coast/Te Tai o Poutini are included in Schedule One and the Historic heritage rules also apply to these archaeological sites. This schedule can also contain post-1900 sites which have archaeological significance. The archaeological sites listed in Schedule One, while an important part of the history of the West Coast/Te Tai o Poutini are not the full list. Alongside this, the New Zealand Archaeological Association has identified a list of archaeological sites of Māori origin. Further investigation is required to ensure the exact spatial location and extent of some of these sites, therefore these are included in Appendix Ten for information and awareness to plan users, particularly resource consent applicants, of the increased likelihood of discovering archaeological material of Māori origin in the vicinity of these areas. Appendix 10 is intended to be mapped and included as an "Alert Layer" on the e-plan maps via a future Plan Change. The Councils will continue to work with both Heritage New Zealand Pouhere Taonga and Poutini Ngāi Tahu over the next ten years to ensure that the archaeological sites of Māori origin are accurately mapped before being considered for inclusion in Schedule One via a plan change.

Historic heritage and archaeological sites are also important to Poutini Ngāi Tahu for values other than Historic heritage. Some of these sites and areas are identified, with other Sites of Significance to Māori, in Schedule Three. .Notable trees of value to Poutini Ngāi Tahu are identified in Schedule Two. Where a site is scheduled in multiple locations, the provisions of all chapters must be considered. Some objectives and policies of this chapter also apply to sites listed only in Schedule Two or Three.

#### **Other relevant Te Tai o Poutini Plan provisions**

... **Notable Trees**- the Notable Trees Chapter contains the provisions in relation to the trees identified in Schedule Two....

.... **Appendix Ten**- This appendix contains NZAA listed archaeological sites of Māori origin. The exact spatial location and extent of these sites has not yet been clearly identified but they are included in this appendix for information purposes and are a matter for consideration where resource consent is required for an activity that may



impact on an archaeological site. Appendix Ten will be mapped and included as an "Alert Layer" in the e-planning maps via a future Plan Change process. Like all archaeological sites, these archaeological sites are protected under the Heritage New Zealand Pouhere Taonga Act 2014....

**Other relevant statutory provisions**.... The Heritage New Zealand Pouhere Taonga Act 2014 (HNZPT Act) - under this act it is unlawful to destroy, damage or modify an archaeological site (regardless of whether the site is scheduled in Te Tai o Poutini Plan or not) without obtaining an archaeological authority from Heritage New Zealand Pouhere Taonga (HNZPT) before work starts. An archaeological authority is required in addition to any resource consents required by the Council. If you discover a previously unknown archaeological site (for example, when you are undertaking earthworks) you must stop any work that could affect the archaeological site and contact HNZPT for advice on how to proceed. If there are ~~human remains~~ kōiwi or taonga revealed, then the Accidental Discovery Protocol in Appendix ~~Five~~ Four must be followed and if any artefacts are found they must be handed over to the Ministry for Culture and Heritage...

53. That the definition of Historic Heritage be amended as follows:

~~means sites, buildings and areas identified in Schedule One Historic Heritage Items and Areas and Archaeological Sites~~

has the same meaning as in section 2 of the RMA (as set out below)

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

- i. archaeological:
- ii. architectural:
- iii. cultural:
- iv. historic:
- v. scientific:
- vi. technological; and

b. includes—

- i. historic sites, structures, places, and areas; and
- ii. archaeological sites; and
- iii. sites of significance to Māori, including wāhi tapu; and

surroundings associated with the natural and physical resources

54. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in Appendix 2.

## 7.0 Submissions on the Objectives

### Submissions

| Submitter Name / ID                            | Submission Point | Position | Decision Requested  |
|--|------------------|----------|---------------------|
| <b>Historic Heritage Objectives as a Whole</b> |                  |          |                     |
| Buller District Council (S538)                 | S538.164         | Support  | Retain as notified. |
| David Ellerm (S581)                            | S581.019         | Support  | Retain              |

|  |                    |                |   |
|--|--------------------|----------------|---|
| William McLaughlin (S567)  | S567.149           | Support        | Retain  |
| Chris & Jan Coll (S558)  | S558.064           | Support        | Retain  |
| Chris J Coll Surveying Limited (S566)  | S566.064           | Support        | Retain  |
| Laura Coll McLaughlin (S574)   | S574.064           | Support        | Retain  |
| <b>HH-01</b>   |                    |                |   |
| Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (Ngāi Tahu) (S620) | S620.103, S620.155 | Support        | Retain as notified  |
| Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)                   | S190.230           | Support        | Retain objective  |
| <b>HH-02</b>   |                    |                |   |
| Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)                   | S190.231           | Support        | Retain objective.   |
| Manawa Energy Limited (Manawa Energy) (S438)   | S438.062           | Support        | Retain HH – O2 as notified  |
| Westpower Limited (S547)   | S547.170           | Amend          | Amend: Provide for development opportunities ... while providing for the protection of these values <u>from inappropriate subdivision, use, and development</u> |
| <i>Grey District Council</i>   | <i>FS1.355</i>     | <i>Support</i> | <i>Allow</i>  |
| <b>HH-03</b>   |                    |                |   |

|   |                  |                |   |
|---|------------------|----------------|---|
| Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (Ngāi Tahu) (S620)        | S620.104         | Support        | Retain as notified  |
| Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)                          | S190.232         | Support        | Retain objective  |
| Westpower Limited (S547)  | S547.171         | Amend          | Identify, assess and recognise historic heritage ... to ensure their protection <u>from inappropriate subdivision, use, and development</u> for future generations  |
| <i>Birchfield Coal Mines Ltd</i>  | <i>FS232.016</i> | <i>Support</i> | <i>Allow</i>  |
| <b>HM-04</b>  |                  |                |   |
| Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (Ngāi Tahu) (S620)        | S620.105         | Support        | Retain as notified  |
| Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)                          | S190.233         | Support        | Retain objective  |
| KiwiRail Holdings Limited (S442)  | S442.047         | Amend          | Amend as follows: Protect historic heritage by restricting relocation, repositioning, internal and external alterations and additions to heritage items and not allowing demolition and destruction, <u>while recognising the functional or operational need of infrastructure.</u> |
| <i>Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (Ngāi Tahu) (FS41)</i> | <i>FS41.207</i>  | <i>Oppose</i>  | <i>Disallow</i>   |

|                          |          |       |   |
|--------------------------|----------|-------|---|
| Westpower Limited (S547) | S547.172 | Amend | Protect historic heritage <u>from inappropriate subdivision, use, and development by restricting</u> managing relocation, repositioning, ... heritage items and not allowing demolition and destruction <u>where sustainable alternatives exist</u> |
|--------------------------|----------|-------|---|

### Analysis

55. Buller District Council (S538.164), David Ellerm (S581.019), William McLaughlin (S567.149), Chris & Jan Coll (S558.064), Chris J Coll Surveying Limited (S566.064), Laura Coll McLaughlin (S574.064) and Te Mana Ora (S190.230, S190.231, S190.232, S190.233) support all the objectives.
56. Ngāi Tahu supports Objective HH – O1 (S620.103, S620.155), Objective HH – O3 (S620.104) and Objective HH – O4 (S620.105).
57. Manawa Energy (S428.062) supports Objective HH – O2.
58. This support is noted.
59. Westpower Limited seek that Objective HH – O2 (S547.170), Objective HH – O3 (S547.171) and Objective HH – O4 (S547.172) specifically reference that the “protection” referred to is from “inappropriate subdivision, use and development”. I support this amendment, as it clarifies the reach that TTPP has in terms of its ability to protect historic heritage. The West Coast has a passionate and engaged heritage community, and there are submissions to TTPP seeking funding for historic heritage and the purchase and restoration of historic heritage items. These matters are outside of the ability for an RMA regulatory document to provide for, and I consider the reference back to the Section 6 wording is helpful in relation to these objectives.
60. KiwiRail Holdings Limited (S441.047) seeks that Objective HH – O4 specifically recognise the functional and operational needs of infrastructure. I do not support this submission. The protection of historic heritage from inappropriate subdivision, use and development is a matter of national importance under the RMA. I do not consider that, at the objective level, it is appropriate to identify this as being constrained by functional and operational needs of infrastructure.
61. Westpower (S547.172) seek that HH – O4 be amended so that the word “restricting” is replaced by “managing” in relation to activities that could adversely affect historic heritage and that a qualifier of “where sustainable alternatives exist” be added. I do not support these amendments. The protection of historic heritage from inappropriate subdivision, use and development is a matter of national importance under the RMA. In this context restriction rather than management is entirely appropriate. The qualifier around sustainable alternatives would substantially downplay the importance of protection and I consider would undermine the purpose of the objective.

### Recommendations

62. That Objective HH-O2 be amended as follows: Provide for development opportunities that are sensitive to the identified values of scheduled historic heritage items and areas while providing for the protection of these values from inappropriate subdivision, use, and development.
63. That Objective HH – O3 be amended as follows: Identify, assess and recognise historic heritage places and features that are valued locally, regionally and nationally to ensure their protection from inappropriate subdivision, use, and development for future generations.
64. That Objective HH – O4 be amended as follows: Protect historic heritage from inappropriate subdivision, use, and development by restricting relocation, repositioning, internal and external alterations and additions to heritage items and not allowing demolition and destruction.
65. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in Appendix 2.

## 8.0 Submissions on the Policies

### Submissions

| Submitter Name /ID   | Submission Point | Position | Decision Requested        |
|--|------------------|----------|---------------------------|
| <b>Historic Heritage Policies as a Whole</b>   |                  |          |                           |
| Buller District Council (S538)   | S538.165         | Support  | Retain as notified.       |
| <b>HH – P1</b>   |                  |          |                           |
| Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)                   | S190.234         | Support  | Retain policy             |
| <b>HH – P2</b>   |                  |          |                           |
| Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (Ngāi Tahu) (S620) | S620.106         | Support  | Retain as notified        |
| Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)                   | S190.235         | Support  | Retain policy.            |
| <b>HH – P3</b>   |                  |          |                           |
| Heritage New Zealand Pouhere Taonga (HNZPT) (S140)   | S140.018         | Support  | Retain policy as proposed |
| Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)                   | S190.236         | Support  | Retain policy.            |
| <b>HH – P4</b>   |                  |          |                           |
| Heritage New Zealand Pouhere Taonga (S140)   | S140.019         | Support  | Retain policy as proposed |

|  |                  |                 |   |
|--|------------------|-----------------|---|
| Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190) | S190.237         | Support         | Retain policy.  |
| Manawa Energy Limited (Manawa Energy) (S438)                               | S438.063         | Support in part | Amend HH – P4 as follows: Enable the use, including adaptive reuse of historic heritage items identified in Schedule One, while ensuring that their identified values are maintained, <u>where practicable</u> .  |
| <i>Birchfield Coal Mines Ltd</i>   | <i>FS232.017</i> | <i>Support</i>  | <i>Allow</i>  |
| <b>HH – P5</b>   |                  |                 |   |
| Northern Buller Communities Society Incorporated (S142)                    | S142.002         | Support         | Not stated  |
| Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190) | S190.238         | Support         | Retain policy.  |
| Heritage New Zealand Pouhere Taonga (S140)                                 | S140.021         | Amend           | HNZPT requests the wording of policy HH-P5 be amended: 'When considering proposals for external alteration of historic heritage items identified in Schedule One, the following matters shall be considered. a) Any external alteration will not significantly detract from an item of historic heritage value; <del>or</del><br>b) The alterations are for the primary purpose of improving structural performance, fire safety or physical access.'   |
| Westpower Limited (S547)   | S547.173         | Amend           | Amend b. The alterations are for the primary purpose of ... fire safety, physical access <u>or</u> the supply and use of energy.  |
| Manawa Energy Limited (Manawa Energy) (S438)                               | S438.064         | Support in part | Amend HH – P5 as follows: When considering proposals for external alteration of historic heritage items identified in Schedule One, the following matters shall be considered: a. Any external alteration will not significantly detract from an item of historic heritage value; or b. The alterations are for the primary purpose of improving structural performance, fire safety or physical access.; <u>or c. The alterations are required to enable the continued use of the item, or d. The alterations are required for maintenance or repair purposes.</u> |

| HH -P6   |                  |                        |   |
|--|------------------|------------------------|---|
| Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)                   | S190.239         | Support                | Retain policy.  |
| Heritage New Zealand Pouhere Taonga (S140)   | S140.022         | Amend                  | HNZPT requests the wording of policy HH-P6 be amended:<br><br>When considering proposals for relocation or repositioning of historic heritage items identified in Schedule One, the following matters shall be <del>considered</del> <u>assessed by a suitably qualified heritage professional</u> :...     |
| Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (Ngāi Tahu) (S620) | S620.107         | Amend                  | Include the following wording: When considering proposals for relocation or repositioning of historic heritage items or sites identified in Schedule One, the following matters shall be considered:... <u>h.The impacts on Poutini Ngai Tahu values on any item, site or area of significance to Māori</u> |
| Westpower Limited (S547)   | S547.174         | Amend                  | Add h. Any technical, locational, functional or operational constraints or requirements of energy activities.   |
| <i>Birchfield Coal Mines Ltd</i>   | <i>FS232.018</i> | <i>Support in Part</i> | <i>Allow in Part</i>  |
| HH- P7   |                  |                        |   |
| Northern Buller Communities Society Incorporated (S142)                                      | S142.003         | Support                | None stated   |
| Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)                   | S190.240         | Support                | Retain policy.  |
| Westpower Limited (S547)   | S547.175         | Amend                  | Add d. Any technical, locational, functional or operational constraints or requirements of energy activities.   |

|  |                  |                 |   |
|--|------------------|-----------------|---|
| Bathurst Resources Limited and BT Mining Limited (Bathurst Resources) (S491) | S491.011         | Amend           | Amend: Demolition and destruction of historic heritage items identified in Schedule One will not be allowed unless it can be demonstrated, <del>through investigation and assessment by a suitably qualified heritage professional</del> that: a. ...c ... been fully considered. <u>A suitably qualified professional may be required to undertake an assessment where it is deemed necessary by the Consent Authority having regard to the nature of the protected heritage item.</u>   |
| <i>Buller District Council</i>   | <i>FS149.040</i> | <i>Support</i>  | <i>Allow</i>  |
| Manawa Energy Limited (Manawa Energy) (S438)                                 | S438.065         | Support in part | Amend HH – P7 as follows: Demolition and destruction of historic heritage items identified in Schedule One will not be allowed unless it can be demonstrated, through investigation and assessment by a suitably qualified heritage professional that: The extent of the work required to retain the heritage items is of such a scale that the heritage values and integrity of the heritage item would be significantly compromised; The costs to retain or repair the heritage item would be unreasonable; All other viable alternatives, including relocation and repositioning have been fully considered; <u>The item poses a significant risk to public safety;</u> <u>The item is adversely affecting the efficient functioning or operation of regionally significant infrastructure</u> |
| <b>HH – P8</b>   |                  |                 |   |
| Northern Buller Communities Society Incorporated (S142)                      | S142.004         | Support         | None stated   |
| Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)   | S190.241         | Support         | Retain policy.  |
| Westpower Limited (S547)   | S547.176         | Amend           | Amend a. The alterations are for the primary purpose of ... fire safety, physical access <u>or</u> the supply and use of energy.  |
| <b>HH -P9</b>  |                  |                 |   |
| Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)   | S190.242         | Support         | Retain policy.  |



|  |            |                 |   |
|--|------------|-----------------|---|
| Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (Ngāi Tahu) (S620) | S620.416   | Support         | Retain as notified  |
| Heritage New Zealand Pouhere Taonga (S140)   | S140.023   | Support in part | HNZPT requests the wording of HH-P9 be amended:<br><br>'The Councils will work with Heritage New Zealand Pouhere Taonga and Poutini Ngāi Tahu to create a yearly work programme which will enable all NZAA sites of Māori origin on Te Tai o Poutini to be accurately mapped within the next ten years, <u>prioritising sites of Māori origin</u> . These will be included in the Planning Maps as a Plan Change'.  |
| Laura Mills  | FS48.001   | Support         | So many heritage sites and buildings appear to have been missed. An expert needs to do a comprehensive assessment. Buildings, sites, work places.   |
| Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (Ngāi Tahu) (FS41) | FS41.208   | Support         | Allow   |
| <b>New Policies sought</b>   |            |                 |   |
| KiwiRail Holdings Limited (S442)   | S442.048   | Amend           | Insert as follows: Only allow new infrastructure on or within heritage items, heritage settings and historic heritage sites, identified in Schedule One where it can be demonstrated that: There is an operational need or functional need that means the infrastructure's location cannot be avoided; and<br><br>The new infrastructure will protect and maintain the particular heritage and/or cultural values of that building, site, area, item and/or feature |
| Westpower Limited  | FS222.0171 | Oppose          | Disallow  |
| Greymouth Heritage Trust (S104)  | S104.009   | Amend           | That the Plan promotes the identification of human activity in the now that will become Heritage assets in the future   |

### Analysis

66. Buller District Council (S538.165) and Te Mana Ora (S190.234, S190.235, S190.236, S290.237, S190.238, S190.239, S190.240, S190.241 and S190.242) support all the historic heritage policies.

