



**CENTRAL
HAWKE'S BAY**
DISTRICT COUNCIL

**REPORT OF HEARING
PANEL**

Independent Hearing Commissioners:

Robert Schofield (Chair)
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Kate Taylor
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TOPIC 4B

Historic Heritage and Notable Trees

REPORT DATED

4 May 2023

DATE OF HEARING

10 and 11 August 2022

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List of Submitters and Further Submitters addressed in this Report

Submitter Name	Submission Number(s)
Centralines Limited (Centralines)	S90
Chorus New Zealand Limited (Chorus)	S117
Elizabeth Pishief (E Pishief)	S18
Federated Farmers of New Zealand (Federated Farmers)	S121
Fire and Emergency New Zealand (FENZ)	S57
Heretaunga Tamatea Settlement Trust (HTST)	S120
Heritage New Zealand Pouhere Taonga (HNZPT)	S55
Kairakau Lands Trust (KLT)	S84
Kāinga Ora - Homes and Communities (Kāinga Ora)	S129
Simon Osborne (S Osborne)	S130
Spark New Zealand Trading Limited (Spark)	S118
Vodafone New Zealand Limited (Vodafone)	S119
Will Foley	S109
Te Mata Mushrooms Land Company Limited (Te Mata Mushrooms)	S102
Centralines Limited (Centralines)	S90

Further Submitter Name	Further Submission Number(s)
HTST	FS13
HNZPT	FS7
Kāinga Ora	FS23
NHMT	FS5
Royal Forest and Bird Protection Society of New Zealand Incorporated (Forest and Bird)	FS9

PART A – PRELIMINARY MATTERS

1 Introduction

1.1 Scope of this report

- 1.1.1 This document details the evaluation and recommended decisions of the Proposed CHBD Plan Hearings Panel on the submissions and evidence considered at the Tangata Whenua and Historic Heritage topic hearing, held on 10 and 11 August 2022, with the hearing on the Tangata Whenua topic reconvened on 14 November 2022. Both hearings were held at the CHBDC Chambers, Waipawa.
- 1.1.2 The recommendations in this report, together with all of the other recommendations of the Hearing Panel on submissions on the PDP, will all go before the full Council following the end of the hearings, for consideration and formal decisions.
- 1.1.3 Our report focuses on the key issues in contention. Where there is no contention, such as submitter support for certain provisions, or minor matters where proposed changes are recommended in response to submissions, we have adopted the s42A report's recommendations and the underlying evaluation behind such changes.

1.2 Statutory considerations

- 1.2.1 The Panel's Report on Preliminary Matters and Statutory Requirements sets out the statutory framework and requirements for preparing a District Plan, as well as case law guidance for our consideration and recommendations. This framework is not repeated in this report. This report should be read in conjunction with the Report on Preliminary Matters and Statutory Requirements.
- 1.2.2 This report will refer to the s42A report 'Officer's Report: Historic Heritage and Notable Trees' prepared by Ms Stella Morgan.
- 1.2.3 Heritage and Notable Trees are covered in the Section 32 'Historic Heritage and Notable Trees' Topic Report.
- 1.2.4 As submissions on particular aspects of the PDP are considered through hearing reports, officers are required to consider any alternative provisions put forward in the context of what s 32 requires, and when changes are recommended, a further assessment under s 32AA will be provided if the change is a material departure from what was notified. That same obligation to make a further assessment under s 32AA also applies to the Panel if it decides to recommend changes as a result of submissions which materially depart from the notified version.
- 1.2.5 Through Minute #5, the Panel suggested submitters provide a further assessment under s 32AA for any changes to the PDP they were seeking and these were provided as noted in this report.
- 1.2.6 Where the Panel has made amendments to the PDP that are consistent with the recommendations contained within the reporting planners' s42A and / or right-of-reply reports (and where there are relevant joint witness statements) we have adopted the s32AA analysis contained within those reports (unless expressly stated otherwise). Those reports are part of the public record and are available on the CHBDC website.
- 1.2.7 Where the Panel has made amendments to the PDP that are not contained within Council officers' recommendations, we have incorporated the required s32AA analysis into the body of this report. The Panel is satisfied that the required substantive assessment has been undertaken for all matters.

- 1.2.8 The Council has legal obligations with respect to historic heritage when managing the natural and physical resources of the district. Section 6 of the RMA sets out principles matters of national importance which are required to be recognized and provided for and provide for, or have particular regard to, when reviewing the District Plan. In particular, the following s6 matter is directly relevant to the heritage provisions:

(f) the protection of historic heritage from inappropriate subdivision, use, and development:

- 1.2.9 Section 74(2)(b)(iia) of the RMA further requires Council to have regard to any relevant entry on the New Zealand Heritage List / Rārangi Kōrero when preparing a District Plan. The List contains four categories: Historic Places, Historic Areas, Wāhi Tapu and Wāhi Tapu areas. To give effect to this obligation, the District Plan needs to identify these resources.
- 1.2.10 Section 76(4A) and (4B) RMA also provides particular restrictions on the felling, trimming, damaging or removal of a tree or trees on urban environment allotments, requiring that in order to be the subject of a district plan rule, they must be identified in a schedule to the Plan and their allotment specifically identified by street address or legal description of the land, or both.
- 1.2.11 As set out in the s32 evaluation report on the 'Historic Heritage and Notable Trees' topic, there are also a number of higher order planning documents that provide direction and guidance for the preparation and content of the PDP, including the NZCPS, and the HBRRMP (including the RPS). These documents are discussed in detail within the s32 evaluation report.

1.3 Submissions

- 1.3.1 There were 94 submission points and 52 further submission points on topics relating to the Historic Heritage and Notable Trees chapters, as well as historic heritage matters related to the Signs and Subdivision chapters.
- 1.3.2 There is generally a high level of submitter support for the Historic Heritage provisions, with 76 of all submissions in support of (or seeking amendment to) existing provisions. There were 18 submission points opposing provisions as notified.
- 1.3.3 In summary, the matters raised in submissions include:
- Clarification and amendments to historic heritage related definitions;
 - Include provisions to address the heritage 'setting' of a heritage item (including a new definition);
 - historic heritage to be included as a strategic matter for CHB; and
 - General edits and clarification with respect to references to the provisions of HNZPT Act and its relationship with the PDP;
 - General opposition to Historic Heritage chapter in its current form;
 - New objective reflecting the need for heritage buildings to be adapted for ongoing use;
 - Various amendments to clarify rules;
 - Clarification /correction of historic heritage scheduling and mapping;
 - Specific provisions for signs on a site containing heritage items;
 - Amendments to 'Subdivision' chapter with respect to historic heritage matters; and
 - New Notable Tree 'Rule'; amendment to TREE 'Assessment Matters' and additional information for TREE-SCHED4 items TREE-68 and TREE-69.

1.4 Procedural matters

- 1.4.1 There were no pre-hearing meetings or meetings undertaken in accordance with cl8AA of Schedule 1, undertaken on the submissions relating to Historic Heritage and Notable Trees prior to the finalisation of the s42A report.
- 1.4.2 Prior to the completion of the s42A report, HNZPT provided the CHBDC with available information on a number of heritage items as noted in the s42A report. Following the hearing Council sent written correspondence to the landowner of the Gwavas Station Homestead and Garden and a response was received, as outlined in Key Issue 8 of this report.
- 1.4.3 No matters of trade competition were raised.

1.5 Hearing

- 1.5.1 The hearing was held 10 and 11 August 2022 at the CHBDC Chambers, Waipawa. The hearing was adjourned at 12 noon on 11 August 2022.
- 1.5.2 Submitters who appeared at the hearing on the Historic Heritage and Notable Trees topic, and the key issues under which their evidence is discussed, are shown below in Table 1. All evidence can be found on the PDP Hearing Schedule webpage under the relevant Hearing Topic [<https://www.chbdc.govt.nz/services/district-plan/proposed-district-plan/hearings/hearing-stream-4/>].

Table 1. Submitters who appeared at Hearing Stream 4: Tangata Whenua and Historic Heritage in relation to Historic Heritage and Notable Trees

Submitter (Submitter Number)	Represented by/ experts called	Nature of evidence	Key Issue under which evidence is discussed
Kāinga Ora S129, FS23	Michael Campbell (planning)	Submitter evidence	Key Issues 3, 8
HNZPT S55, FS7	Dean Raymond (planning)	Submitter evidence	Key Issues 1 - 12
KLT (S84)	Stella August	Verbal statement	Key Issue 3
HTST (S120, FS13)	Stephen Daysh (planning) Elizabeth Graham	Submitter evidence	Key Issue 3
Federated Farmers (S121, FS25)	Rhea Dasent (planning)	Verbal statement	Key Issue 4

- 1.5.3 Ms Stella Morgan, reporting planner on this topic, appeared for the CHBDC.
- 1.5.4 Evidence provided by Ms Morgan included:
- Officer's Report: Historic Heritage and Notable Trees ("the s42A report"), and
 - Opening statement (verbal).
- 1.5.5 Following the adjournment of the hearing on 11 August 2022, Minute 14, the fourteenth memorandum and direction of the Hearings Panel following Hearing 4 was issued on 9 September 2022. The Minute sought information from the reporting planner on "uncategorised items" terms and progress with landowner written approval.
- 1.5.6 A written right-of-reply from the Council's reporting planner was received and circulated on 23 September 2022.

1.6 Structure of this report

- 1.6.1 Given the number, nature and extent of the submissions and further submissions received, we have structured this report according to the key issues identified in the s42A report, rather than present a submission point by submission point evaluation. Many of the submissions addressed the same or related issues and thus a key issue approach avoids undue repetition. There are 12 key issues addressed in this report:
- Key Issue 1: Interpretation;
 - Key Issue 2: Heritage 'Setting';
 - Key Issue 3: General Matters;
 - Key Issue 4: Issues and Objectives;
 - Key Issue 5: Policies;
 - Key Issue 6: Rules;
 - Key Issue 7: Assessment Matters and Methods;
 - Key Issue 8: Historic Heritage Schedule (HH-SCHED2);
 - Key Issue 9: Mapping of Historic Heritage Items
 - Key Issue 10: Historic Heritage Provisions – 'Signs' Chapter;
 - Key issue 11: Historic Heritage Provisions – 'Subdivision' Chapter; and
 - Key Issue 12: Notable Trees.
- 1.6.2 We have structured our evaluation and recommendations on a hierarchical basis, firstly reviewing the overarching issues relating to the topic and those submissions that made general points about the topic, including those seeking a binary relief such as complete withdrawal of relevant plan provisions. This includes definitions.
- 1.6.3 We then turn our evaluation to the higher-level provisions of the District Plan relating to the topic: the objectives and policies and associated matters.
- 1.6.4 Thereafter, we consider the associated rules and standards, and, if relevant, methods and anticipated environmental results.
- 1.6.5 Finally, we consider whether there were any minor errors that should be rectified or consequential amendments that may be needed as a result of our recommendations.
- 1.6.6 The Panel's recommendations for each submission point are listed in the table in Appendix B.

PART B – EVALUATION

2 Overview

- 2.1.1 This report considers submissions that were received by the Council in relation to the General District-Wide Matters: ‘Historic Heritage’ and ‘Notable Trees’ chapters of the PDP. It also addresses submissions on the ‘Subdivision’ and ‘Signs’ chapters that relate to Historic Heritage matters.
- 2.1.2 The ODP contains a Schedule of Heritage Items and Notable Trees (Appendix B) and a Schedule of Archaeological Sites (for information purposes only, Appendix F).
- 2.1.3 The PDP contains two updated schedules in place of Appendix B. The first is a revised list of historic heritage items, with direct cross referencing to the NZHPT Heritage List / Rārangī Kōrero, and including the Heritage List number and category (refer HH-SCHED2 – Schedule of Historic Heritage Items). The second is a list of Notable Trees (refer TREE-SCHED4 – Schedule of Notable Trees). Provisions in the PDP in the HH – Historic Heritage chapter and the TREE – Notable Trees chapter govern activities that may be undertaken in relation to these scheduled items.
- 2.1.4 In preparing the PDP, an update of the ODP Appendix B – Schedule of Heritage Items and Notable Trees was undertaken by heritage consultant E Pishief of Hawke’s Bay Heritage Service. Only those items on the New Zealand Heritage List / Rārangī Korero were retained on Schedule HH-SCHED2 of the PDP. Only a small number of buildings that were contained in the ODP were not transferred across to Schedule HH-SCHED2 in the PDP. No new buildings were identified for inclusion on the Schedule at that time.
- 2.1.5 In relation to archaeological sites, the PDP maps provide archaeological sites identified on ArchSite as at the date of notification of the PDP as a ‘snap shot’ for information purposes. The PDP does not contain rules relating to works on archaeological sites and instead relies on the statutory requirements under the HNZPT Act.
- 2.1.6 The submissions on provisions subject to this report are found in the following sections of the PDP:
- 2.1.7 Part 2 – District-Wide Matters, Historical and Cultural Values:
- HH – Historic Heritage;
 - HH-SCHED2 – Schedule of Heritage Items;
 - TREE – Notable Trees;
 - TREE-SCHED4 – Schedule of Notable Trees;
 - Part 2 – Subdivision;
 - SUB – Subdivision;
 - Part 2 General District Wide Matters; and
 - SIGN – Signs.

3 Key Issue 1 – Interpretation

3.1 Proposed Plan provisions

3.1.1 Key Issue 1 addresses submission points on the definitions in the PDP that are relevant to heritage matters. The PDP includes definitions in the Interpretation section in Part 1. Several of these relate specifically to heritage matters. The definitions addressed in this section are:

- ‘Alteration (of a heritage item)’;
- ‘Conservation plan (historic heritage)’;
- ‘Demolition (of a heritage item)’;
- ‘Heritage items’;
- ‘Historic Heritage’;
- ‘Repairs and Maintenance (of a heritage item)’;
- ‘Safety Alterations (of a heritage item)’;
- Add a new definition for ‘Archaeological Site’; and
- Add a new definition for ‘Seismic Strengthening’.

3.2 Submissions

3.2.1 There were 11 original submission points and 2 further submission points received on definitions associated with ‘Historic Heritage’. Of these submission points, 5 supported the definitions as proposed, and the remaining 5 either opposed the definition as notified or sought amendments. One submission point sought a new definition.

3.3 Reporting planner’s recommendations (s42A report)

3.3.1 Several submission points supported the retention of definitions: ‘Alteration (of a heritage item)’, ‘Conservation Plan (historic heritage)’, ‘Demolition (of a heritage item)’, ‘Historic Heritage’, and the reporting planner recommended these be accepted.

Definition – ‘Heritage Items’

3.3.2 HNZPT (S55.005) sought an amendment to the definition of ‘Heritage Items’ to clarify items are ‘scheduled’ in the PDP and ‘listed’ on the New Zealand Heritage List /Rārangī Kōrero. Federated Farmers (S121.236) sought the definition be retained but appeared to seek assurance that it only applied to identified items only. The reporting planner accepted that there may be some ambiguity in the last sentence of the definition which could suggest that heritage items registered by HNZPT and not included in the District Plan Schedule, could also be protected by the PDP when this was not the intention of the definition. The reporting planner therefore suggested the following amended wording:

HERITAGE ITEMS	any type of historic heritage place or area scheduled in HH-SCHED2. It may include a historic building, historic site (including archaeological site), a place/area of significance to Māori, or heritage landscape. The term may be used to refer to both heritage items listed in the District Plan and to those items registered by Heritage New Zealand Pouhere Taonga. <u>Heritage items scheduled in the District Plan will often also be listed on the New Zealand Heritage List/Rārangī Kōrero.</u>
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Definition – ‘Repairs and Maintenance (of a Heritage Item)’

- 3.3.3 HNZPT (S55.007) opposed the definition of ‘Repairs and Maintenance (of a Heritage Item)’, and sought that it be deleted and replaced with separate definitions for ‘Maintenance’ and ‘Repair’. The reporting planner agreed with HNZPT that ‘repair’ and ‘maintenance’ activities differ in scope and that separate definitions using terms consistent with HNZPT’s approach as guided by the New Zealand ICOMOS document are warranted. The reporting planner also agreed that a number of the matters currently identified in the PDP definition of ‘Repairs and Maintenance (of a Heritage Item)’ would be better contained within the rule or standards themselves and this is addressed in Key Issue 6.
- 3.3.4 Accordingly, the reporting planner recommended that the definition of ‘Repairs and Maintenance (of a Heritage Item)’ be deleted, and two new definitions be inserted in the PDP as follows:

<u>REPAIRS AND MAINTENANCE (OF A HERITAGE ITEM)</u>	in relation to a place or item identified in HH SCHED2, means making good any decayed or damaged fabric to a documented earlier form, where one or more of the following conditions or situations apply: a. the work involves stabilisation, preservation and conservation as defined in the ICOMOS NZ Charter for the Conservation of Places of Cultural Heritage Value, 1993 (the ICOMOS Charter) b. the work does not involve alterations, additions (including restoration and reconstruction as defined in the ICOMOS Charter), relocation, partial demolition and demolition (otherwise other rules apply) c. the work involves the restoration to good or sound condition of any existing building or any part of an existing building d. the work involves the patching, restoration or minor replacement of materials, elements, components, equipment and fixtures for the purposes of maintaining such materials, elements, components, equipment and fixtures in good or sound condition e. any redecoration work involving the renewal, restoration or new application of surface finishes, decorative elements, minor fittings and fixtures and floor coverings which does not destroy, compromise, damage or impair the appreciation of the heritage values of the element being redecorated f. the work carried out on the building must generally match the original in terms of quality, materials and detailing g. repair of material or of a site should generally be with original or similar materials. However, repairs to a technically higher standard than the original workmanship or materials may be justified where the life expectancy of the site or material is increased, the new material is compatible with the old and any heritage value is not diminished h. the work is for the purposes of keeping the building in good condition i. the work does not result in any increase in the area of land occupied by the building.
<u>MAINTENANCE (of a Heritage Item)</u>	<u>means regular and ongoing protective care of a place to prevent deterioration and to retain its values. Maintenance excludes alterations, additions, restoration, or reconstruction.</u>
<u>REPAIR (of a Heritage Item)</u>	<u>means to make good decayed or damaged fabric using identical, closely similar, or otherwise appropriate material.</u>

Definition – ‘Safety Alterations (of a Heritage Item)’ and Rule HH-R3

- 3.3.5 The reporting planner agreed with the submission from HNZPT (S55.008) to streamline the definition of ‘Safety Alterations (of a Heritage Item)’ by removing elements of the definition that are more in the nature of performance standards, and placing these elements into Rule HH-R3.1. She considered these amendments would provide greater clarity to plan users about what types of works qualify as permitted ‘safety alterations’ work.
- 3.3.6 The reporting planner suggested including the following as conditions of Rule HH3.1:

HH-R3 Internal safety alterations to heritage items identified in HH-SCHED2

Category 2 Heritage Items	<p>1. Activity Status: PER</p> <p>Where the following conditions are met: <u>N/A</u></p> <p>a. <u>Where seismic strengthening work is proposed it must be identified by a chartered professional engineer who has knowledge of the structural characteristics and earthquake performance of the type of building being assessed.</u></p> <p>b. <u>The works are required to satisfy or increase compliance with the Building Act 2004 and Building Code requirements.</u></p>	<p>2. Activity status where compliance not achieved: <u>N/AHH-R5 & HH-R6 apply</u></p>
Category 1 Heritage Items	<p>3. Activity Status: RDIS</p> <p>Where the following conditions are met:</p> <p>a. A structural engineering assessment by a chartered professional engineer must be supplied to Council with the application.</p> <p><i>Note: Where this is not supplied, work will be assessed as an 'alteration' as it will fail to meet the definition of safety alteration.</i></p> <p>Matters over which discretion is restricted:</p> <p>b. HH-AM1.</p>	<p>4. Activity status where compliance not achieved: DIS</p>

3.3.7 Recommended permitted activity condition (a) is directly from the PDP notified definition of 'safety alterations', whereas condition (b) referencing the Building Act and Building Code, was recommended instead of the equivalent clause in the current definition to provide better clarity of the relationship of such work with the Building Code.

3.3.8 The reporting planner recommended the following amendment to the definition of 'Safety Alterations (of a Heritage Item)':

**SAFETY ALTERATIONS
(OF A HERITAGE ITEM)**

works necessary for the primary purpose of improving structural performance, fire safety or physical access. Improving structural performance ~~includes~~ **involves seismic earthquake-strengthening work (earthquake strengthening work is the improving of the structural performance of a heritage building by modifying, or adding to, the structure of a building). Earthquake strengthening work must be identified by a chartered professional engineer who has knowledge of the structural characteristics and earthquake performance of the type of building being assessed. Safety alterations may be required to enhance the structural capacity of the building and may include but is not limited to work which upgrades the building's ability to:**

a. safely carry self and imposed gravity loads

b. withstand probable wind loads without unacceptable damage

c. withstand probable earthquake loads without unacceptable damage.

d. withstand other damaging effects that have been identified for a particular building.

New definition for 'Archaeological Site'

3.3.9 The reporting planner agreed with Kāinga Ora (S129.001) and HNZPT (FS7.001) that, given the close relationship between the District Plan and the HNZPT Act with respect to archaeological sites, a definition of 'archaeological site' may be of assistance to plan users and help provide clarity. The reporting planner recommended the following new definition be inserted, along with an explanatory note stating the responsibilities of landowners with respect to archaeological sites pursuant to the HNZPT Act:

ARCHAEOLOGICAL SITE	<p><u>has the same meaning as given in the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPT Act) (as set out below):</u></p> <p><u>means, subject to section 42(3) of the HNZPT Act,—</u></p> <p><u>(a) any place in New Zealand, including any building or structure (or part of a building or structure), that—</u></p> <p><u>(i) was associated with human activity that occurred before 1900 or is the site of the wreck of any vessel where the wreck occurred before 1900; and</u></p> <p><u>(ii) provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand; and</u></p> <p><u>(b) includes a site for which a declaration is made under section 43(1) of the HNZPT Act.</u></p> <p><u>NOTE:</u></p> <p><u>Unless an archaeological site is also identified in HH-SCHEDULE2 or SASM-SCHED3, the provisions of this District Plan do not apply.</u></p> <p><u>Section 42 of the Heritage New Zealand Pouhere Taonga Act 2014 makes it an offence for anyone to modify or destroy, or cause to be modified or destroyed the whole, or any part of any site, if it is known or suspected to be an archaeological site, except that an authority is not required to permit work on a building that is an archaeological site unless the work will result in the demolition of the whole of the building (s 42(3)).</u></p>
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New definition for ‘seismic strengthening’

- 3.3.10 The reporting planner recommended HNZPT’s submission (\$55.009) which sought a new definition for ‘Seismic Strengthening’ be rejected. The reporting planner considered that ‘seismic strengthening’ was not a term specifically used in the rules, and the requirement for seismic strengthening works was governed by the Building Act process, therefore a definition was not necessary.

3.4 Evidence to the hearing

- 3.4.1 Dean Raymond presented evidence for HNZPT. Mr Raymond generally agreed with the s42A report’s recommendations on definitions.

3.5 Post hearing information

- 3.5.1 The reporting planner’s right-of-reply did not address any matters relating to definitions, and no additional information was provided.

3.6 Evaluation and findings

‘Heritage Items’

- 3.6.1 The Panel agrees with the reporting planner’s recommended rewording of the definition of ‘Heritage Items’ in response to the submission by HNZPT (\$55.055) to clarify items are ‘scheduled’ in the PDP and ‘listed’ on the New Zealand Heritage List /Rārangi Kōrero. The recommended rewording of the definition would address the submission from Federated Farmers (\$121.236) which sought to clarify that the definition only applies to items scheduled in the District Plan.
- 3.6.2 Accordingly, the Panel recommends the following amendment:

HERITAGE ITEMS	any type of historic heritage place or area scheduled in HH-SCHED2. It may include a historic building, historic site (including archaeological site), a place/area of significance to Māori, or heritage landscape. The term may be used to refer to both heritage items listed in the District Plan and to those items registered by Heritage
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‘Repairs and Maintenance (of a Heritage Item)’

- 3.6.3 The Panel agrees with the reporting planner that it would aid clarity if the definitions for ‘repair’ and ‘maintenance’ were separated and simplified, with some of the matters covered in the definition being better contained within the relevant rule or standard (as addressed in Key Issue 6). The Panel therefore recommends accepting HNZPT S55.007 and making the following amendment:

<u>REPAIRS AND MAINTENANCE (OF A HERITAGE ITEM)</u>	in relation to a place or item identified in HH SCHED2, means making good any decayed or damaged fabric to a documented earlier form, where one or more of the following conditions or situations apply: j. the work involves stabilisation, preservation and conservation as defined in the ICOMOS NZ Charter for the Conservation of Places of Cultural Heritage Value, 1993 (the ICOMOS Charter) k. the work does not involve alterations, additions (including restoration and reconstruction as defined in the ICOMOS Charter), relocation, partial demolition and demolition (otherwise other rules apply) l. the work involves the restoration to good or sound condition of any existing building or any part of an existing building m. the work involves the patching, restoration or minor replacement of materials, elements, components, equipment and fixtures for the purposes of maintaining such materials, elements, components, equipment and fixtures in good or sound condition n. any redecoration work involving the renewal, restoration or new application of surface finishes, decorative elements, minor fittings and fixtures and floor coverings which does not destroy, compromise, damage or impair the appreciation of the heritage values of the element being redecorated o. the work carried out on the building must generally match the original in terms of quality, materials and detailing p. repair of material or of a site should generally be with original or similar materials. However, repairs to a technically higher standard than the original workmanship or materials may be justified where the life expectancy of the site or material is increased, the new material is compatible with the old and any heritage value is not diminished q. the work is for the purposes of keeping the building in good condition r. the work does not result in any increase in the area of land occupied by the building.
<u>MAINTENANCE (of a Heritage Item)</u>	<u>means regular and ongoing protective care of a place to prevent deterioration and to retain its values. Maintenance excludes alterations, additions, restoration, or reconstruction.</u>
<u>REPAIR (of a Heritage Item)</u>	<u>means to make good decayed or damaged fabric using identical, closely similar, or otherwise appropriate material.</u>

‘Safety Alterations (of a Heritage Item)’

- 3.6.4 The Panel agrees with the reporting planner that streamlining the definition of ‘Safety Alterations (of a Heritage Item)’ as sought by HNZPT (S55.008) by relocating the performance elements of the definition to Rule HH-R3.1 would provide greater clarity around what works qualify as permitted ‘safety alterations’ work.
- 3.6.5 The Panel recommends the following amendments to the definition:

SAFETY ALTERATIONS (OF A HERITAGE ITEM)	works necessary for the primary purpose of improving structural performance, fire safety or physical access. Improving structural performance includes involves <u>seismic earthquake-strengthening work (earthquake strengthening work is the improving of the structural performance of a heritage building by modifying, or adding to, the structure of a building). Earthquake strengthening work must be identified by a chartered professional engineer who has knowledge of the</u>
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~~structural characteristics and earthquake performance of the type of building being assessed. Safety alterations may be required to enhance the structural capacity of the building and may include but is not limited to work which upgrades the building's ability to:~~

- ~~a. safely carry self and imposed gravity loads~~
- ~~b. withstand probable wind loads without unacceptable damage~~
- ~~c. withstand probable earthquake loads without unacceptable damage.~~
- ~~d. withstand other damaging effects that have been identified for a particular building.~~

- 3.6.6 The Panel recommends the below consequential amendments to Rule HH3.1 to insert the matters removed from the definition into the rule and to reference the Building Act and Building Code. Where compliance is not achieved with the conditions, Rule HH-R5 (relating to internal alterations) will apply.

