

Section 32 report: Sites with significant historic heritage values

for the Proposed Natural Resources Plan for the Wellington Region



greater WELLINGTON

REGIONAL COUNCIL

Te Pane Matua Taiao



Issues and Evaluation Report



Section 32 report: Sites with significant historic heritage values

for the Proposed Natural Resources Plan for the Wellington Region

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1. Overview and purpose

This report is a section 32 analysis of the provisions in the Proposed Natural Resources Plan for the Wellington Region (referred to as the proposed Plan or PNRP) for sites with significant historic heritage values. The report explains the resource management issue, regulatory and policy context and options for addressing the issue in the proposed Plan. It also provides the reasoning behind the provisions in the proposed Plan, and an evaluation of the extent to which the proposed provisions (policies, rules and other methods) are the most effective and efficient means of achieving the proposed objectives. This report should be read in conjunction with the report “Introduction to the Resource Management Act 1991 section 32 reports”, to understand the context and approach for evaluation undertaken for the development of the proposed Plan.

Section 32(2) of the Resource Management Act 1991 (RMA) states:

(2) An assessment under subsection (1)(b)(ii) must—

(a) identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for—

(i) economic growth that are anticipated to be provided or reduced; and

(ii) employment that are anticipated to be provided or reduced; and

(b) if practicable, quantify the benefits and costs referred to in paragraph (a); and

(c) assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions

1.1 Māori historic heritage

The definition of historic heritage in section 2 of the RMA includes sites of significance to Māori. Wellington Regional Council has engaged extensively with mana whenua in the development of the proposed Plan, including convening a group of kaitiaki as technical advisors. The kaitiaki wanted to determine for themselves how sites of significance to Māori would be identified and provided for in the proposed Plan.

Although some of the identified sites with significant historic heritage values do also have Māori heritage value, the sites of significance to Māori went through a different process for identification, and for the most part, the kaitiaki were not interested in being closely involved with the identification or evaluation of the historic heritage sites, so they have been treated as separate matters in the proposed Plan development. Please refer to the Section 32 report: Māori values, for further detail and analysis about the sites of significance to Māori.

1.2 Reference to other evaluation reports

There are other section 32 reports that are also relevant to historic heritage management. Please refer to these other reports for further detail about these topic areas:

- Section 32 report: Management of the Coastal Marine Area
- Section 32 report: Activities in the Coastal Marine Area
- Section 32 report: Natural hazards
- Section 32 report: Māori values

2. Resource management issue

The issues identified from the regional engagement were articulated in the issues report supporting the draft Natural Resources Plan (GWRC 2014) (note that the issue number below relates to that used in this report).

There is one significant regional resource management issue relating to sites with significant historic heritage values as follows:

1.14 Degradation and destruction of historic heritage places, sites and areas, including those significant to Māori, results in the loss of significant historic heritage and the associated values.

Historic heritage provides a connection to those who lived before us. It helps us define who we are and contributes to our sense of place. Once destroyed, it cannot be replaced. Our history is found in both the tangible physical remains and in the intangible values associated with our ancestors. For Māori, places of cultural and historic heritage are integral to well-being, and mana whenua are very concerned about the destruction of places significant to them. Historic heritage is not just about history, but also culture, archaeology, architecture, science and technology.

Though there is not extensive documented evidence to measure the extent of historic heritage loss in the coastal marine area and freshwater bodies, it is known that there is little in the operative regional plans to prevent such loss. At the time the operative regional plans were prepared, Wellington Regional Council did not consider it a priority to protect historic heritage values, but this has now changed. There has also been community concern about the loss of historic heritage values (Parminter 2011).

Analysis of the state of the environment and the operative plans' historic heritage provisions show that the level of information known about many historic heritage sites is poor, particularly for archaeological sites. This lack of knowledge puts significant historic heritage sites at risk of damage or loss of those heritage values (Swierczynski 2008).

3. Regulatory and policy context

3.1 Resource Management Act

The Parliamentary Commissioner for the Environment reviewed heritage management in New Zealand in 1996 and found that the legislation had not been effective. This review led to the inclusion of historic heritage as a section 6 matter of national importance in the Resource Management Amendment Act 2003, whereas it had previously been a section 7 ‘other matter’ that had less priority. Expectations for heritage management have risen since the operative regional plans were prepared, and the regional council is now expected to “recognise and provide for... the protection of historic heritage from inappropriate subdivision, use and development” in section 6(f) of the RMA. The proposed Plan must show how it recognises and provides for historic heritage and its protection from inappropriate subdivision, use and development.

