

# 1. Heritage

## 1.0 Introduction

1.0.1 The built environment co-exists with the natural environment to provide for the social, cultural and economic well-being of Southland's communities. Intrinsic in this is both natural and cultural heritage. Natural heritage relates to the land's natural features and characteristics, and encompasses ecological and scientific facets of heritage. Cultural heritage are the images of the culture that have been left on the land, or facets of our past and present that have special significance. Heritage helps to define who we are as individuals, communities and cultures. It gives us a sense of who we are and where we have come from. Managing heritage reflects how we, as communities, value and identify with our history.

1.0.2 The environment comprises a number of important physical and natural resources for the people of the region and the built environment extends back some 600 years. This reflects an important historical and cultural link with the persons who settled and developed the region. Heritage in Southland includes natural resources, such as landscapes, lakes, harbours, estuaries, landforms and indigenous ecosystems including native bush, scrub and wetlands. Heritage also includes places, structures, landscapes and resources of historical, archaeological, cultural, territorial and ancestral significance. Recognition under the Resource Management Act (1991) for the protection of historic heritage as a matter of national importance heightens not only the importance of some of the buildings and other structures from the past that remain, but also the connection with cultures, architecture, landscapes and amenity values.

### 1.0.3 *International Charters*

1.0.3.1 New Zealand is signatory to the Convention concerning the protection of the Worlds Cultural and Natural Heritage (World Heritage Convention). This Convention establishes the World Heritage List and places an obligation for the Government to ensure the identification, protection, conservation, presentation and transmission of cultural and natural heritage to future generations. The Convention goes further to requiring effective actions to be taken for the protection, conservation and presentation of cultural and natural heritage including the adoption of a general national policy.<sup>1</sup>

1.0.3.2 The International Charter for the conservation and restoration of Monuments and Sites (ICOMOS, the Venice Charter 1966) sets out principles to safeguard the cultural heritage of humanity for the present and future generations. New Zealand has since established its own charter (ICOMOS NZ), Charter for the Conservation of Places of Cultural Heritage Value, 1992. The intention of the Charter is to establish principles to guide the conservation of places of cultural heritage in New Zealand. Clause 4 of the ICOMOS NZ Charter states that conservation should:

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<sup>1</sup> Article 4 and 5, Convention Concerning the Protection of the Worlds Cultural and Natural Heritage, 1972.

- (i) make use of all relevant conservation values, knowledge, disciplines, arts and crafts;
- (ii) show the greatest respect for, and involve the least possible loss of, material of cultural heritage value;
- (iii) involve the least degree of intervention consistent with long term care and the principles of this charter;
- (iv) take into account the needs, abilities and resources of the particular communities; and be fully documented and recorded.<sup>2</sup>

1.0.3.3 Other Charters of relevance include the Florence Charter 1982 promoting the preservation of historic gardens and the Lausanne charter 1990, for the protection and management of archaeological heritage.

#### 1.0.4 *National context*

1.0.4.1 The Sustainable Development for New Zealand Programme of Action, January 2003 highlights the importance of culture and the achievement of sustainable cities that incorporate a holistic approach to historic heritage. In 2004 the Labour Government adopted a Policy for Government's Department' Management of Historic Heritage. The policy is designed to guide the management of heritage properties owned by the Crown and managed by its Department. As a guide for best practice this policy can be adapted and adopted by local authorities on a voluntary basis.

1.0.4.2 The Resource Management Act is to promote the sustainable management of natural and physical resources. Sustainable management means managing the use, development and protection of natural and physical resources in a way or rate, which enables people and communities to provide for their social, economic and cultural wellbeing. Sustainable management and the environmental focus of the RMA provide a sustainable management approach to historic heritage. Historic heritage, as with other resources, is to be managed in a sustainable manner to enable people and communities to provide for social, economic and cultural wellbeing.

1.0.4.3 Regional Councils have functions to establish, implement and review objectives, policies and methods to achieve integrated management of the natural and physical resources of the region.<sup>3</sup> Regional Councils also have functions relating to the preparation of objectives and policies relating to any actual or potential effects of the use, development and protection of land which are of regional significance.<sup>4</sup> For heritage, a broader interpretation and upgrading of status is reflected through recent amendments to the RMA. A new definition of 'historic heritage' has been provided and the protection of historic heritage has been elevated to Section 6 – a matter of national importance. Authorities and agencies exercising powers and

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<sup>2</sup> ICOMOS NZ, Charter for the Conservation of Places of Cultural Heritage Value, 1992.

<sup>3</sup> Sec 30 (1)(a), RMA

<sup>4</sup> Sec 30(1)(b), RMA

functions under the RMA 'shall recognise and provide for' Section 6 matters in, for example, in their policy documents (such as Regional Policy Statements and regional and district plans). The RMA recognises and provides for the protection of historic heritage from inappropriate subdivision, use and development as a matter of national importance under section 6 (f) of the RMA. In addition Section 6 recognises and provides for the protection of outstanding landscapes and the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga.

- 1.0.4.4 It is important that policy and consent decision making at the regional and district level ensures the national interest in historic heritage is recognised and provided for.<sup>5</sup>
- 1.0.4.5 Councils have a significant role in the management of historical heritage at a strategic regional level and practical conservation level, and this includes the coastal area. The New Zealand Historic Places Trust (NZHPT) established in 1955 promotes the conservation of the nation's natural heritage and historic places. The Historic Places Trust administers the Historic Places Act 1993 (HPA). This Act empowers the Trust with options to assist through recommendations for the conservation and protection of any historic area or wāhi tapu area (a placed sacred to Māori in the traditional, spiritual, religious, ritual and mythological sense). Local authorities must have particular regard to these recommendations.<sup>6</sup>
- 1.0.4.6 New Zealand has developed a unique bi-cultural and Treaty-based approach to ensuring indigenous peoples values are central to historic heritage values at national, regional and district levels. The NZHPT register deals with historic place, wāhi tapu, historic and wāhi tapu areas. In addition the definition of historic heritage includes both sites and structures and also sites of significance to Māori, including wāhi tapu.
- 1.0.4.7 Strategies for identification, recognition and protection of historic heritage must consider the significance of Māori values in relation to heritage values generally. This will require a partnership approach to tangata whenua and the adoption of best practice methodologies and management approaches.<sup>7</sup>
- 1.0.4.8 In addition there are several organisations and groups which are active in promoting heritage values and undertake specific projects. These groups make a valuable contribution in identifying and protecting heritage values.
- 1.0.4.9 In addition to the RMA and Historic Places Act 1993, sustainable development approaches have been incorporated in local government and building legislation. The purpose of the Local Government Act 2002 is to provide for democratic and effective local government that recognises the diversity of New Zealand communities. The Local Government Act 2002 provides a frame work and powers

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<sup>5</sup> Pg 16 Historic Heritage Principles and Issues- Guidance series.

<sup>6</sup> Section 32D and 33, Historic Places Act 1993.

<sup>7</sup> Pg 16 Discussion Document – Historic heritage principles and Issues

for local authorities to decide which activities they undertake and the manner in which they must undertake them, it also provides for local authorities to play a broad role in promoting the social, economic, environmental and cultural wellbeing of their communities, taking a sustainable development approach.<sup>8</sup> The importance of historic heritage has been recognised through long term community planning documents and projects, including financial management strategies.