HH-R3 Internal safety alterations to heritage items identified in HH-SCHED2		
Category 2 Heritage Items	<p>1. Activity Status: PER</p> <p>Where the following conditions are met: N/A</p> <ul style="list-style-type: none"> a. <u>Where seismic strengthening work is proposed it must be identified by a chartered professional engineer who has knowledge of the structural characteristics and earthquake performance of the type of building being assessed.</u> b. <u>The works are required to satisfy or increase compliance with the Building Act 2004 and Building Code requirements.</u> 	<p>2. Activity status where compliance not achieved: N/A <u>HH-R5 applies</u></p>
Category 1 Heritage Items	<p>3. Activity Status: RDIS</p> <p>Where the following conditions are met:</p> <ul style="list-style-type: none"> c. A structural engineering assessment by a chartered professional engineer must be supplied to Council with the application. <p><i>Note: Where this is not supplied, work will be assessed as an 'alteration' as it will fail to meet the definition of safety alteration.</i></p> <p>Matters over which discretion is restricted:</p> <ul style="list-style-type: none"> d. HH-AM1. 	<p>4. Activity status where compliance not achieved: DIS</p>

New definition for 'Archaeological Site'

- 3.6.7 The Panel agrees with the reporting planner that including a definition of 'archaeological site' in the PDP would be of assistance to plan users and help provide the clarity sought by Kāinga Ora (S129.001) and HNZPT (FS7.001). The Panel agrees that the reporting planner's proposed wording is generally appropriate and the note stating the responsibilities of landowners with respect to archaeological sites is a helpful addition, although the Panel recommends some minor changes to the amendment to make the advisory note clearer.
- 3.6.8 The Panel therefore recommends the following new definition be inserted:

<u>ARCHAEOLOGICAL SITE</u>	<p><u>has the same meaning as given in the Heritage New Zealand Pouhere Taonga Act 2014 (as set out below):</u></p> <p><u>means, subject to section 42(3) of the Heritage New Zealand Pouhere Taonga Act,—</u></p> <p><u>(a) any place in New Zealand, including any building or structure (or part of a building or structure), that—</u></p>
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- (i) was associated with human activity that occurred before 1900 or is the site of the wreck of any vessel where the wreck occurred before 1900; and
- (ii) provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand; and
- (b) includes a site for which a declaration is made under section 43(1) of the Heritage New Zealand Pouhere Taonga Act.

NOTE:

Unless an archaeological site is also identified in HH-SCHED2 or SASM-SCHED3, the provisions of this District Plan do not apply to archaeological sites (other than in relation to subdivision).

Section 42 of the Heritage New Zealand Pouhere Taonga Act 2014 makes it an offence for anyone to modify or destroy, or cause to be modified or destroyed, the whole, or any part of any site, if it is known or suspected to be an archaeological site.

An authority under the Heritage New Zealand Pouhere Taonga Act 2014 is not required to permit work on a building that is an archaeological site unless the work will result in the demolition of the whole of the building (s 42(3)).

New definition for 'seismic strengthening'

- 3.6.9 The Panel agrees with the reporting planner that a definition of 'seismic strengthening' is not necessary as the term is not used specifically in the rules, and the requirement for seismic strengthening works is governed by the Building Act process. The Panel therefore recommends that S55.009 HNZPT be rejected.

4 Key Issue 2 – Heritage ‘Setting’

4.1 Proposed Plan provisions

- 4.1.1 This section of this report addresses submissions by HNZPT which sought to include provisions in the PDP to protect the heritage setting of heritage items on the basis that the setting of a historic heritage item often also has important heritage values.

4.2 Submissions

- 4.2.1 There were 5 original submission points and 3 further submission points requesting additional provisions or amendments to provide for protection of heritage ‘settings’. Two of these submissions were in support, and three were in opposition.
- 4.2.2 In summary, matters raised with respect to heritage ‘setting’ include:
- A request for a new definition for ‘heritage setting’;
 - An amendment to policy HH-P3;
 - Proposed new rule and amendment to Assessment Matter HH- AM2; and
 - A request to amend PDP maps to include mapping of ‘heritage setting’.

4.3 Reporting planner’s recommendations (s42A report)

- 4.3.1 HNZPT sought provisions be included in the PDP to protect the heritage setting of heritage items on the basis that the setting often also had important heritage values or contributed to the historic heritage values of the item. The reporting planner noted that the relief sought would rely on the heritage setting either being determined as applying to the whole of the site containing the heritage item or be required to be spatially identified on the Planning Maps (as set out in HNZPT’s definition of Heritage ‘Setting’).
- 4.3.2 The reporting planner recommended rejecting HNZPT submission points S55.010, S55.022, S55.030, S55.032 and S55.080 relating to heritage setting. Ms Morgan noted that, while HNZPT had information on the appropriate setting for a number of the listed heritage items, there were other sites for which there was no information about the spatial extent of the heritage setting.
- 4.3.3 The reporting planner advised that determining the appropriate heritage setting would require a case-by-case assessment to decide whether the whole of the site should be included (that is, the entire property title in which the item is located) or that a more specific delineation was required to be mapped. The reporting planner was of the view that it would be more appropriate to address this through a future variation or plan change once that information had been compiled. This process would also enable consultation with the landowners who would be impacted by any associated new provisions.

4.4 Evidence to the hearing

- 4.4.1 Mr Dean Raymond presented evidence for HNZPT. In relation to ‘heritage setting’, Mr Raymond outlined reasons why in his view it was important to include a setting for heritage places and provided some examples in illustration. As an alternative, Mr Raymond suggested including references to the “surroundings” of scheduled heritage places and made specific recommendations on HH-P3 and HH-AM2 wording to this effect.

4.5 Post hearing information

- 4.5.1 The reporting planner's right-of-reply did not address any matters relating to heritage setting, and no additional information was provided.

4.6 Evaluation and findings

- 4.6.1 The Panel agrees with HNZPT that the setting of a heritage item can often contribute to the historic heritage values of that item. However, the Panel concurs with the reporting planner that there is only limited existing information on setting for a number of the listed heritage items, and that a case-by-case assessment would be required to identify and map the heritage settings of all scheduled heritage items. The Panel therefore agrees with the reporting planner that HNZPT's submission points on this aspect be rejected.
- 4.6.2 The Panel considered whether Mr Raymond's suggestion of using 'surroundings' would be an appropriate alternative approach but decided that the term would be too subjective to provide the necessary certainty.

5 Key Issue 3 – General Matters

5.1 Proposed Plan provisions

- 5.1.1 This section of this report addresses general matters relating to the Historic Heritage provisions of the PDP.

5.2 Submissions

- 5.2.1 There were 9 submissions and 8 further submissions on general matters relating to the Historic Heritage provisions. Two of these submissions were in support, 4 sought amendments and 3 opposed Historic Heritage provisions, 1 in general and 2 on specific provisions.

5.3 Reporting planner's recommendations (s42A report)

Minor amendment to the reference to the Heritage List/ Rārangi Kōrero in Part 1 – Introduction and General provisions / Statutory Context /Other Plans of the PDP

- 5.3.1 The reporting planner considered the minor amendment sought by HNZPT with reference to the Heritage List /Rārangi Kōrero to be a correction and therefore recommended that S55.001 HNZPT be accepted and the following amendment be made to Part 1- Introduction and General Provisions/ How the Plan Works/ Statutory Context/ Other Plans:

New Zealand Heritage List/ Rārangi Kōrero:

The New Zealand Heritage List/Rārangi Kōrero which is administered by the Heritage New Zealand Pouhere Taonga Act 2014, lists information about New Zealand's significant heritage places including archaeological sites, buildings or memorials that are of special or outstanding historical or cultural significance or value (Category 1) and those of historical or cultural heritage, significance or value (Category 2). It also lists historic areas, wāhi tūpuna, wāhi tapu and wāhi ~~tapu taonga~~ areas.

National Environmental Standards for Plantation Forestry

- 5.3.2 Submission point S84.023 by KLT expressed concern at the potential for adverse effects on archaeological sites as a result of changes in land use, particularly in relation to the NES-PF, and seeks that the Regional or District Council takes responsibility for such effects. The reporting planner noted that the NES-PF did not include specific provisions for archaeological sites, and that the PDP did not include a schedule of archaeological sites, relying on the protection provided by the HNZPT Act. Ms Morgan accepted that some archaeological sites may also be heritage items that are scheduled in the PDP, in which case the PDP provisions would also apply. The reporting planner advised that archaeological sites were mapped as an alert in the PDP maps and resource consents could include an advice note advising of responsibilities under the HNZPT Act.
- 5.3.3 The reporting planner noted that no specific amendments were sought by this submission point and did not make any recommendations for amendments.

New Strategic section referencing cultural and heritage values

- 5.3.4 HNZPT (S55.013) opposed the Strategic Direction Chapter as it did not contain any reference to Historic and Cultural Values and seeks a new section be added. The reporting planner acknowledged that cultural and heritage values are a matter of national importance that must be addressed in response to s6(f) of the RMA but that historic heritage is not a strategic matter that has been raised in Central Hawke's Bay by the local community and Council. The reporting planner considered historic heritage matters had been appropriately addressed in the PDP and the

approach was consistent with other s6 matters. The reporting planner recommended submission point S55.013 be rejected.

General review of historic heritage provisions

- 5.3.5 Kāinga Ora (\$129.060) opposed the Historic Heritage chapter in its proposed form and seeks amendments to the chapter (and consequentially related provisions in other parts of the PDP) to address the following concerns:
- HHI1 is unclear about what adverse effects may result;
 - The term 'heritage character' as referenced in HH-O1 inappropriately conflates the concepts of historic heritage and amenity values;
 - The rules framework and associated activities are predominantly focused on management of heritage buildings and have little regard for implications on historic and archaeological sites;
 - Requiring resource consent for safety alterations to heritage items may have unintended consequences on the safety and long-term viability of heritage buildings; any potential issues and/or adverse effects resulting from safety alterations can instead be managed through a permitted activity framework subject to compliance with a corresponding set of conditions;
 - Requiring resource consent for internal alterations of heritage items is opposed;
 - Where locations are known, 'silent file' features and sites should be mapped in consultation with iwi to ensure that they are appropriately protected and to provide greater clarity to all parties on when Tangata Whenua may be directly impacted by a resource consent application; and
 - Greater clarity regarding the spatial extents of archaeological sites and sites of significance is needed to confirm whether an activity will trigger resource consenting requirements under HH and/or SASM provisions.
- 5.3.6 In relation to HH-I1, the reporting planner considered the issue as stated was clear and sufficient in the broader context of the Historic Heritage chapter, and no alternative wording was sought by Kāinga Ora.
- 5.3.7 In relation to HH-O1, the reporting planner did not agree that the term 'heritage character' inappropriately conflated the concepts of historic heritage and amenity values, as she considered that the term 'heritage character' in this objective referred collectively to those aspects that contributed to the district's historic heritage resource as a whole.
- 5.3.8 In relation to the HH-Historic Heritage rule framework, the reporting planner agreed that it was predominantly focused on heritage buildings. She stated that Council had elected not to provide any rules for heritage settings given the uncertainties involved (as addressed in Key Issue 2 above) or archaeological sites given the latter were protected by the HNZPT Act (the latest Arch Site mapping of these sites was, however, provided on the PDP maps as an alert to property developers and landowners).
- 5.3.9 In relation to requiring resource consent for safety alterations to heritage items, the reporting planner noted safety alterations are generally works required by the Building Act and or Building Code, and, in the case of seismic strengthening works, required identification or structural assessment by a chartered professional engineer (Rules HH-R3 and HH-R4). She noted that seismic strengthening works in particular could have significant adverse effects on heritage buildings and the rule framework as proposed allows for some flexibility (in activity status) depending on the heritage category of the item. The reporting planner was satisfied the rules provided an appropriate and balanced approach in achieving the outcomes sought by s6(f) of the RMA.

- 5.3.10 In relation to requiring resource consent for internal alterations of heritage items, the reporting planner advised that, under the PDP rule framework, only Category 1 heritage items would require a resource consent for internal alterations (Rule HH-R5.3). The reporting planner considered this approach appropriate, given the relatively small number of Category 1 heritage items in CHB and their significance as places *‘of **special or outstanding** historical or cultural significance or value’*.¹
- 5.3.11 In regard to the use of ‘silent files’, the reporting planner agreed with Kāinga Ora that this could be a useful method for protecting features and sites of importance to Māori and that such sites should be mapped in consultation with iwi, but noted at this point in time Council did not have that information.
- 5.3.12 In regard to the spatial extents of archaeological sites and sites of significance, the reporting planner noted the PDP had identified archaeological sites on the planning maps for information purposes only, and that there was no intention to map the spatial extent of such sites, as the PDP relied on the archaeological provisions of the HNZPT Act. With respect to SASM, the reporting planner noted that the SASM chapter clearly identifies that the schedule was inaccurate and incomplete and that further research, evaluation and engagement between Council and Tangata Whenua was necessary to accurately identify, understand, document and map this resource.
- 5.3.13 In summary, the reporting planner was satisfied that Council had worked with the Central Hawke’s Bay community and HNZPT through the draft plan process to develop a chapter that would meet community needs. The reporting planner recommended that S129.060 Kāinga Ora be rejected.

Amendments to ‘Introduction’ of the Historic Heritage Chapter

- 5.3.14 The ‘Introduction’ section set out the PDP context and approach to protection of the District’s Historic Heritage. The reporting planner agreed it was important that any reference to the HNZPT Act was correct, but did not consider it necessary to include complete sections of this Act in the introduction as requested by E Pishief (\$18.001). The reporting planner recommended the following amendment to the Introduction, similar to the amendments requested by HNZPT (\$55.020) to ensure consistency in terminology:

‘Introduction

...

Legislation including the Heritage New Zealand Pouhere Taonga Act 2014 and the RMA, impacts on the way Council deals with heritage issues. The Heritage New Zealand Pouhere Taonga Act 2014 provides a framework for the recognition of places of historical, cultural and ancestral significance including historic places (archaeological sites, buildings and memorials), historic areas, wāhi tūpuna, wāhi tapu and wāhi ~~taonga-tapu~~ areas. Listing of such items or sites does not, however, provide specific protection under this Act. Listing is primarily a means of identifying the significant heritage items for the purposes of information and advocacy, with items listed by Heritage New Zealand Pouhere Taonga notified to territorial local authorities.

...

There are also legal responsibilities that relate to archaeological sites, whether they are identified, unknown, listed or recorded. Section 42 of the Heritage New Zealand Pouhere Taonga Act 2014 makes it an offence for anyone to ~~destroy, damage or modify or destroy, or cause to be modified or destroyed,~~ the whole, or any part of any site, if it is known or suspected to be an archaeological site. Section 44 of the Act, requires applications for an authority to ~~destroy, damage or modify or destroy, or cause to be modified or destroyed,~~ an archaeological site to be made to Heritage New Zealand Pouhere Taonga.

¹ As described in: <https://www.heritage.org.nz/the-list/about-the-list>

- 5.3.15 In relation to the amendment sought by KLT to emphasise that not all sites have been recorded, the reporting planner agreed that the amendment sought further reinforced the legal responsibilities applied to archaeological sites and recommended the following amendment:

... The location of recorded archaeological sites in Central Hawke's Bay as at the date of notification of the District Plan are shown on the Planning Maps. This is for information purposes only, as an alert to Council and landowners. Landowners are encouraged to search the New Zealand Archaeological Association's database for the latest recorded site ~~record~~ information prior to commencing any land disturbance activities. It should be noted that there are many unrecorded archaeological sites, and developers also have a responsibility to avoid damage to these.

Amendments to 'Principal Reasons'

- 5.3.16 The reporting planner recommended accepting the submissions by KLT (S84.002) and HNZPT (S55.036) and recommended the following amendment to the 'Principal Reasons' highlighting the importance of the need to seek early advice with respect to the potential for finding archaeological sites when undertaking earthworks:

Unrecorded archaeological sites ~~may be~~ are usually accidentally discovered during earthworks and irreparably damaged. ~~Therefore,~~ it is also important that applicants seek advice at an early stage when earthworks are proposed, especially in areas known to be ~~the site of~~ associated with pre-1900 activity.

5.4 Evidence to the hearing

- 5.4.1 Mr Michael Campbell for Kāinga Ora gave evidence on Kāinga Ora's submission opposing the use of the term 'heritage character' in HH-O1. Mr Campbell was of the opinion that the use of the term 'character' was inappropriate and unnecessary to address the resource management issues that the PDP was seeking to address and considered a more appropriate approach would be to address heritage values as well as form, proportions, materials and setting. Mr Campbell proposed changes to this effect and provided a s32AA assessment.
- 5.4.2 Mr Dean Raymond, in his evidence for HNZPT, accepted the reporting planner's statement that cultural and heritage values are addressed as a district-wide matter, along with the underlying weight provided by being a matter of national importance under s6 of the RMA.
- 5.4.3 Ms Stella August spoke at the hearing for KLT and raised concerns about archaeological sites being planted in pine trees and the need for forestry companies and landowners to be made aware of their obligations regarding cultural and historic heritage.
- 5.4.4 Mr Stephen Daysh for HTST noted that other district plans had included historic heritage within the Strategic Direction strategic objectives and he would support similar objectives being included in the PDP.

5.5 Post hearing information

- 5.5.1 The reporting planner's right-of-reply did not address any matters relating to heritage setting, and no additional information was provided.

5.6 Evaluation and findings

Minor amendment to the reference to the Heritage List/ Rārangī Kōrero in Part 1 – Introduction and General provisions / Statutory Context / Other Plans of the PDP

- 5.6.1 The Panel agrees with the reporting planner's recommendation accepting the minor correction in the Introduction to replace 'taonga' with tapu' to align with the HNZPT Act.

National Environmental Standards for Plantation Forestry (NesPF)

- 5.6.2 The NES-PF does not specifically manage the effects of forestry on archaeological sites, and the PDP does not propose to impose additional controls over and beyond those under the HNZPT Act.
- 5.6.3 The Panel recognises that the mapping of archaeological sites in the PDP is intended to act as an alert to landowners and developers, but acknowledges the mapping may not be accurate as to the precise location of the site. The Panel also acknowledges that the list of archaeological sites is far from being complete, and in many situations, the best that may be achieved is to forewarn a landowner about the presence of a recorded archaeological site somewhere on their property so they may pre-emptively seek to avoid adverse effects on it. However, the Panel accepts that it would be a significant exercise to undertake a full investigation of potential archaeological sites in the District that would be required to underpin the introduction of regulatory controls.
- 5.6.4 The Panel notes that no specific amendments were sought by the KLT submission point and does not make any recommendations for amendments.
- 5.6.5 The Panel's evaluation and recommendations in regard to SASM are contained in Report 4A.

New Strategic section referencing cultural and heritage values

- 5.6.6 The Panel agrees with the reporting planner that, whilst heritage is an important issue, and one that is recognised as a matter of national importance in RMA s6(f), it has not been identified by either the Council or community as a 'strategic' issue for CHB District. The Panel considers the matters are appropriately addressed in the PDP as a district-wide matter, similar to the treatment of other matters of national importance. The Panel therefore recommends rejecting HNZPT submission S55.013.

General review of historic heritage provisions

- 5.6.7 In general, the Panel agrees with the reporting planner 's evaluation of Kāinga Ora's general concerns with the historic heritage provisions for the reasons outlined in the s42A report, and therefore the Panel recommends rejecting this submission point (S129.060).

Amendments to 'Introduction'

- 5.6.8 The Panel agrees with the reporting planner that it is important to ensure any reference to the HNZPT Act is correct but does not consider it necessary to include complete sections of this Act in the Introduction. However, the Panel agrees there should be consistency in terminology, particularly when referring to the HNZPT Assessment criteria. The Introduction should also be clear that 'listing' refers to the New Zealand Heritage List/Rārangi Kōrero, to ensure this is plainly different to the PDP's 'schedule' of historic heritage items.
- 5.6.9 The Panel also agrees that reference to 'recorded' site information, as sought by KLT, would provide further emphasis that not all sites are recorded. The Panel recommends accepting in part the submission of E Pishief (S18.001) and accepting the submissions of HNZPT (S55.020) and KLT (S84.001).
- 5.6.10 Taking these findings into account, the Panel recommends the following amendments:

'Introduction

...

Legislation including the Heritage New Zealand Pouhere Taonga Act 2014 and the RMA, impacts on the way Council deals with heritage issues. The Heritage New Zealand Pouhere Taonga Act 2014 provides a framework for the recognition of places of historical, cultural and ancestral significance including historic places (archaeological sites,

buildings and memorials), historic areas, ancestral lands, wāhi tūpuna, wāhi tapu and ~~wāhi taonga tapu areas~~. ~~Listing of~~ Registering such items or sites in the New Zealand Heritage List/Rārangi Kōrero under the Heritage New Zealand Pouhere Taonga Act does not, however, provide specific protection under ~~this that Act~~. ~~That Listing~~ is primarily a means of identifying the significant heritage items for the purposes of information and advocacy, with items listed by Heritage New Zealand Pouhere Taonga notified to territorial local authorities.

...

... Section 42 of the Heritage New Zealand Pouhere Taonga Act 2014 makes it an offence for anyone to ~~destroy, damage or modify or destroy, or cause to be modified or destroyed~~, the whole, or any part of any site, if it is known or suspected to be an archaeological site. Section 44 of the Act, requires applications for an authority to ~~destroy, damage or modify or destroy, or cause to be modified or destroyed~~, an archaeological site to be made to Heritage New Zealand *Pouhere Taonga*. The location of recorded archaeological sites in Central Hawke's Bay as at the date of notification of the District Plan are shown on the Planning Maps. This is for information purposes only, as an alert to Council and landowners. Landowners are encouraged to search the New Zealand Archaeological Association's database for the latest recorded site record information prior to commencing any land disturbance activities. It should be noted that there are many unrecorded archaeological sites, and developers also have a responsibility to avoid damage to these.

...

Amendments to 'Principal Reasons'

- 5.6.11 The Panel agrees with the reporting planner that the amendments sought by KLT highlight the importance of the need to seek early advice with respect to the potential for finding archaeological sites when undertaking earthworks. The Panel therefore recommends the following amendment to HH – Principal Reasons:

Unrecorded archaeological sites ~~may be~~ are usually accidentally discovered during earthworks and irreparably damaged. ~~Therefore,~~ it is also important that applicants seek advice at an early stage when earthworks are proposed, especially in areas known to be ~~the site of~~ associated with pre-1900 activity.

6 Key Issue 4 – Issues and Objectives

6.1 Proposed Plan provisions

- 6.1.1 Key Issue 4 addresses submission points relating to issues and objectives in the Historic Heritage chapter.

6.2 Submissions

- 6.2.1 There were 3 submissions and 4 further submissions received on the Historic Heritage Issues and Objectives section of the PDP. Of these, 1 submission was in support and the other 3 sought amendments to the Objectives. There were no submissions opposing these provisions.

6.3 Reporting planner's recommendations (s42A report)

- 6.3.1 Federated Farmers sought an additional objective to highlight that many of the scheduled heritage buildings in the District were working buildings, such as farm homesteads and woolsheds. The reporting planner agreed that it is important that heritage buildings can change and adapt to meet current day uses whilst still protecting the elements that give them their heritage value. Ms Morgan agreed that such an objective had a good fit with Anticipated Environmental Result AER-3: 'the productive use of heritage buildings and sites' and links well with Policies HH-P5, HHP6, and HH-P7 and therefore supported adopting this new objective.
- 6.3.2 The reporting planner recommended the addition of a new policy, but one that was not limited to 'scheduled' heritage buildings as Council and the community may also wish to promote the continued use of heritage buildings that are not listed in the schedule. The reporting planner recommended the following new policy be inserted:

HH-O3 To promote the continued use of heritage buildings in the District where this encourages their retention, restoration and maintenance.

- 6.3.3 In relation to Federated Farmers' submission to amend Objective HH-O1 (S121.149), the reporting planner did not recommend any amendments as it was unclear what amendment was being sought. Ms. Morgan noted that appropriate landowner consultation processes were in place for items to be included on the Historic Heritage schedule.

6.4 Evidence to the hearing

- 6.4.1 In evidence for Federated Farmers, Ms Rhea Dasent supported the s42A report recommendation on HH-O3.

6.5 Post hearing information

- 6.5.1 No matters relating to this issue were addressed in the reporting planner's right-of-reply, and no further information received.

6.6 Evaluation and findings

- 6.6.1 The Panel agrees with the reporting planner that the addition of a new policy HH-O3 as sought by Federated Farmers (S121.150) would appropriately recognise that the ongoing usefulness of heritage buildings is an important aspect in ensuring their protection. The Panel agrees with the reporting planner that this objective does not need to be restricted to 'scheduled' heritage buildings. The Panel recommends the following new objective be inserted:

- 6.6.2 The Panel also agrees that appropriate landowner consultation processes are in place for items to be included on this Schedule and no amendment is required in response to Federated Farmers submission S121.149.

7 Key Issue 5 – Policies

7.1 Proposed Plan provisions

- 7.1.1 Key Issue 5 addresses submissions relating to policies in the Historic Heritage chapter.

7.2 Submissions

- 7.2.1 There were 8 submissions and 8 further submissions received on the Historic Heritage Policy provisions of the PDP. Six submissions were in support of these policies, and 2 sought amendments.

7.3 Reporting planner's recommendations (s42A report)

Policy HH-P1

- 7.3.1 The reporting planner recommended accepting HNZPT's submission S55.021 which sought to change the wording of Policy HH-P1 to reference 'rarity, representativeness', authenticity and integrity'. The reporting planner noted the terms sought for inclusion were threshold indicators of significance of a historic place or area and as the policy was about identification and classification of the District's historic heritage the reporting planner considered it appropriate to include them. The reporting planner recommended the following amendment to Policy HH-P1:

HH-P1 To identify and classify heritage items in the District according to their relative significance and value including aesthetic, archaeological, architectural, cultural, historic, social, spiritual, technological, industrial or traditional significance or value, **and their rarity, representativeness, authenticity and integrity.**

Policy HH-P2

- 7.3.2 Federated Farmers sought an amendment to Policy HH-P2 to qualify this policy by adding the words '*from inappropriate subdivision, use and development*'. The reporting planner agreed that this amendment would give more certain direction and align with S6(f) of the RMA and recommended the following amendment:

HH-P2 To identify archaeological sites to assist the continued protection of these sites **from inappropriate subdivision, use and development.**

Policies HH-P4, HH-P5, HH-P6 and HH-P7

- 7.3.3 The reporting planner recommended accepting the submissions in support of policies HH-P4, HH-P5, HH-P6 and HH-P7.