67. Ngāi Tahu support Policy HH – P2 (S620.106) and Policy HH – P9 (S620.416), HNZPT (S140.018) support HH – P3 and HH – P4 (S140.019).
68. Northern Buller Communities Society Incorporated (S142.002) support HH – P5, HH – P7 (S142.003) and HH – P8 (S142.004).
69. This support is noted.
70. Manawa Energy (S438.063) seek the qualifier “where practicable” be added to policy HH – P4 in relation to maintaining the identified values of scheduled items. The protection of historic heritage from inappropriate subdivision, use and development is a matter of national importance under the RMA. In this context I consider that the “where practicable” qualifier in relation to maintaining identified values would allow for the potential of significant degradation of heritage values. I therefore do not support this submission.
71. HNZPT (S140.021) seek that the word “or” be removed from policy HH – P5 – this would mean that both matter a and b would need to be achieved in order to meet the policy. They argue that alterations for the primary purpose of improving structural performance, fire safety or physical access, should also where possible, be undertaken in a way that does not detract from an item of historic heritage value. They consider that the relevant rule, HH-R2, adequately addresses this.
72. I agree with this assessment and support the amendment proposed in the submission.
73. Westpower Limited (S547.173) seek that the policy be amended to include the supply and use of energy as a consideration within the policy. I support this submission Part b. of the Policy specifically links to Rule HH – R2, recognising that earthquake strengthening, fire protection and accessibility are key Building Act matters that need to be addressed in many heritage buildings if they are not to suffer “demolition by neglect”. Upgrading of energy supply can be an important part of ensuring fire safety.
74. Manawa Energy (S438.064) seek an additional consideration be whether the alterations are required to enable the continued use of the item or for maintenance and repair purposes.
75. I do not support this submission. Part a of the policy considers the impacts on heritage values of any proposals that would alter the exterior of a heritage item. I consider that this is the primary direction of the policy.
76. With regard to Manawa Energy’s submission, I do not support the proposed addition of “c. the alterations are required to enable the continued use of the item” – this would cover an exceedingly wide range of activities, including activities that could substantially degrade historic values. I also do not support the proposed d. “the alterations are required for maintenance or repair purposes”. Alterations are not repairs and maintenance – *additions and alterations* is a defined term and can include things such as changes to the extent, floor levels, form, proportion and scale of the item, or changes to the design, texture, or form of the fabric of the item which could affect historic heritage values.
77. HNZPT (S140.022) seek that Policy H-P6 be amended to identify that matters shall be assessed rather than “considered” and that this assessment is undertaken by a suitably qualified heritage professional. This places a greater degree of importance of the work done by the heritage professional in relation to relocation of a historic heritage item. I consider that this is appropriate.
78. Ngāi Tahu (S620.107) seek that impacts on Poutini Ngai Tahu values on any item, site or area of significance to Māori is part of the assessment. I consider this is appropriate. There are a range of heritage items that also sit within Sites and Areas of Significance to Māori and therefore such an assessment may be very important.
79. Westpower (S547.174) seeks that the assessment include “any technical, locational, functional or operational constraints or requirements of energy activities”. I do not support this as I do not consider it is likely to be a relevant matter when assessing whether or not to reposition or relocate a heritage item. The focus of the assessment is appropriately around the heritage values and the impact of any activity moving the item on these.
80. In relation to Policy HH – P7 Westpower Limited (S547.175), Bathurst Resources (S491.011) and Manawa Energy (S438.065) seek amendments. Westpower seeks an amendment to reference the technical, locational, functional or operational constraints or

requirements of energy activities. I do not consider that this is a priority matter for assessment in relation to the decision on whether or not to allow the demolition or destruction of a Heritage Item.

81. Bathurst Resources seek that the qualifier that the assessment may not always be necessary to be undertaken by a suitably qualified heritage professional. I do not support this submission. The protection of historic heritage is a Matter of National Importance under Section 6 of the RMA. Having identified an item as being of significant historic heritage value, before any decision is made on demolition or destruction I consider an assessment by a suitably qualified heritage professional as an essential aspect of the consenting process.
82. Manawa Energy (S438.065) seek that additional matters of assessment be included in the policy – specifically whether the item poses a significant risk to public safety and whether the item is adversely affecting the efficient functioning or operation of regionally significant infrastructure. I support this submission in part, in that I do consider the posing of a significant risk to public safety as being an important consideration for assessment – but only where other viable alternatives have been fully considered. I do not consider that an adverse effect on the efficient functioning or operation of regionally significant infrastructure is a weighty enough matter to justify the destruction of a heritage item. For example, the location of a heritage item may require a network utility to be routed around the item – thereby affecting its efficient functioning by extending the length of the network. I do not consider that this would be significant enough reason to justify the destruction of a scheduled heritage item.
83. In relation to Policy HH -P8 and internal alterations of heritage buildings, Westpower Limited (S547.176) seek that the supply and use of energy be a key reason to provide for alterations. I do not consider that is a matter that needs specific additional weight – items c, d and e of the policy provide for a range of circumstances that should be able to be met in supplying and using energy. I do not consider that there is a need for a specific exemption allowing for the heritage values to have adverse effects as a result of the energy supply and use.
84. HNZPT (S140.023) seek that Policy HH -P9 be amended to widen the scope of the policy to all NZAA sites, with sites of Māori origin being prioritised. I do not support this amendment as I recognise that the resources of the West Coast Councils are severely constrained. There are over 1000 NZAA sites identified on the West Coast, with over 200 of these being sites of Māori origin. In developing TTPP the Councils were unable to afford the extent of investigation into the archaeological sites and heritage items scheduled in the plan that they would like. I do not think that the West Coast Councils have the resources to be investigating all the NZAA sites, where in most cases very little information is available. I consider this responsibility lies with HNZPT in its statutory role in relation to archaeological sites. The recommended additional method HH – M2 does provide a clear pathway however for how additional sites, including additional archaeological sites, could be included in the Plan in the future.
85. There are two submissions seeking additional policy around historic heritage. KiwiRail Holdings Limited (S442.048) seeks a policy that recognises the functional and operational need for some infrastructure to locate on or within heritage items. I consider that this has merit as there is no recognition within the policy group that in some instances there may be a functional or operational need for critical infrastructure in particular to locate on or within heritage items, settings or sites identified in the schedule. I consider the wording proposed by KiwiRail is appropriate and support the submission.
86. The Greymouth Heritage Trust (S104.009) seek that the Plan promotes the identification of human activity in the now, which could become Heritage assets in the future. This was a matter that was raised and discussed during the Plan drafting but there is not a clear mechanism through the RMA to protect such features. Examples discussed included industrial sites such as the Holcim Cement Works– which formed an important part of the Buller history, but which were completely dismantled and removed during the rehabilitation stage for the site. Essentially the submitter is concerned that potentially important sites and items never get the chance to be old enough to be assessed and considered to be historic heritage. I do not consider this is a matter easily addressed in a

district plan. This is essentially a “sense of place” and “amenity values” issue as such sites would not meet the definition of historic heritage – and may not for many decades.

### Recommendations

87. That Policy HH-P5 be amended as follows: When considering proposals for external alteration of historic heritage items identified in Schedule One, the following matters shall be considered:
  - a) Any external alteration will not significantly detract from an item of historic heritage value; ~~or~~
  - b) The alterations are for the primary purpose of improving structural performance, fire safety, upgrading energy supply or physical access.’
88. That Policy HH – P6 be amended as follows: When considering proposals for relocation or repositioning of historic heritage items identified in Schedule One, the following matters shall be ~~considered~~ assessed by a suitably qualified heritage professional:… :…h.The impacts on Poutini Ngai Tahu values on any item, site or area of significance to Māori.
89. That Policy HH – P7 be amended as follows: ….a. the extent of the work required to retain the heritage items is of such a scale that the heritage values and integrity of the heritage item would be significantly compromised; b. the item poses a significant risk to public safety and there is no viable alternative to make the item safe; c. The costs to retain or repair the heritage item would be unreasonable; d. All other……
90. That a new policy HH – P10 be added to the Plan as follows: **HH – P10** Only allow new infrastructure on or within heritage items, heritage settings and historic heritage sites, identified in Schedule One where it can be demonstrated that: a.) There is an operational need or functional need that means the infrastructure's location cannot be avoided; and b) The new infrastructure will protect and maintain the particular heritage and/or cultural values of that building, site, area, item and/or feature
91. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in Appendix 2.

## 9.0 Submissions on the Rules and Methods

### 9.1 Submissions on Permitted Activities

#### Submissions

| Submitter Name /ID   | Submission Point | Position       | Decision Requested  |
|--|------------------|----------------|---|
| <b>HH- R1 Repairs and Maintenance</b>                                      |                  |                |   |
| Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190) | S190.243         | Support        | Retain rule.  |
| Buller District Council (S538)   | S538.166         | Support        | Retain as notified.   |
| Heritage New Zealand Pouhere Taonga (S140)                                 | S140.024         | Oppose in part | HNZPT requests the wording of HH-R1 be amended:<br><br>1. Where: a) There are no changes to the extent, floor levels, form, proportion and scale of the item; b) There are no changes to the design, texture, or form of the fabric; c) Use of materials other than those that are the same as the original, or most significant fabric, or the closest equivalent; <del>or</del> <u>and</u> d) There is no damage to the building or |

|  |                  |               |   |
|--|------------------|---------------|---|
|  |                  |               | structure as a consequence of affixing scaffolding.<br><br>2. <u>Where repair or maintenance work is not distinguishable from the original fabric, then the new materials should be date stamped.</u> |
| The O'Conor Institute Trust Board (S466)           | S466.013         | Amend         | Amend the Rule so that it is clear that internal alterations not effecting the external appearance of the historic heritage building are be permitted.  |
| Frank and Jo Dooley (S478)                         | S478.056         | Amend         | Amend the Rule so that it is clear that internal alterations not effecting the external appearance of the historic heritage building are be permitted.  |
| <i>Heritage New Zealand Pouhere Taonga (HNZPT)</i> | <i>FS111.003</i> | <i>Oppose</i> | <i>Disallow</i>   |

| <b>HH -R2 Earthquake Strengthening, Fire Protection and Accessibility</b>  |          |         |  |
|--|----------|---------|--|
| Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190) | S190.244 | Support | Retain rule.   |
| Buller District Council (S538)   | S538.167 | Support | Retain as notified.  |
| The O'Conor Institute Trust Board (S466)                                   | S466.014 | Support | Suitably qualified and experienced architects should be provided for in R2 rather than 'heritage architects' specifically. |
| Frank and Jo Dooley (S478)   | S478.057 | Support | Suitably qualified and experienced architects should be provided for in R2 rather than 'heritage architects' specifically. |
| Federated Farmers of New Zealand (S524)                                    | S524.009 | Oppose  | Delete definition of heritage professional<br>Amend HH-R2 to refer to suitably qualified heritage professional             |
| Westpower Limited (S547)   | S547.177 | Amend   | Amend Heading: Earthquake Strengthening, Fire Protection, Accessibility <u>and Supply of Energy</u> Upgrades to ...".      |
| Westpower Limited (S547)   | S547.178 | Amend   | Amend item 1.a. An activity ... Rule HH-R2; <u>or</u> ...  |
| <b>HH – R3 Minor Earthworks</b>  |          |         |  |
| Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190) | S190.245 | Support | Retain rule.   |

|   |           |                 |  |
|---|-----------|-----------------|--|
| Westpower Limited (S547)                          | S547.180  | Support         | Retain item e.   |
| Heritage New Zealand Pouhere Taonga (HNZPT)(S140) | S140.025  | Oppose in part  | HNZPT requests the wording of rule HH-R3 be amended: 'HH-R3 - Minor Earthworks in a Historic Heritage Area or <u>Archaeological Site</u> identified in Schedule One'   |
| Westpower Limited (S547)                          | S547.179  | Amend           | Amend item d. Installing fence posts ... overhead network utility lines ( <u>including energy</u> ) provided ... maintain an existing fence <u>or overhead line</u> and does not involve installation or digging of new <u>fence</u> post holes.   |
| Federated Farmers of New Zealand (S524)           | S524.045  | Support in part | Reword HH-R3 1d and 1e as follows: d. <u>Installing fence posts provided that the area of land disturbed is limited to what is necessary to maintain an existing fence or line along its existing alignment;</u> e. <u>the replacement of poles for overhead network utility lines provided that the activity does not involve installation or digging of new holes for overhead network utility lines;</u><br><br>or ...<br><br>Delete HH-R3(2). of this rule.  |
| Heritage New Zealand Pouhere Taonga (HNZPT)       | FS111.005 | Oppose          | Disallow   |
| Buller District Council (S538)                    | S538.168  | Support in part | Provide guidance on what is meant by an ADP commitment.  |
| Department of Conservation (S602)                 | S602.052  | Amend           | Amend: Activity Status Permitted Where: These are earthworks that will not result in damage, demolition or destruction of heritage items and are associated with: a. An activity permitted <u>under Rule EW-R1 to EW-R6;</u> and...  |
| Manawa Energy Limited (Manawa Energy) (S438)      | S438.066  | Support in part | Amend Where:1. HH – R3 items a. as follows: a. These are earthworks that will not result in damage, demolition or destruction of heritage and are associated with: An activity permitted under Rule HH - R1 or Rule HH - R2; ... Maintaining roads, tracks, carparks, accessways or paved areas within the footprint or modified ground compromised by the existing road, track, carpark, accessway or paved area; and or h. <u>Maintenance and repair of regionally significant infrastructure within the existing footprint of that infrastructure;</u> and 2. An Archaeological Authority ... |

|   |                              |                        |  |
|---|------------------------------|------------------------|--|
| Chorus NZ Ltd,<br>Spark NZ<br>Trading Ltd,<br>Vodafone NZ Ltd<br>(S663)                     | S663.036                     | Support                | Amend the rule as follows: Activity Status Permitted Where: 1. These are earthworks that will not result in damage, demolition or destruction of heritage items and are associated with: .....d. Installing fence posts and the replacement of poles for overhead network utility lines provided the area of land disturbed is limited to what is necessary to maintain an existing fence along its existing alignment and does not involve installation or digging of new post holes; or e. Maintaining existing underground energy <u>or telecommunications</u> activity assets; <u>e2. Installing new underground customer connections where the building or item has not been scheduled in regard to archaeology;</u> f. Maintenance and repair of existing drains within the existing footprint of the drain; or g. Maintaining roads, tracks, carparks, accessways or paved areas within the footprint or modified ground compromised by the existing road, track, carpark, accessway or paved area; and ... |
| <i>Te Rūnanga o Ngāti Waewae,<br/>Te Rūnanga o Makaawhio and<br/>Te Rūnanga o Ngāi Tahu</i> | <i>FS41.586<br/>FS41.734</i> | <i>Support in part</i> | <i>We support the clarification for new customer connections, however, wish to further clarify that heritage is more than just archaeology and also includes SASM which needs to be clear in this rule and similar ones.</i>   |
| Buller District Council (S538)  | S538.170                     | Oppose                 | Delete Rule 5. Consequential amendment to Rule 3 - add new clause as follows: New infrastructure connections to heritage buildings.  |

### Analysis

92. Te Mana Ora (S190.243, S190.244, S190.245) S538.167) support the three Permitted Activity Rules as notified. Buller District Council (S538.166,S538.167) support HH – R1 and HH – R2

#### HH – R1

93. HNZPT (S140.024) seeks that rule HH – R1 be amended to specify that where the repair or maintenance work is not distinguishable from the original fabric, then the new materials should be date stamped. This approach is not standard practice for district plan heritage items and I consider it would create an unreasonable burden on the owner of the heritage item. I also note that as a Permitted Activity standard this would be very hard to monitor or enforce.
94. The O’Conor Institute Trust Board (S466.013) and Frank and Jo Dooley (S478.056) seek that rule be amended so that it is clear that internal alterations not affecting the external appearance of the historic heritage building are permitted.
95. HNZPT oppose the submission of Frank and Jo Dooley in their further submission. This matter was discussed in the pre-hearing meeting with HNZPT. In developing the Schedule for the Plan, the extents as outlined in the HNZPT listing had been used. Within the Schedule there are 8 items with “fixtures and fittings” identified in the extent. HNZPT have in a submission on the schedule (S140.066) supported the reference to

specific interior elements of importance in the schedule as proposed. This relates to 8 items where "fixtures and fittings" are specifically scheduled – being:

1. HH22 – Bank of New South Wales – Former, Westport
  2. HH31 Racecourse Grandstand, Reefton
  3. HH35 Sacred Heart Catholic Church, Reefton
  4. HH36 St Stephen's Church, Reefton
  5. HH38 Masonic Hall, Reefton
  6. HH89 All Saints Church, Hokitika
  7. HH98 St Mary's Church, Hokitika
  8. HH103 Totaliser Building, Hokitika
96. Other than these 8 heritage items there are no interior elements of any building included in the scheduled extent of other items. I therefore consider it appropriate to clarify that only these scheduled items have interior elements that are subject to Rule HH – R1. I therefore recommend accepting the submissions of the O'Connor Institute Trust Board (S466.013) and Frank and Jo Dooley (S478.056) in part.