It should be noted that the definition of historic heritage in the RMA includes archaeological sites. Heritage New Zealand Pouhere Taonga has some regulatory control over the modification, damage or destruction of archaeological sites via the Heritage New Zealand Pouhere Taonga Act 2014, mainly to ensure that archaeological sites are recorded as they are destroyed. Often there are misconceptions that because Heritage New Zealand Pouhere Taonga issues archaeological authorities for site modification and damage, local authorities do not need to be responsible for archaeological sites. However, this is not the case, and the RMA requires that archaeological sites be protected from inappropriate subdivision, use and development just as for other types of historic heritage.

Section 12(1)(g) of the RMA states “no person may, in the coastal marine area, destroy, damage, or disturb any foreshore or seabed...in a manner that has or is likely to have an adverse effect on historic heritage unless expressly allowed by a national environmental standard, a rule in a regional coastal plan as well as a rule in a proposed regional coastal plan for the same region (if there is one), or a resource consent”. This section was added in the Resource Management Amendment Act 2003.

When preparing or changing any regional plan, section 66(2)(c)(iia) requires that regional councils have regard to “[any] relevant entry on the New Zealand Heritage List/Rārangi Kōrero required by the Heritage New Zealand Pouhere Taonga Act 2014” to the extent that it has a bearing on resource management issues of the region. The New Zealand Heritage List/Rārangi Kōrero is a repository of information about recognised significant historic heritage places. Heritage New Zealand does not regulate proposed changes to these listed places, but makes recommendations to local authorities as part of the identification process.

Section 66(1) requires regional councils to “prepare and change any regional plan in accordance with its functions under section 30, the provisions of Part 2, a direction given under section 25A(1), its duty under section 32, and any regulations”. Section 30(1)(a) specifies “the establishment, implementation, and review of objectives, policies, and methods to achieve integrated

management of the natural and physical resources of the region” as a function for the purpose of giving effect to the RMA.

3.2 New Zealand Coastal Policy Statement

A national policy statement is an instrument available under the RMA to help local government decide how competing national benefits and local costs should be balanced. The national policy statement for the coast, the New Zealand Coastal Policy Statement 2010(NZCPS), has as one of its objectives the following:

To enable people and communities to provide for their social, economic, and cultural wellbeing and their health and safety, through subdivision, use, and development, recognising that...historic heritage in the coastal environment is extensive but not fully known, and vulnerable to loss or damage from inappropriate subdivision, use, and development.

Policy 17 of the NZCPS specifies that historic heritage in the coastal environment be protected “from inappropriate subdivision, use and development”. The policy also provides detail about how protection should be achieved, including through identification of historic heritage and providing for integrated management via policies, rules and other methods (Department of Conservation 2010).

3.3 Regional Policy Statement for the Wellington Region

Historic heritage is addressed in section 3.5 of the Regional Policy Statement for the Wellington Region (RPS). The regionally significant issue is: “Loss of heritage values as a result of inappropriate modification, use and destruction of historic heritage.” The objective is to identify and protect historic heritage from “inappropriate modification, use and development”.

The policy response is that regional plans identify and protect places, sites and areas with significant historic heritage values using specified criteria (Policy 21). These criteria include evaluation of historic values, physical values, social values, tangata whenua values, surroundings, rarity and representativeness. In addition, regional plans shall include policies, rules and/or other methods that protect significant historic heritage values from inappropriate subdivision, use and development and avoid the destruction of unidentified archaeological sites and wāhi tapu with significant historic heritage values (Policy 22).

There is also an interim policy (Policy 46) that contains a list of matters to consider when determining whether or not historic heritage will be adversely affected when considering resource consents, notices of requirement and when changing, varying or replacing plans. This policy will only apply until the relevant district or regional plan has operative provisions that comply with the identification and protection policies.

3.4 Operative regional plans

The way in which historic heritage is provided for in the operative plans is insufficient. This is due to those plans being made operative prior to the elevation of protection of historic heritage to a section 6 matter in the RMA

amendment in 2003. There is only cursory identification of some historic heritage places in the operative Regional Coastal Plan for the Wellington Region (RCP), and no historic heritage scheduled in the Regional Freshwater Plan for the Wellington Region. The limited policies regarding historic heritage lack clarity and consequently have not provided sufficient direction.

Appendix 4 of the RCP is a table that lists 22 features and buildings of historic merit. All of them are in the coastal marine area adjacent to Wellington City and Hutt City. There are no places of relevance in Kāpiti, Porirua or the Wairarapa. No shipwrecks are noted, though there are many known to be in the coastal marine area. The table has three columns: name, location and structure. The information is vague; for example, the Evans Bay Sea Wall entry is as follows:

Name	Location	Structure
Evans Bay Sea Wall	Evans Bay	Sea Wall

Most of the sites are not mapped, and there is no information in the table to identify the boundaries of a feature of historic merit. The only historic heritage map in the RCP shows heritage features in the Lambton Harbour Development Area. In some cases, a whole wharf was identified, while in others it is only the wharf edges. There is no explanation as to what about the wharf edge is to be protected. There is also no information about what historic heritage values are attributed to any of the features. The operative plans do not meet the purpose and principles of the RMA.