7.4 Evidence to the hearing

- 7.4.1 No evidence was presented in relation to this Key Issue.

7.5 Post hearing information

- 7.5.1 No matters relating to this issue were addressed in the reporting planner's right-of-reply, and no further information received.

7.6 Evaluation and findings

Policy HH-P1

- 7.6.1 The Panel agrees with the reporting planner's recommendation to accept HNZPT's submission S55.021 seeking the wording 'rarity, representativeness, authenticity and integrity' be included in Policy HH-P1. These are threshold indicators relevant in establishing how significant a historic place or area is and are used in determining whether a historic place should be assigned either Category 1 or Category 2. The Panel recommends the following amendment:

HH-P1 To identify and classify heritage items in the District according to their relative significance and value including aesthetic, archaeological, architectural, cultural, historic, social, spiritual, technological, industrial or traditional significance or value, **and their rarity, representativeness, authenticity and integrity.**

Policy HH-P2

- 7.6.2 The Panel agrees with the reporting planners' recommendation to accept Federated Farmers submission S121.152 seeking Policy HH-P2 be qualified by adding the words 'from inappropriate subdivision, use and development'. This amendment gives more certain direction and aligns with the wording in RMA s6(f). The Panel recommends the following amendment:

HH-P2 To identify archaeological sites to assist the continued protection of these sites **from inappropriate subdivision, use and development.**

8 Key Issue 6 – Rules

8.1 Proposed Plan provisions

- 8.1.1 Key Issue 6 addresses submissions relating to rules in the Historic Heritage chapter.

8.2 Submissions

- 8.2.1 There were 22 submissions and 10 further submissions received on the Historic Heritage Rules of the PDP. Of these, 14 submissions were in support. One submission opposed the rules and 7 other submissions sought amendments.

8.3 Reporting planner's recommendations (s42A report)

Rule HH-R1

- 8.3.1 HNZPT (S55.023) sought an amendment to Rule HH-R1 related to repairs and maintenance of identified heritage items to include permitted activity conditions. The reporting planner recommended accepting this submission, taking out much of the descriptive text from the definition of 'Repairs and Maintenance (of a Heritage Item)' (as outlined in Key Issue 1) with a view to including it in this rule. The reporting planner recommended the following amendment to Rule HH-R1:

HH-R1 Repairs and maintenance of heritage items identified in HH-SCHED2		
All Heritage Items	<p>1. Activity Status: PER</p> <p>Where the following conditions are met: NA</p> <p>a. <u>The work carried out on the building must generally match the original in terms of quality, materials and detailing;</u></p> <p>b. <u>Repair of material or of a site should generally be with original or similar materials. However, repairs to a technically higher standard than the original workmanship or materials may be justified where the life expectancy of the site or material is increased, the new material is compatible with the old and any heritage value is not diminished;</u></p> <p>c. <u>Any materials removed to carry out the repairs must be limited to the amount necessary to carry out the works;</u></p> <p>d. <u>The work is for the purposes of keeping the building in good condition;</u></p> <p>e. <u>There must be no damage to the heritage item when undertaking the repairs and maintenance, and protective material must be used where necessary to prevent damage.</u></p>	<p>2. Activity status where compliance not achieved: NA <u>HH-R5 & HH-R6 apply</u></p>

Rule HH-R2

8.3.2 Chorus (S117.053), Spark (S118.053) and Vodafone (S119.053) all sought a minor amendment to Rule HH-R2 to allow for small customer connection boxes to be erected to the exterior of Heritage Items, but not the façade. The reporting planner was of the view that provision for customer connection boxes as a permitted activity would not be unreasonable particularly given their small scale and their purpose for enabling heritage buildings to be adapted to current day use and expectations.

8.3.3 The reporting planner recommended the following wording:

HH-R2 New underground electricity, gas or telecommunication customer connections, or the replacement of existing overhead electricity or telecommunication customer connections, affecting heritage items identified in HH-SCHED2		
All Heritage Items	<p>1. Activity Status: PER</p> <p>Where the following conditions are met:</p> <ul style="list-style-type: none"> a. No new support poles are required. b. The new or replaced connection work does not involve a change or addition to the exterior of the building, <u>except for the following:</u> <ul style="list-style-type: none"> i. <u>small customer connection boxes (less than 0.1m³ in volume) which are not affixed to the primary façade of the building.</u> <p><i>Note: Where this is not the case, the work will be assessed as an 'alteration'.</i></p>	<p>2. Activity status where compliance not achieved: HH-R6 applies</p>

Rule HH-R3

8.3.4 HNZPT (S55.024) sought a change in activity status for 'internal safety alterations' to Category 2 Heritage Items from 'permitted' to 'controlled' and the inclusion of a condition and assessment matters. The reporting planner recommended that this submission be accepted in part, in that permitted activity conditions are inserted but that the activity status remains the same. The reporting planner acknowledged that interiors of Category 2 buildings could also have important heritage values, but the CHBDC opted in this instance not to take a regulatory approach to their protection. Many of these places are privately-owned working buildings or homes and Council had sought to allow a reasonable degree of flexibility for these landowners.

8.3.5 The reporting planner's recommended amendments were as follows:

HH-R3 Internal safety alterations to heritage items identified in HH-SCHED2		
Category 2 Heritage Items	<p>1. Activity Status: PER</p> <p>Where the following conditions are met: N/A</p> <ul style="list-style-type: none"> a. <u>Where seismic strengthening work is proposed it must be identified by a chartered professional engineer who has knowledge of the structural characteristics and earthquake performance of the type of building being assessed.</u> 	<p>2. Activity status where compliance not achieved: NAHH-R5 applies.</p>

	b. <u>The works are required to satisfy or increase compliance with the Building Act 2004 and Building Code requirements.</u>	
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Rule HH-R4

- 8.3.6 The reporting planner recommended the submissions supporting the retention of Rule HH-R4 be accepted, but recommended the following amendment to correct a minor error in Rule HH-R4:

HH-R4 External safety alterations to heritage items identified in HH-SCHED2		
Category 2 Heritage Items	1. Activity Status: CON Where the following conditions are met: a. A structural engineering assessment by a chartered professional engineer must be supplied to Council with the application. <i>Note: Where this is not supplied, work will be assessed as an 'alteration' as it will fail to meet the definition of safety alteration.</i> Matters over which control is reserved: b. HH-AM1.	2. Activity status where compliance not achieved: RDIS Matters over which discretion is restricted: a. HH-AM2.

Rule HH-R5

- 8.3.7 Rule HH-R5 provided for internal alterations to Category 1 heritage items as a 'discretionary' activity and Category 2 heritage items as a 'permitted' activity. HNZPT (S55.026) sought a controlled activity status for Category 2 heritage items with matters of control being those listed in Assessment Matters HH-AM2. The reporting planner noted that, for the same reasons outlined with respect to Rule HH-R3 above (internal safety alterations), Council sought to provide greater flexibility for landowners of Category 2 heritage buildings. Council was mindful that most property owners had been good custodians over the years without any rule framework applying and the framework as notified had sought to provide a balance between a regulatory approach that focused on the district's most important buildings and an advocacy approach to the preservation of its other heritage buildings. For these reasons the reporting planner recommended rejecting HNZPT's submission S55.026.

Rule HH-R6

- 8.3.8 Chorus (S117.054), Spark (S118.054) and Vodafone (S119.054) sought an amendment to Rule HH-R6 related to external alterations to identified heritage items to reference back to the exclusions for small customer connection boxes sought to be included in Rule HH-R2. As the note in Rule HH-R6 specifically sought to exclude alterations that may impact signs, and as the rules for signs were contained within a separate chapter of the PDP, the reporting planner did not consider it necessary to provide a note to Rules within the same chapter and did not recommend any amendments.

Rules HH-R7 and HH-R8

- 8.3.9 The reporting planner recommended accepting the submissions in support of Rules HH-R7 and HH-R8.

8.4 Evidence to the hearing

- 8.4.1 Mr Dean Raymond, in his planning evidence for HNZPT, addressed Rules HH-R1, HH-R3 and HH-R5. In relation to the changes to HH-R1 recommended in the s42A report, Mr Raymond considered the some of the wording in the proposed activity standards lacks precision and could create difficulties with interpretation. Mr Raymond’s recommendation was to revert HH-R1 to the rule as notified.
- 8.4.2 In relation to HH-R3, Mr Raymond considered the recommended approach to HH-R3.1 could lead to unintended outcomes as a proposed activity that does not meet the conditions defaults to HH-R5 which has the same activity status but with no conditions. In Mr Raymond’s view, there is no need to refer to the requirement for seismic strengthening work to be identified by a chartered professional engineer. Mr Raymond considered it may be more appropriate to include the phrase “the works are required to satisfy or increase compliance with the Building Act 2004 and Building Code requirements” in the definition of safety alterations. Mr Raymond considered it preferable to revert to the wording of HH-R3 as notified, relying on the improved definition of safety alterations, and also incorporating the clause which refers to the Building Code.
- 8.4.3 In relation to HH-R5 Mr Raymond recognised that it is difficult to broadly impose a rule on all Category 2 interiors in the absence of any assessments of interior values and recommended that Council initiate a project to identify which Category 2 places have heritage values which merit special attention.

8.5 Post hearing information

- 8.5.1 No matters relating to this issue were addressed in the reporting planner’s right-of-reply, and no further information received.

8.6 Evaluation and findings

Rule HH-R1

- 8.6.1 The Panel agrees with the reporting planner’s recommendation, in response to HNZPT’s submission point S55.023, to amend HH-R1 and the definition of ‘Repairs and Maintenance (of a Heritage Item)’ to shift much of the descriptive text from the definition into the rule (as also discussed in Key Issue 1). The amended rule also includes the addition of clauses (c) and (e) as sought by HNZPT. The Panel considers this would provide clearer direction on the requirements for repair and maintenance work. The Panel recommends the following amendments:

HH-R1 Repairs and maintenance of heritage items identified in HH-SCHED2		
All Heritage Items	<p>1. Activity Status: PER</p> <p>Where the following conditions are met: NA</p> <p>a. <u>The work carried out on the building must generally match the original in terms of quality, materials and detailing;</u></p> <p>b. <u>Repair of material or of a site should generally be with original or similar materials. However, repairs to a technically higher standard than the original workmanship or materials may be justified where the life expectancy of the site or material is increased, the new material is compatible with the old and any heritage value is not diminished;</u></p>	<p>2. Activity status where compliance not achieved:</p> <p>NA <u>HH-R5 & HH-R6 apply</u></p>

	<ul style="list-style-type: none"> c. <u>Any materials removed to carry out the repairs must be limited to the amount necessary to carry out the works;</u> d. <u>The work is for the purposes of keeping the building in good condition;</u> e. <u>There must be no damage to the heritage item when undertaking the repairs and maintenance, and protective material must be used where necessary to prevent damage.</u> 	
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Rule HH-R2

- 8.6.2 The Panel agrees with the reporting planner's recommendation that customer connection boxes be a permitted activity, given their small scale and their purpose in enabling heritage buildings to be adapted to current day use and expectations. The Panel therefore recommends accepting in part the submissions of Chorus (S117.053), Spark (S118.053) and Vodafone (S119.053) and making the following amendment:

HH-R2 New underground electricity, gas or telecommunication customer connections, or the replacement of existing overhead electricity or telecommunication customer connections, affecting heritage items identified in HH-SCHED2

All Heritage Items	<p>1. Activity Status: PER</p> <p>Where the following conditions are met:</p> <ul style="list-style-type: none"> c. No new support poles are required. d. The new or replaced connection work does not involve a change or addition to the exterior of the building, <u>except for the following:</u> <ul style="list-style-type: none"> ii. <u>small customer connection boxes (less than 0.1m³ in volume) which are not affixed to the primary façade of the building.</u> <p><i>Note: Where this is not the case, the work will be assessed as an 'alteration'.</i></p>	<p>2. Activity status where compliance not achieved: HH-R6 applies</p>
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Rule HH-R3

- 8.6.3 The Panel agrees with the reporting planner's recommendation that S55.024 HNZPT be accepted in part, in that permitted activity conditions should be inserted into Rule HH-R3 to enable internal safety alterations to heritage items, but the activity status remains the same (permitted). This also relates to the amendment to the definition of 'Safety Alterations (of a Heritage Item)' as addressed in Key Issue 1 and the Panel is of the view this would provide greater clarity as to what works qualify as permitted 'safety alterations' work.
- 8.6.4 The Panel also agrees with the reporting planner that it is reasonable to retain the permitted activity status as Council has sought to provide a degree of flexibility to interior alterations, particularly given many of these places and privately owned working buildings or homes.
- 8.6.5 The Panel recommends the following amendments:

HH-R3 Internal safety alterations to heritage items identified in HH-SCHED2

Category 2 Heritage Items	<p>1. Activity Status: PER</p> <p>Where the following conditions are met: N/A</p> <p>a. <u>Where seismic strengthening work is proposed it must be identified by a chartered professional engineer who has knowledge of the structural characteristics and earthquake performance of the type of building being assessed.</u></p> <p>b. <u>The works are required to satisfy or increase compliance with the Building Act 2004 and Building Code requirements.</u></p>	<p>2. Activity status where compliance not achieved: NAHH-R5 applies.</p>
Category 1 Heritage Items	<p>3. Activity Status: RDIS</p> <p>Where the following conditions are met:</p> <p>a. A structural engineering assessment by a chartered professional engineer must be supplied to Council with the application. <i>Note: Where this is not supplied, work will be assessed as an 'alteration' as it will fail to meet the definition of safety alteration.</i></p> <p>Matters over which discretion is restricted:</p> <p>b. HH-AM1.</p>	<p>4. Activity status where compliance not achieved: DIS</p>

Rule HH-R4

- 8.6.6 The Panel notes that a minor amendment is required to be made to HH-R4 to correct the reference in HH-R4(2)(b) to “HH-AM2” as follows:

HH-R4 External safety alterations to heritage items identified in HH-SCHED2		
Category 2 Heritage Items	<p>1. Activity Status: CON</p> <p>Where the following conditions are met:</p> <p>c. A structural engineering assessment by a chartered professional engineer must be supplied to Council with the application. <i>Note: Where this is not supplied, work will be assessed as an 'alteration' as it will fail to meet the definition of safety alteration.</i></p> <p>Matters over which control is reserved:</p> <p>d. HH-AM1.</p>	<p>2. Activity status where compliance not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <p>b. HH-AC<u>M</u>2.</p>
Category 1 Heritage Items	<p>1. Activity Status: RDIS</p> <p>Where the following conditions are met:</p> <p>a. A structural engineering assessment by a chartered professional engineer must be supplied to Council with the application. <i>Note: Where this is not supplied, work will be assessed as an 'alteration' as it will fail to meet the definition of safety alteration.</i></p>	<p>2. Activity status where compliance not achieved: DIS</p>

	Matters over which discretion is restricted:	
	b. HH-AM1.	

Rule HH-R5

- 8.6.7 Rule HH-R5 provides for internal alterations to Category 1 heritage items as a 'discretionary' activity and Category 2 heritage items as a 'permitted' activity. HNZPT seeks a controlled activity status for Category 2 heritage items, with matters for control listed in Assessment Matters HH-AM2.
- 8.6.8 The Panel agrees with the reporting planner that, in regard to Rule HH-R3 (internal safety alterations), it is reasonable to provide greater flexibility for landowners of Category 2 heritage building as Council has sought. Providing therefore a balance between a regulatory approach that focusses on the District's most important buildings and an advocacy approach to the preservation of its other heritage buildings. The Panel therefore recommends S55.026 be rejected and Rule HH-R5 be retained.

Rule HH-R6

- 8.6.9 Chorus, Spark and Vodafone sought an amendment to the note in the rule heading of Rule HH-R6 (External alterations to heritage items identified in Schedule HH-SCHED2) to reference back to the exclusions for small customer connection boxes include in Rule HH-R2 (New underground electricity, gas or telecommunication customer connections, or the replacement of existing overhead electricity or telecommunication customer connections, affecting heritage items identified in Schedule HH-SCHED2). The Panel agrees with the reporting planner that it is not necessary to provide a note to rules within the same chapter and considers that it would add unnecessary complexity. Accordingly, the Panel recommends that S117.054 Chorus, S118.054 Spark and S119.054 Vodafone be rejected and HH-R6 be retained as notified.

9 Key Issue 7 – Assessment Matters and Methods

9.1 Proposed Plan provisions

- 9.1.1 Key Issue 7 addresses submissions relating to Assessment Matters and Methods in the Historic Heritage chapter.

9.2 Submissions

- 9.2.1 There were 4 submissions and 4 further submissions received on the Historic Heritage ‘Assessment Matters’ provisions of the PDP. All submissions are in support of the ‘Assessment Matters’ and ‘Methods for Historic Heritage’, with only one submission seeking an amendment.

9.3 Reporting planner’s recommendations (s42A report)

- 9.3.1 The reporting planner recommended accepting S55.031 HNZPT that supported retaining Assessment Method AM-1. In relation to AM-3, the reporting planner agreed with HNZPT (S55.033) that ‘*All other means of retaining the structure in its current location have been exhausted*’ is an appropriate matter for consideration in processing any consent for the relocation of heritage items. The reporting planner also recommended accepting submissions S55.035 and S55.034 in support of retaining Assessment Matter HH-AM3 and Method HH-M3.
- 9.3.2 The reporting planner recommended the following amendment to HH-AM3:

HH-AM3 Relocation

1. Whether the relocation of the building is necessary for the ongoing retention of the building or structure including:
 - a. Any genuine threats to the building that prevents retention of the building in its current location, which should be documented.
 - b. The new location should allow an understanding of the remaining significance of the building (e.g. ensuring the new site allows similar views from the street and setting or that a corner building is relocated to a new corner site).
 - c. Future preservation of the building will be provided through a compatible use, improved physical condition, appropriate context or surroundings, and protection from vandalism and fire.
 - d. Where a building was designed to be relocatable or relocation has been a feature of its history, relocation may in some circumstances be appropriate. However, a full assessment of the potential effects of relocation should nevertheless be carried out.
2. Whether the relocation of any listed building within or off the site will remove the building or structure from its historical context in a manner that is detrimental to the character of the area and/or for the local heritage value of the District.
3. Whether the site has been identified as a potential archaeological site, and whether it is necessary to undertake an archaeological assessment due to the nature of the proposed work.
4. **Whether all other means of retaining the structure in its current location have been exhausted.**

9.4 Evidence to the hearing

- 9.4.1 No evidence was received in relation to this Key Issue.

9.5 Post hearing information

- 9.5.1 No matters relating to this issue were addressed in the reporting planner’s right-of-reply, and no further information received.

9.6 Evaluation and findings

- 9.6.1 The Panel agrees with the reporting planner's recommendation to accept HNZPT's submission S55.033 seeking to include 'All other means of retaining the structure in its current location have been exhausted' as an assessment matter. The Panel recommends the following amendment:

HH-AM3 Relocation

1. Whether the relocation of the building is necessary for the ongoing retention of the building or structure including:
 - a. Any genuine threats to the building that prevents retention of the building in its current location, which should be documented.
 - b. The new location should allow an understanding of the remaining significance of the building (e.g. ensuring the new site allows similar views from the street and setting or that a corner building is relocated to a new corner site).
 - c. Future preservation of the building will be provided through a compatible use, improved physical condition, appropriate context or surroundings, and protection from vandalism and fire.
 - d. Where a building was designed to be relocatable or relocation has been a feature of its history, relocation may in some circumstances be appropriate. However, a full assessment of the potential effects of relocation should nevertheless be carried out.
2. Whether the relocation of any listed building within or off the site will remove the building or structure from its historical context in a manner that is detrimental to the character of the area and/or for the local heritage value of the District.
3. Whether the site has been identified as a potential archaeological site, and whether it is necessary to undertake an archaeological assessment due to the nature of the proposed work.
4. **Whether all other means of retaining the structure in its current location have been exhausted.**

10 Key Issue 8 – Historic Heritage Schedule (HH-SCHED2)

10.1 Proposed Plan provisions

10.1.1 Key Issue 8 addresses submissions relating to the Historic Heritage Schedule HH-SCHED2.

10.2 Submissions

10.2.1 There were 10 submissions and 5 further submissions received relating to the Historic Heritage Schedule (HH-SCHED2) of the PDP. Of these, 5 submissions were in support of Schedule HH-SCHED2 and 4 opposed it. Issues raised in submissions included:

- general matters - including a request for Council to consider more local entries, more information to be included in the Schedule, and Schedule to be reviewed taking into account landowner submissions;
- site specific submissions; and
- a request to include a new entry (Bibby Memorial Church) in the Schedule.

10.3 Reporting planner's recommendations (s42A report)

10.3.1 S55.037 HNZPT supported the provision of Schedule HH-SCHED2 and sought that Council proactively include additional, locally significant places to this Schedule. HNZPT, in its submission, provided examples to be considered:

- Waipukurau Railway Station;
- Waipawa Railway Station;
- Pōrangahau War Memorial Hall; and
- Waipawa Town Hall and Theatre (CHB Municipal Theatre).

10.3.2 In preparing the PDP, the ODP Appendix B – Schedule of Heritage Items and Notable Trees was reviewed and updated by heritage consultant E Pishief of Hawke's Bay Heritage Service. Following this update, it was determined that only those items on the New Zealand Heritage List /Rārangī Kōrero were to be retained on Schedule HH-SCHED2.

10.3.3 This resulted in a small number of buildings that were contained in the ODP not being transferred across to Schedule HH-SCHED2. No new buildings were identified for inclusion on the Schedule at that time.

10.3.4 The reporting planner did not support including Waipukurau Railway Station and Waipawa Railway Station on the Schedule at this time, noting that information on these buildings is limited and they are privately owned and no input has been received from the landowners or community.

10.3.5 In regard to the CHB Municipal Theatre in Waipawa, the reporting planner noted this is a Council-owned and managed facility and is currently included in ODP Appendix B – Schedule of Heritage Items and Notable Trees (Reference Number H21, Map 28). The reporting planner assumed that, because it is not on the New Zealand Heritage List/Rārangī Kōrero, it was not transferred across to PDP Schedule HH-SCHED2. Having considered relevant information on this building, the reporting planner considered that, given it is identified in the ODP, is owned by the CHBDC and there is information on its important regional heritage values, this building should be included in Schedule HH-SCHED2 as an 'uncategorised item'.

10.3.6 As this is a building of local significance but was not included on the New Zealand Heritage List/Rārangī Kōrero, the reporting planner identified a consequential rule change would be

required and considered that the rules applying to Category 2 listed buildings would be appropriate to apply to this building. The reporting planner recommended the following amendments:

HH-SCHED2 – Schedule of Historic Heritage Items

Unique Identifier	Site Identifier	Location	Heritage List/ Rārangi Kōrero Number	Heritage List/ Rārangi Kōrero Category	Map Reference
HH-72	<u>Waipawa Town Hall and Theatre (Central Hawke's Bay Municipal Theatre)</u>	<u>Kenilworth Street, Waipawa</u>	<u>NA</u>	<u>NA</u>	<u>XX</u>

Consequential Amendment to Rules HH-R3, HH-R4, HH-R5, HH-R6 & HH-R8:

HH-R[X] ... heritage items identified in HH-SCHED2...		
Category 2 Heritage Items <u>and Uncategorised Items</u>	1. Activity Status: ... Where the following conditions are met: ...	2. Activity status where compliance not achieved: ...

10.3.7 In relation to Pōrangahau War Memorial Hall, the reporting planner considered that the appropriate process for including this item on the Schedule would be through a Variation or Plan Change, to provide an opportunity for landowners and the community to have input into the scheduling and mapping. The reporting planner therefore did not support its inclusion on Schedule HH-SCHED2.

10.3.8 In relation to the formatting changes and additional information HNZPT (S55.038) requested be included in HH-SCHED2, the reporting planner noted that HH-SCHED2 follows the format required by the National Planning Standards which requires a map link, and while legal descriptions could be helpful Council did not have this information for all the sites on the Schedule and this information could change over time. HNZPT provided some additional information since lodging its submission relating to recommended additional scheduled places and, in response, the reporting planner agreed that it would be practical and pragmatic to include a reference to where additional information could be found. The reporting planner recommended the following amendment:

HH – Historic Heritage

Introduction

...

The District Plan incorporates all the heritage item entries located within Central Hawke's Bay District that are listed in the New Zealand Heritage List / Rārangi Kōrero administered by Heritage New Zealand Pouhere Taonga as at the date of notification of the District Plan. These are listed in HH-SCHED2 and shown on the Planning Maps. **Further information on these sites can be found at <https://www.heritage.org.nz/the-list> Landowners and developers of heritage sites containing heritage items are also encouraged to contact Heritage New Zealand Pouhere Taonga prior to undertaking any works that might impact on these items and their sites.**

...

HH-SCHED2 – Schedule of Historic Heritage Items

Note: Further information on sites with a Heritage List/ Rārangi Kōrero number can be found at <https://www.heritage.org.nz/the-list>

10.3.9 S121.157 Federated Farmers sought amendments to Schedule HH-SCHED2 to adjust the location and extent of historic heritage items in accordance with landowner submissions and to ensure landowners are made aware of non-regulatory methods and assistance available to them. The reporting planner stated there had been no individual landowner submissions on Schedule HH-SCHED2 (although two landowner submissions related to the mapping of heritage items, as addressed further below). All sites in Schedule HH-SCHED2 are also in the ODP, and therefore no specific landowner consultation was undertaken with respect to these sites. However, the

reporting planner agreed with Federated Farmers that where new sites were identified for inclusion to the schedule, it would be important to consult with landowners both to identify the site values and to advise of the planning implications of a site being listed. The reporting planner therefore recommended that submission point S121.157 be accepted in part.

10.3.10 The reporting planner recommended accepting the submission in support of retaining HH-SCHED2 as notified.

10.3.11 In relation to HNZPT's submission seeking a determination of whether item HH-62 Taikura [Twin Rocks, offshore at the northern end of Pōrangahau Beach] was above or below MHWS, the reporting planner was of the opinion that it was more appropriately included in 'Schedule M' of the HBRCEP given CHBDC has no jurisdiction over the Coastal Marine Area. She therefore supported deleting HH-62 from Schedule HH-SCHED2.

Unique Identifier	Site Identifier	Location	Heritage List/ Rārangī Kōrero Number	Heritage List/ Rārangī Kōrero Category	Map Reference
HH-62	Taikura	Blackhead Coast, Near Taikura Station, Pōrangahau	7675	Wāhi Tapu	36

10.3.12 S55.042 HNZPT sought a determination as to whether Heritage Item 'HH-69 Ohinemuhu' was above or below MHWS. The reporting planner considered that, given the location of Ohinemuhu in proximity to the MHWS jurisdictional boundary and the dynamic nature of the boundary, Ms Morgan supported retaining HH-69 in PDP Schedule HH-SCHED2 with a note that in the event of any resource consent application involving this site, its location in relation to the MHWS would need to be confirmed. The reporting planner considered that while it might make more sense to include Ohinemuhu as an item in Schedule SASM-SCHED3, the PDP SASM chapter noted that the SASM-SCHED3 is incomplete and needed to be reviewed with Tangata Whenua to determine if the current entries are correct and whether any further entries should be included. The reporting planner considered that it would be more appropriate to address this as part of a Plan Change or Variation where full consultation with Tangata Whenua can be undertaken.