- 1.0.4.10 The Building Act 2004 provides for the regulation of building work, establishment of licensing regimes for building practitioners and the setting of performance standards for buildings. The purpose of the Building Act includes ensuring that buildings are designed, constructed and able to be used in ways to promote sustainable development.<sup>9</sup> Section 4 of the Building Act 2004 outlines a number of principles to be applied in performing functions under the Act, including the principle of the need to facilitate the preservation of buildings of significant cultural, historic or heritage value.<sup>10</sup>

#### 1.0.5 ***Local context***

- 1.0.5.1 Under the Local Government Act 2002 there is an expectation that Councils consult their communities through a more holistic approach to determine how they prioritise and deliver services throughout the region. It is through this process of collaboration, including other stakeholders, that a set of outcomes supported by the community provides the grounding in which Long-Term Council Community Plans (LTCCP) are founded.
- 1.0.5.2 ‘Our Way Southland’ published in 2005 by the Shared Services forum (a collaborative arm of the four Southland councils), outlines the vision held by Southlanders for the region. The ‘Our Way Southland’ process demonstrated an effective collaborative approach that involved organisations with an influence over social, economic, environmental and cultural wellbeing. This document introduces a series of seven outcomes encapsulating the issues, strengths, weaknesses and opportunities affecting the quality of life within Southland. These outcomes have in turn been adopted in each of the four Southland council’s Long-Term Council Community Plans.
- 1.0.5.3 Outcome 1, ‘*Southland is a great place to live*’ encapsulates the diverse lifestyle and rich culture within our region. The community has identified that to ensure Southland remains a great place to live that it continues to reflect the varying lifestyle opportunities and close links to its colourful and rich history. Local authorities and stakeholder groups have identified key intermediate outcomes and outputs to achieve Outcome 1. A key intermediate outcome is ‘*to value history and heritage*’. To achieve this, the following activities will be undertaken;

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<sup>8</sup> Sec 3, Local Government Act 2002.

<sup>9</sup> Section 3, Building Act 2004

<sup>10</sup> Sec 4 (2)(1), Building Act 2004

- (i) promote and preserve our history and heritage through leadership, community consultation, planning, and environmental management service provision;
- (ii) support and promote our identity, and the things we value about being Southlanders through the provision of Council services;
- (iii) collaborate with local agencies to identify and protect heritage and historical sites;
- (iv) uphold the principles of the Treaty of Waitangi and strengthen relationships with local Iwi and Tangata Whenua;
- (v) encourage and support events and activities in the region that celebrate who we are and where we have come from.

1.0.5.4 Indicative success measures to demonstrate whether the intermediate outcome is being achieved is an:

- increase in the number of listed and protected heritage and historical sites;
- increase in the number of visitors to museums and heritage sites;
- increase in the percentage of residents satisfied with museums and heritage sites.

1.0.5.5 A Regional Policy Statement provides a high level overview of the significant resource management issues of a region. It provides a tool to demonstrate how a region is going to achieve integrated management of natural and physical resources, including heritage. Integrated management means recognising the links between resources. It also means being aware of the decisions we make with respect to resource use and the effect these decisions can have on other resources.

1.0.5.6 A Regional Policy Statement also provides the basis for resource management plans which guide the use of resources on a daily basis. District and regional planning documents through legislative change are now required 'to give effect' to the Regional Policy Statement (Section 75). This legislative change confirms a top down hierarchy with the regional policy statement giving direction to plans. This has increased the expectation or requirement for a regional policy statement to be more directive than before.

1.0.5.7 There are a wide range of matters that will influence what needs to be incorporated in a reviewed Regional Policy Statement. Such matters include central government initiatives, changes to the Resource Management Act, resource use and pressures within the region, iwi roles and decision making capabilities, and relationships with community outcomes, long term council community planning and annual plan processes.

## **2.0 Relevance of existing Regional Policy Statement and Southland District Council Plan Issues**

2.0.1 One of the purposes of this paper is to assess whether the existing issues relating to heritage contained in the Regional Policy Statement and the Southland District Council District Plan are still relevant to the management of heritage within Southland and whether the objectives, policies and rules that are presently contained in the Regional Policy Statement and District Plan address those issues appropriately.

### **2.1 Regional Policy Statement**

2.1.1 In comparison to many of the other topics covered in subsequent issues and options papers the operative Regional Policy Statement for Southland does not have a specific section that specifically focuses on heritage nor does it provide well for the protection of heritage as a Section 6 matter. The Regional Policy Statement encompasses heritage briefly within section 5.10 The Built Environment and although not specific within section 5.9 Landscapes and Natural features.

2.1.2 This on one hand demonstrates the overlap in particular between the built environment and landscapes and/or natural environment. Landscapes as outlined in section 5.9 incorporate four components, physical, ecological, cultural and heritage and visual. The cultural and heritage component provides tangible links to the past, including Māori values, subfossil and archaeological sites. The Built Environment as outlined in section 5.10 is intrinsically linked with the natural environment and provides for the social, cultural and economic wellbeing of the people of the region.

2.1.3 On the other hand however it also demonstrates that when the Regional Policy Statement was prepared in the mid 1990s it did not reflect the recent status change to 'recognise and provide for' the protection of historic heritage from inappropriate subdivision, use and development as a matter of national importance under section 6 (f). As a result the Regional Policy Statement takes a broader view of heritage, although enabling to a degree, but with little guidance for the management of heritage and particularly what constitutes inappropriate subdivision, use and development, throughout Southland. This leads to inconsistencies in preparation of regional and district plans.

2.1.4 For those policies that are linked to heritage and outlined in section 5.9 and 5.10 of the Regional Policy Statement a more detailed analysis is included in Appendix 1.

### **2.2 District Plan**

2.2.1 Staff at Southland District Council have provided input into this paper by way of this section, which provides a Southland District Council perspective on heritage.

2.2.2 The existing Southland District Plan has a specific section relating to heritage. Section 3.4 ‘Heritage’ identifies three distinct types of heritage with these being natural, cultural and built heritage. Natural heritage is identified as including natural features and landscapes, indigenous vegetation and habitats of indigenous fauna. Built heritage is identified as historic buildings, structures, precincts and streetscapes. Cultural heritage is identified as the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga and sites of archaeological significance. The following heritage issues are identified and listed in this section of the Plan:

2.2.2.1 **Natural Heritage**

2.2.2.2 There are areas of the District’s significant ecosystems which are under threat from land development, recreational and tourism activities.

2.2.2.3 **Cultural Heritage**

2.2.2.4 Sites of importance to Māori lack appropriate protection.

2.2.2.5 **Built Heritage**

2.2.2.6 a Loss of significant heritage buildings and sites through redevelopment and/or inappropriate renovations.

b Some Southland towns have a distinct character worthy of protection.

2.2.2.7 The heritage issues identified and listed in section 3.4 ‘Heritage’ of the existing Plan are still relevant and will all need to be addressed in the second generation District Plan. Natural heritage issues relating to natural features, landscapes, indigenous vegetation and habitats of indigenous fauna however, are likely to be addressed in other sections of the new Plan. This is discussed further in the emerging issues section of this paper under the heading ‘framing of heritage issues’. In regard to the Southland District’s built and cultural heritage the raised status of heritage under the RMA imposes a greater duty on the District Council through the Plan review process to ensure that these types of historic heritage are protected from inappropriate subdivision, use and development.