4. Evaluation of the proposed objective

Section 32(1)(a) of the RMA requires that an evaluation report must “examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of the Act.” The appropriateness test applied consists of four standard criteria: relevance, usefulness, reasonableness and achievability. These criteria can be summarised as follows:

- Relevance – is the objective related to addressing a resource management issue? Will it achieve one or more aspects of the purpose and principles of the RMA?
- Usefulness – will the objective guide decision-making? Does it meet sound principles for writing objectives?
- Reasonableness – what is the extent of the regulatory impact imposed on individuals, businesses or the wider community? Is it reasonable?
- Achievability – can the objective be achieved with tools and resources available, or likely to be available, to the local authority?

4.1 Operative objective

The most relevant RCP objective (Objective 4.1.13) relates only to historic heritage of significance to tangata whenua. As the RMA defines historic heritage much more broadly, this objective is not adequate. It will not achieve

the purpose and principles of the RMA or give effect to the NZCPS or RPS, so is no longer relevant or useful.

4.2 Proposed objective

In order to achieve the purpose and principles of the RMA, and to meet the expectations of the RPS and NZCPS for historic heritage, Wellington Regional Council proposes the following objective:

4.2.1 Objective O34

Significant historic heritage values are protected from inappropriate modification, use and development.

The objective is relevant because it will address the resource management issue for historic heritage. It will recognise and provide for historic heritage as a matter of national importance, and implement the historic heritage policies of the RPS and NZCPS by ensuring that significant historic heritage is not inappropriately modified, used or developed.

The objective will be useful as it will help guide decision-making about when it is appropriate to modify, use or develop historic heritage places. The objective is specific, relates to the issue and it is clear what is to be achieved. It does not specify a timeframe as the nature of historic heritage means that protection from inappropriate modification, use and development cannot necessarily be achieved in the proposed Plan and will be ongoing beyond it.

There will be some additional costs to resource consent applicants to assess potential impacts on historic heritage. However, these costs are already imposed by the RPS policies and are unavoidable. It is difficult to predict precisely what historic heritage assessment will cost over the life of the proposed Plan as they will only be needed where places are scheduled. Some of the places already scheduled in the RCP would continue to be scheduled in the proposed Plan, so this would not create additional costs. Due to the jurisdictional boundaries of the proposed Plan, few private properties are affected. Many of the historic heritage sites identified in the proposed Plan may never be subject to a proposed activity. An initial assessment of effects on historic heritage values would cost a resource consent applicant approximately \$1500. Any additional costs to avoid adverse effects on historic heritage values would depend on the nature of the project and the methods used.

Wellington Regional Council has already incurred costs in comprehensively identifying historic heritage values and documenting them in inventory reports. This information is expected to be useful to all parties involved with decision-making about the appropriateness of proposed works at scheduled historic heritage sites, and will reduce the costs for individual consent applicants. It will also be an important public resource about coastal and freshwater historic heritage for the region.

The objective is achievable as the proposed Plan has supporting policies to help decision-makers determine what is appropriate.

4.3 Conclusion for proposed objective

The new objective seeks to address the shortcomings of having limited operative provisions, and creates a clear and efficient policy tool with which decision-makers and plan users can assess proposed activities that may affect sites with significant historic heritage values. The assessment of the proposed objective shows the following:

The proposed objective is relevant as it:

- Gives effect to the RMA, NZCPS, and RPS
- Uses language and terminology that is consistent with the RMA, NZCPS and RPS
- Effectively addresses a regionally significant issue

The proposed objective is useful in achieving the purpose of the RMA as it:

- Is consistent with the guidance and national direction provided in the NZCPS and RPS
- Provides clear, consistent and comprehensive outcomes sought to be achieved

The assessment also shows that the proposed objective is more efficient and comprehensive than the operative objective and is more relevant and useful in achieving the purpose of the RMA.

It is reasonable as WRC has undertaken the initial identification work and the change in the regulatory impact is low, and it is achievable because the information allows an assessment of the effects of any activity which is applied for under the provisions in the proposed Plan.

5. Analysis of proposed provisions

The proposed Plan seeks to comprehensively identify significant historic heritage and its values to ensure that those values are protected from inappropriate modification, use and development. Policies are needed to guide decision-making about when activities would be appropriate.

