

Id	What does a thriving future for Central Hawke's Bay look like?	What is holding us back?	How do we unleash our potential?	Who (in community) can	What are your ideas?
29	<p>A place where young people want to stay after finishing college. New people and young families would want to move here from the bigger centres. The agricultural nature of the CHB is still embraced, but the towns are modernised and images upgraded to attract visitors to spend money here (A good example is Greytown in the Wairarapa). Visitors expect good food, coffee, and boutique shops nestled amongst the existing and essential businesses that serve our agricultural needs. Our natural assets (rivers, views, cycleways, walkways) continue to be upgraded and promoted as a reason to visit here as well as to serve the communities recreational needs. Projects like The Gums MTB park will attract visitors who come to ride and then spend money in our town. Our town will look visually appealing, murals, sculptures, plantings etc</p>	<p>People (older residents) are resistant to change. They are used to the status quo and worry that change may impact their current way of life. Some of the older generation don't understand the importance of spending money on upgrading the image and facilities of the CHB. Many see spending public money on beautification, for example, as a waste of money. To many outsiders, the CHB isn't considered a destination in its own right. Yes we do have some great events here, but they are not enough on their own. There are negative connotations attached to the CHB because of the gangs as well.</p>	<p>Promote the CHB as a place for businesses to invest. We can't solely rely on agriculture. Make the CHB a destination. Visitors spend money. We need to entice fresh blood to the community - this is vital. We don't want to be a giant retirement village (don't get me wrong we love the oldies but a balanced community is essential for the future).</p>	<p>Business, schools, residents</p>	<p>Upgrade the council website. Create a better online presence for the CHB. We need a digital gateway to our community for visitors to enter through. Here they will see all that the CHB has to offer and will be able to book accommodation etc... Encourage young families to move here - run an advertising campaign enticing people here. Imagine if more young families came and renovated some of the cheap housing here, such as around the terrace school area. This would lift the image of the place. The broken windows affect is a powerful phenomenon - if more people tidy up and improve the housing stock (along with the council continuing to beautify and upgrade the town facilities), the less likely we are to have vandalism and gang related activities.</p>

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30	With the RWSS its all on , Council needs to be standing up here. Without RWSS Council has issues around how plan change 6 will effect the farming engine of CHB.	<p>THE RWSS DECISION!!! Two day to day things holding CHB back and that need to be focused on. 1: The continued focus on running CHB's operations using IN House solutions. Times have moved on, the amalgamation plan we voted on was a flawed recipe and predictably failed. We have a relatively static population and it is predicted not to change much, It is also a generally ageing demographic with falling school roles. The TWO towns, brings two lots of replicated costs, add to that the scattered villages (all of which are in survival mode) along with the large area of our CHBDC, sparsely populated with many kilometres of roading to keep maintain and the numerous aging bridges. (Council unbelievably has an exsisting policy of NO new tarseal!) I would be urging Councillors to look very hard at SHARED SERVICES with our Northern neighbours, there is 120,000 people only 30/45 min away who are paying substantially less rates for better services and they are in a stronger position to attract high quality well qualified staff. (many of our existing staff live North of us and travel to work)</p> <p>2: under ground infrastructure. We have sections for sale and new rate payers (the life blood of vibrant communities) wanting to build homes in Waipukurau, Waipawa' and Otane and council is unable to hookup services in many instances without charging substantial fees. Let's look at fresh water, we have an asset valued at approximately \$20m, an income of \$3m plus a year from targeted rates and metered sales. About 15 yrs ago Council did an audit of town water, it came back with red hands all over it! In that time there has been about \$45m in income, if council was to do the same exercise again many of the red hands would still be applicable! My question is where has all that targeted money been spent by a questionable inhouse operation to have ended up where we are? More than 10,000 livestock equivalents have acces to this water. The pipe to Waipukurau's ONLY reseivour is too small, very old and unable to take more pressure and it is made of asbestos. We have only one days supply as storage. We struggle to have sufficient water to fight a decent fire in the middle of town. Eg recent Hospital fire. The design of supply lines has many spurs where water pressures are pitiful at lines end. There are few loops (101 of distributing water) Properties off the main road into town, even, are unable to be hooked up. Otane is limited in its growth by a completely inadequate sized pipe run from Waipawa's supply. Takapau's quality problems has never been properly sorted.</p>	Get our heads of the scrum and the reality that we are part of HB Not just an insular CHB that can go it alone. Small council's economies of scale will in time strangle them quicker than you might think.	The younger generations with children they have "New" ideas and energy. Our retirees ,watch out they are increasingly moving North to live. Note my address! However I plan to remain a ratepayer for the foreseeable future with our property In James Street.	Continue with Russell park focus it's the jewel in our crown. Multi sport turf may need a little more Council support to get it over the line. Upgrade the towns camp ground further, (get shot of the the numerous 1970's caravans and build further cabins) the potential to get travellers to stop in town next to what is on offer in and around Russell park is substantial. I think we lost an opportunity by drifting away from "Lamb Country" the potential there was never really exploited.

Id	What does a thriving future for Central Hawke's Bay look like?	What is holding us back?	How do we unleash our potential?	Who (in community) can we	What are your ideas?
31	Because of an aging community we need to see age before beauty: an infrastructure that can grow with the demand of the growing population of older people. IE easy access to all amenities, affordable warden assisted half way house, or similar accommodation. There are a lot of older people moving into the area, adding to an already aging population. They mostly bring money with them. Retired farmers/city people looking for a quieter lifestyle.	Issues that are holding us up the scooter club: - The road between Waipukurau and Waipawa - The social activities are curtailed because of pathways etc. although I do understand this is being worked on. Critical issues holding back our aging population are lack of quality	A lot could be gleaned from projects like, Bethlehem in Tauranga to maximise transformative ideas.		From the mobility scooter clubs point of view. It started as an idea to get people in similar situations to break their social isolation and improve their well-being. It has in fact made it socially acceptable to be on a mobility scooter and join clubs and community events for people who were formerly hesitant to do so, opening many doors. The same success of the scooter club needs to be repeated in other areas. We have fun activities when the weather permits and we need to keep the momentum going, which is proving difficult when we are unable to get to
32	An attractive place to live,work,play and visit.	A lack of pragmatism around consent and compliance.	With visionary thinking.	All groups from HB tourism through to local businesses, stakeholders and community organisations. Every organisation can be worked with if they understand 'what's in it for them'.	A massive investment and development of our cycle and walking trails, from the coast to the ranges ... linking isolated areas to the rest of CHB. eg replicating the success and benefits of The Otago Railtrail. A huge planting programme of Pohutakawas and natives in our coastal areas in conjunction with the cycle/walking trail mentioned above - this could extend the bird corridor begun at Cape Kidnappers. The trail could be called "Cape Kidnappers to Castle Point" and or Porangahau to Patangata. Reclaiming and developing our coastal camping grounds. We have a stunning coast line that could be used to draw many tourists to CHB but we need to offer them what they need, ie low cost and attractive areas to camp. Porangahau has 10-15 cars and campervans a night over summer sharing a small square of grass, just to be close to a toilet, a tap and a path to the beach. This is not as a problem

Id	What does a thriving future for Central Hawke's Bay look like?	What is holding us back?	How do we unleash our potential?	Who (in community) can we	What are your ideas?
33	A positive district, with the successful Ruataniwha dam, creating business growth, full employment and a change in the present predicted age spread of our population base. This employment will encourage the younger generation to stay and create careers locally as well as becoming a sought after area for other skilled people to live in . We are farming based and always will be. This Dam will enable stock numbers to not just increase but also be kept from leaving the Bay at a reduced value, as presently happens most dry years. Everyone benefits from; trucker's, freezing workers, etc. to professional service providers, town businesses, schools etc.. everyone ! It will be pleasing to see more orchards, market gardens, new business and cottage industries also benefit from the investment of water storage.	A lack of Growth in CHB. A negative view from a small selection of the population to the proposed Dam. The loss of a large percentage of young people (often well qualified) from the area... due to a lack of opportunities.	Address the issues that have caused our static population growth. Identify the unique advantages this area has.	Business , farming and club organisations	Continue to support the building of a Dam. Support new and growing businesses that are either established or looking to invest in CHB. Promote subdivision and housing growth. Keep our CHB Council local, and approachable on a one to one basis.