#### **HH -R2**

97. The O'Connor Institute Trust Board (S466.014), Frank and Jo Dooley (S478.057) and Federated Farmers of New Zealand (S524.009) all seek changes to rule HH – R2 in relation to the reference to the "assessment by a heritage architect". The O'Connor Institute Trust Board and Frank and Jo Dooley consider that the reference should be to a "suitably qualified and experienced" architect rather than a "heritage" architect.
98. I support these submissions in part in that I consider the correct reference should be to a "suitably qualified and experienced heritage professional" rather than architect. This is because the term "Heritage professional" is defined in the Plan, and therefore it is unambiguous what degree of "suitable qualification and experience" is required. I also note that as Rule HH – R2 applies to Heritage Items, which includes structures other than buildings and archaeological sites, that the "heritage professional" may not in all instances need to be an architect. If the proposal was, for example, for earthquake strengthening of an archaeological site, such as a mine working, the appropriate professional may be an archaeologist rather than an architect.
99. Federated Farmers (S524.009) seek a change to a "suitably qualified heritage professional" – with the proviso that the current definition of "heritage professional" is deleted. I support this submission in part.
100. The definition of "heritage professional" is discussed in Section 6.0 of this report. I acknowledge that the availability of heritage expertise on the West Coast is limited, however during the development of the Plan, consultation with heritage groups on the West Coast identified that modification of heritage items without input from appropriate experts was a significant issue and that as a consequence of this lack of input, damage to important heritage resources on the West Coast had occurred. This matter was also identified as an issue during consultation with NZHPT – the main national agency tasked with identifying, protecting and promoting the country's historical and cultural heritage. The Tai o Poutini Committee wanted to support activities such as repairs and maintenance and earthquake strengthening occurring and recognised that with good heritage advice, a range of Permitted Activities could occur. The definition of heritage professional supports these rules and recognises that expertise around heritage should have relevant qualifications and experience to provide appropriate advice.
101. Westpower Limited (S547.177) seek that rule HH – R2 be expanded to include "Supply of Energy" Upgrades as part of the Permitted Activity. I support this as many heritage buildings also have very old electricity supplies. Upgrading the energy supply can be an important part of fire protection for a heritage item.
102. Westpower Limited (S547.178) also seek that the word "and" be replaced with "or". I do not support this amendment. Earthquake strengthening, fire protection and access upgrades can be significant in terms of their visual impact on a heritage item. They could be undertaken while meeting the performance standards of Rule HH – R1, but still detract from the heritage value of the building. In order to justify a Permitted Activity status, I consider that both performance standards for the rule need to apply.



### HH – R3

103. In relation to Rule HH – R3, Westpower (S547.180) support matter e. (maintaining existing underground energy activity assets). This support is noted.
104. HNZPT (S140.025) seek the reference to Historic Heritage Area or Site be amended to "Archaeological Site". I support this in part as it clarifies that the Rule applies to Archaeological Sites. However I am concerned that the change could create confusion as the reader may consider that the rule would only apply to Historic Heritage Areas (eg Denniston and Reefton Historic Areas) but not to other items. I consider that therefore to clarify this rule, the wording should be amended to "Historic Heritage Item or Area or Archaeological Site identified in Schedule One..."
105. Westpower Limited (S547.179) seeks a series of amendments to standard d. Installing fenceposts and poles for overhead utility lines. Currently the standard is worded as follows: *....d. Installing fence posts and the replacement of poles for overhead network utility lines provided the area of land disturbed is limited to what is necessary to maintain an existing fence along its existing alignment and does not involve installation or digging of new post holes; or...*
106. They seek that the words "including energy" are added after the words "overhead network utility lines" I do not consider that this is necessary. A network utility operator is defined and includes electricity operators and distributors.
107. Westpower Limited also seek that the term "or overhead line" be added to the standard. I support this as I consider that it is a drafting error that this term was excluded.
108. Westpower Limited also seek that the words "fence" be placed in front of "post holes". I do not support this. I consider that would substantially change the rule – by effectively allowing new overhead utility line poles to be installed/dug in a historic heritage area or site without a resource consent. Such an activity could impact negatively on archaeological or heritage values of a site and should be assessed as part of a resource consent process.
109. Federated Farmers (S524.045) seek that in relation to standard 1d that fences and network utilities be placed in separate standards with less restrictive provisions for fences. They also seek that the provision that no new holes be dug for fences be deleted. I consider allowing new holes to be dug for fences would substantially change the rule – by effectively allowing new fence poles to be installed/dug in a historic heritage area or site without a resource consent. Such an activity could impact negatively on archaeological or heritage values of a site and should be assessed as part of a resource consent process.
110. Federated Farmers (S524.045) also seek that standard 2.– which requires an archaeological authority or an accidental discovery protocol commitment to be provided to the District Council 10 working days prior to the work commence, be deleted. The Buller District Council (S538.168) seek that guidance be provided on what is meant by an Accidental Discovery Protocol commitment.
111. Federated Farmers are concerned that as not all heritage items are recognised for archaeological value it is not appropriate to require an Archaeological Authority for any and all works affecting Schedule One sites. I support this submission in part. While in law any work that may affect an archaeological site (regardless of whether or not it is scheduled in the Plan) requires an archaeological authority from HNZPT, in practice it is common for this not to occur – often due to ignorance on the part of the person doing the work and a lack of understanding that the site is protected. This point is made by HNZPT in their further submission opposing the submission of Federated Farmers.
112. Many of the heritage items and areas in schedule one do have archaeological values. However given that the archaeological authority will generally be a mandatory requirement under the HNZPT Act, I consider that reference to this is more appropriate through an Advice Note than as a specific performance standard as the archaeological authority is a matter between the HNZPT and the entity undertaking the work. However I am concerned that Poutini Ngāi Tahu values and in particular the discovery of taonga or koiwi are not sufficiently dealt with through a reliance on an advice note reference to the HNZPT Act. An Accidental Discovery Protocol Commitment is a written commitment to

abide by the Accidental Discovery Protocol included in Appendix Four. I support the submission of Buller District Council (S538.168) that guidance on this be provided and propose that a definition of Accidental Discovery Protocol be included in the Plan to provide that guidance.

113. The Department of Conservation (S602.052) seek that is clarified that activities permitted under this rule are only permitted where the earthworks provisions in the EW Section are also met. Currently as drafted the earthworks rules within the earthworks chapter do not apply. I have reviewed the rules in that chapter and consider that EW–R1 – earthworks general standards is appropriate to also apply to earthworks within heritage areas and archaeological sites. I do not however consider that placing a potentially additional requirement for resource consent under the zone provisions as well as historic heritage overlay requirements is efficient or necessary. I therefore recommend that this submission be accepted in part, as relates to EW – R1.
114. Manawa Energy (S438.066) seek that maintenance and repair of regionally significant infrastructure within the existing footprint of that infrastructure be an additional permitted activity. I support this submission. I note that the Energy Infrastructure and Transport s42A recommended that the term “critical infrastructure” be replaced with the term “regionally significant infrastructure”.
115. Chorus NZ Ltd, Spark NZ Trading Ltd, Vodafone NZ Ltd (S663.036) seek that standard e. be amended to provide for maintaining existing underground telecommunications assets. I support this as I consider this omission is a drafting error as telecommunications companies are not captured as a network utility and therefore need to be explicitly identified in the rule.
116. Chorus NZ Ltd, Spark NZ Trading Ltd, Vodafone NZ Ltd (S663.036) also seek that installing new underground customer connections where the building or item has not been scheduled in regard to archaeology also be a Permitted Activity. I do not support this part of the submission. While not being specifically scheduled as Archaeological Sites, many historic heritage sites and items may have archaeological values or other historic values associated with the land. Therefore this activity could impact negatively on archaeological or heritage values of a site and should be assessed as part of a resource consent process.
117. Buller District Council (S538.170) seek that Rule HH – R5 (New infrastructure connections) be deleted and that these be made a Permitted Activity as part of Rule 3. I do not support this submission. While not being specifically scheduled as Archaeological Sites, many historic heritage sites and items may have archaeological values or other historic values associated with the land. Therefore this activity could impact negatively on archaeological or heritage values of a site and should be assessed as part of a resource consent process.

### *Recommendations*

118. That Rule HH – R1 be amended as follows: HH – R1 Repairs and Maintenance of a Historic Heritage Item. Activity Status Permitted Where:

1. There is no
  - a. Changes to the extent, floor levels, form, proportion and scale of the item;
  - b. Changes to the design, texture, or form of the fabric;
  - c. Use of materials other than those that are the same as the original, or most significant fabric, or the closest equivalent; or
  - d. Damage to the building or structure as a consequence of affixing scaffolding.

Advice Note: This rule applies only to the exterior of the heritage item except where the Extent in Schedule One includes fixtures and fittings. The rule applies to fixtures and fittings for those specific scheduled items, including interiors.

119. That rule HH – R2 be amended as follows: HH – R2 Earthquake Strengthening, Fire Protection and Accessibility and Supply of Energy Upgrades to a Historic Heritage Item identified in Schedule One .  
Activity Status Permitted Where:

1. All performance standards for Rule HH – R1 are complied with; and
  2. An assessment from a ~~Heritage Architect~~ suitably qualified and experienced heritage professional is provided to the relevant council confirming the works are consistent with the values of the Historic Heritage item at least 10 working days prior to the commencement of the work
120. That rule HH – R3 be amended as follows: HH-R3 - Minor Earthworks in a Historic Heritage Item or Area or Archaeological Site identified in Schedule One
- Activity Status Permitted Where:
1. These are earthworks that will not result in damage, demolition or destruction of heritage items and are associated with:
    - a. An activity permitted under Rule HH – R1 or Rule HH – R2;
    - b. Interments at existing cemetery or urupā; or
    - c. Archaeological survey by Heritage New Zealand - Pouhere Taonga or authorised representatives; or
    - d. Installing fence posts and the replacement of poles for overhead network utility lines provided the area of land disturbed is limited to what is necessary to maintain an existing fence or overhead line along its existing alignment and does not involve installation or digging of new post holes; or
    - e. Maintaining existing underground energy activity or telecommunications assets; or
    - f. Maintenance and repair of regionally significant infrastructure within the existing footprint of that infrastructure; or
    - g. Maintenance and repair of existing drains within the existing footprint of the drain; or
    - h. Maintaining roads, tracks, carparks, accessways or paved areas within the footprint or modified ground compromised by the existing road, track, carpark, accessway or paved area; and
  2. ~~An Archaeological Authority has been issued by Heritage New Zealand – Pouhere Taonga, or~~ An Accidental Discovery Protocol commitment has been completed and submitted to the relevant District Council at least 10 working days prior to the commencement of any earthworks; and
  3. All standards of Rule EW – R1 are complied with.
- Advice Note: Where work is proposed that could modify an archaeological site (regardless of whether the site is scheduled as an archaeological site in Te Tai o Poutini Plan or not) obtaining archaeological authority from Heritage New Zealand Pouhere Taonga (HNZPT) is required before any work starts.
121. That an additional definition be included in the Plan defining the term Accidental Discovery Protocol commitment as follows: Accidental discovery protocol commitment means a written commitment to adhere to the accidental discovery protocol as contained in Appendix Four. This does not replace any archaeological authority required by Heritage New Zealand.
122. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in Appendix 2.

## 9.2 Submissions on Relocation and Relocation of Historic Heritage Items

### Submissions

| HH – R4 Relocation and Repositioning and Associated Earthworks Controlled Activity               |                   |                       |   |
|--|-------------------|-----------------------|---|
| Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)                       | S190.246          | Support               | Retain rule.  |
| Heritage New Zealand Pouhere Taonga (S140)   | S140.026          | Oppose                | HNZPT requests that historic heritage items be provided with greater protection from inappropriate repositioning or relocation, through amending the proposed activity status as follows: Repositioning a heritage item within its existing area or site: <u>Discretionary activity</u> Relocating a heritage item to a new area or site: <u>Non-complying activity</u> . |
| <i>Westpower Limited</i>   | <i>FS222.0162</i> | <i>Oppose</i>         | <i>Disallow</i>   |
| <i>Birchfield Coal Mines Ltd</i>   | <i>FS232.019</i>  | <i>Oppose</i>         | <i>Disallow</i>   |
| <i>Grey District Council</i>   | <i>FS1.334</i>    | <i>Oppose in part</i> | <i>Disallow in part</i>   |
| Buller District Council (S538)   | S538.169          | Oppose in part        | Amend Clause 2 of Rule 4 as follows: 2. The item is being relocated or repositioned: i. To its original locations; or ii. Due to an immediate threat from damage sustained In this plan; or By a suitability qualified heritage hazard professional. Notification: <del>Proposals to relocate or reposition monuments will always be publicly notified.</del>             |
| Department of Conservation (S602)  | S602.053          | Amend                 | Amend: Activity Status Controlled Where: All performance standards for Rule HH - R1 are complied with; and <u>An Archaeological Authority has been issued by Heritage New Zealand - Pouhere Taonga, or the written approval of Heritage New Zealand - Pouhere Taonga is provided; and...</u>  |
| HH – R7 Relocation and Repositioning and Associated Earthworks Restricted Discretionary Activity |                   |                       |   |
| Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)                       | S190.249          | Support               | Retain rule.  |

|  |                  |                |   |
|--|------------------|----------------|---|
| Heritage New Zealand Pouhere Taonga (S140)   | S140.029         | Oppose         | HNZPT requests that relocation be a noncomplying activity and repositioning be a discretionary activity.  |
| <i>Grey District Council</i>   | <i>FS1.335</i>   | <i>Oppose</i>  | <i>Disallow</i>   |
| Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (Ngāi Tahu) (S620) | S620.108         | Amend          | Amend to include the following discretions to listed in HH-R7: f. <u>Impacts of the activity on the cultural values on any site or area of significance to Māori; and Implementation of any advice received from the relevant Poutini Ngāi Tahu rūnanga on ways to manage the effects on cultural values of the proposed maintenance works.</u> |
| Westpower Limited (S547)   | S547.184         | Amend          | Add g. Any technical, locational, functional or operational constraints or requirements of energy activities.   |
| Buller District Council (S538)   | S538.172         | Oppose in part | Amend Rule 7 as follows: <del>Notification: Proposals to relocate or reposition monuments will always be publicly notified.</del>   |
| Department of Conservation (S602)  | S602.055         | Amend          | Amend HH – R7 and HH – R8: Activity Status Restricted Discretionary Discretion is restricted to: 1. <u>Whether an Archaeological Authority has been issued by Heritage New Zealand - Pouhere Taonga, and whether any consultation feedback has been provided to the applicant by Heritage New Zealand - Pouhere Taonga; and...</u>              |
| <i>Heritage New Zealand Pouhere Taonga</i>   | <i>FS111.011</i> | <i>Support</i> | <i>Allow</i>  |

### Analysis

123. Te Mana Ora (S190.246 and S190.249) support the proposed Plan approach to relocation and repositioning of heritage items. This support is noted.
124. HNZPT (S140.026 and S140.029) seek that the relocation and repositioning of heritage items be subject to a greater degree of restriction. They seek that repositioning a heritage item within its existing area or site be a Discretionary, rather than Controlled Activity, and that relocating a heritage item to a new area or site be a Non- Complying Activity. They argue that relocation of a heritage item from its original setting should be avoided as the setting is a critical contributor to the heritage value. They consider that while rare instances may arise where the relocation of a heritage item is a last resort to avoid demolition or loss, repositioning or relocation should only be undertaken when all other means of retaining the structure in its current location have been exhausted. HNZPT considers the proposed status of relocation or repositioning of a Historic Heritage item as a controlled activity does not provide sufficient protection, nor does it send the message that relocation is a last resort. I see merit in the argument put forward by HNZPT and on reflection consider that as drafted in the proposed Plan the approach to relocation and repositioning is insufficiently protective and could lead to poor decisions around heritage items. I note that the relocation and repositioning of heritage items was a significant concern of West Coast heritage groups when drafting the Plan – and for this reason a public notification clause was included in one of the rules – this is discussed further below in relation to Buller District Council’s submission on that clause. I have reviewed the approach taken by other Councils on this matter, and discussed this issue

with the heritage consultant Ann McEwan. I also discussed this issue in the pre-hearing meeting with HNZPT. Based on those discussions and a review of how this matter is dealt with in other Council areas I recommend that Rule HH – R4 should be a Restricted Discretionary, rather than Controlled Activity, and that Rule HH – R7 should be a Discretionary, rather than Restricted Discretionary Activity.