5.1 Proposed policies

Policies P46 and P47 are the primary policies for sites with significant historic heritage values. Both of these policies implement Policies 22(a) and 46 of the RPS. Policy 22(a) requires the proposed Plan to include policies, rules and/or other methods that protect historic heritage values from inappropriate subdivision, use and development. Policy 46 requires Wellington Regional Council to have particular regard to specified criteria when determining if an activity is appropriate. These RPS policies must be given effect to in the proposed Plan; therefore, Wellington Regional Council cannot escape the costs associated with their implementation. Some of these costs have already been incurred through the identification of the scheduled sites. There will be some additional administration costs for Wellington Regional Council to consider

these policies, and for consent applicants to provide assessments of any potential effects.

Policy P46 contains criteria to evaluate whether or not the effects on historic heritage values of a proposed activity would be appropriate. These criteria are based on the criteria in Policy 46 of the RPS, reframed for the proposed Plan. Access to the already completed inventory reports about each scheduled historic heritage place will help assess the potential effects of activities on the significant historic heritage values.

The premise of Policy P47 is that demolition of heritage structures is inappropriate, however the policy also recognises the limited circumstances under which demolition of a significant historic heritage structure may be appropriate. The circumstances are listed in the policy, that is where it “is substantially damaged by fire or natural hazard” and “it is not reasonably practicable to repair it”. As a result of submissions on the draft Natural Resources Plan, the proposed Policy P47 adds that demolition may also be appropriate where a structure has become a potential safety hazard to the public and it is not reasonably practicable to repair it, regardless of whether or not a fire or natural hazard event has occurred.

The policy does not require the decision-maker to do further balancing of other policies within the PNRP to determine if demolition, in principle, is appropriate. It is expected that consent applicants who wish to demolish a scheduled structure will provide evidence of how technically difficult or prohibitively expensive it would be to repair it, as well as how it was damaged or why it is considered unsafe. The decision-maker would still need to consider the other policies of the PNRP to determine if the effects of the specific proposal were acceptable.

An advice note has also been included with Policy P47 to clarify that should any of the circumstances in the policy apply, and therefore demolition deemed appropriate, the relevant matters listed in Policy P46 are still to be considered. For example, there may be an ability to retain “unique or special materials” and reuse these in a subsequent development.

There was some consideration of whether or not Policy P47 should also deem demolition appropriate for preventative climate change activities. However, it was determined that as historic heritage is a specific Part 2 matter in the RMA and climate change is not, it is not appropriate to pre-determine that demolition would be acceptable for preventative climate change reasons. Further, it is not certain that climate change effects would necessarily have adverse impacts on the significance of historic heritage values. For example, a significant historic sea wall that was inundated by sea level rise would continue to have significant historic heritage values even if it was under water.

5.2 Rules

The rules have been written to prioritise the requirement for resource consent only where necessary to protect historic heritage values. Other options were considered, particularly having a higher resource consent activity status for demolition, but the other options were considered inefficient and ineffective.

Further detail about these other options can be found in section 6 below and Table A2 in the Appendix.

The extensive evaluation of historic heritage significance undertaken to identify places for scheduling in the proposed Plan has resulted in a great deal of information being available about the significant historic heritage values present at each scheduled place. This has allowed us to target historic heritage regulation for those activities with potentially adverse effects on historic heritage values. Where an activity is unlikely to result in adverse effects on historic heritage values, resource consent would not be required. There are five different schedules to ensure that the regulatory regime is specific and targeted.

For example, one of the historic heritage values of the groupings of boatsheds at Te Awarua-o-Porirua Harbour and Evans Bay is the eclectic nature of their materials. Therefore, alterations to boatsheds that include a change of materials are permitted, provided the size of the boatshed is not changed and other general conditions are met. Similarly, there would be no reason to decline consent to replace a rotten wooden wharf pile with a different material, so consent is not required for this kind of alteration. The tightest controls are for structures where changes in materials could adversely affect the historic heritage values. Skerrett Boat Shed in Whiorau/Lowry Bay is significant because of its timber materials and unique picturesque siting; any proposed changes to its materials would require a restricted discretionary consent, with discretion restricted to effects on historic heritage values, public access, public open space and visual amenity, lighting and noise, interference with natural processes including shoreline stability, and the environmental effects associated with construction activities.

A number of historic heritage places have been identified in and above the beds of rivers and streams. There are no rules in the proposed Plan that specifically regulate historic heritage places in freshwater bodies because historic heritage is not a land-use function of regional councils in section 30 of the RMA. The regional council is therefore unable to make regulation for historic heritage purposes in the beds of rivers and streams. However, Wellington Regional Council still must recognise and provide for historic heritage as a section 6 matter, so Policies P46 and P47 will apply in situations where discretionary or non-complying consent is required for some activity. Territorial authorities are encouraged to consider scheduling these places in district plans as well, where historic heritage can be regulated.