Id	What does a thriving future for Central Hawke's Bay	What is holding us back?	How do we unleash our potential?	Who (in community) can we	What are your ideas?
34					<p>I recently met with Mayor Alex Walker regarding an idea for the land that the Pukeora Forest was on. This land belongs to the Crown and must be replanted within 5 years. It is hoped by a number of people that while the land is clear tracks be put in place. CHB doesn't have any designated Bridle paths and this area would be perfect for this. There can be parking in what was the parking area for cars, trucks and floats. Not wanting to be selfish and in the hope that everyone can be considerate of each other there could also be a mountain bike trail re established and walking and running trails maybe a proper fitness trail. People use the hill a lot and being able to run through the forest and connect up eventually with the Rotary project would be a good thing. Ask Max and Kate Annabel if they would permit a short trail through the edge of their hill to ensure no one has to go on the road, however the road can also be crossed to go down onto the river bank if wanted. Another proposal in conjunction with these idea was that of an Adventure Park. Once all the tracks are in place and areas designated for a flying Fox etc.. the hills can be replanted in Native species of trees, suggest separate blocks and areas for varying types and some mixed to recreate NZ bush. Some good specimen trees of Totara could perhaps be planted to yield timber in a few hundred years in among the Native plantings. I firmly believe this would be an incredible asset to CHB, i know how often the forest was utilized as a running and Mountain Bike trail while that was going, people came from Wanganui, Palmerston North, Masterton etc... to enjoy the facility and they usually went to Waipukurau for a coffee or food either before or afterwards. During the week folk also shopped in town and enjoyed the experience of our town. Often husbands would bike and wives go shopping or so they told me. Now with Back Paddock Lakes i can envisage CHB becoming a wonderful playground, makes a change from Taupo or Rotorua being the closest locations. I believe this can all be accomplished without getting outsiders in that cost this council money that can be better spent just actioning ideas rather than putting out flyers and billboards. The land is there. Let us use it for the benefit of this area. I am sure that the Crown would have no objections as long as it is replanted. If not replanted there is a cost. I think it's 20% of the income from the trees harvested and that cost is to the new managers of the land. I am not at all politically inclined, however commonsense indicates that here is an opportunity for the Council to do something that is of benefit to a vast number of people.</p>
35	Shops tenanted and supported by shopping locally People supporting the college by choosing to send their children there	Lack of employment and lack of population	By encouraging people to live here and support the district even if they work elsewhere	The sports groups to lift our profile The CHB college to showcase the school and it's successes	Actively publicise what we have going for us and what an easy commute it is to other centres. Maybe shared transport to Hastings/Napier

Submission from the HB Biodiversity Implementation Planning Group

Submission to the Central HB District Council's *Project Thrive* consultation from the HB Biodiversity Implementation Planning Group

1. Introduction

This submission is made on behalf of the multi-stakeholder group called the Hawke's Bay Biodiversity Strategy Implementation Planning Group (IPG). The IPG would like to speak to its submission. The members of the IPG are listed at the end of this submission.

This submission provides an update on the progress made on the implementation of the *Hawke's Bay Biodiversity Strategy 2015 – 2050*. It also seeks Central Hawke's Bay District Council's formal support for the Strategy by becoming a signatory to the Biodiversity Accord and signals the need for possible future funding support.

2. The Strategy

The Biodiversity Strategy was released in March 2016 and is an exciting and new initiative enabling both statutory and non-statutory agencies to collaboratively engage to enable enhancement of biodiversity in Hawke's Bay. The Strategy is a community-lead non-statutory initiative which aims to identify and connect all agencies, groups or individuals with biodiversity interests. It marks the first time in the region's history that all the people involved in biodiversity have agreed to work together to improve biodiversity outcomes.

The vision of the Strategy is "*Working together, Hawke's Bay biodiversity is enhanced, healthy and functioning*". A key outcome of the Strategy is that by 2050 key indigenous habitats and populations of native species will be identified, prioritised, managed and protected.

The *Hawke's Bay Biodiversity Strategy* is our response to the documented decline of biodiversity on a regional and national scale. The Strategy, convened and facilitated by the Hawke's Bay Regional Council, is a collaborative document that connects around 50 agencies, individuals and interest groups with a commitment to improving biodiversity through a shared goal, vision and objectives. These agencies have committed to working collaboratively by signing the Hawke's Bay Biodiversity Accord.

The Strategy has five objectives that aim to;

- Sustain, protect and improve native habitats and the ecosystems they provide.
- Sustain, protect and improve populations of native species.
- Integrate Māori values by recognising indigenous biodiversity as taonga to be protected for future generations.
- Collaborate effectively, align programmes and have responsibilities to achieve biodiversity outcomes.
- Support education, engagement, care for the environment, kaitiakitanga and actively connect our community through biodiversity programmes.

1

HB Biodiversity Implementation Planning Group submission on CHBDC's Project Thrive consultation

The Implementation Planning Group (IPG) comprising Accord partners (actual and potential) was established in 2016 to develop an Implementation Plan that sets the priorities for the coming three years. The Implementation Plan will guide our collective biodiversity effort and investment in order to achieve the strategic objectives set in the Strategy. It is anticipated that the Implementation Plan will be complete by June 2017.

Two of the priority projects in the Implementation Plan will be:

- Establishing a Hawkes Bay Biodiversity Forum to create biodiversity opportunities by connecting people, organisations and projects by June 2017.
- Establishing a Hawkes Bay Biodiversity Foundation which will source and manage an endowed fund to enable the achievement of Strategy goals. The Foundation will bring together partners and new money to co-fund projects. The aim is to have the charitable trust deed developed by June 2017 and the trustees appointed by 2018.

3. What we're seeking

This submission invites Central Hawke's Bay District Council to become a signatory to the Biodiversity Accord as a visible commitment to the vision and objectives in the HB Biodiversity Strategy. The Accord is a living document - anyone who is passionate about biodiversity and wants to share the vision can sign up at any time. There is currently around 50 signatories, including Napier City Councillors and Hawke's Bay Regional Council. A full list is available at <http://www.hbrc.govt.nz/hawkes-bay/biodiversity/biodiversity-strategy/>

There are three levels to the Accord:

- **Accountable Partners** - who have core responsibilities to actively improve the region's biodiversity. Accountable Partners are typically organisations who have statutory responsibilities, or organisations whose core purposes is to deliver biodiversity outcomes.
- **Supporting Partners** - make commitments to support Accountable Partners to deliver objectives and outcomes set by the Strategy. Supporting Partners are typically organisations whose core functions are to deliver biodiversity outcomes.
- **Friends of the Accord** - endorse the Vision of the Strategy, contributing to improve biodiversity in the spirit of collaboration. Friends are mainly individuals or groups of individuals who, by signing the Accord, want to show their commitment to work together with Accountable and Supporting Partners.