2.2.2.8 **Registered Historic Buildings, Places and Sites**

2.2.2.9 The existing District Plan includes in schedule 6.9 ‘registered Historic Buildings, places and sites’ has a list of all those buildings, places and sites with a Historic Places Trust classification at the time the Plan became operative. Rule HER.1 details the regulatory requirements relating to schedule 6.9 and the redecoration and restoration of buildings and objects on the schedule is a permitted activity under this rule. Some alterations and additions to buildings under this rule are able to be considered as non-notified controlled activities subject to meeting specific criteria. These criteria relate to how the alterations or additions replicate and affect the character of the listed building or object. These controlled activity applications also require consultation with the New Zealand Historic Places Trust (NZHPT).

Where alterations or additions to buildings and objects on the list cannot be processed as controlled activities they are notified as discretionary resource consents. Applications for works which modify, destroy or detract from the character of a listed item are also notified as discretionary resource consents with notice served upon the NZHPT. While the regulatory approach of the existing District Plan is still considered relevant there may be a need to alter the manner in which historic heritage items are listed. One option available is the use of a list or schedule that sites outside the District Plan and this is discussed further in the options section of this paper.

#### **2.2.2.10 Archaeological Sites**

2.2.2.11 An extensive list of references relating to archaeological sites are included in the appendices of the existing District Plan. Archaeological sites that predate 1900 are protected against any disturbance under section 99 of the Historic Places Trust Act 1993. As such most of the archaeological sites listed in the existing District Plan are protected outside RMA processes. However some form of regulatory protection under the second generation District Plan is still considered appropriate for archaeological sites. Archaeological sites in the existing District Plan are recorded on District planning maps. This approach is an important tool that could be utilised in the second generation District Plan. This ensures that where subdivision, use and development is proposed near archaeological sites there is a trigger to ensure that appropriate investigation and consultation is undertaken. This process can ensure that these sites are not damaged or lost.

#### **2.2.2.12 Significant Geological Sites and Landforms**

2.2.2.13 The existing District Plan in schedule 6.13 contains an extensive list of geological sites and landforms. Rule HER.2 'Geological Sites and Landforms' requires resource consent for any activity or work that is likely to have an adverse effect on, destroy, remove or damage any of those sites or items identified in schedule 6.13. This rule has had very limited use in the administration of the existing District Plan and has given rise to a number of issues. Many of the sites identified in this schedule are very large sites and there have been difficulties associated with defining exactly how a particular development will affect the site or landform. Defining exactly what area these sites and landforms cover has also been an issue. The adoption of a similar rule in the second generation District Plan may therefore be of limited use; but if such a rule was adopted would need to be framed so as to provide a much higher level of certainty for all parties.

#### **2.2.2.14 Sites of Natural or Unique Significance**

2.2.2.15 Schedule 6.11 lists a number of sites that have been identified as sites of natural or unique significance. There are no regulatory controls relating to these sites and as such they are listed in the Plan for information purposes only. This approach is considered to be of limited use and these sites should either be given formal protection under the second generation District Plan or not be listed at all.

#### **2.2.2.16 Significant Tree and Bush Stands**

2.2.2.17 Section 6.13 of the existing District Plan lists some significant tree and bush stands. There is a small number of trees listed with all of these located in and around Winton. These trees were identified at the time the existing District plan was formulated by the Winton Community Board. There are no regulatory controls relating to these sites and as such they are listed in the Plan for information purposes only.

#### **2.2.2.18 QEII Trust Register**

2.2.2.19 Schedule 6.12 of the existing District Plan also includes a list of the QEII covenanted areas in the District. This list is included in the Plan for information purposes only. Although QEII processes sit outside the RMA process their listing in the second generation District would be beneficial. Many of the covenanted areas contain significant indigenous vegetation remnants and significant habitats of indigenous fauna and therefore have high biodiversity values. In terms of the second generation District Plan this list and references are likely to be covered under a new biodiversity section of the Plan rather than the heritage provisions.

#### **2.2.2.20 Sites of Local Historic Significance**

2.2.2.21 The existing District Plan in schedule 6.10 includes a list of Sites of Local Historic Significance. The Plan notes that the sites listed were identified by local Community Boards at the time the existing District Plan was formulated. While these sites are listed in the Plan there are no specific rules or controls that relate to them and they are therefore included for information purposes only. Their inclusion in the existing Plan has proven to be of limited worth as they are identified as significant but there is no regulatory regime to provide any meaningful level of protection. Potentially some of these sites of local significance could be given formal recognition and protection under the second generation District Plan. One site that is listed in appendix 6.10 is the Tararua Acre which has recently been registered as a Category I Historic Place and this site will need to be added to the list of registered historic buildings, places and sites in the second generation District Plan.

### **3.0 Emerging Issues**

#### **3.1 Emerging regional issues including appropriate identification of historic heritage in Regional Policy Statements**

3.1.1 For heritage, a broader interpretation and upgrading of status is reflected through recent amendments to the RMA. A new definition of historic heritage has been provided and the protection of 'historic heritage from inappropriate subdivision, use and development' has been elevated to section 6- a matter of national importance. Authorities and agencies exercising powers and functions under the RMA 'shall recognise and provide for' section 6 matters in policy documents. There are a number of issues or concerns given the changing environment in

Southland that require a degree of consideration in a reviewed Regional Policy Statement (that is to provide guidance) given this raise in status. Furthermore consideration needs to be given to better protect historic heritage at the landscape level.

3.1.2 Historic heritage should not be limited to individual sites, buildings or objects, but should incorporate the landscape within which they are located as these landscapes may be important in terms of providing setting and context. These include:

- impacts of development and land use changes on important natural features around the region, as well as on the 'landscape' generally;
- current pressure on the landscape and natural features including large-scale earthworks (modern earth-moving equipment can transform landform not just move soil), development in the coastal environment (including coastal protection works) and infrastructure associated with wind energy generation (ridgelines and hilltops);
- development of structures or buildings can have a visual impact on the settings of historic places;
- vegetation removal has visual and ecological impacts on natural character, both of the coast and inland. There is also potential for damage to sites of significance to Māori and archaeological sites;
- loss of trees of historic heritage value (e.g. karaka and cabbage tree plantations, commemorative trees);
- private landowner rights to use and manage their land can conflict with community expectations for land (in public and private ownership) to provide visual enjoyment for current inhabitants and, longer term, for future generations;
- damage to sites of significance to Māori and archaeological sites from earthworks and quarries;
- damage to historic heritage caused by logging, treefall, tracking, planting of new trees on archaeological sites. This may damage the surroundings associated with historic heritage;
- draw down of groundwater (e.g. mineral, waterbores). This may have subsidence effects on built heritage;
- effects on sites of significance to Māori and archaeological sites from reclamation, activities relating to the beds of rivers, lakes, streams and wetlands, gravel extraction and remediation of contaminated sites;
- recognition of historic heritage seaward of the mean high water springs. This may include historic wharves, jetties, shipwrecks.

3.1.3 An area requiring consideration is heritage listings within plans. The Historic Places Trust list of registered places has increased. It is questionable as to whether current operative regional and district plans have a good enough geographic spread throughout the region and a consistent approach with respect to the periods of human occupation or items that reflect the various themes of that occupation (e.g. whaling, early Māori, Pakeha settlement, archaeological sites).