10.3.13 HNZPT (S55.040) opposed the inclusion of item 'HH-63 Te Pā o Pōrangahau' in Schedule HH-SCHED2 and considered that it may be more appropriately contained in SASM-SCHED3, for the same reasons given for HH-69 Ohinemuhu. The reporting planner considered it would be more appropriate to address this as part of a plan change or variation where full consultation with Tangata Whenua can be undertaken.

10.3.14 The reporting planner agreed with HNZPT that item HH-63 in Schedule HH-SCHED2 should use the correct spelling of Pōrangahau.

10.3.15 HNZPT sought clarification whether Heritage Item 'HH-70 Makaramu Pā' was in the most appropriate schedule for this place and that a macron be added on the word Pā. The reporting planner considered it would be more appropriate to address the matter of the scheduling as part of a plan change or variation where full consultation with Tangata Whenua could be undertaken.

10.3.16 S55.044 HNZPT sought that the 'site identifier' for Schedule HH-SCHED2 item HH-3 'Gwavas Station Homestead and Garden' be amended to include the summerhouse in the grounds. In the absence of supporting information on the values of the summerhouse and evidence of consultation with landowners, the reporting planner recommended this submission be rejected.

10.3.17 HNZPT (S55.045) sought the addition of the 'Bibby Memorial Church' to HH-SCHED2 and HNZPT provided three documents relating to the historic heritage values of the church.

10.3.18 A further submission (FS23.69) opposing submission S55.045 was received from Kāinga Ora. However, the reasons for this opposition were unclear. No further submissions were received on

this from the landowners / the Bibby family or the wider community, and for this reason the reporting planner did not support including the Bibby Church in Schedule HH-SCHED2 at this time.

10.4 Evidence to the hearing

- 10.4.1 Mr Michael Campbell for Kāinga Ora gave planning evidence that Kāinga Ora did not oppose the inclusion of the Waipawa Town Hall and Theatre (Central Hawke's Bay Municipal Theatre) in HH-SCHED2 as recommended in the s42A report but was concerned that the proposed reference to 'and Uncategorised items' could be misinterpreted. Mr Campbell suggested a note be added to ensure that 'Uncategorised Items' referred only to those items that were specifically included and listed in HH-SCHED2.
- 10.4.2 Mr Dean Raymond gave planning evidence for HNZPT. Mr Raymond noted that in discussions with the reporting planner, it was agreed that a practical approach is to include statements directing plan users to the HNZPT website but considered it would be preferable to refer in general terms to the 'Heritage New Zealand Pouhere Taonga website', rather than the specific web address in the event this changes in future.
- 10.4.3 In relation to the s42A report recommendations to include the Waipawa Town Hall in Schedule 2 (but not other places mentioned in the HNZPT submission), Mr Raymond considered that it would be appropriate for Council to invest in the preparation of a local heritage inventory as a priority and extra items be added by way of variation or plan change.
- 10.4.4 Mr Raymond provided additional information on the Gwavas Summerhouse with his evidence and correspondence from 2015 from the owner in relation to its inclusion on the HNZPT heritage list.

10.5 Post hearing information

- 10.5.1 The reporting planner was requested via Minute 14 of the Hearings Panel to consider whether there was better terminology to use than "and Uncategorised Items" in the recommended changes to Rule HH-R3, HH-R4, HH-R5, HH-R6 and HH-R8. The term 'uncategorised' was intended refer to historic heritage items that are Scheduled in the PDP but are not categorised under the HNZPT's New Zealand Heritage List/Rārangi Kōrero. This was recommended in response to the reporting planner's recommendation to include the Waipawa Town Hall and Theatre (CHB Municipal Theatre) on the Schedule of Historic Heritage Items.
- 10.5.2 Through their right-of-reply, the reporting planner advised that the simplest and clearest method is to reference the unique identifier reference number that applies to the CHB Municipal theatre (HH-72).
- 10.5.3 The reporting planner also advised that, in respect of the Gwavas Summerhouse, communications were sent to the landowner on 15th September 2022. Council received a response by the landowner agreeing to the inclusion.
- 10.5.4 No other information was received after the hearing.

10.6 Evaluation and findings

- 10.6.1 Additions to Schedule 2 – Waipukurau Railway Station, Waipawa Railway Station, Pōrangahau War Memorial Hall in response to HNZPT S55.037 which sought that the CHBDC proactively include local items of importance in Schedule HH-SCHED2 and which identified specific examples for consideration for inclusion in the Schedule, the Panel agrees with the reporting planner's recommendation not to include the Waipukurau Railway Station or Waipawa Railway Station as further assessment is needed and these are privately owned and no input has been received from the landowners or community.

- 10.6.2 The Panel also agrees with the reporting planner that Pōrangahau War Memorial Hall should not be included on Schedule 2 at this time as further investigation and consultation may be undertaken.

CHB Municipal Theatre

- 1.1.1.1 The Panel also notes that the CHB Municipal Theatre is a Council-owned and managed facility and it is currently included in the ODP Appendix B – Schedule of Heritage Items and Notable Trees. It is not, however, included in the HNZPT's New Zealand Heritage List/Rārangī Kōrero. Given the information provided to the Hearing Panel, including the recommendation in the Conservation Plan to protect the building either in the District Plan or through a Heritage Order, the Panel as stated above therefore recommends that the Theatre be included in Schedule 2. Based upon this evidence the Panel also considers it appropriate that a consequential amendment should be made such that the rules apply to scheduled buildings that are not classified as either Category 1 or 2. The Panel therefore recommends the following amendments:

10.6.3 HH-SCHED2 – Schedule of Historic Heritage Items

Unique Identifier	Site Identifier	Location	Heritage List/ Rārangī Kōrero Number	Heritage List/ Rārangī Kōrero Category	Map Reference
HH-72	<u>Waipawa Town Hall and Theatre (Central Hawke's Bay Municipal Theatre)</u>	<u>Kenilworth Street, Waipawa</u>	<u>NA</u>	<u>NA</u>	<u>XX</u>

- 10.6.4 The Panel also accepts the recommendation to add this item to Rules HH-R3, HH-R4, HH-R5, HH-R6 & HH-R8 so that it is managed as for Category 2 items, using a specific reference to its Schedule identifier:

HH-R[X] ... heritage items identified in HH-SCHED2...		
Category 2 Heritage Items and Heritage Item HH-72	1. Activity Status: ... Where the following conditions are met: ...	2. Activity status where compliance not achieved: ...

Additional information on schedule

- 10.6.5 In relation to the formatting changes and additional information HNZPT (S55.038) requested be included in HH-SCHED2, the reporting planner noted that HH-SCHED2 follows the format required by the National Planning Standards which requires a map link. While legal descriptions could be helpful, Ms Morgan advised that the Council did not have this information for all the sites on the Schedule and this information could change over time. The Panel accepts this advice.
- 10.6.6 The Panel agrees with the recommended amendment by the reporting planner to include additional text in the Introduction and above the schedule to reference where further information can be found. The Panel recommends the following amendment:

HH – Historic Heritage

Introduction

...

The District Plan incorporates all the heritage item entries located within Central Hawke's Bay District that are listed in the New Zealand Heritage List / Rārangī Kōrero administered by Heritage New Zealand Pouhere Taonga as at the date of notification of the District Plan. These are listed in HH-SCHED2 and shown on the Planning Maps. **Further information on these sites can be found at <https://www.heritage.org.nz/the-list> Landowners and developers of**

heritage sites containing heritage items are also encouraged to contact Heritage New Zealand Pouhere Taonga prior to undertaking any works that might impact on these items and their sites.

...

HH-SCHED2 – Schedule of Historic Heritage Items

Note: Further information on sites with a Heritage List/ Rārangī Kōrero number can be found at <https://www.heritage.org.nz/the-list>

Submission S121.157 – landowner involvement

- 10.6.7 The Panel agrees with the reporting planner that Federated Farmers’ submission S121.157 be accepted in part in that the Panel agrees that, where new sites are identified for inclusion to the schedule, it is important to consult with landowners both to identify the site values and to ensure that they are advised of the planning implications of a site being listed.

HH-62: Taikura

- 10.6.8 The Panel agrees with the reporting planner’s recommendation in response to HNZPT S55.039 that item HH-62 Taikura be deleted, as it is included in ‘Schedule M’ of the HBRCEP and the CHBDC has no jurisdiction over the coastal marine area. The Panel recommends the following amendment:

Unique Identifier	Site Identifier	Location	Heritage List/ Rārangī Kōrero Number	Heritage List/ Rārangī Kōrero Category	Map Reference
HH-62	Taikura	Blackhead Coast, Near Taikura Station, Porangahau	7675	Wāhi Tapu	36

HH-69: Ohinemuhu

- 10.6.9 The Panel agrees with retaining item HH-69 Ohinemuhu within the Schedule as recommended by the reporting planner, given its proximity to the MHWS jurisdictional boundary and the dynamic nature of the boundary. Whilst the item may be more appropriately located on SASM-SCHED3, the Panel agrees it would be more appropriate to address this through a plan change or variation. The Panel therefore recommends that HNZPT submission S55.042 be rejected.

HH-63: Te Pā Pōrangahau

- 10.6.10 The Panel agrees with the reporting planner that item HH-63 in Schedule HH-SCHED2 should use the correct spelling of Pōrangahau (with a macron on the ‘o’) and that whether the item is more appropriately located in SASM-SCHED3 would be better considered through a Plan Change or Variation. The Panel therefore recommends accepting in part HNZPT S55.040 and making the following amendment:

Unique Identifier	Site Identifier	Location	Heritage List/ Rārangī Kōrero Number	Heritage List/ Rārangī Kōrero Category	Map Reference
HH-63	Te Pā o Pōrangahau	Cooks Tooth Rd, Pōrangahau	7725	Wāhi Tapu	40

HH-70: Makaramu Pā

- 10.6.11 The Panel agrees with the reporting planner that whether the item HH-70 in Schedule HH-SCHED2 is more appropriately located in SASM-SCHED3 would be better considered through a Plan Change or Variation. Accordingly, while the Panel recommends adding a macron to the word Pā, we do

not recommend making any changes to the scheduling of the item. The Panel therefore recommends accepting submission S55.043 in part and making the following amendment:

Unique Identifier	Site Identifier	Location	Heritage List/ Rārangi Kōrero Number	Heritage List/ Rārangi Kōrero Category	Map Reference
HH-70	Makaramu <u>Pā</u>	49 Tipene Access Rd, Makaramu Farm, Pōrangahau	7687	Wāhi Tapu	40

Gwavas Station and Homestead

- 10.6.12 Given the landowner's willingness to include the summerhouse in the Gwavas Station and Homestead listing in the Schedule and the information provided on its heritage value, the Panel recommends that Schedule HH-SCHED2 item HH-3 be updated to include the summerhouse.

Bibby Church

- 10.6.13 The Panel agrees with the reporting planner's recommendation not to include Bibby Church on Schedule 2 at this time, given no submissions have been received from the landowners on its inclusion.

11 Key Issue 9 – Mapping of Historic Heritage Items

11.1 Proposed Plan provisions

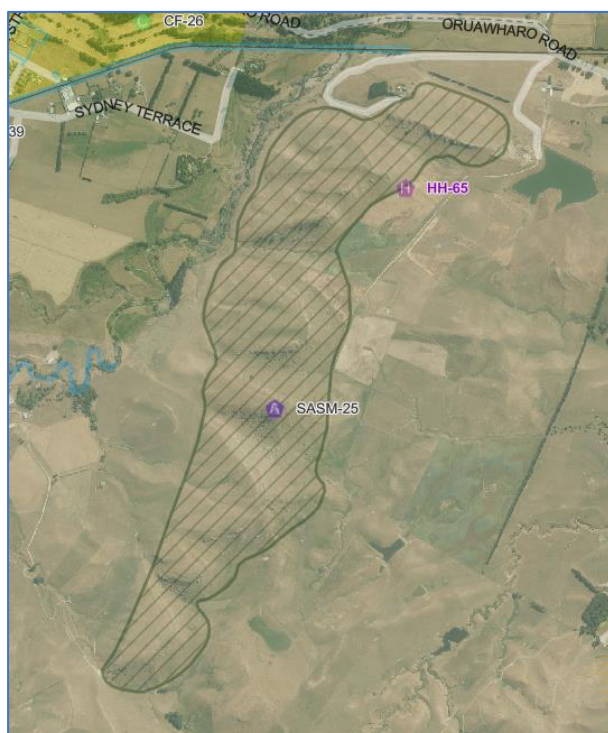
- 11.1.1 Key Issue 9 addresses submissions relating to the mapping of Historic Heritage items.

11.2 Submissions

- 11.2.1 There were 3 submissions and 3 further submissions received on the mapping of Historic Heritage items. Submissions sought amendments to the Maps to show additional archaeological sites, to show an archaeological site in a more precise location and to relocate the identification of a Historic Heritage item to the correct location.

11.3 Reporting planner's recommendations (s42A report)

- 11.3.1 S55.082 HNZPT sought that Council be requested to check the NZAA data base for recorded archaeological sites, and show all on the planning maps, including V23/5. They support the approach of showing archaeological sites on the planning maps but note that some recorded sites not shown. The reporting planner recommended this submission be accepted and the overlay be updated at the notification of decisions.
- 11.3.2 The reporting planner recommended rejecting Te Mata Mushrooms submission which sought to identify the Archaeological site on Lot 1 DP 554782 in a more precise location. Ms Morgan considered that the mapping of archaeological sites as proposed was sufficient for the information purposes as intended by the PDP, and as a preliminary alert to landowners.
- 11.3.3 The reporting planner recommended accepting submission point S109.002 by W Foley which sought that mapping of Historic Heritage Item HH-65 Te Pā Horehore be relocated an alternative site. The PDP map has located the item on Lot 2 DP357717, at 451 Oruawharo Road, however the reporting planner noted that, based on the Heritage List mapping, the marker should be co-located with the marker for SASM-25 and the address reference in the location column of HH-SCHED2 be amended to '451 Oruawharo Road'. Ms Morgan therefore recommended to amend the Planning Maps and HH-SCHED2 to correctly locate Te Pā Horehore as shown below:



HH-SCHED2:

Amend the address reference for HH-65 Te Pā Horehore in HH-SCHED2 as follows:

HH-65 Te Pā Horehore ~~465~~**451** Oruawharo Rd, Takapau ...

11.4 Evidence to the hearing

- 11.4.1 No evidence was adduced to the hearing on this issue.

11.5 Post hearing information

- 11.5.1 No matters relating to this issue were addressed in the reporting planner's right-of-reply, and no further information received.

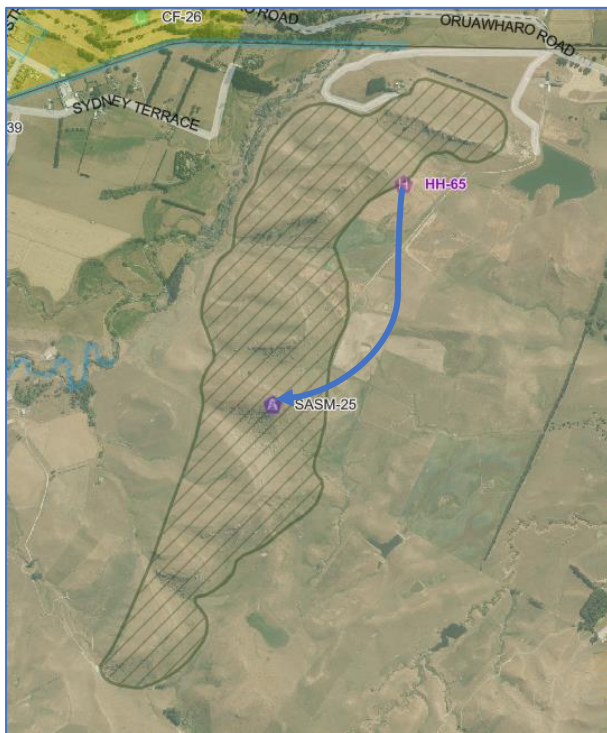
11.6 Evaluation and findings

Mapping of archaeological sites

- 11.6.1 The Panel agrees with the reporting planner's recommendation that S55.082 by HNZPT be accepted and the archaeological overlay be updated at the notification of decisions. This should include V23/5 Hunter Park. The Panel notes the mapping of archaeological sites is for information purposes as a preliminary alert to landowners and considers it is sufficient for this purpose. Updating the maps will have no material effect on any landowners on whose properties such sites may be located, noting the PDP does not include provisions for archaeological sites other than where they are a consideration of a proposed subdivision.
- 11.6.2 The Panel recommends S102.002 by Te Mata Mushrooms be rejected, in so far as the PDP has relied on the NZAA files, and mapping is for information purposes only.

Mapping of Te Pā Horehore

- 11.6.3 The Panel recommends the following amendment to the maps, as recommended by the reporting planner, to correctly identify the location of HH-65 Te Pā Horehore at 451 Oruawharo Road, to co-locate it with the marker for SASM-25 as shown below:



HH-SCHED2:

Amend the address reference for HH-65 Te Pā Horehore in HH-SCHED2 as follows:

11.6.4 HH-65 Te Pā Horehore ~~465~~**451** Oruawharo Rd, Takapau ...

12 Key Issue 10 – Historic Heritage Provisions – ‘Signs’ Chapter

12.1 Proposed Plan provisions

12.1.1 Key Issue 10 addresses submissions on the Signs chapter relating to historic heritage.

12.2 Submissions

12.2.1 There were 3 submission points and no further submissions on the ‘Signs’ chapter and historic heritage. These 3 submission points were from HNZPT, which sought additional provisions in the Signs chapter to address the potential for adverse effects of signage on historic heritage items. The relief sought includes a request for a new policy, an amendment to Rule SIGN-R7, a new standard and a new matter for discretion: all of these provisions would apply to historic heritage items listed in Schedule HH-SCHED2 – Schedule of Historic Heritage. The PDP currently does not have any provisions within the ‘SIGNS’ chapter relating to historic heritage.

12.3 Reporting planner’s recommendations (s42A report)

12.3.1 The provisions proposed by HNZPT sought to ensure that the adverse effects of signage on sites with items listed in Schedule HH-SCHED2 – Schedule of Historic Heritage would be in keeping with the historic heritage values of the item. The provision would enable a small amount of signage (up to 1m² per road frontage) as a permitted activity subject to several standards; where the standards are exceeded, a proposed sign would be considered as a ‘restricted discretionary’ activity, with matters of discretion restricted to ‘the potential effects on heritage values for any site identified in Schedule HH-SCHED2’.

12.3.2 The reporting planner agreed that the size, location, and nature of signs can potentially have effects on the important values of heritage items and that the provisions sought would ensure the protection of historic heritage from inappropriate use and development as required by s6(f) of the RMA as matter of national importance. The reporting planner therefore recommended that S55.073, S55.074 and S55.075 HNZPT be accepted, and the following amendments made:

Policies:

SIGN-P9	To ensure that signs do not compromise the identified values, characteristics, or features of any heritage item identified in HH-SCHED2.
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Rules:

SIGN-R7 All other signs visible from any public place or thoroughfare not otherwise provided for

General Residential Zone Residential Zone Large Lot Residential Zone (Coastal)	1. Activity Status: PER Where the following conditions are met: a. Signs are limited to advertising a lawful use of the site, located on the site on which the activity occurs and must advertise only services, products or events available or occurring on the site. b. Compliance with: i. SIGN-S1(1) and SIGN-S1(2); ii. SIGN-S2(1); iii. SIGN-S3; iv. SIGN-S4; v. SIGN-S5; vi. SIGN-S6; and vii. SIGN-S7; and viii. SIGN-S9.	3. Activity status where compliance not achieved: RDIS Matters over which discretion is restricted: a. The visual impact of the sign and its potential effects on the amenity of the locality. b. The degree to which the sign may cause an obstruction to driving sight distances, traffic signs or signals, or unnecessarily intrude into a driver’s field of view. c. The potential adverse effects of the proposed sign on a driver’s concentration under all possible weather conditions. d. The potential of the sign to adversely affect public health and safety, or to reduce public convenience.
	2. Activity Status: PER	
All Other Zones		

Where the following conditions are met:

- a. Compliance with:
 - i. SIGN-S1;
 - ii. SIGN-S2;
 - iii. SIGN-S3;
 - iv. SIGN-S4;
 - v. SIGN-S5;
 - vi. SIGN-S6;
 - vii. SIGN-S7; **and**
 - viii. SIGN-S8; **and**
 - ix. **SIGN-S9**
- e. Any likely cumulative effects of allowing the sign to be erected.
- f. The need to impose conditions relating to the location, design and appearance of the sign and the period for which it may be erected or operated.
- g. The need to impose conditions to enter into a performance bond agreement to ensure compliance with any condition that may be imposed.
- h. **The potential effects on heritage values for any site identified in HH-SCHED2.**

Standards:

SIGN-S9 Signs on the site of Heritage Items identified in HH-SCHED2

<u>All Zones</u>	<p><u>1. The maximum size of any sign is 1m² per road frontage.</u></p> <p><u>2. The sign fixtures do not damage the building or item.</u></p> <p><u>3. The sign does not protrude above the highest point of the building or structure to which it is attached, projected or painted.</u></p> <p><u>4. The sign must not be internally or externally illuminated.</u></p> <p><u>5. The sign must not include a digital display.</u></p> <p><u>6. The sign must not obscure any window, architectural feature or details on any heritage item.</u></p> <p><u>7. The sign is not for the purposes of third-party advertising.</u></p> <p><u>Note: This standard does not apply to signs approved by the Council and/or HNZPT to identify heritage buildings or items included in HH-SCHED2.</u></p>
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12.4 Evidence to the hearing

- 12.4.1 In his evidence for HNZPT, Mr Dean Raymond agreed with the reporting planner's recommendations relating to the Signs chapter.

12.5 Post hearing information

- 12.5.1 No matters relating to this issue were addressed in the reporting planner's right-of-reply, and no further information received.

12.6 Evaluation and findings

- 12.6.1 The Panel agrees that signs can have a deleterious effect on the historic heritage values of buildings and other items that are listed in Schedule HH-SCHED2 – Schedule of Historic Heritage. Accordingly, the Panel agrees with the reporting planner's recommendation to accept HNZPT S55.073, S55.074 and S55.075 seeking to add provisions in this section of the PDP, to address the potential for adverse effects of signage on historic heritage items. The Panel agrees the provisions as sought by HNZPT, including the proposed policy, further addresses Issue SIGNS-I1 and supports Objective SIGN-O1, and the proposed rule framework ensures the protection of historic heritage from inappropriate use and development as required by s6(f) of the RMA as matter of national importance. The Panel recommends the following amendments:

Policies:

<u>SIGN-P9</u>	<u>To ensure that signs do not compromise the identified values, characteristics, or features of any heritage item identified in HH-SCHED2.</u>
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Rules:

SIGN-R7 All other signs visible from any public place or thoroughfare not otherwise provided for

General Residential Zone Large Lot Residential Zone (Coastal)	<p>1. Activity Status: PER</p> <p>Where the following conditions are met:</p> <p>c. Signs are limited to advertising a lawful use of the site, located on the site on which the activity occurs and must advertise only services, products or events available or occurring on the site.</p> <p>d. Compliance with:</p> <ul style="list-style-type: none"> i. SIGN-S1(1) and SIGN-S1(2); ii. SIGN-S2(1); iii. SIGN-S3; iv. SIGN-S4; v. SIGN-S5; vi. SIGN-S6; and vii. SIGN-S7; and viii. SIGN-S9. 	<p>3. Activity status where compliance not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <ul style="list-style-type: none"> i. The visual impact of the sign and its potential effects on the amenity of the locality. j. The degree to which the sign may cause an obstruction to driving sight distances, traffic signs or signals, or unnecessarily intrude into a driver's field of view. k. The potential adverse effects of the proposed sign on a driver's concentration under all possible weather conditions. l. The potential of the sign to adversely affect public health and safety, or to reduce public convenience. m. Any likely cumulative effects of allowing the sign to be erected. n. The need to impose conditions relating to the location, design and appearance of the sign and the period for which it may be erected or operated. o. The need to impose conditions to enter into a performance bond agreement to ensure compliance with any condition that may be imposed. p. <u>The potential effects on heritage values for any site identified in HH-SCHED2.</u>
All Other Zones	<p>2. Activity Status: PER</p> <p>Where the following conditions are met:</p> <p>b. Compliance with:</p> <ul style="list-style-type: none"> x. SIGN-S1; xi. SIGN-S2; xii. SIGN-S3; xiii. SIGN-S4; xiv. SIGN-S5; xv. SIGN-S6; xvi. SIGN-S7; and xvii. SIGN-S8; and xviii. <u>SIGN-S9</u> 	

Standards:

SIGN-S9 Signs on the site of Heritage Items identified in HH-SCHED2

All Zones	<ol style="list-style-type: none"> <u>1. The maximum size of any sign is 1m² per road frontage.</u> <u>2. The sign fixtures do not damage the building or item.</u> <u>3. The sign does not protrude above the highest point of the building or structure to which it is attached, projected or painted.</u> <u>4. The sign must not be internally or externally illuminated.</u> <u>5. The sign must not include a digital display.</u> <u>6. The sign must not obscure any window, architectural feature or details on any heritage item.</u> <u>7. The sign is not for the purposes of third-party advertising.</u> <p><u>Note: This standard does not apply to signs approved by the Council and/or Heritage New Zealand Pouhere Taonga to identify heritage buildings or items included in HH-SCHED2.</u></p>
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13 Key Issue 11 – Historic Heritage Provisions – ‘Subdivision’ Chapter

13.1 Proposed Plan provisions

- 13.1.1 Key Issue 11 addresses submissions received on the Subdivision chapter of the PDP relating to historic heritage.

13.2 Submissions

- 13.2.1 There were 9 submission points and 3 further submission points that were received on the ‘Subdivision’ chapter of the PDP relating to Historic Heritage. Of these, 8 submission points were in support and 1 opposed these provisions.
- 13.2.2 The main issues raised in these submissions include:
- Consideration of subdivision on heritage setting including request for a new policy and amendments to Rule SUB-7; and
 - Inclusion of a new subdivision policy relating to the protection of Items included in HH-SCHED2 and SASM-SCHED3 Sites and Areas of Significance to Māori.