Secondly, this submission signals that we will be seeking funding support in next year's long term plan. Since the Biodiversity Strategy was initiated in 2011, support from statutory agencies has been limited to staff time, small joint contributions to miscellaneous costs and facilitation costs provided by the Hawkes Bay Regional Council. However, additional financial resources will be critical in the future to ensure the outcomes in the Strategy and the priority actions in the Implementation Plan can be achieved to prevent further decline in biodiversity.

2

HB Biodiversity Implementation Planning Group submission on CHBDC's Project Thrive consultation

Until now the focus has been on joint-planning and prioritising. Going forward we need funding to implement actions on the ground. Without ongoing joint financial support and leadership from councils the potential of this collaborative initiative will not be realised.

To ensure the success of this unique collaborative approach to biodiversity, the multi-stakeholder Implementation Planning Group (IPG) intends to lodge a joint submission to Councils' 2018-28 Long Term Plans requesting financial support. The IPG, which includes council membership, is in the process of formulating a funding model with an appropriate financial commitment from each of the Hawke's Bay councils and demonstrable benefits by district to seed fund the Forum and Foundation.

No additional financial resources are being sought from Territorial Authorities in this current financial year.

The IPG looks forward to discussing this submission with you in person.

Yours faithfully,



Charles Daugherty (Independent Chair of the Implementation Planning Group).
charles.daugherty@icloud.com

IPG membership includes representatives from:

- Central HB District Council
- Department of Conservation
- Federated Farmers HB
- Fish & Game
- Forest & Bird
- Guthrie-Smith Trust
- Hastings District Council
- Hawke's Bay Regional Council
- HB Forestry Group
- Napier City Council
- Nga Marae
- Ngatapa Station
- OSPRI
- Plant Hawkes Bay Ltd
- QEII Trust
- Te Taiao Environment Forum
- The Conservation Company
- Wairoa Taiwhenua

3

HB Biodiversity Implementation Planning Group submission on CHBDC's Project Thrive consultation

Submission from Heritage New Zealand Pouhere Taonga



HERITAGE NEW ZEALAND
POUHERE TAONGA

File ref: 33002-068

5 May 2017

Central Hawke's Bay District Council
PO Box 127
Waipawa 4240

To whom it may concern

RE. HERITAGE NEW ZEALAND POUHERE TAONGA SUBMISSION ON PROJECT THRIVE

1. Heritage New Zealand Pouhere Taonga (Heritage New Zealand) apologises for our late submission on project Thrive, as we understood that submissions would be closing on 5 May 2017. We hope that the Central Hawke's Bay District Council (the Council) will accept our late submission on this important consultation regarding the future of the district.
2. Heritage New Zealand is an autonomous Crown Entity with statutory responsibility under the Heritage New Zealand Pouhere Taonga Act 2014 for the identification, protection, preservation, and conservation of New Zealand's historic and cultural heritage. Heritage New Zealand is New Zealand's lead heritage agency.

What does a thriving future for Central Hawke's Bay look like?

3. Well cared for and promoted historic heritage has the potential to be a considerable draw card for both tourism and people wanting to move to, or remain in, an area. Heritage plays an important role in creating an engaging and vibrant region, which in turn, fosters local identity and helps build the economy. The transformative nature of historic heritage in this regard can be seen in the success of places like Shannon and Greytown.
4. Heritage New Zealand considers that Central Hawke's Bay's historic places present this transformative potential, meaning a thriving future would be one where people are interacting with the district's heritage, both Māori and European, through events, tourism offerings, and general day-to-day opportunities to connect with the past. This would add another reason to visit and reside in the district, help develop communities with strong bonds, and ensure that the opportunity to engage with the past is available to present and future generations.

What is holding us back?

5. The *Central Hawke's Bay District Council Long Term Plan 2015-2025* states that "[o]ur historic and cultural heritage is protected for future generations" is a specific outcome. However, currently the historic heritage resources in Central Hawke's Bay are underutilised and in danger of being lost due to a lack of regulatory and non-regulatory protection and support.
6. The heritage provisions in the District Plan provide little protection for built heritage. For example, the only rule for built heritage is that the owner must notify Heritage New Zealand of proposed modifications to a building, with this notification being for information only. Heritage New Zealand considers that the absence of a robust regulatory framework risks wasting the potential that Central Hawke's Bay's cultural heritage, and proximity to other places of great cultural heritage significance, has. Not only does a lack of protection effectively facilitate the destruction of historic heritage, it discourages people looking to invest in improving a historic place as they have no assurance that their efforts will be protected into the future or indeed that there is understanding of the extent of the contribution they are making to the district. The

current situation of under-regulation risks undermining any efforts to leverage the benefits historic heritage can give to the district.

7. There is also a range of non-regulatory opportunities that the district could more fully utilise. For example, providing rates rebates, waiving consent fees, or even establishing a fund for conservation works, would enable the Council to incentivise more active conservation of historic heritage.
8. It is also important that tourism strategies associated with promoting the district make the most of the district's interesting and unique historic heritage.

How do we unleash our potential?

9. One of the first steps to realise the benefits historic heritage can offer to Central Hawke's Bay is to review the historic heritage provisions, including those for sites of significance for Māori, in the District Plan. Not only would this allow the development of provisions to better protect historic heritage—therefore conserving this resource so it can reach its full potential—but it also provides an opportunity for Council to signal its commitment to historic heritage generally. It is Heritage New Zealand's experience that undertaking a full district plan review ensures the best outcome, as it allows all issues to be considered holistically.
10. Implementing non-regulatory incentives is also an important step in conserving historic heritage so that it is in a condition that fully realises its heritage value. To assist Council in understanding the range of options it could implement, attached to this submission is Heritage New Zealand's guidance on heritage incentives.
11. Māori heritage is also rich in the Central Hawke's Bay and engaging with it in an appropriate way that ensures its care and protection, has the potential to build a vibrancy and culture unique to the district. We strongly recommend that Council work with iwi, hapu, and other relevant stakeholders to devise ways of working together to help grow the district, while preserving the values important to tangata whenua and all other people residing in the area.
12. Finally, Central Hawke's Bay has the potential to create a distinct tourism offering. The suggestions put forward in the three paragraphs above would all help develop the district's tourism potential. Additionally, tourism promoters should be encouraged to keep the opportunities offered by historic heritage in the forefront of their mind, and Council could play a role in facilitating discussions between the relevant groups.

Who in our communities can we work with?

13. Heritage New Zealand is fortunate to have agreed to regularly engage with a group of stakeholders that we consider representative of Central Hawke's Bay's heritage experts. This group comprises: Rangitāne (Don) Tipene, Peter Harris, Patrick Parsons, Pauline Mackie, Elizabeth Pishief, Hans Dresel, and David and Natalie Beamish. We have sought to engage Council with this group and it has been very well represented to date by Helen O'Shaughnessy. We would encourage Council to expand its engagement with this group to progress the potential of historic heritage in the district.
14. In addition, Heritage New Zealand anticipates that the Council already understands the importance of close liaison with Te Taiwhenua o Tamatea in relation to Māori heritage in the Central Hawke's Bay district.