- 3.1.4 Historic Places listing and scheduling in district and regional plans does not mean they are safe. A regional policy statement needs to ensure that the rules in district and regional plans are effective and their degree of variance removed so that historic heritage does not continue to be lost. Furthermore consideration needs to be given to the degree of listing in plans given gaps in both NZAA and NZHPT listing. In the Southland scenario, there are five separate heritage lists in the various plans in the region. Each of those lists is out of date and in effect duplicates the lists between the district plans and the regional plans.
- 3.1.5 Another area of difficulty for many local authorities is determining the regional importance of historic heritage and what inappropriate subdivision, use and development encompasses. It is likely that proposals presented to councils will require decisions based on a case by case basis. The NZHPT has a statutory function to furnish information, advice and assistance in relation to the identification, recording, investigation, assessment, registration, protection and conservation of wāhi tapu, wāhi tapu areas, historic places, and historic areas. However further regional direction and coordination can assist promotion of integrated management of historic resources and in addition assist efficiency with respect to cost savings in the co ordination of historic heritage policy at a regional level.
- 3.1.6 Material providing guidance with respect to protection of historic heritage is further fostered by the forging of general consensus by central and local government and among communities about the range of activities that are harmful to historic heritage.
- 3.1.7 The Ngāi Tahu Ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008 entitled 'Te Tangi a Tauira' (The Cry of the People) is a document formulated under the iwi management plan provisions of the Resource Management Act 1991. This document will be a useful reference for use in assessing resource management issues relating to cultural heritage in the second generation District Plan and revised Regional Policy Statement. Continued access to and protection of known wāhi tapu and wāhi taonga sites is identified as a key issue in a number of the sections of the iwi management plan. Another important issue identified is the protection of unknown sites of significance that may be discovered during sub-division, use and development, while the protection of cultural landscapes from inappropriate use and development is also listed. These issues will require appropriate address during the review of both policy documents.

## **3.2 Emerging local issues**

### **3.2.1 Framing of Heritage Issues**

- 3.2.1.1 As with the existing District Plan the use of a separate section relating to historic heritage would be appropriate in the second generation District Plan. The existing District Plan can be seen as having taken a broad approach in terms of the manner in which heritage has been defined and framed. The heritage section of the existing

Plan includes policies and rules relating to the District's indigenous flora and fauna (natural heritage). Recent changes to the RMA and additional central government guidance produced in recent years has identified biodiversity issues associated with the loss of indigenous flora and fauna as an important focus for Councils in the development of their second generation District Plans. The Southland District Council now has specific functions under the RMA that relate to controlling the effects of the use, development, or protection of land for the purpose of maintaining indigenous biodiversity. The second generation District Plan in the framing of indigenous flora and fauna issues is therefore likely to have a section with a specific focus on biodiversity. Natural heritage issues relating to indigenous flora and fauna would be addressed under this section of the new Plan. The heritage section of the second generation District Plan could therefore focus on built and cultural heritage issues.

### **3.2.2 Changes to Heritage Schedules**

3.2.1 Since the existing District Plan was adopted there have been a number of new historic places and areas in the Southland District that have been registered by the NZHPT. Examples include the Winton Great North Road Historic Area (2003) and the recently registered Tararua Acre (2008). These places and areas do not receive automatic protection under the District Plan as they were not listed in schedule 6.9 when the Plan became operative. The addition of new historic places and areas to existing schedules requires a plan change which can be a time consuming and costly exercise. The loss of heritage places or items can also potentially give rise to a need to update the heritage schedule.

### **3.2.3 Identification of Historic Heritage and Distinctive Character**

3.2.3.1 As the existing District Plan notes some of the Southland District's townships have a distinctive character that is worthy of protection. Heritage buildings are often a key component of this distinctive character. Another key component of this character is historical associations for example Oban and Riverton have historical associations with the sea and the fishing industry. This association in the case of Oban is reflected in surviving buildings associated with the sea for example boat sheds along with the wharf area and other older commercial buildings located near the waterfront. There are also a number of other buildings in Stewart Island including old family homesteads that have important historical associations with the development of the Island.

3.2.3.2 The Winton Great North Road Historic Area is another example of how heritage buildings can give a town a distinctive character. In other parts of New Zealand for example Oamaru heritage precincts have been used to create a focal point for residents and visitors with these historic areas and related activities becoming an attraction. This can have economic, cultural and social benefits for the local communities. Town centres with groupings of surviving historic buildings and defined historic precincts can also act as important public areas and focal points for local communities. The quality of a town centre environment can influence its attractiveness to both residents and visitors. Loss of heritage buildings and features

in town centres along with inappropriate extensions and alterations can impact on the appearance and image of a town. In addition new buildings if they are of an inappropriate design, height or scale can have a significant visual impact. The second generation District Plan needs to facilitate the protection of these areas of distinctive historical character from inappropriate development.

### **3.2.4 Archaeological Sites**

3.2.4.1 There have been difficulties during the lifetime of the existing Plan related to the accuracy of the mapping data relating to archaeological sites. In some instances where sensitive sites are concerned the exact location of the site is intentionally inaccurate in order to protect the site. This can cause delays in resource and building consent processing as appropriate consultation is undertaken. There have also been problems associated with the accuracy of background records relating to these sites when attempts have been made to clarify the exact location and nature of the site.

3.2.4.2 The Southland District Council's Long Term Council Community Plan (LTCCP) 2006 – 2016 notes that the Council's Resource Management Department has contributed \$15,000 to a project being undertaken by the New Zealand Archaeological Association (NZAA) to improve the accuracy of the location of archaeological sites in Southland, including 'sites of significance' to Ngāi Tahu. This project and potentially similar studies in the future are likely to help address problems associated with the accuracy of information associated with these sites.

### **3.2.5 Significant Geological Sites and Landforms**

3.2.5.1 Rule HER.2 'Geological Sites and Landforms' has had very limited use in the administration of the existing District Plan and has given rise to a number of issues. Many of the sites identified in this schedule are very large sites (e.g. the Haldane Estuary is identified) and there have been difficulties associated with defining exactly what areas they cover and also in terms of ascertaining how development proposals will affect them. The adoption of a similar rule in the second generation District Plan may therefore be of limited use unless significantly greater certainty can be provided for all parties.

### **3.2.6 Significant Trees and Tree Stands**

3.2.6.1 The existing District Plan could be perceived as being deficient in two areas, one is the formal protection significant trees and the other is in identification and listing of these trees. There is a small number of trees listed in schedule 6.13 of the existing District Plan with all of these located in and around Winton. There are a number of significant trees and tree stands located in and around other townships in the District not listed. Some of these prominent trees have been planted for commemorative reasons and are therefore also of historic as well as visual significance. As already noted there are no regulatory controls relating to these trees. Regulatory controls relating to trees are common in many District Plans in other parts of the country. While District wide regulatory controls relating to trees

are not being recommended, controls relating to prominent trees and those of historical significance would be appropriate. Many of these trees may be located on public land for example reserves and the road reserve. The second generation District Plan could look to formally protect these trees so as to encourage their appropriate retention and care.

### 3.2.7 **Stewart Island Rakiura Heritage Inventory and Assessment 2004**

3.2.7.1 In 2004 a built heritage study was undertaken on Stewart Island by the New Zealand Historic Places Trust. The ‘Stewart Island Rakiura Heritage Inventory and Assessment 2004’ document involved a detailed examination of the islands historic heritage. The project could be used as an information source that could help guide planning decisions relating to Stewarts Islands historic heritage in the second generation District Plan. The findings of the assessment could potentially be incorporated into an updated register of heritage items.