13.3 Reporting planner’s recommendations (s42A report)

- 13.3.1 The reporting planner recommended that S55.055, S55.056, S55.057, S55.059, S55.060, and S55.062 HNZPT in support of retaining subdivision provisions be accepted.
- 13.3.2 HNZPT considered there to be a policy ‘gap’ with respect to subdivision and the protection of heritage items in HH-SCHED2 and SASM’s in SASM-SCHED3, and sought a new policy to address this gap. The reporting planner noted that where a proposed subdivision involved a site that contained an historic heritage item or SASM listed in PDP Schedules 2 and 3 respectively, the policies and objectives of the relevant District-wide chapters would also apply. This is specifically required by SUB-O1(3). There are also various Assessment Matters that give Council scope to take in to account the effects of subdivision on such sites. Therefore, the reporting planner did not consider it necessary to have a new policy in the Subdivision chapter as requested by HNZPT, and recommended rejecting submission S55.058.
- 13.3.3 HNZPT supported Rule SUB-R7 but sought amendments to include as part of condition SUB-R7.1a(iv) and (b)(ii) a requirement to also protect the setting in perpetuity. Because the ‘setting’ of heritage items had not been mapped or was otherwise readily definable, the reporting planner considered it would be inappropriate to have a rule/condition that requires the setting to be incorporated into the Conservation Lot as there would not be any certainty in the application of that rule as to whether the subdivider did or did not meet that condition. The reporting planner considered a more appropriate means of considering the setting of heritage items would be by way of an Assessment Matter and she advised that she thought SUB-AM15 and, in particular, SUB-AM15(2)(b) provided this scope. Accordingly, the reporting planner recommended rejecting S55.063 and S55.064.

13.4 Evidence to the hearing

- 13.4.1 In his evidence for HNZPT, Mr Dean Raymond noted that assessment of any application for subdivision of land containing a scheduled site would include reference to both SUB-O1 and relevant policies of the Historic Heritage and SASM chapters and there are several pertinent

assessment criteria contained in the subdivision chapter. For these reasons he concurred with the reporting planner that an extra policy is not necessary.

13.5 Post hearing information

- 13.5.1 No matters relating to this issue were addressed in the reporting planner's right-of-reply, and no further information received.

13.6 Evaluation and findings

- 13.6.1 The Panel agrees with the reporting planner that the notified provisions of the PDP enable a full assessment of the settings of a scheduled historic heritage item to be considered at the time the property is proposed to be subdivided. Therefore, we recommend rejecting submission points S55.063 and S55.064 by HNZPT. New Assessment Matters are recommended to be added in the Subdivision Chapter (refer Report 5D Key Issue 7) which partially address the matters raised by HNZPT therefore S55.058 is recommended to be accepted in part.

14 Key Issue 12 – Notable Trees

14.1 Proposed Plan provisions

14.1.1 Key Issue 12 addressed submissions on the Notable Trees chapter.

14.2 Submissions

14.2.1 There were 11 submission points and 3 further submissions on the Notable Trees provisions of the PDP. Of these, 8 submission points were in support, 1 in opposition and 2 sought amendments to the provisions in this chapter.

14.3 Reporting planner's recommendations (s42A report)

TREE-R2

14.3.1 The reporting planner supported the amendment sought by S90.028 Centralines so that the trimming of a scheduled notable tree is a permitted activity if the trimming is required by either the Electricity (Hazards from Trees) Regulations 2003 or the Telecommunications Act 2001, but not both, considering it a minor correction:

TREE-R2 The trimming of any notable tree identified in TREE-SCHED4 for network utilities

All Zones	1. Activity Status: PER Where one of the following conditions are met: a. The trimming is required by statute or regulations including the Electricity (Hazards from Trees) Regulations 2003 and <u>or</u> the Telecommunications Act 2001; or ...	2. Activity status where compliance not achieved: RDIS Matters over which discretion is restricted: a. TREE-AM1.
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TREE-R6

14.3.2 Proposed Rule TREE-R6 requires that any new building (including additions) associated with a network utility, or the laying of overhead or underground services is proposed to occur within the dripline of a scheduled notable tree, requires resource consent as a 'restricted discretionary' activity. Centralines S90.029 opposes Rule TREE-R6 and seeks a new permitted activity be included where work is in accordance with either the Electricity (Hazards from Trees) Regulations 2003 or the Telecommunications Act 2001, or is for maintenance and repair purposes. The reporting planner noted the importance of Notable Trees and the potential for the activities included in TREE-R6 to cause significant damage if undertaken within the dripline of such trees. The reporting planner therefore considered it appropriate to enable Council to scrutinize such works via a restricted discretionary activity consent, to ensure the tree can be appropriately protected during the course of such works. However, the reporting planner noted there is no rule providing for maintenance and repair work of underground services within the dripline of a notable tree and recommended accepting S90.029 in part and extending TREE-R6 to provide for maintenance and repair as follows:

TREE-R6 The construction of, ~~or~~ addition to, or maintenance and repair of, any building associated with any activity or network utility, or laying of overhead or underground services, or their maintenance and repair, within the dripline of any tree identified as a notable tree in TREE-SCHED4

Note: This rule applies whether or not the building or network utility is on the same site as the notable tree concerned.

All Zones	1. Activity Status: RDIS Matters over which discretion is restricted: TREE-AM1.	2. Activity status where compliance not achieved: N/A
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14.3.3 TREE-R8

14.3.4 Rule HH-TREE-R8 provides for the removal of any notable trees identified in TREE-SCHED4 to be assessed as a 'restricted discretionary' activity, with matters of discretion restricted to those outlined in Assessment Matters TREE-AM1. HNZPT S55.054 has requested an additional assessment matter be provided allowing for assessment of 'the potential for removal of a tree to disturb any archaeological site'.

14.3.5 The reporting planner acknowledged that the removal of heritage trees (or any trees) can potentially adversely affect an archaeological site but considered that any work impacting on an archaeological site (recorded or unknown) will require an archaeological authority pursuant to the HNZPT Act. Council would therefore be more likely to provide an 'advice note' to any consent for the removal of a tree in this situation. The reporting planner considered it more appropriate to provide a note to the Assessment Matters informing consent applicants of their duties under this Act and recommended the following:

Assessment Matters

Tree AM-1 Specific Assessment matters for Notable Trees

...

9...

ADVICE NOTE: If the proposed removal of any notable tree identified TREE-SCHED4, has the potential to disturb any archaeological site, Applicants are encouraged to also seek advice from a suitably qualified archaeologist. Archaeological sites generally include any sites where there is any indication of use or development from before 1900. Such sites are protected under the Heritage New Zealand Pouhere Taonga Act 2014 and Section 42 of this Act, makes it an offence for anyone to modify or destroy, or cause to be modified or destroyed, the whole, or any part of any site, if it is known or suspected to be an archaeological site.

TREE-SCHED4

14.3.6 S130.001 Mr S Osborne sought an amendment to TREE-SCHED4 to record that TREE-68 & TREE-69 are each a 'descendant of the original Gallipoli Lone Pine from WW1', and their species identified as 'Turkish red pine (Pinus brutia)'. Council consultant Mr Jonathon Doyle of Superior Exterior Treecare Ltd provided information to Council on trees for inclusion in TREE -SCHED4 Schedule of Notable Trees. Mr Doyle has confirmed that these small memorial pines were grown from seed. They were therefore, protected for their historic heritage associations rather than any particular botanical significance. The reporting planner recommended an amendment to include the information as requested by Mr S Osborne into TREE-SCHED4, assuming this information is correct, and given they are on Council land and have heritage associations.

14.3.7 Accordingly, the reporting planner recommended the following amendment to TREE-SCHED4:

TREE-SCHED4

TREE-68	Ongaonga War Memorial, 1 Bridge St, Ongaonga	- Pinus (Turkish red pine (Pinus brutia))	Very Good / Significant / Useful / Rare <u>Descendant of the original Gallipoli Lone Pine from WW1</u>	50
TREE-69	Ongaonga War Memorial, 1 Bridge St, Ongaonga	- Pinus (Turkish red pine (Pinus brutia))	Very Good / Significant / Useful / Rare	50

- 14.3.8 The reporting planner recommended that the support for the Schedule of Notable Trees by HTST S120.017 be accepted, noting the submission sought no specific changes. The Trust submitted that it is important for CHBDC to work alongside Tangata Whenua to identify trees of cultural significance for inclusion on Schedule TREE-SCHED4 and the Planning Maps. The reporting planner acknowledged that this work should occur in partnership with Tangata Whenua and that any identification of trees through this process would require a separate plan change or variation to the District Plan.

14.4 Evidence to the hearing

- 14.4.1 Mr Dean Raymond, in his evidence for HNZPT, concurred with the reporting planner's recommendation that an advice note be included in relation to potential archaeological sites.

14.5 Post hearing information

- 14.5.1 No matters relating to this issue were addressed in the reporting planner's right-of-reply, and no further information received.

14.6 Evaluation and findings

TREE-R2

- 14.6.1 The Panel agrees with the reporting planner's recommendation to amend the minor error in TREE-R2 as sought by Centralines S90.028. The Panel recommends the following amendment:

TREE-R2 The trimming of any notable tree identified in TREE-SCHED4 for network utilities		
All Zones	<div>1. Activity Status: PER</div> <div>Where one of the following conditions are met:</div> <div>a. The trimming is required by statute or regulations including the Electricity (Hazards from Trees) Regulations 2003 and <u>or</u> the Telecommunications Act 2001; or</div> <div>...</div>	<div>2. Activity status where compliance not achieved: RDIS</div> <div>Matters over which discretion is restricted:</div> <div>a. TREE-AM1.</div>

TREE-R6

- 14.6.2 Centralines (S90.029) sought a permitted activity status rule be provided when work on notable trees covered by TREE-R6 is in accordance with the Electricity (Hazards from Trees) Regulations 2003 or the Telecommunications Act 2001, or for maintenance and repair purposes. The Panel agrees with the reporting planner that work such as the construction of, or addition to, any building associated with any activity or network utility, or laying of overhead or underground services within the dripline of any tree identified as a notable tree has the potential to cause significant damage if undertaken within the dripline of such trees and it is appropriate to enable Council to scrutinize such works via a restricted discretionary activity consent. The Panel agrees that the rule should be extended to provide for maintenance. The Panel recommends the following amendment:

TREE-R6 The construction of, or addition to, or maintenance and repair of, any building associated with any activity or network utility, or laying of overhead or underground services, or their maintenance and repair, within the dripline of any tree identified as a notable tree in TREE-SCHED4

Note: This rule applies whether or not the building or network utility is on the same site as the notable tree concerned.

All Zones	1. Activity Status: RDIS Matters over which discretion is restricted: TREE-AM1.	2. Activity status where compliance not achieved: N/A
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- 14.6.3 A consequential amendment is also recommended to the Rule Overview Table to reflect the change in the rule wording.

TREE-R8

- 14.6.4 Rule TREE-R8 provides for the removal of any notable trees identified in TREE-SCHED4 to be assessed as a 'restricted discretionary' activity with matters of discretion restricted to those outlined in Assessment Matters TREE-AM1. HNZPT (\$55.054) requested an additional assessment matter be provided allowing for assessment of 'The potential for removal of a tree to disturb any archaeological site'. The Panel agrees with the reporting planner that, given archaeological sites are protected under separate legislation, it would be more appropriate to provide a note to the Assessment Matters informing consent applicants of their duties under this the HNZPT Act. The Panel recommends the following amendment:

Assessment Matters

Tree AM-1 Specific Assessment matters for Notable Trees

....

9...

ADVICE NOTE: If the proposed removal of any notable tree identified TREE-SCHED4, has the potential to disturb any archaeological site, Applicants are encouraged to also seek advice from a suitably qualified archaeologist. Archaeological sites generally include any sites where there is any indication of use or development from before 1900. Such sites are protected under the Heritage New Zealand Pouhere Taonga Act 2014 and Section 42 of this Act makes it an offence for anyone to modify or destroy, or cause to be modified or destroyed, the whole, or any part of any site, if it is known or suspected to be an archaeological site.

TREE-SCHED4

- 14.6.5 Mr S Osborne sought the inclusion of additional information in TREE-SCHED4 to record that TREE-68 & TREE-69 are each a 'descendant of the original Gallipoli Lone Pine from WW1', and that their species identified as '-Turkish red pine (*Pinus brutia*)'. Based on the information provided, the Panel agrees with the reporting planner that TREE-SCHED4 should be amended to include this information. The Panel recommends the following amendment:

TREE-SCHED4

TREE-68	Ongaonga War Memorial, 1 Bridge St, Ongaonga	- Pinus (Turkish red pine (<i>Pinus brutia</i>))	Very Good / Significant / Useful / Rare <u>Descendant of the original Gallipoli Lone Pine from WW1</u>
TREE-69	Ongaonga War Memorial, 1 Bridge St, Ongaonga	- Pinus (Turkish red pine (<i>Pinus brutia</i>))	Very Good / Significant / Useful / Rare <u>Descendant of the original Gallipoli Lone Pine from WW1</u>

- 14.6.6 HTST (\$120.017) supported retaining TREE-SCHED4 and submitted there was an opportunity for it be expanded to include trees of cultural significance. The Panel agrees with the reporting planner that work to identify and include such trees would require a separate Plan Change or Variation and

should occur in partnership with Tangata Whenua. The Panel recommends that S120.017 be accepted and does not recommend any amendments arising out of this submission.

PART C – SUMMARY OF RECOMMENDATIONS

15 Summary of recommendations

- 15.1.1 A summary table of recommended decisions for each submission point is included as Appendix B.
- 15.1.2 A tracked changes version of recommended amendments is included as Appendix A.

16 Consequential amendments and minor errors

- 16.1.1 Schedule 1, cl16(2), allows minor and inconsequential amendments to be made to the Plan.
- 16.1.2 The Panel recommends a minor amendment to be made to HH-R4 to correct the reference in HH-R4(2)(b) to “HH-AM2” as discussed in paragraph 8.6.6.

Appendix A – Historic Heritage Chapter and HH-SCHED2 as amended

HISTORICAL AND CULTURAL VALUES

HH – Historic Heritage

Introduction

This Part of the District Plan specifically addresses the District's historic heritage resources. These comprise features that are significant to the District, and may include historic buildings, sites (including archaeological sites), places/areas of cultural significance to Māori, and trees with specific heritage value or association. These features contribute to a sense of place and District identity in many ways. For example, they:

1. tell the story of our past and contribute to an understanding and appreciation of the District's history and cultures;
2. provide a record of human activity maintaining a link with the District's history as it develops; and
3. may signify or represent a particular historical event.

Legislation including the Heritage New Zealand *Pouhere Taonga* Act 2014 and the RMA, impacts on the way Council deals with heritage issues. The Heritage New Zealand *Pouhere Taonga* Act 2014 provides a framework for the recognition of places of historical, cultural and ancestral significance including historic places (archaeological sites, buildings and memorials), historic areas, wahi tūpuna, wāhi tapu and wāhi ~~taonga-tapu~~ areas. ~~Listing of~~Registering such items or sites ~~in the New Zealand Heritage List/Rārangī Kōrero under the Heritage New Zealand Pouhere Taonga Act~~ does not, however, provide specific protection under ~~this that~~Act. ~~That Listing~~ is primarily a means of identifying the significant heritage items for the purposes of information and advocacy, with items listed by Heritage New Zealand *Pouhere Taonga* notified to territorial local authorities.

Commented [A1]: S55.020 HNZPT, Report 4B Historic Heritage, Key Issue 2

Section 6(f) of the RMA requires the Council to recognise and provide for the protection of historic heritage from inappropriate subdivision, use, and development, as a matter of national importance. Section 74(2)(b)(iia) of the RMA also requires Council to have regard to any relevant entry on the New Zealand Heritage List / Rārangī Kōrero when preparing a District Plan. To give effect to these obligations the District Plan needs to identify these sites or items.

There are also legal responsibilities that relate to all archaeological sites, whether they are identified, unknown, listed or recorded. Section 42 of the Heritage New Zealand *Pouhere Taonga* Act 2014 makes it an offence for anyone to ~~destroy, damage or~~destroy, damage or modify ~~or destroy, or cause to be modified or destroyed~~, the whole, or any part of any site, if it is known or suspected to be an archaeological site. Section 44 of the Act, requires applications for an authority to ~~destroy, damage or~~modify ~~or destroy, or cause to be modified or destroyed~~, an archaeological site to be made to Heritage New Zealand *Pouhere Taonga*. The location of recorded archaeological sites in Central Hawke's Bay as at the date of notification of the District Plan are shown on the Planning Maps. This is for information purposes only, as an alert to Council and landowners. Landowners are encouraged to search the New Zealand Archaeological Association's database for the latest ~~recorded site record~~ information prior to commencing any land disturbance activities. ~~It should be noted that there~~

Commented [A2]: S84.001 Kairakau Lands Trust Report 4B Historic Heritage, Key Issue 3

are many unrecorded archaeological sites, and developers also have a responsibility to avoid damage to these.

The District Plan incorporates all the heritage item entries located within Central Hawke's Bay District that are listed in the New Zealand Heritage List / Rārangī Kōrero administered by Heritage New Zealand *Pouhere Taonga* as at the date of notification of the District Plan. These are listed in HH-SCHED2 and shown on the Planning Maps. Further information on these sites can be found at <https://www.heritage.org.nz/the-list> Landowners and developers of heritage sites containing heritage items are also encouraged to contact Heritage New Zealand *Pouhere Taonga* prior to undertaking any works that might impact on these items and their sites.

Wāhi tapu and wāhi taonga areas are also further addressed in the SASM – Sites and Areas of Significance to Māori chapter of the District Plan.

Issues

HH-11 Loss of Historic Heritage

The loss of significant heritage items and values.

Explanation

The district's historic heritage is a non-renewable legacy: once destroyed it cannot be replaced. It is at risk from natural and human induced hazards and inappropriate development. Heritage resources that are identified and valued are much more likely to be protected and conserved. Historic places that are in use are more likely to be well maintained and the risks managed.

Objectives

HH-O1 Identify, preserve and enhance the District's significant heritage items, heritage character and history of the District.

HH-O2 Encourage the upgrade of heritage buildings where there is an identified safety risk.

HH-O3 To promote the continued use of heritage buildings in the District where this encourages their retention, restoration and maintenance.

Policies

HH-P1 To identify and classify heritage items in the District according to their relative significance and value including aesthetic, archaeological, architectural, cultural, historic, social, spiritual, technological, industrial or traditional significance or value, and their rarity, representativeness, authenticity and integrity.

Commented [A3]: S55.020 HNZPT, S18.001 E Pisheif - Report 4B Historic Heritage, Key Issue 3

Commented [A4]: S84.001 Kairakau Lands Trust Report 4B Historic Heritage, Key Issue 3

Commented [A5]: S55.038 HNZPT, Report 4B Historic Heritage, Key Issue 8

Commented [A6]: S121.150 Federated Farmers, Report 4B Historic Heritage, Key Issue 4

Commented [A7]: S55.021 HNZPT, Report 4B Historic Heritage, Key Issue 5

HH-P2	To identify archaeological sites to assist the continued protection of these sites from inappropriate subdivision, use and development.
HH-P3	To ensure activities avoid, remedy or mitigate adverse effects on the character and values of heritage items.
HH-P4	To promote a greater awareness and understanding of the District's heritage items.
HH-P5	To enable heritage items to be used for a variety of activities where this promotes their preservation.
HH-P6	To encourage the restoration and conservation of recognised heritage items.
HH-P7	To facilitate and encourage alteration to heritage items to improve structural performance, fire safety and physical access while minimising any potential loss of associated heritage values.
HH-P8	To discourage the demolition of historic items taking into account the importance of their historical or cultural significance or value.

Commented [A8]: S121.152 Federated Farmers, Report 4B Historic Heritage, Key Issue 5

Rule Overview Table

Use/activity	Rule Number
Repairs and maintenance of heritage items identified in HH-SCHED2	HH-R1
New underground electricity, gas or telecommunication customer connections, or replacement of existing overhead electricity or telecommunication customer connections, affecting heritage items identified in HH-SCHED2	HH-R2
Internal safety alterations to heritage items identified in HH-SCHED2	HH-R3
External safety alterations to heritage items identified in HH-SCHED2	HH-R4
Internal alterations to heritage items identified in HH-SCHED2	HH-R5
External alterations to heritage items identified in HH-SCHED2	HH-R6
Relocation of any building identified in HH-SCHED2	HH-R7
Demolition (including partial demolition) of heritage items identified in HH-SCHED2	HH-R8

Rules

It is important to note that in addition to the provisions in this chapter, zone chapters and a number of other Part 2: District-Wide Matters chapters also contain provisions that may be relevant for activities on land within or containing identified heritage items.

HH-R1 Repairs and maintenance of heritage items identified in HH-SCHED2

All Heritage Items	1. Activity Status: PER	2. Activity status where compliance not achieved:
	<p>Where the following conditions are met: N/A</p> <p><u>a. The work carried out on the building must generally match the original in terms of quality, materials and detailing.;</u></p> <p><u>b. Repair of material or of a site should generally be with original or similar materials. However, repairs to a technically higher standard than the original workmanship or materials may be justified where the life expectancy of the site or material is increased, the new material is compatible with the old and any heritage value is not diminished.;</u></p> <p><u>c. Any materials removed to carry out the repairs must be limited to the amount necessary to carry out the works.;</u></p> <p><u>d. The work is for the purposes of keeping the building in good condition.;</u></p> <p><u>e. There must be no damage to the heritage item when undertaking the repairs and maintenance, and protective material must be used where necessary to prevent damage.</u></p>	<p>N/AHH-R5 & HH-R6 apply</p>

Commented [A9]: S55.007 HNZPT - Report 4B Historic Heritage, Key Issue 1 and S55.23 HNZPT - Report 4B Historic Heritage, Key Issue 6

HH-R2 New underground electricity, gas or telecommunication customer connections, or the replacement of existing overhead electricity or telecommunication customer connections, affecting heritage items identified in HH-SCHED2

All Heritage Items	1. Activity Status: PER Where the following conditions are met: <ol style="list-style-type: none"> No new support poles are required. The new or replaced connection work does not involve a change or addition to the exterior of the building, <u>except for the following:</u> <ol style="list-style-type: none"> <u>small customer connection boxes (less than 0.1m³ in volume) which are not affixed to the primary façade of the building.</u> <p><i>Note: Where this is not the case, the work will be assessed as an 'alteration'.</i></p>	2. Activity status where compliance not achieved: HH-R6 applies

Commented [A10]: S117.053 Chorus, S118.053 Spark and S119.053 Vodafone, Report 4B Historic Heritage, Key Issue 6

HH-R3 Internal safety alterations to heritage items identified in HH-SCHED2

Category 2 Heritage Items and Heritage Item HH-72	1. Activity Status: PER Where the following conditions are met: N/A <ol style="list-style-type: none"> <u>Where seismic strengthening work is proposed it must be identified by a chartered professional engineer who has knowledge of the structural characteristics and earthquake performance of the type of building being assessed.</u> <u>The works are required to satisfy or increase compliance with the Building Act 2004 and Building Code requirements.</u> 	2. Activity status where compliance not achieved: N/AHH-R5 applies
Category 1 Heritage Items	3. Activity Status: RDIS Where the following conditions are met: <ol style="list-style-type: none"> A structural engineering assessment by a chartered professional engineer must be 	4. Activity status where compliance not achieved: DIS

Commented [A13]: S55.008 HNZPT, Report 4B Historic Heritage, Key Issue 1

Commented [A11]: S55.037 HNZPT, Report 4B Historic Heritage, Key Issue 8

Commented [A12]: S55.008 HNZPT, Report 4B Historic Heritage, Key Issue 1

	<p>supplied to Council with the application.</p> <p><i>Note: Where this is not supplied, work will be assessed as an 'alteration' as it will fail to meet the definition of 'safety alteration'.</i></p> <p>Matters over which discretion is restricted:</p> <p>b. HH-AM1.</p>	
HH-R4 External safety alterations to heritage items identified in HH-SCHED2		
Category 2 Heritage Items and Heritage Item HH-72	<p>1. Activity Status: CON</p> <p>Where the following conditions are met:</p> <p>a. A structural engineering assessment by a chartered professional engineer must be supplied to Council with the application.</p> <p><i>Note: Where this is not supplied, work will be assessed as an 'alteration' as it will fail to meet the definition of 'safety alteration'.</i></p> <p>Matters over which control is reserved:</p> <p>b. HH-AM1.</p>	<p>2. Activity status where compliance not achieved: RDIS</p> <p>Matters over which discretion is restricted:</p> <p>a. HH-ACM2.</p>
Category 1 Heritage Items	<p>3. Activity Status: RDIS</p> <p>Where the following conditions are met:</p> <p>a. A structural engineering assessment by a chartered professional engineer must be supplied to Council with the application.</p> <p><i>Note: Where this is not supplied, work will be assessed as an 'alteration' as it will fail to meet the definition of 'safety alteration'.</i></p>	<p>4. Activity status where compliance not achieved: DIS</p>

Commented [A14]: S55.037 HNZPT, Report 4B Historic Heritage, Key Issue 8

Commented [A15]: Clause 16 Schedule 1 RMA minor amendment, Report 4B Historic Heritage, Key Issue 6

	Matters over which discretion is restricted: b. HH-AM1.	
HH-R5 Internal alterations to heritage items identified in HH-SCHED2		
Note: This rule does not apply to signs – signs are addressed in the SIGN – Signs chapter in the District Plan.		
Category 2 Heritage Items <u>and Heritage Item HH-72</u>	1. Activity Status: PER Where the following conditions are met: N/A	2. Activity status where compliance not achieved: N/A
Category 1 Heritage Items	3. Activity Status: DIS Where the following conditions are met: N/A	4. Activity status where compliance not achieved: N/A
HH-R6 External alterations to heritage items identified in HH-SCHED2		
Note: This rule does not apply to signs – signs are addressed in the SIGN – Signs chapter in the District Plan.		
Category 2 Heritage Items <u>and Heritage Item HH-72</u>	1. Activity Status: RDIS Where the following conditions are met: N/A	2. Activity status where compliance not achieved: N/A
	Matters over which discretion is restricted: a. HH-AM2.	
Category 1 Heritage Items	3. Activity Status: DIS Where the following conditions are met: N/A	4. Activity status where compliance not achieved: N/A
HH-R7 Relocation of any building comprising all or part of a heritage item identified in HH-SCHED2, within or beyond the property boundary of the heritage item		
All Heritage Items	1. Activity Status: DIS Where the following conditions are met: N/A	2. Activity status where compliance not achieved: N/A
HH-R8 Demolition (including partial demolition) of a heritage item identified in HH-SCHED2		

Commented [A16]: S55.037 HNZPT, Report 4B
Historic Heritage, Key Issue 8

Commented [A17]: S55.037 HNZPT, Report 4B
Historic Heritage, Key Issue 8

Category 2 Heritage Items and Heritage Item HH-72	1. Activity Status: DIS Where the following conditions are met: N/A	2. Activity status where compliance not achieved: N/A
Category 1 Heritage Items	3. Activity Status: NC Where the following conditions are met: N/A	4. Activity status where compliance not achieved: N/A

Commented [A18]: S55.037 HNZPT, Report 4B
Historic Heritage, Key Issue 8

Assessment Matters

For Discretionary Activities, Council's assessment is not restricted to these matters, but it may consider them (among other factors).