125. Buller District Council (S538.169) seek that Clause 2 of Rule HH – R4 be amended to delete the reference to a damage to the item being sustained – as the rule deals with imminent threat and so the damage may not have occurred yet. I support this amendment. They also seek that the assessment that there is a risk to the item should be undertaken by a hazard professional rather than a heritage professional. I do not support this. I consider that the assessment of a heritage professional may be quite different to that of a hazard professional. There are examples of heritage items at threat from coastal hazards at locations such as Granity in Buller. Advice from a hazard professional is likely to be around matters such as the rate of erosion, impacts on buildings of coastal inundation and safe long term sites to relocate a building. Input from a heritage professional would be around what are the critical aspects of the item and its extent that should be retained. However any relocation or repositioning would support heritage values and whether the site the item is being relocated or repositioned to has impacts on the heritage values. As discussed above, there is poor understanding in the wider community that moving heritage items from their original setting has a very significant impact on the heritage values of that item. This view may well be shared by a hazard professional. In the case of some heritage items or areas (e.g. mine workings) the view of a heritage professional possibly could be that the items have no heritage value if they are moved, but would be better to remain in their current location and setting, even if that did lead to their destruction. I therefore do not support this part of the submission.
126. Buller District Council also seek that the notification clause associated with Rule HH – R4 be deleted. The Council is concerned with this predetermination in that if the monument is subject to an immediate threat of damage or loss then there should be the ability to relocate it as quickly as possible and not be delayed by the public notification process. They are also concerned that as a Controlled Activity must be granted consent, there would be no purpose achieved with public notification. This clause was included in the proposed Plan because of the strong concerns expressed by the community during the development of the Plan around a lack of public notification when public monuments such as memorials were being relocated with detrimental effects on both the heritage item (when the application was approved) and considerable upset in the community that no input was able to be provided by the community about the location to which an item was relocated – or the appropriateness of the relocation. I consider that the arguments of Buller District Council around notification have some merit as regards the timeliness of process in the face of a significant natural hazard. Because the Rule relates to other circumstances where critical time may not be such an issue, rather than delete the Notification clause however I would propose to modify it to reflect that.
127. Federated Farmers of New Zealand (S524.046) seek that the definition for “heritage professional” be deleted and replaced in the chapter as per the wording used in these rules. I have discussed the definition of heritage professional in section 6.0 of this report. The definition of heritage professional supports these rules and recognises that expertise around heritage should have relevant qualifications and experience to provide appropriate advice. I therefore do not propose any amendment as a result of this submission.
128. The Department of Conservation (S602.053, S602.055) seeks that Rule HH – R4 and HH – R7 be amended to specify that an Archaeological Authority from HNZPT be provided as an additional performance standard. I support this submission in part. In law, any work that may affect an archaeological site (regardless of whether or not it is scheduled in the Plan) requires an archaeological authority from HNZPT, in practice it is common for this not to occur – often due to ignorance on the part of the person doing the work and a lack of understanding that the site is protected. Many of the heritage items and areas in schedule one do have archaeological values. However given that the archaeological authority will generally be a mandatory requirement under the HNZPT Act,

I consider that reference to this is more appropriate through an Advice Note than as a specific performance standard.

129. In relation to Rule HH – R7 the Department of Conservation (S602.055) also seek that a matter of discretion be whether any consultation feedback has been provided to the applicant by HNZPT. With my recommendation that this rule become a full discretionary activity I do not consider that specifically identifying this requirement within the rule is necessary.
130. Ngāi Tahu (S620.108) seek that an additional matter of discretion be added to Rule HH – R7 around effects on cultural values on any site or area of significance to Māori. I support this submission in that I consider that such a matter of discretion is appropriate for any Restricted Discretionary Activity for historic heritage. There are many historic heritage sites that sit within a larger site or area of significance to Māori (e.g. in Greymouth) and the relationship between the two features and impacts of activities on both is important as part of any assessment. However I recommend that Rule HH – R7 become a full Discretionary Activity so such a matter of discretion would not be applied in relation to this rule. I also recommend that Rule HH – R4 become a restricted discretionary activity – so therefore recommend that this matter of discretion be applied to that rule instead.
131. Westpower Limited (S547.184) seek an additional matter of discretion be added to Rule HH – R7 that specifically relates to the technical, locational, functional or operational constraints or requirements of energy activities. As discussed previously I recommend that this rule status become a full Discretionary Activity. This would give the opportunity for these matters to be considered as part of any relocation or repositioning proposal as matters of discretion would no longer be limited.
132. Buller District Council (S538.172) seeks that the public notification clause for Rule HH – R7 be deleted. The Council is concerned with this predetermination in that if the monument is subject to an immediate threat of damage or loss then there should be the ability to relocate it as quickly as possible and not be delayed by the public notification process. This clause was included in the proposed Plan because of the strong concerns expressed by the community during the development of the Plan around a lack of public notification when public monuments were being relocated with detrimental effects on both the heritage item (when the application was approved) and considerable upset in the community that no input was able to be provided by the community about the location to which an item was relocated – or the appropriateness of the relocation. Rule HH – R7 relates to relocations where this is not due to immediate risk of destruction due to a natural hazard, but rather relocation for another reason. Unfortunately as discussed in relation to the HNZPT submission on this matter, there is a poor understanding in the wider community that relocation of a heritage item out of its context and setting can very adversely affect its heritage value. I therefore consider that retaining the notification clause is appropriate with the modifications discussed above to improve understanding.

### *Recommendations*

133. That Rule HH – R4 be amended as follows:  
HH – R4 Relocation of Repositioning of a Historic Heritage Item identified in Schedule One and associated earthworks.  
Activity Status ~~Controlled~~ Restricted Discretionary...  
...Matters of ~~Control~~ Discretion are:
  - a. The capacity of the item to endure relocation and repositioning;
  - b. The capacity of the site or area to accommodate the item;
  - c. The impact on public access to the item; ~~and~~
  - d. The reduction in risk from natural hazards from the relocation or repositioning;
  - e. Impacts of the activity on the cultural values on any site or area of significance to Māori; and
  - f. Requirements arising from the feedback from any consultation undertaken with Poutini Ngāi Tahu.



Activity status where compliance not achieved: Restricted Discretionary

Notification: Proposals to relocate or reposition public monuments will always be publicly notified except in circumstances where the threat due to the natural hazard is so imminent that the item could be damaged by the hazard prior to the completion of a publicly notified consent process.

Advice Note: Where work is proposed that could modify an archaeological site (regardless of whether the site is scheduled as an archaeological site in Te Tai o Poutini Plan or not) obtaining archaeological authority from Heritage New Zealand Pouhere Taonga (HNZPT) is required before any work starts.

134. That Rule HH – R7 be amended as follows:  
Rule HH – R7 Relocation or Repositioning of a Historic Heritage item identified in Schedule One and associated earthworks where compliance with HH – R4 is not achieved

Activity Status Restricted Discretionary

Where:

1. This includes necessary earthworks associated with the activity

Discretion is restricted to:

- a. ~~Compatibility of the form, materials and setting with the Historic Heritage item;~~
- b. ~~Methods to minimise the loss or destruction of the values which contribute to the item's Historic Heritage values as assessed by a suitably qualified heritage professional;~~
- c. ~~Compatibility of the treatment of the exterior, including the façade;~~
- d. ~~The ongoing maintenance and enhancement of the Historic Heritage values of the item;~~
- e. ~~The long term viability, retention or ongoing functional use of the item;~~
- f. ~~Whether the works are in accordance with good practice conservation principles and methods as assessed by a suitably qualified heritage professional;~~
- g. ~~If the Historic Heritage item is located within a Historic Heritage area, that the works do not compromise the ability to interpret the Historic Heritage area; and~~
- h. ~~Whether the works complement the form, fabric and setting of Historic Heritage area which the item contributes to.~~

Notification: Proposals to relocate or reposition public monuments will always be publicly notified.

Advice Note: Where work is proposed that could modify an archaeological site (regardless of whether the site is scheduled as an archaeological site in Te Tai o Poutini Plan or not) obtaining archaeological authority from Heritage New Zealand Pouhere Taonga (HNZPT) is required before any work starts.

135. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in Appendix 2.

### 9.3 Infrastructure and Heritage Items

#### Submissions

| HH – R5 New Infrastructure Connections                                     |          |         |              |
|--|----------|---------|--------------|
| Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190) | S190.247 | Support | Retain rule. |



|   |                  |                        |  |
|---|------------------|------------------------|--|
| Chorus NZ Ltd,<br>Spark NZ<br>Trading Ltd,<br>Vodafone NZ Ltd<br>(S663)                     | S663.037         | Support                | Retain provision as notified   |
| Buller District<br>Council  | S538.170         | Oppose                 | Delete Rule 5. Consequential amendment to Rule 3 - add new clause as follows:<br>New infrastructure connections to heritage buildings.   |
| Westpower<br>Limited (S547)   | S547.181         | Amend                  | Amend the heading: New Infrastructure <u>and Energy</u> connections to ...".Amend 1. The new infrastructure <u>and energy</u> connection is to a ...   |
| <i>Heritage New Zealand Pouhere Taonga (HNZPT)</i>  | <i>FS111.007</i> | <i>Oppose</i>          | <i>Disallow</i>  |
| Department of<br>Conservation<br>(S602)   | S602.054         | Amend                  | Amend: Activity Status Controlled Where: The new infrastructure connection is to a historic heritage building listed in Schedule One.; and An Archaeological Authority has been issued by Heritage New Zealand - Pouhere Taonga, or the written approval of Heritage New Zealand - Pouhere Taonga is provided. |
| <i>Heritage New Zealand Pouhere Taonga (HNZPT)</i>  | <i>FS111.009</i> | <i>Support in part</i> | <i>Allow with some rewording: <u>Controlled Where: 1. The new infrastructure connection is to a historic heritage building listed in Schedule One.; and 2. Consultation has taken place with Heritage New Zealand Pouhere Taonga.</u></i>  |
| <b>HH – R10 New Energy Activities and Infrastructure Activities</b>                         |                  |                        |  |
| Te Mana Ora<br>(Community and<br>Public Health) of<br>the NPHS/ Te<br>Whatu Ora<br>(S190)   | S190.252         | Support                | Retain rule.   |
| Buller District<br>Council (S538)   | S538.173         | Oppose                 | Delete Rule 10.  |
| <i>Te Rūnanga o Ngāti Waewae,<br/>Te Rūnanga o Makaawhio and<br/>Te Rūnanga o Ngāi Tahu</i> | <i>FS41.128</i>  | <i>Oppose</i>          | <i>Disallow</i>  |
| Manawa Energy<br>Limited<br>(Manawa<br>Energy) (S438)                                       | S438.069         | Oppose                 | Delete HH-R10.   |

|                          |          |       |  |
|--------------------------|----------|-------|--|
| Westpower Limited (S547) | S547.185 | Amend | Add a new rule to provide for new energy activities as "restricted discretionary activities. |
|--------------------------|----------|-------|--|

### *Analysis*

136. Te Mana Ora (S190.247 and S190.252) support Rules HH – R5 and HH – R10. Chorus NZ Ltd, Spark NZ Trading Ltd, Vodafone NZ Ltd (S663.037) support Rule HH – R5. This support is noted. `
137. Buller District Council (S538.173) seek that Rule HH – R5 be deleted. The Council considers this to be onerous and that new connections should be a permitted activity. It is considered that new connections are unlikely to cause damage to heritage buildings and any concerns around unearthing heritage items during earthworks can be managed through accidental discovery protocols. I do not support this, and consider that a Controlled Activity provides for the necessary certainty that the infrastructure connection will be able to be undertaken, but allows for conditions to manage any adverse effects on the heritage item.
138. Westpower Limited (S547.181) seek that energy connections be separately identified Rule HH – R5. As energy connections are separately identified in other rules I consider that their omission is a drafting error and support the submission.
139. The Department of Conservation (S602.054) seek that the rule require an Archaeological Authority or the written approval of HNZPT for any new infrastructure connection. HNZPT (FS111.009) have supported this in part in that they consider that the archaeological authority may not be necessary but that consultation with HNZPT should be required. Because there are heritage items that may have no archaeological significance, I prefer that reference to a requirement for an archaeological authority should be via an Advice Note rather than a performance standard in the Rule. In relation to the requirement for consultation with HNZPT, I note that this rule does not require an assessment by a suitably qualified heritage professional. In the absence of this I consider that HNZPT approval is a pragmatic way of gaining that heritage input, without the cost of specific engagement of a heritage professional. I therefore support that part of the submission.
140. Buller District Council (S538.173) and Manawa Energy (S438.069) seek that Rule HH – R10 in relation to new energy activities and infrastructure activities within a heritage area be deleted. Westpower Limited (S547.185) seek that there be a new rule that provide for new energy activities as a restricted discretionary activity. When I consider the matters that would trigger this rule (e.g. installing a solar panel in a heritage area) I do consider that the rule status seems onerous. There are six Historic Heritage Areas in Schedule One: Denniston Historic Area, the Reefton Historic Area, Brunner Mines Historic Area, Moana Railway Station Historic Area, Jacks Mill School Historic Area and Greymouth Railway Station Historic Area. These cover fairly large areas of land, and in the case of the Reefton and Greymouth Railway Station Historic Areas are in locations where there exists infrastructure serving the surround urban communities.
141. Manawa Energy (S438.069) considers that this rule is unreasonably restrictive of nationally significant activities and that there is no good reason for such activities to be treated more restrictively than any other buildings or structures. They argue that placing energy and infrastructure activities at discretionary activity status is the same activity status as demolition of the heritage item but does not have the same impact and that the only issues of relevance for consideration are the impact on the heritage item and thus should be no more than restricted discretionary and addressed in the same way as any other buildings or structures.
142. The Buller District Council (S538.173) and Westpower Limited (S547.185) express similar arguments in their submissions. I agree with the submitters that the rule status is onerous, and consider that a Restricted Discretionary Activity status – with similar matters of discretion as Rule HH – R8 is appropriate.

### *Recommendations*

143. That Rule HH – R5 be amended as follows:

Rule HH – R5 New Infrastructure and Energy Connections to a Historic Heritage Item identified in Schedule One

Activity Status: Controlled

Where:

1. The new infrastructure or energy connection is to a historic heritage building listed in Schedule One.
2. The written approval of Heritage New Zealand – Pouhere Taonga for the connection is provided.

Matters of control are:

- a. The location of the customer's connection to the heritage building;
- b. The physical impact / damage to the heritage building; and
- c. Visual impact and how the visual impact might affect heritage value.

**Advice Note:** Where work is proposed that could modify an archaeological site (regardless of whether the site is scheduled as an archaeological site in Te Tai o Poutini Plan or not) obtaining archaeological authority from Heritage New Zealand Pouhere Taonga (HNZPT) is required before any work starts.

144. That Rule HH – R10 be amended as follows:

Rule HH -R10 New Energy Activities and New Infrastructure Activities and associated Earthworks within a Historic Heritage Site or Area identified in Schedule One

Activity Status Restricted Discretionary

Matters of Discretion

- a. The location of the energy or infrastructure activity within the heritage site or area;
- b. The physical impacts on the heritage site or area;
- c. Visual impact and how the visual impact might affect heritage value;
- d. The impact on the ability to interpret the Historic Heritage area;
- e. The impact on the form, fabric and setting of Historic Heritage site or area; and
- f. Impacts of the activity on the cultural values on any site or area of significance to Māori.

**Advice Note:** Where work is proposed that could modify an archaeological site (regardless of whether the site is scheduled as an archaeological site in Te Tai o Poutini Plan or not) obtaining archaeological authority from Heritage New Zealand Pouhere Taonga (HNZPT) is required before any work starts.

145. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in Appendix 2.