## 4.0 **Options to address emerging issues.**

### 4.1 ***Regional options***

4.1.1 It is proposed that the issue of heritage management and how it be addressed in regional and planning documents is revisited by the Southland community. The degree of guidance provided by the Regional Policy Statement will be determined by the extent to which the community feels the importance of heritage as a significant resource management issue.

4.1.2 There are various options that need consideration and could assist identification, recognition and protection of historic heritage.

4.1.3 At a national level fundamental changes to the RMA as outlined by the recently elected National government could consider Heritage listings within plans. Although this recommendation is subject to higher level decision making a recommendation as advocated by the regional council is to allow listings or schedules of heritage items (NZAA, Iwi, HPT, Significant trees, geology, and landscapes) to be kept outside of the plans. This would allow the policy framework and rules to be retained in the plan but the heritage lists, which are constantly being updated, to be retained in a “central heritage register” for each region. This register should be web based and can be kept up to date on a daily basis without the need to go through a series of continual plan changes or variations to update the lists in the plans.

4.1.4 The centralised web based register enables easy public access to the information. The Act could sanction the centralised heritage list provided it is held on the regional council’s web site and territorial authorities web sites could link to it. In that way there is only a single continuously up to date list based on an all-heritage approach.

4.1.5 Another area of difficulty for many local authorities is determining the regional importance of historic heritage and what inappropriate subdivision, use and development encompasses. Determining what constitutes inappropriate subdivision, use and development, should be informed by the purpose and principles of the Historic Places Act 1993, the RMA 1991, international charters and national policy guidance. Based on these bodies of legislation and policy it is recommended (based on information from the NZHPT guidance series 2007), that the following principles for assessing appropriate or inappropriate subdivision, use and development on historic heritage values guide authorities.

#### 4.1.6 **Respect values**

4.1.6.1 - Recognising the lasting values of the place or area and evidence of the origins and development of New Zealand's distinct peoples and society.

#### 4.1.7 **Diversity and Community resources**

4.1.7.1 - Recognising the diverse cultures of New Zealand and the diverse social and physical environments and communities.

4.1.7.2 There is a need to take into account the needs, abilities and resources of particular communities, including owners of historic heritage and stakeholders.

#### 4.1.8 **Sustainability**

4.1.8.1 - Recognising the finite nature of historic heritage and the need to take the precautionary approach in order to safeguard the options for present and future generations.

4.1.8.2 Promoting sustainability may include encouraging regular maintenance and finding compatible uses for places, including original and new adaptive uses.

#### 4.1.9 **Māori heritage**

4.1.9.1 - Recognising and providing for the relationship of Māori and their culture and traditions with their ancestral lands, waters, sites, wāhi tapu and other taonga following the spirit and intent of the Treaty of Waitangi.

#### 4.1.10 **Research and documentation**

4.1.10.1 - Ensuring interventions are informed by sufficient research, documentation and recording, where culturally appropriate.

4.1.10.2 All changes should be fully documented in drawings and photographs.

#### 4.1.11 **Respect for physical material**

4.1.11.1 - The degree to which interventions involve the least possible loss of heritage significance and the least loss of material of heritage value, including any irreversible or cumulative affects.

4.1.11.2 This may be achieved by promoting repair (rather than replacement), repairing in compatible materials, respecting the patina of age, and making new work reversible.

#### 4.1.12 **Understanding significance**

4.1.12.1 - Whether the values of the place are clearly understood before decisions are taken may resulting change.

4.1.12.2 Decision making, where change is being contemplated, should take into account all relevant values, cultural knowledge and disciplines. Understanding significance should be assisted by methods such as the preparation of heritage assessment and conservation plans.

#### 4.1.13 **Respect for contents, cartilage and setting**

4.1.13.1 - The extent to which interventions respect the contents and surroundings associated with the place.

4.1.13.2 This may be achieved by ensuring, for example, that any alterations and additions to buildings, and new adjacent buildings, are compatible in terms of design, proportions, scale and materials.

4.1.13.3 Overall however, is the degree and nature of guidance from the Regional Policy Statement with respect to protection of heritage.

4.1.13.4 The guidance series 2007, produced by the NZHPT outlines that a Regional Policy Statement should contain the following:

- an overview of heritage agency roles and responsibilities;
- a discussion of significant historic issues for the region;
- objective and policies for the management of effects that may impact on historic heritage;
- a range of methods for historic heritage;
- principal reasons for adopting objectives, policies and methods;
- key definitions associated with historic heritage;
- in addition the objectives and policies should cover the range of historic heritage as defined in section 2 of the RMA..

4.1.13.5 Furthermore as noted above consistency in approach to the protection of heritage requires clarification. The reviewed Regional Policy Statement could clearly outline the regional council functions under section 30 of the RMA and the role of the Regional Policy Statement being the policy framework to achieve integrated management. The Regional Policy Statement could include direction for district plans on cross boundary issues where integrated management and appropriate definition is required. These methods would require development in consultation with the community and local authorities prior to inclusion.

4.1.13.6 Furthermore the Regional Policy Statement could outline the requirement of territorial authorities to ‘give effect’ to regional policy statement provisions by including direction for regional and district plans to include relevant objectives, policies and rules relating to historic heritage including the listing of sites. The Regional Policy Statement could further include a range of non statutory methods promoting best practice.

## 4.2 *Local options*

### 4.2.1 **Development and use of a Regional Heritage Register**

4.2.1.1 As detailed earlier, one option available for addressing heritage issues is the formation of a list or schedule of heritage items (NZAA, Iwi, HPT, significant trees, geology, and landscapes) that would sit outside the second generation Southland District Plan. This heritage information resource could be a region-wide list or schedule that would eventually include the heritage listings of all the Territorial Authorities within the Southland region. The second generation District Plan would still detail appropriate policy and rules in its heritage section but the heritage lists which are currently appended to the existing Plan would be contained on a ‘central heritage register’ which would be regionally based.

4.2.1.2 The Southland District Council is required under section 34 of the Historic Places Act 1993 to keep a record of all registered historic places, areas, wāhi tapu and wāhi tapu areas which must be available for public inspection. The development and use of a regional internet based list as detailed above would still allow the District Council to meet this requirement.

### 4.2.2 **Regulatory Controls**

4.2.2.1 Historic Places Trust classification of buildings, places and sites does not provide automatic protection for historic heritage. Formal protection through the District Plan process is required and as such the use of heritage schedules and related regulatory controls is an important tool and approach that should be utilised in the second generation District Plan. The existing District Plan takes a regulatory approach to heritage protection. This approach enables the Council to control physical changes that can be made to listed heritage sites and places as of right as well as providing protection from demolition. Regulatory controls also ensure that appropriate consultation and expert advice can be obtained from the NZHPT, NZAA and local iwi groups.

4.2.2.2 It is worth noting here that an important component of maintaining heritage buildings in the District is adequately providing for appropriate reuse. As such it is important to ensure that any regulatory regime imposed through the second generation District Plan is not so onerous that it discourages suitable reuse.

#### 4.2.3 **Community Group Involvement in Historic Heritage**

4.2.3.1 Council engagement and where appropriate support for local community organisations with an interest in historic heritage is another way in which the Southland District Council can seek to recognise and protect the District's heritage. There are a number of community groups with an interest in heritage that are active throughout the District. Groups may also be formed in situations where heritage sites, areas or buildings are threatened by development proposals. These groups can facilitate the recognition and protection of buildings, sites and areas of heritage value within their communities. Community buy-in or support for the recognition and protection of local historic heritage through the activities of these groups can play an important and valuable role in the protection of historic heritage.