15. Heritage New Zealand is also willing to assist Council in whatever way we can. This could include assistance with reviewing district plan provisions, promoting the district's heritage in the magazines we publish (Heritage this Month and Heritage Quarterly), and facilitating meetings between different stakeholders. Heritage New Zealand is also working to secure funding to update our information on the 10 Central Hawke's Bay stations entered on the New Zealand Heritage List / Rārangī Kōrero. It is our objective to shed full light on the significance of these outstanding places through this work and provide their owners with more evidence for and (in some instances) more access to funding for upgrading work and work to explore the feasibility of their property supporting a visitor offer. Heritage New Zealand considers that this information could greatly assist the creation of an overarching cultural heritage tourism offer for Central Hawke's Bay.

What are your ideas?

16. Heritage New Zealand suggests that Council:

- prioritise funding for a review of the District Plan;
- work with Heritage New Zealand and other partners to create a unique tourism offering, drawing on the range of heritage homesteads in the district, the Coles Joinery Factory, and the history of Ongaonga;
- work with iwi and hapu to develop appropriate ways for people to engage with the unique Māori heritage of the district, including the place with the World's Longest Place Name: Taumatawhakatangihangakoauauotamateaturipukakapikimaungahoronukupokaiwhenuakitanatahu;
- strategise with relevant people and groups to promote and protect historic heritage; and
- investigate opportunities to provide non-regulatory incentives for historic heritage conservation in a way that supports an overall strategy for sustaining and enhancing Central Hawke's Bay's cultural heritage places.

Yours sincerely



Claire Craig

General Manager
Central Region
Heritage New Zealand Pouhere Taonga

Attachments

Attachment 1: Incentives for Historic Heritage Toolkit

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New Zealand Historic Places Trust Pouhere Taonga
Sustainable Management of Historic Heritage Guidance Series

Incentives for Historic Heritage Toolkit



26 March 2013



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Incentives for Historic Heritage Toolkit

Author: Robert McClean, Senior Heritage Policy Adviser, New Zealand Historic Places Trust Pouhere Taonga (NZHPT).

Acknowledgements: The original 2009 and 2010 versions of this report were prepared with the assistance of Susan Thomson, former post-graduate student, Victoria University of Wellington, the former Auckland City Council and former Rodney District Council. In particular, we thank George Farrant, Principal Heritage Adviser, Auckland Council. His experience in dealing with incentives for historic heritage made a major contribution to this toolkit. We also acknowledge the assistance of Brent Nahkies and Associates Ltd, Christchurch.

Status: This report is an update of previous versions prepared by the NZHPT in 2009 and 2010.

This document is a new guide for inclusion within the *Sustainable Management of Historic Heritage Guidance Series* (the guidance series) published by the NZHPT. The series aims to assist local authorities, owners of heritage places, iwi and hapū and other stakeholders in the protection and conservation of historic heritage under the *Resource Management Act 1991* (RMA) and other related resource management and planning legislation.

This guide updates references to former legislation and policy within the 2000 NZHPT publication *Guidelines for Making Heritage Buildings Accessible* (authored by Julia Gatley). This guide differs from the earlier 2000 guide by focusing on providing links to other guidance sources, updating legislative provisions, and providing guidance objectives and policies for the assessment of proposed access-related work involving heritage places. While some of the legislative and building code information in the earlier 2000 guide has been superseded, this previous version remains a valuable source of information about accessibility and heritage buildings.

Comments and feedback can be provided to the NZHPT about this guide. Please send to:

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Imperial Buildings, Fort Lane Shared Space, Auckland. Photo, idealog.co.nz
Christchurch Arts Centre, August 2011.
Category I historic place. Photo, *Touch Design*

Designed by Richard Roberts, Touch Design Ltd, Wellington

Incentives and rules – bricks and mortar

Heritage incentives are a powerful complement to heritage regulation, and the synergy between them is a valuable heritage tool.

Heritage incentives are not a tenable means of heritage protection used alone, but act in concert with heritage rules and evaluation systems.

The use of either *alone* is potentially weak and problematical.

If sound, meaningful and robust assessment systems and rules are the solid 'bricks' of a heritage protection system, then incentives used carefully are the 'mortar' that binds the bricks.

While it might be possible to erect a heritage protection approach that uses a mass of dry 'bricks' (regulation) alone, it would be potentially unstable.

It is even less likely that one built only of 'mortar' (monetary incentives) would be viable ...¹

George Farrant
Principal Heritage Adviser
Former Auckland City Council
2009

¹ George Farrant, 'Incentives – The Auckland Experience' Presentation for the National Workshop Heritage Incentives, Auckland, 10 August 2009.

1. Introduction

Effective incentives are essential for achieving the preservation of historic heritage for present and future generations. Incentives can be regulatory or non-regulatory, and may include a wide range of policies and methods. Incentives are a key aspect of the economics of historic heritage.

Donovan D. Rypkema is a leading international authority on the economics of heritage buildings. Rypkema visited New Zealand in November 2010 and gave a series of lectures on the economic value of heritage conservation. Rypkema emphasised the critical role of incentives in heritage conservation in 'bridging the market gap' which refers to the gap between the costs and value of a property or business. While costs involve the acquisition of the property, cost of the retrofit works and other associated expenses, value relates to operation (rent, vacancy, etc), financing (amount, rate, return), equity (risk, alternatives, tax benefits) and the market return.²

In simple terms, an economic market rate of return is calculated by identifying the costs and considering if the value of the property or business outweighs them. If the cost is in excess of value, then the property or business is unlikely to result in a commercial rate of return. The high cost of earthquake strengthening influences the market gap.

Not all heritage buildings are, however, commercial buildings. Community halls, churches, schools, apartments and dwellings operate on a non-commercial basis involving both private and public sources of funding. These places can also suffer from a gap between the cost of acquisition and maintenance of the building and available income and funding support.

This guide provides a toolkit of available heritage incentives in New Zealand. It also promotes the adoption of incentives for historic heritage. The guide provides information about regulatory and non-regulatory incentives. The regulatory incentives include:

- Conservation areas.
- Conservation lots.
- Conservation lots transferable development right (TDR).
- Waivers of zone provisions.
- Specified permitted uses.
- Plot ratios or site intensity zonings.
- Bonus floor area TDR.
- Contributions (development and financial).
- Consent fee waivers.
- Measures relating to the *Building Act* 2004 (the Building Act).

² Donovan D. Rypkema, 'Incentives for Heritage', Presentation to NZHPT, Antrim House, 16 November 2010.



<http://www.fis.org.nz/>



Cultural Funding Guide, Ministry of Culture and Heritage
www.mch.govt.nz/funding-guide/search?cat=Heritage

In relation to regulatory incentives, the guide provides some examples currently adopted by local authorities in New Zealand and detailed evaluation of incentives in relation to costs, benefits, transparency and clarity, manageability and legitimacy. The non-regulatory incentives include:

- Private-public partnerships (PPPs).
- Heritage grants and loans.
- Rates relief.
- Tax relief (including tax depreciation).
- Public purchase and revolving acquisitions and funds.
- Insurance rebates.
- Urban design, events and promotion.
- Other heritage incentives.

In addition to providing information about these incentives, the guide promotes the development of: a new central government grant/loans/tax scheme for the strengthening of earthquake-prone heritage buildings; and a heritage credit scheme that rewards owners to carry out regular repair and maintenance of historic heritage.