HH-AM1 Safety Alterations

1. The contribution of the heritage item to the history or heritage value of the site or to the District.
2. The extent to which the proposed work will change the appearance of the building and whether the work enables compatible, original and new adaptive uses.
3. The extent to which the works proposed involve the least possible loss of material of heritage value, including any irreversible or cumulative effects.
4. Whether the removal of key historic or architectural elements is required, and whether it is proposed that records be kept (such as photographs, written history, drawings and so on) of the item(s) removed.
5. Whether the significance of the item to the District's heritage is such that it is necessary for a heritage assessment and/or Conservation Plan to be completed prior to work being carried out.
6. The extent to which significant original interior finishes will be retained.
7. The extent to which visible seismic bracing detracts from the architectural or historical features of the building.
8. Whether a Conservation Plan (where appropriate) has been prepared by a suitably qualified heritage professional to inform the work being undertaken.
9. Whether the site has been identified as a potential archaeological site, and whether it is necessary to undertake an archaeological assessment due to the nature of the proposed work.

Guidance:

Safety alterations are imperative for the safety of building occupants and the general public. Where heritage is concerned, safety alterations need to be carefully managed to ensure the cumulative nature of the work does not remove key heritage elements, except when absolutely necessary, and a management plan put in place for how both safety and historic

values can be preserved. Where practicable, efforts should be made to retain as much of the heritage fabric of the building as possible.

Where the proposed work involves the removal of significant parts or key elements of the building, it may be necessary for a photographic record to be kept of these elements, as well as drawings and written history where necessary. In some cases where the work proposed could mean significant alteration to the building, it may be necessary for a conservation plan to be prepared prior to work being carried out. This will need to be undertaken by a suitably qualified heritage professional.

Safety alterations should be designed to:

- a. Understand significance and take a precautionary approach;
- b. Enable compatible original and new adaptive uses;
- c. Be informed by sufficient research and documentation; and
- d. Ensure the work involves the least possible loss of heritage significance.

Safety alterations should be carefully designed to:

- a. Not alter, obscure or remove significant heritage fabric and fixtures;
- b. Retain and conserve ceiling heights and surfaces and significant ceiling decoration;
- c. Be discreetly installed. Any transparent strengthening approach should be compatible with the heritage values of the building;
- d. Ensure seismic bracing is not visible through prominent windows;
- e. Retain and strengthen elements such as parapets, towers and chimneys.
Replacement of original elements with replicas in plastered polystyrene or glass reinforced plaster or concrete is not ideal.
- f. Where elements such as towers and parapets have been lost over time, reconstruction in lightweight materials is acceptable.

HH-AM2 Alterations, Repairs and Maintenance

1. The extent to which the work may have an irreversible effect on the heritage form or heritage features of the building.
2. The extent to which the work alters, obscures, or removes significant heritage fabric and fixtures.
3. Whether the work will be sympathetic with the original heritage character and value of the building and is not visually dominant.
4. Whether alterations that are limited to a particular part of the building or only to one level, will be inconsistent with the remainder of the building in terms of visual, aesthetic, and heritage significance.
5. Any immediate or cumulative effects of the work on local and District heritage and historical amenity values.
6. Whether it would be appropriate to impose a restriction on any work for a specified period to explore options to retain the heritage item or its key features.
7. Whether the relationship of the building with the setting is maintained.
8. Whether significant architectural components are retained.

9. Whether the work is necessary for the continued use of the building in terms of structural integrity and adaptive re-use.
10. The extent to which a Conservation Plan is necessary and has been provided in order to ensure the continued heritage integrity of the item during and after works being carried out.
11. Whether the site has been identified as a potential archaeological site, and whether it is necessary to undertake an archaeological assessment due to the nature of the proposed work.

Guidance:

Any alterations or additions should be carefully designed to:

- a. *Retain existing internal and external heritage fabric as far as possible and disturb, distort or obscure it as little as possible.*
- b. *Respect the design, form, scale, materials, workmanship, patina of age, colours, content, location, curtilage and setting, including alterations that have heritage value.*
- c. *Avoid work that will compromise or obscure fabric of heritage value*
- d. *Ensure any new work is of a scale and location that it does not dominate the heritage place and respects its setting*
- e. *New work should be appropriately recorded.*

A Conservation Plan, prepared by a heritage professional, should inform and guide alterations of historic buildings.

Alterations should only be undertaken where the work is necessary to restore to good or sound condition any existing building or part of an existing building.

Alteration work should generally match the original in terms of quality, materials and detailing. Previously unpainted surfaces should not be painted, nor should paint be applied to previously unplastered wall surfaces. New paint should not be in bright or extreme colours and the adoption of 'corporate colours' should be avoided.

Repair work should be carried out by a tradesperson with experience in working with heritage buildings.

A Conservation Plan may be required for major work where it is believed the alterations are likely to have a detrimental impact on the heritage feature. A Conservation Plan should be prepared by a conservation architect with proven experience in the field.

HH-AM3 Relocation

1. Whether the relocation of the building is necessary for the ongoing retention of the building or structure including:
 - a. Any genuine threats to the building that prevents retention of the building in its current location, which should be documented.
 - b. The new location should allow an understanding of the remaining significance of the building (e.g. ensuring the new site allows similar views from the street and setting or that a corner building is relocated to a new corner site).

- c. Future preservation of the building will be provided through a compatible use, improved physical condition, appropriate context or surroundings, and protection from vandalism and fire.
 - d. Where a building was designed to be relocatable or relocation has been a feature of its history, relocation may in some circumstances be appropriate. However, a full assessment of the potential effects of relocation should nevertheless be carried out.
2. Whether the relocation of any listed building within or off the site will remove the building or structure from its historical context in a manner that is detrimental to the character of the area and/or for the local heritage value of the District.
 3. Whether the site has been identified as a potential archaeological site, and whether it is necessary to undertake an archaeological assessment due to the nature of the proposed work.
 4. Whether all other means of retaining the structure in its current location have been exhausted.

Commented [A19]: S55.033 HNZPT, Report 4B, Historic Heritage, Key Issue 7

Guidance:

Relocation should only occur where:

- a. *The existing site or setting is not of significant heritage value;*
- b. *Relocation is required as a last resort to save the building; or*
- c. *Heritage value could not continue if the structure remained on the site.*

All relocation proposals must indicate the proposed new location for the building, why relocation is required and any risks to the structure. A 'last resort' means that there is a proven physical threat to the site or building in its current state. It is not sufficient to claim that it is inconvenient for the current owner to retain it. Where this latter argument is proposed, discussions should focus on retaining the building and adaptively reusing it.

A Conservation Plan, prepared by a heritage professional, should inform and guide any proposal that involves relocation.

HH-AM4 Demolition (including partial demolition)

1. Whether the demolition or partial demolition of any building would compromise:
 - a. The integrity of the surrounding area
 - b. The value of the District's historic heritage.
2. Whether adaptive re-use has been adequately considered as an alternative to demolition, as well as the economic and social benefits to the owner and the wider public through retention of heritage items.
3. Whether the building in its current state poses a safety risk, including potential for loss of life, in the event of an earthquake, and safety alterations are not a viable option.
4. Where the retention of the façade only is proposed, the extent to which the heritage value of the remainder of the building has already been compromised to the extent that demolition is the only viable option, and the scale of the impacts of this on the heritage fabric of the District.
5. Where the demolition of the façade is proposed, and the remainder of the building retained, the extent to which the façade is an invaluable element to the whole building and its loss would be detrimental to the visual appearance of the

building, and the setting in which the building is located. Replacement facades must be compatible with the building and surrounding buildings.

6. Whether the site has been identified as a potential archaeological site, and whether it is necessary to undertake an archaeological assessment due to the nature of the proposed work.

Guidance:

The demolition of these items should not occur at the expense of the setting, streetscape or to the detriment of the District's historic heritage. For example, removal of one building can negatively impact the amenity of the surrounding area. An assessment of the viability of adaptive re-use is to be submitted as part of the assessment of environmental effects within a resource consent application for demolition of any heritage item. This assessment is to be carried out by an independent and suitably qualified architect with substantial knowledge in historic heritage.

Older buildings may not be built to modern building standards and therefore may pose a risk to life in some cases. The decision, however, to demolish such buildings should be a 'last resort', in cases where it is shown that it is not economically viable to make the building structurally sound or adaptively re-use the building.

Buildings and their facades do not exist in isolation from each other, but in fact work together to comprise the heritage value of the whole building. The retention of the façade only is acceptable in cases where the remainder of the building is beyond repair or is structurally unsound but is strongly discouraged in all other cases. In addition, the removal of the building façade is in most cases discouraged. Exceptions are where the façade is structurally unsound to the extent that it poses a risk to life and is beyond strengthening.

Where demolition is necessary, replacement facades must be the same or similar in material, design and colour to the removed facade.

Methods

Methods, other than the above rules, for implementing the policies:

HH-M1 Identification and Mapping of Historic Heritage Items

Identifying and categorising heritage items in HH-SCHED2 in the District Plan and showing them on the relevant Planning Maps, and showing archaeological sites recorded by the New Zealand Archaeological Association on the relevant Planning Maps (for information purposes only).

HH-M2 Education, Advocacy and Information Sharing

Working with Heritage New Zealand *Pouhere Taonga*, local historical societies and tangata whenua to promote public awareness of the importance of heritage values.

Supporting applications to the National Heritage Preservation Incentive Fund for the conservation of significant heritage places in private ownership (Note this fund is only available to Category 1 historic places).

Providing public education and information about heritage items in the District.

HH-M3 Incentives

All resource consent applications relating solely to safety alterations for heritage items will be processed free of charge to encourage the preservation of heritage items in the District.

Principal Reasons

The principal reasons for adopting the policies and methods:

The District's heritage resource comprises historic buildings, and areas, wāhi tapu (sacred places) of special significance to tangata whenua, archaeological sites and notable trees that contribute to an understanding and appreciation of the district's history and cultures.

Council is obliged as a matter of national importance (section 6(f)), to recognise and provide for the protection of historic heritage from inappropriate subdivision, use and development. The community also wants to see their important historic and special places, buildings and trees preserved so that residents, visitors, and future generations can enjoy them and learn about the District's rich heritage.

The District Plan has adopted the Heritage New Zealand *Pouhere Taonga* identification and classification method for heritage items as the basis for providing levels of protection, so that these important items are appropriately recognised and provided for. This method identifies two categories of historic places:

1. Category 1 – places of special or outstanding historical or cultural heritage significance or value; and
2. Category 2 – places of historical or cultural heritage significance or value.

Such items have been listed for a number of reasons, including their:

- historical and social significance;
- cultural and spiritual significance to tangata whenua;
- architectural significance; and/or
- technological significance.

Council has listed these items in HH-SCHED2 and shown them on the Planning Maps.

Archaeological sites are also protected under the Heritage New Zealand *Pouhere Taonga* Act 2014. Archaeological sites are defined in this Act and generally include any indication of use or development from before 1900, including pre-1900 buildings and other structures. Any modification or destruction of such sites can only be undertaken with Heritage New Zealand *Pouhere Taonga*'s permission. The Planning Maps show recorded archaeological sites that are listed in the NZ Archaeological Association's register as at the date of notification of this District Plan, most of which are middens and terraces. It is important to note that the identification of sites or items reflects a particular moment in time and there are likely to be additional sites or items that were not identified at the time of publication of the District Plan.

Unrecorded archaeological sites ~~may be~~ are usually accidentally discovered during earthworks and irreparably damaged. and therefore, it is also important that applicants seek advice at an early stage when earthworks are proposed in areas known to be the site of associated with pre-1900 activity.

Commented [A20]: S84.002 Kairakau Lands Trust, Report 4B Historic Heritage, Key Issue 3

Anticipated Environmental Results

The environmental results anticipated from the policies and methods:

- | | |
|---------|--|
| HH-AER1 | The preservation of heritage items that are significant to the District. |
| HH-AER2 | The productive use of heritage buildings and sites. |
| HH-AER3 | An increased public understanding and knowledge of heritage. |

HH-SCHED2 – Schedule of Historic Heritage Items

Schedule of Historic Heritage Items

Note: Further information on sites with a Heritage List/ Rārangi Kōrero number can be found at <https://www.heritage.org.nz/the-list>

Unique Identifier	Site Identifier	Location	Heritage List/ Rārangi Kōrero Number	Heritage List/ Rārangi Kōrero Category	Map Reference
HH-1	Coles Joinery Factory	54 Bridge St, Ongaonga	172	Category 1	50
HH-2	Aramoana Station Homestead	709 Gibraltar Rd, Aramoana	1059	Category 1	33
HH-3	Gwavas Station Homestead and Garden, and Summerhouse	Gwavas Garden, 5740 State Highway 50, Tikokino	173	Category 1	6
HH-4	Porangahau Station Woolshed	497 Hunter Rd, Porangahau	175	Category 1	40
HH-5	Mount Vernon Station Homestead	106 Lindsay Rd, Waipukurau	174	Category 1	22
HH-6	Te Nakahi Parahi and Urupā	3 Marae St, Tapairu, Waipawa	7622	Category 1	16
HH-7	Oruawharo	379 Oruawharo Rd, Takapau	1048	Category 1	21
HH-8	The Cottage	100 State Highway 2, Te Aute College, Pukehou	4846	Category 1	12
HH-9	School House (Former)	Bridge St, Ongaonga	1042	Category 2	50
HH-10	Town Hall (Former)	Bridge St, Ongaonga	1043	Category 2	50

Commented [A1]: S55.038 HNZPT, Report 4B Historic Heritage, Key Issue 8

Commented [A2]: S55.044 HNZPT, Report 4B Historic Heritage, Key Issue 8

Unique Identifier	Site Identifier	Location	Heritage List/ Rārangi Kōrero Number	Heritage List/ Rārangi Kōrero Category	Map Reference
HH-11	House (Laughlin McKay)	Bridge St, Ongaonga	1045	Category 2	50
HH-12	House (William Ross)	Bridge St, Ongaonga	1046	Category 2	50
HH-13	House (Ross Sutton)	27-29 Bridge St, Ongaonga	1047	Category 2	50
HH-14	Poodles Bazaar (Formerly Ongaonga General Store)	Bridge St, Ongaonga	1051	Category 2	50
HH-15	Post Office (Former)	55 Bridge St, Ongaonga	1052	Category 2	50
HH-16	St Oran's Church (Presbyterian-Methodist Co-operating Parish)	42 Bridge St, Ongaonga	1054	Category 2	50
HH-17	War Memorial	Bridge St, Ongaonga	1058	Category 2	50
HH-18	Church of the Good Shepherd (Anglican)	31 Bridge St, Ongaonga	2751	Category 2	50
HH-19	Coles Joinery Factory Outbuildings (Former)	54 Bridge St, Ongaonga	1040	Category 2	50
HH-20	Butcher's Shop (Former)	85-87 Bridge St, Ongaonga	1039	Category 2	50
HH-21	Woolshed	755 Clareinch Rd, Omakere	2760	Category 2	29
HH-22	St Michael's Church (Anglican)	Dundas St, Porangahau	1064	Category 2	75
HH-23	Aramoana Station Single Men's Quarters (Former)	650 Gibraltar Rd, Aramoana	7161	Category 2	33
HH-24	Aramoana Station Stables	709 Gibraltar Rd, Aramoana	7162	Category 2	33
HH-25	Town Clock and War Memorial	Great North Rd, Waipawa	4844	Category 2	55
HH-26	Abbotslee	Great North Rd, Waipawa	4845	Category 2	53

Unique Identifier	Site Identifier	Location	Heritage List/ Rārangi Kōrero Number	Heritage List/ Rārangi Kōrero Category	Map Reference
HH-27	Gwavas Station Woolshed	Gwavas Station, 5890 State Highway 50, Tikokino	1044	Category 2	6
HH-28	Gwavas Station Original Homestead	Gwavas, 5740 State Highway 50, Tikokino	2754	Category 2	6
HH-29	Woburn Station Former Manager's House	210 Hatuma Rd, Hatuma	2769	Category 2	63
HH-30	Woburn Station Homestead	216 Hatuma Rd, Hatuma	1065	Category 2	63
HH-31	Museum (Formerly BNZ)	23-25 High St, Waipawa	4843	Category 2	55
HH-32	Springvale Station Homestead	Holden Rd, Tikokino	1055	Category 2	5
HH-33	Springvale Station Totara Slab Whare	Holden Rd, Tikokino	1056	Category 2	5
HH-34	Springvale Station Woolshed	Holden Rd, Tikokino	1057	Category 2	5
HH-35	Springvale Station Concrete Block Whare	Holden Rd, Tikokino	2758	Category 2	5
HH-36	Post Office (Former)	Humbold St, Tikokino	2759	Category 2	47
HH-37	Porangahau Station Chapel	482 Hunter Rd, Porangahau	1063	Category 2	40
HH-38	St Peter's Church (Anglican)	52 Kenilworth St, Waipawa	4872	Category 2	55
HH-39	St Peter's Sunday School Hall	52 Kenilworth St, Waipawa	4873	Category 2	55
HH-40	St Peter's Lychgate	Kenilworth St, Waipawa	4874	Category 2	55
HH-41	Mangakuri Station Homestead	Mangakuri Rd, Mangakuri	1061	Category 2	24

Unique Identifier	Site Identifier	Location	Heritage List/ Rārangi Kōrero Number	Heritage List/ Rārangi Kōrero Category	Map Reference
HH-42	Mangakuri Station Chapel and Belfry	Mangakuri Rd, Mangakuri	1062	Category 2	24
HH-43	Mangatarata Station Stables	415 Mangatarata Rd, Waipukurau	2764	Category 2	23
HH-44	Mangatarata Station Homestead	415 Mangatarata Rd, Waipukurau	2765	Category 2	23
HH-45	House (Mr Doug Simpson)	Mill St, Ongaonga	2755	Category 2	50
HH-46	Motuotaraia Station Stables and Cobbled Yard	Porangahau Rd, Waipukurau	2768	Category 2	31
HH-47	St Andrews Church (Presbyterian)	23 Porangahau Rd, Waipukurau	4849	Category 2	64
HH-48	Woolshed	Porangahau Rd, Waipukurau	2770	Category 2	35
HH-49	Manse (Former)	31 Porangahau Rd, Waipukurau	4850	Category 2	64
HH-50	The Pines	2 Rose St and Ruataniwha St, Waipawa	4837	Category 2	55
HH-51	House	17 Rose St, Waipawa	4839	Category 2	55
HH-52	Shops	54 Ruataniwha St and 2-4 Kenilworth St, Waipawa	4842	Category 2	55
HH-53	Aramoana Station Woolshed	80 Shoal Beach Rd, Aramoana	1060	Category 2	33
HH-54	Airlie Mount	11 South Service Lane, Waipukurau	4851	Category 2	61

Unique Identifier	Site Identifier	Location	Heritage List/ Rārangi Kōrero Number	Heritage List/ Rārangi Kōrero Category	Map Reference
HH-55	Forest Gate Station Homestead	1730 State Highway 50, Ongaonga	1037	Category 2	15
HH-56	Forest Gate Dairy Safe Shed	1730 State Highway 50, Ongaonga	1038	Category 2	15
HH-57	Forest Gate Station Woolshed	1730 State Highway 50, Ongaonga	2752	Category 2	15
HH-58	Forest Gate Station Stables and Coach House	1730 State Highway 50, Ongaonga	2753	Category 2	15
HH-59	Ashcott Station Homestead, Stables and Summerhouse	2318 State Highway 50, Takapau	2750	Category 2	15
HH-60	St Patrick's Church (Catholic)	46 Waverly St, Waipawa	4840	Category 2	55
HH-61	House	5 Wellington Rd, Waipukurau	4848	Category 2	65
HH-62	Taikura	Blackhead Coast, Near Taikura Station, Porangahau	7675	Wāhi Tapu	36
HH-63	Te Pā o Pōrangahau	Cooks Tooth Rd, Porangahau	7725	Wāhi Tapu	40
HH-64	Te Pā o Tuanui	Long Range Rd, Blackhead, Porangahau	9283	Wāhi Tapu	37
HH-65	Te Pā Horehore	465-451 Oruawharo Rd, Takapau	9992	Wāhi Tapu	21
HH-66	Rangitoto	Parimahu, Blackhead Rd, Porangahau	7719	Wāhi Tapu	36

Commented [A3]: S55.039 HNZPT, Report 4B Historic Heritage, Key Issue 8

Commented [A4]: S55.040 HNZPT, Report 4B Historic Heritage, Key Issue 8

Commented [A5]: S109.002 Will Foley, Report 4B Historic Heritage, Key Issue 9

Unique Identifier	Site Identifier	Location	Heritage List/ Rārangi Kōrero Number	Heritage List/ Rārangi Kōrero Category	Map Reference
HH-67	Kaiwhitikitiki Urupā and Hēnare Matua Tahu Whakamaumarahara	Porangahau Rd, Porangahau	9653	Wāhi Tapu	75
HH-68	Kahotea	Te Aute Trust Rd, Ōtane	9563	Wāhi Tapu	12
HH-69	Ohinemuhu	Te Paerahi, Porangahau	7673	Wāhi Tapu	76
HH-70	Makaramu Paā	49 Tipene Access Rd, Makaramu Farm, Porangahau	7687	Wāhi Tapu	40
HH-71	Taumatawhakatangihangakoauauotamateaturipukaka pikimaungahoronukupokaiwhenuakitanatahu	510 Wimbledon Rd, Porangahau	7798	Wāhi Tapu	42
<u>HH-72</u>	<u>Waipawa Town Hall and Theatre (Central Hawke's Bay Municipal Theatre)</u>	<u>Kenilworth Street, Waipawa</u>	<u>NA</u>	<u>NA</u>	<u>16XX</u>

Commented [A6]: S55.043 HNZPT, Report 4B Historic Heritage, Key Issue 8

Commented [A7]: S55.037 HNZPT, Report 4B Historic Heritage, Key Issue 8

TREE – Notable Trees

Introduction

This Part of the District Plan specifically addresses the District's notable trees with specific heritage value or association. These features contribute to a sense of place and District identity in many ways. For example, they:

- tell the story of our past and contribute to an understanding and appreciation of the District's history and cultures;
- provide a record of human activity, maintaining a link with the District's history as it develops; and
- may signify or represent a particular historical event or have historical association.

Council has listed notable trees in TREE-SCHED4 in the District Plan and identified them on the Planning Maps. Trees identified on this list have been assessed for their heritage value, due to their association with an important event or memorial value, their proximity to trees of similar nature (i.e. grouping), as well as their function and occurrence. Trees identified in the schedule currently only include those on Council land.

Issues

TREE-I1 Loss of Historical Heritage

The loss of notable trees with specific heritage value or association.

Explanation

Notable trees have specific heritage values and associations that form an important part of the community. Their continued existence represents continuity between generations including leaving a legacy for future generations. Significant heritage trees of the District are to be evaluated and identified as 'notable trees' for protection, to ensure that they are not damaged or lost (e.g. through improper maintenance or root disturbance). Where notable trees are identified on private land, the property owner's consent will be required to include these on the schedule and Planning Maps.

Heritage resources that are identified and valued are much more likely to be protected and conserved.

Objectives

TREE-O1 Protect trees which make a significant contribution to the District's heritage.

Policies

- TREE-P1** To identify and classify heritage trees that make a significant contribution to the District's amenity and/or heritage.
- TREE-P2** Avoid or appropriately mitigate any adverse effects on notable trees that would detract from or compromise their contribution to Central Hawke's Bay's amenity and heritage values.
- TREE-P3** Support the trimming, maintenance and enhancement of notable trees for their ongoing vitality and contribution to amenity and the quality of the environment.

Rule Overview Table

Use/activity	Rule Number
The trimming of any notable tree identified in TREE-SCHED4	TREE-R1
The trimming of any notable tree identified in TREE-SCHED4 for network utilities	TREE-R2
The treatment and/or removal of any dead, damaged or diseased branch or tree identified as a notable tree in TREE-SCHED4	TREE-R3
Any sealing, paving, soil compaction, or any alteration to the existing ground level within the dripline of any notable tree identified in TREE-SCHED4	TREE-R4
The fixing of any structure or object to any part of the tree or any operation which will wound the bark tissue of any part of any tree identified in TREE-SCHED4	TREE-R5
The construction of, or addition to, or maintenance and repair of, any building associated with any activity or network utility, or laying of overhead or underground services, or their maintenance and repair, within the dripline of any tree identified as a notable tree in TREE-SCHED4	TREE-R6
Any depositing of chemicals or other substances harmful to the tree, within the dripline of any notable tree identified in TREE-SCHED4	TREE-R7

Commented [A1]: S90.029 Centralines, Report 4B
Historic Heritage, Key Issue 12

The removal of any notable tree identified in TREE-SCHED4	TREE-R8
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Rules

It is important to note that in addition to the provisions in this chapter, zone chapters and a number of other Part 2: District-Wide Matters chapters also contain provisions that may be relevant for activities on land containing identified notable trees.

TREE-R1 The trimming of any notable tree identified in TREE-SCHED4

All Zones	1. Activity Status: PER Where the following conditions are met: <ol style="list-style-type: none"> The trimming is for the purposes of removing branches or deadwood. The trimming is undertaken in accordance with currently accepted arboriculture practices. 	2. Activity status where compliance not achieved: RDIS Matters over which discretion is restricted: <ol style="list-style-type: none"> TREE-AM1.
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TREE-R2 The trimming of any notable tree identified in TREE-SCHED4 for network utilities

All Zones	1. Activity Status: PER Where one of the following conditions are met: <ol style="list-style-type: none"> The trimming is required by statute or regulations including the Electricity (Hazards from Trees) Regulations 2003 and-or the Telecommunications Act 2001; or The tree is damaging, or threatening to damage, a network utility; or The trimming is required to maintain an existing access track. 	2. Activity status where compliance not achieved: RDIS Matters over which discretion is restricted: <ol style="list-style-type: none"> TREE-AM1.
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Commented [A2]: S90.028 Centralines, S117.055 Chorus, S118.055 Spark, S119.055 Vodafone, Report 4B Historic Heritage, Key Issue 12

TREE-R3 The treatment and/or removal of any dead, damaged or diseased branch or tree identified as a notable tree in TREE-SCHED4

All Zones	1. Activity Status: PER Where the following conditions are met: <ol style="list-style-type: none"> The branch or tree has been confirmed as being dead, damaged, or diseased by a Council-appointed arborist. 	2. Activity status where compliance not achieved: RDIS Matters over which discretion is restricted:
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		a. TREE-AM1.
TREE-R4 Any sealing, paving, soil compaction, or any alteration to the existing ground level within the dripline of any notable tree identified in TREE-SCHED4		
All Zones	1. Activity Status: PER Where the following conditions are met: a. The alteration to the existing ground level (measured prior to work commencing) is less than 75mm.	2. Activity status where compliance not achieved: RDIS Matters over which discretion is restricted: a. TREE-AM1.
TREE-R5 The fixing of any structure or object to any part of a tree, or any operation which will wound the bark tissue of any part of any tree, identified as a notable tree in TREE-SCHED4		
All Zones	1. Activity Status: RDIS Matters over which discretion is restricted: a. TREE-AM1.	2. Activity status where compliance not achieved: N/A
TREE-R6 The construction of, or addition to, or maintenance and repair of, any building associated with any activity or network utility, or laying of overhead or underground services, or their maintenance and repair, within the dripline of any tree identified as a notable tree in TREE-SCHED4 <i>Note: This rule applies whether or not the building or network utility is on the same site as the notable tree concerned.</i>		
All Zones	1. Activity Status: RDIS Matters over which discretion is restricted: a. TREE-AM1.	2. Activity status where compliance not achieved: N/A
TREE-R7 Any depositing of chemicals or other substances harmful to the tree, within the dripline of any notable tree identified in TREE-SCHED4		
All Zones	1. Activity Status: RDIS Matters over which discretion is restricted: a. TREE-AM1.	2. Activity status where compliance not achieved: N/A
TREE-R8 The removal of any notable tree identified in TREE-SCHED4		

Commented [A3]: S90.029 Centralines, Report 4B
Historic Heritage, Key Issue 12

All Zones	1. Activity Status: RDIS Matters over which discretion is restricted: a. TREE-AM1.	2. Activity status where compliance not achieved: N/A
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Assessment Matters

For Discretionary Activities, Council's assessment is not restricted to these matters, but it may consider them (among other factors).