## 9.4 Other Rules

### *Submissions*

**HH – R6 Repairs and Maintenance, Earthquake Strengthening, Fire Protection and Accessibility Upgrades not Permitted and Additions and Alterations to Heritage Items**

|   |          |         |  |
|---|----------|---------|--|
| Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)                | S190.248 | Support | Retain rule.   |
| Buller District Council (S538)  | S538.171 | Support | Retain as notified.  |
| Manawa Energy Limited (Manawa Energy) (S438)  | S438.067 | Support | Retain HH-R6 as notified.  |
| Heritage New Zealand Pouhere Taonga (S140)  | S140.028 | Amend   | HNZPT requests the wording of a) and c) be amended:<br><br>'Discretion is restricted to:<br><br>a) <del>Compatibility of the form and materials and setting with</del> in relation to the Historic Heritage item and its setting; b) Methods to minimise the loss or destruction of the values which contribute to the item's Historic Heritage values as assessed by a suitably qualified heritage professional;<br>c) <del>Compatibility of the treatment of the exterior including the facade</del> |
| Heritage New Zealand Pouhere Taonga (S140)  | S140.027 | Amend   | HNZPT requests, for ease of use and clarity, that 'Repairs and Maintenance, Earthquake strengthening, fire protection and accessibility upgrades where Permitted Activity standards are not met' and 'Additions and Alterations and associated earthworks' be considered under separate rules.   |
| Te Tai o Poutini Plan Committee (S171)  | S171.015 | Amend   | Amend rule so that it is restricted discretionary, without conditions. Activity status where compliance is not achieved should be Not Applicable.  |
| Westpower Limited (S547)  | S547.182 | Amend   | Amend heading: Repairs and ... Protection, Accessibility and <u>Supply of Energy</u> Upgrades ...  |
| Westpower Limited (S547)  | S547.183 | Amend   | Add i. Any technical, locational, functional or operational constraints or requirements of energy activities.  |
| <b>Other Activities Within a Historic Heritage Area or Site.</b>                          |          |         |  |
| <b>HH – R8 New Buildings, Structures and Earthworks Restricted Discretionary Activity</b> |          |         |  |
| Heritage New Zealand Pouhere Taonga (S140)  | S140.030 | Support | Retain as proposed   |

|   |                   |               |  |
|---|-------------------|---------------|--|
| Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)                                | S190.250          | Support       | Retain rule.   |
| Manawa Energy Limited (Manawa Energy) (S438)  | S438.068          | Support       | Retain HH-R8 as notified.  |
| Department of Conservation (S602)   | S602.055          | Amend         | Amend HH – R7 and HH – R8: Activity Status Restricted Discretionary Discretion is restricted to: 1. <u>Whether an Archaeological Authority has been issued by Heritage New Zealand - Pouhere Taonga, and whether any consultation feedback has been provided to the applicant by Heritage New Zealand - Pouhere Taonga; and...</u> |
| <b>HH – R9 Demolition and Destruction of a Historic Building Discretionary Activity</b>                   |                   |               |  |
| Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)                                | S190.251          | Support       | Retain rule.   |
| Heritage New Zealand Pouhere Taonga (S140)  | S140.031          | Oppose        | HNZPT requests Demolition and Destruction of a Historic Heritage item or Historic Area be identified as a non-complying activity.  |
| <i>Westpower Limited</i>  | <i>FS222.0163</i> | <i>Oppose</i> | <i>Disallow</i>  |
| <b>HH – R11 Earthworks within a Historic Area not provided for in Another Rule Discretionary Activity</b> |                   |               |  |
| Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190)                                | S190.253          | Support       | Retain rule.   |
| Buller District Council (S538)  | S538.174          | Support       | Retain as notified.  |
| <b>NEW RULE for Mineral Extraction</b>  |                   |               |  |
| Brian Anderson (S576)   | S576.002          | Amend         | Amend rules to assess the historic values as mining proposals arise.   |
| Rocky Mining Limited (S474)   | S474.006          | Amend         | Seek a restricted discretionary rule in the overlay chapters for mineral extraction, or at minimum activities with a functional and operational need – discretion should be restricted to the values of the particular overlay.  |

|   |                   |                |   |
|---|-------------------|----------------|---|
| <i>Birchfield Coal Mines</i>  | <i>FS 232.015</i> | <i>Support</i> | <i>Allow</i>  |
| Rocky Mining Limited (S474)   | S474.040          | Amend          | Seek that overlay chapters contain a restricted discretionary rule for mining, with discretion restricted to effects on the specific overlay or overlay values; |
| <i>Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (Ngāi Tahu) (FS41)</i> | <i>FS41.233</i>   | <i>Oppose</i>  | <i>Disallow</i>   |
| Papahaua Resources Limited (S500)   | S500.027          | Amend          | Overlay chapters contain a restricted discretionary rule for mining, with discretion restricted to effects on the specific overlay or overlay values;           |
| <i>Te Rūnanga o Ngāi Tahu, Te Rūnanga o Ngāti Waewae, Te Rūnanga o Makaawhio (Ngāi Tahu) (FS41)</i> | <i>FS41.234</i>   | <i>Oppose</i>  | <i>Disallow</i>   |

### **Analysis**

146. Te Mana Ora (S190.248), Buller District Council (S538.171) and Manawa Energy (S438.067) support rule HH – R6. This support is noted.
147. HNZPT (S140.027) seeks that Rule HH – R6 be split in two in order to made it easier for plan users. I do not consider that this is necessary and that for many historic heritage item owners, they would be undertaking many of these activities as part of an upgrade. For example substantial earthquake strengthening needing consent is likely to be combined with other types of alterations or repairs. Providing for these matters in one rule provides for administrative efficiency.
148. HNZPT (S140.028) also seeks that wording of matters of discretion a, and c. be amended. These amendments make interpretation clearer and I support them.
149. Te Tai o Poutini Plan Committee (S171.015) identify a drafting error and seek that the rule be amended so that it is restricted discretionary, without conditions, and that the activity status where compliance is not achieved should be Not Applicable. I support this submission.
150. Westpower Limited (S547.182) seek that the Supply of Energy be added to this rule. I consider this is a consequential amendment to their submission on Rule HH – R5 which I have recommended accepting. I therefore support this submission.
151. Westpower Limited (S547.183) also seek that an additional matter of discretion relating to the technical, locational, functional or operational constraints or requirements of energy activities be added as a matter of discretion to this rule. The matters of discretion focus on the heritage values that are being protected, rather than the activities which are leading to the modifications to the building. In this context I therefore do not consider this to be an appropriate matter of discretion.
152. HNZPT (S140.030), Te Mana Ora (S190.250) and Manawa Energy (S438.068) support rule HH – R8. This support is noted.
153. The Department of Conservation (S602.055) seek that seek that Rule HH – R8 require an Archaeological Authority and whether there has been any consultation

feedback from HNZPT. Because there are heritage items that may have no archaeological significance, I prefer that reference to a requirement for an archaeological authority should be via an Advice Note rather than a performance standard in the Rule. In relation to the requirement for consultation with HNZPT, I note that this rule does not require an assessment by a suitably qualified heritage professional. In the absence of this I consider that HNZPT consultation, as a matter of discretion is a pragmatic way of gaining that heritage input, without the cost of specific engagement of a heritage professional. I therefore support that part of the submission,.

154. Te Mana Ora (S190.251) supports Rule HH – R9. This support is noted.
155. HNZPT (S140.031) seek that Demolition and Destruction of a Historic Heritage item or Historic Area be identified as a non-complying, rather than discretionary activity. This matter was discussed in the pre-hearing meeting with HNZPT. I also have discussed this matter with Dr Ann McEwan. HNZPT argue that as the specific wording used in Section 6 (f) of the RMA is “*the protection of historic heritage from inappropriate subdivision, use and development*” that “protection” requires a non-complying activity status for demolition or destruction. They argue that the impact of demolition of a heritage item is irreversible and as more heritage buildings are lost, we increasingly lose touch with the history and origins of our surroundings and that today’s heritage items are tangible remains of the West Coast’s rich and unique history.
156. I have considered how other Councils address this matter – and it is clear that the normal status is a non-complying activity. I am aware that this was an issue that the TTPP Committee had a strong view on – and that this led to the Discretionary Activity status in the proposed TTPP. I am also aware of the strong views of the very passionate heritage community on the West Coast, and the concerns they have expressed as heritage items on the West Coast have been demolished, and how this has changed the character of historic towns such as Greymouth. In the operative Buller and Westland District Plans destruction of a heritage item is a Non-complying Activity, it is only in operative Grey District Plan that it is Discretionary. Overall, when I consider the arguments and the direction of the RMA I consider that the Discretionary Activity status is insufficiently protective and recommend a Non-complying activity for demolition and destruction of a heritage item. I therefore support this submission.
157. Te Mana Ora (S190.253) and Buller District Council (S538.174) support Rule HH – R11. This support is noted.
158. Brian Anderson (S576.002) seeks that as mining proposals arise historic values are assessed. Mr Anderson is concerned that there are historic mining areas that are being investigated for new mining activity. He considers that historic heritage cannot be mapped at large scale, because it is very dependent on the small-scale features that still exist on the ground, and the relationships between these features and the characters and recorded history of the area. Rather, he proposes that historic heritage needs to be assessed in detail for each piece of land. This can only be done through a formal archaeological assessment. He considers that it would be extremely inefficient to do this for all historically mined areas on the West Coast.
159. While I appreciate the sentiment of this submission point, I consider that there are existing mechanisms under the HNZPT Act in relation to archaeological sites that provide for the protection and requirement for assessment that Mr Anderson seeks. Under the Heritage New Zealand Pouhere Taonga Act 2014, archaeological sites are any place in Aotearoa New Zealand (including buildings and structures) that are associated with pre-1900 human activity, where there is evidence relating to the history of New Zealand that can be investigated using archaeological methods. Many of the sites Mr Anderson is concerned about would meet the definition of an archaeological site and be covered by that Act.
160. Rocky Mining Limited (S474.006) and Papahaua Resources Limited (S500.027) seek that a restricted discretionary rule be added for mining, with discretion restricted to effects on the specific overlay – in this case historic heritage. I do not support these submissions. Historic heritage is a Section 6 matter in the RMA and of national importance. Mineral extraction while an important economic activity on the West Coast is not recognised by the RMA or any RMA national instrument as requiring specific



additional weight or consideration and is not an expected activity to occur in historic heritage areas.

### **Recommendations**

161. That Rule HH – R6 be amended as follows:

Rule HH – R6 Repairs and Maintenance, Earthquake Strengthening, Fire Protection and Accessibility Upgrades where Permitted Activity standards are not met, or Additions and Alterations to Historic Heritage Items identified in Schedule One

Activity Status Restricted Discretionary

Where:-

~~1. This includes necessary earthworks associated with the activity~~

Discretion is restricted to:

- a. ~~Compatibility of the~~ The impact on the form and materials and setting with the in relation to the Historic Heritage item and its setting;
- b. Methods to minimise the loss or destruction of the values which contribute to the item's Historic Heritage values as assessed by a suitably qualified heritage professional;
- c. ~~Compatibility of the~~ The treatment of the exterior ~~including the façade~~;
- d. The ongoing maintenance and enhancement of the Historic Heritage values of the item;
- e. The long-term viability, retention or ongoing functional use of the item;
- f. Whether the works are in accordance with good practice conservation principles and methods as assessed by a suitably qualified heritage professional;
- g. If the Historic Heritage item is located within a Historic Heritage area, that the works do not compromise the ability to interpret the Historic Heritage area; and
- h. Whether the works complement the form, fabric and setting of the Historic Heritage area which the item contributes to.

Activity status where compliance not achieved: ~~Discretionary~~ N/A

162. That Rule HH – R8 be amended as follows:

Rule HH – R8 New Buildings or Structures and associated earthworks within a Historic Area identified in Schedule One

Activity Status Restricted Discretionary

Discretion is restricted to:

- a. Effects on the area from the scale, location, design including materials, duration and extent of the proposal, the construction methodology and associated site works;
- b. The effects on the inter-relationship between buildings, structures and features within that place;
- c. The purpose and necessity of the works and any alternatives considered;
- d. The provisions of a conservation plan where one has been prepared for the scheduled Historic Area, ~~and~~
- e. Whether the building or structure is for a Poutini Ngāi Tahu cultural purpose; and
- f. The feedback from any consultation undertaken with Heritage New Zealand – Pouhere Taonga.

**Advice Note:** Where work is proposed that could modify an archaeological site



(regardless of whether the site is scheduled as an archaeological site in Te Tai o Poutini Plan or not) obtaining archaeological authority from Heritage New Zealand Pouhere Taonga (HNZPT) is required before any work starts.

163. That Rule HH – R9 be amended as follows:

HH – R9 Demolition and Destruction of a Historic Heritage Item or Historic Area in Schedule One

Activity Status ~~Discretionary~~ Non - complying

164. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in Appendix 2.

## 9.5 Other Methods

### Submissions

| HH – M1 Method   |                |                        |   |
|--|----------------|------------------------|---|
| Heritage New Zealand Pouhere Taonga (S140)                                 | S140.032       | Support                | Retain as proposed  |
| Te Mana Ora (Community and Public Health) of the NPHS/ Te Whatu Ora (S190) | S190.254       | Support                | Retain rule.  |
| NEW METHODS  |                |                        |   |
| Greymouth Heritage Trust (S104)  | S104.008       | Amend                  | That the Plan requires councils to provide for a Heritage Protection Fund and a Long-Term Heritage Assets Maintenance Plan so that identified Heritage assets are not left to Demolition by neglect |
| <i>Grey District Council</i>   | <i>FS1.336</i> | <i>Support in part</i> | <i>Allow in part</i>  |
| Lucina Brady (S322)  | S322.002       | Amend                  | However, one thing I would like to identify and that is for the Old Courthouse in Greymouth to be purchased and retained so that 'History House can be housed in there                              |
| <i>Grey District Council</i>   | <i>FS1.088</i> | <i>Support in part</i> | <i>Allow in part</i>  |
| Heritage West Coast (S426)   | S426.001       | Not Stated             | Recognise Heritage West Coast within the Methods of the Plan  |

### Analysis

165. HNZPT (S140.032) and Te Mana Ora (S190.254) support Method HH – M1. This support is noted.

166. The Greymouth Heritage Trust (S104.008) seek that the councils provide funding for heritage maintenance. Lucina Brady (S322.022) seeks the purchase of the Old Courthouse in Greymouth. While funding heritage protection and maintenance is important, I do not consider this is a district plan matter and this should be dealt with through the Councils' long term plans.

167. Heritage West Coast (S426.001) seeks that Heritage West Coast be recognised within the Methods of the Plan. I note that there are a range of West Coast based local

heritage groups, of which Heritage West Coast is one. I consider however that it is appropriate to recognise local heritage groups within the methods of the Plan and propose an additional method for the Councils to recognise these groups and the role they play in advocating for and maintaining historic heritage on the West Coast.

### Recommendations

168. That an additional Method be included in the Plan as follows:

HH – M3 Recognise the West Coast heritage groups, including Heritage West Coast as significant stakeholders in relation to historic heritage matters and that they play an important role in advocating for and maintaining historic heritage values on the West Coast.

169. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in Appendix 2.