5.3 Schedules

Wellington Regional Council has sufficient information to support scheduling a number of sites with significant historic heritage values. The identification and evaluation of significant historic heritage has been guided by Policy 21 of the RPS. These places are identified in Schedules E1 to E5 and the related GIS layers and maps. A question that often comes up in assessing resource consent applications is what historic heritage values a scheduled place has. Having these values identified and evaluated up front will make assessing any potential effects easier for resource consent applicants, submitters and decision-makers alike. Further, identification of significant historic heritage values is required by RPS Policy 21 and NZCPS Policy 17.

The development of the schedules has involved careful consideration over a number of years. As there were few places scheduled in the operative plans, the first step was to determine what sites to evaluate and secondly to commission scoping reports. These reports identified different themes important to Wellington's history, listed places that should be evaluated, and included extensive bibliographies where more information was located. These lists were reviewed and amended through consultation with Heritage New Zealand Pouhere Taonga.

Conservation architects, historians and an archaeologist were then tasked with evaluating each of places listed in the scoping report to determine whether or not significant historic heritage values were present. The criteria used were those in Policy 21 of the RPS, which include the following:

- (a) historic values: these relate to the history of a place and how it demonstrates important historical themes, events, people or experiences.
 - (i) themes: the place is associated with important themes in history or patterns of development.
 - (ii) events: the place has an association with an important event or events in local, regional or national history.
 - (iii) people: the place is associated with the life or works of an individual, group or organisation that has made a significant contribution to the district, region or nation.
 - (iv) social: the place is associated with everyday experiences from the past and contributes to our understanding of the culture and life of the district, region or nation.
- (b) physical values: these values relate to the physical evidence present.
 - (i) archaeological: there is potential for archaeological investigation to contribute new or important information about the human history of the district, region or nation.
 - (ii) architectural: the place is notable for its style, design, form, scale, materials, ornamentation, period, craftsmanship or other architectural values.
 - (iii) technological: the place provides evidence of the history of technological development or demonstrates innovation or important methods of construction or design.
 - (iv) integrity: the significant physical values of the place have been largely unmodified.
 - (v) age: the place is particularly old in the context of human occupation of the Wellington Region.

- (vi) group or townscape values: the place is strongly associated with other natural or cultural features in the landscape or townscape, and/or contributes to the heritage values of a wider townscape or landscape setting, and/or it is a landmark.
- (c) social values: these values relate to the meanings that a place has for a particular community or communities.
 - (i) sentiment: the place has strong or special associations with a particular cultural group or community for spiritual, political, social, religious, ethnic, national, symbolic or commemorative reasons.
 - (ii) recognition: the place is held in high public esteem for its historic heritage values, or its contribution to the sense of identity of a community, to the extent that if it was damaged or destroyed it would cause a sense of loss.
- (d) tangata whenua values: the place is sacred or important to Māori for spiritual, cultural or historical reasons.
- (e) surroundings: the setting or context of the place contributes to an appreciation and understanding of its character, history and/or development.
- (f) rarity: the place is unique or rare within the district or region.
- (g) representativeness: the place is a good example of its type or era.

Information about each place's history was gathered into files, which are now kept at Wellington Regional Council. The consultants prepared a report for each place proposed for scheduling. Each entry has a brief history and description of the place, along with a detailed assessment of significance, photographs and sources. The inventory reports will be valuable for understanding the historic heritage values of scheduled places, and the collated files of historic information may also be helpful for historians. A number of other places were also evaluated and either the historic heritage values were not considered significant enough to warrant scheduling, or the place was outside the coastal marine area and therefore outside the proposed Plan's jurisdiction.

Most of the places being scheduled are in areas of the coastal marine area or freshwater bodies that do not have private ownership. A number of places are owned or managed by territorial authorities. Wellington Regional Council has engaged with private owners of scheduled historic heritage assets to ensure that people understand the implications of including these places in the proposed Plan schedule. A number of meetings with boatshed owners were held, for example, who were generally comfortable with the proposed Plan provisions.

5.4 Other methods

Although Wellington Regional Council has gone to great lengths to ensure that the most significant archaeological sites are scheduled in the proposed Plan, it

is expected that other archaeological remains will be uncovered in the life of the proposed Plan. It is therefore recommended that a non-regulatory method (Method M23) be included in the proposed Plan to ensure that archaeological discovery protocols are in place during earth moving activities. A discovery protocol will ensure that anyone doing works that could disturb archaeological remains will know what to do in the event that such remains are uncovered. This other method gives effect to Policy 22(b) of the RPS, which requires the proposed Plan to have provisions that “avoid the destruction of unidentified archaeological sites and wāhi tapu with significant historic heritage values”.

It is not considered necessary to have rules to manage unidentified archaeological sites. In part, this is due to the extensive identification of archaeological sites that Wellington Regional Council has already undertaken. These scheduled archaeological sites will be subject to the regional plan provisions. Any unidentified archaeological sites are unlikely to have high historic heritage significance values. In addition, all archaeological sites associated with human activity prior to 1900 have protection under the Heritage New Zealand Pouhere Taonga Act. Archaeological site modification or destruction requires that an authority be granted under this other legislation.