TREE-AM1 Specific Assessment Matters for Notable Trees

1. The current condition of the tree(s), including any potential hazard it/they may present.
2. Whether the tree(s) is causing, or is likely to cause, significant damage to buildings, services, or property.
3. The effect on the appearance or health of the tree(s) of any trimming, or disturbance of the root system from buildings or network utilities.
4. Whether the tree(s) seriously restricts the development potential of the site where it is located, including the ability to gain access to a practicable building site, access, loading and parking, or install engineering services on the land.
5. Alternative methods/locations available to the applicant.
6. The extent to which the value of the proposed activity compensates for any heritage and/or amenity value lost through the modification or removal of the tree(s).
7. Practicality and consideration of options which incorporate the tree(s) into the proposed development.
8. The functional and operation needs of, and benefits derived from the network utility.
9. Any measure to reduce or mitigate adverse effects.

Advice Note: If the proposed removal of any notable tree identified TREE-SCHED4, has the potential to disturb any archaeological site, Applicants are encouraged to also seek advice from a suitably qualified archaeologist. Archaeological sites generally include any sites where there is any indication of use or development from before 1900. Such sites are protected under the Heritage New Zealand Pouhere Taonga Act 2014 and Section 42 of this Act, makes it an offence for anyone to modify or destroy, or cause to be modified or destroyed, the whole, or any part of any site, if it is known or suspected to be an archaeological site.

Methods

Methods, other than rules, for implementing the policies:

TREE-M1 Identification and Mapping of Notable Trees

Identifying notable trees in TREE-SCHED4 in the District Plan and showing them on the relevant Planning Maps.

Commented [A4]: S55.054 HNZPT, Report 4B Historic Heritage, Key Issue 12

TREE-M2 Education, Advocacy, and Information Sharing

Encouraging the placement of conservation covenants on private land to preserve heritage trees in perpetuity.

Providing public education and information about notable trees in the District.

Principal Reasons

The principal reasons for adopting the policies and methods:

Council is obliged as a matter of national importance (section 6(f)), to recognise and provide for the protection of historical heritage from inappropriate subdivision, use and development. The community also wants to see their trees that have important amenity or historic value preserved so that residents, visitors, and future generations can enjoy them and learn about the District's rich heritage.

Council has listed notable trees in TREE-SCHED4 of the District Plan and identified them on the Planning Maps. Trees identified on this list have been assessed for their heritage value, due to their association with an important event or memorial value, their proximity to trees of similar nature (i.e. grouping), as well as their function and occurrence.

The inclusion of a Schedule of Notable Trees results in greater public awareness and increased opportunities for the protection of such trees. By providing the criteria used for the assessment of Notable Trees, the community is better informed about which trees require protection and are valued by the wider community. However, Council has determined that before any notable trees are identified on private land, the property owner's consent will be required.

Anticipated Environmental Results

The environmental results anticipated from the policies and methods:

TREE-AER1 The retention of notable trees, within their natural lifespan, which have significant heritage value to the District's residents and visitors.

TREE-AER2 An increased public understanding and knowledge of the historical heritage of the District.

TREE-SCHED4 – Schedule of Notable Trees

Schedule of Notable Trees

Unique Identifier	Site Identifier	Site Type (Species)	Summary Ratings (Vigour & Vitality / Historical Value / Function / Occurrence)	Map Reference
TREE-1	80 High St, Waipawa	– Ulmus	Very Good / Moderate / Useful / Infrequent	55
TREE-2	St Peter's Cemetery, 5 Church Street, Waipawa	– Quercus	Very Good / Important / Important / Common	55
TREE-3	Nelly Jull Park, 3 Islington Dr, Waipawa	– Eucalyptus	Very Good / Moderate / Useful / Common	55
TREE-4	Nelly Jull Park, 1 – 3 Islington Dr, Waipawa	– Arbutus	Good / Moderate / Useful / Infrequent	55
TREE-5	Don Allen Reserve, 2 Church St, Waipawa	– Cupressus	Good / Important / Useful / Common	55
TREE-6	Don Allen Reserve, 13 Domain Rd, Waipawa	– Sequoiadendron	Good / Moderate / Useful / Infrequent	55
TREE-7	28 Higginson St, Ōtane	– Quercus	Very Good / Moderate / Useful / Common	48
TREE-8	Ōtane Recreation Ground, 28 Rochfort St, Ōtane	– Sequoiadendron	Good / Moderate / Useful / Common	48
TREE-9	Ōtane Recreation Ground, 28 Rochfort St, Ōtane	– Eucalyptus	Good / Moderate / Useful / Common	48

Unique Identifier	Site Identifier	Site Type (Species)	Summary Ratings (Vigour & Vitality / Historical Value / Function / Occurrence)	Map Reference
TREE-10	16 Miller St, Ōtane	– Tilia	Good / Important / Useful / Infrequent	48
TREE-11	16 Miller St, Ōtane	– Tilia	Good / Important / Useful / Infrequent	48
TREE-12	14 Miller St, Ōtane	– Tilia	Good / Important / Useful / Infrequent	48
TREE-13	14 Miller St, Ōtane	– Tilia	Good / Important / Useful / Infrequent	48
TREE-14	10 Miller St, Ōtane	– Tilia	Good / Important / Useful / Infrequent	48
TREE-15	10 Miller St, Ōtane	– Tilia	Good / Important / Useful / Infrequent	48
TREE-16	8 Miller St, Ōtane	– Tilia	Good / Important / Useful / Infrequent	48
TREE-17	6 Miller St, Ōtane	– Tilia	Good / Important / Useful / Infrequent	48
TREE-18	4 Miller St, Ōtane	– Tilia	Good / Important / Useful / Infrequent	48
TREE-19	2 Miller St, Ōtane	– Tilia	Good / Important / Useful / Infrequent	48
TREE-20	2 Miller St, Ōtane	– Tilia	Good / Important / Useful / Infrequent	48

Unique Identifier	Site Identifier	Site Type (Species)	Summary Ratings (Vigour & Vitality / Historical Value / Function / Occurrence)	Map Reference
TREE-21	2 Miller St, Ōtane	– Tilia	Good / Important / Useful / Infrequent	48
TREE-22	32 Higginson St, Ōtane	– Tilia	Good / Important / Useful / Infrequent	48
TREE-23	1 Henderson St, Ōtane	– Tilia	Good / Important / Useful / Infrequent	48
TREE-24	1 Henderson St, Ōtane	– Tilia	Good / Important / Useful / Infrequent	48
TREE-25	5 Henderson St, Ōtane	– Tilia	Good / Important / Useful / Infrequent	48
TREE-26	5 Henderson St, Ōtane	– Tilia	Good / Important / Useful / Infrequent	48
TREE-27	5 Henderson St, Ōtane	– Tilia	Good / Important / Useful / Infrequent	48
TREE-28	7 Henderson St, Ōtane	– Tilia	Good / Important / Useful / Infrequent	48
TREE-29	7 Henderson St, Ōtane	– Tilia	Good / Important / Useful / Infrequent	48
TREE-30	9 Henderson St, Ōtane	– Tilia	Good / Important / Useful / Infrequent	48
TREE-31	15 Henderson St, Ōtane	– Tilia	Good / Important / Useful / Infrequent	48

Unique Identifier	Site Identifier	Site Type (Species)	Summary Ratings (Vigour & Vitality / Historical Value / Function / Occurrence)	Map Reference
TREE-32	15 Henderson St, Ōtane	– Tilia	Good / Important / Useful / Infrequent	48
TREE-33	15 Henderson St, Ōtane	– Tilia	Good / Important / Useful / Infrequent	48
TREE-34	8 Dee St, Ōtane	– Tilia	Good / Important / Useful / Infrequent	48
TREE-35	8 Dee St, Ōtane	– Tilia	Good / Important / Useful / Infrequent	48
TREE-36	21 Henderson St, Ōtane	– Tilia	Good / Important / Useful / Infrequent	48
TREE-37	21 Henderson St, Ōtane	– Tilia	Good / Important / Useful / Infrequent	48
TREE-38	25 Henderson St, Ōtane	– Tilia	Good / Important / Useful / Infrequent	48
TREE-39	29 Henderson St, Ōtane	– Tilia	Good / Important / Useful / Infrequent	48
TREE-40	29 Henderson St, Ōtane	– Tilia	Good / Important / Useful / Infrequent	48
TREE-41	29 Henderson St, Ōtane	– Tilia	Good / Important / Useful / Infrequent	48
TREE-42	31 Henderson St, Ōtane	– Tilia	Good / Important / Useful / Infrequent	48

Unique Identifier	Site Identifier	Site Type (Species)	Summary Ratings (Vigour & Vitality / Historical Value / Function / Occurrence)	Map Reference
TREE-43	33 Henderson St, Ōtane	– Tilia	Good / Important / Useful / Infrequent	48
TREE-44	35 Henderson St, Ōtane	– Tilia	Good / Important / Useful / Infrequent	48
TREE-45	37 Henderson St, Ōtane	– Tilia	Good / Important / Useful / Infrequent	48
TREE-46	39 Henderson St, Ōtane	– Tilia	Good / Important / Useful / Infrequent	48
TREE-47	39 Henderson St, Ōtane	– Tilia	Good / Important / Useful / Infrequent	48
TREE-48	Pioneer Corner, Tavistock Pl, Waipukurau	– Japonica	Good / Moderate / Useful / Infrequent	62
TREE-49	69 Charlotte St, Takapau	– Quercus	Good / Important / Useful / Common	69
TREE-50	Mangarara Rd, Elsthorpe	– Cupressus	Good / Moderate / Useful / Common	17
TREE-51	Russell Park, 10 River Tce, Waipukurau	– Ilex	Good / Important / Important / Infrequent	62
TREE-52	Russell Park, 10 River Tce, Waipukurau	– Ilex	Good / Important / Important / Infrequent	62
TREE-53	Russell Park, 10 River Tce, Waipukurau	– Liriodendron	Good / Important / Useful / Infrequent	62

Unique Identifier	Site Identifier	Site Type (Species)	Summary Ratings (Vigour & Vitality / Historical Value / Function / Occurrence)	Map Reference
TREE-54	Russell Park, 10 River Tce, Waipukurau	– Prunus	Good / Important / Useful / Common	62
TREE-55	Russell Park, 10 River Tce, Waipukurau	– Fraxinus	Good / Important / Useful / Infrequent	62
TREE-56	Russell Park, 10 River Tce, Waipukurau	– Photinia	Good / Important / Useful / Common	62
TREE-57	Russell Park, 10 River Tce, Waipukurau	– Photinia	Good / Important / Useful / Common	62
TREE-58	Russell Park, 10 River Tce, Waipukurau	– Quercus	Good / Important / Important / Common	62
TREE-59	Russell Park, 10 River Tce, Waipukurau	– Cedrus	Good / Important / Important / Common	62
TREE-60	Russell Park, 10 River Tce, Waipukurau	– Ulmus	Very Good / Important / Important / Infrequent	62
TREE-61	Russell Park, 10 River Tce, Waipukurau	– Platanus	Good / Moderate / Useful / Common	62
TREE-62	Russell Park, 10 River Tce, Waipukurau	– Platanus	Good / Moderate / Useful / Common	62
TREE-63	Russell Park, 10 River Tce, Waipukurau	– Ulmus	Very Good / Moderate / Important / Common	62
TREE-64	Russell Park, 10 River Tce, Waipukurau	– Ulmus	Very Good / Moderate / Important / Common	62

Unique Identifier	Site Identifier	Site Type (Species)	Summary Ratings (Vigour & Vitality / Historical Value / Function / Occurrence)	Map Reference
TREE-65	85 Bridge St, Ongaonga	– Quercus	Very Good / Important / Important / Common	50
TREE-66	85 Bridge St, Ongaonga	– Quercus	Good / Important / Important / Common	50
TREE-67	89 Bridge St, Ongaonga	– Fraxinus	Good / Moderate / Useful / Infrequent	50
TREE-68	Ongaonga War Memorial, 1 Bridge St, Ongaonga	– Pinus (Turkish red pine (Pinus brutia))	Very Good / Significant / Useful / Rare Descendant of the original Gallipoli Lone Pine from WW1	50
TREE-69	Ongaonga War Memorial, 1 Bridge St, Ongaonga	– Pinus (Turkish red pine (Pinus brutia))	Very Good / Significant / Useful / Rare Descendant of the original Gallipoli Lone Pine from WW1	50
TREE-70	Ongaonga War Memorial, 1 Bridge St, Ongaonga	– Ilex	Very Good / Moderate / Useful / Infrequent	50
TREE-71	Ongaonga War Memorial, 1 Bridge St, Ongaonga	– Arbutus	Very Good / Moderate / Useful / Infrequent	50

Commented [A1]: S130.001 S Osborne, Report 4B Historic Heritage, Key Issue 12

Commented [A2]: S130.001 S Osborne, Report 4B Historic Heritage, Key Issue 12

Appendix B – Summary of recommendations on submissions

Table: Summary of recommended decisions on submissions and further submissions

Submission Point	Submitter/Further Submitter Name	Plan Provision	Summary of Decision Requested	Key Issue Reference	Officer Recommendation (as per s42A report unless otherwise specified)	Panel Recommendation	Amendments to Proposed Plan?
S18.001	Elizabeth Pishief	HH - Introduction	Amend paragraph 5 of 'HH - Introduction' as follows: '... Section 42 of the Heritage New Zealand Pouhere Taonga Act 2014 makes it an offence for anyone to destroy, damage or modify the whole, or any part of any site, if it is known or suspected to be an archaeological site states that, unless an authority is granted under section 48, 56(1)(b), or 62 in respect of an archaeological site, no person may modify or destroy, or cause to be modified or destroyed, the whole or any part of that site if that person knows, or ought reasonably to have suspected, that the site is an archaeological site. Section 87 of the Act makes it an offence to modify or destroy an archaeological site without the authority of Heritage New Zealand Pouhere Taonga or of any person authorised by Heritage New Zealand Pouhere Taonga. Section 44 of the Act, requires applications for an authority to destroy, damage or modify site states or destroy an archaeological site to be made to Heritage New Zealand Pouhere Taonga. The location of recorded archaeological sites in Central Hawke's Bay as at the date of notification of the District Plan are shown on the Planning Maps. This is for information purposes only, as an alert to Council and landowners. Landowners are encouraged to search the New Zealand Archaeological Association's database for the latest site record information prior to commencing any land disturbance activities.'	Key Issue 3	Accept in part	Accept in part	Yes
FS7.006	Heritage New Zealand Pouhere Taonga		Allow	Key Issue 3	Accept in part	Accept in part	
S55.001	Heritage New Zealand Pouhere Taonga	Other Plans	Amend reference in 'Other Plans' as follows: New Zealand Heritage List/ Rārangī Kōrero: The New Zealand Heritage List/Rārangī Kōrero which is administered by the Heritage New Zealand Pouhere Taonga Act 2014, lists information about New Zealand's significant heritage places including archaeological sites, buildings or memorials that are of special or outstanding historical or cultural significance or value (Category 1) and those of historical or cultural heritage, significance or value (Category 2). It also lists historic areas, wāhi tūpuna, wāhi tapu and wāhi tapu taonga areas.	Key Issue 3	Accept	Accept in part	Yes
S55.002	Heritage New Zealand Pouhere Taonga	ALTERATION (OF A HERITAGE ITEM) (Definition)	Retain definition of 'Alteration (of a Heritage Item)' as notified.	Key Issue 1	Accept	Accept	No
S55.003	Heritage New Zealand Pouhere Taonga	CONSERVATION PLAN (HISTORIC HERITAGE) (Definition)	Retain definition of 'Conservation Plan (Historic Heritage)' as notified.	Key Issue 1	Accept	Accept	No
S55.004	Heritage New Zealand Pouhere Taonga	DEMOLITION (OF A	Retain definition of 'Demolition (of a Heritage Item)' as notified.	Key Issue 1	Accept	Accept	No

Submission Point	Submitter/Further Submitter Name	Plan Provision	Summary of Decision Requested	Key Issue Reference	Officer Recommendation (as per s42A report unless otherwise specified)	Panel Recommendation	Amendments to Proposed Plan?
		HERITAGE ITEM) (Definition)					
S55.005	Heritage New Zealand Pouhere Taonga	HERITAGE ITEMS (Definition)	Amend definition of 'Heritage Items' as follows: '... The term may be used to refer to both heritage items scheduled listed in the District Plan and to those items registered listed by Heritage New Zealand Pouhere Taonga.'	Key Issue 1	Accept in part	Accept in Part	Yes
S55.006	Heritage New Zealand Pouhere Taonga	HISTORIC HERITAGE (Definition)	Retain definition of 'Historic Heritage' as notified.	Key Issue 1	Accept	Accept	No
S55.007	Heritage New Zealand Pouhere Taonga	REPAIRS AND MAINTENANCE (OF A HERITAGE ITEM) (Definition)	Delete the definition of 'Repairs and Maintenance (of a Heritage Item)'. And replace with the following separate definitions for 'Maintenance' and 'Repair': 'MAINTENANCE means regular and ongoing protective care of a place to prevent deterioration and to retain its values. Maintenance excludes alterations, additions, restoration, or reconstruction. 'REPAIR means to make good decayed or damaged fabric using identical, closely similar, or otherwise appropriate material.'	Key Issue 1	Accept	Accept	Yes
S55.008	Heritage New Zealand Pouhere Taonga	SAFETY ALTERATIONS (OF A HERITAGE ITEM) (Definition)	Amend the definition of 'Safety Alterations (of a Heritage Item)' as follows: 'works necessary for the primary purpose of improving structural performance, fire safety or physical access. Improving structural performance includes involves seismic earthquake strengthening work. (earthquake strengthening work is the improving of the structural performance of a heritage building by modifying, or adding to, the structure of a building). Earthquake strengthening work must be identified by a chartered professional engineer who has knowledge of the structural characteristics and earthquake performance of the type of building being assessed. Safety alterations may be required to enhance the structural capacity of the building and may include but is not limited to work which upgrades the building's ability to: a. safely carry self and imposed gravity loads; b. withstand probable wind loads without unacceptable damage; c. withstand probable earthquake loads without unacceptable damage; d. withstand other damaging effects that have been identified for a particular building.'	Key Issue 1	Accept in part	Accept in part	Yes
S55.009	Heritage New Zealand Pouhere Taonga	Definitions	Add a definition for 'Seismic Strengthening' as follows: 'SEISMIC STRENGTHENING means work to existing buildings or structures to make them more resistant to seismic activity, ground motion, or soil failure due to earthquakes.'	Key Issue 1	Reject	Reject	No
S55.010	Heritage New Zealand Pouhere Taonga	Definitions	Add a definition for 'Setting' as follows: 'SETTING means the area around a heritage item in Schedule 2 and which is identified in the schedule and spatially defined in the District Plan.'	Key Issue 2	Reject	Reject	No

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Submission Point	Submitter/Further Submitter Name	Plan Provision	Summary of Decision Requested	Key Issue Reference	Officer Recommendation (as per s42A report unless otherwise specified)	Panel Recommendation	Amendments to Proposed Plan?
S55.013	Heritage New Zealand Pouhere Taonga	[General]	Add the following 'Historic and Cultural Values' into the 'Strategic Direction' part of the Proposed Plan: 'The district's heritage and cultural values and sites contribute to the district's sense of place and identity and social and cultural well-being, and are recognised and protected from inappropriate subdivision, use and development.'	Key Issue 3	Reject	Reject	No
FS13.011	Heretaunga Tamatea Settlement Trust		Allow	Key Issue 3	Reject	Reject	
FS5.027	Nga'hapu me nga marae o Tamatea		Allow	Key Issue 3	Reject	Reject	
S55.020	Heritage New Zealand Pouhere Taonga	HH - Introduction	Amend the second paragraph of 'HH - Introduction' as follows: '...The Heritage New Zealand Pouhere Taonga Act 2014 provides a framework for the recognition of places of historical, cultural and ancestral significance including historic places (archaeological sites, buildings and memorials), historic areas, wāhi tūpuna, wāhi tapu and wāhi taonga tapu areas.' And amend the fourth paragraph as follows: '... Section 42 of the Heritage New Zealand Pouhere Taonga Act 2014 makes it an offense for anyone to destroy, damage or modify or destroy the whole, or any part of any site, if it is known or suspected to be an archaeological site. Section 44 of the Act requires applications for an authority to modify or destroy, damage or modify an archaeological site to be made to Heritage New Zealand Pouhere Taonga...'	Key Issue 3	Accept	Accept in part	Yes
FS23.52	Kāinga Ora - Homes and Communities		Disallow	Key Issue 3	Reject	Reject	
S55.021	Heritage New Zealand Pouhere Taonga	HH-P1	Amend HH-P1 as follows: 'To identify and classify heritage items in the District according to their relative significance and value including aesthetic, archaeological, architectural, cultural, historic, social, spiritual, technological, industrial or traditional significance or value, and their rarity, representativeness, authenticity and integrity. '	Key Issue 5	Accept	Accept	Yes
FS23.53	Kāinga Ora - Homes and Communities		Disallow	Key Issue 5	Reject	Reject	
S55.022	Heritage New Zealand Pouhere Taonga	HH-P3	Amend HH-P3 as follows: 'To ensure activities avoid, remedy or mitigate adverse effects on the character and values of heritage items and their settings. '	Key Issue 2	Reject	Reject	No
FS23.54	Kāinga Ora - Homes and Communities		Disallow	Key Issue 2	Accept	Accept	
S55.023	Heritage New Zealand Pouhere Taonga	HH-R1	Amend HH-R1 as follows: '1. Activity Status: PER Where the following conditions are met: N/A a. The work carried out on the building must generally match the original in terms of quality, materials and detailing; b. Repair of material or of a site should generally be with original or similar materials. However, repairs to a technically higher standard than the original workmanship or materials may be justified where the life expectancy of the site or material is	Key Issue 6	Accept	Accept	Yes

Submission Point	Submitter/Further Submitter Name	Plan Provision	Summary of Decision Requested	Key Issue Reference	Officer Recommendation (as per s42A report unless otherwise specified)	Panel Recommendation	Amendments to Proposed Plan?
			increased, the new material is compatible with the old and any heritage value is not diminished; c. Any materials removed to carry out the repairs must be limited to the amount necessary to carry out the works; d. The work is for the purposes of keeping the building in good condition; e. There must be no damage to the heritage item when undertaking the repairs and maintenance, and protective material must be used where necessary to prevent damage.'				
FS23.56	Kāinga Ora - Homes and Communities		Disallow	Key Issue 6	Reject	Reject	
S55.024	Heritage New Zealand Pouhere Taonga	HH-R3	Amend HH-R3 as follows: '1. Activity Status: PER CON Where the following conditions are met: N/A a. A structural engineering assessment by a chartered professional engineer must be supplied to Council with the application. 2. Activity status where compliance is not achieved: N/A Matters over which control is reserved: HH-AM1.'	Key Issue 6	Accept in part	Accept in part	Yes
FS23.57	Kāinga Ora - Homes and Communities		Disallow	Key Issue 6	Reject	Reject	
S55.025	Heritage New Zealand Pouhere Taonga	HH-R4	Retain HH-R4 as notified.	Key Issue 6	Accept	Accept in part (subject to a minor amendment)	No
S55.026	Heritage New Zealand Pouhere Taonga	HH-R5	Amend HH-R5 as follows: 'Category 2 Heritage Items 1. Activity Status: PER CON Where the following conditions are met: N/A Matters over which control is reserved: HH-AM2.'	Key Issue 6	Reject	Reject	No
FS23.58	Kāinga Ora - Homes and Communities		Disallow	Key Issue 6	Accept	Accept	
S55.027	Heritage New Zealand Pouhere Taonga	HH-R6	Retain HH-R6 as notified.	Key Issue 6	Accept	Accept	No
FS23.59	Kāinga Ora - Homes and Communities		Disallow	Key Issue 6	Reject	Reject	
S55.028	Heritage New Zealand Pouhere Taonga	HH-R7	Retain HH-R7 as notified.	Key Issue 6	Accept	Accept	No
FS23.60	Kāinga Ora - Homes and Communities		Disallow	Key Issue 6	Reject	Reject	

Submission Point	Submitter/Further Submitter Name	Plan Provision	Summary of Decision Requested	Key Issue Reference	Officer Recommendation (as per s42A report unless otherwise specified)	Panel Recommendation	Amendments to Proposed Plan?
S55.029	Heritage New Zealand Pouhere Taonga	HH-R8	Retain HH-R8 as notified.	Key Issue 6	Accept	Accept	No
FS23.61	Kāinga Ora - Homes and Communities		Disallow	Key Issue 6	Reject	Reject	
FS7.013	Heritage New Zealand Pouhere Taonga		Allow	Key Issue 6	Accept	Accept	
S55.030	Heritage New Zealand Pouhere Taonga	HH-RXX (new rule)	Add new rule as follows: 'HH-RXX Any new building or structure within the heritage setting of a heritage item included in SCHED2. Activity status: RDIS Matters of discretion are limited to: HH-AM2.'	Key Issue 2	Reject	Reject	No
FS23.55	Kāinga Ora - Homes and Communities		Disallow	Key Issue 2	Accept	Accept	
S55.031	Heritage New Zealand Pouhere Taonga	HH-AM1	Retain HH-AM1 as notified.	Key Issue 7	Accept	Accept	No
FS23.62	Kāinga Ora - Homes and Communities		Disallow	Key Issue 7	Reject	Reject	
S55.032	Heritage New Zealand Pouhere Taonga	HH-AM2	Amend HH-AM2 as follows: 'Alterations, Repairs and Maintenance and Any New Building or Structure within a Heritage Setting... 12. The effects of any new building or structure within the setting of a scheduled heritage item, including its location, form, design and materials, and whether the new building or structure is compatible with the values of the heritage item.'	Key Issue 2	Reject	Reject	No
FS23.63	Kāinga Ora - Homes and Communities		Disallow	Key Issue 2	Accept	Accept	
S55.033	Heritage New Zealand Pouhere Taonga	HH-AM3	Add to HH-AM3 guidance note as follows: 'Relocation should only occur where: a. ... b. ... c. ... d. All other means of retaining the structure in its current location have been exhausted. ...'	Key Issue 7	Accept	Accept	Yes
FS23.64	Kāinga Ora - Homes and Communities		Disallow	Key Issue 7	Reject	Reject	
S55.034	Heritage New Zealand Pouhere Taonga	HH-AM4	Retain HH-AM4 as notified.	Key Issue 7	Accept	Accept	No