The guide also promotes good regulatory standards and national consistency in terms of regional and district plan rules for historic heritage and as promoted by the Government's *Code of Good Regulatory Practice*.³

The appendices of the guide provide an updated summary of heritage incentives provided by local governments in relation to:

- District plan regulatory incentives.
- Consent fee waivers.
- Heritage-related grants.
- Rates relief available for historic heritage.
- Other types of incentives.
- Former Auckland City Council, list of heritage floor space bonuses granted and recipient sites.

Further, the appendices provide guidance for the establishment and management of a local authority heritage grants scheme.

The guide does not contain all relevant information about the wide topic of heritage incentives. Its focus is on local government, with some information about central government incentives for private owners of historic heritage.

³ Ministry of Economic Development, *Guidelines on the Regulatory Impact Analysis Requirements*, Regulatory Impact Analysis Unit, March 2007.

Additional information about incentives and funding sources generally can be obtained by contacting the Funding Information Service⁴ or the Ministry for Culture and Heritage *Cultural Funding Guide*.⁵

In terms of background context, the guide is accompanied by detailed theoretical and legislative research about heritage regulation and incentives as a separate research paper.⁶ Further, valuable information about heritage incentives is provided in the Australian EPHC National Incentives Taskforce Report, *Making Heritage Happen: Incentives and Policy Tools for Conserving our Historic Heritage*⁷ and the Heritage Chairs and Officials of Australia and New Zealand (HCOANZ) guide, *Incentives for Heritage Protection Handbook: A National Guide for Local Government and the Community*.⁸

The following checklist is designed for local authorities as a guide to assist the planning process when considering the use of incentives for historic heritage.

1.1. Checklist for incentives for historic heritage

- ☐ Is the objective of the incentive to encourage the conservation of historic heritage in the region or district?
- ☐ Is the incentive developed as part of an overall strategy for historic heritage? Will the incentive be managed under a clear policy or guidelines? What is the process for approval of the policy and guidelines? How will owners of historic heritage be involved and consulted?
- ☐ Will the incentive complement any rules adopted in the regional or district plans? Are the current heritage rules robust and of high quality?
- ☐ What type of historic heritage requires an incentive-based approach (an individual place, earthquake-prone heritage buildings, group of places, an area, or all scheduled places)?
- ☐ What class of historic heritage requires an incentive-based approach (rural, commercial, industrial, recreational or residential places)?
- ☐ What is the heritage significance of the places or areas?
- ☐ How will the incentive benefit historic heritage, including Maori heritage?
- ☐ Have the risks to historic heritage been identified – fire, earthquakes, flood, vandalism, demolition by neglect, etc?
- ☐ What are the incentive options? Have other valid alternative approaches been identified?

⁴ <http://www.fis.org.nz/>

⁵ <http://www.mch.govt.nz/funding-guide/search?cat=Heritage>

⁶ Robert McClean "Regulation and Incentives for Historic Heritage: Theoretical and Legislative Overview, Historic Heritage Research Paper No. 6 (draft working paper), NZHPT, 22 February 2000.

⁷ National Incentives Taskforce for the EPHC, *Making Heritage Happen: Incentives and Policy Tools for Conserving our Historic Heritage*, February 2004.

⁸ HCOANZ, *Incentives for Heritage Protection Handbook, A National Guide for Local Government and the Community*, 2009, <http://heritage.vic.gov.au/admin/file/content2/c7/incentives.pdf>

- ☐ What are the costs and benefits of the preferred option(s)? How will the preferred option(s) be effective in achieving the objective?
- ☐ Will the preferred option(s) be transparent and have clarity? Also will the preferred option(s) be manageable and obtain political support?
- ☐ How will the incentive be managed and advertised to the public and owners of historic heritage?
- ☐ How will the incentive be monitored, and what will be the indicators to measure the success of the incentive?

2. Historic heritage regulation

The manner in which heritage regulation is designed and implemented can help to clarify the management of externalities and other issues such as the improved allocation of public goods and reducing information asymmetries. All regulation should be designed to adhere to principles of good regulatory practice.⁹ These principles aim to ensure that laws have the following attributes:

- ▶ Transparency to both the decision-makers and those affected by regulation.
- ▶ Have clarity, being understandable and accessible as well as practicable.
- ▶ Should be fair and treat those affected equitably.
- ▶ Rules should be the minimum necessary to achieve the desired outcomes.
- ▶ Compliance costs should be reasonable with minimal fiscal impact.
- ▶ Are compatible internationally.

These principles have informed the government's The Best Practice Regulation Model: Principles and Assessments.¹⁰

With regard to historic heritage regulation under the RMA, the NZHPT carried out a national assessment of district plan heritage provisions in 2009 and 2011.¹¹ The review highlighted a number of issues concerning heritage rules in these plans. In particular, the review revealed there are varying degrees of quality provisions in the district plans. Common issues of quality and information are:

- ▶ Overall lack of national consistency of approach with the use of a variety of terms to describe and define historic heritage.
- ▶ Lack of clarity with respect to some key rules, such as the repair and maintenance of listed heritage items.

- ▶ Absence of explicit rules, such as relocation, signage and subdivision.
- ▶ Lack of information about scheduled heritage items, especially with regards to significance.
- ▶ Absence of geographical boundary information, showing the extent of heritage items listed in district plans.

The NZHPT considers that there is potential for heritage regulation to be more effective with greater national consistency. This will involve action at both national, regional and district levels. At the national level, the NZHPT has published non-statutory guidance for historic heritage under the RMA – *The Sustainable Management of Historic Heritage Guidance Series*. This series promotes the adoption of best practice standards for the management of historic heritage, including the adoption of common terms, definitions, rules and assessment standards.

In summary, it is hoped that with the adoption of best practice standards, local authority heritage regulation under the RMA will be more robust and efficient. This will involve:

- ▶ The availability of public information about historic heritage and its management under the RMA.
- ▶ Common approaches in the adoption of best practice processes for the identification of historic heritage.
- ▶ The adoption of best practice regulatory and non-regulatory options for historic heritage, especially incentives.
- ▶ Common approaches for the regulation of historic heritage in regional and district plans in terms of basic definitions, heritage schedules, consent information requirements and rules relating to repairs and maintenance, alterations and additions, relocation, demolition/damage, subdivision, and new buildings.
- ▶ Common approaches for heritage-related resource consent processes, notification and the use of heritage impact assessments.
- ▶ Provisions to promote improved building safety with rules that encourage earthquake strengthening, fire safety and physical access.

⁹ Ministry of Economic Development, *Guidelines on the Regulatory Impact Analysis Requirements*, Regulatory Impact Analysis Unit, March 2007; Regulatory Review.

¹⁰ The Treasury, *The Best Practice Regulation Model: Principles and Assessments*, NZ Government, July 2012.

¹¹ Robert McClean, 'National Assessment of District Plan Heritage Provisions', Historic Heritage Research Paper No.3, NZHPT, January 2009; Robert McClean, 'National Assessment of RMA Policy and Plan Heritage Provisions', NZHPT, 2011.

2.1. Conservation area zoning

Regulation, in relation to listing, affects the value of property in diverse ways depending on the type of regulation and place, and the environmental and social context. As explored in the theoretical overview paper, overseas research has shown that conservation areas or heritage character zoning can have a positive effect on property values.