6. Options for provisions

In developing provisions to achieve the objective, the following four options were identified for consideration:

- Option 1 – Status Quo (no change from Operative Plan)
- Option 2 – Identify specific historic heritage values and protect them through targeted regulation
- Option 3 – Identify specific historic heritage values and protect them via non-regulatory methods
- Option 4 – Identify specific historic heritage values and protect them through tight regulation

An option where specific historic heritage values would not be identified was not examined in detail as the identification of specific significant historic heritage values is required by the RPS. Options 2, 3 and 4 have already produced employment in the region and improved the knowledge base of historic heritage through the extensive work required to identify and evaluate the scheduled historic heritage sites. These options will also increase employment in the future, though not greatly, through the necessity for historic heritage expert advice.

6.1 Option 1 – Status quo

Option 1 is the do nothing option, whereby the existing plan provisions would simply be rolled over. This option was eliminated because plan effectiveness evaluation clearly showed that the operative plan provisions for historic heritage were inadequate (Swierczynski 2008). There are no historic heritage objectives in the operative plans, except Objective 4.1.13 in the RCP that seeks

to protect characteristics of “historical or cultural significance to tangata whenua”. This option would not meet legislative requirements as the objective is limited to consideration of tangata whenua values, not the wider significant historic heritage values. The cultural and environmental costs of this option are high, and the benefits low.

6.2 Option 2 – Targeted regulation

Option 2 provides a level of regulation for historic heritage to ensure that major changes are given adequate consideration, while permitting activities that are unlikely to have adverse effects on historic heritage values. More detail about this regulatory option is specified in section 5.2 above. This option is considered to be effective and efficient, and therefore is the most appropriate option.

6.3 Option 3 – Non-regulatory protection

Option 3 would use non-regulatory means to protect historic heritage values. This could mean approaches such as encouraging use of management plans or conservation plans. Non-regulatory methods rely on voluntary participation, so there is no guarantee of effectiveness. They also benefit in effectiveness if they are supported by generous funding schemes, which Wellington Regional Council has not funded to date and does not currently offer. This option is unlikely to achieve the objective. As it would be ineffective, it has not been recommended.

6.4 Option 4 – Strict regulation

Option 4 would impose a tough regulatory regime. Heritage New Zealand guidance by McClean and Greig (2007), for example, recommends that in coastal plans repairs and maintenance should be controlled activities and demolition should be non-complying or prohibited activities.

In the coastal marine area, the environment can be damaging to structures. It is important that structures are maintained so they do not become a hazard, and requiring resource consent could discourage property owners from repair or maintenance. Wellington Regional Council considers it more effective to allow repairs and maintenance as permitted activities, subject to conditions, rather than controlling them. Further, the dynamic and unpredictable nature of the coast could result in irreparable damage to a structure, leaving it unsafe. Prohibiting demolition of such a structure would be unwise. This option is considered less effective and efficient than Option 2.

6.5 Conclusion for proposed provisions

Option 2 is the most efficient and effective option. Table 1 below shows how this option would be implemented in the proposed Plan and the links between the proposed objectives, policies, rules, schedules, maps and other methods. Table A2 in the Appendix provides a more detailed analysis of the appropriateness of each option.

Table 1: Links between objectives, policies, rules and schedules

Objective:	Objective O34: Significant historic heritage values are protected from inappropriate modification, use and development.
Policies:	Policy P46: Managing adverse effects on sites with significant historic heritage value Policy P47: Appropriate demolition
Rules:	Rule R149: Maintenance and repair – permitted activity Rule R168: Alteration of structures identified in Schedule E2 or Schedule E3 – permitted activity Rule R169: Additions and alterations to structures identified in Schedule E1 and Schedule E2 – restricted discretionary activity Rule R170: Additions to structures identified in Schedule E3 – permitted activity Rule R171: Additions and alterations to structures identified in Schedule E1, Schedule E2, Schedule E3 – restricted discretionary activity Rule R172: Removal, demolition or replacement of a structure or part of a structure identified in Schedule E1, Schedule E2 or Schedule E3 – discretionary activity Rule R194: Disturbance or damage – discretionary activity
Schedule E: Sites with significant historic heritage values	Schedule E1: Historic heritage structures Schedule E2: Historic heritage wharves and boatsheds Schedule E3: Historic heritage navigation aids Schedule E4: Archaeological sites Schedule E5: Historic heritage freshwater sites
Maps	Map 8: Historic heritage structures (Schedule E1) Map 9: Historic heritage wharves and boatsheds (Schedule E2) Map 10: Historic heritage navigation aids (Schedule E3) Map 11: Archaeological sites (Schedule E4) Map 12: Historic heritage freshwater sites (Schedule E5)
Other methods	Method M23: Archaeological discovery protocols