## 10.0 Submissions on Schedule One and associated Planning Maps

### 10.1 General Submission on Schedule One

#### Submissions

| Submitter Name /ID                         | Submission Point | Position       | Decision Requested  |
|--|------------------|----------------|---|
| Grey District Council (S608)               | S608.139         | Support        | Retain as notified  |
| Grey District Council (S608)               | S608.140         | Support        | Retain Schedule 1B as notified  |
| Heritage New Zealand Pouhere Taonga (S140) | S140.043         | Support        | Retain as proposed the list of criteria to assess the suitability of items for inclusion in SCHED1A   |
| Heritage New Zealand Pouhere Taonga (S140) | S140.044         | Amend          | HNZPT requests an assessment of each item included in SCHED1A be provided. This assessment should identify the item's heritage values and justify their protection under SCHED1A.           |
| <i>Grey District Council</i>               | <i>FS1.337</i>   | <i>Support</i> | <i>Allow</i>  |
| Heritage New Zealand Pouhere Taonga (S140) | S140.073         | Oppose in part | HNZPT requests clarification on why these particular sites in Schedule 1B have been included and recommends assessment be undertaken to justify their inclusion                             |
| Federated Farmers of New Zealand (S524)    | S524.047         | Oppose         | Remove Schedule 1B  |
| <i>Heritage New Zealand Pouhere Taonga</i> | <i>FS111.014</i> | <i>Oppose</i>  | <i>Disallow</i>   |
| Heritage New Zealand Pouhere Taonga (S140) | S140.045         | Amend          | HNZPT requests the inclusion of definitions for the Historic Heritage Values, either within the Historic Heritage policies or at the start of SCHED1A. Suggested definitions are as follow: |

|                              |                |                        |   |
|------------------------------|----------------|------------------------|---|
|                              |                |                        | <p>Historical and social significance value:<br/>Historical and social significance values that demonstrate or are associated with a particular person, group, organisation, institution, event, phase or activity; the continuity and/or change of a phase or activity; social, historical, traditional, economic, political, or other patterns.</p> <p>Cultural and spiritual value: Cultural and spiritual values that demonstrate or are associated with the distinctive characteristics of a way of life, philosophy, tradition, religion, or other belief, including: the symbolic or commemorative value of the place; significance to Tangata Whenua; and/or associations with an identifiable group and esteemed by this group for its cultural values.</p> <p>Architectural and aesthetic value:<br/>Architectural and aesthetic values that demonstrate or are associated with a particular style, period or designer, design values, form, scale, colour, texture, and material of the place.</p> <p>Technological and craftsmanship value:<br/>Technological and craftsmanship values that demonstrate or are associated with the nature and use of materials, finishes, and/or technological or constructional methods which were innovative, or of notable quality for the period.</p> <p>Contextual value: Contextual values that demonstrate or are associated with a relationship to the environment (constructed and natural), a landscape, setting, group, precinct or streetscape; a degree of consistency in terms of type, scale, form, materials, texture, colour, style, and/or detail; recognised landmarks and landscape which are recognised and contribute to the unique identity of the environment.</p> <p>Archaeological and scientific significance value: Archaeological or scientific values that demonstrate or are associated with the potential to provide information through physical or scientific evidence and understanding about social, historical, cultural, spiritual, technological, or other values of past events, activities, structures, or people.</p> |
| <i>Grey District Council</i> | <i>FS1.338</i> | <i>Support in part</i> | <i>Allow in Part</i>  |

|  |          |         |  |
|--|----------|---------|--|
| Heritage New Zealand Pouhere Taonga (S140) | S140.066 | Support | Retain reference to specific interior elements of importance in the Schedule as proposed |
|--|----------|---------|--|

### Analysis

170. Grey District Council (S608.139) support the whole schedule and also (S608.140) Schedule 1B. This support is noted.
171. HNZPT (S140.043) support the list of criteria to assess the suitability of items for inclusion in Schedule 1A. This support is noted
172. HNZPT (S140.043) seek an assessment of each item in Schedule 1A should be provided. This matter was discussed with HNZPT at the pre-hearing meeting. The Tai o Poutini Plan Committee has engaged Dr Ann McEwan to assist with the heritage topic. As part of this, Dr McEwan has developed a template for recording this information for all of the heritage items in the Plan. She has commenced populating this template for each item, starting with those newly listed in TTPP that were not included in the Operative Plans. The aim is that all privately owned heritage items will be prioritised for this work and detailed further explanation of their historic heritage value. For budgetary reasons this work will need to be undertaken over several years. It was agreed that an appropriate approach to give confidence that this will be done, is to include a Method in the Plan to this effect. I therefore support this submission in part.
173. HNZPT (S140.044) seek clarification on why these particular sites in Schedule 1B have been included and recommends assessment be undertaken to justify their inclusion. I note that there is no information provided in Schedule 1 that explains the identification of sites in Schedule 1B. I have referred to the s32 report on this matter and it states that the schedule contains
- "cemeteries, current and past due to their sensitive nature and strong community significance. These have been compiled from the existing district plans, and the Archaeology NZ listings."
  - "archaeological sites identified through the sites of significance to Māori identification process."
- This matter was discussed with HNZPT at the pre-hearing meeting. It was agreed that the approach proposed in response to submission S140.043 above was equally valid for Schedule 1B, and that these items would be included within the proposed Method. I therefore support this submission in part.
174. Federated Farmers (S524.047) oppose Schedule 1B and seek its removal. Their submission erroneously states that there are no rules associated with this schedule. This is incorrect as the heritage rules apply and this is stated in the Overview to the chapter.
175. The submission also states that the sites are already protected by the HNZPT Act. While this is the case, these items have been identified as having local West Coast value, that is not specifically recognised in the HNZPT Act. There are over 1000 archaeological sites on the West Coast and as a consequence neither HNZPT or the wider community are aware of which sites have local importance. This list was developed based on feedback from the local West Coast heritage community and includes sites previously identified in the operative district plans as well as sites identified as important by local heritage groups through the development of the proposed Plan. While all of the sites in Schedule 1B fall on land in public ownership, the scheduling of these in the Plan provides specific protection of their archaeological and heritage values, recognising the sites' value to the West Coast community.
176. HNZPT (S140.045) seek the inclusion of definitions for the Historic Heritage Values within either the policies or at the start of Schedule 1A. They provide suggested definitions. I thank HNZPT for this helpful submission which I support. I consider that the definitions proposed are appropriate, and consider at the start of Schedule 1 to be an appropriate location.
177. HNZPT (S140.066) support the reference to specific interior elements in the Schedule as proposed. I note this support, however as discussed under Section 9.1, there is

confusion about which items have the interiors protected. Currently to a lay person it is not clear when the extent of the scheduled item includes interior elements when the term “fittings and fixtures” is used. The submission of the O’Conor Institute Trust Board (S466.013) and that of Frank and Jo Dooley (S478.056) seeks clarification on this specific matter. I have proposed that an amendment to Rule HH – R1 be made to address their submission but I also recommended that the Schedule be amended to clarify the heritage items where the interior is protected as part of the extent.

### *Recommendations*

178. Amend Schedule 1 by including the following amendment to the introductory text.

Assessment of the scheduled Historic Heritage Items and Areas has been undertaken using the criteria set out in the West Coast Regional Policy Statement Chapter 4, Method 3:

- a. Historic;
- b. Cultural;
- c. Architectural;
- d. Archaeological;
- e. Technological;
- f. Scientific;
- g. Social;
- h. Spiritual;
- i. Traditional;
- j. Contextual; and
- k. Aesthetic.

The historic heritage values of heritage items in the Schedule are identified in the tables. A description of these historic heritage values is provided below.

Historical and social significance value: Historical and social significance values that demonstrate or are associated with a particular person, group, organisation, institution, event, phase or activity; the continuity and/or change of a phase or activity; social, historical, traditional, economic, political, or other patterns.

Cultural and spiritual value: Cultural and spiritual values that demonstrate or are associated with the distinctive characteristics of a way of life, philosophy, tradition, religion, or other belief, including: the symbolic or commemorative value of the place; significance to Tangata Whenua; and/or associations with an identifiable group and esteemed by this group for its cultural values.

Architectural and aesthetic value: Architectural and aesthetic values that demonstrate or are associated with a particular style, period or designer, design values, form, scale, colour, texture, and material of the place.

Technological and craftsmanship value: Technological and craftsmanship values that demonstrate or are associated with the nature and use of materials, finishes, and/or technological or constructional methods which were innovative, or of notable quality for the period.

Contextual value: Contextual values that demonstrate or are associated with a relationship to the environment (constructed and natural), a landscape, setting, group, precinct or streetscape; a degree of consistency in terms of type, scale, form, materials, texture, colour, style, and/or detail; recognised landmarks and landscape which are recognised and contribute to the unique identity of the environment.

Archaeological and scientific significance value: Archaeological or scientific values that demonstrate or are associated with the potential to provide information through physical or

scientific evidence and understanding about social, historical, cultural, spiritual, technological, or other values of past events, activities, structures, or people.

179. Amend the Plan to include an additional Method

HH – M4 Detailed documentation of the historic heritage and/or archaeological values of the Schedule 1A and Schedule 1B historic heritage items will be undertaken by the end of 2026. This will be prioritised for development as follows:

1. Those items and areas which are on private land or are privately owned,
2. Items and areas on Crown land outside of the public conservation estate,
3. Items and areas on district or regional council lands
4. Items and areas on public conservation land.

180. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in Appendix 2.

## 10.2 Submissions on Specific Scheduled Items

### Submissions

| Submissions in Support of Scheduling of specific Heritage Items |  |                  |          |                    |
|---|--|------------------|----------|--------------------|
| Item  | Submitter                                  | Submission Point | Position | Decision Requested |
| HH5   | Heritage New Zealand Pouhere Taonga (S140) | S140.046         | Support  | Retain as proposed |
| HH6   | Heritage New Zealand Pouhere Taonga (S140) | S140.047         | Support  | Retain as proposed |
| HH9   | Heritage New Zealand Pouhere Taonga (S140) | S140.048         | Support  | Retain as proposed |
| HH23  | Heritage New Zealand Pouhere Taonga (S140) | S140.049         | Support  | Retain as proposed |
| HH24  | Heritage New Zealand Pouhere Taonga (S140) | S140.050         | Support  | Retain as proposed |
| HH27  | Heritage New Zealand Pouhere Taonga (S140) | S140.051         | Support  | Retain as proposed |
| HH30  | Heritage New Zealand Pouhere Taonga (S140) | S140.052         | Support  | Retain as proposed |
| HH42  | Heritage New Zealand Pouhere Taonga (S140) | S140.053         | Support  | Retain as proposed |
| HH43  | Heritage New Zealand Pouhere Taonga (S140) | S140.054         | Support  | Retain as proposed |
| HH45  | Heritage New Zealand Pouhere Taonga (S140) | S140.055         | Support  | Retain as proposed |

|       |  |                    |                 |  |
|-------|--|--------------------|-----------------|--|
| HH47  | Heritage New Zealand Pouhere Taonga (S140) | S140.056           | Support         | Retain as proposed   |
| HH65  | Heritage New Zealand Pouhere Taonga (S140) | S140.057           | Support         | Retain as proposed   |
| HH71  | Heritage New Zealand Pouhere Taonga (S140) | S140.058           | Support         | Retain as proposed   |
| HH80  | Heritage New Zealand Pouhere Taonga (S140) | S140.059           | Support         | Retain as proposed   |
| HH84  | Heritage New Zealand Pouhere Taonga (S140) | S140.060           | Support         | Retain as proposed   |
| HH85  | Heritage New Zealand Pouhere Taonga (S140) | S140.061           | Support         | Retain as proposed   |
| HH103 | Heritage New Zealand Pouhere Taonga (S140) | S140.062           | Support         | Retain as proposed   |
| HH105 | Heritage New Zealand Pouhere Taonga (S140) | S140.063           | Support         | Retain as proposed   |
| HH108 | Heritage New Zealand Pouhere Taonga (S140) | S140.064           | Support         | Retain as proposed   |
| HH114 | Heritage New Zealand Pouhere Taonga (S140) | S140.065           | Support         | Retain as proposed   |
| HH45  | Laura Mills (S240, 309)                    | S240.001, S309.001 | Support         | Retain sites added in the draft: Waiuta Historic Place,  |
|       | Grey District Council                      | FS1.051            | Support in part | Allow in part  |
| HH105 | Kathleen Maitland (S38)                    | S38.001            | Support         | Retain the Ross Goldfields Historic Area. The building is used by the Ross Goldfields Information & Heritage Centre not the Ross Community Society. There is one significant tree - a Kahikatea. |

|   |   |                       |            |  |
|---|---|-----------------------|------------|--|
| HH43,<br>HH44,<br>HH45,<br>HH47,<br>HH53,<br>HH65,<br>HH72,<br>HH80,<br>HH81,<br>HH82         | Laura Mills<br>(S240, 309)                              | S240.001,<br>S309.001 | Support    | Retain sites added in the draft:<br>Waiuta Historic Place, Waipuna<br>Station Homestead, Blackwater<br>School, Runanga Miners Hall,<br>Remains of Taylorville Wallsend<br>Swing Bridge, Heatherbell Hotel,<br>Cobden Rail Bridge, Regent Theatre,<br>St Patricks Presbytery, Dixon Park<br>Band Rotunda. |
| <b>Submissions seeking amendment to the description or extent of scheduled Heritage Items</b> |   |                       |            |  |
| HH3   | Heritage New Zealand Pouhere Taonga (S140)              | S140.067              | Amend      | HNZPT requests the wording in the Extent column of HH3 be amended to: <u>'...The concrete wall is included in, and marks the boundary of, the registration scheduled extent.</u>   |
| HH24  | Heritage New Zealand Pouhere Taonga (S140)              | S140.068              | Amend      | HNZPT requests the wording in the Extent column of HH24 be amended to: <u>'...The modern addition to the rear of Utopia Lodge (Former) is excluded from the registration scheduled extent</u>  |
| HH27  | Heritage New Zealand Pouhere Taonga (S140)              | S140.069              | Amend      | HNZPT requests the following wording in the Extent column of HH27 be removed: <u>...Refer to map in Appendix 1 of the registration report for further information</u>  |
| HH88  | Heritage New Zealand Pouhere Taonga (S140)              | S140.070              | Amend      | HNZPT requests the wording in the Extent column of HH88 be amended to: <u>'...The timber cottage on the land parcel is not included in the extent of the List entry scheduled extent</u>   |
| HH96  | Heritage New Zealand Pouhere Taonga (S140)              | S140.071              | Oppose     | HNZPT requests the following wording in the Extent column of HH96 be removed:<br><br><u>'...See extent map tabled at the Rārangī Kōrero Committee meeting on 30 April 2019</u>   |
| HH4   | Northern Buller Communities Society Incorporated (S142) | S142.001              | Not Stated | Correctly locate the Granity Mines Survey Office heritage item on the maps - the current map wrongly sites the item  |
| ARCH1   | Frida Inta (S553)                                       | S553.211              | Amend      | Add waka kereru at Pages Stream in Seddonville   |
| ARCH3   | Frida Inta (S553)                                       | S553.053              | Amend      | Amend label for Mokihinui Cemetery Schedule 1B on planning maps Mokihinui Cemetery is depicted as Arch 2 on map but is listed as Arch 3 in Schedule 1B   |



|        |  |          |       |   |
|--------|--|----------|-------|---|
| ARCH3  | Buller Conservation Group (S552)           | S552.053 | Amend | Amend label for Mokihinui Cemetery Schedule 1B on planning maps<br>Mokihinui Cemetery is depicted as Arch 2 on map but is listed as Arch 3 in Schedule 1B |
| ARCH5  | Heritage New Zealand Pouhere Taonga (S140) | S140.074 | Amend | Amend: HNZPT requests the Heritage New Zealand Listing Reference column for ARCH5 be amended:<br><u>'HNZPT 7049 Historic Place Category 1'</u>            |
| ARCH15 | Heritage New Zealand Pouhere Taonga (S140) | S140.075 | Amend | Amend: HNZPT requests the Heritage New Zealand Listing Reference column for ARCH15 be amended:<br><u>HNZPT 7762 Historic Place Category 1</u>             |
| ARCH16 | Heritage New Zealand Pouhere Taonga (S140) | S140.076 | Amend | Amend: HNZPT requests the Heritage New Zealand Listing Reference column for ARCH16 be amended:<br><u>HNZPT 9285-9835 Historic Place Category 1</u>        |
| ARCH27 | Heritage New Zealand Pouhere Taonga (S140) | S140.077 | Amend | Amend: HNZPT requests the Heritage New Zealand Listing Reference column for ARCH27 be amended<br><u>'HNZPT 7051 Historic Area'</u>                        |
| ARCH28 | Heritage New Zealand Pouhere Taonga (S140) | S140.078 | Amend | Amend:<br>HNZPT requests the Heritage New Zealand Listing Reference column for ARCH28 be amended:<br><u>'HNZPT 7053-7055 Historic Area</u>                |

### Analysis

181. HNZPT support the scheduling of 20 heritage items (S140.046 – S140.065). Laura Mills (S240.001, S309.001) supports the scheduling of HH45 Waiuta Historic Place. Kathleen Maitland (S38.001) supports the scheduling of the Ross Goldfields Historic Area. Laura Mills (S240.001 and S309.001) supports the scheduling of ten historic heritage items. This support is noted.
182. HNZPT seeks amendment to the extent column for HH 24 (S140.068), HH 3 (S140.067) and HH 27 (S140.070) to refer to scheduled extent rather than "registration". They also seek that the reference to the registration reports in the extent of HH27 (S140.069) and HH96 (S140.071) is removed.
183. I support these submissions as the reference to "registration" and "registration reports" is a drafting error.
184. Northern Buller Communities Society Incorporated (S142.001) seeks that the Graviton Mines Survey Office be correctly located on the maps as the current map wrongly locates the item. I support this amendment to the maps.
185. Frida Inta (S553.211) seeks that the waka kereru at Pages Stream in Seddonville be added to ARCH1. I have no specific information on the archaeological significance of this feature so cannot support this submission.
186. Frida Inta (S553.053) and Buller Conservation Society (S552.053) seek a correction to the labelling of the Mokihinui Cemetery as this is incorrectly identified as Arch 2, rather than Arch 3. I support this as it is the correction of an error.

187. HNZPT seek that the listing reference for Arch 5 (S140.074), Arch 16 (S140.076) , Arch 27 (S140.077) and Arch 28 (S140.078) be corrected to identify the correct HNZ Listing Reference. I support this as it is the correction of errors.