4.2.3.2 In addition external funding for the recognition and protection of specific heritage items may be available to community groups for heritage protection. As an example funding options may be available for community groups for the purchase or restoration of historic buildings or places in their communities. The use of the outside funding sources for community initiatives relating to the protection and preservation of historic heritage may only be available to non-profit community groups. The important role these groups can play in the recognition and protection of heritage could be recognised in the second generation District Plan. Hence, successful maintenance and enhancement of Southland's historic heritage is likely to require a combination of regulatory and non-regulatory approaches.

#### 4.2.3 **Design Guidelines Relating to Built Heritage**

4.2.3.1 The use of non-regulatory measures could be utilised as part of the approach taken to historic heritage in the second generation District Plan. Non-regulatory guidelines can also help inform property owners and developers about issues associated with heritage buildings.

4.2.3.2 The Southland District Council currently has two non-regulatory development guideline booklets with one relating to the Riverton/Aparima Township and area (2005) and another relating to the Te Anau Ward (2003). These guidelines focus on specific characteristics of each of these communities and provide some design guidance and information on issues that are of particular concern to each township. They provide guidance to developers and other interested parties on the community values of each township and promote the unique nature of each local environment. Such an approach could be extended to historic heritage and Invercargill City Council has utilised such an approach and has produced some useful non-regulatory guidelines in this regard.

#### 4.2.4 **Other Heritage Education**

4.2.4.1 Education is another useful tool that the Council can use to help address heritage issues and its responsibilities under the heritage amendments made to section 6 (c) of the RMA 1991. Heritage building open days, field trips and seminars are all examples non-regulatory tools that can be used. These can be targeted at particular heritage issues that are relevant to a particular local environment or could take a wider heritage educational approach.

#### 5.0 **Questions for further discussion**

- In what ways should the Regional Policy Statement contain specific provisions for the protection of regional heritage? Are there any regionally significant heritage areas/values that need to be recognised and provided for?
- What are the areas you consider need addressing at a regional level with respect to heritage issues, protection and enhancement?
- If the Regional Policy Statement was to include specific provisions managing heritage issues, how directive should the provisions be and to what degree should the provisions provide guidance to territorial authorities? Should there and in what way, be closer integration among local authorities to manage heritage issues?
- How should inappropriate subdivision be determined? How do you feel about the NZHPT guidance series 2007 principles for assessing appropriate or inappropriate subdivision, use and development on historic heritage? Are these a way forward for development of provisions within a revised Regional Policy Statement for Southland?
- What are the areas you consider need addressing at a District Council level with respect to heritage issues, protection and enhancement?
- How should the second generation District Plan address the enhanced-status and importance of historic heritage issues under the RMA? In which areas is the existing District Plan deficient?
- Are there any buildings, features and sites not currently listed in the existing District Plan that you would like to see protected under the second generation Southland District Plan?
- Is a rules-based regulatory approach that seeks to protect and preserve more stringently the District's historic heritage an approach that should be adopted in the second generation Southland District Plan?
- Should the second generation District Plan look to formally protect historically significant trees situated in public areas?
- Should the second generation District Plan look to recognise and provide for the District's unique townscapes, areas or precincts of significant historic heritage value?
- How can the second generation District Plan best address historic heritage sites of significance to Māori, including wāhi tapu?

- How can the second generation District Plan best address historic heritage issues associated with archaeological sites?

## 6.0 References

- 6.1 Building Act 2004
- 6.2 Convention Concerning the Protection of the Worlds Cultural and Natural Heritage, 1972 - Article 4 and 5.
- 6.3 Department of Prime Minister and Cabinet (2003), Sustainable Development Programme of Action Report  
[www.mfe.govt.nz/publications/sus-dev/sus-dev-programme-of-action-jan03.html](http://www.mfe.govt.nz/publications/sus-dev/sus-dev-programme-of-action-jan03.html)
- 6.4 Historic Places Act 1993
- 6.5 ICOMOS NZ, Charter for the Conservation of Places of Cultural Heritage Value, 1992
- 6.6 Local Government Act 2002
- 6.7 NZHPT, (2007) Sustainable Management of Historic Heritage Guidance Series
- 6.8 Southland communities (2005), 'Our Way Southland' – Community Outcomes Report
- 6.9 Resource Management Act 1991

## **Appendix 1 - Analysis of Existing Regional Policy Statement Provisions**

1.0 Existing provisions in the regional policy statement as follows are listed as the resource management issues relating to heritage.

### **1.1 Section 5.9 - Landscape and Natural Features**

1.1.1 The provisions within this section have a tendency to relate to the protection of outstanding landscapes and natural features. Although not explicit it is important to note that landscapes, as written in the introduction to the section, incorporate four components physical, ecological, cultural and heritage and visual. The cultural and heritage component for example provide tangible links to the past, including Māori values, subfossil and archaeological sites.

1.1.2 One of the key considerations when assessing the level of guidance within a Regional Policy Statement is the degree in which protection of outstanding landscape and natural features should be recognised. At present provisions focus on outstanding landscapes. A decision will be needed by the community as to what constitutes 'outstanding' and how we determine this.

1.1.3 Furthermore other matters apart from those listed as outstanding under section 6 require consideration. Protection may be deemed to mean more than protecting outstanding landscapes by further looking at what makes the landscape important or has purpose through its links to historic, cultural and ecological values. It is important to consider protection of historic heritage at a landscape level. These links and the extent of direction in a revised Regional Policy Statement will require consideration.

1.1.4 An example is Objective 9.1 - to protect outstanding natural features and landscapes of the region. Protection of heritage is engrained in this objective, and it focuses on outstanding natural features and landscapes. Is this level of protection considered enough by the community? Should heritage protection be more explicit? How should the policies relevant to this objective be worded? At present they lack direction as to how to protect and further more what constitutes inappropriate subdivision, use or development of the regions landscapes and natural features. Do the policies therefore add any value, do we need to be more explicit about what landscapes are, how they are seen, the level of protection warranted and the integrated management of landscapes (that is inclusive of the all interlinking values i.e. heritage, that the community deem important)?

### **1.2 Section 5.10 - Built Environment**

#### **1.2.1 Issue 1**

*The built environment, including urban and settlement expansion, can have adverse effects on natural and physical resources, including:*

- *loss of productive land*

- *loss of amenity values*
- *inefficiencies in the road network*
- *reduction in water quality*
- *loss of heritage values and archaeological sites of regional significance.*

1.2.1.1 *Comment:* The last bullet point specifically refers to loss of heritage values and archaeological sites. In Southland this issue still remains very relevant. Settlement expansion can create tensions between public/private interest to use and develop resources and private/public interest in the preservation of historic heritage including values and sites. In some cases the lack in understanding and recognition by property owners and the public of the wider economic value of heritage beyond the short term property gain, drives the removal or demolition of sites. The removal of these sites opens the land for new economic activities. What is key is for the built environment to be integrated with the management of other natural and physical resources. Furthermore the built environment needs to be considered within a wider social framework to ensure that the built area is able to function as a healthy community. The quality of the regions built environment is an essential component of the quality of overall economic and community well-being. Quality largely depends on retaining those amenities that the community deem important and that includes heritage values and archaeological sites.