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Appendix

Table A1: Summary of appropriateness of Objective O34

Objective O34 Significant historic heritage values are protected from inappropriate modification, use and development	
Relevance	
Directly related to resource management issue?	Yes, Issue 1.14
Will achieve one or more aspects of the purpose and principles of the RMA?	Yes, Part 2, section 6(f)
Relevant to Māori environmental issues? (sections 6(e),6(g),7(a),8)	Yes, although mana whenua kaitiaki opted to provide for sites of significance to them through other provisions in the proposed Plan
Relevant to statutory functions or to give effect to another plan or policy (i.e. NPS, RPS)?	Yes, RPS Objective 15 and Policies 21, 22 and 46, Policy 17 of the NZCPS
Usefulness	
Will effectively guide decision-making?	Yes, this objective will guide the processing of resource consents for activities being undertaken in scheduled areas
Meets sound principles for writing objectives? (specific; state what is to be achieved where and when; relate to the issue; able to be assessed)	This objective is a clear and complete sentence related to an issue. This objective is not time-bound as it aims to deliver benefits over time
Consistent with other objectives?	Yes, all the objectives have been assessed, and work together to achieve the sustainable management of natural resources in the Wellington Region
Achievability	
Will it be clear when the objective has been achieved in the future? Is the objective measurable and how would its achievement be measured?	Yes, the achievement of this objective will become clear in the future through state of the environment monitoring that assesses the impacts of any resource consents granted in scheduled areas
Is it expected that the objective will be achieved within the life of the Plan or is it an aspirational objective that will be achieved sometime in the future?	This objective will be achieved in the life of the proposed Plan, but will also continue beyond it
Does the council have the functions, powers, and policy tools to ensure that they can be achieved? Can you describe them?	Yes, the functions and powers to achieve the objective are contained in sections 13, 14, 15 and 30 of the RMA; and the objective will be achieved through the policies, rules, schedules, maps and other methods in the proposed plan

What other parties can the Council realistically expect to influence this outcome?	<ul style="list-style-type: none"> • Resource owners and users • Territorial authorities • Government departments • Non-governmental organisations, such as Heritage New Zealand, Historic Places Aotearoa, Maritime Archaeological Association of New Zealand and New Zealand Archaeological Association
What risks have been identified in respect of outcomes?	The further loss of historic heritage values will be reduced through the achievement of this objective
Reasonableness	
Does the objective seek an outcome that would have greater benefits either environmentally economically or socially compared with the costs necessary to achieve it?	Yes – this objective will have greater environmental benefits than the costs necessary to achieve it
Who is likely to be most affected by achieving the objective and what are the implications for them?	People or agencies undertaking activities in scheduled areas will need to consider the costs of resource consent applications and/or measures to avoid the adverse effects of their activities on significant historic heritage values
Existing objectives	
Is the existing objective (4.1.13) still relevant or useful?	No, the existing objective is not relevant or useful

Table A2: Evaluation of policy options for historic heritage

		Option 1 – Status quo (no change from operative plan)	Option 2 – Identify specific historic heritage values and protect them through targeted regulation (preferred option)	Option 3 – Identify specific historic heritage values and protect them via non-regulatory methods	Option 4 – Identify specific historic heritage values and protect them through tight regulation
Costs (of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions)	Council	There are some costs associated with administering the operative plan. Significant costs to the Council could be incurred as a result of being inconsistent with the RMA, NZCPS and RPS.	There would be some additional costs to administer the proposed Plan. WRC has invested funds in the comprehensive identification of historic heritage places and the associated significant historic heritage values, and these costs have already been incurred.	This option would have lower administrative costs than option 2 as no resource consents would be required, but would not be giving full effect to RMA, NZCPS or RPS. WRC has invested funds in the comprehensive identification of historic heritage places and the associated significant historic heritage values, and these costs have already been incurred.	There would be greater administrative costs than Option 2 as more resource consents would be required, though those costs could be recovered through increased application fees. WRC has invested funds in the comprehensive identification of historic heritage places and the associated significant historic heritage values, and these costs have already been incurred.
	Resource user (consent applicant or permitted use)	Costs to some individuals for consent applications.	Costs to more individuals for consent applications as compared to the status quo.	Potentially lower costs than Option 2 as resource consents would not be required, but owners and resource users may still opt to avoid adverse effects on historic heritage, which may involve some additional cost for expert involvement.	There would be higher costs for owners and resource users as resource consent would be required for more activities, and as the tests for approval would be higher, preparing resource consent applications may also cost more. In some instances, the resource user may decide that it would be uneconomic to try to get resource consent.
	Community costs (environmental, social, economic, cultural)	Environmental and cultural costs from not sufficiently protecting historic heritage.	No additional costs over and above the status quo.	There may be some environmental and cultural costs due to lost historic heritage as there would be no regulations to prevent such loss.	No additional costs over and above the status quo.