### Recommendations

188. Amend the Schedule One listings for historic heritage items as follows:

| Unique Identifier | Name, Physical Address, Legal Address  | Historic Heritage Values                                   | Extent   | Heritage New Zealand Pouhere Taonga Listing Reference and Category |
|-------------------|--|--|--|--|
| HH24              | Utopia Lodge (Former)<br>72 Queen St,<br>Westport, Buller<br><br>Lot 4 DP 4199 (CT NL2C/331), Nelson Land District                         | Aesthetic, Contextual, Social                              | Extent includes the land described as Lot 4 DP 4199 (CT NL2C/331), Nelson Land District, and the building known as Utopia Lodge (Former) thereon. The modern addition to the rear of Utopia Lodge (Former) is excluded from the <del>registration</del> <u>scheduled extent</u>                          | 5033<br><br>Historic Place Category 2                              |
| HH3               | War Memorial<br>Torea St,<br>Granity<br>Buller<br><br>Railway Land as shown on DP 15319 (NZ Gazette 1881, p 1127),<br>Nelson Land District | Architectural, Contextual, Historic, Social, Technological | The extent includes part of the land described as Railway Land as shown on DP 15319 (NZ Gazette 1881, p.1127), Nelson Land District, and the structure known as War Memorial thereon. The concrete wall is included in, and marks the boundary of, the <del>registration</del> <u>scheduled extent</u> . | 5020<br><br>Historic Place Category 2                              |
| HH88              | National Bank (Former), Revell and Hamilton St, Hokitika, Westland<br><br>Sec 6 Town of Hokitika (RT                                       | Architectural, Contextual, Historic and Technological      | Extent includes part of the land described as Sec 6 Town of Hokitika (RT WS3A/128), Westland Land District and the building known as   | 5057<br><br>Historic Place Category 2                              |

|      |  |   |   |  |
|------|--|---|---|--|
|      | WS3A/128),<br>Westland Land<br>District  |   | the National Bank<br>(Former) thereon.<br>The timber<br>cottage on the<br>land parcel is not<br>included in the<br>extent of the <del>List<br/>entry</del> <u>scheduled<br/>extent</u>  |  |
| HH27 | Big River Quartz<br>Mine<br><br>Victoria<br>Conservation<br>Park, Big River,<br>Buller<br><br>Secs 1-4, Blk X<br>and Crown<br>Land Blk X<br>(under action),<br>Waitahu SD and<br>Part Crown<br>Forest Land Blk<br>IV, Mawheraiti<br>SD, (NZ Gazette<br>1981, p.1420<br>and NZ Gazette<br>1958, p.591)<br>and Legal Road,<br>Nelson Land<br>District. | Archaeological,<br>Historic,<br>Technological | Extent includes<br>part of the land<br>described as Secs<br>1-4, Blk X, and<br>Crown Land Blk X<br>(under action),<br>Waitahu SD and<br>Pt Crown Forest<br>Land Block IV,<br>Mawheraiti Survey<br>District, (NZ<br>Gazette 1981,<br>p.1420 and NZ<br>Gazette 1958,<br>p591), Nelson<br>Land District and<br>the Big River<br>Quartz Mine and<br>road thereon.<br>This includes<br>buildings and<br>structures known<br>as the poppet<br>head, Mine<br>Shafts, Mullock<br>Heap, Cyanide<br>Plant, Boilers,<br>Winding Engines,<br>Cable Trestles,<br>Condenser Shell,<br>Aerial Ropeway,<br>Battery remains,<br>Pelton Wheel<br>remains, Smelter,<br>Water Races,<br>Miner's Cottage,<br>Winding Engine<br>House, and<br>its <b>fittings and<br/>fixtures, the<br/>following<br/>chattels: mine<br/>cages, pulley<br/>wheels, zinc<br/>boxes, tramway<br/>remnants, and<br/>the following<br/>class of</b> | 7762<br><br>Historic Place<br>Category 1 |

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|       |   |                     | <b>chattels: all objects associated with the Big River Quartz Mine within the boundary.</b> (Refer to map in Appendix 1 of the registration report for further information)   |  |
| HH96  | <p>Seddon Statue, 14 Sewell St, Hokitika, Westland</p> <p>Lot 1 DP 3239 (RT WS8B/652), Westland Land District. Located in front of Hokitika Government Buildings (otherwise known as Seddon House).</p> | Cultural and Social | Extent includes part of the land described as Lot 1 DP 3239 (RT WS8B/652), Westland Land District and the structure known as Seddon Statue thereon. See <del>extent map tabled at the Rārangī Kōrero Committee meeting on 30 April 2019.</del>  | <p>4995</p> <p>Historic Place Category 1</p>                                 |
| ARCH5 | Denniston Historic Area   | -                   | <p>Secs 1, 2, 5, 6, 8, 13, 21, 22, 27, 30, 32, 35, 38, 39, 40, 41, 44, 45, 46, 47, 48, 49, 51, 52, 53, 54, 57, 58, 62, 64, 65, 72, 77, 79, 80, 83, 87, 94, 97, 100, 103, 104, 106, 107, 111, 115, 122, 123, 124, 142, 143 Town of Denniston (RTs NL13/97, NL14/43, NL6A/687, Identifier: 216495, NL14/44, NL1A/270, NL92/57, NL1B/842, NL42/36, NL13/232,</p> | <p>HNZPT 7049</p> <p><u>Historic Place Category 1</u></p> <p>NZAA K29/55</p> |

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|  |  |  | <p>NL13/235,<br/> NL10A/1277,<br/> NL13/236,<br/> NL13/237,<br/> NL8C/367,<br/> NL13/239,<br/> NL14/181,<br/> NL13/98,<br/> NL2B/78,<br/> NL9A/989, NZ<br/> Gazette 1964, p.<br/> 1594, NZ Gazette<br/> 1975, p. 189, NZ<br/> Gazette 1979, p.<br/> 700, NZ Gazette<br/> 1982, p. 3696), Pt<br/> Secs 26, 28, 36,<br/> 41, 44, 45, 50,<br/> 59, 60, 61, 66,<br/> 67, 68, 69, 73 &amp;<br/> 74, 82, 87, 89,<br/> 90, 91, 96, 101,<br/> 102, 127, Town of<br/> Denniston (RTs<br/> NL13/210,<br/> NL8C/1350,<br/> NL39/191,<br/> NL33/90,<br/> NL7C/34 &amp;<br/> NL45/56,<br/> NL125/14,<br/> NL22/60 &amp;<br/> NL22/59, NL<br/> 84/72 &amp; NL14/77<br/> &amp; NL84/73,<br/> NL35/260,<br/> NL11D/43,<br/> NL20/89,<br/> NL50/232,<br/> NL54/39,<br/> NL9A/746,<br/> NL14/51, NZ<br/> Gazette 1972, p.<br/> 500, NZ Gazette<br/> 1975, p. 189, NZ<br/> Gazette 1982, p.<br/> 3696, NZ Gazette<br/> 1987, p.1248),<br/> Sec 75, Blk V<br/> Kawatiri SD, (NZ<br/> Gazette 1976, p.<br/> 2287, NZ Gazette<br/> 1979, p. 700),<br/> Secs 7, 11, 40,<br/> 44, 45, 47, 50<br/> and Pt Sec 42, Blk<br/> VI Kawatiri SD,</p> |  |
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|        |                       |  | (RTs NL89/13, NL55/139, NL5C/6, NL11B/157), Lot 1 DP 542 (being Pt Sec 66 Town of Denniston) (RT NL39/95), Lots 1, 2 DP 61 (being Pt Sec 81 Town of Denniston) (RT NL16/70, NL16/69), Lot 2 DP 1987 (being Pt Sec 89 Town of Denniston) (RT NL68/279), Secs 1, 2, 3, 4, SO Plan 14864 (RTs NL10A/333, NL10A/582, NL10A/573, NL10A/574), Sec 1 SO Plan 14928 (RT 10A/1303), Sec 1 SO Plan 15088 (RT NL11A/1123), and all SO Plans 3524, 8550 and 10411 (NZ Gazette 1979, 700), all Kawatiri SD, Nelson Land District. |   |
| ARCH15 | Big River Quartz Mine |  | Secs 1-4, Blk X and Crown Land Blk X (under action). Waitahu SD and Part Crown Forest Land Blk IV, Mawheraiti SD (NZ Gazette 1981, p.1420 and NZ Gazette 1958, p.591) and Legal Road, Nelson Land District   | HNZPT 7762<br><br><u>Historic Place Category 1</u>  |
| ARCH16 | Waiuta Historic Area  |  | Crown Land (under action) Town of Waiuta (RTs NL1D/354, NL1D/255 and NL1D/265), Secs 2 and 4 Blk XIII Waitahu SD, Secs   | HNZPT 9285<br><u>9835 Historic Place Category 1</u> |

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|  |  |  | <p>6-7 Blk XIII Waitahu SD (RT NL9A/489), Sec 8 Blk XIII Waitahu SD, Secs 2A,2-33 Town of Waiuta, Sec 34 Town of Waiuta (RT NL6A/166), Secs 35-41 Town of Waiuta, Sec 42 Town of Waiuta (NZ Gazette 1979, p. 1397), Sec 43 Town of Waiuta, Pt Sec 44 and Pt Sec 46 Town of Waiuta (RT NL1D/354), Pt Sec 44 Town of Waiuta, Sec 45 Town of Waiuta, Pt Sec 46 Crown Land (under action) Town of Waiuta (RTs NL1D/354, NL1D/255 and NL1D/265), Secs 2 and 4 Blk XIII Waitahu SD, Secs 6-7 Blk XIII Waitahu SD (RT NL9A/489), Sec 8 Blk XIII Waitahu SD, Secs 2A,2-33 Town of Waiuta, Sec 34 Town of Waiuta (RT NL6A/166), Secs 35-41 Town of Waiuta, Sec 42 Town of Waiuta (NZ Gazette 1979, p. 1397), Sec 43 Town of Waiuta, Pt Sec 44 and Pt Sec 46 Town of Waiuta (RT NL1D/354), Pt Sec 44 Town of Waiuta, Sec 45 Town of Waiuta, Pt Sec 46 Town of Waiuta, Sec 47 Town of Waiuta, Sec 48 Town of</p> |  |
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|        |  |  | Waiuta (RT NL2D/809), Secs 49-51 Town of Waiuta (NZ Gazette 1984, p. 560), Lot 1 DP 18537 (RT NL73/88), Sec 5 Blk XIII Waitahu SD (NZ Gazette 1981, p. 1420) and Pt Crown Forest Land Blk IV Mawheraiti SD (NZ Gazette 2020, 4720), Sec 1 SO 14989 (NZ Gazette 2002, p. 602), Legal Road and Legal River, Nelson Land District   |  |
| ARCH27 | Brunner Mines Historic Area, Taylorville |  | Pt Sec 2A Square 119 (NZ Gazette 1924, p2299); RS 6362, Blk X Arnold SD (NZ Gazette 1985, p534); Crown Land, Crown Land Survey Office Plan 4893 and Part Res 982 (Conservation purposes SO 11209 K31/43); Crown Land (Conservation purposes SO 11209 K31/44); Secs 1-2 SO 449212 (RT 581572, NZ Gazette 2012 p.1067); Sec 3 SO 309588 (RT 47501, NZ Gazette 2002 p 2090); Legal Road; Legal River; Railway Land (PROC 36, NZ Gazette 1896, p.1199), Westland Land District | <a href="#">HNZPT 7051 Historic Area</a> |
| ARCH28 | Ross Historic Area, Ross                 |  | Lot 1 DP 2387 (RT WS58/1029),  | <a href="#">HNZPT 7053 7055 Historic</a> |



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|  |  |  | Lot 2 DP 2387 (RT WS5B/1030), Res 96A and Secs 34-39 Town of Ross, and Sec 1 SO 11511 (NZ Gazette 1989 p.5684), Pt Legal Road, Westland Land District. | Area |
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189. Amend the map identification of ARCH 2 and ARCH3 so that they are correctly located and identified in relation to the item scheduled.
190. Correctly locate the Gravity Mines Survey Office heritage item on the maps.
191. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in Appendix 2.

### 10.3 Submissions seeking additional Heritage Items be included in Schedule 1

| Proposed Historic Heritage area in the Southern Paparoas |                |                |   |
|--|----------------|----------------|---|
| Kate Kennedy (S3)  | S3.001         | Amend          | To add a new Historic Heritage area to be known as The Historic Mining Area of the Southern Paparoas  |
| <i>Grey District Council</i>                             | <i>FS1.437</i> | <i>Neutral</i> | <i>Allow in Part</i>  |
| Aisla Hart (S7)  | S7.001         | Amend          | To add a new Historic Heritage area to be known as The Historic Mining Area of the Southern Paparoas  |
| Laura Mills (S17)  | S17.001        | Amend          | To create a Historic Heritage area, in the Historic Mining area of the Southern Paparoas known as the Greymouth Coalfield   |
| <i>Grey District Council</i>                             | <i>FS1.438</i> | <i>Neutral</i> | <i>Allow in Part</i>  |
| Glenn Johnston (S74)                                     | S74.001        | Amend          | Include the Southern Paparao Coalfield within a Heritage Area   |
| <i>Grey District Council</i>                             | <i>FS1.439</i> | <i>Neutral</i> | <i>Allow in Part</i>  |
| Paul Thomas (S134)                                       | S134.001       | Amend          | Add historic mining area in Southern Paparoas as per GNS Science Report 2010/61 Nov 2010 pg 68 to Historic Heritage schedule as a Historic Area to be known as 'The Historic Mining area of the Southern Paparao's - the area defined as the Greymouth Coalfields |
| <i>Grey District Council</i>                             | <i>FS1.441</i> | <i>Neutral</i> | <i>Allow in Part</i>  |
| Glenn Johnston (S183)                                    | S183.001       | Amend          | Include Southern Paparao Coalfield Heritage Area within the Heritage Schedule   |
| <i>Grey District Council</i>                             | <i>FS1.440</i> | <i>Neutral</i> | <i>Allow in Part</i>  |

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| Runanga Miners Hall Trust (S498)   | S498.001                | Amend          | Amend to include the Historic Mining Area of the Southern Paparoas, the Greymouth Coalfield and historic taonga and monuments, the Brunner Mine site (HH53-57) in the south on the eastern side of the Southern Paparoas, and north to Blackball (HH48-52), and on the western side of the Paparoas, the Rūnanga Miners' Hall (HH47) up to the Strongman Mine memorial. The towns involved would include Dobson, Stillwater, Blackball, Taylorville, Runanga, Dunollie and Rapahoe, and the sites of several old towns such as Rewanui, Wallsend and Brunnerton |
| <i>Grey District Council</i>   | <i>FS1.329, FS1.166</i> | <i>Neutral</i> | <i>Allow in part</i>  |
| Greymouth Heritage Trust (S104)  | S104.001                | Amend          | We are requesting that a "Historic Mining Area of the Southern Paparoas" be listed as one of the West Coast Historic Heritage Items and Areas and Archaeological Sites. We believe the area of note can be listed in the HH List by reference to a geologically defined area: the "Greymouth Coalfield" (see map attached to original submission).  |
| <i>Westpower Limited</i>   | <i>FS222.0155</i>       | <i>Oppose</i>  | <i>Disallow</i>   |
| <i>Birchfield Coal Mines Ltd</i>   | <i>FS232.062</i>        | <i>Oppose</i>  | <i>Disallow</i>   |
| <i>Grey District Council</i>   | <i>FS1.339</i>          | <i>Neutral</i> | <i>Allow in Part</i>  |
| Laura Mills (S17)  | S17.002                 | Amend          | initiate a survey/study of the natural and built heritage of the area of the Greymouth Coalfield by HNZPT, evaluating it as a joined-up, holistic whole.  |
| <b>Other Submissions proposing additional Heritage Items in the Schedule</b> |                         |                |   |
| Greymouth Heritage Trust (S104)  | S104.002                | Amend          | Add the following location to the heritage schedule: Coal River Heritage Park   |
| <i>Westpower Limited</i>   | <i>FS222.0156</i>       | <i>Oppose</i>  | <i>Disallow</i>   |
| Greymouth Heritage Trust (S104)  | S104.004                | Amend          | Add the following location to the heritage schedule: Gows Creek 1.2km gold mining tunnel  |
| <i>Westpower Limited</i>   | <i>FS222.0158</i>       | <i>Oppose</i>  | <i>Disallow</i>   |
| Greymouth Heritage Trust (S104)  | S104.005                | Amend          | Add the following location to the heritage schedule: Woods Creek  |
| <i>Westpower Limited</i>   | <i>FS222.0159</i>       | <i>Oppose</i>  | <i>Disallow</i>   |