1.2.2 **Objective 9.1 pg 134**

*To protect outstanding natural features and landscapes of the Region.*

1.2.2.1 Explanation

*A number of natural features and landscapes of an outstanding quality are present in the Region. These resources are of prime importance because they contribute to a considerable degree to the character and amenities of the Region, and are prized by takata whenua, residents of the Region and visitors and as such are worthy of protection. Many of these landscapes are on public land, but a number are not. It is important that these outstanding natural features and landscapes are protected from the adverse effects of inappropriate use and development.*

1.2.2.2 *Comment:* This objective demonstrates the clear link between landscapes and protection of historic heritage. Historic heritage is not simply individual sites, buildings or objects. No place is an island, no place or area exists separate from its setting. Landscape values are relevant to heritage buildings, monuments and other historic sites. This objective remains very relevant. Recognising the surroundings associated with historic heritage is an important method for providing for heritage landscape values.

1.2.3 **Objective 10.1 pg 143**

*To achieve the sustainable management of the built environment in such a way that the needs of future generation are met.*

1.2.3.1 Explanation

*The built environment is a physical resource of the region and, as with all resources, the Act requires that it be managed in a sustainable manner. The settlements and towns that comprise*

*parts of the built environment, and the infrastructure that services them, can be used and developed in a number of ways. In some cases this can give rise to inefficiencies.*

1.2.3.2 *Comment:* As noted above the quality of the regions built environment is an essential component of the quality of overall economic and community well-being. Quality largely depends on retaining those amenities that that community deem important and that includes heritage values and archaeological sites. Issue 1 notes a number of effects that the built environment can have resulting in the loss of resources or values. Protecting these resources and values for future generations is core to sustainable management. Inefficiencies can arise when development occurs in an ad hoc manner neglecting community well-being.

1.2.4 **Objective 10.2 Pg. 143**

*To maintain and enhance the environmental quality of the Region's built environment*

1.2.4.1 Explanation

*The quality of life for Southlanders comes not only from those things hat people can provide for themselves and their families, but also as a result of the built environment in which they live. That environment must provide for their economic and social needs, but not give rise to conditions that could affect public safety and health. The generated effects of the built environment, including solid and liquid waste disposal, will also require management.*

1.2.4.2 *Comment:* This objective remains relevant to Issue 1. The regions built environment consists of a number of variables that contribute to its quality. Settlement expansion can create tensions between pubic/private interest to use and develop resources and private/public interest in the preservation of historic heritage including values and sites. What is key is for the built environment to be integrated with the management of other natural and physical resources recognising the values that are attached to these.

1.2.5 **Objective 10.3 Pg 143**

*To protect heritage values and sites of archaeological significance.*

1.2.5.1 Explanation

*Those sties of importance could relate to the period when Maori were the only inhabitants of Southland, the time since European settlement, or features of the modern day. In urban areas slow rates of redevelopment have meant that many buildings and other structures of these still survive, and the extensive areas of much undeveloped wilderness in Fiordland and Stewart Island have also enabled much of the past to be preserved.*

1.2.5.2 *Comment:* The quality of the regions built environment is an essential component of the quality of overall economic and community well-being. As noted in 5.10 the built environment as is intrinsically linked with the natural environment and provides social, cultural and economic wellbeing. Our way Southland identifies promotion, preservation and the valuing of history and heritage as a key outcome for the region. Issue 1 identifies the effects from the built environment and

1.2.5.3 A key intermediate outcome is *'to value history and heritage'*. To achieve this, the following activities will be undertaken;

- (i) promote and preserve our history and heritage through leadership, community consultation, planning, and environmental management service provision;
- (ii) support and promote our identity, and the things we value about being Southlanders thorough the provision of Council services;
- (iii) collaborate with local agencies to identify and protect heritage and historical sites;
- (iv) uphold the principles of the Treaty of Waitangi and strengthen relationships with local Iwi and Tangata Whenua;
- (v) encourage and support events and activities in the region that celebrate who we are and where we have come from;

1.2.5.4 Indicative success measures to demonstrate whether the intermediate outcome is being achieved is an:

- increase in the number of listed and protected heritage and historical sites;
- increase in the number of visitors to museums and heritage sites;
- increase in the percentage of residents satisfied with museums and heritage sites.

1.2.5.5 For heritage, a broader interpretation and upgrading of status is reflected through recent amendments to the RMA. A new definition of historic heritage has been provided and the protection of 'historic heritage from inappropriate subdivision, use and development' has been elevated to section 6- a matter of national importance. Authorities and agencies exercising powers and functions under the RMA 'shall recognise and provide for' section 6 matters in policy documents.

#### 1.2.6 **Objective 10.4 Pg 143**

*To recognise and support the desire of Maori to maintain and enhance their relationship with their ancestral lands.*

##### 1.2.6.1 Explanation

*There are various means by which Maori may wish to maintain their relationship with their ancestral lands. This could include the construction of community facilities or papakianga housing. It is considered appropriate, taking into account the provision of the act, to support Maori in undertaking such activities.*

1.2.6.2 *Comment: Te Tangi a Tauri o Muribiku – The Cry of the People, Resource Management and Environmental Iwi Planning document for Murihiku acknowledges throughout the importance of protection of cultural heritage as it maintains continuity between the past, present and future. Protection of wāhi tapu and wāhi taonga sites including access enhances this relationship. Provision to support enhancement remains an important requirement under the Act and further*

fosters understanding about the significance of historic identity among the community. Strategies for identification, recognition and protection of historic heritage must consider the significance of Māori values in relation to heritage values generally. This will require a partnership approach to tangata whenua and the adoption of best practice methodologies and management approaches.

1.2.7 **Objective 10.5 pg 143**

*To minimise the adverse effects of the built environment in natural and physical resources*

1.2.7.1 Explanation

*In developing and using the built environment adverse effects can arise. These effects can be visual, or can impact directly upon aspects of natural and physical resources. It will not be possible to totally avoid these adverse effects but action can be taken to minimise them*

1.2.7.2 *Comment:* The New Zealand Historic Places Trust (NZHPT) established in 1955 promotes the conservation of the nation's natural heritage and historic places. The Historic Places Trust administers the Historic Places Act 1993 (HPA). This Act empowers the Trust with options to assist through recommendations for the conservation and protection of any historic area or wāhi tapu area (a placed sacred to Māori in the traditional, spiritual, religious, ritual and mythological sense). Local authorities must have particular regard to these recommendations.

1.2.8 **Policies 5.5 and 8.1** not relevant to loss of historic heritage (issue encompasses many aspects)

1.2.9 **Policy 10.1- 10.4** not directly relevant to historic heritage

1.2.10 **Policy 10.5 pg. 145**

*Protect buildings, structures, places and features or areas that have heritage, cultural or traditional value*

1.2.10.1 Explanation

*The Act provides for and recognises, the roles of statutory agencies with an interest in cultural and heritage matters. This includes the preparation of databases. Plans prepared under the act, should identify the processes that will enable those non-statutory bodies to have involvement in such matters, and the approach that will be adopted in providing for the protection of heritage sites whether they are identified in resource management document or newly discovered. The degree of protection afforded should relate to their significance.*

1.2.10.2 *Comment:* Historic Heritage has been elevated to a matter of national importance so if anything has become more important with respect to issue 1 and in particular the expansion of the built environment can result in the loss of heritage values. The Regional Policy Statement will need to recognise and provide for it as an issue. The debate that perhaps needs to be had in light of the policy 10.5 above is the degree of value. All buildings, structures, places, features or areas have some sort of heritage, cultural or traditional value. It is the degree and significance of that value that gives rise to the need for some form of protection.