Submission Point	Submitter/Further Submitter Name	Plan Provision	Summary of Decision Requested	Key Issue Reference	Officer Recommendation (as per s42A report unless otherwise specified)	Panel Recommendation	Amendments to Proposed Plan?
FS23.65	Kāinga Ora - Homes and Communities		Disallow	Key Issue 7	Reject	Reject	
S55.035	Heritage New Zealand Pouhere Taonga	HH-M3	Retain HH-M3 as notified.	Key Issue 7	Accept	Accept	No
FS23.66	Kāinga Ora - Homes and Communities		Disallow	Key Issue 7	Reject	Reject	
S55.036	Heritage New Zealand Pouhere Taonga	HH - Principal Reasons	Retain 'HH - Principal Reasons' as notified.	Key Issue 3	Accept in part (subject to amendment from other submissions)	Accept in part (subject to amendment from other submissions)	No
FS23.67	Kāinga Ora - Homes and Communities		Disallow	Key Issue 3	Reject	Reject	
S55.037	Heritage New Zealand Pouhere Taonga	HH-SCHED2	That the Council proactively work on including additional, locally significant places in HH-SCHED2.	Key Issue 8	Accept in part	Accept in part	No
FS23.68	Kāinga Ora - Homes and Communities		Disallow	Key Issue 8	Reject	Reject	
S55.038	Heritage New Zealand Pouhere Taonga	HH-SCHED2	Add a column to HH-SCHED2 for 'legal description', or include legal description within the 'location' column. Add more content on description, significance and values to HH-SCHED2. Revise the format of HH-SCHED2 to enable incorporation of more descriptive information, legal description, and a field for the setting.	Key Issue 8	Accept in part	Accept in part	Yes
.							
S55.039	Heritage New Zealand Pouhere Taonga	HH-SCHED2	Determine if 'HH-62 Taikura' is above or below MHWS. If below, remove from HH-SCHED2. If above, consider if it is best suited to be included in SASM-SCHED3.	Key Issue 8	Accept	Accept	Yes
.							
S55.040	Heritage New Zealand Pouhere Taonga	HH-SCHED2	Clarify which schedule is most appropriate for 'HH-63 Te Pā o Pōrangahau'. Add macron on the word Pōrangahau.	Key Issue 8	Accept in part	Accept in part	Yes
.							
S55.042	Heritage New Zealand Pouhere Taonga	HH-SCHED2	Determine if 'HH-69 Ohinemuhu' is above or below MHWS. If below, remove from HH-SCHED2. If above, consider if it is best suited to be included in SASM-SCHED3.	Key Issue 8	Reject	Reject	No
.							
S55.043	Heritage New Zealand Pouhere Taonga	HH-SCHED2	Clarify whether 'HH-70 Makaramu Pā ' is in the most appropriate schedule for this place. Add macron on the word Pā.	Key Issue 8	Reject	Accept in part	Yes
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Submission Point	Submitter/Further Submitter Name	Plan Provision	Summary of Decision Requested	Key Issue Reference	Officer Recommendation (as per s42A report unless otherwise specified)	Panel Recommendation	Amendments to Proposed Plan?
S55.044	Heritage New Zealand Pouhere Taonga	HH-SCHED2	Amend the Site Identifier for 'HH-3 Gwavas Station Homestead and Garden' as follows: 'Gwavas Station Homestead and Garden, including Summerhouse '.	Key Issue 8	Reject	Accept	Yes
S55.045	Heritage New Zealand Pouhere Taonga	HH-SCHED2	Include the 'Bibby Memorial Church' in HH-SCHED2.	Key Issue 8	Reject	Reject	No
FS23.69	Kāinga Ora - Homes and Communities		Disallow	Key Issue 8	Accept	Accept	
S55.053	Heritage New Zealand Pouhere Taonga	TREE - Notable Trees	Retain 'TREE - Notable Tree' chapter as notified, with minor amendments.	Key Issue 12	Accept	Accept	No
S55.054	Heritage New Zealand Pouhere Taonga	TREE-AM1	Add the following assessment matter to TREE-AM1: '... 10. The potential for removal of a tree to disturb any archaeological site.'	Key Issue 12	Accept in part	Accept in part	Yes
S55.055	Heritage New Zealand Pouhere Taonga	SUB-O1	Retain SUB-O1(3) as notified.	Key Issue 11	Accept	Accept	No
S55.056	Heritage New Zealand Pouhere Taonga	SUB-P2	Retain SUB-P2 as notified.	Key Issue 11	Accept	Accept	No
S55.057	Heritage New Zealand Pouhere Taonga	SUB-P15	Retain SUB-P15 as notified.	Key Issue 11	Accept	Accept	No
S55.058	Heritage New Zealand Pouhere Taonga	SUB-PXX (new policy)	Add new policy as follows: 'Only allow subdivision of sites containing scheduled heritage items or Sites and Areas of Significance to Māori where it can be demonstrated that the values of the scheduled item can be maintained and there is sufficient land provided around the scheduled place to protect associated cultural and heritage values.'	Key Issue 11	Accept in part (insofar as new Assessment Matters have been recommended in the Subdivision chapter – refer also Kāinga Ora – Subdivision Topic, Key Issue 7: Rules)	Accept in part (insofar as new Assessment Matters have been recommended in the Subdivision chapter – refer also Kāinga Ora – Subdivision Topic, Key Issue 7: Rules)	Yes (new Assessment Matter in Subdivision Chapter)
FS23.71	Kāinga Ora - Homes and Communities		Disallow	Key Issue 11	Reject	Reject	
FS5.088	Nga hapu me nga marae o Tamatea		Allow	Key Issue 11	Accept in part	Accept in part	

Submission Point	Submitter/Further Submitter Name	Plan Provision	Summary of Decision Requested	Key Issue Reference	Officer Recommendation (as per s42A report unless otherwise specified)	Panel Recommendation	Amendments to Proposed Plan?
S55.059	Heritage New Zealand Pouhere Taonga	SUB-R1	Retain SUB-R1 as notified.	Key Issue 11	Accept	Accept	No
.							
S55.060	Heritage New Zealand Pouhere Taonga	SUB-R4	Retain SUB-R4 as notified.	Key Issue 11	Accept	Accept	No
.							
S55.062	Heritage New Zealand Pouhere Taonga	SUB-R6	Retain SUB-R6 as notified.	Key Issue 11	Accept	Accept	No
.							
S55.063	Heritage New Zealand Pouhere Taonga	SUB-R7	Amend SUB-R7(1)(a)(iv) as follows: 'iv. the whole of the feature within the conservation lot, including the setting of any historic heritage feature , will be physically and legally protected in perpetuity.' And amend SUB-R7(1)(b)(ii) as follows: 'ii. the whole of the feature within the conservation lot, including the setting of any historic heritage feature , will be physically and legally protected in perpetuity.'	Key Issue 11	Reject	Reject	No
FS23.72	Kāinga Ora - Homes and Communities		Disallow	Key Issue 11	Accept	Accept	
S55.064	Heritage New Zealand Pouhere Taonga	SUB-AM15	Amend SUB-AM15(2) as follows: '2. Heritage Items (HH-SCHED2) and Wāhi Tapu, Wāhi Taonga and Sites of Significance to Tangata Whenua (SASM-SCHED3) a. ... b. Whether sufficient area is provided to enable the item or site to be sensitively integrated into the Conservation Lot, particularly where the land contributes significantly to the value of the item or site. c. Where an additional residential dwelling is proposed to be co-located with a heritage item (where not identified on HH-SCHED2 as 'Wāhi Tapu'), the extent the new dwelling respects the setting of the heritage item. of setback of that dwelling from the heritage item will be considered with a view to protecting the item's heritage values.'	Key Issue 11	Reject	Reject	No
.							
S55.073	Heritage New Zealand Pouhere Taonga	SIGN-PXX (new policy)	Add a new policy as follows: 'SIGN-P9 To ensure that signs do not compromise the identified values, characteristics, or features of any heritage item identified in SCHED2.'	Key Issue 10	Accept	Accept	Yes
.							
S55.074	Heritage New Zealand Pouhere Taonga	SIGN-R7	Amend SIGN-R7(1) & (2) as follows: '... ix. SIGN-S9.' And amend SIGN-R7(3) as follows: '3. Activity status where compliance not achieved: RDIS Matters over which discretion is restricted:	Key Issue 10	Accept	Accept	Yes

Submission Point	Submitter/Further Submitter Name	Plan Provision	Summary of Decision Requested	Key Issue Reference	Officer Recommendation (as per s42A report unless otherwise specified)	Panel Recommendation	Amendments to Proposed Plan?
			a. h. The potential effects on heritage values for any site identified in SCHED2.'				
S55.075	Heritage New Zealand Pouhere Taonga	SIGN-SXX (new standard)	Insert a new Standard as follows: 'SIGN-S9 Signs on the Site of Heritage Items identified in SCHED2 All Zones 1. The maximum size of any sign is 1m2 per road frontage. 2. The sign fixtures do not damage the building or item. 3. The sign does not protrude above the highest point of the building or structure to which it is attached, projected or painted. 4. The sign must not be internally or externally illuminated. 5. The sign must not include a digital display. 6. The sign must not obscure any window, architectural feature or details on any heritage item. 7. The sign is not for the purposes of third party advertising. Note: This standard does not apply to signs approved by the Council and/or Heritage New Zealand Pouhere Taonga to identify heritage buildings or items included in SCHED2.'	Key Issue 10	Accept	Accept	Yes
S55.080	Heritage New Zealand Pouhere Taonga	MAPS	Map the extent of setting for 'HH - Historic Heritage' items, except where the setting corresponds with the site boundary.	Key Issue 2	Reject	Reject	No
S55.082	Heritage New Zealand Pouhere Taonga	MAPS	Check the NZAA data base for recorded archaeological sites, and show all on the planning maps, including V23/5.	Key Issue 9	Accept	Accept	Yes
FS5.097	Ngā hapū me ngā marae o Tamatea		Allow	Key Issue 9	Accept	Accept	
S57.008	Fire and Emergency New Zealand	SAFETY ALTERATIONS (OF A HERITAGE ITEM) (Definition)	Retain the definition of 'Safety Alterations (of a Heritage Item)' as notified.	Key Issue 1	Accept in part (subject to amendment from other submissions)	Accept in part (subject to amendment from other submissions)	No
S57.057	Fire and Emergency New Zealand	HH-O2	Retain HH-O2 as notified.	Key Issue 4	Accept	Accept	No
S57.058	Fire and Emergency New Zealand	HH-P7	Retain HH-P7 as notified.	Key Issue 5	Accept	Accept	No

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Panel Report: Historic Heritage and Notable Trees

Submission Point	Submitter/Further Submitter Name	Plan Provision	Summary of Decision Requested	Key Issue Reference	Officer Recommendation (as per s42A report unless otherwise specified)	Panel Recommendation	Amendments to Proposed Plan?
S57.059	Fire and Emergency New Zealand	HH-SCHED2	Retain HH-SCHED2 as notified.	Key Issue 8	Accept	Accept in part (subject to amendment from other submissions)	No
FS23.42	Kāinga Ora - Homes and Communities		Disallow	Key Issue 8	Reject	Reject	
S57.219	Fire and Emergency New Zealand	HH-R1	Retain HH-R1 as notified.	Key Issue 6	Accept in part (subject to amendment from other submissions)	Accept in part (subject to amendment from other submissions)	No
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S57.220	Fire and Emergency New Zealand	HH-R2	Retain HH-R2 as notified.	Key Issue 6	Accept in part (subject to amendment from other submissions)	Accept in part (subject to amendment from other submissions)	No
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S57.221	Fire and Emergency New Zealand	HH-R3	Retain HH-R3 as notified.	Key Issue 6	Accept in part (subject to amendment from other submissions)	Accept in part (subject to amendment from other submissions)	No
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S57.222	Fire and Emergency New Zealand	HH-R4	Retain HH-R4 as notified.	Key Issue 6	Accept	Accept in part (subject to a minor amendment)	No
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S57.223	Fire and Emergency New Zealand	HH-R5	Retain HH-R5 as notified.	Key Issue 6	Accept	Accept	No
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S57.224	Fire and Emergency New Zealand	HH-R6	Retain HH-R6 as notified.	Key Issue 6	Accept	Accept	No
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S57.225	Fire and Emergency New Zealand	HH-R7	Retain HH-R7 as notified.	Key Issue 6	Accept	Accept	No
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S57.226	Fire and Emergency New Zealand	HH-R8	Retain HH-R8 as notified.	Key Issue 6	Accept	Accept	No
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S84.001	Kairakau Lands Trust	HH - Introduction	Amend the second to last paragraph of 'HH - Introduction' as follows: 'There are also legal responsibilities that relate to all archaeological sites... Landowners are	Key Issue 3	Accept	Accept	Yes

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			encouraged to search the New Zealand Archaeological Association's database for the latest recorded site record information prior to commencing any land disturbance activities.'				
FS7.007	Heritage New Zealand Pouhere Taonga		Allow	Key Issue 3	Accept in part	Accept in part	
FS23.79	Kāinga Ora - Homes and Communities		Disallow	Key Issue 3	Reject	Reject	
S84.002	Kairakau Lands Trust	HH - Principal Reasons	Amend the last paragraph in 'HH - Principal Reasons' as follows: 'Unrecorded archaeological sites may be are usually accidentally discovered during earthworks and irreparably damaged . Therefore, it is also important that applicants seek advice at an early stage when earthworks are proposed, especially in areas known to be the site of associated with pre-1900 activity.'	Key Issue 3	Accept	Accept	Yes
FS7.014	Heritage New Zealand Pouhere Taonga		Allow	Key Issue 3	Accept	Accept	
S84.023	Kairakau Lands Trust	National Environmental Standards	No relief sought.	Key Issue 3	Accept in part	Accept in part	
S90.027	Centralines Limited	HH-R2	Retain HH-R2 as notified.	Key Issue 6	Accept in part (subject to amendment from other submissions)	Accept in part (subject to amendment from other submissions)	No
S90.028	Centralines Limited	TREE-R2	Amend TREE-R2 as follows: '1. Activity Status: PER Where one of the following conditions are met: a. The trimming is required by statute or regulations including the Electricity (Hazards from Trees) Regulations 2003 and or the Telecommunications Act 2001; or ...'	Key Issue 12	Accept	Accept	Yes
S90.029	Centralines Limited	TREE-R6	Add new Permitted Activity rule within TREE-R6 as follows: ' Activity Status: PER Where one of the following conditions are met: [a.?] Where the activity involves works within the root protection area of a notable tree identified in TREE-SCHED4 and the activities are required: i. To comply with the Electricity (Hazards from Trees) Regulations 2003; ii. To comply with the Telecommunications Act 2001; or [iii.?] For maintenance and repair purposes.'	Key Issue 12	Accept in part	Accept in part	Yes
S102.002	Te Mata Mushrooms Land Company Limited	MAPS	Amend the Planning Maps to show the Archaeological site on Lot 1 DP 554782 (464 Mt Herbert Road) in a more precise location.	Key Issue 9	Reject	Reject	No

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FS7.036	Heritage New Zealand Pouhere Taonga		Allow	Key Issue 9	Reject	Reject	
S109.002	Will Foley	MAPS	Relocate HH-65 to the correct site.	Key Issue 9	Accept	Accept	Yes
FS7.037	Heritage New Zealand Pouhere Taonga		Allow	Key Issue 9	Accept	Accept	
S117.053	Chorus New Zealand Limited	HH-R2	Amend HH-R2 as follows: '1. Activity Status: PER Where the following conditions are met: a. ... b. The new or replaced connection work does not involve a change or addition to the exterior of the building, with the exception of small (less than 0.1m3 in volume) customer connection boxes which are not affixed to the primary façade of the building to which they are being attached. Note: Where this is not the case, the work will be assessed as an 'alteration'.'	Key Issue 6	Accept in part	Accept in part	Yes
FS7.011	Heritage New Zealand Pouhere Taonga		Allow	Key Issue 6	Accept in part	Accept in part	
FS9.481	Royal Forest and Bird Protection Society of New Zealand Incorporated		Disallow	Key Issue 6	Accept in part	Accept in part	
S117.054	Chorus New Zealand Limited	HH-R6	Amend HH-R6 as follows: 'External alterations to heritage items identified in HH-SCHED2 Note: This rule does not apply to signs - signs are addressed in the SIGN - Signs chapter in the District Plan or any customer connections that result in external changes to the building that are permitted under Rule HH-R2. ...'	Key Issue 6	Reject	Reject	No
FS9.482	Royal Forest and Bird Protection Society of New Zealand Incorporated		Disallow	Key Issue 6	Accept	Accept	
FS7.012	Heritage New Zealand Pouhere Taonga		Allow	Key Issue 6	Reject	Reject	
S117.055	Chorus New Zealand Limited	TREE-R2	Retain TREE-R2 as notified.	Key Issue 12	Accept in part (subject to amendment from other submissions)	Accept in part (subject to amendment from other submissions)	No
FS9.483	Royal Forest and Bird Protection Society of New Zealand Incorporated		Disallow	Key Issue 12	Reject	Reject	

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	Zealand Incorporated						
S118.053	Spark New Zealand Trading Limited	HH-R2	Amend HH-R2 as follows: '1. Activity Status: PER Where the following conditions are met: a. ... b. The new or replaced connection work does not involve a change or addition to the exterior of the building, with the exception of small (less than 0.1m3 in volume) customer connection boxes which are not affixed to the primary façade of the building to which they are being attached. Note: Where this is not the case, the work will be assessed as an 'alteration'.'	Key Issue 6	Accept in part	Accept in part	Yes
S118.054	Spark New Zealand Trading Limited	HH-R6	Amend HH-R6 as follows: 'External alterations to heritage items identified in HH-SCHED2 Note: This rule does not apply to signs - signs are addressed in the SIGN - Signs chapter in the District Plan or any customer connections that result in external changes to the building that are permitted under Rule HH-R2. ...'	Key Issue 6	Reject	Reject	No
S118.055	Spark New Zealand Trading Limited	TREE-R2	Retain TREE-R2 as notified.	Key Issue 12	Accept in part (subject to amendment from other submissions)	Accept in part (subject to amendment from other submissions)	No
S119.053	Vodafone New Zealand Limited	HH-R2	Amend HH-R2 as follows: '1. Activity Status: PER Where the following conditions are met: a. ... b. The new or replaced connection work does not involve a change or addition to the exterior of the building, with the exception of small (less than 0.1m3 in volume) customer connection boxes which are not affixed to the primary façade of the building to which they are being attached. Note: Where this is not the case, the work will be assessed as an 'alteration'.'	Key Issue 6	Accept in part	Accept in part	Yes
S119.054	Vodafone New Zealand Limited	HH-R6	Amend HH-R6 as follows: 'External alterations to heritage items identified in HH-SCHED2 Note: This rule does not apply to signs - signs are addressed in the SIGN - Signs chapter in the District Plan or any customer connections that result in external changes to the building that are permitted under Rule HH-R2. ...'	Key Issue 6	Reject	Reject	No
S119.055	Vodafone New Zealand Limited	TREE-R2	Retain TREE-R2 as notified.	Key Issue 12	Accept in part (subject to amendment from other submissions)	Accept in part (subject to amendment from other submissions)	No

Proposed Central Hawke's Bay District Plan

Panel Report: Historic Heritage and Notable Trees

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S120.017	Heretaunga Tamatea Settlement Trust	TREE-SCHED4	It is important for Central Hawke's Bay District Council to work alongside tangata whenua to identify trees of cultural significance and add the trees to Schedule 4[TREE-SCHED4?] and the Planning Maps.	Key Issue 12	Accept	Accept	No
S121.149	Federated Farmers of New Zealand	HH-O1	Amend HH-O1 as follows: 'Identify, preserve and enhance the District's significant heritage items, heritage character and history of the District.' [no amendments provided in the relief sought]	Key Issue 4	Accept in part	Accept in part	No
FS7.009	Heritage New Zealand Pouhere Taonga		Allow	Key Issue 4	Accept in part	Accept in part	
FS9.149	Royal Forest and Bird Protection Society of New Zealand Incorporated		Disallow	Key Issue 4	Accept in part	Accept in part	
S121.150	Federated Farmers of New Zealand	HH-OXX (new objective)	Add a new objective in the 'HH - Historic Heritage' chapter in the Proposed Plan as follows: 'To promote the continued use of scheduled heritage buildings in the District where this encourages their retention, restoration and maintenance.'	Key Issue 4	Accept in part	Accept in part	Yes
FS9.150	Royal Forest and Bird Protection Society of New Zealand Incorporated		Disallow	Key Issue 4	Reject	Reject	
FS7.008	Heritage New Zealand Pouhere Taonga		Allow	Key Issue 4	Accept	Accept	
S121.151	Federated Farmers of New Zealand	HH-P1	Retain HH-P1 as proposed. And ensure landowners are adequately consulted when identifying and classifying heritage items.	Key Issue 5	Accept	Accept in part (insofar as policy is amended by another submission)	No
FS9.151	Royal Forest and Bird Protection Society of New Zealand Incorporated		Disallow	Key Issue 5	Reject	Reject	
S121.152	Federated Farmers of New Zealand	HH-P2	Amend HH-P2 as follows: 'To identify archaeological sites to assist the continued protection of these sites from inappropriate subdivision, use and development. '	Key Issue 5	Accept	Accept	Yes
FS7.0010	Heritage New Zealand Pouhere Taonga		Allow	Key Issue 5	Accept	Accept	
FS9.152	Royal Forest and Bird Protection		Disallow	Key Issue 5	Reject	Reject	

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	Society of New Zealand Incorporated						
S121.153	Federated Farmers of New Zealand	HH-P4	Retain HH-P4 as proposed.	Key Issue 5	Accept	Accept	No
FS9.153	Royal Forest and Bird Protection Society of New Zealand Incorporated		Disallow	Key Issue 5	Reject	Reject	
S121.154	Federated Farmers of New Zealand	HH-P5	Retain HH-P5 as proposed.	Key Issue 5	Accept	Accept	No
FS9.154	Royal Forest and Bird Protection Society of New Zealand Incorporated		Disallow	Key Issue 5	Reject	Reject	
S121.155	Federated Farmers of New Zealand	HH-P6	Retain HH-P6 as proposed.	Key Issue 5	Accept	Accept	No
FS9.155	Royal Forest and Bird Protection Society of New Zealand Incorporated		Disallow	Key Issue 5	Reject	Reject	
S121.156	Federated Farmers of New Zealand	HH-P7	Retain HH-P7 as proposed.	Key Issue 5	Accept	Accept	No
FS9.156	Royal Forest and Bird Protection Society of New Zealand Incorporated		Disallow	Key Issue 5	Reject	Reject	
S121.157	Federated Farmers of New Zealand	HH-SCHED2	Adjust the location and extent of historic heritage items in HH-SCHED2 according to landowner submissions. And ensure landowners are aware of non-regulatory methods and assistance available to them.	Key Issue 8	Accept in part	Accept in part	No
FS9.157	Royal Forest and Bird Protection Society of New Zealand Incorporated		Disallow	Key Issue 8	Reject	Reject	

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FS7.015	Heritage New Zealand Pouhere Taonga		Allow	Key Issue 8	Accept in part	Accept in part	
S121.172	Federated Farmers of New Zealand	TREE-M1	Retain TREE-M1 as proposed.	Key Issue 12	Accept	Accept	No
FS9.172	Royal Forest and Bird Protection Society of New Zealand Incorporated		Disallow	Key Issue 12	Reject	Reject	
S121.173	Federated Farmers of New Zealand	TREE-M2	Retain TREE-M2 as proposed.	Key Issue 12	Accept	Accept	No
FS9.173	Royal Forest and Bird Protection Society of New Zealand Incorporated		Disallow	Key Issue 12	Reject	Reject	
S121.236	Federated Farmers of New Zealand	HERITAGE ITEMS (definition)	Retain the definition of 'Heritage Items' as proposed.	Key Issue 1	Accept in part	Accept in part	Yes
FS9.236	Royal Forest and Bird Protection Society of New Zealand Incorporated		Disallow	Key Issue 1	Reject	Reject	
S129.001	Kāinga Ora	Definitions	Add a new definition for 'Archaeological Site'.	Key Issue 1	Accept in part	Accept in part	Yes
FS7.001	HNZPT		Disallow	Key Issue 1	Accept in part	Accept in part	
S129.060	Kāinga Ora	HH - Historic Heritage	<p>Kāinga Ora opposes the chapter in its proposed form, and seeks amendments to the chapter (and consequentially related provisions in other parts of the Proposed Plan) to address the following:</p> <ol style="list-style-type: none"> 1. Kāinga Ora considers that HH-I1 needs to be reconsidered so as to be clear about what adverse effects may result, as this will determine the type of response and degree of management required through subsequent provisions. 2. Kāinga Ora opposes use of the term 'heritage character' as referenced in HH-O1 and considers that it inappropriately conflates the concepts of historic heritage and amenity values, as set out in Sections 6 and 7 of the Resource Management Act. 3. Kāinga Ora considers that the rules framework and associated activities are predominantly focused on management of heritage buildings and have little regard for implications on historic and archaeological sites. Further consideration is needed regarding the appropriate response and management of sites. 	Key Issue 3	Reject	Reject	No

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			<p>4. Kāinga Ora opposes requiring resource consent for safety alterations to heritage items and expects that this requirement may have unintended consequences on the safety and long-term viability of heritage buildings. In this respect, Kāinga Ora considers that any potential issues and/or adverse effects resulting from safety alterations can instead be managed through a permitted activity framework subject to compliance with a corresponding set of conditions.</p> <p>5. In line with the above, Kāinga Ora opposes requiring resource consent for internal alterations of heritage items.</p> <p>6. Where locations are known, 'silent file' features and sites should be mapped in consultation with iwi to ensure that they are appropriately protected and to provide greater clarity to all parties on when tangata whenua may be directly impacted by a resource consent application.</p> <p>7. Greater clarity regarding the spatial extents of archaeological sites and sites of significance is needed to confirm whether an activity will trigger resource consenting requirements under HH and/or SASM provisions.</p>				
FS7.005	HNZPT		Disallow in part	Key Issue 3	Accept in part	Accept in part	
S130.001	S Osborne	TREE-SCHED4	Amend TREE-SCHED4 to record that TREE-68 & TREE-69 are each a 'descendant of the original Gallipoli Lone Pine from WW1', and their species identified as '- Turkish red pine (Pinus brutia)'.	Key Issue 12	Accept	Accept	Yes