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| Laura Mills (S309)              | S309.002          | Amend          | Include the following sites in the Historic Heritage Schedule: the goldmining tunnels of the Woods Creek track at Rutherglen |
| Greymouth Heritage Trust (S104) | S104.006          | Amend          | Add the following location to the heritage schedule: Greymouth Railways Signal Box Built 1904                                |
| <i>Westpower Limited</i>        | <i>FS222.0160</i> | <i>Oppose</i>  | <i>Disallow</i>  |
| Greymouth Heritage Trust (S104) | S104.003          | Amend          | Add the following location to the heritage schedule: Nelson Creek Domain Gold Mining area                                    |
| <i>Laura Mills</i>              | <i>FS48.002</i>   | <i>Support</i> | <i>I seek: That these be added as protected heritage sites.</i>  |
| <i>Westpower Limited</i>        | <i>FS222.0157</i> | <i>Oppose</i>  | <i>Disallow</i>  |
| Laura Mills (S309)              | S309.002          | Amend          | Include the following sites in the Historic Heritage Schedule: Nelson Creek tunnels and swing bridge                         |
| Barbara King (S71)              | S71.002           | Amend          | Review heritage features of Nelson Creek and map within a historic reserve with recreation                                   |
| Laura Mills (S309)              | S309.002          | Amend          | Include the following sites in the Historic Heritage Schedule: the Greymouth Star on Werita St,                              |
| Barbara King (S71)              | S71.003           | Amend          | Include Nelson Creek Community Church as a historic heritage item in the Plan  |
| Laura Mills (S309)              | S309.002          | Amend          | Include the following sites in the Historic Heritage Schedule: the old greenstone mine remains at Mt Griffin;                |
| Laura Mills (S309)              | S309.002          | Amend          | Include the following sites in the Historic Heritage Schedule: the old Hannan and Seddon law building on Werita Street       |
| Laura Mills (S309)              | S309.002          | Amend          | Include the following sites in the Historic Heritage Schedule: the fountain outside the Grey District Council;               |
| Laura Mills (S309)              | S309.002          | Amend          | Include the following sites in the Historic Heritage Schedule: Londonderry rock at Kumara;                                   |
| Laura Mills (S309)              | S309.002          | Amend          | Include the following sites in the Historic Heritage Schedule: WWII pill box at Blaketown tiphead;                           |
| Laura Mills (S309)              | S309.002          | Amend          | Include the following sites in the Historic Heritage Schedule: Taramakau rail bridge;  |
| Laura Mills (S309)              | S309.002          | Amend          | Include the following sites in the Historic Heritage Schedule: Dillons   |

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|  |                 |                | Hut up the Taipo (the old Dillon homestead);   |
| Laura Mills (S309)                         | S309.002        | Amend          | Include the following sites in the Historic Heritage Schedule: payroll robbery memorial at Runanga   |
| Laura Mills (S309)                         | S309.002        | Amend          | Include the following sites in the Historic Heritage Schedule: Cobden gun emplacement;   |
| Laura Mills (S309)                         | S309.002        | Amend          | Include the following sites in the Historic Heritage Schedule: hotpool remains just near Gloriavale;   |
| Buller Conservation Group (S552)           | S552.054        | Amend          | Add to Schedule 1B: midden site at Mokihinui site locations  |
| Frida Inta (S553)                          | S553.054        | Amend          | Add to Schedule 1B: midden site at Mokihinui site locations  |
| Frida Inta (S553)                          | S553.204        | Amend          | add Archeological sites at Mokihinui and L28/36 at the Chasm Creek Walkway   |
| Buller Conservation Group (S552)           | S552.204        | Amend          | add Archeological sites at Mokihinui and L28/36 at the Chasm Creek Walkway   |
| Buller Conservation Group (S552)           | S552.212        | Amend          | Add to Schedule 1B; waka kereru site at Pages Stream   |
| Frida Inta (S553)                          | S553.212        | Amend          | Add to Schedule 1B; waka kereru site at Pages Stream   |
| Buller Conservation Group (S552)           | S552.052        | Amend          | add Arch record L28/36 the railway heritage at the Chasm Creek Walkway   |
| Frida Inta (S553)                          | S553.052        | Amend          | add Arch record L28/36 the railway heritage at the Chasm Creek Walkway.  |
| Heritage New Zealand Pouhere Taonga (S140) | S140.072        | Amend          | HNZPT requests that HH-SCHED1 be amended to include: Seddon House Site 740-742 Otira Highway (State Highway 73) KUMARA<br><br>Legal Description: Seddon House Historic Reserve (NZGZ 1981, p. 24; NZGZ 1988, p. 2396 and NZGZ 1989, p. 5301), Westland Land District<br>Extent: 'Extent includes the land described as Seddon House Historic Reserve (NZGZ 1981, p. 24; NZGZ 1988, p. 2396 and NZGZ 1989, p. 5301), Westland Land District and the structures known as Seddon House Site thereon'. |
| <i>Laura Mills</i>                         | <i>FS48.003</i> | <i>Support</i> | <i>I seek: That these be added as protected heritage sites.</i>  |

|                                  |                |                 |   |
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| Laura Mills (S240)               | S240.003       | Amend           | That a trained historian does an assessment of sites including the following to see if they should be Scheduled in the Plan. Greymouth Star on Werita St, the old Hannan and Seddon law building on Werita Street, heritage trees at Dixon Park; trees off Kilgour road in the Coronation Domain reserve; the fountain outside the Grey District Council; the goldmining tunnels of the Woods Creek track at Rutherglen; Taramakau rail bridge; payroll robbery memorial at Runanga; Cobden gun emplacemen; WWII pill box at Blaketown tiphead; Londonderry rock at Kumara; the old greenstone mine remains at Mt Griffin ; Dillons Hut up the Taipo (the old Dillon homestead); hotpool remains just near Gloriavale; Nelson Creek tunnels and swing bridge. |
| <i>Grey District Council</i>     | <i>FS1.053</i> | <i>Support</i>  | <i>Allow</i>  |
| Brendon McMahon (S306)           | S306.001       | Support in part | A full assessment of the historic heritage and amenity values of the township of Kumara, to include a schedule with all reserve sites apart from the two currently included in the draft TTPP , and other well-known heritage buildings and sites within the township as a heritage precinct overlay to ensure all future development is sensitive to the existing townscape and its heritage value.  |
| Laura Mills (S309)               | S309.004       | Amend           | Review the heritage resources on the West Coast and include additional sites within the Historic Heritage Schedule  |
| <i>PE Property Trust</i>         | <i>FS88.3</i>  | <i>Support</i>  | <i>Allow</i>  |
| Buller Conservation Group (S552) | S552.051       | Support         | record all known sites in Schedule 1 and Appendix 10  |
| Frida Inta (S553)                | S553.051       | Amend           | record all known sites in Schedule 1 and Appendix 10  |
| Buller Conservation Group (S552) | S552.205       | Amend           | Amend plan to include 250 historic buildings and sites, 60 historic buildings and structure listings from Buller District Plan  |
| Frida Inta (S553)                | S553.205       | Amend           | Amend plan to include 250 historic buildings and sites, 60 historic buildings and structure listings from Buller District Plan  |

### Analysis

192. Kate Kennedy (3.001), Aisla Hart (S7.001), Laura Mills (S17.001), Glenn Johnston (S74.001, 183.001), Paul Thomas (S134.001), Runanga Miners Hall Trust (S498.001) and Greymouth Heritage Trust (S104.001) seek the addition of a heritage area based in the Southern Paparoas/ the Greymouth Coalfield. Laura Mills (S17.002) seeks a survey of the natural and built heritage of the area by HNZPT, evaluating it as a joined up, holistic whole.
193. Dr Ann McEwan, the heritage advisor engaged to support this topic has looked in detail at the proposal. Her report is attached at Appendix 3. In summary, Dr McEwan's advice is that the Southern Paparoas/Greymouth Coalfield does not meet the criteria for scheduling in the Plan. She notes that several of the submissions seek a survey by HNZPT via the TTPP process and TTPP is unable to direct the work programme of another agency. Generally the submissions appear to want recognition and some limited oversight in respect of "substantial new development" rather than scheduling as a historic area that would then be subject to the full gamut of TTPP heritage provisions. Accordingly I do not recommend this area for inclusion in the TTPP historic heritage schedule but that the parties directly approach HNZPT with regard to the area being identified by that organisation as a Historic Area, noting that there are a number of specific TTPP scheduled and/or HNZPT listed items and areas within the area as a whole.
194. The Greymouth Heritage Trust (S104.002) seek that the Coal River Heritage Park be included in the schedule. Dr McEwan advises that this is a location of historic heritage interpretation rather than a location with tangible historic heritage values. I therefore do not support this submission.
195. Greymouth Heritage Trust (S104.004) also seeks the addition of the Gows Creek gold mining tunnel to the schedule. Unfortunately there was insufficient information provided or able to be accessed by Dr McEwan to assess this site, therefore I do not recommend it for inclusion in the schedule.
196. Greymouth Heritage Trust (S104.005) and Laura Mills (S309.002) seek the addition of Woods Creek – a DOC forest track with remnant mining features. Greymouth Heritage Trust (S104.003) seeks that the Nelson Creek Domain Gold Mining areas be added to the schedule. Laura Mills (S309.002) seeks that the Nelson Creek tunnels and swing bridge be included in the schedule. Barbara King (S71.002) seeks that Nelson Creek and historic reserve and Nelson Creek Community Church (S71.003) be included. Laura Mills (S309.002) seeks that the Greymouth Star Building on Werita Street Greymouth, the Mt Griffon mine remains, the old Hannan and Seddon law building, the fountain outside the Grey District Council, the Londonderry rock at Kumara and the WWII pill box at Blaketown tiphead be included in the Schedule. Dr McEwan advises that while the history and community importance of these sites is recognised, based on her assessment, they are not recommended for scheduling.
197. Laura Mills (S309.002) also seeks that the Taramakau rail bridge, the Dillons Hut, the payroll robbery memorial at Runanga, the Cobden gun emplacement (battery observation post) and the hotpool remains near Gloriavale (Kopara Hot Springs bathing pool) are included in the schedule. Dr McEwan has assessed these items and recommends them for scheduling in the Plan as she considers they meet the historic heritage criteria. The detailed heritage assessments are contained in Appendix 4. In the case of the Cobden gun emplacement this is actually the battery observation post and the heritage assessment clarifies this. The owners of these items and sites have been contacted and advised of the recommendation for scheduling.
198. In relation to Dillon Hut and the Kopara Hot Springs bathing pool the Department of Conservation did not object to the proposed listing. In relation to the Cobden battery observation post the Grey District Council did not object to the proposed listing. No response was received from NZTA (Runanga payroll robbery memorial) or KiwiRail (Taramakau bridge). I support the recommendations of Dr McEwan and recommend that these items are included in the Schedule.
199. Buller Conservation Group and Frida Inta seek that the midden site at Mokihinui (S552.054 and S553.054), archeological sites at Mokihinui and L28/36 from the NZAA register (S552.204 and S553.204), the waka kereru site at Pages Stream (S552.212 and S553.212) and site L28/36 railway heritage site at Chasm Creek walkway (S552.052 and S553.052) be included within the Schedule 1B.

200. I do not support these submissions. No further information on the or archaeological merits of these sites are provided. In addition there is no information on their exact location which would make mapping these sites not possible without further investigation. I note that these sites remain protected under the HNZPT Act.
201. HNZPT (S140.072) seek that the Seddon House Site 740-742 Otira Highway Kumara be included in Schedule 1. Dr McEwan has assessed the site and considers that there is insufficient built heritage remaining to justify including the site in Schedule 1A, and that the site is already a historic reserve owned by HNZPT. This matter was discussed in the prehearing meeting with HNZPT. At that meeting it was agreed that it would be appropriate to include the site within Schedule 1B – Schedule of Archeological Sites.
202. Laura Mills (S240.003) seeks that a number of sites be assessed by a trained historian to see if they should be Scheduled in the Plan. This assessment has been undertaken and is contained in Appendix 3 of this report.
203. Brendon McMahon (S306.001) seeks a full assessment of the historic heritage and amenity values of the township of Kumara, the addition of specific items to the schedule and the creation of heritage precinct overlay to ensure future development is sensitive to the existing townscape and its heritage value. Dr Ann McEwan has undertaken this assessment and her report is included in Appendix 3. She identifies that of the items assessed, St Patrick’s Catholic Church meets the criteria for historic heritage scheduling. Her detailed assessment is contained in Appendix 4. The owners of the Church have been contacted and advised of the recommendation for scheduling of the building. They have responded that they have no objection to the listing of the building. I support the assessment of Dr McEwan and recommend that St Patrick’s Catholic Church Kumara is included in the schedule.
204. Dr McEwan also notes that many of the older buildings in the township have been substantially modified and that while there are substantial amenity benefits to their preservation, this is not a historic heritage matter per se. In terms of a heritage precinct, Dr McEwan advises there is insufficient basis to schedule Kumara as a Historic Heritage Area.
205. Laura Mills (S309.004) seeks a review of the heritage resources on the West Coast and the inclusion of additional sites within the schedule. While it has not been within the capacity of the Councils to fund the full assessment of all heritage resources across the West Coast for this hearing, Dr McEwan has assessed all the new sites and items proposed by submitters for scheduling and recommended the inclusion of a further six items in total.
206. Buller Conservation Group (S552.051) and Frida Inta (S553.051) seek that all known archaeological sites be scheduled in the Plan. Unfortunately the accuracy of description location of many of the archaeological sites known of, on the West Coast is very poor. During the development of the Plan this matter was looked into carefully and discussed with HNZPT. It was well beyond the capacity of the funding available for the over 1000 sites across the West Coast to be identified and assessed for scheduling. It would be inappropriate to schedule sites where their heritage values or location are not known so I do not support this proposal.
207. Buller Conservation Group (S552.205) and Frida Inta (S553.205) seek that all 250 historic buildings and sites, 60 historic buildings and structure listings from Buller District Plan be included in the Schedule. As is explained in the s32 report, as part of preparation of the Plan a review of the sites scheduled in the existing district plans was undertaken. This identified that Buller District Council schedule was a mix of archaeological sites, Māori cultural heritage sites, historic heritage buildings, and some replica items. For example, a large number of plaques were included in the historic items schedule – while these record the location of a site of past interest and sometimes significance, the plaques themselves have no heritage value. The appendix also includes archaeological sites from the NZAA site recording scheme, but that the locations and values were unknown. The Buller District Plan schedule was thoroughly reviewed and only sites and items where there was identified historic heritage value combined with the ability to accurately locate the site, were included in the Plan.

### *Recommendations*



208. That the Plan be amended to include the following 6 items in the historic heritage Schedule 1A:
1. Taramakau rail bridge
  2. Dillons Hut
  3. Payroll robbery memorial at Runanga
  4. Cobden battery observation post
  5. Kopara Hot Springs bathing pool
  6. St Patrick's Catholic Church at Kumara
209. That the Plan be amended to include the following item in archaeological sites Schedule 1B:
1. Seddon House Site 740-742 Otira Highway Kumara
210. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in Appendix 2.

## **11.0. S32AA Evaluation for all Recommended Amendments**

211. Section 32AA of the RMA requires a further evaluation to be undertaken in accordance with s32(1)- (4) if any amendment has been made to the proposal (in this case TTPP) since the original s32 evaluation report was completed. Section 32AA requires that the evaluation is undertaken in a level of detail that corresponds to the scale and significance of the changes. Minor changes to correct errors or improve the readability of TTPP have not been individually evaluated. In terms of s32AA, these minor amendments are efficient and effective in improving the administration of TTPP provisions, being primarily matters of clarification rather than substance.
212. While I consider that most of the recommended changes are of a minor nature and are intended to improve the workability of TTPP, I have undertaken a further evaluation of the following matters:
- recommended scheduling of 6 heritage items and 1 archaeological site within Schedule 1.

### **11.1 Efficiency and Effectiveness**

213. The recommended amendments include 6 additional historic heritage items and 1 archaeological sites are more appropriate in achieving the purpose of the RMA than the notified version of TTPP in that they better identify the extent of historic heritage values on the West Coast and in particular better achieve Section 6(f) which recognises and provides for the protection of historic heritage from inappropriate subdivision, use and development.

### **11.2 Costs/Benefits**

#### ***Costs***

214. 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.
215. The land on which historic heritage is situated could be used for other things that contribute to amenity values.

#### ***Benefits***

216. These important historic heritage sites are identified, protected and maintained for present and future generations, adding to community identity and enhancing the amenity of the West Coast for residents and visitors, and can contribute to economic revitalisation.
217. The identification of these historic heritage sites will help build community cohesiveness and a sense of togetherness.



218. Six of these sites are on public land, however the inclusion of these items and sites in the schedule will more strongly highlight to statutory authorities such as the Department of Conservation, Kiwirail, NZTA and HNZPT the importance of these areas to the West Coast community

### **11.3 Risk of Acting or Not Acting**

219. There is no risk in accepting the recommended amendments as there is sufficient information to act on the submissions. I note that the s32 assessment for the proposed TTPP identified the risk that not all important historic heritage items and archaeological sites on the West Coast were not included in the proposed Plan, and I consider these amendments ameliorate this risk.

### **11.4 Decision about most appropriate option**

220. The recommended amendments are therefore considered to be more appropriate in achieving the purpose of the RMA than the notified version of TTPP.

## **12.0 Conclusion**

221. I consider that the amended provisions will be efficient and effective in achieving the purpose of the RMA (especially for changes to objectives), the relevant objectives of this plan and other relevant statutory documents, for the reasons set out in the Section 32AA evaluations undertaken.