In terms of residential conservation areas, heritage zoning can often provide ‘certainty’ for owners in relation to maintaining a ‘sense of place’ and the control activities such as infill, subdivision and new buildings. This can result in positive effects in property values for conservation areas in comparison to other non-heritage zones.¹² As explained by Lucian Cook, the positive effect is often related to the management of the surroundings:

To put this in simple terms, the architectural credentials of an individual building mean very little if the property looks out over a 1960’s multi-storey car park. By contrast, a reasonably sympathetically designed modern dwelling located within an area that has retained a sense of place by virtue of the quality of its overriding built heritage will in all likelihood carry a significant premium over the same dwelling within a modern housing estate.¹³

This overseas research tends to support anecdotal evidence of the positive effect on property values of residential conservation areas in Wellington and Auckland.¹⁴

The positive impact of listing, however, on private property values is not a guaranteed correlation. While conservation zoning may have positive effects on property values in cities such as Auckland and Wellington, the results in smaller provincial centres may be more uncertain. Also as illustrated by the Allen Consulting Group in Australia¹⁵, registration, listing, or protection of historic residential properties can often have little influence on property values. Other factors such as location, general amenity, and general crime rates can be much more important deciding factors for property values.¹⁶

¹² Lucian Cook, ‘The Economic Value of Conservation Areas’ *Conservation bulletin*, Issue 62, Autumn 2009, pp 21–23.

¹³ Ibid, p 21.

¹⁴ George Farrant, ‘Incentives – The Auckland Experience’ Presentation for the National Workshop Heritage Incentives, Auckland, 10 August 2009.

¹⁵ The Allen Consulting Group, *Valuing the Priceless: The Value of Historic Heritage in Australia*, Prepared for the Heritage Chairs and Officials of Australia and New Zealand, November 2005.

¹⁶ *Managing Australia’s Historic Heritage: Looking to the Future, Submission by the Chairs of the Heritage Councils of Australia and New Zealand to the Productivity Commission Inquiry into the Conservation of Historic Heritage Places*, October 2005, p 16.

2.2. Development area zoning

Development area zoning is used extensively in North America and Europe to facilitate the development of a historic area or precinct. This type of zoning is often called ‘regeneration development zones’ or ‘special development precincts’. The zoning aims to assist the development of an area by providing for specific permitted uses, management structures, and private-public funding arrangements. In England, with assistance from the European Union, development zoning has achieved the regeneration and adaptive reuse of substantial historic townscapes such as the historic centre of Newcastle, the Liverpool waterfront and industrial heritage in the Midlands.

In 2008, the Sustainable Development Unit of the Department of Internal Affairs released the draft *Building Sustainable Communities Discussion Document*. This document identified the need for new tools to address development area issues and the creation of new urban development project areas. These areas could be established to facilitate appropriate development of historic areas and achieve conservation objectives. As indicated in the Wellington waterfront example that follows, important considerations are finding the balance between preservation and development and ensuring strong public accountability.

2.2.1 Lambton Harbour Development Project (LHDP)

The Lambton Harbour Development Project was established in the late 1980s to facilitate the transformation of the Wellington waterfront. The area was set aside for management as a special development area under the control of a private-public body – Lambton Harbour Management Limited (LHML). The special development area facilitated major changes to the Wellington waterfront with the removal of a large number of former wharf buildings, construction of new buildings and parks and preservation of significant heritage buildings such as the former Wellington Harbour Board offices as the new Wellington Museum of City and Sea.

The special development area, however, was heavily criticised by the public during the 1990s as a result of demolition and the construction of inappropriate new buildings and loss of public space. The criticism resulted in greater control over management by the Wellington City Council and the introduction of new waterfront planning provisions in the district plan to protect historic heritage and preserve public space.¹⁷

¹⁷ Page S, ‘Regenerating Wellington’s Waterfront’ *Journal of Town and Country Planning*, Jan-Feb, 1993, pp 29–31.

3. Regulatory incentives

3.1. Conservation lots

Conservation lots are a flexible subdivision provision that is the most common heritage-related incentive in district plans. Conservation lots provide the potential to allow an applicant to subdivide a property below the minimum lot size in order to preserve heritage values. The basic standards associated with the flexible subdivision rule are:

- ▶ Council can consider, as a discretionary activity, the subdivision of property containing a historic heritage item.
- ▶ The proposed subdivision to create a conservation lot may be lower than the minimum lot size of the relevant zone.
- ▶ The subdivision will result in the whole of the historic heritage item being physically and legally protected in perpetuity.
- ▶ An agreement or covenant should be entered to provide protection in perpetuity. The agreement or covenant should be finalised prior to Council making a decision under section 104 of the RMA or as a consent condition. These agreements or covenants may include:
 - i. Heritage Covenants (section 6 *Historic Places Act 1993*).
 - ii. Open space covenants (section 22 *Queen Elizabeth the Second National Trust Act 1977*).
 - iii. Protective covenants (section 18 *Crown Forests Assets Act 1989*).
 - iv. Conservation covenants (section 77 *Reserves Act 1977*/section 27 *Conservation Act 1987*).
 - v. Protected private land agreements (section 76 *Reserves Act 1977*).
 - vi. *Nga whenua rahui kawenata* (section 77A *Reserves Act 1977*/section 27A *Conservation Act 1987*).
- ▶ An agreement or covenant should incorporate specific protective or enhancement measures to maintain or enhance the conservation values of the property, including public access.
- ▶ The proposed subdivision should be of a sufficient area to protect the curtilage and surroundings associated with the listed historic item.

3.1.1 Conservation lot provisions in New Zealand

There are a number of district plans with specific conservation lot provisions for historic heritage (see Appendix 2). Conservation lots are also referred to as 'environmental protection lots' or 'heritage lots'.

In the Far North District Plan, rule 12.5.6.3.1 provides for a 'development bonus' "where a site contains a heritage resource and where this resource is proposed to be permanently protected, restored or rehabilitated, the Council may grant consent to an application to subdivide one or more bonus lots. The new lot(s) can be either from the parent title on which the area to be protected, restored or rehabilitated is located or on another title. The new lot(s) may be created in addition to the rights to subdivide which would otherwise apply, and may include the area to be protected, restored or rehabilitated. The minimum area of a bonus lot shall be the minimum area provided for as a discretionary subdivision activity in the relevant zone."

The Far North District Plan provision requires that a covenant or a consent notice records this commitment to protection, restoration or rehabilitation before any bonus can be given effect to. The Council may impose as a condition of consent that a bond be paid, to be refunded when the Council is satisfied that the conditions attached to that consent have been complied with. The Council may provide assistance in respect of any such application by waiving resource consent charges and reserve contributions. An application made in terms of this rule would see the NZHPT, and where appropriate the tangata whenua, considered an affected party.

Many other plans have provisions for subdivision flexibility to protect historic heritage. For example, The Auckland City Central Area District Plan (Rule 10.4.2) provides that, where a heritage property is the subject of an approved conservation plan, subdivision of the heritage property will be considered as a non-notified application for a discretionary activity and may be exempt from the plan's standard subdivision requirements.

Conservation lot provisions require ongoing monitoring by local authorities to ensure that consent conditions are being adhered to and that the property is not abandoned resulting in 'demolition by neglect'. Further, monitoring is required to ensure flexible subdivision rules do not have cumulative adverse effects, resulting in a large number of small subdivisions over an area which can undermine the open-space provisions of the district plan.