		Option 1 – Status quo (no change from operative plan)	Option 2 – Identify specific historic heritage values and protect them through targeted regulation (preferred option)	Option 3 – Identify specific historic heritage values and protect them via non-regulatory methods	Option 4 – Identify specific historic heritage values and protect them through tight regulation
Benefits (of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions)	Council	Very few applications require consideration of historic heritage, so the administrative costs are low.	Specifying historic heritage values and criteria for determining appropriateness of activities aids consent processing, and the targeted regulation provides some protection of historic heritage values. This option is compliant with the RMA, RPS and NZCPS. It also provides WRC with a resource about coastal and freshwater historic heritage, enabling WRC to maintain a leadership role in managing historic heritage.	There would be no resource consents required, so Council could save on assessment costs. This option provides WRC with a resource about coastal and freshwater historic heritage.	Specifying historic heritage values and criteria for determining appropriateness of activities aids consent processing, and the regulations would provide a high level of protection to historic heritage. This option is compliant with the RMA, RPS and NZCPS. It also provides WRC with a resource about coastal and freshwater historic heritage, enabling WRC to maintain a leadership role in managing historic heritage.
	Resource user (consent applicant or permitted use)	Very few sites are protected, so sites not scheduled would not incur administrative or consent costs.	Specifying historic heritage values provides more certainty for plan users and resource consent would only be required in those instances where adverse effects would be potentially more than minor.	No resource consents would be required, so activities would be easier and cheaper for resource users.	Specifying historic heritage values provides more certainty for plan users.
	Community benefits (environmental, social, economic, cultural)	Some historic heritage places are recognised.	Environmental and cultural benefits from the identification, evaluation and protection of significant historic heritage values.	Economic development without historic heritage constraints could be considered beneficial to some. There would be environmental and cultural benefits from the identification and evaluation of significant historic heritage values.	Environmental and cultural benefits from the identification and evaluation of significant historic heritage values, along with high levels of certainty about historic heritage protection.

	Option 1 – Status quo (no change from operative plan)	Option 2 – Identify specific historic heritage values and protect them through targeted regulation (preferred option)	Option 3 – Identify specific historic heritage values and protect them via non-regulatory methods	Option 4 – Identify specific historic heritage values and protect them through tight regulation
Efficiency (costs vs benefits) and effectiveness (will the provisions achieve the objective)	This option is not an efficient or effective way of achieving the objective.	Considering the expected costs and expected benefits this option is seen as being an efficient way of achieving the objective. Analysing its effectiveness, the approach will achieve the objective.	While this option is efficient, it will not necessarily achieve the objective, so would not be effective.	The costs would be high for this option, though it would also be highly effective.
Risks (of acting or not acting) (If there is uncertain or insufficient information)	Loss of historic heritage values due to insufficient identification.	There is sufficient information to provide for greater certainty over the risks to historic heritage from inappropriate modification, use and development. The risk of not acting given the certainty of information is a greater risk.	There is sufficient information to provide for greater certainty over the risks to historic heritage from inappropriate modification, use and development. The risk of not acting given the certainty of information is a greater risk.	There is sufficient information to provide for greater certainty over the risks to historic heritage from inappropriate modification, use and development. The risk of not acting given the certainty of information is a greater risk.
Appropriateness	This option is not appropriate as it will not achieve the objective.	The new provisions are appropriate given the high level of efficiency and effectiveness for implementing the RMA, RPS and NZCPS. It will achieve the objective.	This option is not appropriate as it will not achieve the objective.	This option is not appropriate as it will not achieve the objective.
Conclusions	Option 1 is not considered to be the most effective or efficient means of achieving the proposed objective or meeting the purpose of the RMA. The costs exceed the benefits, so this option has not been selected.	The proposed provisions for historic heritage are the most efficient and effective for meeting the purpose of the RMA and the proposed objective by protecting significant historic heritage values from inappropriate modification, use and development. The benefits of this option exceed the costs, so it has been selected.	While efficient, Option 3 is not the most effective means of achieving the proposed objective or meeting the purpose of the RMA. The costs exceed the benefits, so this option has not been selected.	While effective, Option 4 is not the most efficient means of achieving the proposed objective or meeting the purpose of the RMA. The costs exceed the benefits, so this option has not been selected.

The Greater Wellington Regional Council's purpose is to enrich life in the Wellington Region by building resilient, connected and prosperous communities, protecting and enhancing our natural assets, and inspiring pride in what makes us unique

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