1.2.11 **Policy 10.6 pg.145**

*Protect sites and resources of cultural, natural and spiritual significance to Maori and consult the takata whenua when making statutory decisions on issues impacting upon such matters.*

1.2.11.1 Explanation

*When resource management documents are being prepared there is a statutory requirement that the authorities preparing the documents consult with the takata whenua. Within Southland there are also a number of specific sites which are of cultural and spiritual significance to the takata whenua. These will be generally identified within Te Whakatau Kaupapa o Murihiku and in preparing management plans and assessing resource consents regard should be had to that document. Where development proposals requiring resource consents impact on such sites the consultation with the takata whenua is required. In the first instance the proponent should undertake that consultation. Resource management planning should also encourage the takata whenua to utilise their land, for example, papakianga housing, and should as far as possible, remove impediments to this use, to provide, among other things, opportunities for the strengthening of Maori culture and traditions.*

1.2.11.2 *Comment:* This policy relates to issue 1 and in particular how the expansion of the urban environment can have an effect upon sites of significance. It should be noted that Te Whakatau Kaupapa O Muruhiku has been superseded by *Te Tangi a Taurira - The Cry of the People*. Provisions within this iwi planning document under section 3.4 High Country and Foothills acknowledge that working with local authorities and other statutory agencies involved in the protection of cultural heritage to ensure that Ngāi Tahu perspectives and policies are reflected in statutory plans, best practice guidelines and strategies, and in resource consent process is of great importance.

1.2.12 **Policy 10.7 pg.145**

*Recognise that changes to one component of the built environment can have adverse affects on other components of the built environment.*

1.2.12.1 Explanation

*Linkages between components of the built environment result in impacts upon related components if changes occur. For example, ribbon developments result in greater risks to road traffic and increasing costs in servicing such as water and sewerage.*

1.2.12.2 *Comment:* This policy still remains relevant to Issue 1. As noted in the comment under Issue 1 settlement expansion can create tensions between public/private interest to use and develop resources and private/public interest in the preservation of historic heritage including values and sites. In some cases the lack in understanding and recognition by property owners and the public of the wider economic value of heritage beyond the short term property gain, drives the removal or demolition of sites. The removal of these sites opens the land for new economic activities. What is key is for the built environment to be integrated with the management of other natural and physical resources. Furthermore the built environment needs to be considered within a wider social framework to ensure that the built area is able to function as a healthy community. The quality of the regions built environment is an essential component of the quality of overall

economic and community well-being. Quality largely depends on retaining those amenities that the community deem important and that includes heritage values and archaeological sites.

### **1.3 Methods of Implementation**

1.3.1 An area requiring address will be the degree and nature of methods used to determine the level of protection given to regional heritage and how this will be achieved by local authorities.

1.3.2 There are a number of methods as listed on page 42 of the Regional Policy Statement that are relevant and applicable to protection of historic heritage. These methods can be tools used across many sustainable management issues including protection of heritage values whether these values are affected by use, development or enhancement occurring for example within coastal or rural areas or the development of transportation links or changes to landscape or biodiversity for example. These methods may need to be further supported by the overall policy framework which will determine management of regional heritage. Those methods requiring further discussion as outlined on page 42 are below.

#### **1.3.3 Method 1 *Information, education and public awareness* and Method 2 *Promotion***

1.3.3.1 Information in the form of advice, education and promotion are methods to achieve sustainable management by statutory and non statutory means. This further assists understanding of the connection between the values attributed to a place, links to a community and why there may be protection warranted. Therefore these methods remain relevant.

#### **1.3.4 Method 3 *Advocating***

1.3.4.1 This method is relevant as it is a further tool that can be used to ensure expansion or redevelopment of environments (rural, urban, coastal) does not impact upon buildings, structures, places, features or areas with significant heritage values.

#### **1.3.5 Method 5 *Consultation***

1.3.5.1 This method is fundamental to any resource consent, planning, educational and promotion process and remains highly relevant.

#### **1.3.6 Method 9 *Investigation and Research***

1.3.6.1 Investigation and research is a relevant method. Investigations and research can be used to obtain 'indicators' which are used to determine the state of the regions environment. This can measure the success or otherwise of plan provisions, which can determine the extent to which the objectives and policies of the Regional Policy Statement are being met. There is little point in implementing plans without some form of ongoing monitoring – this can in simple terms determine if Section 5 of the RMA is being met. Further to this, investigation and research can also

identify trends or unforeseen effects that may require addressing through plan changes. This method may require strengthening as to the level of investigation and research undertaken. In Southland the Coastal Heritage Inventory has allowed for the upgrading of the NZAA database. This will add in facilitating the listing of schedules in regional and district plans. The listing of sites in plans is however one area that requires address given there is constant upgrading of the database as more sites are found (see discussion under Part 3 –Emerging Issues). The level of investigation and associated inventories undertaken is perhaps a method requiring guidance in the reviewed Regional Policy Statement,

1.3.7 **Method 10 Strategies, Method 11 Regional Plans, Regional Coastal Plan, Method 12 District Plans, and Method 13 Plans, other documents and action under other Acts .**

1.3.7.1 Given legislative change the provisions of the Regional Policy Statement will have to be given effect to by Regional and District Plans, so any subsequent change, alteration or expansion of issues will require address. What the community will need to determine is the level of importance of historic heritage and how/if the Regional Policy Statement is going to provide direction to other planning documents, direct preparation of other strategies or outline requirements for the protection of heritage in general including criteria for assessing what constitutes inappropriate use, development and subdivision.

1.3.8 **Method 14 Resource Consents and Method 15 Conditions on Public Works**

1.3.8.1 Designation of network utilities, for example new highway corridors, can shape the future direction of urban development. It is important that the process of designation and resource consents actively take into account protection of historic heritage. There is the risk that the designation and heritage protection order process under part 6 of the RMA which does not provide for public consultation may affect significant heritage values if approved and although a outline plan is required it is too late for public consultation so is up to council to impose conditions. In this instance it is important for councils to be sure as to the nature and degree of protection expected by the community and how to determine what level of protection is warranted. In many instance the resource consent process will be determined by the issues in contention i.e. protection of historic heritage for example. Therefore the importance the community places of historic heritage will affect decision making processes.

1.3.9 **Method 16 Economic Instruments and Method 17 Assistance**

1.3.9.1 Economic instruments could be used for the purpose of maintaining amenity values, heritage values and archaeological sites of regional significance, for example, rate relief on protected or requirement for financial contribution on resource consents. Economic instruments can also be used to direct or discourage development in certain areas by way of differential rating or levies. To achieved desired community outcomes with respect to protection of heritage, consideration may be required to use both initiatives to assist and promote awareness and enforceable measures to ensure heritage protection. For example there is scope to

encourage greater heritage awareness and sensitivity by using initiatives such as heritage assistance funds, rates remission discounts on fees etc. However it is important that regional and district planning frameworks include a comprehensive and workable set of objectives, policies and rules that can both achieve desired outcomes and are enforceable also. The Regional Policy Statement can be used to guide planning documents in this area.