Evaluation of the efficiency and effectiveness of conservation lots

Costs	<p>The costs of conservation lots to owners include the cost of establishing the lot via subdivision; establishing a covenant, and ongoing care and maintenance.</p> <p>The cost of conservation lots to the community involves the expenses associated with management and monitoring of the lots and the potential environmental cost of 'patchy' subdivision that is contrary to the objectives and policies of the district plan.</p> <p>Support for long-term maintenance of the conservation lot may require public funds in the form of grants and rates remission.</p>
Benefits	<p>The benefits of conservation lots to owners include the ability to subdivide to ensure the ongoing conservation of a historic property that would be otherwise not allowed. This may release surplus land available for development to offset the cost of establishing and maintaining the conservation lot.</p> <p>The benefits of conservation lots to the community is the potential long-term conservation of a historic property.</p>
Transparency and clarity	Conservation lots are relatively simple and straightforward for owners, decision-makers and the community.
Manageability	Conservation lots require territorial authority management systems. The decision-making process should be informed by professional heritage advice.
Legitimacy	Conservation lots generally enjoy a high level of political support.

Evaluation of the efficiency and effectiveness of conservation lots

Comment	<p>The full environmental compensation implications of a proposed conservation lot require consideration, including the cumulative effects on the environment.</p> <p>Covenants are required to ensure that conservation lots are subject to continual care and maintenance. There is a risk that conservation lots are abandoned and subject to 'demolition by neglect'. A covenant should be agreed upon between owner and local authority prior to conservation lot approval.</p> <p>Demand for conservation lots is associated with general demand for subdivision. The incentive may not be effective in areas of low subdivision demand.</p> <p>Conservation lots are generally more appropriate for rural heritage, especially archaeological sites.</p> <p>Establishment of a conservation lot should qualify the owner to rates remission under the local authority rates remission policy.</p> <p>Establishment of a conservation lot should be informed by a conservation plan and sufficient information on the heritage values of the property.</p> <p>The boundaries of the conservation lot should be sufficient to protect the historic place and its surroundings. For example, a historic farm protected by a conservation lot should include all parts that contribute to the heritage value of the entire farm complex such as the homestead, woolshed, out-buildings and any significant vegetation area.</p>
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3.2. Conservation lots transferable development right (TDR)

Conservation lots can form part of a TDR regime for an entire district or area. This regime allows landowners to sell potential development interests from a particular piece of property under the protection of a conservation lot. Purchases would be other landowners who intend to increase the density of their land using the TDR bonus.¹⁸ This regime could be designed to preserve open-space rural and heritage landscapes and provide an incentive for landowners who are restricted to subdivide in a certain location.

3.2.1 Former Rodney District conservation lot TDR

The former Rodney District Council was one of the few local authorities in New Zealand that maintained a conservation lot TDR regime. In the Rodney District Plan (now managed by Auckland Council) conservation lots are a restricted discretionary activity under Rule 17.9.4(g) which provides for "the subdivision of a listed item for the purpose of ensuring the long term preservation of the item, where the sites created will not meet the site area and dimension requirements of the relevant zone." These lots can become part of a TDR regime under the subdivision rules (Rule 7.14.12.3). This scheme applies to any land that is covenanted or protected within the rural zone (except the countryside living zone) and is no larger than 20 hectares. The recipient sites must be with the countryside living town zone.

The former Rodney District's TDR scheme has been operating for nine years since the introduction of the district plan. The scheme is currently under review as part of the preparation of the Auckland Unitary Plan. Key issues confronting the scheme include limited opportunity or space for use within the receiving areas (the countryside living zone), the need to transfer titles from a consented subdivision, and the requirement to ensure ongoing maintenance and conservation of land protected in donor areas. Further, while the scheme has been applied to natural heritage, there have been no applications for conservation lots and TDR involving historic heritage.

TDR schemes involving conservation lots require careful district-wide planning. The cumulative effects of land transfer need to be considered as part of an environmental compensation approach. International research on conservation lot TDR notes that the scheme requires strong land use regulations which closely controls the supply and demand of land in a district. Further, TDR schemes need to clearly identify bonus areas (sending areas) and recipient areas (receiving areas). There can be strong opposition from residents in the receiving areas which has the potential to erode political support for TDRs. There can also be substantial administrative costs involving complex land transfer transactions.¹⁹

¹⁸ Jason Hanly-Forde, et al, *Transfer of Development Rights Programs: Using the Market for Compensation and Preservation*, Cornell University

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Evaluation of the efficiency and effectiveness of conservation lots TDR

Costs	<p>The costs of conservation lots TDR to owners include: the expense of establishing the lot via subdivision; establishment of the covenant(s); ongoing care and maintenance, and costs relating to transfer of the development right.</p> <p>The cost of conservation lots TDR to the community involves the cost of managing the TDR scheme and price of greater intensive subdivision of land in the recipient area (receiving area).</p>
Benefits	<p>The benefits of conservation lots TDR to owners involve the potential to receiving a monetary incentive as a result of establishing a conservation lot.</p> <p>The benefit of conservation lots TDR to the community is the potential long-term conservation of land in an area in return for accepting greater intensive subdivision an another area.</p>
Transparency and clarity	Conservation lots TDR can be complex and difficult for the general public to comprehend.
Manageability	Conservation lots TDR require intensive management and regulation by the territorial authority.
Legitimacy	Conservation lots TDR may not receive political support as a result of opposition from landowners in recipient areas.
Comment	<p>The full environmental compensation implications of a proposed conservation lot TDR require consideration, including the cumulative effects on the environment.</p> <p>Covenants are required to ensure that conservation lots are subject to continual care and maintenance. There is a risk that funds generated by conservation lots TDR are not invested into the care and maintenance of the conservation lot and are potentially subject to 'demolition by neglect'.</p> <p>Demand for conservation lots TDR is associated with general demand for subdivision. The incentive may not be effective in areas of low subdivision demand.</p> <p>Conservation lots TDR are generally more appropriate for rural heritage, especially archaeological sites</p> <p>The range of covenants should be considered (i.e. open-space covenants and heritage covenants).</p> <p>Establishment of a conservation lot and TDR should be informed by a conservation plan and sufficient information on the heritage values of the property.</p>

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TDR schemes involving conservation lots require careful district-wide planning. The cumulative effects of land transfer need to be considered as part of an environmental compensation approach. International research on conservation lot TDR notes that the scheme requires strong land use regulations which closely controls the supply and demand of land in a district. Further, TDR schemes need to clearly identify bonus areas (sending areas) and recipient areas (receiving areas). There can be strong opposition from residents in the receiving areas which has the potential to erode political support for TDRs. There can also be substantial administrative costs involving complex land transfer transactions.¹⁹

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Evaluation of the efficiency and effectiveness of conservation lots TDR

Costs	<p>The costs of conservation lots TDR to owners include: the expense of establishing the lot via subdivision; establishment of the covenant(s); ongoing care and maintenance, and costs relating to transfer of the development right.</p> <p>The cost of conservation lots TDR to the community involves the cost of managing the TDR scheme and price of greater intensive subdivision of land in the recipient area (receiving area).</p>
Benefits	<p>The benefits of conservation lots TDR to owners involve the potential to receiving a monetary incentive as a result of establishing a conservation lot.</p> <p>The benefit of conservation lots TDR to the community is the potential long-term conservation of land in an area in return for accepting greater intensive subdivision in another area.</p>
Transparency and clarity	Conservation lots TDR can be complex and difficult for the general public to comprehend.
Manageability	Conservation lots TDR require intensive management and regulation by the territorial authority.
Legitimacy	Conservation lots TDR may not receive political support as a result of opposition from landowners in recipient areas.
Comment	<p>The full environmental compensation implications of a proposed conservation lot TDR require consideration, including the cumulative effects on the environment.</p> <p>Covenants are required to ensure that conservation lots are subject to continual care and maintenance. There is a risk that funds generated by conservation lots TDR are not invested into the care and maintenance of the conservation lot and are potentially subject to ‘demolition by neglect’.</p> <p>Demand for conservation lots TDR is associated with general demand for subdivision. The incentive may not be effective in areas of low subdivision demand.</p> <p>Conservation lots TDR are generally more appropriate for rural heritage, especially archaeological sites</p> <p>The range of covenants should be considered (i.e. open-space covenants and heritage covenants).</p> <p>Establishment of a conservation lot and TDR should be informed by a conservation plan and sufficient information on the heritage values of the property.</p>

3.3. Waivers of zone provisions

Waivers of zone provisions ensure that there is flexibility in the district plan for historic heritage in relation to matters such as undertaking a commercial activity in a residential zone, car parking requirements, loading, and site access and landscaping. The waiver for zone provisions should provide:

- ▶ That Council can consider, as a discretionary activity, any application to alter, reduce, or waive any activity control or development control specified in any other section of the district plan.
- ▶ The proposed waiver may include undertaking commercial activities in residential zones if the purpose of the commercial activity is to achieve the adaptive reuse of the listed heritage item and the adverse effects are minor.
- ▶ The proposed waiver must be necessary to achieve the conservation and adaptive reuse of a listed heritage item.
- ▶ Council will consider any adverse effects on the environment associated with the proposed waiver.

3.3.1 Waivers of zone provisions in New Zealand

Waivers of zone provisions are provided for in a number of district plans (Appendix 2). In the Rodney District Plan, Plan Change 144 introduced new provisions for the Helensville Town Centre Heritage Policy Area. The provisions include an amendment to Rule 21.10.2.2 which provides an exemption for heritage buildings from the on-site car parking requirements. In its reasoning, the plan states that:

"The Council recognises that the provision of required on-site car parking can be to the detriment of character buildings on sites that currently have little or no available off-street car parking. The priority in the Helensville Town Centre Heritage Policy Area is the preservation and enhancement of heritage value and character. Exemption for off-street car parking is considered appropriate to encourage the retention of buildings while allowing for change and adaptive use."

The Hauraki District Plan (Rule 71.7) states that "notwithstanding any other provisions in the District Plan, Council may waive or reduce any bulk and location, number and location of parking spaces and landscaping standard which relates to a proposal to modify, add to or alter a Scheduled Feature, provided that in the opinion of Council, such action would: assist with the protection of the feature; and the amenities of neighbouring properties and/or the safe and efficient functioning of the street or road will not be significantly compromised."

The Whakatane District Plan includes a 'change of activity' provision (Rule 3.11.12.2). This rule states that "Council may consent to the redevelopment of Scheduled Heritage items not in conformity with the District Plan's performance standards where conformity with the zone standards and terms would change the intrinsic value and character of the heritage item and encourage the protection and preservation of the Scheduled Item."

The Christchurch Central Recovery Plan introduced substantial zone waiver provisions in July 2012 to facilitate the heritage recovery of the city. The rule (applying to the central city) means that in respect of any activity on any site involving historic heritage, applicants are not required to comply with a number of standards such as scale of activities, retailing, car parking space numbers, building setbacks and continuity.

Evaluation of the efficiency and effectiveness of waivers of zone provisions

Costs	<p>The costs of waivers to owners include the expense of application and process under the RMA.</p> <p>The costs of waivers to the community may involve some adverse environmental effects in relation to matters such as traffic, parking, noise, loading and access being relaxed or waived.</p>
Benefits	<p>The benefits of waivers to the owners involve the potential for flexible rules to facilitate adaptive reuse of a historic place, especially in relation to commercial activity.</p> <p>The benefits of waivers to the community is the potential long-term adaptive reuse of a historic place.</p>
Transparency and clarity	<p>Waivers are relatively simple and straightforward for owners, decision-makers and the community.</p>
Manageability	<p>Waivers require territorial authority management systems. The decision-making process should be informed by professional heritage advice.</p>
Legitimacy	<p>Waivers generally enjoy a level of political support.</p>
Comment	<p>The full environmental compensation implications of proposed waivers require consideration, including the cumulative effects on the environment.</p> <p>Waivers are generally associated with demand for commercial development. The incentive may not be effective in areas of low development.</p> <p>Waivers are generally limited to built heritage used for a commercial or public purpose.</p> <p>Consent fees should not be charged for waiver of zone provision applications.</p> <p>Local authorities should be informed by professional heritage advice.</p>

3.4. Specified permitted uses

Specified permitted use rules are a similar method to waivers of zone provisions. However, instead of a general waiver, the rule specifies particular uses that will be allowed for listed heritage items as a permitted activity. Currently, district plans in New Zealand are limited to providing for repairs and maintenance of a listed heritage item as a permitted use. Some local authorities have certain permitted uses for zones.

Providing for specified permitted uses is an important method of encouraging sensitive adaptive reuse and could include activities such as:

- ▶ Bed and Breakfast (B&B) accommodation.
- ▶ Small-scale entertainment and wedding-related functions.
- ▶ Social functions and public meetings.
- ▶ Specialised small-scale retail activities (i.e. crafts, pottery, merchandising, Devonshire teas, cafe).
- ▶ House museums and art galleries.

As an example, the proposed Waipā District Plan (notified June 2012), encourages the ongoing protection of Waipā's heritage items through the implementation of incentive rules relating to the reuse of such buildings. For this purpose, Policy 2.3.6.5 (which is implemented by rules) makes provision for medical centres, offices, restaurants, cafes and other eating places, and childcare and pre-school facilities to occur within buildings listed in the heritage schedule (Appendix N1). The transportation zone also contains relaxation of parking, loading and access requirements.

Specified permitted uses are also relevant to the Building Act. It is common in New Zealand for historic commercial centres to have active ground floor retail areas. However, often these commercial centres are characterised by vacant floor space above the ground level. The change of use provisions in the Building Act can be a significant disincentive to convert retail or office space for apartment accommodation (see section 3.9 of this guide). Allowing a specified accommodation use in a district plan could be part of an overall incentive strategy to promote adaptive reuse in a particular area or zone.

Evaluation of the efficiency and effectiveness of specified permitted use provisions

Costs	<p>The costs of specified permitted use provisions to owners include the expense of application and process under the RMA.</p> <p>The costs of specified permitted use provisions to the community may involve some adverse environmental effects in relation to matters such as traffic, parking, noise, loading and access.</p>
Benefits	<p>The benefits of specified permitted use provisions to the owners involve the potential for flexible rules to facilitate adaptive reuse of a historic place, especially in relation to commercial activity.</p> <p>The benefit of specified permitted use provisions to the community is the potential long-term adaptive reuse of a historic place.</p>

Evaluation of the efficiency and effectiveness of specified permitted use provisions

Transparency and clarity	Specified permitted uses are relatively simple and straightforward for owners, decision-makers and the community.
Manageability	Specified permitted uses require territorial authority management systems. The decision-making process should be informed by professional heritage advice.
Legitimacy	Specified permitted uses generally enjoy a level of political support.
Comment	<p>The full environmental compensation implications of specified permitted uses require consideration, including the cumulative effects on the environment.</p> <p>Specified permitted use provisions are generally associated with demand for commercial development. The incentive may not be effective in areas of low development.</p> <p>Specified permitted use provisions are generally limited to built heritage used for a commercial purpose or a change of use. It is important to align any waivers of zone provisions with similar flexibility under the Building Act.</p>